

# THE CORPORATION OF THE TOWN OF SMITHS FALLS

## BY-LAW NO. 10499-2023

A By-law to regulate or prohibit Signs and Advertising Devices within the  
Town of Smiths Falls

*(Repeals By-law No. 6018-94, as amended)*

WHEREAS Section 10 of the Municipal Act, S.O. 2001 c. 25, as amended, establishes a sphere of jurisdiction for single-tier municipalities;

WHEREAS Section 10(2) of the Municipal Act, S.O. 2001 c. 25, as amended, authorizes a single-tier municipality to enact a by-law respecting structures, including fences and signs;

WHEREAS Section 425 of the Municipal Act, 2001, c. 25 as amended, states a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence;

WHEREAS Section 429 (1) of the Municipal Act, S.O. 2001 c. 25, as amended, states a municipality may establish a system of fines for offences under a by-law of the municipality passed under the Act,

AND WHEREAS of the Council of the Corporation of the Town of Smiths Falls deems it desirable to regulate or prohibit Signs and advertising devices within the Town of Smiths Falls;

NOW THEREFORE BE IT RESOLVED the Council of the Corporation of the Town of Smiths falls enacts as follows:

### **1.0 Short Title**

This By-law may be cited as the "Sign By-law" for the Corporation of the Town of Smiths Falls.

### **2.0 Definitions:**

For the purposes of this By-law the following definitions shall apply:

"Alteration" shall be as defined under the *Ontario Heritage Act* R.S.O. 1990, c. O.18, as amended.

"Applicant" shall mean and include the registered property owner of the Premises and/or Building subject to the Sign Permit or another individual authorized by the property owner to make the application for Sign Permit.

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“Architectural Detailing” shall mean details of a Building that help characterize or define the personality or architectural period of the Building and shall include, but is not limited to cornices, parapets, window sills, millwork and molding.

“Automobile Gas Bar” shall mean an “*Automobile Gas Bar*” as defined by the Town’s Zoning By-law.

“Automobile Service Station” shall mean an “*Automobile Service Station*” as defined by the Town’s Zoning By-law.

“Bicycle Lane” shall mean a lane within a road allowance which is exclusively designated for use by cyclists.

A “Building” shall mean a structure consisting of walls, roof and floor or a structural system serving a function thereof.

“Business Directory” shall mean a printed list of information which lists businesses located on the Premises.

“Canopy” shall mean a roof like structure directly supported by the ground and which unenclosed by walls and designed to provide shelter. A Canopy may be designed as free-standing or project from an exterior Building wall.

“Chief Building Official” shall mean the Chief Building Official or designate, duly appointed by the Town.

“Director of Community Services” shall mean the Director of Community Services or designate, duly appointed by the Town.

“Director of Public Works and Utilities” shall mean the Director of Public Works and Utilities or designate, duly appointed by the Town.

“Downtown Core” shall be a geographic area within the Town as identified by Schedule ‘A’ of the Town’s Official Plan.

“Entrance Feature” shall mean a Sign with associated ornamental features such as landscaping stone, vegetation or trees located, erected or displayed on a Premises to indicate the gateway of a district, development or planned neighbourhood/community or its boundaries.

“Home Occupation” shall be as defined by the Town’s Zoning By-law.

"Influence from Environment" shall mean weather conditions such as snow, wind, rain, sun etc.

"Municipal Sidewalk" shall mean a lane within a road allowance which is exclusively designated for use by pedestrians.

"Order" shall mean a written notice the owner of the property, Premises or Building advising of an infraction and measures toward resolving the infraction.

"Park" shall mean a piece of land owned and maintained by the Town open to the public to use recreationally.

"Poster Panel" shall mean an outdoor structure having a standardized surface on which advertising posters may be affixed to.

"Premises" shall mean Buildings and structures together with a piece of land with it's out Buildings.

"Proportional" shall mean having a minimum 80% width in comparison to the exterior width of a Building, structure or non-residential unit within a Building or structure.

"Public Road" shall mean a portion of a road allowance owned and maintained by the Town which is open for use by vehicular traffic.

"Reasonable Time" shall mean a time of day between the hours of 8:00 a.m. and 5:00 p.m. as to not disrupt an owner or lessee during hours of rest.

"Road Frontage" shall mean the length of a property line along a road allowance.

"Manager of Development Services" shall mean the Manager of Development Services duly appointed by the Town, or designate.

"Sight Triangle" shall be as defined by the Town's Zoning By-law.

"Sign" shall mean any advertising device or notice and means any visual medium including its structure and other component parts, which is used or is capable of being used to attract attention to a specific subject matter, other than itself, for identification, information, or advertising purposes. This definition shall not include a small sticker that conveys a regulatory or advisory notice pursuant to the requirements of another government agency.

"Sign Classifications"

“Awning Sign” shall mean a Sign applied to the visible face of a roof like shelter composed of canvas or other fabric draped over a frame or structure that is supported entirely by an exterior Building wall

“Banner” shall mean a Temporary Sign composed of lightweight material so as to allow movement caused by Influence of Environment and not using brackets or other structural elements to maintain shape.

