



Report to Council

Department: Planning
Date: July 14, 2014
Prepared by: Jeff Watson, Policy Planner
Submitted by: Chris Nepszy, Director of Infrastructure and Development
Report Number: Planning 2014-30
Subject: Draft Town of Essex Sign By-law
Number of Pages: 25

Recommendation(s)/Conclusion(s)

That the draft Town of Essex Sign By-law be received and tabled pending the holding of a statutory public meeting in August.

Reason for the Report

To introduce a new comprehensive sign by-law for the Town, under the Ontario Municipal Act.

Comments

Regulating the number and scale of signs and the options for different types of signs can have a positive impact on the image of the community, namely, how we present ourselves to our residents and visitors, and on the businesses affected, namely, how they can maintain visibility without contributing to sign pollution or being the victim of sign pollution on adjacent properties.

The Town of Essex Sign By-law, By-law 355, was adopted by Council on September 17, 2001. In many respects it is quite dated. For example, there is no recognition of

electronic media signage or other new styles, like feather signs and new types of sidewalk signs, nor is there provision for overhanging signs. The definition and administrative sections also have to be expanded for greater clarity and easier enforcement. The new draft by-law was developed by Planning and our Chief Building Officials. It is based on modern trends, past practices in the application of the old by-law, the current signage landscape and predicted trends in signage in the community.

Signs can be grouped into three categories:

- Facility identification - signs that name the business, agency or facility;
- Directional and informational - signage that assists in way-finding, guidance or property recognition (heritage plaques for example).
- Advertising - on site and off site signs that promote a business, product, service, event or other activity;

Facility and directional signage are relatively easy to accommodate and to regulate in a sign by-law. Advertising signage is much more challenging for several reasons:

- The industry is constantly devising new ways to get your attention. One example is electronic media signage where the message is conveyed on a computerized screen which can display pictures and words and the rate at which the display can be changed can be altered.
- Business owners often suffer from sign paranoia. The thinking is, "My sign must be larger than those around me or I do not stand out. If one sign works then several more must be better at attracting attention. The more I say on my sign or the more signs saying different things about my business or products, the more likely to get attention."
- Exactly what is a sign is much less clear today. Are flags along the roof, a truck with a display on its side parked in the parking area or an inflatable cartoonish

figure with flapping arms and extreme gyrations a sign? All of them are intended to attract attention and to make the business stand out from the rest.

Arguments that too much and too detailed signage is counter-productive are hard for a business operator to accept because of the fear that a business will not get noticed. But drivers have only a few seconds to read a sign, particularly in an urban environment. That alone should dictate the type of signage used.

There are numerous regional examples of strip commercial streets awash with signs, most of them completely ineffective at getting noticed. Drivers will most often tune them out, will be offended by their numbers and attention grabbing efforts or, worse, perceive them as sign pollution. So a profusion of signs on the street or a particular property do not do what they are intended to do; rather, they can have a negative impact on both the business itself and on the community image.

Developing attractive and effective signage is an art, one not well understood by many business operators. Large business organizations are much more aware of the need to develop a good sign policy. The ground sign at the new Tim Horton's restaurant in Harrow and the Beer Store pole sign in Essex Centre are examples of effective and attractive signage. They are distinctive in their size and shape and convey a very simple and effective message of brand recognition. The Libro Credit Union electronic media sign in Essex Center is a good example of how to effectively and attractively integrate business identification with modern advertising media.

The draft sign by-law:

- Expands and clarifies the provisions for by-law administration and enforcement;
- Organizes signs in distinct categories: Prohibited Signs, Signs Permitted in Public Rights-of-way; Signs Permitted in All (zoning) Districts, Other Signs Permitted in Residential , Commercial, Institutional, Manufacturing, Agricultural, Green, Landfill and Natural Heritage Districts and Special Signs;

- Defines and regulates traditional signage covered under the old sign by-law and the more modern types not currently acknowledged in the old by-law, signs like feather signs and signs with electronic media displays;
- Relates the style, size and number of signs to the lot size; larger developments have more sign options;
- Has specific prohibitions for flashing signs, billboards, roof signs, signs placed in the public right-of-way without Council's permission and it limits signs near intersections;
- Includes provisions for event and special occasion signs;
- Retains the option for a business operator to make an application to Council for a site specific amendment to the by-law. This can be part of site plan control approval for a development or by a specific application for a different sign(s).

