

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2011-053

A by-law to amend By-law 2006-005 – A by-law to prohibit and regulate signs and other advertising devices within the Town of Oakville

COUNCIL ENACTS AS FOLLOWS:

By-law 2006-005, being a by-law to prohibit and regulate signs and other advertising devices within the Town of Oakville, is amended as follows:

1. by deleting subsection 1(9) and replacing it with the following:

“(9) **“Banner Sign”** means a temporary sign or advertising device made from cloth, or a similar lightweight material such as plastic, but does not include a sign or advertising device made from cloth, or similar lightweight material, displayed in the manner of:

- (a) a Vehicle Sign;
- (b) a Mobile Sign;
- (c) a Flag Sign;
- (d) a Ground Sign; or
- (e) an Awning Sign.”;

2. by deleting subsection 1(24) and replacing it with the following:

“(24) **“Flag Sign”** means a sign made of cloth or lightweight material attachable by one or more edges to a pole or rope;”

3. by inserting a new subsection 1(33.1) as follows:

“(33.1) **“Maximum Allowable Sign Area”**, with respect to Fascia Signs and Awning Signs in Schedule “C”, means the greater of:

- (a) 20 m² (215.28 sq. ft.); and

- (b) the number of m² equal to: 16 + (total area of the wall on which the sign is displayed) divided by 25.

For purposes of illustrating the calculation, the following table sets out the Maximum Allowable Sign Area for different wall sizes:

Total Area of Wall	Maximum Allowable Sign Area
100 m ² (1076.39 sq. ft)	16 + (100/25) = 20 m ² (215.28 sq. ft.)
200 m ² (2152.78 sq. ft)	16 + (200/25) = 24 m ² (258.33 sq. ft.)
300 m ² (3229.17 sq. ft)	16 + (300/25) = 28 m ² (301.39 sq. ft.)
400 m ² (4305.56 sq. ft)	16 + (400/25) = 32 m ² (344.45 sq. ft.)
500 m ² (5381.96 sq. ft)	16 + (500/25) = 36 m ² (387.50 sq. ft.)

4. by deleting subsection 1(60) and replacing it with the following:
- “(60) **“Sign Area”** means the number of square metres on the surface of a sign including the border and frame and where there is no border shall include all of the surface area lying within a rectangular box drawn around the full extent of words, numbers and/or symbols comprising the complete message of the sign. Where a sign has two or more opposing display surfaces separated by an interior angle of 5 degrees or less, one half of the total area of the display surfaces shall be used in the calculation of the sign area for that sign.”;

5. by deleting subsections 10(4) and (5);

6. by deleting section 24 and replacing it with the following:

Murals and Wall Signs

“24. Murals and wall signs shall be permitted as fascia signs subject to the same regulations as other fascia signs.”;

7. by adding a new subsection 26(4) as follows:

“(4) Where a Temporary Real Estate Sign or Construction Sign is located on land that is transferred to the Town whether for a road allowance or other purpose, the Temporary Real Estate Sign or Construction sign must be removed immediately upon the transfer or the Town may remove the sign at the developer’s expense.”

8. by deleting in section 30 the phrase “Sections 31 to 36” and replacing it with “Sections 31 to 36.1”;

9. by adding a new section 36.1 as follows:

“Additional Regulations Applicable to Banner Signs

36.1 Banner Signs may only be displayed in the same manner as Fascia Signs and the regulations relating to Fascia Signs shall apply to Banner Signs.”; and

10. by adding a new section 39.1 as follows:

“Additional Regulations Applicable to Flag Signs

39.1 Flags are permitted in accordance with the regulations in Schedule “C”, the general regulations under this by-law and the following additional regulations:

- (1) the payment of the fees contemplated by Schedule “A” unless exempt under Schedule “B”;
- (2) the flag is attached to a dedicated flag pole not exceeding 7.5m (25 ft) in height; and
- (3) other than flags exempt under Schedule “B”, permits for flags must be renewed no later than the fifteenth of January in each year.”

