

# **The Corporation of the Town of The Blue Mountains**

## **By-Law Number 2016 – 71**

### **Office Consolidation (By-law Number 2018-28)**

#### **Being a By-law to regulate the size, use, location and Maintenance of signs within the Town of The Blue Mountains**

Whereas Section 11 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, enables the Council of a municipality to pass By-laws respecting matters within the spheres of jurisdiction;

And Whereas subsection 11(3) (7) of the Act provides that municipalities may pass by-laws respecting Structures, including fences and signs;

And Whereas it is deemed expedient by the Council of The Corporation of the Town of The Blue Mountains to pass such a By-law;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

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## **Section One: Purpose & Scope**

### **Introduction**

“Stretching from the shores of Georgian Bay to Kolapore Forest into the Beaver Valley and along the Pretty River, the Town of The Blue Mountains encompass villages and hamlets, each with their own unique charm, reflecting a complex mix of influences ranging from the agricultural and resource-based rural roots, to a new and diverse population migrating from urban and suburban centres to enjoy the benefits of the four-season lifestyle.

The community’s charming villages of Thornbury, Clarksburg, Craigeleith, and Ravenna are synonymous with shopping and dining in a heritage village setting. In sharp contrast, Blue Mountain village is one of the most modern recreational resort destinations in Canada. Their eclectic blend of lively arts and culture events, burgeoning local food scenes and spectacular natural landscape of Georgian Bay and the Niagara Escarpment, create a unique character. With all there is to do and see, The Blue Mountains is truly more than just a weekend destination, drawing local and international visitors to the area for relaxation, family fun or adventure-based vacations.

To a large extent, the visual landscape, local streetscapes and village settings are influenced by the design of local buildings and signage that reflect the community character. Accordingly, it is important that the Town’s sign by-law also incorporate design principles and regulations that maintain and enhance this important village character and charm while reflecting the old and new in a constant manner.

### **Section 1.1 – Purpose**

The purpose of this By-law shall be to coordinate the type, placement, and scale of signs within the different land-use designated areas to recognize and regulate the residential, commercial, industrial, institutional and other areas for communication requirements of all sectors of the community. In so doing, this By-law shall encourage the innovative use of design; shall encourage signs which are compatible to the heritage and unique scenic characteristics of the community; shall promote both renovation and proper maintenance; and shall guarantee equal treatment under the law through accurate record keeping and consistent enforcement. These shall be accomplished by regulation of the size, shape, material, display, erection, use, and maintenance of signs. The use of signs is regulated according to land use as prescribed in zoning regulations. No sign shall be permitted as a main or accessory use except in accordance with the provisions of this By-law.

### **Section 1.2 – Scope**

The primary intent of this By-law shall be to regulate signs intended to be viewed from any vehicular or pedestrian public right-of-way within the Town.

This By-law shall not, however, relate to building design or any non-commercial ornamentation of a building or structure. Nor shall the By-law regulate Federal, Provincial or municipal signs; signs authorized by Council to be located within a public right-of-way; window displays; product dispensers and points of purchase displays; bona fide flags of any nation, governmental or non-commercial organization; gravestones; religious symbols; commemorative plaques; the display of street numbers; or any display or construction not defined herein as a sign.

Signs erected in the Town of The Blue Mountains shall also comply with the Property Standards By-law No. 2002-18. Any approval for a sign granted under By-law No. 2006-105 shall continue to apply following the approval of this By-law.

Signs located on lands owned by the Town of The Blue Mountains shall be subject to indemnification of the Municipality.

### **Section 1.3 – Use of Photos in By-law**

The photos used in this By-law are used strictly for illustration purposes and do not form party of this By-law. The illustrative photos may be altered without amending this By-law.

### **Section 1.4 – County and Provincial Regulations**

Issuance of a permit under the provisions of this By-law does not relieve the owner of the lands from also meeting the requirements of the County of Grey and Province of Ontario.

Section Two: Definitions

Section 2.1 – Definitions

For the purposes of this By-law, the following words or phrases shall mean:

**Abandoned Sign (Section 3.1)** – shall mean a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

Examples:



**Advertising device** – shall mean any fancifully designed device, object or any means of identification visible from any public street creating a design and intended to be erected or located or affixed on any land, building or structure which directs attention to any land, building or structure and includes banners, pennants or any object intended for advertising purposes, but shall not, however, relate to building design or any non- commercial ornamentation of a building or structure. For the purpose of this By-law, an advertising device shall mean a sign.

**Alteration** – shall mean any change to a sign structure or sign face including the addition, deletion or re- arrangement of parts, excepting the changing of the message displayed by the sign, or the replacement of identical parts for maintenance purposes.

**Animated Sign (Section 3.1)** – any sign which includes constant action or motion or colour change of any or all of the sign, excluding manual changeable copy signs, but does not include a clock or thermometer.

Animated signs include the following:

Mechanically Energized: Signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives,

Examples:



and;

Naturally Energized: Signs whose motion is activated by wind or other atmospheric impingement. Wind-driven signs include banners, pennants, streamers, spinners, metallic discs, or other similar devices designed to move in the wind.

Examples:



**Architectural Feature** – shall mean any individual feature or detail which constitutes or contributes to the character, design or style of a building or structure.

**Awning** – shall mean a temporary shelter or roof-like projection consisting entirely of non-rigid materials such as cloth or canvas, except for supporting framework.

Examples:



**Banner** – shall mean a vertical or horizontal sheet that is generally made of a canvas or similar lightweight, non-rigid type of material which is normally hung from an object or structure using rope or some other fastening device.

**Banner Sign (Section 4.2)** – shall mean a sign that is applied to a vertical or horizontal sheet that is generally made of a canvas or similar lightweight, non-rigid type of material which is normally hung from an object or structure using rope or some other fastening device.

Examples:



**Billboard Sign (Section 3.1)** – shall mean a sign directly supported by the ground without the aid of any other building or structure, other than the sign and a sign that advertises goods, products, services or facilities not available at the premises upon which the sign is located or which directs persons to a different location from that upon which the sign is located.

Examples:





**Building Face or Wall** – shall mean all exterior window and wall surface areas of a building in one plane or elevation.

**Business Frontage** – the length of an outside building wall of a business on a public street or right of way. Where a building or a combination of building structures are located on two intersecting public streets, each business located on the property shall have a business frontage on one street. However, only that business which is closest to the second street shall be considered as having a second business frontage on the second street and therefore shall be entitled to a second sign, and in the case of a vacant lot or premises between any such business and the second street, shall be entitled to a second business frontage sign on an annual basis only, and such second business frontage sign permit shall become null and void upon any development in, on or upon such a vacant lot or premises.

**Canopy** – shall mean a permanent roof-like projection which extends from part or all of the building face or wall but shall not include a mansard face.

**Canopy Sign (Section 4.4)** – shall mean a sign attached to or constructed in or on the canopy.

Examples:



**Chief Building Official** – shall mean the Chief Building Official duly appointed under the provisions of the Building Code Act.

**Contractor/Renovation Sign (Section 3.4)** – Shall mean a sign which identifies or provides information relating to or advertising the development or the construction of a building on a single lot where the sign is erected.

Examples:



**Construction Sign (Section 4.5)** – Shall mean a sign which identifies or provides information relating to or advertising the development or the construction of a building that is located on multiple lots, but shall not include a real estate sign.

Examples:





**Copy** – shall mean the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

**Council** – shall mean the Municipal Council of The Corporation of the Town of The Blue Mountains.

**Development Sign (Section 4.6)** – shall mean a temporary ground sign on a property that is subject to a draft plan approved plan of subdivision or condominium or on lands appropriately zoned for draft plan of subdivision or condominium advertising the application but shall not advertise units for sale, lease or occupy.

Examples:



**Digital Display Sign (Section 4.7)** – shall mean a sign that displays text and/or images shown in a digital format that includes but not limited to LCD, LED and projection and may include:

Electrically Energized: Illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically animated signs are of two types:

- a) **Flashing Signs:** Illuminated signs exhibiting a pre-programmed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) is either the same as or less than the duration of the period of darkness (off phase), and in which the intensity of illumination varies from zero (off) to one hundred percent (on) during the programming cycle.
- b) **Illusionary Movement Signs:** Illuminated signs exhibiting the illusion of movements by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns.

Examples:



**Directional Sign (Section 4.8)** – shall mean an on premise sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but shall not contain advertising copy, e.g., parking or exit and entrance signs.

