



CORPORATION OF THE TOWN OF LAKESHORE

BY-LAW 107-2007

**BEING A BY-LAW TO REGULATE THE ERECTION OF
SIGNS, OTHER ADVERTISING DEVICES AND THE
POSTING OF NOTICES WITHIN THE TOWN OF
LAKESHORE**

WHEREAS the *Municipal Act*, 2001, S.O. 2001 C.25 as amended, authorizes municipalities to prohibit or regulate the erection of signs, other advertising devices and the posting of notices within the Town of Lakeshore;

AND WHEREAS the *Municipal Act*, 2001, S.O. 2006, c. 25 as amended, also provides that a municipality may remove a sign if it is erected or displayed in contravention of a by-law respecting signs;

AND WHEREAS it is deemed necessary and advisable for the Town to regulate the erection of Signs;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF LAKESHORE HEREBY ENACTS AS FOLLOWS:

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INTERPRETATION

1. In this by-law:

"Animated Sign" means any sign that includes action or motion of all or any party of a sign and includes a sign containing intermittent or flashing light source.

"Approved" means approved by the Chief Building Official

"Area of the Sign" means the number of square feet on the face of a Sign including the border and frame, if any. In the case of a projecting or double faced Sign, the Area is the area of the surface of one side of the Sign face.

"Average Finished Grade" means the average elevation of the finished ground immediately beneath the Sign or proposed Sign.

"Chief Building Official" means a person designated as such by Council.

"Council" means the Council of the Corporation of the Town of Lakeshore.

"Dwelling" means a building or other structure used for human habitation.

"Erect" means to attach, build, construct or reconstruct, enlarge, locate or relocate any Sign, to paint a Wall Sign or to maintain any Sign but does not include changes to the letters, numerals, symbols, graphics, characters, logos, colours, designs, textures or objects on any approved Sign face.

"Height of the Sign" means the vertical distance from the average finished grade to the highest extremity of the Sign including the border or frame and supporting structure, if any.

"Lot" means any parcel of land capable of being separately conveyed.

"Lot Line" means any boundary of a lot.

"Non-Profit or Charitable Organization" means any non-profit corporation or organization set up for a public purpose without share capital having objects of a charitable, religious, professional, fraternal or athletic purpose.

"Permit" means a permit issued by the Town under this By-law.

"Property" means a separately assessed property shown on the Municipality's latest Assessment Roll.

"Shopping Centre" means a group of commercial uses comprising unrelated individual business uses and having a total ground floor area in excess of 6,000 square feet on one lot.

"Sign" means any device that conveys information by means of letters, numerals, symbols, graphics, characters, logos, lights, colours, designs, textures or objects. Without limiting the generality of the foregoing, Signs are classified by their design, means of support and/or purpose as follows:

"Banner Sign" means any Sign made of cloth, paper or fabric supported by ropes, wires or cords.

"Billboard" means any sign other than a real estate sign, measuring more than 1.5 m² (16.0 sq. ft.) in Area that directs attention to products, goods and services, activities or facilities not provided on the premises on which the sign is located.

"Double Faced Sign" means a Sign on a single supporting structure having two Sign faces.

"Election Sign" means any Sign advertising or promoting the election of any candidate standing for election to a government, school board or public utility.

"Flashing Sign" means an illuminated Sign, upon which the source(s) of artificial light are not stationary or the intensity or colour is not constant.

"Ground Sign" means any single or double faced Sign, the main body of which is directly supported by and affixed to the ground with or without the support of any building or structure.

"Illuminated Sign" means a Sign that is lit by an artificial light source(s) within the Sign or by reflected light from a light source(s) directed upon it.

"Pedestal Sign" means a temporary and/or movable sign supported by a column and a base so as to allow the sign to stand in an upright position.

"Portable Sign" means a temporary advertising device and includes any and all signs constructed so as to be readily moved or transported whether or not the sign is fixed to the ground, mounted on a vehicle or affixed to a freestanding structure but does not include a Sandwich Board Sign.

"Projecting Sign" means any Sign other than a Wall Sign that is attached to and projecting from the wall of a building.

"Pylon Sign" means a Ground Sign supported upon one or more poles or standards.

