

The Corporation of the City of Pickering

By-law No. XXXX/24

A By-law to regulate signs in the City of Pickering

Whereas pursuant to paragraph 7 of subsection 11(3) of the *Municipal Act, 2001* a lower-tier municipality may pass by-laws respecting signs;

And whereas signs are necessary to advertise or identify services, businesses, locations and provide other information;

And whereas, if not effectively regulated, signs may create a nuisance, affect public safety and detract from the character of the community;

And whereas the *Municipal Act, 2001* provides the ability for a municipality to impose fines in excess of \$5,000.00 under the *Provincial Offences Act R.S.O. 1990*, and further allows for special fines that may exceed \$100,000.00;

Now therefore be it resolved that the Council of The Corporation of the City of Pickering enacts as follows:

## **Part 1 – Administration and Interpretation**

### **Title**

1. This By-law and any amendments thereto shall be known as the “City of Pickering Sign By-law”.

### **Other Applicable Laws**

2. The applicant shall be responsible for obtaining the approval from any other government authority having jurisdiction over the installation of a proposed sign.

### **Scope**

- 2.1 This By-law applies to all signs that are or are to be located, erected, or displayed within the boundaries of the City, save and except any other sign prescribed by statute, and shall regulate the location, size, number, construction, alteration, repair, and maintenance of signs.
- 2.2 All tables within the body of this By-law and schedules attached to this By-law shall form part of this By-law.
- 2.3 This By-law does not apply to a sign that was lawfully erected, located, or displayed on the day the By-law comes into force and effect if the sign is not substantially altered, and the maintenance and repair of the sign or a change in the message or contents displayed is deemed not in itself to constitute a substantial alteration.

### **Objectives**

3. This By-law shall be applied and interpreted in a manner consistent with the following objectives:
  - (a) reasonable means should be available to the public to erect signs on a property in order to identify facilities, businesses and services located thereon;
  - (b) signs should not create any distraction or safety hazard for pedestrians or motorists, or create any other danger to the public;
  - (c) signs should not create any adverse impacts on adjacent public or private property;
  - (d) signs should not detrimentally alter the physical appearance and architecture of any building;
  - (e) signs should not create unnecessary visual clutter due to their size, number or location; and
  - (f) temporary signs should be strictly regulated in order to limit the visual impact on the built environment and the consumption of resources.

## Definitions

4. In this By-law,

**“address sign”** means a sign that depicts the municipal address or civic number of a property as regulated by this By-law and By-law 7686/19, as amended or replaced from time to time;

**“animation”** means a method in which graphics, images or figures are manipulated to appear as moving images and indicates colour or light changes through electronic means;

**“applicant”** means an owner, or any person authorized by an owner, who applies for a sign permit, sign licence or sign permit variance;

**“automobile service station”** means an establishment where vehicle fuels, lubricants, and automobile-related accessories are offered for retail sale, and which may include a car washing establishment and a convenience store;

**“automobile service station sign”** means a sign on top of gasoline service pumps or on the columns of a gas bar canopy, on guard posts or freestanding on a gasoline pump apron and shall include signage for electrical vehicle charging stations;

**“banner sign”** means a temporary sign of lightweight fabric, plastic or similar material;

**“billboard sign”** means a sign that is fastened, posted, painted or projected in such a manner as to permit its periodic replacement and that advertises goods, products or services that are not available at the location of the sign or that directs a person to a location different from where the sign is located. A billboard sign displays third-party advertising with images that may change mechanically and/or displays information or images on a digital or electronic screen;

**“boulevard”** means all parts of a highway except the roadway, shoulder and sidewalk;

**“canopy sign”** means any single-faced sign that is part of or attached to an awning, canopy or other fabric, plastic or structural protective element installed over a window, door, entrance, outdoor service area or similar type of entrance way, movable or immovable;

**“Chief Building Official”** means the City’s Chief Building Official (CBO) or a designate;

**“City”** means The Corporation of the City of Pickering or the geographical area of Pickering, as the context requires;

**“community event sign”** means a temporary sign that advertises a public event to be held in the City organized for a non-profit, civic, cultural, religious or recreational purpose;

**“construction information sign”** means a temporary sign located on a property where a building is to be built, renovated or demolished indicating information related to design, construction, renovation, demolition, ownership and rental or sale, and may include the name of the project, the architect, engineer, and other firms associated with the project;

**“demising wall”** means a wall that separates two adjacent tenants or a tenant from one of the building’s common areas;

**“development sales office sign”** means a temporary sign located on a property where a temporary sales office has been legally erected, to identify the builder, subdivision/condominium marketing name and any other relevant information related to the sales office;

**“development sales sign”** means a temporary sign directing people to a temporary sales office where new homes and other residential developments are marketed to the public;

**“development sign”** means a temporary sign that advertises a proposed development to be constructed and may include the project name and graphic depictions, the developer(s) and builder(s) names and contact information, and other pertinent information. A development sign shall not include a construction information sign, a development sales office sign, or a development sales sign;

**“directional sign”** means a sign that is intended solely for public information, safety or convenience in directing persons or traffic and shall contain no commercial advertising, but may include a corporate logo;

**“Director”** means the City’s Director, City Development or a designate;

**“directory sign”** means a sign intended to identify the location of a building containing multiple occupancies;

**“display surface”** means the entire sign area which encloses the extreme limits of the message or content displayed on a sign;

**“drive-through facility”** shall mean a building or structure or part thereof where goods, food or services are offered to the public by way of a service window or kiosk while the patrons are in a parked or in a stationary vehicle, and where goods, money or materials are exchanged in a designated stacking lane with either a menu board and pre-menu board signs;

**“election sign”** has the meaning ascribed to it in Election Sign By-law 7591/17, as amended or replaced from time to time;

**“electronic message display”** means a component of a ground sign with moving parts, flashing lights or fluorescent materials, billboard sign or wall sign that is computer controlled and illuminated, which displays information to the public by way of prearranged or variable sequence of electronically generated alphanumeric characters and digital images;

**“erect”** means display, attach, affix post, alter, construct, (re)place, locate, install, relocate and maintain, and cause or permit to be displayed, attached, affixed, posted, altered, constructed, placed, located, installed, relocated and maintained of any sign or part thereof;

**“farm sign”** means a sign advertising the sale of farm produce grown or produced on the property where the sign is located;

**“fence”** means a fence as defined in Fence By-law 6943/09, as amended or replaced from time to time;

**“filming location sign”** means a temporary sign identifying a site used for a film production;

**“first storey”** means the storey with its floor closet above average grade and having its ceiling more than 1.8 metres above average grade, and has the same meaning as defined as Storey, First in the City’s applicable Zoning By-law, as amended;

**“fixture”** means any structure that the City permits to be located within a boulevard including, but not limited to, a utility box, newspaper vending box, bench, transit shelter, telephone pole, telephone booth, transformer box or vault, hydro pole, streetlight, stoplight pole, recycling waste module, mailbox, tree and street sign;

**“flag”** means a piece of cloth, or lightweight non-rigid material that is attached by one edge to a pole or rope, bearing a crest, emblem or insignia of any corporation, federal, provincial and municipal government agency, or religious, charitable, fraternal, cultural or community organization with no informational or advertising content;

**“flag sign”** means a sign made of cloth or lightweight non-rigid material that is attached by one edge to a pole or rope, and displays information, promotional or advertising content;

**“frontage”** means the linear distance along the façade of the building, which is parallel to, or most close to being parallel to, an abutting public and/or private street. For the purpose of this By-law, a building may have more than one building frontage this being determined by the number of public and/or private streets abutting the lot. In a building with multiple units, a unit is only considered to have building frontage if the main customer access to the unit/tenancy leads directly outside. If the main customer access of a unit only leads to an interior sideyard of the site and/or an exterior parking lot, that wall face may be considered for building frontage per unit/tenancy.