“Banner Sign” shall mean a Sign composed of lightweight material so as to allow movement caused by Influence from Environment containing brackets or structural elements to allow the Sign to maintain shape or project from a Building or structure and is often temporary.

“Cabinet (Box) Sign” shall mean a Sign that is self-enclosed within a square or rectangular structure with a projection of 0.2 metres or more, with or without internal lighting,

“Canopy Sign” shall mean a Sign applied to the visible face of a Canopy or a Sign hanging from the underside of a Canopy.

“Construction Sign” shall mean a Temporary Sign that, in whole or in part, identifies the location of construction or construction being conducted on a Premises.

“Development Sign” shall mean a Sign advertising a new multi-unit residential development, a new commercial development, a new plan of subdivision or plan of subdivision under construction within the Town. This definition does not include statutory public notification Signs pursuant to the Planning Act.

“Directional Sign” shall mean a Sign used to instruct or direct pedestrian and/or vehicular traffic on private property.

“Fascia Sign” shall mean a single-faced Sign secured parallel to the main wall of a Building in which it is securely located within a Sign band or between Architectural Detailing.

“Free-swinging Sign” shall mean a Sign secured to a Building or structure by a single side and is designed to move with Influence from Environment.

“Ground Sign” shall mean any Sign directly supported by the ground without the aid of any other Building or structure other than the Sign structure itself and may be permanently secured to the ground or temporary in nature. This definition

shall be read to include Signs having a base designed as to be towed by a vehicle.

“Luminous Sign” shall mean a Sign that is backlit or illuminated by an internal source.

“Mural Sign” shall mean a Sign that is applied directly to a surface of a structure without utilization of or attachment to a mountable surface for backing which is used or is capable of being used to attract attention to a specific subject matter, other than itself, for identification, information or advertising purposes.

“Off-site Sign” shall mean any advertising Sign, symbol or structure erected and maintained by a person, firm, corporation, or business which is intended for display at any location other than the location at which the goods or services advertised are made, manufactured, provided, sold or offered for sale.

“Portable Sign” shall mean a moveable Ground Sign with no more than 1 m<sup>2</sup> of Sign Face area which is used for the purpose of displaying goods or services offered by a business.

“Projecting Sign” shall mean a Sign secured to an exterior wall of a Building or structure which projects away from the Building, but does not include an Awning Sign.

“Public Information Sign” shall mean Signs identifying public hospitals, schools, libraries and other public facilities. For the purpose of this By-law, a Public Information Sign shall also mean a Sign erected by the Town for the purpose of informing the public on a governing matter.

“Readograph Sign” shall mean a non-digital Sign constructed so that the message located thereon may be easily rearranged or changed.

“Real Estate Sign” shall mean a Sign used as notification on a Premises that the property is planned to be sold, leased or rented and which also indicates to whom a person should inquire with regard thereto.

“Temporary Sign” shall mean any Sign classification which is proposed to be used on a temporary basis or displayed for more than seven (7) days, but less than one (1) year at a time.

“Traffic Sign” shall mean a Sign used to instruct or direct vehicular traffic.

“Window Sign” shall mean a vinyl or other adhesive material applied to a window for the purpose of advertising a business and is translucent as to allow for natural light.

“Yard Sale Sign” shall mean a Temporary Sign created by a private property owner for the purpose of promoting or advertising a yard or garage sale.

“Sign Face” shall mean the portion of a Sign, excluding the supporting structure, border and frame upon which, against or through a copy is displayed or capable of being displayed.

“Sign Permit” shall mean permission to display, erect, install or maintain a Sign on a Premises legally pursuant to the provisions of this By-law.

“Town” shall mean the Corporation of the Town of Smiths Falls.

### **3.0 Scope**

- 3.1 This By-law regulates the location, size, number, construction, modification, repair and maintenance of all outdoor Signs and Signs located in windows.
- 3.2 All Signs described in Section 3.1, located on public or private property, are subject to the provisions of this By-law.
- 3.3 Signs may be subject to the provisions of other By-laws in addition to this By-law, Provincial or Federal statutes or regulations, including, but not limited to: the relevant provisions of the Ontario Building Code Act, the provisions of the Ontario Heritage Act, the Provisions of the Ontario Electricity Act or provisions of the Town’s Zoning By-law or Encroachment By-law.

### **4.0 Administration**

- 4.1 This By-law shall be administered and enforced by the Manager of Development Services.
- 4.2 Except for Signs referred to in Section 5, Sign Permit Exemptions, and other Sections of this By-law where specified, no person shall erect, display or alter a Sign unless a Sign Permit is obtained.
- 4.3 It is the responsibility of the owner of the property in which the Sign Permit is issued to comply with any approved plans, specifications, terms or conditions associated with the issuance of the Sign Permit.

