

## BY-LAW NUMBER 93-2024

A BY-LAW TO AMEND BY-LAW 250-2004 BEING A BY-LAW RESPECTING SIGNS AND OTHER ADVERTISING DEVICES IN THE CITY OF WINDSOR

Passed the 27<sup>th</sup> day of May, 2024.

**WHEREAS** it is deemed expedient to amend By-Law 250-2004 passed the 26<sup>th</sup> day of July, 2004, being a by-law respecting signs and other advertising devices in the City of Windsor, as amended (the “**By-law**”);

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the By-law be amended as follows:

1) by adding the following as Section 2.47:

2.47 **OPERATIONAL APPROVAL** means confirmation by the **AUTHORITY HAVING JURISDICTION** that all required inspections relating to a SIGN PERMIT in accordance with Section 4.8 herein have been satisfied.

, and by renumbering all subsequent definitions under Section 2 accordingly.

2) by adding the following definition as Section 2.56:

2.56 **SENSITIVE USE** means a USE of a LOT that is zoned as either Residential or Institutional land under the ZONING BY-LAW, which USE may include the presence of a building or structure on such LOT being used as a dwelling, school, long-term care facility, hospital, day nursery, crisis residence, group home or group residence.

, and by renumbering all subsequent definitions under Section 2 accordingly.

3) by adding the following definition as Subsections 2.57.4:

2.57.4 **FIRST PARTY ADVERTISING SIGN** means a SIGN which identifies or directs attention to a business, profession, commodity, service, event or other activity being conducted, sold or offered on the property on which the SIGN is located.

, and by renumbering all subsequent definitions under Section 2.57 accordingly.

4) by adding the following definition as Subsection 3.57.8:

2.57.8 **THIRD PARTY ADVERTISING SIGN** means a SIGN which identifies or directs attention to a business, profession, commodity, service, event or other activity not being conducted, sold or offered on the property on which the ADVERTISING SIGN is located.

5) by deleting Section 2.58.10 in its entirety and replacing it with the following:

2.58.10 **SIGN FACE** means that portion of the SIGN, excluding the supporting STRUCTURE, borders and frames, upon which, against, or through which COPY is DISPLAYED or is capable of being DISPLAYED. Further:

- (a) **SINGLE SIGN FACE**: means a SIGN having only one face plane.
- (b) **DOUBLE SIGN FACE**: means a SIGN having two sign face planes with each SIGN FACE being of equal area and identical length and width, and,
  - i. with two parallel opposing (back-to-back) faces, or
  - ii. creating a "V-shape" with an interior angle of less than or equal to 90 degrees.
- (c) **MULTIPLE SIGN FACE**: means a SIGN having more than two SIGN FACES, or a BILLBOARD SIGN with two SIGN FACES creating a "V-shape" with an interior angles greater than 90 degrees.

, and by renumbering all subsequent definitions under Section 2.58 accordingly.

- 6) by deleting Section 2.62.7 in its entirety and replacing it with the following:

2.62.7 **BILLBOARD SIGN** means a THIRD PARTY ADVERTISING SIGN that is either a GROUND SIGN or a WALL SIGN, which has COPY fastened in such a manner so as to permit its periodic replacement, which for greater certainty does not include a FIRST PARTY ADVERTISING SIGN.

- 7) by deleting Section 2.62.26 in its entirety and replacing it with the following:

2.62.26 **MOBILE SIGN** means a SIGN designed to be readily moved from one location to another and which does not rely on a BUILDING or fixed foundation for its structural support. This definition shall include a MANUAL CHANGING COPY SIGN but shall not include an ELECTRONIC CHANGING COPY SIGN mounted to a vehicle. This shall include a T-frame SIGN, but shall not include an A-FRAME SIGN.

- 8) by adding the following SIGN TYPES to Subsections 2.62:

**DIGITAL SIGN** means an electronically and/or computer controlled SIGN, or a part thereof, which does contain ILLUMINATED copy whose content can be changed.