**“garage/yard sale sign”** means a temporary sign advertising a garage/yard sale of personal merchandise at a residential property, and includes any directional signs thereto;

**“ground sign”** means a permanent sign which is free standing in a fixed location and is wholly supported by a structural base erected on and in or upon the ground, but not part of a building, and includes a pylon sign, a directional sign, directory sign and drive-through sign, but does not include a billboard sign;

**“heritage conservation district”** means a heritage conservation district designated under the *Ontario Heritage Act*, R.S.O. 1990, c. O.18;

**“heritage property”** means property that has been designated under the *Ontario Heritage Act* to be of cultural heritage value or interest or a property on the City’s registry of properties that the City believes to be of cultural heritage value or interest;

**“high density residential”** means a residential building other than low density residential;

**“hoarding”** means any temporary construction barrier continuously enclosing a construction site that is erected for the purpose of site protection; including any temporary structure required for safety required by provincial or federal legislation or regulation and including covered sidewalks, scaffolding, fencing, etc.;

**“home-based business sign”** means a sign located on a property advertising an accessory business or occupation used or conducted in a residential premises on the property where the sign is located;

**“home improvement sign”** means a temporary sign advertising or promoting landscaping, home repairs or home renovations;

**“inflatable sign”** means a temporary sign filled by air or other gas that is either designed to be airborne or tethered to the ground, a vehicle, a roof or any other structure and includes balloons;

**“interior sign”** means a sign located within the interior of a building that is intended to be seen outside of the building and includes a window sign;

**“low density residential”** means a single detached dwelling, semi-detached dwelling, duplex, triplex, fourplex, townhouse, mobile home, or any other residential facility housing six or fewer residents;

**“menu board”** means a permanent sign erected as part of a drive-through facility and used to display, provide pricing for goods, food, and/or services and order products and services available at the premises;

**“mixed-use building”** means a building or complex that includes mixed land uses;

**“model home sign”** means a temporary sign located on a property containing a model home for the purpose of marketing new residential construction;

**“mural”** means any type of display or artistic endeavour applied to any external wall or other part of a building or structure which does not include any words, images, logos, or trademarks that advertise or convey any promotional message;

**“new business”** means a business at a location that has been in operation for less than 90 days;

**“no trespassing sign”** means an informational sign which relates exclusively to regulating access to a property upon which the sign is located;

**“officer”** means a municipal law enforcement officer employed by the City to enforce municipal by-laws or a police officer appointed under the *Police Services Act* ;

**“official sign”** means a sign to be used, required by, or erected by any federal, provincial, regional, or municipal government, a public body or agency thereof or board or commission or public utility, including, but not limited to, signs designating hospitals, schools, libraries, community centres, arenas or other public government uses. Where signage is proposed for private use on public lands, authorization from the public body and a sign permit will be required;

“**open space system**” means the Open Space System land use designation identified on Schedule I of the City of Pickering’s Official Plan, as amended from time to time;

“**owner**” means the registered owner of a property, person identified in the most recent tax roll as the owner of a property or a lessee, tenant, mortgagee in possession or any other person in charge or possession of a property;

“**person**” means an individual, association, firm, partnership, corporation, trust, organization, trustee or agent, and the heirs, executors or legal representatives of the person to whom the context can apply according to law;

“**portable sign**” means any temporary sign and/or any sign readily moveable from place to place, which is not anchored to the ground, including signs commonly referred to as a-frame, t-frame, sandwich boards, signs fixed to a trailer and any type of device used or capable of being used for advertising purposes;

“**poster**” means a printed notice conveying information intended to be displayed for a temporary period of time and includes a bill, handbill, leaflet and placard;

“**pre-menu board**” shall mean a sign erected at the entry to a stacking lane of a drive-through facility and used to display goods, food and/or services available at the premises;

“**premises**” means the area of a building or part thereof and/or land or part thereof occupied or used for residential, commercial and/or industrial purposes and in a multiple occupancy building, occupied by more than one business, each business area shall be considered a separate premises;

“**property**” means a parcel of land, with or without a building or structure, that is a legal property of record;

“**pylon sign**” means a type of ground sign that is free standing in a fixed location and is wholly supported by a structural base erected on and in the ground, but not part of a building;

“**real estate sign**” means a temporary non-illuminated sign erected to advertise that a property, building or a portion of a building is offered for sale, rent or lease;

“**real estate open house sign**” means a temporary sign advertising that a property for sale, rent or lease is available for public viewing during a specified date and time;

“**Region**” means The Regional Municipality of Durham;

“**setback**” means the shortest distance between a property lot line and the closest portion of a sign;

“**sidewalk sign**” means a freestanding temporary sign, not affixed to the ground, advertising a business, service or product and installed on a sidewalk;

“**sign**” means any device, notice or visual medium including its structure and other component parts that is used, or is capable of being used, to attract attention to a specific subject matter for identification, information or advertising purposes;

**“sign area”** means,

- (a) in the case of a sign having one display surface, the area of the display surface;
- (b) in the case of a sign having two display surfaces located on a sign structure exactly opposite the other, the area of one display surface;
- (c) in the case of a free standing number, letter or shape, the smallest rectangle which will enclose the number, letter or shape; and
- (d) in the case of groupings of free standing numbers, letters or shapes, or combinations thereof, the sum of the areas of the smallest rectangles which will enclose each separate grouping of letters, numbers or shapes;

**“sign height”** means the vertical distance from the ground directly below the sign measured to the highest extremity of the sign, including the sign structure;

**“sign licence”** means any licence issued by the City pursuant to the provisions of this By-law;

**“sign permit”** means any permit issued by the City pursuant to the provisions of this By-law;

**“sign structure”** means the framework, bracing or support of a sign;

**“Special Sign District”** means a Special Sign District identified in Schedule "A";

**“stacking lane”** shall mean an on-site area used exclusively for queued vehicles whose occupants are waiting to be provided with goods, materials or services from a drive-through facility;

**“street”** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

**“Substantially Altered” or “Alter”** means any change to the sign structure or sign face, with the exception of:

- (i) a change in the message being displayed; and/or
- (ii) repair and maintenance, including replacement by identical components as required by this By-law;

**“temporary”**, when describing a sign, means a sign conveying a message for a limited period of display;

**“temporary operations”** means a business in operation for a maximum of 4 months;

**“variance”** means permission to locate, erect or display a sign in a manner that is not in compliance with the requirements of this By-law;



“**wall sign**” means a sign attached to a building wall, that projects from a wall, and a single-faced sign directly painted, marked on or inscribed on an exterior wall surface of a building, but shall not include a mural. A wall sign may include a canopy sign, directional sign and directory sign.

