SUBJECT: Sign By-law Study Report (PED05172) (City Wide)

RECOMMENDATION:

a) That the Sign By-law Study Report prepared by Martin Rendl Associates dated October 2005 and attached to Report PED05172 as Appendix A be received.

b) That the proposals for regulating signs in Hamilton, as found in the Martin Rendl Report and summarized in Section 4 of Appendix A to Report PED05172, be presented at another series of Public Consultation Sessions similar to those held in July and August 2005.

c) That, at the conclusion of the Public Consultation Sessions, Martin Rendl Associates, working in consultation with the City’s Legal Services Division, prepare a draft of the new proposed Sign By-law for Council’s consideration at a future public meeting to be held early in 2006.
EXECUTIVE SUMMARY:

Since amalgamation in 2001, the City has in excess of 12 By-laws regulating signs in the City of Hamilton. Earlier this year a consultant was hired to conduct a Sign Study. This Study was carried out over the past six months and the resulting report is attached for Council’s consideration.

Upon approval of the recommendations and directions, additional Public Consultation Sessions will be undertaken. Following that consultation, a draft By-law will be submitted to Council for approval.

BACKGROUND:

On January 1, 2001, the Towns of Ancaster, Dundas and Flamborough, the Township of Glanbrook and the Cities of Hamilton and Stoney Creek were amalgamated and became the new City of Hamilton. Each community within Hamilton is unique and rich in history.

Since amalgamation, the Sign By-laws of each of the former municipalities throughout the “New” City of Hamilton (City) have not been harmonized. As a result, sign regulations continue to differ in each of the former municipalities.

A new Sign By-law in clear language and design format is needed to ensure regulatory fairness and equity, to provide a uniform set of rules for the sign industry and property owners and to maintain the beauty and aesthetics of the City.

The Transition Board secured funding from the Province by way of one-time transition grant for a comprehensive review of the Sign By-law. The City is to undertake this review “in order to provide appropriate and consistent standards across the new City”.

ANALYSIS/RATIONALE:

Since amalgamation, the City has been providing service to the community and sign companies using the existing By-laws from each former municipality including the Region. Provisions governing advertising, banners, portable signs, billboards, wall signs, roof signs, etc., are most often unique or specific to each community. In other words, the By-laws lack uniformity with respect to definitions and use of terminology. The current situation is inefficient to administer. This also leads to dissatisfaction with the public, business community and sign industry.

A new comprehensive Sign By-law will provide uniform standards across the whole City, will be much clearer to understand and more efficient to administer.

The new By-law will cover all aspects of signage such as:
  - Portable signs
    - Contractors Signs
    - Real Estate Signs
    - A-frame Signs
Mobile Signs
Inflatable Signs
New Home Builder Signs
Election Signs
Banners
- Posters
- Tourist Oriented Directional Signage
- Permanent Signs on Private Property
  - Ground Signs
  - Wall Signs
  - Projecting Signs
  - Roof Signs
  - Billboards
- Signs on City Property

The proposed new Sign By-law will be designed to achieve the following objectives:
- ensure public safety;
- facilitate aesthetic improvement of the City such that signage should be integrated with the architecture and landscaping not only to identify and inform, but also to complement and enliven the streetscape;
- provide commercial and industrial enterprises adequate, flexible means to identify themselves and their products or services, recognizing that the primary function of signage is to identify, rather than advertise;
- encourage and improve the quality of sign design;
- provide an easily understood and administrated set of objective guidelines by which signs may be regulated; and,
- address the administration and enforcement.

**ALTERNATIVES FOR CONSIDERATION:**

An alternative to the comprehensive review would be to do nothing and maintain the status quo. However, the discrepancies and disparities among the numerous By-laws illustrate that the current situation is not acceptable. A new By-law covering the entire City would be in the best interest of all.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

To address the concerns of the public, the business community and the sign industry, the recommendations contained in the consultant’s report provide for two new additional staff dedicated to sign enforcement. These resources are a critical component of the entire package. Without adequate proactive enforcement, the By-law will not be effective. During the public consultation sessions, both the public and the sign industry representatives expressed serious concern about the current lack of enforcement. The position of both was that strong proactive enforcement would provide a level playing field for the industry as well as provide the community with the more pleasing and proud appearance that they have been demanding.
In addition to the additional resources required to enforce the new By-law, significant staff time and resources will be required in the initial transition period following approval of the new By-law. Staff time will be required to research and document existing situations. Considerable dialogue and interaction will be required to address some of the issues.

As Council may recall, there was concern about ‘grandfathering’ existing signs following approval of the Portable Sign By-law in 1997. Staff will be addressing each of these enquiries as they are raised. The Municipal Act provides that signs legally erected at the time the new By-law is passed, enjoy legal non-conforming status. Consequently, each case will be considered on its own merit.

**POLICIES AFFECTING PROPOSAL:**

The current Sign By-law for the former City of Hamilton is buried throughout the current Zoning By-law. Considerable effort will be required to extract all references to sign regulations and amend the Zoning By-law accordingly.

Some of the policies affecting this proposal or reviewed for this study include:

- Hamilton Strategic Plan
- Hamilton Accessibility Plan
- Downtown Secondary Plan
- Site Plan Guidelines
- Keep Hamilton Clean

The existing By-laws of the former communities will be repealed.

**RELEVANT CONSULTATION:**

An initiative of this magnitude requires the resources and skills of many people. A staff review team with representation from the following areas has been established to supply valuable information and expertise, as well as providing general over-sight to the project:

**Steering Committee**
- Tim McCabe, Director of Development and Real Estate
- Tom Redmond, Director of Building and Licensing
- Dan Mousseau, Coordinator, Sign By-law

**Staff Review Committee**
- Paul Mallard, Manager, Development Planning
- Joanne Leung, Planner, Urban Design
- Al Fletcher, Sr. Project Manager, Development Planning
- Jorge Caetano, Manager, Building Construction
- Doug Rose, Manager, Standards and Licensing
- John Spolnik, Manager, Engineering and Zoning
- Paola Pianegonda, Supervisor, Municipal Law Enforcement - Building
- Robert Lalli, Building Engineer
Experience and Canadian Court rulings have shown that in order for any By-law to be relatively safe from Constitutional challenges, there must be extensive public and stakeholder consultation. During the months of July and August, seven Public Consultation Sessions were held wherein an overview of the Sign Study was presented. Generally, the overview presentation took about 15 minutes and the balance of the two-hour meetings consisted of those in attendance providing their views, comments, thoughts, complaints, etc.

In addition to these seven scheduled meetings, numerous meetings were held with other stakeholders and organizations. These included;
- Hamilton Association of Business Improvement Areas [HABIA]
- Some Individual BIAs
- Hamilton Halton Home Builders’ Association [HHHBA]
- Hamilton Chamber of Commerce and Chapters
- Stoney Creek Chamber of Commerce
- Ancaster Community Council

Furthermore, numerous emails and phone calls were received from interested parties who had been unable to attend any of the above sessions. These included the business community, sign companies and the general public.

**CITY STRATEGIC COMMITMENT:**

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Public services and programs are delivered in an equitable manner, coordinated, efficient, effective and easily accessible to all citizens.

The new Sign By-law will rationalize all Sign By-laws currently in force throughout the City. The result will be a By-law easier to understand by all, more fair and equitable to users and easier to administer by the City.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Human health and safety are protected.

The Sign By-law will reduce clutter and eliminate much of the unsightly posterings currently seen in the City. It should also make travel along City streets and sidewalks more enjoyable and safer.
Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported.

Numerous Sign Companies have mentioned that a fair, balanced and effectively enforced By-law will preserve and possibly enhance their investment in the City.

Does the option you are recommending create value across all three bottom lines?
☑ Yes ☐ No

The Triple Bottom Line (community, environment and economic implications) is being met. The community is getting a By-law that goes a long way to satisfying their concerns and complaints about urban blight, safety, clutter, etc. The By-law supports the environmental aspect by reducing the amount of clutter, debris and wasted valuable resources. Finally, the business community is receiving a By-law that balances their right and need to advertise. Everyone is being treated in a fair and equitable manner with equal opportunity. The City is also a benefactor through a more coordinated, streamlined administration.

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No
The creation of a respectful, desirable and supportive workplace.

The new Sign By-law will be easier to understand, administer and enforce. These factors, with Council and Senior Management support, will foster pride in the workforce knowing they are providing a valuable service to the community and City as a whole.

DBM:dbm
Attach. (1)
Hamilton New Sign By-law Study

Report No. 1: Proposals

Prepared by
Martin Rendl Associates
with
GSP Group
Entro Communications
WeirFoulds LLP

November 2005
Hamilton New Sign By-law Study

Report No. 1: Proposals

Prepared by

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November 2005
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EXECUTIVE SUMMARY

The purpose of the New Sign By-law Study is to prepare and enact a single new comprehensive sign by-law for the City of Hamilton.

The objectives of the New Sign By-law Study are to:

- Asses the adequacy of the current sign standards.
- Engage stakeholders in the sign study through a program of community consultation.
- Establish appropriate sign standards for Hamilton.
- Reflect the diversity found in Hamilton’s communities.
- Address current sign issues and priorities.
- Enact a new sign by-law that is easy to understand, administer and use.
- Provide for future effective enforcement of sign by-law regulations in Hamilton.

The work program for this study progresses in four stages:

Stage 1: Background and Analysis;
Stage 2: Public Consultation and Report No. 1;
Stage 3: Public Consultation and Report No. 2 containing final recommendations and a draft sign by-law;
Stage 4: Enactment by Hamilton Council of a New Sign By-law.

This is Report No. 1 of the Hamilton New Sign By-law Study. This report presents proposals for a new Hamilton sign by-law and sign-related administrative matters. The proposals contained in this report will be the focus of public comment and discussion in the next stage of this study.

This report marks the completion of Stage 2 in the study and contains the following:

- A review of existing sign by-laws and policies corresponding to the former municipalities.
- How the current City departments are organized to deal with signs including approval and enforcement activities.
- How the new sign by-law relates to other City of Hamilton programs.
- A summary of the public’s sign priorities expressed through the public consultation completed in Stage 2.
- A review of signs in the context of Hamilton’s areas of special character.
- An overview of the legal framework for the new sign by-law.
- Proposals for the new sign by-law including a framework for the by-law, proposed standards and regulations, and proposals for improvements to the City’s administrative and enforcement processes related to the sign by-law.

The remainder of this Executive Summary outlines the major proposals of this report related to sign by-law approvals, enforcement and sign standards or regulations.

Sign Approvals and Enforcement

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<td>Assign two staff positions to sign permit approvals, inspections and enforcement responsibilities in the Building and Licensing Division.</td>
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<td>Consolidate sign by-law enforcement responsibilities in two City inspectors for signs on public and private property.</td>
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<td>Include short form wording in the new sign by-law.</td>
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<td>Where appropriate or necessary, remove illegal signs and store the illegal sign granting the sign owner 30 days to retrieve the sign provided the fine and the City’s costs of removal and storage are paid.</td>
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<td>Follow a proactive program of sign by-law enforcement.</td>
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Licensing of Portable Sign Companies

- Portable sign companies that rent signs to persons or businesses in Hamilton must be licensed by the City of Hamilton.
- Business license fee: $185 per year.

Sign Permit Application Fees

- Ground Signs
  - $150 (2.5 m² or less in sign area);
  - $250 (Over 2.5 m² up to 4.0 m²);
  - $500 (Over 4.0 m²).
- Wall Sign: $250.
- Projecting Sign: $250.
- Billboard: $500.
- Mobile Sign: $50 per week per sign.
- A-Frame Sign: $75 per year per sign.
- Inflatable Sign: $50 per occasion.
- New Home Builder Portable Sign: $50 per sign per year.
- $100 per sign permit administration fee for any sign erected without a permit.

Signs on City of Hamilton Property

- The City of Hamilton should be exempted from the provisions of the sign by-law for temporary and permanent signs the City erects on City property.

Construction Information Signs

- No sign permit required
- Maximum size 10.0 m²
- Must be removed from the construction site within 30 days of project completion.

Real Estate Signs

- No sign permit required
- No illumination
- No directional signs to the property for sale or rent are permitted on any other private property.
- Signs must be removed within 7 days after the date of acceptance by the owner of an offer of purchase or lease.
- One real estate sign for each street line of the property.
- Residential: Single detached to townhouse dwellings
  - Real estate sign: Maximum size of 1.0 m² per sign face.
  - Only erected on the property listed for sale or rent.
  - Open house directional sign: Maximum 0.5 m² per sign face.
  - Open house directional sign permitted on the public road allowance excluding any traffic median or island and not on any utility pole.
  - Open house directions sign located no closer than 0.3 metres from the pedestrian sidewalk or the vehicular traveled portion of the road.
  - Open house directional sign display period: between 10 a.m. and 6 p.m. the day of the real estate open house.
- Apartment Building
  - Maximum size 4.0 m²
  - Only permitted on the property that is for sale or lease.
- Commercial and Industrial
  - Maximum size 4.0 m²
  - Only permitted on the property that is for sale or lease.

Proposed Standards for Temporary and Portable Signs

Contractor Identification Signs

- No sign permit required
- Maximum size of 1.2 m² per sign face.
- Maximum height 1.25 metres.
- No illumination.
- Erected only on the property during the period the contractor is performing the work.
A-Frame Signs

- Annual sign permit required.
- Validation marker issued by the City to be displayed on the sign or displayed in the store window.
- No more than 0.6 metres in width and 0.8 metres in height.
- No illumination, animation, or device that creates noise or motion.
- Display of A-Frame sign only permitted during the hours the business is open and operating.
- A-Frame sign must be located against the front wall of the business it is advertising, where there is sufficient space for the sign on private property.
- Where there is insufficient space on private property, the A-Frame sign may be placed on the road allowance adjacent to the curb and opposite the business provided the A-Frame sign maintains at least 1.5 metres of unobstructed sidewalk space and does not conflict with any urban braille system on the sidewalk.
- Any A-Frame sign on the public road allowance must satisfy City's general liability insurance requirements.
- A-Frame sign not permitted on lands that are vacant or lands zoned for residential uses with the exception of mixed-use zoning.
Mobile Signs

- Sign permit required.
- Sign permit application must include property owner’s authorization.
- Sign permit validation marker issued by the City to be displayed on the sign.
- Name and phone number of the company owning the sign must be displayed on the sign.
- Mobile sign may be located only on private property zoned and used for commercial, industrial, or institutional uses and only on the property with the business or use to which the sign applies.
- No mobile sign is permitted on vacant property.
- One mobile sign permitted at any time for any property with 25 business units or less.
- For commercial and industrial uses, maximum of two mobile signs permitted any time on any property with over 25 business units, with a minimum of 100 metres spacing between any mobile signs on the property.
- Each business on a property is permitted a maximum of 3 mobile sign permits per calendar year, each permit valid for 14 consecutive days maximum.
- A hiatus period of 14 consecutive days must pass between permits before the same business can again erect a mobile sign for itself on the property.
- Where a mobile sign has two sign faces, two separate businesses may share the sign, each business using one sign face with a permit.
- Maximum size 3.7 m² per sign face, maximum two sign faces.
- No one dimension more than 2.4 metres, maximum height of 2.7 metres from grade for the entire mobile sign structure.
- For institutional uses, one mobile sign permitted at any one time, maximum size 1.8 m², maximum two sign faces, maximum height 2.0 metres from grade.
- No illumination, animation, or device that creates noise or motion.
- Sign lettering will be white on black background or black on white background.
- Mobile sign shall not be located within 10.0 metres of a ground sign.
- Mobile sign shall not be located within 15.0 metres of an intersection, 3.0 metres of a driveway entrance or exit or the side lot line of a property.
- Mobile sign shall be located a minimum 1.5 metres from a street line, 10 metres from any traffic control device and shall not obstruct the line of sight of the intersection, driveway entrance or exit for any pedestrian or driver.
- No mobile sign shall be located in a parking space required under a zoning by-law.
- Owners of properties with multiple business tenancies or occupancies are encouraged to prepare a mobile sign location master plan to streamline sign permit approvals.
- Mobile signs are not permitted in Hamilton’s Downtown Community Improvement Area.
Inflatable Signs
- Require a sign permit as a portable sign.
- Sign application must provide details of location and how sign is anchored to the ground or tethered to its base.
- Maximum display period: Seven days, non-renewable permit.
- Maximum 2 permits per calendar year per business.
- Maximum 7 metre height and 6 metre width.

Subdivision Ground Signs
- Permit required.
- Located within the subdivision it advertises.
- Maximum sign area: 12 m².
- Maximum 3 signs per subdivision.

Election Signs
- No permits required.
- Allow election signs only on private property.
- Regulate election signs as part of the new sign by-law.

New Home Builder Portable Signs
- Require a permit, good for one year
- Validation marker issued by the City to be displayed on the sign.
- Maximum 1.2 metres in height.
- Maximum size of 1.2 m² per sign face, two sign faces maximum.
- No illumination, animation, or device that creates noise or motion.
- Maximum 3 signs permitted on each corner of an intersection, 1 per builder.
- Maximum 10 signs for each development
- Not located on a traffic island or median or attached to a light standard or utility pole.
- Not located closer than 1.0 metre to the curb or the edge of the traveled portion of the roadway where there is no curb.
- Not located within 3.0 metres of a driveway entrance or exit and shall not in any way obstruct the line of sight of the intersection, driveway entrance or exit by any pedestrian or driver.
- Period of display is no earlier than 5:00 p.m. on a Friday to no later than 7:00 a.m. the immediately following Monday. Period of display extended when Friday or Monday is a statutory holiday.
- Satisfies the City’s general liability insurance requirements.

Banners
- Require a sign permit when located on private property.
- Maximum display period: 14 days, non-renewable permit.
- Maximum 2 permits per calendar year per business.
- Maximum dimensions of 5 metre by 1 metre.
- Banner advertising a special event and erected by a charitable organization may be located on a fence adjacent to a street where the owner has granted permission. Maximum display period 14 days before the event and must be removed within 2 days after the event.
Posters
- No permit required.
- Only permitted on an approved poster sleeve or community information kiosk.
- Paper or cardboard only, maximum size of 22 cm by 28 cm.
- Only affixed by tape, no glue, tack, staple or nail.
- Maximum one poster for each event or announcement on each poster sleeve or community information kiosk.
- Maximum display period for poster is 21 days or not more than five days after the end of the advertised event, whichever is shorter.
- City may periodically remove any poster without notice to the person or organization.

Tourism Oriented Destination Signs
- Continue to regulated TODS under the City's current policy.

Proposed Standards for Permanent Signs on Private Property

Ground Signs in Agricultural Areas
- Permit required.
- One ground sign per property identifying the name of the farm operation or the proprietor. Maximum sign area 3 m².
- One ground sign per property advertising the sale of seasonal produce grown on the property on which the sign is located. Maximum sign area 3 m².

Ground Signs
- One ground sign for each frontage on a public street.
- Minimum 200 metre spacing between any two ground signs on a property.
- Maximum ground sign area 0.3 times the lot frontage on which the sign is located to a maximum area of 18 m² for each sign face.
- Maximum ground sign height: 3.5 metres for a ground sign less than 4.0 m²; 6.0 metres for a ground sign 4.0 m² to 6.0 m²; 7.5 metres for a sign over 6.0 m² in area.
- Each ground sign shall display the municipal street address number in numerals that are a minimum 15 cm in height.
- A maximum of 30% of the permitted area of the sign face of a ground sign may contain changeable lettering or copy.
- The intensity of illumination of electronic characters within the read-o-graph portion of a ground sign shall be at a constant level and the message shall be displayed for a minimum of 5 seconds and cannot be a continuously scrolling or chase message.

Wall Signs
- Maximum sign area: 15% of the building elevation on which the sign is erected, to an absolute maximum of 18 m².
- A mural is a type of wall sign, may not contain any advertising, and its sign area cannot exceed 25% of the building elevation on which the mural is located.

Projecting Signs
- Maximum sign area: 1.0 m².
- Minimum 2.5 m clearance from grade.
- Permit holder satisfies the City’s general liability insurance and encroachment agreement requirements.
Roof Signs
- Prohibit in the new sign by-law.
- Existing legally erected roof signs may remain as legal non-complying signs.

Billboards and Third-party Advertising Signs
- Only permitted on vacant undeveloped property zoned commercial or industrial.
- Not permitted in Hamilton’s Downtown Community Improvement Plan or on lands located along the Lincoln M. Alexander Parkway or the Red Hill Creek Expressway.
- Maximum sign area: 18 m² per sign face.
- Maximum height: 18 metres.
- Spacing: Minimum 300 metres to another billboard; Minimum 300 metres from any residentially zoned property.
- No animation.
- New billboards must be vertical posters.

Signs for Service Stations
- Apply the sign standards applicable to other commercial uses.

Menu Board Signs
- Permit required.
- One menu board and one pre-menu board per drive-through facility.
- Menu board: Maximum area 4 m²; Maximum height 2.5 metres.
- Pre-menu board: Maximum area 2 m²; Maximum height 2.5 metres.

Next Steps

This report is the first of two that will be prepared as part of the Hamilton New Sign By-law Study.

The next step in the study process is to receive comment from the public on the proposals contained in this report. This will be accomplished through a series of public meetings across Hamilton and other methods, similar to the public consultation measures completed during Stage 2 of the study leading up to this report.

The second report in this study will be prepared in Stage 3 of the study upon completion of the public consultation on the proposals presented in this report. That report will be the final report of this study. It will be present to Hamilton Council and will contain final recommendations and a draft sign by-law that implements the report’s recommendations.
PART 1
INTRODUCTION

1. STUDY PURPOSE AND OBJECTIVES

The purpose of the New Sign By-law Study is to prepare and enact a single new comprehensive sign by-law for the City of Hamilton.

