

Clarington

Sign By-law 2009- 123



***January 2010
Municipality of Clarington
Planning Services Department***

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THE CORPORATION OF THE MUNICIPALITY OF CLARINGTON

BY-LAW NO. 2009-123

WHEREAS Section 11 of the *Municipal Act, 2001*, Chapter 25, as amended establishes a sphere of jurisdiction of municipalities;

AND WHEREAS the Table contained in Section 11 of the *Municipal Act, 2001*, identifies signs as being within the non-exclusive sphere of jurisdiction of upper-tier and lower-tier municipalities;

AND WHEREAS the Municipality of Clarington is a lower-tier municipality which under sub section 11.3 of the *Municipal Act, 2001* has authority to pass by-laws within the sphere of jurisdiction “structures including fences and signs”;

AND WHEREAS Section 391 of the *Municipal Act, 2001*, provides that municipalities may pass by-laws imposing fees or charges on persons for services or activities provided by a municipality;

NOW THEREFORE the Municipal Council of The Corporation of the Municipality of Clarington enacts as follows:

Section 1 Scope of By-Law

1.1 Short Title of By-law

This By-law and any amendments thereto shall be known as the “Clarington Sign By-law.”

1.2 Purpose of the By-law

The purpose of this By-law is to:

- a) regulate *signs* placed on lands, *buildings*, and other *structures* within the corporate limits of the *Municipality* of Clarington; and
- b) to implement the policies of the Clarington Official Plan and Urban Design Guidelines.

1.3 Legislative Authority

This By-law is passed by the Council of The *Municipality* of Clarington pursuant to the provisions of the *Municipal Act, 2001*, as amended.

1.4 Area of Applicability

This By-law applies to the lands in The *Municipality* of Clarington.

1.5 Compliance with By-law

No *person* shall hereafter *erect* or display or cause or permit to be *erected* or displayed a *sign* except in conformity with the provisions of this By-law.

1.6 Contents of By-law

All references in the By-law to sections, regulations, exceptions, Tables, figures, schedules and maps, refer to those in this By-law unless otherwise indicated.

1.7 Lawful Non-Conforming Signs

The provisions of this By-law shall not apply to a *sign* or the *use* of an existing *sign* that was lawfully *erected* on or before the day this By-law comes into force if the *sign* is not substantially altered and the maintenance and repair of the *sign* or a change in the message or content displayed is deemed not in itself to constitute a substantial alteration.

1.8 Relation to Other Government Requirements (Compliance with Other Regulations)

- 1.8.1 This By-law shall not be construed so as to reduce or mitigate restrictions or regulations for any *sign* that are lawfully imposed by the *Municipality*, or by any governmental authority having jurisdiction to make such restrictions or regulations.

1.8.2 Compliance with this By-law does not relieve a *property owner* from complying with:

- a) the requirements of the Ontario Building Code;
- b) the requirements of any federal, provincial, regional, or *conservation authority* legislation or regulations; or any By-law of the *Municipality* provided that in the event of a conflict between any of the provisions of this By-law and By-law 83-57, the Road Occupancy By-law, as amended, the provisions of the Road Occupancy By-law, or its successor, shall prevail.

Section 2 Interpretation of By-Law

2.1 The terms set out below shall have the following meanings in this By-law:

“Allowed” means permitted by Sign By-law 2009-123. (2013-075)

“Alter” means any change to a *sign* including the addition or removal or rearrangement of parts, but excluding the changing of *copy* or the replacement of similar parts for maintenance purposes.

“Attic” means the portion of a *building* situated wholly or in part under a roof, but which is not a *storey* or a *one-half storey*.

“Basement” means the portion of a *building* between two floor levels that has less than 50% of its height below the average *finished grade* of the *lot* on which the *building* is located. The term *basement* shall not include a *cellar*.

“Building” means a *structure* used for the shelter, accommodation or enclosure of *persons*, animals, goods, materials or equipment that is supported by columns or walls, has one or more floors, is covered by a roof and is permanently affixed to the land.

“Business” means an establishment in which one or more *persons* are employed in conducting, managing, or administering a business. The term *business* includes the administrative offices of a government agency, a non-profit organization, or a charitable organization.

“Canopy” means any *structure* which projects from the exterior face of a *building* wall and extends across part or all of that exterior face of a *building* wall or is a self-supporting unenclosed *structure*.

“Cellar” means the portion of a *building* between two floor levels that has 50% or more of its height below the average *finished grade* of the *lot* on which the *building* is located. The term *cellar* shall not include a *basement*.

“Commercial” means, for the purposes of this By-law, a use which includes tourism uses.

“Community Bulletin Board” means a bulletin board *erected* by the *Municipality* for the purpose of providing a *display surface* for *posters*.

“Community Facility” means and shall include such uses as post offices, places of worship, cemeteries, community centres, fire and police stations, libraries, art and cultural facilities, and day care centres.

“Community Group” means a volunteer based organization which has a constitution and by-laws in place or at minimum a mission statement or a statement of purpose. They have a Board of Directors/Slate of Officers and they provide direct services, programs or events that benefit the residents of Clarington. They may or may not be incorporated provincially and/or federally. Places of worship organizations are considered to be a community group for the purpose of this by-law. (2011-010)

“Conservation Authority” means a *conservation authority* having jurisdiction in the *Municipality* of Clarington. The term *conservation authority* shall include the Central Lake Ontario Conservation, the Ganaraska Region Conservation Authority, the Kawartha Region Conservation Authority, and the Otonabee Region Conservation Authority.

“Copy” means the wording, letters, numerals, graphics, logos, and artwork of a *sign*, on the *display surface* and is either permanent or removable.

“Council” means the *Council* of The Corporation of the *Municipality* of Clarington.

“Courtice West Gateway (CWG)” means the area identified in Schedule 2 contained in and forming part of this By-law. (2013-059)

“Director” means the Director of Planning Services or designate. (2011-121)

“Display Surface” means the surface of the *sign*, upon, against, or through which the *copy* of the *sign* is displayed.

“Driveway” means that portion of a *lot* designed to provide *motor vehicle* access from the *lot* to the travelled portion of the *street*, *private road* or *lane*.

“Erect” means display, attach, affix, post, *alter*, construct, place, locate, install or relocate.

“Façade” means the exterior wall of a building facing a *street* or *private road*.

- **“Principal Façade”**

In the case of a building located on an exterior lot or a through lot, the *façade* within which the principal entrance to the building is located.

- **“Building Façade Area”**

The entire surface area of the *façade* including windows and doors.

“Finished Grade” means the lowest of the levels of finished ground adjacent to the location of the *sign*, exclusive of any artificial embankment.

“Fluorescent” means any bright, vibrant colour of a day-glow or neon-like nature intended to stand out and catch the viewer’s attention (2011-010)

“Heritage Resource Area (HRA)” means the areas identified in Schedule 1 contained in and forming part of this By-law.

“Highway” shall have the same meaning as the *Highway Traffic Act, RSO 1990 c.H.8*, and includes the entire of the *road allowance* thereof.

“Home Industry” means a small scale industrial operation that is carried on in accordance with the provisions of the *Municipality’s* zoning by-laws, as accessory to a permitted single detached dwelling.

“Home Occupation” means an occupation or business that is carried on in accordance with all provisions of the *Municipality’s* by-laws within a dwelling as accessory to a permitted residential *use*.

“Industrial” means a use that includes the assembly or processing of substances, goods or raw materials related to the manufacture or fabrication of finished goods, warehousing or bulk storage of goods, and may include accessory uses such as storage and facilities for receiving and shipping materials and goods. Mineral aggregate and utility uses are considered industrial uses for the purposes of this By-law.

“Inspector” means any *Municipal Law Enforcement Officer* or any other *inspector* appointed by *Council* pursuant to a by-law.

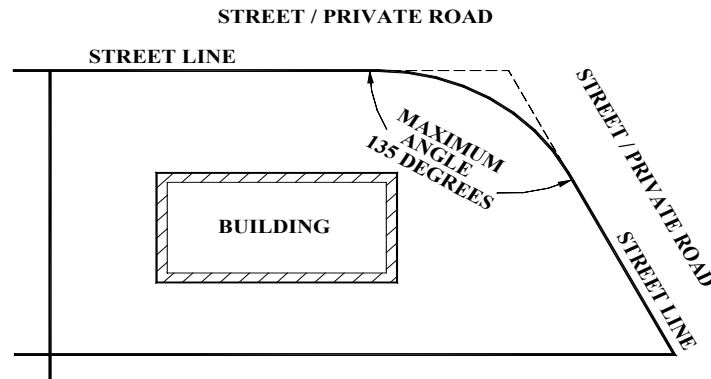
“Institutional” means a *use* that includes *community facilities*, parks, schools under the jurisdiction of a board, government offices and hospitals.

“Lane” means a road owned by the *Municipality* that provides either the primary access to abutting *lots* or the secondary access to abutting *lots* where the primary access/frontage is available from a *street*. The term *lane* shall not include a *street*.

“Lot” means a parcel of land within a registered plan of subdivision or any land that may be legally conveyed under the exemption provided in Section 50 (3)(b) or section 50 (5)(a) of the *Planning Act*, or a remnant of a *lot* that remains in private ownership after part of the *lot* has been expropriated.

- **Exterior Lot**

A *lot* situated at the intersection of and abutting upon two *streets*, a *street*, and a *private road*, two *private roads* or the same *street* or *private road*, provided that the interior angle of the intersection of the *street lines* is not more than 135 degrees. In the case of a curved corner, the interior angle of the intersection shall be measured as the angle formed by the intersection of the extension of each of the *street lines*.



- **Interior Lot**

A *lot* other than an *exterior lot* or a *through lot*.

- **Through Lot**

A *lot* bounded on two opposite *lot lines* by *streets* and/or *private roads*. A *lot* that qualifies as both an *exterior lot* and a *through lot* shall be deemed to be an *exterior lot*.

“**Lot Line**” means any boundary of a *lot* or the vertical projection thereof.

- **Exterior Side Lot Line**

A *side lot line* abutting a *street* or *private road* on an *exterior lot*

- **Front Lot Line**

In the case of an *interior lot*, a *lot line* dividing the *lot* from the *street* or *private road* shall be deemed to be a *front lot line*. In the case of an *exterior lot*, the shorter *lot line* abutting a *street* or *private road* shall be deemed to be a *front lot line*, and the longer *lot line* abutting a *street* or *private road* shall be deemed to be an *exterior side lot line*. In the case of a *through lot* whether or not such *lot* is deemed to be an *exterior lot*, the *lot line* where the principal access to the *lot* is provided shall be deemed to be a *front lot line*.