“**window sign**” means a sign located on the interior of a premise which is intended to be seen from off the premises, but shall not include illuminated signs, or upon or marked or inscribed on, or attached to, the inside of a window or door for the purpose of viewing from outside the premises.

### **Application**

5. This By-law applies to all signs displayed within the City, unless otherwise stated in this By-law.

### **References to Legislation**

6. In this By-law, reference to any Act, regulation or by-law is reference to that Act, regulation or by-law as it is amended or re-enacted from time to time.
7. The issuance of a permit does not relieve the person/applicant/owner of the responsibility of obtaining all other approvals that may be required by the Corporation, or any level of government and agencies thereof or compliance with a by-law, legislation or obligation.

### **Word Usage**

8. This By-law shall be read with all changes in gender or number as the context may require.
9. A grammatical variation of a word or expression defined has a corresponding meaning.

### **Schedules**

10. Schedule "A" (Special Sign Districts) and Schedule "B" (Billboard Sign Districts) are attached to and form part of this By-law.
11. Unless otherwise specified, references in this By-law to Parts, Sections and Schedules are to Parts, Sections and Schedules in this By-law.

### **Conflicts**

12. If a provision of this By-law conflicts with a provision of any applicable Act, regulation or by-law, the provision that establishes the higher or more restrictive standard to protect the health, safety and welfare of the general public shall prevail.
13. Where an industrial building contains commercial uses that are permitted in an industrial category of the City's Zoning By-law, the sign requirements for a commercial zone shall apply.
14. Where the provisions for sign exemptions are not met, a sign permit or sign licence as well as associated sign variance may be required.

**Measurements**

15. All dimensions in this By-law are in millimetres (mm), centimetres (cm), metres (m), hectares (ha) or square metres (m<sup>2</sup>) and all plans, specifications, documents and other information submitted with any application under this By-law shall use such dimensions.

**Severability**

16. Each section of this By-law is an independent section, and the holding of any section or part of any section of this By-law to be void or ineffective for any reason shall not be deemed to affect the validity of any other section or parts of sections of this By-law.

**Fees**

17. Any fees charged under this By-law are as outlined in the City's current General Municipal Fees By-law, as amended from time to time, and are per sign and non-refundable.

**Maintenance**

18. The Owner of the building to which a sign is attached, or of the lot upon which a sign is located, shall maintain or cause the sign to be maintained in a state of good repair. For the purposes of this section, a sign which is in a state of good repair is a sign which is clean, neatly painted and property maintained.

## Part 2 – Sign Permits

### Required Sign Permits

19. (i) No person shall erect any ground sign, wall sign, canopy sign, development sign, billboard sign or drive-through sign without a sign permit.
- (ii) No person shall erect any sign without a sign permit, where a sign permit is required pursuant to this By-law.
20. Notwithstanding Section 25, any sign lawfully erected prior to the passing of this By-law shall not require a sign permit provided such sign has continuously remained in its location and has not been substantially altered.
21. Notwithstanding Sections 25 and 26, any billboard sign lawfully erected prior to the passing of this By-law shall not require a sign permit provided such billboard sign has continuously remained in its location, has not been substantially altered and the owner of the billboard sign has obtained a sign licence.

### Sign Permit Applications

22. A sign permit application shall be made by the Owner of the property, building or business, on which the sign is to be erected or an authorized representative of the owner.
23. The City's Chief Building Official shall be responsible for administration of all sign permits.
24. All sign permit applications shall be filed with the City's prescribed form.
25. Every sign permit application shall,
  - (a) identify and describe in detail the proposed sign and all other signs existing on the property at the time of the application;
  - (b) describe the property on which the proposed sign is to be erected by legal description and municipal address or by other equivalent description that will readily identify the property;
  - (c) state the name, address, telephone numbers and email of the applicant and any persons designing or erecting the sign;
  - (d) be accompanied by plans, specifications, documents and other information describing the construction, dimensions, materials and specific location of the proposed sign in sufficient detail to permit the Chief Building Official to determine whether the sign will comply with this By-law, the building code, an approved site plan, heritage conservation district guidelines, or any other applicable law;
  - (e) be accompanied by the applicable fee(s) set out in the City's current General Municipal Fees By-law, as amended from time to time;
  - (f) include, where the applicant is not the owner of the property, authorization for making the application on behalf of the owner;

- (g) be signed by the applicant who shall certify the accuracy and truth of the contents of the application; and
  - (h) the applicant shall obtain approval for the proposed sign, if required, from other governmental authorities or agencies having jurisdiction.
26. If required by the City, all plans and specifications covering the erection of a sign and supporting framework that are submitted as part of a sign permit application shall be certified by a Registered Professional Engineer as to the structural adequacy of the sign.

### **Sign Permit Issuance**

27. The City's Chief Building Official may approve or refuse any sign permit application, and may impose any conditions upon an approval as he or she determines to be appropriate.
28. The City shall refuse to issue a permit if the proposed sign does not comply with this By-law, the building code, an approved site plan, heritage conservation district guidelines, or any other applicable law.

### **Revocation of Sign Permit**

29. The City's Chief Building Official may revoke a sign permit under any of the following circumstances:
- (a) the sign permit has been issued in error;
  - (b) the sign for which the sign permit was issued is erected in contravention of any part of this By-law, the building code, an approved site plan, heritage conservation district guidelines, or any other applicable law;
  - (c) the sign permit has been issued as the result of false, mistaken, incorrect, or misleading statements, information or undertakings on the application or on any submitted documents that formed the basis of the issuance;
  - (d) the business or other subject matter to which the sign relates ceases to exist;
  - (e) the sign permit holder requests that the sign permit be revoked; or
  - (f) 6 months have elapsed following the date of sign permit issuance and the sign authorized by the sign permit has not been erected.

### **Special Sign Districts**

30. In addition to the requirements of Sections 33 to 35, every permit application for a sign in a Special Sign District shall be accompanied by scale drawings clearly showing,
- (a) the proposed sign materials, letter fonts and colours;
  - (b) the proposed means of any sign illumination; and
  - (c) in the case of a wall sign, an accurate building elevation drawing showing the size of the sign and a cross-section of the sign showing the proposed method of affixing the sign to the building.

## Heritage Properties

31. (a) A sign permit for a sign in a heritage conservation district shall not be issued unless the sign conforms to the applicable heritage conservation district guidelines adopted by the City.
- (b) A sign permit for a sign on heritage property shall not be issued unless the applicant has met all additional requirements under the *Ontario Heritage Act*.