In order to proceed with the adoption of a new sign by-law, the draft by-law needs to be tabled for public review and comment. Planning will organize a statutory public meeting in August and submit a final draft in September. Notice and a copy of the draft will be placed on our website and newspaper notice will be given and sent to the Essex Center BIA and to the Harrow Chamber of Commerce.

Financial Impact

A comprehensive sign by-law has administrative costs related to its application and enforcement.

Link to Strategic Priorities

Enhances economic development activities focusing in tourism, commercial and residential growth.

Reviewed by: Russell Philips, Chief Administrative Officer - concurs

Reviewed by: Chris Nepszy, Director of Infrastructure and Development - concurs

Reviewed by: Heather (Ross) Jablonski, Town Planner - concurs

Reviewed by: Cheryl Bondy, Clerk - concurs

Appendix A: Draft Sign By-law for Consideration

The Corporation of the Town of Essex By-law Number XXXX

Being a By-law Regulating the Erection of Signs in the Town of Essex

Whereas Subsection 11(4) of the Municipal Act, R.S.O. 2001 authorizes Council to prohibit or regulate signs, other advertising devices and the posting of notices and whereas Council deems it expedient to exercise such powers;

Now Therefore the Council of the Corporation of the Town of Essex enacts as follows:

Section 1: Title and Scope

1.1 Short Title

- 1) This by-law may be cited as the "Sign By-Law".

1.2 Intent

- 1) The provisions of this by-law regulate the location, size, number, construction, alteration, repair, maintenance and replacement of all exterior signs and other advertising devices, temporary or permanent, on all lands and buildings and other structures within the limits of the Corporation of the Town of Essex.

1.3 Administration

- 1) This by-law shall be administered and enforced by the Chief Building Official(s) or such other person(s) so delegated by Council.

- 2) Except for specifically exempted signs, a sign permit is required for any sign erected, displayed, altered or repaired. In addition to the fee payment, as set out in Building By-law 707, in order to obtain a permit, the applicant will submit two sets of drawings and specifications for the sign, a plan to scale showing the location of the sign on the property, building or other structure, and, if required by the Chief Building Official, structural drawings which have been stamped by a Registered Professional Engineer.
- 3) If the sign is located in whole or in part such that its placement is subject to the approval of an agency or authority having jurisdiction, prior written approval from that agency or authority is required before the issuance of a sign permit will be considered.
- 4) The permit will expire six months after its issuance if no action to place or erect the sign has commenced to the satisfaction of the Chief Building Official. The permit may be extended up to an additional six months, if work has commenced to the satisfaction of the Chief Building Official.
- 5) A permit may be revoked by written notice to the applicant at any time after its issuance, where, in the opinion of the Chief Building Official, it is subsequently determined that the work does not comply with the provisions of this by-law or the Building Code of Ontario or such other applicable legislation or where the information provided in or with the permit application was deemed to be false or misleading.
- 6) The applicant for a sign permit and the owner and occupant of the land to which the sign is appurtenant shall jointly and severally indemnify

the Corporation of the Town of Essex and each of its' officers, employees and agents from all loss, damage, costs, expenses, claims, demands, actions, suits and or other proceedings of every nature and kind arising from and in consequence of the construction, alteration, maintenance, repair and or removal of the sign, once the permit has been issued.

- 7) An application for an amendment to this by-law for special regulations that differ from one or more of the provisions of this by-law may be submitted to the Town for approval by Council. The application will be accompanied by the applicable fee and any drawings required by Council and an explanation as to why the applicable provisions of the by-law cannot be met. Approval of the requested amendment(s), either in full or in part, or denial will be entirely at Council's discretion.