Examples:



**Display Area** – shall mean the area of all surfaces of a sign upon, against or through which the message is displayed or illuminated. In the case of individually installed letters or similar individually mounted logo or like sign components, display area shall be calculated as being the total surface area within the outermost perimeter bounding the limit of all of the individual components.

**Election Sign (Section 3.4)** – shall mean a temporary sign advertising or promoting a candidate or political party in a municipal, school board, public utility company, provincial or federal election.

Examples:



**Erected** – shall mean built and constructed and located in a manner that is permanent in nature and characteristic and shall not be considered to include any consideration of the location or placement of any mobile or portable sign or banner sign or any other advertising device that is temporary in nature.

**Fascia Sign (Section 4.9)** – shall mean a sign which is attached to, erected, or placed approximately parallel to and flat against a wall or other surface, whether forming part of a building or not.

Examples:



**Federal, Provincial or Municipal Sign (Section 4.10)** – shall mean a sign required or erected due to any law or required or erected at the direction of any Government or governmental authority, agency, department or commission. Municipal signs may include a municipally approved and administered program of Directional signage to be located within public rights-of-way in partnership with private sector operators which might include but is not limited to a Chamber of Commerce, a Business Improvement Association or other representative group, at strategic locations in the municipality, with the approval of Council.

Examples:



**Finished Grade** – shall mean, with reference to a building or structure, the average elevation of the finished surface of the ground adjoining and within 4.5 metres, or extending to the lot line, whichever is closer, of such sign. The overall average elevation of the finished surface of the ground where the said ground is in contact with any building or other structure, however, if the grade level at the base of the sign is below the grade at the centre of the adjoining street or highway, the sign may extend to a maximum height of 3.5 metres above the grade at the centreline of the highway.

**Flag** – shall mean a symbol representing a government, political subdivision or other public entity that is generally made of a canvas or similar lightweight, non-rigid type of material which is normally hung from an object or structure using rope or some other fastening device and is designed and displayed so as to allow movement which is caused by atmospheric conditions and is presented in compliance with a recognized protocol of design and characteristics.

**Flashing Sign (Section 4.7)** – shall mean a sign which contains a light source varying in intensity or colour, or a sign which is illuminated by a light source varying in intensity or colour, but does not include a clock or thermometer.

**Frontage** – shall mean the distance between the side lot lines at either end of an unbroken front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line 7.5 metres back from and parallel to the chord of the lot frontage. For the purpose of this By-law, the chord of the lot frontage is a straight line joining the two points where the side lot line intersects the front lot line.

**Ground Sign (Section 4.11)** – shall mean a sign supported by one or more uprights, poles, and braces or located on a structural base placed in or upon the ground.

Examples:



**Height of Sign** – shall mean the vertical distance measured from the highest point of the sign to the nearest finished grade and includes any support structure.

**Illuminated Sign (Sections 3.6, 4.7, 4.9 (4), 4.13)** – shall mean any sign which provides internal light source directly, or through any transparent or translucent material, or a sign illuminated by an internal light source focused upon or chiefly directed at the surface of the letters or forming part of the letters.



Examples:



**Incidental Sign (Section 3.4)** – shall mean a sign that is incidental to another use and which therefore does not require detailed regulation by this By-law and may include but is not limited to a park bench, mail box, no parking sign, newspaper box, corner stone, warning or direction sign that is not an advertising sign. A sign advertising a home based business shall be considered an incidental sign.

Examples:



**Inflatable Sign (Section 3.1)** – shall mean a sign or advertising device which is inflated by a mechanical air pump and designed to be airborne and tethered to the ground or any other structure and shall include balloons and any other inflatable advertising device.

Example:



**Inspector** – shall mean an Inspector duly appointed under the provisions of the Building Code Act.

**Internal Sign (Section 3.4)** – shall mean a sign that is not intended to be viewed from a public right- of-way and is located within and upon privately owned lands of a resort commercial nature (resort commercial being herein defined as those lands currently zoned Village Core General Commercial C5, Village Core Resort Commercial C7 and Recreational Ski Facility SF in the Township of Collingwood Zoning By-law, being By-law No. 83-40, as amended) and is wholly intended to be viewed by patrons utilizing amenities located within and upon privately owned lands of a resort commercial nature. Internal signs may include signs otherwise defined herein as Awning, Banner, Canopy, Directional, Fascia, Ground, Projecting, Vertical and Roof, but shall not include Billboards. Certain internal signs may require a permit pursuant to the Building Code Act, and such determination shall alone be made by the Chief Building Official, and the onus to have such determination made shall lay solely with the landowner or his or her agent.

Examples:



**Interior Sign (see Section 3.4)** – shall mean a sign that is only visible from the interior of a building

Examples:



**Lot** – shall mean a parcel of land that is registered as a legally conveyable parcel of land in the Land Titles Registry Office.

**Lot Line** – shall mean a line delineating any boundary of a lot.

**Manual Changeable Copy Sign (Section 4.12)** – shall mean a sign on which the copy can be changed manually through the use of attachable letters, numerals and pictorial panels.

Examples:



**Marquee** – shall mean a permanent roof structure projecting horizontally from the face of the building.

**Mobile Sign (Section 4.13)** – shall mean a sign that is designed so as to be capable of being readily moved from one location to another, and is usually built on a trailer or other solid framework with or without wheels and may include a double-faced readograph type sign.

Examples:



**Municipal Law Enforcement Officer** – shall mean a Municipal Law Enforcement Officer duly appointed under the provisions of the Municipal Act.

**Occupant** – shall mean the person in physical possession of the premises and includes all persons who have the responsibility for and control over the condition of the premises or the activities there carried on notwithstanding that there may be more than one occupant of the same premises, and in the case of a vacant premise(s) shall mean the Owner.

**Other Designated areas** – shall mean all designated areas within comprehensive Zoning By-laws 10-77 of the former Town of Thornbury and 83-40 of the former Township of Collingwood, both as may be respectively amended from time to time, except those areas designated and defined herein.

**Owner** – shall mean a person having a legal or equitable title to the land, building or structure upon which a sign is located and includes all persons having a legal right to obtain physical possession of the premises.

**Permit** – shall mean a written document issued by the Chief Building Official of the Town of The Blue Mountains indicating that he has considered a specific application referred to therein and has granted permission of the Town to erect, display, structurally alter or relocate a sign in accordance with specifications and conditions referred to therein.

**Person** – shall mean any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a person to whom the context can apply.

**Portable Sign (Section 3.4)** – shall mean a sign that is not affixed to the ground but is constructed on wood or other hard surface and includes signs commonly known as sandwich boards or A-frame signs.

Examples:



**Poster Sign (Section 4.14)** – shall mean any type of advertising device that is generally made of cardboard, wood, metal, plastic, fiberboard, paper or similar flexible material and designed to be attached to the surface of a structure, building or post.

Examples:



**Premises** – shall mean an area of a building occupied or used by a business or enterprise. In a multiple tenancy building occupied by more than one business, each business area shall be



considered a separate premise. Each individual unit proposed and/or registered in a Plan of Condominium shall also be considered individual premises.

**Projecting Sign (Section 4.15)** – shall mean a sign, either double or single faced, which projects out from a wall and for which the sign face or faces are approximately perpendicular to the plane of the wall to which the sign is attached. For the purposes of this By-law, a projecting or vertical sign shall include an overhanging sign.

Examples:



**Public Street** – shall mean a roadway owned by a public authority and for the purposes of this By-law does not include a private road or laneway.

**Pylon Sign (Section 3.1)** – shall mean a free-standing vertical sign supported by permanent column(s) on a foundation in the ground and which is not attached to any building or structure.

Examples:



**Real Estate Signs (Section 3.4)** – shall mean a temporary sign advertising the real estate upon which the sign is located as being for rent, sale, or lease.

Examples:



**Residential Zone** – shall mean the use of land, buildings or structures for human habitation, but excluding temporary human habitation uses such as short term accommodation, bed and breakfast establishment, tourist cabin or cottage, hotel or motel.

**Reverse Graphics** – shall mean graphics on an internally illuminated sign having translucent or transparent advertising copy on a background which is either opaque or substantially darker in colour than that the colour of the advertising copy.

**Roof Line** – shall mean the horizontal line made by the intersection of the wall of the building with the roof of the building.



