

The Corporation of the City of Kawartha Lakes

Office Consolidation of By-Law 2009-076

Consolidated on November 15, 2016

Passed by Council on April 28, 2009

Amendments:

- |                    |                   |   |
|--------------------|-------------------|---|
| 1) By-law 2009-121 | June 9, 2009      | Schedule "A"- 2.8(a), 2.8(b) and 2.8(c)<br>Schedule "C" -2.1  |
| 2) By-law 2010-113 | June 15, 2010     | Section 8.02 (a)(b)(c)(d)<br>Section 8.02 renumbered 8.03<br>Schedule "A", Section 2.6 deleted<br>Schedule "D", Section 3 deleted |
| 3) By-law 2015-214 | November 24, 2015 | Schedule "A"  |
| 4) By-law 2015-229 | November 24, 2015 | Schedule "E", Section 6 – 8,<br>Section 3.3 of Schedule A   |
| 5) By-law 2016-051 | March 8, 2016     | Section 5.2(e) of Schedule A  |
| 6) By-law 2016-205 | November 8, 2016  | Section 3.4 of Schedule A   |
| 7) By-law 2016-209 | November 22, 2016 | Section 1.02, 9.02(a), 9.02(b),<br>Schedule A   |

Note: This consolidation is prepared for convenience only. For accurate reference the original by-laws should be reviewed.

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**The Corporation of the City Of Kawartha Lakes**

**By-Law 2009 - 076**

**A By-Law to Regulate Advertising Devices in the City of Kawartha Lakes**

**Recitals**

1. The Municipal Act, 2001, Section 99 authorizes municipal councils to pass by-laws respecting advertising devices including signs.
2. The Municipal Act, 2001, Section 391 authorizes fees and charges to be imposed on persons for the use of its property including property under its control.
3. The Municipal Act, 2001, Section 446 authorizes entry onto property to enforce city by-laws.
4. The Municipal Act, 2001, Section 63(1) authorizes the removal and impounding of objects that contravene the by-law.
5. Council directed with resolution number CR2009-165 to consolidate the sign by-laws of the predecessor municipalities.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2009-076.**

**Section 1.00: Definitions and Interpretation**

1.01 **Definitions**: In this by-law,

**"City", "City of Kawartha Lakes" or "Kawartha Lakes"** means The Corporation of the City of Kawartha Lakes.

**"City Clerk"** means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001.

**"Consolidated Fees By-law"** means City of Kawartha Lakes By-law 2016-206 or if it has been repealed any subsequent City of Kawartha Lakes By-law known as the Consolidated Fees By-law.  
(2016-209, effective November 22, 2016)

**"Council" or "City Council"** means the municipal council for the City.

**"Director"** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

**"Highway"** means a Highway within the meaning of the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended, which is under the jurisdiction of the City of Kawartha Lakes and shall include the entire right-of-way.

**"Town of Lindsay"** means the geographic boundaries of the former municipality of the Corporation of the Town of Lindsay prior to amalgamation on January 1, 2001.

**"Township of Emily"** means the geographic boundaries of the former municipality of the Corporation of the Township of Emily prior to amalgamation on January 1, 2001.

**"Village of Bobcaygeon"** means the geographic boundaries of the former municipality of the Corporation of the Village of Bobcaygeon prior to amalgamation on January 1, 2000.

**"Village of Fenelon Falls"** means the geographic boundaries of the former municipality of the Corporation of the Village of Fenelon Falls prior to amalgamation on January 1, 2001.

1.02 **Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words "include" and "including" are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

**Section 2.00: Town of Lindsay**

2.01 **Town of Lindsay:** The regulations for the use and erection of signs, canopies and other advertising devices within the Town of Lindsay shall be as set out in Schedule "A" to this by-law.

**Section 3.00: Township of Emily**

3.01 **Township of Emily:** The regulations of erection of signs within the Township of Emily shall be as set out in Schedule "B" to this by-law.

#### **Section 4.00: Village of Bobcaygeon**

- 4.01 **Village of Bobcaygeon:** The regulations of erection of signs within the Village of Bobcaygeon shall be as set out in Schedule “C” to this by-law.

#### **Section 5.00: Village of Fenelon Falls**

- 5.01 **Village of Fenelon Falls:** The regulations for prohibiting signs and other advertising devices within the Village of Fenelon Falls shall be as set out in Schedule “D” to this by-law.

#### **Section 6.00: Lindsay Business Improvement Area**

- 6.01 **Lindsay Business Improvement Area:** The regulations for prohibiting signs and other advertising devices within the Lindsay Business Improvement Area shall be as set out in Schedule “E” to this by-law.  
2015-229, effective November 24, 2015

#### **Section 7.00: City of Kawartha Lakes**

- 7.01 **City of Kawartha Lakes:** No person shall erect any sign or advertising device on any Highway or municipally owned lands within the City of Kawartha Lakes unless written approval has been given by the Director or his designate of the department responsible for the operations of the Highway or municipally owned lands.

#### **Section 8.00: Enforcement and Penalties**

- 8.01 **Enforcement:** This by-law may be enforced by every municipal law enforcement officer and police officer.
- 8.02 **Offence and Penalty:** It is an offence for a person to contravene any provision of this by-law, and every person who contravenes this by-law is guilty of an offence and, on conviction, is liable to a fine in accordance with the provisions of the Provincial Offences Act and to any other applicable penalty.
- 8.03 **Liability:** The provisions of the By-law shall not be construed as relieving or limiting the responsibility or liability of any person who erects or displays, or causes or permits or allows to be erected or displayed, any sign, for personal injury including injury resulting in death, or property damage resulting from such sign or from the acts or omissions of such person, or his agents, servants, employees, contractors or subcontractors, in the construction, erection, maintenance, display, alteration, repair or removal of any sign erected in accordance with a permit which is issued. Likewise, the provisions of this By-law shall not be construed as imposing on the City, its officers, employees, servants and agents, any responsibility or liability whatsoever by reason of the approval of or issuance of a permit for any sign or removal of any sign.
- 8.04 **Indemnification:** The sign permit applicant, the applicant, and the owner and the occupant of the lands and premises on which any sign is erected, shall be jointly and severally responsible to indemnify the City, its officers, employees, servants and agents, from all loss, damages, costs, expenses, claims, demands, actions, suits or other proceedings of every nature and kind arising from and in consequence of the construction, erection, maintenance, display, alternation, repair or removal of such sign.

#### **Section 9.00: Administration and Effective Date**

- 9.01 **Administration of the By-law:** The Chief Building Official is responsible for the administration of this by-law.

9.02 **Fees:**

(a) The fee for a permit for a mobile sign shall be in accordance with Schedule A-6 of the Consolidated Fees By-law. Should a permit be required for a length of time shorter than one year, the fee for such permit shall be in accordance with Schedule A-6 of the Consolidated Fees By-law.

(2016-209, effective November 22, 2016)

(b) The fee for all other signs requiring a permit shall be in accordance with Schedule A-6 of the Consolidated Fees By-law.

(2016-209, effective November 22, 2016)

(c) The fee for a minor deviation application shall be in accordance with Schedule A-6 to the Consolidated Fees By-law.

(2016-209, effective November 22, 2016)

(d) Subsections (a) and (b) shall not apply to lands that are owned by and used for the purposes of the City of Kawartha Lakes.

(2016-209, effective November 22, 2016)

(e) All fees which are paid are non-refundable.

By-law 2010-113 effective June 15, 2010  
(2016-209, effective November 22, 2016)

9.03 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law 2010-113 effective June 15, 2010

By-law read a first, second and third time, and finally passed, this 28<sup>th</sup> day of April, 2009.

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Mayor

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Clerk

Schedule “A” to By-Law Number 2009-076

**Regulation of Signs and Other Advertising Devices within the  
Town of Lindsay**

In this Schedule, the following definitions shall apply:

- 1.1 **“Alter, Altered or Alteration”** means any change to the sign structure or the sign face with the exception of:
  - a) the re-arrangement of numerals, letters or copy applied directly to the face of a sign and specifically designed and intended to be periodically;
  - b) repair and maintenance, including replacement by identical components, as required in this Schedule;
  - c) a change in the message displayed by a sign.
- 1.2 **“Animated Sign”** means a sign with a sign face which moves in whole or in part and includes a flashing, chase lighting or a rotating sign, but does not include a clock, a time, date or temperature display, a multi-prism display, or an electronic message display.
- 1.3 **“Awning”** means a wall sign supported from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.
- 1.4 **“Banner”** means a sign composed of lightweight material so as to allow movement and/or suspension which is caused by atmospheric conditions and includes a balloon or other inflatable devices.
- 1.5 **“Building Code”** means the Building Code enacted at O.Reg.350/06 pursuant to the Building Code Act, 1992, S.O. 1992, c.23, as amended.
- 1.6 **“Bus Shelter”** means a structure, used to provide protection from the elements for transit riders, while waiting for a bus. The structure shall not be completely enclosed. The structure usually includes wall space for advertising.
- 1.7 **“Business Improvement Area”** means all lands designated to be a business improvement area by by-law number 2008-211.
- 1.8 **“Business Office”** means any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall exclude such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.
- 1.9 **“Canopy”** means a permanent roof-like structure extending from all or part of a building face.
- 1.10 **“Cemetery”** means land that is set apart or used as a place for interment of the dead or in which human bodies have been buried.
- 1.11 **“Charitable Organization”** means an association of persons that is charitable under the laws of the Province or of Canada.
- 1.12 **“Chase Lighting”** means a series of lights placed on or around a sign that go on and off uniformly so as to give the illusion of movement.
- 1.13 **“Chief Building Official”** means the Chief Building Official for the City of Kawartha Lakes or his/her designate.