- **Interior Side Lot Line**

A *side lot line* that is not an *exterior side lot line*

- **Rear Lot Line**

A *lot line* (or point of intersection of the *side lot lines*) furthest from and opposite to the *front lot line*.

- **Side Lot Line**

A lot line other than a *front lot line* or a *rear lot line*.

“Motor Vehicle” means an automobile, truck, motorcycle, motor assisted bicycle and any other vehicle propelled or driven by other than muscular power.

“Municipal Agreement” means an agreement made with The Corporation of the *Municipality* of Clarington.

“Municipality” means The Corporation of the *Municipality* of Clarington.

“Municipality’s Zoning By-Law” means Zoning By-law 84-63 as amended and Zoning By-law 2005-109 as amended or replaced from time to time.

“Mural” means a painting, illustration, or decoration applied to a free standing *sign* or the exterior wall of a *building* and that is otherwise not a *sign* as defined by this By-law.

“Non-profit/Non-For-Profit Organization” means an organization similar to a *community group* with a constitution, by-laws and a Board of directors. They are registered/incorporated as a not-for-profit organization and should be able to provide their not-for-profit number. (2011-010)

“Owner” means the registered *owner* of the *premises* upon which any *sign* or *sign structure* is located, and includes any *person* described on a *sign* or whose name or address or telephone number appears on the *sign*, or who has installed the *sign*, or who is in lawful control of the *sign*, or who benefits from the message on the *sign*, or has permitted the *sign* to be *erected* or used and for the purposes of this By-law there may be more than one *owner* of a *sign*.

“Person” means, but is not limited to an individual, sole proprietorship, partnership, association, or corporation.

“Premises” means a *lot* or a *building* or a part of a *lot* or *building*.

“Private Road” means a road, the fee simple of which is owned by a single *person*, that is subject to one or more easements registered against title in favour of one or more abutting *lots* to which the easements are appurtenant. Such easements entitle the *owners* of the *lots* to use the *private road* for the purposes of access to and from the *lots*. The term *private road* includes a *private road* shown on a registered plan of condominium plan but does not include a *right-of-way*, a *street* or a *lane*.

“Property” means a parcel of land having specific boundaries, which is capable of legal transfer.

“Province” means the Province or Government of Ontario, the word “Provincial” shall have the same meaning as *Province*.

“Public Authority” means any department or agency of the *Municipality* of Clarington, the *Regional Municipality* of Durham, a *conservation authority*, the *Province* or Government of Ontario, or the Government of Canada.

“Region” means The Corporation of the *Regional Municipality* of Durham, the word *Regional* shall have the same meaning as *Region*.

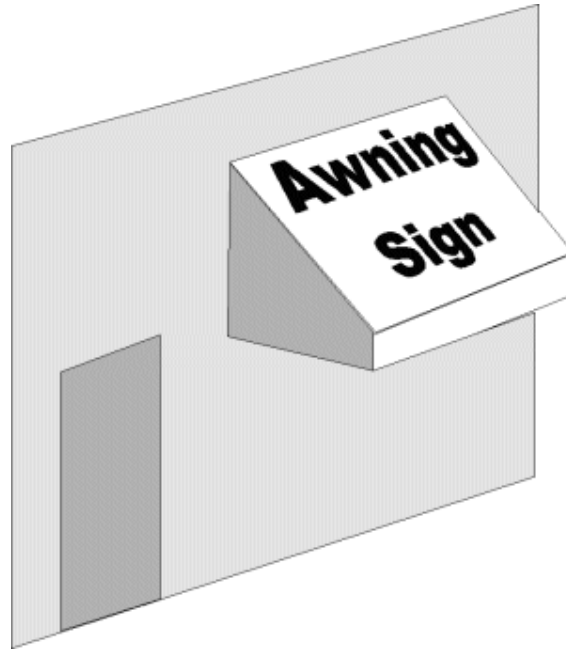
“Right-of-Way” is an area of land on which has been created and registered against the title of the *lot* on which it is located, perpetual easements appurtenant to one or more *lots* that provide access to such *lots* to a *street*. The term *right-of-way* shall not include a *private road*.

“Seasonal Related Business” means any *business* that is open to the public for limited periods through-out the calendar year, for farm retail sales or a golf course or a driving range. (2011-061)

“Sign” means any visual medium used to convey information by way of words, pictures, images, graphics, emblems, or symbols, or any device used for the purpose of providing direction, identification, advertisement, business promotion, or the promotion of a *person*, product, activity, service, event or idea.

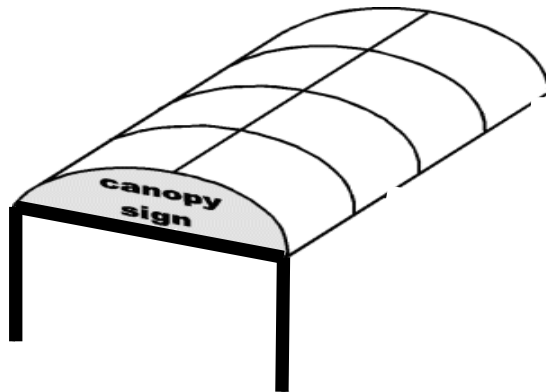
- **“A-Board Sign”** means a freestanding *temporary sign* with no more than two faces joined at the top of the *sign* that is intended for temporary *use* during the hours of the business to which it applies and that is constructed in a manner and of materials such that it can be placed and moved manually by a *person* without mechanical aid. (*T-Board* and *Sandwich Board signs* have the same definition)
- **“Animated Sign”** means a *sign* which contains a video screen or any kinetic or illusionary motion of all or part of a *sign*, including rotations; or any *sign* which is manually displayed by an individual for the purposes of advertising, or any *sign* which is projected on a *display surface* by electronic means, but does not include an *electronic message board sign* or a spinning *portable sign*.
- **“Awning Sign”** means a *sign* contained within or affixed to a projection that serves as a shelter over a storefront, window, door, or deck and is attached to the exterior of a building without any supporting columns.

(2013-075)



- **“Barn Sign”** means a *sign* affixed parallel to a *wall* or *roof* of a farm *structure* and which identifies the name of the occupant and/or of the farm on which said farm *structure* is located, but shall not be a *roof sign* as defined in this By-law.
- **“Billboard Sign”** means an outdoor *sign erected* and maintained by a *person*, firm, corporation, or business engaged in the sale or rental of the space on the *sign* to a clientele, upon which space is displayed copy that advertises goods, products, or services not necessarily sold or offered on the *property*.
- **“Canopy Sign”** means a sign contained within or affixed to the surface of either:
 - A fully self-supported, unenclosed structure; or
 - A projection from a building which is supported on columns. [\(2013-075\)](#)





- **“Community Theme Sign”** means a *sign erected on a property adjacent to an arterial road allowance*, as indicated in the Clarington Official Plan, which identifies the name of the subdivision development.
- **“Directional Sign”** means a *sign erected on a property to identify an entrance, exit, or area for the purpose of directing persons and/or regulating the movement of traffic or pedestrians on a property.*
- **“Electronic Message Board Sign”** means a *sign which has messages displayed by electronic means.*
- **“Flag Sign”** means a *sign made of cloth or lightweight material attachable by one edge to a pole or rope.*
- **“Ground Sign”** means a *sign permanently affixed to the ground by one or more self-supporting poles or supported by a free-standing masonry structure.*
- **“Inflatable Sign”** means a *sign which is designed to be inflated by air or other gas and is designed to be airborne or tethered to the ground, a vehicle, or any other structure.* Seasonal items that do not contain any *copy* of an advertising nature are not considered to be signs.
- **“Illuminated Sign”** means a *sign lit by artificial light which is direct, indirect, internal or external to the sign.*
- **“Menu Board Sign”** means a *sign erected as part of a drive-through facility and used to display and order products and services available from a drive-through business.*
- **“Mobile Sign”** means a temporary *sign which is not permanently affixed to the ground or to any structure, and typically designed for the rearrangement of copy of the sign face, and which is capable of being readily moved from one location to another, and may be part of or attached to a wheeled trailer or frame without wheels in such a manner so as to be able to be moved from place to place.*

- **“Monolith Sign”** means a *sign* permanently affixed to the ground by a solid continuous base that is equal to the width of the *sign*.
- **“Multi-Unit Residential Sign”** means a *sign erected* on a *property* to identify the name of the multi-unit residential development.
- **“Municipal Clerk”** shall mean the *Municipal Clerk* of the Corporation of the *Municipality* of Clarington or the Deputy Clerk acting in place of the *Municipal Clerk* in accordance with the *Municipal Act*.
- **“Municipal Law Enforcement Clerk”** shall mean a *person* appointed by the *Council* of The Corporation of the *Municipality* of Clarington for the purpose of enforcing Municipal by-laws and, for the purpose of this By-law, shall include the Durham Regional Police.
- **“Non-Electronic Message Board Sign”** means a sign which has messages displayed by non-electronic means. (2011-061)
- **“Off-Site Directional Sign”** means a *sign* providing directions to the site where a business or service is located.
- **“Off-Site Directional Tourism Sign”** means a *sign* for the purpose of only identifying a name of a tourism destination, business or service and providing directions to the tourism destination, business or service and shall be *erected* in compliance with a *Municipal Agreement*.
- **“Overhanging Sign”** means a *sign* not directly supported from the ground but generally *erected* perpendicular to a supporting *building* wall, but shall not be a *wall sign* as defined in this By-law.
- **“Permanent Sign”** means a *sign* permanently *erected* on or affixed to a *premises*.
- **“Personal Sign”** means a *temporary sign* used for a personal announcement or congratulatory message which is located on a *property zoned* for residential uses.
- **“Poster Sign”** means a printed notice conveying information intended to be displayed for a temporary period of time and includes but is not limited to a bill, handbill, leaflet, notice, or placard.
- **“Pre-Menu Board Sign”** means a *sign erected* as part of a drive-through facility and only used to display products and services available at the drive-through business.
- **“Portable Sign”** means a *sign* not permanently attached to the ground or a permanent *structure* and which is designed to be moved readily and manually by one *person* from one location to another, and includes *signs* commonly referred to as *A-Board*, *T-frame*, *Personal* and *sandwich board*.

