

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 178-2003

A By-law to to regulate signs and other advertising devices on public properties and road allowances under the jurisdiction in the City of Vaughan.

WHEREAS the Municipal Act 2001, S.O. 2001, c. 25 provides in Section 11 (2), that Councils of lower-tier municipalities may pass by-laws respecting matter pertaining to structures, including fences and signs.

AND WHEREAS The Corporation of the City of Vaughan deems it advisable to pass this by-Law, applicable to the whole of the City;

NOW THEREFORE the Council of the Corporation of City of Vaughan ENACTS AS FOLLOWS:

1) SECTION 1.0 – TITLE

This By-law shall be known as the “Public Property Sign By-Law”.

This By-Law shall apply to properties owned by or under the jurisdiction of the City of Vaughan.

2) SECTION 2.0 – DEFINITIONS

In this By-Law:

2.1 ALTER - means any change to the sign structure or sign face, with the exception of:

- (a) a change in the message being displayed;
- (b) repair and maintenance, including replacement by identical components as required by this by-law

2.2 BANNER - means a sign composed of lightweight material so as to allow movement which is caused by atmospheric conditions

2.3 BUILDING CODE - means the Ontario Building Code Act, as amended from time to time, and includes any regulations thereunder.

2.4 CITY - means the Corporation of the City of Vaughan.

2.5 COUNCIL - means the Council for the Corporation of the City of Vaughan.

2.6 DAYLIGHTING TRIANGLE - means the area of a corner lot which is formed by measuring from the projected point of intersection of the two street curbs abutting the front and exterior side lot lines a distance of:

- i) 15.0 metres in the case of local to local street. or
- ii) 25.0 metres in the case of local or collector to collector street. or
- iii) 30.0 metres in the case of local, collector or arterial to arterial street to two points, and the triangle area formed by the joining of those two points.

2.7 ERECT - means the placing or relocation of any sign or part thereof, and the posting of notices.

- 2.8 LOT - means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 53 of the Planning Act, R.S.O. 1990, c.P. 13 would not be required for its conveyance. For the purposes of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the street.
- 2.9 ORGANIZATION Charitable - means an incorporated association of persons that is charitable under the laws of Ontario or of Canada.
- 2.10 ORGANIZATION Community - means a group of persons organized for the advancement of activities of a civic cultural or recreational nature and which activities are not conducted for monetary profit.
- 2.11 ORGANIZATION Religious – means an incorporated association of persons that is:
- i) chartable under the laws of Ontario; and
 - ii) organized for the advancement of religion and for the conduct of religious worship, services or rites; and
 - iii) permanently established as to the continuity of it's existence.
- 2.12 OWNER – means the owner of the sign for whom a permit is sought or the person for whom the sign was installed.
- 2.13 PERMIT HOLDER – means the owner as defined in this by-law or the person in charge of the sign.
- 2.14 PERSON - means an individual, association, firm, partnership or incorporated company.
- 2.15 PUBLIC INFORMATION SIGN - means any of the following signs:
- (a) signs erected by or under the direction of a government agency.
 - (b) signs designating public hospitals, schools operated by the Region of York, York Region District School Board and the York Region Catholic District School Board, Vaughan Public Libraries, Vaughan Community Centres, Vaughan Public Arenas or other public government use.
- 2.16 PUBLIC PROPERTY – means property, including realty, or buildings, owned by the City or local board as defined in the Municipal Affairs Act, as amended, but does not include property owned by the Regional, Provincial, Federal government, a Crown Corporation, Hydro, Utility or Railway Company.
- 2.17 ROAD ALLOWANCE – means a street that is under the jurisdiction of the Corporation of the City of Vaughan that is open and maintained by the City, and includes unopened and unimproved road allowances vested in the City by virtue of any statute and does not include Regional Roads or Provincial Highways.
- 2.18 SIGN - means any advertising device or notice and means any visual medium including its structure and other component parts, which is used or is capable of being used to attract attention to a specific subject matter, other than itself, for identification, information, or advertising purposes.

