

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 079-2019

A By-law of the Corporation of the City of Vaughan to amend Sign By-law 140-2018, to provide greater clarity with respect to *Election Signs*, to provide additional parameters with respect to *Feather Banner Signs*, and to provide various technical amendments, as well as to amend Fees and Charges By-law 171-2013, as amended, to include *Election Sign* application fees.

WHEREAS subsection 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25 ("*Municipal Act, 2001*"), provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 8(1) of the *Municipal Act, 2001* provides that the powers of a municipality under this Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS subsection 8(3) of the *Municipal Act, 2001* provides that a by-law may regulate or prohibit respecting the matter, require persons to do things respecting the matter, and provide for a system of licences respecting the matter;

AND WHEREAS subsection 11(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 11(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: 5. Economic, social and environmental well-being of the municipality; 6. Health, safety and well- being of *Persons*; 7. Services and things that the municipality is authorized to provide under subsection (1); 8. Protection of persons and property, including consumer protection;

AND WHEREAS section 99 refers to specific municipal powers under Part III of the *Municipal Act, 2001* for structures, including fences and *Signs*;

AND WHEREAS section 63 of the *Municipal Act, 2001* provides that a by-law may prohibit or regulate the placing or standing of an object on or near a *Highway*, and may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a *Highway*;

AND WHEREAS section 11(3) of the *Municipal Act, 2001, S.O. 2001, c.25*, provides that a Municipality may pass by-laws respecting signs, including the authority to grant sign variances to the city's Sign By-law;

AND WHEREAS sections 9, 11, and 23.2(1)(c) of the *Municipal Act, 2001, S.O. 2001, c.25*, provide that a Municipality may delegate quasi-judicial powers under the *Municipal Act, 2001* to an individual who is an officer, employee or agent of the municipality;

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

1. Amend Sign By-law 140-2018, Section 2, by replacing the current definition of *Window Sign* with the following:

“Window Sign” means, any *Sign* located on the interior of a *Premises* which is intended to be seen from off the property on which the *Premises* is located and is constructed in such a manner as intended to be of a permanent nature, but shall not include *Illuminated Signs* commonly used to advertise products sold on the *Premises*;

2. Amend Sign By-law 140-2018, Section 2, by adding the following definition:

“Real Estate Sign” means a *Temporary Sign* intended to advertise a building, property, *Premises* or a portion thereof offered for sale, rent or lease and may indicate information as to the real estate agent and the name and location of the sales office, but which does not include *Real Estate Open House Signs*;

3. Amend Sign By-law 140-2018, Section 2, by replacing the current definition of *Election Sign* with the following:

“Election Sign” means a *Sign* advertising, promoting or opposing a registered *Candidate*, or someone who should be a registered *Candidate* or *Registered Third Party*, or an *Elections Question*, in any federal, provincial or municipal election, including an election of a local board or commission, and includes *Third-Party Election Signs*;

4. Amend Sign By-law 140-2018, Section 2, by adding the following definition:

“Candidate” means a person whose nomination as a candidate at an election has been confirmed under any federal, provincial or municipal regulation, or who should be a registered candidate under any Canadian statute or regulation;

5. Amend Sign By-law 140-2018, Section 2, by adding the following definition:

“Governmental Entity” means the government of a jurisdiction, any political subdivision of a jurisdiction, such as a federal, provincial, or municipal body, performing a function of the government;

6. Amend Sign By-law 140-2018, Section 2, by adding the following definition:

“Homebuilder A-frame Sign” means an *A-frame Sign* used to advertise the sale of new homes and used to direct traffic to sale trailers, sales pavilions, and model homes;

7. Amend Sign By-law 140-2018, Section 2, by adding the following definition:

“*Special Event*” has the same meaning as in the *Special Events* By-law 045–2018, as amended, or its successor by-law;