- 1.14 **“Community Association”** means the group of persons organized for the advancement of activities of a civic, social, cultural or recreational nature and which activities are not conducted for monetary profit.
- 1.15 **“Corner Lot”** means a lot situated at the intersection of and abutting upon two or more streets provided that the angle of intersection of such streets is not more than 135 degrees.
- 1.16 **“Council”** means the Council of the City of Kawartha Lakes.
- 1.17 **“Developed Lands”** means a lot on which buildings or structures are erected and includes lands which are used or intended to be used as a parking lot, including a public parking lot.
- 1.18 **"Directional Sign"** means a sign which provides direction or information for the control of vehicular traffic such as an entry or exit sign or a loading area sign.
- 1.19 **"Display Surface"** means the continuous area in one plane made available by the structure of a sign for the mounting of letters and decorations.
- 1.20 **"Election Period"** means the official election campaign period as defined in the appropriate statute for Municipal, Provincial or Federal elections.
- 1.21 **"Election Sign"** means a sign erected in connection with a Federal, Provincial, or Municipal election and/or referendum.
- 1.22 **"Electronic Message Display"** means that part of a sign which is electronically controlled and which displays information in a pre-arranged sequence, and on which the intensity of illumination is maintained at a constant level.
- 1.23 **"Erect, Erected or Erection"** include the alteration, placing or relocation of any sign or portion thereof, and the posting of notices.
- 1.24 **"Flashing Sign"** means a sign with illumination that varies in intensity at periodic intervals.
- 1.25 **"Ground Sign"** means a sign supported by upright(s) and/or brace(s) embedded in the ground to provide for frost protection and which is not attached to any part of a building and used for the purpose of advertising a lawful business, organization or product sold on the premises except as otherwise specifically permitted in this By-law, but excludes an Official Public Notice sign and a menu board sign associated with a drive-through business.
- 1.26 **"Height"** in the case of a ground sign or portable sign, means the distance from the level of the sidewalk abutting the property, or from the level of the ground immediately below the sign to the highest point thereof, whichever is less restrictive.
- 1.27 **"Hospital"** means any institution, building or other premises established for the maintenance, observation, medical and dental care and supervision and skilled nursing care of persons afflicted with or suffering from sickness, disease or injury or for the treatment of convalescent or chronically ill persons.
- 1.28 **"Hydro Transmission Corridor"** means any land owned by Ontario Hydro, Hydro One or other publicly owned utility, the primary purpose of which is the distribution of electrical power and energy, and on which are located wires, cables, poles or towers.

- 1.29 **"Illuminate, Illuminated or Illumination"** means direct, indirect, internal or external illumination.
- 1.30 **"Inside Lot"** means a lot situated between adjoining lots and which has street frontage on only one street.
- 1.31 **"Land Development"** means the construction, erection or placing of one or more buildings or structures on land or re-development, or construction of a buildings or structures, but shall not include minor interior changes to an existing building.
- 1.32 **"Letters and Decorations"** means the letters, illustrations, symbols, figures, insignia and other devices mounted on the display surface to express and illustrate the message of the sign.
- 1.33 **"Lindsay"** means the former geographic area of the Town of Lindsay.
- 1.34 **"Lindsay B.I.A."** means the Lindsay Business Improvement Association.
- 1.35 **"Lot"** means a parcel or tract of land;
- (a) which is a lot shown on a Registered Plan of Subdivision provided that a Registered Plan of Subdivision for the purposes of this subsection does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to the Planning Act, R.S.O. 1990, c.P. 13; or
  - (b) which fronts on a street or Highway and is a separate parcel of land and no abutting land is owned by the same owners on the date of the passing of this By-law; or
  - (c) the description of which is the same as in a conveyance for which consent has been granted pursuant to the Planning Act, R.S.O. 1990, c.P. 13; or
  - (d) which is the remnant parcel remaining to an owner or owners after a conveyance has been made for which consent has been given pursuant to the Planning Act, R.S.O. 1990, c.P. 13.
- 1.36 **"Marquee"** means a permanent roof-like shelter extending from all or part of a building face.
- 1.37 **"Menu Board Sign"** means a sign supported by upright(s) and/or brace(s) embedded in the ground to provide for frost protection and may be attached to a building and is used for the purpose of advertising items sold in association with a drive-through business with pickup window facilities.
- 1.38 **"Mobile Sign"** means any sign which is specifically designed or intended to be readily moved from one location to another, and which does not rely on a building or fixed foundation for its structural support, but must provide anchorage of some nature to provide for wind resistance. This includes an inflatable sign but does not include a ground sign, or a portable sign.
- 1.39 **"Municipality"** means the Corporation of the City of Kawartha Lakes.
- 1.40 **"Off-Premise Sign"** means an advertisement related to a business or manufacturing enterprise or other activity not conducted within the building or upon the premises on which the sign is erected.
- 1.41 **"Official Public Notice Sign"** means an Official Sign which notifies the public of an upcoming public meeting for an official plan amendment and/or zoning by-law amendment.

- 1.42 **"Official Sign"** means a sign required by or erected under any statute, regulation, by-law or directive of any federal, provincial or municipal government or agency thereof or board or commission.
- 1.43 **"Owner"** means the registered owner of the land upon which a sign is or is to be erected.
- 1.44 **"Parking Station"** means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to uses in all zones, but does not include a car sales lot or a public parking lot.
- 1.45 **"Place of Worship"** means lands or buildings used for worship by a religious organization.
- 1.46 **"Portable Sign"** means a sign not permanently affixed to the ground and includes signs commonly known as sandwich board or A-frame signs and inverted T signs.
- 1.47 **"Projecting Sign"** means a sign which is affixed to a building, wall, or structure and which projects therefrom for a distance greater than 0.6 metres but does not include a marquee, canopy or awning.
- 1.48 **"Public Utility"** means an entity which provides a municipal or public utility service, and includes Lindsay telephone, gas, TV Cable Companies, Ontario Hydro and Hydro One.
- 1.49 **"Railway Corridor"** means any land owned by a railway company.
- 1.50 **"Readograph"** means a sign on which copy is changed manually with letters or pictorial panels.
- 1.51 **"Real Estate Advertising Sign"** means a sign used to advertise land and/or buildings for sale or lease.
- 1.52 **"Religious Organization"** means an association of persons that is:
- (a) charitable under the laws of Ontario;
  - (b) organized for the advancement of religion and for the conduct of religious worship, services or rites; and
  - (c) permanently established as to the community of its existence.
- 1.53 **"Residential Contents Sale Sign"** means a sign advertising a yard sale, garage sale or other irregularly held sale of household contents.
- 1.54 **"Roof Sign"** means a sign erected, constructed or maintained entirely on or above the roof of any building which may include a parapet and/or firewall.
- 1.55 **"Sign"** means any surface upon which there is printed, projected or attached any announcement, declaration, or insignia used for direction, information, identifications, advertisement, business promotion or promotion of products, activity or services, and includes a structure, whether in a fixed location or designed to be portable or capable of being relocated, or part thereof specifically designed for the foregoing uses. Furthermore, this includes flags, banners, advertising devices or any object intended for advertising purposes.
- 1.56 **"Sign Area"** means the largest area visible from any direction projected onto a vertical plane of the sign face, provided that if the sign consists of more than one section or module, all areas visible from any direction will be totaled.



- 1.57 **"Sign Face"** means the opaque, transparent or translucent surface of a sign, upon, against or through which the message of the sign is exhibited, and is the area defined by a geometric shape within a perimeter bounded by the inside of the sign frame or sign structure.
- 1.58 **"Sign Structure"** means the support, uprights, bracing and framework of the sign.
- 1.59 **"Storey"** means that portion of a building which is situated between the top of any floor and the top of the floor next above it, or if there is no such floor above it, that portion between the top of such floor and the ceiling above it.
- 1.60 **"Storey First"** means the storey with its floor closest to grade and having its ceiling more than 1.83 metres above grade.
- 1.61 **"Street"** means a common and public right-of-way or any part thereof, located in Lindsay, and includes a Highway, roadway, boulevard, curb, sidewalk, laneway, or any part thereof.
- 1.62 **"Street Frontage"** means the linear dimension of a lot which abuts or is immediately adjacent to a street.
- 1.63 **"Through Lot"** means a lot other than a corner lot which has separate frontages on two streets.
- 1.64 **"Unsafe"** means:
- (a) structurally inadequate or faulty; or
  - (b) in a condition or location that could be hazardous to any person or property in the opinion of the Chief Building Official.
- 1.65 **"Wall Sign"** means a sign erected against the wall of any building, the display surface of which is relatively parallel to the face of and supported by such wall, which does not project more than 0.3 metres from the wall. Such signs may only be used for advertising a lawful business or product sold within the building.
- 1.66 **"Window Sign"** means a sign which is directly affixed to, painted or etched on the inside of any window.
- 1.67 **"Zone, Commercial"** means lands zoned for commercial use and defined in accordance with the Comprehensive Zoning By-law, as amended from time to time.
- 1.68 **"Zone, Industrial"** means lands zoned for industrial use and defined in accordance with the Comprehensive Zoning By-law, as amended from time to time.
- 1.69 **"Zone, Institutional"** means lands zoned for institutional use and defined in accordance with the Comprehensive By-law, as amended from time to time, or Community Facility.
- 1.70 **"Zone, Mixed Residential Commercial (MRC)"** means lands zoned for mixed residential commercial use and defined in accordance with the Comprehensive Zoning By-Law, as amended from time to time.
- 1.71 **"Zone, Others"** means zones that are not specifically referred to in this By-Law, but are defined in the Comprehensive Zoning By-Law, as amended from time to time.
- 1.72 **"Zone, Park"** means lands zoned for park use and defined in accordance with the Comprehensive Zoning By-law, as amended from time to time.

- 1.73 **"Zone, Residential"** means lands zoned for residential use and defined in accordance with the Comprehensive Zoning By-law, as amended from time to time.

## **Part 2 - Administration and Enforcement**

### **2.1 Permits Required**

- (a) Subject to the exemptions conferred under Section 3.1, no person shall erect, display, repair or alter any sign unless a sign permit has been obtained therefore.
- (b) Subject to the requirements of Section 3.8 of the Building Code Act, R.S.O. 1992, S.O. 1992, c.23, the erection, display, repair or alteration of certain signs may also require the issuance of a building permit.
- (c) All applications for sign permits shall be accompanied by written authorization from the owner of the property for which the sign permit is being applied.

### **2.2 Prohibited Signs**

Notwithstanding any other provisions of this Schedule, no person shall erect, install, post, display, maintain or keep on any premises any of the following signs:

- (a) a sign which is located so as to obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition;
- (b) a sign other than a wall sign within 9 metres of a traffic light;
- (c) a sign which is located so as to obstruct or impede any flue, air intake, fire escape, fire exit, door, window, skylight or exhaust or so as to impede free access by firefighters to any part of the premises;
- (d) a sign which projects over any area to which pedestrians have access unless located at least 2.4 metres above the surface of such area;
- (e) a sign which does not comply with the provisions of the Ontario Building Code;
- (f) a sign which does not comply with any other applicable governmental regulations;
- (g) a sign which does not comply with the provisions of this Schedule;
- (h) a sign encroaching onto a required fire route unless approved by the Fire Chief or a designate;
- (i) a sign which is located on lands owned by the Municipality within the Town of Lindsay, unless expressly permitted by this Schedule;
- (j) a sign which is attached to any public utility pole or which interferes with any municipal or public utility services;
- (k) a sign which is painted on, attached to, or supported by a tree that is located on public property.