- 2.19 SIGN AREA - means the number of square metres on the surface of a sign including the border and/or frame, and where there is no border shall include all the area of the surface lying within the extremities of the smallest geometric form, which can wholly enclose the surface area of the sign.
- 2.20 SIGN, GROUND - means a sign directly supported by the ground without the aid of any other building or structure, other than the sign structure.
- 2.21 SIGN, PORTABLE - means any sign not securely anchored to the ground or to a building or which because of its design may be moved and shall include a sign located on a vehicle, other than a sign printed or painted on the side identifying ownership of a commercial vehicle, if such sign identifies, advertises or gives information in respect to a premises or a part thereof. For the purposes of this by-law, signs commonly known as Trailer or Mobile Signs, "A" Frame Signs,

3) **SECTION 3 – ADMINISTRATION AND GENERAL REQUIREMENTS ALL SIGNS**

This By-Law shall be administered by the Commissioner of Public Works and enforced by the By-Law Enforcement Division of the Legal Department.

3.1 PERMITS REQUIRED

Except for the signs referred to in Section 5 no person shall erect, display, repair or alter a sign, unless a sign permit is obtained.

3.2 RESPONSIBILITIES REGARDING THE APPLICATION FOR PERMIT

No person shall make application for a sign permit who is not an authorized agent of the permit holder who has control of and whom the sign is erected for. No person shall 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.

3.3 APPLICATION FOR PERMIT

The applicant for a sign permit shall:

- (a) submit an application on a prescribed form furnished for that purpose;
- (b) submit plans describing the exact location in which the proposed sign is to be erected.
- (c) submit scale drawings and specifications of sufficient detail and quality as is necessary to ascertain whether or not the sign and its structure will be in compliance with this by-law and the Ontario Building Code and any applicable government regulation.
- (d) submit the approval of other authorities having jurisdiction.

3.4 CONFORMITY WITH THE BY-LAW AND THE APPROVED PLANS

It shall be the responsibility of the owner, permit holder, or authorized agent of the sign to comply with this by-law and the approved plans and specifications.

3.5 REVOCAION OF PERMIT

A permit may be revoked by the City under the following circumstances:

- (a) where the sign does not conform to this by-law;
- (b) where the sign does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the sign is situated;
- (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.

3.6 FEES

The following fees shall be paid to the City at the time of application for a sign permit:

- (a) All signs except (b) & (c) below: -\$50.00.
- (b) Religious/Charitable/Community Signs -(No Fees Required)
- (c) Builder Portable Signs - "A"-Frames -\$200.00 per sign for 6 months
- (d) Refunds -Permit fees are not refundable except where permit is issued in error.

3.7 REMOVAL OF ILLEGAL SIGNS

- (a) When a sign is erected or displayed in contravention of the provision of this by-law, such sign may be removed immediately without notice, if located on, over, partly on, or partly over, property owned by or under the jurisdiction of the City.
- (b) Signs so removed shall be stored by the municipality for a period of time of not more than thirty (30) days, during which time the owner or his agent may be entitled to redeem such sign upon receipt by the City of the amount set out in the City's Fee By-Law.
- (c) Where a sign has been removed by the municipality and stored for a period of thirty (30) days and has not been redeemed, such sign may be forthwith destroyed or otherwise disposed of by the City.

3.8 VALIDITY

In the event any part or provision of this by-law is held to be illegal or void, it shall be considered separate and servable from the remaining provisions of this by-law, which shall remain in force and be binding.

3.9 CONFLICT WITH OTHER BY-LAWS

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

3.10 BUILDING CODE AND GOVERNMENT REGULATIONS

Any sign, which is erected, shall comply with this By-Law, the Ontario Building Code and any other applicable government regulation. The more restrictive provisions of the requirements shall prevail

3.11 LIABILITY

The provisions of this 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 acts or omissions of such person, or his agents, servants, employees, contractors in construction, erection, maintenance, display, alteration, repair or removal of any sign erected in accordance with a permit which is issued hereunder. Likewise, 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.