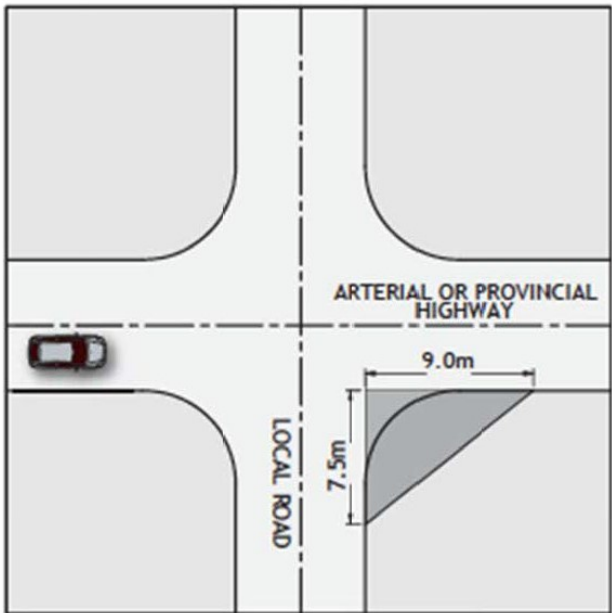
**Roof Sign (Section 3.1)** – shall mean a sign which is located entirely on or above the main roof of a building or located entirely on the top of or above the parapet of a building.

Examples:



**Rural Zone** – shall mean those areas given Rural (A1) or Rural (A2) zoning designations by comprehensive Zoning By-law No. 83-40, as amended, and as may be amended from time to time.

**Sight Triangle** – shall mean the triangular space on a lot formed by two intersecting streetlines and a line drawn from a point on one streetline across such lot to a point in the other streetline, each such point being the required distance from the point of intersection of the streetlines (measured along the streetlines). Where the two streetlines do not intersect at a point, the point of intersection of the streetlines shall be deemed to be the intersection of the projection of the streetlines or the intersection of the tangent to the streetlines.



**Sign** – shall mean any board, plate, panel, object, surface or device upon within, against, through or by which there is inscribed, painted, affixed, borne, or projected any declaration, demonstration, insignia or illustration used for the purpose of direction, information advertisement, promotion or identification including any sign structure related thereto, structural trim, and advertising device related thereto.

**Sign Area** – shall mean the entire area of a sign on which copy could be placed, including any frame or border which forms an integral part of the display. In the case of a double-faced or multi-faced sign only one-half of the total area of the sign face shall be used in the calculation of the sign area. In the case of individually installed letters or similar individually mounted logo or like sign components, display area shall be calculated as being the total surface area within the outermost perimeter bounding the limit of all of the individual components.

**Sign Clearance** – shall mean the vertical distance between the lowest limit of the sign and the grade directly beneath the sign.

**Sign Face** – shall mean that portion of the sign, excluding the sign structure, upon which, as a part of, against or through which the message of the sign is displayed.

**Special Event Sign (Section 4.18)** – shall mean temporary street decorations, banners, paper signs, cloth signs, posters, handbills or any other temporary advertising device installed for various civic celebrations and/or other festivals and/or special events.

Examples:



**Storey** – shall mean that portion of a building above finished grade which is located between a floor and the floor, ceiling or roof next above it.

**Temporary Sign (Section 3.4)** – shall mean a commercial sign which is temporarily installed or affixed to any sign structure or building, and which conveys a message applicable for a definable and specific limited time and relates to the use of the building/property on which it is located. For the purposes of this By-law, a temporary sign shall not mean or include a mobile or portable sign.

**Time and Temperature Display (Section 3.4(8))** – means a sign in which the time, temperature are displayed by artificially illuminated digits.

Examples:



**Town** – shall mean The Corporation of the Town of The Blue Mountains.

**Town Property** – means land, buildings or structures owned or controlled by the Town and includes, but is not limited to, parks, cemeteries, community centres, administrative offices, works yards, sewage and water facilities, libraries and parking lots but does not include public right- of- ways.

**Window Sign (Section 3.4)** – shall mean a sign within a building and affixed on or located within 0.6 metres of the inside of a window in view of the general public.

Examples:



**Section Three: General Provisions**

It shall hereafter be unlawful for any person to erect, place or maintain a sign in the Town of The Blue Mountains except in accordance with the provisions of this By-law, the Building Code Act and the Ontario Building Code.

**Section 3.1 – Prohibited Signs**

The following types of signs are prohibited in all areas of the Town:

- (1) Abandoned Signs
- (2) Animated Signs
- (3) Billboard Signs
- (4) Roof Signs

Examples:



- (5) Signs located upon the upper surface area of any marquee.
- (6) Manual changeable copy signs within the Commercial Core Area designation in the Official Plan (Schedule “A-2” map attached as Appendix 1 to this By-law).

Examples:



- (7) Posters on public property except at designated locations approved by Council for such use.
- (8) Awning or projection signs with less than a 2.4 metre clearance for a pedestrian way and/ or less than a 4.25 metre clearance when located in or within 0.6 metres to regulation of a vehicular travelled portion of a private lane or road are prohibited.
- (9) Pennants, spinners, streamers and twirling signs.

Examples:



- (10) Signs attached to or located on a vehicle or trailer that is not currently licensed or roadworthy which is parked on a street or private property and which is visible from a



street for the principal purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises.

Examples:



(11) Signs painted directly on the exterior face of any building or structure except in accordance with the provisions for fascia signs.

Examples:



(12) The tacking, pasting or otherwise affixing of poster signs of a miscellaneous character, visible from a street located on the walls of buildings, sheds, trees, poles, posts, fences or other structures.

(13) Signs which interfere with any electrical light, power, telephone wires or their supports or any other utility infrastructure.

(14) Signs which by reason of their size, location, movement, message, colouring, or manner of illumination, may be confused with or construed as an official traffic control sign, signal, or device, or the light of an emergency or road equipment vehicle, or which hides from view any traffic or street sign or traffic signal or device or within a sight triangle.

(15) Signs which are located so as to interfere in any way with the free use of any fire escape, fire exit, door, window, skylight flue, air intake or exhaust, or parking space.

(16) Animated and inflatable.

(17) Signs which use dayglow, fluorescent, luminous or reflective paint or similar products except for traffic control signs.

Examples:



(18) Signs which include one or more registered trademarks or emblems exceeding twenty percent (20%) of the sign face, other than a trademark or emblem that is registered or

copyrighted in the name of the applicant. Except on mobile signs and banners, signs which advertise any specific brand of product unless the brand of product is also the name of the business.

(19) Pylon signs.

### **Section 3.2 – Permits Required**

Unless otherwise provided by this By-law, all signs shall require permits and payments of fees as prescribed in Section Seven of this By-law. No permit is required for the maintenance of a sign or for a change of copy on painted, printed or changeable copy sign. However, any change in lettering, name of business/occupant or illumination will require a permit.

### **Section 3.3 – Permit Time Period**

A sign which has been approved and for which a permit has been issued pursuant to this By-law, may stand or be displayed for the time period of the permit, which shall expire upon the earliest of the following events;

- (1) Removal of the sign by the Owner (or a period of more than thirty (30) days);
- (2) The permanent closing of the business identified on the sign after a period of thirty (30) days;
- (3) The sale or transfer of the business identified on the sign where there is a change of the name of the successor business; or
- (4) As otherwise regulated in this By-law or a permit issued pursuant to this By-law. Any sign or advertising device which continues to stand or be displayed after one of the above events shall be removed by the owner. Provided that nothing herein shall prevent the owner from applying for a new permit for the sign. A new permit shall be issued if the sign complies with this By-law as amended from time to time or any successor By-law.

### **Section 3.4 – Signs Not Requiring Permits**

The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this By-law:

#### **(1) Real Estate Signs**

A permit for a Real Estate Sign is not required subject to the following: One non-illuminated real estate sign for every 150 metres frontage may be erected on a property to be sold or leased and shall not exceed 0.75 square metres in area per each side of a double-faced sign within residential designated areas and 3.0 square metres in all other designated areas. Such sign(s) shall be removed within thirty (30) days after the sale or leasing of the property. Signs indicating an open house may be erected on the property to be displayed for a period not to exceed forty-eight (48) consecutive hours.

