

**Date:** 2022-10-28

**Subject:** **Proposed Amendment to the Sign By-law 399-2002, as amended, for the Downtown Revitalization Plan.**

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**Report Number:** Planning, Bld & Growth Mgt-2022-953

**Recommendations:**

1. That the report titled: Proposed Amendment to Sign By-Law 399-2002, as amended, for the Downtown Revitalization Plan, to the Planning & Development Services Committee Meeting of November 28, 2022, be received; and
2. That a by-law be passed to amend Sign By-law 399-2002, as amended, to permit the proposed amendment.

**Overview:**

- **In conjunction with the Downtown Revitalization Plan, staff have identified the need for effective signage of new and existing developments.**
- **The current regulations within the Sign By-law do not adequately address signage for existing businesses in the Downtown area and upcoming development in the area.**
- **Proposed amendments to the Sign By-law have been drafted removing the restrictions for the Brampton Downtown Area and the Garden Square Precinct and updating provisions for:**
  - **The requirements for permit submission**
  - **Exemptions for signs on private property**
  - **Exemptions for signs on the road right-of-way**
  - **Exemptions for City of Brampton & Emergency Services**
  - **Portable signs**
  - **Ground signs**
  - **Wall Signs**
  - **Awning and canopy signs**
  - **Overhead and permanent banner signs**

- **Production home builders and high-rise residential development signs**
  - **Gas bar and drive-through commercial operations**
  - **Sightline requirements**
  - **Development signs**
- **The revised regulations have been outlined in the proposed amendment to the Sign By-law attached as Schedule 'A' to this report.**

### **Background:**

Regulations for the Brampton Downtown Area wall signs were introduced in By-law 399-2002. This By-law was amended in 2010 as part of the Community Improvement Plan for the Central Area, which included the introduction of regulations for the Garden Square Precinct and construction site signs.

The regulations implemented at that time served to enhance the historic appeal of the downtown area by restricting signage to the lesser of 10m<sup>2</sup> or 10% of the wall face area of a building. In the case of buildings with multiple tenants this sign area must be shared between tenants. This results in minimal signage being permitted for each tenant. Please refer to Schedule 4 for a comparison of the current calculation for wall signs in the downtown area vs. proposed changes.

Additionally, due to the presence of residential units on the upper stores of many buildings in the downtown area, the illumination of signs has been limited to indirect illumination provided by gooseneck lights that are downward casting and shielded to protect the residential units.

As part of the benchmarking exercise undertaken for the comprehensive Sign By-law review a number of opportunities to update the by-law have been identified. A scoped excerpt from this benchmarking has been provide in schedule 2. This table compares the current COB requirements to similar requirements for Toronto, London, Ottawa Oakville and Mississauga. These cities were selected because of their proximity to Brampton or they have recently completed a comprehensive Sign By-law review. The full benchmarking table will be provided with the comprehensive Sign By-law update comprising phase 2 of the Sign By-law review. In order to provide a greater understanding of the sign types and styles addressed in this amendment, please refer to the Visual Sign Guide provided in schedule 3.

### **Current Situation:**

In recognition of the economic assistance that additional signage will provide businesses in the downtown, as well as the new Innovation District that forms part of the Downtown Revitalization Plan. Staff have determined that the current regulations do

not adequately address the needs of existing tenants nor that of the proposed Innovation District. As a result Staff have undertaken a review of the Sign By-law regulations that impact this area.

Proposed amendments to the Sign By-law have been drafted removing the additional restrictions for the Brampton Downtown Area and the Garden Square Precinct. This will allow businesses in these area to follow the same regulations as other businesses in the City. Additionally, the following provisions have been updated to further assist this area and businesses across the City of Brampton:

- The requirements for permit submission
- Exemptions for signs on private property
- Exemptions for signs on the road right-of-way
- Exemptions for City of Brampton & Emergency Services
- Portable signs
- Ground signs
- Wall Signs
- Awning and canopy signs
- Overhead and permanent banner signs
- Production home builders and high-rise residential development signs
- Gas bar and drive-through commercial operations
- Sightline requirements
- Development signs

