

**THE CORPORATION OF THE TOWN OF WHITCHURCH-STOUFFVILLE**  
**BY-LAW NUMBER 2004-212-RE AS AMENDED PER BY-LAW 2008-133-RE**

**A By-law to regulate the erection, location,  
class and type of signs and advertising devices  
in the Town of Whitchurch-Stouffville**

WHEREAS by Section 210 of the *Municipal Act*, R.S.O., 1990 c. M.45, a Council may pass a by-law for regulating signs and other advertising devices, and the posting of notices;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITCHURCH-STOUFFVILLE ENACTS AS FOLLOWS:**

**SECTION 1 DEFINITIONS**

In this by-law:

**"attached canopy"** means any structure which projects from the exterior face of a building wall.

**"free standing canopy"** means a building or structure unenclosed on all sides.

**"B.I.A."** means Business Improvement Area.

**"common entrance"** means an entrance from the outside to an indoor corridor of a building used to provide access to several parts of the building.

**"direct access"** means access to a walkway, sidewalk, parking area or other outdoor public way, or access to an indoor mall designed as an integral part of a shopping centre, but shall not include an interior corridor.

**"Clerk"** means the Clerk of the Town of Whitchurch-Stouffville.

**"lot"** means a parcel of land described in a registered deed or transfer or as shown in a registered plan of subdivision.

**"person"** means an individual, property owner, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context may apply according to law.

**"portable"** and **"re-locatable sign"** means any sign which is 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, and includes all signs commonly known as sandwich board, "A" frame or "mobile" signs.

**"premises"** means the area of building(s) or part thereof and/or land(s) or part thereof in a residential area, or occupied or used by a business enterprise. In a multiple tenancy building, occupied by more than one business, each business area shall be considered a separate premise.

**"shopping centre"** means a group of commercial uses which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants and distinguished from a business area comprising unrelated individual uses.

**"sign"** means any letter, word, model, replica, insignia, banner, flag, identification, search light, balloon, lighter than air device, description, illustration, symbol, statue, structure, device, landscaping, whether animate or inanimate, illuminated or not illuminated, designed to advertise, identify or convey information to the public, excluding national or provincial flags.

**"sign area"** means the area of the face of the sign within a perimeter which forms the outside shape including any frame.

**"canopy sign"** means a sign attached to or erected as an integral part of an attached canopy or a free-standing canopy.

**"directional sign"** means a sign for the public safety or convenience regulating on premises traffic, parking or other functional subdivision of premises such as lavatory facilities, telephone, signs denoting other sections of a building such as lubrication, office, etc. and bearing no commercial advertising. A direction sign may take the form of a GROUND SIGN, SOFFIT SIGN, PROJECTING SIGN or CANOPY SIGN.

**"ground sign"** means a sign supported by one or more uprights, pole, braces, or located on a structural base placed in or upon the ground.

**"illuminated sign"** means a sign that provides artificial light directly, or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light focused upon or chiefly directed at the surface of the sign.

**"electronic message centre"** means that part of an illuminated sign which is computer controlled and which displays information to the public in a pre-arranged time sequence.

**"inflatable sign"** means a sign or advertising device that is inflatable.

**"interior sign"** means a sign not visible or intended to be seen from off the premises on which the sign is located.

**"number of signs"** means that for the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where components of signs are displayed in a random manner without organized relationship, or where there is reasonable doubt about the relationship of said components, each component shall be considered to be a single sign.

**"projecting sign"** means a sign which projects at an angle and is supported by a wall of a building.

**"reversed graphics sign"** means an internally illuminated sign having transparent or translucent advertising copy on an opaque background.

**"soffit sign"** means a sign located on or near the eaves of a building.

**"trailer sign"** means a sign mounted on or attached to a trailer capable of being towed from place to place by another vehicle.

**"use"** means a utilization of land in a manner allowed by a zoning by-law.

**"wall sign"** means a sign which is attached and parallel to, or painted upon a building wall.

**"election sign"** means any sign or other advertising device, including without limitation, posters, placards, bulletins, banners, notices, pictures or any combination thereof, which promote or relate to any federal, provincial or municipal election, including an election of a local board or commission.

**"first storey"** means the storey with its floor closest to grade and having its ceiling more than two metres above the grade.

**"zone"** means a designated area of land use defined in a Zoning By-law of the Town of Whitchurch-Stouffville or by Ministerial Order.

**"Zoning By-law"** means a restricted area lands use by-law.

## **SECTION 2 SIGNS PERMITTED FOR ALL USE CATEGORIES**

2.1 The following types of signs are permitted everywhere in the Town of Whitchurch-Stouffville and may be in addition to other types of signs regulated by this by-law.

- (a) A sign containing the name, address and profession of a resident or occupant, not exceeding 0.2m<sup>2</sup> (2.152 square feet) in sign area but not to include any commercial advertising.
- (b) "No trespassing" signs or other signs regulating the use of a property, not exceeding 0.2m<sup>2</sup> (2.152 square feet) in sign area.
- (c) A temporary real estate sign not exceeding 0.5 m<sup>2</sup> (5.382 square feet) in sign area in a residential zone and not exceeding 2.0 m<sup>2</sup> (21.538 square feet) in sign area in other zones, which advertise the sale, rental, or lease of the premises upon which said signs are located, during the period the premises are for rent, sale or lease.
- (d) Directional signs not exceeding 0.5 m<sup>2</sup> (5.382 square feet) in sign area.
- (e) Signs erected by a government, board or local authority or under the direction of such a body, bearing no commercial advertising, such as traffic signs, signs identifying public schools, separate schools, public buildings, and signs of a similar nature.
- (f) Memorial signs or tablets and signs denoting the date of erection of buildings, attached to the wall of a building or structure.