"Real Estate Sign" means a Sign advertising that the lot on which it is located is for sale, rent or lease.

"Roof Sign" means a Sign that is erected on the roof of a building, or on any wall extending above the juncture of the wall and the roof.

"Sandwich Board Sign" means a non – illuminated sign consisting of two (2) flat surfaces joined at one (1) end and resting on the ground.

"Temporary Sign" means a sign displayed for a limited period of time.

"Vehicle" means a motor vehicle, tractor, trailer, truck, camper, boat, motorcycle, motorized snow vehicle, mechanical equipment or any vehicle drawn, propelled or driven by any kind of power.

"Wall Sign" means a single faced Sign which is painted on or affixed to an exterior wall of a building such that the Sign face is approximately parallel to the wall.

"Street" means a common and public street, road, alley, lane, or highway as defined in the *Municipal Act*, and includes a bridge but does not include a private road.

"Street Line" means the lot line dividing a lot from a street.

"Town" means the Corporation of the Town of Lakeshore.

"Width of the Sign" means the distance between edges of the Sign including any border or frame, measured horizontally.

"Zone" means an area delineated on a zoning map schedule and designated by the Zoning By-law for a specific use or group of uses.

"Zoning By-law" means the Zoning By-law in effect for the Town of Lakeshore.

GENERAL PROVISIONS AND REQUIREMENTS

2. This by-law may be cited as the "Town of Lakeshore Sign By-law".
3. The purpose of this By-law is to regulate the location, size, number, construction, alteration, repair and maintenance of all Signs within the corporate limits of the Town.
4. No person shall Erect or cause to be Erected within the Town any Sign except as permitted by this By-law and in conformity with the applicable provisions of the *Ontario Building Code* and the Zoning By-law.
5. The provisions of this By-law do not apply to Signs that have been lawfully Erected prior to the passing of this By-law.
6. This By-law does not apply to Signs Erected in the interior of a building.
7. No person shall erect any sign on or over property owned by the Town without the consent of the Town.
8. No person shall erect the following:
 - (a) a roof sign;
 - (b) a sign within a visibility triangle;
 - (c) a sign attached to a tree, tree grating, protector, utility pole or light standard;
 - (d) a sign located on or over property owned by the Town, a public utility or local board;
 - (e) a fascia sign or awning sign projecting more than .30 m (1 ft) over any street;
 - (f) a sign erected or painted on a vehicle where the vehicle is parked or located in such a manner so to make the vehicle visible from a street; or
 - (g) a sign that encroaches upon any vertical or horizontal spatial clearance required by E.L.K. Energy, Hydro One or the Town, for electrical wires, poles, or light standards.

REMOVAL OF SIGNS

9. The owner of any Sign that is no longer in use shall remove the Sign, and any supporting structure, within 30 days of the cessation of its use.

MAINTENANCE

- 10.** Every Sign must be kept in a good state of repair and maintained in accordance with the following requirements:
- (a)** all exposed surfaces shall be covered with a weather resistant, protective finish;
 - (b)** repainting or refinishing shall be undertaken as often as necessary to prevent peeling or flaking paint or corrosion;
 - (c)** broken or cracked parts of the Sign or its Structure shall be replaced;
 - (d)** artificial sources of illumination in Illuminated Signs shall be replaced as required; and
 - (e)** the immediate premises occupied by a Sign shall be kept clean and free of debris.

ILLUMINATED SIGNS

- 11.** All light from Illuminated Signs shall be directed away from any adjacent residential Zone.

PERMITS, FEES AND INSPECTION

- 12.** Subject to Section 14 of this By-law, no person shall Erect any Sign or cause or permit any Sign to be Erected unless a permit therefore has been first obtained from the Chief Building Official.
- 13.** A permit issued under this By-law shall expire one year after its issuance if the Sign so approved is not Erected within that time.

SIGNS NOT REQUIRING PERMITS

- 14.** No permit shall be required for:
- (a)** any Election Sign for a Municipal, Provincial or Federal election, are to be in conformance with by-law # 67-2006.
 - (b)** any Sign owned by the Federal, Provincial or Municipal Governments or any agency thereof.
 - (c)** Signs required by law or otherwise intended solely for the safety and convenience of the public such as entrance or delivery Signs or traffic Signs.
 - (d)** a Real Estate Sign provided that the area of the Sign shall not exceed 6 square feet.
 - (e)** a Sign advertising an event organized by Non-Profit or Charitable Organizations, provided that it is removed within 3 days after the event.

