

SIGN REGULATION BYLAW, 1996, No. 2252

CONSOLIDATED FOR CONVENIENCE

1999

In case of discrepancy, the original Bylaw
or amending bylaw must be consulted.

Consolidates Amendments authorized by:

- Amendment Bylaw (No. 1), 1999, No. 2365

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2252

BEING a bylaw to regulate the construction and maintenance of signs.

WHEREAS Section 967 of the *Municipal Act* authorizes a local government to regulate, by bylaw, the number, size, type, form, appearance and location of signs,

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT, in open meeting assembled, enacts as follows:

PART 1 - INTRODUCTION

Statement of Purpose

- 1.1 The purpose of the following Sign regulations is:
- * To encourage the effective use of Signs as a means of communication;
 - * To maintain and enhance the aesthetic environment and the Municipality's ability to attract and retain sources of economic development and growth;
 - * To improve pedestrian and traffic safety;
 - * To minimize the potentially adverse effects of Signs on private and public property;
 - * To enable the fair and consistent enforcement of Sign regulations;
 - * To address issues of safety;
 - * To address issues of Sign maintenance, repair, replacement and removal.

Citation

- 1.2. This bylaw may be cited for all purposes as the Corporation of the Township of Esquimalt "SIGN REGULATION BYLAW 1996, No. 2252".

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- 1.3 This bylaw is divided into the following parts:

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PART 2 - DEFINITIONS

- 2.1 Words and phrases used in this Bylaw that are not included in this list of definitions shall have the meanings which are commonly assigned to them in the context in which they are used in this Bylaw. Unless otherwise specified, the following definitions shall apply:

Animated Sign means a Sign which has motion or colour changes to any part of the Sign, but excludes a Sign in which only the time, temperature or date changes.

Awning means a light detachable system of fabric, sheet metal, plexiglass or other material, which is entirely supported from a building by a fixed or retractable frame.

Awning Sign means a Sign which is painted on, or affixed flat to the exterior surface of an Awning.

Banner Sign means a temporary Sign attached to a rigid frame or to a building or to posts capable of supporting its weight.

Bed and Breakfast Sign means a non-illuminated Sign that is displayed from a building which is legally Used as a Bed and Breakfast.

Billboard Sign means a Sign used or intended to be used for the purposes of advertising or calling attention to any person, matter, thing, event or property that is not directly related to the business conducted on the property on which it is located.

Building Inspector means the Building Inspector employed from time to time by the Corporation of the Township of Esquimalt.

Canopy means any permanently fixed structure other than an Awning, supported solely from the building and which projects from the face of the building.

Canopy Sign means a Sign which is painted on, or affixed to the exterior surface of a Canopy.

Clearance means the average vertical distance measured from the Ground to the bottom of the Sign.

Construction Site Sign means a Sign used to identify a construction project, the owner, general contractor, sub-trades, architect, engineers and others associated with the design, planning and development of a project under construction.

Copy means letters, characters, numbers or graphics which make up the

Message on a Sign, but does not include the background colour.

Copy Area means the area within a geometric form, or combination of forms, which encloses all of the Copy for one face of the Sign.

Copy, Automatic Changeable means Copy which can be changed automatically by electronic switching of lamps, illuminated tubes or other means.

Display Surface means and includes every surface of a Sign that is used or intended to be used for the display of any Message.

Election Sign means a temporary Sign erected to advertise a political party, or a registered candidate, in a federal, provincial or municipal election.

Electric Sign means a Sign or sign structure in which electrical wiring connections or fixtures are used.

Facade means the exterior face of a building or business premises on which the Sign is to be placed. For the purpose of the calculating the maximum percent of Sign coverage, only the area of the face of the first floor shall be used; in the case of a second storey Sign, only the area of the face of the second floor shall be used.

Fascia Sign means a Sign of a permanent nature, running parallel to the face of the building on which it is displayed or attached but does not include a Wall Sign or Wall Mural.

Flag means a rectangular piece of fabric that represents an organization but does not include a Flag representing a country of the world or any Canadian province or territory or municipal corporation or a branch of the armed forces.

Flashing Sign includes every artificially-illuminated Sign in which any part so illuminated is illuminated either intermittently or in any other manner that enables noticeable changes in light intensity to be exhibited.

Freestanding Sign means a Sign standing apart from a building and having independent supports.

Frontage means the length of a parcel boundary which immediately adjoins a highway other than a lane or walkway. On a parcel where more than one of the parcel boundaries adjoins a highway, the shortest parcel boundary shall be considered its Frontage. *[For the purposes of this bylaw, Frontage*

is used to calculate the maximum permitted size of some types of Signs.]