8. Amend Sign By-law 140-2018, Section 2, by adding the following definition:

“Municipal Law Enforcement Officer” means an individual appointed or employed by the City as a municipal law enforcement officer under section 15 of the Police Services Act, R.S.O. 1990, c. P.15, as amended;

9. Amend Sign By-law 140-2018, by replacing Subsection 23.1 with the following:

The *City*, the *Region*, or any other Canadian *Governmental Entity* are exempt from the requirements of the *City’s Sign By-law*, which extends to *Signs* developed by the *City* or *Region* or any other Canadian *Governmental Entity* for the purpose of distribution by other parties, subject to prescribed conditions set out by the *City* or *Region* or Canadian *Governmental Entity* in agreements with these parties.

10. Amend Sign By-law 140-2018, by replacing Clause 4.1(f)(i) with the following:

No *Candidate* or his or her agent shall *Erect*, attach, place, display, cause or permit the *Erection*, attachment, placement or display of an *Election Sign* unless the *Candidate* has paid to the *City* the applicable *Election Sign* non-refundable fee, as indicated in Fees and Charges By-law 171-2013, as amended.

11. Amend Sign By-law 140-2018, by replacing Clause 4.1(f)(ii) with the following:

No *Registered Third-Party* shall *Erect*, attach, place, display, cause or permit the *Erection*, attachment, placement or display of a *Third-Party Election Sign* unless the *Registered Third-Party* has paid to the *City* the applicable *Election Sign* non-refundable fee, as indicated in Fees and

Charges By-law 171-2013, as amended, for each *Candidate* and *Elections Question* for which they wish to *Erect Signs*.

12. Amend Fees and Charges By-law 171-2013, as amended, Schedule "I", to include the following fees:

Elections Signs			
Item	2019	2020	HST
Registration fee for Candidate running for the office of Mayor, Regional Councillor, or for Provincial or Federal Office	\$300.00	\$300.00	E
Registration fee for Candidate running for the office of Ward Councilor	\$150.00	\$150.00	E
Registration fee for office of School Trustee	\$ 50.00	\$ 50.00	E
Registration fee for each Candidate and/or Elections Question for which a person intends to <i>Erect a Third-Party Elections Sign</i>	\$100.00	\$100.00	E

13. Amend Sign By-law 140-2018, Section 2, by replacing the current definition of *Feather Banner Sign* with the following:
- "Feather Banner Sign" means a *Temporary Sign* constructed of non-rigid material attached to the ground and supported on a pole, but does not include a flag;
14. Amend Sign By-law 140-2018, Section 2, by replacing the current definition of *Lawn Sign* with the following:
- "Lawn Sign" means a *Temporary Sign* composed of a *Sign* attached to spokes intended to be driven into a surface to stand the *Sign* in place;
15. Amend Sign By-law 140-2018, by replacing the provisions of Section 3.1 with the following:
- Except for the *Signs* referred to in Sections 4 and 17, or unless otherwise specified in this by-law, no *Person* shall *Erect*, attach, place, display, or *Alter* a *Sign*, or cause or permit the *Erection*, attachment, placement, display or *Alteration* of a *Sign* without a permit, agreement or other written approval from the *City*.
16. Amend Sign By-law 140-2018, Subsection 4.1(b), by replacing "*Real Estate Open House Signs*" with "*Real Estate Signs*".

17. Amend Sign By-law 140-2018, by deleting Clause 4.1(b)(iv).
18. Amend Sign By-law 140-2018, by deleting Subsection 5.1(d).
19. Amend Sign By-law 140-2018, by adding Section 6.13 WINDOW SIGNS, to read as follows:

The following regulations shall apply to *Window Signs*:

 - a. *Window Signs* may occupy the entire surface of a window.
20. Amend Sign By-law 140-2018, by deleting Sub-clause 8.10(a)(v)(i).
21. Amend Sign By-law 140-2018, by deleting Clause 8.10(a)(vii).
22. Amend Sign By-law 140-2018, by replacing the provisions of Section 8.9 with the following:
 - a. Notwithstanding Section 6.6 (e) respecting the location of *Wall Signs* and Section 6.1 respecting the number of *Wall Signs*, *Office Buildings* three (3) or more *Storeys* in height may be permitted additional *Wall Signs* in accordance with the following:
 - i. A maximum of four (4) *Wall Signs* on the uppermost wall or parapet or mechanical penthouse, displaying only the business name, logo, symbol or crest of a major occupant.
 - ii. Such *Wall Signs* may be located on different elevations of the building or on a single elevation.
 - iii. Such *Signs* shall have a combined maximum *Sign Area* of 2% of the area of the building face on which they are located.
 - iv. No *Sign* or combination of *Signs* shall have a combined maximum *Sign Area* of more than 20% of the wall area at the uppermost *Storey*.
23. Amend Sign By-law 140-2018, by renaming Section 8.10 the following: A-FRAME, MOBILE AND FEATHER BANNER SIGNS.
24. Amend Sign By-law 140-2018, by replacing Subsection 8.10(a)(i), as follows:

A maximum of one *Mobile Sign* shall be permitted along each street line of a *Lot* if it is directly abutting a *Residential Use* property; if the *Lot* is not abutting a *Residential Use* property:

 - a) where a *Lot* is zoned “C4” (Neighbourhood Commercial Zone) or “C5” (Community Commercial) under the *City Zoning By-law 1-88*, up to a maximum of three *Mobile Signs* are allowed per *Lot*, provided that there is a minimum of 215 metres between *Mobile Signs* located on the same street frontage;

- b) where the *Lot* is not zoned C4 or C5, up to a maximum of two *Mobile Signs* are allowed per *Lot*.

25. Amend Sign By-law 140-2018, by replacing Subsection 8.10(b), as follows:

Notwithstanding the preceding, *Religious Organization, Community Organization* or *Charitable Organization* may *Erect Mobile Signs* advertising festivals and community events in accordance with the following provisions:

- i. The *Sign* shall comply with Section 8.10(a)(v) with respect to size, location and standards, unless otherwise specified by *City* staff.
- ii. A maximum of one *Sign* shall be allowed per event by any one organization.
- iii. The *Sign* shall be permitted to be displayed for a maximum of 30 days prior to and shall be removed immediately after the event.

26. Amend Sign By-law 140-2018, by adding Subsection 8.10(c), as follows:

Notwithstanding the preceding, *Premises* used for *Commercial Use* or *Industrial Use* may *Erect A-frame Signs* in accordance with the following provisions:

- i. A *Commercial Use* or *Industrial Use Premises* shall be entitled to use one *A-frame Sign* per business *Premises*.
- ii. Each *A-frame Sign* shall:
 - a) be located on *Private Property*;
 - b) have a maximum *Sign Area* of 0.5 square metres with a total *Sign Area* of 1.0 square metres;
 - c) not be located as to interfere with pedestrian or vehicular traffic;
 - d) be taken in after business hours; and
 - e) have a maximum *Sign* height of 1.0 metres above grade.

27. Amend Sign By-law 140-2018, by adding Subsection 8.10(d), as follows:

Notwithstanding the preceding, *Commercial Use* or *Industrial Use Premises* may *Erect Feather Banner Signs* in accordance with the following provisions:

- i. Each *Feather Banner Sign* shall:
 - a) be located on *Private Property*;
 - b) have a maximum *Sign Area* of 3.5 square metres;