1.4 Offences and Penalties

- 1) No person shall, within the limits of the Corporation of the Town of Essex, place, erect, alter or replace a sign, whether a temporary sign or a permanent sign, except as permitted by this by-law and in conformity with the applicable provisions of the Ontario Building Code, as the same may be amended from time to time, and such other applicable legislation.
- 2) Every person who contravenes any provision of this by-law or who knowingly concurs in the contravention is guilty of an offense and on conviction is liable to a fine of up to a maximum of two thousand dollars (\$2,000.00) on a first conviction and up to but not more than five thousand dollars (\$5,000.00) on a second and subsequent convictions, with every such fine being recoverable under the provisions of the

Provincial Offences Act, as the same may be amended from time to time.

- 3) The violation of any one provision of this by-law may be deemed to be a separate offence under this by-law and shall apply for each and every day such violation continues.
- 4) The conviction of any person for failing to comply with any requirements or obligations under this by-law will not be a bar to further prosecutions under this by-law for continuing failure on the part of such person to so comply or to effect compliance.
- 5) Each sign, whether intended to be temporary or permanent in duration, shall be maintained in good practice and not permitted to be or to become unsafe.

1.5 Enforcement

- 1) The Chief Building Official shall give written notice, served personally or by mail or posted on the sign or property on which the sign is located, describing the nature of the contravention and ordering compliance or the immediate removal of the sign, to any person who has:
 - i) erected or caused to be erected any sign without first having obtained a permit to do so, if a sign permit is required by this by-law;
 - ii) obtained a permit and has erected or caused to be erected a sign which is not in compliance with the approved plans for which a permit was issued, and/or
 - iii) erected a sign not in compliance with the regulations of this by-law, irrespective of whether a permit is required or not.
- 2) Where the removal of a sign or the need to bring a sign into conformity

with this by-law is a matter of urgency, as, in his determination, it is deemed to be unsafe, the Chief Building Official may give notice verbally to the owner of the land or to the owner of the sign or to both.

- 3) After an unsuccessful attempt to contact the owner of the sign in contravention of this by-law or the owner of the property on which the sign is located, the Chief Building Official shall have the authority to remove the sign using what legal means are available to the Town.
- 4) Failure to correct or to remove the contravening sign within fifteen (15) days after the giving of notice may result, upon conviction, of a fine and the payment of legal costs incurred by the municipality.
- 5) Signs on Public Lands:
 - i) Any sign placed in whole or in part within a public right-of-way or on a municipally owned or occupied property, without the authorization of Council or its designate, can be removed by the Chief Building Official without giving prior notification to the sign owner.
 - ii) Except for signs set out in paragraph iv), of this subsection, upon removal, a contravening sign, if composed of durable materials, will be impounded and the sign owner notified, if the owner is known or clearly identified on the sign. It will be released to the owner upon payment of an impoundment charge of \$150.00 plus costs, if the sign is recovered within 45 days of the giving of notice.
 - iii) If the sign is not released within the prescribed time period, the Chief Building Official may permanently dispose of the sign, without

further notification and the provisions of subsection 1.6, of this by-law related to the sign owner will apply.

- iv) Within public rights of way, small signs placed on or secured to the ground and signs placed on public utilities or similar structures within public rights of way may be removed without prior notice and the Chief Building Official has the option of notifying the owner subsequent to removal or not.

1.6 Recovery and Expenses

- 1) When the Town removes a sign that contravenes this by-law and it is unsuccessful in recovering the cost of removal from the sign owner, where the sign owner and the owner of the property on which the sign was located are one and the same, a copy of the unpaid invoice for any removal charges, together with a statement by the Treasurer indicating that:
 - i) the invoice has been sent to the owner of the land and or owner of the sign, according to the information contained in the Collector's Roll;
 - ii) no payment or insufficient payment has been received for the invoice, and or
 - iii) payment of the invoice is overdue,shall be sufficient authority to enter the amount of the unpaid balance on the Collector's Roll to be collected in the same manner as municipal taxes or by such other means available to the Town.