- (f) a Wall Sign or incised or free-standing lettering on the wall of a building that does not project above the juncture of the wall and the roof or beyond the ends of the wall, indicating the name of the occupant or building, provided that:
 - (i) in a residential Zone, the Area of the Sign does not exceed 6 square feet;
 - (ii) in an agricultural Zone, the Area of the Sign, which may also advertise produce for sale, does not exceed 128 square feet .
- (g) in a residential Zone, a Ground Sign indicating the name of the occupant or building provided the Area of the Sign shall not exceed 6 square feet.
- (h) Directional signs indicating location of institutional facility.

PERMIT APPLICATIONS

- 15. Every application for a permit shall be submitted to the Chief Building Official and accompanied by the following:
 - (a) drawings and specifications showing the Sign to be erected, construction details, supporting framework, foundations, materials, illumination details, Height, Area and Width of the Sign, and location on the lot.
 - (b) for a Wall Sign, an elevation drawing of the wall on which the Sign is to be erected, showing doors, windows, other openings, wall area, and the location of the proposed Sign.
- 16. Where a Sign will front on a County Road or Provincial Highway, the Chief Building Official will submit copies of the application to the appropriate authority for approval prior to the issuance of the permit.
- 17. No permit shall be issued until the fees prescribed by the Town's Tariff of Fees By-law have been paid in full.
- 18. The Chief Building Official shall issue a permit to an applicant where he/she is satisfied that the application meets the requirements of this By-law and that the Sign to be Erected will conform to the standards specified in Schedule 'A' attached hereto and forming part of this by-law.

RELIEF FROM BY-LAW

- 19. (a) A person may apply and Council may refuse to grant relief from the regulations contained in this by-law or may grant such relief as it considers appropriate, either absolutely or subject to conditions, provided that, in the opinion of Council, the relief is minor and the general intent and purpose of this by-law are maintained.
- (b) Applications for relief from the regulations contained in this by-law shall be in writing on the form provided by the town and shall indicate the relief requested and the reasons such relief is required.

- (c) Applications for relief from the regulations contained in this by-law shall be submitted to the Town's Clerk together with the applicable fee as set out in the Town's Fees and Charges by-law.
- (d) Upon receipt of an application for relief from the regulations contained in this by-law and the applicable fee the Town's Clerk shall place the matter on the agenda for the next available regular meeting of council.

ERECTION

- 20. All Signs, including Signs that do not require a permit, shall be Erected in conformity with the provisions of this By-law, including the standards in Schedule 'A' hereto, and shall be in compliance with the Ontario Building Code.
- 21. All electrical work in or on any Sign shall be in conformity with all applicable codes, regulations, and permit requirements.

ENFORCEMENT

- 22. The Chief Building Official shall be responsible for the enforcement of this By-law.
- 23. The Chief Building Official and any officer appointed by him to assist with the enforcement of this by-law may, at any reasonable time, enter any premises to inspect any Sign, whether or not the Sign is one for which a permit is required.
- 24. The Chief Building Official may order the owner of the Lot on which a Sign has been erected in contravention of this by-law and/or any person who has Erected or caused or permitted a Sign to be Erected in contravention of this by-law to bring such Sign into compliance with this By-law or to remove such Sign within the timeframe deemed appropriate by the Chief Building Official. Upon failure to comply with such order within a reasonable period of time, the Chief Building Official may cause the Sign to be removed at the expense of the person notified.
- 25. Where the Chief Building Official has charged the expense of removing a Sign to the owner of a Lot, a copy of the invoice for the removal, together with a statement by the Town Treasurer indicating that:
 - (a) the invoice has been sent to the owner of the land and/or owner of the Sign, according to the information contained in the assessment roll;
 - (b) no payment or insufficient payment has been received for the invoice; and
 - (c) payment of the invoice is overdue;shall be sufficient authority to enter the amount of the unpaid balance on the Collector's Roll, to be collected in the same manner as municipal taxes.
- 26. Every Person who contravenes any provision of this by-law is guilty of an offence, and upon conviction is liable to a minimum fine of \$400 and a maximum fine of \$5,000 for each day or part of a day that the offence continues.
- 27. Offences under this by-law are designated as continuing offences.

