

**Office Consolidated Copy  
January 2014 - Amending By-law #6-2014**

**The Corporation of the Town of Ajax  
By-law Number 27-2009**

A By-law to regulate signs and other advertising devices in and for the Corporation of the Town of Ajax.

**Whereas**, pursuant to the Municipal Act, 2001, S.O. 2001, c.25, as amended, the Council of a local municipality may pass a By-law to regulate or prohibit signs and other advertising devices;

**Now therefore**, the Council of the Corporation of the Town of Ajax enacts as follows:

**1. Short Title**

1.1 This by-law may be cited as the "Sign By-law".

**2. Interpretation**

2.1 The necessary grammatical changes required to make the provisions hereof apply to corporations, partnerships, trusts and individuals, male and female, and to include the singular or plural meaning where the context so requires shall in all cases be assumed as though fully expressed.

2.2 The insertion of headings and the division of this by-law into sections and subsections are for the convenience of reference only and shall not affect the interpretation thereof.

2.3 Any reference in this by-law to any statutes, regulations or by-laws shall be deemed to be a referenced to such statutes, regulations or by-laws, as amended, restated or replaced from time to time.

2.4 Temporary Signs shall be regulated by the "Temporary Sign By-law".

**3. Definitions**

3.1 Unless otherwise defined in this by-law, definitions from Zoning By-law #95-2003 where applicable shall apply to terms used in this by-law.

3.2 In this By-law:

"A-Frame Sign" means any temporary Sign that is designed to stand freely by means of two board faces or one board face and a supporting leg(s).

"Abandoned or Obsolete Sign" means a sign located on a 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.

"Animated Sign" means any Sign which includes action or motion of colour changes of all or any part of the Sign.

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

"Alter" means any change to the sign structure or sign face including the addition, deletion or re-arrangement of parts and for the purpose of this by-law, the changing of movable parts of Signs, that are designed for changes, or repainting or repair of display matters, shall not be deemed to be alterations.

“Banner Sign” means a temporary Sign of lightweight fabric, plastic or similar material.

“Billboard Sign” means a Sign to which copy is fastened, posted, painted or projected in such a manner as to permit its periodic replacement and which advertises good, products, services or facilities that are not necessarily available at the location of the Sign and/or which directs a Person to a location different from that where the Sign is located.

“Campaign Headquarters” means an industrial or commercially zoned building where a registered candidate has set up an office to conduct an election campaign.

“Canopy Sign” means a Sign Erected on a structure which projects from the exterior face of a building wall, unenclosed on all sides, which may afford protection from the weather.

“Chief Building Official” means the Chief Building Official, or his designate, appointed by the Council of the Town.

“Construction Sign” means a temporary Sign indicating the name of a construction project, and includes contact information of contractors, architects and/or engineers.

“Daylighting Triangle” means an area of private land on a corner lot, which area is to be determined by measuring from the point of intersection of the street lines, 7.5 metres along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting street lines and the straight line joining the points at the required distance along the street line is the Daylighting Triangle.

“Development Sign” means a Sign advertising the sale, rental or lease of any building, structure or lot.

“Directional Sign” means a Sign directing and the general public to a specified place.

“Director” means the Director of Planning and Development Services or his designate.

“Display Service” means the entire Sign Area which encloses the extreme limits of the message or announcement displayed on a sign. Decorations related to the specific nature of the message or announcement shall be included.

“Election Sign” means a temporary Sign for an election or by-election, for or promoting the election of, a person or a political party seeking election for any public office.

“Electronic Message Board” means a permanent Sign which is electronically controlled and which displays information in a pre-arranged sequence.

“Erect” means display, attach, affix, post, alter, construct, place, locate, install or relocate.

“Fascia Sign” means a Sign parallel to the building wall to which it is attached.

“Facade” means the area of exterior wall of each individual storey between the top of any floor and the top of the next floor above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

“Illuminated Sign” means a Sign that provides artificial light directly or from a source of light connected with such Sign, or a Sign illuminated by a light focused upon or chiefly directed at the surface of the Sign.

“Information Sign” means a sign for public safety of convenience regulating on premises traffic, parking or other functional subdivisions on the premises or a sign denoting sections of a building and shall include entry and exit signs.

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

“Officer” means a Municipal Law Enforcement Officer appointed by the Council of the Town to enforce Municipal By-laws.

