

## **The Corporation of the City of Quinte West**

### **By-Law # 14-118**

**A By-law to regulate and control the construction and erection of signs within the municipal boundaries of the City of Quinte West.**

**Whereas** subsection 3.7 of Section 11 of the Municipal Act, 2001, as amended, authorizes Council to pass by-laws respecting signs;

**And Whereas** subsection 23.1 of the Municipal Act, 2001, as amended, authorizes the Council of the Corporation of the City of Quinte West to delegate it's powers and duties the Act to a person or body;

**And Whereas** the Municipal Act, 2001 as amended, Section 99(1) provides that a sign by-law enacted does not apply to signs lawfully erected prior to the passage of the by-law,

**And Whereas** the Municipal Act, 2001 as amended, Section 99(2) provides for cost recovery by a municipality for the removal, care and storage of a sign erected in contravention of a by-law under the *Repair and Storage Liens Act*. 2006, c.32, Schedule A, s.39.,

**And Whereas** the Municipal Act, 2001 as amended, Section 99(3) provides for cost recovery of disposal costs incurred by the municipality as a debt owed by the owner of the device.

**And Whereas** the Council of the Corporation of the City of Quinte West considers it reasonable and necessary to regulate by By-law the number, location, size and type of signs within the municipal boundaries of the Corporation of the City of Quinte West;

**And Whereas** a public meeting was held on August 21<sup>st</sup>, 2014 and public notice of same was published in the Trentonian and the Community Press on July 31<sup>st</sup> 2014 and posted on the municipal web site;

**Now therefore the Council of the Corporation of the City of Quinte West enacts as follows:**

#### **Part 1 – Short Title**

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

#### **Part 2 - Definitions**

2.1 In this By-law:

**"Agriculture"** means the use of land for the tillage of soil, and the growing of vegetables, fruits, grains or other staple crops and shall include nurseries, green houses, dairying, and animal husbandry, or any of these operations together with any farm dwellings, barns, sheds, and other buildings or structures used and maintained in connection with these activities.

**"Alteration"** means any change, alteration or repair to a sign structure or sign face but does not include a change in the message display by a sign or other advertising device or the replacement of a part with a similar part for maintenance purposes.

**"Building Code"** means *Building Code Act*, 1992, S.O. 1992, Chapter 23, as amended, and includes the regulations made there under.

**"Chief Building Official"** means the Chief Building Official appointed by Council in accordance with Section 3 (2) of the *Building Code Act*, 1992, S.O. 1992, Chapter 23, as amended.

**"City"** means the Corporation of the City of Quinte West.

**"Clerk"** means the City Clerk for the City of Quinte West.

**"Commercial Core"** means those areas designated Community Improvement Project Areas established by By-laws 05-14 and 10-133 and are shaded in Schedules "B" and "C" which are attached to and form a part of this By-law.

**"Commercial Message"** means any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity.

**"Corner Lot"** means a lot situated at the intersection of, and abutting, two streets, or parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which) contain an angle of not more than 135 degrees.

**"Committee"** means the Planning Advisory Committee appointed by Council.

**"Copy"** means the wording and symbols on a sign.

**"Council"** means the Council of the Corporation of the City of Quinte West.

**"Day Light Triangle"** means a triangle area formed within a corner lot by the intersecting street lines or the projections thereof and a straight line connecting them 6.0 metres from their point of intersection.

**"Enforcement Officer"** means the By-law Enforcement Officers appointed by Council.

**"Erected"** means attached, built, constructed, re-constructed, enlarged, placed or moved.

**"Face Area"** means the area of that portion of a sign, excluding any part of the sign structure, that is open to view and which may be used for the display of any advertising or other message or communication.

**"Grade"** means the surface level of the ground directly beneath a sign.

**"Lot"** means a parcel of land that can be legally conveyed pursuant to Section 50 of The Planning Act, R.S.O. 1990, c.P. 13, as amended. Where two or more abutting lots under one identical ownership have been consolidated for the purpose of development, all such lots shall be deemed to be a single lot for the requirements of this By-law, and any setback requirements from lot lines shall apply only to the outer perimeter lot lines of the consolidated lot.

**"Lot Line"** means the line formed by the boundary of any lot.

**"Official Plan"** means any Official Plan as defined in the *Planning Act* R.S.O. 1990, C.P. 13, as amended and that may be in force from time to time within the City.

**"Person"** shall include any association, partnership, corporation, Municipal Corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

**"Plaque"** means a commemorative or identifying inscribed tablet, which does not bear any advertising for any commercial purpose.

**"Sign"** means any identification, description, illustration or device that directs attention to, or advertises, any person, business, commodity, service or use. A sign shall include "Face Area" and "Sign Structure" and shall be considered a structure for the purpose of this By-law. Without limiting the generality of the above, the definition of sign includes, but is not limited to, the following types of signs:

- (a) **"Abandoned Sign"** means a sign which formerly identified, but no longer correctly identifies, the business, commodity, service or use presently conducted, sold or offered. A sign shall not be deemed abandoned until

90 days after such activity is discontinued.

- (b) **"Address Sign"** means a fascia or ground sign that contains no commercial information, and is intended only to indicate municipal street address of the lot upon which it is located.
- (c) **"Agricultural Sign"** means a sign promoting the sale of locally grown agricultural produce, at a farm or rural roadside stand, and may advertise the location and type of produce for sale. Off-premise Agricultural signs shall comply with the Section herein entitled "Special Event Signs", with the exception that Agricultural Signs may be erected for the period of time that the product is available.
- (d) **"Banner Sign"** means a sign of lightweight fabric or similar material, displaying a message in words or symbols, but shall not include an awning sign, canopy sign, or window sign.
- (e) **"Billboard Sign"** means a General Advertising Sign using either permanent copy, or poster panels or other similar surfaces to which temporary or permanent sign copy may be attached, with a single face area greater than 6.0 square metres.
- (f) **"Campaign Sign"** means a sign used to advertise any person or political party participating in an election for public office.
- (g) **"Canopy Sign"** means a sign attached to, or constructed upon, a roof-like projection which projects horizontally from the building face or wall, extends across part or all of that building face or wall, or is a free-standing structure supported from the ground, and is intended to provide shelter and prevent access of direct sunlight into the building through such windows or doorways.
- (h) **"Residential Construction/Development Sign"** means any type of sign advertising construction, reconstruction, repair, renovation, and/or development and may include the name of the project, the name and address of contractors, architects, engineers, information and personnel related to the project. (Hereinafter referred to as a "development sign")
- (i) **"Gateway Signs"** means directional signs located on municipally owned property, including road allowances for the purposes of identifying Industrial and Commercial Development clusters that are not located adjacent to an arterial or collector roadway approved by the Economic Development Committee
- (j) **"Electronic Message Display Sign"** means a sign which is illuminated and which is electronically controlled and which displays information in a pre-arranged sequence.
- (k) **"Fascia Sign"** means a sign attached to a wall of a building or the sloping portion of a mansard roof.
- (l) **"Flashing Sign"** means a sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of illumination or an externally mounted light source, but shall not include electronic message display sign.
- (m) **"General Advertising Sign"** means a sign that is used to identify or advertise any business, activity, service, person, or goods, commodities or products, which are not located in, conducted on, sold on, produced on or displayed on the lot upon which the sign is located.
- (n) **"Ground Sign"** means a sign supported by a structure that is erected on

