

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 02-045

A BY-LAW TO AMEND CHAPTER 624 OF THE CITY OF PETERBOROUGH MUNICIPAL CODE.

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF ENACTS AS FOLLOWS:

1. Chapter 624 of the City of Peterborough Municipal Code is hereby repealed, and the following substituted therefore:

CHAPTER 624 SIGNS

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1.0 **TITLE**

This by-law shall be known as the “Sign By-law”.

2.0 **PERMITTED SIGNS**

2.1 **Land Use Designation Matrix**

Signs may be located with land use designations only in accordance with the following matrix, and subject to the exceptions listed thereafter:

SIGN TYPE	LAND USE DESIGNATION												
	A	B	C	D	E	F	G	H	I	J	K	L	M
Animated			x								x2		x2
Directional	x	x	x	x	x	x	x	x	x	x	x	x	x
Electronic							x				x		x1
Facia	x	x	x	x	x	x	x5	x5	x5	x5	x	x	x
Freestanding	x	x	x	x	x	x	x	x	x	x	x	x	x
Portable	x6	x4	x				x4				x2	x3	x2

2.1.1 **Land Use Designation Legend**

The following land use designations have the same meaning as is contained in the specific schedule to the Official Plan:

- A Residential Designation, excluding local commercial sites (Schedule A).**
- B Local Commercial sites within the Residential Designation (Schedule A).**
- C Industrial Designation (Schedules M and O), excluding Prestige Industrial designations.**
- D Prestige Industrial Designation (Schedules M and O).**
- E Agriculture and Major Open Space Designation (Schedule A).**
- F Major Institutions Designation (Schedule A).**
- G Commercial Core Area (Schedule J).**
- H Transitional Uses Area (Schedule J).**
- I Waterfront Commercial Area (Schedule J).**
- J Open Space Area (Schedule J).**
- K Major Shopping Centre (Schedule I).**
- L Neighbourhood Centre (Schedule I).**
- M Special Purpose Retail and Service Commercial (Schedule I).**

2.1.2 **Sign Type Definitions**

- Animated Sign:** a sign which revolves, oscillates or moves, either in whole or in part.
- Directional Sign:** a freestanding sign to control or direct vehicular or pedestrian movement on a lot.
- Electronic Sign:** a sign with intermittent lighting in the form of letters, numerals or pictures.
- Facia Sign:** a sign attached to, marked, inscribed or painted onto an exterior wall of a building.
- Freestanding Sign:** a sign permanently affixed to a foundation in the ground and visually separated from a building.

Portable Sign: a sign intended to be moved from one location to another, which is not permanently affixed to a foundation in the ground, or any structure.

Real Estate

Development Sign: a freestanding sign which advertises the lease, sale or development of land and/or buildings.

Banner Sign: a sign made of non-rigid material such as vinyl, cloth or canvas.

2.1.3 Exceptions

- x1 Electronic signs will not be permitted on Clonsilla Avenue.
- x2 Animated or portable signs will not be permitted on The Parkway between Lansdowne Street West and Clonsilla Avenue.
- x3 Portable signs with a maximum sign area of 4.5 square metres will be permitted only on Chemong Road between Wolsely Street and Highland Road.
- x4 Portable signs with a maximum sign area of 2.0 square metres are permitted.
- x5 Facia signs are permitted if approved by the Manager of the Building Division or the Planner, Urban Design or his/her designates.
- x6 Portable signs with a maximum sign area of 2.0 square metres are only permitted on lands zoned as a “Public Service District”.

2.2 Definitions

In this By-law:

“**ARCHITECTURAL ELEVATION**” means that portion of the exterior of a building which is visible at right angles from the building, excluding any portion above the eave line.

“**CHIEF BUILDING OFFICIAL**” means the person appointed from time to time by by-law as Chief Building Official for the City of Peterborough.

“**CITY**” means the Corporation of the City of Peterborough.

“**COUNCIL**” means the Council of the Corporation of the City of Peterborough.

“**LAND USE DESIGNATION**” means the designation of property made in accordance with the Official Plan.

“**LOT**” means a separately owned parcel of land.

“**LUMINOUS**” means a sign which is lighted by an internal light source.

