

TOWN OF MARKHAM

ONTARIO



BY-LAW 2002-94

SIGN BY-LAW

This By-law is printed under and
by authority of the Council of
the Town of Markham.

(Consolidated for convenience only
to September 12, 2018)

(See By-law 2002-276 for fee schedule)

(Schedule/Attachment Included)

AS AMENDED BY:

By-law 2002-280 - December 10, 2002
By-law 2003-66 - February 25, 2003
By-law 2003-98 – April 1, 2003
By-law 2003-134 – May 27, 2003
By-law 2003-279 – August 26, 2003
By-law 2004-320 – November 16, 2004
By-law 2006-137 – May 23, 2006
By-law 2006-169 – June 13, 2006
By-law 2006-202 – June 27, 2006
By-law 2007-272 – December 11, 2007

By-law 2009-90 – June 23, 2009
By-law 2010-57 – April 27, 2010
By-law 2010-168 – September 21, 2010
By-law 2012-57 – March 20, 2012
By-law 2012-191 – October 16, 2012
By-law 2014-26 – March 5, 2014
By-law 2014-99 – June 24, 2014
By-law 2015-58 – April 15, 2015
By-law 2017-85 – September 26, 2017
By-law 2018-113 - September 12, 2018



A By-law to prohibit and regulate signs
and other advertising devices and the posting of
notices on buildings or vacant lots within the
Town of Markham and to repeal in their entirety
By-law 121-93, as amended, and By-law 247-94, as amended

WHEREAS pursuant to Paragraph 146 of Section 210 of the *Municipal Act*, R.S.O. 1990, c. M.45, as amended, authority is given to the municipal council to pass a by-law to regulate or prohibit signs and other advertising devices.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM ENACTS
AS FOLLOWS:

1.0 TITLE

This By-law shall be known and cited as the “Sign By-law.”

2.0 PURPOSE AND INTENT

The purpose of this By-law is to regulate signs in the Town of Markham with the intent of authorizing signs that:

- (a) Are appropriate in size, number, and location to the type of activity or use to which they pertain.
- (b) Provide the public with reasonable and appropriate means to locate and identify facilities, businesses, and services without difficulty and confusion.
- (c) Are compatible with their surroundings.
- (d) Protect, preserve, and enhance the aesthetic qualities and visual character of the Town of Markham.
- (e) Are consistent with the Town’s urban design and heritage objectives.
- (f) Do not create a distraction or safety hazard for pedestrians or motorists.
- (g) Minimize possible adverse effects on nearby public and private property.
- (h) Regulate signs while impairing the public’s right to expression as little as possible and proportionally to the purpose of the By-law.

3.0 DEFINITIONS

In this By-law:

“Abandoned or Obsolete Sign” means a sign located on property which becomes vacant and unoccupied for a period of 90 days or more, or any sign which pertains to a time, event or purpose which no longer applies.

“Address Sign” means a sign depicting no other information except for the street number and street address of the property on which the sign is located.

(Amended by By-law 2003-66)

“Advertising Device” means any device or object erected or located so as to attract public attention to any goods or services or facilities or events and includes flags, banners, pennants and lights.

“Alter” means any change to the sign structure or the sign face with the exception of the re-arrangement of numerals, letters or copy applied directly to the face of a sign and specifically designed and intended to be periodically rearranged, the repair and maintenance of a sign, and a change in sign copy.

“Animated Sign” means a video screen or any kinetic or illusionary motion of all or any part of a sign and includes the rotation of a sign.

(Amended by By-law 2015-58)

“Awning” means a retractable structure, covered with fabric or like material that is attached and projects from the exterior wall of a building over a window or door and provides shade or other protection from the elements.

“Banner” means a sign or advertising device made from cloth, plastic or a similar lightweight non-rigid material.

“Billboard Sign” means an outdoor sign erected and maintained by a person, firm, corporation, or business engaged in the sale or rental of the space on the sign to a clientele, upon which space is displayed copy that advertises goods, products, or services not necessarily sold or offered on the property where the sign is located, and the sign is either single faced or double faced.

“Building Canopy” means a canopy at the entrance of a building and extending over a walkway or driveway which protects pedestrians entering or leaving the building from the elements.

“Building Canopy Sign” means a building canopy that is or functions as a sign.

“Campaign Headquarters”

(Deleted by By-law No. 2010-57)

“Canopy” means a non-retractable, awning or roof like structure that is not supported from the ground but instead is attached to and supported from the exterior wall of the building to which it is attached.

“Canopy Sign” means a canopy that is or functions as a sign.

“Construction Sign” means a sign which identifies or provides information relating to or advertising the development or the construction of a building on the lands on which the sign is erected.

“Copy” means the graphic content of a sign surface in either permanent or removable letter, pictorial, symbolic, or numeric form.

“Council” means the Council of the Town of Markham.

“Daylight Triangle” means in the case of a corner lot, the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 10 metres measured along the street from the point of intersection of the street lines where the street is a collector road, and 10 metres, where the street is a major or arterial road, or any other daylight triangle that is set out in a relevant section of the Town Zoning Bylaws, or in a site plan agreement, or a daylight triangle otherwise approved by the Town or Region.

(Amended by By-law No. 2006-202)

“Designated Light Standard” means a light standard owned by the Town or Region and fitted with a poster sleeve.

“Directional Sign” means any on premises sign which gives directions or instructions for the control of vehicular or pedestrian traffic and shall include an entry and exit sign.

“Election Campaign Office” means an existing building or part thereof, the use of which is provided for by the applicable Zoning By-law, where a registered election candidate’s campaign staff are normally present and the public may enter to obtain information regarding the candidate.

(Amended by By-law No. 2010-57)

“Election Sign” means a sign advertising or promoting the election of a political party or a candidate for public office in a federal, provincial or municipal election.

“Electronic Message Display” means a permanent sign which is electronically controlled and which displays information in a pre-arranged sequence, and on which the intensity of illumination is maintained at a constant level.

“Facade” means the entire building wall including a parapet.

“Flashing Sign” means a sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted light source.

(Amended by By-law 2015-58)

“Freestanding Architectural Feature” means a self-supporting structure having a unified design and constructed of the same or compatible materials as the main building on the lot.

“Frontage” means the length of the property line of any one lot parallel to and along each legally accessible public street.

“Garage Sale Sign” means a sign advertising the sale of personal merchandise in a private garage sale held on a property zoned residential.

“Grade” means the average surface elevation of the finished ground which is in contact with a ground sign or below any other sign.

“Ground Sign” means a sign directly supported by one or more uprights, poles, braces or located on a structural base placed in or upon the ground and does not include any other sign defined in this By-law.

“Height” means the vertical distance measured from the average elevation of the finished grade immediately below a sign to the highest point of the sign and includes any support structure or ornamental feature.

“Heritage Markham” means the Local Architectural Conservation Advisory Committee of the Town of Markham as established under the Ontario Heritage Act.

“Hoarding Sign” means a temporary, non-illuminated sign, associated with the development of property, which promotes urban living and advertises or identifies the development of the property on which the sign is located.

(Amended by By-law No. 2004-320)

“Inflatable Sign” means a sign or advertising device filled with air or gas and designed to be airborne and tethered to the ground, a vehicle or any other structure and shall include balloons and any other inflatable advertising device.

“Information Sign” means a sign for public safety or convenience regulating on premises traffic, parking or other functional subdivision of premises or a sign denoting sections of a building and bearing no commercial advertising.

“Interior Sign” means a sign not visible or intended to be seen from off the premises on which the sign is located.

“Lot” means a parcel of land, fronting on a street, which may be described by metes and bounds in a registered deed or be shown in a registered plan of subdivision. Contiguous lots in common ownership and occupied by a single building shall be deemed to be a single lot for the purpose of this By-law.

“Manager” means the Manager of the Enforcement and Licensing Division of the Clerk’s Department in the Corporate Services Commission of the Town of Markham.

“Menu Board” means a sign erected as part of a drive-through facility and used to display and order products and services available at the drive-through business.

“Mobile Sign” means a sign designed to be capable of being readily moved from one location to another, and is usually built on a trailer or other solid platform and may include wheels.

“Municipal Address” means the name and address of a place, building, business, organization, person, or occupancy of the premises it identifies.

“Mural” means any type of display or artistic endeavour applied as paint, film or any other covering to any external wall or other integral part of a building or structure which does not include any words or advertisement or any other promotional message or content, including logos and trademarks.

“New Home Development Sign” means a non-illuminated sign which is not permanently installed or affixed to the ground and where the purpose of the sign is to direct attention to the sale of new homes.

“Official Sign” means any sign required by a valid federal or provincial statute or regulation or by a municipal by-law and shall include a traffic sign a permanent sign erected on a public road allowance to inform the public of the location of Business Improvement Areas, public buildings, hospitals, public libraries, institutions, places of worship, parks, recreational or educational facilities.

“Open House Directional Sign” means a temporary portable sign not exceeding .25m² intended to direct traffic to a residence for sale or lease, but shall not include a new home development sign.

Amended by By-law 2012-57)

“Owner” means the registered owner of the lands or premises, or the person or the person’s authorized agent in lawful control of a premises, building, occupancy, sign or other structure.

“Person” means an individual, business, firm, corporation, association or partnership.

“Portable Sign” means a free standing sign erected on but not permanently anchored in the ground. Without limiting the generality of the foregoing, this definition shall include signs commonly referred to as A-frame, T-frame, sandwich board and menu board but shall not mean or include any other sign defined in this By-law.

“Poster” means a printed notice conveying information intended to be displayed for a temporary period of time and includes but is not limited to a bill, handbill, leaflet, notice, placard and election sign.

“Poster Sleeve” means a collar or other protective covering provided and fitted by the Town or Region to a designated light standard.

“Projecting Sign” means a sign attached to a building and projecting out horizontally from a building at a right angle to the building.

“Pre-Menu Board” means a sign erected as part of a drive-through facility and only used to display products and services available at the drive-through business.

“Premises” means a lot under registered ownership and includes all buildings and structures thereon.

“Public Information Sign” means any of the following signs:

- (a) Signs erected by or under the jurisdiction of a government agency.
- (b) Signs designating, a public library, a public community centre, or a public arena.
- (c) Signs erected in parks, play grounds or stadiums including scoreboards or timers provided such signs do not carry advertising other than the name of the donor and further provided that the area of the sign exclusive of the scoreboard and timer does not exceed one quarter of the total sign area.
- (d) Signs required by the Town to inform the public of planning applications submitted under the Planning Act.
- (e) Signs permitted by the Town to promote Town objectives or messages associated with stated Town Corporate Goals.

(Amended by By-law No. 2004-320)

“Public Property” means property, land, or buildings owned by the Town, Region, or a local board as defined in the *Municipal Affairs Act*, as amended.

“Readograph” means that part of a permanent sign composed of changeable letters intended to convey a temporary message and which is designed or constructed so that the message on the sign may be easily changed and rearranged mechanically or as part of an electronic message display.

“Real Estate Sign” means a temporary non-illuminated sign installed, erected or

displayed for the notification that a building, premises or portion thereof is available for or offered for sale, rent or lease.

“Real Estate Development Sign” means a sign advertising the development of the property on which the sign is located.

“Region” means the Regional Municipality of York as described in the *Regional Municipality of York Act*, R.S.O., 1990, c. R.18, as amended.

“Repair and Maintain” means anything done to preserve the condition of a sign or to prevent the deterioration of the sign and includes the restoration of a sign by removing or replacing worn out, missing, damaged or broken parts.

“Roof Sign” means a sign supported entirely or partly by the roof of a building or structure and which sign projects above the roof and parapet.

“Shopping Centre” means a grouping of commercial retail outlets which have been designed, developed and managed as a unit by a single owner or group of owners or tenants located on the same lot or lots with a frontage not less than 45 metres and having common on-site parking.

“Sign” means any surface, structure and other component parts, which are used or capable of being used as a visual medium or display to attract attention to a specific subject matter for identification, information or advertising purposes and includes an advertising device or notice.

“Sign Area” means the entire area of the surface of a sign including the border or frame, together with any material or forming an integral part of the background of the display or used to differentiate the sign from the backdrop or building against which it is erected. Where there is no border or the sign is composed of individually installed letters, numerals or shapes, the sign area shall include all of the area of the smallest polygon containing a maximum of eight right angle sides that encloses the surface of the sign or the grouping of letters, numerals or shapes.

“Sign Owner” means the owner or lessee of a sign, or his agent. Where there is no owner, lessee or agent for a sign or such person cannot be determined with certainty, the sign owner shall be deemed to be the person or business having the use or major benefit of the sign, or if such person or business is unknown, the sign owner shall be deemed to be the registered owner of the land upon which the sign is situated.

“Sign Structure” means anything used to support or brace a sign face and which is attached to the ground or a building or structure.

“Sign Uniformity Plan” means drawings and specifications for:

- (a) all wall signs to be erected on a building or premises containing more than one occupancy; or
- (b) all hoarding and/or public information signs to be erected on hoarding,

and which show the arrangement of all signs, detailing the type, character, height and design of the sign in relation to the architectural features of the building or the hoarding, as approved by the Town.

(Amended by By-law No. 2004-320)

“Storey” means that portion of any building which is situated between the top of any floor and the top of the floor or roof next above it and shall include a parapet.

“Street” means any public highway but does not include a Provincial highway.

“Street Line” means the limit of the public road allowance and is the dividing line between a lot and a street.

“Subdivision Development Sign” means a sign that advertises only the subdivision in which the sign is located and not the sale of lots elsewhere or the realtor’s, developer’s or landowner’s business in general.

(Amended by By-law 2003-66)

“Unsafe” when used with respect to a sign or sign structure means a condition which is structurally inadequate or faulty, or could be hazardous to a pedestrian or motorist.

“Wall Sign” means a sign attached to, marked or inscribed on, erected or placed against a wall forming part of a building, or supported by or through a wall of a building and having the exposed face thereof on a plane approximately parallel to the plane of such wall and includes a canopy sign. A wall sign shall not include any other sign defined in this By-law unless otherwise stated.

“Window Sign” means a sign located on the interior of a premises which is intended to be seen from off the premises, but shall not include illuminated signs commonly used to advertise products sold on the premises, provided such sign does not exceed 0.25 m² in sign area.

“Zone” means the area of a defined land use zone in the Town's Zoning By-laws passed under The *Planning Act*, 1990, R.S.O. 1990, Chapter P.13, or any predecessor or successor thereof.

4.0 ADMINISTRATION

4.1 Interpretation

- (a) Words importing the singular number or the masculine gender only include more persons, parties or things of the same kind than one, and females as well as males and the converse.
- (b) A word interpreted in the singular number has a corresponding meaning when used in the plural.
- (c) Where an entire building contains commercial uses that are permitted in an industrial category of the Town's Zoning By-law, the sign requirements for a commercial zone shall apply.

4.2 Administration

- (a) The Building Standards Department of the Development Services Commission shall be responsible for the issuance of permits for all signs referred to in this By-law with the exception of Sections 11, 16, and 17.
- (b) The Enforcement and Licensing Division of the Clerk's Department shall be responsible for the issuance of permits for all signs referred to in Sections 11, 16, and 17 of this By-law and shall be responsible for the completion of site inspections of all signs and the enforcement of this By-law.

4.3 Permits

- 4.3.1 Except for signs referred to in Section 4.6, no person shall erect, display, alter or permit the erection, display or alteration of a sign on private property unless a permit is obtained under the provisions of this By-law prior to the erection of said sign.

(Amended by By-law 2003-134)
- 4.3.2 All signs shall conform to the provisions of this By-law.
- 4.3.3 A permit may be refused and may be revoked, if the proposed sign does not comply with this or any other By-law.
- 4.3.4 A permit issued by the Town shall expire six months from the date of issuance unless the sign is erected for its intended purpose and the permit shall become null and void upon the removal of the sign save and except portable, mobile and banner signs.

(Amended by By-law 2012-57)
- 4.3.5 Where a permit has been issued and before it has expired, an application may be made to extend the permit for a further six months, provided the sign continues to conform to all By-law requirements and other regulations existing at the time of renewal save and except portable, mobile and banner signs.

(Amended by By-law 2012-57)

- 4.3.6 The Town may revoke a permit under the following circumstances:
- (a) The permit has been issued in error by the Town, or
 - (b) The sign does not conform to this By-law, the Ontario Building Code, or any other applicable regulation or legislation, or
 - (c) The permit has been issued as the result of false, mistaken, incorrect, or misleading statements, information, or undertakings on the application.
- 4.3.7 The application of the Ontario Building Code to any sign permit application will be considered by the Town and a sign permit issued pursuant to this By-law will satisfy the requirements of the Ontario Building Code for a building permit.

4.4 Application for Permit

- 4.4.1 The applicant for a permit shall be the owner or the tenant or their authorized agent of the property, building or business on which the sign is to be erected.
- 4.4.2 The applicant shall file with the Building Standards Division of the Town of Markham, an application for a permit on the prescribed form for all signs referred to in this By-law, with the exception of a sign referred to in Sections 4.6, 11, 16, and 17.
- 4.4.3 The applicant shall apply for a permit with the Enforcement and licensing Division of the Clerk's Department for a sign referred to in Section 11, 16 and 17.
(Amended by By-law 2012-57)
- 4.4.4 Where a person leases or rents a portable or mobile sign, it shall be only leased or rented from a sign company licensed by the Town.
(Amended by By-law 2003-66)
- 4.4.5 The applicant for a permit shall provide to the Town:
- (a) A completed application form as prescribed by the Town.
 - (b) The written authorization of the owner where the applicant is not the owner of the premises where the sign is to be located or erected.
 - (c) A drawing showing the location and dimensions of all existing and proposed signs, and identifying the materials of which the proposed sign is constructed.
 - (d) A site plan showing the location of the sign in relationship to other buildings and structures, the street, and the boundary of the property upon which the sign is proposed to be erected.
 - (e) Sufficient information that the Chief Building Official can determine that the sign has been designed and will be constructed in compliance with the applicable structural and fire prevention provisions of the Ontario Building Code.

(Amended by By-law 2003-66)

- 4.4.6 The applicant shall obtain approval for the proposed sign, if required, from other governmental authorities having jurisdiction.
- 4.4.7 If required by the Chief Building Official, all plans and specifications covering the erection of the sign and supporting framework shall be certified by a Registered Professional Engineer as to the structural adequacy of the sign.
- 4.4.8 Fees payable at the time of the application shall be in accordance with the permit fee structure as shown on Schedule "A" to this By-law.
- 4.4.9 A permit is not required for a change in sign copy only, and where there is no change in sign area, shape, construction and design. This provision shall not apply to signs located within a Special Sign District as described in Section 10.0 of this by-law.

(Amended by By-law 2003-66)

4.5 Sign Uniformity Plan

- 4.5.1 The owner shall submit a sign uniformity plan to the Town as part of an application for a sign permit when one or both of the following circumstances apply:
- (a) There is more than one occupancy within a premise and the lands are subject to site plan control pursuant to the Planning Act. This provision shall apply only to newly constructed buildings or buildings undergoing enlargements or alterations that require site plan control.
- (b) Wall signs are proposed to be located on other than the first storey of the building.
- 4.5.2 The owner shall submit a sign uniformity plan to the Town as part of an application for a sign permit for hoarding signs.