or anchored in the ground for the sole purpose of supporting the sign, and is not attached to any building or other structure, but shall not mean a Pylon Sign or Billboard Sign.

- (o) **"Home Occupation Sign"** means a fascia, window, or ground sign that only displays the name of the person or small business occupying the property, or describing the occupation of the proprietor.
- (p) **"Illuminated Sign"** means any sign illuminated by any artificial light source.
- (q) **"Incidental Sign"** means a sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "telephone", "private parking", "entrance", "washroom", "loading dock", "staff only", and other similar directives. No sign with a commercial message legible from a position off the lot shall be considered incidental.
- (r) **"Inflatable Sign"** means a special event sign designed to be airborne and tethered to the ground.
- (s) **"Local Advertising Sign"** means a sign in which the copy refers to any business or service being provided on the lot upon which the sign is located.
- (t) **"Institutional Sign"** means a sign indicating the location of or directions to a public institution such as churches, schools or hospitals.
- (u) **"Portable Sign"** shall mean any sign that is specifically designed or intended to be readily moved from one location to another or is capable of being moved or towed to different locations with or without wheels, and not permanently anchored to the ground, a structure, foundation or other stationary object and has a face area or areas that can be used for permanent or temporary sign copy. A Portable sign shall also include any sign mounted on a trailer, a banner sign or an inflatable sign, but shall not include, ground signs, sidewalk signs, sandwich board signs, real estate signs, incidental or such other signs that are defined in this by-law. Portable signs may also have the capability of being illuminated by artificial light and shall not be considered as Electronic signs.
- (v) **"Pennant Sign"** means any lightweight plastic, fabric, or other material, with or without copy, suspended from a rope, wire, or string and designed to move in the wind.
- (w) **"Projecting Sign"** means a sign attached to the wall of a building in such a manner that the face area of the sign projects outward from the wall of the building to which it is attached.
- (x) **"Pylon Sign"** means a freestanding sign which is anchored in the ground, and which has its sign face(s) at least 1.5 metres above grade.
- (y) **"Real Estate Sign"** means a fascia sign, ground sign or pylon sign advertising the sale, rental, or leasing of the premises or lot upon which sign is located.
- (z) **"Sidewalk Sign"** means a freestanding sign that is erected on but not anchored in the ground. Without limiting the generality of the above, this definition shall include signs commonly referred to as A-frame, T-frame, sandwich boards and menu boards, but shall not mean or include portable signs or special event directional signs as defined herein.
- (aa) **"Special Event Directional Sign"** means a free-standing or a ground sign which is used solely for the purpose of directing traffic to the location

of a special event. Without limiting the generality of the above, this definition shall include signs commonly referred to as real estate "open house" or "model home" signs, and signs advertising garage or household auction sales, festivals and exhibitions, and fund raising or special events hosted by a charitable organization or community service club or group. Such signs may include the name of the event holder and the location and/or time of the event, but shall contain no other commercial message.

- (bb) **"Window Sign"** means a sign placed inside or upon a window or door facing the outside, and which is intended to be seen from the exterior of the window or door.

**"Sign Clearance"** means the vertical distance measured from the grade at the base of the sign structure to the bottom of the sign face or structure that supports the sign face.

**"Sign Face"** means that portion of the sign where copy information or messages can be placed on display and made visible to the public but does not include the sign structure.

**"Sign Height"** means the vertical distance measured from the grade at the base of the sign structure to the top of the highest attached component of the sign structure.

**"Sign Structure"** means the structure which is designed or intended to support, or be capable of supporting a sign, and which is located on, or attached to, the ground or any building or structure that is not an integral part of the sign.

**"Street Line"** means the boundary line between a public road allowance and a lot abutting the public road allowance.

**"Zone"** means those specific land use areas which relate to the Zoning By-law for the City and those specifically defined areas identified by this By-law.

**"Zoning By-law"** means the Zoning By-law(s) as applicable to the City of Quinte West.

### **Part 3 – Interpretation and Application**

- 3.1 In this By-law, unless the contrary intention appears, words importing the singular number shall include more persons, parties or things of the same kind than one, and words importing the masculine gender shall refer to females as well as males.
- 3.2 In this By-law, the word "shall" is construed as being mandatory and not directory.
- 3.3 No person shall place, erect, display, alter, cause or permit to be placed, erected, displayed or altered any sign which does not comply with the provisions of this By-law, provided that the replacement of the sign face or sign structure with a similar part or change in the message related to the same business displayed on the sign face shall not in and of itself constitute an alteration.
- 3.4 This By-law shall not apply to:
- (a) Signs within an enclosed structure, except window signs.
  - (b) Signs installed by or on behalf of the City, the Province of Ontario, or the Government of Canada.
  - (c) Signs or plaques placed by historical or other agencies of the City, the Province of Ontario, or the Government of Canada.
  - (d) Campaign signs