- (g) A sign not exceeding 5.0 m<sup>2</sup> (53.821 square feet) in sign area incidental to building construction within the building site during active construction.
- (h) Public election signs during an election.
- (i) Temporary signs not exceeding 0.5 m<sup>2</sup> (5.382 square feet) in sign area in areas advertising auctions and special events of charitable or public service groups.
- (j) Temporary signs not exceeding 3.0 m<sup>2</sup> (32.292 square feet) in sign area per sign face advertising the sale of edible farm produce produced on the same premises. Such signs shall be limited to one (1) double faced sign or two (2) single faced signs per premises. Such signs shall be removed within ten (10) days of the date when the advertised produce, produced on the premises, ceases to be available for sale.
- (k) Signs advertising special events of limited duration not associated with charitable or public service groups. Except for signs advertising a new business opening, which may be displayed for a maximum period of thirty (30) days, signs advertising special events shall not be displayed for any period exceeding fifteen (15) days. Such signs may be erected for not more than seven (7) days prior to a special event and shall be removed within forty-eight (48) hours after completion of the special event. Signs advertising special events of any nature including new business openings shall be limited to one sign per property per twelve (12) month period.
- (l) Planning development and information signs erected at the request of a municipality.
- (m) Interior signs.

2.2 A sign permit is not required for signs erected in this section, except for signs erected under 2.1(g) and 2.1(h) and 2.1(k).

### **SECTION 3 PROHIBITED SIGNS**

No person shall erect, install, post, display, maintain or keep on any premises signs of the following types:

- (a) Signs which incorporate in any manner any flashing or moving illumination which varies in intensity or which varies in colour or signs which have any visible moving parts, visible mechanical movement of any description, or other apparent movement achieved by electrical pulsations or by actions of wind currents, with the exception of signs which indicate time or temperature, an electronic message centre, provided that such signs are not prohibited by any other provision of this by-law.
- (b) Signs which may by reason of size, location, content, colouring, or manner of illumination obstruct the vision of drivers, either when leaving a roadway or when entering a roadway from another roadway or driveway, or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads.

- (c) Signs which make use of words such as "STOP", "LOOK", "ONE WAY", "DANGER", "YIELD", or any similar words, phrases, symbols, lights, or characters which may interfere with, mislead, or confuse traffic.
- (d) Any sign which obstructs free ingress to or egress from a fire escape door, window or other required building exit.
- (e) Any obsolete sign which no longer advertises a business conducted, or a product sold.
- (f) Signs on public property or public rights-of-way, unless erected by a governmental body, or unless required to be so located by order of a governmental body.
- (g) Signs painted on, attached to, or supported by a tree, stone, or other natural object, or utility pole.
- (h) Signs painted on the exterior walls of any building.
- (i) Signs erected in part or entirely on the roof of a building or structure.
- (j) String lights, other than temporary holiday decorations.
- (k) Pennants, spinners, banners, and streamers.
- (l) Advertising signs not related to any business located on the lot, except a ground sign advertising a farm market located within Whitchurch-Stouffville, provided that only one such sign is permitted for each farm market, and provided that such sign does not exceed 2.97 square metres (32 square feet) or exceed 2.4 metres (8.0 feet) in any dimension..
- (m) A ground sign within 15.0m (49.212 feet) of a traffic light.
- (n) Any sign not securely anchored to the ground or to a building, excluding sandwich board signs, where permitted in the by-law and which because of its design may be moved and shall include a sign located on a vehicle other than a vehicle necessary for the operation of business, if such sign identifies, advertises or gives information in respect to any premises or a part thereof except as provided for in Section 6.7.
- (o) Signs attached to a projection canopy except canopy signs and soffit signs.
- (p) Signs erected, maintained or displayed on municipal property except as provided in Section 2.1(e) and Schedule "B".
- (q) Any sign displaying advertising which is not in accordance with the most recent edition of The Canadian Code of Advertising Standards.
- (r) Any sign the content of which would aid or abet the contravention of any zoning or other by-law, Act or Regulation enforceable in the municipality, or which would identify, advertise or provide information in relation to a use or occupancy not permitted by the zoning by-law.

## **SECTION 4 GENERAL PROVISIONS FOR ALL SIGNS**

The following provisions shall apply in all zones and to all categories of signs:

### **4.1 Limit on Number of Signs Per Premises**

Only one ground sign may be erected on premises under separate ownership and in addition there may also be erected one wall sign, or, one soffit sign, or, one canopy sign, or, one projecting sign, in respect to part of the premises occupied by a business that is carried on independently of any other business in those premises except as permitted in Schedule "B".

### **4.2 Wall Signs (See Section 2, 6.1, 7.1 and Schedule "B")**

The following regulations shall apply to all wall signs:

- (a) No wall sign shall extend above the top extremity of the wall upon which it is placed.
- (b) No wall sign, or any part thereof, shall project more than 0.5m (19.685 in.) from the wall upon which it is mounted.
- (c) No wall sign shall extend beyond the extremities of the wall to which it is attached.
- (d) No wall sign shall extend around the corners of the wall upon which it is mounted, except that when a premises is located on a corner lot and has entrances on two (2) or more public ways, a wall sign may extend around the corner on which it is mounted. Signs extending around a corner lawfully erected under this section shall be deemed to be two (2) signs for the purpose of calculating permitted number of signs and permitted sign area.