The new sign by-law will replace the individual sign by-laws of the former municipalities - the Towns of Ancaster, Dundas, Flamborough, and Glanbrook; the Cities of Hamilton and Stoney Creek; and the Region of Hamilton-Wentworth. These municipalities were amalgamated in 2001 to create the new City of Hamilton.

The new sign by-law will be a single but comprehensive by-law that applies across the whole City of Hamilton. It will blend the regulations of current sign by-laws with new regulations that update standards for the current time and will also address matters not dealt with by the previous by-laws.

The objectives of the New Sign By-law Study are to:

- Establish appropriate sign standards for Hamilton.
- Reflect the diversity found in Hamilton’s communities.
- Address current sign issues and priorities.
- Enact a new sign by-law that is easy to understand, administer and use.
- Provide for future effective enforcement of sign by-law regulations in Hamilton.

2. STUDY APPROACH AND WORK PROGRAM

Our approach to the Hamilton Sign By-law Study starts from the premise that signs are key factors setting the visual quality of Hamilton’s spaces and streets. Signs help to define the character of areas and neighbourhoods in Hamilton.

Signs are also major channels of communication in the city, especially for the business community.

The new sign by-law will address Hamilton’s visual image by balancing the needs of businesses for signs with the preferences and values of the community. The intent of the new sign by-law is to regulate signs in a manner that results in signs contributing to the creation of streets and spaces across Hamilton that are attractive and safe.
The work program for this study progresses in four stages:

Stage 1: Background and Analysis;
Stage 2: Public Consultation and Report No. 1;
Stage 3: Public Consultation and Report No. 2 containing final recommendations and a draft sign by-law;
Stage 4: Enactment by Hamilton Council of a New Sign By-law.

This report marks the completion of Stage 2 in the study. The report provides an overview of the current situation in Hamilton with respect to sign standards, policies, and processes. It presents proposals for new sign regulations that will be discussed as part of the public consultation program in Stage 3. The comments of stakeholders from the Stage 2 public consultation process are a key part of the context for the proposals presented in this report.

The New Sign By-law Study focuses on the types of signs that are regulated by municipal sign by-laws. This includes primarily signs located on private and public property and private signs placed on the public road allowance with municipal permission.

Municipal sign by-laws are not used to regulate the signs used in traffic control and parking. Sign by-laws also do not deal with the advertising associated with City approved street furniture (benches, bus shelters) or the advertising on public transit vehicles. The City of Hamilton regulates these types of signs through other municipal by-laws or specific Council approvals. Accordingly, these types of signs are not part of this study for a new sign by-law.

3. COMMUNITY CONSULTATION

A sign by-law has wide application for Hamilton’s businesses and residents. Throughout the New Sign By-law Study process, various methods are used to give stakeholders opportunities to express their views on signs. This includes commenting on the current situation and stating their future expectations for new sign standards and regulations.

A range of consultation activities and measures took place during Stage 2 of the work program to engage stakeholders in the study and the preparation of a new sign by-law. These key public consultation measures were completed in Stage 2 leading up to this first report. They included the following:

- Public meetings were held in each of the former Hamilton communities. This provided residents and businesses with seven opportunities to become familiar with the purpose of the study and express their ideas about signs and their priorities for a new sign by-law.
- Presentations and meetings were held with: the Hamilton Association of Business Improvement Areas (HABIA); the Hamilton Chamber of Commerce and its Ancaster and Dundas Chapters; the Stoney Creek Chamber of Commerce; the Hamilton-Halton Home Builders’ Association; the Ancaster Community Planning Sub-Committee; and the Main Street West Esplanade BIA.
A web page was created on the City’s myhamilton.ca web site devoted to the study. The web page provides information on the sign study along with the ability for individuals to register their comments and ideas. The new sign by-law web page will be updated with new information as the sign study progresses.

Distribution of a sign survey questionnaire at all public meetings and through the web site. The questionnaire gave respondents an additional method to convey their sign preferences and expectations. The responses have helped to focus the work program on specific stakeholder priorities and issues.

Notice of the public meetings was communicated to the public and stakeholders by direct mail, advertisements in the Hamilton Spectator and other local community newspapers, posting on the City of Hamilton web site, and through press releases.

Additional insights into local sign issues were obtained through interviews with members of Hamilton Council and the City staff involved with signs and the current sign by-laws and policies.

The next round of public consultation will commence following the release of this report and focus on its proposals for new sign regulations and other provisions in the new Hamilton sign by-law.

4. PURPOSE AND FORMAT OF THIS REPORT

The purpose of this report is to present proposals for a new Hamilton sign by-law.

This remainder of this report is structured as follows.

Part 2 of this report reviews the current situation in Hamilton with respect to:

- Existing sign by-laws and policies corresponding to the former municipalities.
- How the current City departments are organized to deal with signs including approval and enforcement activities.
- How the new sign by-law relates to other City of Hamilton programs.

Part 2 also presents a summary of the public’s sign priorities expressed through the public consultation program completed in Stage 2 of this study.

Part 3 contains a review of signs in the context of Hamilton’s areas of special character. It also presents an overview of the legal framework for the new sign by-law.

Part 4 presents proposals for the new sign by-law including a framework for the by-law, proposed standards and regulations, and proposals for improvements to the City’s administrative and enforcement processes related to the sign by-law.

These proposals will be the focus of public comment and discussion during Stage 3 of this study.
PART 2
OVERVIEW

The purpose of the second part of this report is to present an overview of existing sign regulations in the City of Hamilton and the related administrative processes. This information reflects the provisions found in the current sign by-laws in effect across Hamilton.

This part of the report also provides an overview of the comments made by the public during the public consultation completed in Stage 2 of this study. It summarizes the public’s concerns about current signs in Hamilton, their suggestions for improvements, and their priorities for the new sign by-law.

1. THE CURRENT SITUATION

1.1 Hamilton’s Existing Sign By-laws

The City of Hamilton currently continues to administer the twelve sign by-laws of the former municipalities. These sign by-laws remain in legal effect at present and regulate signs across Hamilton.

<table>
<thead>
<tr>
<th>Current Sign By-laws</th>
<th>Former Municipality</th>
</tr>
</thead>
<tbody>
<tr>
<td>95-50</td>
<td>Town of Ancaster</td>
</tr>
<tr>
<td>3094-79</td>
<td>Town of Dundas</td>
</tr>
<tr>
<td>97-67</td>
<td>Town of Flamborough</td>
</tr>
<tr>
<td>511-94</td>
<td>Town of Glanbrook</td>
</tr>
<tr>
<td>6593, 75-127, 81-160, 86-77, 97-026</td>
<td>City of Hamilton</td>
</tr>
<tr>
<td>3042-89</td>
<td>City of Stoney Creek</td>
</tr>
<tr>
<td>89-038, 94-117</td>
<td>Region of Hamilton-Wentworth</td>
</tr>
</tbody>
</table>

In addition to these sign by-laws passed by the former municipalities, election signs are regulated through By-law 02-368 passed after amalgamation in 2002.

Appendices A1 to A6 provide a summary of the main sign standards found in the existing sign by-laws of the seven former municipalities.

The thirteen sign by-laws currently in effect across Hamilton were enacted over a span of about 50 years. Several of these sign by-laws have been amended incrementally to various degrees during that period.

The Municipal Act gives municipalities the authority to regulate signs through a sign by-law. All of the former municipalities enacted their sign by-laws under the Municipal Act, with the exception of Hamilton. The majority of the former City of Hamilton’s sign regulations are part of Zoning By-law 6593 which was passed pursuant to the Planning Act in the 1950’s. By-law 97-026 regulates mobile signs within the former City of Hamilton and was passed under the Municipal Act in 1997.

Zoning by-laws principally regulate the use of land and buildings. They are generally not used today by municipalities to regulate signs. Instead, sign by-laws are more commonly enacted pursuant to the Municipal Act, the provincial legislation containing the governing authority for municipalities to regulate signs.

While most of Hamilton’s current sign regulations were enacted through by-laws passed in the last 10 to 26 years, the majority of the sign regulations for the former City of Hamilton reflect the standards and approaches of the 1950’s when Zoning By-law 6593 was passed.

The regulations for permanent signs in the former City of Hamilton do not appear to have been materially revised since their adoption over 50 years ago. They have not aged well and the sign regulations for the former City of Hamilton are in the greatest need of improvement.
1.2 Hamilton’s Current Organization for Signs

The Building and Licensing Division of the Planning and Economic Development Department is responsible for Hamilton’s sign regulations. It administers most aspects of the current sign by-laws. The Development and Real Estate Division is responsible for sign variance applications.

Sign Permits

The Building and Licensing Division approves applications for new signs through sign permits.

In the sign permit process, applications are currently reviewed by a variety of plans examiners in the Building and Licensing Division. The review of sign permit applications is one of several job responsibilities for these staff members.

Competing workloads and priorities for these staff can negatively affect the efficiency of the sign permit process and the resulting approval times for a sign permit.

Sign Variance Applications

The Development and Real Estate Division of the Planning and Economic Development Department deals with sign variances. These are applications seeking an exception to the sign by-law regulations and require specific City approval.

In the case of the former City of Hamilton, since By-law 6593 is a zoning by-law, sign variance applications are currently decided by the Committee of Adjustment. This is not the case in the Downtown area since its sign regulations were recently passed pursuant to the Municipal Act at the time the new zoning for the Downtown was enacted.

Since the five other main sign by-laws in Hamilton were enacted under the provisions of the Municipal Act and are not zoning by-laws, applications for sign variances in the other former municipalities and in the Downtown area are decided by Hamilton Council. This is the conventional sign variance approval process followed by Ontario municipalities.

Hamilton’s current dual system of sign variance approvals is a legacy of having the current sign regulations split between by-laws enacted under the Planning Act and the Municipal Act. The new sign by-law will be enacted under the Municipal Act and will result in doing away with the current two approval streams for sign variance applications.

Sign By-law Enforcement

The Building and Licensing Division enforces the provisions of the sign by-laws where they are not complied with on private property or on the public road allowance. The Roads and Traffic Division of the Works Department is also responsible for enforcing some sign regulations within the public road allowance.

The City’s enforcement of its sign by-laws is presently spread between two staff groups in the Building and Licensing Division. Building Inspectors in the Building Construction Section primarily enforce sign by-law infractions located on private property. Municipal Law Enforcement Officers in the Municipal Law Enforcement Section primarily enforce sign by-law infractions occurring on the public road allowance.

The current division of sign by-law enforcement responsibilities based on whether the non-complying sign is on private property or on the public road allowance hampers effective enforcement particularly in the case of portable signs. For example, individuals with illegal portable signs often now simply move the signs back and forth from private property to the road allowance to delay or frustrate the City’s enforcement actions. The new sign by-law will end this practice by granting each sign inspector the authority to enforce the provisions of the sign by-law for any sign on private or public property.
The staff enforcing the sign by-laws receive their authority under different legislation. This is based on their prime job function (e.g., building inspector, by-law enforcement officer). As a result, the administrative work associated with sign by-law enforcement can be lengthy and cumbersome. This includes giving notice of a violation, laying a charge, and removing the illegal sign.

To improve the effectiveness and efficiency of their by-law enforcement efforts, many Ontario municipalities follow a short form wording approach for enforcing major by-laws.

None of the City’s existing sign by-laws contain short form wording. The new sign by-law will contain short form wording as one method of improving sign by-law enforcement. This approach will add a set fine ticket system to the enforcement tools the City has available to deal with illegal signs.

This new enforcement option should reduce the administrative burden and delay of the City’s current sign by-law enforcement processes. It will deliver better and quicker results enforcing against illegal signs.

2. HOW THE NEW SIGN BY-LAW LINKS TO OTHER HAMILTON PROGRAMS

The Hamilton sign by-law is one tool City Council and staff use to achieve the City’s vision for Hamilton: to be a great place in which to work, live and play. The new sign by-law supports and is linked to several City priorities as well as other ongoing programs and initiatives. These are described in the following sections.

2.1 Hamilton Strategic Plan

Hamilton Council has prepared a strategic plan. It contains a core set of values for governing the City of Hamilton. The new sign by-law directly supports the strategic plan goal that Council wants to build a great city in which to live and a city that works.

Improvements to Hamilton’s sign regulations and procedures will advance one of the core values of the strategic plan: excellence in service delivery and showing pride in its efforts and the community. These improvements also support the strategic plan’s goal related to the City’s service levels: accountability, service quality, accessibility, and taking into account community priorities.

2.2 Keep Hamilton Clean Committee

In 2003, Hamilton Council established the Keep Hamilton Clean Committee. One of the Committee’s responsibilities is to support the participation of community groups in keeping Hamilton clean by helping to control illegal postings and promoting community awareness of how to keep Hamilton clean.

The illegal placing of posters on utility poles and other public spaces will be addressed in the new sign by-law through regulations controlling how and where posting occurs in Hamilton. This focus on controlling posting better in the future supports the mandate of the Keep Hamilton Clean Committee and one of its priority initiatives.

2.3 Hamilton Accessibility Plan

The City of Hamilton has adopted an accessibility plan which in part, is intended to remove barriers to the full participation of persons with disabilities in the life of the City. The City’s policies for sidewalks and its urban braille program are two measures through which the City addresses the needs of persons with physical disabilities, blindness or visual impediments.

Portable signs and sandwich board signs are often displayed on sidewalks used by pedestrians. The location of these signs within the traveled width of sidewalks can create physical obstacles and barriers for pedestrians with disabilities.
The regulation of such signs in the new sign by-law to ensure safe pedestrian movement and acknowledging the particular needs of visually impaired pedestrians supports the objectives of Hamilton’s accessibility plan.

### 2.4 Downtown Hamilton Secondary Plan and Zoning By-law


Initial implementation of the Downtown Secondary Plan occurred in 2005 when a new zoning by-law was enacted for the Downtown in conformity with the policies of the Secondary Plan.

Originally the sign regulations for the Downtown area are found in the Hamilton zoning by-law. As an interim measure, the signage regulations from Zoning By-law 6593 for the Downtown have been retained but enacted in 2005 as a by-law under the Municipal Act. They will continue to apply Downtown pending completion of sign by-law study and the adoption of a new sign by-law by Council.

The current sign regulations in the Downtown are extremely outdated and inappropriate for such a key and prominent core area of Hamilton. Continuing with the minimal sign regulations of the current sign by-law in the Downtown area risks undermining many of the planning and urban design objectives recently adopted by Hamilton Council in the Downtown Secondary Plan and the new Downtown Zoning By-law.

The new sign by-law will replace these old and obsolete regulations with new sign standards consistent with the vision and objectives contained in the Downtown Secondary Plan and further articulated in Downtown Zoning By-law 05-200.

### 2.5 Site Plan Guidelines

In 2003, the City of Hamilton adopted site plan guidelines to promote high quality in new development across the City. These Guidelines include direction with respect to signage identification, visual appearance, sign design and legibility. The Guidelines “promote quality in Hamilton’s visual environment through site and building signs that are compatible with their surroundings and effectively communicate their meaning.” The Guidelines were prepared to link with the regulations of the sign by-law and provide further direction on the qualitative aspects of sign design and location.

### 2.6 Planning & Economic Development Department Business Plan

Completion of a new sign by-law implements objectives found in the current and past business plans of the Planning and Economic Development Department.

An earlier goal of the Downtown Renewal Division was to enact a new sign by-law for the Downtown in conjunction with the new secondary plan and zoning by-law. The new sign by-law meets that goal.

A new sign by-law also advances the business plan of the Building and Licensing Division which has primary responsibility for regulating signs in the City as one of its service areas.

### 2.7 City Support for Business Areas

There are currently a variety of business areas in Hamilton containing commercial and retail businesses. Figure 1 shows the distribution of Hamilton’s main business areas.
Businesses located in eleven of Hamilton’s business areas have organized themselves into Business Improvement Areas (BIAs). In a BIA local businesses and property owners join together and, with the support of the city, organize, finance, and complete physical improvements and promote economic development in their business area.

The City supports Hamilton’s BIAs in several ways:

- It has funded design studies for physical streetscape improvements aimed at improving the ambience and appearance of an area and enhancing its identity as a commercial area;
- The City has completed commercial market assessments of particular BIAs to assist businesses with marketing;
- Hamilton provides businesses located in BIAs with financial assistance to improve the facades of commercial buildings. Signage is one part of these facade improvements.

The regulations of the new sign by-law will complement the facade and streetscape improvements implemented or planned in Hamilton’s BIAs. This will ensure that new signs further contribute to an enhanced identity for these commercial areas in a manner that is consistent with the business area’s vision.

3. The Public’s Sign Priorities and Issues: What We Heard

The public consultation process in Stage 2 of this study provided a series of opportunities for Hamilton residents and businesses to express their views on the current sign situation in Hamilton and state their
priorities with respect to sign issues and future sign regulations in the new sign by-law.

At the seven public meetings which were held, two inter-related sign subjects were repeatedly raised as priority issues by the public:

- A strong concern about the steady increase in sign clutter along roads particularly from the proliferation of portable signs, temporary signs, and posters; and,
- The impression that the City does not actively or effectively enforce its sign by-laws against illegal signs.

Many residents were pleased that this sign study was underway. They felt such a review was overdue and that the time had come for Hamilton to address local sign issues and their current negative effect on the appearance of the city and its prominent areas.

Several members of the public remarked that in the past, “things were not as bad as they are now.” They felt Hamilton “can do better” when it comes to signs. Many saw better regulation of signs in the future by the City through a new sign by-law as being essential for helping achieve a more beautiful Hamilton, enhancing the City’s image, and fostering civic pride.

Sign companies also supported a new sign by-law as it would establish one single by-law for the City. They felt a new sign by-law with greater enforcement would create a more level field between sign companies that follow the sign by-law and competing companies that increasingly ignore current sign regulations.

No member of the general public suggested that there were insufficient opportunities for signage in Hamilton.

Appendix B contains a summary of the comments made at the public meetings.

Members of the public were also invited to submit their comments and issues about signs by email to the study team. Appendix C is a compilation of the email comments received. They echo the themes and priorities expressed at the public meetings.

A sign questionnaire was distributed at the public meetings and through the City’s web site. It surveyed stakeholder views on particular signs and asked about their priorities for the regulation of signs through a new sign by-law. The responses provided valuable insights into public attitudes about signs in Hamilton at present and in the future.

Appendix D1 is a summary of the public’s evaluation of the various kinds of signs presented based on the questionnaire responses.

The questionnaire asked stakeholders to rate the importance of various matters to what they think about signs in Hamilton. The public ranked the following sign related issues as very important in the questionnaire:

<table>
<thead>
<tr>
<th>Appearance of the sign</th>
<th>94%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effect of the sign on pedestrian or traffic safety</td>
<td>92%</td>
</tr>
<tr>
<td>Number of signs on a property</td>
<td>88%</td>
</tr>
<tr>
<td>How signs contribute to the appearance and character of an area</td>
<td>87%</td>
</tr>
<tr>
<td>Size of the sign</td>
<td>79%</td>
</tr>
<tr>
<td>Number of signs along the road</td>
<td>78%</td>
</tr>
<tr>
<td>Height of the sign</td>
<td>77%</td>
</tr>
<tr>
<td>How the sign blends with the design of the building</td>
<td>77%</td>
</tr>
<tr>
<td>Whether the sign is distracting</td>
<td>66%</td>
</tr>
<tr>
<td>Number of signs on a building</td>
<td>65%</td>
</tr>
</tbody>
</table>

The public was asked to name the top sign issue they see across Hamilton that requires attention. The most frequently mentioned Hamilton-wide sign issues were:

- Too many portable and mobile signs;
- Encroachment of portable signs onto City property and the road allowance;
Posters and advertising signs on utility poles.
The need to enforce the by-law against illegal signs;
Poorly designed signs and the appearance of portable and mobile signs; and,
Signs that affect traffic safety, are distracting, or interfere with sight lines.

A further indication of the range of sign concerns is held by the public is found in the following sample of responses received. In many cases, the same concerns - about portable and mobile signs, illegal signs and enforcement - were mentioned repeatedly by respondents.

- Portable signs look cheap.
- Portable signs are too much clutter encroaching on city property.
- Portables! Portables! Portables!
- Lack of sign by-law rules and enforcement.
- Enforcement of sign by-laws.
- The need for a by-law "with teeth."
- Reverse the proliferation of permanent mobile signs.
- Do not like large billboards.
- Too many mobile and portable signs.
- Neatness of signage.
- Size and number of signs per business location.
- Illegal placement of "temporary" and third party signs.
- Small stick in the ground signs.
- Signs in non-commercial and residential zones.
- Ground signs.
- Posters and commercial advertising signs on poles.
- Signs on city property.
- Too many signs, no consistency on size, etc.
- Signs posted on poles are all over the place.
- The look of signs on historic buildings and in historic districts.
- Eliminate mobile sign clutter.

- Do not allow roof signs.
- Portable signs blocking sight lines.
- Video signs distracting drivers.
- Neon coloured portable signs.
- No neon signs.
- Those dreadful orange and red portable signs.
- Guidelines for the size, shape and colour of signs.
- Signs that are too large for the building.
- Suggestive wording on signs.
- Signs that distract drivers or that are in the line of vision for traffic.
- Safety and not distracting drivers.
- Garage sale signs not taken down within 24 hours of the event.
- Sign size and placement.
- Fitting signs into the character of the street and neighbourhood.
- Aesthetically pleasing signs.
- Size of signage relative to street frontage and neighbourhood.

Members of the public were also asked for suggestions on how they felt Hamilton should change or improve the way it regulates signs and which one change would do the most to improve the situation concerning signs in Hamilton.