- (e) Election proclamations or notices under any *Election Act*, R.S.O., 1990, c.E2, as amended or any voter's list posted in accordance with a statute.
  - (f) TODS (Tourist Oriented Directional Signs)
- 3.5 In the event of a conflict between the provisions of this By-law and the provisions of a Zoning By-law prescribing sign requirements, the provisions of this By-law shall prevail.
- 3.6 (a) This By-law does not apply to any sign or advertising device, that is lawfully erected or displayed on the day this By-law comes into force provided that the sign or advertising device is not moved to another location on the lot, or from the lot, upon which it is situated on the day that this By-law comes into force and provided that the sign or advertising device is not substantially altered. For the purpose of this By-law, the ordinary maintenance and repair of the sign or advertising device or any change in the message displayed on the sign or advertising device related to the same business shall be deemed not in itself to constitute an alteration unless such alteration is in contravention of this by-law.
- (b) Any sign or advertising device which is erected or displayed at any time after the day this By-law comes into force and which does not comply in all respects to the provisions of this By-law, shall be made to comply with the provisions of this By-law or be removed by the owner of the sign or the owner of the lot upon which the sign is located.
- If the owner of the sign or the owner of the lot on which the sign is located does not remove the sign or bring the sign into compliance with this By-law after receiving written notice in accordance with Part 6 of this By-law, the City may pull down or remove at the expense of the owner any sign or other advertising device that is erected or displayed in contravention of this By-law and the City may recover any expense incurred by the City pursuant to this Section by action or in a like manner as municipal taxes pursuant to Section 427 of the *Municipal Act*, 2001, as amended.
- 3.7 Where a term or word is used in this By-law or by-laws and the same term or word is defined in the City's Comprehensive Zoning By-law or By-laws, the term or word shall have the same meaning in this By-law as the definition in the City's Comprehensive Zoning By-law or By-laws.

#### **Part 4 – Regulations**

##### **4.1 General**

- 4.1.1 Signs shall not be erected or displayed upon any property without the written consent of the owner of such property.
- 4.1.2 No person shall erect or permit to be erected a sign:
- a) that contravenes any requirement of this By-law, the Ontario Building Code or any other applicable regulation as amended from time to time;
  - b) that is flashing;
  - c) that is lewd or indecent in any word, picture, symbol or the like;
  - d) that creates noise;
  - e) that is obsolete;

- f) that obstructs, obscures, or interferes with the visibility of pedestrians or those operating vehicles on any public road;
- g) so as to be, by nature of the colour, shape or location thereof, confused with any traffic control sign, signal or device, or obscure the visibility or effectiveness of a traffic control sign, signal or device;
- h) that is located within the Day Light Triangle as defined herein;
- i) that encroaches upon lands owned by the City, except as provided in this By-law;
- j) that overhangs or encroaches on municipal property including streets unless expressly authorized by By-law;
- k) that is declared by the Chief Building Official to be unsafe, or a danger to public safety by reason of its location or inadequate or improper construction or maintenance;
- l) that is attached or secured to a tree, fence post, fence or utility pole on municipal property unless expressly authorized by this By-law;
- m) that obstructs a required parking space and prevents a space from being utilized as such;
- n) that is painted on the exterior walls of any building, unless approved by the City.

4.1.3 Signs shall not obstruct any fire escape, fire exit, standpipe, fire hydrant or fire access route and in any case not be erected or displayed any closer than 3.0 metres from any fire escape, fire exit or standpipe or fire hydrant or fire access route, or driveway.

4.1.4 Where there is a need for electrical power to be provided for a sign, the sign shall comply with the regulations of Hydro One. Electrical wires accessory to signs are prohibited on parking lots, driveways and walkways.

4.1.5 Unless otherwise prohibited in this By-law, signs may be luminous or illuminated provided that any lights or lighting used to illuminate a sign shall be arranged or located so as to direct light away from adjacent premises and streets.

## 4.2 **Regulations by Sign Type**

Unless otherwise provided in this By-law, the following signs shall be erected strictly in accordance with the following regulations:

### 4.2.1 **Canopy Signs**

- (a) When attached to the face of a canopy, a canopy sign shall have maximum projection beyond the canopy of 0.3 metres.
- (b) When erected on top of a canopy, a canopy sign shall consist of directly applied copy to the canopy surface.
- (c) The minimum sign clearance height shall be 2.4 metres.

### 4.2.2 **Electronic Message Display/Ground Signs**

- (a) One (1) combined electronic message display or ground sign shall be permitted for those businesses or uses located on the lot upon which the electronic message display or ground sign is located.

- (b) Electronic message display or ground signs shall be located in accordance with the following regulations:
  - (i) Electronic Message Display or ground signs shall be prohibited within the daylight triangle, as defined herein;
  - (ii) Electronic Message Display or ground shall be set back 3.0 metres from any lot line;
  - (iii) Notwithstanding the above, in an agricultural or rural zone, an electronic message display or ground sign shall be located at least 3.0 metres from any street line, and 15.0 metres from any side or rear lot line.
  - (iv) Electronic Message Display or ground signs shall be prohibited within 10.0 metres of another, ground or pylon sign.
- (c) Maximum Sign Face Area for Electronic Message Display or Ground sign:
  - (i) Single Face Area: 25.0 square metres.
  - (ii) Total Face Area: 50.0 square metres.
- (d) Maximum Sign Structure Height: 8.0 metres
- (e) In Residential or Open Space Zones, ground signs accessory to a multiple residential or non-residential use legally established on the lot, shall be permitted in compliance with the above, and the following:
  - (i) Ground signs are prohibited within 3.0 metres of any lot line
  - (ii) A maximum of one ground sign is permitted per residential building or open space use.
- (f) Minimum setback for an Electronic Message Display Sign from a Residential Zone shall be 150 metres.
- (g) Minimum distance between Electronic Message Display Signs shall be 2,000 metres.

#### 4.2.3 **Fascia Signs**

- (a) The maximum projection from any wall to which the sign is attached shall be 0.35 metres.
- (b) The minimum sign clearance shall be:
  - (i) nil when projecting over an area not used for pedestrian or vehicular traffic.
  - (ii) 2.4 metres when projecting over an area used for pedestrian traffic.
  - (iii) 5.0 metres when within 0.6 metres of an area used for vehicular traffic.
  - (iv) Notwithstanding Part (iii) above, a fascia sign having a Face Area no greater than 2.0 metres shall be permitted above a service bay door.
- (c) The aggregate sign Face Area shall not exceed 40% of the area of the wall on which the sign is attached, and shall not be greater than 25.0 square metres.