“**OFFICIAL PLAN**” means the Official Plan of the City of Peterborough as amended from time to time.

“**REAR LOT LINE**” means a lot line other than a street line or side lot line.

“**SIDE LOT LINE**” means a lot line which intersects a street line.

“**SIGN**” means any device, including its supporting structure and other component parts, which is used or capable of being used to attract attention to a specified subject matter, other than itself, for identification, information or advertising purposes.

“**SIGN AREA**” means the total surface area of that portion of a sign, which is used or capable of being used to provide information or advertising, and which can be viewed from any one perspective. In the case of a sign composed only of individual letters or numerals, the sign area shall be the area bounded by the outside periphery of the letters and/or numerals.

“**SIGN ELEVATION**” means the vertical distance between the average elevation of the

ground directly beneath the sign and the lowest point of that portion of the sign which is used to provide the identification, information or advertising.

“**SIGN HEIGHT**” means the vertical distance between the average elevation of the ground directly beneath sign and the highest point of the sign.

“**STREET**” means a dedicated public highway.

“**STREET LINE**” means a lot line separating a lot from a street, or a 0.3m reserve which abuts a street.

“**TOTAL SIGN AREA**” means the total of the sign area of all signs on a lot.

“**ZONING BY-LAW**” means Restricted Area By-law 1997-123 as amended from time to time.

3.0 NON-CONFORMITY

This By-law applies to signs erected after its passage. All signs lawfully erected prior to the passage of this By-law will be permitted to continue to exist, provided the degree of non-conformity with this By-law is not increased. If a sign permit has been issued prior to the passage of this By-law, and the permit has not been revoked, a sign may be constructed in accordance with the permit, and shall be deemed to have been lawfully erected prior to the passage of this By-law.

4.0 GENERAL PROVISIONS

4.1 Compliance

No person shall erect, install, alter, or use, any sign except in accordance with the provisions of this By-law.

4.2 Sign Permit

- a) Except as hereinafter provided, no person shall erect, install, or alter any sign without having obtained a permit from the Chief Building Official. Where an application has been submitted along with the required plans and fee, and the proposed work set out in the application conforms with this By-law, and all other applicable by-laws, the Chief Building Official shall issue a sign permit.
- b) An application for a permit pursuant to this By-law shall include such information as the Chief Building Official requires, which may include:
 - i) A scaled site plan, showing the street lines and other boundaries of the lot upon which it is proposed to erect the sign, and its location in relation to other signs, buildings and structures on the lot and the abutting lands and streets;
 - ii) Complete plans and specifications covering the construction of the sign and its supporting structure;
 - iii) Drawings and such other information with respect to any buildings or structures upon which it is proposed to locate the sign, as may be necessary to determine whether the construction of such building or structure will carry the additional loads and stresses imposed thereto.
- c) Where the applicant for a permit is not the owner of the lot, or his/her authorized agent, the application shall include the written authorization of the owner or agent.

- d) A permit for a fascia sign or a portable sign which would project over, or be located in whole or in part on, public property shall not be issued until the owner of the lot, or his/her authorized agent, has entered into an Encroachment Agreement with the City covering at least the following matters:
- i) The owner shall provide evidence of public liability and property damage insurance in the minimum amount of \$2,000,000.00, with the City as an additional-named insured and containing a satisfactory cross-liability clause. The policy shall not be altered, revoked or terminated except upon at least thirty (30) days written notice to the City.
 - ii) The owner shall agree to indemnify and save harmless the City against any actions, losses, damages, suits, judgments, orders, awards, claims, costs or demands arising from the existence of the encroachment.
 - iii) The owner shall agree to remove the encroachment upon ninety (90) days written notice from the City, in the event that the public property is required by the City for municipal purposes.

The Chief Building Official and the Planner of Urban Design or his/her designates are hereby authorized to execute any such Encroachment Agreements on behalf of The Corporation of the City of Peterborough, so long as they are satisfied that all other requirements for the issuance of the sign permit have been met.

