

By-law No. S.-3775()-amend

A By-law to amend By-law No. S.-3775-94, as amended, entitled "A by-law prohibiting and regulating signs and other advertising devices, and regulating the placing of signs and canopies upon highways."

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

NOW THEREFORE the Council of The Corporation of the City of London enacts as follows:

1. Section 2.2(c) of By-law S.-3775-94 is amended by deleting it in its entirety and replacing it with the phrase "official signs, real estate advertising signs and construction signs, except that a permit is required if any of the following apply: (i) the sign is located on a road allowance; (ii) the sign has a sign face area greater than 10 square metres; (iii) the real estate advertising sign is displayed on a building wall more than 1.2 m above the first storey; (iv) the construction sign on a temporary sales trailer for new construction where the portion of the sign projecting up to 1.2 m above the wall of the trailer is greater than 10 square metres;"
2. Section 2.6 of By-law S.-3775-94 is amended by deleting the phrase "and 6.4" and inserting the phrase ", 6.4 and 8.1(e)".
3. Section 3.1 of By-law S.-3775-94 is amended by:
  - (a) inserting the following new definition for the term "First Storey" after the definition for the term "ERECT", as follows:

""FIRST STOREY" means the storey that has its floor closest to grade and its ceiling more than 1.8 m above grade";
  - (b) inserting the following new definition for the term "Temporary Sales Trailer" after the definition for the term "STOREY", as follows:

""TEMPORARY SALES TRAILER" means a temporary, portable building, structure or trailer that is located on a vacant lot, where there will be new construction and that is to be used as a temporary sales office by the developer or the builder or their agents, for the marketing and sales of the new construction";
  - (c) inserting the following new "Sign" definition for the term "New Home Development Portable Sign" after the definition "(u) Multi-Faced Sign":

“(v) “NEW HOME DEVELOPMENT PORTABLE SIGN” means a non-illuminated sign that is not permanently installed or affixed to the ground and the purpose of the sign is to direct attention to the sale of new home developments;”;
  - (d) relettering the definitions "(v) Non-Accessory Signs" through "(ah) Wall Sign" as "(w) Non-Accessory Signs" through "(ai) Wall Sign".
4. Section 6.3 of By-law S.-3775-95 is amended by deleting Table 6.3 and subsections (a) through (e) in their entirety and replacing them with the following:

**“Table 6.3  
Regulations for Construction Signs**

Column	A	B	C	D	E	F
		<b>Signs in All Locations Except on a Road Allowance</b>				<b>Signs Located on a Road Allowance</b>
<b>Line 1</b>	<b>Group Use</b>	<b>Group 1</b>	<b>Group 2</b>	<b>Group 3</b>	<b>Group 4</b>	<b>All Group Uses</b>
<b>2</b>	Permitted Sign Types	Identification and Information Signs				Prohibited except identification and information signs are permitted when located on hoardings or temporary covered ways
<b>3</b>	Number of Signs	One sign per premise	One ground sign and one facial wall sign per premises per street frontage. This limitation shall not apply to signs that are spaced 60m or more apart or to signs related to bona fide model homes, when located on the premises directly related to the model home. The signs may include several signs attached below for advertising of individual builders if the signs are in an orderly arrangement and the total sign face area is no greater than 10% of the sign face area of the sign above.  For construction ground signs, up to three signs per street			
<b>4</b>	Maximum Sign Face Area	1 m <sup>2</sup>	The greater of 11.5 sq. m. or 1 sq. m per 10 metres street frontage to a maximum of 25 sq. m per sign and a maximum of 100 sq. m. per premise where the signs are at least 60 meters from another construction ground sign.			
<b>5</b>	Maximum Sign Height	1.5 m	8m for signs 14 sq. m or less of area and 12m for signs greater than 14 sq. m. in area			
<b>6</b>	Sign Location Restrictions	Prohibited within a sight triangle as set out in Section 9.7.  -not less than 60 m from another construction ground sign on the same premise				
<b>7</b>	Animation	Prohibited				
<b>8</b>	Illumination	Prohibited	Permitted except that flashing illumination is prohibited.			