- (d) Notwithstanding the above, in all Residential or Open Space Zones, fascia signs accessory to a multiple residential or a non-residential use legally established on the lot, shall have an aggregate Face Area which shall not exceed 10% of the area of that portion of the wall on which the sign is located, and shall not be greater than 9.0 square metres.

4.2.4 **Billboard Signs**

- (a) May only locate along a Provincial Highway, an arterial road, or a major collector road, as identified on Schedule “A” of this By-law.
- (b) No Billboard Sign may be located within 2,000 linear metres of any other Billboard Sign measured from the nearest property line to nearest property line on which the signs are located.
- (c) No Billboard Sign may be located within 4,000 linear metres of any other Sign advertising the same business measured nearest property line to nearest property line.
- (d) Billboard Signs shall comply with the following:

Maximum sign height	10.0 metres
Setback from property lines	25.0 metres
Maximum sign face area	25.0 sq. m. (per side)
Setback from Residential Zone	150 metres
- (e) Billboard Signs that are also General Advertising Signs, shall also comply with the General Advertising provisions, and the most restrictive of both provisions shall apply.
- (f) Billboard Signs that are also General Advertising Signs shall require review by the Economic Development Committee, and approval by Committee and Council.

4.2.5 **General Advertising Signs**

Signs permitted in this By-law may be of a General Advertising nature, provided that they conform to the requirements of this By-law, and the following:

- (a) General Advertising signs are not permitted in the Urban Service Areas defined by the City of Quinte West Official Plan;
- (b) General Advertising Signs may only locate along a Provincial Highway, an arterial road, or a major collector road, as identified on Schedule “A” of this by-law.
- (c) No more than two (2) General Advertising Signs may be located within a distance of 2,000 linear metres, measured along any street line or intersecting street line and from nearest property line to nearest property line on which the signs are located.
- (d) No General Advertising Sign may be located within 4,000 linear metres of any other Sign advertising the same business, measured along any street line or intersecting street line and from nearest property line to nearest property line on which the signs are located.
- (e) General Advertising signs shall be located in accordance with the building setbacks required by the applicable zoning by-law in which the sign is located or the setbacks in this By-law, whichever is the most restrictive.
- (f) No General Advertising Sign shall be located closer than 30 metres from a park, hospital, school or 100 metres from any lot zoned or used for

residential use.

#### 4.2.6 **Portable Signs**

- (a) No person shall place or display or permit to be placed or displayed a portable sign on any land within the municipal limits of the Corporation unless and until a permit has been obtained for the portable sign in accordance with the provisions of the By-law.
- (b) A portable sign, when authorized, placed and displayed in accordance with the provisions of the By-law, shall be permitted in any zone save and except for any Residential zone or within the Trenton and Frankford Commercial Cores attached to the by-law as Schedule "B" and "C", and such portable sign may be authorized, placed or displayed in addition to any other permitted sign on such property provided that the portable sign shall be located on private property only, and provided further that the portable sign shall be located in accordance with the provisions of the By-law.
- (c) Every permit issued for a portable sign pursuant to the By-law shall be issued for a single period of not more than ninety days (90) and no individual business shall be issued more than two (2) portable sign permits per lot in any calendar year.
- (d) Despite any provision of the By-law to the contrary:
  - (i) A maximum of one portable sign shall be permitted to be displayed on any lot at one time except as provided in sub-section (g) below.
- (e) Portable sign permits are not transferable, and the message on the sign must relate to products sold and services provided by the business to which the permit is issued, and displayed on the lot to which the information on the sign relates.
- (f) Businesses sharing a common store front shall be considered as a single business for purposes of the by-law.
- (g) Despite the provisions of subsection (d) and (f) above, where a lot containing a building or buildings with more than one business thereon, has frontage on a public street or streets of more than 100 metres, a maximum of two portable signs may be displayed at any one time on such lot at the locations to be specified by the Corporation (which locations shall be separated by a distance of at 50 metres, and shall comply with all of the other requirements of the By-law).
- (h) Despite the provisions of sub-section (c) above, a registered charitable or non-profit organization may, to a maximum of six (6) times in each calendar year, obtain a permit, at no fee, to display a portable sign for its own charitable purpose for a maximum of thirty (30) consecutive days.
- (i) The maximum size of the display area of any portable sign shall be 5.0 square meters on each side (2 sides maximum).
- (j) Notwithstanding Section 6.2 (removal of signs section), the Owner of a lot upon which a portable sign is located in accordance with a permit issued pursuant to this By-law, shall forthwith upon the expiration of the period for which the permit is issued (referred to herein as the Permit Period) remove the portable sign from the lot, and in the event that the portable sign is not removed from the lot upon the expiration of the Permit Period the Corporation may, in addition to any other rights or remedies it may have in law, provide the Owner of the lot at least forty-eight hours (48) notice to remove the portable sign and if, at the expiry of this 48 hour

notice period the portable sign has not been removed, the Corporation or its agents or employees may enter upon the lot and remove the portable sign at the expense of the Owner of the lot. Section 6.2.3 also apply to the removal of portable signs (compounding signs and disposal).

- (k) Except as provided in sub-section (g) above, no person shall place a portable sign on any lot that contains an Electronic Message Sign.
- (l) Portable signs are permitted in Residential Zones, without need of a permit, for the purpose of conveying greetings or other similar message regarding special events such as the Birthday or Anniversary of those residing on the subject property, for a period not exceeding 72 hours.
- (m) Maximum Sign Structure Height: 2.5 metres  
Minimum Setback from all lot lines and property lines: 1.5 metre  
Sign cannot obstruct a public parking space.

#### 4.2.7 **Projecting Signs**

- (a) One projecting sign shall be permitted for each business or use located on the lot upon which the projecting sign is located.
- (b) The maximum projection for a projecting sign shall be 1.0 metre, measured outward from the wall to which the projecting sign is attached.
- (c) Projecting signs shall not extend above the walls of the building to which they are attached.
- (d) The maximum Face Area shall not exceed 15% of the area of the portion of the wall on which the sign is erected.
- (e) Notwithstanding the above, projecting signs may be erected on the supporting pylons of canopies over service station pump islands. Such sign shall have a maximum Face Area of 1.5 square metres per side and may not project horizontally beyond the limits of the pump island over which it is displayed.
- (f) Projecting signs shall have a minimum clearance of 5.0 metres when located within 0.6 metres of an area intended for vehicular traffic otherwise, the minimum clearance shall be 2.4 metres.