**POSTER BILLBOARD SIGN** means a BILLBOARD SIGN comprised of paper panels affixed by adhesive means, that is neither a DIGITAL SIGN nor an ELECTRONIC CHANGING COPY SIGN.

**WALL SIGN** means a SIGN that is supported by, erected on or attached to an exterior wall of any BUILDING or other STRUCTURE.

- 9) by deleting Section 3.3.3 in its entirety and replacing it with the following:

3.3.3 Notwithstanding section 3.3.2, BILLBOARD GROUND and BILLBOARD WALL SIGNS may have changing COPY that occurs at intervals of not less than 8 seconds.

10) by adding the following as Subsections 4.2.6(e) and 4.2.6(f):

4.2.6

(e) Preapproval from the Windsor Airport Authority for any ELECTRONIC CHANGE COPY SIGN situated within **300m** of the airport property lands.

(f) Preapproval from the Ministry of Transportation of Ontario for any ELECTRONIC CHANGE COPY SIGN situated within **400m** of any street or route under the Ministry's JURISDICTION.

11) by adding the following as Section 4.3.3:

4.3.3 Where a SIGN PERMIT for a BILLBOARD SIGN has been transferred by the previous OWNER of the SIGN to a new OWNER of the SIGN, the new OWNER of the SIGN shall provide written notification of the transfer to the AUTHORITY HAVING JURISDICTION in a form and manner satisfactory to the Chief Building Official, and shall pay the fee prescribed in accordance with the City of Windsor's current Schedule of Fees and Service Charges.

12) by adding the following as Sections 4.5.4 and 4.5.5:

4.5.4 A SIGN PERMIT to modify or restore a BILLBOARD SIGN expires in the same period of time for expiration of a SIGN PERMIT for the erection or display of the SIGN in accordance with Sections 4.5.1 – 4.5.3 herein.

4.5.5 Where a SIGN PERMIT has expired, the OWNER of the SIGN shall immediately remove the SIGN, and in the case of a BILLBOARD SIGN, the OWNER of such SIGN shall also remove the identifier required by Section 6.3 herein.

13) by adding the following as Subsection 4.6.1(e):

(e) The OWNER of the SIGN has submitted a written request to revoke the SIGN PERMIT.

14) by adding the following as Section 4.9:

#### **4.9 Renewal Applications**

4.9.1. OPERATIONAL APPROVAL of a BILLBOARD SIGN shall expire five (5) years from the issuance of such OPERATION APPROVAL.

4.9.2 The OPERATIONAL APPROVAL of a BILLBOARD SIGN will automatically expire upon removal of the BILLBOARD SIGN, as of the date such SIGN is removed.

4.9.3 Prior to the expiry of an OPERATIONAL APPROVAL, provided no modifications or restorations are proposed to the SIGN, the OWNER of a BILLBOARD SIGN may submit, in a form and manner satisfactory

to the Chief Building Official, a renewal application for a further five (5) year OPERATIONAL APPROVAL period.

4.9.4 The OWNER of a BILLBOARD SIGN applying for renewal of the OPERATIONAL APPROVAL shall file with the AUTHORITY HAVING JURISDICTION all information and documents required, in a form and manner satisfactory to the Chief Building Official, and shall pay the fee prescribed in accordance with the City of Windsor's current Schedule of Fees and Service Charges.

4.9.5 Where a modification or restoration to a BILLBOARD SIGN is proposed, a renewal of the OPERATIONAL APPROVAL cannot be granted, and the OWNER will be required to submit an application to the Chief Building Official for a new SIGN PERMIT.

4.9.6 Notwithstanding Subsection 4.9.4, where an existing BILLBOARD SIGN with an unexpired OPERATIONAL APPROVAL no longer complies with this By-law due to a variance or by-law amendment being granted by the AUTHORITY HAVING JURISDICTION permitting the erection of another BILLBOARD SIGN, the OWNER of such BILLBOARD sign may submit a renewal application rather than an application for a new SIGN PERMIT.