(Amended by By-law No. 2004-320)

4.6 Signs for Which Permits are Not Required

- 4.6.1 The following signs shall be permitted in all zone categories in the Town and shall not be required to obtain a permit:
- (a) In a residential zone, a sign containing the name and address of a resident or occupant, provided the sign is not more than 0.2 m² in sign area and does not include any commercial advertising.
- (b) Information signs not greater than 0.4 m² in sign area.
- (c) Public information signs. The approval of Heritage Markham is required when this sign is located within a Special Sign District, as described in Section 10.0 of this by-law.
- (d) Real estate signs not exceeding 0.75 m² in sign area in a residential zone and

2.0 m² in sign area in all other zones. Such real estate sign shall be removed within fourteen (14) days after the date of the acceptance of an offer of purchase or lease of the premises.

(Amended by By-law 2012-57)

- (e) Signs for a blood donor clinic of the Canadian Blood Services.
- (f) Signs advertising community events for a maximum of thirty (30) days in a calendar year.
- (g) Commemorative sign, plaque or corner stone denoting the date of erection of buildings and attached to the wall of the building.
- (h) Flags of corporations, educational, religious, charitable, or fraternal organizations to a maximum of three (3) such flags per premises.
- (i) Emblems or insignia of patriotic, civic, educational, religious, charitable, or fraternal organizations. The approval of Heritage Markham is required when this sign is located within a Special Sign District, as described in Section 10.0 of this by-law.
- (j) Temporary signs not exceeding 3.0 m² in area per sign face and advertising the sale of edible farm produce grown on the same premises. Such signs shall be limited to one double faced sign or two single faced signs per premises and shall be removed within 24 hours of the date when the advertised produce ceases to be available for sale.
- (k) Interior sign.
- (l) A window sign on the first storey of a building occupied by a commercial use provided the window sign does not exceed 20% of each window section or pane. The approval of Heritage Markham is required when this sign is located within a Special Sign District, as described in Section 10.0 of this by-law.
- (m) Directional sign not exceeding 0.5 m² in sign area and 1.2 metres in height. The approval of Heritage Markham is required when this sign is located within a Special Sign District, as described in Section 10.0 of this by-law.

(Amended by By-law 2003-66)

- (n) Open house directional sign.
- (o) Construction sign not exceeding 5.0 m², to be removed within 30 days of the construction being completed or discontinued.
- (p) A sign for a contractor undertaking landscaping, home repairs or renovations, provided such sign is erected no more than two (2) days prior to the commencement of the project and is removed from the property immediately after the project is completed.
- (q) Public transit shelter advertising or any advertising on street furniture and fixtures approved by the Town or Region.
- (r) A garage sale sign or a sign advertising lost pets.
- (s) (Deleted by By-law 2010-57)
- (t) Signs on a temporary sales trailer which has been approved by the Town through a fully executed agreement and which signs are associated with the sale of new residential units, provided the maximum area of the signs does not exceed 15.0 m² per elevation and 30.0 m² for all elevations combined.

(Amended by By-law 2003-66)

- (u) An address sign not located in a residential zone. The approval of Heritage Markham is required when this sign is located within a Special Sign District, as described in Section 10.0 of this by-law.

(Amended by By-law 2003-66)

- (v) Banners approved and issued by the Town of Markham for Communities in Bloom initiatives.

(Amended by By-law No. 2006-137)

- (w) Signs erected on designated railway overpasses for the limited purpose of community messaging of the Town and associated images, including the Town Logo, the Canadian National Railways Corporate Logo, the Logo of the media agent maintaining the signage, and a Corporate Logo of a third party entity incorporating a corporate message on one face of the signage only, in accordance with a Sign Uniformity Plan approved by Council. The designated railway overpasses are:

- Kennedy Road south of the 407
- 14 Avenue and Markham Road; and,

This provision shall expire two (2) years from the date of passing of this amending by-law.

(Amended by By-law No. 2009-90)

4.7 Prohibited Signs

- 4.7.1 Any sign not expressly permitted by this By-law is prohibited and without limiting the generality of the foregoing, the following signs are specifically prohibited save and except for those signs approved by the Council of the City:

(Amended by By-law No. 2014-99)

- (a) A sign located on or over public property or a public right-of-way, unless erected with the approval of the government agency having jurisdiction and in accordance with this By-law.
- (b) Abandoned or obsolete sign.
- (c) Flashing or animated sign.
- (d) A video display or billboard.
- (e) Projecting sign except as provided for in Sections 7 and 10.
- (f) Roof Signs, except under certain circumstances where properties are covered by the provisions of Section 10.0 "Special Sign Districts"

(Amended by By-law 2010-168)

- (g) A sign located so as to obstruct the view of any pedestrian or motorist so as to cause an unsafe condition.
- (h) A sign interfering with or obstructing the view of an authorized traffic sign, traffic signal, or official sign or any sign capable of being confused with such as traffic sign or traffic signal.
- (i) A sign located within a daylight triangle.

- (j) An inflatable sign.
- (k) A sign attached or displayed on a vehicle or trailer which is parked or located for the primary purpose of displaying said sign or advertisement.
- (l) A sign which obstructs or is located in a required parking space.
- (m) A sign horizontally painted, marked or inscribed on pavement.
- (n) A sign consisting of landscaping or a floral display.
- (o) A sign or mural painted on the exterior wall of a building, excluding a mural which has been approved by Council or a Standing Committee of Council.
- (p) A sign on a fence.
- (q) A sign that spins or rotates.

(Amended by By-law 2012-57)

5.0 GENERAL PROVISIONS

- 5.1 Light sources which illuminate signs shall be shielded so that the light source is not visible from off the property on which the sign is located.
- 5.2 No sign shall be located on or project over public rights-of-way unless permitted under this By-law.

5.3 Ground Signs

- 5.3.1 All ground signs shall display the municipal address number in numerals that are a minimum height of 150 mm.

(Amended by By-law 2003-66)

- 5.3.2 A ground sign shall not be located within 3 metres of a driveway entrance or exit at the streetline.

- 5.3.3 The maximum total sign area for a ground sign that is double faced or a multi-faced sign shall be double the area permitted for one sign face.

- 5.3.4 The sign face of a ground sign may allocate a maximum 50% of the sign face to a readograph or electronic display.

- 5.3.5 A ground sign subject to Section 7.0 of this by-law, and having a height of 3 metres or greater, shall not contain any copy except the municipal address number, within 1.5 metres above grade.

(Amended by By-law 2003-66)

- 5.3.6 A ground sign shall be located on the same street frontage used to calculate the maximum sign area of the ground sign.

- 5.3.7 No ground sign shall be located within 15.0 m of a traffic light.

- 5.3.8 Where this By-law permits more than one ground sign along a street frontage, no

ground sign shall be located within 45 m of another ground sign on the same lot.

5.3.9 A maximum of one ground sign is permitted per street frontage unless specifically permitted elsewhere in this by-law.

(Amended by By-law 2003-66)

5.3.10 A second ground sign shall be permitted in a commercial or industrial zone, excluding a Shopping Centre, where all of the following conditions exist;

- a) There is more than one main building on a lot,
- b) The lot fronts onto a single street and,
- c) The lot has a frontage of 100 metres or greater.

(Amended by By-law 2003-66)

5.4 Wall Signs

5.4.1 No wall sign shall extend beyond the extremity of the wall facade on which it is mounted.

5.4.2 No wall sign shall project more than 0.5 metres from the wall to which it is attached.

5.4.3 A wall sign erected on a building above a location where the public passes, shall be located not less than 2.5 m above the finished grade below the sign.

5.4.4 A wall sign shall be parallel to the wall to which it is attached.

5.4.5 A wall sign shall be mounted on the same building facade used to calculate the maximum sign area of the wall sign.

5.4.6 Where the facade of a building includes horizontal or vertical indentations, a building facade shall be considered continuous for the purpose of calculating the maximum wall sign area provided the indentation of the facade is less than 7.0 m.

(Amended by By-law 2003-66)

5.4.7 Where the allocation of wall sign space in a multi-tenant building is not specified in a sign uniformity plan, the area of wall signs for tenants shall be in proportion to the linear frontage such tenant controls on the applicable wall facade.

5.4.8 An owner may erect a free-standing architectural feature to accommodate signage in lieu of a wall sign, subject to the following provisions:

- (a) A sign uniformity plan has been approved by the Town.
- (b) The free-standing architectural feature is erected no further than 4.0 metres from the main building to which the signage applies.
- (c) The maximum sign area is equal to that permitted for a wall sign under this By-law.

(d) No portion of a freestanding architectural feature or attached sign shall be less than 2.5 metres above grade, except for structures required to support the architectural feature.

(Amended by By-law 2003-66)

(e) No portion of a freestanding architectural feature shall exceed a maximum height of 4.5 metres.

(Amended by By-law 2003-66)

5.5 Projecting Signs

5.5.1 The owner of a projecting sign that overhangs a public right of way under the jurisdiction of the Town shall enter into an encroachment agreement with the Town.

5.5.2 No portion of a projecting sign shall be less than 2.5 m above the finished grade below the sign.

5.6 Directional Signs

5.6.1 A directional sign shall have a maximum sign area of 0.75 m² and shall have a maximum height of 1.2 metres.

5.6.2 The number of directional signs shall be limited to 2 per entrance.

(Amended by By-law 2003-66)

5.7 Billboards

5.7.1 A maximum of ten (10) billboards shall be erected within the Town of Markham in compliance with the provisions of this By-law.

5.8 Canopy Signs

5.8.1 Canopy signs shall comply with the wall signs provisions as described in subsection 5.4 of this by-law, save and except for subsection 5.4.2.

(Amended by By-law 2003-66)

6.0 SIGNS PERMITTED IN RESIDENTIAL ZONES

6.1 No person shall erect or display a sign in a residential zone except in conformity with the regulations of Table A.

Table A - Signs Permitted in Residential Zones				
Multiple Family and Other Non Residential Permitted Uses				
Sign	Minimum	Maximum	Maximum	Illumination

Type	Frontage	Area Per Face	Height	
Ground	N/A	2.4 m ²	2.0 m	Internal or external
Wall	N/A	2.4 m ²	N/A	Internal or external

Schools and Institutional Uses: Refer to Table D

7.0 SIGNS PERMITTED IN COMMERCIAL ZONES

- 7.1 No person shall erect or display a sign in a commercial zone except in conformity with the regulations of Table B.

Table B - Signs Permitted in Commercial Zones				
Sign Type	Requirement	Maximum Area Per Face	Maximum Height	Illumination
Wall, Canopy	For a two storey commercial building , a wall sign shall only be erected on the wall of the second storey in accordance with the sign uniformity plan approved by the Town.	0.75 m ² per 1.0 m of linear building facade, maximum 35.0 m ² for an individual sign	N/A	Internal or external
Awning	N/A	10% of the area of the awning	N/A	External
Building Canopy	N/A	0.25 m ² per 1.0 m of linear length	N/A	Internal or external
Projecting	N/A	1.0 m ²	N/A	Internal or external
Ground	Lot frontage 20 m or less	4.0 m ²	4.0 m	Internal or external
Ground	Lot frontage greater than 20 m	6.0 m ²	7.5 m	Internal or external
Portable	1 portable or mobile sign per lot or premises at any time	0.6 m ²	0.9 m	None
Mobile	1 portable or mobile sign per lot or premises at any time	6.0 m ²	2.5 m	Internal
Banner	1 banner per lot or premises at any time	6.0 m ²	N/A	None
Billboard	Vacant land or one (1) per lot	20 m ²	8.0 m	Internal or external
	6.0 m from the streetline, 8.0 m from a boundary with an adjacent lot			
	75 m minimum frontage			
	100 m from any residential zone			
	400 m from any other billboard			
<p>1. A wall sign on an office building three or more storeys in height, shall be located only on any of the following: the first storey, the top storey and parapet, the mechanical penthouse.</p> <p>2. Where a wall sign is located on the wall of a mechanical penthouse of an office building, the mechanical penthouse shall be enclosed and clad with the identical building material used on the exterior of the office building. This provision shall not apply to buildings that were existing or site plan approved prior to May 28, 2002.</p>				

(Amended by By-law 2003-66)

Additional Regulations for a Shopping Centre on a Lot of 1.0 ha to 4.0 ha in Area				
Sign Type	Number	Maximum Area Per Face	Maximum Height	Illumination
Ground	1 for each 100 m of frontage to a maximum of 2 ground signs per street	10.0 m ²	7.5 m	Internal or external
	Minimum 45 m separation between the ground signs			
Wall, Canopy	All wall signs shall be erected in accordance with the sign uniformity plan approved by the Town.	0.75 m ² per 1.0 m of building facade, maximum 35.0 m ² for an individual sign	N/A	Internal or external
Additional Regulations for a Shopping Centre on a Lot Over 4.0 ha in Area				
Sign Type	Number	Maximum Area Per Face	Maximum Height	Illumination
Ground	1 for each 100 m of frontage to a maximum of 2 ground signs per street	18.0 m ²	7.5 m	Internal or external
	Minimum 45 m separation between the ground signs			
Wall, Canopy	All wall signs shall be erected in accordance with the sign uniformity plan approved by the Town.	0.75 m ² per 1.0 m of building facade, maximum 35.0 m ² for an individual sign	N/A	Internal or external
Additional Regulations for an Enclosed Two Storey Shopping Centre on a Lot Over 4.0 ha in Area				
Sign Type	Number	Maximum Area Per Face	Maximum Height	Illumination
Wall	All wall signs shall be erected in accordance with the sign uniformity plan approved by the Town.	0.75 m ² per 1.0 m of building facade, maximum 40.0 m ² for an individual sign. Non-tenant graphics and signs shall be limited to a maximum of 50% of the permitted sign area for the building facade	N/A	Internal or external

8.0 SIGNS PERMITTED IN INDUSTRIAL ZONES

8.1 No person shall erect or display a sign in an industrial zone except in conformity with the regulations of Table C.

Table C - Signs Permitted in Industrial Zones				
Sign Type	Minimum Frontage	Maximum Area Per Face	Maximum Height	Illumination
Ground	N/A	3.0m ² , or 1.0 m ² per 30.0 m of street frontage, up to a maximum 5.0 m ² , whichever is the greater.	4.0 m	Internal or external
Wall ^{1,2} Canopy	N/A	0.5 m ² per 1.0 m of building facade, maximum 25.0 m ² for an individual sign	N/A	Internal or external
	Number	Maximum Area Per Face	Maximum Height	Illumination
Portable	1 portable or mobile sign per lot or premises at any time	0.6 m ²	0.9 m	None
Mobile	1 portable or mobile sign per lot or premises at any time	6.0 m ²	2.5 m	Internal or external
Banner	1 banner per lot or premises at any time	6.0 m ²	N/A	None
	Location and Minimum Frontage	Maximum Area Per Face	Maximum Height	Illumination
Billboard	Vacant land or one (1) per lot	20.0 m ²	8.0 m	Internal or external
	6.0 m from the streetline, 8.0 m from a boundary with an adjacent lot			
	75 m minimum frontage			
	100 m from any residential zone			
	400 m from any other billboard			
<p>1. A wall sign on an office building three or more storeys in height, shall be located only on any of the following: the first storey, the top storey and parapet, the mechanical penthouse.</p> <p>2. Where a wall sign is located on the wall of a mechanical penthouse of an office building, the mechanical penthouse shall be enclosed and clad with the identical building material used on the exterior of the office building. This provision shall not apply to buildings that were existing or site plan approved prior to May 28, 2002.</p> <p>See Section 4.1 (c) for commercial uses in industrial zones.</p>				

9.0 SIGNS PERMITTED IN INSTITUTIONAL AND ALL OTHER ZONES

9.1 No person shall erect or display a sign in an institutional zone or any other zone except in conformity with the regulations of Table D.

Table D – Signs Permitted in Institutional and All Other Zones				
Sign Type	Minimum Frontage	Maximum Area	Maximum Height	Illumination
Ground	N/A	4.0 m ²	4.0 m	Internal or external
Wall	N/A	0.5 m ² per 1.0 m of building facade, to maximum 20.0 m ²	N/A	Internal or external
Additional Regulations for Railway or Hydro Lands				
	Location and Minimum Frontage	Maximum Area	Maximum Height	Illumination
Billboard	Vacant land or one (1) per lot	20.0 m ²	8.0 m	Internal or external
	6.0 m from the streetline, 8.0 m from a boundary with an adjacent lot			
	75 m minimum frontage			
	100 m from any residential zone			
	400 m from any other billboard			

10.0 SPECIAL SIGN DISTRICTS

10.1 The following areas are defined as Special Sign Districts within the Town of Markham for the purposes of this By-law:

- (a) Thornhill Heritage Conservation District as delineated on Schedule “B” to this By-law.
- (b) Unionville Heritage Conservation District as delineated on Schedule “C” to this By-law.
- (c) Markham Heritage Conservation District as delineated on Schedule “D” to this By-law.
- (d) “Buttonville Heritage Conservation District as delineated on Schedule “E” to this By-law”; and (Amended by by-law 2014-26)
- (e) All commercial properties designated under Part IV of the Ontario Heritage Act” (Amended by By-law 2010-168)

10.2 In addition to the requirements of Section 5 of this By-law, the following

provisions shall apply to all permit applications for a sign located in a Special Sign District.

10.2.1 Each application for a sign permit shall be submitted to Heritage Markham for its review and comment and each application shall be accompanied by scale drawings clearly showing:

- (a) The building facade on which a proposed wall sign is to be erected and in the case of a ground sign, the location on the property where the ground sign is to be located.
- (b) The type, character, dimensions and design of the proposed sign including the historically appropriate colours of the sign and lettering in fonts such as Roman, Clarendon, Egyptian and sans serif styles.
- (c) The materials used to construct the proposed sign.
- (d) A cross-section of the sign and in the case of a wall sign, the proposed method of affixing the sign to the wall of the building.
- (e) The proposed means of external illumination of the sign.
- (f) Any other information Heritage Markham may prescribe or require.

10.3 No person shall erect or display a sign in a Special Sign District except in conformity with the regulations of Table E.

Table E – Signs Permitted in Special Sign Districts				
Sign Type	Minimum Frontage	Maximum Area	Maximum Height	Illumination
Wall Or Roof (Amended by By-law 2010-168)	N/A	0.30m ² per 1.0m of building façade, to a maximum of 5.0m ² (Except for Main Street, Unionville) 0.25m ² per 1.0m of building façade to a maximum of 2.25m ² (Main Street Unionville only) (Amended by By-law No. 2007-278)	N/A	External
Canopy	N/A	0.25 m ² per 1.0 m of building facade, to maximum 1.50 m ²	N/A	External
Projecting	N/A	0.75 m ²	N/A	External
Window	N/A	20% of the window	N/A	None
Single Occupant				
Sign Type	Minimum Frontage	Maximum Area	Maximum Height	Illumination
Ground	N/A	1.5 m ²	2.0 m	External
Multiple Occupant				
Sign Type	Minimum Frontage	Maximum Area	Maximum Height	Illumination
Ground	N/A	2.0 m ²	2.5 m	External

- 10.3.1 Table E – Signs Permitted in Special Sign Districts, shall not apply to a residential zone except that multiple family and other non-residential uses permitted in a residential zone shall be permitted a wall sign and a ground sign as per Table E(Amended by By-law 2003-66)
- 10.3.2 Table-E, Permission to use Roof Signs in Special Sign Districts, is at the discretion of Heritage Section Staff and may only be approved if there is historical precedent for the use of Roof Signs or there is no satisfactory location to install a Wall Sign.
(Amended by By-law 2010-168)
- 10.4 In addition to the regulations in Table E, the following regulations shall apply to signs in Special Sign Districts.
- 10.4.1 No sign shall obstruct or interfere with any architectural detailing on a building.
- 10.4.2 The following types of signs are prohibited: mobile sign, readograph sign, internally illuminated sign, billboard, and banner sign.
(Amended by By-law 2003-66)
- 10.4.3 Notwithstanding Section 10.4.2, a permanent non-electronic readograph sign shall be permitted for a religious institution for the purpose of identifying the times of services and programs.
- 10.4.4 A portable sign shall be erected in accordance with Section 11 only where there is no ground sign located on the premises.