## Ground Signs

32. (1) Ground signs shall comply with the following restrictions:

Use	Maximum Sign Height	Maximum Sign Area	Maximum Number	Minimum Setback*
Low Density Residential	Prohibited	Prohibited	Prohibited	Prohibited
Part of the Open Space System	Prohibited	Prohibited	Prohibited	Prohibited
High Density Residential	2.0 metres	4.0 square metres	1	3.0 metres
Institutional	2.0 metres	4.0 square metres	1	3.0 metres
Commercial or industrial (less than 30 metre frontage)	4.0 metres	10.0 square metres	1 per street frontage	3.0 metres
Commercial or industrial (30 metre frontage or more)	6.0 metres	18.0 square metres	1 per street frontage	3.0 metres
All Other Uses	3.0 metres	6.0 square metres	1 per street frontage	3.0 metres

\*setback from property lines

- (2) Specific Ground Sign Regulations:

- (a) Notwithstanding section 32. (1), no ground sign exceeding 1.5 square metres in sign area or 1.5 metres in sign height shall be erected in a Special Sign District.
- (b) Every ground sign shall contain the municipal address number in numerals (refer to the City's By-law pertaining to Civic Numbering of Buildings and Properties, By-law 7686/19, as amended or replaced from time to time).
- (c) Every ground sign shall be located on the property to which the sign relates, and shall only reference businesses located on that property.
- (d) Subject to subsection (e), a maximum of one ground sign shall be permitted for each street frontage on any one property.
- (e) A second ground sign shall be permitted on a property in a commercial or industrial zone where the street frontage is not less than 200 metres, and the ground signs are not located within 100 metres of each other.
- (f) For regulations specific to an electronic message display, refer to Section 63.

## Wall Signs

33. (1) Wall signs shall comply with the following restrictions:

Use	Maximum Sign Area	Maximum Number	Minimum Height from Ground
Low Density Residential	Prohibited	Prohibited	Prohibited
High Density Residential	4.0 square metres	1 per frontage	2.4 metres
Institutional	4.0 square metres	1 per frontage	2.4 metres
Commercial / Industrial (multi-tenant & multi-storey)	15 percent of tenancy walls	1 per owner/tenant per frontage of the tenancy walls	2.4 metres
Mixed-use Building	15 percent of tenancy walls	1 per owner/tenant per frontage of the tenancy walls	2.4 metres
All Other Uses	4.0 square metres	1 per frontage	2.4 metres

(2) Specific Wall Sign Regulations:

- (a) Notwithstanding section 33. (1), no wall sign exceeding 1.5 square metres in sign area shall be erected in a Special Sign District.
- (b) Except as permitted by By-law 7686/19, as amended or replaced from time to time, and Section 61 (home-based businesses), no wall sign shall be erected for a low density residential use.
- (c) A wall sign shall be located within the demising tenancy walls.
- (d) The maximum sign area per tenancy includes the combined sign area of wall signs and canopy signs.
- (e) In a commercial or industrial building containing multiple tenancies, the applicable building face area for a wall sign respecting an individual tenancy shall be measured only to the limits of the tenancy demising walls adjacent to the wall on which the sign is located.
- (f) No wall sign shall be erected for a high density residential use other than a sign displaying the building identification, corporate logo or similar content on the highest storey of the building, a minimum of 2 storeys above grade and shall not exceed 6.0 square metres in sign area.
- (g) No wall sign shall be erected on any building that contains more than 1 storey above grade other than on the first storey, the second storey, and highest storey of such building.
- (h) A maximum of one wall sign may be erected on each wall face of the highest storey of a building that is more than 2 storeys above grade.

- (i) No part of a wall sign shall project more than 0.5 metres from the building except in the case of a canopy sign provided it is located a minimum of 2.4 metres above grade and does not project more than 2.0 metres from any wall it is attached to.
- (j) For regulations specific to an electronic message display, refer to Section 63.
- (k) For regulations specific to canopy signs, refer to Section 36.

### **Development Signs**

#### 34. Specific Development Sign Regulations:

- (a) Development signs shall not be permitted in the Open Space System. For all other land uses, development signs not exceeding 6.0 metres in sign height and with a setback of at least 3.0 metres shall be permitted.
- (b) A maximum of one development sign having a sign area not exceeding 20 square metres may be erected on each street frontage on any single development site.
- (c) A maximum of two additional development signs having a sign area not exceeding 10 square metres may be erected on any vacant property outside of the development site.
- (d) No more than three development signs shall be erected in relation to any single development project.
- (e) A development sign shall be removed no later than 30 days upon the earlier of,
  - (i) the completion of sales related to the development; or
  - (ii) 24 months after the date the sign permit is issued; or
  - (iii) as prescribed by specific locational City policies/standards which permits identified periods of time/duration.

### **Billboard Signs**

#### 35. Specific Billboard Sign Regulations:

- (a) No billboard sign shall exceed a sign area of 20 square metres.
- (b) No billboard sign shall exceed a sign height of 7.5 metres.
- (c) No billboard sign shall be erected on a roof of a building.
- (d) No billboard sign shall be located within 250 metres of any other billboard sign.
- (e) No billboard sign shall be located within 3 metres of a property line.
- (f) For regulations specific to an electronic message display, refer to Section 63.
- (g) Where an existing Billboard sign is to be revised to an Electronic Display Board a sign permit is required.

- (h) Billboard signs shall not be permitted in any location other than within the Billboard Sign District shown in Schedule "B".

### **Canopy Signs**

#### 36. Specific Canopy Sign Provisions:

- (a) No person shall erect or display, or cause to be erected or displayed, a canopy sign except in compliance with the provisions of this subsection.
- (b) Where a canopy overhangs more than 0.5 metres from a building wall and/or functions as a sign, a sign permit shall be required.
- (c) No canopy sign shall project more than 2.0 metres from any wall to which it is attached.
- (d) No canopy sign shall project more than 1.0 metre above a roof line.
- (e) No canopy sign shall extend beyond the end of a wall except to connect with another canopy sign that is perpendicular to it and of identical dimensions, excluding length.
- (f) A canopy sign on a first storey may be located partly above the first storey, provided at least half of the sign is on the first storey and all of the sign is located below the lowest window or set of windows on an upper storey.
- (g) Canopy signs on the same wall face shall be separated vertically by not less than 1.5 metres.
- (h) No person shall erect or maintain any canopy sign attached or affixed to any land or building so as to project into or over or be suspended over a City Street without an encroachment permit.
- (i) The issuance of a building permit or sign permit shall not be provided for a canopy sign that projects into or over, or is suspended over a City Street until an encroachment permit is issued.

### **Drive-through Signs**

#### 37. Specific Drive-Through Sign Regulations:

- (a) Drive-Through Signs include:
  - (i) Menu Board;
  - (ii) Pre-Menu Board;
- (b) No menu board sign shall exceed a sign area of 4 square metres;
- (c) No pre-menu board sign shall exceed a sign area of 2 square metres;
- (d) No person shall erect a drive-through sign at any location other than entirely on private property.



- (e) A maximum of one menu board sign is permitted per drive-through stacking lane and one pre-menu board sign is permitted per drive-through stacking lane.
- (f) Maximum height per drive-through sign shall be 2.5 metres.