15) by adding the following as Section 5.1.4:

5.1.4 A SIGN PERMIT is not required for changes to a POSTER BILLBOARD SIGN or an ELECTRONIC CHANGING COPY SIGN, provided the existing shape and dimensions of such BILLBOARD SIGN are not altered or modified in any way.

16) by deleting the chart under Section 6.3 in its entirety and inserting the chart attached hereto as Schedule "A" in its place.

17) by deleting Table 6.3.1 in its entirety, and inserting the following in its place:

**Table 6.3.1  
Prohibited location for erecting ELECTRONIC CHANGING COPY  
BILLBOARDS**

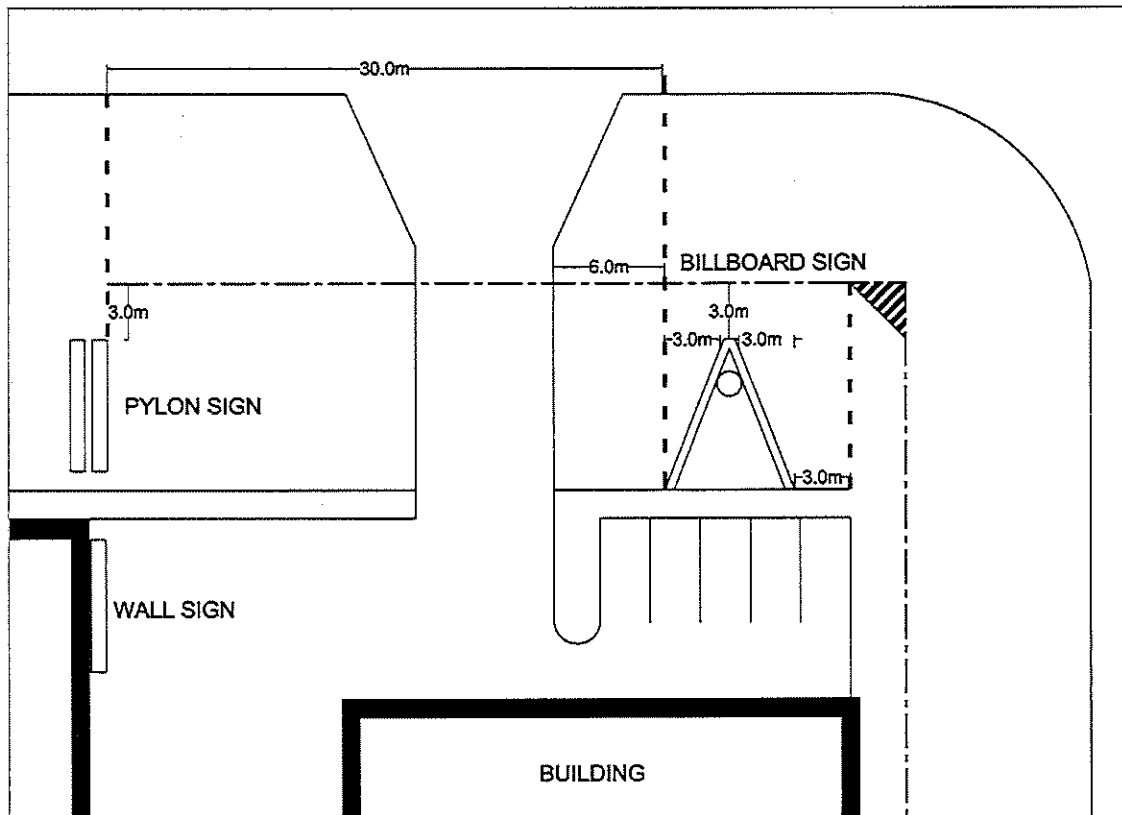
subsection	(a)	(b)	(c)	(d)
Table 6.3.1	Posted Speed Limit (km/hour)	Distance before Stop Line (m)	Distance after Stop Line (m)*	Lateral Offset Prohibited Area on both sides of street (m)**
	50 or less	65	90	16
	60	85	110	20
	70	110	125	23
	80 or more	140	130	26

\*If a stop line is not present than the point for measurement will be prescribed by the City.