### **2.3 Applications For Permits**

The applicant for a sign permit shall:

- (a) File with the Chief Building Official an application, which shall be on forms to be obtained at the Building Department for the Municipality. The applicant shall clearly and fully provide and set out the information required to complete the said application forms and shall verify the correctness of the information supplied in the application.
- (b) Submit 2 sets of drawings and specifications covering the construction of the sign and the sign structure and the identification of the materials to be used in the construction of the sign and the sign structure. All signs shall be designed and constructed in compliance with the applicable provisions of the Building Code.
- (c) Submit 2 sets of scaled drawings of, and such other information with respect to, any building upon which it is proposed to locate the sign and the sign structure, as may be necessary to determine whether the structure of such building will carry the additional loads and stresses imposed thereon by the erection of such sign and sign structure.
- (d) Submit 2 copies of a scaled site plan, showing the adjacent streets, property lines, street frontage, or other boundaries of the property upon which it is proposed to erect the sign, and the location of the sign upon the property in relation to other buildings, structures and signs upon such property, or upon the premises immediately adjacent thereto.
- (e) Obtain permits or provide in writing, approval from any government authority having jurisdiction where the sign is to be erected in combination with permit application form.
- (f) 2015-229, effective November 24, 2015

#### 2.4 Issuance of Permits

- (a) The Chief Building Official shall examine all applications for permits for signs.
- (b) When the prescribed fee has been paid in accordance with Section 2.6 of this Schedule, and the applications, drawings, specifications and site plan or survey conforms to the requirements of this Schedule, the Building Code and all other applicable governmental regulations, the Chief Building Official shall issue the permit together with one set of the approved drawings and specifications to the applicant and retain the other set.
- (c) Every permit shall expire if active work is not commenced within a period of 6 months from the date of its issue, but before it has so expired, the permit may be renewed for up to a further 6 months providing that the proposed work complies with the provisions of this Schedule, the Building Code and all other applicable governmental regulations as revised to the time of the proposed renewal.
- (d) If the matters mentioned in any application for a permit, or if the drawings, specifications or plan of survey submitted with the application indicate to the Chief Building Official that the work proposed to be done will not comply in all respects with the provisions of this Schedule, the Building Code and all other applicable governmental regulations, the Chief Building Official shall refuse to issue a permit therefore and no permit shall be issued until the application, drawings, and specifications and the plan of survey are made to conform to the requirements of this

Schedule and the Building Code and all other applicable governmental regulations.

- (e) For mobile signs permitted by this Schedule, only one sign per business may be erected at one time.
- (f) Applications for signs requiring structural design in accordance with the Building Code shall include drawings which have been designed by a registered professional engineer or other qualified person.

## 2.5 Revocation of Permits

The Chief Building Official may revoke the permit at any time after the issuance thereof where the sign does not conform to this Schedule, the Building Code, or any other applicable regulations or where the permit was issued as a result of false or misleading information by delivering written notice of the revocation to the assessed owner or occupant of the property on which the sign is erected or is proposed to be erected or to the applicant for the permit at the applicant's address as indicated on the permit.

## 2.6 Fees

By-law 2010-113 June 15, 2010 (section deleted)

## 2.7 Removal of Signs

- (a) Any sign that is:
  - (i) erected, displayed, altered, or repaired in contravention of any of the provisions of this Schedule, (whether or not a permit has been issued);
  - (ii) erected, displayed, altered or repaired without first having obtained a permit; and/or
  - (iii) erected, displayed, altered or repaired contrary to the approved plans with respect to which the permit was issued;

Signs shall be removed by the owner or occupant of the property on which such sign is erected, displayed, altered or repaired upon written notice given to that effect by the Chief Building Official.

- (b) Such notice shall outline the nature of the contravention and the section of the By-law so contravened and shall further direct that the Schedule be complied with, within a specified time.
- (c) In the event of such sign not being removed in accordance with the notice, the Chief Building Official may cause the pulling down or removal of such sign at the expense of the owner or occupant and the expense therefore may be collected in like manner as municipal taxes.
- (d) An unsafe sign which is an imminent danger to persons may be pulled down or removed without notice at the direction of the Chief Building Official. Such removal shall be at the expense of the owner or the occupant and the expense therefore may be collected in like manner as municipal taxes.

## 2.8 Variances

- (a) **Application for a Minor Deviation:** An applicant whose application for a sign permit does not comply with all applicable provisions of this schedule may submit a written application to the Building

Division for a minor deviation from the schedule, setting out the reasons why the provisions of this schedule cannot be met and why a minor variance should be authorized, together with all applicable non-refundable fees.

(2009-121 effective June 9/09)

- (b) **Authorization of a Minor Deviation – Private Property:** The Chief Building Official may authorize a minor deviation if, in his or her opinion, the general intent and purpose of this schedule would be maintained and, in that event, the Chief Building Official shall issue a sign permit to the applicant if the application complies with all other applicable provisions of this schedule and all applicable law.

(2009-121 effective June 9/09)

- (c) **Minor Deviation Fee**

(2009-121 effective June 9/09)  
(2016-209, effective November 22, 2016)

### **Part 3 - Exemptions**

#### 3.1 **Signs For Which A Permit Is Not Required**

Subject to the Municipality having sole jurisdiction, the following signs are permitted and may be erected without a permit:

- (a) Election signs, erected in compliance with Section 3.2a) of this Schedule.
- (b) In residential zones, real estate advertising signs having a total sign area of less than 0.75 m<sup>2</sup> provided that open-house directional signs are erected in compliance with Section 3.2b) of this Schedule.
- (c) Signs not greater than 2 m<sup>2</sup> in sign area, erected on private property, advertising special events of charitable organizations or community associations as permitted by the provisions of Section 3.2c) of this Schedule.
- (d) Non-illuminated construction signs which are less than 4 m<sup>2</sup> in sign area, provided that they are erected no more than 180 days prior to the commencement of the project and are removed from the land development site within 90 days of the project being substantially complete.
- (e) Signs that are erected in accordance with the Municipality's requirements subject to the provisions of Section 5.0 (Official Plan and Zoning By-law amendment signs).
- (f) Official signs required by law, or as required by the Municipality.
- (g) Signs for regulating traffic, legal notices or warnings at railway crossings and all other such signs pertaining exclusively to public safety.
- (h) Flags or banners with emblems of countries, provinces, municipalities and civic, educational or religious organizations or institutions and as such contain exclusively the emblems of the noted entities and not contain any other information or copy.
- (i) Memorial or historical interest signs or tablets
- (j) Except in residential zones, one non-illuminated ground sign not exceeding 3.5 m<sup>2</sup> in sign area advertising the sale, rental or lease of any building, structure or lot.

- (k) One non-illuminated trespassing, safety or caution sign not exceeding 0.6 m<sup>2</sup> in sign area for every 4.5 metres of street frontage per lot in any zone.
- (l) A window sign as defined in Section 1.66 of this Schedule.
- (m) A residential contents sale sign which stipulates the date of such sale, provided that such sign is removed from the property immediately after the date indicated on the sign.
- (n) A temporary sign for a building contractor or home renovation operator, provided that such sign is erected no more than 30 days prior to the commencement of the project and is removed from the property immediately after the project is completed.
- (o) A sign attached to a bus shelter on a municipally owned road allowance by an employee of the City of Kawartha Lakes or an authorized agent.
- (p) Portable signs, erected in compliance with Section 4.2 of this Schedule or Section 2.11 of Schedule E.

2015-214, effective November 24, 2015

### 3.2 Restrictions

#### (a) Election Signs

##### (1) On Public Property:

In any zone, during an election period, election signs may be erected on any street which is under the jurisdiction of the Municipality, subject to the following conditions:

- (i) no such sign is greater than 1.5 m<sup>2</sup> in sign area or 2 metres in height;
- (ii) the signs are not erected on municipal parks or properties containing municipal buildings;
- (iii) no such sign shall be located so as to interfere with safe pedestrian or vehicular traffic.

##### (2) On Private Property:

In any zone, during an election period, election signs may be erected on private property provided that:

- (i) consent of the owner/occupant is obtained; and
- (ii) no such sign is greater than 1.5 m<sup>2</sup>, in sign area or 2 metres in height.

- (3) Notwithstanding paragraphs (1) and (2) above, the erection, display and removal of all election signs shall conform to the provisions of Federal or Provincial legislation regulating or applying to Federal, Provincial, Municipal, school board or other elections, including any regulation or order made thereunder.

#### (b) Real Estate Advertising Signs

In any zone, directional open-house signs may be erected on streets, subject to the following conditions:

- (i) no such sign shall be located so as to interfere with the safe operation of vehicular or pedestrian traffic;
- (ii) the maximum size of such sign shall be 0.6 m<sup>2</sup>; and
- (iii) not more than two such signs shall be erected per dwelling.

(c) **Signs For Advertising Events Sponsored By Charitable**

**Organizations and Community Associations**

In any zone, signs may be erected by charitable organizations or community associations for the purpose of advertising of events conducted or sponsored by such organizations provided that such signs shall:

- (i) be erected no more than 30 days prior to the event;
- (ii) be removed forthwith upon completion of the event;
- (iii) not be erected without the consent of the owner of the property on which the sign is to be located; and

not be greater than 2 m<sup>2</sup> in sign area.

(d) **Land Development Signs**

In any zone, ground or wall signs having an aggregate sign area not in excess of 4 m<sup>2</sup> related to land development shall be permitted for each 0.4 hectares of land or portion thereof to a maximum of 4 signs.

(e) **Official Public Notice Signs**

- (i) Official Public Notice Signs may be erected in any zone provided they are in full compliance with the special provisions of clauses (ii) and (iii) below.

- (ii) Location:

An Official Public Notice Sign shall:

- (1) not be erected on any street;
- (2) be set back 3 metres from the front property line bordering a street; and
- (3) in the case of a corner lot/block, be set back 6.1 metres from the property lines abutting the intersections of two or more streets.

- (iii) Details:

An Official Public Notice Sign shall:

- (1) not exceed 2 m<sup>2</sup> in sign area and 2.5 metres in height;
- (2) have the approval of the Municipality's Planning Department; and
- (3) not be permitted to remain on a lot/block for a period exceeding 35 days.

**3.3 Specific Location**

Kent Place Mall located at 189 Kent Street West, Lindsay shall be exempt from the provisions of Schedule “E” attached to and forming part of this by-law.