- **“Projection Sign”** means a *sign* that is displayed on a surface, *building*, or *structure*, by the projection of a beam of light or other source of illumination.
- **“Promotional Construction Sign”** means a *sign* advertising construction, reconstruction, repair, renovation and/or development and may include the name of the project, the name of firms and personnel related to the project.
- **“Promotional Subdivision Development Direction Sign”** means a *portable sign* providing direction to a development site within a plan of subdivision or plan of condominium or a proposed plan of condominium.
- **“Public Use Sign”** means a *sign erected* by or under the jurisdiction of a *Public Authority*.
- **“Pylon Sign”** means a *sign* supported by one or more poles and with an open base.
- **“Real Estate Sign”** means a *sign* located on a *property* for the purpose of announcing the sale, lease, or rental of such *property* or *building* or part of a *building* located thereon.
- **“Roof Sign”** means a *sign* the entire face of which is above the lowest point at which the roof meets the *building*.
- **“Sandwich Board Sign”** means a freestanding *temporary sign* with no more than two faces joined at the top of the *sign* that is intended for temporary *use* during the hours of the business to which it applies and that is constructed in a manner and of materials such that it can be placed and moved manually by a *person* without mechanical aid. (*A-Board* and *T-Board signs* have the same definition).
- **“Subdivision Development Sign”** means a *sign* that advertises the sale of properties within a plan of subdivision, plan of condominium or proposed plan of condominium but not the realtor’s, developer’s or landowner’s business in general.
- **“T-Board Sign”** means a freestanding *temporary sign* with no more than two faces joined at the top of the *sign* that is intended for temporary *use* during the hours of the business to which it applies and that is constructed in a manner and of materials such that it can be placed and moved manually by a *person* without mechanical aid. (*A-Board* and *Sandwich Board signs* have the same definition).
- **“Temporary Sign”** means a *sign* which is *erected* without foundations and is not affixed to any other *building*, or *structure* on which an activity or event that is transitory or not permanent in nature is advertised.
- **“Traffic Control Sign”** means a *sign erected* under the jurisdiction of the *Highway Traffic Act* or the manual of Uniform Traffic Control Devices for the purpose of regulating traffic on *streets*.

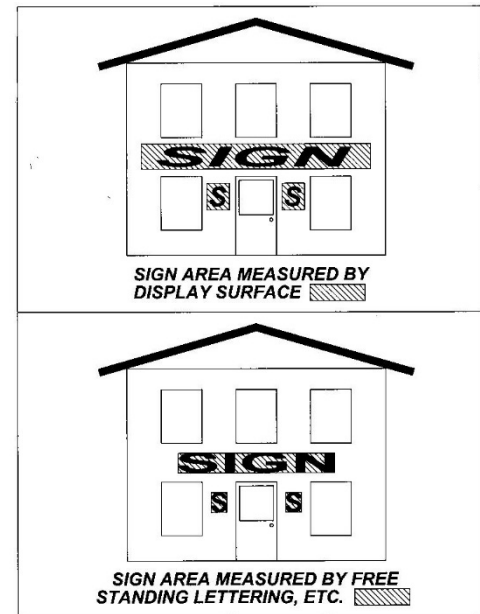
- **“Transit Shelter Sign”** means a *sign* located in or on a transit shelter.
- **“Vehicle/Trailer Sign”** means a *sign* which is painted on or affixed to a *motor vehicle* or trailer which is parked and visible from a public *right-of-way* and its intended *use* is as a *sign*, unless said vehicle or trailer is used in the normal day-to-day operation of the business.
- **“Wall Sign”** means a *sign* which is painted on or permanently affixed to a single wall of a *building* or *structure*.
- **“Window Sign”** means a *sign* within a *building* which is located within 1.0 metre of a window and is intended primarily to be visible from a *street* or parking area.

“Sign, Abandoned” means a *sign* which located on *premises* which becomes vacant and unoccupied for a period of ninety (90) days or more, or any *sign* that pertains to a time, event, or purpose that no longer applies.

“Sign Area” means:

- in the case of a *sign* having one *display surface*, the area of the *display surface*;
- in the case of a *sign* having two *display surfaces*, which are separated by the thickness of the *sign structure* and the thickness is not used as a *display surface*, the area of one *display surface*;
- in the case of a free standing number, letter, picture, image, graphic, emblem, symbol, or shape, the smallest rectangle which will enclose the number, letter, picture, image, graphic, emblem, symbol, or shape.

“Sign, Height” means the vertical distance from the *finished grade* on which the *sign* is *erected* to the highest physical point of the *sign*. (2013-059)



“Sign, Length” means the horizontal distance between the extremities of the *sign*.

“Sign Permit” means a permit issued under this By-law.

“Sign Support Structure” means the framework, bracing and support of a *sign*.

“Site Plan Approval” means the process of site plan approval as governed by the Municipality’s Site Plan Control By-law, as amended, and the provincial Planning Act. (2011-121)

“Storey” means the portion of a *building*, other than an *attic*, *basement* or *cellar*, included between any floor level and the floor, ceiling or roof next above it. A mezzanine shall be deemed to be a *storey*.

- **One-Half Storey** means a *storey* located wholly or in part under a sloping roof in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3 metres over a *floor area* equal to at least 50% of the *floor area* of the *storey* immediately below.

“Street” means a road or public *highway* under the jurisdiction of the *Municipality* or the *Region* or the *Province of Ontario* that is maintained so as to allow normal use by *motor vehicles*, or a road or public *highway* located within a registered plan of subdivision that has not yet been assumed by a *public authority*. The term *street* shall not include a *lane*.

“Street Line” means the limit of a *street*, *private road* or *lane*.

“Structure” means a man-made construction that is fixed to the ground or attached to another *structure* on a temporary or permanent basis.

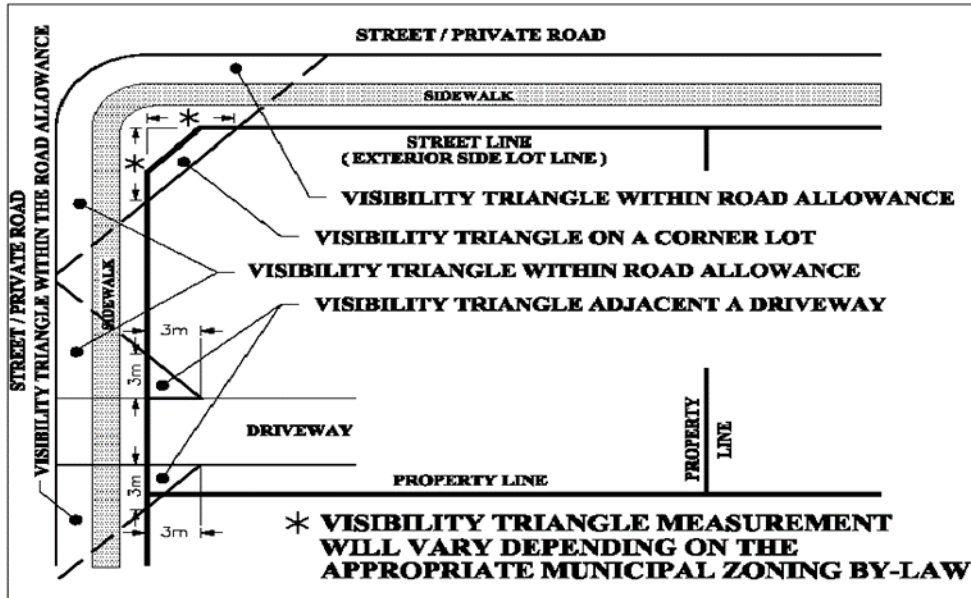
“Use” means the uses *allowed* in the *Municipality’s Zoning By-law* and as identified in the Tables of this By-law.

“Vacant Land” means a *property* that does not contain any *buildings* or structures.

“Visibility Triangle” means a triangular-shaped area of land abutting a *lane*, *street* or *private road* that is required to be kept free of obstructions that could impede the vision of a pedestrian or the driver of a *motor vehicle* exiting onto or driving on the *lane*, *street* or *private road*.

As illustrated, a *visibility triangle* shall be determined as follows:

- a) the *visibility triangle* adjacent to an *exterior side lot line* shall be the area enclosed by each of the *street lines* measured to a point specified in the applicable Municipal Zoning By-law back from the intersection of the *street lines*, and a diagonal line drawn between these two points
- b) the *visibility triangle* from a *driveway*, *lane*, or *right-of-way* shall be the area enclosed by the line along the limits of the *driveway* and the *street line* measured to a point 3.0 metres back from the intersection of the *street lines* and the limit of the *driveway*, *lane*, or *right-of-way* and a diagonal line drawn between these two points.



- c) the *visibility triangle* extends beyond private *property* into the *road allowance* as illustrated
- 2.2 The Tables contained in this By-law form part of this By-law. A reference in the By-law to a Table shall be deemed to be a reference to a Table contained in the By-law.
- 2.3 Notwithstanding Section 2.2, terms defined in this By-law are capitalized, italicized and underlined for the purposes of convenience only. If a term defined by this By-law is not capitalized, italicized and/or underlined, the definitions provided in Section 2.1 shall apply when consistent with the context.
- 2.4 In this By-law, reference to the masculine includes the feminine and corporations regardless of which term in question appears.
- 2.5 In this By-law, reference to the singular includes the plural.
- 2.6 All measurements and dimensions in this By-law are expressed in metric.
- 2.7 Schedule 1 and 2 to this By-law shall be interpreted as if they are contained in the text of the By-law.

Section 3 Administrative Provisions

- 3.1 The Planning Services Department and the Municipal Law Enforcement Division of the *Municipality* shall be responsible for the administration and enforcement of this By-law, respectively.
- 3.2 Except for *signs* otherwise exempted in this By-law from the requirement for a *sign permit*, no person shall *erect*, keep, or maintain a *sign* on any *premises* unless a *sign permit* is obtained from the *Municipality* prior to the *erection* or use of the *sign*.