\*\*Lateral Offset measured from edge of curb or as prescribed by the City.

18) by deleting Table 6.3.2 in its entirety, and inserting the following in its place:

**Figure 6.3.1  
BILLBOARD SIGN OFFSETS**



19) by deleting Section 9.6.1 in its entirety and replacing it with the following:

9.6.1 The following are each a designated CONTROLLED ACCESS HIGHWAY (refer to Schedule "C" for CONTROLLED ACCESS HIGHWAY map):

- (a) The **E. C. Row Expressway** PUBLIC ROAD ALLOWANCE;
- (b) The **Ojibway Parkway** PUBLIC ROAD ALLOWANCE; and
- (c) The **Herb Gray Parkway** PUBLIC ROAD ALLOWANCE.

20) by adding the following as Section 9.6.3:

9.6.3 All BILLBOARD SIGNS must be ERECTED or DISPLAYED at a minimum distance of a 400 metre setback:

- (a) from the PUBLIC ROAD ALLOWANCE of a CONTROLLED ACCESS HIGHWAY; or
- (b) of any on-off ramp of a CONTROLLED ACCESS HIGHWAY.

21) by deleting Section 9.7.2 in its entirety and inserting the following in its place:

9.7.2 No PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any of the following SIGNS within a NATURAL HERITAGE AREA:

- (a) Any ILLUMINATED SIGN;
- (b) Any TEMPORARY SIGN;

(c) Any BILLBOARD SIGN; or

(d) Any ELECTRONIC CHANGING COPY SIGN,

and further, NO PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any ELECTRONIC CHANGING COPY SIGN within 300 metres of a NATURAL HERITAGE AREA.

22) by adding as Section 9.7.5 the following:

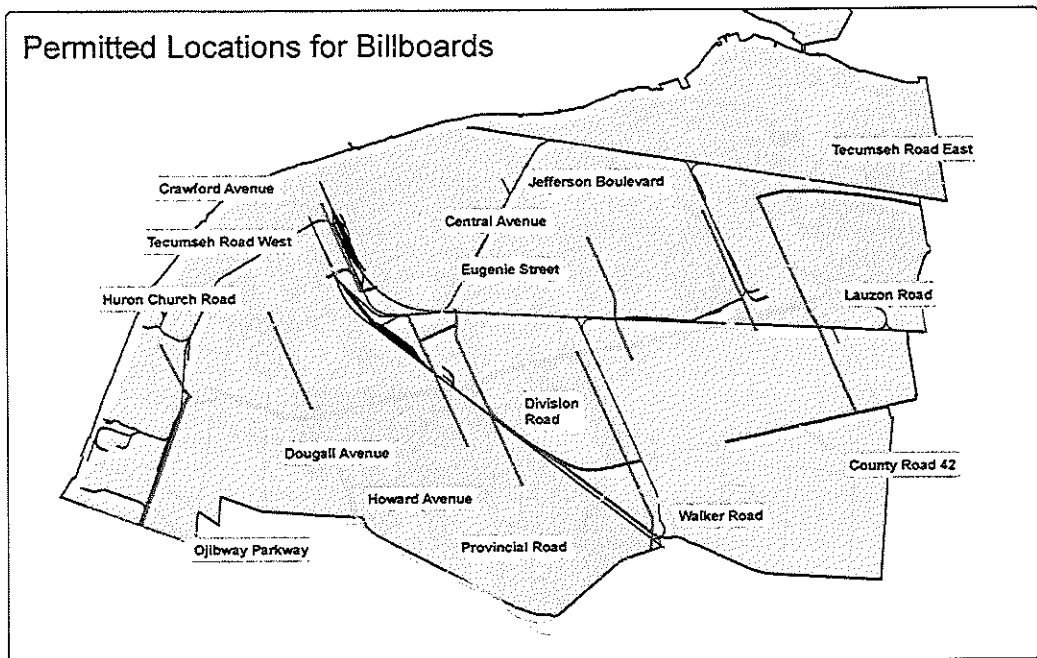
9.7.5 NO PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any ELECTRONIC CHANGING COPY SIGN within 300 metres of a HERITAGE AREA.