11.0 PORTABLE, MOBILE AND BANNER SIGNS

- 11.1 A portable sign shall be placed on private property only in accordance with the following requirements:
- (a) The sign contains no more than two (2) sign faces and each sign face does not exceed a maximum area of 0.6 m²; and
 - (b) The sign does not exceed 0.6 metres in width and 0.9 metres in height; and
 - (c) The sign is not illuminated in any manner; and
 - (d) The sign is not located within 3 metres lateral distance from the closest edge of a sidewalk, driveway or road curb; and
 - (e) The sign is not located within 10 metres lateral distance from any other portable or mobile sign on the same lot or premises; and
 - (f) The sign has affixed to it a sticker issued by the Town as evidence that a permit has been obtained under this By-law.
 - (g) The sign shall be removed and stored indoors each evening at business close.

(Amended by By-law 2003-66)

- 11.2 A mobile sign shall be placed on private property only in accordance with the following requirements:
- (a) The sign does not exceed a maximum area of 6.0 m²; and
 - (b) The sign does not exceed 2.5 metres in height; and
 - (c) The sign is not located within:
 - (i) 20 metres lateral distance from any other portable or mobile sign on the same lot or premises; and
 - (ii) 30 metres lateral distance from a traffic light standard; and
 - (iii) 3 metres lateral distance from the closest edge of a sidewalk, driveway, fire hydrant, or road curb; and
 - (d) The sign has the name and telephone number of the sign company affixed to it in a clearly visible location; and
 - (e) The sign face must be black or white and the sign letters shall be black or white.
 - (f) A mobile sign shall not be permitted on a lot that has a ground sign containing a readograph which is greater than 2.0 square metres.

(Amended by By-law 2003-66
and By-law 2012-57)

- 11.3 Subject to section 11.4, each business at a municipal address shall be issued in a calendar year a maximum of:

- (a) Two sign permits for a either a portable, mobile or banner sign for a period of 21 days; or
- (b) Three sign permits for a either a portable, mobile or mobile sign for a period of 14 days.

(Amended by By-law 2003-66)

- 11.4 No business at a municipal address shall be issued a permit for a portable, mobile or banner sign unless a minimum period of 90 days has passed since the expiry date of the previous permit issued to the business for a portable or mobile sign at the municipal address.

- 11.5 A banner sign shall be placed on private property only in accordance with the following requirements:

- (a) The banner sign shall not exceed 6m².
- (b) The banner sign shall only be hung on the exterior wall of a building.

(Amended by By-law 2003-66)

12.0 MENU BOARDS

- 12.1 One menu board shall be permitted in association with a drive-through facility in

a commercial zone, provided the menu board is a maximum height of 2.5 metres and a maximum sign area of 4 m².

- 12.2 One pre-menu board shall be permitted in association with a drive-through facility in a commercial zone, provided the pre-menu board is a maximum height of 2.5 metres and a maximum sign area of 2 m².

13.0 SUBDIVISION DEVELOPMENT SIGNS

- 13.1 A subdivision development sign shall be located within the subdivision it advertises.
- 13.2 No two subdivision development signs shall be located within a subdivision closer than 300 metres to each other.
- 13.3 A subdivision development sign shall not exceed a maximum area of 12.0 m².
- 13.4 In addition to a subdivision sign, a maximum of two (2) ground signs having a maximum individual sign area of 10.0 m², shall be permitted outside the subdivision adjacent to each of the two (2) arterial roads nearest to the subdivision being advertised on the ground sign, and shall only permitted with the consent of the registered owner of the land on which they are located.
- 13.5 A subdivision development sign shall be removed when 100% of the units being advertised have been sold.
(Amended by By-law 2003-66)
- 13.6 A Subdivision Development Sign shall not be erected until the subdivision being advertised has been draft approved.
(Amended by By-law 2003-66)

14.0 REAL ESTATE DEVELOPMENT SIGNS

- 14.1 A real estate development sign shall be located on the property under development and shall not exceed the lesser of 12.0 m² or 0.25 m² of sign are per linear metre of street frontage.
- 14.2 One real estate development sign shall be permitted for each 300 metres of street frontage and shall be located no closer than 300 metres from any other real estate development sign on the property.
- 14.3 A real estate development sign shall only be erected if the zoning by-law for the

development is final and binding, notwithstanding any holding provision included in the zoning by-law.

14.A HOARDING SIGNS

- 14A.1 Hoarding Signs must face a street and shall only be permitted on hoarding which has been erected on or around property under development.
- 14A.2 Hoarding Signs shall not be permitted except where the Owner has entered into an Agreement with the Town which authorizes both the hoarding and the hoarding signs.
- 14A.3 Hoarding Signs must comply with an approved Sign Uniformity Plan.
- 14A.4 Hoarding Signs shall only be permitted on continuous lengths of hoarding on a street frontage of 50 metres or greater.
- 14A.5 One Hoarding Sign shall be permitted for each 30 metres of continuous street frontage and shall be located no closer than 30 metres from any other Hoarding Sign measured along the hoarding face, or from any Real Estate Development Sign, Subdivision Development Sign or Construction Sign on the property.
- 14A.6 No signage other than Public Information Signs may be located between Hoarding Signs.
- 14A.7 Hoarding Signs shall be located on the same street frontage used to calculate the maximum sign area of the Hoarding Sign.
- 14A.8 Hoarding Signs shall not project above the height of the hoarding.
- 14A.9 Hoarding Signs shall not be illuminated.
- 14A.10 Hoarding Signs shall not exceed 0.25 square metres of sign area per linear metre of continuous street frontage, to a maximum of not more than 18 square metres per sign. Of this sign area, the lesser of 25% or 3.5 square metres may be used for advertising or identification of the development.

(Amended by By-law No. 2004-320)

15.0 NEW HOME DEVELOPMENT SIGNS

- 15.1 A new home development sign shall be erected only in compliance with the regulations enacted by the Region.

16.0 POSTERS

- 16.1 No person shall affix or place a poster or cause a poster to be affixed to any public property except at a designated poster sleeve and in accordance with this By-law.
- 16.2 A person shall only affix or place one poster on a designated poster sleeve and such poster shall be in accordance with the following requirements:
- (a) Indicate the name of the person or business responsible for placing the poster; and
 - (b) Be no greater in size than 22 cm by 28 cm; and
 - (c) Conform to the shape of the poster sleeve; and
 - (d) Be attached to the poster sleeve only by staples, tacks, or push pins.
- 16.3 The Town may remove and dispose of lawfully and unlawfully placed posters without notice or compensation in accordance with the Town's regular maintenance activities.

17.0 Election Signs

(Section 17 amended in its entirety by By-law 2006-202)
(Section 17 amended in its entirety by By-law 2010-57)

- 17.1 **Time Period for Placement**
Election Signs shall not be erected anywhere within the Town prior to twenty eight (28) days before the date of the election, with the exception of designated intersections on Regional Roads as shown on Schedule G where Major Road Signs only are permitted to be erected forty two (42) days prior to the date of the election.
- 17.2 **Removal of Election Signs**
All Election Signs shall be removed within seventy two (72) hours after midnight of the date of the applicable election.
- 17.3 **Permit & Permit Fee Requirement**
No person shall erect an Election Sign on public property or on the premises of an Election Campaign Office without first obtaining a sign permit and payment of the appropriate fee as prescribed in By-law 2002-276 "Fee By-law".
- 17.4 **Public Property Restrictions**
Election Signs are not permitted anywhere on public property within the Town of Markham, other than on:

- (a) A municipal boulevard abutting a residential lot, where the property owner of the residential lot has consented to the placement of the sign;
- (b) On a road allowance at a designated intersection shown on Schedule F;
- (c) Notwithstanding clause (a), no Election Sign shall be placed on a municipal boulevard between a sidewalk and a curb or between a sidewalk and the travelled portion of the road.

17.5 Major Road Signs

Election Signs erected on road allowances at designated intersections or on private property within the Rural Residential Area (both as shown on Schedule F) are defined as Major Road Signs in this By-law, and shall comply with the following:

- (a) The area of the sign shall not exceed 1.49m²;
- (b) The area of the size shall not be less than 1.0m²;
- (c) The height of the sign shall not exceed 1.22m;
- (d) The width of the sign shall not exceed 1.22m;
- (e) The sign shall be no higher than 2.0m above the ground;
- (f) There is only one sign per candidate at any corner of a designated intersection;
- (g) No portion of the sign shall be located within three (3) metres of the curb, the edge of the travelled highway, or the shoulder of the highway;
- (h) No portion of the sign shall be located within one (1) metre of a sidewalk;
- (i) The sign shall be placed within fifty (50) metres of the corner, but shall not be placed within the Daylight Triangle;
- (j) Only one sign per candidate is permitted on private property within the Rural Residential Area, and the sign shall be placed within the portion of private property being maintained for residential purposes;
- (k) Major Road Signs are prohibited in Special Sign Districts (Heritage District Areas).

17.6 Lawn Signs

Election Signs erected on private property or on the municipal boulevard abutting the front yard in residential zones are defined as Lawn Signs in this by-law and shall comply with the following:

- (a) The sign may be erected only with the consent of the owner of the private property on which the sign is located or the abutting municipal boulevard;
- (b) The area of the sign shall not exceed 0.75m²;
- (c) The sign shall be no higher than 2.0m above the ground;
- (d) Only one sign per candidate is permitted on the residential lot or where no sidewalk exists in the abutting municipal boulevard;
- (e) Where the sign is placed adjacent to a curb or the travelled

portion of the road, the sign must be set back a minimum of 1.8m from the curb or travelled portion of the road;

- (f) Where the sign is placed adjacent to a sidewalk, the sign shall be set back a minimum of 0.6m from the edge of the sidewalk;
- (g) Subsection (g) does not apply when the sidewalk is less than 0.6m from the main wall of the building, in which case the sign shall be placed at the furthest distance possible from the sidewalk;
- (h) The sign shall independently attached to the ground;
- (i) Within Special Sign Districts (Heritage District Areas), Lawn Signs may be placed on private residential or commercial properties and shall not be placed on the abutting municipal boulevard.

17.7 Election Campaign Office

Each candidate is permitted to use signage permitted under the Sign By-law for Election Signage, except for Mobile, Portable, and Banner signage at one designated Election Campaign Office only and is further entitled to the following exemptions to the Sign By-law:

- (a) A single Major Road sign, displaying the words “ Campaign Headquarters” may be placed on private property where the candidate does not display any signage on a Ground Sign permitted under the By-law;
- (b) Within 42 days of the applicable election date, regular Sign By-law restrictions for the placement of signs in windows of the portion of the building occupied by the candidate’s Election Campaign Office are not applicable;
- (c) The above exemptions for the placement of signs do not apply to a Election Campaign Office located in a residential or institutional zone.

17.8 Restrictions on Sign Placement

No Election Signs shall be displayed or erected:

- (a) In any park or open space area or any municipal boulevard abutting any park or open space area;
- (b) On the property of any municipal, provincial or federal building or any school, or on the municipal boulevard abutting such facilities;
- (c) On the property of a Voting Place, or the municipal boulevard abutting any Voting Place;
- (d) On vacant lands or the abutting municipal boulevard;
- (e) Attached to a fence, wall, hoarding, or any other structure;
- (f) Attached to a tree, bush, or any other form of vegetation;
- (g) Attached to a utility pole, bus shelter, traffic sign, or any other municipal infrastructure;
- (h) Within five (5) metres of a fire hydrant or bus shelter;
- (i) Within ten (10) metres of a non- residential driveway;
- (j) On any centre median, traffic island, or centre boulevard within a road allowance;

- (k) Within a Daylight Triangle;
- (l) So as to impair or obstruct movement of vehicular traffic, or the visibility of warning devices and traffic signs or signals;
- (m) Other than independently attached to the ground.

17.9 Fences on Municipal Boulevard

For the purposes of this By-law, all fences abutting a municipal boulevard shall be deemed to be on the property line and no Election Sign shall be erected on the fence.

18.0 EXCEPTIONS

18.1 The provisions of this By-law are modified to the extent set out in the following exceptions. Unless otherwise indicated in the following exceptions, all of the provisions of this By-law which are not inconsistent with the following exceptions shall apply.

18.2 Signs will be permitted on the lands delineated on Schedule “G” to this By-law only as follows:

- (a) Ground signs will only be permitted at the locations identified in Schedule “H.”
- (b) All signs other than ground signs will be permitted as identified on Schedule “I.”
- (c) No ground or wall sign shall be permitted on the lands except at the locations delineated in Schedule “I” and as specifically shown on Schedules “J-1” to “J-22” inclusive.

18.3 Notwithstanding Section 5.3.9, a second ground sign shall be permitted along the Markham Road frontage subject to the following:

- (a) No two signs shall be setback less than 45 metres from each other.
- (b) No ground sign is permitted along the Denison Road frontage.
- (c) No ground sign is permitted on the parcel of land immediately to the north as outlined on Schedule A to this by-law.

(Amended by By-law No. 2006-169)

19.0 VARIANCES

19.1 An application for variance shall be made on the appropriate form and shall be accompanied by the appropriate fee, as set out in Schedule “A”.

19.2 The Commissioner of Development Services shall prepare a report for the consideration of Development Services Committee, setting out the reasons for the variance and a recommendation to Council.

- 19.3 The Town Clerk shall notify the applicant once a hearing date before the Development Services Committee has been fixed and if the applicant does not attend at the appointed time and place, the Development Services Committee may proceed in the absence of the applicant and the applicant will not be entitled to further notice in the proceeding.
- 19.4 The Development Services Committee may recommend authorization for variances from the provisions of this By-law, if in the opinion of the Committee, the general intent and purpose of the By-law are maintained..
- 19.5 In considering an application for a variance, the Development Services Committee and Council shall have regard for :
- (a) Special circumstances or conditions applying to the land, building or use referred to in the application.
 - (b) Whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law.
 - (c) Whether such special circumstances or conditions are pre-existing and not created by the owner or applicant.
 - (d) Whether the sign that is subject of the variance will alter the essential character of the area.
- 19.6 Council may uphold or vary the recommendations of the Development Services Committee or do any act or make any decision that it might have done, had it conducted the hearing itself and the applicant shall not be entitled to a further hearing on the matter before Council and the decision of Council shall be final.

20.0 PENALTIES AND ENFORCEMENT

- 20.1 Every person who contravenes any provision of this By-law is guilty of an offence. Pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, upon conviction a person is liable to a fine of not more than \$5,000.00 exclusive of costs.
- 20.2 Where a person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy or penalty provided for by law, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 20.3 Where a sign is erected or displayed on, over, partly on, or partly over, property owned by or under the jurisdiction of the Town of Markham, such sign may be removed immediately by the Town without notice.

- 20.4 Where a sign is erected or displayed in contravention of this By-law, the Manager may immediately pull down or remove any sign that he determines constitutes a safety hazard or a concern.
- 20.5 Deleted by By-law 2012-191
- 20.6 Deleted by By-law 2012-191
- 20.7 Deleted by By-law 2012-191
- 20.8 Where a sign erected on private property does not comply with this by-law or a permit issued under this by-law, the Manager may issue a Notice to Remove requiring the sign owner to bring the sign into conformity in the manner and within the time specified in the Notice to Remove.
(Amended by By-law 2003-98 and 2012-191)
- 20.9 The Notice to Remove mentioned in Sub-section 20.8 may be served:
(a) By service upon the persons in charge of the business associated with the advertising device or by
(b) Posting a copy of the Notice to Remove either on the sign in respect of which the Notice to Remove is made, or upon the land which the sign is located.
(Amended by By-law 2012-191)
- 20.10 Where the order is served in accordance with Section 20.9, it is deemed to have been received by the party being served upon the mailing or posting of the order.
- 20.11 Where a sign is not removed or a site is not restored as required by an order under Section 20.8, the Manager may have the sign removed and the site restored. For this purpose, the Manager, an inspector and their contractor or other agent may enter upon the lot and premises at any reasonable time.
- 20.12 The cost incurred by the Town in removing a sign or restoring a site under Section 20.11 is deemed to be municipal taxes and may be added to the collector's roll and collected in the same manner as municipal taxes. Despite the foregoing, the cost incurred by the Town in removing a sign or restoring a site under Section 20.11 is a debt due the Town of Markham and may be recovered in any court of competent jurisdiction.
- 20.13 Any sign removed by the Town shall be stored by the Town for thirty (30) days, during which time the sign owner may redeem such sign upon payment of the applicable fee prescribed on Schedule "A."
(See By-law 2002-276 for fee schedule)
- 20.14 Where a sign has been removed by the Town and stored for a period of thirty (30) days and has not been redeemed by the sign owner, such sign may be

destroyed or otherwise disposed of by the Town after thirty (30) days without notice or compensation.

- 20.15 Any *election sign* erected or installed in violation of this By-law shall be removed under the direction of the *Manager* and any costs associated with this removal shall be deducted from the election sign deposit in accordance with the sign removal fee prescribed in *By-law 2002-276 "Fee By-law"*. Any costs incurred in excess of the *election sign* deposit shall be invoiced to the registered candidate. Unpaid invoices may be collected by action or the amount added to the tax roll and collected in the same manner as taxes.

(Amended by By-law No. 2006-202)

(See By-law 2002-276 for fee schedule)

- 20.16 *Rebuttable Presumption*

Where a sign is found in contravention of the By-law, the person who is named on or who is the subject of the advertising on the sign shall be presumed to have placed, erected or displayed the sign, or caused same, which presumption may be rebutted by evidence to the contrary, on a balance of probabilities.

(Amended by By-law No. 2017-85)

21.0 SERVICE FEES

(Added in entirety by By-law 2018-113)

- 21.1 The municipal service fees for the administration and enforcement of this By-law shall be in accordance with the **City's Fees By-law** and any revisions thereto.

- 21.2 Service fees for the administration and enforcement of this By-law may be applied when a contravention has been confirmed by a **Municipal Law Enforcement Officer.**"

22.0 COLLECTION OF UNPAID FINES

(Added in entirety by By-law 2018-113)

- 22.1 Pursuant to subsection 441.1 of the *Municipal Act, 2001*, the **Treasurer** of the **City** may add any part of a fine for a commission of a provincial offence that is in default under section 69 of the *Provincial Offences Act* to the tax roll for any property in the **City** which all of the **Owners** are responsible for."

23.0 CONFLICT

- 23.1 Where a provision of this By-law conflicts with a provision of any applicable government regulation, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.
- 23.2 Where a provision of this By-law conflicts with any other By-law, the By-law which carries the higher standard shall prevail.

24.0 VALIDITY

- 24.1 If a court of competent jurisdiction declares any section or part of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

25.0 REPEAL

- 25.1 By-law 121-93 and By-law 247-94 are hereby repealed effective the date of the passing of this By-law.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
28TH DAY OF MAY, 2002.