The public’s suggestions and priorities for improvements echoed the predominant sign issues raised throughout the Stage 2 public consultations: better control of mobile and portable signs and better enforcement of the sign by-law against illegal signs.

The specific improvements suggested by respondents in the questionnaire are found in Appendix D2. The suggested improvements primarily deal with mobile and portable sign issues as well as related concerns about sign by-law enforcement by the City.
PART 3
REVIEW OF CHARACTER AREAS IN HAMILTON

The third part of this report reviews signs in the context of Hamilton’s areas of special character. These areas include Heritage Conservation Districts, traditional main street shopping areas, and designated Business Improvement Areas.

The regulation of signs on lands in Hamilton that are within the jurisdiction of the Niagara Escarpment Commission is also discussed.

This third part of the report concludes with an overview of the legal considerations relevant to the regulation of signs in a municipal sign by-law. A summary of the constitutional principles associated with the municipal regulation of signs provides the legal framework for the new sign by-law.

1. AREAS OF SPECIAL CHARACTER

Signs should be designed and located to be compatible with and supportive of Hamilton’s character and place-making aspirations. The place-making context for signs varies across the City and needs to be assessed in order to develop a suitable new sign by-law.

Within the City there are many areas with special character. The purpose of this review was to determine if there are specific signage issues within Hamilton’s various neighbourhoods, nodes or corridors, and to determine whether there are unique areas of character where signs will assist in creating or maintaining an area’s character.

This analysis included a review of Hamilton’s Heritage Conservation Districts (HCD), the various downtown areas of the former municipalities now comprising the City of Hamilton, and the traditional main street shopping areas, many of which are also Business Improvement Areas.

Signage is part of the streetscape and the landscape of North America cities. Signs serve a multitude of purposes including identification for properties, businesses and uses, way finding, and advertising. Effective signs achieve these functions by being integral parts of the built-in environment, not as separate entities. Such signs achieve their purpose as a sign while also making a positive contribution to the site, building, street or neighbourhood and its visual character.

Context is important for signs and should be reflected in the type and size of the signs used. Signage in urban areas should be fundamentally different than in a suburban context. Development in urban areas tends to be denser, on smaller lots, closer to the street, and more pedestrian-oriented. Accordingly, signs in urban areas need not be as large as in suburban areas given the location of the buildings closer to the street and less reliance on the automobile as a factor determining the pattern and density of development.

1.1 Heritage Conservation Districts

Hamilton has eight Heritage Conservation Districts (HCD). They are:

- Mill Street;
- MacNab-Charles;
- Durand-Markland;
- Cross-Melville;
- Hamilton Beach;
- St. Clair Avenue;
- St. Clair Boulevard; and,
- Binbrook Village Community Core.

Hamilton’s HCDs are primarily residential neighbourhoods and are typically small areas. Given their residential nature and lack of commercial development, HCDs typically do not have signs and the associated issues. The general exception is several churches which are located within these older neighbourhoods and have small signs.
There is no need to create specific sign regulations for Hamilton’s existing HCDs at this time. Future HCDs may require specific sign by-law regulations depending on their nature and character.

For example, if a future HCD were to contain a main street commercial area, it may be appropriate to provide specific signage regulations. The sign by-law can be amended at that time to provide appropriate regulations and the Heritage Conservation District plan could contain guidelines for new signage that correspond with the area’s heritage context.

1.2 Downtowns and Main Streets

There are two main forms of commercial development in Hamilton and they can be characterized by their period of development: the pre-1950 pedestrian-oriented main street form, and the post-1950 more automobile-oriented plaza and shopping centre form.

It is in the pedestrian-oriented main street environment where signs are often key components in establishing streetscape identity and character. Hamilton has several downtowns that have been carried forward from the former municipalities. In addition, there are several main street shopping areas some of which are Business Improvement Areas. The commercial shopping areas reviewed in this study include:

- Waterdown BIA;
- Downtown Hamilton BIA;
- King Street West BIA;
- Westdale Village BIA;
- Dundas BIA;
- International Village BIA;
- Concession Street BIA;
- Stoney Creek BIA;
- Ottawa Street BIA;
- Barton Village BIA;
- Main West Esplanade BIA;
- Ancaster Village Core; and,
- Locke Street business area.

Generally, Hamilton’s main street areas and BIAs share common characteristics and approaches to
signage. Their urban form is defined by buildings located close to the street line, 2 to 3 storey building height and sidewalks 2 to 3 metres in width adjacent to on-street parking. The downtown of the former City of Hamilton exhibits similar characteristics but with greater density and building height.

The signage in these areas is predominantly of three types: wall signs, projecting signs, and sandwich boards or other small portable signs. Also found in some of the main street areas are roof and ground signs.

Wall Signs

The main street areas have a consistent built-form and generally take a consistent approach to the wall signs on stores and buildings. Most of the current sign by-laws have similar wall sign regulations.

One sign characteristic that does vary across Hamilton’s main streets is the quality of the execution. Some businesses have signs that are well integrated with the scale of the building and its architecture. The signs employ designs, colours and materials which provide visual interest. The Locke Street commercial area contains many good examples of some of the more creative signs found in Hamilton.

Downtown Hamilton has a unique wall sign issue. There are several buildings facing Gore Park with wall signs that are two and three storeys in height. These large signs completely dominate and overpower the local streetscape. These massive wall signs are permitted under the current sign by-law and illustrate some of its shortcomings for adequately regulating signs in the present time.

One issue requiring attention in some of Hamilton’s main street areas is the need for improved integration of a business’ sign program with the design of the building the business occupies. This is an issue which cannot be addressed through the sign by-law but could be addressed through local area guidelines and encouragement by the City of better integration between signs and buildings at the site plan review stage for new development applications.

Projecting Signs

Hamilton, more than most communities, has retained many of its projecting signs which were popular prior to the 1960’s and 70’s. In areas such as Locke Street, these signs are making a comeback. They add a great deal of visual interest to such a street.

Projecting signs are ideal for a pedestrian-oriented shopping street as they are easy to read for both people walking along the sidewalk as well as motorists traveling on the street. Projecting signs should be promoted in the main street shopping areas.
Because projecting signs hang above the public sidewalk and road allowance, the owner of a projecting sign must execute and register an encroachment agreement with the City. Businesses have said this process is overly cumbersome and time consuming. The current process discourages many shop owners from implementing projecting signs. Measures to simplify the encroachment agreement process would be helpful in this regard.

**Portable Signs**

Some shop owners use small A-frame or sandwich board type portable signs to advertise their business on sidewalks in the main street areas. These signs should be kept out of the traveled area, along the curbside of the street, so as not to impede pedestrians. Most businesses observe this principle.

These small signs add to the character and animation of the street. It is important, however, to ensure that their scale is appropriate and that they do not overwhelm the pedestrian realm or impede pedestrian flow along the sidewalk. The new sign by-law will address appropriate sizes and locations for these portable signs.

Parts of some main street areas contain the large portable or mobile signs available for rent from sign companies. These signs are usually placed on properties where some buildings are set back from the street line or where there are gaps in the streetwall fabric. In some of the traditional downtown areas, these mobile signs dwarf the ground sign of the business.

These kinds of portable and mobile signs are typically found in more automobile-oriented shopping areas. They are completely out of place in pedestrian-oriented main streets. It is proposed that the new sign by-law prohibit these larger portable signs in areas where the buildings are located in proximity to the street line.

**Ground Signs**

Ground signs are generally not found in pedestrian-oriented main street areas due to the lack of a setback of buildings from the street line. There are some instances where buildings are sufficiently set back from the street that ground signs are used. Examples are service stations or a modern commercial infill development on a main street area, such as in the Ancaster Village Core.

Small ground signs are used as part of the heritage theme in the Ancaster Village area. The heritage village area guidelines adopted in 1979 and the village area signage study of 1994 encourage small scale, non-obtrusive signage conducive to a pedestrian environment.

The conditions of Ancaster are somewhat unique as some of the buildings are houses which have been converted for commercial purposes. Since they are set back from the street, this provides the opportunity for small scale ground signs. Similar situations are found in Stoney Creek.

**Roof Signs**

Roof signs are found across Hamilton. Many existing roof signs are third-party billboards located on top of buildings with flat-roofs.

Roof signs can be designed as part of the overall building architecture. However, in most cases in Hamilton, the roof signs have been later additions which do not integrate with the building, in particular the building’s elevation.
These roof signs do not add to the character of the local streetscape or neighbourhood. In many cases roof signs detract from the overall character of the street. Visual clutter is created when the roof signs are added to the other signage, utility poles, and building elements present along the street.

For these reasons, roof signs should be prohibited from main street areas in the new sign by-law.

1.3 Signs in Business Improvement Areas

As was previously mentioned in Part 2, Hamilton has eleven active BIAs. The City assists these local business organizations to understand their market opportunities and develop the appropriate business strategies and market positioning to promote their growth. Gateways to some of Hamilton’s BIAs are now being created within the public right-of-way. This type of streetscape element does not require direction from this study or regulation from the sign by-law.

As the BIAs implement their marketing strategies it may become desirable to create an integrated local streetscape, building elevation and signage program. This would provide guidance for sign design in the BIA that promotes creativity, sensitive design and enhances the individual BIA theme. These are matters that do not need to be regulated through the sign by-law but are more appropriately addressed through local and area-specific guidelines.

1.4 Current Area-Specific Sign Guidelines

Hamilton has several documents which address the design and visual aspects of signage. A sign by-law can address matters such as which type of sign can be used on a building or site, its maximum size and location on the property. Sign by-laws cannot regulate qualitative aspects such as style, integration with building architecture and streetscape, and graphic theme. These matters are best addressed through local design guidelines.

The City of Hamilton adopted Site Plan Guidelines in September 2003 for application across the City. Section 3.10 of the Guidelines provides direction with respect to signage identification, visual appearance, legibility, wall sign design, ground sign design, projecting sign and portable signs.

In order to be effective, it is necessary that sign programs be reviewed early in the development review process, ideally at the site plan review stage. By the time an application for a sign permit is made, significant effort has been expended by the proponent and a detailed design has been created. Proponents are reluctant to make changes at this late date, especially if the sign complies with all aspects of the by-law regulations.

In order to effectively promote good sign design it is necessary for City staff to request a preliminary review of site and building signage at the time of site plan application so that an integrated and comprehensive urban design approach is taken and issues of sign uniformity across multi-tenant development can be addressed early in the approval process.

The Binbrook Village Community Core Urban Design Guidelines prepared by the City provide direction for enhancement of Binbrook’s core area. Section 5.11 of the streetscape design guidelines addresses signage. These design objectives are very appropriate for Binbrook as well as other main street and pedestrian-oriented shopping or mixed use areas. The implementation section of the guidelines suggests that a new comprehensive sign by-law is required for the Binbrook Village commercial core.

The former City of Stoney Creek prepared the Olde Town Urban Design Plan in 1997 to guide improvements in its downtown area. The guidelines promote a return to the historic role of a small town downtown street for King Street and emphasize that it should have a distinctive look.

Section 4.4 of the Old Town Urban Design Plan addresses facades and signage. The guidelines promote private commercial signage which generally
has lettering of a simple classic type, construction of traditional materials and a size that is “not too excessive.” Signs should be affixed to buildings and have regard to architectural features and the effect on the streetscape with colour, design and illumination relating to the building. These sign principles are universally applicable across Hamilton.

For the Stoney Creek downtown core, the guidelines recommend that a number of principles be incorporated into the sign by-law for development on King Street between Second Street and New Mountain Road. These principles include:

- Commercial signs to be building mounted, without projecting into the public space;
- Establishment of colour palette and font styles for public and commercial signs; and,
- Encourage coordination among proprietors with respect to signs.

Despite this direction, projecting signs are appropriate in the Stoney Creek downtown area if they are of proper scale and design. The regulation of colour and font style is beyond the scope and intent of a sign by-law. Neither is coordination between building owners something a sign by-law can regulate. The direction identified in the urban design plan is best addressed through local guidelines for signs and building elevations.

2. THE NIAGARA ESCARPMENT

The Niagara Escarpment Plan (NEP) applies to part of both the urban and rural areas of the City of Hamilton in the vicinity of the Niagara Escarpment. In general, it is the intent of the NEP to allow only limited development within the rural and recreational areas of the Escarpment where it can be designed and located in a manner so as to preserve the natural, visual and cultural characteristics of the area. In the urban areas, development should be in harmony with and maintain the existing character of the Escarpment landscape.

The NEP was recently revised to add development criteria for signs and billboards. Signs are permitted where they are accessory to a principal use located in the Escarpment Natural, Protection, Rural and Mineral Resource Extraction Areas, and in the Escarpment Recreation Area. Signs are to be compatible with the local topography and scenic environment with visual impact minimized through compatible sign design, materials, colour, siting and landscaping.

Section 2.2.11 (e) limits signs to one per lot with a maximum area of 0.9 square metres. All municipal standard respecting signs must also be met.

The Niagara Escarpment Commission (NEC) administers a development permit system established under the Escarpment Planning and Development Act. A development permit must be obtained for signs if the property is located within the Escarpment Natural, Protection, Rural and Mineral Resource Extraction Areas, and in the Escarpment Recreation Area.

Within the Urban Area and Minor Urban Centre designations, the NEC does not require a development permit approval for signs. In the urban areas the NEC relies on the by-laws of the municipality.

Section 11.1 of the NEP prohibits billboards in the Escarpment Natural, Protection, Rural and Mineral Resource Extraction Areas. In Escarpment Recreational Areas, billboards are not permitted on prominent slopes or in places where such billboards would obstruct the views of prominent escarpment slopes.

The NEP provides a sign regulation framework that both complements and integrates with Hamilton’s sign by-law.

3. LEGAL CONSIDERATIONS FOR REGULATING SIGNS

Over time, the legal framework for municipal regulation of signs has been further defined by a
series of court decisions on sign cases in Canada. These cases have generally arisen from a challenge by an individual or a sign company of a municipality’s sign by-law. The challenges have mainly involved the question of whether a particular provision of a municipal sign by-law violates the freedom of expression guarantees of the Canadian Charter of Rights and Freedoms.

3.1 Leading Canadian Sign Cases

The following is a summary of the leading Canadian sign cases in the last 22 years that have dealt with this issue for different types of signs.

City of Peterborough v. Ramsden (1993)

Postering is a form of expression protected under s. 2(b) of the Charter. A by-law whose purpose is content neutral and which aims only to control the consequences associated with postering, but whose effect creates an absolute ban on postering on public property, will violate s. 2(b) of the Charter and not be saved under s. 1 of the Charter.

City of Toronto v. Quickfall (1994)

A by-law which does not explicitly create a total ban on postering on public property, but which has the practical effect of creating a total ban, will violate s. 2(b) of the Charter and not be saved by s. 1. Where the by-law allows for posters subject to obtaining permission, but provides no mechanism to obtain that permission, the practical effect is a total ban.

Nichol Township v. McCarthy Signs Co. (1997)

A by-law which permitted only first-party signs for the principal purpose of preserving the scenic rural characteristics of the Township and preventing distractions to motorists violated section 2(b) of the Charter. However, it was upheld under s. 1 of the Charter on the basis that the restrictions were proportionate to the by-law's objectives and minimally impaired the right to expression.

Canadian Mobile Sign Assn. v. City of Burlington (1997)

A by-law which created restrictions on the use of mobile signs so as to prevent traffic hazards and protect streetscapes violated s. 2(b) of the Charter but was saved under section 1, on the basis that (i) the effect of the by-law was not a total prohibition on mobile signs; (ii) the by-law was enacted after a public consultation process; and (iii) the by-law contained only 'time, place and manner' restrictions and not prohibitions.

City of Stoney Creek v. Ad Vantage Signs Limited. (1997)

A by-law which generally prohibited mobile signs with certain exceptions violated s. 2(b) of the Charter and was not saved under s. 1, since the goal of preventing traffic hazards and maintaining aesthetics could be achieved by less restrictive measures.

Beaumier v. City of Brampton (1998)

A by-law which prohibited signs on public property except in designated areas on boulevards was found not to violate s. 2(b) of the Charter on the basis that (i) alternative forums for the expression were provided; (ii) the by-law intended to control only the physical consequences of signs; and (iii) the erection of a sign was inconsistent with the function of a boulevard.
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*Urban Outdoor Trans Ad v. City of Scarborough* (2001)

A sign by-law which imposes an annual fee for signs and a cap on the total number of signs together with a cap on the number of new signs violates s. 2(b) of the *Charter* but can be justified under s. 1.

*City of Vancouver v. Jaminer* (2001)

A by-law which prohibited rooftop signs was upheld under s. 1 of the *Charter* on the basis that (i) there were no less restrictive means of achieving the by-law’s objective; (ii) the by-law did not prohibit signs in all location or all types of signs and (iii) the by-law was passed after a public consultation process.


A by-law which defined advertising signs as any sign containing the name of a business other than one carried on at the property where the sign was located, and which prohibited advertising signs outside industrial zones, violated s. 2(b) of the *Charter* and was not saved by s. 1. The by-law deprived consumers of an optimum means of counter-advertising. The prohibition was not rationally connected to the goal of preventing visual pollution and was not the least restrictive means available.

*Vann Niagara Ltd. v. Town of Oakville* (2002)

A by-law which created a complete prohibition on third party billboard signs violated s. 2(b) of the Charter and was not saved under s. 1. However, the provision of the by-law which regulated the size of billboards by prohibiting billboard signs over a certain size minimally impaired the right and was therefore saved under s. 1.

*Ontario (Minister of Transportation) v. Miracle* (2005)

Provincial legislation which imposes minimum distance separation requirements from controlled access highways for signs so as to promote traffic safety will be upheld under s. 1 of the *Charter*. The Court will not second-guess the minimum separation distance chosen by the regulatory authority.

### 3.2 Constitutional Principles for Signs

Several constitutional principles flow from these leading sign by-law cases and are relevant for a new Hamilton sign by-law.

- Virtually all sign regulations will likely be found to constitute a prima facie infringement of section 2(b) of the *Charter*. The municipality bears the onus of proof to demonstrate that the infringement constitutes a reasonable limit prescribed by law which can be demonstrably justified in a free and democratic society.
- The municipality in its onus of proof must demonstrate that the sign regulation is intended to serve one or more objectives which can be shown to be pressing and substantial. It must also prove that the means chosen to achieve the objectives bear a rational relationship to these objectives.
- A sign regulation will not necessarily be unconstitutional merely because its purpose or effect includes the regulation of content. A key question will be whether the content restriction is rationally related to a valid objective which the municipality seeks to achieve.
- A sign regulation will not necessarily be unconstitutional merely because its purpose or effect is to prohibit a certain type or category of sign. Provided the municipality can demonstrate a valid objective and no less restrictive means of achieving the objective short of an outright prohibition, the regulation can withstand judicial scrutiny.
- A sign regulation can impose limits on the permissible size of certain types of signs even where the maximum size permitted is less than a recognized industry standard. So long as the municipality can demonstrate a valid objective and has chosen to draw the line in a rational manner having regard to that objective, a reviewing court is unlikely to second guess the
size maximum or minimum distance separation it has chosen.

- A municipality can impose an absolute cap on the maximum number of signs of a particular type or category and impose a cap on the number of new signs permitted annually until the absolute cap is reached.

- A municipal sign by-law is more likely to withstand judicial scrutiny where the municipality can demonstrate it engaged in a comprehensive process of study and public consultation prior to enacting the sign by-law.
PART 4
NEW SIGN BY-LAW PROPOSALS

The fourth part of this report presents proposals for regulating signs in Hamilton in the future. These proposals for the new Hamilton sign by-law are for public comment and discussion in Stage 3 of this study.

The proposals presented in Part 4 of this report for a new sign by-law and related measures are of four types:

- A framework for the new sign by-law;
- Sign by-law administration and enforcement;
- General provisions; and,
- Proposed new standards for signs.

1. FRAMEWORK FOR THE NEW SIGN BY-LAW

The sign by-law framework presented here outlines the major matters which the new sign by-law will address.

The new Hamilton sign by-law will be structured to address all of the substantive aspects involved in regulating the physical aspects of signs. In addition, it will set out the processes and methods the City will follow in administering and enforcing the sign by-law’s provisions.

The framework for the new sign by-law consists of nine main parts described as follows.

(A) By-law Purpose and Intent
The purpose and intent of the sign by-law should be stated at the outset of the by-law since this is the basis for the sign standards and other provisions. Stating the by-law’s purpose and intent also helps guide future decisions on matters such as variance applications where maintaining the general intent of the sign by-law is relevant to making a decision about approving the variance requested.

(B) Definitions
The definition section will define key terms used in the by-law to ensure clarity of meaning and intent. The use of clear terms will make certain the provisions of the sign by-law are understood by users. It will minimize future questions about how the by-law’s provisions are to be interpreted.

(C) Administration
This section will describe how the by-law is administered by the City of Hamilton. Matters addressed will include the staff responsible for administering the sign by-law, the City’s requirements for sign permit applications, and application fees. Other matters addressed in this section will include the issuance, expiration and revocation of sign permits and provisions for encroachment agreements where they are required by the sign by-law.

(D) Prohibitions and Restrictions
The types of signs prohibited will be specified along with any general prohibitions or restrictions on the erection of signs in Hamilton. The latter include regulations related to general and traffic safety as well as requirements to maintain and keep signs in good repair.

(E) Signs Not Requiring a Sign Permit
A wide range of minor signs that do not require a permit will be identified. Examples include real estate signs, open house signs, directional signs, information signs, and contractor signs.