Section 2: Definitions

2.1 In This By-law

- 1) **a** means one or more than one when referring to a sign.
- 2) **Council** means the Council for the Corporation of the Town of Essex.
- 3) **Banner Sign** means any sign made of cloth, paper or fabric supported by ropes, wires and or cords attached to a building(s) or other structure(s) used for identification of the property and the use(s) on it, for advertising an on-site product or service, an on-site or off-site charitable or social event or any combination of them.
- 4) **Billboard** means a freestanding non-accessory sign permanently affixed to the ground used to identify or advertise an off-site use, activity, product or service.
- 5) **Changeable Copy** means individual letters, numbers and symbols that can be physically mounted on a display panel to convey a message.
- 6) **Changeable Copy Portable Sign** means a sign, supported by wheels or legs for ease of movement and relocation, with a sign face capable of accommodating changeable copy, used for identification of the property and the use(s) on it, for conveying on-site information or direction and or for advertising an on-site product or service or any combination of them.
- 7) **Chief Building Official**, for the purpose of this by-law, shall be the person or persons responsible for the enforcement of this by-law.
- 8) **Clear Height** means the distance from highest elevation of the ground below the sign to the lowest elevation of the sign, exclusive of a supporting pole or poles, intended to maintain horizontal lines of sight.
- 9) **Construction Sign** means a temporary sign that identifies the development, the developer, the project contractors and or the real estate agency and it may also include, in combination therewith, advertising and promotional information related to the development, as well as, warning,

restricted access and directional signage.

- 10) **Daylight Triangle** means a triangular shaped area on a lot measured from the point of intersection of the travelled portion of two roads or a road and a railway right-of-way, intended to maintain horizontal lines of sight.
- 11) **Directional Sign** means a sign that provides direction to a site, location or use on the property.
- 12) **District** means a zoning district, as set out in the Town of Essex Comprehensive Zoning By-Law 1037, which is applicable to the property on which a sign is erected or proposed to be erected.
- 13) **Election Sign** means a sign promoting a candidate for political office or a political party, voters lists or related notices.
- 14) **Electronic Media Sign** means a sign or part of a sign, exclusive of a flashing sign, comprising a video monitor or an electronic display for the display of images, words and or numbers in an animated format used exclusively for the purpose of conveying a message.
- 15) **Fascia Sign** means a single faced sign, where the sign face or individual letters and symbols forming a sign are mounted to the wall and parallel to it, used for identification of the property and the use(s) on it, for conveying on-site information or direction and, in part, for advertising an on-site product, activity or service or any combination of them.
- 16) **Flag Sign** means a traditional rectangular shaped flag, feather shaped flag, a teardrop shaped flag or similar device attached to a pole or rod, with a sign face devoted to advertising media, product or service depiction, an event or land use identification. It does not include the official flag of a country, state, province or association.
- 17) **Flashing Sign** means a lighted sign having flashing lights, rotating lights, animated lights or lights of varying colour and or intensity that are intended to attract attention but not to convey a message.

- 18) **Freestanding** means wholly supported by the ground.
- 19) **Ground Sign** means a free-standing sign, permanently affixed to the ground, having a sign height of 2.0 meters or less and used for: identification of the property and the use(s) on it; conveying on-site information or direction, and or advertising an on-site product or service, an on-site or off-site charitable event or any combination of them.
- 20) **Height** means the height of the sign from the ground immediately below it to the highest point of the sign above the ground.
- 21) **Inflatable Sign** means an inflated device, tethered to the ground or to any building or structure, intended to attract attention to advertise an on-site use, activity, event or product.
- 22) **Instructional Sign** means a sign exclusively intended and used to convey instructions on the use of a facility or service, typically located as a ground sign adjacent to a drive through lane or on building wall.
- 23) **Lighted Sign** means a sign that is lit either internally or externally to enhance its visibility.
- 24) **Maximum** means not more than.
- 25) **Minimum** means not less than.
- 26) **Menu Board** means a ground or wall sign conveying information as to the on-site services or products offered, which may include a communication system.
- 27) **Non-accessory Sign** means a sign which does not relate to any activity, use, product or service located on the property on which the sign is located.
- 28) **Official Sign** means a sign required or erected under any statute, regulation, by-law or directive of any Federal, Provincial or Municipal government or agency, board or commission.
- 29) **Off-site** means a land use, product or service not located on the same property as the sign which describes or advertises one or more of them.