#### Requirements for permit submission

In 2020 the building department implemented a number of service improvements including online permit submission. The following provisions have been updated to clarify the submission requirements and to ensure drawings are submitted in a format that can be printed and remain legible for clients and inspection staff:

- The requirement for a survey has been modified to also allow a site plan approved by the City for sign applications that require minimum setbacks or minimum separation distances.
- The information required for permit review has been detailed to avoid confusion.
- The paper formats have limited to 8.5"x11", 8.5"x14" and 11"x17". Larger formats are rarely necessary and the acceptance of these formats has been left to the discretion of the Chief Building Official.
- Font heights have been limited to a minimum of 2.5 mm in height to ensure legibility.
- Signs that require the review of a Professional Engineer or Architect have been identified to assist business owner understand these requirements.
- The requirements for additional documentation such as a heritage permit, a Ministry of Transportation Permit, an encroachment agreement, a traffic safety

assessment, or proof of Commercial General Liability Insurance have been clarified.

### Exemptions for signs on private property

Exemptions for signs on private property have been updated for the following items:

- Directional Signs has been updated to include two (2) directional signs per drive-through lane in addition to those permitted based on the number of road access points.
- Charity / not-for-profit signs have been updated to reduce the time to remove the signs to 24 hours from 48 hours following the end of the approval. This is due to the increased demand for prime locations in recent years.
- The need for Commercial General Liability Insurance has been clarified for Charity / not-for-profit signs.
- The exemption for signs identifying a place of worship have been clarified to apply to only symbols that have been approved under a site plan agreement and are located at the peak of a roof, tower or spire. The previous exemption limited this to only one symbol where some places of worship have proposed multiple spires. This limitation of 1 (one) symbol has also been removed.
- In order to provide businesses the ability to beautify and animate their property with murals. Murals located on commercial, industrial or institutional zoned properties will no longer require council approval. In accordance with the definition, murals shall not contain any form of direct or indirect promotional message. Any image that may be seen as indecent or contain hate speech would fall under the jurisdiction of the Peel Regional Police.
- Hoarding signs have been clarified, limiting the height from grade and the maximum projection from the face of the hoarding. Additionally, a permit to demolish or construct will now be required for an associated project. This will ensure the signage is on hoarding and not on a fence, which is not permitted.

New exemptions on private property have been added for:

- Signs located on the interior of a building more than 1.0 m from exterior glazing. Previously any sign visible or intended to be viewed from the exterior were deemed to be wall signs and were subject to those requirements.
- Signs incorporate within a fuel pump or electric vehicle charging station.
- Signs incorporated within an automated teller machine.
- Signs explaining public art installations related to Peel Art Gallery, Museum and Archives including art work banners displayed on the property.
- Incidental signs related to safety, operation instructions or a manufacturer logo of equipment.
- Specialty parking stall signs, for customer pick-up or food delivery services pick-up stalls. These signs have been widely used during the coronavirus pandemic.

### Exemptions for signs on a road right-of-way

Exemptions for signs on a road right-of-way have been updated for the following items:

- Charity / not-for-profit signs have been updated to reduce the time to remove the signs to 24 hours from 48 hours following the end of the approval. This is due to the increased demand for prime locations in recent years.
- The need for Commercial General Liability Insurance has been clarified for Charity / not-for-profit signs.
- Murals shall be permitted within the road right-of-way when displayed by the City of Brampton or the Region of Peel. These murals will no longer require council approval. In accordance with the definition, murals shall not contain any form of direct or indirect promotional message.

### Exemptions for the City of Brampton & Emergency Services

In order to provide greater flexibility and community messaging the following exemptions for City of Brampton facilities have been updated and expanded to include all emergency services:

- The address on ground signs shall be a minimum of 900 mm above grade to ensure they are not obscured by landscaping or snow build-up in winter.
- These signs shall conform to new maximum illumination requirements.
- Ground signs will be permitted to overhang vehicular traveled portions of a property in accordance with Ontario Building Code regulations for minimum clearance.
- Requirements for temporary fundraising banners and permanent donor recognition signs for hospitals and emergency treatment facilities have been added.
- The City of Brampton has also been provided new exemptions for civic messaging, wayfinding and accomplishment signs.
- The Cities ability to display third party advertising in the form of naming rights for COB facilities have been clarified.