2015-229, effective November 24, 2015

### **3.4 Specific Location**

The Academy Theatre located at 2 Lindsay Street South, Lindsay shall be exempt from the provisions of Schedule “E” attached to and forming part of this by-law, with respect to the marquee sign, and the following site specific requirements will be imposed:

- i) Copy will remain static at all times;
- ii) Copy will be relevant to the theatre programming only; and
- iii) Display area will exhibit a white background with static letters and/or images.

2016-205, effective November 8, 2016

## **Part 4 - Special Provisions**

### **4.1 Mobile Signs**

(a) Mobile signs may be erected in any zone except residential zones. Mobile signs may be erected for up to a twelve month period, per permit.

(b) Mobile signs shall not be erected without a permit, and the issuance of such permit shall be subject to Section 2.4(e).

(c) Location:

A mobile sign shall:

- (i) not be erected on any street;
- (ii) not be erected within 3 metres of a driveway entrance or exit; and
- (iii) not, in the case of corner lots, be erected within 6.1 metres of the intersection of two or more streets.

(d) Details:

A mobile sign shall:

- (i) not exceed 4.5 m<sup>2</sup> in sign area and 3.0 metres in height;
- (ii) where necessary, have the approvals of the public utility having jurisdiction;
- (iii) not have electrical wiring located in the path of vehicular or pedestrian traffic;

### **4.2 Portable Signs**

(a) Portable signs may be erected in any zone except a residential zone, provided they are in full compliance with all other provisions of this By-law.

(b) Location:

A portable sign shall:



- (i) Not be erected on any street with the exception of portable signs erected within the Business Improvement Area as described in Section 5.2 (d);
  - (ii) Not be erected within 3 metres of another sign or a driveway entrance;
  - (iii) Not, in the case of corner lots, be erected within 6.1 metres of the intersection of two or more streets;
  - (iv) Not be erected having any portion extending beyond 1 metre from the curb.
- (c) Details

A portable sign shall:

- (i) Not exceed a maximum height of 0.91 metres or width of 0.61 metres;
- (ii) Be limited to one per property except where such portable signs are set back more than 10 metres from any property line;
- (iii) If permitted to be located on public property, be removed at the end of business hours each day;
- (iv) Where necessary, have the approval of the public utility having jurisdiction.

2015-214, effective November 24, 2015

#### **4.3 Awning and Canopy Signs**

Awning and canopy signs shall be permitted in all zones except residential zones. Awning and canopy signs shall be located no higher than the first storey of a building and shall not occupy an area greater than 25 % of the building face of the first storey.

#### **4.4 Readographs or Electronic Message Displays & Animated Signs**

- (a) Readographs or electronic message displays, that are an integral part of ground and wall signs are permitted in all commercial, industrial and institutional zones, i.e.: schools, hospitals, etc., unless specifically prohibited elsewhere in this by-law.”

2015-229, effective November 24, 2015

- (b) Ground signs incorporating such readographs or electronic message displays may have a sign area that is 25 % greater than the sign area otherwise permitted by this Schedule provided that the area of the readograph or electronic message display is limited to a maximum of 3.5 m<sup>2</sup>.
- (c) Intensity of illumination for readographs or electronic message displays during one cycle, shall be maintained at a constant level.

#### **4.5 Off –Premise Signs on Railway Corridor and Hydro Transmission Corridors**

Off-premise signs may be erected on railway corridors and hydro transmission corridors, subject to the following:

- (a) No such sign shall be less than 3 metres from lands zoned residential provided however, that residentially zoned lands within the corridor shall not be included for the purpose of determining the required distance.

- (b) Such sign shall have a maximum height of 3 metres and a maximum sign area of 5 m<sup>2</sup>.
- (c) No sign shall be located within 45 metres of another off premise sign facing in the same direction and erected on the same side of the street which crosses the corridor.

#### **4.6 Community Association, Community Centres & Charitable Organizations**

In any zone, ground signs, under the control of community associations or community centres may be erected on streets, subject to the following conditions:

- (a) no such ground signs shall be located so as to interfere with the safe operation of vehicular or pedestrian traffic;
- (b) the maximum sign area of such ground signs shall be 1.5 m<sup>2</sup>;
- (c) such ground signs shall be a minimum of 3 metres from any sidewalk, roadway or driveway;
- (d) such ground sign shall be of a construction so as to be easily dismantled in the case of roadway, sidewalk or public utility maintenance and construction;
- (e) the written consent of any abutting property owners shall be obtained by the applicant and shall accompany any application for a permit; and
- (f) no permit shall be issued for such sign until an agreement satisfactory to the Chief Building Official is entered into with the Municipality wherein the community association or community centre or a member thereof who has the power to bind the community association or community centre, agrees to indemnify and save harmless the Municipality from any liability relating to the erection of the sign, failing which the sign shall be removed forthwith at the expense of the community association or community centre if so directed by the Chief Building Official, failing which the Chief Building Official has the right and the authority to cause the sign to be removed if the community association or community centre fails to do so.

#### **4.7 Directional Signs for Cemeteries and Places of Worship**

In any zone, directional signs for cemeteries and places of worship may be erected on streets, subject to the following conditions:

- (a) not more than one such sign shall be erected by the authorities of the cemetery, or place of worship;
- (b) such sign shall be located at the nearest main intersection;
- (c) no such sign shall be located so as to interfere with the safe operation of vehicular or pedestrian traffic;
- (d) the maximum sign area of such signs shall be 0.6 m<sup>2</sup>;
- (e) such signs shall not be illuminated; and
- (f) no permit shall be issued for such signs until an agreement satisfactory to the Chief Building Official has been completed between the Municipality and the owner wherein the owner has agreed to indemnify and save harmless the Municipality from any

liability relating to the erection of the sign and the sign shall be removed forthwith at the expense of the owner, if so directed by the Chief Building Official, and that the Chief Building Official has the right and the authority to cause the sign to be removed if the owner fails to do so.

## **Part 5 - Zones**

### **5.1 Residential and Park Zones**

Except as otherwise allowed in this Schedule, no person shall erect or display, or cause to be erected or displayed, or permit a sign in a residential or park or land associated with the residential use in a Mixed Residential Commercial (MRC) zone save and except the following:

- (a) One identification sign having a maximum sign area of 2 m<sup>2</sup> for a golf course;
- (b) One identification wall sign not exceeding 1.2 m<sup>2</sup> in sign area for an apartment building;
- (c) One identification and vacancy information ground sign not exceeding 0.6 m<sup>2</sup> in sign area for an apartment building. Where such building abuts more than one street, two such signs are permitted;
- (d) One directional sign at each point of entry and exit to and from a parking station of an apartment building or buildings. Such sign not to exceed 0.9 m<sup>2</sup> in sign area;
- (e) Wall signs identifying the building and the occupants thereof, having an aggregate sign area not exceeding 0.1 m<sup>2</sup>, may be erected in the case of a home occupation, provided such signs are unlit.

### **5.2 Commercial Zones**

Except as otherwise permitted in this Schedule, no person shall erect or display, or cause to be erected or displayed, or permit, a sign in a commercial zone or associated with the permitted commercial uses in a MRC Zone, save and except the following:

(a) **Ground Signs:**

Ground signs shall be permitted subject to the following:

- (i) no ground sign shall be permitted on an inside lot or a corner lot which has a street frontage of less than 15 metres;
- (ii) one ground sign shall be permitted on an inside lot or corner lot which has a street frontage of at least 15 metres;
- (iii) two ground signs may be erected on a property which is defined as a through lot;
- (iv) the maximum height of a ground sign on properties with a lot frontage of less than 30 metres shall be 4.5 metres;
- (v) for each additional 5 metres of lot frontage, an additional 0.3 metres of sign height shall be permitted to a maximum of 8 metres;
- (vi) the maximum sign area for ground signs on lots with less than 30 metres of lot frontage shall be 5.5 m<sup>2</sup>;

- (vii) the maximum sign area for ground signs on lots with more than 30 metres of lot frontage shall be 7 m<sup>2</sup>;
- (viii) one directional sign at each point of vehicular entrance and exit shall be permitted. Such signs shall not exceed 0.6 m<sup>2</sup> in sign area;
- (ix) on land not being developed land, one off-premise sign per lot having a maximum sign area of 5 m<sup>2</sup> and if illuminated, located so as to deflect the light away from adjacent streets and residential zones; and
- (x) on the parking areas of shopping centres having a lot area greater than 0.8 hectares, ground signs required for the direction of traffic or pedestrians shall be permitted, provided each does not exceed 0.6 m<sup>2</sup> in sign area.

(b) **Wall Signs**

Wall signs shall be permitted subject to the following:

- (i) Cumulative sign area of wall signs shall be subject to the size and character of the facade and be limited to 25% of the wall area of the first storey visible from any direction.
- (ii) Wall signs erected above the first storey of any building shall not exceed the bottom window line of the storey next above.
- (iii) On the parking areas of shopping centres having a lot area greater than 0.8 hectares, wall signs required for the direction of traffic or pedestrians shall be permitted, provided each does not exceed 0.6 m<sup>2</sup> in sign area.

- (c) Signs in the Commercial/ Recreational (CR) Zone of the Comprehensive Zoning By-law for the Town of Lindsay, shall be subject to the following:

**Ground Signs:**

- (i) one ground sign having a maximum area of 1.5 m<sup>2</sup> and a maximum height of 2 metres shall be permitted;
- (ii) ground signs shall be set back not less than 3 metres from the front lot line.

**Wall Signs:**

- (i) the total area of all wall signs in the “CR” Zone shall not exceed 1.5 m<sup>2</sup>

- (d) 2015-229, effective November 24, 2015

(e) **Menu Board Signs**

Menu Board Signs shall be permitted subject to the following:

- a. The maximum height for a menu board sign shall be 3 metres;
- b. The maximum sign area of a menu board sign shall be 7 m<sup>2</sup>;
- c. Menu board signs shall be located next to the stacking lane; and
- d. Menu board signs shall be located a minimum of 10 metres from a lot line abutting a residential property.