While such signs will not require a permit, they are not exempt from complying with specific requirements the sign by-law may prescribe with respect to matters such as sign size and location. Where necessary or appropriate, the sign by-law will specify the regulations these sign must comply with. Signs that do not comply with these regulations become subject to the enforcement provisions of the by-law.
(F) Regulations for Permanent Signs on Private Property
The sign by-law will set out regulations for signs requiring permits including both permanent and temporary signs. It will regulate matters such as sign size, height, location and other relevant matters.

The majority of the sign regulations will deal with permanent signs located on private property. This includes: ground signs, wall signs, projecting signs, murals, billboards, and menu boards for drive-through facilities.

(G) Regulations for Temporary Signs on Private Property
Temporary signs on private property include A-Frame signs, mobile signs, banners, inflatable signs, subdivision and new development signs, and election signs.

(H) Regulations for Temporary Signs on Public Property
This section will contain regulations for temporary signs located on public property, mainly the public road allowance. The types of signs included are A-Frame signs, new home builder signs, posters, and banners.

(I) Enforcement and Removal of Unlawful Signs
This section will describe the enforcement measures the City will follow in cases where a person or sign does not comply with the sign by-law. Enforcement measures for unlawful signs will include penalties and the removal of the signs.

2. SIGN BY-LAW ADMINISTRATION AND ENFORCEMENT

The following proposals are designed to respond to the issues raised by the public with respect to the City's administration and enforcement of its sign by-laws.

2.1 Sign Approvals and Inspections

As described earlier, the responsibility for the approval of sign permits, the associated inspections and sign by-law enforcement are currently spread among various staff in the Building and Licensing Division.

Improved efficiency with respect to sign approvals and enforcement would result from having dedicated sign inspectors. These sign inspectors would be responsible for all sign approval and enforcement activities. This would avoid sign by-law matters competing for an inspector’s time with other duties or job responsibilities. It would also collect all sign matters in the sign inspector and removing the need to coordinate sign matters across staff in different offices or divisions.

Two dedicated sign inspectors should provide adequate staff resources to administer the new sign by-law and conduct effective enforcement of the by-law.

<table>
<thead>
<tr>
<th>Sign Approvals and Inspections</th>
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<tr>
<td>Assign two staff positions to sign permit approvals, inspections and enforcement responsibilities in the Building and Licensing Division.</td>
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2.2 Sign By-law Enforcement

The top administrative issue raised by the public throughout the public consultation process was the need for better enforcement of the sign by-law in Hamilton.

The public’s service expectation of the City for sign by-law enforcement is that the City become more effective in the timely identification of instances of illegal signs and then achieving compliance with the by-law or removal of the illegal sign. The public and sign companies also considered more effective enforcement as the leading factor that in the future would result in errant sign companies altering either their behaviour and following Hamilton’s regulations, or choosing to leave the Hamilton market rather than comply.
An effective and timely by-law enforcement program by the City is critical to the effective implementation of any municipal by-law. Effective sign by-law enforcement ensures that the types of signs the by-law standards prescribe are erected, but equally important, it ensures that non-compliance is kept to a minimum in order that illegal signs do not take hold and become common place. Such a situation seriously undermines the sign by-law and promotes disregard for its provisions since those not complying with the sign by-law do not perceive the consequences of non-compliance as a deterrent to not following the by-law, based on their experience.

The best sign by-law regulations are only as effective as the municipal by-law enforcement program that ensures they are followed. This underscores the importance of the new sign by-law being accompanied by an effective enforcement program.

Effective sign by-law enforcement rests on having sufficient staff resources to conduct the enforcement program and equipping staff with the appropriate range of by-law enforcement tools to achieve the desired outcomes: by-law compliance and removal of illegal signs.

The previous section proposed the consolidation of sign approval and enforcement responsibilities in two inspectors dedicated to signage regulation in the Building and Licensing Division.

The current split of inspection responsibilities between staff and competing priorities leads over time to a complaint driven enforcement system. This is less effective than a proactive enforcement program where City staff identifies and addresses sign by-law infractions independent of a complaint being lodged with the City.

The public strongly supports a proactive sign by-law enforcement program. The earlier staffing proposals and the other proposed enhancements to the City’s enforcement tools are designed to achieve a more effective sign by-law enforcement program in the future to complement the new sign by-law.

Some additional enforcement options will assist staff in achieving compliance. These are in addition to current measures such as advising of non-compliance and laying a charge.

As mentioned earlier, the new sign by-law will contain short form wording which will reduce the administrative overhead and paper burden related to dealing with infractions. Short form wording will allow City inspectors to issue a ticket with a set fine for infractions. A continued non-compliance could lead to court proceedings.

For many illegal signs, especially portable signs located on the public road allowance, removal of the illegal sign is the most expeditious method of enforcement.

The new sign by-law will contain provisions for this type of action by the City. Illegal signs taken by the City would be stored by the City for a set period of time during which the sign owner can retrieve the sign after paying a fine and the City’s expenses for removal and storage. Signs not retrieved by the owner within the time period set will be destroyed by the City.

The following are the enhancements proposed for sign by-law enforcement in Hamilton.
Sign By-law Enforcement
- Consolidate sign by-law enforcement responsibilities in two City inspectors for signs on public and private property.
- Include short form wording in the new sign by-law.
- Where appropriate or necessary, remove illegal signs and store the illegal sign granting the sign owner 30 days to retrieve the sign provided the fine and the City’s costs of removal and storage are paid.
- Follow a proactive program of sign by-law enforcement.

2.3 Licensing of Portable Sign Companies

As was mentioned earlier, in addition to wanting better sign regulations for portable signs, a priority for the public was more effective enforcement by the City against the companies that erect illegal portable signs.

Having the City license companies who rent portable signs in Hamilton would provide Hamilton with an additional tool to deal with portable signs and the companies that rent or erect them. During the public meetings, many portable sign companies supported this type of municipal licensing. They saw it as a good way of dealing with sign companies that erect illegal signs or do not obtain sign permits.

With municipal licensing, only sign companies licensed by the City could rent portable signs for location on properties in Hamilton. Like other business licenses, the license of a portable sign company would need to be renewed periodically. The City can refuse to renew a license if the business does not meet the operating requirements of the City’s licensing by-law. Failure to follow the sign by-law would be justifiable cause for the City to deny a license renewal to such a portable sign company.

Mobile sign operators were licensed by the former Township of Glanbrook.

It is proposed that the City of Hamilton add portable sign companies to the Hamilton Licensing Code in order to improve the regulation of portable signs and portable sign companies.

Licensing of Portable Sign Companies
- Portable sign companies that rent signs to persons or businesses in Hamilton must be licensed by the City of Hamilton.
- Business license fee: $185 per year.

2.4 Sign Application Fees

Sign fees apply to applications related to new signs. This includes sign permit applications and sign variance applications.

The following fees are proposed as part of the new sign by-law.

Sign Permit Application Fees
- Ground Signs
  - $150 (2.5 m² or less in sign area);
  - $250 (Over 2.5 m² up to 4.0 m²);
  - $500 (Over 4.0 m²).
- Wall Sign: $250.
- Projecting Sign: $250.
- Billboard: $500.
- Mobile Sign: $50 per week per sign.
- A-Frame Sign: $75 per year per sign.
- Inflatable Sign: $50 per occasion.
- New Home Builder Portable Sign: $50 per sign per year.
- $100 per sign permit administration fee for any sign erected without a permit.

Sign Variance Application Fees
- $450 per application.
- $750 for sign erected without a permit.

3.1 Existing Signs

Some of the new sign by-law regulations proposed in section 4 are more restrictive than some of Hamilton’s current sign standards. Some existing signs will not comply with these proposed standards.

It is important to understand the legal status of existing signs that do not comply with a new sign by-law that is passed after the sign is already in place.

The Municipal Act protects the right to retain a sign that does not comply with a sign by-law, if the non-complying sign was lawfully erected or displayed on the day the new and more restrictive sign by-law comes into force. Such signs are in effect “grandfathered” through this provision of the Municipal Act. Such signs may remain in place provided they are not substantially altered. If an existing sign was not lawfully erected originally, it does not qualify for this Municipal Act exemption from the provisions of a subsequent new and more restrictive sign by-law.

3.2 Maintenance of Signs

The requirement to maintain signs will form part of the new sign by-law. These measures will complement other regulations in the City’s Property Standards By-law and codes the City administers to ensure signs are kept in good repair and are structurally sound.

In some cases, properties and buildings contain signs that are abandoned, i.e., the sign refers to a business that no longer occupies the building or the sign is in disrepair, often containing no message.

The new sign by-law will include provisions requiring the removal of abandoned signs.

3.3 Signs on City of Hamilton Properties and Buildings

City of Hamilton properties located outside the public road allowance generally need signs. Such signs include identification and directional signs in public parks, ground signs, wall signs on City buildings, and temporary signs on City property related to public announcements or events.

The diversity of sign types required by the City for its various facilities and the many purposes they serve, makes it difficult to set out in a sign by-law the specific requirements that could anticipate the range of the City’s signage needs. Accordingly, it is proposed that the City of Hamilton be exempt from the provisions of the new sign by-law.
4. Proposed New Sign By-law Regulations

4.1 Temporary and Portable Signs

The public consultation process identified portable signs as the top sign type of concern to the public across Hamilton. The proliferation of portable signs and their negative effect on the City's appearance and visual character was the leading concern voiced by the public at each meeting. It was also consistently mentioned in their comments and suggestions for improvements.

The terms “portable signs” refer to a wide range of signs that share two characteristics: (a) The purpose of the sign is to display a message for a temporary period such as a grand opening sale; (b) The design and physical nature of the sign is such that it is not permanently anchored to the ground or a building but can be readily moved to another location.

The following sections discuss different types of portable signs and proposed regulations.

4.1.1 Incidental Purpose Based Information Signs

Some portable signs are incidental to a particular activity on a property and the purpose of the sign is directly related to that activity. Examples include temporary contractor signs erected on the property where the contractor is working, (e.g., roofing contractor, home renovations, landscaping, house painting). Another common example is a real estate sign placed on a property that is for sale or rent and a real estate open house sign associated with the real estate listing.

There are also other types of non-portable signs that are erected for a temporary period. These include construction site signs for properties with buildings under construction.

The following are proposed regulations for incidental purpose based information signs.

- **Contractor Identification Signs**
  - No sign permit required
  - Maximum size of 1.2 m² per sign face.
  - Maximum height 1.25 metres.
  - No illumination.
  - Erected only on the property during the period the contractor is performing the work.

- **Construction Information Signs**
  - No sign permit required
  - Maximum size 10.0 m²
  - Must be removed from the construction site within 30 days of project completion.
Real Estate Signs

- No sign permit required
- No illumination
- No directional signs to the property for sale or rent are permitted on any other private property.
- Signs must be removed within 7 days after the date of acceptance by the owner of an offer of purchase or lease.
- One real estate sign for each street line of the property.
- Residential: Single detached to townhouse dwellings
  - Real estate sign: Maximum size of 1.0 m² per sign face.
  - Only erected on the property listed for sale or rent.
  - Open house directional sign: Maximum 0.5 m² per sign face.
  - Open house directional sign permitted on the public road allowance excluding any traffic median or island and not on any utility pole.
  - Open house directions sign located no closer than 0.3 metres from the pedestrian sidewalk or the vehicular traveled portion of the road.
  - Open house directional sign display period: between 10 a.m. and 6 p.m. the day of the real estate open house.
- Apartment Building
  - Maximum size 4.0 m²
  - Only permitted on the property that is for sale or lease.
- Commercial and Industrial
  - Maximum size 4.0 m²
  - Only permitted on the property that is for sale or lease.

4.1.2 A-Frame Signs

A-Frame or sandwich board signs are often used by businesses to advertise aspects of their business. For example, these signs are frequently used to display restaurant menus, advertise services provided or special promotions. A-Frame signs are most frequently used by stores on pedestrian oriented shopping streets where they are displayed on a portion of the public sidewalk in front of the business.

The key considerations for regulating A-Frame signs are their size, location and duration of display. Appropriate regulations for these matters are particularly important for A-Frame signs located on public sidewalks where pedestrian safety and winter snow clearance are important considerations. These matters are addressed in the following proposed regulations for A-Frame signs.
A-Frame Signs

- Annual sign permit required.
- Validation marker issued by the City to be displayed on the sign or displayed in the store window.
- No more than 0.6 metres in width and 0.8 metres in height.
- No illumination, animation, or device that creates noise or motion.
- Display of A-Frame sign only permitted during the hours the business is open and operating.
- A-Frame sign must be located against the front wall of the business it is advertising, where there is sufficient space for the sign on private property.
- Where there is insufficient space on private property, the A-Frame sign may be placed on the road allowance adjacent to the curb and opposite the business provided the A-Frame sign maintains at least 1.5 metres of unobstructed sidewalk space and does not conflict with any urban braille system on the sidewalk.
- Any A-Frame sign on the public road allowance must satisfy City’s general liability insurance requirements.
- A-Frame sign not permitted on lands that are vacant or lands zoned for residential uses with the exception of mixed-use zoning.

Mobile signs are generally rented by a business from a sign company for a temporary period coinciding with a specific announcement or promotion. The sign company moves the mobile sign from client to client. In some cases, the mobile sign is owned by the business using it.

Municipal sign by-laws generally specify a maximum period for which a mobile sign can be displayed and frequently impose a hiatus period before a business can again display a mobile sign.

4.1.3 Mobile Signs

Mobile signs are mainly associated with commercial and retail uses. These signs usually consist of a steel frame enclosing a sign display area that consists of a message in changeable letters. Sometimes a graphic is included.
Achieving an appropriate minimum spacing distance between mobile signs on the same property reduces the visual clutter created by too many mobile signs on that property. Multiple mobile signs occur most commonly on plazas or other large commercial properties such as shopping centres with multiple business occupancies. In such cases, the mobile signs are usually in addition to the permanent ground and wall signs on the property.

The following diagrams illustrate three minimum spacing options for mobile signs on a commercial property bounded by three public streets. The diagrams illustrate a minimum spacing of 25 metres, 50 metres and 100 metres between mobile signs on the property.

The 100 metre spacing between mobile signs produces a reasonable spatial separation between mobile signs which at the same time provides an appropriate number of opportunities for businesses located in the development to erect mobile signs on large multi-occupant properties.

Ground and wall signs should remain the main types of signs for businesses. Mobile signs are intended to be temporary and special purpose signs. They are not meant to be substitutes for permanent identification signage and should not be used as such.

To some degree the visual clutter created by mobile signs is due to the fluorescent coloured lettering frequently used on these signs. Restricting the letters on mobile signs to either white on black or black on white will help reduce this. This two colour approach to mobile signs has been adopted by several municipalities including Vaughan, Markham, Mississauga, and Oakville.
Mobile signs are currently not permitted within a portion of Hamilton’s Downtown defined as the Downtown Core in By-law 97-026. This restriction should be continued as mobile signs are not an appropriate type of sign for the Downtown area and its existing and future development character.

The limits of the Downtown area within which mobile signs are not permitted should be modified to better match the area of the new Downtown Secondary Plan and the new Downtown zoning by-law.

The area of the Downtown Community Improvement Plan is an appropriate area within which mobile signs would not be permitted in the future.

This restriction on mobile signs in the Downtown will promote a greater match between the new sign by-law and the objectives of the new Downtown Secondary Plan and Zoning By-law within the area generally bounded by Cannon Street East, Wellington Street South, Hunter Street, and Queen Street North.

Mobile signs are intended to provide temporary signage for businesses at their location. Currently in Hamilton, some businesses are placing their mobile signs on properties other than the one where the business is located. This method of third-party advertising sign is not appropriate and can deprive businesses at a location the opportunity to display a mobile sign. The new sign by-law should require that the mobile sign on a property be related to the business on the property on which the mobile sign is located.
In some commercial plazas, a number of businesses will place mobile signs on the property several times throughout the year. All mobile signs require a sign permit. To reduce the processing time for issuing mobile sign permits on properties where mobile signs are frequently used, the property owner should file a mobile sign location master plan showing the locations on the property where the owner will permit mobile signs to be located in compliance with sign by-law regulations.

The City’s time for issuing mobile sign permits in such cases will be reduced since the approved mobile sign locations on the property have been determined in advance and are set on all mobile sign permits. The allocation of these locations among the businesses on the property is determined between the property owner and the businesses located on the property.

The following are proposed mobile sign regulations.
## Mobile Signs

- Sign permit required.
- Sign permit application must include property owner’s authorization.
- Sign permit validation marker issued by the City to be displayed on the sign.
- Name and phone number of the company owning the sign must be displayed on the sign.
- Mobile sign may be located only on private property zoned and used for commercial, industrial, or institutional uses and only on the property with the business or use to which the sign applies.
- No mobile sign is permitted on vacant property.
- One mobile sign permitted at any time for any property with 25 business units or less.
- For commercial and industrial uses, maximum of two mobile signs permitted any time on any property with over 25 business units, with a minimum of 100 metres spacing between any mobile signs on the property.
- Each business on a property is permitted a maximum of 3 mobile sign permits per calendar year, each permit valid for 14 consecutive days maximum.
- A hiatus period of 14 consecutive days must pass between permits before the same business can again erect a mobile sign for itself on the property.
- Where a mobile sign has two sign faces, two separate businesses may share the sign, each business using one sign face with a permit.
- Maximum size 3.7 m² per sign face, maximum two sign faces.
- No one dimension more than 2.4 metres, maximum height of 2.7 metres from grade for the entire mobile sign structure.
- For institutional uses, one mobile sign permitted at any one time, maximum size 1.8 m², maximum two sign faces, maximum height 2.0 metres from grade.
- No illumination, animation, or device that creates noise or motion.
- Sign lettering will be white on black background or black on white background.
- Mobile sign shall not be located within 10.0 metres of a ground sign.
- Mobile sign shall not be located within 15.0 metres of an intersection, 3.0 metres of a driveway entrance or exit or the side lot line of a property.
- Mobile sign shall be located a minimum 1.5 metres from a street line, 10 metres from any traffic control device and shall not obstruct the line of sight of the intersection, driveway entrance or exit for any pedestrian or driver.
- No mobile sign shall be located in a parking space required under a zoning by-law.
- Owners of properties with multiple business tenancies or occupancies are encouraged to prepare a mobile sign location master plan to streamline sign permit approvals.
- Mobile signs are not permitted in Hamilton’s Downtown Community Improvement Area.
4.1.4 Inflatable Signs

Inflatable signs often take the form of characters (e.g., Ronald McDonald, fast food product, gorilla or dinosaur) or other distinctive objects. They are usually placed on the roof of a building or elsewhere on the property at grade to draw attention to a business, a particular store promotion or event. These three-dimensional signs are inflated with air.

Inflatable Signs
- Require a sign permit as a portable sign.
- Sign application must provide details of location and how sign is anchored to the ground or tethered to its base.
- Maximum display period: Seven days, non-renewable permit.
- Maximum 2 permits per calendar year per business.
- Maximum 7 metre height and 6 metre width.

4.1.5 New Home Builder Signs

New home builders use a mix of portable and ground mounted signs to advertise their developments to buyers. These signs are generally not specifically regulated by Hamilton’s current sign by-laws. Since they are specific types of portable and ground signs, appropriate regulations are required in the new sign by-law.

Portable Signs

Home builders frequently place A-Frame portable signs at road intersections to direct persons to their new housing development and sales centre. Builders generally place such signs on a street on weekends, the main period when shopping for new homes occurs.

Inflatable signs should be regulated like a temporary portable sign since they share a common purpose. A permit should be required for these signs given their size and location. This will allow the City to review the nature of the inflatable sign and ensure it is located and anchored in a manner that protects public safety.

The following regulations are proposed for inflatable signs.
The following regulations are proposed for new home builder portable signs.

New Home Builder Portable Signs
- Require a permit, good for one year
- Validation marker issued by the City to be displayed on the sign.
- Maximum 1.2 metres in height.
- Maximum size of 1.2 m² per sign face, two sign faces maximum.
- No illumination, animation, or device that creates noise or motion.
- Maximum 3 signs permitted on each corner of an intersection, 1 per builder.
- Maximum 10 signs for each development
- Not located on a traffic island or median or attached to a light standard or utility pole.
- Not located closer than 1.0 metre to the curb or the edge of the traveled portion of the roadway where there is no curb.
- Not located within 3.0 metres of a driveway entrance or exit and shall not in any way obstruct the line of sight of the intersection, driveway entrance or exit by any pedestrian or driver.
- Period of display is no earlier than 5:00 p.m. on a Friday to no later than 7:00 a.m. the immediately following Monday. Period of display extended when Friday or Monday is a statutory holiday.
- Satisfies the City’s general liability insurance requirements.

The new home builder sign regulations proposed for Hamilton are similar to those used by other Greater Toronto Area municipalities to regulate this type of sign.

New home builders also erect ground signs on properties during the marketing period of the new development.

Subdivision Ground Signs

Home builders also erect ground signs to for their developments. These signs are generally located within the subdivision under development.

The following regulations are proposed for new home builder subdivision signs.

Subdivision Ground Signs
- Permit required.
- Located within the subdivision it advertises.
- Maximum sign area: 12 m².
- Maximum 3 signs per subdivision.

4.1.6 Election Signs

Election signs are temporary signs erected during municipal, provincial or federal elections. Hamilton’s
current election sign by-law permits election signs to be located on the public road allowance.

Throughout the public consultation in Stage 2 of this study, the public expressed strong concerns about temporary sign clutter along roads. Election signs located on the road allowance can contribute to this clutter. To prevent this type of visual sign clutter during elections, the new sign by-law should require that all election signs be located on private property.

Election signs are currently regulated in a by-law separate from the existing sign by-laws. Since the new sign by-law deals with signs comprehensively, the regulations for election signs should become part of the new sign by-law.

The following are proposals for election signs.