### **4.3 Ground Signs (See Section 2, 6.2, 7.2 and Schedule "B")**

The following regulations shall apply to all ground signs:

- (a) No ground sign or any part of its structure shall be located less than 3.048m (10 feet) from any street line.
- (b) No ground sign shall exceed 4.0m (13.123 feet) in any dimension of the sign face, excluding shopping centre signs, section 6.5(a).
- (c) No more than one (1) sign shall be mounted to the supporting structure of any ground sign.
- (d) No ground sign shall exceed a maximum height of 7.5 m (24.606 feet) from the finished grade level at the base of said sign as mounted on its supporting structure.
- (e) No ground sign shall be located at a distance from the common lot boundary with an adjacent lot less than 1.5m (4.921 feet) or a distance equal to the height of the sign, whichever is greater.

- (f) A ground sign including any part of its structure shall not be located closer than 1.0m (3.280 feet) to any driveway, unless located on the traffic island separating the lands of a two-way driveway.

#### 4.4. **Soffit Signs** (See Section 2, 6.3)

The following regulations shall apply to all soffit signs:

- (a) No portion of any soffit sign shall be less than 2.438m (8 feet) above the finished grade or floor level immediately below such sign.
- (b) No soffit sign shall be located above the first storey of any building.
- (c) No soffit sign shall be closer than 0.6m (1.968 feet) from the outer edge of a canopy upon which it is mounted.
- (d) No soffit sign shall have a vertical dimension greater than 0.4m (15.758 inches) and a horizontal dimension greater than 1.9m (6.233 feet).
- (e) No soffit sign shall exceed 0.6 m<sup>2</sup> (6.458 square feet) in area.
- (f) No soffit sign shall be illuminated internally.

#### 4.5 **Canopy Signs** (See Sections 2, 6.4 and Schedule "B")

The following regulations shall apply to all canopy signs:

- (a) A canopy sign shall be designed as an integral part of the canopy fascia.
- (b) No canopy sign shall extend beyond the limits of the canopy fascia.

#### 4.6 **Projecting Signs** (See Sections 2,6,7,8 and Schedule "B")

The following regulations shall apply to all projecting signs:

- (a) No portion of a projecting sign shall be less than 2.438m (8 feet) above the finished grade or floor level immediately below such sign.
- (b) No projecting sign shall exceed 1.0 m<sup>2</sup> (10.763 square feet) in area per sign face.
- (c) No projecting sign shall be illuminated internally.

#### 4.7 **Location of Signs**

Except as permitted in Section 4.7(a), no sign shall project over public property or public rights-of-way or other adjoining lands or driveway.

- (a) Where a building is erected with a (0) zero setback from a street line, then a "WALL SIGN" or "PROJECTING SIGN" shall be permitted to project a maximum of 12 inches over public property or a public right-of-way except as permitted in Schedule "B".

#### **4.8 Illumination**

Light sources which illuminate signs shall be shielded so that the light source is not visible off the property on which a sign is located.

#### **4.9 Electronic Message Centre Signs**

The following regulations shall apply to all electronic message centre signs:

- (a) the size of the message centre is restricted to not more than fifty percent of the sign face;
- (b) only words can be displayed on the sign;
- (c) the sign is prohibited from facing a residential area, unless adequate provision can be made to screen the sign from adjacent residential properties.

### **SECTION 5 SIGNS PERMITTED IN RESIDENTIAL ZONES**

In this section "use" means a permitted use of land or a building pursuant to the zoning by-law in effect.

5.1 In an area where the predominant permitted legal use is single family residential purposes and two-family residential purposes, those signs permitted in Section 2 of this by-law are allowed.

5.2 In an area where the predominant permitted legal use is multiple family residential use, the following signs only are permitted:

- (a) Those signs permitted by Section 2.
- (b) One ground sign not higher than 0.2m (6.561 feet) and with an area not exceeding 2.4 m<sup>2</sup> (25.833 square feet) only identifying the building on the lot on which it is located.
- (c) A wall sign located at ground level not exceeding a sign area of 2.4 m<sup>2</sup> (25.833 square feet) only identifying the building on which it is located.

### **SECTION 6 SIGNS PERMITTED IN COMMERCIAL ZONES**

Subject to the provisions contained in Section 4 "GENERAL PROVISIONS FOR ALL SIGNS", the following provisions shall apply to all signs located in a commercial zone:

#### **6.1 Wall Signs**

- (a) The area of a wall sign shall not exceed 0.75 m<sup>2</sup> (8.072 square feet) per linear horizontal metre of the building wall upon which such sign is located. In multiple occupancy buildings or shopping centres there shall be a proportional allocation of sign area for each business premises having direct access to, or windows facing a public way. Notwithstanding the foregoing, the total area of a wall sign per business premises shall not exceed 20.0 m<sup>2</sup> (215.285 square feet) or be limited to less than 2.0 m<sup>2</sup> (21.528 square feet).
- (b) Wall signs shall only be located at the first storey level except that where a business premises occupies more than one floor, a wall sign may be located above the ground floor level.

## **6.2 Ground Signs**

No ground sign shall be larger than 5.5 m<sup>2</sup> (59.20 square feet) in area on a single sign face, or 11.0 m<sup>2</sup> (118.40 square feet) of sign area for all faces combined, nor in excess of 4.0m (13.123 feet) in any dimension of sign face.

## **6.3 Soffit Signs**

Soffit signs shall not exceed a sign area of 0.6 m<sup>2</sup> (6.458 square feet).