“Overhanging Sign” means a Sign, other than a Fascia Sign, of which the Display Surface projects perpendicular to the exterior face of a building, wall or any structure.

“Pennant” means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended on a pole, or from a rope, wire, or string in series, designed to move in the wind but not including a Banner or recognized flags.

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

“Pylon Sign” means a Sign attached or directly supported by one or more uprights, poles or braces, or located in a structural base, located in or on the ground.

“Roof Sign” means any Sign which is located entirely on or above the roof of a building or located entirely on the top of or above the parapet of a building.

“Sign” means an Advertising Device containing words, symbols or pictures, including its structure or other component parts, which is used or is capable of being used to attract attention to a subject matter, but does not include a Temporary Sign.

“Sign Area” means:

- (a) the area of the Display Surface including the border of the frame;
- (b) all of the area of the display surface lying within the extremities of the Sign, if the Sign does not have a border or frame;
- (c) in the case of a free standing number, letter or shape, the smallest rectangle which will enclose the number, letter or shape;
- (d) in the case of groupings of free standing numbers, letters or shapes, or combinations thereof, the sum of the area of the smallest rectangle which will enclose the grouping of numbers, letters or shapes; and,
- (e) where used in connection with a Sign having two display surfaces and a thickness not greater than necessary to accommodate the Sign structure and with the thickness not used as a display surface, means the area of one display surface.

“Sign Height” means:

- (a) the height of a Sign with border or frame shall be the vertical distance from the ground on which it stands to the highest extremity of the Sign; or,
- (b) the height of the Sign, without border or frame, that is affixed to or mounted upon any building or other approved mounting, shall be the vertical distance from the ground to the top of the letter, symbol or other part of the Sign that is highest.

“Sign, Temporary” means a Portable Sign, A-Frame Sign, A-Frame Directional Sign, Poster Sign, Inflatable Sign, Yard Sale or Election Sign.

“Town” means The Corporation of Town of Ajax.

“Zone” means the area of a defined land use in the Town’s Zoning By-law passed under the Planning Act, R.S.O. 1990 c. P.13 as amended or any successor thereto.

#### **4. Administration**

- 4.1 Planning & Development Services shall be responsible for the issuance of permits for all signs referred to in this by-law, with the exception of Portable Signs and Inflatable Signs, and shall be responsible for the enforcement of Ontario Building Code matters.
- 4.2 The By-law Services Section shall be responsible for the issuance of permits for Portable Signs and Inflatable Signs pursuant to the “Temporary Sign By-law”, and shall be responsible for the enforcement of this by-law.
- 4.3 This by-law shall be read and interpreted in conjunction with the Zoning By-law #95-2003, as amended, of the Town.
- 4.4 All dimensions are metres (m) or square metres (m<sup>2</sup>) unless otherwise indicated and all submissions shall be dimensioned as such.
- 4.5 The fees for permits issued pursuant to this by-law shall be in accordance with the Building Permit Fees By-law and the Town’s Planning Act Fees and Charges By-law. **(as amended by By-law #6-2014)**

#### **5. Permits**

- 5.1 Except for Signs otherwise exempted from the permit provisions in accordance with Section 8.1, no person shall Erect or display or permit or cause the Erection or display of a Sign on any property, building or business premises, unless a permit is obtained under the provisions of this by-law prior to the Erection of said Sign.
- 5.2 The applicant for a permit shall be the owner or the tenant or their authorized agent of the property, building or business on which property the Sign is to be Erected.
- 5.3 The applicant for a Sign permit shall be filed with the Building Approvals Section of the Town of Ajax.
- 5.4 The application for a permit shall be completed on the form provided by the Town.
- 5.5 The applicant shall obtain approval for the proposed sign, if required, from other governmental authorities having jurisdiction.
- 5.6 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.

#### **6. Revocation of Permits**

- 6.1 The Town may revoke a permit under the following circumstances:
  - (a) The permit has been issued in error by the Town,
  - (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 a result of false, mistaken, incorrect, or misleading statements, information, or undertakings on the application.

## **7. Expiry of Permits**

7.1 A Permit issued by the Town shall expire;

- (a) Upon expiry of any display period specified under this by-law or pursuant to the terms of the permit; or,
- (b) In all other instances, 6 months from the date of issuance unless the sign has been Erected for its intended purpose; and,
- (c) Immediately upon removal of the sign.