<table>
<thead>
<tr>
<th>Election Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>No permits required.</td>
</tr>
<tr>
<td>Allow election signs only on private property.</td>
</tr>
<tr>
<td>Regulate election signs as part of the new sign by-law.</td>
</tr>
</tbody>
</table>

4.1.7 Banners

Banners are canvas or plastic temporary signs generally mounted on the side of buildings or fences. Banners are also placed across streets, generally as part of a charitable function or for some other public purpose.

In the case of banners on private property used by a business, they should be treated as temporary signs and subject to a permit and time limits.

Banners erected by a charity or for another public purpose may be erected above or across a public road provided the requirements of the City of Hamilton are satisfied. Charity banners may be placed on fencing adjacent to a street where the charity has the permission of the owner.

The following are proposed regulations for banners.

<table>
<thead>
<tr>
<th>Banners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Require a sign permit when located on private property.</td>
</tr>
<tr>
<td>Maximum display period: 14 days, non-renewable permit.</td>
</tr>
<tr>
<td>Maximum 2 permits per calendar year per business.</td>
</tr>
<tr>
<td>Maximum dimensions of 5 metre by 1 metre.</td>
</tr>
<tr>
<td>Banner advertising a special event and erected by a charitable organization may be located on a fence adjacent to a street where the owner has granted permission. Maximum display period 14 days before the event and must be removed within 2 days after the event.</td>
</tr>
</tbody>
</table>

4.2 Posters

The term poster refers to the large variety of leaflets and other paper or plastic sheets that are pasted, glued, stapled, nailed, taped or otherwise affixed to lamp posts, utility poles, traffic signs, mail boxes, utility boxes and other objects located in the public road allowance.

Parts of Hamilton have become littered with a glut of posters which have a negative impact on the visual appearance of such areas. This visual blight is being added to by the posters placed by businesses which are often only identified by a phone number. They post their signs on utility poles and traffic signs to advertise their business for free. That is not the purpose of these utility poles and traffic signs.
Regional By-law R94-117 does not reduce the opportunity for poster signs across Hamilton since it permits posters on any post, tree, or utility pole on a Regional road, subject to size and spacing restrictions and removal requirements.

An attempt by a municipality to ban all posters on public property through a by-law was struck down by the Supreme Court of Canada in 1993 as an unjustified infringement of the guarantee of freedom of expression in the Canadian Charter of Rights and Freedoms. However, the Court did uphold the municipality’s ability to impose restrictions on postering including limits on the location and size of posters as well as the length of time a poster can remain posted.

While municipalities cannot categorically prohibit posters, many have chosen to regulate where and how posters can be displayed within the public road allowance. Municipalities have done this in an effort to reduce littering and the spread of aesthetic blight in public spaces and along streets while ensuring at the same time that persons have a fair opportunity to erect posters.

Municipalities have restricted where posters can be located within the public road allowance. The permitted location for posters has usually been limited to surfaces maintained by the municipality at specified locations. This takes the form of official poster sleeves on utility poles or public information kiosks/pillars and community information centres located at key community facilities or other busy locations.

In each case, the municipality specifies in its sign by-law the location where posters may be placed. This can effectively control the random and indiscriminate spread of posters on streets. It also gives the municipality the ability to regularly maintain and clean the surface where posters are displayed.

This approach to posters benefits both individuals and the municipality. Individuals can display posters in visible public locations while allowing the municipality to regularly clear the posters, thereby attending to the upkeep the appearance of streets and public spaces through a regular program of poster removal.

Hamilton currently has some information kiosks in the downtown. The kiosk on Main Street opposite City Hall rarely contains posters, perhaps because of the low pedestrian traffic in that area. A structure with flat wood surfaces on King William Street sidewalk next to the Lister building displays more posters. Both structures are periodically cleared to make space for new posters.
The polyethylene poster sleeves used by some municipalities become unusable over time as they become clogged with the staples, tacks and nails used to affix posters.

While these sleeves could be periodically replaced, some municipalities have instead opted to use metal poster collars and permitted posters to be affixed to them only with tape. This avoids the problem created by the buildup of staples, tacks and nails on polyethylene poster sleeves.

It is recommended that Hamilton adopt a program of allowing posting only on approved kiosks or poster sleeves on utility poles. The distribution of kiosks at appropriate locations should be coordinated with ongoing street improvement programs and business organizations in commercial areas. The distribution of approved poster sleeves should correspond with locations and areas in Hamilton where there is currently a high postering demand.

To facilitate municipal maintenance and cleaning of the approved poster locations while providing fair opportunities persons to display posters, Hamilton should adopt the following proposed restrictions on poster size, method of attaching, and duration of display.

The following are proposed regulations for posters.

<table>
<thead>
<tr>
<th>Posters</th>
</tr>
</thead>
<tbody>
<tr>
<td>No permit required.</td>
</tr>
<tr>
<td>Only permitted on an approved poster sleeve or community information kiosk</td>
</tr>
<tr>
<td>Paper or cardboard only, maximum size of 22 cm by 28 cm.</td>
</tr>
<tr>
<td>Only affixed by tape, no glue, tack, staple or nail.</td>
</tr>
<tr>
<td>Maximum one poster for each event or announcement on each poster sleeve or community information kiosk.</td>
</tr>
<tr>
<td>Maximum display period for poster is 21 days or not more than five days after the end of the advertised event, whichever is shorter.</td>
</tr>
<tr>
<td>City may periodically remove any poster without notice to the person or organization.</td>
</tr>
</tbody>
</table>

4.3 Tourism Oriented Directional Signage

The Province of Ontario has a program that erects Tourism Oriented Destination Signage (TODS) on Provincial highways. These signs provide motorists with directions to local tourist destinations, community facilities and emergency services.

The Province’s TODS program also includes businesses providing services to motorists such as fuel, food and lodging. These businesses can erect logo signs as part of the TODS signs on Provincial highways. Other commercial establishments are
generally not eligible for TODS signs on Provincial highways.

The Region of Hamilton-Wentworth on October 6, 1998 adopted a policy for erecting complementary TODS signs on Hamilton streets. These local signs act as trailblazing signs that guide the motorist to the TODS destination along one specific route from the Provincial highway. The trailblazing signs generally commence at the highway exit and lead the motorist to the facility in Hamilton.

TODS signage is generally for institutions or facilities of a unique nature. They can also include trailblazing signs for businesses with a logo sign on the Provincial highway.

Except for signs for emergency services, the advertiser is responsible for the entire cost of erecting and maintaining any TODS sign.

The Region’s 1998 policy governing the erection of TODS signs on Hamilton streets provides appropriate regulation of signs on local streets to guide motorists from the Provincial highway to major tourist destinations, emergency services and other facilities in Hamilton.

Hamilton’s current policy for local TODS signs (as adopted by the Region of Hamilton-Wentworth in 1998) should be retained and continue to be administered by the Traffic Engineering and Operations Section. Since TODS signs on Hamilton streets are permanent signs erected on the public road allowance often in association with other municipal traffic control signs, it is not necessary that the new sign by-law incorporate regulations for TODS signs.

The following is proposed for TODS.

### 4.4 Permanent Signs on Private Property

The majority of signs in Hamilton are permanent signs on private property. These include ground signs, wall signs, projecting signs, and billboards. The following sections contain proposed regulations for permanent signs on private property.

#### 4.4.1 Ground Signs in Agricultural Areas

Within agricultural areas, ground signs are erected to identify the name of the farm operation or the proprietor. In addition, signs are erected advertising the sale of seasonal produce from the lands on which they it was grown.

The following regulations are proposed for ground signs in agricultural areas.

<table>
<thead>
<tr>
<th>Ground Signs in Agricultural Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit required.</td>
</tr>
<tr>
<td>One ground sign per property identifying the name of the farm operation or the proprietor. Maximum sign area 3 m².</td>
</tr>
<tr>
<td>One ground sign per property advertising the sale of seasonal produce grown on the property on which the sign is located. Maximum sign area 3 m².</td>
</tr>
</tbody>
</table>

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Tourism Oriented Destination Signs

- Continue to regulated TODS under the City’s current policy.
4.4.2 Ground Signs

Ground signs are generally located adjacent to the street on a property. The ground sign on a property is usually the principal sign that identifies the business or use on the property to those passing by the property.

The key regulations for ground signs deal with the number of ground signs permitted on a property, the separation distance between ground signs when more than one is permitted, the maximum sign area for the ground sign and the maximum sign height.

One ground sign should be permitted on each street frontage of a property. For properties with a large street frontage over 300 metres in length, more than one ground sign may be appropriate or required. Where more than one ground sign along a street frontage is proposed, the minimum separation between the ground signs should be 200 metres.

The maximum sign area for a ground sign should be related to the amount of lot frontage along the street line where it is located. It is recommended that the maximum size of a ground sign be 0.3 times the lot frontage on which the sign is located to a maximum area of 18 m² for each sign face.

To provide for temporary messages, a maximum of 30% of the permitted sign area of a ground sign should be permitted to contain changeable letters or copy. This area is referred to as a read-o-graph. Where provided, the read-o-graph portion of the ground sign would fulfill the same temporary message display function as a mobile sign but as part of the permanent ground sign.
The messages on the read-o-graph portion of a ground sign can be changed periodically either through the manual changing of the letters or through the use of an electronic message board.

In order to promote the legibility of such electronic messages by the public, the illumination intensity of the electronic characters should be constant and the minimum display time for the electronic message should be five seconds during which there is no movement or change in colour. The electronic message board cannot display a continuously scrolling or chase message.

The maximum height of a ground sign should be in proportion to the area of the ground sign. The maximum height for a ground sign less than 4.0 m² in area should be 3.5 metres. The maximum height for a ground sign 4.0 m² to 6.0 m² should be 6.0 metres. A sign over 6.0 m² in area should have a maximum height of 7.5 m. These limits are similar to the current standards in Ancaster, Flamborough, Glanbrook and Stoney Creek.

To assist persons and emergency vehicles to locate a property especially in the case of commercial plazas, each ground sign should be required to display the street address number of the property.

The following are proposed regulations for ground signs.

### Ground Signs
- One ground sign for each frontage on a public street.
- Minimum 200 metre spacing between any two ground signs on a property.
- Maximum ground sign area 0.3 times the lot frontage on which the sign is located to a maximum area of 18 m² for each sign face.
- Maximum ground sign height: 3.5 metres for a ground sign less than 4.0 m²; 6.0 metres for a ground sign 4.0 m² to 6.0 m²; 7.5 metres for a sign over 6.0 m² in area.
- Each ground sign shall display the municipal street address number in numerals that are a minimum 15 cm in height.
- A maximum of 30% of the permitted area of the sign face of a ground sign may contain changeable lettering or copy.
- The intensity of illumination of electronic characters within the read-o-graph portion of a ground sign shall be at a constant level and the message shall be displayed for a minimum of 5 seconds and cannot be a continuous scroll or chase message.

### 4.4.3 Wall Signs

Wall signs are mounted on the front wall of a building, generally on the facade facing the street. The wall sign supplements a ground sign's identification function where it is present. In other cases, the wall sign is the main identification sign for a business or use.

Since a wall sign is an integral part of the building to which it is attached, controlling the maximum size of a wall sign is critical to achieving a sign that does not overwhelm the facade of the building. The size of a wall sign should be in proportion to the area of the building facade on which it is erected.
The following diagrams illustrate three different options for setting the maximum area of a wall sign. The diagrams illustrate different maximum wall sign areas based on 15%, 20%, and 25% of the building elevation on which the sign is erected.

A maximum wall sign area of 15% of the facade produces an appropriate wall sign size. This is currently the wall sign area standard in the Ancaster, Flamborough, Glanbrook, and Stoney Creek sign by-laws.

A mural can be public art in areas such as BIAS and should be treated as a wall sign. A mural should be limited to a maximum area of 25% of the facade it is located on. It may not contain any advertising.

The following are proposed regulations for wall signs.

Wall Signs
- Maximum sign area: 15% of the building elevation on which the sign is erected, to an absolute maximum of 18 m².
- A mural is a type of wall sign, may not contain any advertising, and its sign area cannot exceed 25% of the building elevation on which the mural is located.

4.4.4 Projecting Signs

Projecting signs are attached at right angles to the main facade of a building. On traditional pedestrian shopping streets they often hang above the public sidewalk. In these situations, well designed projecting signs can contribute positively to the character of the streetscape.

Projecting signs are generally intended to be secondary signs on the facade of a building. The wall sign is the main identification sign on the building. As a secondary sign projecting 90 degrees out from the building above a sidewalk, a projecting sign informs...
oncoming pedestrians and provide the same function as an A-Frame or sandwich board sign on the sidewalk, but in a less pedestrian obtrusive way.

The proposed standards for projecting signs deal with maximum sign area, the minimum required clearance from grade, and satisfying the City’s general liability insurance requirements where the sign projects above the sidewalk and public road allowance.

The following are proposed regulations for projecting signs.

**Projecting Signs**
- Maximum sign area: 1.0 m².
- Minimum 2.5 m clearance from grade.
- Permit holder satisfies the City’s general liability insurance and encroachment agreement requirements.

**4.4.5 Roof Signs**

Roof signs are currently permitted in some of the existing sign by-laws, chiefly in the former City of Hamilton. Roof signs may be related to the business or use in the building but they generally are third-party advertising signs or billboards.

Because of their large size and prominent location on the top of buildings, roof signs can overwhelm the character of an area normally created by the buildings and street. As identification signs for a property or building, the role of roof signs is superfluous to the wall and ground signs on the property that more appropriately identify the business or use.

It is recommended that the new sign by-law not permit roof signs as they do not make a positive visual contribution to the appearance of the City.

**Roof Signs**
- Prohibit in the new sign by-law.
- Existing legally erected roof signs may remain as legal non-complying signs.
4.4.6 Billboards and Third-party Advertising Signs

Billboards and third-party advertising signs are the largest signs in Hamilton. They advertise goods and services not necessarily available on the property where these signs are located.

They are generally located along roads with high traffic volumes. One of the City’s gateways, the Main Street entrance to Hamilton from Highway 403, contains perhaps the greatest concentration of billboards and third party advertising in the City.

Billboards are currently permitted in the former City of Hamilton, Stoney Creek, Flamborough and Glanbrook. They are particularly prevalent in the former City of Hamilton in developed areas.

The size and prominence of billboards in developed areas and on properties with buildings and other uses can make them the major factor contributing to the visual character of a property and area. Where billboards in Hamilton are located on properties with buildings, their mass, height and location often interfere with, dominate or otherwise visually conflict with the building and the use of the site.

In order to avoid the further concentration of billboards in the developed areas of Hamilton and over time reduce their current visual impact on buildings and streetscapes, new billboards should only be permitted on vacant and undeveloped lands zoned for industrial or commercial uses but not including lands used as easements or rights-of-way by utilities or railways.

The minimum spacing between billboards should be 300 metres and this distance should also be the minimum distance a billboard must be located from any residentially zoned property.

Billboards should not be permitted on lands adjacent to the Lincoln M. Alexander Parkway (“The Link”) or the future Red Hill Creek Expressway.

The current prohibition against billboards in Hamilton’s Downtown should be maintained and expanded to the limits of the Downtown Community Improvement Plan. This will support the planning objectives of the Downtown Secondary Plan and Zoning By-law.

Animated billboards can add to the other driver distractions and potentially affect road safety. Animated billboards by their size, illumination, and changing displays and messages can become the dominant visual feature on a street or in an area. This negatively affects the visual character of the area. Animated billboards should not be permitted.
To reduce the visual impact of new billboards, the new sign by-law should require that new billboards only take the form of vertical posters.

A canopy generally covers the gas pumps and associated buildings occupy the site. These buildings can house the retail counter or store or they can be a car wash or accommodate other parts of the service station.

The following are proposed regulations for billboards and third-party advertising signs.

**Billboards and Third-party Advertising Signs**
- Only permitted on vacant undeveloped property zoned commercial or industrial.
- Not permitted in Hamilton’s Downtown Community Improvement Plan or on lands located along the Lincoln M. Alexander Parkway or the Red Hill Creek Expressway.
- Maximum sign area: 18 m² per sign face.
- Maximum height: 18 metres.
- Spacing: Minimum 300 metres to another billboard; Minimum 300 metres from any residentially zoned property.
- No animation.
- New billboards must be vertical posters.

**Signs for Service Stations**
- Permit required.
- Apply the sign standards applicable to other commercial uses.

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**4.4.7 Signs for Service Stations**

Service stations contain specialized structures designed for their particular function.

The ground and wall sign standards proposed earlier are adequate to deal with the permanent sign requirements for service stations. Service stations share the sign standards proposed in this report for other commercial uses.
4.4.8 Menu Boards

The growth in recent years of drive-through facilities as a part of commercial developments has produced new sign requirements for the associated menu boards.

These signs are a feature of the drive-through lane and are most commonly used by restaurants. Menu boards display the menu from which drive-through customers order.

The following are proposed regulations for menu boards.

<table>
<thead>
<tr>
<th>Menu Board Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit required.</td>
</tr>
<tr>
<td>One menu board and one pre-menu board per drive-through facility.</td>
</tr>
<tr>
<td>Menu board: Maximum area 4 m²; Maximum height 2.5 metres.</td>
</tr>
<tr>
<td>Pre-menu board: Maximum area 2 m²; Maximum height 2.5 metres.</td>
</tr>
</tbody>
</table>

5.0 Next Steps in the Hamilton New Sign By-law Study

This is the first of two reports that will be prepared as part of the Hamilton New Sign By-law Study. It presents a series of proposals for regulating signs in Hamilton in the new sign by-law.

The next step in the study process is to receive comment from the public on the proposals contained in this report. This will be accomplished through a series of public meetings across Hamilton and other methods, similar to the public consultation measures completed during Stage 2 of the study leading up to this report.

The second report in this study will be prepared in Stage 3 of the study upon completion of the public consultation on the proposals presented in this report. That report will be the final report of this study and it will contain final recommendations and a draft sign by-law that implements the report’s recommendations. That final report and recommendations will be presented in 2006 to Hamilton Council.
APPENDICES

Appendix A1  Sign Types Defined in Current Sign By-laws
Appendix A2  Summary of Current Standards for Ground Signs
Appendix A3  Summary of Current Standards for Wall Signs
Appendix A4  Summary of Current Sign Standards for former City of Hamilton, By-law No. 6593
Appendix A5  Summary of Current Standards for Mobile and Portable Signs
Appendix A6  Summary of Current Standards for Billboard and Third Party Advertising Signs
Appendix B   Public Meeting Summaries
Appendix C   Public Comments
Appendix D1  Hamilton Sign Study Questionnaire Summary of Sign Evaluations
Appendix D2  Hamilton Sign Study Questionnaire Summary of Sign Suggestions
# Appendix A1 Sign Types Defined in Current Sign By-laws

Note: This table lists the types of signs defined in current sign by-laws. A defined sign may not necessarily be a permitted sign.

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory or Business Sign</td>
<td></td>
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<tr>
<td>Animated Sign</td>
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<tr>
<td>Banner</td>
<td>x</td>
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<td>x</td>
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<tr>
<td>Billboard</td>
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<tr>
<td>Business Identification Sign</td>
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<tr>
<td>Canopy Sign</td>
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<td>x</td>
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<tr>
<td>Community Business Sign</td>
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<tr>
<td>Community Gateway Sign</td>
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<tr>
<td>Construction Sign</td>
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<td>Contractor Identification Sign</td>
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<tr>
<td>Development Application Sign</td>
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<tr>
<td>Development Project Sign</td>
<td>x</td>
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<tr>
<td>Double Faced Sign</td>
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<tr>
<td>Election Sign</td>
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<tr>
<td>Electronic Variable Message Centre</td>
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<td></td>
<td></td>
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<tr>
<td>Fascia Sign</td>
<td>x</td>
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<tr>
<td>Flashing Sign</td>
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<tr>
<td>Flashing Mobile Sign</td>
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<td>Multi-faced Sign</td>
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## Appendix A1  Sign Types Defined in Current Sign By-laws

Note: This table lists the types of signs defined in current sign by-laws. A defined sign may not necessarily be a permitted sign.