## **6.4 Canopy Signs**

- (a) A canopy sign shall not exceed 0.75 m<sup>2</sup> (8.072 square feet) per linear horizontal metre of building frontage. In multiple occupancy buildings there shall be a proportional allocation of sign area for each business premises. Notwithstanding the foregoing, the total area of a canopy sign per business premises shall not exceed 20.0 m<sup>2</sup> (215.285 square feet) or be less than 2.0 m<sup>2</sup> (21.528 square feet).
- (b) Notwithstanding Section 6.4(a), a canopy sign erected as an integral part of a free standing canopy shall not exceed 2.0 m<sup>2</sup> (21.528 square feet) in area.

## **6.5 Shopping Centre Signs**

Only the following signs may be erected at a site on which is located a shopping centre.

- (a) On a shopping centre site of less than 15 acres one ground sign identifying the shopping centre is permitted. No ground sign shall be larger than 10.0 m<sup>2</sup> (107.64 square feet) in area on a single sign face, or 20.0 m<sup>2</sup> (215.28 square feet) of sign area for all faces combined, nor in excess of 5.0m (16.40 feet) in any dimension of sign face. On a shopping centre site of more than 15 acres a ground sign identifying the shopping centre and not exceeding a sign area of 1.2 m<sup>2</sup> (12.916 square feet) per face not exceeding 4.8 m<sup>2</sup> (51.67 square feet) for all faces combined and of 3.0m (9.84 feet) in height or less may be erected at each parking lot entrance. No other ground signs are permitted.

- (b) Wall signs identifying businesses within the shopping centre are permitted subject to all other regulations.
- (c) One wall sign identifying the shopping centre may be erected in lieu of one ground sign if integrated harmoniously with the shopping centre design.
- (d) An anchor department store on a shopping centre site occupying more than 100,000 square feet and having an independent entrance may erect a wall sign not exceeding 2.0 m<sup>2</sup> (21.528 square feet) in area.
- (e) Signs affixed to light standards intended to delineate separate areas of a parking lot for the public convenience and bearing no commercial advertising shall be deemed to be directional signs. Notwithstanding section 2.1(d), such directional signs shall not exceed 3.0 m<sup>2</sup> (32.291 square feet) in area per sign face.

### **6.6 Service Station and Gas Bar Signs**

Notwithstanding any other provisions of this by-law, the following additional signs are permitted in association with service stations and gas bars:

- (a) Not more than two "Gas Price" signs not exceeding 0.5 m<sup>2</sup> (5.381 square feet) in sign area on the fascia of a canopy associated with pump islands provided that such sign is an integral part of the canopy design and does not extend beyond the fascia limits.
- (b) Signs customarily displayed on gasoline pumps which are an integral part of the pump or pump island design.
- (c) Not more than two directional signs not exceeding 0.5 m<sup>2</sup> (5.381 square feet) in area may be erected as an integral part of a canopy fascia provided that no sign shall advertise, indicate or direct attention towards any activity not carried on at the pump island with which the canopy is associated.

### **6.7 Trailer Signs**

One (1) Trailer sign per property may be located on a lot to advertise a special event of a commercial nature, such as a grand opening or similar event in accordance with Section 2.1 (k). No permit for a trailer sign shall be issued without the written consent of the owner of the property on which the sign is to be located. Only one trailer sign shall be located on a lot at any one time.

### **6.8 Inflatable Signs**

Permitted, subject to the following restrictions:

- (a) Permit shall be issued for a period not exceeding 30 days.
- (b) Where premises are occupied by more than one owner or tenant, only one permit shall be issued for the same period of time.

- (c) Not more than 2 permits may be issued for same owner, tenant, occupant, at same location in any calendar year. Such permits may be issued for consecutive periods of time.
- (d) Sign complies with relevant location and height restrictions provided for in this by-law.
- (e) Power cords and/or supporting devices for inflatable signs shall not be placed on or over parking areas or pedestrian areas.
- (f) Inflatable signs shall not be placed on a parking space, aisle, or pedestrian areas.
- (g) Inflatable signs shall not be considered to be roof signs.

### **6.9 Sandwich Board Signs**

Permitted subject to the following restrictions:

- (a) No sandwich board sign ("A" Frame) shall be larger than 1.486 m<sup>2</sup> (16 square feet) in area on a single sign face, nor in excess of 1.22m (4 feet) in any dimension of sign face or as permitted in Schedule "B".
- (b) One per business located on private property only, with property owners permission except as permitted in Schedule "B".

A sign permit is not required for signs erected in section 6.9, except in the B.I.A. District as indicated in Schedule "B".

### **6.10 Special Provisions for Premises not having Direct Access to a Public Way**

Where any premises do not have direct access to a public way, the following signs shall be permitted notwithstanding any other provisions of this by-law:

- (a) Not more than one (1) wall sign or one (1) ground sign per common entrance shall be permitted.
- (b) No premises shall be permitted to advertise on more than one sign erected under the provisions of this Subsection.
- (c) No sign erected under the provisions of this Subsection shall be located in any parking area or perimeter landscaping area.
- (d) No sign erected under the provisions of this Subsection shall exceed 2.0m (6.56 feet) in vertical dimension of the sign face.
- (e) No ground sign erected under the provisions of this Subsection shall exceed 2.5m (8.2 feet) in height.

- (f) No sign erected under the provisions of this Subsection shall exceed 0.25 m<sup>2</sup> (2.69 square feet) per premises for a single faced sign or 0.5 m<sup>2</sup> (5.38 square feet) per premises for all faces combined.
- (g) The base of any sign erected under the provisions of this Subsection shall not be located above the first storey level.

