



*City of Kingston*

Ontario

**By-Law Number 2009-140**

**A By-Law To Regulate Signs In The City Of Kingston**

**Passed:** October 20, 2009

As amended by:

<b>By-Law Number:</b>	<b>Date Passed:</b>
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By-Law Number 2017-66	April 4, 2017
By-Law Number 2019-101	August 13, 2019

**Office Consolidation**

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**By-Law Number 2009-140 “A By-Law to Regulate Signs  
in The City of Kingston”**

**Passed:** October 20, 2009

**Whereas** Section 99 of the Municipal Act, 2001, S.O. 2001, c. 25 authorizes the council of every local municipality to pass By-Laws for prohibiting and regulating Signs within the municipality; and

(By-law Number 2009-140; 2017-66)

**Whereas** section 425 of the Municipal Act, 2001 authorizes the Council of every local municipality to pass By-Laws providing that a person who contravenes a By-Law of the municipality passed under this Act is guilty of an offence; and

**Whereas** section 429 of the Municipal Act, 2001 authorizes the Council of every local municipality to establish a system of fines for offences of a By-Law of the municipality passed under this Act; and

(By-law Number 2009-140; 2017-66)

**Whereas** the Council of the Corporation of the City of Kingston considers it desirable to enact such a by-law;

**Now Therefore The Council Of The Corporation Of The City Of Kingston Enacts** as follows:

**1. Definitions:**

For the purposes of this By-law:

(By-law Number 2009-140; 2017-66)

**Advertising Device** shall mean any device or object creating a design and erected or located or affixed on any building or structure or on the ground for the purpose of advertising, and shall include flags, banners, pennants, lights or any other object intended for advertising purposes.

**Alter** means any change to the Sign structure or the Sign Area, but does not include Maintenance or a change in the message Displayed by a Sign, unless the change is from an On-Premise Sign to an Off-Premise Sign. For the purposes of approvals under the Ontario Heritage Act, Alter shall also mean to change in any manner and includes restore, renovate, repair, or disturb. Altered and alteration shall have a corresponding meaning.

(By-law Number 2009-140; 2017-66)

**Appeals Committee** and “**Committee**” means the Committee established by the City’s By-Law Number 2010-1, Council Procedural By-Law, and includes any successor Committee designated by City Council to carry out the Committee’s responsibilities under this By-Law.

**Animated Sign** means an On-Premise or Off-Premise Sign with movement, motion, or the appearance of motion by way of motion picture, streaming video, television, LED screens or other technology that remains unmoved or unchanged for periods of at least five seconds, but does not include wind actuated elements such as flags, banners or Revolving Signs and Electric Spectacular Signs.

**Awning Sign** means a retractable or fixed roof-like cover or a canopy made of rigid or non-rigid material, attached or projecting from a Building or structure, normally extending over a doorway or window, with lettering (other than civic address number) or advertising, on or affixed to it and may have supports on the ground, and includes Marquee Signs.

**Balloon Sign** means any inflatable Sign or balloon regardless of size that is designed for the purpose of advertising any business or promotional event.

**Banner Sign** means a Sign composed of lightweight, non-rigid material such as cloth, plastic, canvas or other similar material that is mounted so as to allow movement by atmospheric conditions.

**Billboard Sign** means a large format Off-Premise Sign, primarily Displayed along high traffic areas such as arterial roads and freeways.

**Boulevard Sign** means a privately owned Temporary Sign supported on the ground and located on the municipal boulevard between the Street and the Street Line.

**Building** means a structure consisting of a wall, roof and floor or a structural system serving the function thereof and also means the place of business including the property address that the business may be located on.

**Building Facade** means that portion of any exterior elevation of a Building extending from Grade to the top of the Parapet wall or eaves and the entire width of the Building elevation, and shall include a mansard roof.

**Planning, Building and Licensing Services** means the Planning, Building and Licensing Services Department, Community Services Group, or in the event of organizational changes, another unit designated by Council to carry out the Department’s responsibilities for the administration and enforcement of this By-Law.

**Business Improvement Area** means the geographic area bounded by the Streets outlined in map Schedule Z-1, including the Premise for all civic addresses contained therein.

**City and City Of Kingston** means The Corporation of the City of Kingston, as incorporated on January 1, 1998.

**Construction Site Sign** means a Temporary Sign Displayed on private property to advise construction of a development including a sub-division and shall not include an Entrance Gate Sign.

**Council and City Council** means the Council of the City of Kingston.

**Designate** means a person who is an employee of the Corporation of the City of Kingston and who has been appointed by the Director to administer all or part of this by-law on behalf of the Director.

**Director** means the Director of Planning, Building and Licensing Services for the City of Kingston, his or her designate or, in the event of organizational changes, another employee designated by Council.

**Display** means erect, locate, attach or affix to any Building, or structure, or to the ground.

**Distribution Conductors** means conductors operated at a nominal voltage of 46kV or less.

**Double sided Sign** means a Sign having two sides of equal area and proportions, which are located exactly opposite each other on the Sign Structure, and both Sign Areas shall constitute only one Sign.

**Election Sign** means any image, words, sign, picture, device, notice or visual medium, or any combination thereof, including, without limitation, any poster, placard, bulletin and banner which:

- (i) advertises, promotes, opposes or takes a position with respect to any candidate or political party in a federal, provincial or municipal election or by-election, including an election of a local board or commission; or
- (ii) is intended to influence electors to vote for or against an issue associated with a candidate or political party in a federal, provincial or municipal election or by-election; or
- (iii) is intended to influence electors to vote for or against any candidate or any question, law or by-law submitted to the electors under the Canada Elections Act, the Election Act (Ontario), or section 8 of the Municipal Elections Act, 1996. **Electric Spectacular Sign** means a Sign having a message change more frequently than once every five seconds.

(By-Law 2009-140; 2019-101)

**Entrance Gate Sign** means a Sign used to indicate the entrance to a community and shall not be used for the purpose of advertising a place of business, organization, project, product, service, event or otherwise promote the sale of objects or services.

**First Storey** means the storey that has its floor closest to Grade and its ceiling more than 1.8 metres (5.9 feet) above Grade.

**Flag Sign** means an On-Premise rectangular shaped flag, feather shaped flag, teardrop shaped flag or a similar design made of non-rigid material attached to a pole or rod, devoted to advertising but shall not include a Mast Arm Sign.

**Frontage** means the length of a Property Line abutting a Street or Public Thoroughfare.

**1. Definitions: cont’d**

**Grade** means the average elevation of the finished surface of the ground where it meets the Sign Structure, or the wall of the Building onto which the Sign is Displayed.

**Ground Sign** means an On-Premise Sign including a Readograph Sign which is permanently affixed to and supported from the ground, and not attached to or supported in any manner by a Building.

**Height** means the vertical distance between Grade and the highest point of the Sign or Sign Structure.

**Heritage Attribute** shall have the meaning set out in the Ontario Heritage Act, R.S.O. 1990, c.0. 18.

**Highway** means a common and public Highway, which is under the jurisdiction of the City, and includes any Street, lane, bridge, trestle, viaduct or other structure that forms part of the Highway and all lands between the lateral Street Lines thereof.

**Illuminated Sign** means a sign in which a source of light is used in order to make readable the message, including an internally and externally lighted sign and a reflecting, flowing and radiating sign.

**Intersection** means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary a line of two or more highways that join one another at an angle, whether or not one highway crosses the other.

**Maintenance** means anything done to preserve a Sign or to prevent its deterioration but does not include the Alteration of a Sign; shall also include “Maintenance” as defined in the City’s By-Law Number 2013-141, a procedural By-Law for heritage, and any other work defined as Maintenance in a part IV designation By-Law, or in a part V heritage conservation district plan, under the authority of the Ontario Heritage Act.