- 30) **On-site** means a land use, product or service located on the same property as the sign which describes or advertises one or more of them.
- 31) **One** means the singular.
- 32) **Pole Sign** means a free-standing sign permanently affixed to the ground by a pole or poles, with or without decorative cladding, having a sign height of more than 2.0 meters and used for: identification of the property and the use(s) on it; conveying on-site information or direction, and or advertising an on-site product or service, an on-site or off-site charitable event or any combination of them.
- 33) **Portable Sign** means a free-standing sign not permanently affixed to the ground such that it can be moved freely from place to place.
- 34) **Poster** means a temporary bill or plaque used for advertising a service or event.
- 35) **Projecting Sign** means a sign affixed at one or more points to a wall with two or more sign faces projecting from the wall. A canopy, marquee or awning with a sign face area is also deemed to be a projecting sign.
- 36) **Property** means a lot or a contiguous parcel of lands, under one ownership, the boundaries of which are on record in the Land Registry Office of the County of Essex in the Registry of Land Titles Division.
- 37) **Real Estate Sign** means a sign advertising a property for sale, lease or rental and located thereon.
- 38) **Roof Sign** means any sign located on or supported by the roof or parapet of any building.
- 39) **Sidewalk Sign** means a small free-standing non-illuminated sign constructed of one or two panels of wood, metal or plastic, either connected at the top such that the sign will stand freely, when the bottom edges of the two panels are separated in an A-shaped position, or otherwise designed for temporary placement and it is portable by the efforts of one person. It may or may not be a

changeable copy portable sign.

- 40) **Shall** means mandatory.
- 41) **Sign** means any device, including all its component parts and supporting structure, erected and used or capable of being used to:
- i) identify the property and the use(s) on it;
 - ii) convey information or direction and or
 - iii) advertise a use, event, activity, service or product
- by means of letters, numerals, symbols, lights, designs or textures or a combination of them.
- 42) **Sign Face Area** means that part of the sign used or capable of being used for identification, the conveyance of information and or advertising. When the sign is composed of individual letters, numerals or symbols or any combination of them, the sign face area is the outside area of the sum of them.
- 43) **Special Occasion Sign** means a changeable copy portable sign, flag sign, sidewalk sign or an inflatable sign placed specifically and exclusively for a onetime special occasion or event.
- 44) **Unsafe** means structurally inadequate, faulty or in a condition or location that could be hazardous to any person.
- 45) **Yard Sale Sign** means a sign used to advertise the sale of personal belongings and residential contents from inside and outside of the dwelling located on the same property as the site of the yard sale.

Section 3: Prohibited Signs in All Districts

- 3.1** Any sign not specifically permitted in the zoning district, as set out in Sections 4 to 10, both inclusive, below.
- 3.2** A flashing sign, including an electronic media sign used as a flashing sign.
- 3.3** An illuminated portable sign.

- 3.4 An electronic media sign within 20.0 meters of the intersection of two street rights-of-way having traffic signalization.
- 3.5 A roof sign.
- 3.6 A billboard.
- 3.7 Unless specifically permitted by this by-law, any sign placed in a public right-of-way without the express permission of Council.
- 3.8 In a daylight corner, a ground sign or a pole sign having a height of greater than 1.0 meter or a clear height of less than 2.4 meters.
- 3.9 Any sign, which, in the opinion of the Chief Building Official, by location or design, obstructs or impedes any flue, air intake or exhaust, window or door, a fire exit or fire escape, a site line, pedestrian or vehicular movement or access, either on-site or off-site, a government or utility service, either on or off site, or which creates an unsafe condition for pedestrian or vehicular movement or for emergency services.