#### **(2) Contractor/Renovation Signs**

A permit for a Contractor/Renovation Sign is not required subject to the following:

- a) One (1) temporary contractor/renovation sign (single lot), indicating the names and addresses of contractors, architects, engineers, and related personnel to the construction or renovations of a single dwelling or building on a lot may be erected at the site of the development, for a maximum of twelve months;

- b) The size of a contractor/renovation sign (single lot) shall be limited to a maximum area of 3.0 square metres on a single sign face in all designated areas;
- c) The maximum height of these signs shall be 1.5 metres above finished grade; and;
- d) No contractor/renovation sign (single lot) shall be located following any occupancy of any newly constructed dwelling or building.

### (3) Election Signs

#### a) Federal and Provincial Elections

Notwithstanding this By-law, nothing shall apply to prevent the posting of an election proclamation or notice pursuant to any Federal or Provincial Act and/or Statute or Regulation or any Voter's List, nor the display of election signs related to a federal or provincial election on private property during provided such signs are erected in accordance with the following provisions:

- (i) election signs shall not be erected on private property without the consent of the owner;
- (ii) election signs shall not be erected on Town property;
- (iii) election signs shall not be erected within the following portions of the public right-of-way: roadways, lanes, sidewalks, walkways, trails, paths and/or shoulders of the road;
- (iv) election signs shall not be erected within 50 cm of a sidewalk, or where there is no sidewalk, within 2.0 metres of the roadway or within 50 cm of the edge of the shoulder;
- (v) election signs shall be set back 3.0 metres from the property lines;
- (vi) election signs shall not exceed 3.0 square metres in area;
- (vii) all election signs must be removed no later than five (5) days following the date of election;
- (viii) no candidate shall erect or display, or cause to be erected or displayed any such signs prior to the date which is sixty (60) days before the date fixed for the election; and
- (ix) Section 3.4 (4)(3) is complied with.

#### b) Municipal Elections

Notwithstanding this By-law, nothing shall apply to prevent the posting of any election proclamation or notice pursuant to a Provincial Act or Regulation or any Voter's List, nor the display of election signs by candidates or registered third party advertisers during any municipal election, provided that such signs are erected in accordance with the following provisions:

- (i) election signs shall not be erected on private property without the owner's consent;
- (ii) election signs shall not be erected on Town property;

(iii) election signs shall not exceed 1.0 square metre in area;

(iv) not more than fifty (50) election signs may be erected or displayed in or on the public right-of-way at any time provided:

(1) such signs are not erected on roadways, lanes, sidewalks, walkways, trails, paths, and/or shoulders of the road;

(2) such signs are a minimum of 50 cm from a sidewalk, or where there is no sidewalk, within 2.0 metres of the roadway or within 50 cm of the edge of the shoulder;

(3) such signs are not erected fronting or flanking Town property; and

(4) such signs have a permit sticker issued by the Town Clerk;

(v) no candidate or registered third party advertiser shall erect or display, or cause to be erected or displayed, any such signs prior to the date which is sixty (60) days before the fixed date for the election;

(vi) all election signs must be removed no later than five (5) days following the date of the election; and,

(vii) Section 3.4 (4) (4) is complied with. (By-law 2018-28)

(4) No person shall affix, erect or otherwise display an election sign or permit an election sign to be affixed, erected or otherwise displayed:

a) on or over any Town property except as specifically provided for in this By-law;

b) on a utility pole or light standard;

c) on any official sign or official sign structure;

d) within a sight triangle

e) on the property of a polling station or the front façade of the building which contains the polling station; and

f) on a sound barrier wall or fence.

(5) Internal Signs – Directional and Wayfinding

A permit for an Internal Sign is not required however, certain internal signs may require a permit pursuant to the Building Code Act. Determination shall alone be made by the Chief Building Official, and the onus to have such determination made shall lay solely with the landowner or his or her agent.

(6) Interior Signs

Nothing herein shall be deemed to prevent the installation or display of any sign or advertising device wholly wherein the interior of a building provided that it cannot be seen from the exterior of the building.

(7) Window Signs

A permit for a Window Sign is not required subject to the following:



- a) Nothing herein shall be deemed to prevent the installation or display of any sign or advertising device wholly within the structural window opening of any frontage provided such Window Sign is in compliance with the definition thereof contained herein.
- b) Window signs shall not be permitted in Residential Designated areas.
- c) A window sign shall not occupy more than 25% of the window or more than 15 % of the total façade of the building.
- d) The maximum size for a Time and Temperature Display shall be 0.5 square metres may form a part of another sign.

#### (8) Yard Sale Signs

Examples:



A permit for a Yard Sale Sign is not required subject to the following:

Notwithstanding anything in this By-law, signs advertising yard sale, garage sales shall be permitted on private property only. Such signs may be installed for a period not to exceed forty-eight (48) consecutive hours provided that they do not obstruct or interfere with sight triangles. Such signs shall not be greater than 0.4 square metres in area on each side. Each sign shall indicate the date and location of the sale. Any property shall be restricted to the advertising of two (2) yard sales in any twelve month period.

#### (9) Incidental Signs

A permit for an Incidental Sign is not required subject to the following: Nothing herein shall be deemed to prevent the installation of a sign of minor consequence and size whose use is incidental to another use. Incidental signs shall have a maximum height of 30.48 centimetres (12 inches) and a maximum width of 45.72 centimetres (18 inches) and shall not be lit in any manner.

#### (10) Portable Signs

Permitted In the following designations:

- Commercial
- Recreational Ski Facility

A permit is not required for a Portable Sign however subject to the following regulations:

One (1) portable sign per business frontage according to the following provisions:

- (i) A portable sign shall not exceed 0.5 metres in width or 1.0 metre in height including the sign frame and shall not exceed 1.0 square metres in total display area including the sign structure.

- (ii) A portable sign shall not be illuminated.
- (iii) A portable sign shall not protrude onto a public sidewalk or public boulevard a distance of more than 0.5 metres from the façade of a building.
- (iv) A portable sign shall not be displayed at any time that may interfere with the safe ploughing or removal of snow and shall be removed outside business hours.
- (v) A portable sign shall only be erected if the merchant(s) or business(es) occupying a building or premises does not display any form of merchandise on the sidewalk or boulevard.
- (vi) A portable sign may only be erected for up to 21 days concurrently within a one month period and then must be removed or sign copy and messaging changed.
- (vii) A portable sign shall be temporarily affixed to the façade of the building to prevent its movement.
- (viii) The sign message on a portable sign shall be relative to the occupancy of the building in front of which it is located. It may advertise more than one occupant or business contained within a single building or storefront.
- (ix) Where the portable sign is located on a public sidewalk or other public property, the business operator shall provide the following upon request by the Town:
  - a) A signed indemnification in the prescribed form indemnifying and saving harmless the Town from any and all claims resulting from the placement and use of the portable sign.
  - b) A Certificate of Insurance to the satisfaction of the Town in the amount of \$2,000,000.00 adding the Town as a named insured.

(11) Signs required to be posted by the municipality or under the provisions of The Planning Act.

### **Section 3.5 – Maintenance**

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Chief Building Official shall have the right under Section 7.09 to order the repair or removal of any sign which s/he determines is defective, damaged, or substantially deteriorated.

### **Section 3.6 – Lighting**

- (1) Except under Section 4.9 (4) where backlighting and internally illuminated signs are permitted herein, all approved signs shall be illuminated only by an external light source.
- (2) External light sources shall be shielded so that the light source is not visible off the property on which the sign is located and light shall not trespass onto adjacent properties. Overhead lighting shall use full cut-off fixtures to ensure to preserve the dark sky at night.

- (3) Where backlighting and internally illuminated signs are expressly permitted within this By-law, this use of backlighting is restricted to: individual incised plastic or glass letters or symbols mounted on a solid opaque sign face; individual halo-lit or channel lettering or symbols mounted on a solid opaque background; or canopy/awning signs where only the letters or symbols are lit;
- (4) Except, as provided by Section 2.01 definition of “Incidental Sign”, use of neon tubing except as a concealed light source forming part of an approved back-lit sign is prohibited.
- (5) All wiring and conduits to electric signs and lighting sources shall be placed within the building walls, located underground or otherwise concealed from view, and shall be constructed to applicable building code standards where possible.