## **SECTION 7 SIGNS PERMITTED IN INDUSTRIAL AND INSTITUTIONAL ZONES**

Subject to the provisions contained in Section 4 -"GENERAL PROVISIONS FOR ALL SIGNS", the following provisions shall apply to all signs located in Industrial and Institutional zones:

### **7.1 Wall Signs**

- (a) Wall signs shall not exceed 0.5 m<sup>2</sup> (5.381 square feet) per linear horizontal metre of the building wall upon which such sign is located. In multiple occupancy buildings there shall be proportional allocation of sign area for each business premises. Notwithstanding the foregoing, the total area of a wall sign per business premises shall not exceed 20.0 m<sup>2</sup> (215.285 square feet) or be limited to less than 2.0 m<sup>2</sup> (21.528 square feet).
- (b) Wall signs shall only be located at the first storey level, except that where a premises occupies more than one floor a wall sign may be located above the ground floor level.

### **7.2 Ground Signs**

- (a) No ground sign shall be larger than 5.5 m<sup>2</sup> (59.20 square feet) in sign area on a single sign face, or 11.0 m<sup>2</sup> (118.40 square feet) of sign area for all faces combined, nor in excess of 4.0m (13.123 feet) in any dimension of the sign face.
- (b) No ground sign shall exceed 4.0m (13.123 feet) in height above the average finished grade level at the base of such sign.

### **7.3 Inflatable Signs**

Permitted upon receipt of a permit thereof, subject to the following restrictions:

- (a) Permit shall be issued for a period not exceeding 30 days.
- (b) Where premises are occupied by more than one owner or tenant, only one permit shall be issued for the same period of time.

- (c) Not more than 2 permits may be issued for same owner, tenant, occupant, at same location in any calendar year. Such permits may be issued for consecutive periods of time.
- (d) Sign complies with relevant location and height restrictions provided for in this by-law.
- (e) Power cords and/or supporting devices for inflatable signs shall not be placed on or over parking areas or pedestrian areas.
- (f) Inflatable signs shall not be placed on a parking space, aisle, or pedestrian areas.
- (g) Inflatable signs shall not be considered to be roof signs.

#### **7.4 Sandwich Board Signs**

Permitted subject to the following restrictions:

- (a) No sandwich board sign ("A" Frame) shall be larger than 1.486 m<sup>2</sup> (16 square feet) in area on a single sign face, nor in excess of 1.22m (4 feet) in any dimension of sign face.
- (b) One per business located on private property only, with property owner's permission.
- (c) A sign permit is not required for signs erected in section 7.4.

7.5 No other sign shall be permitted in these zones, except those signs permitted in Section 2.

### **SECTION 8 SIGNS PERMITTED IN RURAL, RURAL RESIDENTIAL, TRANSITIONAL, OPEN SPACE AND HAZARD LAND ZONES**

#### **8.1 General**

No class of signs shall be erected, displayed, structurally altered or repaired notwithstanding the repairs or alterations that may be required under Section 11 in a Rural, Rural Residential, Transitional, or Open Space Zone except as specifically set out herein under:

#### **8.2 Business Identification Signs**

- (a) For any building designed or legally used as a permitted business within a Rural, Rural Residential, Transitional or Open Space Zone there may be erected one wall sign for each street frontage of the business premises. Signs shall be attached to the building wall fronting on a street. The display area of any such sign shall not exceed 3.716 m<sup>2</sup> (40 square feet).
- (b) A canopy sign not exceeding the area limitations for wall signs in 8.2(a) may be erected in lieu of any permitted wall sign(s) provided such sign is attached to a canopy fronting a street.

- (c) In addition to any permitted wall or canopy sign, one ground sign may be erected for each street frontage provided such sign does not exceed 3.716 m<sup>2</sup> (40 square feet) in display area.

### **8.3 Temporary Signs**

Temporary signs shall be permitted in accordance with Section 2.1(k).

## **SECTION 9 SUBDIVISION DEVELOPMENT SIGNS**

### **9.1 Real Estate Development Signs**

In addition to the general provisions of this by-law, the following regulations shall apply to all real estate development signs.

- (a) Such signs must be located on the premises which are for sale.
- (b) Such signs shall advertise only the subdivision in which the sign is located, and not the sale of lots elsewhere, or the realtor's, developer's or landowner's business in general.
- (c) Such signs shall conform to relevant setback line requirements. If any person shall use more than one (1) sign for the same development or area, no two (2) signs shall be closer to each other than 300m (984.251 feet) measured in a straight line between said signs.
- (d) The total area of all such signs shall not exceed 20.0 m<sup>2</sup> (215.285 square feet).
- (e) Illumination of such signs shall only be from an external source.

In addition to real estate signs permitted in subsection 9.1, the following signs shall also be permitted:

- (f) One (1) ground sign having a maximum sign area of 20.0 m<sup>2</sup> (215.285 square feet) adjacent to each of the two (2) nearest arterial roads to the subdivision being advertised. Not more than one (1) such sign shall abut any one (1) arterial road.
- (g) No such sign shall be erected in a location which may obstruct the view of the traffic.
- (h) Such signs shall advertise only the subdivision concerned and not the realtor's, landowner's or developer's business in general.
- (i) Illumination of such signs shall only be from an external source.
- (j) No permit shall be issued for any such sign without the written consent of the registered owner of the land on which the sign is to be located.

## **SECTION 10 NON-CONFORMING SIGNS**

### **10.1 Existing Non-Conforming Signs**

The by-law shall not be applied so as to require a sign that is lawfully erected or displayed on the day this by-law comes into force, but which does not comply with the by-law, to be made to comply with the provisions of this by-law or to be removed by the owner or the owner of the site on which it is situated, so long as the sign is not in any way substantially altered, provided that the maintenance and repair of the sign or a change in the message displayed shall not be deemed to constitute an alteration.