**Mast Arm Sign** means a Projecting Sign where the support pole or mast shall be of wrought iron or wrought aluminum construction, has a sway chain, and may be illuminated with external lighting.

**Marquee** means a tall permanent roof like canopy projection above an entrance door and over a sidewalk, walkway, or terrace typically distinguishable by a surrounding row of light bulbs.

**Officer** means a Provincial Offences Officer of the City who has been assigned the responsibility of administering or enforcing this By-Law and includes all City of Kingston employees of Planning, Building and Licensing Services.

**Off-Premise Sign** means any sign identifying or advertising a business, person, activity, goods, products or service, which is not related to or available at the premises where the sign is located.

**On-Premise Sign** means any sign identifying or advertising a business, person, activity, goods, product or service available at the premises where the sign is located.

**Parapet** means an extension of the wall above the actual roof level.

**Person** includes any individual, association, proprietorship, partnership, company, corporation, firm, business, authorized agent, trustee and heirs, executors or other legal representatives.

**Portable Sign** means a temporary Off-Premise or On-Premise Sign not permanently attached to or affixed into the ground, to a Building or a structure, or any Sign resting upon or attached to any moveable device.

**Premise** means a property and all Buildings or structures thereon.

**Projected Display Sign** means a Sign which projects light from a Premise to any surface for advertising and includes holograms.

**Projecting Sign** means a double sided On-Premise Sign which is perpendicular to and entirely supported by the wall of the Building, and includes Mast Arm Signs.

**Property Line** means a legal boundary of a property.

**Protected Heritage Property** means property designated under part IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under parts II or IV of the Ontario Heritage Act; property identified by the province and prescribed public bodies as provincial heritage property under the standards and guidelines for conservation of provincial heritage properties; property protected under Federal legislation; and UNESCO world heritage sites.

**Public Thoroughfare** means that portion of private property over which the general public has the right to vehicular or pedestrian passage for the purpose of accessing the premise and includes roadways, laneways and public parking areas. This definition also includes water passage.

**Utility Pole** means a pole owned or controlled by an entity which provides a municipal utility service, including but not limited to the City of Kingston, Kingston Hydro, Bell Canada, Hydro One, Eastern Ontario Power, the Ontario Electric Services Corporation, and any subsidiaries thereof.

**Readograph Sign** means a permanent On-Premise Sign composed of manually or electronically interchangeable letters or images intended to convey a temporary message that remains unmoved or unchanged for periods of at least five seconds.

**Real Estate Sign** means a sign used to advertise buildings and properties for sale or lease at the point of sale and includes lease and rental signs for these properties and buildings and units within the buildings.

**Revolving Sign** means a Sign that revolves three hundred and sixty degrees but shall not exceed eight revolutions per minute.

**Roof Sign** means an On-Premise or Off-Premise Sign Displayed entirely upon or above the main roof or Parapet wall of a Building and is wholly or partially supported by the Building.

**Sandwich-Board Sign** means a Temporary Sign not permanently attached to or affixed into the ground, to a Building, or a structure, which is hinged or otherwise attached enabling the two sides to be extended into an A shape so as to support the said Sign in an upright position.

**Searchlight Sign** means an apparatus containing a light source and a reflector for projecting a high-intensity beam of approximately parallel rays of light.

**Sign** means any device, object or visual medium used to convey information by way of color, form, graphic, illumination, symbol or writing, Displayed or intended to be Displayed on any property to attract attention to a specific subject matter for identification, information or advertising purposes, and shall include the Sign Structure and all other component parts.

**Sign Area** means the number of square metres on the surface of a Sign including the border or frame. Where there is no border or frame or the Sign is composed of individually installed letters, numerals or shapes, the Sign Area includes the total area within the outermost perimeter bounding the limit of all individual components. In the case of a Double Sided or multi-sided Sign, the Sign Area will be based on the sum of the area of all sides.

**Sign Owner** includes any Person who owns the Sign or holds the Sign Permit for the Sign and includes any Person whose name, address, or telephone number appears on the Sign, who Displayed the Sign, or who benefits from the message or information conveyed by the Sign, and for the purposes of this definition, there may be more than one Sign Owner.

**Sign Permit** means a permit issued by the Director pursuant to the provisions of this By-Law to Display a Sign.

**Sign Structure** means the supports, uprights, bracing and framework for a Sign.



**Snap Frame Sign** means a Temporary Sign not permanently attached to or affixed into the ground, to a Building, or a structure, which is double sided and is self-supporting.

**Street** means the portion of a highway that is used for vehicular traffic.

**Street Line** means a property line that divides a property from a Street.

**Temporary Sign** means a Sign that is not permanently attached to or affixed into the ground, to a Building, or a structure, in which a timeframe or condition has been established for its removal or renewal and shall include Construction Site Signs, Portable Signs, Sandwich Board Signs, Boulevard Signs, Projected Display Signs, Balloon Signs, Snap Frame Signs, Real Estate Signs and Searchlight Signs.

(By-Law 2009-140; 2019-101)

**Transmission Conductors** means conductors operated at a nominal voltage of greater than 69kV.

**Total Aggregate Area** means the sum total of all individual sign areas located on the building facade.

**Wall Sign** means an On-Premise Sign, parallel to and attached to the exterior wall of a Building and includes Signs projected onto or painted on a wall.

**Zoning” Or “Land Use** means the permitted land use established by the applicable zoning By-Laws under the Ontario Planning Act.

(By-law Number 2009-140; 2017-66)

## **2. Applicability**

- 2.1 Any Sign that is lawfully Displayed on or before the day this By-Law or any subsequent amendments to this By-Law comes into force, but does not comply with this By-Law, shall be allowed to remain and may be Maintained but shall not be Altered or changed from an On-Premise Sign to an Off-Premise Sign.
- 2.2 This By-Law does not apply to Signs Displayed by or on behalf of the City or any Federal or Provincial authority.
- 2.3 All Signs Displayed, Altered or Maintained in the City shall comply with this By-Law and any attached schedules, the Ontario Building Code, Fire Code and their regulations, as well as any other Act, regulation, By Law or site plan requirement regardless of the requirement for a Sign Permit.
- 2.4 Election Signs are regulated under By-Law Number 2019-100, being “A By-Law to Regulate Election Signs in the City of Kingston”, as may be amended from time to time, or any successor to that By-Law.

(By-law Number 2009-140; 2017-66; 2019-101)

### 3. Administration

- 3.1 The Director is responsible for the administration and enforcement of this by-law.
- 3.2 All Officers with authority to enforce the By-Laws of the City are responsible for enforcing the provisions of this By-Law.
- 3.3 The Director or an Officer may enter upon any property at any reasonable time to inspect a Sign for the purpose of determining or affecting its compliance with this By-Law.

### 4. Permits

- 4.1 Unless otherwise specifically provided in this By-Law, no Person shall Display, cause to be Displayed, or permit to be Displayed a Sign or Sign Structure unless the Director has issued a Sign Permit.
- 4.2 Applications for a Sign Permit or an amendment to an existing Sign Permit shall be submitted to Planning, Building and Licensing Services upon a form as prescribed by the Director for review and approval with the following information:
  - a. Agent of record letter where the person applying for the sign permit is not the owner of the property where the sign will be displayed.
  - b. A survey or plot plan showing the Street Lines upon the property which the Sign will be Displayed and the location of the proposed Sign in relation to the Property Lines, other structures and other Signs upon the Premise.
  - c. Drawings and information with respect to the Building upon which the Sign is to be Displayed including the size, area, height and location of all other existing Signs.
  - d. Complete drawings and specifications covering the construction of the Sign and Sign Structure, including but not limited to, dimensioned elevation drawings indicating the height of the Sign above Grade, base and column details, connection and fastening details, weight of proposed Sign and construction materials to be used.
  - e. A certificate of review from a Professional Engineer where required by the Ontario Building Code.
  - f. All applicable fees as set out in the City's By-Law Number 2005-10, a By-Law to establish fees and charges.
- 4.3 Where an application for a Sign Permit is submitted by a registered charity, the Director shall waive all applicable permit fees, but all other provisions of this By-Law and the Ontario Building Code shall continue to apply.