## **8. Signs for which permits are not required**

8.1 The requirement to obtain a permit shall not apply to the following Signs:

- (a) Election Signs Erected in accordance with the provisions of the Temporary Sign By-law;
- (b) Information Signs on any premises not exceeding 0.4 m<sup>2</sup> in Area;
- (c) Signs for a blood donor clinic of the Canadian Blood Services;
- (d) Real Estate Signs not exceeding 0.8 m<sup>2</sup> in Area in a residential zone and 2.0 m<sup>2</sup> in all other zones. Such Real Estate Signs shall be removed within 14 days after the date of acceptance of an offer of purchase or lease of the premises;
- (e) Public Notice Signs required under the Planning Act;
- (f) Flags of corporations, educational, religious, charitable or fraternal organizations to a maximum of 3 per premises;
- (g) Emblems or insignia of patriotic, civic, educational, religious, charitable or fraternal organizations;
- (h) Signs on a temporary sale trailer which has been approved by the Town through a fully executed agreement and which are associated with a residential or non-residential development;
- (i) Signs not exceeding 3.0 m<sup>2</sup> in Area advertising the sale of edible farm produce grown on the same premises. Such Signs shall be limited to two Signs per premises and shall be removed within 24 hours of the date when the advertised produce ceases to be available for sale;
- (j) Public transit shelter advertising or any advertising on street furniture and fixtures approved by the Town of the Region of Durham.

## **9. General Provisions**

9.1 No person shall Erect or display or permit or cause the Erection or display of a Sign that is not in accordance with the provisions of this by-law or a variance granted under this by-law.

9.2 No person shall Erect, permit or cause or display a Sign to be Erected for which a permit has not been obtained, except in accordance with the approved plans and drawings submitted as part of the permit application.

9.3 Except where otherwise permitted in this by-law, or authorized by the authority having jurisdiction, no person shall Erect a Sign or Advertising Device or permit or cause a Sign or Advertising Device to be Erected which overhangs or encroaches Town property, including a road allowance.

9.4 Except as specifically permitted under this by-law, no person shall Erect or display a Sign or permit or cause a Sign to be Erected on private property for a

purpose other than a purpose related ancillary to a principal use permitted in the Zoning where the property upon which the Sign is Erected or the purpose facilitating the commencement of such a use.

- 9.5 The light directed at an illuminated Sign shall be directed away from an adjacent property and the path of vehicular traffic.
- 9.6 The lighting intensity of an illuminated Sign shall be turned off or dimmed between the hours of 11:00 p.m. and 7:00 a.m. if so directed by an Officer, or the conditions of any permit.
- 9.7 No person shall fail to remove, alter or repair a Sign which is not in compliance with the provisions of this by-law when so directed by an Officer.
- 9.8 A Sign shall not be Erected within 3m of any driveway where it intersects a highway.
- 9.9 A Sign shall not be Erected within a Daylighting Triangle.
- 9.10 A Sign shall not be Erected within 15 m of a traffic light standard, stop sign or other traffic control device.
- 9.11 The applicant for a permit, owner, tenant or agent of the property, building or business upon which a Sign is located, shall maintain such Sign in a proper state of repair so that such Sign does not become unsafe or unsightly.

## **10. Maintenance and Changes**

- 10.1 A change in the message displayed by a Sign does not constitute an alteration so as to require a permit, provided that this does not constitute a change in the material, structure or Sign Area.
- 10.2 Maintenance or repairs to existing approved Sign materials identical to the materials of the component being maintained or repaired shall not be deemed to be an Alteration.

## **11. Development Signs**

- 11.1 Development Signs shall only be permitted for a building, structure or lot within the Town.
- 11.2 Permits for Development Signs shall be valid for a period of 36 months from the date of issue. Upon completion of construction of the development for which a Sign has been Erected the applicant for the permit or the owner of the property or the building on which the Sign has been Erected or agent shall remove all Development Signs forthwith and no person shall fail to comply with a notice to remove said signs.

## **12. Billboard Signs**

- 12.1 Billboard Signs shall be restricted to a maximum of 5 Signs for the entire Town located along Kingston Road East and Bayly Street East.

## **13. Pylon Signs**

- 13.1 The maximum total Sign Area for a Pylon Sign that is double faced or a multi-faced sign shall be double the Sign Area permitted for one Sign face.
- 13.2 A maximum of one Pylon Sign is permitted per street frontage of a property, unless specifically permitted elsewhere in this by-law.
- 13.3 One Menu Board Sign shall be permitted in association with a drive-through facility in a Commercial Zone.

