



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 38 - 2024

To amend By-law 399-2002, as amended, the Sign By-law

WHEREAS the City's Sign By-law 399-2002, as amended includes prescriptive requirements and restrictions for a variety of signage permitted to be displayed throughout the City;

AND WHEREAS property owners that are unable to comply with the regulations of the Sign By-law may apply for a site specific by-law amendment;

AND WHEREAS to streamline approvals, provisions are to be added to allow an applicant to apply for a sign variance.

AND WHEREAS authority for approval of a sign variance be delegated to the Director of Building, or his/her/their designate.

NOW THEREFORE The Council of The Corporation of the City of Brampton, in accordance with the provisions of the *Municipal Act*, 2021, S.O.2001, c.25, ENACTS as follows:

1. THAT Sign By-law 399-2002, as amended, is hereby further amended:

(1) By adding Section 7 **MINOR VARIANCES** as following:

“MINOR VARIANCES

7.

(1) Any owner may apply to the Director of Building (the “Director”) for a variance from one or more provisions of this By-law.

(2) The Director includes their designate.

(3) An application for variance shall be made on the form prescribed by the City and shall be accompanied by:

(a) The full application fee of \$1,500;

(b) A letter from the applicant outlining their rationale for the proposed variance;

(c) A site plan of the subject property indicating the location of the sign or signs subject to the application;


- (d) Fully dimensioned elevation drawings of the proposed signage and, where applicable, all existing or proposed signs on the building and/or property;
 - (e) Any photographs, drawings, information or reports requested by the Director to substantiate any special circumstances identified in the application.
- (4) Where an application has been deemed incomplete, the Director may refuse to accept the application. Refusal to accept an incomplete sign variance application is not a statutory power of decision and is not subject to appeal.
- (5) The Director shall have the power and authority to grant, refuse or impose terms and conditions on a variance if, in their opinion, the general intent and purpose of the By-law is maintained.
- (6) In considering an application for a minor variance the Director shall have regard for:
- (a) Whether the impact of the variance is minor in nature and in keeping with the essential character of the surrounding area;
 - (b) Whether the variance is consistent with the general intent and purpose of the provisions of the Sign By-law;
 - (c) Special circumstances or conditions applying to the land, building or use referred to in the application, including by not limited to physical impediments, obstructions, topography and Sign visibility;
 - (d) Whether the 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 unusual or undue hardship for the applicant inconsistent with the general intent and purpose of this By-law;
 - (e) Whether such special circumstances or conditions are pre-existing and are not created and/or caused by the Sign Owner or applicant;
 - (f) Whether the proposed Signage will have a negative impact on adjacent lands, including consideration of future intended use;
 - (g) Whether the Sign may impact public safety and order; and
 - (h) Submissions received from commenting agencies including the Ministry of Transportation, The Regional Municipality of Peel and/or other City of Brampton departments.
- (7) If the Director refuses to grant a variance, they shall advise the applicant and provide written reasons for refusal.
- (8) Right to appeal the variance decision of the Director:


- (a) The applicant may submit a written appeal of the decision of the Director, together with the full appeal fee of \$500, within 20 days from the date of the decision by filing a written notice of appeal with the Director.
- (b) Where the appeal period has expired, the decision of the Director shall be final.
- (c) Where a written notice of appeal has been received, the Director shall make arrangements for the appeal to be scheduled for public hearing before the Planning & Development Committee and shall notify the applicant once a public hearing date has been fixed.
- (d) In considering an appeal prior to making a recommendation to Council, the Planning & Development Committee shall have regard for:
 - i. The CBO's reasons for refusal;
 - ii. Reasons for appeal listed in the applicant's notice of appeal;
 - iii. Verbal submission made by interested parties at the public hearing; and
 - iv. All items listed in Section 7.(5) of this By-law.
- (9) Council may uphold or vary the recommendations of the Planning and Development Committee or do any act or make any decision that it might have done had it conducted the appeal and the applicant shall not be entitled to further appeal on the matter and the decision of Council shall be final."

ENACTED and PASSED this 27th day of March, 2024.

Approved as to
form.
2024/02/26
M. Ramkissoon

Approved as to
content.
2024/02/27
Colleen Grant


Patrick Brown, Mayor


Charlotte Gravlev, Acting City Clerk