3.12 INDEMNIFICATION

The applicant of a permit for a sign and the permit holder for which the sign is erected shall be jointly and severally responsible to indemnify the City, its officers, employees, servants and agents, from all losses, damages, costs, expenses, claims, demands, actions, suites, or other proceedings of every nature and kind arising from and in consequence of the construction, erection maintenance, display, alteration repair or removal of such sign.

3.13 PENALTIES Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.00, pursuant to the provisions of the Provincial Offences Act.

SECTION 4 - PROHIBITED SIGNS

Notwithstanding any other provisions of this By-law, no person shall erect, install, post, display, alter, maintain, or keep any of the following types of signs on public properties or within road allowances under the jurisdiction of the City of Vaughan:

- 4.1 Signs which incorporate in any manner any flashing or moving illumination which varies in intensity or which varies in colour, and 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 normal wind current.
- 4.2 Signs which by reason of size, location, content, colouring, or manner of illumination obstruct the vision of drivers or pedestrians, or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads or which are located in a daylighting triangle
- 4.3 Signs which make use of words such as "Stop", "Look", "One Way", "Danger", "Yield", or any similar words, phrases, symbols, lights, or characters in such manner as to tend to interfere with, mislead, or confuse traffic and which are not erected by a Public Authority.

- 4.4 Signs located so as to obstruct or impede any required fire escape, fire exit, walkway, passageway, door, window, skylight, flue or air intake or exhaust or so as to prevent or impede free access of fire fighters to any part of the building.
- 4.5 Signs on or over public property, public rights-of-way, or road allowances unless permitted by this by-law.
- 4.6 Signs painted on, attached to, or supported by a tree, stone, or other natural object, traffic sign post, traffic sign pole, or wooden utility pole.
- 4.7 Pennants, spinners, banners and streamers.
- 4.8 Public Election Lists, public election signs, candidate signs, & election campaign signs

SECTION 5 - SIGNS PERMITTED WITHOUT SIGN PERMITS

Notwithstanding Sections 3.1 to 3.3 incl. this by-law, the following signs shall be permitted for on road allowances under the jurisdiction of City of Vaughan, in accordance with requirements specified herein and shall be exempted from the requirements of a permit.

- 5.1 Public Information Signs as defined in Section 2 of this by-law.
- 5.2 Real Estate Open House Signs used to advertising an Open House for a dwelling that is presently for sale shall be permitted in accordance with the following:
 - a) Shall be displayed for a maximum 72 hours,
 - b) A maximum of three (3) signs per Open House.
 - c) Shall have a maximum size of 0.60 metres by 0.60 metres and a maximum sign height of 0.60 metres.
 - d) Shall be setback a minimum of 1.0 metres from the street curb and sidewalk or 3.0 metres from the edge of the pavement where there is no curb.
- 5.3 Charitable/Community/Religious Temporary Signs advertising festivals and community events except Ground Signs as set out in Section 6.2, shall be permitted in accordance with the following:
 - a) Maximum one (1) sign per event by any one organization.
 - b) Maximum time period of thirty (30) days and shall be removed immediately following the event.
 - c) Shall be permitted only if written approval is received from the City's Public Works Department.
 - d) have a maximum sign area of 4.4 sqm. (48 sq.ft.) with a total sign area not to exceed 8.8 sqm. (96 sq.ft.)
 - e) use standardized letter sizes consisting of 25.4 cm. (10 in.) or 45.7 cm. (18 in.) high letters and use a single colour single colour for letters, numbers and/or all other symbols and copy on a white or black background
 - f) have a maximum sign height of 2.5 metres.
 - g) be located a minimum of 3.0 metres from a driveway.