23) by adding as Subsection 10.1.1(l) the following:

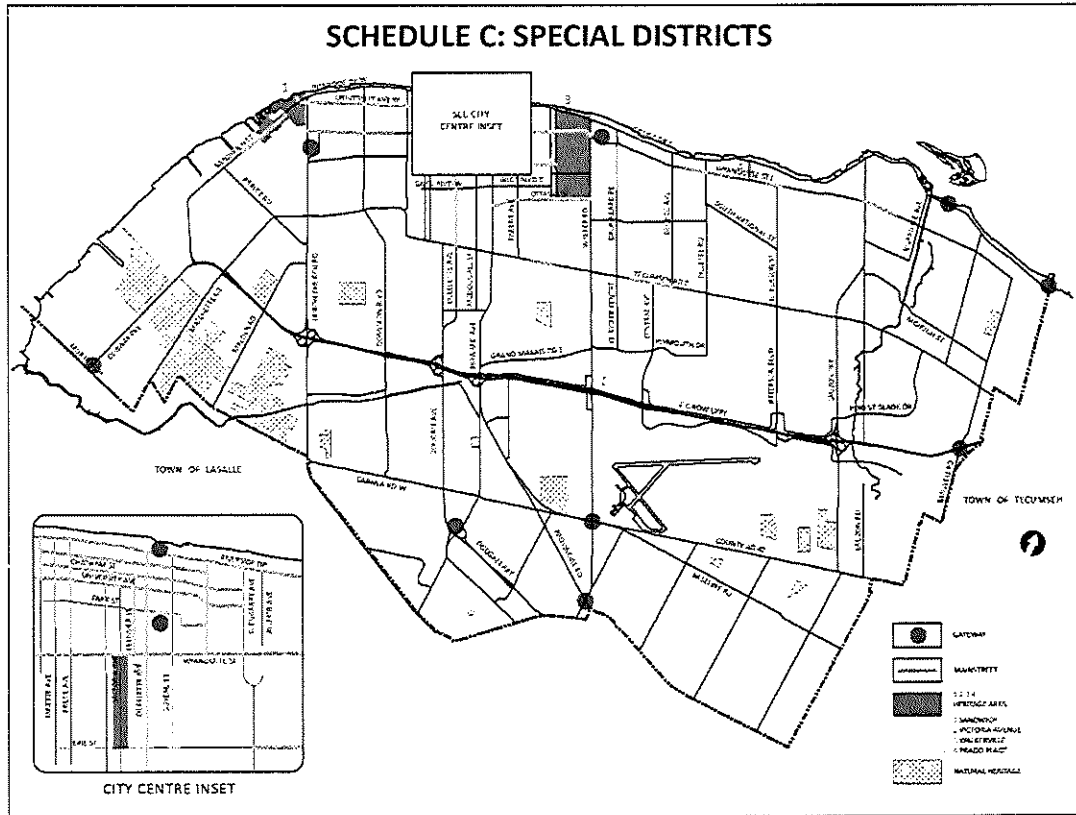
(l) An ELECTRONIC CHANGING COPY SIGN mounted to a vehicle.