- 3.3** Every *person* applying for a *sign permit* shall apply on the application form or forms as may be prescribed by the *Municipality* and shall submit the required plans and information and pay the applicable fees.
- 3.4** The *Municipality* shall refund the fees paid for a *sign permit* where the applicant in writing requests a refund and the *Municipality* has not commenced its review of the *sign permit* application for compliance with this By-law.
- 3.5** There shall be no refund of fees where:
- i) the *Municipality* has issued the *sign permit* as the result of false, mistaken, incorrect, or misleading information, statements, or undertakings on the application; or,
 - ii) the *sign* for which the *sign permit* application is made, has been *erected*, located, or displayed prior to the issuance of the *sign permit*; or
 - iii) where the *Municipality* has already commenced the review.
- 3.6** Where the applicant for a *sign permit* is not the *owner* of the *premises* where the *sign* is to be *erected*, the applicant shall provide written authorization from the *owner* of the *premises* where the *sign* is to be *erected*.
- 3.7** A *sign permit* shall be refused if the proposed *sign* does not comply with this By-law and all other applicable law.
- 3.8** A *sign permit* may be revoked where the *sign permit* was issued as the result of false, mistaken, incorrect, or misleading information, statements, or undertakings on the application, or if the *sign* has not been installed in compliance with the *sign permit*.
- 3.9** Where a *sign* is subject to the regulations of a *public authority* other than the *Municipality* by virtue of its location or type:
- i) An applicant for the *sign* shall provide the *Municipality* with the written permission of the *public authority* having jurisdiction prior to making an application to the *Municipality* for a *sign permit*; and,
 - ii) Approval of the *sign* by a *public authority* does not exempt the *sign* from having to comply with the provisions of this By-law.
- 3.10** Every *sign permit* issued by the *Municipality* for a *permanent sign* shall expire six (6) months from the date of issuance unless the *sign* is *erected* for its intended purpose and the *sign permit* shall become null and void upon the removal of the *sign*.
- 3.11** No *sign permit* is required to *erect* the following *signs* provided the *signs* otherwise comply with the applicable provisions of this By-law:
- i) *Real Estate signs*;

- ii) *Personal signs*;
- iii) *Portable signs*;
- iv) *Promotional Construction Direction signs*;
- v) A sign having a sign area less than 0.10 m² (e.g. poster).

3.12 The following signs shall be exempt from the provisions of this By-law:

- i) *Public use signs* including signs required by and approved by the *Municipality* to inform the public of planning applications;
- ii) Flags or emblems of patriotic, civic, educational or religious organizations;
- iii) Commemorative plaques or corner stones that do not advertise;
- iv) *Murals* that do not advertise.

Section 4 Enforcement Provisions

- 4.1** Any sign erected in contravention of any provision of this By-law may be removed by the *Municipality* immediately without notice, if such sign is located wholly or partially on or over a road allowance or on any other lands owned by or under the jurisdiction of the *Municipality*.
- 4.2** The *Municipal Law Enforcement Officer* may cause a notice to be sent to any owner of a property, owner of a sign, or to both, by means of registered mail or by hand delivery where any sign is found to be in contravention of any provision of this Municipal By-law.
- 4.3** Any sign determined by the *Municipal Law Enforcement Officer* to be in contravention of any provision of this By-law may be removed without notice and such sign may be disposed of or impounded at the direction of the *Municipal Law Enforcement Officer*.
- 4.4** Any sign impounded by the *Municipality* shall be held for a period of thirty (30) calendar days from the date of the sign being impounded and at 12:01 a.m. of the thirty first (31st) day the sign, if not released to the owner upon payment of the expenses incurred by the *Municipality*, may be disposed of in a manner at the discretion of the *Municipal Law Enforcement Officer*, without compensation or notice to any person.
- 4.5** The reasonable expense as determined by the *Municipal Clerk* for the removal and disposal of any sign removed by the *Municipality* shall be the responsibility of the sign's owner and such costs are recoverable under the authority of the *Municipal Act, 2001*, as amended.

Section 5 Prohibitions

5.1 No *person* shall *erect, use* or maintain, or cause or permit to be *erected, used* or maintained any of the following *signs*:

- i) A *sign* located on *premises* which does not specifically identify or advertise a business, service, or occupant of the *premises* where it is located, unless otherwise specified in this By-law;
- ii) *Roof sign*, except a *barn sign*;
- iii) *Vehicle/Trailer sign* on non-motorized vehicles where the purpose of the *sign* meets the definition of a *sign* under this By-law;
- iv) A *sign* which may cause confusion with a *traffic control sign* or a traffic control signal;
- v) A *sign* located above the first *storey* of a *building*;
- vi) *Abandoned signs*.

5.2 Prohibited Locations

- i) No *sign* or *sign support structure* shall be located in a manner which, in the opinion of the *inspector*, impedes the necessary view of a pedestrian or motorist;
- ii) No *person* shall locate a *sign* in a manner which obstructs or impedes any fire escape, fire hydrant, fire exit or door, any window required for natural ventilation or natural lighting or required as an emergency escape, or a fire fighter's access panel or skylight, or so as to prevent or impede free access from or to any part of a *building*, and no *sign* can be placed within one (1) metre of any fire escape, fire hydrant, fire exit or door, any window required for natural ventilation or natural lighting or required as an emergency escape, or a fire fighter's access panel or skylight, or so as to prevent or impede free access from or to any part of a *building* if the *sign* will impede visibility or access.
- iii) No *person* shall *erect* a *sign* which obstructs or otherwise impedes the utilization of a parking space, loading space, *driveway* or aisle unless additional parking spaces or loading spaces are provided to comply with the requirements and regulations of the *Municipality*;
- iv) No *person* shall locate a *sign* which obstructs or impedes the functioning of any flue or air intake, or any exhaust system;
- v) No *person* shall nail, screw, tape or otherwise fasten a *sign* to a tree, fence or fence post other than a no trespass *sign*;
- vi) No *person* shall *erect* a *sign* less than 1.0 metre from a *street line*;
- vii) No *person* shall *erect* a *sign* higher than 0.75 metres within 3.0 metres of any *road allowance* where the *sign* may impede vision of an access from any improved public *street* to any *lot*;

- viii) No *person* shall *erect a sign* within any *road allowance* other than a *transit shelter sign*, a *bench sign* or *garbage can sign* installed by *Municipal agreement*, a *portable sign*, or an *off-site directional tourism sign*;
- ix) No *person* shall *erect a sign* within a *visibility triangle*.

Section 6 General Provisions for All Signs

- 6.1 Where a *sign* is *illuminated*, the *sign* and source of illumination shall be designed and located so as to prevent light trespass beyond the *sign support structure* and/or *display surface* area. Night sky friendly lights, down-lights that are of a full cut-off design, goose neck lights, and back lights are the preferred lighting methods, unless otherwise noted in this By-law.
- 6.2 Nothing in this By-law applies to a *sign* that is lawfully *erected* on the day this By-law comes into force, provided the *sign* is not *altered* in any way. The maintenance and repair of the *sign* or a change in the message displayed shall be deemed not to in itself constitute an alteration.
- 6.3 In the event a *sign* that is lawfully *erected* on the day this By-law comes into force is *altered* or removed, all applicable provisions of this By-law shall apply.
- 6.4 In the event that an existing *building* is located within a *road allowance*, *signs* are *allowed* on the *façade* of the *building* within the *road allowance* subject to complying with all the provisions of this By-law.

Section 7 Allowed Signs

- 7.1 Section 7 and Section 8 of this By-law are interdependent and shall be read together.
- 7.2 If a *sign* is specifically defined in this By-law, but not listed as an *allowed sign* in any table, then the *sign* shall not be *allowed*.
- 7.3 A *sign* that is listed in a Table as being *allowed* shall only be *allowed* if it satisfies all applicable provisions of this By-law.
- 7.4 In the Tables to this By-law, the letter “A” indicates a particular *sign* that is allowed. The letter “N” indicates a particular sign is not allowed.
- 7.5 For the purposes of this By-law, the type of sign allowed on a property is based on the use of the property. The following land uses which are permitted on particular lands by the Municipality’s Zoning By-law are identified in the Tables to this By-law:

RES	residential
IND	<i>industrial</i>
COM	<i>commercial</i>
INS	<i>institutional</i>

AGR agricultural

7.6 Two special areas have been identified in Schedules 1 and 2, attached as part of this By-law, *Heritage Resource Areas (HRA)* and the *Courtice West Gateway(CWG)* respectively. Table 1 also shows the *sign* type *allowed* in the *HRA* or *CWG*, notwithstanding the use of the *property* or building as set out in the previous section 7.5.

7.7 The *sign* types listed in Column 1 of Table 1 – Signs Allowed by Property Use below, shall only be *allowed* in the *property use* category (Column 3). The section of this By-law applicable to each *sign* type is set out in Column 2.

7.8 Signs Allowed by Property Use

The *sign* and conditions under which they are *allowed* in *property use* categories shall be in compliance with Table 1 – Signs Allowed By Property Use.

Table 1 – Signs Allowed by Property Use								
Column 1	Column 2	Column 3						
Sign Type	Section	Property Use Category						
		RES	IND	COM	INS	AGR (1)	HRA (2)	CWG
Awning Sign ¹	n/a	A	A	A	A	A	A	A
Billboard Sign	8.2	N	N	N	N	A	N	N
Canopy Sign	8.3	A	A	A	A	A	A	A
Community Theme Sign	8.4	A	N	N	N	N	N	N
Directional Sign	n/a	A	A	A	A	A	A	A
Electronic Message Board	8.5	N	A	A	A	N	N	A
Flag Sign	8.6	A	N	N	N	N	N	N
Ground Sign	8.7	A	A	A	A	A	A	A
Inflatable Sign	8.9	N	N	A	N	N	N	N
Menu Board Sign	n/a	N	N	A	N	N	N	A
Mobile Sign	8.10	N	A	A	A	A	N	A
Monolith/Pylon Sign	8.11	N	A	A	A	N	N	N
Multi-Unit Residential Sign	8.12	A	N	N	N	N	N	N
Off-Site Directional Sign	n/a	N	A	A	N	A	N	A
Off-Site Directional Tourism Sign ²	n/a	N	N	N	N	A	N	N
Overhanging Sign	8.13	N	N	N	N	N	A	N
Personal Sign ³	8.14	A	N	N	N	N	N	N
Portable Sign	8.15	A	A	A	A	A	A	A
Poster	8.16	A	A	A	A	A	A	A
Pre-menu Board Sign	n/a	N	N	A	N	N	N	A

¹ 2013-075

² 2010-102

³ 2011-010

Table 1 – Signs Allowed by Property Use								
Column 1	Column 2	Column 3						
Sign Type	Section	Property Use Category						
		RES	IND	COM	INS	AGR (1)	HRA (2)	CWG
Promotional Subdivision Development Direction Sign	8.17	A	A	A	A	A	A	A
Promotional Construction Sign	8.18	A	A	A	A	A	A	A
Real Estate Sign	n/a	A	A	A	A	A	A	A
Roof Sign	8.19	N	N	N	N	A	N	N
Subdivision Development Sign	8.20	A	A	A	N	N	N	N
Wall Sign	8.21	A	A	A	A	A	A	A
Window Sign	n/a	A	A	A	A	A	A	A

N = Not Allowed

A = Allowed

1. See Section 8.1

2. See Section 8.9

7.9 Maximum Number of Signs

The maximum number of *signs allowed* on a *property* shall be in compliance with Table 2 – Maximum Number of Signs Allowed on a Property.