Ground shall be deemed to include the thickness of any and all sidewalks, paths, plazas, patios, roads, roadways and similar improved surfaces used or intended to be used for the passage and repassage of persons or vehicles directly under the Sign.

Home Occupation means any occupation or profession, carried on by a resident of the dwelling unit in which the occupation or profession is conducted, the nature of which is clearly incidental to the Use of the dwelling unit for residential purposes.

Home Occupation Sign means a non-illuminated Sign identifying a Home Occupation which is conducted within a dwelling unit.

Illuminated Sign means a Sign which has a Display Surface that is illuminated wholly or partly by an incandescent bulb, neon tube or other electrically energized device or equipment.

Landscaped Area or **Landscaping** means an area of land which contains trees, shrubs, flowers or other planted material and may include planter boxes.

Message means the thought, idea or concept that is communicated or intended to be communicated by a Sign.

Municipal Engineer means the Director of Planning and Engineering for the Corporation of the Township of Esquimalt or his designate.

Municipality means the Corporation of the Township of Esquimalt.

Mural means and includes any painting, drawing, sketching or other marking inscribed directly upon any wall or other integral part of a building or structure so that it is visible from the exterior of the building or structure.

Pedestrian Directional Sign means a Sign used to direct pedestrians to a building or business premises.

Permit means an authorization in writing issued pursuant to this bylaw.

Portable Sign means a Sign standing apart from a building, having independent supports and being easily movable.

Poster means an advertising Sign which is normally mounted on a building wall or freestanding structure with advertising Copy in the form of pasted papers or plastic.

Projecting Sign means a Sign which is attached to and projects from the wall of a building face by more than 300 mm.

Real Estate Sign means a Sign which offers property for sale, lease or rent.

Residential Zone means an area designated as a residential zone by the zoning bylaw currently in effect for the Township of Esquimalt.

Roof Sign means a Sign located on the surface of the roof of a structure or building.

Sign means a device, notice, or medium including its supporting system and other components, which is used or is intended or capable of being used to attract attention for advertising, identification or information purposes. *(See Animated Sign, Awning Sign, Banner, Bed and Breakfast Sign, Billboard Sign, Canopy Sign, Construction Site Sign, Election Sign, Electric Sign, Fascia Sign, Flag, Flashing Sign, Freestanding Sign, Home Occupation Sign, Illuminated Sign, Mural, Pedestrian Directional Sign, Portable Sign, Poster, Projecting Sign, Real Estate Sign, Roof Sign, Wall Sign, Under Awning Sign, Under Canopy Sign)*

Sign Area means the total area which is within the outer edge of the frame or border of a Sign including any embellishment thereof.

Third Party Advertising Sign means a Sign advertising an establishment, merchandise, service or activity which is not sold, produced or manufactured, furnished or performed on the lot on which the Sign is located.

Vehicular Directional Sign means a Sign used to direct vehicular traffic through entrances, exits, loading and parking areas of a building or business premises.

Wall Sign means a Sign which is painted, inscribed, marked or affixed directly upon any exterior wall or other integral part of a building or structure.

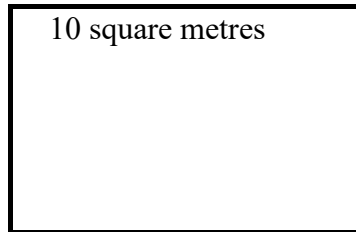
Window Sign means a Sign, picture, symbol or combination thereof, which is painted, pasted, inscribed or otherwise placed on a window and in the case of a Sign displayed at or from a position inside any premises, for viewing from the outside of the premises, shall include any Sign no part of which is more than 300 mm from the window through which it is viewed.

Under Awning Sign means a Sign which is suspended from an Awning and entirely under the Awning.

Under Canopy Sign means a Sign which is suspended from a Canopy and entirely under the Canopy

Use means the purpose for which any parcel, water surface, building or structure is designed, arranged, or intended, occupied or maintained.

- 2.2 All dimensions referred to in this Bylaw are in metric. Where reference is made to a measurement of area in square metres, the area is the product of both of the sign's dimensions, for example, 2 metres multiplied by 5 metres equals 10 square metres.