### 5.3 **Industrial Zones**

Except as otherwise allowed in this Schedule, no person shall erect or display, or cause to be erected or displayed, or permit a sign in an industrial zone save and except the following classes:

(a) **Ground Signs:**

Ground signs shall be permitted subject to the following:

- (i) no ground sign shall be permitted on an inside lot or a corner lot which has a street frontage of less than 15 metres;
- (ii) one ground sign shall be permitted on an inside lot or corner lot which has a street frontage of at least 15 metres provided;
- (iii) two ground signs may be erected on a property which is defined as a through lot;
- (iv) the maximum height of a ground sign on properties with a lot frontage of less than 30 metres shall be 4.5 metres;
- (v) for each additional 5 metres of lot frontage, an additional 0.3 metres of sign height shall be permitted to a maximum of 8 metres;
- (vi) the maximum sign area for ground signs on lots with less than 30 metres of lot frontage shall be 5.5.m<sup>2</sup>;
- (vii) the maximum sign area for ground signs on lots with more than 30 metres of lot frontage shall be 7m<sup>2</sup>;
- (viii) one directional sign at each point of vehicular entrance and exit shall be permitted, such signs shall not exceed 0.6 m<sup>2</sup> in sign area;
- (ix) on land which is not developed land, one off-premise sign per lot having a maximum sign area of 5 m<sup>2</sup> and if illuminated, located so as to deflect the light away from adjacent streets and residential zones; and
- (x) on the parking areas of multi-tenant buildings having a lot area greater than 0.8 hectares, ground signs required for the direction of traffic or pedestrians shall be permitted, provided each does not exceed 0.6 m<sup>2</sup> in sign area.

(b) **Wall Signs:**

Wall signs shall be permitted subject to the following:

- (i) cumulative sign area of wall signs shall be limited to 25 % of the wall area of the first storey visible from any direction.
- (ii) wall signs may be located above the first storey of industrial buildings provided that the sign area does not exceed that which is permitted in Section 5.3 (b) (i).
- (iii) on the parking areas of multi-tenant buildings having a lot area greater than 0.8 hectares, wall signs required for the direction of traffic or pedestrians shall be permitted, provided each does not exceed 0.6 m<sup>2</sup> in sign area.

(c) **Roof Signs:**

Roof Signs shall be permitted subject to the following:

- (i) all roof signs including their frame work and support structure shall be designed when any one face exceeds 10 m<sup>2</sup>.
- (ii) no permit for a roof sign shall be issued until the Chief Building Official is satisfied that the building on which the sign will be erected is capable of supporting all applied loads.
- (iii) all roof signs, including their frame work and supporting structure shall be constructed entirely of metal or other approved non-combustible materials.
- (iv) the supports of a roof sign shall appear to be free of any extra bracing, angle iron, guy wires cables etc. The supports shall appear to be an architectural and integral part of the building.
- (v) all roof signs shall be constructed with open wirework having the letters fastened to the open wirework.
- (vi) a clear space of at least 0.9 metres shall be provided between the top of the roof or parapet wall of the building and the bottom of the roof sign.
- (vii) where the top of the parapet wall is more than 0.9 metres above the roof, the highest point of such roof sign shall not exceed 8.5 metres above the roof.
- (viii) no roof sign shall be erected to a height exceeding 7.6 metres above the roof of any building, such height to be measured from that portion of the roof immediately below the sign.
- (ix) a roof sign shall have a maximum area of 60 m<sup>2</sup>.

5.4 **Institutional Or Community Facility Zones**

Except as otherwise allowed in this Schedule, no person shall erect or display, or cause to be erected or displayed, or permit a sign in an institutional zone save and except the following classes:

(a) **Ground Signs:**

Ground signs shall be permitted subject to the following:

- (i) no ground sign shall be permitted on an inside lot or a corner lot which has a street frontage of less than 15 metres;
- (ii) one ground sign shall be permitted on an inside lot or corner lot which has a street frontage of at least 15 metres provided;
- (iii) two ground signs may be erected on a property which is defined as a through lot;
- (iv) the maximum height of a ground sign on properties with a lot frontage of less than 30 metres shall be 4.5 metres;

- (v) for each additional 5 metres of lot frontage, an additional 0.3 metres of sign height shall be permitted to a maximum of 8 metres;
- (vi) the maximum sign area for ground signs on lots with less than 30 metres of lot frontage shall be 4.5 m<sup>2</sup>;
- (vii) the maximum sign area for ground signs on lots with more than 30 metres of lot frontage shall be 6 m<sup>2</sup>;
- (viii) one directional sign at each point of vehicular entrance and exit shall be permitted, such signs shall not exceed 0.6 m<sup>2</sup> in sign area;
- (ix) on land not being developed land, one off-premise sign per lot having a maximum sign area of 5 m<sup>2</sup> and if illuminated, located so as to deflect the light away from adjacent streets and residential zones; and
- (x) on the parking areas of multi-tenant buildings having a lot area greater than 0.8 hectares, ground signs required for the direction of traffic or pedestrians shall be permitted, provided each does not exceed 0.6 m<sup>2</sup> sign area;
- (xi) one identification ground sign, not exceeding 2 m<sup>2</sup> in sign area on the property of a nursing home, hospital, school, place of worship, day nursery, public library, public recreational facility, private recreational facility, home for the aged, retirement home, museum or art gallery.

(b) **Wall Signs:**

Wall signs shall be permitted subject to the following:

- (i) cumulative sign area of wall signs shall be limited to 25% of the wall area of the first storey visible from any direction.
- (ii) no wall signs shall be erected above the first storey of any building.
- (iii) on the parking areas of multi-tenant buildings having a lot area greater than 0.8 hectares, wall signs required for the direction of traffic and pedestrians shall be permitted, provided each does not exceed 0.6 m<sup>2</sup> in sign area.

**Part 6 - Specifications**

6.1 **Ground Signs:**

(a) Design:

All ground signs shall be designed and constructed in accordance with the Building Code.

(b) Height Above Grade:

No ground sign shall exceed 8 metres in height.

(c) Clearances:

All ground signs shall have a clear space of at least 1 metre between the bottom of the sign and the ground.

- (d) All ground signs shall have uprights and/or braces embedded in the ground.

## **6.2 Wall Signs:**

- (a) Design:

All wall signs shall be designed and constructed in accordance with the Building Code.

- (b) Extension:

Wall signs shall not extend above the top of the wall nor extend beyond the ends of the wall to which they are attached unless meeting all the requirements for projecting signs or ground signs as the case may be.

- (c) Clearance Above Grade:

Every wall sign shall have a minimum clearance of 2.4 metres above adjacent grade.

## **6.3 Clearances**

No sign or advertising device located upon the exterior of any building shall obstruct any window, door swing, skylight or fire escape.

## **6.4 Strength of Buildings**

No sign shall be erected on any building unless such building is capable of carrying additional loads due to the erection of such sign without exceeding the stresses permitted in the Building Code.

## **6.5 Supports and Attachments**

Every sign attached to the exterior wall of a building shall be safely and securely anchored thereto by means of approved metal anchors, bolts, chains, wire ropes or steel rods.

## **Part 7 - General Provisions**

### **7.1 Existing Signs**

- (a) This Schedule does not apply so as to require any sign or advertising device that was lawfully erected or displayed on the 1st day of May 2009, but that does not comply with this Schedule, to be made to comply with the Schedule or to be removed by the owner or the owner of the land on which it is situate, if the sign or advertising device is not substantially altered; and the maintenance and repair of the sign or advertising device or a change in the message displayed shall be deemed not in itself to constitute an alteration.
- (b) This Schedule does not apply to any sign or advertising device that is lawfully erected or displayed on the day the By-law comes into force, if the sign or advertising device is not substantially altered, and the maintenance and repair of the sign or advertising device or a change in the message displayed shall be deemed not in itself to constitute an alteration.
- (c) Notwithstanding Section 7.1 (a) and (b), all signs shall be required to comply with all provisions of this Schedule within a period of 5 years of the passing of this by-law.”



- (d) Portable signs shall comply with all provisions of this Schedule within a period of 6 months of the passing of this By-law.
- e) All signs erected on a street shall be removed within a period of 3 months of the passing of this By-law.

## 7.2 **Building Code and Governmental Regulations**

Any sign which is erected shall at all times comply with this Schedule, the Building Code in force at the time of application for permit, the Comprehensive Zoning By-law for the Town of Lindsay and any governmental regulations. The more restrictive provisions of the requirements shall prevail.

## 7.3 **Maintenance of Signs**

The owner and/or occupant of the lands and premises upon which any sign is located shall maintain, or cause to be maintained, such sign in a proper state of repair, so that such sign does not become unsafe, dangerous, and so that such sign is operative at all times.

## 7.4 **Signs on or Over Public Property**

2015-229, effective November 24, 2015

## 7.5 **Protection of Residential Zones**

- (a) In all non-residential zones, ground signs shall be erected a minimum of 3 metres from the boundaries of any adjacent residential zone.
- (b) In all zones, illuminated signs shall be designed and erected so that the light from such signs is deflected away from any adjacent residential premises.

## 7.6 **Non-Conforming Uses**

Where the use of a property has been identified as a legal non-conforming use with respect to its zoning by the Municipality, signs that are erected on such property shall be governed by the entitlements of the zone within this Schedule that correspond with the legal non-conforming use.

Schedule "B" To By-Law Number 2009-076

**Regulation of Signs and Other Advertising Devices within the  
Township of Emily**

1. No person shall erect any sign or advertising device on any Highway or Municipally-owned lands within the Township of Emily.

Schedule “C” to By-Law Number 2009-076

## **Regulation of Signs and Other Advertising Devices within the Village of Bobcaygeon**

In this Schedule, the following definitions shall apply:

### **1. Definitions**

- 1.1 **“Chief Building Official”** means the person appointed by the Corporation as its Chief Building Official pursuant to the Building Code Act, 1992, S.O. 1992, C. 23.
- 1.2 **“Flashing Sign”** means a sign which contains an intermittent or flashing light source or which gives the illusion of intermittent or flashing light.
- 1.3 **“Portable or Mobile Sign”** means any sign which is designed and constructed in such a manner as to facilitate its movement from place to place.
- 1.4 **“Public Property”** means any property owned by the municipality of the Corporation of the City of Kawartha Lakes.
- 1.5 **“Projecting or Overhanging Sign”** means a sign other than a wall or fascia sign which is affixed to a building, wall or structure and projects out therefrom and located in such a manner that the sign faces are not parallel with the front wall of the building or structure to which the sign is directly attach.

### **2. General Provision**

- 2.1 No person shall permit to be displayed a flashing sign in the Village of Bobcaygeon. (2009-121, effective June 9/09)

No person shall permit to project out and over Municipal owned property an overhanging sign.

The Council may from time to time pass regulations determining the size and design of individual signs having regard to their proposed location and their effect upon adjoining properties.

Any person who has been authorized to erect a sign on Public Property by the Chief Building Official shall be required to establish to the satisfaction of the Council, that he/she has public liability insurance coverage so as to properly indemnify the municipality against any loss or damage which may be caused by the sign.

- 2.5 No person shall erect an unauthorized sign on Public Property within the Village of Bobcaygeon.
- 2.6 No person shall place or erect a business sign in front of any property unless the placement of the sign has the written approval of the abutting property owner.