Table 2 Maximum Number of Signs Allowed on a Property*	
Sign Type	Number Allowed
Awning Sign ⁴	1 per residential property Unlimited for all other uses
Billboard Sign	1
Canopy Sign	1 per each side of a first floor entrance and/or window 1 per side of the motor vehicle service station canopy(ies)
Community Theme Sign	2 per arterial road allowance entrance
Directional Sign	No maximum
Electronic Message Board	1 as part of a ground, pylon, or monolith sign
Flag Sign	1 per 7.5 metres of road allowance frontage
Ground Sign	1 per property provided there is no pylon sign or monolith sign
Inflatable Sign	1
Menu Board Sign	1 per drive through facility
Monolith/Pylon Sign	1 per property provided there is no ground sign
Mobile Sign	1 per single business property 1 per 75 metres of store-front frontage for multi-business properties to a maximum of 3
Multi-Unit Residential Sign ⁵	1 per multi-unit development site entrance from a public road allowance

⁴ 2013-075

⁵ 2011-010

Table 2 Maximum Number of Signs Allowed on a Property*	
Sign Type	Number Allowed
Off-Site Directional Sign	1
Off-Site Directional Tourism Sign ⁶	1 (can be double-sided)
Overhanging Sign	1
Personal Sign ²	1
Portable Sign	1
Poster	No maximum, 1 per structure
Pre-menu Board Sign	1 per drive through facility
Promotional Subdivision Development Direction Sign	1
Promotional Construction Sign	1
Real Estate Sign	1 per lot frontage
Roof sign	1
Subdivision Development Sign	1 per road frontage of draft plan of subdivision site
Wall Sign	1 per residential property Unlimited for all other uses
Window Sign	1

* **A maximum of 1 permanent or temporary sign is allowed per home occupation or home industry.**

7.10 Maximum Sign Area

The maximum area of a sign shall comply with Table 3 – Maximum Sign Area.

Table 3 – Maximum Sign Area							
	Property Use						
Sign Type	RES	IND	COM	INS	AGR	HRA	CWG
Awning Sign ¹	See the requirements for a wall sign						
Billboard Sign	N	N	N	N	18 m ²	N	N
Canopy Sign	20% of the Canopy Area						
Community Theme Sign	75% of display surface	N					
Directional Sign	0.3 m ²						
Electronic Message Board Sign	N	50% of the area of a ground, pylon, or monolith, sign			N	N	50% of the area of a ground, pylon, or monolith sign
Flag Sign	0.60 m ²	N					
Ground Sign	0.55 m ²	3.75 m ²				1.5m ²	3.75 m ²
Inflatable Sign	N	N	6.75 m ²	N	N	N	N
Menu Board	N	N	4.0 m ²	N		N	4.0 m ²
Mobile Sign	N	3.0 m ²				N	3.0 m ²
Monolith/Pylon Sign	N	7.5 m ²			N	N	N

⁶ 2010-102

Table 3 – Maximum Sign Area							
Sign Type	Property Use						
	RES	IND	COM	INS	AGR	HRA	CWG
		9 m2 for multi-tenant property with buildings from 5001-8000 m ² floor area 11m2 for multi-tenant property with buildings 8001 m ² + floor area					
Multi-Unit Residential Sign ³	75% of display surface 2M ² when attached to landscape feature walls	N					
Off-Site Directional Sign	N	1.5 m ²		N	1.5 m ² *	N	1.5 m ²
Off-Site Directional Tourism Sign ⁴	N	N		N	1.5 m ² *	N	N
Overhanging Sign	N	N	N	N	N	1.0 m ²	N
Personal Sign ³	0.30m ²						
Portable Sign	1.0 m ²						
Poster	0.1m ²						
Pre-menu Board Sign	N	N	2.0 m ²	N	N	N	2.0 m ²
Promotional Subdivision Development Direction Sign	1.0 m ²						
Promotional Construction Sign	6.0 m ²						
Real Estate Sign	0.55 m ²	2.75 m ²	2.75 m ²	2.75 m ²	2.75 m ²	0.55 m ²	2.75 m ²
Roof Sign	N	N	N	N	20% of roof area	N	N
Subdivision Development Sign	10 m ²	10m ²	10m ²	N	N	N	N
Wall and Awning Signs (combined display area)	0.55 m ²	15% of building <u>façade</u> area for one storey building or barn 10% of building <u>façade</u> area for two storey and higher building or barn 40% of the building <u>façade</u> area facing the front <u>lot line</u> and/or exterior <u>lot line</u> for subdivision sales offices					
Window Sign	10% of window area	50% of window area distributed across 100% of the glass Residential <i>building</i> in the CWG and HRA are <i>allowed</i> 10% of the window area. Agricultural <i>building</i> are <i>allowed</i> 10% of window area					

¹ 2013-075

² 2010-015

³ 2011-010

⁴ 2010-102

N = Not Allowed

* See Section 9.19

7.11 Maximum Sign Height

The maximum *sign height* shall comply with Table 4 – Maximum Sign Height.

Table 4 – Maximum Height	
Sign Type	Max Sign Height
Billboard Sign	7.5 m
Community Theme Sign	1.8m
Ground Sign	3.0m*
Inflatable Sign	2.7 m
Menu/Pre-menu Board Sign	2.5 m
Mobile Sign	2.0 m
Monolith/Pylon Sign	7.5 m
Multi-Unit Residential Sign	1.8m
Portable Sign	1.25m
Promotional Construction	7.5m
Subdivision Development Sign	7.5 m

* **Maximum sign height for residential *ground signs* is 1.0 metre.**

Section 8 Specific Sign Regulations

8.1 Agricultural Signs Along Provincial Highways

A permit is not required from the Ministry of Transportation for properties within 400 metres of a Provincial *highway* as set out in Bill 98, regardless of whether a municipal *sign permit* is required.

8.2 Billboard Signs

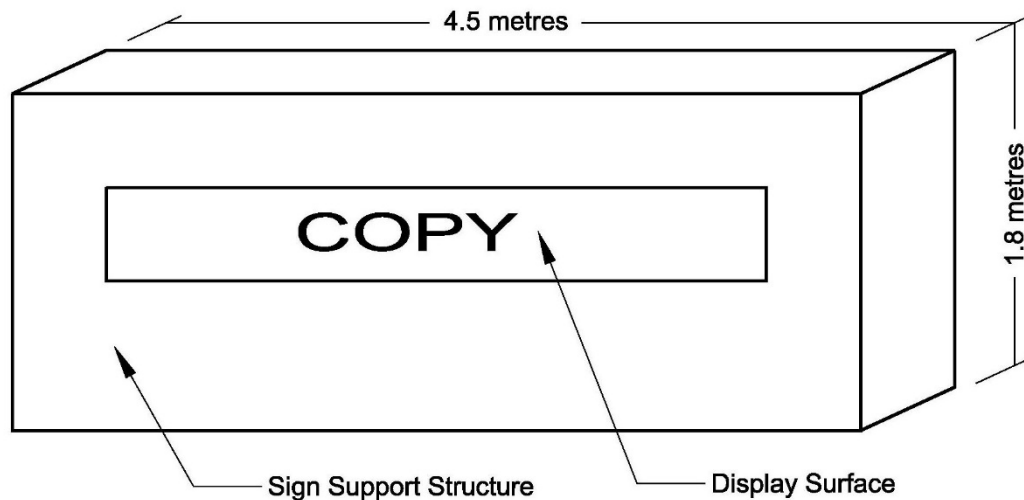
- i) *Billboard signs* shall only be *allowed* along the Highway 35/115 corridor from Highway 2 northward to the City of Kawartha Lakes boundary and are limited to the portions of private *property* that are within 400 metres of the Highway road allowance.
- ii) A *billboard sign* shall not be located, *erected* or displayed within 400 metres of any other *billboard sign*.
- iii) A *billboard sign* is limited to one *display surface* only.
- iv) *Animated signs* are not *allowed* as *billboard signs*.
- v) All *billboards signs* within 400 metres of Highway 35/115 shall require the approval of a permit issued by the Ministry of Transportation in addition to the *Municipality* of Clarington.

8.3 Canopy Signs

- i) *Motor vehicle* service station fuelling areas may have 1 *sign* on each side of fuelling area canopies.

8.4 Community Theme Signs

- i) The *sign display surface* may be a maximum of 25% of the *sign support structure*.
- ii) The *sign copy* may be a maximum of 75% of the *sign display surface*.
- iii) The maximum width of the *sign support structure* is 4.5 metres.
- iv) The maximum height of the *sign support structure* is 1.8 metres. If the *sign support structure* is incorporated into a noise fence requirement, the height of the *sign support structure* can be the same height as the noise fence.



8.5 Electronic Message Board Signs

- i) The minimum display time for any electronic message, without movement or change in colour, shall be thirty (30) seconds, and the intensity of the illumination shall be maintained at a constant level.

8.6 Flag Signs

- i) All *flag signs* are to be removed within thirty (30) days after the date of the last sale of the last *property* within the plan of subdivision.

8.7 Ground Signs

- i) All *ground signs* outside of residential areas must include the municipal *street* address if the *sign* is located on the *street* frontage pertaining to the *street* address.
- ii) The maximum *height* of a *ground sign* on a residential *property* is 1.0 metre.