- 4.4 A completed Sign Permit application shall require the following:
- i) The contact information for the contractor installing the Sign;
  - ii) The contact information for the Applicant
  - iii) The contact information for the owner of the property on which the work is to be performed;
  - iv) Drawings or plans and specifications demonstrating:
    - The location or proposed location of the proposed Sign on the Premises and/or Building's elevation;
    - Details for the Sign supplier, manufacturer or retailer;
    - The location or proposed location of all other Signs on the Premises and/or Building's elevation which require or have already received a Sign Permit; and,
    - The dimensions, foundations, construction supports, sizes, electrical wiring and components, materials of the Sign and method of attachments and character of structural members to which the attachment is made, together with such other engineering data certificate that may be required by a duly licensed engineer as required by the Ontario Building Code Act.
  - v) Proof of possession of all other permits as may be required by any other applicable government authority, including the Ministry of Transportation.
  - v) Hold Harmless Agreement, forming part of the Sign Permit application, Signed by the Applicant responsible for the proposed Sign.
  - vi) Proof of insurance coverage in full force and effect with liability coverage of not less than \$2 million (\$2,000,000.00) naming the Town as additionally insured and covering the Premises and business operations. Signs requiring a permit pursuant the Ontario Building Code Act may be required to produce proof of insurance coverage with an increased liability coverage of not less than \$5 million (\$5,000,000).
- 4.5 Upon receipt of the application and prescribed fee, notice of approval, rejection, incompleteness or non-compliance of such application shall be communicated to the Applicant within fifteen (15) business days.
- 4.6 No Sign Permit shall be issued for a Sign by the Town without the written approval of any Town Department having jurisdiction of the Premises in which the Sign is to be installed. This provision will also apply if the proposed sign is located within a Sight Triangle and/or is within close proximity of a signalized intersection. Determination of close proximity to an intersection will be at the discretion of the Director of Public Works and Utilities.



- 4.7 Notice of approval, rejection, incompleteness or non-compliance outlined in Section 4.5 may be appealed by the Applicant through the Sign By-law Exception process outlined in Section 14.
- 4.8 The Applicant shall be responsible for arranging an inspection of the Sign with the Manager of Development Services upon completion of the Sign installation in which a Sign Permit was issued for.
- 4.9 The Manager of Development Services may enter upon any property at any Reasonable Time to inspect a Sign for the purpose of determining its compliance with this By-law.
- 4.10 Sign Permit applications for properties designated under part IV or V of the Ontario Heritage Act, may be determined to be an Alteration at the discretion of the Manager of Development Services during review of the Sign Permit application. Should a Sign Permit application be determined to be an Alteration, as herein defined, the Applicant shall obtain the necessary approval(s) to undertake the Alteration prior to the issuance of the permit.
- 4.11 Every Sign Permit issued by the Town shall become null and void upon removal and/or modification of the applicable Sign.
- 4.12 All Sign Permit applications are accompanied by a non-refundable fee as outlined in Schedule A. The fee shall be payable upon pick up of the issued Sign Permit.
- 4.13 A Sign Permit application shall be deemed abandoned six (6) months after the date of filing, unless such Sign Permit application has been diligently pursued or a Sign Permit has been issued.

## **5.0 Sign Permit Exemptions**

Notwithstanding Section 3.2 of this By-law, the following types of Signs are not required to obtain a Sign Permit:

- 5.1 Memorial Signs or tablets, commemorative or heritage designation plaque;
- 5.2 Flag bearing the crest or insignia of any corporation, political entity or religious, charitable organization or service club to a maximum number of three (3) flags per private property;

- 5.3 Sign or cornerstones denoting the date of erection of a Building secured or built into the wall of a Building or structure;
- 5.4 Signs not exceeding 0.5 m<sup>2</sup> in Sign Face area indicating the municipal address of a property;
- 5.5 Signs displaying “No Trespassing” or other such warning Signs regulating the use of a property not exceeding 0.5 m<sup>2</sup> in Sign Face area;
- 5.6 Signs for public convenience or Directional Signs located on private property;
- 5.7 Signs regulated with respect to elections under the Canada Elections Act, the Elections Act (Ontario), the Municipal Elections Act or any successor legislations;
- 5.8 Public Information Signs;
- 5.9 Mural Signs Proportional in design and not located within the Downtown Core;
- 5.10 Any Sign located on or within a road allowance that has received written approval by the Director of Public Works and Utilities;
- 5.11 Any Sign located on or within a municipally owned property or Park that has been approved by the Director of Community Services;
- 5.12 Temporary Signs advertising festivals or community events operated by a church, community or charitable organization or other non-commercial group provided the Temporary Sign is displayed in accordance with the following:
  - i) The Sign Face area is a maximum of 1.5 m<sup>2</sup>;
  - ii) The Sign is located on private property and is set back a minimum of one (1) metre from property lines;
  - iii) Signs not exceeding 0.5 metres in height are permitted to be located within a Sight Triangle except where otherwise specified in this By-law;
  - iv) The Sign is erected for a maximum duration of (7) days and is removed the day following the advertised event.