13.4 One Pre-Menu Board Sign shall be permitted in association with a drive-through facility in a Commercial Zone.

#### **14. Fascia Signs and Canopy Signs**

14.1 No Fascia Sign or Canopy Sign shall project more than 1 m above the roof line of the wall on which it is mounted.

14.2 No Fascia Sign or Canopy Sign shall project more than 0.5 metres from the wall to which it is attached.

14.3 A Fascia Sign or Canopy 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.

14.4 A Fascia Sign or Canopy Sign erected on a building above the surface of a private road or laneway, shall be located not less than 4.25 m above the finished grade below the sign.

14.5 A Fascia Sign or Canopy Sign shall be parallel to the wall to which it is attached.

14.6 A Fascia Sign or Canopy Sign shall be mounted on the same building wall used to calculate the maximum Sign Area.

#### **15. Overhanging Signs**

15.1 Overhanging Signs shall be permitted in Shopping Centres and in the Downtown Business Improvement Area and the Pickering Village Business Improvement Area subject to a maximum of one Sign per business establishment, each Sign not to exceed 0.3 m<sup>2</sup> in Area.

15.2 An Overhanging 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.

15.3 An Overhanging Sign erected on a building above the surface of a private road or laneway, shall be located not less than 4.25 m above the finished grade below the sign.

#### **16. Banner Signs**

16.1 Banner Signs shall be permitted on buildings or Pylon Sign structures in all Commercial, Automotive and Employment Uses and shall comply with the provisions for Fascia Signs and Pylon Signs in Table 22.1, Table 22.2 and Table 22.3.

16.2 A Permit for a Banner Sign shall be valid for a period of time approved by the Town which shall not exceed 90 days.

16.3 The maximum number of times a Banner Sign shall be permitted on a lot per year is two.

#### **17. Pennants**

17.1 Pennants shall have a minimum setback of 1 m from a lot line.

17.2 Pennants suspended on a rope, wire or string in series shall not be greater in length than the frontage of the lot where the Pennants are located.

17.3 Pennants suspended on a pole shall not be greater than 1.5 m<sup>2</sup> in area.

## **18. Electronic Message Boards**

- 18.1 Electronic Message Boards are permitted on a Pylon Sign provided:
- (a) A maximum of 50% of the sign area may be used for the purpose of an electronic message board; and,
  - (b) The intensity of illumination shall be maintained at a constant level.

## **19. Signs on Town Property Requiring Approval**

- 19.1 The following signs may be erected on or overhanging Town property with the approval of the Town:
- (a) Signs providing direction to churches or other religious institutions, public facilities and the like; and,
  - (b) Permanent Signs deemed by the Town to be of a public service nature.

## **20. Prohibited Signs**

- 20.1 The following signs are prohibited under this by-law:
- (a) Abandoned or Obsolete Signs;
  - (b) Animated Signs, with the exception of an electronic message board permitted under Section 18 of this by-law;
  - (c) Roof Signs;
  - (d) Signs on trucks, trailers, or vehicles that are parked on a property in a manner that is unrelated to their normal use as vehicles and is more consistent with the use or intended use of the vehicle as a sign; and
  - (e) Any Sign capable of being confused with a sign, such as a traffic sign, traffic signal or official sign, or a sign that direct the movement of traffic or a sign which hides the view of any official traffic Sign or signal.
- 20.2 Where a Sign is not expressly permitted under the by-law, it shall be deemed to be prohibited.
- 20.3 Where a type of Sign is not specifically permitted within a particular Zone or type of property, it shall be deemed to be prohibited within that Zone or on that type of property.