11. by deleting section 43 and replacing it with the following:

“43. The following signs may be erected, located or displayed on or overhanging Town property,

- (1) with the approval of the Designated Official, signs providing direction to churches or other religious institutions, shopping centres, golf courses, institutions, public facilities and the like, including Tourism-Oriented Directional Signs; and
- (2) with the approval of Council, permanent signs deemed by Council to be of a public service nature.”;

12. by deleting in section 44 in both subsection (1) and subsection (2) the words/numbers “2.44 m (8 feet)” and replacing them in both instances with “2.59 m (8.5 feet)”;
13. by deleting the preamble in section 44(4) and replacing it with the following:

“**Community Mobile Signs** at such locations as may be determined by the Designated Official having regard to the general intent and purpose of the by-law, and in particular public safety, provided there shall at all times be two such locations in each Ward of the Town subject to the following regulations:”
14. by deleting in clause 44(4)(c) the waiting period of “90 days” and replacing it with “30 days”;
15. by deleting clause 44(4)(d) and replacing it with the following:

“(d) the total number of mobile signs located or displayed at locations designated for Community Mobile Signs shall be determined by the Designated Official;”
16. by adding a new clause 44(4)(d.1) as follows:

“(d.1) a person may not display Community Mobile Signs at more than fifty percent (50%) of the locations designated in each Ward for Community Mobile Signs at any one time;”
17. by adding a new clause 44(4)(h) as follows:

“(h) “signs which promote a business or product or serve to seek employees, customers or clients for the organization displaying the signs are not permitted;”
18. by adding a new clause 44(5)(c) as follows:

“(c) “no sign permit is required to display a flag or banner sign in the Business Improvement Areas but a Street Occupancy Permit is required to be obtained for the installation and removal of such signs;”
19. by adding a new section 48.1 as follows:

“48.1 Where a person wishes to display a sign prohibited by this by-law, the person may apply to Council for an amendment to this by-law specific

to the location and type of sign requested. Applications for such an amendment shall be submitted to the Designated Official and shall be in such form as may be approved by the Designated Official from time to time and accompanied by the fees prescribed in Schedule “A” to this by-law. Council shall have complete discretion as to whether to accept (with or without amendment) or reject the proposed amendment. Location specific amendments shall be listed in Schedule “F” to this by-law.”;

- 20. by deleting Schedule “A” and replacing it with Schedule “A” attached hereto;
- 21. by deleting Schedule “C” and replacing it with Schedule “C” attached hereto;
- 22. by deleting Schedule “D” and replacing it with Schedule “D” attached hereto;

PASSED this 20 day of June, 2011

MAYOR

CLERK

**SCHEDULE “A”
Fees**

SIGN TYPE/SERVICE	Factors affecting Fees	FEE
Ground, Fascia, Awning, Projecting, Construction, Temporary Real Estate, Real Estate Development Signs and New Home Development Signs on Private Property	Up to 3.75 m ² (40 ft ²)	\$225
	Over 3.75 m ² (40 ft ² .)	\$450
	If encroachment on Town Property	Additional \$200
Landscaping Signs	N/A	\$100
Poster Signs	N/A	\$200/year
Mobile Signs	N/A	\$35/15 days
Portable Signs	N/A	\$35/15days
Banner Signs	N/A	\$35/15 days
Flag	If not exempt under Schedule “B”	\$100/year
Special Occasion Sign including Inflatable	N/A	\$150/7 days
Sign Variance (Site Plan Committee)	As a separate application	\$1500
	In conjunction with a current site plan application	\$900
Signs requiring approval of Council	(In addition to fee based on type of sign)	\$500
Application to amend by-law		\$2500
Revision of plans and/or structural alterations to existing signs requiring review by plans examination staff	N/A	\$50
A-Frame Signs		See Note 1
Community Mobile Signs		See Note 1
New Home Development		See Note 1

Signs on Town Property		
Return of Mobile Signs	Per sign	Cost of Towing
Return of Signs other than Mobile Signs		See Note 1
Charitable Signs	N/A	No charge

NOTES:

1. Amount provided for in By-law 2009-095 as amended or replaced from time to time.
2. Fees for erecting or displaying a sign for a defined period will not be pro-rated, except as noted above (New Home Development Signs on Town Property)

SCHEDULE "C"					
REGULATIONS FOR SIGNS ON PRIVATE PROPERTY					
Zone/Use	Maximum Number	Maximum Sign Area	Maximum Height	Distance from Property Line/ Street	Illumination
Ground and Landscape Signs					
All Zones/Uses except as noted below	1 per frontage	7.5 m ² (80.7 ft ²)	6.75 m (22 ft.)	1.5 m (4.9 ft.)	Internal or External
C3R Zones	1 per frontage	4.0 m ² (43 ft ²)	6.75 m (22 ft.)	3.0 m (9.8 ft.)	Internal or External
Automobile Related Uses	1 per frontage	7.5 m ² (80.7 ft ²)	6.75 m (22 ft.)	3.0 m (9.8ft.)	Internal or External
Residential Zones Only uses permitted					
Day Nursery & Bed and Breakfast	1 per property	0.5 m ² (5.38 ft ²)	1.5 m (4.92 ft.)	3.0 m (9.8 ft.)	External
Schools and Places of Worship	1 per frontage	4.0 m ² (43 ft ² .)	6.75 m (22 ft.)	3.0 m (9.8ft.)	Internal or External
Agricultural and Open Space Zones	1 per property	6 m ² (64.5 ft ²)	3.6 m (11.8 ft.)	3.0 m (9.8 ft.)	Internal or External
Fascia Signs and Awning Signs					
All Zones/Uses except as noted below	N/A	20% of external wall area of the part of the building occupied by the business in connection with which the sign is erected to a max. of Maximum Allowable Sign Area	Limit of facade to a maximum of 2m above the elevation of the roof of the building	N/A	Internal or External
C3R Zones (Check regulations re buildings higher than	N/A	20% of external wall area of	3.75 m (12.3 ft.)	N/A	Internal or External

SCHEDULE "C"					
REGULATIONS FOR SIGNS ON PRIVATE PROPERTY					
Zone/Use	Maximum Number	Maximum Sign Area	Maximum Height	Distance from Property Line/ Street	Illumination
3 storeys)		the part of the building occupied by the business in connection with which the sign is erected to a max. of 20 m ² (215.28 ft ²)			
Automobile Related Uses	N/A	10% of wall area to which it is attached to a max. of 20 m ² (215.28 ft ²)	Limit of facade to a maximum of 2m above the elevation of the roof of the building	N/A	Internal or External
Canopy above gasoline pumps	N/A	max. of 20 m ² (215.28ft ²)	Copy not to exceed 0.45 m (18 inches)	N/A	Internal
Residential Zones (Day Nursery, Schools, Places of Worship and Bed and Breakfast only)	1 per property	5% of wall area to which it is attached	Limit of façade to a maximum of the elevation of the roof of the building	N/A	External
Agricultural and Open Spaces	N/A	10% to a maximum of 18 m ² (193.75 ft ²)	3.6 m (11.8 ft.)	N/A	None
A-Frame Signs					
All Zones/Uses except Residential	3 per frontage	1.5 m ² (16 ft ²)	1.2 m (3.9 ft.)	N/A	None
Banner Signs					
All Zones/Uses	3 per	10m ²	N/A	10 m (32.8	None