Section 4: Signs Permitted in Public Rights-of-way

- 4.1 Unless otherwise specifically permitted by this by-law, no sign, whether temporary or permanent in nature, shall be placed within a public right-of-way without the express permission of Council. The location, size and type of sign or signs will be the subject of Council's consideration and approval. An application for the erection or posting of a sign within the public right-of-way will be accompanied by an explanation as to the purpose of the sign, the length of time the sign or signs will be in place and an application fee, as set out in Building By-law 707.

Section 5: Signs Permitted in All Districts

- 5.1 An official sign.
- 5.2 An election sign.
- 5.3 Any sign used specifically and exclusively to regulate traffic direction and speed, for property identification, legal notices, warnings and or cautions, each sign having a maximum sign face area (on one side) of 0.6 square meters.
- 5.4 A memorial or historical interest plaque.
- 5.5 A home occupation sign having a maximum sign face area (on one side) of 0.6 square meters showing the name of the home occupation and may include the home address, the service offered and hours of operation, but shall not be used for advertising purposes.
- 5.6 A yard sale sign having a maximum sign face area on one side of 0.6 square meters.
- 5.7 No sign permit is required for a sign identified in this Section.

Section 6: Other Signs Permitted in Residential Districts

- 6.1 For a rest home, lodging home or a multiple dwelling, one **identification ground sign** having a maximum sign face area (on one side) of 2.0 square meters. A maximum of 50 percent of the permitted sign face area may be used to advertise a vacancy or special event exclusively related to the facility.
- 6.2 A **special occasion sign**:
 - 1) for a one time non-commercial celebratory event;
 - 2) used exclusively by a charity or other non-profit organization to advertise a specific upcoming event organized by it;
 - 3) provided such sign is located on the property for not more than 21 days prior to the event and is removed from the property within 7 days after the day of the event.

- 6.3** One **temporary real estate sign** per street frontage, such sign having a maximum sign face area of on one side of 2.0 square meters.

Section 7: Other Signs Permitted in Commercial Districts

- 7.1** One **ground sign** per street frontage, such sign having a horizontal length of not more than one and one half times its permitted height of 2.0 meters and
- 1) a maximum of 50 percent of the sign face area may be a changeable copy or an electronic media sign;
 - 2) each ground sign shall have a minimum setback from a public right-of-way of 3.0 meters, if located within 6.0 meters of a driveway, and not less than 1.0 meter otherwise.
- 7.2** Subject to the provisions of Section 3, of this By-law, **one pole sign** per street frontage, such sign having a maximum height of:
- 1) 4.5 meters on a lot having a frontage of 12 meters and less than 20 meters;
 - 2) 6.0 meters on a lot having a frontage of 20 meters and less than 30 meters;
 - 3) 6.0 meters for a lot having a frontage of 30 meters plus 1.0 meter for each additional 10 meters of lot frontage, and
 - 4) the maximum width of the sign shall be equal to 40 percent of the height of the sign,
 - 5) a maximum of 50 percent of the sign face area may be a changeable copy or electronic media sign, and
 - 6) if located within 3.0 meters of a public right-of-way or driveway, the pole sign shall have a clear height of 2.4 meters.
 - 7) A pole sign is not permitted where the exterior lot line is less than 12.0 meters in length.
- 7.3** Where the property has a street frontage of 45.0 meters or greater in length, on

that street frontage it may have a combination of one ground sign and one pole sign or two of the same sign type, each sign in conformity with the provisions of this section. Otherwise there shall be not more than one sign per street frontage.