Schedule “D” To By-Law Number 2009-076

**Regulation of Signs and Other Advertising Devices within the  
Village of Fenelon Falls**

In this Schedule the following words and phrases shall have the following meanings:

**1. Definitions**

- 1.1 **“Advertising Device”** means any structure, thing, object or vehicle, that displays or by its shape suggests a message intended to influence the general public or that is designed to call attention to a product or service, and without limiting the foregoing shall include such things as balloons, truck bodies, vehicle chassis and trailers.
- 1.2 **“Animated Sign”** means a sign with action or motion, flashing and/or colour changes.
- 1.3 **“Chief Building Official”** means the person appointed by the Corporation as its Chief Building Official pursuant to the Building Code Act, 1992, S.O. 1992, C. 23.
- 1.4 **“Corporation”** means the Corporation of the City of Kawartha Lakes.
- 1.5 **“Directional Signs”** means signs designed solely for the purpose of directing and regulating pedestrian or vehicular traffic in a safe and controlled manner on private or public lands.
- 1.6 **“Fascia Sign”** means any sign or display attached to or painted across the exterior surface of a building or any part thereof.
- 1.7 **“Fenelon Falls”** means the former geographic area of the Village of Fenelon Falls.
- 1.8 **“Free-Standing Sign”** means a permanent type of sign which is supported by one or more columns, uprights or braces in or upon the ground for the sole purpose of supporting the sign and which is not attached to any building or structure but shall exclude a Portable Sign, Real Estate Development Sign and/or Sandwich Board sign as herein defined.
- 1.9 **“Height”** means the vertical distance between the highest part of a sign and the average ground level.
- 1.10 **“Illuminated Sign”** means a sign in which a source of light is used in order to make readable the message including internally and externally lighted signs and reflectorized, glowing and radiating signs.
- 1.11 **“Incidental Sign”** means numerical street numbers, or any sign less than 0.09 square metre which solely connected with a festive or religious occasion or public holiday, or signs that are an integral part of equipment or machinery.
- 1.12 **“Inflatable Sign”** means a sign designed to be airborne and tethered to the ground, a vehicle or other structure, and shall include balloons. For the purposes of this schedule an Inflatable Sign shall be deemed to be a Portable Sign.
- 1.13 **“Lot”** means the total horizontal area of land described within a registered deed or other document legally describing the property limits of such lands.

- 1.14 **“Mall Sign”** means a free-standing sign that displays the names and type of a number of businesses located on that lot.
- 1.15 **“Marquee Sign”** means a fascia sign attached to and supported solely by said marquee or individual letters forming an advertisement and attached to the marquee.
- 1.16 **“Overhanging Sign”** means any sign whose support projects perpendicular from a wall and which is suspended over a public or private walk or other space that is accessible to the public.
- 1.17 **“Portable Sign”** means a sign mounted on or connected to a trailer or other type of structure which is not permanently anchored in the ground and is designed in such a manner so as to facilitate its movement from place to place for the purpose of advertising special events, whether commercial or otherwise on a temporary basis including Inflatable Signs but shall not include a Sandwich Board Sign or Real Estate Development Sign.
- 1.18 **“Real Estate Development Sign”** means a sign used by real estate companies, developers and other persons having an interest in the sale of land and/or buildings to direct prospective customers to a development or developments.
- 1.19 **“Roof Signs”** means an advertising device that projects above the fascia of a building and is supported wholly or in part of the roof structure.
- 1.20 **“Sandwich Board Sign”** means a sign where one side supports another, which is hinged or fastened together at the top and which is erected or placed on but not permanently anchored in the ground with copy on either or both sides and having a maximum area of 0.84 square metres on each side and a maximum width of 0.91 metres including any supporting members.
- 1.21 **“Sign”** means and include any structure, device or thing (and all parts thereof) which identifies, describes or advertises any building, place, business, enterprise, organization, product, thing, event, service or goods or promotes the sale of goods, services or things or identifies goods, services or things for sale in such a way as to be visible to the public.
- 1.22 **“Sign Structure Consisting of the Supports or Framework for the Support of the Sign”** means those parts of a sign.
- 1.23 **“Special Events Sign”** means a sign which is not permanently installed or affixed to any sign structure or building and which conveys a message applicable to a definable and specific limited time and which relates to an event of specific and short duration.
- 1.24 **“Street Line”** means the limit of a road or street allowance and is the dividing line between a lot and a road or street.

## **2. Applications**

- 2.1 All applications for permits pursuant to the provisions of this Schedule shall be made to the Chief Building Official on forms provided by the Chief Building Official and the Chief Building Official and the Chief Building Official shall be entitled to refuse to issue a permit for any sign or other advertising device that, if erected, displayed, altered or repaired would be contrary to the provisions of any by-law of the Corporation, including the provisions of this Schedule.

- 2.2 In addition to such other information as may be specified on the application form, an application for a permit pursuant to this Schedule shall contain:
- (i) A scaled block plan, showing the street lines and other boundaries of the property upon which it is proposed to erect the sign or other advertising device and the location of the sign or other advertising device upon the property in relation to other buildings and structures upon such property and upon the lands and streets immediately adjoining thereto;
  - (ii) Complete plans and specifications covering the construction of the sign or other advertising device and its supporting framework including the sign structure.
  - (iii) Drawings of, and such other information with respect to any buildings or structures upon which it is proposed to locate a sign or other advertising device, as may be necessary to determine whether the construction of such building or structure will carry the additional loads and stresses imposed thereon. Such drawings shall in all cases have marked clearly thereon the height of such building or structure.
- 2.3 A permit to install an awning or fascia display which will project over public property must be authorized by by-law of the Corporation.

### **3. Applicable Fees**

By-law 2010-113, effective June 15, 2010  
(Section 3 deleted)

### **4. Issue of Permit**

- 4.1 When the requirements of this Schedule have been complied with and the Chief Building Official approves the application and all plans and drawings therewith, and when the applicable fees have been paid, the Chief Building Official shall issue a permit for the erection of the sign
- 4.2 Said permit is valid only for a period of five (5) years from date of issuance by the Chief Building Official.

### **5. General**

- 5.1 No person shall erect, place, display, maintain, alter or repair any type of sign or other advertising device unless a permit has been obtained therefore in accordance with the provisions of this Schedule.
- 5.2 No person shall cause or permit to be erected, placed, displayed, maintained, altered or repaired, any type of sign or other advertising device unless a permit has been obtained in accordance with the provisions of this Schedule.
- 5.3 The provisions of this Schedule shall not apply to:
- (i) Any signs, bills, posters or placards erected or placed by the Corporation;
  - (ii) Signs erected on any street or Highway by the Ministry of Transportation or by the Provincial Police for the regulation, control, information, protection and safety of the traveling public;
  - (iii) All signs in the interior of buildings, whether they can be seen from the outside or not and window painted signs; and
  - (iv) Incidental signs.

- 5.4 No sign of any kind shall be attached or placed upon a building in such a manner so as to obstruct any door, window or fire escape or any window or door leading thereto, or any ventilating system, nor shall any sign be attached in any form, shape or manner to a fire escape.
- 5.5 No sign shall be placed in such a position that any part of such sign, or the support thereof shall be nearer than 0.91 metres to any fire alarm, telephone, telegraph or other wire or conduit, carrying electric current without the written consent and approval of the person or Corporate Body having jurisdiction over such wire or conduit.
- 5.6 No banner, stringer or advertising device shall be suspended across any street or any part thereof unless authorized by by-law of the Council of the Corporation.
- 5.7 No sign other than Service Club, Bus Stop and/or First Aid signs shall be located on any Municipal street, square, footway, sidewalk or boulevard, and then only with the authorization by by-law of Council of the Corporation.
- 5.8 No person shall paint or impress any sign, notice or advertisement on any sidewalk on any street without having authority by by-law of the Council of the Corporation to do so.
- 5.9 Animated Signs of any type whatsoever are prohibited.
- 5.10 Directional Signs in any off-street parking area shall not:
  - (i) exceed 1.11 square metres in area
  - (ii) be erected less than 1.22 metres or more than 2.44 metres above average grade
  - (iii) contain any wording, symbol, or design except as is necessary to direct pedestrian or vehicular traffic.
- 5.11 Except as provided for in Section 8, Sandwich Board signs are prohibited.
- 5.12 Overhanging signs are prohibited.
- 5.13 Inflatable signs are prohibited unless authorized by by-law of the Council of the Corporation.
- 5.14 The illuminating of any type of sign or other advertising device shall not be carried out by any means, including and without limiting the generality of the foregoing, the use of red, green or amber lighting or any means of spot lights, when such lighting is likely to cause confusion to motorists or when illumination of any sign or other advertising device is likely to cause annoyance to residents in the area.
- 5.15 Notwithstanding anything in this schedule to the contrary, no sign shall be erected, placed or displayed which could reasonably obstruct the vision of the driver of a motor vehicle on a public street or a driveway accessing a public street.
- 5.16 Provided that a sign is otherwise permitted by the provisions of this Schedule, a building facing two streets or more is permitted one fascia display on each street.
- 5.17 Roof signs are prohibited.
- 5.18 No part of any sign other than a free standing sign shall project above the eaves line of a building.

**6. Fascia Signs**

- 6.1 This section is subject to the provisions of section 3.8 of the Building Code.
- 6.2 Where a fascia sign overhangs public property, the overhang shall not be more than 0.30 metres from the wall surface of the building to which it is attached.
- 6.3 No sign or other advertising device (whether fascia sign or otherwise) shall be erected upon or attached to any building unless such building will carry the additional dead load or wind load due to the erection of such sign or advertising device and the Chief Building Official may require from the owner, certification by a qualified Professional Engineer as to the strength of the building to withstand the additional load. Fascia signs shall be securely fastened to a masonry wall by means of anchors, bolts, expansion screws or similar connectors. A fascia sign which is attached to a wall or wood may be anchored with wood blocks used in connection with screws and nails. A fascia sign shall not be supported entirely by an unbraced parapet wall.
- 6.4 The clearance between the lowest portion of any fascia sign or part thereof and the grade of the land immediately below such sign shall be not less than 2.44 metres.