- e) **Applicable Fees:** The fees to be paid to the City for permits issued under this By-law shall be in the amounts as established from time to time by resolution of City Council.
- f) **Inspections:** The Chief Building Official, or his designate, may enter upon private property at any reasonable time for the purpose of inspecting a site on which a sign permit has been issued or an application for a sign permit has been made, or determining if a permit is required to be issued.
- g) The holder of a sign permit shall notify the Chief Building Official that the new sign is ready for inspection at the following stages:
 - i) In the case of a freestanding sign, when the foundation is ready to be poured and at completion.
 - ii) In the case of a fascia sign, when the sign is ready to be installed and at completion.
 - iii) In the case of a portable sign, when the sign is installed.

4.3 Exempt Signs

This By-law shall not apply to signs erected by the Corporation of the City of Peterborough.

4.4 Exceptions

- a) The following signs may be located on any lot, and do not require a permit:
 - i) a sign located inside a building.
 - ii) a sign located outside a building, provided the sign area does not exceed 0.2 square metres.
 - iii) a sign formed by a landscaping design.
- b) The following alterations to signs do not require a permit.

- i) The changing of the advertising copy or message on a sign.
- ii) Maintenance or repair of a sign.

4.5 Amendment to the By-law

If a proposed sign does not conform to this By-law, an application may be made to either the Committee of Adjustment to permit a minor variance, or to City Council to amend the By-law. The Committee of Adjustment is hereby authorized to grant minor variances to this By-law provided that the general intent and purpose of the provisions are maintained, excepting a change in the type of sign which is permitted in a particular land use designation. Any such change shall require an amendment to this By-law.

4.6 Removal

- a) When the Chief Building Official, or his/her designate, determines that a sign has been erected, displayed or altered, without a permit first having been obtained, or contrary to the approved plans in respect of which a permit was issued, the owner of the sign and/or the owner of the lot shall either make the sign comply with this by-law, or shall remove the sign, within any period directed in writing by the Chief Building Official, or his/her designate.
- b) Where the Chief Building Official, or his/her designate, has determined a sign to be in an unsafe condition, the owner of the sign and/or the owner of the lot shall remove the sign, or make it safe, within any period directed in writing by the Chief Building Official or his/her designate.
- c) Upon expiry of the period directed in writing by the Chief Building Official, or his/her designate, if the sign has not been made to comply with this By-law, or has not been removed, the Chief Building Official, or his/her designate may cause such sign to be pulled down or removed at the expense of the owner of the sign and/or the owner of the lot. Any costs incurred by the City may be recovered in like manner as municipal taxes on the lot where the sign was located, or may be recovered by action, pursuant to Section 326 of *The Municipal Act*.

4.7 Offence

Every person who contravenes any provision of this By-law is guilty of an offence and is liable to the penalty imposed by applicable law, which is recoverable pursuant to the *Provincial Offences Act*.

5.0 DIRECTIONAL SIGNS

5.1 Regulations

- a) Maximum sign area per sign - 0.5 square metres
 - i) the sign area of Directional Signs shall not form part of the maximum sign area for Freestanding Signs on a lot.
- b) If located at a vehicular entrance:
 - i) maximum number of signs - 2
 - ii) maximum sign height - 1.2m if within 3m of a street line
 - iii) minimum distance from the side lot line - 0.75m

6.0 FACIA SIGNS

6.1 Regulations

- a) No person shall erect, display or alter a fascia sign within the Central Area, as shown on Schedule J of the Official Plan, without first having obtained the approval of the Chief Building Official and the Planner, Urban Design, or his/her designates. Approval of a Central Area fascia sign application shall be in accordance with the Central Area Facia Sign Design Guidelines, as established by Council from time to time.
- b) Maximum Sign Area -15% of the area of the architectural elevation to which it is attached.
- c) Maximum vertical projection of a sign above the eave line of the roof of the building to which it is attached - 0.6 metres, except where the proposed sign forms part of the architectural design of the building.
- d) A sign located on, or within 15 metres of, a lot within land use designation A, may not be luminous.