7.4 On an exterior wall:

- 1) **fascia signs** and **banner signs**;
- 2) one **projecting sign** per business establishment, which
 - i) may consist of a sign on a canopy, marquee or awning or
 - ii) a projecting sign which is not a canopy, marquee or awning, provided that the sign shall have a maximum projection of 1.2 meters from the wall to which it is attached and a maximum sign face area (on one side) of 0.6 square meters;
- 3) all fascia, banner and projecting signs shall not exceed, either individually or in combination, a total area equal to 25 percent of the area of the main wall on which they are located or anchored. That part of a canopy or awning that is not part of the sign face area is not included in the calculation of the sign size;
- 4) a maximum of 50 percent of the sign face area may be a changeable copy sign;
- 5) no wall sign or projecting sign shall extend above the eaves or parapet of the wall on which it is located;
- 6) each projecting sign shall have a minimum clear height of 2.4 meters.

7.6 One **sidewalk sign** having a maximum panel area (on each side) of 0.6 square meters. Such sign may be located in the public right-of-way, within 1.0 meter of a building wall, but not within 1.8 meters of a utility pole, bench, planter or other existing obstruction to pedestrian movement.

7.7 **Special occasion signs**, when not in conflict with the provisions of Section 3, of this By-law, may be placed on a property on the following basis:

- 1) not more than one special occasion sign on the property at any one time;

- 2) the provision of paragraph 7.7 1) does not apply to a property having 4 or more individual businesses on it;
- 3) where a property has 4 or more individual businesses on it, a special occasion sign is permitted at a ratio of one sign for each 4 businesses;
- 4) the sign shall be located on the property for not more than 21 days prior to the special event and shall be removed from the property within 7 days immediately following the day of the event;
- 5) when the special occasion sign is a changeable copy portable sign, the maximum sign face area (on one side) shall be 4.0 square meters.

7.8 One **temporary real estate sign** per street frontage, such sign having a maximum sign face area on one side of 4.0 square meters.

7.9 Special Sign Restrictions:

- 1) A pole sign, an electronic media sign and a changeable copy portable sign, exclusive of a sidewalk sign, are not permitted on properties fronting on:
 - i) Talbot Street from Victoria Avenue to Laird Avenue;
 - ii) Centre Street from Talbot Street to Alice Street; Laird Avenue from Talbot Street to Alice Street;
 - iii) Wilson Avenue from Talbot Street to Fox Street;
 - iv) Gordon Avenue from Talbot Street to Fox Street;
 - v) King Street from Walnut Street to Erie Street;
 - vi) Queen Street from King Street to Sinasac Street.

Section 8: Other Signs Permitted in Institutional and Manufacturing Districts

8.1 One **ground sign** per street frontage, such sign having a horizontal length of not more than one and one half times its permitted height of 2.0 meters and

- 1) a maximum of 30 percent of the permitted sign face area may be a

changeable copy or an electronic media sign;

- 2) each ground sign shall have a minimum setback of 3.0 meters from a public right-of-way, if located within 9 meters of a driveway, and not less than 1.0 meter otherwise.

8.2 One **pole sign** per street frontage, such sign having a maximum height of:

- 1) 4.5 meters on a lot having a frontage of 12 meters or greater;
- 2) not permitted on a lot having a lot width of less than 12 meters;
- 3) the maximum width of the sign shall be equal to one third of the height of the sign;
- 4) a maximum of 50 percent of the sign face area may be a changeable copy or electronic media sign;
- 5) if located within 3.0 meters of a public right-of-way, the pole sign shall have a clear height of 2.4 meters.
- 6) A pole sign is not permitted where the exterior lot line is less than 12.0 meters in length.

8.3 Where the property has a street frontage of 45.0 meters or greater in length, on that street frontage it may have a combination of one ground sign and one pole sign or two of the same sign type, each sign in conformity with the provisions of this section. Otherwise there shall be not more than one sign per street frontage.