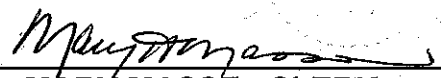
28. Should any section, subsection, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the said section shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

GENERAL

29. By-law# 78-2001 is hereby repealed.
30. This By-law shall be deemed to have come into force and take effect on the date of the final passing thereof.



TOM BAIN - MAYOR



MARY MASSE - CLERK

SCHEDULE 'A' – STANDARDS FOR THE ERECTION OF SIGNS

General

1. No Sign shall be Erected so as to interfere with the visibility of any Traffic Sign.
2. One (1) temporary sign not to exceed 6.0 sq. m (64.59 sq. ft.) in area may be erected on a construction site indicating the nature of the project and the developers and related personnel, professions or trades involved in the development of the site. The sign may be on display for not longer than thirty (30) days after the completion of construction. Notwithstanding Section 13 of the by-law, no permit shall be required for a sign erected pursuant to this section.
3. Not more than one (1) portable sign shall be erected on any property except as follows:
 - (a) where the property frontage exceeds 50.0 m (164.0 ft.). One (1) additional portable sign may be erected for every 50.0 m (164.04 ft.) of frontage; or
 - (b) where the property fronts on more than one (1) street. Additional Portable Signs on each street shall be permitted based upon the calculations set out in 3(a) above.

Residential Zone Signs

4. The following standards apply to Signs in any Residential Zone:
 - (a) only a Wall Sign or a Ground Sign shall be permitted;
 - (b) no Illuminated Sign shall be permitted;
 - (c) Signs identifying rooming and boarding houses, mobile home parks, apartments and other multiple family residential uses shall not exceed 10 square feet in area and the Height of the Sign shall be no more than 3 feet;
 - (d) no more than one (1) Sign per lot identifying a Home Occupation, as defined in the Zoning By-law, is permitted;
 - (e) a ground Sign shall be located no closer than 6 feet from any lot line or street line and no more than 6 feet from any dwelling.

Agricultural Zone Signs

5. The following standards apply to Signs in any Agricultural Zone:
 - (a) one (1) Ground or Wall Sign for the purposes of advertising the sale of produce or providing direction to premises is permitted provided that the Area of the Sign shall not exceed 32 square feet;
 - (b) one (1) Non-illuminated Sign to identify an Agricultural use or a permitted Agricultural Home Occupation, as defined in the zoning by-law.

Commercial, Industrial and Institutional Zone Signs

6. The following standards apply to Signs in any Commercial, Industrial and Institutional Zone:
- (a) any Illuminated Sign shall deflect light away from any adjacent Residential and Agricultural Zone;
 - (b) Wall Signs shall not exceed fifty percent (50%) of the available area of the exterior wall excluding doors and windows;
 - (c) No Sign shall extend above the top of the wall of a building nor extend beyond the ends of a wall to which the Sign is attached.

Pylons

7. The following regulations shall apply to Pylon Signs:
- (a) not be greater than 8.0 m (26.25 ft) in height from grade;
 - (b) have a clearance of 4.5 m (14.76 ft) from grade if erected in a visibility triangle;
 - (c) have a sign area not greater than 27.0 m² (291 sq. ft);
 - (d) not be closer than 3.0 m (9.8 ft) to any property line;
 - (e) not closer than 30cm (1.0 ft) provided that a Pylon Sign having a minimum clear height of 2.5 m (8.2 ft) and which is supported by supports having a maximum width of 38cm (15 in) and which does not have a base or ornamental features which will create a visible obstruction for motorists; and
 - (f) Only one (1) Pylon Sign permitted per property at any one time except where properties with a frontage exceeding 50.0 m (164.0 ft.) or part thereof are permitted an additional Pylon Sign provided that no Pylon Sign may be located closer than 30.0 m (98.44 ft.) from any other Pylon Sign.