### **10.2 Pulling Down and Removal of Unlawful Signs**

- (a) Where a sign is erected or displayed in contravention of this by-law such sign may be pulled down or removed by the Town in the manner stated in this Section.
- (b) Except as provided in Subsection 10.2(f) where a sign which does not comply with this by-law is erected or displayed, the Clerk may forward a notice by pre-paid mail to the owner of the sign (if the name and address of the owner is known) and, if the owner of the sign is unknown, to the registered owner of the land where the sign is located, requiring that the illegal sign be removed or be made to comply with this by-law not later than a date stipulated in the notice and notifying that if the sign is not removed or made to comply with this by-law within the specified period, it will be pulled down and removed by the Town of Whitchurch-Stouffville at the owner's expense.
- (c) If the notice is not complied with, the Clerk may direct Town officials or an independent contractor to enter upon the land to pull down and remove the sign.
- (d) Signs so removed shall be stored by the Town for a period of not less than 30 days, during which time the owner, or his agent, may be entitled to redeem the sign upon receipt by the Treasurer of the Town of:
  - (i) the sum of \$25.00 being the cost of removing the sign,
  - (ii) a storage charge of \$2.00 per day or part thereof,
  - (iii) a signed acknowledgement and release on a prescribed form, and
  - (iv) where a sign is so large or so erected or displayed that the cost of pulling down and removal of the sign exceeds \$25.00, the sum provided in Subsection (i) above will not apply and the sum will be the costs incurred by the Town in pulling down and removing the sign.
- (e) Where a sign has been removed by the Town and stored for a period of 30 days and such sign has not been redeemed, such signs may be forthwith destroyed or otherwise disposed of by the Town.
- (f) Except as otherwise permitted by this by-law, no sign shall be permitted on, over, or partly on or partly over public property and any such sign may be pulled down and removed without notice.

## **SECTION 11 MAINTENANCE**

### **11.1 General Maintenance**

The owner, lessee or agent of the lands or premises upon which any sign or advertising device is located, shall maintain, or cause such sign or advertising device to be maintained, in a proper state of repair, so that such sign or advertising device does not become unsafe, unsightly or dangerous. All signs shall be completely operative at all times.

### **11.2 Dangerous or Defective Signs**

- (a) Where any sign or advertising device is in a dangerous or defective condition, the Clerk shall notify the owner, lessee or agent of the premises upon which such sign or advertising device is located, to remove at once such sign or advertising device or fix the same and put it in a proper state of repair.
- (b) Upon receipt of such notice from the Clerk, the owner, lessee or agent of such lands or premises shall at once proceed to repair or remove such sign or advertising device, provided that if the owner, lessee or agent of such lands or premises fails to repair or remove such sign or advertising device, the Clerk may have such sign or advertising device removed or such repairs made thereto as he deems necessary and the expense thereof, with costs, shall be recoverable by action or distress, and in the case of non-payment, shall be added on to municipal taxes and recovered as arrears of municipal taxes.

## **SECTION 12 MATERIALS AND STRUCTURAL REQUIREMENTS**

### **12.1 Materials**

- (a) All materials incorporated into a sign shall comply with all requirements of the Ontario Building Code.
- (b) Every sign shall comply with all governing requirements of Hydro One.

### **12.2 Structural**

- (a) Signs and their structural members shall be designed to have structural capacity to resist safely and effectively all effects of loads and influence from the environment that may be expected and shall in every case satisfy the requirements of the Ontario Building Code.

## **SECTION 13 ADMINISTRATION**

### **13.1 Intent**

- (a) The by-law shall apply to the whole of the Town of Whitchurch-Stouffville. The intent of this by-law is to regulate signs in the Town of Whitchurch-Stouffville for controlling appearance, safety and the impact upon certain significant historical areas within the Town.
- (b) No person shall erect, display, structurally alter or repair, any sign or advertising device located within the Town of Whitchurch-Stouffville unless a permit has been obtained in compliance with the provisions of this by-law.
- (c) For the purpose of this by-law, a legal non-conforming use shall be deemed to be located in a zone appropriate to the legal non-conforming use and the requirements for that zone shall apply.

### **13.2 Responsibility**

Neither the granting of a permit nor the approval of the plans and specifications nor inspections made by the Town of Whitchurch-Stouffville shall in any way relieve the owner or any other person from full responsibility for carrying out work or having the work carried out in complete accordance with the requirements of this by-law or any other by-law applicable to the sign.

### **13.3 Responsibility re Application for Permit**

No person shall make application for a sign permit who is not the owner or lessee, or the authorized agent of the owner or lessee of the property on which the work is to be performed, nor shall any person submit false or misleading information or documents or make omissions that may mislead in connection with any application for a sign permit, detail of construction or revision thereto.

### **13.4 Responsibility re Permits**

No person shall work or authorize work to proceed on any sign for which a permit is required and which has not been obtained. Where a sign is found to be in contravention of this by-law, the Town of Whitchurch-Stouffville, its servants or agents, may issue an order to comply with the requirements of this by-law or a stop work order.

### **13.5 Responsibility re Notices and Orders**

No person shall contravene the provisions of an order to comply with the requirements of this by-law or a stop work order, issued because of a contravention of this by-law or remove any aforesaid notice or order that is posted on any premises without the approval of the Town of Whitchurch-Stouffville.