#### 4.2.8 **Pylon Signs**

- (a) One pylon sign shall be permitted for each business or use located on the lot upon which the pylon sign is located.
- (b) Pylon signs are prohibited within 10.0 metres of another pylon sign or ground sign on the same lot, and are prohibited within 3.0 metres of any side or rear lot line.
- (c) When any part of the pylon sign is located within 0.6 metres of an area intended for vehicular traffic the sign clearance shall be at least 5.0 metres.
- (d) No pylon sign shall be erected or placed with a sign face that is less than 1.5 meters above grade.
- (e) Maximum pylon height 13.0 meters
- (f) Notwithstanding the above, in an agricultural zone, a pylon sign shall be located at least 2.0 metres from any street line, and 15.0 metres from any side or rear lot line.

#### 4.2.9 **Special Event Directional Signs**

- (a) The maximum display period for a special event sign shall be a period no more than 14 consecutive days from the date it is erected, installed or placed.
- (b) Notwithstanding a) above, signs erected for events hosted by charitable organizations and / or service clubs or groups may be displayed for a period of no more than 30 consecutive days from the date it is erected, installed or placed.
- (c) Special event directional signs may be erected on that portion of a City street located between the curb or edge of travelled roadway and the sidewalk, commonly known as the boulevard. Where no curbs, sidewalks or boulevards exist, such signs may be erected on the undeveloped portion of the right-of-way closest to the outer edge of travelled roadway, subject to other conditions within this By-law with respect to visibility and daylight triangles..
- (d) Special event directional signs may not be erected on City sidewalks or on any portion of the travelled roadway, including any paved or graveled shoulder.
- (e) Notwithstanding the provisions of (b) and (c) and (d) above, a special event directional sign shall be removed or relocated upon request by a By-law Enforcement Officer.

#### 4.2.10 **Development Signs**

- (a) A development sign may be located on the subject property (boundaries of the development proposal) including municipal road allowances contained therein, municipal road allowances contiguous with the property boundary of the development proposal subject to section (i) on private property that abuts arterial or collector roads subject to section (f), municipal road allowances subject to section (f) and be removed on completion of the project or 3 years, whichever occurs first.
- (b) An application may be completed, requesting an additional 3 year term, which would include a renewal fee at the same rate as the original term. Signs shall be kept in good repair or the City will be authorized to use hold back funds to complete repairs or remove the subject sign.
- (c) Not more than two (2) signs (advertising the same Subdivision Project), may be installed within 500 meters of each other. One Subdivision Layout Plan may be installed in proximity to one of the Advertising Signs. One (1) additional sign may be installed off site at a location subject to the approval of the Committee or under an application for a Sign Variance through the Committee, if the location is contrary to the Sign By-Law. The off site sign is not subject to the 500 meter separation for on site project signs.
- (d) Subdivision Projects that are sharing similar space and roads, may share a common sign to advertise each project.
- (e) Signs installed on property that is developed in the subject project that is subsequently sold, shall have the written consent of the new owner.
- (f) Development Signs may be located on arterial or collector municipal road allowances within 30 metres of the intersecting street leading to the development proposal or private property that abuts a municipal arterial or collector road subject to the following:

- (i) Approval of the Committee
  - (ii) Public Notification to ensure that the public is consulted prior to final approvals. A 120 meter radius from the location of the sign will be the circulation area
- (g) The Applicant for a Development Sign shall provide a deposit as a holdback for the removal or maintenance of the sign for the duration of the Project. Subdivision agreements for the development proposal shall contain wording to address the holdback. The City will require 100% of the cost of removing the sign at all times until the sign is removed.
- (h) Signs shall be temporary; however, they may be installed on concrete footings or similar anchoring methods. The cost of removal shall be the responsibility of the owner of the sign. If the City removes the sign, any costs above the holdback amount shall be passed to the owner of the sign.
- (i) Development signs located on municipal road allowances contiguous with the development proposal shall require the approval of the Committee.

#### 4.2.11 **Gateway Signs**

- (a) A Gateway Sign may be located on a municipal road allowance, including, a municipal road allowance at the intersecting road of the area, as described in the definition for Gateway Signs. This includes road allowances on Green Belts subject to Economic Development Committee approval.
- (b) Gateway Signs may share space to identify multiple companies, but not more than one Gateway Sign shall be installed for identifying the area, unless approved by the Economic Development Committee.
- (c) Gateway Signs located on arterial or collector municipal road allowances shall not be installed more than 30 metres from the intersecting street leading to the development site and shall be subject to:
  - (i) Approval of the Economic Development Committee; and
  - (ii) Approval of the Committee, and Council.
- (d) Signs shall be kept in good repair or the City will be authorized to complete repairs or remove the subject sign at the cost of the owners of the sign.

#### 4.2.12 **Sandwich Board Signs**

Sandwich Board Signs shall be permitted provided that all of the following conditions are met:

- (a) A permit issued for a Sandwich Board Sign shall expire on the same date as the expiry date of the Certificate of Insurance that is provided pursuant to Section (f) below. Permits for Sandwich Board Signs shall be renewed annually on or before the said expiration date of the Certificate of Insurance regardless of whether the Sandwich Board Sign is to be displayed for the entire year or any part thereof;
- (b) A maximum of one Sandwich Board Sign per business, per entrance, per street shall be permitted;
- (c) The maximum size of a Sandwich Board Sign is 0.9 metres high by 0.6 metres wide;

- (d) The location of a Sandwich Board Sign is restricted to an area within 0.9 meters from the curb, or on a boulevard adjacent to such business. If a Sandwich Board Sign is to be located on a boulevard, it shall not be located within any sight-triangle as prescribed by the By-law. The Chief Building Official shall be satisfied that a minimum sidewalk width of 1.5 metres can be maintained after the installation of the proposed sign.
- (e) Sandwich board signs shall be located, where possible, on the extended portion of the sidewalks (where these have been installed).
- (f) The Sandwich Board Sign owner shall provide to the Chief Building Official, or his or her designate a certificate from an insurance company duly authorized to underwrite insurance in the Province of Ontario certifying to the Corporation that the owner of the sign has public liability and property damage insurance in a minimum amount of one million (\$1,000,000.00) dollars and that the Corporation is shown as an additional insured on such policy. The certificate shall also certify that the policy provides that a minimum of 30 days notice must be given to the Corporation prior to any alteration, revocation or termination of the said policy.