**Section 3.7 – Size of Letters**

The maximum height of each letter of ground and fascia signs shall be limited as follows:

**Width of Adjacent Street – 20 metres or less:**

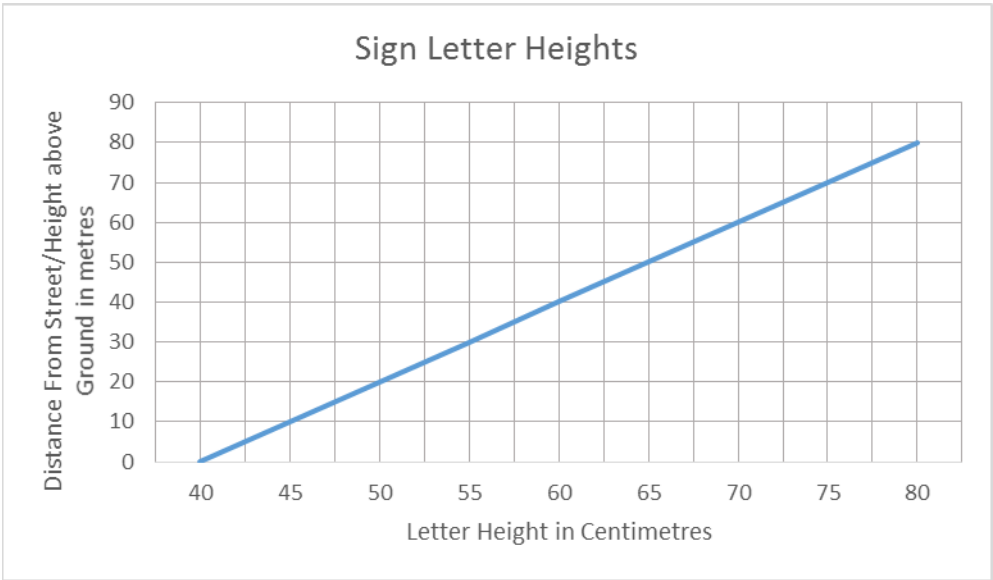
Fascia Sign: Maximum Height of Letters – 40 centimetres  
 Ground Sign: Maximum Height of Letters – 40 centimetres

**Width of Adjacent Street – Greater than 20 metres:**

Fascia Sign: Maximum Height of Letters – 60 centimetres  
 Ground Sign: Maximum Height of Letters – 60 centimetres

Provided that these letter sizes may be increased as follows:

- (1) Add 2.5 centimetres in letter height for each 5.0 metres that the sign is set back from the adjacent street and/or 2.5 centimetres for each 5.0 metres above the established ground elevation. Increments greater than 4.0 metres shall be considered equal to the next highest division.



- (2) If upper and lower case are used, increase the maximum letter height by twenty percent (20%) for the upper case and reduce the maximum height for lower case by twenty percent (20%).
- (3) Notwithstanding the provisions of this Section, a single letter or block of letters and/or text may be utilized within a fascia sign exceeding the maximum height of letters permitted provided:

- a) the letter or block of letters and/or text do not exceed the maximum height of fascia sign permitted in the area or 1.0 metres, whichever is the more restrictive; and
- b) the sign area attributable to the single letter or block of letters and/or text does not exceed 15% of the maximum sign area permitted.

### **Section 3.8 - Changeable Copy**

Unless otherwise prohibited by this By-law, any sign herein allowed may use manually activated changeable copy, and any such changeable copy is restricted to one (1) change of copy in any single twenty-four hour period.

### **Section 3.9 - Service Station and Gas Bar Signs**

Notwithstanding any other provision of this By-law, the following signs may also be permitted in association with service stations and gas bars, to be located wholly on private property:

- (1) Wall signs identifying separate functions within a service station shall be deemed to be direction signs. Such directional signs shall not exceed 1.0 square metres in sign area.
- (2) Fuel Price signs not exceeding 0.5 square metres in sign area may be permitted:
  - a) on the fascia of a freestanding canopy associated with pump islands provided that such sign is an integral part of the canopy design and does not extend beyond the fascia limits, and further provided that no more than two (2) such signs shall be permitted, or
  - b) one portable sign identifying gas prices only, may be permitted. Such sign shall not exceed 0.5 square metres in area per single sign face, nor 1.0 square metre for all faces combined.
- (3) Notwithstanding the provisions of this by-law to the contrary, the permitted fuel price signage can be digital signs.
- (4) Signs customarily displayed on gasoline pumps which are an integral part of the pump or pump island design.
- (5) Directional signs may be erected as an integral part of a canopy fascia provided that no directional sign shall advertise, indicate or direct attention towards any activity not carried on at the pump island with which the canopy is associated. Such directional signs shall be limited to two (2) signs per function per canopy.

## **Section Four: Sign Regulations**

### **Section 4.1 – Awning Sign**

Permitted In the following designations:

- Commercial
- Industrial
- Institutional
- Recreational Ski Facility

Regulations:

- (1) One (1) awning sign per business frontage. Sign copy shall be restricted to the skirt of the awning and shall not exceed 15.0 centimetres in height. The bottom edge of the sign copy shall be a minimum of 2.5 metres above the ground surface.
- (2) Where the awning sign is located on a public sidewalk or other public property, the business operator shall provide the following upon request by the Town:
  - a) A signed indemnification in the prescribed form indemnifying and saving harmless the Town from any and all claims resulting from the placement and use of the portable sign.
  - b) A Certificate of Insurance to the satisfaction of the Town in the amount of \$2,000,000.00 adding the Town as a named insured.

### **Section 4.2 – Banner Sign**

Permitted In the following designations:

- Industrial
- Institutional
- Commercial
- Recreational Ski Facility

Regulations

- (1) No person, his agent or permit holder shall erect, display or otherwise use a banner sign or cause to erect, display or otherwise use a banner sign:
  - a) For more than four (4) time periods per calendar year at any one business. A single time period for a banner sign shall not exceed twenty- one (21) days.
  - b) On a lot which includes more than one business where a permit for a mobile sign is currently issued or on a lot which includes more than six businesses where six permits for mobile signs have already been issued during the same calendar year.
  - c) That is hung from any pole, tree, landscaping feature or fixture other than the exterior wall of a building on the subject property or business or a Ground Sign found on the subject property and advertising the business thereon.
  - d) That exceeds an area of 4.0 square metres.
  - e) The content of which would indicate a contravention of any zoning or other By-law, Act or regulation enforceable in the municipality, or which would identify,

advertise or provide information in relation to a use or occupancy not permitted under a Zoning By-law.

- f) Which is for the purpose of third party advertising.
- g) So as to obstruct openings required for light and ventilation or any means of egress or access required for fire safety purposes.
- h) At any location where the sign obstructs the sightlines and view of any pedestrian or driver of a motor vehicle, or obstructs the visibility of any traffic sign or device or interferes with vehicular traffic so as to endanger any person or risk damage to any vehicle;
- i) Which has moving, spinning or rotating parts or has any mechanical or electronic device to provide or simulate motion.
- j) Prior to or after the before mentioned time periods.
- k) Within 30.0 metres of the edge of a traffic light standard.
- l) Within 9.0 metres of the closest edge of the paved portion of an intersection.
- m) Within 3.0 metres of the closest edge of a sidewalk.
- n) Within 23.0 metres of the closest edge of another banner sign.
- o) Within 9.0 metres of the closest edge of a permanent sign.
- p) Where the sign is affixed to a box, container, stationary vehicle or any other temporary or permanent such object which is being used as the base for a portable sign or as part of a portable sign structure.

**Section 4.3 – Building Name Plate**

Examples:



Permitted in the following designations:

- all designations

Regulations:

- (1) One non-illuminated attached building name plate per premises, not to exceed 0.25 square metres in sign area.

**Section 4.4 – Canopy Sign**

Permitted In the following designations:

- Industrial

- Institutional

Regulations:

- (1) One (1) canopy sign per business frontage not to exceed the frontage of the business. The bottom edge of the canopy sign shall be a minimum of 2.5 metres above ground surface. Such a sign shall be permitted only below the second storey of such a building.

#### **Section 4.5 – Construction Sign**

Permitted In the following designations:

- All Designated areas

Regulations:

- (1) One (1) temporary construction sign for multiple lots, indicating the names of a construction project, the names and addresses of contractors, architects, engineers, and related personnel to the construction project may be erected at the site of the development, for a maximum of twelve months, only following building permit issuance. The size of a construction sign shall be limited to a maximum area of 9 square metres on a single sign face in all designated areas. The maximum height of these signs shall be 3.5 metres above finished grade. No construction sign shall be located following any occupancy of any dwelling, building or unit within a development project.