- h) not be located within a daylighting triangle as defined in Section 2.
- i) not be located within a minimum of 22 metres (72 feet) any other sign.
- j) comply with relevant Ontario Hydro, and CSA Standards.
- k) not be located within the Special Sign Districts as shown on Schedules "A", "B", "C", "D" and "E" to City of Vaughan Sign By-law 203-92 as amended.

SECTION 6 SIGNS PERMITTED WITH SIGN PERMITS

The following signs shall be permitted for on road allowances under the jurisdiction of City of Vaughan, in accordance with requirements specified herein.

6.1 Home Builder "A" Frame Signs used to advertise the sale of new homes and used to direct traffic to sale trailers, sales pavilions, and model homes shall be permitted in accordance with the following:

- a) Shall be located within 1 kilometer of the from the construction/project site in which the new homes are located/to be built and shall be permitted to be displayed on Saturdays and Sundays only.
- b) A maximum of three (3) signs shall be permitted per builder per project, or a maximum of three (3) signs per 'Permitted' sales trailer or pavilion.
- c) Shall be setback a minimum of 1.0 metres from the street curb and/or sidewalk or 3.0 metres from the edge of the pavement where there is no curb.
- d) Shall have a maximum sign area of one (1) square metre per side, maximum height of 1.2 metres, and maximum width of 0.8 metres.
- e) Notwithstanding the above, where a sign is to be located within 20 metres of an street intersection the maximum sign height shall be reduced to 0.6 metres.
- f) Shall not permitted on traffic islands
- g) No permit shall be issued until an agreement satisfactory to the City has been entered into indemnifying the City harmless from any liability related to the erection of the sign. The agreement shall be secured with liability insurance in the amount of five (5) million dollars naming the City as co-insured. Such insurance policies shall be kept current at all times with updated policies sent to the City.
- l) Shall not be located within the Special Sign Districts as shown on Schedules "A", "B", "C", "D" and "E" to City of Vaughan Sign By-law 203-92 as amended.

6.2 Ground signs used by Religious/Charitable/Community Organizations in accordance with the following:

- a) Maximum sign area of 0.60 square metres
- b) Shall be setback a minimum of 1.5 metres from any sidewalk, street curb, roadway, driveway or any other sign.
- c) Shall not be located within a daylighting triangle as defined in Section 2.
- d) Written approval is received from the abutting landowner(s).
- e) Signs shall be constructed as to be easily dismantled in the case of roadway, sidewalk or public utility maintenance or construction.
- f) Written approval is received from the appropriate road authority having jurisdiction.
- g) Shall not be erected until an agreement satisfactory to the City has been entered into indemnifying the City harmless from any liability related to the erection of the sign.
- h) Shall not be located within the Special Sign Districts as shown on Schedules "A", "B", "C", "D" and "E" to City of Vaughan Sign By-law 203-92 as amended.

SECTION 7 – MAINTENANCE

The owner, permit holder, authorized agent of the sign, shall maintain, or cause such sign 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 installed/maintained plumb and level and in good workmanship manner.

If any sign permitted by this by-law must be removed or re-located by/for the City or it's agents to perform construction or maintenance work, all costs associated with the removed or re-located the shall be the responsibility of the owner of the sign. The City shall not be liable for any damages whatsoever as the result of construction or maintenance activities

SECTION 8 MATERIALS AND STRUCTURAL REQUIREMENTS

8.1 Material

- (a) All materials incorporated into a sign shall comply with the relevant requirements of the Ontario Building Code.
- (b) Every sign shall comply with all governing requirements of the Hydro One Inc. and/or the Hydro Vaughan Distribution Inc., whichever has the jurisdiction

8.2 Structural

All signs shall be designed and installed, such as to resist safely and effectively all loads that may be exerted upon them and in any case shall comply with structural requirements of the Ontario Building Code.

READ a FIRST, SECOND and THIRD time and finally passed this 23rd day of June, 2003.

Michael Di Biase, Mayor

J. D. Leach, City Clerk