“Sheila Birrell”

SHEILA BIRRELL, TOWN CLERK

“Frank Scarpitti”

FRANK SCARPITTI, MAYOR

SCHEDULE "A"
TO BY-LAW NO. 2002-94

SCHEDULE "A" DELETED IN ITS ENTIRETY BY BY-LAW 2002-280

**BY-LAW 2012-137 SETS FEES OR CHARGES FOR SERVICES OR
ACTIVITIES**

SCHEDULE "C"
TO BY-LAW NO. 2002-94

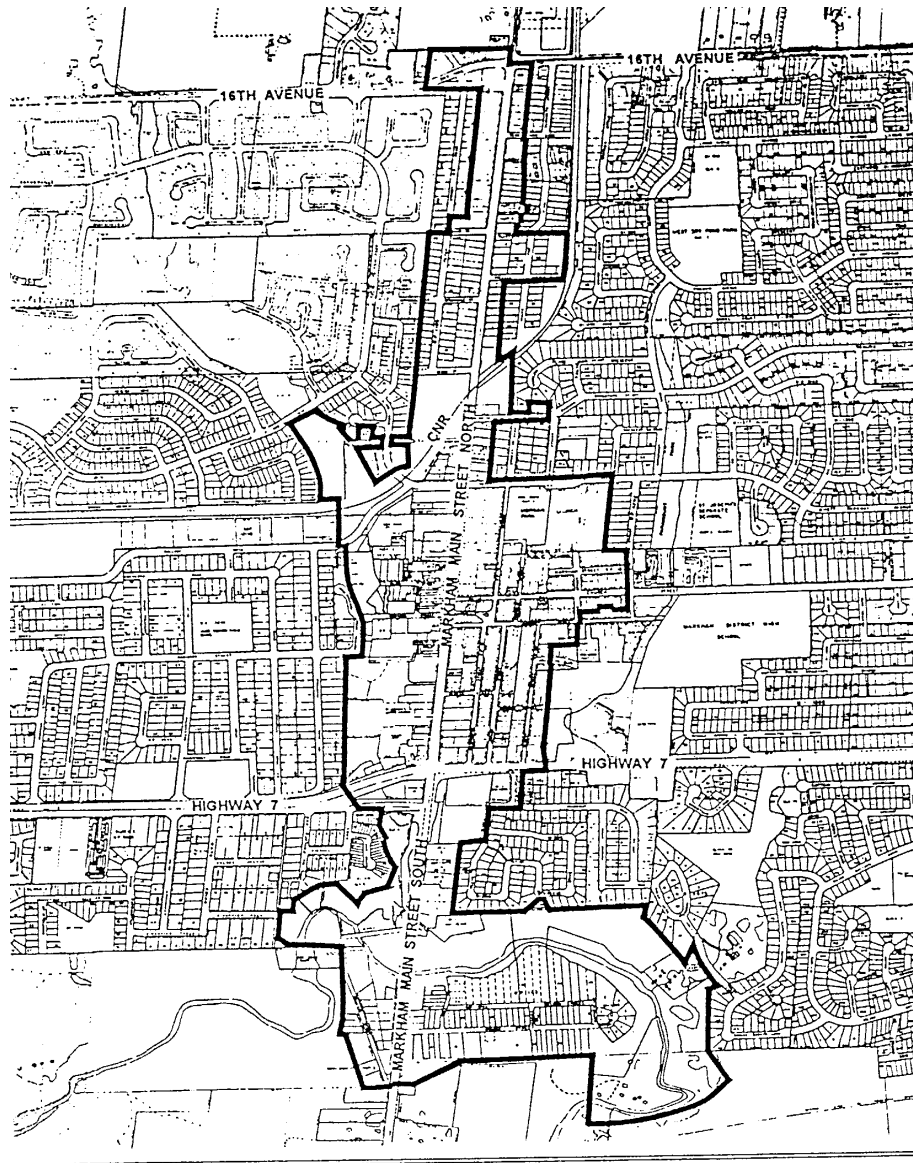


A SPECIAL SIGN DISTRICT – UNIONVILLE

 BOUNDARY OF AREA COVERED BY THIS BY-LAW



SCHEDULE "D"
TO BY-LAW NO. 2002-94

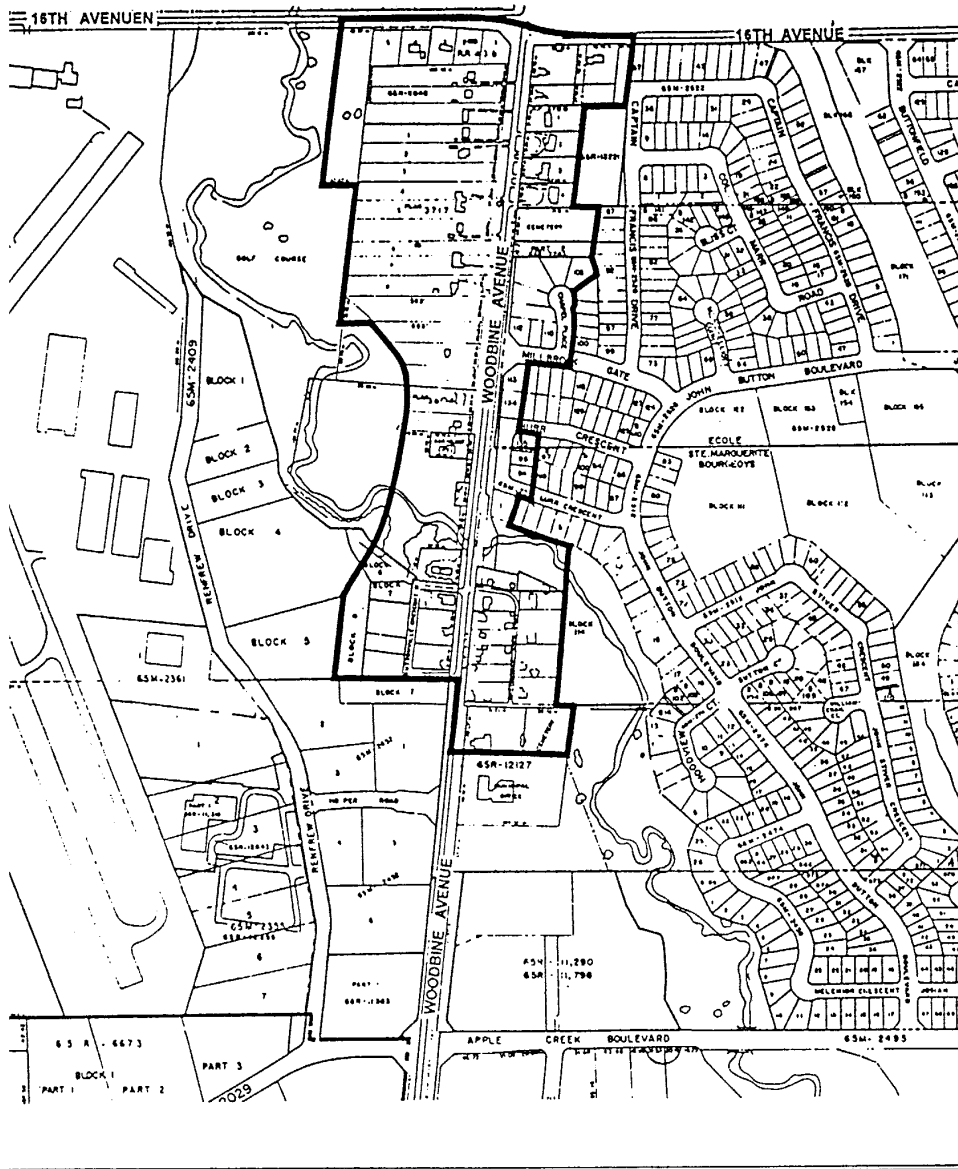


TOWN OF MARKHAM

A SPECIAL SIGN DISTRICT - MARKHAM

— BOUNDARY OF AREA COVERED BY THIS BY-LAW

SCHEDULE "E" TO BY-LAW NO. 2002-94



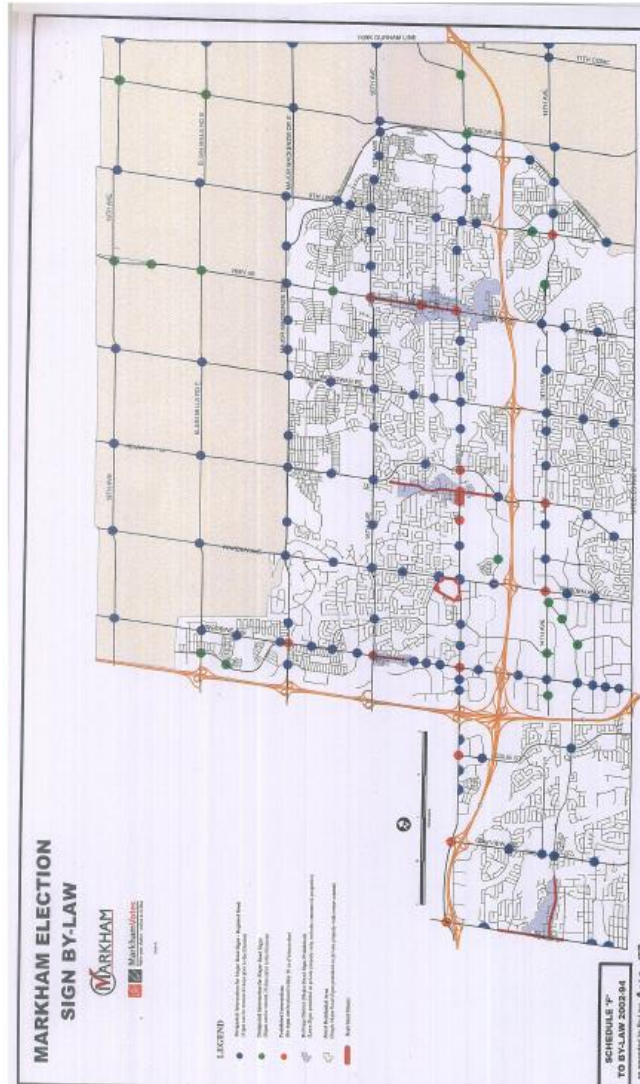
TOWN OF MARKHAM A SPECIAL SIGN DISTRICT - BUTTONVILLE

———— BOUNDARY OF AREA COVERED BY THIS BY-LAW

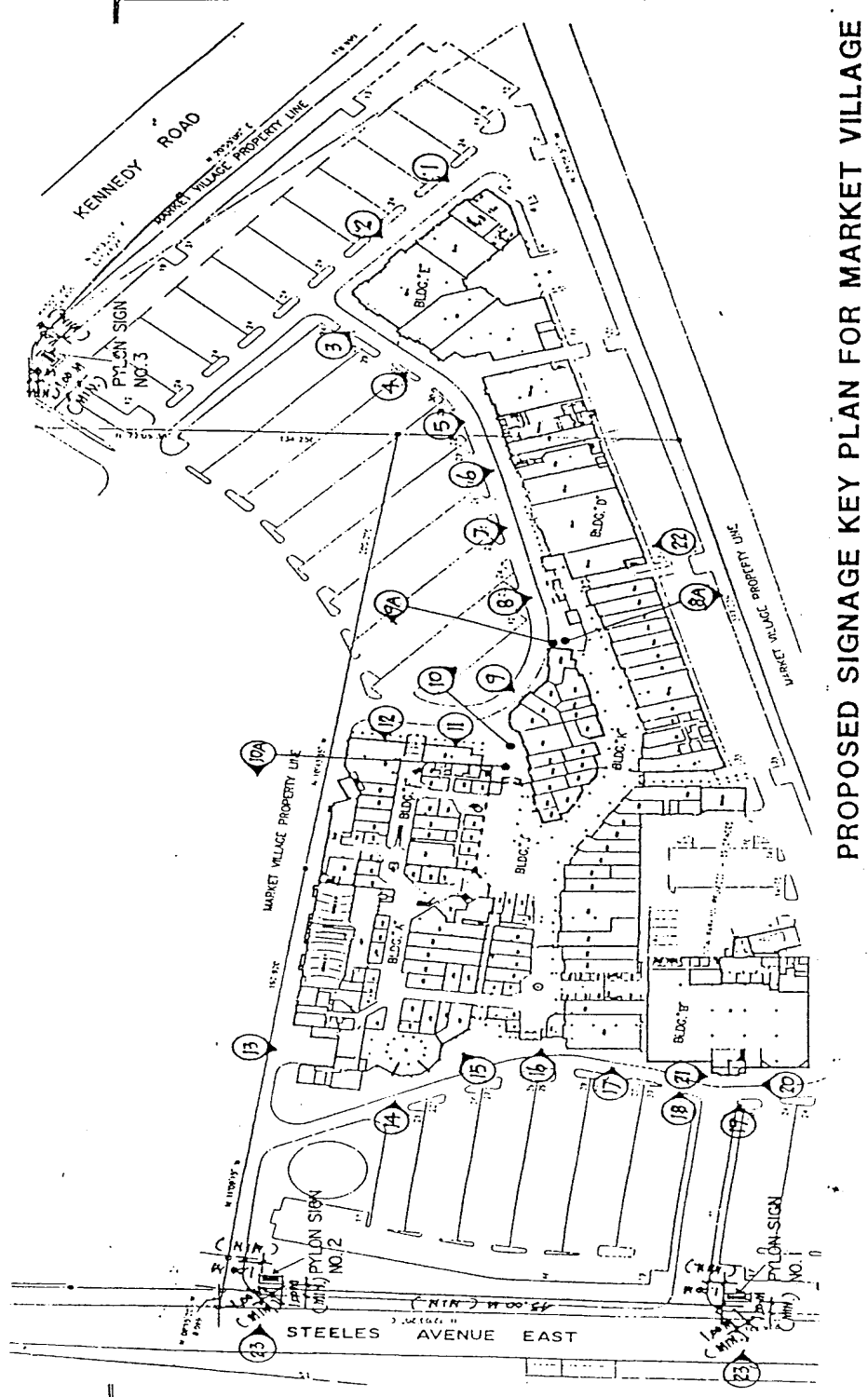
SCHEDULE "F"
TO BY-LAW NO. 2002-94

(Amended by By-law No. 2006-202)
(Amended by By-law No. 2010-57)

Designated Road Allowances and Rural Residential Signage Area

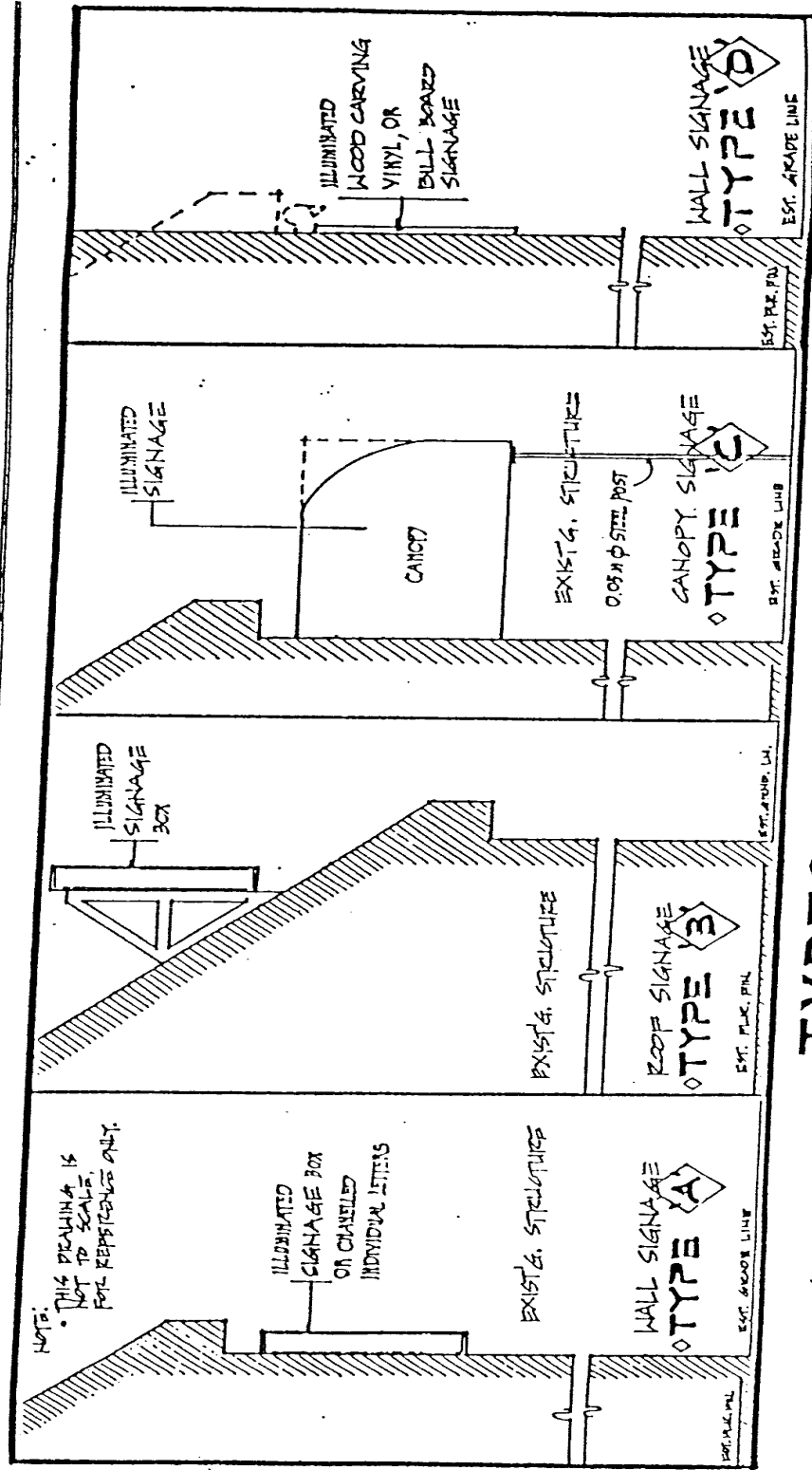


SCHEDULE "H" TO BY-LAW NO. 2002-94



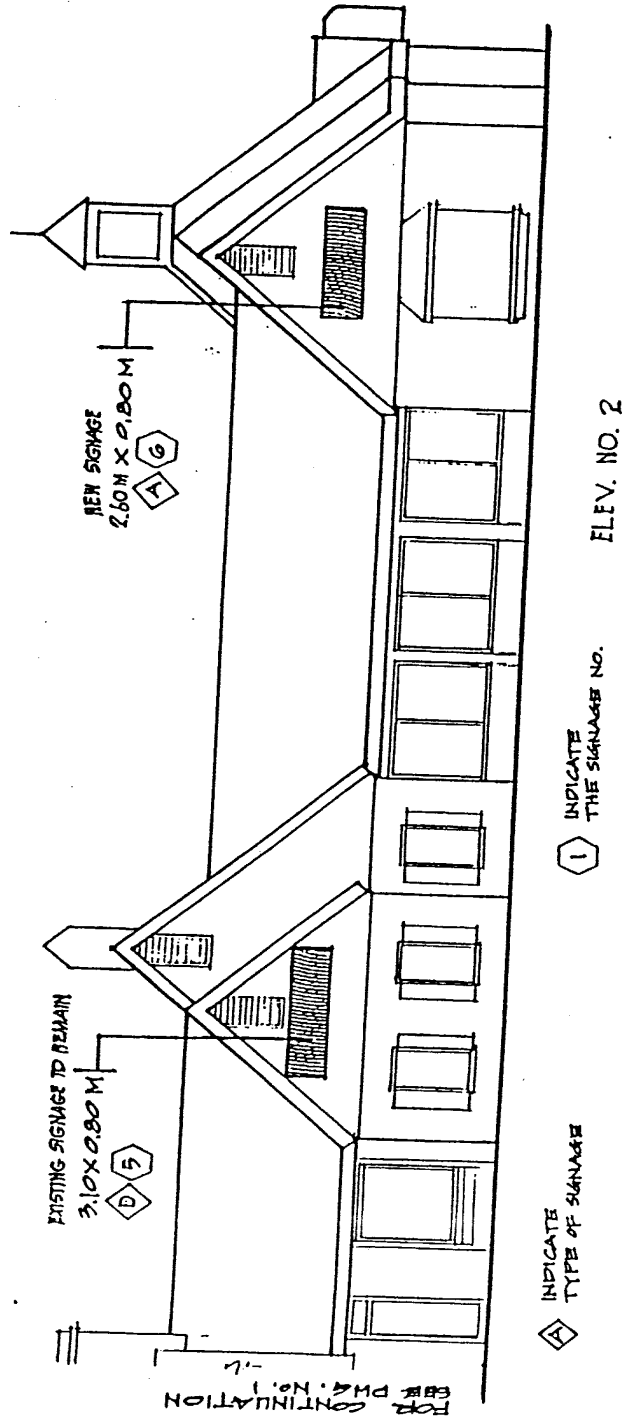
PROPOSED SIGNAGE KEY PLAN FOR MARKET VILLAGE