**4. Permits cont'd**

- 4.4 Applications for a Sign Permit may be circulated to other City departments for review and comment.
- 4.5 The Director may refuse to issue a Sign Permit under the following circumstances:
- a. The application for a Sign Permit, including any plans, specifications, documents or other information is incomplete, or any fees due are unpaid; or
  - b. The proposed Sign, or any other Sign Displayed on the property does not comply with this By-Law, any other By-Law, or any Federal or Provincial legislation or regulation.
- 4.6 If an application for a Sign Permit is refused, the Director will refund any permit fees paid by the applicant.
- 4.7 The Director may revoke a Sign Permit under the following circumstances:
- a. The Sign Permit was issued in error or issued on mistaken, false or misleading information;
  - b. The Display or Alteration of the Sign in respect of which the Sign Permit was issued has not commenced to the satisfaction of the Director within six months after the issuance of the Sign Permit or construction has not been substantially completed within twelve months after the date of issuance of the Sign Permit;
  - c. A Person to whom an Order has been issued pursuant to this By-Law has failed or refused to comply with such Order;
  - d. A Person has, in the opinion of the Director, contravened this By-Law or any other By-Law or any applicable law;
  - e. The business, product, activity, or service to which the Sign relates ceases to operate or is no longer available;
  - f. The Sign Owner requests in writing that the Sign Permit be revoked;  
or
  - g. The Sign Permit was issued on the basis of a minor variance granted with terms and conditions and there has not been compliance with the terms and conditions imposed.
- 4.8 A Sign Owner shall immediately upon the expiration or revocation of the Sign Permit remove the Sign.

#### 4. Permits cont'd

- 4.9 A Sign Permit may be renewed for an additional specified period, subject to the payment of all applicable fees as set out in the City's By-Law Number 2005-10, a By-Law to establish fees and charges, provided that renewal is applied for prior to the expiration of the original Sign Permit.
- 4.10 Notwithstanding any other provision of this By-Law, where a Sign that is within 400 metres of a controlled access Highway under Provincial jurisdiction is visible from and oriented toward that Highway, the approval of the Minister of Transportation (Ontario) shall accompany the Sign Permit application.
- 4.11 All Signs Altered or Displayed on a Protected Heritage Property shall be compatible with the cultural heritage value and character of the Premise and require approval from City Council in accordance with the Ontario Heritage Act prior to the issuance of a Sign Permit. No Sign on a Protected Heritage Property shall Alter, obstruct or conceal a Heritage Attribute.

#### 5. General Provisions

- 5.1 The provisions of this section apply to all Signs.
- 5.2 Sign Owners shall be solely responsible and pay for any damage to Persons or property caused by the Alteration, Display, Maintenance, use or removal of the Sign or any other cause whatsoever related to the Sign.
- 5.3 Sign Owners shall ensure Signs and Sign Structures are maintained in a proper state of repair at all times such that Signs do not become unsafe, structurally unsound, unsightly or dangerous.
- 5.4 A Sign or any part of a Sign shall not be Displayed on a property without the approval or consent of the owner of that property.
- 5.5 Sign Owners shall ensure that, regardless of the requirement for a Sign Permit, each Sign, including its Alteration, Display and Maintenance, complies with the following:
- a. All applicable provisions and regulations of this By-Law or any other By-Law or site plan requirements;
  - b. Rules of the Ontario Electric Safety Code and the electrical authority having jurisdiction;
  - c. All applicable Provincial and Federal legislation and regulations; and
  - d. Every instrument of a legislative nature made or issued under Provincial and Federal legislation and regulations.
- 5.6 Applicants shall indemnify the City, its officers, and agents from all loss, damages, costs, or proceedings of any nature arising from the Maintenance, Display, removal or use of any Sign.

**5. General Provisions cont'd**

- 5.7 Where two or more Signs are Displayed on a Building, the Sign Owner shall ensure that those signs are of uniform height and arrangement.
- 5.8 Illuminated Signs shall be designed to direct light away from adjacent Premises and Streets and downward so as to reduce night light pollution, and shall not be located within 30 metres (100 feet) of a residentially zoned property.
- 5.9 Signs shall not be Displayed, Altered or Maintained in such a way that, in the opinion of the Director, the Sign interferes with any City operations.
- 5.10 Any Person possessing any Premise, and any Person owning any Premise, for which a Sign Permit has been issued shall remove the Sign or cover over any Sign with a suitable opaque covering or replacement Sign within thirty days of vacating the Premise.
- 5.11 Where any Sign proposed to be Displayed may be considered as more than one form of Sign permitted by this By-Law or as a combination of forms of Signs permitted by this By-Law, such Sign shall conform to the most restrictive provisions of this By-Law.

**6. Exemptions**

- 6.1 The following Signs may be Displayed without a Sign Permit but all such Signs shall comply with all other requirements of this By-Law:
  - 6.1 a. Temporary Signs for the identification of a garage sale provided that such sales are in accordance with the City's By-Law Number 2006-213, a By-Law to license, regulate and govern certain businesses, and any other By-Laws, and that all Signs are removed at the end of the sale;
  - 6.1 b. Signs having a Sign Area not greater than 0.18 square metres (2 square feet) Displayed on a Building on private property, including a home occupation Sign;
  - 6.1 c. Civic addressing Signs having a Sign Area not greater than 0.18 square metres (2 square feet) that include the name of the owner or occupant of the property or civic address of the property, in accordance with the City's By-Law Number 2005-98, a By-Law to direct the orderly addressing of Buildings and properties and appropriate naming of roads within the City of Kingston;
  - 6.1 d. Directional Signs Displayed on private property for the purpose of directing traffic, directing parking, or directing or prohibiting certain uses of the property provided no side has a Sign Area greater than 0.55 square metres (6 square feet) to a maximum total for all sides not greater than 2.22 square metres (24 square feet);
  - 6.1 e. Signs consisting entirely of landscaping material;

**6. Exemptions**

- 6.1 f. Banner Signs that have been authorized by the City used to identify a special event;
  - 6.1 g. Real Estate Signs as per Schedule R-1;
  - 6.1 h. Construction Site Signs as per Schedule C-1;
  - 6.1 i. Searchlight Signs and Balloon Signs as per Schedule S-2;
  - 6.1 j. Flag Signs as per Schedule F-1;
  - 6.1 k. Flags, emblems, decorations or insignia used only for the identification of a nation, province, country, municipality, school, religious group or holiday; and
  - 6.1 l. Signs that may be painted on, or applied to the inside surface of a window, or Signs placed inside of a window.
- 6.2 Any Person may seek an exemption from any of the provisions of this By-Law by applying to the Appeals Committee for a minor variance.
- a. The Appeal must be accompanied with information that includes the By-Law section to be considered, as well as any plot plans, elevations and details of the Sign showing the construction including fastening and ground support, footings, photographs of the site etc. The documentation to be provided must also include the reason why the Sign cannot be installed in a manner that would meet the By-Law. If the Committee determines that they will consider the application, any additional information that the Committee requires must be provided.
  - b. The Committee may grant a minor variance if, in its opinion, the general intent and purpose of the By-Law are maintained or if the Committee is satisfied, after allowing input from the applicant and property owners within 100 metres (328 feet), that the variance is appropriate.
  - c. The Committee may attach terms and conditions to the minor variance, including the dates for which it is to be in effect and the minor variance shall be invalid if these terms and conditions are contravened.
- 6.3 A requirement of this By-Law does not apply to a Sign that has been exempted from that requirement by a minor variance granted by the Appeals Committee and such Sign shall be deemed to be in compliance with this By-Law as long as the minor variance and any attached terms and conditions remain valid.