## Part 3 – Sign Licences

### Required Sign Licences

38. (a) No person shall erect any portable sign, banner sign, flag sign, inflatable sign, sidewalk sign or billboard sign without a sign licence.
- (b) No person shall erect any sign without a sign licence, where a sign licence is required pursuant to this By-law.

### Sign Licence Applications

39. A sign licence application shall be made by an owner of the property on which the sign is to be erected or an authorized representative of the owner.
40. The City's Manager, Municipal Law Enforcement, or their designate shall be responsible for administration of all sign licences.
41. All sign licence applications shall be filed using the City's prescribed form.
42. A separate sign licence application is required for every sign.
43. Every sign licence application shall be accompanied by details of the size and location of the proposed sign and the applicable fee(s) set out in the City's current General Municipal Fees By-law, as amended.
44. Where a sign licence application is for a portable sign for an individual business in a building containing multiple tenants, the application must include written permission from the owner or the owner's authorized representative consenting to the placement of the portable sign.

### General Sign Licence Requirements

45. All sign licences shall expire on the date indicated on the sign licence.
46. A maximum of four sign licences for signs may be issued concerning an individual business or service in any calendar year provided at least 30 days have elapsed since the expiry of the last sign licence and the sign has been removed.
47. (a) A maximum of one sign licence may be issued for a single property at any one time, irrespective of the number of business tenancies located on the property.
- (b) Notwithstanding the foregoing, new businesses and temporary operations may be permitted additional temporary signage in accordance with Section 49.
48. No sign licence shall be issued on any heritage property.

### Sign Licence Relief

49. Subject to approval by the City's Manager, Municipal Law Enforcement Services, relief from the provisions of this By-law for any sign requiring a sign licence may be granted provided such relief is consistent with the objectives of this By-law and the relief is for a maximum of 3 months.

**Portable Signs**

50. (1) Portable signs shall comply with the following restrictions:

<b>Use</b>	<b>Maximum Sign Height</b>	<b>Maximum Sign Area</b>	<b>Maximum Number</b>	<b>Minimum Setback</b>
All Residential (High Density and Low Density Residential)	Prohibited	Prohibited	Prohibited	Prohibited
Special Sign Districts	Prohibited	Prohibited	Prohibited	Prohibited
Open Space System	Prohibited	Prohibited	Prohibited	Prohibited
All Other Uses	2.0 metres	4.0 square metres	1*	3.0 metres

\* per street frontage where 2 street frontages are > 70 metres

(2) Specific Portable Sign Regulations:

- (a) Every portable sign shall be located on the property to which the sign relates.
- (b) In the case of corner properties, no portable sign shall be located less than 15.0 metres from the inside curb at the point of intersection of the two streets.
- (c) Portable signs may be illuminated but shall not incorporate electronic message displays, moving parts, or flashing lights or fluorescent materials.
- (d) Lettering used on a portable sign shall not be greater than 0.2 metres in sign height.
- (e) No portable sign shall be capable of being connected to a power supply without written Electrical Safety Authority approval.
- (f) A sign licence for a portable sign shall be valid for a period of not more than 30 days, after which the sign shall be immediately removed.

**Banner and Inflatable Sign Restrictions**

51. (1) Banner and inflatable signs shall comply with the following restrictions:

<b>Use</b>	<b>Maximum Sign Height</b>	<b>Maximum Sign Area</b>	<b>Maximum Number</b>	<b>Minimum Setback</b>
All Residential (High Density and Low Density Residential)	Prohibited	Prohibited	Prohibited	Prohibited
Special Sign Districts	Prohibited	Prohibited	Prohibited	Prohibited
Open Space System	Prohibited	Prohibited	Prohibited	Prohibited
All Other Uses	6.0 metres	4.0 square metres per tenant	1	3.0 metres

## (2) Specific Banner and Inflatable Sign Restrictions:

- (a) Every banner or inflatable sign shall be located on the property to which the sign relates.
- (b) No banner or inflatable sign is permitted on canopies, awnings, fences or on sidewalks.
- (c) A banner or inflatable sign shall be securely affixed to the exterior wall or a roof of a building, or to the ground.
- (d) A sign licence for a banner sign shall be valid for a period of not more than 30 days on private property, after which the sign shall be immediately removed.
- (e) A sign licence for an inflatable sign shall be valid for a period of not more than 30 days on private property, after which the sign shall be immediately removed.

**Flag Signs**

52. (1) Flag signs shall comply with the following restrictions:

<b>Use</b>	<b>Maximum Sign Height</b>	<b>Maximum Sign Area</b>	<b>Maximum Number</b>
All Residential (High Density and Low Density Residential)	Prohibited	Prohibited	Prohibited
Special Sign Districts	Prohibited	Prohibited	Prohibited
Open Space System	Prohibited	Prohibited	Prohibited
All Other Uses	1.8 metres	2.0 square metres	3

## (2) Specific Flag Sign Restrictions:

- (a) Every flag sign shall be located on the property to which the sign relates.
- (b) A sign licence for a flag sign shall be valid for a period of not more than 30 days on private property, after which the sign shall be immediately removed.

**Sidewalk Signs**

53. (a) Sidewalk signs shall not exceed a sign height of 1.0 metres or a width of 0.6 metres.
- (b) Sidewalk signs shall not be permitted in any location other than within a Special Sign District.
- (c) A sidewalk sign shall be installed immediately in front of the business to which it pertains, and shall only be erected during the hours of operation of the business.
- (d) A sidewalk sign may be located on a public sidewalk provided a minimum of 1.5 metres of unobstructed sidewalk space is maintained.

- (e) A maximum of one sign licence for a sidewalk sign may be issued to an owner.
- (f) A sign licence for a sidewalk sign shall be valid for a period of 1 year.

### **Billboard Signs**

- 54. (a) No sign licence shall be issued for a new billboard sign unless a sign permit has been issued for such billboard sign.
- (b) A sign licence for a billboard sign shall be valid for a period of 1 year.

### **Sign Licence Issuance**

- 55. The City may approve or refuse any sign licence application, and may impose any conditions upon an approval as the City determines to be appropriate.
- 56. The City shall refuse to issue a sign licence if the proposed sign does not comply with this By-law, the building code, an approved site plan, heritage conservation district guidelines, or any other applicable law.
- 57. The City may refuse to issue a sign licence if there are reasonable grounds to believe that the applicant will not operate in accordance with applicable laws or with honesty and integrity.
- 58. The City may refuse to issue a licence if the applicant has failed to pay fines imposed for previous convictions relating to contraventions of any municipal by-laws.
- 59. The City may refuse any sign licence if there are existing violations of this By-law on the property where the sign is proposed.

### **Revocation of Sign Licence**

- 60. The City may revoke a sign licence under any of the following circumstances:
  - (a) the sign licence has been issued in error;
  - (b) the sign for which the sign licence was issued is erected in contravention of any provision of this By-law, the building code, an approved site plan, heritage conservation district guidelines, or any other applicable law;
  - (c) the sign licence has been issued as the result of false, mistaken, incorrect, or misleading statements, information or undertakings on the application or on any submitted documents that formed the basis of the issuance;
  - (d) the business or other subject matter to which the sign relates ceases to exist (excluding Billboard Signs); or
  - (e) the property owner of the sign licence holder requests that the sign licence be revoked.