SCHEDULE "I" TO BY-LAW NO. 2002-94

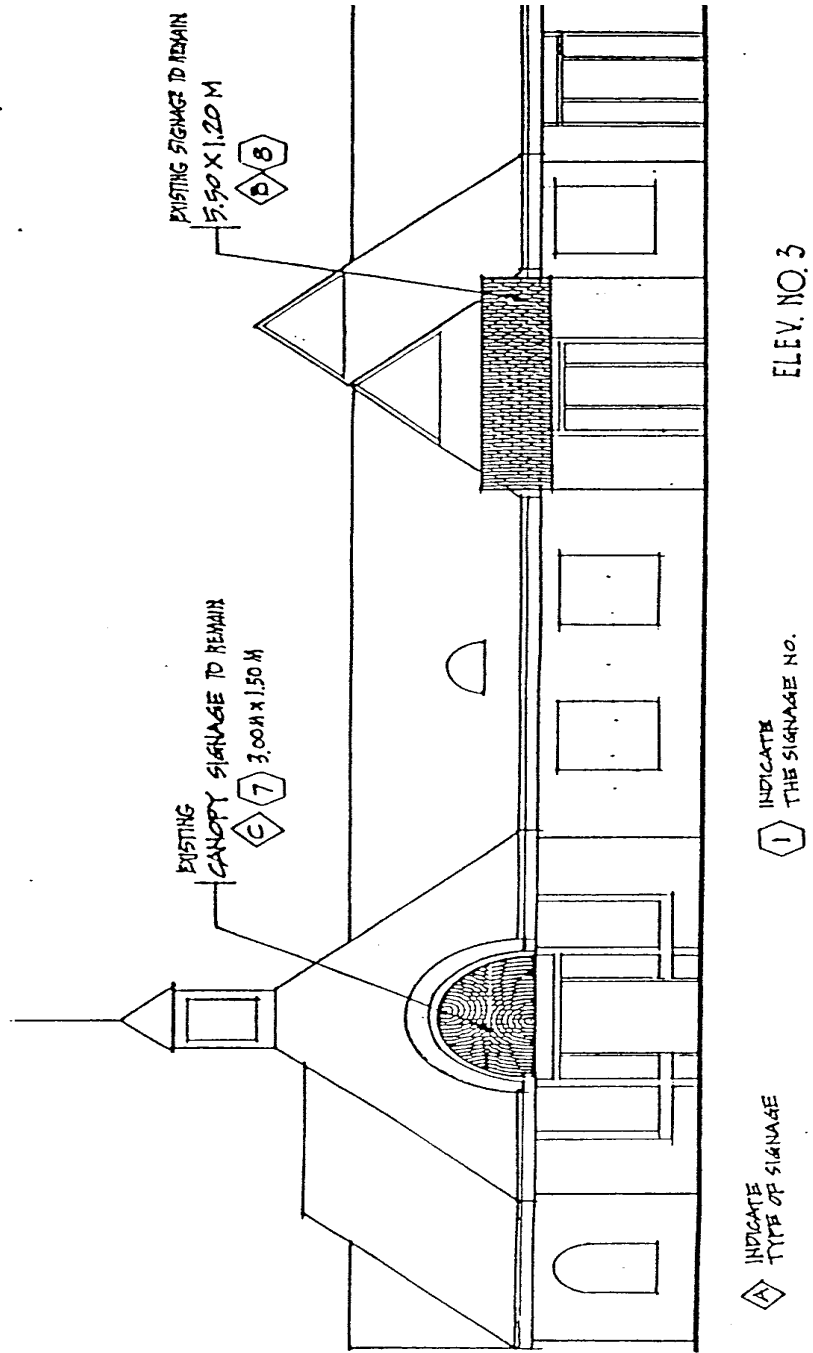


TYPES OF SIGNAGE

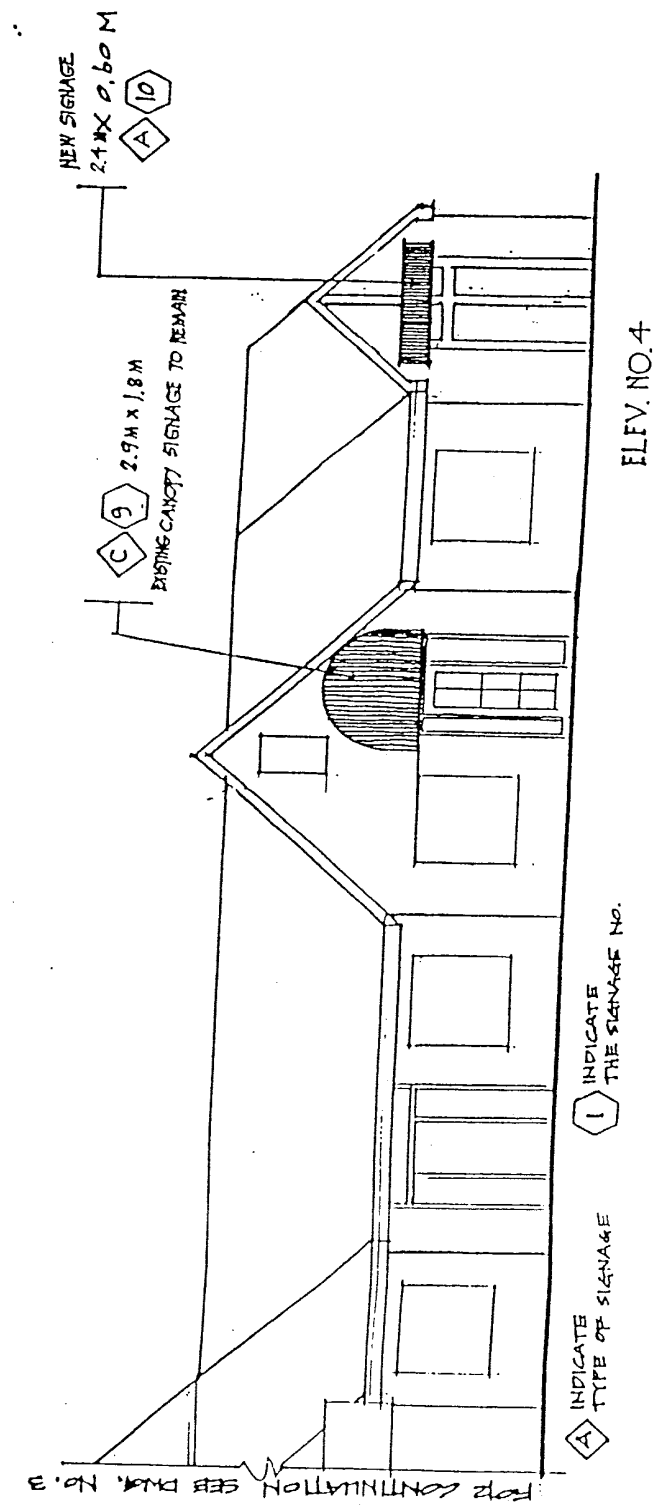
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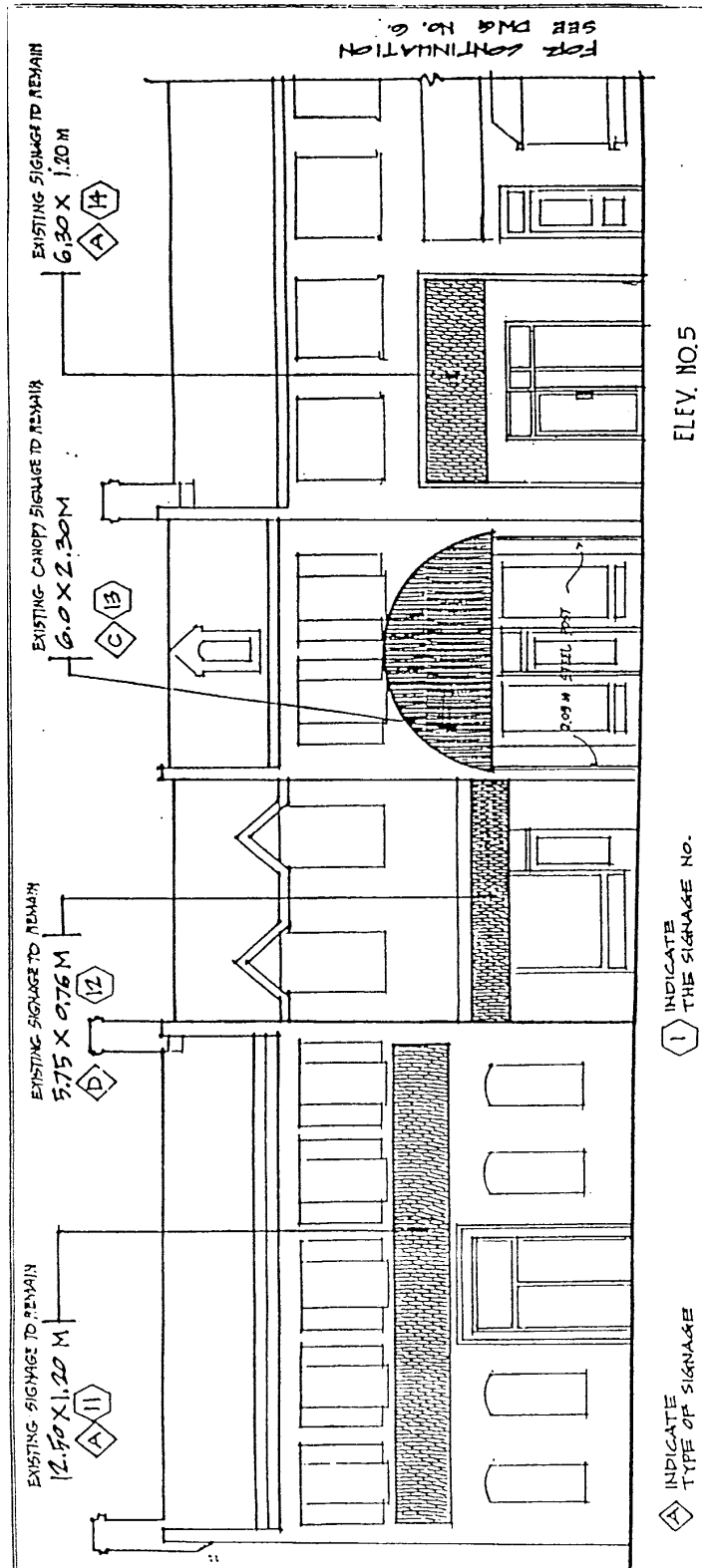
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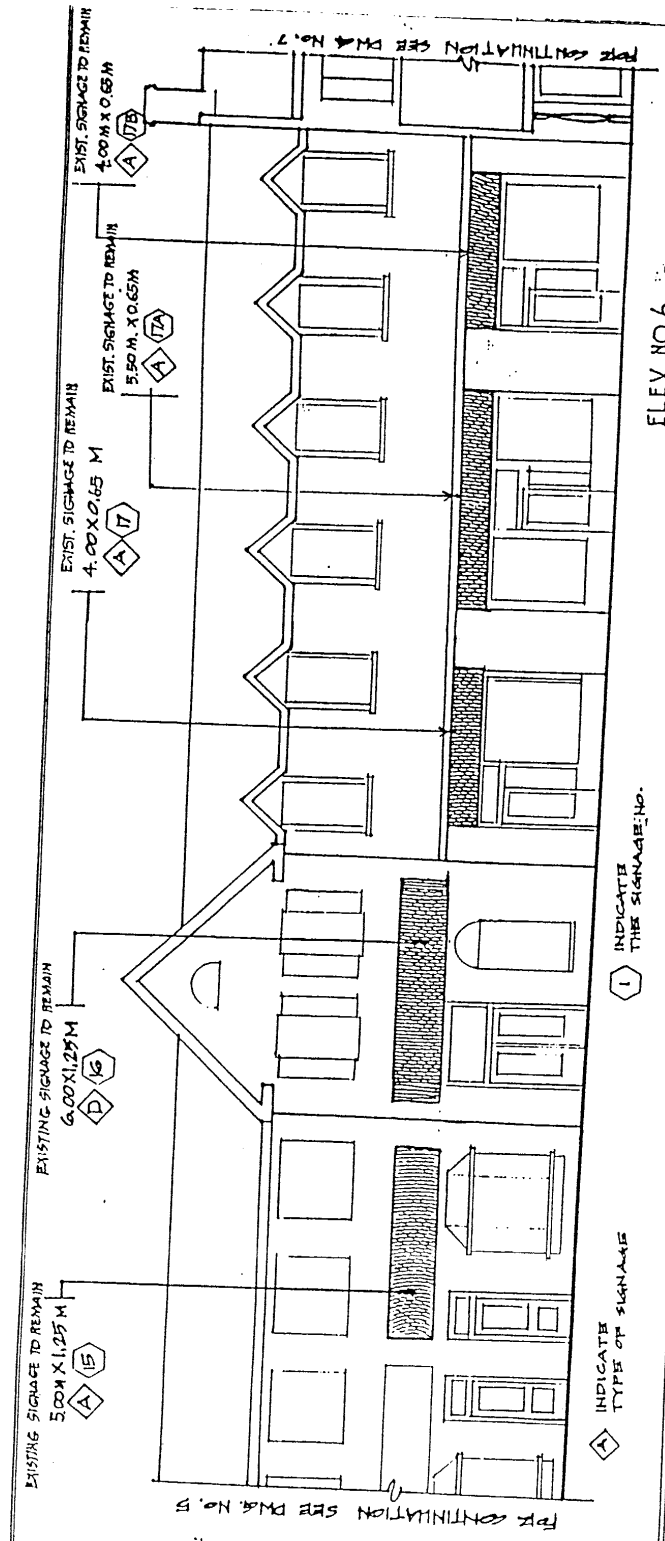
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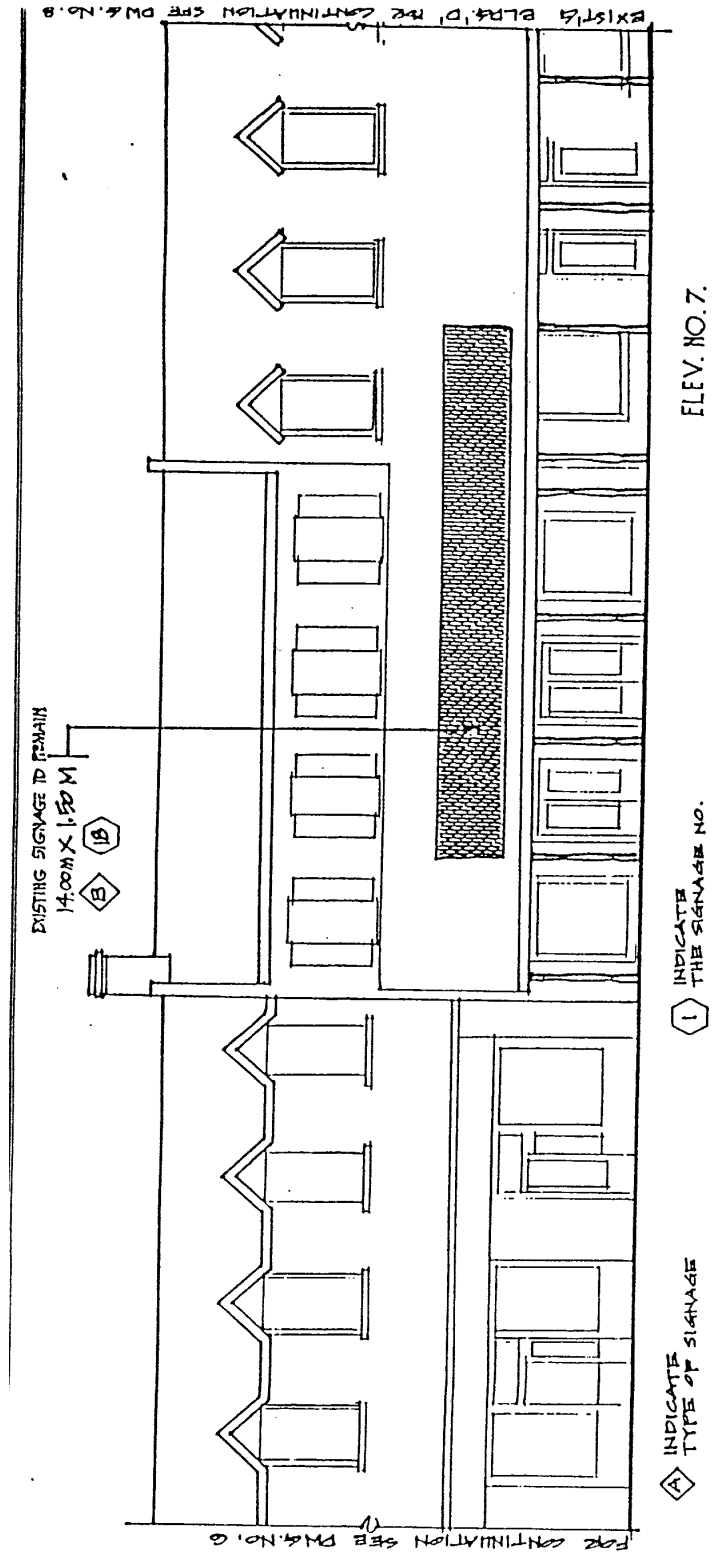
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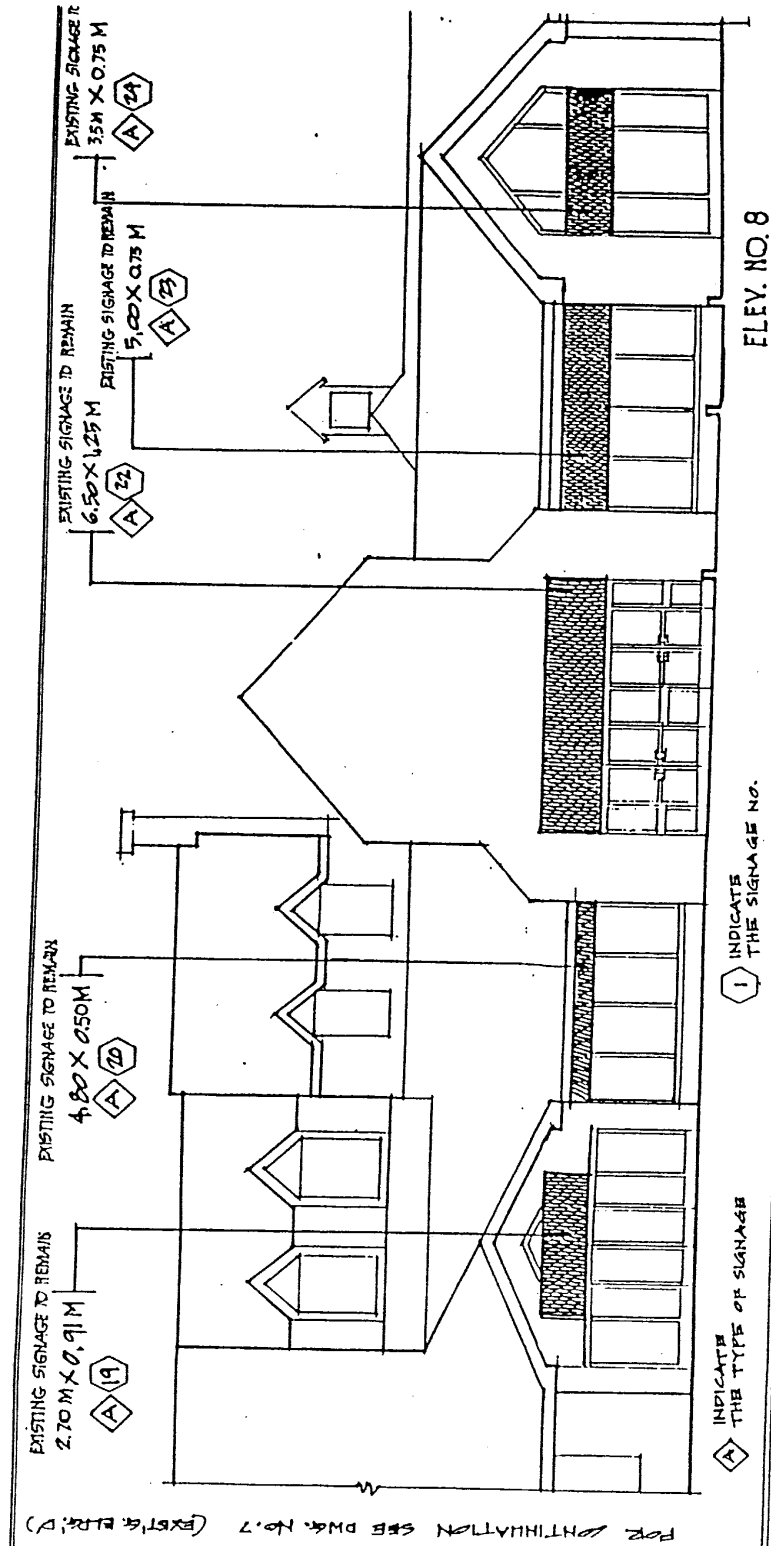
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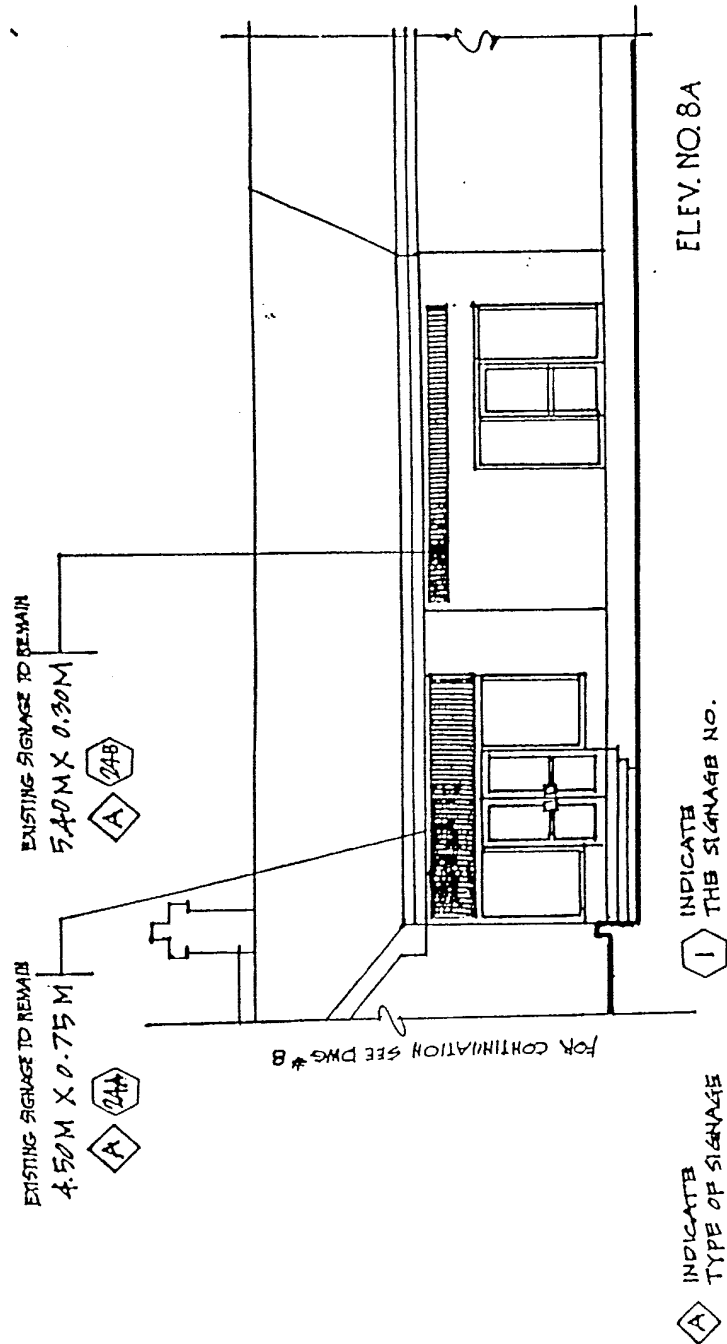
