

The Corporation of the City of Burlington

By-law Number 14-2019

A by-law to amend Sign By-law 34-2007, being
a by-law to regulate the size, use, location and maintenance
of signs and advertising devices within the City of Burlington
File: 790-01 (PB-07-19)

Whereas subsection 11 (3), paragraph 7 of the *Municipal Act, 2001*, S.O. 2001, c.25, authorizes the City of Burlington to pass by-laws respecting signs;

Whereas section 99 refers to specific rules that apply to a by-law of a municipality respecting advertising devices, including signs;

Whereas it is deemed necessary to amend By-law 34-2007.

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. That By-law 34-2007 be amended by deleting Section 9 VARIANCES in its entirety and replaced with the following:

“9. SIGN VARIANCE

- 9.1 Any person may apply for a variance from this by-law, except for signs identified under Section 5. General Prohibitions.
- 9.2 The Director is hereby authorized to allow variances if in his or her opinion the general intent and purpose of the by-law are maintained.
- 9.3 An application for a variance shall be made on the form prescribed by the City and shall be accompanied by the applicable fee, as set out in the City's Rates and Fees by-law.
- 9.4 The Director may impose terms, provisions or restrictions as conditions of granting a variance which will be tied to the associated sign permit.
- 9.5 Failure to comply with the terms, provisions or restrictions of the variance shall render the sign permit null and void.
- 9.6 Where an application for variance from this by-law is incomplete or does not provide the required information specified in the application form, the Director may refuse to accept the application or may return the application to the applicant.

- 9.7 An applicant may appeal the variance application decision of the Director within 21 days of when the decision is made to the Planning and Development Committee, or any successor Committee. If the applicant does not attend at the appointed time and place, the Committee may proceed in the absence of the applicant and the applicant shall not be entitled to a further hearing on the matter before Council.
- 9.8 Council may uphold or vary the recommendations of the Planning and Development Committee, or any successor 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.
- 9.9 The decision of Council with respect to a sign variance application shall be final.
- 9.10 A variance from this by-law shall expire six months from the date of issuance unless the sign is erected, as granted, within that time period and a variance shall expire upon the removal of the sign.

3. That in all other respects by-law 34-2007 be and is hereby confirmed.

Enacted and passed this 25th day, of March 2019

Mayor Marianne Meed Ward _____

City Clerk Angela Morgan _____