## **21. Permitted Signs by Land Use Type/Zone**

- 21.1 Table 21.1 establishes the permitted Signs for each of the use categories subject to Section 22 of this by-law.
- 21.2 No Person shall Erect, or cause to be Erected, any Sign except in accordance with the provisions of Table 21.1

**Table 21.1 Permitted Signs by Land Use Type**

Use	Pylon	Fascia	Canopy	Temporary A-Frame	Temporary Portable	Temporary Banner	Pennant	Temporary Inflatable	Illuminated
Commercial(1)	✓	✓	✓	✓	✓	✓		✓	✓
Automotive (2)	✓	✓	✓	✓	✓	✓	✓	✓	✓
Residential (3)	✓	✓							
Employment(4)	✓	✓		✓	✓	✓			✓
Rural/Open Space (5)	✓			✓	✓				
Institutional (6)	✓	✓			✓				✓
Development Residential	✓	✓		✓					✓
Development Non-Residential	✓	✓							

- (1) Accessory Outdoor Patio, Art Gallery, Banquet Facility, Commercial Fitness School, Convenience Store, Crisis Care Facility, Day Care Facility, Drive-thru Facility, Dry Cleaning Depot, Dry Cleaning Establishment, Financial Institution, Funeral Home, Garden Centre, Hotel, Laundromat – Self Service, Library, Medical Clinic, Hotel, Motor Vehicle Rental Depot, Motor Vehicle Rental Establishment, Museum, Nightclub, Office, Personal Service Shop, Place of Assembly, Place of Entertainment, Place of Worship, Restaurant, Restaurant Drive Thru, Retail Store, Retail Warehouse, Service or Repair Shop, Taxi Depot, Veterinary Clinic
- (2) Motor Vehicle Sales Establishment, Motor Vehicle Gas Bar, Motor Vehicle Service Centre, Motor Vehicle Wash Automatic
- (3) Home-Based Business, Bed and Breakfast Establishment
- (4) Accessory Retail Outlet, Banquet Facilities, Building and Construction Materials Facilities, Commercial Fitness Centre, Commercial School, Community Centre, Contractors Yard, Day Care Facility, Drive-Thru Facility, Dry Cleaning Establishment, Emergency Service Facilities, Financial Institution, Fuel Storage Supply Yard, Funeral Home, Hotel, Light Manufacturing, Machinery and Equipment Sales and Rental, Manufacturing, Medical Clinic, Motel, Motor Vehicle Repair Facility, Motor Vehicle Rental Establishment, Motor Vehicle Washing Establishment, Offices, Personal Service Shop, Place of Assembly, Place of Entertainment, Place of Worship, Public Storage Facility, Recreation Facility, Restaurant, Restaurant Drive Thru, Service or Repair Shop, Sports Area, Transportation Depot, Veterinary Clinic, Warehouse/Distribution Centre
- (5) Agricultural Operations, Bed and Breakfast Establishment, Boarding Kennel, Equestrian Centre, Home Based Business, Resource Management Uses, Seasonal Farm Produce Sales Outlet, Veterinary Clinic, Golf Course, Golf Driving Range, Passive Recreation Use, Public Park, Recreation Facility, Refreshment Pavilion
- (6) Cemetery, Community Centre, Crisis Care Facility, Day Care Facility, Hospital, Library, Nursing Home, Place of Worship, School, Sports Arena

(Land Uses not identified above shall be incorporated by an amendment to this by-law)

## 22. Sign Standard

- 22.1 Tables 22.1 through 22.9 establishes the standards for the Signs for each use identified in Table 21.1.
- 22.2 No person shall Erect, or cause to be Erected, a Sign except in accordance with Tables 22.1 through 22.9.
- 22.3 A Pylon Sign shall not be permitted on a lot where the frontage is less than 15 m or on a lot where the main building is set back less than 7 m from the front lot line.

**Table 22.1 Commercial Zone Signs Standards**

	Max. Height	Max. Area	Max. Number	Min. Setback
Pylon – Frontage less than 30 m	6 m	6 m <sup>2</sup>	1 (1)	3 m (2)
Pylon – Frontage greater than 30 m	8 m	10 m <sup>2</sup>	1 (1)	3 m (2)
Pylon – Shopping Centre (3)	9 m	35 m <sup>2</sup>	1 (1)	3 m (2)
Fascia – First Storey Facade	n/a	25% of Facade	n/a	n/a
Fascia – Above First Storey	n/a	15% of Facade	n/a	n/a
Canopy	n/a	25% of Facade (4)	n/a	
Drive-Through – Menu Board	3 m	4 m <sup>2</sup>	1	3 m
Drive-Through – Pre-menu Board	3 m	2 m <sup>2</sup>	1	3 m

- (1) one per lot frontage on a Public Street
- (2) minimum setback of 5 m from a residential land use
- (3) a secondary pylon may be displayed provided that the total Area of the Signs do not exceed 35 m<sup>2</sup>
- (4) 25% of Façade or 100% the area of the canopy structure whichever is less