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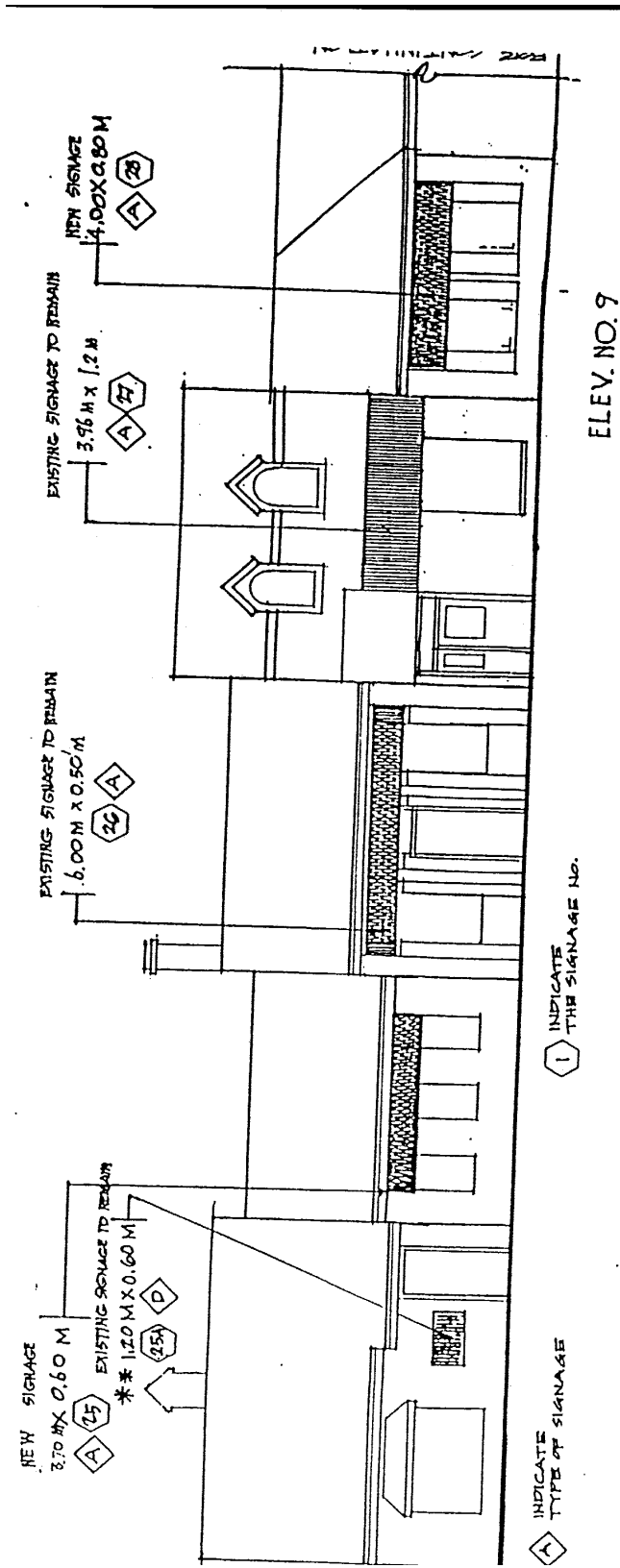
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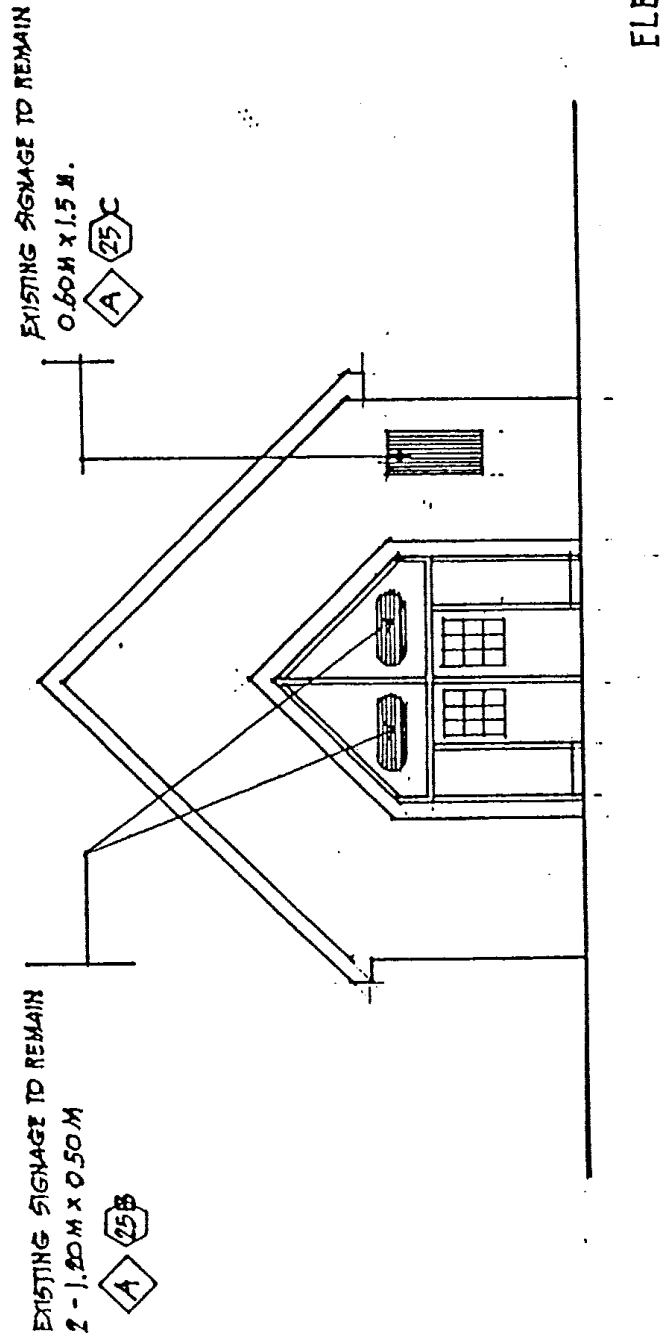
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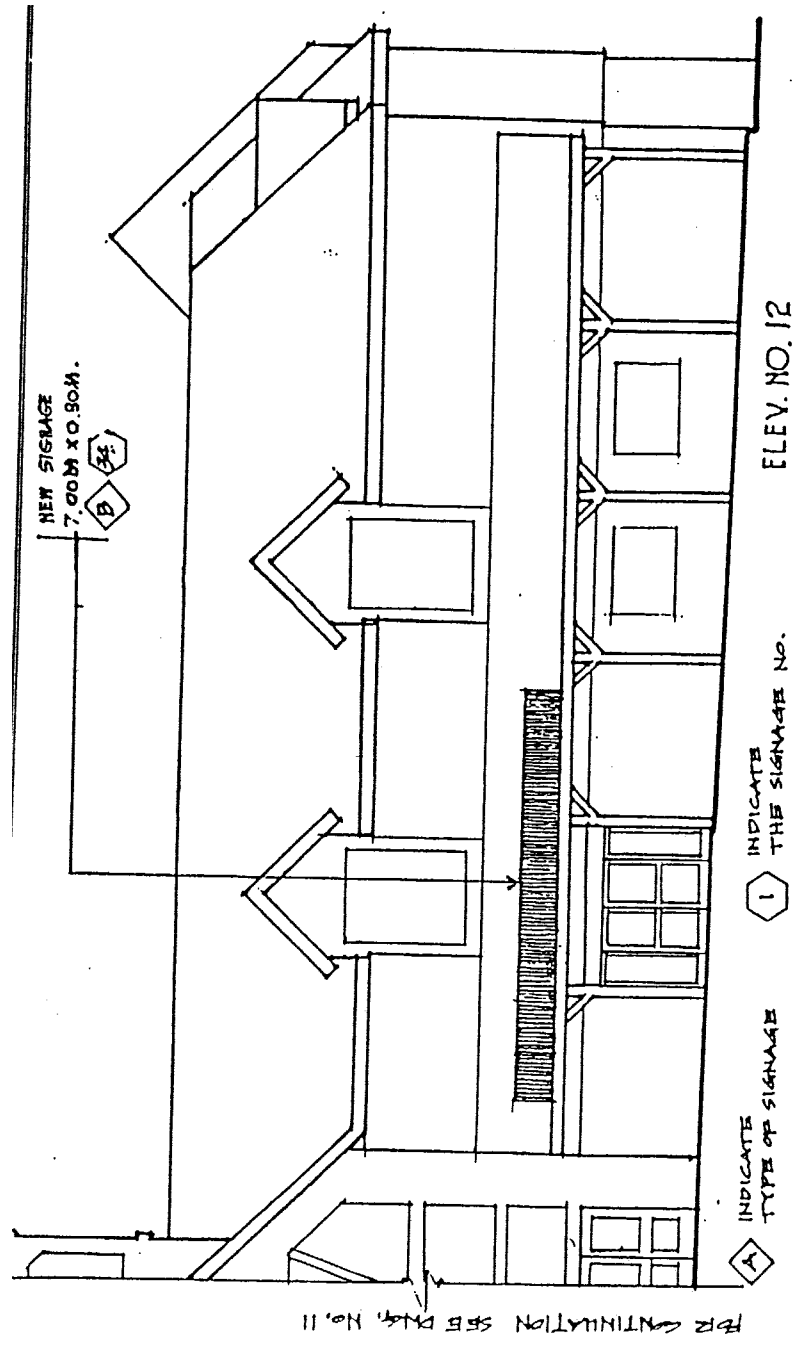
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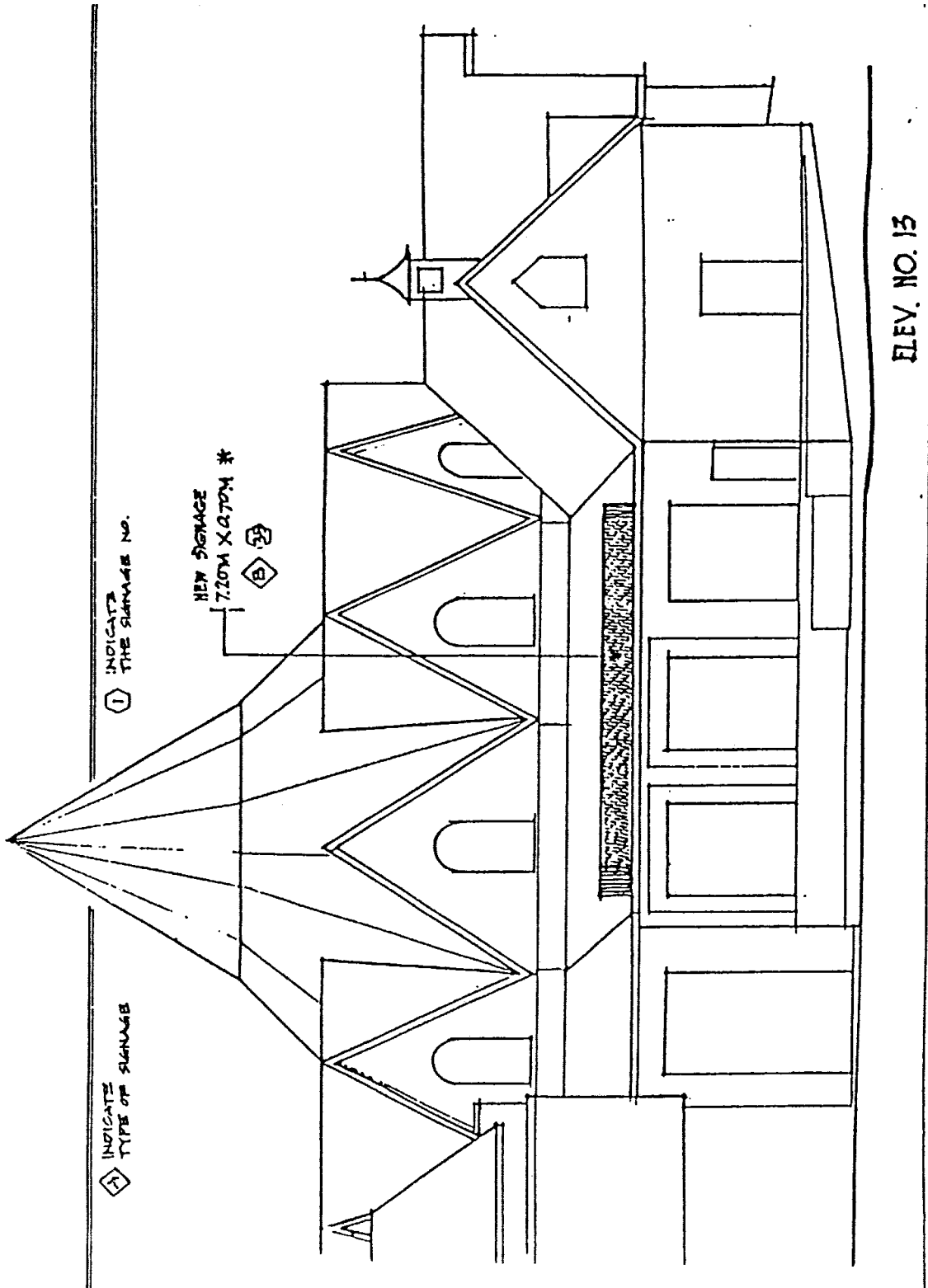
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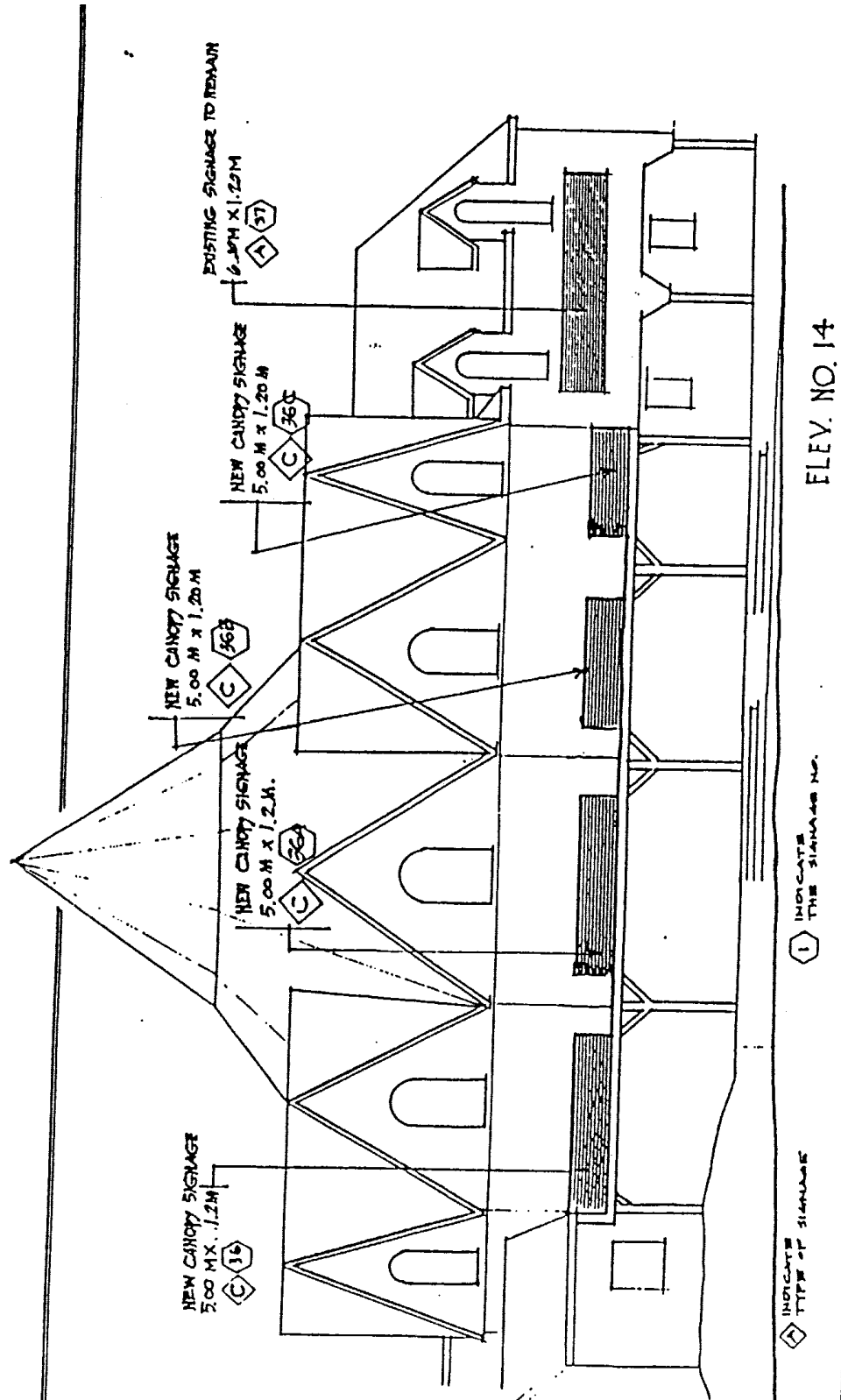
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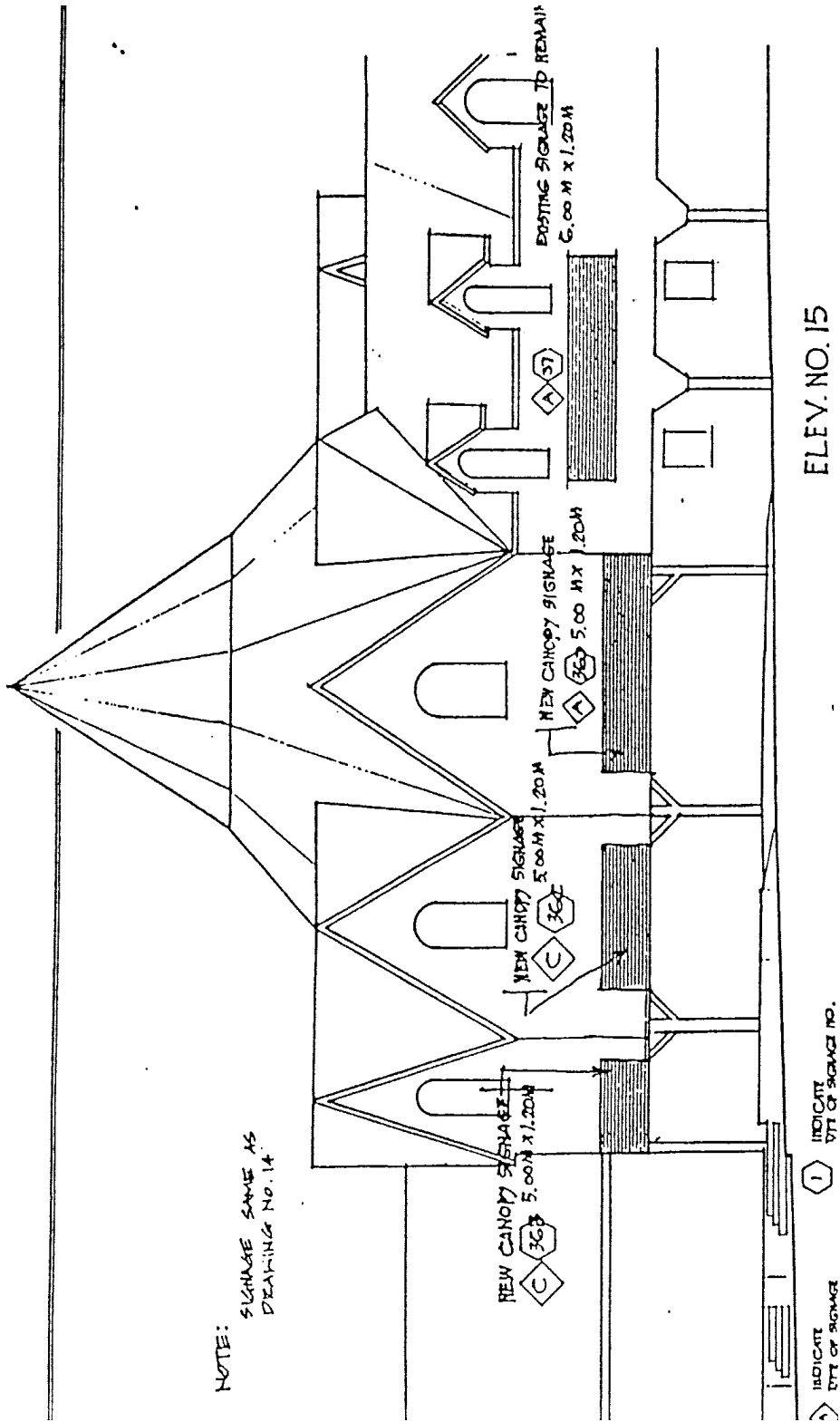
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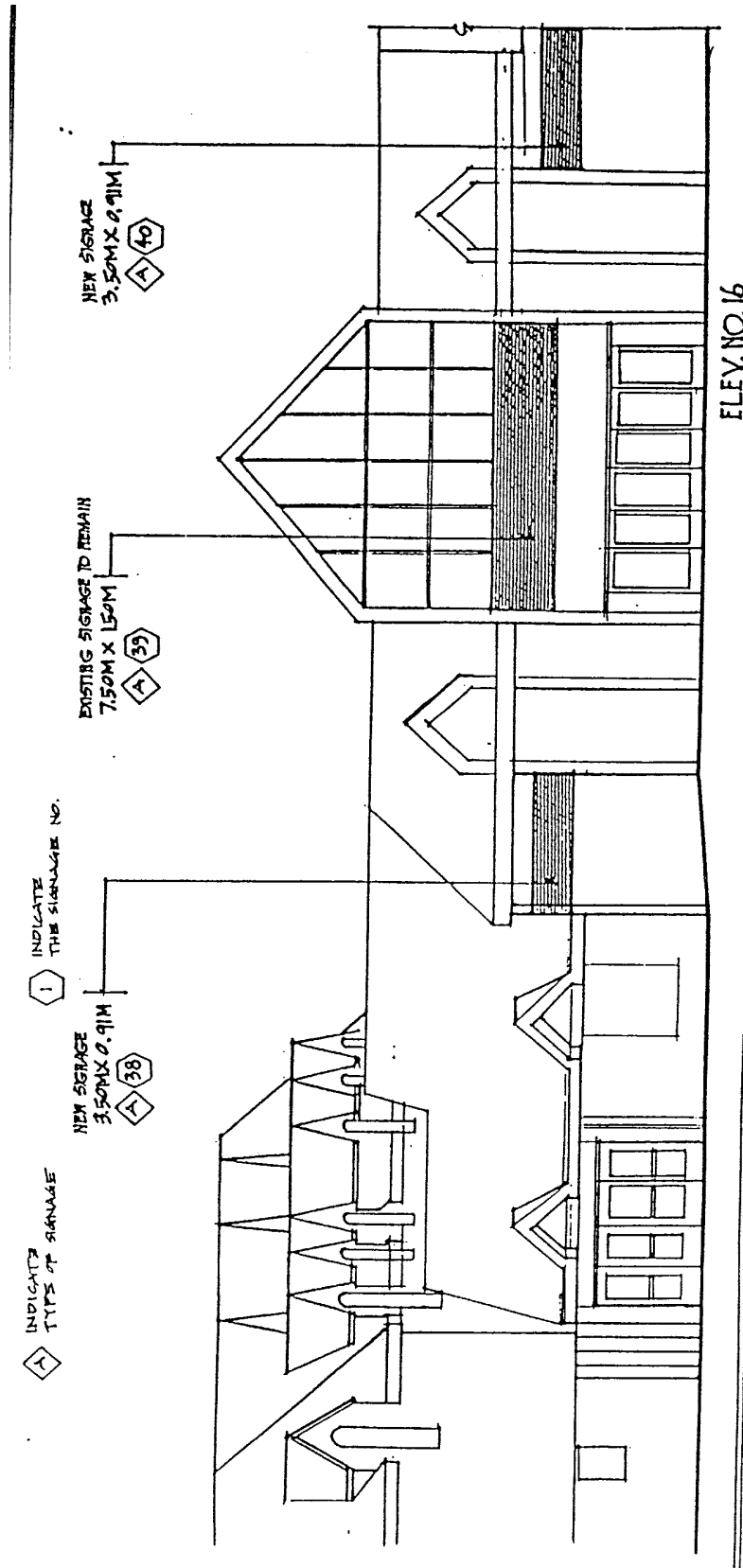