## Part 4 – Signs Exempt from Sign Permits and Sign Licences

### Permitted Signs

61. Signs described in this Part shall be permitted without a sign permit or a sign licence provided all restrictions in this By-law applicable to the signs have been complied with.

(1) Signs shall comply with the following restrictions:

Sign Type	Maximum Size	Regulations
Community Event Signs	1.5 square metres in sign area	<p>No person shall erect a community event sign closer than 100 metres to another community event sign advertising the same community event.</p> <p>No person shall erect a community event sign more than 14 days prior to the event.</p> <p>No person shall erect a community event sign at any location other than entirely on private property or on a boulevard.</p> <p>No person shall permit a community event sign to remain erected after the day of the event.</p>
Construction Information Signs	<p>Low Density Residential: 3.0 metres in sign height or 4.0 square metres in sign area</p> <p>All Other Uses: 6.0 metres in sign height or 10.0 square metres in sign area</p>	<p>No person shall erect a construction information sign unless the person has either entered into a site plan control agreement with the City or the City has issued a building permit or a Fill and Topsoil permit for the construction.</p> <p>No person shall erect a construction information sign except on a temporary fence or other physical barrier, hoarding, around the perimeter of the construction site to which the sign pertains, or on the subject property at where the construction is located.</p> <p>No person shall erect a construction information sign more than 30 days prior to construction commencing.</p> <p>No person shall permit a construction information sign to remain erected 30 days after construction has completed or discontinued.</p>
Development Sales Office Signs	1.0 square metres in sign area	<p>No person shall erect a development sales office sign except on or immediately surrounding a temporary sales office.</p> <p>No person shall erect a development sales office sign except where it has been shown on building permit application documents and authorized by the City through issuance of a building permit.</p>

Sign Type	Maximum Size	Regulations
Development Sales Signs	1.2 metre height and 0.8 metre width	<p>No person shall erect a development sales sign at any location other than entirely on private property or on a boulevard.</p> <p>No person shall erect a development sales sign within 500 metres of any other development sales sign being used to direct attention to the same temporary sales office.</p> <p>No person shall permit a development sales sign to remain erected in its original location, or within 500 metres of its original location, for a total of more than 72 hours (excluding statutory holidays) during any consecutive 7 day period.</p> <p>No person shall erect a development sales sign with a sign height greater than 0.6 metres within 20 metres of the curb or the edge of the traveled portion of any intersecting street, private road, driveway or Regional road.</p>
Directional Signs	1.5 square metres in sign area	<p>No person shall erect a directional sign at any location other than entirely on private property.</p> <p>No person shall erect a directional sign unless the sign has no promotional or advertising content.</p>
Directory Signs	1.0 square metres in sign area	<p>No person shall erect a directory sign at any location other than entirely on private property.</p> <p>No person shall erect more than one directory sign at each access point from a street to the building.</p>
Farm Signs	1.5 square metres in sign area	<p>No person shall erect more than one farm sign per property.</p> <p>No person shall erect a farm sign at any location other than entirely on private property.</p>
Filming Location Signs	N/A	<p>No person shall erect a filming location sign unless the person has received a filming permit from the City.</p> <p>No person shall erect a filming location sign other than at a location that is approved and identified within a filming permit.</p> <p>No person shall erect a filming location sign at any location other than entirely on private property or on a boulevard.</p> <p>No person shall erect a filming location sign other than while the film is in production.</p>

Sign Type	Maximum Size	Regulations
Flags	2.7 square metres in sign area	<p>A maximum of three flags bearing a crest, emblem or insignia of any corporation, federal, provincial and municipal government agency, Country, or religious, charitable, fraternal, cultural or community organization are permitted on one property. Such flags do not require a sign licence or sign permit.</p> <p>No person shall erect a flag at any location other than entirely on private property.</p> <p>No person shall erect more than three flags on a single property.</p> <p>One flag (Federal, Provincial or Municipal) on a commercial or industrial zoned property may exceed the maximum size.</p>
Garage/Yard Sale Signs	1.0 square metres in sign area	<p>No person shall erect a garage/yard sale sign at any location other than entirely on private property or on a boulevard.</p> <p>No person shall erect a garage/yard sale sign more than 3 days prior to the day of the sale.</p> <p>No person shall permit a garage/yard sale sign to remain erected after the day of the sale.</p>
Automobile Service Station Signs	1.0 square metres in sign area	<p>No person shall erect a sign on an automobile service station canopy that contains anything other than corporate identification of the owner or operator of the gasoline station.</p> <p>Automobile service station signs are permitted to have electronic message boards subject to the restrictions for electronic message displays set out in Section 63 of this By-law.</p> <p>Automobile service station signs are permitted to be located on the columns of the gas station canopy, on top of gasoline pumps or free-standing on gasoline pump aprons or islands.</p>
Home-Based Business Signs	0.2 square metres in sign area	<p>No person shall erect a home-based business sign unless a home-based business licence has been issued by the City.</p> <p>No person shall erect a home-based business sign in any location other than on the front wall, door, mailbox, or on a post not exceeding 1 metre in height entirely on private low density residential property.</p> <p>No person shall erect a home-based business sign that is internally illuminated.</p>



<b>Sign Type</b>	<b>Maximum Size</b>	<b>Regulations</b>
Home Improvement Signs	1.0 square metres in sign area	<p>No person shall erect a home improvement sign at any location other than entirely on private property where the home improvement is being undertaken.</p> <p>No person shall erect a home improvement sign more than 2 days prior to the commencement of the home improvement project.</p> <p>No person shall permit a home improvement sign to remain erected for more than 90 days.</p>
Interior Signs	20 percent of total window area on first storey	No person shall erect an interior sign unless it is erected in a window of a building used for office, commercial or industrial.
Model Home Signs	2.0 square metres in sign area	No person shall erect a model home sign at any location other than on a property containing a model home.
No Trespassing Signs	0.3 square metres in sign area	No person shall erect a no trespassing sign at any location other than entirely on private property.
Posters	0.5 square metres in sign area	<p>No person shall erect a poster on a fixture.</p> <p>No person shall erect a poster on a vehicle or a trailer.</p>
Real Estate Signs	<p>All Residential or Open Space System: 1.0 square metres in sign area</p> <p>Other Uses: 2.5 square metres in sign area</p>	<p>No person shall erect a real estate sign at any location other than entirely on the property advertised for sale.</p> <p>No person shall erect a real estate sign except for entirely on private property</p> <p>No person shall erect more than one real estate sign per property unless the property is at least 0.5 hectares in size, then no person shall erect more than two real estate signs on separate street frontages.</p>
Real Estate Open House Signs	1.0 square metres sign area; and, 1.0 metre sign height	<p>No person shall display more than eight real estate open house signs in connection with any one open house.</p> <p>No person shall erect an open house sign except for between the hours of 8:00 am to 8:00 pm on the day of the open house as indicated on the sign.</p> <p>No person shall erect a real estate open house sign at any location other than entirely on private</p>

<b>Sign Type</b>	<b>Maximum Size</b>	<b>Regulations</b>
		property or on a boulevard at least 3.0 metres from another sign for the same listing.  No person shall display a real estate open house sign that does not list the date and time of the open house.