## 7. Prohibited Signs

- 7.1 Where a Sign is not expressly permitted by this By-Law, it shall be deemed to be prohibited.
- 7.2 Without limiting the scope or applicability of section 7.1, the following Signs are expressly prohibited:
- a. Electric Spectacular Signs or any Sign where the message changes more frequently than once every five seconds;
  - b. Vehicles or trailers parked solely for the purpose of advertising a service or business as determined by the Director;
  - c. Billboard Signs in designated heritage conservation districts under part V of the Ontario Heritage Act; and
  - d. Roof Signs, Portable Signs, Billboard Signs, Revolving Signs, Projected Display Signs, Flag Signs, Off-Premise Signs and Electric Spectacular Signs Displayed in the Business Improvement Area.

## 8. Enforcement

- 8.1 The Director may issue an Order requiring the Sign Owner or the lessee of the land or Building upon which the Sign is Displayed to stop any work related to the Sign, to remove the Sign, to place the Sign in a proper state of repair, or to do any work necessary in the opinion of the Director to bring the Sign into compliance with this By-Law forthwith and at the sole expense of the Person named in the Order where:
- a. A Sign Permit has been revoked or has expired;
  - b. A Sign Owner has contravened any provision of this By-Law;
  - c. A Sign is contravening any provision of this By-Law; or
  - d. A Sign is in dangerous or defective condition.
- 8.2 An Order shall set out reasonable particulars of the contravention adequate to identify the contravention, the location of the contravention and the date by which there must be compliance with the Order.
- 8.3 An Order may provide that if the Person named in the Order fails to comply with the Order, the City shall have the right to enter upon the land affected by the Order at any reasonable time to complete the work specified in the Order or to remove the Sign specified in the Order at the sole expense of the Person named in the Order.

**8. Enforcement cont'd**

- 8.4 An Order may be served personally by an Officer, may be posted on the Premise upon which the Sign is Displayed, or may be sent by registered mail to the Sign Owner.
- a. Where an Order is served personally by an Officer, it shall be deemed to have been served on the date of delivery to the Person named in the Order.
  - b. Where an Order is sent by registered mail, it shall be sent to the last known address of the Person named in the Order and shall be deemed to have been served on the fifth day after the Order is mailed.
- 8.5 Removal of Signs
- a. A Sign on or over Municipal property may be removed without notice.
  - b. A Sign which is Displayed, Altered or Maintained in such a way that, in the opinion of the Director, interferes with any City operations may be removed without notice.
  - c. Where a Boulevard Sign or Construction Site Sign has been removed by the City, such Signs may be destroyed or otherwise disposed of by the City without notice or compensation.
  - d. Any Sign, other than a Boulevard Sign or a Construction Site Sign, removed by the City shall be stored for thirty days, during which time the Sign Owner may redeem such Sign upon payment of the applicable fees prescribed in the City's By-Law Number 2005-10, a By-Law to establish fees and charges.
  - e. Where a Sign has been removed by the City and stored for a period of thirty days and has not been redeemed by the Sign Owner, such Sign may be destroyed or otherwise disposed of by the City without notice or compensation.
- 8.6 The cost incurred by the City in completing the work, removing a Sign, destroying a Sign or disposing of a Sign or storing a Sign is deemed to be Municipal taxes and may be added to the tax roll and collected in the same manner as Municipal taxes, and not limiting the foregoing is a debt payable to the City and may be recovered in any court of competent jurisdiction.



## **9. Offence and Penalty Provisions**

- 9.1 Every Person, other than a corporation, who contravenes any provision of this By-Law is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 for a first offence and \$25,000 for any subsequent offence, as provided for in subsection 429(2)(c) of the Municipal Act, 2001.
- 9.2 Every corporation that contravenes any provision of this By-Law, and every officer or director of a corporation who knowingly concurs in such contravention, is guilty of an offence and on conviction is liable to a fine of not more than \$50,000 for a first offence and \$100,000 for any subsequent offence, as provided for in subsections 425(3) and 429(2)(c) of the Municipal Act, 2001.
- 9.3 When a Person has been convicted of an offence under this By-Law, the superior court of justice, or any court of competent jurisdiction may, in addition to any penalty imposed on the Person convicted, issue an Order prohibiting the continuation or repetition of the offence by the Person convicted, and requiring the Person convicted to correct the contravention in the manner and within the period that the court considers appropriate.
- 9.4 No Person shall hinder or obstruct, or attempt to hinder or obstruct any Person who is discharging their duties under this By-Law.
- 9.5 No Person shall fail to comply, or fail to allow compliance with an Order issued pursuant to section 8.1 of this By-Law.

## **10. Conflict**

- 10.1 Where a provision of this By-Law conflicts with a provision of any other By-Law or any Federal or Provincial statute or regulation, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

## **11. Validity**

- 11.2 References to any statute or By-Law or any provision thereof include such statute or By-Law or provision as amended, revised, re-enacted and or consolidated from time to time, and any successor statute or By-Law.

## **12. Commencement:**

This by-law shall come into force and take effect on the date of its passing.

(By-law Number 2009-140; 2017-66)

**Schedule "A-1" - Sign By-Law Number 2009-140  
Awning Signs**

1. Awning Signs shall only be permitted in commercial, industrial, agricultural, rural or institutional type zones as defined by the applicable zoning By-Law.
2. Each Awning Sign area shall not exceed ten percent (10%) of the Building Façade to which the sign is Displayed and which forms part of the occupant's area within the Premise but shall not exceed two square metres (21.5 square feet). Where a Wall Sign or Projecting Sign is also advertising for tenants on the same Building Façade, the area of the Awning Sign shall contribute to the Total Aggregate Area for Wall Signs permitted in schedule W-1.
3. The location of Awning Signs shall comply with the following:
  - a. Awning Signs, including supports or any attachments that project over a sidewalk shall be a minimum distance of 2.74 metres (9 feet) above Grade and shall be measured to the bottom of any advertising that may be suspended.
  - b. Awning Signs or any part of the Sign Structure shall not extend above or beyond the sides of the Building Façade.
  - c. Awning Signs and any attachments shall be a minimum distance of 0.45 metres (1.5 feet) from the edge of the pavement of the Street.
  - d. Awning Sign supports shall not be permitted on public property.
4. Signs Displayed on a Marquee shall be limited to one for each business entrance located on a Premise.
5. Notwithstanding the provisions of the foregoing subsections hereof, a Sign Permit for an Awning Sign which projects onto or is located, in whole or in part, over or on property owned by the City, and such Sign is permitted by the City and complies with this By-Law, shall be subject to an encroachment permit in accordance with the City's By-Law Number 2004-107, a By-Law to protect the City's Highways from unauthorized encroachments.