5.13 Portable Signs in accordance with the following:

- i) A maximum of one (1) Portable Sign is erected for a single business within a non-residential zone. Premises housing more than one (1) business shall be permitted a maximum of one (1) Portable Sign per fifteen (15) metres of frontage;
- ii) The Sign does not have more than two (2) Sign Faces;
- iii) The Sign does not exceed a Sign Face area of one (1) m<sup>2</sup>;
- iv) The Sign is set back a minimum of 0.5 metres from a Bicycle Lane and/or the travelled portion of a Public Road;
- v) The Sign must maintain a clear passage on a Municipal Sidewalk of not less than 1.5 metres;
- vi) The Sign is securely placed;
- vii) The Sign shall not encroach upon the frontage of neighbouring Premises;
- viii) The Portable Sign shall only be set out during operating business hours; and,
- ix) Where a Portable Sign is placed atop a Municipal Sidewalk or is located within one (1) metre of a Municipal Sidewalk or the travelled portion of a Public Road the Portable Sign shall be removed from the subject location between November 15 until March 31 to allow for snow removal.

5.14 Real Estate Signs not exceeding one (1) m<sup>2</sup> for properties within a residential zone (including exception zones), as per the Town's Zoning Bylaw, in accordance with the following:

- i) A maximum of one (1) Real Estate Sign is erected per twenty-five (25) metres of Road Frontage; and,
- ii) A maximum of two (2) Real Estate Signs are erected per twenty-five (25) metres of Road Frontage for properties having Road Frontage on two different Public Roads.

- 5.15 Real Estate Signs not exceeding three (3) m<sup>2</sup> for properties within a non-residential zone (including exception zones), as per the Town's Zoning Bylaw provided a maximum of one (1) Real Estate Sign is erected per fifty (50) metres of Road Frontage.
- 5.16 Construction Signs, as herein defined;
- 5.17 Poster affixed to a Poster Panel, as herein defined;
- 5.18 Signs within a Building not visible from the exterior of the Building;
- 5.19 A permanent, non-illuminated Sign having a Sign Face area not exceeding 0.5 m<sup>2</sup>;
- 5.20 Window Signs in accordance with the following:
  - i) The Sign is applied to the interior side of the window; and,
  - ii) The Sign application does not exceed 50% of the window area in which the Sign is applied.
- 5.21 Yard Sale Signs, in accordance with the following:
  - i) Permission has been granted to erect the Sign by the owner of the property in which the Sign is located;
  - ii) The Signs are posted in any permitted location within 72 hours preceding the event; and,
  - iii) The Signs are removed before 7:00 p.m. the final day of the event;

## **6.0 Prohibited Signs**

No person shall erect, install, post, display, maintain or keep on a Premises any of the following Signs:

- 6.1 Any Sign that does not comply with this By-law, Provincial or Federal statutes or regulations or the conditions of an exception under this By-law;
- 6.2 Interferes with any utility wires or associated supports;
- 6.3 Is attached to, affixed to, or on any Traffic Sign, traffic light or traffic control device or the supporting structure, unless permitted by the Director of Public Works and Utilities;

- 6.4 By reason of size, location, content, colouring or manner of illumination obstructs the vision of drivers or pedestrians, or obstructs or detracts from the visibility or effectiveness of any Traffic Sign or control device for a Public Road in the opinion of the Director of Public Works and Utilities;
- 6.5 Located within a Sight Triangle which will or may obstruct the view of any driver or a vehicle; unless exempted by Section 5.12.iii) or has received written permission from the Director of Public Works and Utilities;
- 6.6 Makes use of words such as "Stop", "One Way", "Yield" or any similar words, phrases, symbols, lights or characters in such a manner as to interfere with, mislead or confuse traffic and which have not been erected or approved by the Town;
- 6.7 Displays the Town logo, crest or seal in whole or in part without the written permission of the Town;
- 6.8 Emits sounds or odor, discharges any gas, liquid or solid;
- 6.9 Erected in part or entirely above the surface of the roof of a Building or structure;
- 6.10 Ground Signs or free-standing Signs exceeding a height of 2.5 metres proposed to be located within fifteen (15) metres of a traffic light or intersection;
- 6.11 Obstructs parking spaces;
- 6.12 Is attached to or supported by a tree, stone or other natural object;
- 6.13 Is primarily supported by cables and wires external to the Sign Face or Sign box, except in the case of a Banner or Banner Sign;
- 6.14 Located so as to obstruct or impede any required fire escape, fire exit, walkway, passageway, door, window, skylight, flue or air intake or exhaust or so as to prevent or delay free access of emergency services to any part of the Premises;
- 6.15 Is on or over Town owned land or road allowance, unless as prescribed by other sections of this By-law or approved by the Town;

## **7.0 Temporary Signs**

Notwithstanding Section 5, Sign Permit Exemptions, Temporary Signs shall be permitted in accordance with the following:

- 7.1 Signs shall not exceed 4 m<sup>2</sup> in Sign Face area;
- 7.2 Section 17, Maintenance, shall apply;
- 7.3 Signs shall be constructed a free-standing Sign, weighted to ensure the Sign continues upright with Influence from Environment;
- 7.4 Signs may be located on public lands provided they are not located within a Sight Triangle, do not impede municipal operations and do not interfere with pedestrian or vehicular traffic. The suitability of the location shall be at the discretion of the Manager of Development Services in consultation with other municipal departments;
- 7.5 Signs are erected for no more than thirty (30) consecutive days and are removed within one (1) day following the event; and,
- 7.6 A maximum of six (6) Banner Signs, Banners or Portable Signs, or any combination thereof, may be erected on any one property at any one time.
- 7.7 Ground Signs designed as to be towed by a vehicle shall be subject to the following:
  - i) The Sign shall only be permitted within the commercial and industrial zones in accordance with the Town's Zoning By-law;
  - ii) The Sign shall be set back a minimum of 6 m from any vehicular ingress/egress to the property;
  - iii) The Sign shall not encroach onto Town-owned lands;
  - iv) A Sign Permit shall be valid for a period of no more than 6 months; and,
  - v) A maximum of one (1) Sign is permitted to be placed on a property at one time.

## **8.0 General Provisions**

- 8.1 One (1) Awning Sign or Canopy Sign shall be permitted in accordance with the following:

- i) The Sign shall be located on the side of the Building giving the applicable business access to a Public Road or Municipal Sidewalk;
- ii) Businesses within a Building with more than one (1) Building face oriented toward a Public Road may be permitted one (1) additional Sign classified as a Fascia Sign or Mural Sign on a Building face oriented toward a Public Road that does not contain an Awning Sign or Canopy Sign;
- iii) The Sign must be mounted parallel to the exterior wall of the Building of which it is secured to;
- iv) The Sign shall not project more than 1.2 metres from the exterior wall of the Building in which it is secured to;
- v) The Sign shall be a minimum of 2.6 metres, measured vertically, from the highest point of the finished grade; and,
- vi) In the case of a multiple storey Building, the Sign shall not extend above the bottom of the above storey window sill.

8.2 One (1) Fascia Sign shall be permitted in accordance with the following:

- i) The Sign must be mounted parallel to the exterior wall of the Building in which it is secured to;
- ii) Businesses within a Building with more than one (1) Building face oriented toward a Public Road may be permitted one (1) Fascia Sign or Mural Sign for each Building face oriented toward a Public Road;
- iii) The Sign shall not project more than 0.2 metres from the exterior wall of a Building in which it is secured to; and,
- iv) In the case of a multiple storey Building, the Sign shall not extend above the bottom of the above storey window sill.

8.3 One (1) Projecting Sign shall be permitted in accordance with the following:

- i) The Sign shall be located on the side of the Building giving the applicable business direct access to a Public Road or Municipal Sidewalk;
- ii) Signs that project more than one (1) metre from the exterior wall of the Building in which it is secured to shall be subject to engineer review as required by the Ontario Building Code Act and may be subject to administration in accordance with the Town's Encroachment By-law;
- iii) The bottom edge of the Sign Face shall be a minimum of 2.6 metres, measured vertically, from the highest point of the finished grade;
- iv) The Sign shall be designed as double-faced;
- v) The Sign shall not exceed one (1) m<sup>2</sup> in Sign Face area;
- vi) The Sign must not be designed or constructed as a Free-swinging Sign; and,
- vii) The Sign shall not be illuminated externally;

8.4 Buildings housing more than one (1) business shall be further subject to the following provisions:

- i) Buildings housing more than one (1) business shall be limited to one (1) Sign classified as an Awning Sign or Canopy Sign above each designated main access to the Building;
- ii) Individual businesses shall each be permitted a minimum of one (1) Sign located on the Premises in accordance with the applicable provisions of this By-law;
- iii) Signs shall be located on the exterior wall forming part of the individual business or enterprise or the exterior wall which provides main access to the individual business or enterprise;
- iv) Signs for individual businesses or enterprises shall be Proportional to the width of the unit occupied by the applicable business or enterprise on the Premises;



- v) Buildings housing more than one (1) business having the same direct access to a Public Road or Municipal Sidewalk may be permitted an additional Fascia Sign not exceeding one (1) m<sup>2</sup> of Sign Face area for the purpose of posting a Business Directory. A request for an additional Fascia Sign for the purpose of a Business Directory shall be completed in accordance with Section 4, Administration.

## **9.0 Signs Within the Downtown Core**

Notwithstanding all other Sections of this By-law, the following provisions shall apply for Signs within the Downtown Core:

- 9.1 A maximum of one (1) Projecting Sign in accordance with Section 8.3 and one (1) Portable Sign shall be permitted per Premises;
- 9.2 Awning Signs, Canopy Signs and Fascia Signs shall be Proportional in design;
- 9.4 No Sign installed, erected or maintained shall obstruct or interfere with Architectural Detailing on a Building;
- 9.5 Notwithstanding any other provisions of this By-law, the following Signs are not permitted within the Downtown Core:
  - i) Cabinet (Box) Signs, as herein described; ;
  - ii) Readograph Signs, as herein defined;
  - iii) Mural Signs, as herein defined;
  - iv) Signs which incorporate flashing or moving illumination which varies in colour or intensity;
  - v) Signs which have visible moving parts or have visible mechanical movement of any description, including pulsations; and,
  - vi) Signs attached to Awning Signs, Canopy Signs or Projecting Signs;

## **10.0 Commercial, Industrial and Institutional Signs**

Subject to the requirements of Section 5, Sign Permit Exemptions; Section 8, General Provisions, and Section 9, Signs Within the Downtown Core, Premises within a commercial, industrial or institutional Zone (including exception zones),

as per the Town's Zoning By-law, are further subject to the provisions of this Section.