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
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<tr>
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<td>Third Party Sign</td>
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<td>Trade Sign</td>
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<td>x</td>
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<td>Traffic Directional Sign</td>
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<td>x</td>
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<tr>
<td>Unsafe Sign</td>
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<td></td>
<td></td>
<td>x</td>
<td>x</td>
</tr>
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<td>Window Sign</td>
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<td></td>
<td></td>
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</tbody>
</table>

Disclaimer: This table provides a summary of information extracted from existing sign by-laws. The information is presented for the purpose of developing a new Hamilton sign by-law. This information should not be used in place of any current sign by-law in effect.
# Appendix A2 Summary of Current Standards for Ground Signs

<table>
<thead>
<tr>
<th>Definition</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign directly supported by uprights or braces embedded in a foundation in the ground and which is not attached to any part of a building.</td>
<td>Any sign other than a portable sign, that is supported by a freestanding structure (other than a building), which is permanently embedded in and supported by the ground, whether or not the structure's main use is the support of the sign.</td>
<td>Any sign other than a portable sign, that is supported by a freestanding structure (other than a building), which is permanently embedded in and supported by the ground, whether or not the structure's main use is the support of the sign.</td>
<td>Any sign directly supported by uprights or braces embedded in a foundation in the ground and which is not attached to any part of a building, and includes a pylon sign but does not include a billboard.</td>
<td>Refer to Appendix A4 for a summary of the ground sign standards for the former City of Hamilton.</td>
<td>Any permanently constructed sign structure supported by uprights or braces embedded in a foundation in the ground to a depth of at least 1.2 m and which is not attached to any part of a building, whose principal use is for advertising purposes, other than a billboard sign, a portable sign, or a temporary mobile sign, but includes a pylon sign.</td>
<td></td>
</tr>
</tbody>
</table>

| Maximum Sign Area for Lot | - | - | - | 0.5 times lot frontage, plus 0.1 times flankage frontage | - | 1.0 times frontage, plus 15% of perimeter |

| Ground Sign Where Permitted | NC, DSC, HC | Not in Residential, Agricultural, or Open Space Zones | Commercial, Industrial, Airport, Institutional, Public, Open Space Zones | - | - |

| Minimum Lot Frontage | - | 7.5 m | - | - | - | - |

| Maximum Number | 1/76 m of lot frontage; Max 2 per property | Max 2 per property | Max 2 per property | - | - | - |

| Maximum Area | 0.38 m²/m lot frontage, 0.61 m² if more than 10 units | 6.5 m² | 25 m² per face; Additional 5.7 m² for read-o-graph | 60% of allowable sign area for the lot | - | Ground and billboard signs not more than 60% of allowable sign area for the lot |

| Separation Distance on Lot | 50 m measured along street line | 45 m | 50 m | 30 m | - | 15 m |
## Appendix A2 Summary of Current Standards for Ground Signs

<table>
<thead>
<tr>
<th>Maximum Height</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glenbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.5 m² &lt; 3.0 m²</td>
<td>-</td>
<td>6.0 m</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>3.0 m² &lt; 7.0 m²</td>
<td>-</td>
<td>7.5 m</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>7.0 m² &lt; 14.0 m²</td>
<td>-</td>
<td>7.6 m</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>&gt; 14.0 m²</td>
<td>-</td>
<td>7.6 m</td>
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<td>-</td>
<td>-</td>
</tr>
<tr>
<td>&lt; 4.0 m²</td>
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<td>-</td>
<td>3.65 m</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>4.0 m² &lt; 6.0 m²</td>
<td>-</td>
<td>-</td>
<td>6.0 m</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>6.0 m² &lt; 12.0 m²</td>
<td>-</td>
<td>-</td>
<td>7.65 m</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>&gt; 12.0 m²</td>
<td>-</td>
<td>-</td>
<td>10.5 m</td>
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<td>-</td>
<td>-</td>
</tr>
<tr>
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<tr>
<td>&lt; 4.0 m² &gt; 6.0 m²</td>
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<tr>
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<td>-</td>
</tr>
<tr>
<td>&lt; 7.0 m²</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>10.5 m</td>
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<td>-</td>
</tr>
<tr>
<td>7.0 m² &lt; 15.0 m²</td>
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<td>10.5 m</td>
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</tr>
<tr>
<td>&gt; 15.0 m²</td>
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<td>10.5 m</td>
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<tr>
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<td>-</td>
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<td>-</td>
</tr>
<tr>
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<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
</tr>
<tr>
<td>1.5 m² &lt; 3.0 m²</td>
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<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
</tr>
<tr>
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</tr>
<tr>
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<td>-</td>
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<td>-</td>
</tr>
<tr>
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</tr>
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<td>1.5 m</td>
<td>1.5 m</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
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<td>3.5 m</td>
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### Appendix A2 Summary of Current Standards for Ground Signs

<table>
<thead>
<tr>
<th></th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glenbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
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<tbody>
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<td><strong>Setback from Residential Zone</strong></td>
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<td>-</td>
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<td>4.0 m² &lt; 6.0 m²</td>
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<td>-</td>
<td>7.5 m</td>
<td>7.5 m</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>&gt; 12.0 m²</td>
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<td>10.5 m</td>
<td>10.5 m</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>&lt; 7.0 m²</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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<td>5.0 m</td>
</tr>
<tr>
<td>7.0 m² &lt; 15.0 m²</td>
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<td>6.0 m</td>
</tr>
<tr>
<td>&gt; 15.0 m²</td>
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<td>7.5 m</td>
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</tbody>
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**Disclaimer:** This table provides a summary of sign standards extracted from existing sign by-laws. The information is presented for the purpose of developing a new Hamilton sign by-law. This information should not be used in place of any current sign by-law in effect.
### Appendix A3 Summary of Current Standards for Wall Signs

<table>
<thead>
<tr>
<th>Definition</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign attached to and entirely supported by the parapet of a building, or which is painted on such wall or parapet and includes a sign painted or mounted on a canopy or awning.</td>
<td>Any sign that is permanently secured to, and supported by the wall of a building, including a sign painted directly on a wall.</td>
<td>Any sign that is permanently secured to, and supported by the wall of a building, or attached to and entirely supported by the parapet of a building, or which is painted on such wall or parapet and includes a sign painted or mounted on a canopy or awning.</td>
<td>Any sign that is permanently secured to, and supported by the wall of a building, including a sign painted directly on a wall.</td>
<td>Any sign attached to and entirely supported by a wall of a building, or attached to and supported by the face of a parapet of a building, or which is painted on such wall and includes a sign painted or mounted on a canopy, its supporting structure, or awning.</td>
<td>Refer to Appendix A4 for a summary of the wall sign standards for the former City of Hamilton.</td>
<td>Any sign attached to and supported by a wall of a building, or attached to and supported by the face of a parapet of a building, or which is painted on such wall and includes a sign painted or mounted on a canopy, its supporting structure, or awning.</td>
</tr>
</tbody>
</table>

### Where Permitted

<table>
<thead>
<tr>
<th>Maximum Area</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>15% of wall; Shopping Centre or Plaza: 15% of wall of unit occupied; Accessory Building: 15% of wall on two sides only; Gas Bar Canopy, maximum 0.76 m width on canopy</td>
<td>20% of all elevations facing the street, maximum 30% of the elevation on which erected; Shopping Centre &amp; Plaza: 20% of single store elevation</td>
<td>15% of the elevation on which the sign is erected; Home Occupation: 0.8 m² per face</td>
<td>15% of each elevation</td>
<td>-</td>
<td>15% of the elevation on which the sign is erected</td>
<td></td>
</tr>
</tbody>
</table>

### Maximum Sign Projection from Wall

<table>
<thead>
<tr>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>610 mm</td>
<td>600 mm</td>
<td>600 mm</td>
<td>600 mm</td>
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<td>600 mm</td>
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</table>

### Clearance from Grade

<table>
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<tr>
<th>Ancaster</th>
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<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.44 m</td>
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<td>2.4 m</td>
<td>2.5 m</td>
<td>-</td>
<td>2.4 m</td>
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</tbody>
</table>

Disclaimer: This table provides a summary of sign standards extracted from existing sign by-laws. The information is presented for the purpose of developing a new Hamilton sign by-law. This information should not be used in place of any current sign by-law in effect.
## Appendix A4 Summary of Current Sign Standards for former City of Hamilton, By-law No. 6593

<table>
<thead>
<tr>
<th>Sign Definitions</th>
<th>Business Identification Sign</th>
<th>Shopping Centre Identification Sign</th>
<th>Third Party/Billboard Sign</th>
<th>Public Notice Sign</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Business Identification Sign</strong></td>
<td>A sign identifying a business operated on a lot, displaying only one or more of the following content: 1. The name of the business. 2. The registered trademark of the business. 3. The ownership of the business. 4. The name of the activity, product or service available on the premises.</td>
<td>A sign identifying a shopping centre operated on a lot, displaying only one or more of the following content: 1. The name of the shopping centre. 2. The registered trademark of the shopping centre.</td>
<td>A sign that directs attention to (a) a business, service or entertainment that is conducted, sold or offered for sale or otherwise, elsewhere than on the premises; (b) one or more goods, wares or merchandise or any personal property.</td>
<td>A sign containing content advertising that an application for an official plan amendment and/or an application for an amendment to Zoning By-law No. 6593 and/or an application for the approval of a plan of subdivision and/or an application for consent has been made, and that the application is, or applications are, being considered by the City of Hamilton.</td>
</tr>
</tbody>
</table>

### “F-3” (Harbour Use) “F-4” (Waterfront Services)

<table>
<thead>
<tr>
<th><strong>Business Identification Sign</strong></th>
<th><strong>Ground Sign</strong></th>
<th><strong>Wall Sign</strong></th>
<th><strong>Roof Sign</strong></th>
<th><strong>All Signs</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum Height</strong></td>
<td>6.0 m</td>
<td>4.5 m</td>
<td>3.5 m</td>
<td>Total aggregate area of all signs shall not exceed 0.5 m² for every 0.5 m of the frontage on which the lot abuts</td>
</tr>
</tbody>
</table>

### “G” (Regional Shopping Centre)

<table>
<thead>
<tr>
<th><strong>Ground Sign</strong></th>
<th><strong>Wall Sign</strong></th>
<th><strong>Roof Sign</strong></th>
<th><strong>All Signs</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum Height</strong></td>
<td>-</td>
<td>2.0 m</td>
<td>Total aggregate area of all signs shall not exceed 0.5 m² for every 0.5 m of exterior lineal face of the building</td>
</tr>
</tbody>
</table>
### Appendix A4  Summary of Current Sign Standards for former City of Hamilton, By-law No. 6593

#### “G-1” (Designed Shopping Centre)

<table>
<thead>
<tr>
<th></th>
<th>Business Identification Sign</th>
<th>Billboard</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ground Sign</td>
<td>Wall Sign</td>
</tr>
<tr>
<td><strong>Maximum Height</strong></td>
<td>- 2.0 m 2.0 m -</td>
<td>10.0 m</td>
</tr>
<tr>
<td><strong>Maximum Area</strong></td>
<td>21 m², no more than 6.0 m² used for temporary advertising or business identification</td>
<td>21 m², no more than 6.0 m² used for temporary advertising or business identification</td>
</tr>
<tr>
<td><strong>Maximum per Lot</strong></td>
<td>2 on a lot having more than one street frontage</td>
<td>-</td>
</tr>
<tr>
<td><strong>Minimum Separation Distance</strong></td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

#### “G-2” (Regional Shopping Centre) “H” (Community Shopping and Commercial)

<table>
<thead>
<tr>
<th></th>
<th>No restriction to signs except billboards</th>
<th>Billboard</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum Height</strong></td>
<td>-</td>
<td>- 10.0 m</td>
</tr>
<tr>
<td><strong>Maximum Area</strong></td>
<td>-</td>
<td>25 m²</td>
</tr>
<tr>
<td><strong>Maximum per Lot</strong></td>
<td>-</td>
<td>- One billboard with up to two sign faces</td>
</tr>
<tr>
<td><strong>Minimum Separation Distance</strong></td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
### Summary of Current Sign Standards for former City of Hamilton, By-law No. 6593

#### “HH” (Restricted Community Shopping and Commercial District)

<table>
<thead>
<tr>
<th></th>
<th>Ground Sign</th>
<th>Wall Sign</th>
<th>Roof Sign</th>
<th>All Signs</th>
<th>Billboard</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum Height</strong></td>
<td>6.0 m</td>
<td>3.5 m</td>
<td>4.5 m</td>
<td>-</td>
<td>10.0 m</td>
</tr>
<tr>
<td><strong>Maximum Area</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Total aggregate area of all signs shall not exceed 1.0 m² for every 0.5 m of exterior lineal face of the building</td>
<td>25 m²</td>
</tr>
<tr>
<td><strong>Location on Lot</strong></td>
<td>12.0 m front yard depth 3.0 m from the street line, and a height of at least 3.0 m from the ground to the bottom of the sign, one business identification sign of an area of vertical projection of not more than 0.1 m² per 0.3 m of street frontage, having its supporting structure so designed and constructed as not to obstruct the view from any direction</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Maximum per Lot</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>One billboard with up to two sign faces</td>
</tr>
<tr>
<td><strong>Minimum Separation Distance</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>100 m radial separation between each billboard, 30 m from a residential district</td>
</tr>
</tbody>
</table>

#### “I” (Central Business District)

No restriction to signs, billboards prohibited
### Appendix A4  Summary of Current Sign Standards for former City of Hamilton, By-law No. 6593

#### “HI” (Civic Centre Protected District)

<table>
<thead>
<tr>
<th></th>
<th>Window Sign</th>
<th>Wall Sign</th>
<th>Roof Sign</th>
<th>All Signs</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Total aggregate area of all signs shall not exceed 5.0 m² but may be increased by 0.1 m² for every 0.3 m of street frontage in excess of 15.0 m</td>
</tr>
</tbody>
</table>

#### “CR-1”, “CR-2”, “CR-3” (Commercial-Residential Districts)

<table>
<thead>
<tr>
<th></th>
<th>Window Sign</th>
<th>Wall Sign</th>
<th>Roof Sign</th>
<th>All Signs</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Total aggregate area of all signs shall not exceed 0.5 m² for every 0.5 m of frontage on the street of the establishment</td>
</tr>
</tbody>
</table>

| Maximum Height      | 2.0 m and does not project more than 1.0 m above the top of the first storey of the building | 2.0 m and does not project more than 1.0 m above the top of the first storey of the building |           | -                      |

#### “J” (Light and Limited Heavy Industry)

<table>
<thead>
<tr>
<th></th>
<th>Window Sign</th>
<th>Wall Sign</th>
<th>Roof Sign</th>
<th>All Signs</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Height</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10.0 m</td>
</tr>
<tr>
<td>Maximum Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>25 m²</td>
</tr>
<tr>
<td>Maximum per Lot</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>One billboard with up to two sign faces</td>
</tr>
<tr>
<td>Minimum Separation Distance</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td>100 m radial separation between each billboard, 30 m from a residential district</td>
</tr>
<tr>
<td>Appendix A4</td>
<td>Summary of Current Sign Standards for former City of Hamilton, By-law No. 6593</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>“JJ” (Restricted Light Industrial District)</td>
<td>“KK” (Restricted Heavy Industrial District)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ground Sign</td>
<td>Wall Sign</td>
<td>Roof Sign</td>
<td>All Signs</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>6.0 m</td>
<td>3.5 m</td>
<td>4.5 m</td>
<td>-</td>
<td>10.0 m</td>
</tr>
<tr>
<td>Maximum Area</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Location of Sign</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>25 m²</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Not within any minimum front yard, side yard, or rear yard, except to a maximum of 0.1 m in the case of a wall sign, or to a maximum of 0.5 m in the case of a ground sign, and that each sign is parallel with the wall of the building and within 0.1 m of the wall</td>
<td>One billboard with up to two sign faces</td>
</tr>
<tr>
<td>Minimum Separation Distance</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>100 m radial separation between each billboard, 30 m from a residential district</td>
</tr>
<tr>
<td>“M-11”, “M-12”, “M-13”, “M-14”, “M-15” (Prestige Industrial)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ground Sign</td>
<td>Wall Sign</td>
<td>Roof Sign</td>
<td>All Signs</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>6.0 m</td>
<td>4.5 m</td>
<td>3.5 m</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Maximum Area</td>
<td>6.0 m</td>
<td>4.5 m</td>
<td>3.5 m</td>
<td>600 mm</td>
<td>-</td>
</tr>
<tr>
<td>Location on Lot</td>
<td>Shall not project into a required front or rear yard Not located less than 6.0 m from street line (minimum 3.0 m for M-14 and M-15)</td>
<td>Projecting no more than 0.5 m into the yard</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Disclaimer: This table provides a summary of sign standards extracted from existing sign by-laws. The information is presented for the purpose of developing a new Hamilton sign by-law. This information should not be used in place of any current sign by-law in effect.
<table>
<thead>
<tr>
<th>A. Mobile Sign</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Definition</strong></td>
<td>Portable sign means any sign mounted on a trailer or other free standing structure which is not permanently attached to the ground or to any building or structure and which is designed and constructed in such a manner so as to facilitate its movement from one location to another, and shall include a framed read-o-graph sign, a mobile sign, and an inflatable or airborne sign tethered to any building, structure, vehicle, or other anchor. A portable sign shall not include a sandwich board sign or sign attached to a vehicle where the principal use of the vehicle is the transportation of people, goods or other materials.</td>
<td>Mobile sign means any sign not permanently attached to the ground or to any building or structure and includes signs known as sandwich board, or temporary mobile signs as well as airborne devices tethered to any building, structure, vehicle or other anchor.</td>
<td>Portable sign means any sign mounted on a trailer or other free standing structure which is not permanently attached to the ground or to any building or structure and which is designed and constructed in such a manner so as to facilitate its movement from one location to another, and shall include a framed read-o-graph and portable sign. A mobile sign shall not include a sandwich board sign, an inflatable or airborne sign tethered to any building, structure, vehicle, or other anchor. A mobile sign shall not include a sandwich board sign or sign attached to a vehicle where the principal use of the vehicle is the transportation of people, goods or other materials.</td>
<td>Mobile sign means any sign mounted on a trailer or other free standing structure which is not permanently attached to the ground or to any building or structure and is designed in such a manner so as to facilitate its movement from one location to another, and shall include a framed read-o-graph sign, a portable sign, and an inflatable or airborne sign tethered to any building, structure, vehicle, or other anchor. A mobile sign shall not include a sandwich board sign or sign attached to a vehicle where the principal use of the vehicle is the transportation of people, goods or other materials.</td>
<td>Mobile sign means a sign mounted on a trailer or other free standing structure which is not permanently attached to the ground or to any building or structure and is designed in such a manner so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principal use is the transportation of people, goods or other materials.</td>
<td>Portable sign means any sign or advertising device which is not permanently constructed at one place in the ground, or permanently attached to a building or structure and includes signs known as sandwich board, or temporary mobile signs as well as airborne devices tethered to any building, structure, vehicle or other anchor.</td>
</tr>
<tr>
<td><strong>Where Permitted</strong></td>
<td>Commercial, Industrial, Institutional, Private Open Space Zones</td>
<td>Not in Residential Zone, not on a vacant lot</td>
<td>Commercial, Industrial, Institutional, Private Open Space Zones</td>
<td>Commercial, Industrial, City Park, None in Downtown Core</td>
<td>New business only</td>
<td></td>
</tr>
<tr>
<td><strong>Specific Purpose</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
<td>-</td>
<td>Only erected on property to which the sign applies</td>
</tr>
<tr>
<td><strong>Permit Required</strong></td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Licensed Company</strong></td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td><strong>Maximum Area</strong></td>
<td>1.8 m²</td>
<td>1.8 m²</td>
<td>5.6 m²</td>
<td>7.0 m² per sign face</td>
<td>5.6 m² per face</td>
<td>4.0 m²</td>
</tr>
<tr>
<td><strong>Maximum Height</strong></td>
<td>1.8 m</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Appendix A5</td>
<td>Summary of Current Standards for Mobile and Portable Signs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>----------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ancaster</td>
<td>Dundas</td>
<td>Flamborough</td>
<td>Glanbrook</td>
<td>Hamilton</td>
<td>Stoney Creek</td>
</tr>
<tr>
<td>Maximum Dimensions</td>
<td>1.5 m</td>
<td>1.5 m</td>
<td>3.0 m</td>
<td>7 m</td>
<td>2.4 m</td>
<td>2.5 m</td>
</tr>
<tr>
<td>Property Line Setback</td>
<td>1.5 m</td>
<td>1.5 m</td>
<td>1.0 m</td>
<td>1 m</td>
<td>1.5 m</td>
<td>0.5 m</td>
</tr>
<tr>
<td>Setback from Residential</td>
<td>15 m</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>15 m</td>
<td>-</td>
</tr>
<tr>
<td>Setback from Intersection</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>9 m</td>
<td>0.5 m from street line; No mobile sign over 1.0 m above grade shall be located in any daylight triangle</td>
</tr>
<tr>
<td>Illumination</td>
<td>No</td>
<td>No flashing lights</td>
<td>-</td>
<td>No flashing lights</td>
<td>No flashing lights</td>
<td>-</td>
</tr>
<tr>
<td>Maximum Per Property</td>
<td>1 per property at a time</td>
<td>1 per lot</td>
<td>1 per person per lot</td>
<td>1 per lot</td>
<td>2 per lot or maximum of 20 with 30 m separation</td>
<td>1 for each tenant of a property</td>
</tr>
<tr>
<td>Separation on Lot</td>
<td>-</td>
<td>30 m</td>
<td>50 m</td>
<td>23 m</td>
<td>15 m</td>
<td>-</td>
</tr>
<tr>
<td>Multiple Occupancy</td>
<td>-</td>
<td>Each occupancy considered a lot</td>
<td>2 maximum No permit more than 28 days</td>
<td>Each tenant occupancy considered a lot</td>
<td>60 consecutive days, maximum 180 days per calendar year</td>
<td>Each new tenant of a multi-occupancy commercial building is deemed to be a separate property</td>
</tr>
<tr>
<td>Display Times</td>
<td>42 days consecutive or cumulative</td>
<td>30 days consecutive in a calendar year</td>
<td>Waterdown: 112 days Agricultural 180 days Commercial &amp; Industrial 120 days Commercial Complex 182 days (all per calendar year)</td>
<td>180 days consecutive or cumulative</td>
<td>360 days 60 days 180 days per year</td>
<td>30 days consecutive</td>
</tr>
<tr>
<td>Hiatus</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>15 days</td>
<td>-</td>
</tr>
<tr>
<td>Fee</td>
<td>TBD</td>
<td>TBD</td>
<td>$35</td>
<td>$60 per sign</td>
<td>$35 for two weeks</td>
<td>$60 for first $1,000 value plus $10 for each additional $1,000 ($60 minimum)</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>No content that is contravention of zoning</td>
<td>-</td>
</tr>
<tr>
<td>B. Sandwich Board</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
### Appendix A5  Summary of Current Standards for Mobile and Portable Signs