#### **Section 4.6 – Development Sign**

Permitted In the following designations:

- All Designated areas

Regulations:

- (1) One (1) development sign per draft plan approved plan of subdivision or condominium project or on lands appropriately zoned for a draft plan of subdivision or condominium shall be permitted following conditional approval of the development by the municipality, except where the development project fronts onto more than one street, one ground sign may be erected for each such street frontage, provided that no development sign shall be located within 45.0 metres of another development sign on the same development project and further provided that not more than one sign is oriented along a single frontage of less than 150.0 metres. No development sign shall be located for a period to exceed three (3) years.

The following regulations shall also apply to development signs in developments:

- a) No development sign shall be larger than 9.0 square metres in a single sign face or 18.0 square metres on a sign area for all faces combined.
- b) No two-sided Development Sign shall be erected such that the sign faces intersect at an angle in excess of 90 degrees measured at the inside face of the signs.
- c) No development sign shall exceed 5.0 metres in width.
- d) No development sign shall exceed a maximum height of 3.5 metres above finished grade.



- e) No development sign shall be located at a distance from an abutting street less than 3.0 metres or a common boundary with an adjacent lot less than 30.0 metres.
- f) No more than one sign shall be mounted to the supporting structure of any sign.

In order to erect such a sign, the development project must contain a minimum of six (6) dwelling units.

#### **Section 4.7 – Digital Display Sign**

Permitted In the following designations:

- Commercial
- Institutional
- Recreational Ski Facility

Regulations:

- (1) Sign shall not exceed 0.5 square metres
- (2) Digital display signs shall be separated by a minimum of 300 metres measured on any side of the road from which the sign may be viewed except for digital Fuel Price signs, subject to the provisions of section 3.9.
- (3) Signs shall not display more than one (1) image per 60 seconds
- (4) A Digital Display Sign may form a part of another sign.

#### **Section 4.8 – Directional Sign**

Permitted In the following designations:

- Commercial
- Industrial
- Institutional
- Recreational Ski Facility
- All designated areas for public use signs

Regulations:

- (1) No sign shall not exceed 1.5 square metres
- (2) A maximum of two (2) signs are permitted per lot.
- (3) Any logo on a directional sign shall not comprise more than twenty percent (20%) of the total sign area.

#### **Section 4.9 – Fascia Sign**

Permitted In the following designations:

- Residential
- Rural
- Commercial
- Industrial/ Institutional
- Recreational Ski Facility

## Regulations:

### (1) Residential

One (1) fascia sign per lot not exceeding 0.4 square metres, a depth of 0.15 metres and a maximum height of 1.5 metre above finished grade. The sign shall be a minimum of 3.0 metres from the property lines. The sign shall state only the name of the occupant of the residential building, the address and/or the profession of the occupant.

### (2) Rural

One (1) fascia sign per lot not exceeding 3.0 square metres, a depth of 0.15 metres and a maximum height of 3.0 metres above finished grade. The sign shall be a minimum of 7.5 metres from the property lines. The sign shall state only the name of the occupant of the property, the address and/or the profession of the occupant.

### (3) Commercial

One (1) fascia sign per business frontage not to exceed a width which is ninety percent (90%) of the business frontage and a height of 1.0 metres. The sign shall not extend by more than 30.0 centimetres from the face of the building.

Such a sign shall be located so that the centre of the sign is located at the centre of the business frontage.

In addition, the following regulations shall apply to the Commercial Designated areas of Thornbury and Clarksburg:

- a) The maximum height of letters shall be in accordance with Section 3.7 hereto;
- b) The maximum projection of sign from building shall be 0.6 metres;
- c) The sign shall be located at upper limit of sign roof line of a single storey building or floor level of the second storey on a multi storey building;
- d) Where more than one business occupies the same building, only one fascia sign is allowed for each storefront business occupancy; and
- e) Fascia signs shall be front lit with external lights and utilize three dimensional lettering.

### (4) Industrial/Institutional

One (1) fascia sign per business frontage not to exceed a width which is ninety percent (90%) of the business frontage; provided however that the maximum area of the sign shall not exceed an amount which is the lesser of ten percent (10%) of the area of the architectural elevation of the building or 20 square metres. As an alternative to external illumination provided in Section 3.6 (1) hereto, alternative lighting may be used in the form of:

- a) backlighting and internal lighting as specified in Section 3.6(3);

## **Section 4.10 – Federal, Provincial or Municipal Sign**

Permitted In the following designations:

- All Designated areas

## Section 4.11 – Ground Sign

Permitted In the following designations:

- Residential
- Rural
- Commercial
- Industrial
- Institutional
- Recreational Ski Facility

Regulations:

### (1) Residential – Home Based Business

- a) One (1) ground sign per lot not exceeding 0.4 square metres, a depth of 0.15 metres and a maximum height of 1.5 metre above finished grade. The sign shall be a minimum of 3.0 metres from the property lines. The sign shall state only the name of the occupant of the residential building, the address and/or the profession of the occupant.
- b) One (1) identification ground sign per entrance to apartment or condominium complex, not to exceed 1.0 square metres in sign area or name of the business on the property.

### (2) Rural – Home Based Business

- a) One (1) ground sign per lot not exceeding 3.0 square metres, a depth of 0.15 metres and a maximum height of 3.0 metres above finished grade. The sign shall be a minimum of 3.0 metres from the property lines. The sign shall state only the name of the occupant of the property, the address and/or the profession of the occupant.
- b) One (1) identification ground sign per entrance to a building, including a farm business, not to exceed 1.0 square metres in sign area and only displaying the name of the business on the property.
- c) A maximum of one (1) sign per frontage is permitted on a municipally maintained road.

### (3) Commercial Core Area

- a) One (1) ground sign per business frontage for which the maximum area of the sign face shall be 2.0 square metres per side and the maximum area for all sides shall not exceed 4.0 square metres. The maximum width of a sign face shall be 1.5 metres. The maximum thickness of the sign shall be 0.3 metres. The sign face shall not exceed 2.5 metres in overall height above finished grade. All such signs must be set back at least 3.0 metres from property lines. No more than one (1) sign shall be mounted to the supporting structure of any ground sign.

Where there is a fascia sign and a projection sign on a building a ground sign shall not be permitted.

### (4) Industrial/Institutional

One (1) ground sign only except where a lot fronts onto more than one street, one (1) ground sign may be erected for each such street entrance onto different streets.

The following regulations shall apply to all ground signs:

- a) No ground sign shall be larger than 7.5 square metres per sign face or 15.0 square metres of sign area for all faces combined.
  - b) No ground sign shall exceed 3.0 metres in width.
  - c) No ground sign shall exceed a maximum height of 3.5 metres above finished grade.
  - d) No ground sign shall be located closer than 3.0 metres to a property line except that a ground sign may be erected between the main front wall of a building that is less than 3.0 metres from a property line that is a street line provided such sign is no closer than one-half of the distance of the building to the property line or 1.5 metres, whichever is the lesser.
- (5) Bed and Breakfast operations, where legally permitted, shall be permitted one (1) identification ground sign per street frontage, external illumination only, not to exceed 1 square metre in sign area or 1.5 metres in height above finished grade.

#### **Section 4.12 – Manual Changeable Copy Sign**

Permitted In the following designations:

- Institutional
- Not permitted in the Commercial Core Areas

Regulations:

- (1) Sign shall not exceed 4 feet (1.2 metres) in height and 8 (2.4 metres) feet in width.
- (2) Signs shall be separated a minimum of 300 metres from another Manual Changeable Copy Sign.

#### **Section 4.13 – Mobile Sign**

Permitted In the following designations:

- Industrial
- Institutional

Regulations:

- (1) Industrial/Institutional

A maximum of one (1) mobile sign shall be permitted in accordance with the following regulations:

- a) No person shall erect, display or otherwise use a mobile sign unless:
  - (i) It is located on the lot or premises containing the business or activity being advertised.
  - (ii) It is displaying a message that logically and clearly indicates that the use is for the person who originally applied for the sign permit.
  - (iii) It is in good repair, is not harmful to the environment and has not become unsafe, unsightly or dangerous.