### Schedule I - Portable Signage

Portable Signage has become a popular means for businesses to provide messaging to the public. The following regulations for portable signs have been added or updated to reflect current trends:

- Provisions for feather flag signs have been added. These signs which are currently not permitted have become increasingly used by businesses to attract attention along street frontages. These signs are similar to Class A portable signs (commonly known as a mobile sign) the new provisions will similarly limit the number of and ensure visibility at all intersections.
- Portable sign requirements have been updated to prohibit portable signs from properties containing a residential unit. Portable signs were previously prohibited

from lands zoned residential. However, with the rezoning of sections of the city such as the Development Permit System, the Downtown Commercial 1 and the Queen Street Mixed Use Transition zones. These properties are no longer zoned residential but many still contain residential units.

- Provisions have been added to ensure portable signs do not interfere or impede pedestrian or vehicular paths of travel.
- Provisions allowing portable signs to be illuminated have been removed.
- The display period for portable signs have been standardized at 28 days with the exception of inflatable signs that remain at 14 days.
- Provisions for a new temporary “coming soon window sign” have been added to allow for additional temporary signage for new businesses.

### Schedule II - Ground Signs

Ground sign regulations have been modified to reflect current trends and to embed staff interpretations within the by-law. The following regulations for ground signs have been added or modified:

- The requirement for addressing on a ground sign has been clarified to include reflective material being used where the address is not illuminated.
- The address on ground signs shall be a minimum of 900mm above grade to ensure they are not obscured by landscaping or snow build-up in winter.
- Signs containing an electronic variable message centre shall now need to provide a safety assessment confirming the sign will meet the requirements of the Public Works Departments DPAD Terms of Reference.
- Maximum illumination standards have also been added for all illuminated signs.
- Standard construction requirements related to minimum foundation heights above grade, capping of exposed bolts and the use of corrosion resistant materials have been included in the By-law.
- In an effort to reduce the need for sign by-law amendments for large commercial properties regulations have been added to permit a 3<sup>rd</sup> ground sign for properties fronting on three streets.
- Ground signs will be permitted to overhang vehicular traveled portions of a property in accordance with Ontario Building Code regulations for minimum clearance.
- Ground sign requirements for the downtown area have been maintained and relocated to this section.
- The formatting of the some requirements has been modified to clearly identify each condition that must be met.

### Schedule III - Wall Signs

Wall Sign regulations have been updated to remove the Brampton Downtown Area and the Garden Square Precincts. This section has been further modified in an effort to reduce the number of site specific amendments we have received in recent years. The proposed changes include:

- Illuminated sign requirements have been revised to allow signage within 36m of residential properties if the sign is fully obscured by a permanent structure such as a building.
- Maximum Illumination standards have also been added for all illuminated signs.
- Halo illumination of signage has also been introduced as an alternative means of providing indirect illumination.
- The method by which this distance is determined has been clarified to ensure the public understand that the dimension is taken at a 45 degree angle to the face of a sign.
- Sign uniformity for units in a commercial and industrial plaza have been clarified to reflect the current standard that a minimum of 50% of the sign must be of the uniform style and that the individual cut letters that exempt a sign from this requirement must be a minimum of 13mm thick.
- It was determined through benchmarking that the maximum projection of a sign from a wall face was more restrictive than many other municipalities. As a result, the maximum projection has been increased to 0.6m from 0.3m.
- The requirement for an encroachment agreement and the insurance requirements have also been clarified for signs that project beyond any property line into the road right-of-way.
- Wall signs will also be permitted to overhang vehicular traveled portions of a property in accordance with Ontario Building Code regulations for minimum clearance.
- In order to ensure the regulations for sign area and uniformity are maintained, window signs shall be prohibited on a unit prior to the issuance of wall, awning or canopy sign for the unit.
- As part of the benchmarking completed for the comprehensive Sign By-law review, it was identified that most cities have removed the restrictions for maximum letter height. As a result this requirement has been removed.
- Signage for live/work units remain at 10% of the unit wall face. However, permission of non-illuminated window signs has been added to provide greater flexibility.
- In recent years we have received a number of site specific sign by-law amendment applications related to top storey signs. In an effort to reduce the need for these, the associated regulations have been updated to include industrial building 3 (three) or more storeys in height, as well as increasing the total number of top storey signs from 2 (two) to 4 (four), each located on separate wall faces.
- For clarity, a building may have either tower signage or top storey signage, but not both.
- Requirements for overhead banner signs on multi-storey commercial buildings has been relocated to Schedule V - Overhead Signs and Permanent Banner Signs.
- To allow for greater flexibility an electronic variable message centre shall now be permitted in any ground floor window of a unit. While they will not require a safety assessment, they will need to meet new illumination standards.