#### **4.2.13 Special Regulation Area – Commercial Cores**

Notwithstanding any of the provisions of this By-law, the following regulations shall govern signs in the Commercial Cores as defined by this By-law in the City of Quinte West.

- (a) In addition to the prohibitions set out in Section 4.1.2 no person shall erect or permit to be erected in the Downtown Cores Sign Permit Area:
  - (i) A banner sign, except those intended to promote special events or attractions approved by the City and the Economic Development Committee.
  - (ii) Portable signs
  - (iii) Roof signs
  - (iv) Billboard sign
  - (v) Flashing sign
  - (vi) Pennant sign
- (b) No person shall erect or permit to be erected in the Commercial Core Permit Area:
  - (i) more than one (1) of the following types of signs on the rear wall immediately above a ground level pedestrian access dedicated for that business: fascia sign, canopy sign, or projecting sign.
  - (ii) signage on other than the same floor as the business in multi-storey buildings.
- (c) There may be one fascia sign grouping for each business located on the property, per street frontage with background area of sign not to exceed 15% of the wall it is attached to. Fascia signs are permitted on each side of a building that faces a street or public thoroughfare.
  - (i) Where a business has a main entrance on more than one elevation of the building, such secondary frontage may contain a fascia sign of the same limitations as prescribed for the primary frontage.

(Where a business has a secondary frontage but does not have a main entrance to the secondary frontage, such frontage may contain a fascia sign not to exceed 15% of the secondary frontage.

- (ii) Fascia signs shall not project beyond the building facade or extend above the parapet to which they are attached.
- (d) All applications for the erection of signs within the Commercial Cores shall be submitted in the manner set out in Section 5, for the review and comments of the Economic Development Office of the City.
- (e) Signs within the Commercial Cores are permitted to encroach into the City road allowance, however, said encroachment shall not be greater than 0.3 metres, and shall comply with all other provisions of this By-law.

#### **4.2.14 Miscellaneous Requirements**

- (a) Signs announcing the availability of fresh farm gate fruits and vegetables are permitted. Display of these signs shall ordinarily be limited to the period the product is available. Said signs may be displayed on the property with the product, or as a directional sign in the vicinity of that product. No permit is required for these signs.
- (b) Where permitted by the City's Comprehensive Zoning By-law or By-laws, no person shall erect or place a home occupation sign that has a face area greater than 0.4 square metres.
- (c) No person shall erect or place a real estate sign:
  - (i) on any lot or premises other than the lot or premises that is being sold, rented or leased;
  - (ii) that has a face area greater than 0.6 square metres in any portion of the City zoned Residential or Open Space in the City's Comprehensive Zoning By-law; or
  - (iii) that has a face area greater than 6.0 square metres in any zone other than a zone set out in subparagraph (c)(ii) above.

### **Part 5 – Permits**

- 5.1 No person shall erect, display, relocate, extend or enlarge any sign without first having obtained a Sign Permit from the City to do so.
- 5.2 Application for a sign permit shall be made to the Chief Building Official or designate(s). All sign permits shall be issued by the Chief Building Official or his/her designate(s).
- 5.3 A Sign Permit shall not be issued by the City until all other necessary approvals have been obtained.
- 5.4 Fees in accordance with the Consolidated Fees By-law 13-160, for inspection and review of plans submitted with an Application for a Sign Permit shall be payable at the time of application.
- 5.5. A completed application for a sign permit requires the following:
  - (a) The name and address of the Contractor installing the sign;
  - (b) The name and address of the owner of the premises upon which the sign is to be located or the name and address of the person in possession of the premises upon which the sign is to be located;

- (c) Drawings, plans and specifications showing:
  - (i) The location or proposed location of the sign on the premises;
  - (ii) The location or proposed location of all other signs on the premises, lands for which a permit is required, or other lands, if applicable, and;
  - (iii) The dimensions, foundations, construction supports, sizes, electrical wiring and components, materials of the sign and method of attachment and character of structural members to which the attachment is made, together with such other engineering data certified by a duly licensed engineer as required by the Ontario Building Code, as amended.
- (d) Proof of possession of all permits as may be required by any other applicable government authority including the Ontario Ministry of Transportation;
- (e) Other information as may be required by the Chief Building Official or his or her designate(s) to ensure that such sign will comply with the requirements of this By-law, the Ontario Building Code, any other applicable law, and to ensure the sign is not unsafe.
- (f) The consent of the person in possession of the lot or premises upon which the sign is to be erected, to permit entry upon the said premises by the Chief Building Official, or his or her designate(s) for the purpose of inspecting the sign in accordance with this By-law. Nothing herein shall be construed to limit or restrict the right of the Chief Building Official or his or her designate(s) to enter upon the premises in accordance with the provisions of the Building Code Act, the Provincial Offences Act or any other applicable statutory authority.
- (g) In the case of a Portable Sign, the dates the signage is to be in place.
- (h) Neither the granting of a sign permit, nor the approval of the plans and specifications for a sign, nor inspections made by any person on behalf of the City, shall in any way relieve the owner of the property or any other person from full responsibility for carrying out work, and having the work carried out in complete compliance with the requirements of this Part and any other applicable legislation.
- (i) No person shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a sign permit, including detail in plans and specifications. Any permit issued based on false, incorrect, or misleading information shall not relieve any person from the responsibility for complying with the provisions of this Part.
- (j) Every permit issued by the City shall expire if the work to erect, or substantially alter the sign is not completed within 180 days from the date of issuance of the sign permit.

5.6 Notwithstanding Section 5.1 above, the following signs shall not require a Sign Permit, provided they conform to the provisions of this By-law, the Ontario Building Code Act, and any other Municipal By-laws.