24) by deleting Schedule "B" in its entirety and inserting the following into its place:

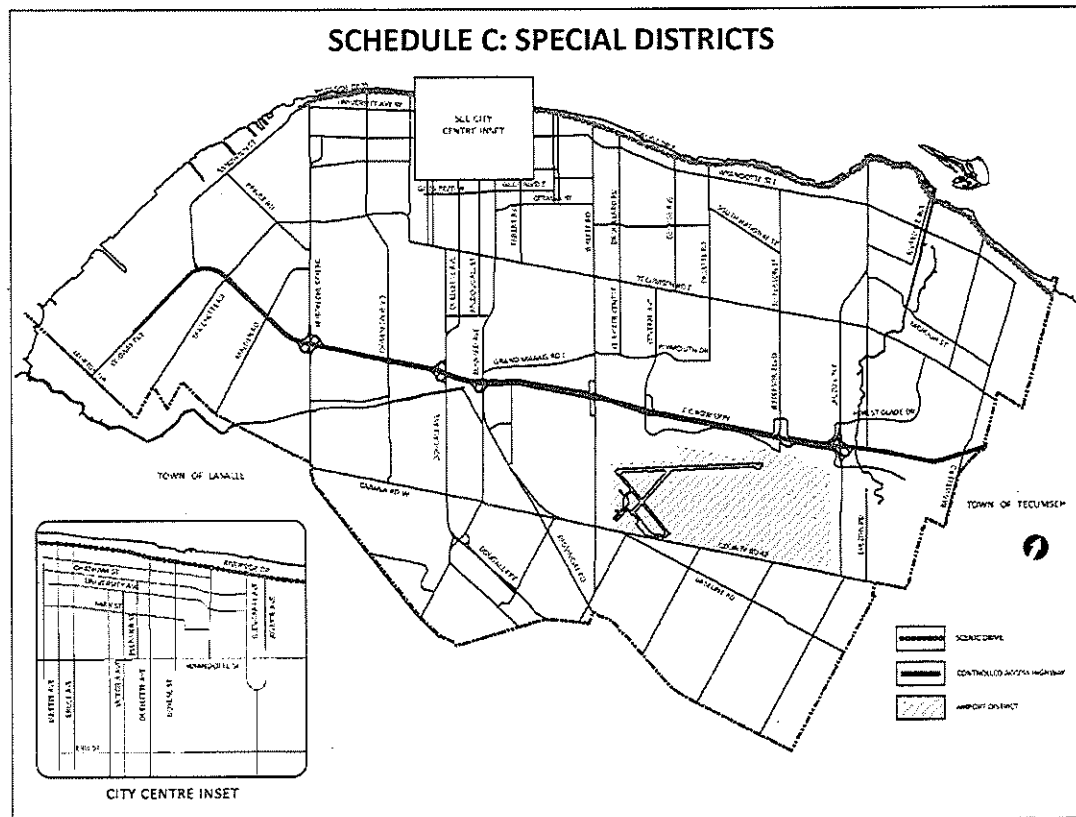
### Schedule "B" PERMITTED LOCATIONS FOR BILLBOARDS



25) by deleting page C.2 of Schedule "C" in its entirety and inserting the following into its place:



26) by deleting page C.3 of Schedule "C" in its entirety and inserting the following into its place:



2. That this by-law shall come into force and take effect on the day of the final passing thereof.

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line extending to the right.

DREW DILKENS, MAYOR

A handwritten signature in black ink, written in a cursive style that reads 'Steve Wachob'.

CITY CLERK

First Reading - May 27, 2024  
Second Reading - May 27, 2024  
Third Reading - May 27, 2024