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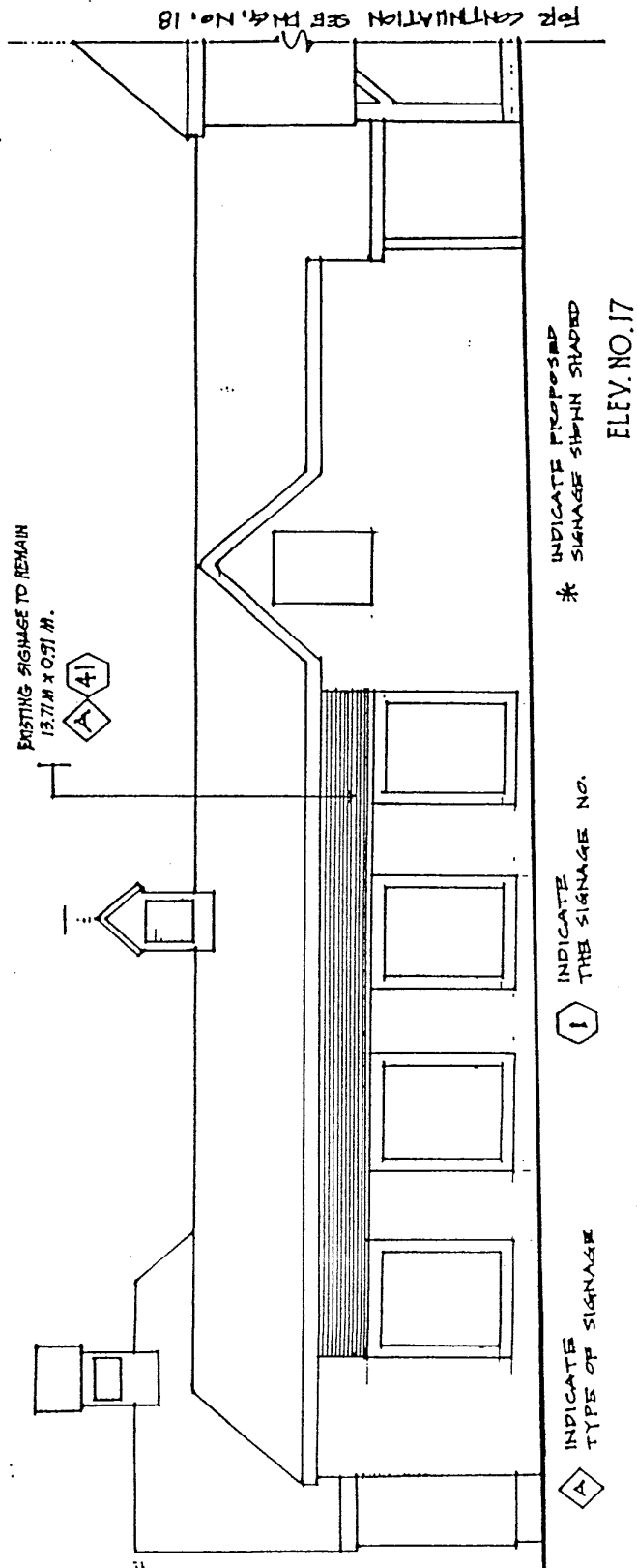
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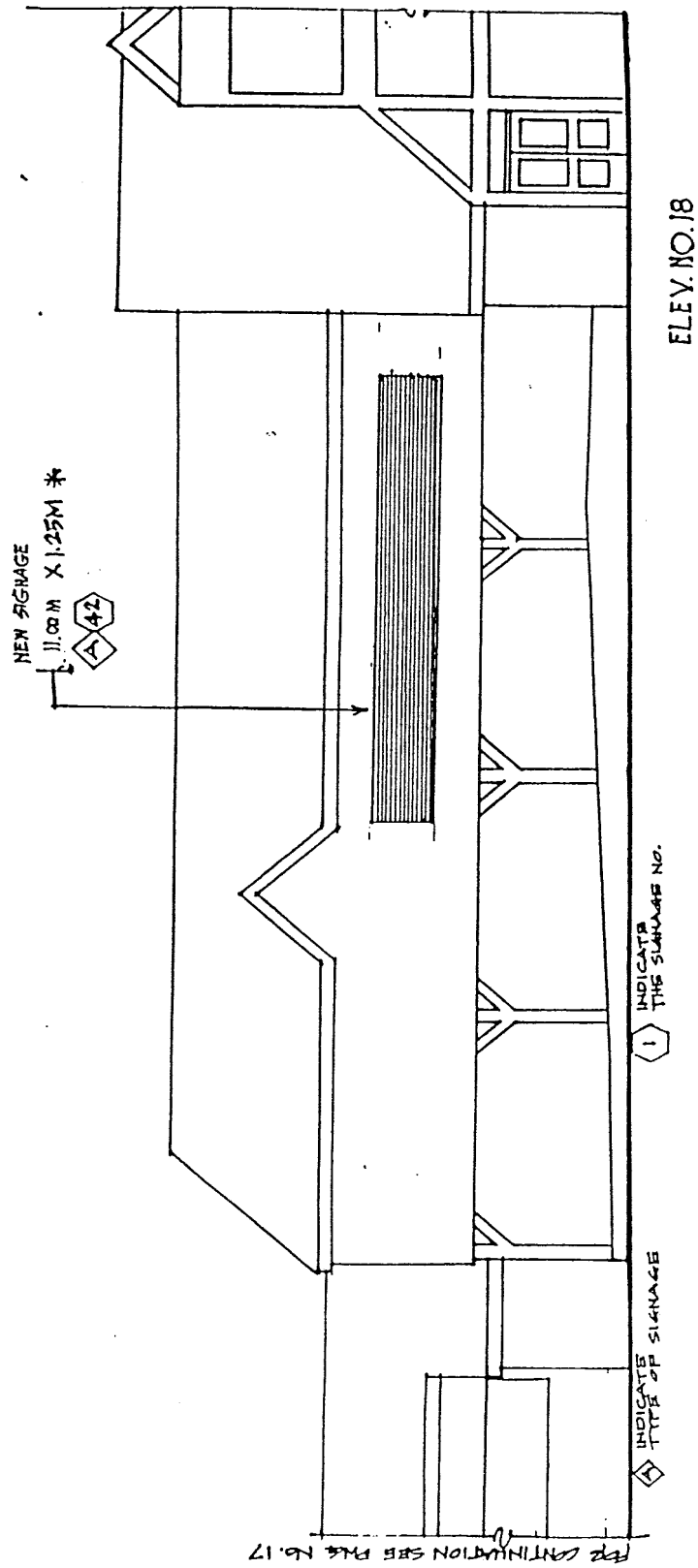
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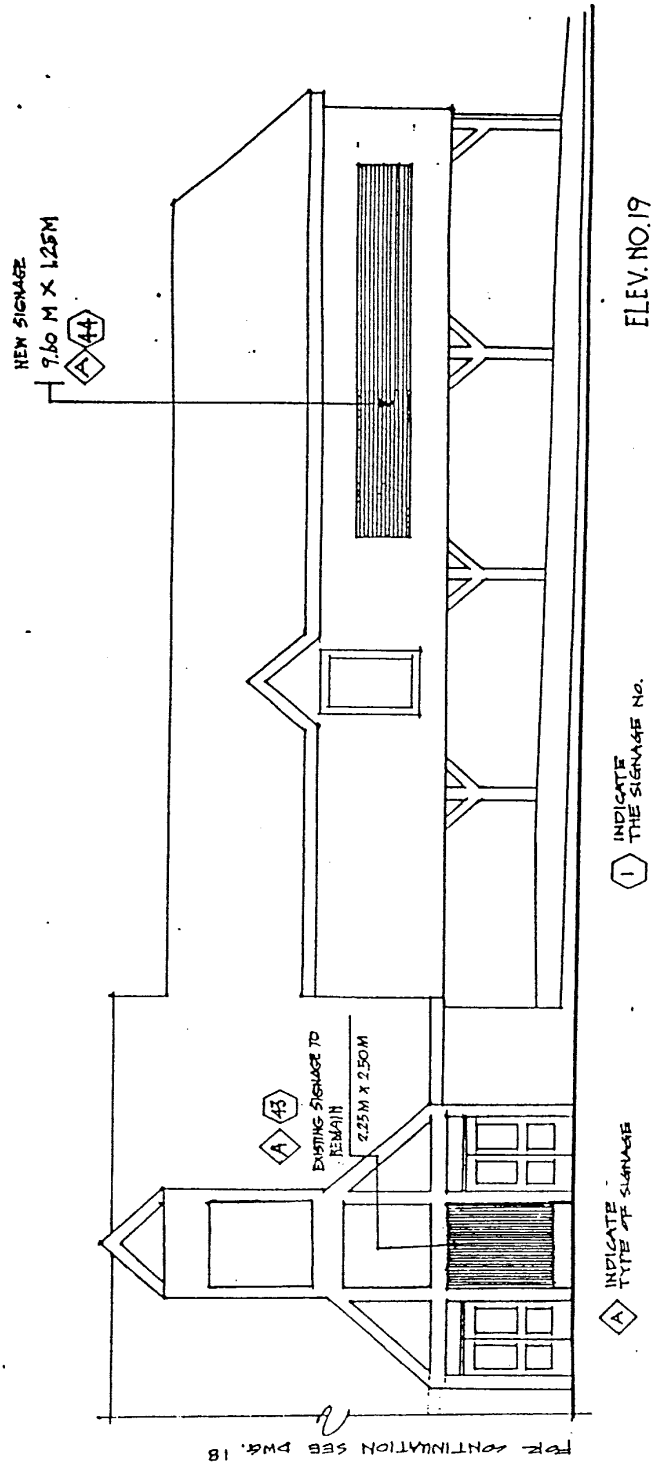
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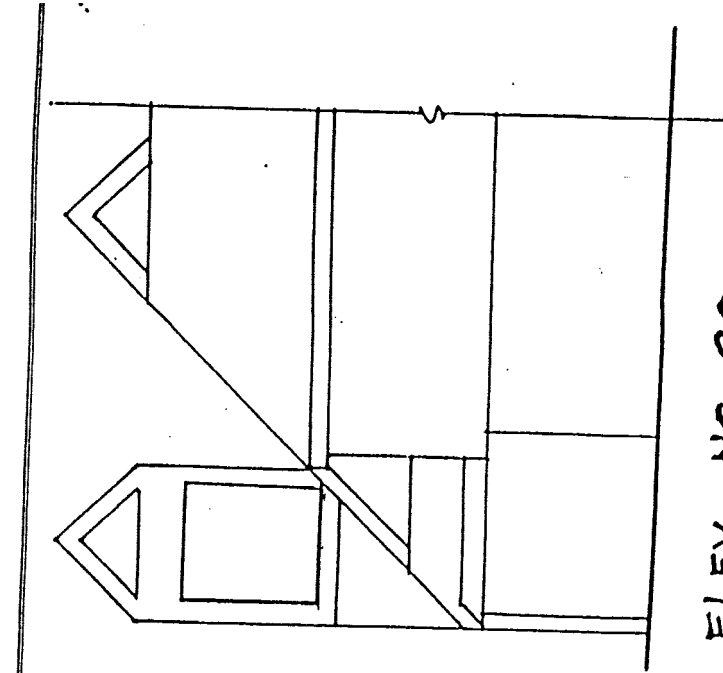
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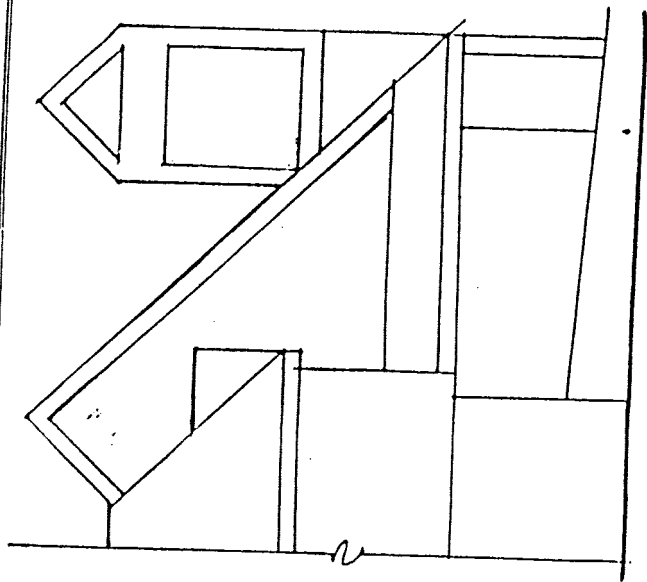
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SCHEDULE "J-20" TO BY-LAW NO. 2002-94