- (a) Address sign
- (b) Incidental sign
- (c) Inflatable sign
- (d) Institutional sign
- (e) Real Estate sign



- (f) Drive-through restaurant menu boards
- (g) Signs painted or permanently affixed flat to an awning or canopy provided such signage does not exceed 50% of the sign area of an individual awning or canopy.
- (h) Flags bearing the crest, name or insignia of any corporation, government agency or patriotic, religious, or charitable organization to a maximum number of five (5) such per lot.
- (i) One (1) home occupation sign not exceeding 0.5m<sup>2</sup> in sign area. A home occupation sign shall not be illuminated or have more than two (2) sign faces.
- (j) Signs identifying a hospital.
- (k) Interior signs.
- (l) Memorial or commemorative signs or tablets noting the date of erection of buildings or structures or acknowledging historical events or civic contributions by local individuals, clubs or organizations.
- (m) Murals which have been approved by Council.
- (n) Signs identifying schools operated by a public school board, a college or university.
- (o) No trespassing signs or other such signs regulating the use of a property, not exceeding 0.5m<sup>2</sup> in sign area.
- (p) Special Event Directional sign.
- (q) Window sign.

#### **5.6.1 Signs exempt from a sign permit permitted on public property**

- (a) The following signs shall be exempt from the requirements of a sign permit, and shall be permitted on public property:
  - (i) Signs erected by or on behalf of the City, the Provincial or Federal Government.
  - (ii) Signs erected in parks that are approved by the Director of Public Works and Environmental Services, or designate.
- (b) The following signs shall be exempt from the requirements of a sign permit, and shall be permitted on public property, but shall comply with all requirements as set out in Part 6:
  - (i) Banner signs if advertising a special event sponsored by the City. A banner sign shall not be erected more than thirty (30) days prior to the event and shall be removed no later than 24 hours following the event.
  - (ii) Garage or yard sale signs provided that such signs are removed no later than 24 hours following the event.
  - (iii) Open house directional signs. Such signs are to be removed within 24 hours of the said event.
  - (iv) Public information signs approved by the Director of Public Works, or designate.
  - (v) Temporary signs no larger than 0.5m<sup>2</sup> in sign area advertising special events of a registered charitable organization or non-profit organization, public service group or City approved special event. Such temporary signs shall not be erected more than eight (8) days before the event and shall be removed no later than 24 hours following the event.

#### **5.6.2 Signs exempt from a sign permit – Downtown Cores Sign Permit Area**

The following signs shall be exempt from the requirements of a sign permit in the Downtown Sign Permit Area:

- (a) Accessory window sign(s) not exceeding 10% of the combined window area per external wall and storey in which the sign(s) is located and may

include one (1) internally illuminated sign stating "OPEN" provided it does not flash or exceed 0.3m<sup>2</sup> in sign area.

- (b) A banner sign advertising a grand opening or closing may be erected wholly inside the business and displayed as a window sign for a maximum of thirty (30) consecutive days.
- (c) A window sign(s) covering 100% of the combined window area for any sale or event for maximum of two (2), non-consecutive 14 day periods per calendar year and removed immediately following the event.

## **Part 6 – Miscellaneous**

### **6.1 Council Approvals**

- 6.1.1 Council may, upon the application of any person, authorize variances from this By-law if in the opinion of Council the general intent and purpose of the By-law are maintained.
- 6.1.2 The Chief Building Official and the Committee are hereby delegated Council's authority to make decisions in accordance with Section 6.1.1 of this By-law.
- 6.1.3 An applicant whose application for a sign permit does not comply with all applicable provisions of this By-law may submit a written application to the Planning and Development Services Department, through the Chief Building Official for a minor deviation from the By-law, setting out the reasons why the provisions of this By-law cannot be met and why a minor variance should be authorized, together with all applicable non-refundable fees.
- 6.1.4 The Chief Building Official may authorize a minor deviation if, in his or her opinion, the general intent and purpose of this schedule would be maintained and, in that event, the Chief Building Official, or designate shall issue a sign permit to the applicant if the application complies with all other applicable provisions of this schedule and all applicable law.

An applicant may appeal any decision of the Chief Building Official to the Committee for a decision.

Notwithstanding Sections 6.1.3 and 6.1.4, a request for a minor variance for portable signs shall be reviewed directly by the Committee, through submission of a sign variance application as per Section 6.15.

Notwithstanding Sections 6.13 and 6.1.4, a request for a variance for signs proposed to be located in the Commercial Cores shall be reviewed by the Economic Development Committee or sub-committee thereof, for comment, prior to consideration by the Committee.

- 6.1.5 Applications for variances shall be initiated by the filing of a sign variance application to the Chief Building Official requesting the Committee to consider a proposal.
- 6.1.6 Applicants shall provide a detailed analysis of their proposal complete with a detailed site plan indicating setbacks from property lines, intersections, residential areas, and other signs, with their sign variance application.
- 6.1.7 Recommendations from Committee will be considered for approval by Council, through review of Committee minutes.

## **6.2 Maintenance and Removal of Signs**

- 6.2.1 Every sign in the City shall be maintained in good structural condition at all times. All signs shall be clean and neatly painted, including all metal parts and supports.

If any sign does not conform in any respect with the provisions of this By-law, or any other By-law or Code applicable thereto, the By-law Enforcement Officer shall give written notice to the owner of the sign. Such notice shall require that the sign be repaired, removed or brought into compliance with this By-law and/or any other applicable law, within a period of time not exceeding fourteen (14) days. If in the opinion of the By-law Enforcement Officer any sign is in an unsafe condition, the By-law Enforcement Officer shall take immediate action. The cost of removal, repair, transportation and / or storage of any sign, may be recoverable from the owner by the City in like manner as municipal taxes, pursuant to the provisions of the Municipal Act, 2001, as amended and shall be as follows: minimum \$100.00 plus costs associated with said removal.

- 6.2.2 (a) A candidate for whom campaign signs have been erected or the owner of the lot upon which campaign signs have been erected shall remove all campaign signs within 7 days of the date of the election for which the signs were erected failing which the City may remove such signs at the expense of the owner of the lot on which the sign is located or the candidate for whom the sign was erected.
- (b) The Owner of the lot shall remove any real estate signs that have been erected on any lot within 21 days of the completion of the sale of the lot in question failing which the By-law Enforcement Officer may remove such signs at the expense of the Owner.
- (c) Abandoned signs shall be removed or completely covered with an opaque material to ensure that the internal sign hardware is not visible as determined by the City.
- (d) Abandoned signs located in the Commercial Core shall be removed.
- 6.2.3 (a) Where a sign has been removed by the City pursuant to Section 6.2.1 and 6.2.2, the City shall send a notice by personal service or regular post or electronic transmission to the owner of the property on which the sign was located advising:
- (i) that the sign will be stored and disposed of by the City unless the sign is retrieved within thirty (30) days of the date that such notice is sent by personal service or by regular post or electronic transmission;
- (ii) that no retrieval of the sign may be made without payment of the City's cost of removal and a care and storage fee of \$300.00.
- (b) If the sign is not retrieved within the thirty (30) day period, then the sign may be immediately destroyed or otherwise disposed of by the City without further notice or compensation.