**Schedule "A"**

subsection	<b>BILLBOARD GROUND AND WALL SIGNS on Private Property</b>			
6.3.1	<b>Sign Types Permitted</b>	<table border="0" style="width:100%"> <tr> <td style="width:50%"><b>GROUND BILLBOARD SIGN</b></td> <td style="width:50%"><b>WALL BILLBOARD SIGNS</b></td> </tr> </table>	<b>GROUND BILLBOARD SIGN</b>	<b>WALL BILLBOARD SIGNS</b>
<b>GROUND BILLBOARD SIGN</b>	<b>WALL BILLBOARD SIGNS</b>			
6.3.2	<b>Permitted Locations</b>	<p>Unless specifically provided in this By-law, a BILLBOARD GROUND or WALL SIGN shall be permitted <u>only</u> on a LOT within a Manufacturing District or a Commercial District, provided that such lot abuts one of the following STREETS and the proposed BILLBOARD is oriented to be primarily visible from traffic on that street:</p> <ol style="list-style-type: none"> <li>i. Central Avenue, south of Tecumseh Road;</li> <li>ii. Crawford Avenue, between Wyandotte Street West and Tecumseh Road West;</li> <li>iii. Division Road;</li> <li>iv. Dougall Avenue, south of the Essex Terminal Railway and north of Liberty Street;</li> <li>v. Eugenie Street, between Howard Avenue and Dougall Road;</li> <li>vi. Howard Avenue, between the Canadian Pacific Railway Underpass and Cabana Road East;</li> <li>vii. Huron Church Road, between Tecumseh Road West and E.C. Row Expressway;</li> <li>viii. Jefferson Boulevard, south of Tecumseh Road;</li> <li>ix. Provincial Road;</li> <li>x. Tecumseh Road East, between Lauzon Pkway and the eastern City Boundary;</li> <li>xi. Tecumseh Road West, between McKay Avenue and Janette Avenue;</li> <li>xii. Walker Road South of E.C. Row; or</li> <li>xiii. Ojibway Pkway.</li> </ol>		
6.3.3	<b>Sign Classifications</b>	THIRD PARTY ADVERTISING SIGN or INFORMATION SIGNS		
6.3.4	<b>Maximum Number of Signs</b>	<ol style="list-style-type: none"> <li>i) One (1) BILLBOARD SIGN of any type per LOT where no FIRST PARTY ADVERTISING SIGN, including a GROUND SIGN or WALL SIGN, currently exists;</li> <li>ii) If two (2) or more FIRST PARTY ADVERTISING SIGNS that are GROUND SIGNS have been authorized for the lot in accordance with this Bylaw, then one (1) of the existing FIRST PARTY ADVERTISING SIGNS may be replaced by a maximum of one (1) BILLBOARD SIGN;</li> <li>iii) The allowed cumulative total sign face area of all FIRST PARTY ADVERTISING SIGNS will not exceed the maximum total SIGN FACE AREA through the introduction of a BILLBOARD SIGN; and</li> <li>iv) There are no variances on the property to exceed the maximum allowable number of SIGNS or the maximum SIGN FACE AREA on the LOT.</li> </ol>		
6.3.5	<b>Number of Sign Faces</b>	<table border="0" style="width:100%"> <tr> <td style="width:50%"> <ol style="list-style-type: none"> <li>i) One (1) Single and/or double SIGN FACES</li> <li>or</li> <li>ii) One (1) 'V'-shaped Sign with an</li> </ol> </td> <td style="width:50%"> <ol style="list-style-type: none"> <li>i) One (1) Single SIGN FACE</li> </ol> </td> </tr> </table>	<ol style="list-style-type: none"> <li>i) One (1) Single and/or double SIGN FACES</li> <li>or</li> <li>ii) One (1) 'V'-shaped Sign with an</li> </ol>	<ol style="list-style-type: none"> <li>i) One (1) Single SIGN FACE</li> </ol>
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		interior angle of less than or equal to 90 degrees.	
6.3.6	Maximum Height of Sign	9.0 m above GRADE	
6.3.7	Maximum Total Sign Face Area	22.0 m <sup>2</sup> per SIGN FACE	
6.3.8	Maximum Changing Copy Area	Not Permitted on POSTER BILLBOARD SIGNS or, 100% required for ELECTRONIC CHANGING COPY BILLBOARD SIGNS	
6.3.9	Sign Face Extensions	A maximum of five percent (5%) of the permitted total SIGN FACE AREA may extend beyond the main panel of the SIGN FACE of a POSTER BILLBOARD SIGN or, Not Permitted on ELECTRONIC CHANGING COPY SIGNS	
6.3.10	Animation or Rotation	Not Permitted	
6.3.11	Illumination	NON-ILLUMINATED, or EXTERNAL ILLUMINATION of a POSTER BILLBOARD SIGN or, INTERNAL or DIGITAL ILLUMINATION of an ELECTRONIC CHANGING COPY SIGN	
6.3.12	Operational Approval	OPERATIONAL APPROVAL is required for each BILLBOARD GROUND and WALL SIGN, and may be renewed in accordance with Section 4.9 of this By-law.	
6.3.13	SIGN PERMIT	A SIGN PERMIT, lasting 5 years is required for each BILLBOARD GROUND and WALL SIGN.	
6.3.14	Sign Restrictions:	<b>a) No part of any BILLBOARD GROUND or WALL SIGN shall:</b>	
		i. Be ERECTED within 6.0 m of the intersection of a DRIVEWAY, ALLEY or ACCESS LANE with any PUBLIC ROAD ALLOWANCE; ii. Be ERECTED within 30.0 m of any FIRST PARTY ADVERTISING GROUND or WALL SIGN erected on the same LOT or on an abutting LOT; or iii. Be ERECTED on a LOT with a STREET FRONTAGE of less than 30.0 m.	
		<b>b) No part of any BILLBOARD GROUND SIGN shall:</b> i. Be ERECTED within 3.0 m of the PUBLIC ROAD ALLOWANCE; ii. Be ERECTED within 3.0 m of a SIDE LOT LINE; iii. Be ERECTED within 6.0 m of a REAR LOT LINE;	<b>c) No part of any BILLBOARD WALL SIGN shall:</b> i. Be ERECTED on the primary BUILDING FAÇADE of a BUILDING or STRUCTURE; or ii. Be ERECTED on the first floor of any BUILDING.