Previously these were restricted to only within a window of the main entrance way to the unit.

- To address the need for additional signage for units located on upper floors of a commercial or industrial plaza, provisions for a new directory sign has been added. This sign will be located on the ground floor within 3m of a common entryway feature.
- The formatting of the some requirements has been modified to clearly identify each condition that must be met.

#### Schedule IV - Awning and Canopy Signs

Awning and canopy sign regulations have been update to reflect the differences between the sign types and to clarify the style of signage that can be applied to each:

- The definition of an awning has been updated to clarify that an awning is constructed with a fabric or similar light weight flexible cover stretched over a metal frame.
- Awning signs must be of a similar light weight material that is painted, applied or adhered to the awning with a maximum projection of 3mm from the awning face.
- Alternatively, a canopy is part of the buildings structure and will now be permitted signage located on top of, on the face of, or hung below. This will provide tenants greater flexibility and creativity with their designs.
- Canopy signs located on top of the canopy must be located below the roof line of a single storey building or below the second story of a multi-storey building.
- The maximum projection of a canopy sign has been increased to 0.6m matching the wall sign projection.
- Canopy signs will also be permitted to overhang vehicular traveled portions of a property in accordance with Ontario Building Code regulations for minimum clearance.
- Illuminated sign requirement have been revised to allow signage within 36 m of residential properties if the sign is fully obscured by a permanent structure such as a building.
- Maximum Illumination standards have also been added for all illuminated signs.
- Previously awning and canopy signs were permitted a maximum area of 35% of the structures face, this regulation has been removed and the sign area of awing and canopy signs will be included in the aggregate wall sign area permitted for a unit.
- A new Under Awning & Canopy Identification sign has been added to permit easy identification of units while walking under an awning or canopy.
- Similar to wall signs the uniformity and encroachment agreement requirements have been updated.
- The formatting of the some requirements has been modified to clearly identify each condition that must be met.

## Schedule V - Overhead Signs and Permanent Banner Signs

With the removal of the Brampton Downtown Area regulations from the by-law, Schedule V has been updated to permit overhead signs across the city and clarify the requirements for permanent banner signs that already existed. The proposed amendments include:

- A limit of 1 (one) overhead or permanent banner sign shall be permitted per business on each elevation of the building.
- The style of overhead or permanent banner signs shall be consistent on each elevation (a mix of types is not permitted on each elevation), with an exception for large units with a gross floor area greater than 3000m<sup>2</sup> (consistent with uniformity requirements in other sections of the by-law).
- The requirement for an encroachment agreement and the insurance requirements have also been clarified for signs that project beyond any property line into the road right-of-way.
- For properties with multiple buildings, the signs must be located on the building containing the unit being advertised.
- Overhead and permanent banner signs will also be permitted to overhang vehicular traveled portions of a property in accordance with Ontario Building Code regulations for minimum clearance.
- The formatting of the some requirements has been modified to clearly identify each condition that must be met.

## Schedule VI – Garden Square Precinct

This section has been deleted in its entirety.

## Schedule VII – Production Home Builders and High-Rise Residential Development Signs

Given the recent increase in high-rise residential developments within the City, the allowable signage for these developments has been relocated to this section to allow for similar signage to sales offices for subdivisions. The following amendments have been proposed:

- In order for a high-rise development to qualify for signage in accordance with this section a formal site plan application must be submitted.
- Flag signs shall now have a minimum 1.5m setback to any property line.
- Sales offices located in a commercial or industrial zoned property shall only be permitted flags in accordance with the Schedule I - Portable Signs.
- Flags related to a high-rise development will be removed at the completion of the development, the removal of the sales office, or 3 (three) years from the issuance of the sign permit, whichever comes first.
- Sales offices for high-rise residential will now be permitted A-frame signs similar to production home builders. Due to the limited space available in the downtown areas road right-of-way, placement in this area will remain prohibited.