Portable Signs

8. The following regulations shall apply to Portable Signs:
- (a) Only one (1) Portable Sign permitted per property at any one time except where properties with a Street frontage exceeding 50.0 m (164.0 ft.) or part thereof are permitted an additional Portable Sign provided that no Portable Sign may be located closer than 30.0 m (98.44 ft.) from any other Portable Sign;
 - (b) No electrical extension cord shall pass over a sidewalk, pedestrian walkway, roadway, driveway, aisle or parking space;
 - (c) Portable Signs shall:
 - i) not require a permit;
 - ii) not be permitted in any Residential Zone as defined in the Zoning By-law for a period exceeding more than three (3) days and shall not be used for commercial purpose;
 - iii) not have an area greater than 6.0 sq. m (64.60 sq. ft);

- iv) not be closer than 0.3 m (1 ft) to any lot line;
- v) not occupy any space required for off-street parking required by the Zoning by-law;
- vi) not be placed on property owned by the municipality;
- vii) not be located within any visibility triangle; and
- viii) have permanently affixed to it in a visually prominent location the name and phone number of the Sign owner.

Sandwich Board Signs and Pedestal Signs

9. The following regulations shall apply to Sandwich Board Signs and Pedestal Signs:

- (a) Only one (1) Sandwich Board Sign or Pedestal Sign shall be permitted in a commercial zone for each business with a maximum of two (2) Sandwich Board Signs, Pedestal Signs or combination of both permitted per property frontage;
- (b) Sandwich Board Signs and Pedestal Signs shall:
 - i) not require a permit;
 - ii) not have an Area exceeding 1.0 sq. m (10.8 sq. ft.) per sign surface and a height not exceeding 1.2 m (4.0 ft.);
 - iii) not be closer than .30 m (1.0 ft.) to the street line;
 - iv) if placed on public sidewalk or walkway, leave a minimum 1.8 m (6.0 ft) wide unobstructed pedestrian corridor;
 - v) not be placed in a location that will interfere with parking spaces, parking meters, crosswalks, landscape planters, street furniture, trees, utility poles and fire hydrants;
 - vi) not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety;
 - vii) only be displayed during the business hours of the premises; and
 - viii) not be illuminated.
- (c) The sign owner shall maintain public liability insurance while the Sign is placed within the public right-of-way.

Billboard Signs

10. The following regulations shall apply to portable signs Billboard Signs:

- (a) Billboard Signs shall only be permitted on properties zoned Agricultural, Industrial or Commercial as defined in the Zoning by-law;
- (b) Only one (1) Billboard Sign shall be permitted on a property;
- (c) The maximum area of a Billboard Sign shall not exceed 18.5 sq. m. (200 sq. ft.);

- (d) A Billboard Sign shall not be located within 300 m (984.0 sq. ft.) distance from another Billboard Sign;
- (e) A Billboard Sign shall not be located within 152.5 m (500 ft) distance from a residential use;
- (f) A Billboard Sign shall not be closer to the street line that the front of the nearest building on the property or setback requirements for the zone, whichever is greater;
- (g) All Billboard Signs shall be maintained in a neat and clean manner free from any loose materials at all times; and
- (h) All Billboard Signs shall have permanently affixed to it in a visually prominent location the name and phone number of the Sign owner.

Projecting Signs

11. The following regulations shall apply to Projecting Signs:

- (a) One (1) Projecting Sign may be erected for each place of business having frontage on a Street of 25 feet or more;
- (b) The maximum projection of any Projecting Sign shall be no greater than 6 feet from the face of the wall the Sign is attached to and shall not project into Municipal property;
- (c) No part of any Projecting Sign shall be closer than 10 feet to the average finished grade;
- (d) The maximum Area of the Sign shall not exceed 20 square feet;
- (e) No Sign shall be attached to or suspended from any Projecting Sign, unless permanently attached in a manner approved by the Chief Building Official;
- (f) In Industrial Zones, no Ground or Pylon Sign shall be located closer than 10 feet to any lot line; and
- (g) One (1) animated sign per lot may be erected/attached to one of the following; ground, pylon, projecting or fascia sign. Additional animated signs may be erected if there is more than one (1) rental unit or the frontage is greater than 150 ft.