(By-law Number 2009-140; 2017-66)

**Schedule "B-1" - Sign By-Law Number 2009-140  
Billboard Signs**

1. Billboard Signs shall only be permitted on private property in commercial, industrial, agricultural, rural and development type zones as defined by the applicable zoning By-Law.
2. Billboard Signs shall not be Displayed or caused to be Displayed within the boundaries of the Business Improvement Area.
3. Billboard Signs shall not be Displayed within a Heritage Conservation District.
4. Single sided Billboard Signs shall not exceed the maximum area based on Frontage and distance from Street Line restrictions as defined in chart B1:

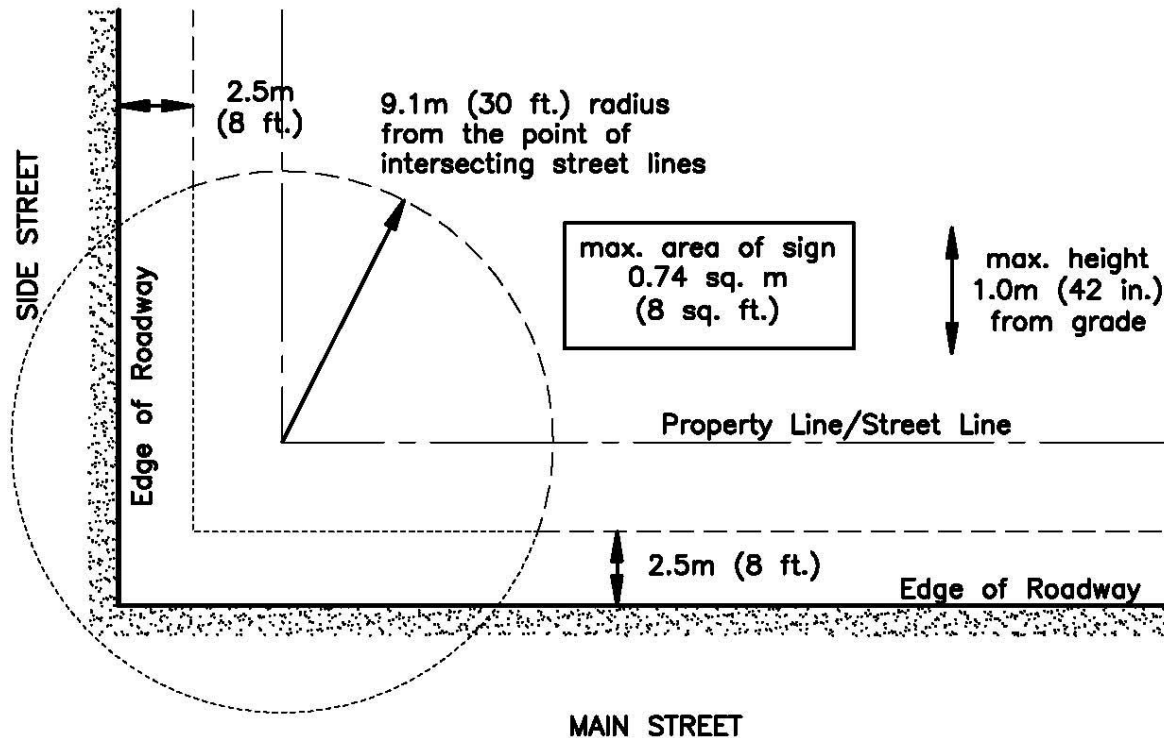
**Chart B1**

<b>Maximum area per sign</b>	<b>Minimum frontage per sign</b>	<b>Minimum distance from street line</b>
18.5 square metres (200 square feet)	30.5 metres (100 feet)	3 metres (10 feet)
37.2 square metres (400 square feet)	304.8 metres (1000 feet)	9.1 metres (30 feet)
65.0 square metres (700 square feet)	610 metres (2000 feet)	15.2 metres (100 feet)

5. Double sided Billboard Signs shall have a maximum Sign Area of 18.5 square metres (200 square feet) per side with a total Sign Area for both sides not exceeding 37 square metres (400 square feet) subject to Frontage and distance from Street Line restrictions as defined in chart B1.
6. Billboard Signs shall be a minimum distance of 100 metres (328 feet) from another Billboard Sign, Roof Sign, another Off-Premise Sign, any residentially zoned property or an intersection.
7. Billboard Signs or any part of a Billboard Sign shall not exceed 15.2 metres (50 feet) in height, measured from Grade, or 7.6 metres (25 feet), measured from the centre line of the abutting Street.
8. Billboard Signs shall not be Displayed so that the rear part of the Sign is or will be exposed or visible to any Street when it is not a Double Sided Sign.
9. One Billboard Sign is permitted in place of, but not in addition to, a second Ground Sign in accordance with schedule G-1, where the Frontage permits two Ground Signs.
10. Billboard Signs or any part of a Billboard Sign shall be a minimum distance of 3 metres (10 feet) to overhead Electrical Distribution Conductors or 3.7 metres (12 feet) to overhead Electrical Transmission Conductors.

**Diagram "B-2" - Sign By-Law Number 2009-140  
Boulevard Signs**

1. Boulevard Signs shall only be permitted in commercial, industrial, agricultural, rural, development or institutional type zones as defined by the applicable zoning By-Law.



2. A maximum of one boulevard sign may be Displayed on a boulevard between intersections.
3. Boulevard signs shall have a maximum Sign Area of 0.74 square metres (8 square feet).
4. The location of Boulevard Signs shall comply with the following:
  - a. Boulevard Signs shall be a minimum distance of 2.4 metres (8 feet) from the paved or gravel edge of a Street as per diagram B2.
  - b. Boulevard Signs shall not be Displayed within a 9.1 metre (30 foot) radius of the point of intersecting Street Line as per diagram B2.
  - c. Boulevard Signs shall not be placed in such a way as to impede pedestrian traffic.
  - d. Boulevard Signs shall not be Displayed in medians separating opposing lanes of traffic.
5. Boulevard Signs shall not exceed 1 metre (3.5 feet) in height, measured from Grade

**Boulevard Signs cont'd**

6. Boulevard Signs shall not be illuminated.
7. Boulevard Signs shall be Displayed for a maximum of seven consecutive days per Sign Permit.

Schedule "C-1" - Sign By-Law Number 2009-140

Construction Site Signs

1. Construction Site Signs shall be permitted in all zones as defined by the applicable zoning By-Law.
2. Construction Site Signs shall have a maximum Sign Area of 18.58 square metres (200 square feet) per side or in the case of a V shaped Sign, the maximum Sign Area shall be 9.29 square metres (100 square feet) per side
3. Construction Site Signs are exempt from Sign Permit requirements provided that:
  - a. All Construction Site Signs are Displayed on the Premise upon which the construction is occurring and in accordance with the City's By-Law Number 2004-107, a By-Law to protect the City's Highways from unauthorized encroachments.
  - b. Construction Site Signs are removed within six months of substantial completion of the Building or subdivision, to the satisfaction of the Director.
4. Where no construction has taken place within one year of Displaying the Construction Site Sign, any Construction Site Sign shall be removed and disposed of without notice in accordance with sections 8.5 and 8.6 of this By-Law.
5. A maximum of one Construction Site Sign may be Displayed at the main entrance to a subdivision or construction site to identify all contractors who are working on the construction site or within the subdivision, provided the Sign complies with the provisions of this schedule.
6. Signs used to identify construction trailers are permitted provided the trailer is approved by Planning, Building and Licensing Services to be on site.