		iv. Be ERECTED less than 2.4 m above GRADE; or
		v. Be ERECTED within a DAYLIGHT CORNER.
6.3.15	Special Provisions	i) Notwithstanding the provisions of Section 6.3.14, no part of any BILLBOARD GROUND SIGN shall be erected closer to any LOT LINE than the distance permitted for any BUILDING or STRUCTURE in the Zoning By-law, if such distance is the greater.
		ii) Notwithstanding the provisions of Section 6.3.2, no part of any BILLBOARD SIGN shall be erected closer than 300m of any Special Districts identified in Section 9 of this By-law.
6.3.16	Prohibitions for POSTER BILLBOARDS	<b>No part of any POSTER BILLBOARD GROUND or WALL SIGN shall:</b>
		i. Be ERECTED within a 200.0 m radius of any type of BILLBOARD GROUND or WALL SIGN; or
		ii. Be ERECTED within 60.0 m of any RESIDENTIAL or SENSITIVE USE, where the SIGN STRUCTURE or the SIGN FACE will be directly visible from any point of a RESIDENTIAL or SENSITIVE USE in any BUILDING.
6.3.17	Prohibitions for ELECTRONIC CHANGE COPY BILLBOARDS	<b>No part of any ELECTRONIC CHANGING COPY SIGN, that is either a BILLBOARD GROUND or WALL SIGN, shall:</b>
		i. Be ERECTED within a 200.0 m radius of any POSTER BILLBOARD SIGN that is a GROUND SIGN or WALL SIGN;
		ii. Be ERECTED within a minimum distance of 500.0 m any other ELECTRONIC CHANGING COPY SIGN or DIGITAL SIGN, and provided that the two (2) SIGNS cannot be seen simultaneously in the same direction of travel;
		iii. Be ERECTED within 300.0m of any residential use or SENSITIVE USE, where the SIGN STRUCTURE or the SIGN FACE will be directly visible from any point of a residential use or SENSITIVE USE in any Building; or
		iv. Be ERECTED within a prohibited location at a controlled intersection, pedestrian crossing or railway crossing as identified in Section 6.3.2.