**Table 22.2 Automotive Zone Sign Standards**

	Height	Max. Area	Max. Number	Min. Setback
Pylon (3)	8 m	12.5 m <sup>2</sup>	2 (1)	3 m (2)
Fascia		25% of Facade	n/a	
Canopy		25% of Façade (4)	n/a	
Drive-Through – Menu Board	3 m	2.5 m <sup>2</sup>	1	3 m
Drive-Through – Pre-menu Board	3 m	1.5 m <sup>2</sup>	1	3 m

- (1) one per lot frontage on a Public Street
- (2) minimum setback of 5 m from a residential land use
- (3) one additional Pylon Sign not to exceed 7 m<sup>2</sup> may be located in the vicinity of the used cars area
- (4) 25% of Façade or 100% the area of the canopy structure whichever is less

**Table 22.3 Employment Zone Sign Standards**

	Max. Height	Max. Area	Max. Number	Min. Setback
Pylon – Single Occupancy	6 m	12.5 m <sup>2</sup>	1 (1)	3 m
Pylon – Multiple Occupancy	4.5 m	12.5 m <sup>2</sup>	1 (1)	3 m
Fascia		10% of Facade	n/a	n/a

- (1) one per lot frontage on a Public Street

**Table 22.4 Institutional Zone Sign Standards**

	Max. Height	Max. Area	Max. Number	Min. Setback
Pylon	4.5 m	4 m <sup>2</sup>	1 (1)	3 m
Fascia		10% of Facade	1 (1)	n/a

- (1) one per lot frontage on a Public Street

**Table 22.5 Rural/Open Space Zone Sign Standards**

	Max. Height	Max. Area	Max. Number	Min. Setback
Pylon (Agricultural Use)	4 m	3 m <sup>2</sup>	1 (1)	6 m
Pylon (Non-Agricultural Use)	4 m	6 m <sup>2</sup>	1 (1)	3 m
Fascia (Non-Agricultural Use)		10% of Facade	n/a	n/a
Bed & Breakfast	1.8 m (2)	0.4 m <sup>2</sup>	1	3 m
Home Based Business	1.8 m (2)	0.4 m <sup>2</sup>	1	3 m

- (1) one per lot frontage on a Public Street
- (2) Pylon Sign

**Table 22.7 Residential Zone Sign Standards**

	Max. Height	Max. Area	Max. Number	Min. Setback
Home Based Business (1)	1.5 m (3)	0.3 m <sup>2</sup>	1	3 m
Live-Work Unit (2)	n/a	0.3 m <sup>2</sup>	1	n/a
Multi-Residential	3.5 m	3 m <sup>2</sup>	2 (4)	3 m

- (1) 1.5 m<sup>2</sup> maximum Area and 2 m maximum height on properties fronting Kingston Road, Westney Road, Lake Ridge Road, Salem Road, Church Street, Bayly Street, Rossland Road, Taunton Road and Harwood Avenue
- (2) Fascia Sign
- (3) Step Stake Signs are not permitted
- (4) one per lot frontage or driveway on a Public Street

**22.8 Residential Development Sign Standards**

	Max. Height	Max. Area	Max. Number	Min. Setback
Temporary Directional, Primary (6)	8 m	15 m <sup>2</sup>	2	3 m
Temporary Directional, Secondary	3 m	.6 m <sup>2</sup>	2	3 m
Pylon – On-site, Primary (6)	8 m	30 m <sup>2</sup>	1	3 m
Pylon – On-site, Secondary (6)	6 m	18 m <sup>2</sup>	1 (1) (2) (3)	3 m
Pylon – On-site, Directional	4 m	1.5 m <sup>2</sup>	n/a (4)	3 m
Sales Trailer	(4)	(4)	n/a	n/a
Entrance/Exit	1.8 m	0.6 m <sup>2</sup>	2	0.5 m
Hour	2.5 m	2 m <sup>2</sup>	1	3 m
Pennant (5)	9 m	n/a	20	n/a
Construction	3.5 m	5 m <sup>2</sup>	1 (1)	3 m

- (1) one per frontage on a Public Street
- (2) three additional signs are permitted to a maximum total area of 15 m<sup>2</sup> for each sign
- (3) minimum spacing between Signs 75 m
- (4) as approved through the Site Plan Process
- (5) Pennants are subject to the provisions of Section 17 of this by-law
- (6) Permits shall be valid for a period of 36 months from the date of issue