- (iv) It is located at and upon finished grade.
  - (v) Where it has been leased or rented from a licensed sign company, it has the name and telephone number of the sign company affixed to the portable sign at a clearly visible location.
- b) No mobile sign shall have more than two (2) sign faces from which the maximum sign face shall not exceed an area of 4.0 square metres in which no one dimension is greater than 2.5 metres. Individual letters shall not exceed 20 centimetres in height.
- c) Where a business is located on a lot occupied by two or more businesses, no application shall be approved if another business already has a mobile sign permit until the sign permit has expired. Further, no application shall be approved for a business on a lot which contains more than six businesses if six permits for mobile signs have been issued in any one calendar year for businesses on the same lot.
- d) No person, agent or permit holder shall erect, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign:
- (i) For more than thirty (30) days in any calendar year at any one business to which a mobile sign permit has been issued, and such permit will be issued only on the basis of one (1) permit per business for any calendar year.
  - (ii) The content of which would indicate a contravention of any zoning or other By-law, Act or regulation enforceable in the municipality, or which would identify, advertise or provide information in relation to a use or occupancy not permitted under a Zoning By-law.
  - (iii) Contrary to the approved location or contrary to the information contained in the application, in respect of which the sign permit was issued.
  - (iv) Which is for the purpose of third party advertising.
  - (v) So as to obstruct openings required for light and ventilation or any means of egress or access required for fire safety purposes.
  - (vi) At any location where the sign obstructs the sightlines and view of any pedestrian or driver of a motor vehicle, or obstructs the visibility of any traffic sign or device or interferes with vehicular traffic so as to endanger any person or risk damage to any vehicle.
  - (vii) Is illuminated or which has flashing or moving lights or emits illumination resembling an emergency light or traffic regulating device.
  - (viii) Which has moving, spinning or rotating parts or has any mechanical or electronic device to provide or simulate motion.
  - (ix) Where the illumination device for a sign is proven to be a hindrance, distraction, interference or annoyance to a person(s) in or about a neighbouring premise, or drivers of vehicles upon any highway.
  - (x) Prior to the commencement date or after the expiry date as set out in the mobile sign permit.

- (xi) Within 30.0 metres of the edge of a traffic light standard.
- (xii) Within 9.0 metres of the closest edge of the paved portion of an intersection.
- (xiii) Within 3.0 metres of the closest edge of a sidewalk.
- (xiv) Within 23.0 metres of the closest edge of another mobile sign.
- (xv) Within 9.0 metres of the closest edge of a permanent sign.
- (xvi) Where the mobile sign is on a box, container, stationary vehicle or any other temporary or permanent such object which is being used as the base for a portable sign or as part of a portable sign structure.

#### **Section 4.14 – Poster Sign**

Permitted In the following designations:

- Commercial
- Recreational Ski Facility

Regulations

- (1) Poster signs may only advertise a business, use or service offered within the building on which the poster sign is situated.
- (2) A poster sign affixed to a building or structure shall not exceed 20% of the building face area.

#### **Section 4.15 – Projecting Sign**

Permitted In the following designations:

- Commercial
- Industrial
- Institutional
- Recreational Ski Facility

Regulations:

- (1) Commercial

One (1) projecting or vertical sign per business frontage for which:

- a) No portion of the projecting sign shall be less than 2.75 metres above finished grade or the floor level immediately below such sign and shall generally be located between the first and second storeys of the building;
- b) The area of the sign shall not exceed 0.75 square metres per sign face;
- c) The maximum projection of the sign shall not exceed 1.5 metre from the face of the adjacent wall.
- d) The maximum thickness of the sign shall not exceed 10.0 centimetres.
- e) Where there is a ground sign on a property, a projecting sign is not permitted.

## (2) Industrial/Institutional

One (1) projecting or vertical sign per business frontage for which:

- a) No portion of the projecting sign shall be less than 2.75 metres above finished grade or the floor level immediately below such sign and shall generally be located between the first and second storeys of the building;
- b) The area of the sign shall not exceed 1.0 square metre per sign face;
- c) The maximum projection of the sign shall not exceed 1.5 metres from the adjacent building wall;
- d) The maximum thickness of the sign shall not exceed 10.0 centimetres.

(3) Where the projecting sign is located on a public sidewalk or other public property, the business operator shall provide the following upon request by the Town:

- a) A signed indemnification in the prescribed form indemnifying and saving harmless the Town from any and all claims resulting from the placement and use of the portable sign.
- b) A Certificate of Insurance to the satisfaction of the Town in the amount of \$2,000,000.00 adding the Town as a named insured.

### **Section 4.16 – Special Event Sign**

Permitted In the following designations:

- Agricultural
- Commercial
- Industrial
- Institutional
- Recreational Ski Facility
- Rural

Regulations:

- (1) No such signs shall be located more than thirty (30) days prior to the special event and all such signs shall be removed within seventy-two (72) hours of the termination of the event for which they are being used. Special event signs are not permitted in the residential zone.
- (2) A Special Event Sign shall not exceed two (2) square metres.

## **Section Five: Nonconforming Signs**

### **Section 5.1 - Determination of Legal Nonconformity**

Signs which have been legally erected or approved prior to the date of passing of this By-law, and which do not conform to the specific provisions of this By-law shall herein be given legal non-conforming status subject to Section 5.2. and Section 5.3 of this By-law.

### **Section 5.2 - Loss of Legal Nonconforming Status**

A legal nonconforming sign may lose this designation if:



- (1) The sign is relocated or replaced.
- (2) The structure or size of the sign is altered in any way except toward compliance with this By-law. This does not refer to change of copy or normal maintenance.

### **Section 5.3 - Maintenance and Repair of Nonconforming Signs**

The legal nonconforming sign is subject to all requirements of this By-law regarding safety, maintenance, and repair. However, if the sign has suffered more than fifty percent (50%) damage or deterioration, it must be brought into conformity with this By-law or removed.

The Chief Building Official shall determine if the sign is defective, damaged, or substantially deteriorated.

## **Section Six: Construction Specifications**

Every sign shall be designed, constructed and maintained to adequately withstand all loads which may be expected to come upon them and the loads and designs shall be equal to those specified in the Ontario Building Code.

## **Section Seven: Administration and Enforcement**

### **Section 7.1 - Chief Building Official**

The Chief Building Official shall be responsible for the administration and enforcement of this By-law and Inspectors appointed pursuant to the Building Code Act and Municipal Law Enforcement Officers appointed pursuant to the Municipal Act shall be responsible for the enforcement of this By-law, both as provided for herein.

The Chief Building Official shall perform the following functions:

- (1) Receive and review all applications in conjunction with any sign or sign structure governed by this By-law.
- (2) When the application conforms to the provisions of this By-law and all other By-laws of the Corporation, issue the permit.
- (3) Carry out such inspection as may be necessary to satisfy himself that all construction is in compliance with the provisions of this By-law and the reviewed plans.
- (4) Issue or cause to be issued the required notice whenever work is found not to be in conformity with the provisions of this By-law.

The Municipal Law Enforcement Officer shall perform the following functions:

- (1) Issue the required notice whenever work is found not to be in conformity with the provisions of this By-law.

The Chief Building Official and any duly appointed Inspector or Municipal Law Enforcement Officer is empowered, upon presentation of proper credentials, to enter or inspect any building, structure or premises in the town for the purpose of inspection of a sign to ensure compliance with all applicable codes and ordinances. Such inspections shall be carried out during business hours unless an emergency exists.

### **Section 7.2 - Application for Permit**

The applicant for a permit to construct, erect, display, alter or repair any sign or advertising device shall complete an application on a prescribed form furnished for that purpose and file

the completed application with the Chief Building Official. A permit shall not be required for normal maintenance which does not include any act of construction, erection, alteration or repair of any advertising device.

The application referred to above shall:

- (1) Describe the land, building or structure on which the proposed sign is or is to be erected, by street name, street number or by other equivalent description.
- (2) State the full names, addresses and telephone numbers of the owner and any occupant of the premises and the owner and/or lessee of the sign.
- (3) Contain a declaration to be sworn by the applicant as to the truth and accuracy of the application, its contents and the submitted documents.
- (4) Include the consent of the owner of the property if he is not the applicant for the sign permit.
- (5) Be accompanied by plans, specifications and drawings in accordance with the following subsection:

The plans, specifications and drawings required and referred to above shall:

- a) Be drawn to scale and be of sufficient detail to establish that the work, when completed, will conform to the provisions of this By-law and all other relevant By-laws of the Corporation.
- b) Include information with regard to materials used; message; lighting; colours; dimensions of the sign area, sign face and supporting members; the maximum height, clearance and projection; and all relevant structural information
- c) When applicable include an elevation of the premises upon which the sign is to be erected indicating the location and dimensions of the proposed sign on the building, vehicular access, doors, windows and other existing signs.
- d) When applicable include a site plan of the lands upon which the sign is to be erected indicating the location of the proposed sign on the site, existing signs on the site, street lines and other boundaries of the property and the location and dimensions of the building(s) thereon.
- e) Shall contain such other information as the Chief Building Official deems appropriate to determine compliance with this By-law, any By-law of the municipality or the Ontario Building Code.