SCHEDULE "C"					
REGULATIONS FOR SIGNS ON PRIVATE PROPERTY					
Zone/Use	Maximum Number	Maximum Sign Area	Maximum Height	Distance from Property Line/ Street	Illumination
except Residential	frontage	(107.6 ft ²)		ft.) from intersection of streets	
Flags					
All Zones/Uses except Residential	1 per frontage	2.7m ² (29 ft ²)	7.5 m (25 ft)	N/A	None
Mobile Signs					
All Zones/Uses except Residential	3 per frontage	6.7 m ² (72 ft ²)	2.4 m (7.9 ft.)	N/A	Internal
Poster Signs					
Automobile Related uses only	N/A	1.8m ² (20 ft ²)	3.6 m (11.8 ft.)	3.0 m (9.8 ft.)	N/A
Projecting Signs					
C3R Zones only	1 per property	0.56 m ² (6 ft ²)	3.75 m (12.3 ft.)	0.46 m (1.5 ft.)	None
Special Occasion Signs					
All Zones/Uses except Residential	1 per property				
New Home Development Signs					
Residential Zone only Ground (Only one sign permitted at each street entrance to subdivision or development)	1 for every 152 m (498.68 ft) of street frontage	19m ² (204.5 ft ²)	7.6 m (24.9 ft.)	3.0 m (9.8 ft.)	External
On assumption of subdivision or when 90% of homes have received final inspection	1 per lot of remaining homes for sale	4.65m ² (50 ft ²)	3.6 m (11.8 ft.)	3.0 m (9.8 ft.)	External
Fascia	N/A	30% of front façade of sales centre	N/A	N/A	External
Construction Signs					

SCHEDULE "C"					
REGULATIONS FOR SIGNS ON PRIVATE PROPERTY					
Zone/Use	Maximum Number	Maximum Sign Area	Maximum Height	Distance from Property Line/ Street	Illumination
Residential only	1 per property	4.65 m ² (50 ft ²)	3.6 m (11.8 ft.)	3.0 m (9.8 ft.)	External
Temporary Real Estate Signs					
Industrial/Commercial	1 per frontage	4.65 m ² (50 ft ²)	3.6 m (11.8 ft.)	3.0 m (9.8 ft.)	External
Residential	1 per frontage	0.56m ² (6 ft ²)	N/A	N/A	
Real Estate Development Sign					
Industrial/Commercial more than 200 m (656 ft.) from residential	1 for every 152 m (498.68 ft) of street frontage	19m ² (204.5 ft ²)	7.6 m (24.9 ft.)	3.0 m (9.8 ft.)	External
Industrial/Commercial less than 200 m (656 ft.) from residential	1 per frontage	19m ² (204.5 ft ²)	7.6 m (24.9 ft.)	3.0 m (9.8 ft)	External

SCHEDULE “D”

ELECTION SIGNS

Prohibition

1. Except for vehicle signs, no person shall erect, locate or display an election sign on Town property

Timing of Display

2. No person shall erect, locate, or otherwise display an election sign:
 - (a) in the case of a Municipal election, prior to nomination day as set out in the *Municipal Elections Act*;
 - (b) in the case of a Federal or Provincial election, prior to the issuance of the writ for the election; or
 - (c) in the case of any election, for a period greater than three (3) days immediately following the day of the election.

Location

3. No person shall erect, locate or display an election sign:
 - (a) at any location where the election sign could obstruct the view of any pedestrian or driver of a motor vehicle or obstruct the visibility of a traffic sign or device, or where it could interfere with vehicular traffic so that it could endanger any person; or
 - (b) at any location where such election sign, in the opinion of the Designated Official, constitutes a safety hazard to the general public.

Seizure and Destruction of Election Signs

4. The Designated Official may pull down or remove any election sign erected in contravention to this by-law without notice.
5. The Designated Official may destroy any election sign which has been seized.

Vehicle Signs

6. An election sign which is a vehicle sign is subject to the following provisions:
 - (a) an election sign which is a vehicle sign may only be displayed during the time period permitted by section 2;

- (b) an election sign which is a vehicle sign may only be displayed where the vehicle on which it is found is permitted; and
- (c) an election sign which is a vehicle sign may not be displayed:
 - (i) within 100 metres (328 feet) of the property line of a voting location at any time while the polls are open at the voting location; nor
 - (ii) upon the property where the office for the administration of the election (including the office for the administration of the election in a particular riding) is located.

Oakville Signs

7. The only election signs which may be displayed in Oakville are:
- (a) election signs for a candidate running to represent Oakville or a portion of Oakville; and
 - (b) election signs promoting a position with respect to a question on a ballot upon which Oakville residents may vote.