## **6.3 Schedules**

Schedules A, B, and C shall be and are hereby deemed to be a part of this By-law to same extent and effect as if incorporated herein.

## **6.4 Administration and Enforcement**

- 6.4.1 The Planning and Development Services Department is responsible for the administration and enforcement of this By-law.

6.5 **Penalty**

6.5.1 Any person who contravenes any provision of this By-law is guilty of an offence and is liable, upon conviction, to a fine in accordance with the *Provincial Offences Act*, R.S.O., 1990, c-P-40 as amended.

6.6 **Severability**

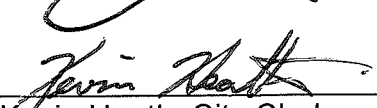
6.6.1 It is hereby declared that each and every of the foregoing provisions of this By-law is severable and that if any provisions of this By-law should, for any reason, be declared invalid by any court, it is the intention of this Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

6.7 **Repeal and Enactment**

6.7.1 By-law 09-79 is hereby repealed in its entirety.

6.7.2 This By-law shall take effect upon the final passing hereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 15<sup>th</sup> day of September, 2014.**

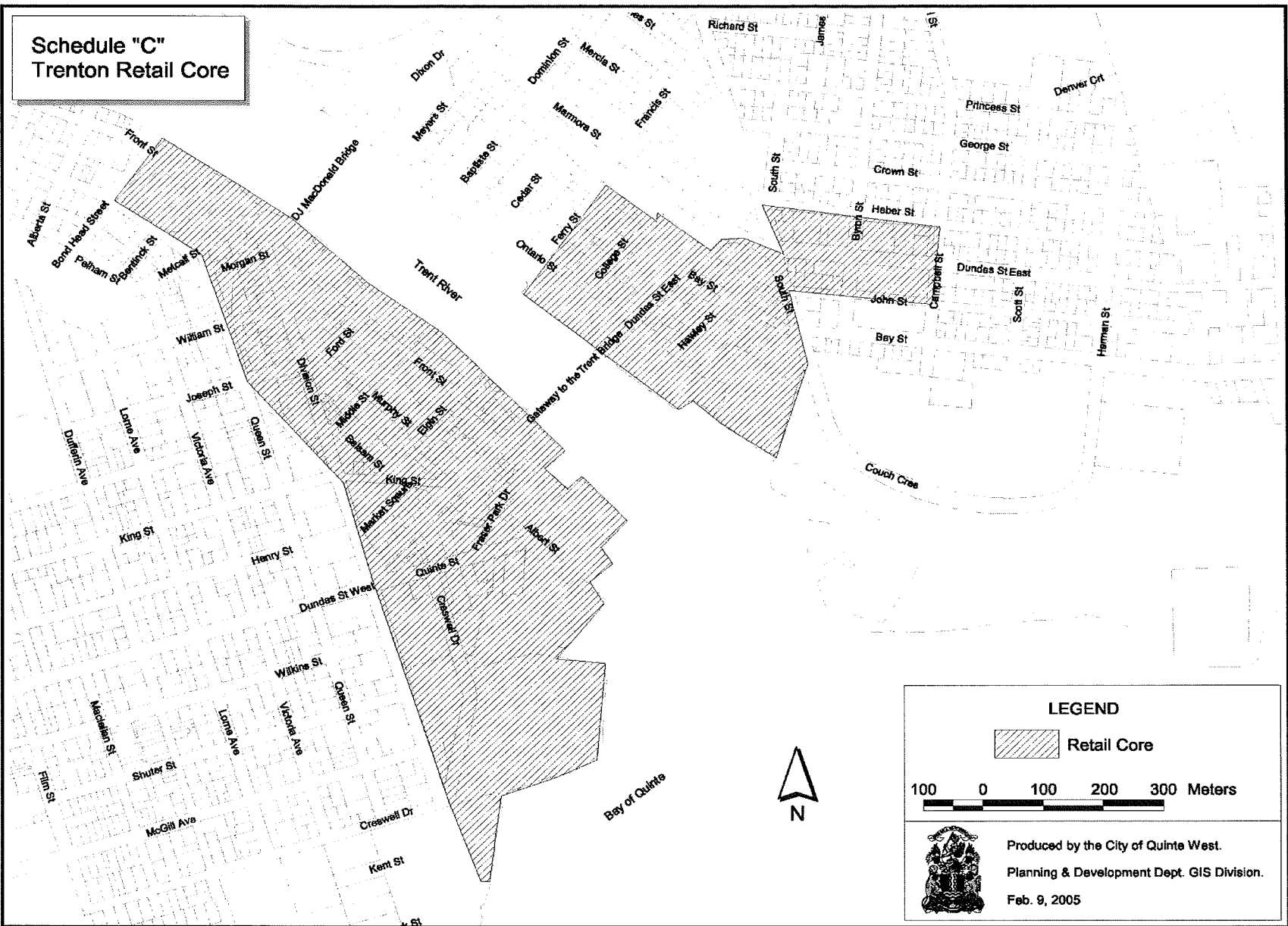
  
\_\_\_\_\_  
John Williams, Mayor  
\_\_\_\_\_  
Kevin Heath, City Clerk

**Schedule “A”**  
**The Corporation of the City of Quinte West**  
**By-law #14-118**

1. Arterial and collector roads that allow general advertising subject to the provisions of By-law 14-118
  1. Hamilton Road
  2. Hwy 33 – Trenton/Frankford Road
  3. Glen Ross Road
  4. Frankford Stirling Road
  5. Foxboro Stirling Road
  6. Wallbridge Loyalist Road
  7. Glen Miller Road
  8. County Road 5
  9. County Road 40
  10. Old Hwy 2
  11. Loyalist Parkway

**Schedule "B"**  
**The Corporation of the City of Quinte West**  
**By-Law # 14-118**

**Commercial Core Area of the City**  
**Trenton Retail Core**



Schedule "C"  
The Corporation of the City of Quinte West  
By-Law # 14-118

Commercial Core Area of the City  
Frankford Retail Core