**7. Portable Signs**

- 7.1 No person shall place or display or permit to be placed or displayed a portable sign on any land within the municipal limits of Fenelon Falls unless and until a permit has been obtained for same in accordance with the provisions of this Schedule.
- 7.2 Notwithstanding the provisions of Paragraph 14 of this Schedule, a portable sign, when authorized in accordance with the provisions of this schedule, shall be permitted within the municipal limits of Fenelon Falls in addition to any other permitted signs on such property provided that the portable sign shall be located on private property only and provided that the portable sign shall be located in accordance with the provisions of the Corporation's Zoning By-law.
- 7.3 A permit issued pursuant to the provisions of this Schedule for a portable sign shall be for a maximum period of:
- (i) seven days during the period January 1 to March 31
  - (ii) seven days during the period April 1 to June 30
  - (iii) seven days during the period July 1 to September 30 and
  - (iv) seven days during the period October 1 to December 31.
- 7.4 A maximum of one portable sign per lot shall be permitted at any one time.
- 7.5 The maximum size of any portable sign placed or displayed on any land within the municipal limits of Fenelon Falls shall be 4.65 square metres on each side, provided that inflatable signs shall not be regulated as to their size.
- 7.6 A portable sign shall be removed by the owner of the land upon which that sign is situate forthwith upon the expiration of the permit granted for such portable sign, failing which the Corporation shall be entitled to remove such sign at the expense of the owner of such land and the provisions of Paragraph 13 of this schedule shall apply.



**8. Sandwich Board Signs**

- 8.1 Sandwich board signs are permitted in Commercial Zones, on private property on which the business being promoted is located. Said signs shall be setback at least 0.91 metres from the front and side lot lines.
- 8.2 No Sandwich Board sign is permitted to be placed on property owned or under the jurisdiction of the Corporation.

**9. Real Estate Development Signs**

- 9.1 No person shall place or display or permit to be placed or displayed a Real Estate Development Sign on any land within the municipal limits of Fenelon Falls unless and until a permit has been obtained for same in accordance with the provisions of this schedule.
- 9.2 One only, non-illuminated Real Estate Development Sign shall be permitted per development.
- 9.3 Notwithstanding anything in this schedule to the contrary, no Real Estate Development Sign shall be permitted within any “sight-triangle” as prescribed by the Corporations’ Zoning By-law.
- 9.4 In addition to the other requirements of this schedule, where a person or Corporation requests permission to place such sign on publicly owned lands within the municipal limits of Fenelon Falls, the occupancy of said lands must first be authorized by by-law of the Corporation.
- 9.5 The Corporation shall be entitled, without prior notice to the owner of the said sign, to confiscate and remove any Real Estate Development Sign, at the expense of the owner of such sign, which is displayed in contravention of the provisions of this schedule.
- 9.6 A Real Estate Development Sign, when authorized in accordance with the provisions of this schedule shall, subject to the provisions of this schedule, be permitted on any land within the municipal limits of Fenelon Falls notwithstanding the provisions of Paragraph 14 of this schedule.
- 9.7 The maximum size of any Real Estate Development Sign placed or displayed on any land within the municipal limits of Fenelon Falls shall be 1.11 square metres on each side and in no event shall any such sign have a height of greater than 0.81 metres above existing ground level measured at the base of the sign. Every such sign shall be placed not closer than 15.24 metres to any street nor closer than 7.62 metres to any side or rear lot line.

**10. Free Standing Signs**

- 10.1 Free standing signs shall be constructed of non-combustible materials or pressure-treated wood provided however that the facings, letters, figures and structural trim may be made of approved combustible materials.
- 10.2 Supports for free standing signs shall be located on private property only.
- 10.3 Where supports for free standing signs are made of wood, such supports must be installed a minimum of 1.22 metres below ground level and the earth shall be well compacted around such supports. Where the supports for a free standing sign are made of a substance other than wood, such supports shall be set in concrete of sufficient size and weight to prevent the overturning of the sign.

**11. Other Types Of Signs**

- 11.1 Notwithstanding the provisions of Paragraph 14 of this schedule, one sign not over 9.29 square metres in total area and not illuminated, located not closer than 15.24 metres from any street line nor closer than 6.10 metres to a side or rear lot line may be erected on the future site of any school, church, public commercial or residential building, stating only the name of the building to be constructed on the lot and the contractor's name and address, and/or the sub-contractors, engineers, architects and other agents. Every such sign shall be removed from the property at the expiration of one year from the date of the issuance of a permit for such sign but the Council may, by resolution, grant an extension for a maximum of one additional year.
- 11.2 Notwithstanding the provisions of Paragraph 14 of this schedule, one non-illuminated sign advertising a property for sale, rental lease or sold may be erected on the property to be sold or leased not closer than 3.05 metres to any street line and shall not exceed 0.56 square metres in area. If a building exists on the lot closer than 3.05 metres to the street line, such sign shall then be attached flat to the face of the building. No permit shall be required for any such sign but such sign shall be removed within thirty (30) days after the property is sold.
- 11.3 Notwithstanding the provisions of Paragraph 14 of this schedule, a sign may be erected within a subdivision property advertising lots or units for sale in that subdivision provided that the sign shall not exceed a total of 9.29 square metres in area. Every such sign shall be placed not closer than 15.24 metres to any street nor closer than 7.62 metres to any lot line. Every such sign shall be removed from the property at the expiration of one year from the date of the issuance of a permit for such sign but the Council may by resolution grant an extension for a maximum of one additional year.
- 11.4 (i) Notwithstanding anything in this schedule to the contrary, a maximum of 2 signs of any type measuring not more than 0.37 square metres in area (each side), advertising yard sales, garage sales and/or open houses shall be permitted on private property provided that said signs do not obstruct or interfere with the vision of vehicular traffic.
- (ii) No permit shall be required for signs for two such events per year.
- (iii) These signs shall be erected no sooner than 1 week (seven days) before the event and shall be removed no later than 48 hours after the event, however no such sign shall be in place for longer than 16 days.
- 11.5 Marquee signs shall be prohibited within the municipal limits of Fenelon Falls, save and except those marquee signs that lawfully existed on the date of final passing of this Schedule.

## **12. Maintenance**

- 12.1 The owner of any land, building or structure upon which a sign is located (except lands owned by the Corporation), shall be responsible to ensure that every such sign (together with the sign structure and other component parts) is kept in good repair and in a safe condition at all times and is properly maintained so that the message contained thereon is complete and legible at all times.
- 12.2 The cleaning, re-painting or minor alteration or repair of a sign erected under this schedule or a predecessor by-law shall not require an additional permit.

## **13. Removal Of Signs**

- 13.1 The Chief Building Official or such person or persons as is (are) authorized by the Chief Building Official is (are) hereby authorized to take down and/or remove any sign or other advertising device that is erected or displayed in contravention of any of the provisions of this schedule, at the expense of the owner of such sign or other advertising device.
- 13.2 The Chief Building Official may require, by written notice, any person who:
- (i) has caused a sign or other advertising device to be erected, displayed altered or repaired without first having obtained a permit to do so; or
  - (ii) having obtained a permit has caused a sign or other advertising device to be erected, displayed, altered or repaired contrary to the approved plans in respect of which the permit is issued;
- to make such sign or advertising device comply with this Schedule or to remove such sign or other advertising device on or before the date specified in such notice, which date shall be a minimum of 10 days from the date of such notice. Where any person fails to comply with the requirements of such notice to the satisfaction of the Chief Building Official within the time frame specified in such notice, the Chief Building Official or such person or persons as is (are) authorized by the Chief Building Official shall be entitled to pull down or remove or arrange to pull down or remove such sign or other advertising device at the expense of such person.
- 13.3 The remedies provided in this section shall be in addition to any other remedy available to the Corporation.
- 13.4 Neither the Chief Building Official nor the Corporation nor any of its employees, workmen or agents shall be liable for any damage whatsoever or howsoever caused to any sign or other advertising device which is pulled down or removed, using reasonable care, by or under the direction of the Chief Building Official.

#### **14. Additional Sign Requirements For Defined Areas**

In addition to the other requirements of this Schedule, the following provisions, restrictions and regulations shall apply in the zones hereinafter described. The references hereinafter contained to various zone categories means the zone categories as contained in the Comprehensive Zoning By-law applicable to Fenelon Falls, as amended from time to time.

##### **14.1 Environmental Constraint Zones**

In the Environmental Constraint Zones the following signs only shall be permitted:

- (i) Up to two signs of up to 2.32 square metres in area each and a maximum height of 1.83 metres each (either fascia sign or free standing) per lot indicating only the name of the owner or occupant of the lot or building thereon and/or the use of the lot or building thereon and shall be set back a minimum of 7.62 metres from the front lot line and 3.05 metres from all other lot lines.
- (ii) Directional signs.

##### **14.2 Residential Zones**

In Residential Zones the following signs only shall be permitted:

- (i) One non-illuminated or illuminated sign (either fascia sign or free standing) per lot, not exceeding 0.19 square metres in area (1.39

square metres in area for a multiple unit building) and located not closer than 3.05 metres to any street line, indicating the name of the building or the owner or occupant of the lot. If the building on the lot is closer than 3.05 metres to the street line, such sign shall then be attached flat to the exterior surface of the building.

- (ii) One non-illuminated free standing sign per lot not exceeding 0.19 square metres in area, indicating “No Trespassing”;
- (iii) One non-illuminated free standing sign per lot not exceeding 0.19 square metres in area advertising vacancy, boarding or lodging in the building on the lot on which such sign is located;
- (iv) Up to two non-illuminated or illuminated fascia signs not exceeding 1.11 square metres in area, indicating the name of the Public or Institutional use of the lot where applicable; and
- (v) Directional signs.

#### 14.3 Community Facility Zone

In the Community Facility Zone the following signs only shall be permitted:

- (i) One non-illuminated or illuminated sign (either fascia sign or free standing) per lot not exceeding 1.86 square metres in area indicating the name of the owner or occupant of the building on the lot and/or the use of the building on the lot;
- (ii) On church property, one illuminated or non-illuminated sign may be erected, not exceeding 1.86 square metres in area and a maximum height of 2.44 metres indicating the name and denomination of the church. In addition, one church bulletin board may be erected not exceeding 1.11 square metres in area or 1.83 metres in height. Neither sign shall be located closer than 3.05 metres to a street line; and
- (iii) Directional signs.

#### 14.4 Commercial Zones

- (i) Signs on stationary awnings, canopies and marquees that project a maximum of 0.30 metres over any public street and that will be a minimum of 2.44 metres above the grade of the land immediately below such awning may be erected if such projections are authorized by a by-law of the Corporation.
- (ii) In all Commercial Zones the following signs only shall be permitted:
  1. On a shopping centre lot, one non-illuminated or illuminated free standing sign indicating the name of the shopping centre and tenants, provided that the sign is no closer than 1.83 metres to any street line and in no case shall the sign obstruct the vision of vehicular traffic.
  2. Directional signs may be erected on any lot.
  3. a) Notwithstanding the foregoing provisions of Paragraph 14(d)(i) and (ii), in any Commercial Zone, the maximum number of signs (whether stationary awnings, fascia display, sandwich board or free standing signs) that may be erected or displayed by or on behalf of any store or business shall be three.
  - b) Notwithstanding the foregoing provisions of Paragraph 13(d)(i) and (ii), and the foregoing paragraph, in any Commercial Zone

two (2) additional signs may be erected that prohibit parking for all but customers of the business to which the parking lot applies so long as such sign is no larger than 1.11 square metres and complies with all other provisions of this schedule.