- 10.1 In addition to Signs mounted on an exterior wall of a Building, these Premises shall also be permitted a maximum of one (1) permanently affixed Ground Sign in accordance with the following:
- i) The Sign has a no more than two (2) Sign Faces;
  - ii) The Sign has a maximum Sign Face area of fifteen (15) m<sup>2</sup> per Sign Face;
  - iii) The outer edge of the Sign Face is set back a minimum of three (3) metres from property lines along a road allowance;
  - iv) The outer edge of the Sign Face is set back a minimum of one (1) metre from all other property lines; and,
  - v) The Sign must not be located within a Sight Triangle.
- 10.2 Premises within an industrial or institutional zone (including exception zones) shall be further subject to the following:
- i) A Canopy Sign, as herein defined, shall only be permitted above a designated main access to a Building; and,
  - ii) Awning Signs and Projecting Signs, as herein defined, shall not be permitted.
- 10.3 Projecting Signs, as herein defined, shall not be permitted for Premises within the Community Shopping Centre zone (including exception zones).
- 10.4 Premises operating as an Automobile Service Station or Automobile Gas Bar, as herein defined, shall be permitted Fascia Signs on the outer edge of a free-standing Canopy associated with a pump island provided the Sign is an integral part of the free-standing Canopy and does not extend more than 0.2 metre from the Canopy's edge.
- 10.5 One (1) Off-site Sign may be permitted for a business located on a Premises within the Downtown Core, the Corridor Commercial or an industrial zone (including exception zones) in accordance with the following provisions:

- i) The Off-site Sign shall be constructed in a similar fashion to a free-standing or Ground Sign, weighted to ensure it continues upright with Influence from Environment;
- ii) The Off-site Sign shall have a Sign Face area of not more than 4 m<sup>2</sup>;
- iii) The Off-site Sign shall not be located less than forty (40) m from a residence;
- iv) Off-site Signs shall be permitted on vacant properties only; and,
- v) The minimum distance between Off-site Signs shall be 90 m.

## **11.0 Residential Signs**

Subject to the requirements of Section 5, Sign Permit Exemptions, Signs shall not be permitted within a residential zone in accordance with the Town's Zoning By-law except in accordance with the following:

- 11.1 Signs for Home Occupations are permitted in accordance with the Home Occupation provisions of the Town's Zoning By-law.
- 11.2 One (1) Fascia Sign or Ground Sign per privately owned property identifying the name of the Building and/or municipal address of a multi-unit residential Building or other permitted use, shall be permitted. The Sign shall not exceed two (2) metres in height and 4 m<sup>2</sup> in Sign Face area.
- 11.3 One (1) Fascia Sign not more than 4 m<sup>2</sup> in Sign Face area advertising residential rental vacancies within the Building with contact information to inquire shall be permitted as a Temporary Sign for a period of no more than one (1) year.

## **12.0 Development Signs**

No person shall erect, display or maintain any Development Sign on a Premises of a new or proposed development except in accordance with the following:

- 12.1 A Sign shall only advertise the new or proposed development on the property in which the Sign is located and not advertise the sale of Buildings or properties elsewhere;
- 12.2 A maximum of two (2) Development Signs are permitted on the Premises of the new or proposed development;

12.3 A Sign off the Premises of the new or proposed development shall be permitted in accordance with Section 10.5; and,

12.4 The Sign shall be removed within sixty (60) days of concluding construction.

### **13.0 Entrance Features**

Approval of an Entrance Feature, as herein defined, shall be subject to the authorization of Council and to consultation with Town departments in accordance with the process outlined under Section 14, Sign By-law Exceptions.

13.1 A Sign associated with an Entrance Feature shall:

- i) Be designed as a permanently affixed Ground Sign;
- ii) Have a maximum of two (2) Sign Faces;
- iii) Not be constructed as a Luminous Sign, as herein defined;
- iv) Be constructed of appropriate material as to prevent wearing caused by Influence of Environment; and,
- v) Have regard for utility wires and associated supports.

13.2 An Entrance Feature shall:

- i) Be set back a minimum of 1.5 metres from the back edge of a sidewalk, Bicycle Lane, road or other public lane within the jurisdiction of the Town;
- ii) Not be located within a Sight Triangle, as herein defined; and,
- iii) Maintain a minimum two (2) metre separation distance from structures and driveways.