**Table 22.9 Non-Residential Development Sign Standards**

	Max. Height	Max. Area	Max. Number	Min. Setback
Development Sign (3)	6 m	16 m <sup>2</sup>	1 (2)	3 m
Fascia – On-site	(1)	(1)	n/a	n/a
Pylon – On-site, Directional	4 m	1.5 m <sup>2</sup>	n/a (4)	3 m

- (1) as approved through the Site Plan Process
- (2) one per lot frontage on a Public Street
- (3) A Fee of shall be \$75.00 per calendar year shall apply in addition to the Fee for a Building Permit

**23. Construction**

- 23.1 Where applicable, all Signs shall be designed, constructed and located in compliance with the applicable provisions of the Ontario Building Code, the Canadian Electrical Code and good engineering practices.
- 23.2 No Sign or Advertising Device shall be located to obstruct any window, door, skylight, fire escape, fire hydrant or siamese connection so as to prevent the free access of firefighters in case of fire.

## **24. Variance**

- 24.1 Council delegates the authority for sign variances to the Director.
- 24.2 An application for variance shall be made on the appropriate form and shall be accompanied with the prescribed fee as set out in the Town's Planning Act Fees and Charges By-law. **(as amended by By-law #6-2014)**
- 24.3 The Director may recommend authorization for a sign variance from the provisions of this by-law, if the general intent and purpose of the by-law is being maintained.
- 24.4 In considering an application for a variance the Director 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 the 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,
  - (c) Whether such special circumstances or conditions are pre-existing and not created by the owner or applicant, or,
  - (d) Whether the sign that is subject to the variance will alter the essential character of the area.
- 24.5 Signs approved under the provisions of a Site Plan Agreement shall be deemed to be in compliance with the provisions of this By-law.

## **25. Offences and Penalties**

- 25.1 Every Sign Erected after the day this by-law comes into force shall comply with this by-law and with the relevant provisions of any other applicable by-law of the Town, failing which the Sign shall be removed by the owner thereof, the person who Erected the Sign or caused the Sign to be Erected or by the owner of the property, building or business on which it situated.
- 25.2 When a Sign is Erected on or overhanging property owned by or under the jurisdiction of the Town, in contravention of this by-law, the Sign may be removed by an Officer without notice.
- 25.3 When a Sign is Erected in contravention of this by-law, an Officer may forward a notice, by personal service, telephone or regular post, to the lessee or owner of the Sign, or their agents, to the owner of the property, building or business upon which the Sign has been Erected or to the person or agent having the use or the major benefit of the Sign, requiring that the Sign be permanently removed within the time specified in the notice and thereafter not replaced with an Sign in contravention of this by-law.
- 25.4 If a notice is not complied with, an Officer may require Town employees, or an independent contractor, to enter land and remove a Sign at the expense of the owner of the Sign, the person who Erected the Sign or caused the Sign to be Erected and the owner of the property upon which the Sign has been Erected.
- 25.5 If, in the opinion of the Chief Building Official a Sign is in an unsafe condition, the owner will be given the opportunity of removing the Sign within the time specified by the Chief Building Official. In the event of the owner being unwilling or unable to comply, the Chief Building Official may have the Sign removed immediately if it is considered hazardous to the public, at the expense of the owner.
- 25.6 The Town may recover an expense incurred pursuant to Sections 25.4 or 25.5 by adding the cost to the tax roll and collecting it in the same manner as taxes.
- 25.7 A Person wishing to recover a Sign removed pursuant to Sections 25.2, 25.4 or 25.5, shall pay a fee of \$25.00 for an A-Frame Sign and \$100.00 for a Portable Sign or the total expense of removing the Sign, whichever is greater.
- 25.8 Every Person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine or penalty for each offence, exclusive of costs as prescribed by the Provincial Offences Act.

25.9 Should any provision of this by-law be declared by a court of competent jurisdiction to be void or ultra vires for any reason, the remaining provisions shall, nevertheless, remain valid and binding and the by-law shall be read as if the provisions had been struck out.

**26. Repeal**

26.11 That By-law Number 72-2005, as amended, is hereby, repealed.

Read a first and second time this  
thirtieth day of March, 2009.

Read a third time and passed this  
thirtieth day of March, 2009.

**Steve Parish, Mayor**

**Blair Labelle, Deputy Clerk**