- To allow development signs related to in infill development the reference to agricultural zoning related to properties that are draft approved has been deleted.
- The minimum setback for a ground sign on a draft approved property has been reduced from 10m to 1.5m.
- Provisions for a ground sign for high-rise residential have been added with similar regulations to ground signs on draft approved properties.
- Wall signs regulations related to a high-rise residential development have been relocated from Schedule XIV.
- The formatting of the some requirements has been modified to clearly identify each condition that must be met.

#### Schedule VIII – Gas Bars and Drive-Through Commercial Operations

The signage associated with gas bars and drive-through commercial operations have changed significantly in recent years to incorporate the latest technology including electronic variable message centres. To address these changes the following amendments have been proposed:

- The requirement for addressing on a ground sign has been clarified to include reflective material being used where the address is not illuminated.
- The address on ground signs shall be a minimum of 900mm above grade to ensure they are not obscured by landscaping or snow build-up in winter.
- The separation distance requirement for illuminated wall signs (including canopy signs) has been revised to allow illuminated signage within 36 m of a property zoned residential or containing a residential unit if the sign is fully obscured by a permanent structure such as a building.
- Maximum illumination standards have also been added for all illuminated signs.
- Ground Signs containing an electronic variable message centre shall now need to provide a safety assessment confirming the sign will meet the requirements of the Public Works Departments DPAD Terms of Reference.
- Standard construction requirements related to minimum foundation heights above grade, capping of exposed bolts and the use of corrosion resistant materials have been included in the By-law for clarification.
- Ground, wall and canopy signs will also be permitted to overhang vehicular traveled portions of a property in accordance with Ontario Building Code regulations for minimum clearance.
- The maximum projection of a canopy sign has been increased to 0.6m matching the wall sign projection.
- Provisions to allow digital price electronic variable message centre within ground signs located within 36m of a property containing a residential unit has been embedded in the by-law.
- Instructional signs containing an electronic variable message centre shall be permitted within 36m of a property zoned residential or containing a residential unit provided the illumination levels has been reduced to provide the same illumination impact at the property line similar to a sign providing the 36m separation distance.

- The location of gas bar canopy signs has been modified to permit the sign to extend above and below the canopy a combined maximum of 1m, the maximum sign area has been reduced to 35% of the canopy face.
- The formatting of the some requirements has been modified to clearly identify each condition that must be met.

#### Schedule XIV – Development Signs

References to signs related to high-rise residential developments have been removed from this section.

#### **Corporate Implications:**

##### Financial Implications:

There are no financial implications associated with this report.

##### Other Implications:

Staff of the Urban Design and Heritage Sections have no concerns with the proposed amendment.

#### **Term of Council Priorities:**

This report is consistent with the “A City of Opportunities” theme. Approval of this request is consistent with the priority of attracting investment and employment.

#### Living the Mosaic – 2040 Vision

This Report has been prepared in full consideration of the overall Vision that the people of Brampton will ‘Live the Mosaic’.

#### **Conclusion:**

This amendment represents the first phase of a comprehensive review and update of the COB Sign By-law. This amendment provides the relaxation of a number of requirements as well as the inclusion of illumination and safety assessment requirements. Staff are of the opinion that the proposed amendments will provide businesses in the Downtown and Innovation District with greater visibility and flexibility with respect to their signage. These provisions will also allow new development to provide signage that will complement the modern design that is anticipated within the innovation district. The provisions of this amendment will also continue to provide oversight and protect the cities heritage resources. Furthermore, the proposed amendments will benefit businesses across the city and will assist with their economic recovery.

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**Attachments:**

Schedule 1 – Draft By-law Amendment

Schedule 2 – Benchmarking

Schedule 3 – Visual Sign Guide

Schedule 4 – Sign Area Calculation – Current vs. Proposed