13.3 Notwithstanding Section 4.4, a written submission outlining the proposal for an Entrance Feature shall require the following:

- i) The contact information for the contractor installing the Entrance Feature;
- ii) The contact information for the Applicant
- iii) The contact information for the owner of the property on which the work is to be performed;
- iv) Drawings or plans and specifications demonstrating:

- The location(s) or proposed location(s) of the Entrance Feature(s) on the Premises;
  - Details for the Sign supplier, manufacturer or retailer;
  - The dimensions, foundations, construction supports, sizes, electrical wiring and components, associated landscaping, materials of the Sign and method of attachments and character of structural members to which the attachment is made, together with such other engineering data certificate that may be required by a duly licensed engineer as required by the Ontario Building Code Act.
- iv) Proof of possession of all other permits as may be required by any other applicable government authority, including the Ministry of Transportation.
  - v) Hold Harmless Agreement, forming part of the Sign Permit application, Signed by the Applicant responsible for the proposed Sign.
  - vi) Proof of insurance coverage in full force and effect with liability coverage of not less than \$5 million (\$5,000,000.00) and covering the Premises in which the Entrance Feature is located.
  - vii) A proposal to provide for the financial responsibility of the long-term maintenance of the Entrance Feature for a period of not less than twenty (20) years.

#### **14.0 Sign By-law Exceptions**

An exception from the Sign By-law may be authorized by the Town upon request from the Applicant subject to the following:

- 14.1 A Sign Permit application that does not comply with all the provisions of this By-law may submit a written request for an exception from the By-law. The written request must include the applicable section(s) of this By-law in which an exception(s) is requested and a rationale describing why the exception is desired and appropriate.
- 14.2 Where an exception(s) is requested from Section 9 of this By-law, the written request shall include a rationale demonstrating that the proposal is appropriate for the age and style of the Building. The previously constructed Sign shall not be used to measure appropriateness.
- 14.3 Requests for variance an exception from this By-law shall be circulated for comments and considerations to the Chief Building Official, Director of Public Works and Utilities and Manager of Development Services for consultation prior to a decision of Council. Other municipal departments

may be consulted at the discretion of the Manager of Development Services.

- 14.4 The powers and authority given to Council to grant exceptions from the Sign By-law are hereby delegated to the Manager of Development Services where the exception request is classified as a Minor Deviation from the Sign By-law.
- 14.5 For the purposes of Section 14.4, a Minor Deviation from the Sign By-law shall mean an exception request:
- i) under Section 7, Temporary Signs, of this By-law;
  - ii) under Section 9, Signs Within the Downtown Core;
  - iii) under Section 11, Residential Signs, except where the Zoning By-law holds precedence;
  - iv) Signs within the Neighbourhood Commercial zone, except in the case of Ground Signs; and/or
  - v) Does not encroach onto or over Town-owned Lands, except in the case of Projecting Signs or Portable Signs.
- 14.6 Requests for an exception(s) from this By-law shall be reviewed and approved, approved with written conditions or denied on a case-by-case basis. Any decision regarding an exception(s) to this By-law shall not apply to any other application for Sign Permit.
- 14.7 A decision of the Manager of Development Services in accordance with Section 14.4 and 14.5 may be appealed within 30 days of the decision by way of a written request to the Town Clerk for consideration by Council.
- 14.8 A decision of Council with respect to a request for an exception(s) from this By-law shall be final and binding.

## **15.0 Site Plan Control**

Where a Site Plan Control agreement approved by Council provides standards for Signs for a specific development, such Signs shall be deemed to comply with this By-law, subject to a Sign Permit.

## **16.0 Non-conforming Signs**

A Sign existing legally on the day this By-law comes into force and effect shall be permitted until such a time that the Sign is removed in accordance with Section 19, the design of the Sign is altered or the type of illumination is changed. Any replacement which is intended to maintain the Sign in its current state or design shall not be required to conform to the requirements of this By-law if the Sign existed legally on the day this By-law comes into force and effect.

## **17.0 Maintenance**

The owner of the Premises or Building containing a business or enterprise in which the Sign is advertising shall be responsible for maintaining the Sign in a proper state of repair so that such Sign does not become unsafe, unsightly or dangerous. Signs and their components shall be completely operative at all times.

## **18.0 Structural Requirements**

Signs and their structural members shall be designed to have structural capacity to resist safely and effectively all effects of loads and Influence from Environment that may be expected and shall, in any case, satisfy the requirements of the Ontario Building Code Act.

## **19.0 Removal and Abandonment**

Any obsolete Sign which no longer advertises an active business shall be removed within sixty (60) days of the business closing.

## **20.0 Enforcement**

20.1 Any person contravening any of the provisions of this By-law is guilty of an offence and upon conviction shall be liable to a fine recoverable pursuant the Provincial Offences Act. Pursuant to Part 1 of the Provincial Offences Act, set fines for contravention of various provisions may be established in accordance with Schedule B.

20.2 Each day or portion thereof that the offence continues may be considered a separate and distinct offence.

20.3 Any Sign erected without a Sign Permit shall be subject to an administration penalty fee, prescribed in Schedule 'A', due upon the issuance of a Sign Permit.