<table>
<thead>
<tr>
<th>Definition</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>A moveable non-illuminated sign, constructed of two hinged boards</td>
<td></td>
<td></td>
<td>A moveable non-illuminated sign, constructed of two hinged boards</td>
<td>A mobile non-illuminated sign, normally constructed of two hinged boards</td>
<td>-</td>
<td>Included in portable sign definition.</td>
</tr>
<tr>
<td>Maximum Area</td>
<td>0.5 m² per side</td>
<td>0.75 m² per side</td>
<td>0.5 m² per side</td>
<td>1.0 m²</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Maximum Dimensions</td>
<td>1.0 m</td>
<td>0.9 m base</td>
<td>1.0 m</td>
<td>1.0 m</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Permit Required</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Road Allowance</td>
<td>No</td>
<td>Yes</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Removal</td>
<td>End of each business day</td>
<td>End of each business day</td>
<td>End of each business day</td>
<td>End of each business day</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Definition</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standardized Outdoor Advertising Sign (billboard) means a standardized</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>advertising sign symbol or structure erected and maintained by a person,</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>firm, corporation, business service, commercial or industrial enterprise</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>engaged in the sale or rental of space theron to a clientele upon which</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>space there is displayed advertising copy describing one or more products</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>or services which are not necessarily made,</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Billboard means a sign which advertises goods, products, services or</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>facilities that are not available at the location of the sign and/or which</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>directs a person to a location different from that where the sign is</td>
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<td>located.</td>
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<td>Billboard means a sign that advertises goods, products, services and/or</td>
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<td>facilities that are not available at the location of the sign and/or which</td>
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<tr>
<td>directs a person to a location different from that where the sign is</td>
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<td>located.</td>
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<tr>
<td>Third Party/Billboard Sign shall mean a sign that directs attention to</td>
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<td>(a) a business, service or entertainment that is conducted, sold or offered</td>
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<td>for sale or otherwise, elsewhere than on the premises, (b) one or more</td>
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<td>goods, wares or merchandise or any personal property. (Not permitted in I</td>
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<td>Central Business District)</td>
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<thead>
<tr>
<th>Where Permitted</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>-</td>
<td>Not in Residential Zone, Not in Waterdown Urban Area, Not in any Settlement Area, Not on any lot zoned Agricultural, Residential, Insitutional, Open Space</td>
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<tr>
<td>Lands adjacent to Provincial Highways and within an Agricultural, Commercial, Industrial or Open Space Zone</td>
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<td>G-1 Designated Shopping Centre, G-2 Regional Shopping Centre, H Community Shopping and Commercial, HH District Restricted Community Shopping and Commercial District, J Light and Limited Heavy Industry, JJ Restricted Light Industrial District, KK Restricted Heavy Industrial District.</td>
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<tr>
<td>Commercial and Industrial zoned lands</td>
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<thead>
<tr>
<th>Maximum Sign Area</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>-</td>
<td>21.4 m² per face</td>
<td>60.4 m² total</td>
<td>25 m² per face</td>
<td>20 m² per face</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Maximum Dimension</th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
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<td>-</td>
<td>7.3 m</td>
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### Appendix A6  Summary of Current Standards for Billboard and Third Party Advertising Signs

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<thead>
<tr>
<th></th>
<th>Ancaster</th>
<th>Dundas</th>
<th>Flamborough</th>
<th>Glanbrook</th>
<th>Hamilton</th>
<th>Stoney Creek</th>
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</thead>
<tbody>
<tr>
<td><strong>Maximum Height</strong></td>
<td>-</td>
<td>-</td>
<td>8 m</td>
<td>Varies from 8 m to 11 m depending on zoning and sign area</td>
<td>10 m</td>
<td>7.5 m</td>
</tr>
<tr>
<td><strong>Maximum Length</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Varies from 4 m to 16 m depending on zoning and sign area</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Maximum per Property</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>One with up to two faces per property</td>
<td>One</td>
<td></td>
</tr>
<tr>
<td><strong>Separation from Uses</strong></td>
<td>-</td>
<td>-</td>
<td>15 m to street line; 30 m to a park, hospital or school; 60 m from a residential zone; 10 m to any other lot line.</td>
<td>30 m to a park, hospital or school, 60 m from a residential zone or lot used solely for residential purposes, 4.5 m of any other lot line.</td>
<td>30 m from residential district</td>
<td>30 m to a park or school 60 m from a residential zone</td>
</tr>
<tr>
<td><strong>Separation from Other Billboards</strong></td>
<td>-</td>
<td>-</td>
<td>400 m</td>
<td>15 m in Commercial or Industrial Zone 305 m in Agricultural or Open Space Zone</td>
<td>100 m</td>
<td>150 m</td>
</tr>
<tr>
<td><strong>Other Restrictions</strong></td>
<td>-</td>
<td>-</td>
<td>No more than 2 faces. Not electronically animated, no moving parts or automated message changes.</td>
<td>No moving parts, automated message changes or electrical animation</td>
<td>No illumination unless the source of light is steady and suitably shielded to contain the illumination</td>
<td>No electrical animation, moving parts or automated message changes</td>
</tr>
</tbody>
</table>

Disclaimer: This table provides a summary of sign standards extracted from existing sign by-laws. The information is presented for the purpose of developing a new Hamilton sign by-law. This information should not be used in place of any current sign by-law in effect.
Appendix B  Public Meeting Summaries

The following are summaries of the comments made by stakeholders at the seven public meetings held to receive ideas for the new Hamilton sign by-law.

Flamborough Town Hall
Public Meeting 1
July 6, 2005

- Slow processing
  - don’t know status
  - people put up signs without permit because too slow
- No enforcement
  - no take downs
- Fee schedule to match scale and sign value is needed
- Who does what??
  - no accountability in processing
- Signage on public properties
  - needs to be regulated
- Need to be clear in language
- Fees/funding and fines to enforce and clean up problems
- Process – response in +/- 5 days
- Projecting signs
  - engineering issues, especially on older buildings
  - safety?
  - visibility?
  - aesthetics?
- Content of signage - constitutional issue
- 3rd party advertising – can it be regulated?
- Posters – problem on hydro poles, especially Carlyle
  - no commercial posters should be permitted
  - community billboard/kiosk in community centres and main streets for posters
- Signage is not a priority in Hamilton
- Mobile signs: stick to dates for removal
- Small business: difficult, visibility is important
- ‘Grandfathered’ approved signs (legal)
- Need to enforce maintenance and replace signs with blank face plate when business leaves
- Ground signs for shopping centres should have plaza name and address
- Removal fee/permit at some future point in order to monitor maintenance
- Mobile signs:
  - process – not straight forward/simple
  - time limit = Burlington has 45 day maximum
  - what is reasonable
    - 3 weeks?
    - 45 days?
    - 30 days?
    - some businesses say 6 months is not enough
- Mobile signs should not be on public property
- Consider having only licenced operators erect mobile signs
Dundas Town Hall
Public Meeting 2
July 11, 2005

- Ainslie Wood – Westdale issues
  1. Mobiles - "eyesore"
     - prohibit residential & park areas
     - permit with stickers
     - determine length of time for sign
     - 1 sign/60m of frontage
     - 100 ft separation
     - away from driveways
  2. Posters
     - restrict to com. bulletin boards
     - not on poles, except lost pets
  3. Billboards & Roof
     - prohibit
     - affects whole city
  4. For Rent Signs
     - near McMaster
     - 6 neighbourhoods with student housing – not legal
     - some are on inside (windows)
     - are they signs that can be regulated?

- Need to enforce sign by-law
- Signs on boulevard
- Too many signs: “overkill”
  - Messy, unattractive
- Posters - Main and Whitney is a problem area
- Mobiles - No. has increased: a blur, visual Pollution
  - lose charm of Dundas
- Dundas downtown & other historical areas
- Careful, signage should match character
- Mobiles
  - many not related to business on site: prohibit this type
  - advertisement of product/price: need to regulate
- Nobody getting permits as no enforcement of by-law
- Upper James – problem, too many signs
- Mobiles - do help business
  - 8 weeks reasonable period
- Sandwich boards
  - encroachment on 2m clear path required for pedestrians
  - generally keep on building side
- Mobiles – 2 month period, back in 6 months is reasonable
- “Eyesore” mobile signs: presentation/colour/design is the issue
- Promote good design/create attractive streetscapes in City
- Like Oakville, have licensed mobile sign operators: provides greater control
- Regulate size - smaller mobiles more appropriate
- Bus as sign – like a billboard
- Billboards downtown – control height
- Licensing – what requirements for the operator?
Stoney Creek City Hall
Public Meeting 3
July 12, 2005

- Election signs
- Portable signs
  - Eyesores
  - Safety
- Clean up; letters missing
- Post permit on portable signs complete with name and number
- Attach signs to ground
- Good distance separation
- Homemade signs to be treated same as portable signs
- Real Estate signs a problem
- Some block view of traffic
- Daylight triangles not being respected
- Sign letters; tacky
- Need pro-active enforcement
- Educate public through paper “Tips” and let public assist
- Business man – 30 days too short but need more or dedicated By-Law enforcement officers
- Will we look at Heritage District and special signage? – Hess, Locke St.
- Instead of hiring more staff, rely on public to call in complaint
- Posterig: Use business community to assist with solution
- Need strategic locations for posterig kiosks
- Put permit or tag or sticker on portable signs so you know when it expires
- Garage sale signs: Must be clear and enforced
- Fee for portable signs must be reasonable

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Hamilton City Hall
Public Meeting 4
July 13, 2005

- Direction signs used by realtors are not permitted?
  - no, at this time still legal
- Mobile signs=obstructing pedestrians on sidewalks
- Mobiles: what appropriate distance between them - 50 ft.?
- Mobiles: become “permanent”
- Dundern and Main: obstruct motorists view
- Signs on public fences - illegal
- What about businesses which cannot afford permanent signs?
- How to define ‘ground signs’ vs. ‘mobile signs’? - Purpose
- Problem: sign industry ‘aggressive’. too many sings
- Regulate mobiles for safety reasons
- People need to advertise
- Need street address for way finding, safety
  - integrate with signage
  - create street numbering by-law
- Permits should be available at each service centre:
- difficult Downtown parking
- Permits = fax in/out or electronically
- New by-law: more regulations, more difficult to enforce
- Economics: must be careful not to impact small business
  - “we’re not rich”
  - by-law to fit Hamilton
- Mobiles are effective advertising
- Should have landlord’s consent for mobile signs

Glanbrook Town Hall
Public Meeting 5
July 19, 2005

- Glanbrook has less density than other parts of the city
- Do not have BIA but need to have business community respected
- Need Community’s needs, character, etc respected
- But community now experiencing sign clutter
- Recognize rural areas
- Need better enforcement
- Hamilton in worst condition ever seen to date (Upper James, for example)
- Auto dealers out of control
- Too many signs on city property (ex: Clearwater Florida took action)
- Signs a blight on city
- Signs block views and block signs
- Business man
- Temp signs a problem
- Postering is awful
- Burlington good example of sign control
- Phase out portable signs in favour of proper ground signs
- Perhaps “message” board/property
- Make level playing field through restrictions and control
- 3rd party on other side of city not right
- Want “student works painting” type signs removed quickly
- Levy heavy fines
- Enforcement a major issue!!!
- Real Estate signs – we will address the situation
- Yard sales – to be addressed
- Election signs – to be addressed
- We should look at Burlington’s By-Law
- Businesses must be able to read and understand By-Law
- Postering – need quick effective enforcement because name on poster
- Want staff to take back message to “authorities” they want improved enforcement now!
- Want signs to fit into character of city
- Church signs – are we going to regulate?
- City to ensure all portable signs to be identified
- City to ensure all signs to be identified
- License portable signs companies
- Only licensed company can put out portable signs
- Put out bidding process for licensing portable sign companies
- Need good definitions so all parties responsible for compliance
Portable signs need plenty and good regulations
Fees need to be reasonable or no one will get permits
Need to consider “painted vans”

Ancaster Old Town Hall
Public Meeting 6
July 20, 2005

- Signs on road allowance = problem
- Inspectors don’t have time to enforce by-law
- Mobile signs are up 30 days, down for 1 day, up again...
- Ancaster: by-law precluded mobiles
- Every merchant should have some opportunity for signage
- Recommend:
  - Must have permit
  - Manpower to enforce
  - No lighting, no neon (B & W only)
  - No third party signs
- Enforcement:
  - time deadline to remove offending sign
  - if not, City take down and fine company
- When By-law passes, put advertisement in paper to advise public, business, sign industry
- Advise public on number of permits, fees generated, removals made
- Fortino’s: 2 new signs on boulevard
- Will by-law consider different areas of Hamilton?
- Eliminate mobile signs
- Part of the GTA, have strip malls and therefore a need for signs – issue: what is reasonable/balance
- Want a more aesthetically pleasing environment and streetscape
- Public buildings & parks
- Set sign back from driveways for safety
- Don’t like signage on street furniture (advertisement on benches)
- Majority of people oppose mobiles
- Heritage area: no mobile signs downtown
- Don’t want to be like Upper James
- Election signs regulated?
- Meadowlands/Golf Links need to remove mobiles
- Make mobile permits expensive: deter their use
- Regulate real estate signs off site
- With sign by-law, will control their use of mobile signs
- Real estate signs: same regulations for private sale real estate companies
- 4’x4’ signs for 42 days is current standard
- problem now Ancaster had not regulated regional road allowances, mobile signs permitted
  need more restrictions where homes and businesses mix
- put permit expiry date on mobile sign so everyone knows when it should be removed
- treat Wilson Avenue the same, from 403 to Dundas it serves as a gateway
- Set up system so one can make complaints by e-mail
- Posters: put on community bulletin boards only
Enforcement Issues

- Portable signs ugly – to be limited in numbers
- Enforcement is an issue, i.e. “A” frames stay out 100% of the time
- Need consideration for exemption to By-Law provisions
- Realtor signs must be allowed
- Real Estate Directional Signs need to send people off main streets, could use with permission of property owners
- Real Estate industry needs directional signs particularly in town house projects
- Signs on Road Allowance should only be election signs
- Postering is not good but allow them on every 6th pole; street corner poles and some in residential areas
- Designate certain poles for posting

“A” Frame signs OK but some too Big

- Need good regulations with respect to size, location, in/out daily
- Postering – problem is too many of the same type on posts

Business Man from Dundas

- Used newspaper ads (expensive)
- Yellow pages (missed deadline)
- Uses small signs on utility poles (cheap)
- No complaints except for one residential person
- Police told him to take them down from utility poles
- Put up Friday/Saturday but removed Monday

- Need clear, fair sign regulations
- Portable Signs need enforcement to pay for itself – adequate fees
- Need discretion in enforcement due to circumstances
- Need to clarify where Real Estate signs can be located
- Suggest city concern itself with bus shelters, buses, garbage cans, etc with respect to sign clutter

- 3rd Party Advertising is too confusing
- Issue with “rooms for rent” signs, need clear rules: may also be zoning issue
- By-law should say signs must only advertise legal use

Sign Company

- Too many illegal signs out there
- Supported Hamilton “old” portable sign By-law
- Burlington By-law too short for portable signs
- Brampton portable sign time period good
- Burlington has good enforcement

- Ensure ground/pylon signs have municipal number
- Suggest “Read-O-Graph” sign be attached to ground/pylon sign to reduce need to portable signs
Appendix C  Public Comments

As part of the public consultation program, stakeholders were encouraged at the public meetings, on the City’s web site, and through the questionnaire, to send an email with their thoughts on signs in Hamilton and their priorities for a new sign by-law.

These comments were received from the public and businesses.

At last, the time has come to decide how best to clean up the unsightly signage that obscures so much of what this city has to offer. For far too long we, the silent but overwhelming majority, have allowed our senses to be assaulted for the financial gain of a minuscule minority that seem to have convinced successive weak-willed city councils that any control over that group’s actions is somehow against their democratic rights. Nothing could be further from the truth.

There are many municipalities that have implemented sensible sign bylaws but I would draw your attention to one city that in my humble opinion has gotten it right, and that is the City of Scottsdale, Arizona. One’s first impression of Scottsdale is of the clean, uncluttered feeling of the place. Then it dawns on you that there are no ugly mobile signs glaring at you from the side of the road. There are no posters taped to every hydro pole and light standard flogging some long-forgotten event. Almost everywhere you look in the commercial districts you see landscaped areas with trees, grass and flowers. Yes, I know they also have a climate that doesn’t present the challenges of winter, but that is no excuse for what we allow to happen.

Their bylaws control every type of sign, from real estate to mobiles to permanent ones on buildings, and there does not seem to be any adverse affect on the commerce of the city. Quite to the contrary, the loveliness of the place probably draws people and business in from other areas.

In Hamilton it appears that we allow our streets to be plastered with any horrid eyesore that someone’s twisted advertising ideas can conceive. In all my fifty-plus years of adult life I have never been drawn into any establishment by its mobile sign out front, nor have I ever attended any event or availed myself of any service touted on a poster glued to a pole. To my mind, all of these items are so much roadside trash, and receive no more attention than the stuff that gathers in the gutter.

To the purveyors of mobile signs, recognized that times change and many of us have had to alter our career paths accordingly. Still, implementing sensible bylaws does not have to mean an end to anyone’s livelihood. Instead, think beyond the obvious and imagine the business possibilities of designing, creating and installing new aesthetically pleasing signs that fit within the new rules: your future could be golden. If you cannot do that, then please take your signs somewhere else or find another line of work.

To those people that think their business or event must have a roadside sign or have a poster taped onto a pole, can you spell “radio” or “newspaper” or “mail”? They all offer endless possibilities for affordable advertising. If you think they are beyond your budget, then your business plan is faulty and you will probably fail anyway.

Come on, Hamilton! Let’s clean up our act: let’s make this city one we can be proud to show off to anyone from anywhere! It has so many outstanding features of natural and architectural beauty, but there is so much clutter we cannot appreciate them. If we all had a city that could be held up as an outstanding example of urban streetscaping, it could go a long way towards tearing down the fences that still divide the former municipalities.

Come on, councillors: show some courage and do what you know is right! Remember, at election time we the ordinary citizens vastly outnumber the tiny minority of naysayers!
I read about the proposed sign bylaw in Thursday's Spec, and I applaud your efforts. Hamilton is not really any
different from any other town or city in North America, but it can be. One thing that bothers me is the junky look of
our streets. Yard Sale, missing pets and ads for a piano house in Burlington dot Mohawk Road from one end to the
other. For the most part, the Yard Sale signs are outdated. The tape is worn and blowing in the breeze. The writing is
less than easily read (sometimes even when it has just been put up). If I had the ability to control these signs, I’d do
something like this:

Yard Sale signs cannot be posted until 12 hours before the event, and must be removed one hour after the
advertised ending time. Violators would face a small fine, the money used to pay for the cleanup of said signs.
Businesses like that piano house, and people telling others about opportunities to make money at home should be
charged a fee to post. Enough to discourage the posting in the first place would be a good place to start. Make them
take each and every sign to an approver, and have a colour coded sticker applied so enforcement crews know if the
sign is legal.

Signs of all types must be neat and to the point. Not like the hand sprayed scrap plywood signs that we see on street
corners at Easter and Mother's Day, advertising flowers for sale in the gas station parking lot. Or worse the same
signs that grace the fire trap at Ottawa and Main that passes as a fruit stand, flower joint and whatever else the
owner thinks he can get away with. Those "sheeny man" operations should be outlawed all together, but that's for
another committee. They make this city look cheap, and do a disservice to neighboring business that pay high rents
and taxes to run their business, just to see the fly by nighters swoop in with weekend specials.

The mobile trailer mounted signs that litter Upper James are, unfortunately, here to stay. The city really should not
be outlawing them, and in effect shutting down a few small businesses that make and rent them. The city should,
however, bring some order to what's displayed. In the photo on page A5 of Thursday's Spec, The Brick has a huge
permanent sign towering over all others in the photo. They also have a mobile sign below it. I say one or the other.
People have ample opportunity to read The Brick's ads, or hear them on the radio. All they need to know is the
location of the store. Another sign advertising specials at the edge of the road is just too much, in my opinion.
Additionally, these mobile signs should only be allowed on the advertiser's property. Fortino's advertises specials on
a mobile sign at Upper Ottawa and Rymal Road. The closest store is probably 3 miles away. On the opposite corner,
some Burlington retailer advertises something like car stereos or alarms. That's another city for crying out loud.
These situations should be banned all together.

One last thought, and I thank you for reading this far. I haven't noticed one for a while, but perhaps that's because
they blend into the landscape. There was a guy that used to paint scrap cars and vans white (windows and all), and
park them on empty lots on busy street corners. They advertised his automotive appraisal service, and frankly,
looked like hell. I thought, of all the negative images this city is accused of, this is one of the worst. Abandoned
vehicles should be treated as scrap, and hauled off to the nearest automotive bone yard.

Thank you for the opportunity to express our feelings regarding "signs".

We strongly object to the mobile, stand-alone, and tel. pole signs all over our area. We live near Dewitt and Hwy.8
in Stoney Creek, and the signs are enough to give one a migraine when passing them. I have spoken to Maria
Pearson, who very graciously said she was doing her best to get rid of them. The signs now extend all the way out to
Glover Rd., in Winona. There are less of them out there, however. We believe they detract from the beauty of our
neighbourhood,—especially the escarpment. That is my walking route every day, and instead of feeling good, I get
mad as soon as they come into my line of sight. None of the businesses are not even close by,—to try to justify
having signs at Dewitt & # 8.

If there is anything you can do, if there is a petition we could sign, or whatever we can do to help, please let us know.
You would become our hero in the area, if you could get them out of there

I applaud our vision to do something about the signage in and around Hamilton.
Our beautiful city spends so much time and energy to beautify it with flowers and trees and green spaces then we allow the hideous and garish signs to deface our streets. Please, please do something about this. Many communities do not allow such proliferation of advertising. It is so unsightly.