### **Section 7.3 - Permit Fee**

All applications for permits filed with the Chief Building Official shall be accompanied by a payment of the initial permit fee for each sign as established by the Council of The Corporation of the Town of The Blue Mountains as set forth in the attached Schedule "A" to this By-law which is hereby declared to form part of this By-law, or as may be amended from time to time.

### **Section 7.4 - Issuance and Referral**

- (1) The Chief Building Official shall issue a permit if the completed application conforms with the provisions of this By-law and every other By-law of the municipality plus the Ontario Building Code and if all fees are paid.
- (2) The Chief Building Official may refer to the Sign By-law Review Committee any sign for which a permit is being requested, which in the opinion of the Chief Building Official, is

unsightly, grotesque or offensive in character, and the Committee shall consider the referral and make recommendation to Council, and any decision of Council regarding permit issuance or denial shall be final and binding, regardless of compliance with the provisions of this By-law.

### **Section 7.5 - Permit Conditions, Refunds and Penalties**

If a permit is denied, the permit fee will be refunded to the applicant.

If no inspections have been made and no work authorized by the permit has been performed, the permit fee, except for \$25.00, may be refunded to the applicant upon request, provided that the permit is returned to the Chief Building Official within thirty (30) days of issuance. Any permit shall expire six (6) months from date of issuance if construction is not commenced.

If any sign is installed or placed on any property prior to receipt of a permit, the specified permit fee shall be doubled. However, payment of the doubled fee shall not relieve any person of any other requirement or penalties prescribed in this By-law.

### **Section 7.6 - Inspection Upon Completion**

Any person installing, structurally altering or relocating a sign for which a permit has been issued shall notify the Chief Building Official upon completion of the work. The Chief Building Official may require a final inspection, including an electrical inspection and inspection of footings on freestanding signs and confirmation of inspection by the Electrical Safety Authority.

The Chief Building Official may require at the time of issuance of a permit that written notification for an inspection be submitted prior to the installation of certain signs.

### **Section 7.7 - Sign Variances**

An application for sign variance must be accompanied by the prescribed fee, as contained in Schedule "A" to this By-law, and such fee shall be in addition and further to the prescribed fee of an accompanying permit application.

When requesting a permit, the applicant may further apply to the Sign By-law Review Committee, which shall be appointed by Council for a period to coincide with that of Council, for consideration of any request for sign variance from certain requirements of this By-law, and subsequent recommendation to Council to grant or not grant such request, and any decision of Council shall be final in the matter. A sign variance may be granted by Council where the literal application of the By-law would create a particular hardship for the sign user and the following criteria are met.

- (1) When the variance applies to a specific property, the variance application has been circulated to neighbouring properties within 60 metres of the subject lands.
- (2) The granting of the requested sign variance is minor in nature and would not be materially detrimental to the property owners in the vicinity.
- (3) Hardship caused the sign user under a literal interpretation of the By-law is due to conditions unique to that property and does not apply generally to the Town and is not based on corporate branding or standards.
- (4) The granting of the sign variance would not consistent with the Purpose and Scope of this By-law, the Town Official Plan, Zoning By-law and applicable Urban Design Guidelines and any terms and provisions of any agreement which might bind the property.

- (5) In granting a sign variance, the Council may attach additional requirements necessary to carry out the spirit and intent of this By-law in the public interest.

### **Section 7.8 – Site Plan Control**

Where development is subject to Site Plan Control under Section 41 of the Planning Act, site plan approval shall include consideration of the proposed signs. However, the granting of site plan approval does not exempt the signs from compliance with this By-law. For a sign to be approved through the Site Plan Approval process, the full details of the sign would have to be submitted and confirmation of compliance with this By-law provided prior to Site Plan Approval being granted.

### **Section 7.9 - Violations**

- (1) Except as provided by Section 7.09(2) or (3), when, in the opinion of the Chief Building Official or a Municipal Law Enforcement Officer a violation of the By-law exists, a Notice shall be issued to the owner of the sign. The Notice shall state the nature of the violation and provide a period of time to correct the alleged violation or to appeal to Council or a Committee thereof.

### **Section 7.10 - Removal of Illegal Signs**

- (1) When a sign is erected or displayed in contravention of the provisions of this By-law and the Notice referred to in Section 7.08 has not been complied with, such sign may be Ordered to be removed by the Chief Building Official or Municipal Law Enforcement Officer and, where such sign has not been removed in compliance with such Order, the Chief Building Official or Municipal Law Enforcement Officer may cause the immediate removal of the sign without further Notice. Any and all costs associated with such removal, including a minimum \$50.00 administrative surcharge, shall be borne by the owner of the sign.
- (2) In the instance of a sign that is deemed to be potentially dangerous or hazardous to the public by the Chief Building Official and/or Municipal Law Enforcement Officer, such sign may be caused to be immediately removed by the Chief Building Official and/or Municipal Law Enforcement Officer without Notice and any costs associated therewith, including a minimum \$50.00 administrative surcharge, shall be borne by the owner of the sign.
- (3) Except as specifically permitted in this By-law and authorized by the authority having jurisdiction, any sign on, over or partly on or over any Town, County or Provincial property and/or highway or right-of-way, including, but not limited to, paths, trails, walkways, ditches and/or shoulders, may be removed by the Chief Building Official or Municipal Law Enforcement Officer without notice.
- (4) Signs that are removed shall be stored by the Town for a period of not more than fourteen days during which the owner of the sign or his agent may be entitled to redeem such sign upon payment of the costs associated with the removal plus any applicable administrative surcharge plus a \$5.00 per day storage charge.
- (5) Signs that have been stored by the Town for a period in excess of fourteen days and that have not been redeemed, may be destroyed or otherwise disposed of by the Town.

### **Section 7.11 - Penalty for Non-compliance**

Any person who contravenes any provision of this By-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the Provincial Offences Act.

**Section 7.12 – Indemnification and Insurance**

Where any sign is located on or above municipal lands, the municipality will require the following as a condition of issuing a permit for the sign:

- (1) A signed indemnification in the prescribed form indemnifying and saving harmless the Town from any and all claims resulting from the placement and use of the portable sign.
- (2) A Certificate of Insurance to the satisfaction of the Town in the amount of \$2,000,000.00 adding the Town as a named insured.

**Section Eight: Conflict, Severability and Effective Date**

**Section 8.1 - Conflict**

If any portion of this By-law is found to be in conflict with any other provision of any zoning, building, fire, safety or other By-law of the Town, the provision which establishes the higher standard shall prevail.

**Section 8.2 - Severability**

Should any section, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or in part hereof, other than the part which was declared to be invalid.

**Section 8.3 - Repeal**

The Corporation of the Town of The Blue Mountains By-law 2006-105 is hereby rescinded and repealed.

**Section 8.4 - Effective Date**

This By-law shall come into full force and effect on the date of final passage hereof at which time all By-laws that are inconsistent with the provisions of this By-law and the same are hereby repealed insofar as it is necessary to give effect to the provisions of this By-law.

**Section 8.5 – Transitional Provisions**

Sign Variances that have been approved pursuant to By-law 2006-105 and all permits issued under that By-law shall remain in effect following the adoption of this By-law under the same terms and conditions has given upon approval of the variance or permit.

That By-law 2001-57, as amended be hereby repealed effective the passing of this By-law.  
And Further that this By-law shall come into force and take effect upon the enactment thereof.  
Enacted and passed this 19<sup>th</sup> day of December, 2016

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John McKean, Mayor

\_\_\_\_\_  
Corrina Giles, Clerk

**The Corporation of the Town of The Blue Mountains  
Sign By-law No. 2016-71**

**Schedule “A”**

**Permit Fees**

1. The permit fee for all sign permits with the exception of the fee for mobile and portable and banner signs is seventy-five (\$75.00) dollars.
2. The fee for all minor variance applications shall be seventy-five (\$75.00) dollars.
3. The permit fee for all sign permits for mobile signs is twenty-five (\$25.00) dollars.