20.4 Where a Sign is displayed in contravention of this By-law, the Manager of Development Services, after inspecting the Sign, shall notify the owner of the Premises of the violation in writing by registered mail or hand delivery.

The written notice shall be classified as an Order and considered delivered upon the date the Order is mailed or hand delivered to the owner.

- 20.5 The Order prescribed in Section 20.4 shall require the repair, modification or removal of the Sign within fourteen (14) days from the delivery of the Order.
- 20.6 Where repair, modification or removal is a matter of extreme urgency or public safety, the Manager of Development Services may opt for a verbal Order with a reduced timeframe for compliance, at their discretion.
- 20.7 The verbal Order prescribed in Section 20.6 shall be followed by a written Order in accordance with Section 20.4 within a period of two (2) business days noting the date of verbal Order and the reasoning for the reduced timeframe for compliance.
- 20.8 The written Order prescribed in Sections 20.4 shall include:
- i) An explanation of the contravention to this By-law with a description of the Premises in which the contravention occurred;
  - ii) The date which compliance with the Order must be achieved;
  - iii) Whether or not the Sign must be altered, repaired or removed; and,
  - iv) Notice that if the Order is not complied with before the specified date, the Town may remove the Sign without notice or compensation at any Reasonable Time.
- 20.9 No person shall fail to comply with an Order issued under this By-law.
- 20.10 Should any person fail to comply with a written Order issued under this By-law, the Town, in addition to all other remedies shall:
- i) have the right to remove the Sign and, for this purpose, may enter into and upon the property where the Sign is located with its servants or agents at any Reasonable Time;
  - ii) not be liable to compensate the owner or anyone having interest in the property by reason of anything done by or on behalf of the Town under the provision of this Section; and,
  - iii) have the right to recover its expenses in carrying out the removal contemplated by this Section by action or such expenses may be recovered in like manner as municipal taxes.



20.11 The Town shall retain the right to dispose of any removed Sign in accordance with Section 20.10.i) at the sole discretion of the Manager of Development Services.

**21.0 Repeal**

By-law No. 6018-94, as amended, is hereby repealed in its entirety.

**22.0 Severability**

22.1 Notwithstanding the provisions of any other By-law to the contrary, in the event a conflict between the provisions of this By-law or any other By-law, the more restrictive provision prevails.

22.2 Should any part, section, subsection or portion of this By-law be repealed or declared by a court of competent jurisdiction to be illegal the same shall not affect the validity of this By-law as a whole or in part thereof, except for that which was declared to be invalid.

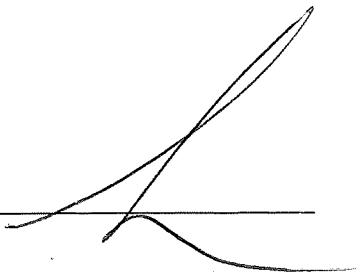
**23.0 Commencement**

The provisions of this By-law shall come into force and effect upon the final passing thereof.

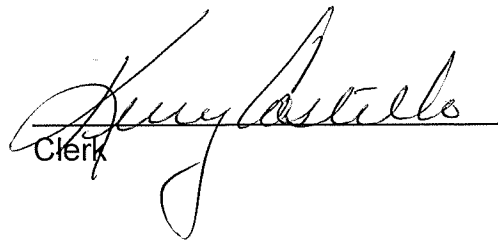
Read a first and second time this 4<sup>h</sup> day of December 2023.

Read a third time and passed this 4<sup>h</sup> day of December 2023.

\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Clerk



### **Schedule 'A' – Sign Permit Fees**

<b>Permanent Sign Type</b>	<b>Fee (per sign)</b>
Awning Sign	\$100
Canopy Sign	\$100
Fascia Sign	\$100
Ground Sign (less than 3 m high)	\$100
Ground Sign (greater than 3 m high)	\$200
Projecting Sign	\$100

*Signs constructed as Luminous Signs, as herein defined, will be subject to an additional **\$50.00** fee.*

<b>Temporary Sign Type</b>	<b>Fee (per sign)</b>
Banner	\$60
Development Sign	\$50
Portable Sign	\$50
Other Temporary Signs	\$60

<b>Other Fee Description</b>	<b>Fee</b>
Administration Penalty Fee	\$100
Sign By-law Exception (Council approvals only)	\$250

### **Schedule 'B' – Penalties for Contravention**

Offence No.	Description of Offence	Provision(s)	Set Fine
1	Failure to obtain a Sign Permit	Section 4.2	\$250.00
2	Failure to comply with the terms of a Sign Permit	Section 4.3	\$150.00
3	Failure to maintain Sign in safe condition	Section 17.0	\$200.00
4	Display Portable Sign not meeting permit exemption provisions, no permit or exception granted	Section 5.13	\$100.00
5	Failure to remove sign after termination of business	Section 19.0	\$150.00
6	Failure to comply with an Order under this By-law	Section 20.9	\$250.00