7.0 FREESTANDING SIGNS

7.1 Regulations

- a) Minimum distance between signs on a lot - 30m.
- b) Maximum sign area per street line on any lot:
 - i) on a lot with land use designation H - 1.5 square metres
 - ii) on a lot within land use designation I and J - 0.1 square metres per metre of street line
 - iii) on a lot within any other land use designation - 0.15 square metres per metre of street line, to a maximum of 37 square metres.
- c) Maximum sign height on a lot within land use designation D - 2m.
- d) Maximum sign height on a lot within land use designation H - 1.5m.
- e) Maximum sign height on a lot within land use designations C, L or M:
 - i) where the street line is less than or equal to 60m - 6.5m.
 - ii) where the street line is greater than 60m, and less than or equal to 90m - 7m.
 - iii) where the street line is greater than 90m, and less than or equal to 120m - 7.5m.
 - iv) where the street line is greater than 120m, and less than or equal to 150m - 8m.
 - v) where the street line is greater than 150m - 9m.
- f) Maximum sign height on a lot within land use designation K:
 - i) where the street line is less than or equal to 60m - 7m.
 - ii) where the street line is greater than 60m, and less than or equal to 90m - 7.5m.
 - iii) where the street line is greater than 90m, and less than or equal to 120m - 8m.
 - iv) where the street line is greater than 120m, and less than or equal to 150m - 9m.
 - v) where the street line is greater than 150m - 10m.
- g) Maximum sign height on a lot within all other land use designations:

- i) where the street line is less than or equal to 60m - 5m.
 - ii) where the street line is greater than 60m, and less than or equal to 90m - 5.5m.
 - iii) where the street line is greater than 90m, and less than or equal to 120m - 6m.
 - iv) where the street line is greater than 120m, and less than or equal to 150m - 6.5m.
 - v) where the street line is greater than 150m - 7m.
- h) Minimum distance from a side lot line:
- i) on a lot within land use designation H - 3m.
 - ii) on a lot line within any other land use designation - 6m.
- i) Minimum distance from a street line - 1.5m.
- j) A sign located on, or within 15 metres of, a lot within land use designation A, may not be luminous.

8.0 PORTABLE SIGNS

8.1 Regulations

- a) A portable sign shall only be located on the lot in respect of which the permit is issued or on the road allowance which abuts such lot.
- b) A portable sign shall not be located in a motor vehicle parking space required under the Zoning By-law.
- c) Maximum sign area:
 - i) in land use designations C, K, L and M - 4.5 square metres.
 - ii) in land use designations A and B - 2.0 square metres.

The sign area of a portable sign shall not form part of the maximum sign area for freestanding signs on a lot.

- d) Maximum sign height:
 - i) in land use designations C, K, L and M - 2.1m.
 - ii) in land use designations A and B - 1.8m.
- e) Minimum setbacks:
 - i) from a side lot line - 4.5m
 - ii) from a driveway entrance - 6.0m
 - iii) from the back of a sidewalk on a public road allowance - 1.5m
 - iv) from the curb, or the back edge of the shoulder of the travelled road - 4.5m
- f) Minimum distance between portable signs on, or in front of, a lot - 30m.
- g) A portable sign shall not be luminous, or an electronic or animated sign.
- h) A portable sign shall at all times have a sticker visibly displayed showing the permit number, the address, and the expiry date of the permit.
- i) A permit for a portable sign shall expire six (6) months after issuance.

9.0 REAL ESTATE DEVELOPMENT SIGN

9.1 Regulations

- a) Maximum sign area - 20.0 square metres
- b) Maximum sign height - 5.5m.
- c) Minimum setback from a street line -1.5m, plus an additional 0.5m for every square metre of sign area greater than 1 square metre.
- d) Minimum setback from a side or rear lot line - 6.0m.
- e) Minimum distance from any other freestanding sign -30m.
- f) Shall not be luminous, or externally lit after 10:00 pm.
- g) A permit for a Real Estate Development sign shall expire two years after issuance.

10.0 BANNER SIGNS

10.1 Regulations

- a) A Banner Sign shall be permitted only as a fascia sign.
- b) A permit for a Banner Sign shall expire sixty (60) days after issuance.

11.0 REPEAL OF PREVIOUS BY-LAW

By-law 94-20 is hereby repealed.

By-law read a first and second time this 15th day of April, 2002

By-law read a third time and finally passed this this 15th day of April, 2002.

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) Steven Brickell, City Clerk