(By-law Number 2009-140; 2017-66)

**Schedule “F-1” - Sign By-Law Number 2009-140**

**Flag Signs**

1. Flag signs shall only be permitted in commercial, industrial, agricultural, rural, development, open space or institutional type zones as defined by the applicable zoning By-Law.
2. Flag signs shall only be permitted on private property in residential type zones for advertising purposes for places of worships, schools, or institutions.
3. Flag signs shall not be Displayed or caused to be Displayed within the boundaries of the Business Improvement Area.
4. Flag signs shall have a maximum Sign area of 4.6 square metres (50 square feet).
5. The number of Flag Signs permitted per Premise shall comply with chart F1:

**Chart F1**

Frontage on a street	Maximum number of flag signs
Less than 91.4 metres (300 feet)	Two
Between 91.4 metres (300 feet) and 182.8 metres (600 feet)	Four
Greater than 182.8 metres (600 feet)	Six
More than one frontage each greater than 182.8 metres (600 feet)	Four on each street frontage

6. The location of Flag Signs shall comply with the following:
  - a. Flag signs shall be a minimum distance of 15 metres (50 feet) from another flag sign on an adjacent premise.
  - b. Flag signs shall not be Displayed in a required parking space in accordance with the applicable zoning By-Law.
  - c. Flag signs shall be a minimum distance of 3 metres (10 feet) from any Street or Public Thoroughfare.

**Schedule "G-1" - Sign By-Law Number 2009-140  
Ground Signs**

1. Ground Signs shall only be permitted in commercial, industrial, agricultural, rural, development or institutional type zones as defined by the applicable zoning By-Law.
2. Ground Signs are permitted an area per side of 0.1 square metres (1 square foot) for each linear 0.3 metres (1 foot) of Frontage on a Street, but shall not exceed the maximum Sign Area per side or maximum height based on the distance from Street Line restrictions as defined in chart G1:

**Chart G1**

Minimum distance from street line	Maximum height	Maximum sign area per side
1.5 metres (5 feet)	5.3 metres (17.5 feet)	7 square metres (75 square feet)
2.3 metres (7.5 feet)	8 metres (26 feet)	7 square metres (75 square feet)
Greater than 3.0 metres (10 feet)	10.6 metres (35 feet)	14 square metres (150 square feet)

3. In addition to the maximum Sign Area provisions of this schedule, an additional area of 5 square metres (54 square feet) shall be permitted for use as a Readograph Sign only.
4. A maximum of one Ground Sign may be Displayed for a property having Frontage up to 91.4 metres (300 feet). A second Ground Sign is permitted for Frontage in excess of 91.4 metres (300 feet) subject to restrictions as defined in paragraph 2 and chart G1 of this schedule.
5. The location of Ground Signs shall comply with the following:
  - a. The Sign Structure for a Ground Sign shall be located only on private property and shall be designed to prevent overturning.
  - b. On corner lots, only one Ground Sign may be Displayed in the triangular space formed by the Street Lines for a distance of 15.2 metres (50 feet) from their point of intersection. These Ground Signs must have a minimum clear space below exclusive of supports of 4.25 metres (14 feet), measured from Grade.
  - c. Ground Signs or any part of a Ground Sign shall be a minimum distance of 100 metres (328 feet) from another Ground Sign on the same Premise, and 1.5 metres (5 feet) from any Property Line other than a Street Line.
  - d. Ground Signs or any part of a Ground Sign shall be a minimum distance of 3 metres (10 feet) to overhead Electrical Distribution Conductors or 3.7 metres (12 feet) to overhead Electrical Transmission Conductors.



**Schedule "G-1" - Sign By-Law Number 2009-140  
Ground Signs cont'**

6. Ground Signs may be illuminated internally or externally but shall not be of the flasher type, and shall be subject to the provisions of this By-Law.
7. Where the Frontage permits two Ground Signs, either one Billboard Sign, in accordance with schedule B-1, or one Roof Sign, in accordance with schedule R-3 may be Displayed in place of, but not in addition to the second Ground Sign.
8. In the Business Improvement Area, there may be a maximum of one Ground Sign for each Street Frontage, with a maximum Sign Area of 0.3 square metres (3.2 square feet) for each linear 1 metre (3.3 feet) of Frontage. These Ground Signs shall be a minimum distance of 0.45 metres (1.6 feet) from the edge of pavement and the Sign Structure shall be located only on private property.

(By-law Number 2009-140; 2017-66)

**Schedule "P-1" - Sign By-Law Number 2009-140  
Portable Signs**

1. Portable Signs shall only be permitted in commercial, industrial, agricultural, rural, development or institutional type zones as defined by the applicable zoning By-Law.
2. Portable Signs shall only be permitted on private property in residential type zones for advertising purposes for places of worship, schools or institutions.
3. Portable Signs shall not be Displayed or caused to be Displayed within the boundaries of the Business Improvement Area.
4. Portable Signs shall have a maximum Sign Area of 5.57 square metres (60 square feet) per side.
5. Portable Signs shall not have any flashing or moving lights.
6. Portable Signs shall not exceed 2.7 metres (9 feet) in height, measured from Grade.
7. A maximum of one Portable Sign may be Displayed per business location at any given time.
8. The number of Portable Signs permitted per premise based on Street Frontage shall comply with chart P1:

**Chart P1**

<b>Frontage on a Street</b>	<b>Maximum number of Portable Signs</b>
Less than 91.4 metres (300 feet)	One
91.4 metres (300 feet) to 182.8 metres (600 feet)	Two
Greater than 182.8 metres (600 feet)	Three
More than one Frontage each greater than 182.8 metres (600 feet)	Four

9. The location of Portable Signs shall comply with the following:
  - a. Portable Signs shall be a minimum distance of 60.9 metres (200 feet) from another Portable Sign on the same Premise.
  - b. Portable Signs shall be a minimum distance of 30.4 metres (100 feet) from another Portable Sign on an adjacent Premise.
  - c. Portable Signs or any part of a Portable Sign shall be a minimum distance of 0.3 metres (1 foot) from the Street Line.

**Schedule "P-1" - Sign By-Law Number 2009-140  
Portable Signs cont'd**

- d. Portable Signs shall be a minimum distance of 3 metres (10 feet) from any Street or Public Thoroughfare.
  - e. Portable Signs shall not be Displayed in a required parking space in accordance with the applicable zoning By-Law.
10. The duration of a Sign Permit for a Portable Sign shall be a minimum of thirty days to a maximum of ninety days at which time the Sign Permit shall be subject to renewal.

(By-law Number 2009-140; 2017-66)

**Schedule "P-2" - Sign By-Law Number 2009-140  
Projecting Signs**

1. Projecting Signs shall only be permitted in commercial, industrial, agricultural, rural, development or institutional type zones as defined by the applicable zoning By-Law.
2. Each Projecting Sign area shall not exceed ten percent (10%) of the Building Facade to which the Sign is Displayed and which forms part of the occupants area within the Premise but shall not exceed two square metres (21.5 square feet). Where a Wall Sign or Awning Sign is also advertising for tenants on the same Building Facade; the area of the Projecting Sign shall contribute to the Total Aggregate Area for Wall Signs permitted in schedule W-1.
3. A maximum of one Projecting Sign may be Displayed on the First Storey or second storey for each main entrance of a business fronting on a Street or Public Thoroughfare.
4. The location of Projecting Signs shall comply with the following:
  - a. Projecting Signs or any part of the Sign Structure shall not extend above or beyond the sides of the Building Facade.
  - b. Projecting Signs may project out perpendicular from the wall of the Building up to a maximum distance of 0.76 metres (2.5 feet) over public property.
  - c. Projecting Signs shall be a minimum distance of 2.74 metres (9 feet), measured from the bottom of the Sign to Grade.
  - d. Projecting Sign supports shall not be permitted on public property and shall be a minimum distance of 1 metre (3.3 feet) from the inner edge of a sidewalk, or where there is no sidewalk, 2 metres (6.5 feet) from the back edge of the curb.
  - e. Projecting Sign supports shall not be permitted on public property.
5. Notwithstanding the provisions of the foregoing subsections hereof, a Sign Permit for a Projecting Sign which projects or is located, in whole or in part, over or on property owned by the City, and such Sign is permitted by the City and complies with this By-Law, shall be subject to an encroachment permit in accordance with the City's By-Law number 2004-107, a By-Law to protect the City's Highways from unauthorized encroachments.