PART 3 - APPLICATION OF BYLAW

Application

- 3.1.1 This bylaw shall apply to all Signs on all lands and the surface of the waters under the jurisdiction of the Municipality.
- 3.1.2 Nothing in this bylaw shall be construed as bestowing upon the owner or occupier of real property or the owner or user of a Sign the right of visibility over any adjacent real property or right-of-way.

Duty of Care

- 3.2 This bylaw does not create any duty of care whatsoever on the Municipality, Council members, municipal officers, inspectors, employees or agents of the Municipality in respect of:
 - (a) any inspection made by the Building Inspector or failure to make any inspections, or
 - (b) the enforcement or the failure to enforce the provisions of this bylaw.

Cause of Action

- 3.3 Neither a failure to administer or enforce, or the incomplete or inadequate administration or enforcement of this bylaw, nor any error, omission or other neglect in relation to the issuance of a Permit under this bylaw, the review of drawings, plans and specifications, or inspections made by the Building Inspector, shall give rise to a cause of action in favour of any person, including the owner.

Administrative Directions

- 3.4 Words defining the responsibilities and authority of the Building Inspector shall be construed to be an internal administrative direction and not as creating a duty.

Owner(s)' Responsibility

- 3.5.1 It is the responsibility of the owner(s) and the occupier(s) of all lands, which are subject to this bylaw, to ensure that Signs conform with this bylaw.
- 3.5.2 Every Sign shall be well-maintained and kept in a safe condition.

Penalty

- 3.6.1 Every person who violates any provision of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw commits an offence and shall be liable to the penalties hereby imposed.

- 3.6.2 Any person who violates any of the provisions of this bylaw shall be liable on summary conviction to a penalty of not more than two thousand (\$2000.) Each day such offense continues shall be deemed to constitute a separate offense.

Encroachment Over Municipal Right-of-Way

- 3.7.1 Any person who erects, owns, maintains, or who continues the use of any Sign which projects on or over any municipal right-of-way shall enter into an encroachment agreement with the Municipality. The encroachment agreement must be in a form acceptable to the Municipal Engineer, be registered in the Land Title Office and have the approval of Council.
- 3.7.2 An application for an encroachment agreement shall be made to Council in writing. The Municipal Council may deny or approve such an application.
- 3.7.3 Where a Sign is erected in whole or in part on or over a municipal right-of-way, the privilege of continuing the Sign shall expire as of December 31 each year and shall be deemed to have been renewed annually unless such privilege has been revoked by Council.
- 3.7.4 Where an encroachment agreement is required, such agreement shall be registered in the Land Title Office prior to the issuance of the Sign Permit.

Severability

- 3.8 If any provision of this bylaw or amendments hereto should be found or determined to be invalid, illegal or unenforceable, it will be severable from the remainder of this bylaw and the remainder of this bylaw shall be construed as if such invalid, illegal or unenforceable provision had been deleted therefrom.

PART 4 - ADMINISTRATION & AUTHORIZATION

Authorization of Building Inspector

- 4.1.1 The municipal Building Inspector is hereby authorized to undertake the administration and enforcement of this bylaw.
- 4.1.2 Except as may be otherwise provided for by this bylaw, the Building Inspector is authorized to receive applications for Sign Permits and approve or refuse such applications and to issue Sign Permits in accordance with the provisions of this bylaw.

Administration of Bylaw

- 4.2 The Building Inspector may:
 - (a) keep records of applications received, Permits and orders issued and may retain copies of all papers and documents connected with the administration of this bylaw;
 - (b) establish whether any method or type of construction or material used to construct a Sign conforms to the requirements and provision of the B.C. Building Code.

Documents

- 4.3 All plans, reports and other documents submitted to the Building Inspector in connection with this bylaw shall become the property of the Municipality.

Issuance of Permits

- 4.4 The Building Inspector may issue a Permit where he is satisfied that the Sign which is the subject of the Permit will conform to the requirements of this and any other applicable bylaws of the Municipality.

Refusal to Issue a Sign Permit

- 4.5 The Building Inspector shall refuse to issue a Sign Permit for any Sign if:
 - (a) the proposed Sign does not comply with the provisions of this bylaw or any other applicable law or enactment;
 - (b) the proposed Sign would offend public standards;

Correction Orders

- 4.6 The Building Inspector may order, in writing, the correction of any work that contravenes this or any other bylaw. If the required correction deals with safety,

the owner of the Sign or his agent shall have 24 hours to make the necessary corrections.

Right of Entry

- 4.7.1 The Building Inspector may enter at all reasonable times on any property in order to inspect any Sign installation located therein to ascertain whether the provisions of this bylaw are being observed.
- 4.7.2 No person shall interfere with or obstruct any authorized person seeking entry into or onto any property for the purposed described in Section 4.7.1.