I am a resident of Ancaster working each day as a teacher in Hamilton. As I drive along Upper James and Rymal road it sickens me to see the signs. I try to focus on the lovely boulevard flowers but the glaring signs are so awful. What must visitors to our fair city think! The whole city is having a blow-out sale!

In the age of internet advertising and the number of inserts in our local paper there is no need at all to rely on these signs. There is no argument at all that these signs are needed for business.

I am so very pleased that people like Mr. Les Farrington has recently spoken up in our local paper.

I want you to know as a taxpayer you have my families full support on this issue.

Let's make Hamilton the beautiful city it can be. Take a stand and put an end to these portable signs.

I live in the former Town of Flamborough, which prior to amalgamation spent a great deal of time in consultation developing a sign by-law for the Town of Flamborough. One of the worst examples of signs run amok was Upper James Street in Hamilton.

We were quite happy with the Flamborough by-law and would hate to see any of its regulations diminished by a lessening of regulations to make things harmonized across the City. I believe that you should impose the provisions of the Flamborough By-law elsewhere in the new City of Hamilton.

The most important parts of the sign by-law, as I recall, are the following points:

- Opportunities for one sign per commercial property, or one sign per frontage, or for a specified number of feet per frontage for a larger shopping centre or plaza property, but not one sign per business, except on the façade.
- Permanent signs could have message boards incorporated to advertise special promotions or sales or events.
- Regulation of the size of the sign in proportion to the property, building, and site lines, as well as regulation of the positioning of the sign and the height.
- Significant restrictions on where billboards are allowed.
- Licenses required for portable sign vendors to ensure they knew the rules.
- Some relaxation of portable sign usage for community festivals or charity events, but only with a permit.
- Limitations for portable signs including the following concepts:
  - Have to apply for a permit for a portable sign;
  - Limited to the number of times a business and property could have a portable sign per year;
  - Must be advertising a special sale of some other promotion for the business on the property it was located on.

All of these regulations came with enforcement through the permitting process for portable signs, a complaint process and an approval process for all signs (commercial signage through the site plan control application process and billboards, I believe, through the zoning and/or site plan control process).

I must say that since amalgamation, the enforcement seems to be non-existent. Every day I drive through Waterdown and see portable signs advertising car sales lots in Burlington, and other sales in Burlington. I am sure that the businesses in Burlington would like our business, but I don’t think that it adds anything to our streetscape; it is a blight; and it also does not promote Hamilton businesses.

I believe the regulations should be stringent and there should be extremely limited opportunities for portable signs. In cases where they seem unregulated, there are so many of them that the traveling public cannot see any of them, because they are lined up in front of each other. They detract seriously from the benefits of any landscaping attempts or requirements, and are a visual distraction to drivers. They make streets where there are a proliferation of them look unkempt and cheap, and unattractive as areas for consumers.
I recall during the Flamborough sign by-law discussion, that some property owners felt they should have the right to rent the use of their property for billboard or portable signs to acquire some income. This is not a case for limited regulations. Every property has a permitted use and any income derived from the property has income potential in accordance with those uses. I don’t believe renting the property for portable signs for promotions for businesses elsewhere is a reasonable argument or an inherent right of property owners.

Please regulate and limit the use of portable signs and billboards. You spend money on campaigns encouraging the discovery of the beauty of natural Hamilton, and on flower plantings in the boulevards, etc., so please ensure that people can see the beauty in the plantings, nature and the old architecture, not hide them with ugly distracting signs.

I think all these signs around Hamilton are disgusting. I would like to see signs placed back from the roads, so that when you are pulling out from an entrance/exit you can have a good view of the roadway. Most of the signs are so close to the road you have to pull out into oncoming traffic to see if anything is coming. An accident waiting to happen.

People who put signs up advertising a garage/moving sale, concert, junk pickup, computer help, etc., should remove their sign within a certain time frame or be fined. Most of these signs carry the person's phone number or address so it can’t be that hard to track them down. Nothing looks worst then pulling up to a stop light and seeing all the sign taped or stapled around the poles that have been there for several weeks or even months with no intentions of ever being removed.

It's ridiculous where you see signs being placed and the number of signs. It's time to clean up.

There are too many signs. I have trouble seeing the street and highway names knowing which parking lot to enter finding a business when I can not see a house number. I resent having my driving attention taken by what are clearly advertisements!!

I have a problem with all of the portable signs & any other signs that are situated close to the roadway/sidewalks. Not only is it an eyesore but also a safety hazard. In some areas you have a hard time finding where you are going because of all this detracting signage. Do we want to have our city look like a big “Flea-Market” or something with a little class?

I wanted to bring forward my own concern with regards to the sign issue. That being companies posting signs on light standards in new condominium developments and yet to be assumed municipal roads for the purpose of hawking their wares to the new residents.

These individuals have become quite bold and destructive in their on-going defacement of property that does not belong to them. Typically they use long extension ladders and steel bands which damage decorative light poles. Of course they are not only an eyesore but ultimately no one returns to remove them. And guess who the annoyed residents call?

My concern with signage has to do with the fact that the city spends a huge amount of money on studies and architectural designs for the BIA's and then the city never follows through with the recommendations given by these professionals. Then, not only do they allow business owners to put up these signs that totally go against the advice of the architects, they actually pay half of the cost through the BIA grants.

I am not saying that they shouldn't have grants for BIA members. But, the signage should be in keeping with the image that the architects designed for the street. After all, the city has spent a lot of money for that advice. It's been a pet peeve for me up here on Concession St, but it is also evident in Westdale Village.
I agree with the bylaw of the signs what I don't agree is following Burlington's Step lets not follow someone else's steps lets do our own.

I own a few business's in Hamilton. For one of them I rent a sign from Acclaim Signs the business name is Active Supplies I own that company, I agree something has to be done but not for 30 days like in Burlington I agree that we should do something like for example the following: 6 months advertisement which should be followed with a sticker purchased at a reasonable price maybe of $25 for 30 days.

I don't think following someone other city plans are the best way we should create business, I also believe we should promote business and get people to purchase our goods I don't think the sign bylaw will help anyone except the city where they have enough money as it is.

Did you guys ever consider the people you are putting out of business instead of getting business we are putting people like the sign people out of business. Bravo.

I was notified by my signage company that I might have to take out my portable sign and that Hamilton might follow the by-law of Burlington instead of promoting the city and making business's grow your city is taking away the only chance people have to promote their businesses.

I also heard that maybe its like Burlington you might go with which is 30 days in a year have you guys ever considered the impact it will have on the sign people that have there offices over in Hamilton (which means no more taxes for city hall).

All city hall wants is money why don't we concentrate on building business instead of taking one thing company owners have is SIGNAGE.

I like to see business signs that are visible from buses and cars - but I don't want them be blocking my vision of other things - for example the sidewalk signs. When they are in the front of a store or strip mall, they can be dangerous if a car is trying to exit from the store behind the sign.

I also like to see street numbers, so often I'm looking for 123 any street, and the store is inside a strip mall and I miss the store. Any way to make businesses put their street numbers up front and bold?

We are greatly disturbed by the growing use of advertising signs that clutter main streets, boulevards and rural properties. Visual pollution is no worse than any other type of pollution that erodes at the quality of life. More and more people feel free to post a sign on anything that will hold it, or plant a sign in any spare piece of ground. It is a visual distraction when driving - Upper James St. is a good example of sign mania, but no less disturbing is driving out in the more rural areas of Hamilton to see these unsightly signs proliferating the natural landscape. If Hamilton is really serious about improving it's reputation then this is a good place to start! Let's clean up all the garbage that nobody has the time to read!

All businesses have a right to display who they are. One permanent sign on their place of business should be quite adequate for this purpose and the bylaw should curtail any additional signage. The bylaw should also curtail the use of portable signs put up where ever people feel they can get away with it - natural areas, walls, light standards.

If signage use can be controlled, Hamilton can only be the better place for it.

I would like to know why real estate agents are allowed to place signs at every side street indicating a house is for sale in that survey? I don't think they should be allowed. The only signs that the agent should be able to display is on
the property for sale. If they want to advertise a property for sale, they should use the proper advertising methods for that. Being able to place signs anywhere they want is wrong.

I would also ban the sandwich board signs. The builders are famous for this and it is wrong. They should not be able to place signs on city property. They again are at the intersections indicating their homes for sale. Make the builders pay for the advertising.

I would also ban any sign nailed screwed or attached by any means to a telephone pole. It looks terrible. These people, such as window shades, granite countertops, computer help just to name a few should be fined for securing these signs to city property.

The minimum fine for breaking any of these bylaws or any sign bylaw should be at least $500 per sign per offence for the first time offender. They should then double and quadruple for repeat offenders.

Merchants' signs attract business until competing ones are put up nearby. This then leads to a constant competition for the public's attention by building ever bigger and higher signs that consume more and more energy.

It also results in the degradation of the built environment. These signs are aimed in large part at passing motorists and for that reason alone should be discouraged.

I have spent a considerable amount of time in Europe where most cities have a vibrant downtown. Many have restrictions on traffic and the size of signs. What signs there are, are aimed at the pedestrian and do not obscure the built environment. Signage is therefore part of the larger matter of urban renewal.

As Hamiltonians have recently shown that are very keen on trees, we should at this time remember Ogden Nash's:

I think that I shall never see
A billboard lovely as a tree
Indeed, unless the billboards fall
I'll never see a tree at all.

Portable signs are ugly in themselves and are annoyance in many practical ways. I would like to see them disappear.

The regulation of signs on utility poles is, I think a tricky legal matter, but could the advertisers be fined if they did not take down the sign after the advertised event?

The worst offenders, beyond those ugly mobile signs that are used in conjunction with other signs advertising the exact same thing, are the signs that are awkwardly placed at intersections or in exit areas in malls.

They tend to be real estate/housing development signs and are a real hazard to drivers. I also find that small signs tacked to telephone poles etc. tend to draw the eye as one drives. I am surprised that there haven't been more accidents e.g. Main and Dundurn at intersections where there are huge visual and active signs that are also a distraction for drivers.

I think the bylaws should be change to reduce the clutter of mobile signs, furthermore the postings of any signs on city poles should carry a fine just like parking meters. Everybody runs around to post garage sale signs on the poles but no one ever comes back to pick them up. There address are on the signs and there left for months till homeowners take them down or pick the garbage off the lawns.

Maybe putting up proper sign poster boards would allow people to place them on for free, but would not make our city look like a garbage can on every hydro pole thru out the city. I support the bylaw change for the better. You have a number for concerns about people littering why would you want the garbage at every pole or stop light? Makes our city look like a slum and we need the change for the better.
The signs continue to outdo each other to be larger and brighter. Enough already. They are getting closer and more dangerous obstructions.

We are becoming numb to them...we forget how lovely it looked with out them. Please continue to open these discussions to fight to remove the signs.

I think Hamilton wants to reflect a beautiful city. These portable neon monstrosities must go! There is no need for advertising on the street. It looks cheap!

Using Upper James as an example, what bothers me most is the overabundance of signage, especially the portable signs. What a nightmare.

Looking at the picture printed in the Spectator, one sees signs stacked vertically on top of each other. They also jut out at different angles toward the roadway, and from different heights. The variety of colours and sizes is overwhelming and causes visual overload.

This makes landmark identification very difficult. This affects driving safety, whenever one is driving and hunting, through the vast array of signs, for the location of a particular store.

It also affects the manner in which I shop: I avoid shopping on Upper James whenever possible; if I must shop there, I phone the store before hand to find out exactly where it is located, rather than rely on visual cues.

Can you please do something about this, and also prevent if from happening in other neighbourhoods. Do not let signs be put up on the Linc and other open spaces, e.g. Stonechurch between Golf Links Rd. and Upper Paradise. Protect the charm of places like the Westdale Village and downtown Dundas.

"Mobile" signs are ugly, and if badly placed, can also be dangerous. For instance, there are "mobile" signs at the tiny strip-mall on Main St West just before the entrance to Forest Glen Condominiums (1964-1968 Main St West). The signs are placed so near the street that they obscure the Forest Glen sign. This means that emergency vehicles can have trouble locating the entrance to our buildings. Guests, tradespeople, home support workers and delivery people are also inconvenienced, and lose time because they pass the entrance and have to turn and come back.

In addition, vehicles leaving Forest Glen find their view of the street obscured. This increases the difficulty of making a safe turn onto Main Street.

We strongly urge that the new by-law severely limit the number of these "mobile" signs, and ensure that their placement does not inconvenience or endanger neighbours and road users.

We also urge that penalties for infractions be high enough to discourage the proliferation of these signs, and that limits to number and placement of the signs, and penalties for infractions be strictly enforced.

The clutter of signs on commercial strips like Upper James results in very ugly and uninviting street-scapes. Cannot the business associations work together to set guidelines and select a general style of signage that all the members can adopt over time? Surely they gain nothing by competing to contribute to the ugliness of their neighbourhood? And what happens on the big commercial strips then is repeated in neighbourhood convenience stores and the tiniest strip-malls, so the ugliness spreads like a disease through the city.

I work on the south end of Upper James Street and drive down that street every day - what an eyesore it is. Very unattractive.
I also find that the signs that are stuck to utility poles and in medians and off ramps from the link give a very littered look.

I think we need a new set of bylaws and strict enforcement. In almost cases pertaining to the latter, these signs bear a phone number, the offenders would be easy to track down and fine. It's definitely a form of pollution.

I think the bylaws should be change to reduce the clutter of mobile signs, furthermore the postings of any signs on city poles should carry a fine just like parking meters. Everybody runs around to post garage sale signs on the poles but no one ever comes back to pick them up. Their address are on the signs and there left for months till homeowners take them down or pick the garbage off the lawns. Maybe putting up proper sign poster boards would allow people to place them on for free, but would not make our city look like a garbage can on every hydro pole thru out the city.

I support the bylaw change for the better. You have a number for concerns about people littering why would you want the garbage at every pole or stop lite, makes our city look like a slum and we need the change for the better.

I believe that there are too many of the portable signs everywhere. When you are looking for a store or a specific address you have a hard time finding the address or seeing the stores sign (which I am sure they have paid big bucks to install on site). With all the portable signs in the way. Also when you are trying to pull out of a driveway that has the signs on the median it is hard to see the traffic due to the portable signs. One other thing when a sign is put at a location that is not any were near the advertised location.

Is the new by-law proposing to deal with the blight of third party billboards, particularly of the roof type? They pollute the urban environment both in terms of the sign itself and also the structure that carries the sign.

Modern techniques enable the whole sides of buildings to be converted into a sign.

I was pleased to read today about the various meetings/sessions regarding attempts to control signage and at the same time beautify the Hamilton area. For years I have found the Upper James area deplorable.

Most urban areas internationally and nationally that have a welcoming feel use small, simple signs that have some consistency in appearance. Amazingly people do find the sales and the locations etc. These would be some of my suggestions:

- Plant trees on the boulevards especially on Upper James( in this way some of the signs would naturally need to be closer to the business location)
- Try to restrict the colours of signs with an avoidance of reds, oranges and yellows which are all extremely shocking to the eye.
- Try to restrict the distance from the entrance of the business for signs.
- Try to restrict the height and width of multiple signs that use one standard to advertise several businesses.
- Eliminate the use of the portable signs that are everywhere and I feel are a hazard to responsible driving.

In order to gain the cooperation of the business community, possibly there could be awards, incentives for small malls to be showcases for tasteful looks. There might even be a tax incentive.

I am sure that there are communities that could be visited or contacted to get input for ideas.

In closing I would suggest that any committee or yourself drive or walk past Roberts Hairstyling at Upper James and Queensdale to see how very attractive his establishment is and always has been. He has taken pride in the outside appearance of his salon in the face of other businesses who seem to have little pride in our city.
Questionnaires were distributed at the public meetings asking stakeholders to evaluate various types of existing signs in Hamilton. These are the evaluations of the signs from the questionnaire responses.
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The questionnaires distributed at the public meetings asked stakeholders to suggest how Hamilton should change the way it regulates signs. They were also asked to name the one change that in their view would do the most to improve signs in Hamilton.

These are the responses to each question.

How can the way Hamilton regulates signs be improved or changed?

- Make sure that whatever by-law is passed had appropriate enforcement that follows up and ensures adherence.
- Simplify process to log sign complaints.
- Ban all portable signs.
- Eliminate mobile signs and sign posters on utility poles.
- No signs on city property.
- Working on this by-law is good but the areas on the road allowance needs to be addressed.
- Some guidelines for aesthetically pleasing signage would put merchants on a level playing field.
- Regulate portable signs and put in a fee system and enforce by-laws for the use of signs.
- Better enforcement of regulations.
- Accept the original Ancaster sign by-laws.
- Size should be controlled.
- Strictly enforce the by-law regulations.
- Limitations on portable signs including on road allowance.
- Standardization in particular areas.
- Reduce visual clutter.
- Get rid of portable signs.
- Restrict size and height and suggestive wording.
- Police signs and enforce the by-laws.
- Better enforcement.
- Standard rule across area, strictly enforced.
- Mobile signs should have the permit on the sign and a number to call.
- Make sign placement a simple application and process. You can’t tax a business owner to death or make the regulations too onerous. A few simple regulations.
- Give mobile signs companies three years to eliminate their signs and find a new occupation.
- Fine businesses with signs that are not legal.
- Better access and understanding of by-laws at City Hall.
- Better reply time on signs permits.
Concise by-laws; clear regulations and costs.

Do we need regulation or education? Get the message out: decrease congestion and the amount of information.

There should be a restriction on sizes. All signs should have to meet set criteria.

Get enough staff. Fine sign companies and merchants who ignore new by-laws.

Force the sign design to meet the decor of the area. Heritage areas should have craft signs.

Need more staff to do better enforcement with targeted proactive enforcement

Reduce number and size of portable signs and their frequency.

Working closely with residents, by-law co-ordinators, sign people and councillors.

Enforce by-laws, convince businesses.

Eliminate mobile signs.

Enforcement of by-laws is very important.

All “temporary” illegal and third party signs should be phased out over a period of time.

Strict enforcement of a comprehensive new by-law that would eliminate illegal signs. Fine offenders and remove signs.

Don’t allow portable signs.

Right now, I don’t think there are any sign regulations.

Enforce the by-laws.

Come up with a fair by-law that can be enforced.

Disallow portable signs.

Enforce violations.

One by-law for all municipalities that is enforced.

Work with sign businesses to produce aesthetically pleasing designs. Have an annual campaign for the businesses that have made an effort to make a pleasing appearance.

Distinguish between important and frivolous.

Develop an advisory committee to assess tastefulness and importance.

Blending with community needs and safety needs.

What one change would do the most to improve signs in Hamilton?

Policing irresponsible, inconsiderate individuals, companies, and organizations who inappropriately place signs contrary to the by-law.

All portable street signs interfere with watching traffic and turning out.

Ban mobile signs within 100 feet of the street.

Size of signs on commercial and private properties.

Stop competing signage e.g., Upper James.

Restrict posting signs on light standards.

Ban portable signs.

Historical signs for historical areas otherwise something in good taste. Surely a business can afford to have a decent sign made.

Get rid of signs that have no permit.

Abolish portable signs, particularly in Ancaster.
• Signs that reflect appropriateness for the area.

• Take into consideration what is appropriate according to community/area and density.

• Regulate appearance of signs.

• Regulate time allowance for portables.

• Heritage signs in heritage areas.

• Get rid of portable signs.

• Restrict size of signs in business and residential areas.

• Don’t allow portable private business signs on the road allowance.

• Portable signs should be more attractive and in character with the area.

• Remove all portable signs unless for short special event advertising, although even then they are still ugly.

• Billboard and roof signs are very environmentally ugly.

• Signs can be discrete and tasteful.

• Remove signs that are hazardous to drivers or pedestrians.

• Lose the distracting ones and the portable/sandwich board signs that interfere with pedestrians and traffic.

• More murals on buildings as outside art.

• We have to be careful as signage is the lifeblood of some of our small businesses and they are having a hard enough time competing against the big multi-nationals and large sign companies.

• Eliminate mobile signs.

• Common sign by-law.

• More artistic signs, historical significance.

• Keep it brief: only essential information to get consumers in.

• Prevent mobile signs from remaining on a single property from more than 30 days. Impose a requirement that the property must remain free of temporary/mobile signage for at least 30 days after the expiry of the previous permit before allowing placement of another sign.

• I would do my best to get rid of mobile signs. If I couldn’t do this, I would have strict regulations on size and placement. Also, licenses should be required in all cases and notice given as to regulations and penalties.

• State permit number and expiry date on all portable signs. This and a phone number will make it easier for City staff and citizens to control signs and deal with infractions.

• Get rid of all the crap. Don’t give permits for retail for mobile signs then you won’t have to enforce removal. Allow for special event situations.

• Drastically reduce or ban mobile signs.

• Posters are useful for grass roots, not for profit groups but posters for commercial purposes such as floor refinishing should not be permitted.

• Ban portable signs in historic areas like Dundas.

• Less mobile signs. No room for rent signs in the Ainslie Wood and Westdale areas.

• Ban and/or strictly enforce by-laws regarding mobile signs.

• Small heritage type signs. Murals are OK too.

• First phase out all of the temporary signs that are illegally placed. Limit severely the temporary signs allowed for specified events, only one sign within a certain distance. Limit the time a sign is allowed to stay up. All signs over two square feet should require a permit and pay the appropriate fee.

• Do away with all portable signs.
- Control size, height, width and flashing signs.
- Maintain existing signs.
- Eliminate portable signs.
- Limit the number of signs.
- No larger signs on buildings that cover brickwork.
- Enforce the by-law.
- Signs should be informative not busy.
- Have proper address information on signs.