8.8 Heritage Resource Area Signs

- i) *Signs* within the *Heritage Resource Areas* identified in Schedule 1 to this By-law shall comply with the provision of any applicable Community Improvement Plan.
- ii) No *person* shall *erect* a *sign* which disfigures or conceals any significant architectural feature of a building, and no *person* shall *erect* a *sign* which distracts from the heritage nature of the surrounding area.
- iii) Preferred *sign* materials include wood (painted, carved or cutout letters) and metal (porcelain coated, photo or line-etched, engraved or brass letters). Alternative material may be considered, provided that they maintain the heritage character of the streetscape. The colour and design of a *sign* shall be sympathetic and compatible with the surrounding area.
- iv) Ambient, overhead, gooseneck or low-key lighting should be used for exterior lighting of all *signs*, regardless of the age of the building.

8.9 Inflatable Signs

- i) *Inflatable signs* are *allowed* on a *property* for a maximum of seven (7) consecutive days. A maximum of two (2) *sign permits* will be issued per *property*, for a total of fourteen (14) days, per calendar year. All *inflatable signs* are to maintain a setback of 3.0 metres from any *property* line. All are to be secured to a fixed base and liability insurance may be required.
- ii) The maximum width of an *inflatable sign* is 2.5 metres.
- iii) *Inflatable signs* are not *allowed* on roofs.

8.10 Mobile Signs

Mobile signs shall be *erected* in compliance with the following:

- i) A maximum of three (3) *sign permits* may be issued within a twelve (12) month period for the same business provided that a minimum sixty (60) days has elapsed between the expiry of the last *sign permit* and the *mobile sign* has been removed for a period of sixty (60) days; (2011-010)
- ii) A *sign permit* for a *mobile sign* shall expire sixty (60) days after the *erection* date specified on the *sign permit*. Where an *erection* date is not specified, the effective date for the purpose of this section shall be the date the *sign permit* is issued;
- iii) Upon expiry of a *sign permit* for a *mobile sign*, the *sign* must be removed within twenty-four (24) hours and the *Municipality* must be informed of the removal of the *mobile sign*. If the *mobile sign* is not removed in compliance with this By-law, the *Municipality* may remove the *sign* in accordance with Section 4;
- iv) In no case shall any *person* *erect* a *mobile* and *portable sign* at the same time on the same *property*;
- v) *Mobile signs* are not *allowed* on *vacant land*;

- vi) *Home occupations or home industries* are not *allowed* to have a *mobile sign*;
- vii) No *person* shall rent a *mobile sign* from a *person* that is not licensed under a by-law of the *Municipality* to carry on the business of renting *mobile signs*;
- viii) If the *mobile sign* is rented, the name and telephone number of the *owner* of the *mobile sign* must be on the *sign structure* and easily read;
- ix) Fluorescent colours are prohibited on a *sign area*.
- x) A maximum of three (3) *sign permits* may be issued within a twelve (12) month period for signs to be installed for a maximum of two (2) weeks for a *community group* or *non-profit/not-for-profit organization* provided that a minimum sixty (60) days has elapsed between the expiry of the last *sign permit* and the *mobile sign* has been removed for a period of sixty (60) days. 2011-010
- xi) A *sign permit* for *mobile sign* for a *community group* or a *non-profit/not-for-profit organization* shall expire twenty-four (24) days after the *erection* date specified on the *sign permit* for signs that are exempt from the sign permit fee. Where an *erection* date is not specified, the effective date for the purpose of this section shall be the date the *sign permit* is issued. 2011-010

8.11 Monolith/Pylon Signs

- i) *Monolith* or *pylon signs* can be used as *ground signs* where *ground signs* are *allowed*. The regulations for *ground signs* will apply in regards to *height* and size.
- ii) All *monolith* and *pylon signs* must include the municipal *street* address if the *sign* is located on the *street* frontage pertaining to the *street* address.
- iii) *Monolith signs* shall not have a *sign display surface* located lower than 1.5 metres above *finished grade*.
- iv) *Pylon signs* shall not have a *sign display surface* located lower than 2.44 metres above *finished grade*. *Monolith/Pylon signs* on *seasonal-related business* properties shall not have a *sign display surface area* located lower than 1 metre above *finished grade* and shall not be more than 5 metres in height.
- v) No *monolith/pylon sign* is permitted for any building located within 6 metres of a *road allowance*.

8.12 Multi-Unit Residential Signs

- i) The *sign display surface* may be a maximum of 25% of the *sign support structure* as shown in Section 8.4.
- ii) The *sign copy* may be a maximum of 75% of the *sign display surface*.
- iii) The maximum width of the *sign support structure* is 4.5 metres.

- iv) The maximum height of the *sign support structure* is 1.8 metres. If the *sign support structure* is incorporated into a noise fence requirement, the height of the *sign support structure* can be the same height as the noise fence.

8.13 Overhanging Signs

Overhanging signs shall be *erected* in compliance with the following:

- i) No *overhanging sign* shall be *erected* less than 2.5 metres above *finished grade* or the surface of the *road allowance* or public sidewalk;
- ii) Every *owner* of an *overhanging sign* shall carry adequate liability insurance for any such *sign* and that insurance coverage shall also name the *Municipality* as an additional insured, where the *overhanging sign* is over a *road allowance*;
- iii) Prior to the issuance of a *Sign Permit*, a Road Occupancy permit will be obtained for the installation of *signs* overhanging a *road allowance*, if required;
- iv) An *overhanging sign* that weighs more than 115 kg will require a *building permit*.

8.14 Personal Signs

- i) Personal signs may be erected for two (2) week periods. A minimum of sixty (60) days must elapse between a personal sign being removed and another personal sign being erected.

2011-010

8.15 Portable Signs

Portable signs shall be *erected* in compliance with the following:

- i) A *portable sign* shall only be used and displayed during the actual hours of operation of the business that it is advertising;
- ii) No *portable sign* shall be located in a manner that restricts the free and safe movement for any pedestrian, vehicle or other conveyance on any sidewalk, path, *road allowance* or *driveway*, or in a manner which impedes vision;
- iii) In no case shall a *person erect a portable sign* and a *mobile sign* at the same time on the same *property*.

8.16 Poster Signs

Poster signs shall be *erected* in compliance with the following:

- i) A *poster sign* shall be displayed for a maximum of 21 days and not more than three days after the end of an advertised event;
- ii) The *Municipality* may remove and dispose of a *poster sign* without notice or compensation to any *person*.

8.17 Promotional Subdivision Development Direction Signs

Promotional Subdivision Development Direction signs shall be erected in compliance with the following:

- i) The *sign* shall only be used and displayed during the actual hours of operation of the subdivision sales office during week days; and *signs* may be displayed on Saturdays and Sundays provided that such *signs* are displayed on *street* boulevards only and are not located any closer than one (1.0) metre to the curb, or where there are no curbs, three (3.0) metres from the edge of the travelled portion of the *street* and that such *signs* are removed no later than 08:00 hours (8:00 a.m.) on each Monday.
- ii) No *Promotional Subdivision Development Direction sign* shall be located in a manner that restricts the free and safe movement for any pedestrian, vehicle or other conveyance on any sidewalk, path, *road allowance* or *driveway*, or in a manner which impedes vision;
- iii) In no case shall a *person erect a Promotional Subdivision Development Direction sign* and a *mobile sign* at the same time on the same *property*.

8.18 Promotional Construction Signs

- i) *Promotional construction signs* shall be removed within thirty (30) days of the completion of the project.

8.19 Roof Signs

- i) *Roof signs* shall only be *allowed* as a *barn sign* on an agricultural use *property*.

8.20 Subdivision Development Signs

- i) A *subdivision development sign* shall not be *erected* until the subdivision being advertised has been draft approved and must be located on the plan of subdivision site.
- ii) A *subdivision development sign* shall be removed within thirty (30) days after the date of the sale of the last *property* within the plan of subdivision.
- iii) A Performance Guarantee will be required as part of the subdivision development agreement.

8.21 Wall Signs

- i) A *wall sign* cannot project more than 0.3 metres from the wall of a *building* or *structure*.

Section 9 Exceptions by Amendment

- 9.1 Two ground identification signs may be permitted at 234 King Street East, Bowmanville.
- 9.2 A 1.48 m² on-site directional sign may be permitted on the rear wall of the structure referred to as “Williams Coffee Pub” located at 1414 Highway 2, Courtice (PD-45-99).
- 9.3 The allowable size of three wall signs may be increased, being specifically 12.3% on the north wall, 12.3% on the south wall, and 11.4% on the east wall of the structure referred to as “Payless Shoe Source” located at 70 Clarington Boulevard, Bowmanville (PD-79-99).
- 9.4 A ground sign with a total sign area of 2.0 m² located at 84 Mill Street South, Newcastle United Church, Newcastle (PSD-095-02).
- 9.5 A second ground sign on the *property* located at 105 Clarington Boulevard, Bowmanville, with a height of 3.20 metres and a total sign area of 1.92 m² (PSD-051-02).
- 9.6 An 8.92 m² promotional construction sign located on Lot 27 of Plan of Subdivision 18T89064 (PSD-114-02).
- 9.7 Site specific minor variances that were granted and duly recorded as part of a Site Plan Agreement during the time Sign Bylaw 97-157 was in force.
- 9.8 The construction of an electronic media sign on an existing pylon sign located at 2401 Highway 2, Bowmanville (PSD-114-07).
- 9.9 An increase in the number of permitted signs from one permanent sign to three permanent signs at 5324 Main Street, Orono (PSD-99-07).
- 9.10 Three signs having a maximum sign area of 3.5 m² (2.54m x 1.39m) each attached onto two elevated wall sections at the east and west end of the existing building located at 219 King Street East, Bowmanville, to be used by the tenants of any unit of the building (PSD-108-07).
- 9.11 An increase in the number of permitted signs, for a stand-alone building on a multiple business site located at 361 King Avenue, Newcastle, from two (2) wall signs to three (3) wall signs, with a maximum size of 2.9 m² for the third wall sign (PSD-088-08).
- 9.12 A pylon sign with a sign area of 10.2 square metres for the *property* known as Home Depot, 120 Clarington Blvd., Bowmanville (Resolution #C-017-08).
- 9.13 A pylon sign with a height of 9 metres and a sign area of 9.93 square metres for the *property* identified as 8262 Highway 35/115 (PSD-162-04).