PART 5 - SIGN PERMIT APPLICATIONS

Requirements

- 5.1.1 It shall be the responsibility of an owner or his agent to make application for and obtain a Sign Permit prior to the installation, erection, display, alteration or relocation of any Sign that requires a Permit.
- 5.1.2 An application for a Sign Permit shall be made in writing on the appropriate application form and submitted to the Building Inspector together with the requisite fees prescribed in Part 8 of this bylaw.

Plans and Specifications

- 5.2.1 An application shall include:
 - (a) the civic address of the building, structure or lot on which the Sign is to be erected, altered, or relocated;
 - (b) a drawing, to scale, for each side of the Sign giving all pertinent dimensions as well as the Sign Message, proposed letter fonts, graphics, logos and colour scheme;
 - (c) a drawing illustrating the position of the Sign and the method of attachment;
 - (d) whenever, in the opinion of the Building Inspector, the character of the proposed work requires such technical knowledge, a drawing signed and sealed by a professionally certified B.C. Engineer illustrating the details of attachment and assembly for Freestanding, Awning, Canopy and Projecting Signs may be requested.
- 5.2.2 Before a Sign Permit is issued, an owner or his agent shall first pay to the Municipality the appropriate fee as set out in Part 8 of this bylaw.

Development Permits

- 5.3 Where a business is located within a Development Permit Area, as defined in the Esquimalt Official Community Plan, a Development Permit Application may be required before a Sign Permit can be issued. In such cases, the approval of the Development Permit shall constitute the approval of a Sign Permit, provided that the requirements of this bylaw have been met.

Exemptions

- 5.4 The following Signs do not require a Sign Permit:
 - a) any Sign which prior to the coming into force of this bylaw was in all respects a lawful Sign;

- b) any Sign required by law;
- c) Signs or public notices on streets erected or authorized to be installed by the Municipal Engineer, Municipal Bylaws or Provincial or Federal legislation including street decorations authorized by the Municipal Engineer;
- d) any Sign that is for vehicular traffic direction, including one Sign at each entrance and exit to public or private parking areas, not exceeding 1.0 square metres in area and with no dimension larger than 1.5 metres;
- e) Signs denoting access and parking for the disabled;
- f) non-advertising commemoration plaques or cornerstones;
- g) any Sign displayed on or from a structure lawfully erected or maintained in a highway or other public place as a shelter for persons waiting to board a public passenger conveyance;
- h) any Sign located inside a building or concealed parking area and not visible or intended to be visible from any street or any site other than the one on which the Sign is located;
- i) signage which forms part of appliances and fixtures such as gas pumps, pop machines and telephone booths;
- j) any Window Sign which identifies the name of a business located on the premises and which occupies less than 25% of the window area;
- k) repainting, alteration of the Message, replacement of the fascia panel or other maintenance of existing Signs;
- l) Real Estate Signs less than .5 square metres in area and less than .6 metres in height;
- m) any non-illuminated Construction Site Sign in accordance with Part 9 of this bylaw;
- n) any Sign displayed for a purpose having to do with a federal, provincial, or municipal election, provided that such Sign is removed within forty-eight (48) hours after the day of the election to which it relates;
- o) any Sign displayed from a dwelling and bearing only the street number and name(s) of the person(s) residing in the dwelling provided that the area of the Display Surface shall not exceed 0.2 square metres;
- p) Poster Signs for theatres, schools, colleges, community centres, museums

and libraries;

- q) Home Occupation Signs subject to the requirements of Part 9 of this bylaw;
- r) Bed and Breakfast Signs subject to the requirements of Part 9 of this bylaw.

Lapse of Permit

- 5.5 A Sign Permit shall expire if the Sign authorized has not received its final inspection, where applicable, within six (6) months of the date of issuance of the Permit.

Variances

- 5.6 An application to place or erect a Sign not provided for in this bylaw or that does not conform to this Bylaw may be considered by the Municipal Council under an application for a Development Permit or a Development Variance Permit, whichever is applicable.

Anti-Graffiti Works Exemption [Bylaw No. 2365]

- 5.7 Anti-Graffiti works, murals and art works undertaken under an anti-graffiti program or community beautification program are exempted from this bylaw."

PART 6 - PROHIBITIONS

6.1 Unless permitted in another bylaw, order of provincial or federal statute, Signs that are not expressly permitted or exempted in this bylaw are prohibited. Without restricting or limiting the generality of the foregoing, the following Signs are specifically prohibited:

- a) billboards;
- b) any Signs which devote more than 30% of the Copy Area to the advertisement of particular products or services sold on the premises at which the Sign is displayed. This provision shall not apply where the name of the product or service is incorporated in the name of the business being conducted on the premises;
- c) any pennants or Posters except as otherwise permitted in this bylaw;
- d) any Roof Signs;
- e) any Signs mounted or supported on the deck of a Canopy which exceed 1.0 metres in height or protrude above the roof line of the building;
- f) any Portable Sign;
- g) any Sign which obstructs any part of a doorway, window or balcony with the exception of permitted Window Signs;
- h) any Flashing, Animated or chasing border Signs where the portion of the Sign which moves or changes colour comprises more than 25% of the Display Surface.
- i) more than three types of Signs, which require a Sign Permit, per business;
- j) any Third Party Advertising Sign;
- k) any Sign which devotes more than 30% of its Sign Area to manual or automatic changeable Copy.

PART 7 - GENERAL PROVISIONS

Conformance

- 7.1 The keeping, placing or erecting of any Sign shall be in conformity with all of the provisions of this bylaw and any other municipal bylaw, order or provincial or federal statute.

Removal of Signs

- 7.2 When an owner, tenant or occupant of any premises vacates those premises, such persons must remove all Signs which are no longer required or are not in compliance with this bylaw, including any supporting system, within 90 days of vacating the premises.

Signs Adjacent to Residential Premises

- 7.3 Where a business premises adjoins a parcel where 60% or more of the floor area is used for residential purposes, only Fascia, Awning, Under-Awning, Canopy, Under-Canopy, or Wall Signs are permitted and such Signs shall be situated on the parcel on which the business is located.

PART 8 - FEES AND CHARGES

8.1 The following fees shall be paid before a Sign Permit is issued:

- (a) For each Sign requiring a Permit, where the Sign Area:
 - (i) does not exceed an area of 2.0 square metres, a \$30. fee is payable;
 - (ii) exceeds an area of 2.0 square metres, a \$50. fee is payable.
- (b) Where a Sign installation has commenced prior to the issuance of a Sign Permit required under this bylaw, an additional service charge double to the Permit fee shall be paid.
- (c) The fees described above allow for one review of plans and field inspection pertaining to the initial Sign application. Where additional reviews of structural drawings or field inspections, as may be determined by the Building Inspector, are required to complete the final approval, an additional fee per inspection equal to the original Permit fee will be charged.
- (d) Where a Sign Permit application has been approved or refused, no Sign application fee shall be refunded but if the application is withdrawn prior to approval or refusal by the Municipality, the Building Inspector shall refund to the applicant 50% of the fee paid.

8.2 Where a Development Permit Application is required for the installation of any Sign, only the fee for the Development Permit shall be charged; the Sign Permit fee is waived.

PART 9 - PERMITTED SIGNS

Awning Signs

9.1.1 Number Permitted

Where more than one business premises fronts on a street under a single Awning, there shall be not more than one Awning Sign per business.

9.1.2 Location

An Awning Sign shall be located on the exterior front face of the Awning and may not project more than 75 mm from the face of the Awning.

9.1.3 Awning Placement

- a) Where an Awning projects over a public right-of-way, the minimum projection from the building to which it is attached shall be 1.0 metres provided that an encroachment agreement has been entered into as per Sections 3.7.1 through 3.7.4.
- b) Section 9.1.3 (a) notwithstanding, an Awning installed at the top of the second story or higher may project less than 1.0 metres.

9.1.4 Copy Area

The maximum Copy Area is 40% of the area of the Awning as measured on a drawing of the elevation or vertical plane of the Awning except that an apron or skirt made of soft fabric extending below the Awning of not greater than 250 mm may include Copy and shall not form part of the calculated area.

Banners

9.2.1 Number Permitted

- a) Not more than one Banner per business premises shall be displayed at any one time.
- b) No Banner may be displayed for more than 30 consecutive days.
- c) Banners, in respect of single business premises, shall not be displayed for more than a total of six calendar months per year.

9.2.2 Banner Placement

Where a Banner is suspended parallel to the wall of a building and but overhangs a street or sidewalk, it must be at least 2.75 metres clear of the Ground.

Bed and Breakfast Signs

9.3.1 Number Permitted

Only one Bed and Breakfast Sign may be displayed from a building Used as a Bed and Breakfast.

9.3.2 Location

A Bed and Breakfast Sign shall be mounted on either the building which is Used as a Bed and Breakfast or placed in a window of that building.

9.3.3 Sign Area and Dimensions

A Sign identifying a Bed and Breakfast shall not have a Display Area greater than .4 square metres.

Canopy Signs

9.4.1 Number Permitted

Where more than one business premises front a street under a single Canopy, there shall be not more than one Canopy Sign for each business.

9.4.2 Location

- a) A Canopy Sign may be located on the front face of a Canopy and shall not project more than 75 mm from the face of a Canopy.
- b) A Canopy Sign may be placed on top of a Canopy but may not exceed the height of a second story window sill, parapet wall or roof line and in no case shall a Canopy Sign exceed 1.0 metre in height.

9.4.3 Canopy Placement Area

Where a Canopy projects over a road allowance, the minimum projection from the building to which it is attached shall be 1.0 metres provided that an encroachment agreement as per Section 3.7.1 through 3.7.4 has been entered into.

9.4.4 Sign Area and Dimensions

The permitted Canopy Sign Area is 0.5 square metres for every lineal metre of frontage of the business premises on which the Canopy Sign is to be placed.

9.4.5 Copy Area

The maximum Copy Area is 40% of the Sign Area as measured on a drawing of the elevation or vertical plane of the Canopy.

Construction Site Signs

9.5.1 Exemption Provision

Unilluminated Construction Site Signs are permitted without an application for a Sign Permit.

9.5.2 Number Permitted

Only one Construction Site Sign per frontage per development is permitted, except in the case of a Construction Site Sign used for a single family or two family dwelling under construction in which case only one Construction Site Sign shall be permitted.

9.5.3 Location and Placement

A Construction Sign may be placed or erected on the site, building, or on the business premises to which it relates and the height from Ground to the top of the Sign shall be limited to maximum of 3.65 m.

9.5.4 Sign Area and Dimensions

A Construction Site Sign is limited a maximum area of 3.0 square metres except when used for advertising the construction of a single family or two family dwelling in which case the Sign shall be limited to a maximum area of 1.5 square metres.

9.5.5 Removal

A Construction Site Sign shall be removed within 10 days following receipt of an Occupancy Permit for the building on the site containing the Sign.

Fascia Signs

9.6.1 Location

A Fascia Sign may be located on any face of a building.

9.6.2 Sign Placement Area

- a) A Fascia Sign shall project no further than 300 mm from the building to which is attached, except where an Automatic Changeable Copy Sign is incorporated into the Fascia Sign, in which case the projection shall not exceed 450 mm.
- b) A Fascia Sign shall be placed a minimum of 2.75 metres above Ground and below any second story window sill or if placed on a single story building, to the top of a parapet wall or roof line.

9.6.3 Area and Dimensions

- a) A Fascia Sign shall be limited to 15% of the area of the Facade of a building or business premises, whichever is the case, and shall in no case exceed 20 square metres.

- b) A Fascia Sign exceeding an area of 10 square metres and/or 1.0 metre in height shall be limited to individual lettering or shapes.
- c) One Fascia Sign per fronting street is permitted for institutional and public assemble buildings.
- d) Where individual lettering is required, the lettering shall be fixed directly to the building without a sign backing panel.

9.6.4Copy Area

The maximum Copy Area is 40% of the Sign Area, and the maximum Copy Area for individual lettering is 15% of the area of the Facade or the business premises, whichever is applicable.

9.6.5Illumination

A Fascia Sign may be illuminated by internal illumination, external illumination, floodlighting or neon tubes.

Flags

9.7.1Location

The location of a Flag, including the supporting system, shall be entirely on private property and shall not interfere with fire escapes, vehicular and pedestrian traffic, utilities or municipal public works.

9.7.2Number Permitted

- a) Only one Flag is permitted per business premises except that where the premises are located on a site that has a minimum frontage of 30 metres, four Flags may be permitted.
- b) Nothing in this Bylaw shall be interpreted to regulate the display of Flags representing a country, province or territory of Canada or a municipal corporation.

9.7.3Flag Placement Area

- a) A Flag may encroach over a street provided that an encroachment agreement as per Sections 3.7.1 through 3.7.4 has been entered into and that the encroachment does not exceed 25% of the municipal sidewalk immediately in front of the business premises or property.
- b) A Flag shall not project within 600 mm of the nearest curb.
- c) A Flag shall have a minimum Clearance of 2.75 metres above

Ground.

- d) The height of a Flag attached to the Facade of a building shall not exceed the top the first or second story parapet wall or roof line of a building, whichever applies.
- e) A Flag wholly supported by a freestanding support shall be limited to a maximum height of 10.5 metres above Ground.
- f) A Flag including a supporting system mounted on a roof shall be limited to a maximum height of 3 metres from the top of the roof.

Freestanding Signs

9.8.1 Number Permitted

Only one Freestanding Sign is permitted on a site and that site must have a minimum frontage of 30 metres. On a corner lot, both street frontages may be used to calculate the total frontage.

9.8.2 Location

- a) A Freestanding Sign shall not project over a property line and shall not be located within 30 metres of a Residential Zone.
- b) No part of a Freestanding Sign shall be located within 2 metres of any intersecting property lines or driveway access or within 1 metre of any building and in no case shall a Freestanding Sign be located so as to obstruct pedestrian or vehicular traffic.
- c) All Freestanding Signs shall be sited in a Landscaped Area which shall be at least equal in size to the Sign Area. The Landscaped Area shall be an integral part of the Sign Permit.

9.8.3 Sign Placement, Area and Dimensions

- a) A Freestanding Sign, including the signage structure, shall be limited to a maximum height from Ground of 7.5 m.
- b) A Freestanding Sign shall be limited to 0.3 square metres of Sign Area per lineal metre of street frontage but in no case shall the total Sign Area, which includes both sides, exceed 20. square metres.
- c) Notwithstanding Section 9.8.2 (a), a Freestanding Sign (limited to a maximum area of 1 square metre and a maximum height from Ground of 1.5 metres) is permitted for apartment and multi-family dwellings.
- d) A Freestanding Sign for civic, private hospital and public assembly Uses is permitted and shall be limited to a maximum area of 2.5 square metres and a maximum height from Ground of 1.5 metres.

9.8.4 Copy Area

The maximum Copy Area is 40% of the Sign Area of each face of a Freestanding Sign.

9.8.5 Illumination

A Freestanding Sign may be illuminated by internal lighting, external illumination, floodlighting and neon.

Home Occupation Signs

9.9.1 Number Permitted

Only one Home Occupation Sign may be displayed from a building Used for residential purposes.

9.9.2 Location

A Home Occupation Sign may be mounted on the building in which the Home Occupation is conducted, placed in a window of that building, or mounted on a post within the front yard setback of the parcel on which the Home Occupation is conducted.

9.9.3 Sign Area and Dimensions

A Sign identifying a Home Occupation shall not have a Display Area greater than 0.2 metres.

9.9.4 Illumination

Home Occupation Signs shall not be illuminated.

Inflatable Display

9.10.1 Number Permitted

- a) Only one Inflatable Display may be erected at a business premises at any time.
- b) No Inflatable Display shall be erected for a period longer than 30 continuous days nor shall any number of Inflatable Displays be permitted in respect of any single business premises for more than a total of three calendar months per year.

9.10.2 Location

An Inflatable Display shall not project over a property line when inflated and must be setback from any property line by an amount equal to the total height above Ground of the Inflated Display and its tether.

Murals

9.11.1 Number Permitted

Only one Mural is permitted per building Facade, regardless of the number of businesses contained in the building.

9.11.2 Location

A Mural may be painted or inscribed on the side or rear Facade of a business premises provided that the building does not face a residential Use located in a Residential Zone.

9.11.3 Copy Area

Other than the name of a business, which shall not occupy more than 10% of the Sign Area, a Mural shall not contain any Copy. The business whose name appears on the Mural must be located within the building which supports the Mural,

9.11.4 Illumination

A Mural shall not be illuminated by internal or external illumination.

Projecting Signs

9.12.1 Number Permitted

Only one Projecting Sign may be permitted per business premises and if that sign projects over a municipal right-of-way an encroachment agreement as per Sections 3.7.1 through 3.7.4 is required.

9.12.2 Combination With Other Signs

A Projecting Sign shall not be permitted in combination with a Freestanding, Canopy or Awning Sign.

9.12.3 Location

A Projecting Sign may be located on any face of a business premises subject to the terms of Sections 3.7.1 through 3.7.4.