(2) Specific Sign Restrictions:

- (a) This section shall not apply to any sign lawfully erected prior to the passing of this By-law provided such sign has continuously remained in its location and has not been substantially altered.
- (b) No person shall erect a sign that exceeds the size permitted in this By-law.
- (c) Should the above provisions not be met, a Sign Permit or Sign Licence may be required, as well as an associated Sign Variance.

## Part 5 – General Restrictions

### General Restrictions Applicable to all Signs

62. No person shall erect any sign,
- (a) that does not comply with any provision of this By-law;
  - (b) that does not comply with any condition of a sign permit, sign licence or variance;
  - (c) that advertises a use not permitted by the City's Zoning By-law applicable to the property on which the sign is located;
  - (d) without a sign permit if a sign permit is required;
  - (e) without a sign licence if a sign licence is required;
  - (f) on or over, or partly on or over, public property or any part of a street without the City's approval unless the sign is expressly permitted by this By-law to be erected on a sidewalk or a boulevard. This includes any sign advertising a business, service, sale or event unless expressly listed as a permitted sign in this By-law;
  - (g) with the exception of temporary signs permitted within a boulevard, every sign shall be authorized by the registered Owner of the lot on which it is to be located;
  - (h) on or over, or partly on or over a driveway, a parking space, loading space or aisle required by the City's Zoning By-law;
  - (i) within 3.0 metres of a driveway at the streetline;
  - (j) within 15.0 metres of a traffic light;
  - (k) on a walkway or other means of egress on a property unless there is a minimum of 1.5 metres of unobstructed footpath space between the sign and the nearest structure;
  - (l) that projects less than 2.4 metres above the walking surface of a pedestrian walkway;
  - (m) that pertains to a past event or purpose that no longer applies subject to the timeline criteria as stated which is applicable to the sign type;
  - (n) that is structurally faulty, has broken, displaced or missing parts, is inappropriately displayed, contains lettering that is no longer fully legible, or is otherwise not maintained properly;
  - (o) on a roof or projecting in whole or in part above the roof, eaves or parapet of a building;
  - (p) no sign shall obstruct or impede the functioning of any flue or air intake or any exhaust;
  - (q) in a location that obstructs the view of any pedestrian or motorist so as to cause an unsafe condition;

- (r) that interferes with, or obstructs the view of, an authorized traffic sign, traffic signal or official sign;
- (s) no sign shall screen from view, obstruct or impede any emergency vehicle access, fire route, fire escape, hydrant, standpipe, fire exit, exit direction marker, fire fighter's access panel or other fire safety device, or prevent or impede free access from or to any part of a building or fire access by fire fighters to any part of a building;
- (t) that advertises a business, service, or product that is not located on the property where the sign is erected, unless expressly permitted by this By-law;
- (u) located within a visibility triangle formed by the intersection of a street line and a driveway line, or the projections thereof and a straight line connecting 6.0 metres from their point of intersection or a railway sight triangle;
- (v) that obstructs, or is located in, a required parking space;
- (w) that has more than two sign faces;
- (x) that is obscene or in bad taste;
- (y) no sign shall, by reason of its size, location, content, colouring or manner of illumination, obstruct the vision of drivers entering or leaving a city street, regional road, or provincial highway from or to another city street, regional road or a provincial highway or private road or driveway or obstruct, detract from or interfere with the visibility or effectiveness of any traffic sign or traffic signal light or any City street, regional road or provincial highway;
- (z) no sign shall resemble any regulatory traffic sign established under the *Highway Traffic Act* or the regulations made thereunder or be used for the purpose of attempting to direct the movement of traffic;
- (aa) no sign shall have a colour, shape or location which may cause it to be confused with any traffic control sign, signal or device;
- (bb) no sign shall be erected or displayed in such a manner as to interfere with any public service or utility;
- (cc) no person shall erect, paint, mark or inscribe any sign containing any promotional or advertising content,
- (dd) on pavement;
- (ee) on the exterior wall of a building except as approved by the City;
- (ff) on a utility pole, tree, stone or other natural object, or a fence unless as identified within this By-law; or
- (gg) on a vehicle or on a trailer that is parked or located for the purpose of sign display.

**Electronic Message Displays**

63. (1) No person shall erect an electronic message display which does not comply with the following restrictions:

<b>Permitted sign types</b>	Only permitted on permanent ground signs, wall signs and billboard signs
<b>Maximum sign area</b>	As per ground sign, wall sign, and billboard sign provisions
<b>Maximum sign height</b>	As per ground sign, wall sign and billboard sign provisions
<b>Minimum setback from a low density residential dwelling</b>	100 metres
<b>Minimum setback from another electronic message display</b>	100 metres
<b>Minimum setback from property line</b>	3.0 metres
<b>Permitted content</b>	Alphanumeric characters and digital images
<b>Minimum dwell time</b>	6 seconds
<b>Maximum day time luminance</b>	5,000 nits
<b>Maximum night time luminance</b>	300 nits
<b>Hours of dimming/turning off</b>	Must operate within maximum night time luminance between 9:00 pm to 8:00 am for signs located within 200 metres of a residential use, and in all other instances, between 11:00 pm to 7:00 am

(2) Specific Electronic Message Display Restrictions:

- (a) No person shall erect an electronic message display that contains full motion video, animation or movement, or displays third party advertising except for billboard signs. This does not include menu boards.
- (b) No person shall erect an electronic message display on a wall sign or ground sign that does not relate to the property it is located on.
- (c) All electronic message displays require an ambient light sensor that will automatically adjust the sign luminance according to the environmental conditions.

**Boulevards**

64. Where signs are permitted by this By-law to be erected on a boulevard, no such sign shall be erected closer than 1.0 metres from the curb of a street or, where there is no curb, closer than within 2.0 metres of the travelled portion of a street.

**Vacant Properties**

65. No person shall erect any sign, other than a development sign, community event sign, filming location sign, real estate sign, farm sign or no trespassing sign on vacant property.

**Special Sign Districts**

66. (a) No development sign, portable sign, banner sign, inflatable sign, flag sign or electronic message display shall be erected in a Special Sign District.
- (b) Section 66. (a) does not apply to community event signs.

**Election Signs**

67. Election signs must comply with all applicable provisions of Election Sign By-law 7591/17, as amended or replaced from time to time.