- 9.14** A reduction in the minimum required setback from a road allowance from 1 metre to 0.25 metres for a ground sign and a temporary sign, and a window sign for each business is permitted for the property located at 161 King Street East, Bowmanville. (2011-010)
- 9.15** A reduction in the required setback from the road allowance from 1 metre to 0 metres and an increase in the maximum permitted sign area for a ground sign from 1.5 square metres to 2.3 square metres is permitted for the property located at 1848 Concession Road 6. (2011-010)
- 9.16** A reduction in the required setback from a road allowance from 1 metre to 0.45 metres, and a reduction in the required visibility triangle from 3 metres by 3 metres to 3 metres by 0.75 metres to accommodate a ground sign is permitted for the property located at 118 King Street East, Bowmanville. (2011-010)
- 9.17** A reduction in the required setback from a road allowance from 1 metre to 0 metres, and an increase in the required size from 1.5 m² to 2.7 m² to accommodate the existing ground sign for the property located at 183 Church Street West, Bowmanville. (2011-010)
- 9.18** Notwithstanding Section 7.9 Table 2, one additional mobile sign may be permitted at 39 Martin Road, Bowmanville. (2010-012)
- 9.19** Notwithstanding Section 7.10 Table 3 - Maximum Sign Area, the Durham Agricultural Society be permitted a maximum of 20 Temporary Off-Site Directional Tourism Signs of a maximum 2.3 square metres in size; and notwithstanding Section 3.3, the Durham Agricultural Society be required to apply for all necessary sign permits but deemed exempt from paying sign permit fees for 20 temporary signs. (2010-102)
- 9.20** Notwithstanding Section 7.9 Table 2, two multi-unit residential signs attached to two existing landscape feature walls may be permitted at 350 Lakebreeze Drive, Newcastle. (2010-141)
- 9.21** Notwithstanding Section 3.3, *community groups and non-profit/not-for-profit organizations* are deemed exempt from paying temporary sign permit fees for a maximum of three (3) mobile signs per year for signs that are installed for two week periods. (2011-010)
- 9.22** Notwithstanding Section 8.12 v) a single pylon sign is permitted for all buildings within the neighbourhood centre development located at 680 Longworth Avenue, Bowmanville (PSD-036-11) at 4 metres from the property line. (2011-049)
- 9.23** Notwithstanding Section 8.11 i) and 8.11 ii), *seasonal-related businesses* are permitted to install temporary *mobile signs* on a continuous basis from April 1st to December 31st in each calendar year. A *temporary sign permit* application fee must be paid for each 60 day period, or portion thereof, the *sign* remains on the property. (2011-061)

- 9.24** Notwithstanding Section 7.10 Table 3, electronic message board signs are not permitted on monolith or pylon signs on seasonal-related business properties. A maximum of 80% of a sign display area on a monolith or pylon sign on seasonal-related business properties can be used for a non-electronic message board. (2011-061)
- 9.25** Notwithstanding Section 7.10 and 8.11 to this By-Law, one pylon sign with a maximum sign area of 12.0 square metres may be permitted at 2401-2405 Highway 2 in Bowmanville with the following regulations:
- a) No mobile signs be permitted on this property except that only one mobile sign is permitted within 30 days of the initial grand opening of each tenant. Only one mobile sign is permitted on the property at a time; and
 - b) That the electronic message board display area on a pylon sign be restricted to an area of 4.5 m². (2012-021)
- 9.26** Notwithstanding Section 7.11, one *monolith sign* with a maximum height of 8.0 metres is permitted at 23 Spicer Square in Bowmanville. (2013-013)
- 9.27** Notwithstanding Section 7.9 Table 2, three subdivision development signs are permitted at the new home sales and presentation centre site at 2840 Highway 2 in Bowmanville; and
- Notwithstanding Section 2.1 “SIGN AREA ii), the total sign area for V-shaped signs located at 2840 Highway 2 is measured as the area of one display surface provided that the angle of the two panels forming the V-shape are separated by no more than 45 degrees. (2015-052)
- 9.28** Notwithstanding Section 7.8, 9.23 and 9.24 to this By-Law, an electronic message board sign is permitted as part of a pylon or monolith sign at 3745 Highway 2, Newcastle, to a maximum sign display area of 2.6 square metres or 44% of the total sign display area and a seasonal related temporary mobile sign is not permitted (2017-039)

Section 10 Variances

- 10.1** The Director as the delegated authority, at his/her discretion, may approve minor variances to this Sign By-law in the following situations.
- 10.1.1** The Director may vary the following provisions of the Sign By-law at the time of site plan approval:
- a. The location of any sign on a building or property.
 - b. The number of signs on a building or property, having regard for the sign type, property use and the size of the property.

- 10.1.2 The Director will consider minor variance applications for properties that are not subject to site plan approval for the provisions of the Sign By-law that are identified in Section 10.1.1.
- 10.2** In considering a minor variance application, the Director shall have regard to:
- a. Special circumstances or conditions applying to the property, building, or use referred to in the application.
 - b. whether such special circumstances or conditions are pre-existing and not created by the owner or applicant.
 - c. whether the proposed sign will detrimentally alter the character of the building, property or area, and
 - d. whether the general intent and purpose of the Sign By-law is maintained.
- 10.3** The Director's approval authority does not apply to the following sections of the Sign By-law:
- a. Table 1 – Signs Allowed by Property Use
 - b. Table 4 – Maximum Height
 - c. All Sign By-law provisions with regards to Mobile Signs
 - d. All provisions with regards to Mobile Signs that are not subject to site plan approval.
- 10.4** An application for a variance from one or more of the requirements in this Sign By-law shall be made by an owner, or authorized representative of an owner, of the property on which the sign is to be erected.
- 10.5** A variance application shall be filed with the Municipality for consideration by the Director.
- 10.6** Every variance application shall include the required plans and information as the Director deems necessary for consideration of the variance application. Each variance application shall include a justification of why the provisions of the Sign By-law cannot be complied with.
- 10.7** The Director may approve or refuse any variance application and may impose conditions upon an approval as deemed appropriate.
- 10.8** Should the Director refuse a variance application the property owner, or authorized representative of the owner, may file an application with the Municipality for an amendment to the Sign By-law for consideration by Council.

Section 11 Offence

- 11.1** It shall be the duty of every *person* who *erects*, uses, maintains or causes a *sign* to be *erected*, used or maintained to ensure that any *sign erected*, used or maintained by them shall comply with all the provisions and requirements of this By-law.
- 11.2** Every *person* who fails to comply with any provision or requirement of this By-law shall be guilty of an offence and liable to a fine as prescribed by the *Provincial Offences Act*.

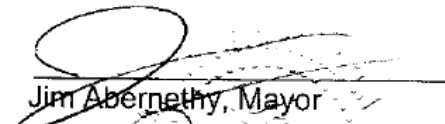
Section 12 Severability


- 12.1** If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such decision does not affect the validity, effectiveness, or enforceability of the other sections or parts of the provisions of this By-law unless the court makes an order to the contrary.

Section 13 Date Effective

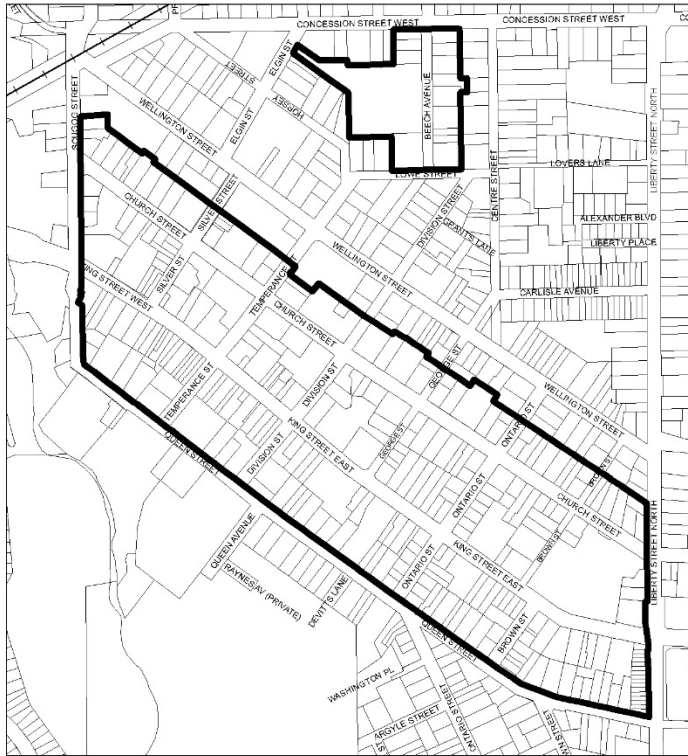
- 13.1** This By-law came into force on January 1, 2010.

Read a first, second and third time and finally passed this 21st day of September 2009.