(By-law Number 2009-140; 2017-66)

**Schedule "P-3" - Sign By-Law Number 2009-140  
Projected Display Signs**

1. Projected Display Signs shall only be permitted in commercial, development, institutional or industrial type zones as defined by the applicable zoning By-Law.
2. A maximum of one Projected Display Sign is permitted to be projected from or onto any property.
3. Projected Display Signs shall be a minimum distance of 100 metres (328 feet) from any other Projected Display Sign.
4. Projected Display Signs shall be designed and located to only project light onto the intended surface. Excessive overflow of light shall not project onto any adjacent Premise, and shall be subject to the provisions of this By-Law.

(By-law Number 2009-140; 2017-66)

**Schedule "R-1" - Sign By-Law Number 2009-140  
Real Estate Signs**

1. Real Estate Signs on privately owned property shall be permitted in all zone types as defined by the applicable zoning By-Law.
2. Real Estate Signs shall not be Displayed on a Premise unless such Sign is Displayed by:
  - a. the owner of the Premise or their authorized agent or contractor;
  - b. an occupant of the Premise with the owner's permission to do so; or
  - c. a registered real estate broker or auctioneer in contractual agreement with the owner, or with an occupant authorized by the owner to enter into such agreement.
3. Real Estate Signs shall be removed within twenty-one days of the closing date of the sale or lease.
4. Real Estate Signs shall have a maximum Sign Area of:
  - a. 1.85 square metres (20 square feet) for residential type zones; and
  - b. 7.4 square metres (80 square feet) for industrial and commercial type zones.
5. Real Estate Signs shall not interfere with the safe operation of vehicular or pedestrian traffic.
6. A maximum of two Real Estate Signs shall be Displayed per Premise.
7. Real Estate Signs shall only be Displayed on the Premise for which the land, Building or portion thereof is being offered for sale, rent or lease.

(By-law Number 2009-140; 2017-66)

**Schedule "R-2" - Sign By-Law Number 2009-140  
Revolving Signs**

1. Revolving Signs shall only be permitted in commercial or industrial type zones as defined by the applicable zoning By-Law.
2. Revolving Signs shall not revolve more than eight revolutions per minute.
3. Revolving Signs shall meet the applicable requirements of this By-Law based on location and type of Sign including Ground Signs, Wall Signs and Roof Signs.

(By-law Number 2009-140; 2017-66)

**Schedule "R-3" - Sign By-Law Number 2009-140  
Roof Signs**

1. Roof Signs shall only be permitted in commercial, industrial or institutional type zones as defined by the applicable zoning By-Law.
2. Roof Signs are prohibited on all Protected Heritage Properties.
3. Roof Signs shall not be Displayed or caused to be Displayed within the boundaries of the Business Improvement Area.
4. Roof Signs shall not exceed 6.1 metres (20 feet) in height above the roof to which the Sign is mounted provided the Roof Sign does not exceed the height regulations set out in the applicable zoning By-Law.
5. Roof Signs shall have a maximum Sign Area of 18.58 square metres (200 square feet) per side. In the case of a V-shaped Roof Sign, the angle between each side shall not exceed sixty degrees.
6. The location of Roof Signs shall comply with the following:
  - a. Roof Signs shall be a minimum distance of 100 metres (328 feet) from another Roof Sign, Billboard Sign or another Off-Premise Sign.
  - b. Roof Signs or any part of a Roof Sign shall be a minimum distance of 3 metres (10 feet) to overhead Electrical Distribution Conductors or 3.7 metres (12 feet) to overhead Electrical Transmission Conductors.
7. A maximum of one Roof Sign may be Displayed per Premise.
8. The Sign Structure of a Roof Sign shall appear to be free of any extra bracing, angle iron, guy wires or cables and the supports shall appear to be an architectural and integral part of the Building. Supporting columns of round, square, or shaped steel members may be Displayed if required bracing, visible to the public, is minimized or covered.
9. One Roof Sign is permitted in place of, but not in addition to, a second Ground Sign in accordance with schedule G-1, where the Frontage permits two Ground Signs.

(By-law Number 2009-140; 2017-66)



**Schedule "S-1" - Sign By-Law Number 2009-140  
Sandwich Board Signs and Snap Frame Signs**

1. Sandwich Board Signs and Snap Frame Signs shall only be permitted in commercial zones as defined by the applicable zoning By-Law.
2. A maximum of one Sandwich Board Sign or Snap Frame Sign may be Displayed for any one business location or use.
3. Snap Frame Signs shall have a maximum Sign Area of 0.6 square metres (6.5 square feet).
4. Sandwich Board Signs shall comply with the following dimensions:
  - a. Maximum height of 0.92 metres (3 feet) between the top of the Sign and the surface on which the Sign is located when the sides are extended.
  - b. Maximum width of 0.61 metres (2 feet) across the horizontal distance of the Sign.
  - c. Maximum length of 0.61 metres (2 feet) between the two sides when fully extended, measured at the surface on which the Sign is located.
5. Sandwich Board Signs and Snap Frame Signs shall be located on the same Premise as the business or use to which the Sign is accessory, and where it is impossible to locate the Sign entirely on the same Premise as the business or use, the Sign may be placed on the City sidewalk which abuts the Premise where the business is located provided that:
  - a. The Sign is placed as close as possible to the curb of the Street or Public Thoroughfare where the business is located;
  - b. A minimum unobstructed sidewalk width of 1.5 metres (4.9 feet) can be maintained;
  - c. The Signs shall be removed from the City sidewalk at the close of business hours; and
  - d. The Sign is located in such a manner so as to provide clear and free pedestrian movement at all times.
6. Applications for Sandwich Board Signs and Snap Frame Signs shall be made annually.
7. Sandwich Board Signs and Snap Frame Signs shall not be Displayed on any tree, post, pole or support located on a sidewalk or on any part of a Highway.
8. In the Business Improvement Area, Sandwich Board Signs and Snap Frame Signs shall be Displayed, where possible, on the extended portion of the sidewalk. Should placing of a Sandwich Board Sign or Snap Frame Sign on the extended portion of a sidewalk not be possible, the Sign shall be located otherwise in accordance with the provisions of paragraph 5 of this schedule.