- c) have a maximum *Sign* height of 2.4 meters above grade;
 - d) be setback 1.0 metre from all street lines;
 - e) not be located within 5.0 metres of a different type of *Sign* or adjacent property line.
 - ii. A maximum of six (6) *Feather Banner Signs* are permitted per *Lot*.
 - iii. *Feather Banner Sign* permits shall be issued in time increments of six months.
28. Amend Sign By-law 140-2018, by deleting Section 8.13.
29. Amend Sign By-law 140-2018, by adding Subsection 8.10(e), as follows:
Despite any restrictions in this section, the *City* may *Erect Temporary Signs* on *City* property, including, but not limited to, *Mobile Signs* at community centres, libraries and other *City* facilities.
30. Amend Sign By-law 140-2018, by replacing Subsection 16.1(f) with the following:
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, or *Signs* placed on any centre median of any roadway.
31. Amend Sign By-law 140-2018, by renaming Section 17 the following: "SIGNS ALLOWED ON PUBLIC LANDS THAT DO NOT REQUIRE A PERMIT".
32. Amend Sign By-law 140-2018, by replacing Subsection 17.3 with the following:
17.3 HOME BUILDER A-FRAME SIGNS
Home Builder A-frame Signs shall be permitted in accordance with the following:
- a) *Signs* shall be located within one 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 *Signs* shall be permitted per builder per project, or a maximum of three *Signs* per sales trailer or pavilion.
 - c) *Signs* 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) *Signs* have a maximum *Sign Area* of 1.0 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 a street intersection the maximum *Sign* height shall be reduced to 0.6 metres.
- f) *Signs* shall not be allowed on traffic islands.
- g) The *Sign* Owner shall have liability insurance in the amount of five (5) million dollars naming the City as coinsured.
- h) *Signs* shall not be located within the Special *Sign* Districts as shown on Schedules "A", "B", "C" and "D" to This By-law.

33. Amend Sign By-law 140-2018, by adding Subsection 17.4 with the following:

17.4 TEMPORARY SIGNS USED BY RELIGIOUS/CHARITABLE/COMMUNITY ORGANIZATIONS FOR SPECIAL EVENTS

Temporary Signs for Charitable Organizations, Community Organizations and Religious Organizations advertising Special Events, except Mobile Signs as set out in Section 8.10(b), shall be permitted in accordance with the following:

- a) *Signs* can only be *Erected* by *Special Event* permit holders at the location of the *Special Event*.
- b) *Signs* shall be permitted to be displayed for a maximum of 30 days prior to and shall be removed immediately after the event.
- c) *Signs* shall have a maximum *Sign Area* of 0.60 square metres.
- d) *Signs* shall be setback a minimum of 1.5 metres from any sidewalk, street curb, roadway, driveway or any other *Sign*.
- e) *Signs* shall not be located within a *Daylighting Triangle*.
- f) *Signs* shall be constructed as to be easily dismantled in the case of roadway, sidewalk or public utility, maintenance or construction.
- g) Written approval must be received from the appropriate road authority having jurisdiction.
- h) *Signs* shall not be located within the Special *Sign* Districts as shown on Schedules "A", "B", "C", and "D" to this by-law.

34. Amend Sign By-law 140-2018, by adding Subsection 3.9(j) as follows:

For the purposes of an inspection, a *Municipal Law Enforcement Officer* may:

- i. require the production for inspection of documents or things, including drawings or specifications, that may be relevant to *Sign*;
 - ii. require information from any *Person* concerning a matter related to a *Sign*;
 - iii. be accompanied by a *Person* who has special or expert knowledge in relation to a *Sign*;
and
 - iv. alone or in conjunction with a *Person* possessing special or expert knowledge, make examinations of the *Sign* necessary for the purposes of the inspection.
35. Amend Sign By-law 140-2018, by adding Section 8.12(e) as follows:
Landscaping Signs do not require a *City* permit.
36. Amend Sign By-law 140-2018, by deleting Section 18 and renumbering subsequent sections accordingly.

Enacted by City of Vaughan Council this 12th day of June, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 32 of Report No. 20
of the Committee of the Whole
Adopted by Vaughan City Council on
June 12, 2019.

Authorized by Item No. 27 of Report No. 27
of the Committee of the Whole
Adopted by Vaughan City Council on
September 27, 2018.