### **13.6 Responsibility re Owner or Authorized Agent, Application for Permit**

The owner or lessee or an authorized agent shall be responsible for ensuring that the application for permit is made in sufficient time to allow a thorough examination of the submitted documents and to permit any necessary amendments or to obtain the approval of all governing authorities prior to the date intended for the commencement of work.

### **13.7 Conformity with Plans and By-Law**

It shall be the responsibility of the owner, or lessee, or an authorized agent to comply with this by-law and the approved plans and specifications, and to ensure that each set of plans and specifications approved by the Town of Whitchurch-Stouffville is identical in every respect. Failure to do so shall not relieve any such person of the responsibility for complying with every requirement of the by-law should any discrepancies become apparent.

### **13.8 Permits, When Required**

Permits are required to erect signs under Sections 2.1(g), 2.1(k), 5.2 and all of Sections 6,7,8,9, Schedule "B" and any other signs which may present a structural safety hazard.

### **13.9 Application for Permits**

To obtain a permit the applicant must first file an application in a prescribed form furnished for that purpose in writing.

Every application shall:

- (i) identify and describe in detail the sign to be covered by the permit for which the application is made.
- (ii) describe the land on which the proposed sign is to be erected, by street address or by other equivalent description that will readily identify and specifically locate the sign and the Clerk may require that the foregoing information or any part thereof be confirmed by an Ontario Land Surveyor.
- (iii) be accompanied by plans and specifications of sufficient detail and quality as is necessary to ascertain whether or not the sign will be in compliance with this by-law.
- (iv) state the full name, address and telephone number of the owner and any lessee of the premises and the owner of the sign, the applicant, the designer and, if known, the constructor if a corporate body, the address of the head office of the company and the names, addresses and telephone numbers of such officers of the company as may be required.
- (v) be accompanied by written approval from all other authorities having jurisdiction.

An application for permit for any work will expire six (6) months after the date of filing, unless a permit has been issued.

### **13.10 Revisions to the Application or Approved Documents**

Revisions may be made without charge to the application or approved documents provided they do not require significant additional work by the Town of Whitchurch-Stouffville.

Conditions under which a sign permit will be issued are:

- (a) Where the application as been properly executed and submitted,
- (b) The required fees have been paid, and
- (c) The sign for which the application has been made complies in all respects with this by-law and all other governmental regulations applicable to the sign.

#### **13.11 Expiration of Permit**

Every permit issued pursuant to this by-law shall expire six (6) months from the date of issuance unless the sign in respect of which it was issued is erected or placed. Every permit shall expire upon removal of the sign from the place for which the permit was issued.

#### **13.12 Renewal of Permit**

Where, before the expiry date of a permit, an application is made to extend this permit for a further six (6) months, the Town may renew the permit by the payment of the prescribed application fee where the sign conforms to all by-law and/or other governmental regulations in force at that time.

#### **13.13 Revocation of Permit**

A permit may be revoked by the Town of Whitchurch-Stouffville under the following circumstances:

- (a) where the sign does not conform to this by-law and amendments thereto,
- (b) where the sign does not conform to any regulation, law or requirement of any governmental authority having jurisdiction over the area where the sign is situate,
- (c) where the permit has been issued as the result of false or misleading statements, or undertakings in the application,
- (d) where the permit has been issued in error by the Town of Whitchurch-Stouffville.

#### **13.14 Assigning of a Permit**

It is a condition of the issuance of any permit that said permit shall not be assigned without the approval of the Clerk or designate and the payment of the prescribed fee.

### **13.15 Fees**

Fees payable at the time of application for permits shall be the fees as indicated on Schedule "A" and no permit shall be issued until the fees therefore, have been paid in full.

All applications for a sign variance shall be accompanied by the fee in accordance with Schedule "A".

Fees are not refundable.

### **13.16 Orders**

#### **(a) Orders to Comply**

Whenever a contravention of this by-law is apparent, an order to comply may be issued to the person who is responsible for the erection of the sign; said order shall outline the nature of the contravention and the section of the by-law so contravened, and shall further direct that the contravention be rectified within a specified time.

In the event that no responsible person can be found to receive the order, then the order shall be posted at the site of the contravention and a copy of said order be sent by registered mail to the last known address of the owner or lessee of the premises, and such procedure shall be deemed to be the equivalent of personal notice.

#### **(b) Stop Work Orders**

A stop work order is similar to an order to comply except that it may require the stoppage of work on any or all of the project whenever a permit has not been obtained for the work being undertaken, or whenever, in the opinion of the Clerk, continuation of the work would result in the inability to readily correct a violation or would prohibit the inspection of another portion of the work on which an order has been or is being issued. No further work shall be undertaken except that required to rectify the contravention which resulted in the order being issued.

### **13.17 Penalty**

Every person who contravenes any of the provisions of this by-law is upon conviction, guilty of an offence and is liable to a fine of not more than five thousand dollars (\$5,000.00) for each offence, exclusive of costs.

### 13.18 **Liability for Damages**

The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign or display for personal injury or property damage resulting from the negligence or willful acts of such person, their agents or employees, in the construction, erection, maintenance, repair or removal of any sign erected in accordance with a permit issued hereunder.

Nor can it be construed as imposing upon the Town of Whitchurch-Stouffville or its officers or employees any responsibility or liability by reason of the approval of any signs, materials or devices under the provisions of this by-law.

### 13.19 **Validity**

In the event any part or provision of this by-law is held to be illegal or void, this shall not have the effect of making illegal or void any of the other parts or provisions thereof, which may or shall be determined to be legal.

### 13.20 **Conflict with other By-Laws**

Where there is a conflict or a contradiction between this by-law and the provisions of any other by-law of the Town of Whitchurch-Stouffville, the provisions of this by-law shall prevail.

13.21 This by-law may be cited as the Town of Whitchurch-Stouffville **Sign By-Law**.

13.22 The Council of the Town of Whitchurch-Stouffville may, upon the application of any person, authorize minor variances from the provisions of this by-law, provided that in the opinion of the Council, the general intent and purpose of the by-law are maintained, and provided that the appropriate variance fee has been paid. In determining whether to grant such a variance, Council shall have regard to, and may impose as terms of such variance limitations on, the total amount of signage and the types of signage that are situate on the premises and on the property containing the premises.

13.23 By-Law Number 2004-212-RE is hereby amended effective **October 7<sup>th</sup>, 2008**.

READ a first and second time this 7<sup>th</sup> day of October, 2008.

READ a third time and passed this 7<sup>th</sup> day of October, 2008.

**Wayne Emmerson, Mayor**

**Michele Kennedy, Clerk**

**SCHEDULE "A"**  
**TO BY-LAW NUMBER 2004-212-RE**  
**AS AMENDED BY USER FEE BY-LAW 2008-172-FI**

FEES: To be paid to the Town of Whitchurch-Stouffville for Sign Permits as per the User Fee By-law 2008-172-FI

**SCHEDULE "B"**  
**TO BY-LAW NUMBER 2004-212-RE**  
**BIA COMMITTEE APPROVAL**  
**FOR ERECTION OF A SIGN IN THE SPECIAL SIGN DISTRICT**  
**(Subject to Municipal Approval and Permit)**

SPECIAL SIGN DISTRICT KNOWN AS THE B.I.A. DISTRICT COVERING MAIN STREET FROM ALBERT STREET TO PARK STREET

In addition to the provisions of Section 4 (general provisions) and Section 6 (signs permitted in commercial zones) the following provisions shall apply to signs located in the B.I.A. District.

1. (a) All applications for signs shall be reviewed and approved by the B.I.A. Committee prior to being submitted to the Town for a Sign Permit. No applications will be accepted by the Town without B.I.A. approval.
- (b) All applications for signs in Special Sign District shall be accompanied by scale drawings showing:
  - (i) The building or location where the proposed sign is to be located,
  - (ii) The type of proposed sign,
  - (iii) The dimensions of the sign along with any proposed design or lettering,
  - (iv) Materials of which the proposed sign is to be constructed.
  - (v) A cross section of the proposed (projection) sign, showing the bracket and method of affixing the sign to the wall, and
  - (vi) Any proposed means of external illumination of the sign.

## **2. Ground Signs**

The following regulations apply to ground signs:

- (a) Ground signs for single tenant building shall not exceed 1.5 m<sup>2</sup> (16.146 square feet) in sign area per single sign face or 3.0 m<sup>2</sup> (32.292 square feet) for all faces combined. Such ground signs, notwithstanding Section 4.3(d) shall not exceed 2.0m (6.56 feet) in height.
- (b) Ground signs for multi-tenant buildings shall not exceed 2.0 m<sup>2</sup> (21.528 square feet) in area per single sign face or 4.0 m<sup>2</sup> (43.056 square feet) for all faces combined. Such ground signs, notwithstanding Section 4.3(d) shall not exceed 2.5m (8.202 feet) in height.
- (c) No ground sign shall be illuminated internally.

## **3. Wall Signs**

- (a) The area of wall signs shall not exceed 0.50 m<sup>2</sup> (5.382 square feet) of sign area per linear horizontal metre of building wall upon which such sign is located. No sign shall exceed 2.5 m<sup>2</sup> (26.910 square feet)
- (b) No wall sign shall be illuminated internally.

#### 4. Canopy Signs

The following regulations apply to canopy signs:

- (a) The area of canopy signs shall not exceed 0.50 m<sup>2</sup> (5.382 square feet) of sign area per linear horizontal metre of canopy fascia upon which such sign is located. No sign shall exceed 2.5 m<sup>2</sup> (26.910 square feet) in sign area.

#### 5. Projection Signs

The following regulations shall apply to all projection signs:

- (a) No portion of a projection sign shall be less than 2.438m (8 feet) above the finished grade or floor level immediately below such sign.
- (b) No projection sign shall exceed 1.0 m<sup>2</sup> (10.763 square feet) in area per sign face nor in excess of 1.22m (4 feet) in any dimension of sign face.
- (c) No projection sign shall be illuminated internally.
- (d) Where a projection sign is erected over public property or public rights-of-way the owner of said sign shall provide the following:

A letter of Indemnification for the Town to be held safe and harmless and that the Town be added to the owners insurance for liability in the amount of \$2,000,000.00.

- (e) One projection sign be permitted in addition to a wall sign.
- (f) The projection sign shall be removed within 7 days of a business closure.

#### 6. Sandwich Board Signs

Permitted subject to the following restrictions:

- (a) No Sandwich Board Sign ("A" Frame) shall be larger than 0.929 m<sup>2</sup> (10 square feet) in area on a single sign face, nor in excess of 1.22m (4 feet) in any dimension of sign face.
- (b) One per business located on private property or municipal property and when located on municipal property, the owner of said Sign shall provide the following:

*A letter of Indemnification for the Town to be held safe and harmless and that the Town be added to the owners insurance for liability in the amount of \$2,000,000.00.*

- (c) Sign placement on a sidewalk must provide for a minimum clearance of (5) feet for pedestrian traffic.
- (d) Sign Permit for Sandwich Board Signs are not subject to a fee.