**Schedule "S-2" - Sign By-Law Number 2009-140  
Searchlight Signs and Balloon Signs**

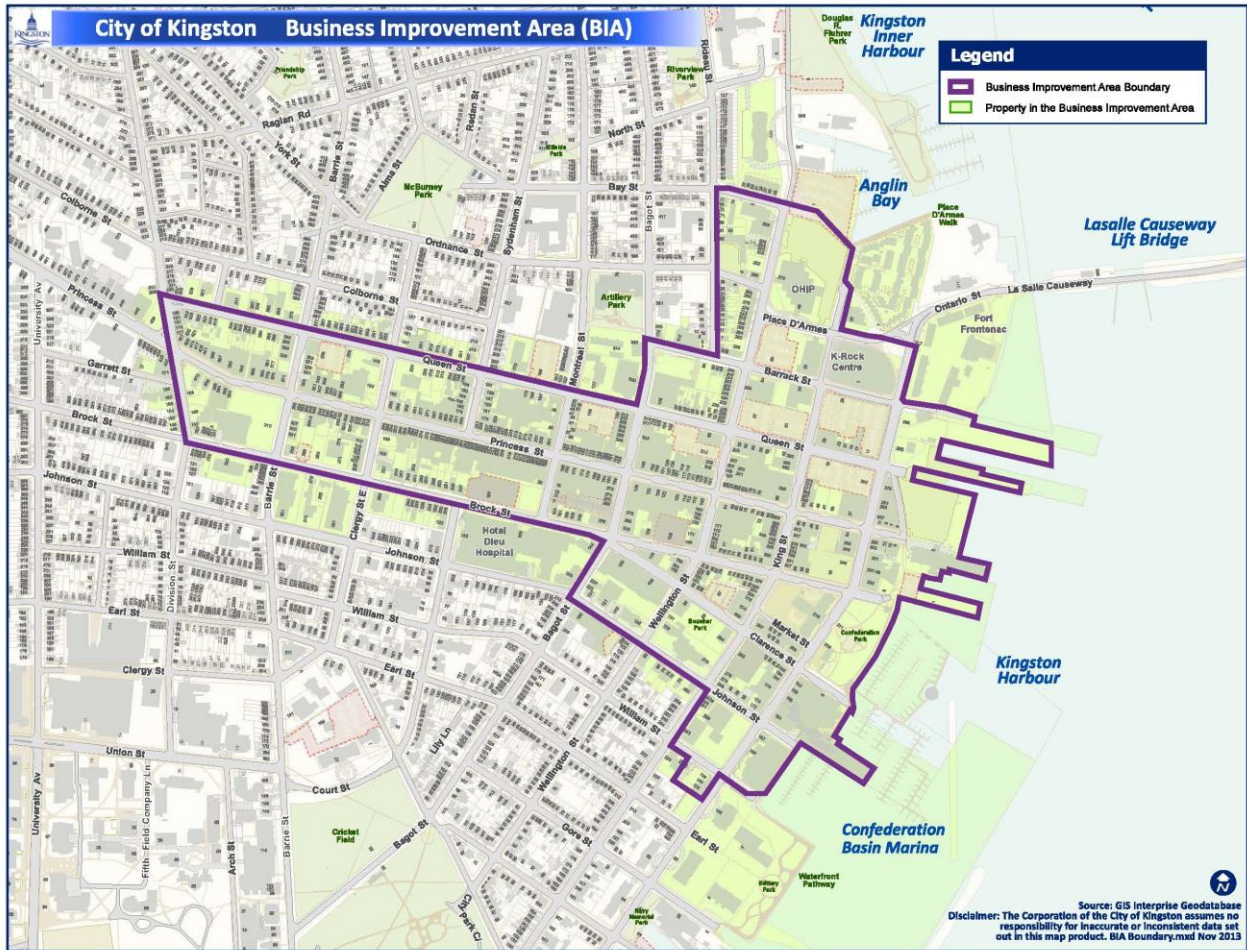
1. Searchlight Signs shall only be permitted in commercial, development, industrial or institutional type zones as defined by the applicable zoning By-Law.
2. Balloon Signs shall only be permitted in commercial, industrial, agricultural, rural or institutional type zones as defined by the applicable zoning By-Law.
3. In addition to any other provision of this By-Law, the following restrictions shall apply to Searchlight Signs and Balloon Signs, blimps or models Displayed more than once per year per Premise:
  - a. Searchlight Signs shall not be Displayed for a period exceeding fourteen days.
  - b. Balloon Signs shall not be Displayed for more than fourteen days in any calendar year.
  - c. Searchlight Signs shall be designed and located to direct light away from any adjacent Premise, and shall be subject to the provisions of this By-Law.
4. Balloon Signs or any part of a Balloon Sign shall be a minimum distance of 3 metres (10 feet) to overhead Electrical Distribution Conductors or 3.7 metres (12 feet) to overhead Electrical Transmission Conductors.

(By-law Number 2009-140; 2017-66)

**Schedule "W-1" - Sign By-Law Number 2009-140  
Wall Signs**

1. Wall Signs shall only be permitted in commercial, industrial, agricultural, rural or institutional type zones as defined by the applicable zoning By-Law.
2. The maximum Total Aggregate Area of all Wall Signs located on a Premise and fronting on a Street or Public Thoroughfare shall not exceed twenty percent (20%) of the Building Façade to which the Signs are Displayed to a maximum of 28 square metres (300 square feet). Where a Building contains multiple suites requiring multiple Signs, each suite is permitted twenty percent (20%) of the exterior wall area forming part of such suite.
3. Where Wall Signs are located on the wall of the top storey of a Building in excess of six storeys, the Total Aggregate Area of all Wall Signs shall not exceed ten percent (10%) of the wall area of the top storey to which the Signs are Displayed.
4. Wall Signs shall be a minimum distance of 2.47 metres (9 feet), measured from the bottom of the Sign to Grade, or 4.72 metres (15.5 feet) to Grade of any alley.
5. Wall Signs or any part of a Wall Sign shall not extend above or beyond the sides of the Building Façade
6. A Projecting Sign or Awning Sign shall be permitted in place of, or in combination with, a Wall Sign up to the Total Aggregate Area permitted by paragraph 2 of this schedule.
7. Notwithstanding the provisions of the foregoing subsections hereof, a Sign Permit for a Wall Sign which projects or is located, in whole or in part, over or on property owned by the City, and such Sign is permitted by the City and complies with this By-Law, shall be subject to an encroachment permit in accordance with the City's By-Law Number 2004-107, a By-Law to protect the City's Highways from unauthorized encroachments.
8. Notwithstanding the provisions of the foregoing subsections hereof, the following shall apply to Wall Signs in the Business Improvement Area:
  - a. The maximum Total Aggregate Area of all Wall Signs located on a premise and fronting on a Street or Public Thoroughfare shall not exceed fifteen percent (15%) of the Building Façade to which the Sign is Displayed.
  - b. A Wall Sign attached to stairwells or elevator/mechanical room penthouses shall be permitted provided such Signs do not project beyond the walls, roof, or Parapet of the stairwell or penthouse and does not exceed thirty-five percent (35%) of the area of the wall on which the Sign is Displayed.
  - c. A Projecting Sign or Awning Sign shall be permitted in place of, or in combination with, a Wall Sign up to the Total Aggregate Area permitted by paragraph 8 a. of this schedule.

Schedule "Z-1" - Sign By-Law Number 2009-140  
Map of the Business Improvement Area



By-law Number 2009-140; 2017-66)

**Schedule "Z-2" - Sign By-Law Number 2009-140  
Council Approved Amendments**

1. Notwithstanding anything contained in this By-Law to the contrary, the owner of 76 Stuart Street shall be permitted to Display seven Ground Signs less than 3 metres (10 feet) from any Street Line.
2. Notwithstanding anything contained in this By-Law to the contrary, the owner of 55 Warne Crescent shall be permitted to Display a Ground Sign not exceeding 17.67 metres (58 feet) in height.
3. Notwithstanding anything contained in this By-Law to the contrary, the owner of 76 Stuart Street shall be permitted to Display four Ground Signs providing less than 4.25 metres (13.9 feet) of clear space below the Sign within the triangular space formed by the Street property lines for a distance of 15.2 metres from their point of intersection.
4. Notwithstanding anything contained in this By-Law to the contrary, the owner of 610 Montreal Street West shall be permitted to Display one Ground Sign with less than 4.25 metres (13.9 feet) of clear space below the sign exclusive of supports within the triangular space formed by the Street property lines for a distance of 15.2 metres (49.8 feet) from their point of intersection.
5. Notwithstanding anything contained in this by-law to the contrary, the owner of 658 King Street West shall be permitted to Display two Wall Signs less than 2.1 metres (6.8 feet) above grade.

(By-law Number 2009-140; 2012-111; 2014-84; 2017-66)