8.4 On an exterior wall:

- 1) **fascia signs** and **banner signs**;
- 2) one **projecting sign** per business establishment, which
 - i) may consist of a canopy, marquee or awning, or
 - ii) a projecting sign which is not a canopy, marquee or awning, provided that the sign shall have a maximum projection of 1.2 meters from the wall to which it is attached and a maximum sign face area (on one side) of 0.4 square meters;
- 3) all fascia, banner and projecting signs shall not exceed, either individually

or in combination, a total area equal to 25 percent of the area of the main wall on which they are located or anchored. That part of a canopy or awning that is not part of the sign face area is not included in the calculation of the sign size;

- 4) no wall sign or projecting sign shall extend above the eaves or parapet of the wall on which it is located;
- 5) each projecting sign shall have a clear height of 2.4 meters.

8.5 Special occasion signs, when not in conflict with the provisions of Section 3 of this by-law, may be placed on a property on the following basis:

- 1) not more than one sign on the property at any one time;
- 2) the provision of paragraph 8.6 1) does not apply to a property having 4 or more individual businesses on it;
- 3) where a property has 4 or more individual businesses on it, a special occasion sign is permitted at a ratio of one sign for each 4 businesses;
- 4) the sign shall be located on the property for not more than 21 days prior to the special event and shall be removed from the property within 7 days immediately following the day of the event;
- 5) when the special occasion sign consists of a changeable copy portable sign, the maximum sign face area (on one side) shall be 4.0 square meters.

8.6 One **temporary real estate sign** per street frontage, such sign having a maximum sign face area on one side of 4.0 square meters.

Section 9: Other Signs Permitted in Agricultural Districts

9.1 For a non-residential use:

- 1) One **ground sign** having a maximum sign face area (on one side) of 4.0 square meters and
 - i) a maximum height of 2.0 meters;
 - ii) a maximum of 70 percent of the sign face area may be a changeable

copy sign;

- ii) each ground sign shall have a minimum setback of 3.0 meters from a public right-of-way, if located within 9 meters of a driveway, and not less than 1.0 meter otherwise.

9.2 Special occasion signs, when not in conflict with the provisions of Section 3 of this by-law, may be placed on a property on the following basis:

- 1) not more than one sign on the property at any one time;
- 2) the sign shall be located on the property for not more than 21 days prior to the special event and shall be removed from the property within 7 days immediately following the day of the event;
- 3) when the special occasion sign consists of a changeable copy portable sign, the maximum sign face area (on one side) shall be 4.0 square meters.

9.3 One **temporary real estate** sign per street frontage, such sign having a maximum sign face area on one side of 4.0 square meters.

Section 10: Other Signs Permitted in Green, Landfill, Natural Environment and Wetland Districts

10.1 For a non-residential use:

- 1) One **ground sign** having a maximum sign face area (on one side) of 4.0 square meters and
 - i) a maximum height of 2.0 meters;
 - ii) a maximum of 70 percent of the sign face area may be a changeable copy sign;
 - ii) each ground sign shall have a minimum setback of 3.0 meters from a public right-of-way, if located within 9 meters of a driveway, and not less than 1.0 meter otherwise.

10.2 A special occasion sign:

- 1) for a one time non-commercial celebratory event;

- 2) used exclusively by a charity or other non-profit organization to advertise a specific upcoming event organized by it;
- 3) provided such sign is located on the property for not more than 21 days prior to the event and is removed from the property within 7 days after the day of the event.

10.3 One **temporary real estate** sign per street frontage, such sign having a maximum sign face area on one side of 4.0 square meters.

Section 11: Special Signs

11.1 For a drive through restaurant, one **menu board** and one **product advertising ground sign** adjacent to the drive through lane.

11.2 For a financial office with drive through facilities, **instructional signage** as necessary along the drive through lane.

11.3 For a gas bar or service station having a canopy over the pump islands, a maximum of 50 percent of the vertical surface of the pump island canopy may be used to identify the operator and company.

Section 12: Enactment

12.1 This by-law shall take effect from the date of its passing by Council.

Read a first, second, and third time and finally passed on xxxx,

2014

Mayor

Clerk