ELEV. NO. 20



ELEV. NO. 21

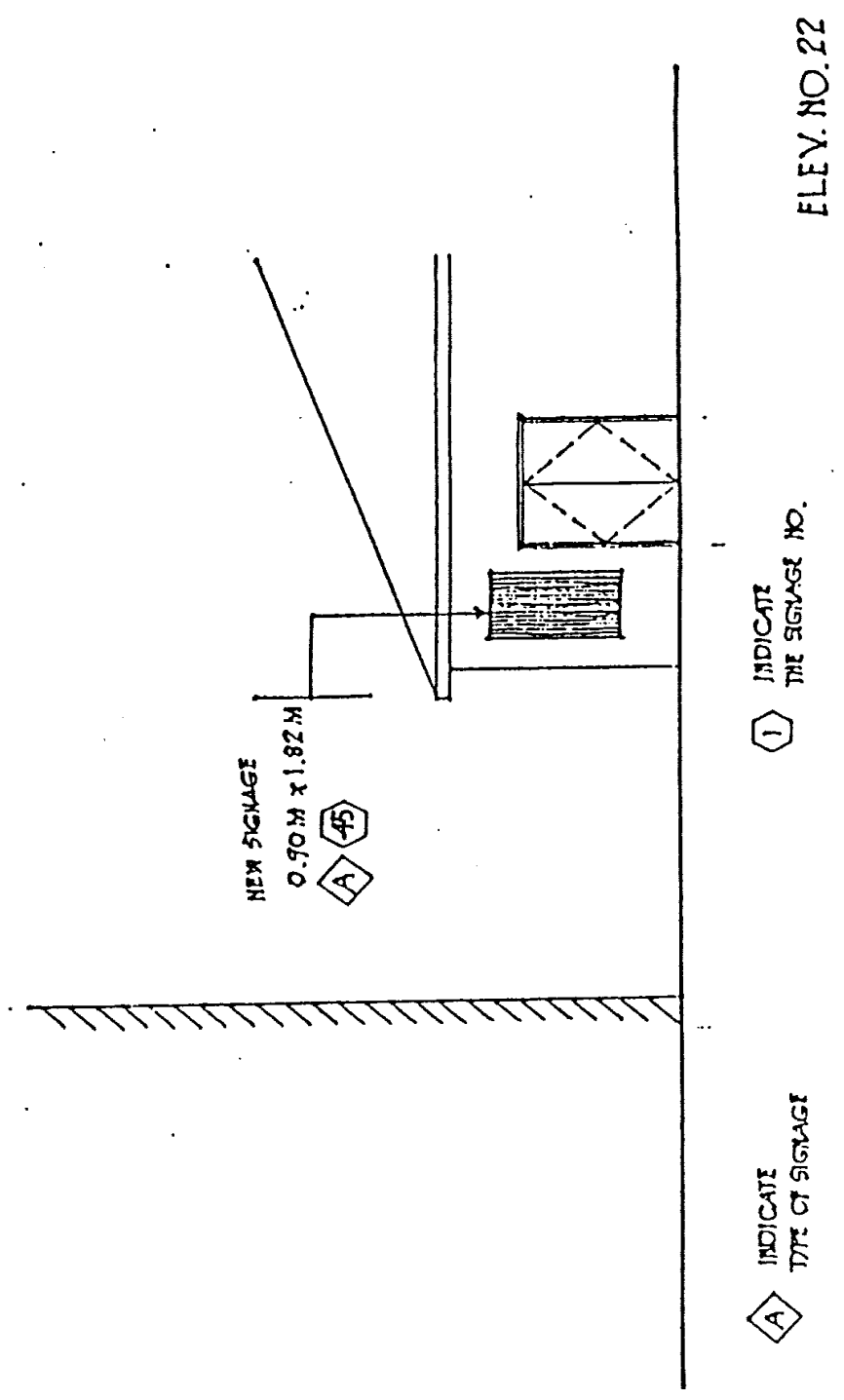
INDICATE TYPE OF SIGNAGE



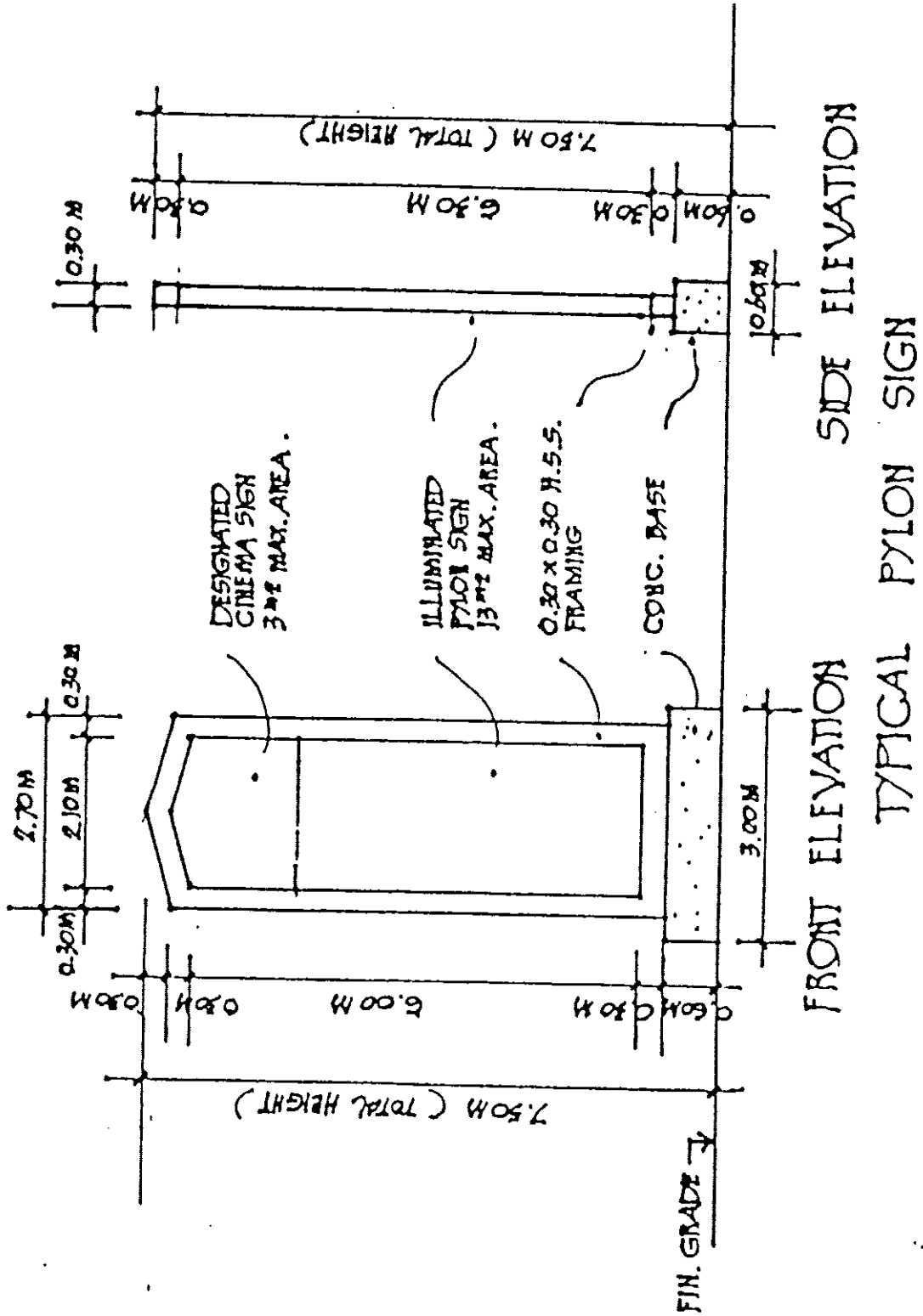
INDICATE THE SIGNAGE No.



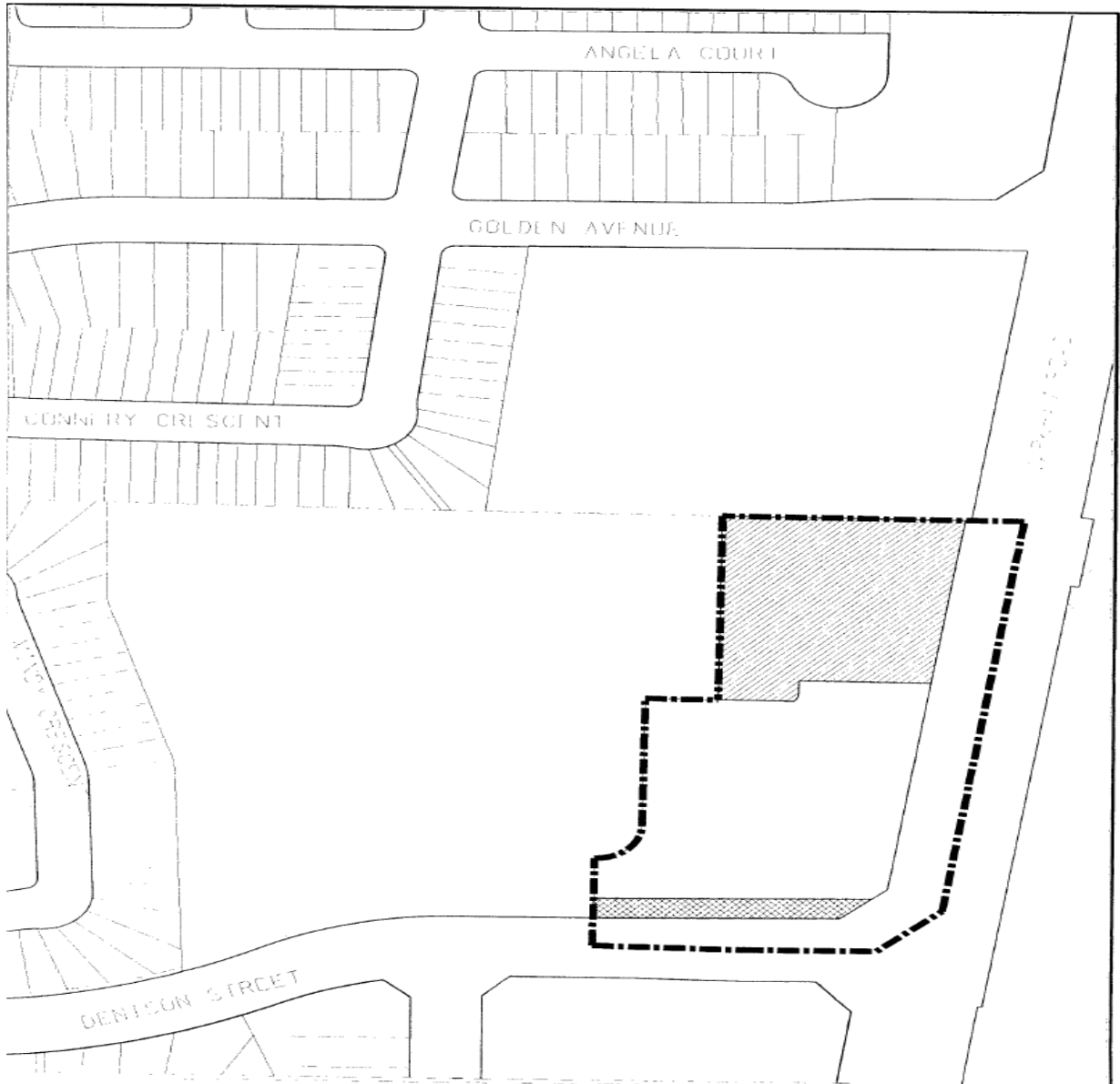
SCHEDULE "J-21" TO BY-LAW NO. 2002-94



SCHEDULE "J-22" TO BY-LAW NO. 2002-94



SCHEDULE K TO BY-LAW 2002-94



A BY-LAW TO AMEND BY-LAW 2002-94 SCHEDULE 'K'

- BOUNDARY OF AREA COVERED BY THIS BY-LAW
- ▨ NO GROUND SIGN PERMITTED ALONG MARKHAM ROAD
- ▩ NO GROUND SIGN PERMITTED ALONG DENISON STREET

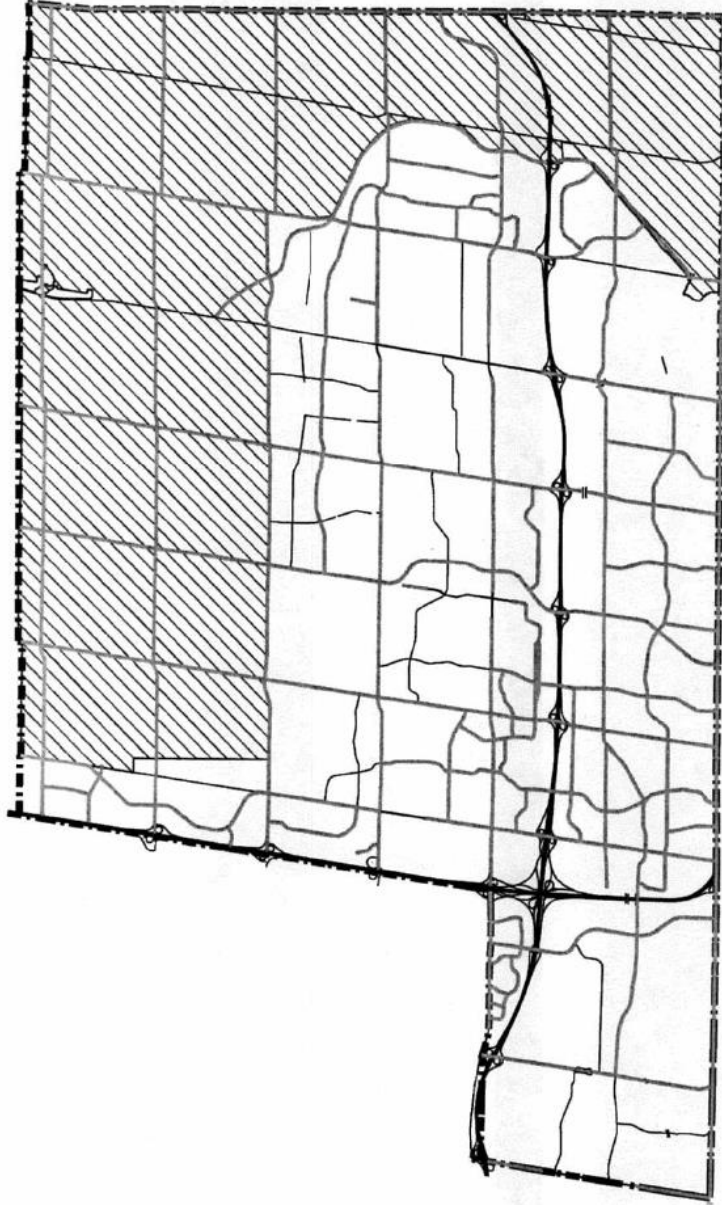
THIS IS SCHEDULE 'A' TO BY-LAW ...2006-169
PASSED THIS 13TH DAY JUNE 2006

[Signature] MAYOR
[Signature] DEPUTY CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1: 2200

2002-94-006 18/05/2006 1:57:36 PM



THIS IS SCHEDULE F TO BY-LAW 2006-202
PASSED THIS 27TH DAY OF JUNE, 2006
Alverson MAYOR
Debra L. Bence CLERK



A BY-LAW TO AMEND BY-LAW 2002-94
BOUNDARY OF AREA COVERED BY THIS BY-LAW
DESIGNATED ROAD ALLOWANCE
RURAL RESIDENTIAL SIGNAGE AREA

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK
SCALE 1:

