

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3083

A Bylaw to amend Bylaw No. 2252, cited as the
Sign Regulation Bylaw, 1996, No. 2252

The Council of the Corporation of the Township of Esquimalt, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as the “Sign Regulation Bylaw, 1996, No. 2252, Amendment Bylaw, 2023, No. 3083”.
2. That Bylaw No. 2252, cited as the “Sign Regulation Bylaw, 1996, No. 2252”, is amended as follows:
 - (1) Amend page 1 by deleting the recital which reads “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,”, and replacing it with the following recitals:

WHEREAS Section 526 of the *Local Government Act*, 2015 R.S.B.C. 2015 c.1, authorizes a local government, by bylaw, to regulate the number, size, type, form, appearance, and location of any signs,

AND WHEREAS Sections 8(4) and 65 of the *Community Charter*, 2003 S.B.C. c.26, respectively permit a council, by bylaw to regulate and impose requirements in relation to the erection, placing, alteration, maintenance, demolition and removal of signs, sign boards, advertisements, advertising devices and structures,

AND WHEREAS Section 39 of the *Community Charter* permits a council, by bylaw, to require owners of private highways to post suitable private thoroughfare signs,
3. The Sign Regulation Bylaw, 1996, No. 2252 is amended in Part 2 – DEFINITIONS, at Section 2.1:
 - (1) by replacing “Billboard Sign” and its definition to “Third Party Sign” and placing it in the appropriate alphabetical order.
 - (2) by insertng a definition in the appropriate alphabetical order for “Commercial Real Estate Sign” to read: “Commercial Real Estate Sign means any sign advertising the sale or lease of land or buildings for properties zoned for commercial or industrial use, or properties zoned for multiple family residential use where the Sign is advertising the sale of at least four dwelling units on one parcel.”
 - (3) by striking out and inserting the definition of “Real Estate Sign” to read “Real Estate Sign means a Sign which offers real property for sale.”

- (4) by inserting a definition for “Rental Apartment Sign” to read “Rental Apartment Sign means a Sign which offers one or more Dwelling Units for rent or lease within a building containing at least five (5) rental Dwelling Units and contains contact information for the individual or company who is offering the Dwelling Unit for rent or lease.”
 - (5) by striking out the words “Billboard Sign” and “Mural” from the definition of “Sign” and inserting “Commercial Real Estate Sign”, “Rental Apartment Sign” and “Third Party Sign” to the definition of “Sign” in the appropriate alphabetical order.
 - (6) by striking out the definition for “Third Party Advertising Sign”.
4. The Bylaw is further amended in Part 3 – APPLICATION OF BYLAW
- (1) By inserting the word “dollars” after the words “two thousand” in section 3.6.2.
 - (2) By striking out section 3.7.1 and inserting the following:
 - 3.7.1 No person shall erect, own, maintain, or continue the use of any Sign which projects on or over any municipal right-of-way unless they have first entered 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.
5. The Bylaw is further amended in Part 5 - SIGN PERMIT APPLICATIONS
- (1) By striking out the entire section 5.3 “Development Permits”
 - (2) by striking out subsection 5.4(g)
 - (3) By striking out the numbers and words “.5 square metres” and “.6 metres” and respectively inserting the numbers and words “1 square metre” and “1.5 metres” in subsection 5.4(l), so that subsection 5.4(l) reads as:
 - l) Real Estate Signs less than 1 square metre in area and less than 1.5 metres in height;
 - (4) By striking out the quotation mark at the end of section 5.7.
6. The Bylaw is further amended in Part 6 – PROHIBITIONS
- (1) By striking out the words “order of provincial or federal statute” in section 6.1 and inserting the following “order, or provincial or federal statute”.
 - (2) By striking out subsection 6.1(a)
 - (3) By striking out the words “Third Party Advertising Sign” in subsection 6.1(j) and inserting the words “Third Party Sign”.

(4) By inserting the following as subsection 6.1:

6.1 Any Sign which seeks to advertise vacancy, rental or leasing of residential units on properties with less than five (5) Dwelling Units.

(5) By inserting the following as subsection 6.2:

6.2 No Sign shall be located in the area bounded by the intersecting lot lines at the intersections of two or more Highways, and a line joining points along the lot lines 6.0 metres from their point of intersection.

7. The Bylaw is further amended in Part 9 - PERMITTED SIGNS

(1) By inserting the following as new section 9.5 and renumbering Part 9 of the bylaw accordingly:

Commercial Real Estate Signs

9.5.1 Number Permitted

There shall not be more than one Commercial Real Estate Sign per street frontage.

9.5.2 Location

A Commercial Real Estate Sign must 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 the ground.

9.5.3 Sign Area and Dimensions

A Commercial Real Estate Sign shall be limited to a maximum Sign Area of 3.0 square metres.

9.5.4 Removal

A Commercial 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.

9.5.5 Illumination

A Commercial Real Estate Sign may not be externally illuminated or backlit.

(2) By striking out new section 9.7.1 and inserting the following:

9.7.1 Location

A Fascia Sign may be located on any face of a building and must be associated with a business in the building.

(3) By striking out the referenced section number "9.8.2 (a)" in new subsection 9.9.3 (c) and inserting the renumbered section number "9.9.2 (a)".

(4) By inserting the following as new subsection 9.9.6:

9.9.6 Commercial Real Estate Signs, Real Estate Signs, and Rental Apartment Signs are exempt from the freestanding sign guidelines of this Part 9.

(5) By striking out new sections 9.12.2 Location, 9.12.3 Copy Area, and 9.12.4 Illumination in their entirety.

(6) By striking out new subsection 9.14.1 and inserting:

9.14.1 Number Permitted

There shall not be more than one Real Estate Sign per street frontage.

(7) By striking out new subsection 9.14.3 and inserting:

9.14.3 Sign Area and Dimensions

A Real Estate Sign shall be limited to a maximum Sign Area of 1.5 square metres.

(8) By striking out new subsection 9.14.4 and inserting:

9.14.4 Removal

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

(9) By inserting the following as new subsection 9.15.5 and renumbering Part 9 of the bylaw accordingly:

Rental Apartment Signs

9.15.1 Number Permitted

There shall not be more than one Rental Apartment Sign per property.

9.15.2 Location

A Rental Apartment 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.

9.15.3 Sign Area and Dimensions

A Rental Apartment Sign shall be limited to a maximum Sign Area of 3.0 square metres.

9.15.4 Removal

Rental Apartment Signs may remain in place provided they are up to date with relevant vacancy and contact information for the owner and/or property manager.

9.15.5 Illumination

A Rental Apartment Sign may not be externally illuminated or backlit.

(10) By striking out new subsection 9.16.3 and inserting:

9.16.3 Sign Area

An Under-Awning or Under Canopy Sign shall be limited to a maximum of 0.45 metres in height and 1.5 metres in length but may not exceed the projection of the Awning or Canopy.

READ A FIRST TIME this ___ day of _____, 2023.

READ A SECOND TIME this ___ day of _____, 2023.

READ A THIRD TIME this ___ day of _____, 2023.

ADOPTED this ___ day of _____, 2023.

BARBARA DESJARDINS
MAYOR

DEBRA HOPKINS
CORPORATE OFFICER