## Part 6 – Sign Permit Variances

### Variance Provisions

68. Variances for any sign requiring a sign permit must be approved by the Director.
69. An application for a sign variance shall be made on the appropriate form and shall be accompanied with the prescribed fee set out in the City's current General Municipal Fees By-law.
70. Every sign variance application shall include all of the information required to be submitted in relation to a permit application under Sections 31 to 37 (if applicable) and shall also include written reasons why the provisions of this By-law cannot be complied with.
71. The Director may recommend authorization for a sign variance from the provisions of this By-law if the general intent and purpose of this By-law is being maintained.
72. In considering an application for a sign variance, the Director shall have regard for:
  - (a) special circumstances or conditions applying to the property, 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 property, building or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant that are inconsistent with the objectives of this By-law;
  - (c) whether such special circumstances or conditions are pre-existing and not created by the owner or applicant; and
  - (d) whether the sign that is the subject of the variance will alter the character of the area.
73. Signs approved under the provisions of a site plan control agreement shall be deemed to be in compliance with the provisions of this By-law.
74. Prior to making a determination on any variance application, the application details may be brought to the attention of the City's Site Plan Review Panel.
75. The Director shall notify the applicant prior to the meeting of the City's Site Plan Review Panel to provide the applicant an opportunity to appear before the City's Site Plan Review Panel to make representations respecting the application.
76. When commenting on a variance, the City's Site Plan Review Panel shall act under the authority given to it under this By-law and not under the *Planning Act*, R.S.O 1990, c. P.13 and shall have regard for 66(a) to (d).
77. If the applicant does not attend the City's Site Plan Review Panel meeting at the appointed time, the City's Site Plan Review Panel may proceed in the absence of the applicant and the applicant shall not be entitled to any further notice dealing with the application.

78. The Director may approve or refuse any variance application, and may impose any conditions upon an approval as he or she determines to be appropriate.
79. If the Director refuses to grant a variance, he or she shall advise the applicant and provide the applicant with written reasons for the refusal.



## Part 7 – Exemptions

80. This By-law shall apply to all existing and proposed signs in the City other than,
- (a) Official Signs;
  - (b) signs on a property that are less than 0.2 square metres in area provided they do not contain any promotional or advertising content; and
  - (c) any advertising on fixtures approved by the City or the Region.
81. This By-law does not apply to any changes to a sign face if,
- (a) the sign has been previously approved;
  - (b) there is no change in sign area, shape, construction or design; and
  - (c) the sign is not located within a Special Sign District.

## Part 8 – Enforcement

### Administration and Inspections

82. An officer may, at any reasonable time, enter upon any property for the purpose of carrying out an inspection to determine whether or not the provisions of this By-law have been complied with.
83. An Officer(s) is authorized to enforce the provisions of this By-law. No person shall prevent, hinder or interfere or attempt to prevent, hinder or interfere with an inspection undertaken by an officer.
84. Where an officer has reasonable grounds to believe that an offence has been committed by a person under this By-law, the officer may require the name, address and proof of identity of that person, and the person shall supply the requested information.
85. Where a sign is erected or displayed in contravention of any provision of this By-law, any person named on the sign shall be presumed to have been the person who erected or displayed the sign, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
86. Where a sign is erected or displayed in contravention with any provision of this By-law, and the sign has no person's name on it, but a telephone number appears on the sign, any person to whom the telephone number is listed in a telephone directory, including any internet directory, shall be presumed to have been the person who erected or displayed the sign, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
87. Where a sign is erected or displayed by a Corporation in contravention of any provision of this By-law, the directors and officers of the corporation shall be presumed to have knowingly concurred in the erection or display of the sign in contravention of this By-law, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

### Order to Comply

88. (a) Where an officer is satisfied that there has been a contravention of any provision of this By-law, the officer may issue an order requiring the owner of the property on which the contravention has occurred or the person who erected the sign to do work to correct the contravention, including removal of the sign.
- (b) An order shall set out,
  - (i) reasonable particulars of the contravention;
  - (ii) the location of the property;
  - (iii) the general nature of the work required to be done to correct the contravention;  
and
  - (iv) the date by which the work must be done.

- (c) An order may be served by,
  - (i) personally delivering it to the owner;
  - (ii) sending it by registered mail to the owner at the address of the owner shown on the last revised assessment roll for the property; or
  - (iii) sending it by registered mail to the owner at the last known address of the owner.
- (d) If the address of an owner is unknown or the City is unable to effect service on an owner in accordance with subsection (c), a placard setting out the terms of the order may be placed in a conspicuous place on or near the owner's property.
- (e) Service of an order under this section shall be deemed to have been effected on the date that it is delivered personally, 3 days after it was mailed, or the date that it is posted on the property, as the case may be.

89. No person shall fail to comply with an order issued under this By-law.

### **Remedial Action**

- 90. (a) Where an order has been issued respecting any sign and compliance has not been achieved by the date specified in the order, the City may cause the work set out in the order to be done.
- (b) The City may recover all costs of doing any work undertaken pursuant to subsection (a), together with an administration charge equal to 25 percent of such costs, from the owner by adding the costs to the tax roll and collecting them in the same manner as property taxes.

### **Removal of Signs**

- 91. (a) Where a sign is erected on, over, partly on, or partly over, property owned by or under the jurisdiction of the City, such sign may be removed immediately by the City without notice or compensation and may be disposed of at the City's discretion. signs made of paper or any substance that will degrade will be disposed of immediately.
- (b) A sign removed by the City may be stored for a period of not more than 30 days, during which time the sign may be redeemed by the person who erected the sign upon payment of the applicable fee set out in the City's current General Municipal Fees By-law.
- (c) Signs not redeemed by the person who erected the sign within 30 days of removal by the City shall be disposed of by the City without notice or compensation.
- (d) An Officer may enter onto a Property or Premises at any time and/or may remove a sign immediately without notice or compensation to the Owner if the sign constitutes a safety hazard or a concern.

- (e) A person who erects a sign may be responsible for the cost of its removal, storage, and/or disposal. These costs may be collected by the same manner as taxes as per the *Municipal Act, 2001, S.O. 2001*.

### **Liens**

92. All costs incurred by the City for the removal, care and storage of a sign that was erected in contravention of this By-law are a lien upon the sign that may be enforced by the City under the *Repair and Storage Liens Act, R.S.O. 1990, c. R.25*.

### **Offences and Penalties**

93. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to:
- (a) A fine of not more than \$100,000.00
  - (b) In the case of a continuing offence, a minimum fine for each day or part thereof shall be a minimum of \$500.00 and a maximum of \$10,000.00. Daily fines for a continuing offence shall not be limited to \$100,000.00.
  - (c) In addition to any other fines under this section, a special find may be imposed if the commission of an offence resulted in economic gain or advantage. The maximum amount of a special fine may exceed \$100,000.00.
94. No person shall make a false or intentionally misleading recital of fact, statement or representation in any application or other document required by this By-law.
95. If a sign has been erected or displayed in contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected.

### **Repeal**

By-law 6999/09, as amended, is repealed.

### **Effective Date**

This By-law comes into effect on the date of its passing.

By-law passed this XXXX day of XXXX, 2024.

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Kevin Ashe, Mayor

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Susan Cassel, City Clerk

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**Schedule "A" – Special Sign Districts**

Schedule "A1"	Liverpool Road Waterfront District
Schedule "A2"	Whitevale District
Schedule "A3"	Greenwood District
Schedule "A4"	Cherrywood District
Schedule "A5"	Green River District
Schedule "A6"	Claremont District
Schedule "A7"	Brougham District
Schedule "A8"	Kinsale District
Schedule "A9"	Balsam District

**Schedule “B” – Billboard Sign Districts**