9.12.4 Sign Placement Area

- a) A Projecting Sign shall be placed a minimum of 2.75 m above Ground and shall not extend above the roof line, parapet wall or top of the first story by an amount greater than 30% of the vertical dimensions of the Sign to a maximum of 2.0 metres.
- b) The height of a Projecting Sign shall be limited to a maximum of 7.5 metres above Ground.
- c) The maximum projection of a Projecting Sign over a street shall be 1.0 metres and requires an encroachment agreement as per Sections 3.7.1 through 3.7.4.
- d) A Projecting Sign at a 45 degree angle may be permitted at a corner of a building provided that it complies with Sections 3.7.1 through 3.7.4 and the maximum projection over the road allowance

is 1.0 metre or less depending on the corner setback requirement.

- e) A Projecting Sign shall be setback a minimum of 0.5 metres from a curb line and minimum of 1.0 metres from a curb radius.

9.12.5 Sign Area

The Sign Area of a Projecting Sign is limited to a maximum of 0.5 square metres per lineal metre of the horizontal dimension of the Facade of the business premises on which the Projecting Sign is to be located, to a maximum of 2.0 square metres or half that area if used in conjunction with any other Sign.

9.12.6 Copy Area

The maximum Copy Area shall be limited to 40% of the Sign Area.

9.12.7 Illumination

A Projecting Sign may be illuminated by internal illumination, external illumination, floodlighting and neon.

Real Estate Signs

9.13.1 Number Permitted

Only one Real Estate Sign may be placed or erected on any property unless that parcel is a corner lot, in which case one Real Estate Sign is permitted on each side.

9.13.2 Location

A Real Estate Sign may be placed or erected only on the property to which it relates (i.e. not on the road allowance or boulevard) and the top of such a Sign shall not exceed a height of 3.5 metres above Ground.

9.13.3 Sign Area and Dimensions

A Real Estate Sign shall be limited to a maximum Sign Area of 3.0 square metres, except where the advertising is only for a portion of the property in which case the Sign shall be limited to a maximum Sign Area of 1.5 square metres.

9.13.4 Removal

A Real Estate Sign shall be removed within 15 days after the property to which it relates is sold, rented, leased or otherwise removed from the market.

9.13.5 Illumination

A Real Estate Sign may not be externally illuminated or back-lit.

Under-Awning Sign or Under-Canopy Sign

9.15.1 Number Permitted

One Under-Awning or Under Canopy Sign shall be permitted per entrance per business premises.

9.15.2 Sign Placement Area

- a) An Under-Awning Sign shall not project beyond the front edge of the Awning or below a height of 2.5 metres above Ground.
- b) An Under Canopy Sign shall not project beyond the front edge of the Canopy or below a height of 2.5 metres above Ground.

9.15.3 Sign Area

An Under-Awning or Under Canopy Sign shall be limited to a maximum of 450 m in height and 1.5 m in length but may not exceed the projection of the Awning or Canopy.

Wall Signs

9.16.1 Number Permitted

Only one Wall Sign, indicating the name and identity of the business, is permitted per building Facade and provided that no other Sign is affixed to the same wall.

9.16.2 Location

A Wall Sign shall be oriented towards a street frontage.

9.16.3 Sign Area and Dimensions

- a) A Wall Sign shall be limited to a maximum Sign Area of 15% of the area of the Facade or which the Sign is to be placed and shall in no case exceed a total area of 6 square metres.
- b) A Wall Sign shall project no further than 25 mm from the building to which it is attached.

9.16.4 Illumination

A Wall Sign may be illuminated by external lighting and floodlighting.

Window Signs

9.17.1 Number Permitted

The number of Window Signs is not restricted on properties zoned for commercial or industrial Use.

9.17.2 Location and Placement

- a) A Window Sign shall be placed on the inside of the window and shall be limited to windows located on the first and second stories of a building.

- b) Only Window Signs which identify the name of a business, including the professional designation, are permitted above the first storey of a building.

9.17.3 Sign Area

A Window Sign shall not occupy more than 25% of the area of the window in which it is placed.

9.17.4 Copy Area

The Copy Area may be equal in size to the Sign Area.

9.17.5 Illumination

Signs may be illuminated by internal lighting, floodlighting and neon.

PART 10 - REPEAL AND ENACTMENT

10.1 Bylaws No. 1560, No. 1661, No. 1770 and No. 1932 are hereby repealed.

This Bylaw comes into force and takes effect on the date of its passing.

Read first time by the Municipal Council on May 5, 1997.

Read a second time by the Municipal Council on May 5, 1997.

Read a third time by the Municipal Council on May 5, 1997.

Third reading reconsidered and bylaw amended by the Municipal Council on May 12, 1997.

ADOPTED by the Municipal Council on the May 26, 1997.

R. T. RICE
MAYOR

R. SERIGHT
MUNICIPAL CLERK