4. The maximum allowable size of a fascia sign in a Commercial Zone shall be 0.19 square metres per lineal metre of store frontage.
5. The maximum allowable size of a freestanding sign in a Commercial Zone shall be 1.86 square metres with a maximum height of 2.44 metres measured from existing ground level at the base of such sign.

(iii) Notwithstanding the provisions of paragraph 14(d) of this schedule, automobile service stations and public garages shall be permitted to erect only the following signs:

1. One free standing sign on each street frontage indicating the name of the occupant of the lot and/or the use of the lot;
2. The following signs permanently fixed to the building or structure erected upon the lot; identification sign; “wash and/or lubrication” sign, lessee identification signs; licensed mechanic signs; rest room signs; temporary promotional banners or similar advertising devices provided they are fixed to the building or structure erected upon the lot or the gas pump island on the lot.

3. Directional signs.

#### 14.5 Industrial Zones

In Industrial Zones, the following signs only shall be permitted:

- (i) One non-illuminated or illuminated fascia sign with a maximum area of 4.65 square metres and a maximum height of 3.05 metres per place of business indicating the name of the business and/or the use of the premises;
- (ii) One non-illuminated or illuminated free-standing sign indicating the name of the business, located no closer than 1.83 metres to any street line, and in no case shall the sign obstruct the vision of vehicular traffic; and
- (iii) Directional signs.

#### 14.6 Development Zone

In the Development Zone, the following signs only shall be permitted:

- (i) One non-illuminated free standing sign, not exceeding 0.93 square metres in area, indicating the name of the owner or occupant of the lot and/or the use of the lot; and
- (ii) Directional signs.

#### 15. Entry Onto Premises

15.1 The Chief Building Official, his or her Deputy or his or her assistants may from time to time, and at all reasonable hours, enter into and upon any premises upon which a marquee, sign or other advertising device is erected or placed for the purpose of inspecting same.

#### 16. Applicability of Schedule

- 16.1 This Schedule shall not apply to a sign or other advertising device that was lawfully erected or displayed on the day that this schedule comes into force so long as the sign or other advertising device is not substantially altered and the maintenance and repair of a sign or other advertising device or change in the message displayed thereon shall be deemed not in itself to constitute an alteration.

**17. Hold Harmless**

- 17.1 The provisions of this Schedule shall not be construed as relieving or limiting the responsibility or liability of any person erecting, placing or owning any sign, marquee or other advertising device.

**18. Zoning By-Laws/Conflict**

- 18.1 This Schedule shall be construed as being in addition to the provisions of the Corporation's Zoning By-laws applicable to the lands affected and in the case of any conflict between this Schedule and the Zoning By-laws, the most restrictive provision shall apply.

**19. Variances**

- 19.1 The Council of the Corporation may, upon the application of any person, authorize variances from the provisions of this schedule if in the sole and absolute opinion of the Council the general intent and purpose of this schedule is maintained.

**Schedule “E” To By-Law Number 2009-076**

Added per 2015-229, effective November 24, 2015

**Regulation of Signs and Other Advertising Devices Within The  
Lindsay Downtown Business Improvement Area**

**This schedule is to be read in conjunction with Schedule “A”.**

- 1.1 Despite Section 1 of Schedule A to this by-law, in this Schedule the following definitions shall prevail where there is a conflict:

**“Banner Sign”** means a sign which is affixed to cloth, paper or other flexible material and is suspended on a wall, roof or other surface or suspended between two poles or other structures.

**“Changeable Copy Sign”** means a sign with an area that facilitates the periodic change of information or content.

**“Electronic Sign”** means a sign, with either moving or static copy, which utilizes electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays or any other similar electronic technology. Also includes signs that incorporate a clock, a time, a date, a temperature display or an electronic message display.

**“Illumination”** means the act of lighting up a sign by way of an artificial light source located within, on or external to the sign.

**“Internally Lit/Back Lit Sign”** means a sign that is illuminated on any sign face from a light source within the sign or behind the sign copy where the face of the sign and/or letters of the sign are translucent.

**“LCD or Light Sign”** means a sign that is displayed on a liquid crystal or similar display or through the arrangement of lights.

**“LDBIA”** means the Lindsay Downtown Business Improvement Area, as established through by-law, by Council, or any successor thereto.

**“Mural”** means an artistic painting, illustration or decoration that is applied to a building face but does not include any advertising or promote any business or product.

**“Sign Copy”** means any colour, graphic, logo, symbol, word, numeral, text, image, message, picture or combination thereof displayed on a sign face. Sign copy area shall be computed by straight lines drawn closest to copy extremities encompassing individual letters or words.

**“Street”** means a "highway" within the meaning of the Highway Traffic Act, R.S.O. 1990, as amended, and shall include the entire right of way, and for the purposes of this schedule shall include a lane, private right of way or parking lot aisle capable of supporting vehicular or pedestrian traffic.

**“Temporary Poster”** means a sign advertising a local event or function comprised of paper or similar material not greater than 0.5mm in thickness.

**“Window Sign”** means a sign which is erected, painted, attached, etched, inscribed or projected onto the inside or outside of any part of a window in a wall, a sign located within or in place of the glass of a window, or any other sign erected or displayed in a manner so as to be visible through the window from the exterior of the building but does not include a sign that forms part of a window display or a temporary poster.

**2.0 Regulations:**

2.1 Prohibited Signs: The following sign types are not permitted within the Lindsay Business Improvement Area:

- (i) Internally lit/back lit signs
- (ii) Internally lit awning signs
- (iii) Electronic signs
- (iv) Mobile signs
- (v) Readograph signs
- (vi) Animated signs, except for use within the scope of the traditional theatre venue
- (vii) Roof signs

2.2 Existing Signs: all signs, with the exception of portable signs, within the Lindsay Business Improvement Area described in Schedule “E”, shall be required to comply with all provisions of this by-law at such time as substantial repairs, modifications or replacements occur. This does not refer to a change of copy or normal maintenance.

2.3 Aggregate Sign Area: The aggregate sign area of awning, canopy, wall and window signage, where occurring in combination on the same building face, shall not exceed 25% of the first storey of the building.

2.4 Illumination: Signs within the LDBIA shall be externally illuminated from above with a downward-pointing light fixture.

2.4 Sign Copy: No sign copy shall be projected onto a building or any other surface from or by a source external to the sign or sign copy unless otherwise expressly permitted by this schedule.

All signs shall display only static copy unless otherwise expressly permitted by this schedule.

No sign shall contain sign copy that is of an obscene nature, contains profanity or in bad taste.

2.5 Variances: Applications for Minor Deviations within the LDBIA shall be circulated to the LDBIA for their comments. The LDBIA shall return comments to the Chief Building Official for review and advice within 45 days. No variances will be granted for those sign types prohibited within Schedule E.

2.6 Awnings and Canopies Signs: Awnings and canopies with signage incorporated on or affixed to them are permitted to project over public property to a maximum of 1.2 metres provided that there is a minimum of 2.4 metres of vertical clearance between the ground and the awning or canopy.

The area of any awnings or canopies shall not exceed 25% of the building face of the first storey of the building.

The combined area of awning, canopy and wall signage, where occurring in combination on the same building face, shall not exceed 25% of the first storey of the building.



- 2.7 Banners or Corporate Flags: shall be permitted within the LDBIA on a temporary basis only. They are not permitted to be used in lieu of permanent signage.
- 2.8 Ground Signs: A maximum of one ground sign per property shall be permitted. For single tenant buildings, the maximum height of a sign is 2 metres and the maximum sign area is 1.5 m<sup>2</sup>. For multi-tenant buildings the maximum height of a sign shall be 2.5 metres and the maximum sign area shall be 2.0 m<sup>2</sup>.
- 2.9 Murals: Murals shall be permitted within the LDBIA provided:
- (i) Themes relate to the natural and cultural heritage of the area;
  - (ii) The mural is located on the side wall of a building or fully contained within a window;
  - (iii) The mural area shall not exceed 50% of the wall area of the wall the mural is applied to; and
  - (iv) A maximum of 5% of the area of the mural, to a maximum of 2m<sup>2</sup>, be devoted to signage identifying/acknowledging the owner and/or sponsor of the mural.
- 2.10 Projecting Signs: One projecting Sign, (those which hang perpendicular to the wall of a building) per property shall be permitted to project over public property a maximum distance of 1.2 metres (inclusive of hardware and brackets).
- Projecting signs shall have a maximum sign area of 0.75 m<sup>2</sup>. The support pole or mast arm must be constructed of wrought iron, wrought aluminum or similar material and shall have a sway chain. The sign face shall be constructed of wood or metal only and 2.4 metres of vertical clearance between the ground and the sign is required.
- 2.11 Portable Signs: shall be permitted with the following restrictions:
- (i) Shall be limited to one per property except where such portable signs are set back more than 10m from any property line;
  - (ii) Shall have maximum dimensions for each sign face of 0.91m in height and 0.61m in width;
  - (iii) Shall not be affixed to the ground, or any other permanently affixed structure or object;
  - (iv) May be permitted to be placed on public property when located within 0.61m of the face of the building it serves, while maintaining a clear and free pedestrian path with a minimum clear width of 2m. At no time shall the sign be placed within the travelled road surface or within 0.61m of the curb; and
  - (v) Shall be removed during hours when the business is not open.
- 2.12 Temporary Posters: Temporary posters may be erected for the purpose of advertising of events provided that such temporary posters shall:
- (i) Be erected not more than 30 days prior to the event;
  - (ii) Be removed within 48 hours of the completion of the event;
  - (iii) Be erected on private property only;

- (iv) Not be erected without the consent of the owner of the property on which the sign is to be located; and
- (v) Not be greater than 2m<sup>2</sup> in sign area.

2.13 Wall Signs: Wall signs shall only be permitted on a building face parallel to a street.

The area of any wall sign shall not exceed 25% of the building face of the first storey of the building.

Wall signs shall be located such that the entire sign is situated within the confines of a single storey and further shall not overlap any portion of a window.

2.14 Window Signs: Window signs shall only be permitted in/on a window contained on the first storey of a building.

The area of all window signage pertaining to a building shall not exceed 25% of the building face of the first storey of the building.

The above restriction shall not include temporary posters in the calculation.