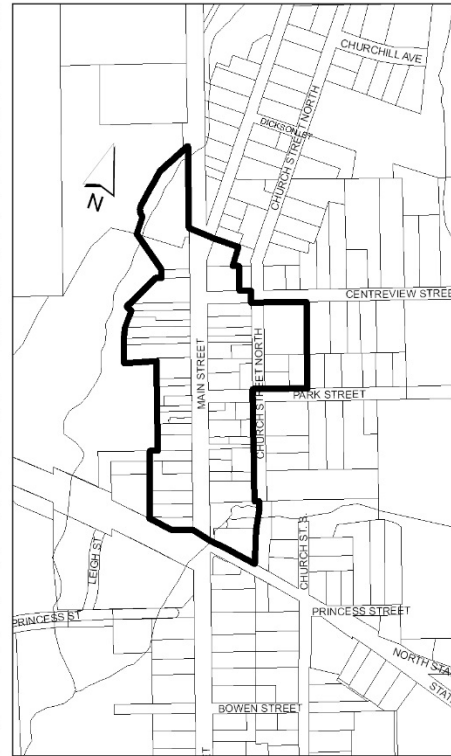

Jim Abernethy, Mayor


Patti L. Barrie, Municipal Clerk

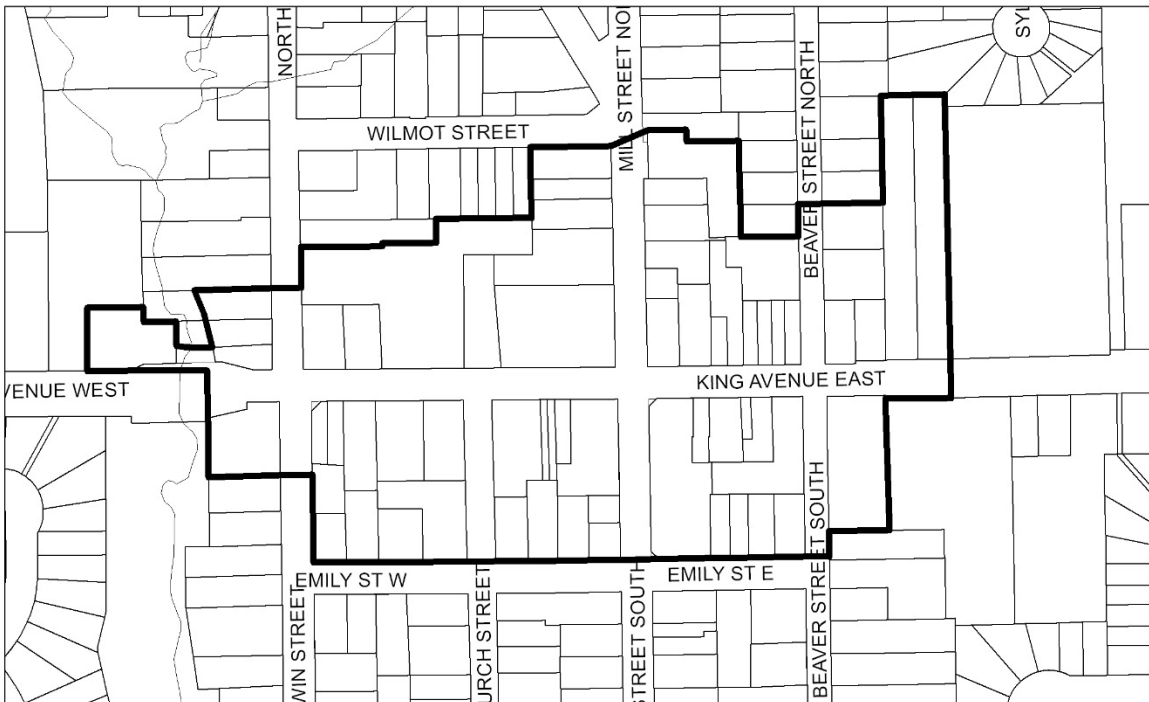
Schedule "1" to Sign By-Law 2009 - 123
HERITAGE RESOURCE AREAS



BOWMANVILLE

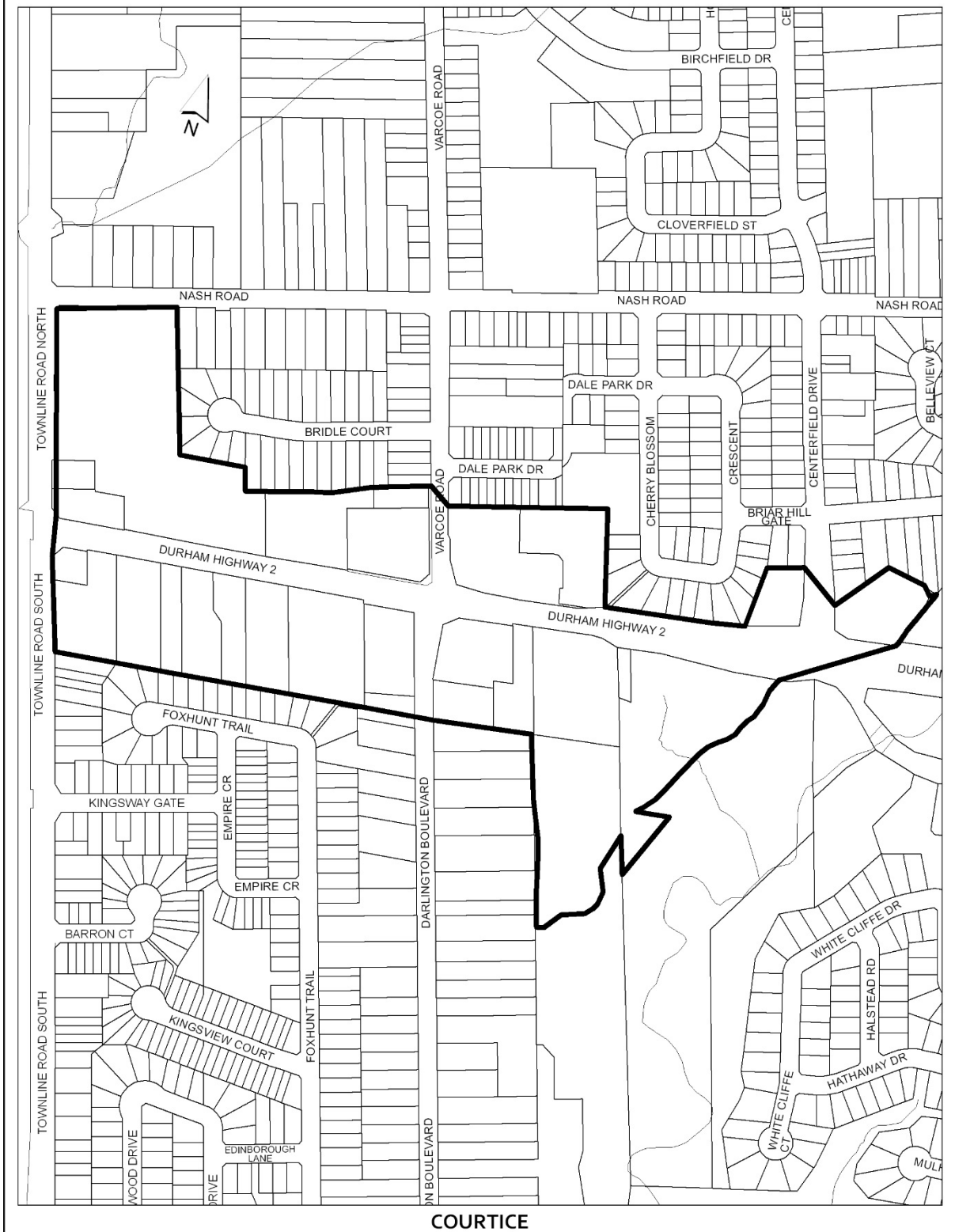


ORONO



NEWCASTLE VILLAGE

Schedule "2" to Sign By-Law 2009 - 123
COURTICE WEST GATEWAY



CLARINGTON SIGN BY-LAW 2009-0123 HISTORY

BY-LAW NO.	DATE PASSED BY COUNCIL	LOCATION	TO FROM		FILE NUMBER	COMMENTS/ APPLICANT
2010-012	Feb. 8, 2010	39 Martin Road, Bowmanville	Two Mobile Sign	One Mobile Signs	SBA 2009-0001 (PSD-019-10)	Apple Tree Dentistry/ Aspen Springs Ltd.
2010-015	Feb. 8, 2010	Municipality of Clarington	Election Sign By-law for the Municipality of Clarington to ensure public safety on our roads and highways during an election period		(CLD-022-09)	Submitted by Clerk's Department. Rescinded
2010-102	July 12, 2010	1. General Amendment 2. Durham Central Agricultural Society (Orono Fair)	To add Off-site Directional Tourism Sign Provisions. 20 Off site Directional Tourism Signs exemption from permit fees for DCAS.		SBA 2010-0001 (PSD-091-10)	Durham Central Agricultural Society
2010-141	Dec. 20, 2010	350 Lakebreeze Drive, Newcastle	2 Multi-Unit Residential Signs on landscape features walls.		SBA 2010-0002 (PSD-115-10)	Newton-Trelawney Property Mgmt.
2011-010	Jan. 31, 2011	Municipality of Clarington	To define Community Groups, Not-for-profit Groups and Fluorescent. To add additional provisions for mobile signs, personal signs and multi-unit residential signs. To add Beech Ave. as HRA. To update exceptions list.		SBA 2011-0001 (PSD-108-09) (PSD-008-11) (PSD-112-08) (PSD-091-09)	Municipality of Clarington
2011-049	May 2, 2011	680 Longworth Avenue, Bowmanville	Exception: To permit a single pylon sign at 4 metres from the property line.		SBA 2011-0003 (PSD-036-11)	1804603 Ontario Inc.
2011-061	June 7, 2011	Municipality of Clarington	To define <i>seasonal-related businesses</i> and <i>non-electronic message board</i> signs. To add provision for <i>seasonal-related business</i> signs.		SBA 2011-0004 (PSD-051-111)	Municipality of Clarington
2011-121	Dec. 19, 2011	Municipality of Clarington	To delegate authority to the Director of Planning Services to approve minor variances to the Sign By-law		SBA 2011-0005 (PSD-103-11)	Municipality of Clarington

BY-LAW NO.	DATE PASSED BY COUNCIL	LOCATION	TO FROM	FILE NUMBER	COMMENTS/ APPLICANT
2012-021	Mar. 26, 2012	2401-2405 Highway 2, Bowmanville	Exception: To permit one pylon sign with max. sign area of 12 sq m.	SBA 2012-0001 (PSD-016-12)	Rock Developments Inc.
2013-013	Feb. 11 2013	23 Spicer Square	Exception: To permit one monolith sign with maximum height of 8 m.	SBA 2012-0002 (PSD-012-13)	2316057 Ontario Inc. (Nissan)
2013-059	June 3 2013	Municipality of Clarington	To amend definition of Courtice West Shopping District to Courtice West Gateway. To amend definition of Sign Height.	PLN 8.13 (PSD-037-13)	Municipality of Clarington
2013-075	Sept. 16, 2013	Municipality of Clarington	General Amendment (to more effectively distinguish and regulate various sign types)	PLN 8.13 (PSD-051-13)	Municipality of Clarington
2015-052	June 29, 2015	2840 Highway 2, Bowmanville	Exception: To Permit 3 subdivision development signs at a homes sales centre. The total sign area for v-shaped signs is measured as the area of one display surface provided the two panels are separated by no more than 45 degrees	SBA 2015-0001	Far Sight Investments Inc.
2017-039	April 10, 2017	3745 Highway 2, Newcastle	Exception: To permit an electronic message board sign as part of the pylon or monolith sign with a maximum display area of 2.6m2 or 44% of the total sign display area. A seasonal related temporary mobile sign is not permitted	SBA 2017-0001	Bloomfield Farms