- a) **Plan of Subdivision** – Construction signs advertising units for lease or sale in a building or promoting a plan of subdivision or condominium shall not remain erected for a period longer than 30 days after the last unit is leased or sold in the case of a building or after 90% of the plan of subdivision or condominium is built and occupied.
- b) **Subdivision Signs** – Subdivision information signs required by subdivision agreements are exempt from the area requirements of Table 6.3.
- c) Notwithstanding table 6.3 and part 4 of this by-law, signs related to an entire plan of subdivision shall be regulated by the group 2 regulations of table 6.3.
- d) **Signs for Model Homes** - Notwithstanding Line 3 of Table 6.3, signs related to bona fide model homes, for the purpose of marketing new residential construction, when such signs are located on the premises directly related to the model home, are not regulated as to number of signs. Notwithstanding Line 4 of Table 6.3, a sign for a model home shall have a maximum sign face area of 3 m<sup>2</sup> and a maximum sign height of 4.5 m.
- e) **Temporary Sales Trailer** - Notwithstanding Line 4 of Table 6.3, signs located on temporary sales trailers located on the site of new construction are permitted on the entire face of the trailer but shall not project above the wall of the trailer more than 1.2 m. If the total area of the sign above the wall of the temporary sales trailer exceeds 10 m<sup>2</sup>, a permit shall be required.

- f) **Directional Information Construction Signs** – Notwithstanding the regulations set out in Table 6.3 and any other regulations of this by-law, a maximum of 2 non-accessory directional information signs outside a plan of subdivision, or a plan of condominium, or a building or building complex, may be erected or displayed for the period of time set out in Part 6.3 (a) above provided that a sign does not exceed 6 square metres in sign face area, 5 metres in height, is erected with the property owner’s permission in a location except on a road allowance and the sign message is limited to the name and location of the construction.
- g) **Contractor Signs** – may be placed on private property during the time of construction, repairs or service is being provided and the sign shall be removed within 48 hours of completion of the construction, repairs or service.
- h) **Alternative Sign Face Area Calculation** –as an alternative to the maximum sign face area regulations set out in Line 4, Column C, D & E of Table 6.3, the maximum sign face area for construction ground signs located on a premises may be calculated at 1.25 square meters of sign face area per hectare of lot area, but in no case greater than 25.0 square meters maximum sign face area.
- i) **Transfer Ground Signs Area** – When a property faces more than one arterial street, a property owner may apply to transfer sign face area from one street to another street provided the owner enters into a uniformity agreement to transfer the sign face area permitted on one street up to 50% of the sign face area for the signage permitted on the other arterial road. In no case shall it exceed 25.0 square meters.”

5. Section 6.4 of By-law S.-3775-95 is amended by inserting the term “advertising” after the phrase “real estate” wherever it occurs.

6. Section 6.4 of By-law S.-3775-95 is amended by deleting Table 6.4 in its entirety and replacing it with the following new table:

**“Table 6.4  
Regulations for Real Estate Advertising Signs**

Line 1	Group Use	Signs in All Locations Except on a Road Allowance				Signs Located on a Road Allowance
		Group 1	Group 2	Group 3	Group 4	All Group Uses
2	Permitted Sign Types	Ground signs and facial wall signs only.				Prohibited except for real estate open house directional signs only if between the hours of 8:00 a.m. and 8:00 p.m. while an open house is operating
3	Number of signs	1 ground sign per premise per street frontage except in the case of a co-listing, 2 signs permitted.  1 facial wall sign per street frontage related to the initial sale or rental of a multiple occupancy building or portion thereof.				No restriction
4	Maximum Sign Face Area	0.7 m <sup>2</sup>	3 m <sup>2</sup>		5 m <sup>2</sup>	0.5 m <sup>2</sup> for an open house sign and
5	Maximum Sign Height	Ground signs –1.5 m	Ground signs – 4.5 m			0.6 m for an open house sign
6	Sign Location Restrictions	- except for signs in windows, facial wall signs shall be located at a height no greater than 1.2 m above the first storey, subject to section 6.4(b). - prohibited within a sight triangle as set out in Section 9.7				- 0.6 m minimum from a pedestrian sidewalk and from the vehicular travelled portion of the road. -prohibited on medians or islands.

		<b>Signs in All Locations Except on a Road Allowance</b>		<b>Signs Located on a Road Allowance</b>
<b>7</b>	Animation	Prohibited		Prohibited
<b>8</b>	Illumination	Prohibited	Illumination permitted except that flashing illumination prohibited.	Prohibited
<b>9</b>	Time Limitations	Real estate advertising signs shall not remain erected for a period longer than 30 days after the subject premises, building or floor area has been sold, rented or leased, but in any event shall not remain erected for more than 210 days in any calendar year.		

7. Section 6.4 of By-law S.-3775-95 is amended by deleting subsection (b) and replacing it with new subsections (b) and (c) as follows:

“(b) **Real Estate Advertising Signs displayed on building walls** may be located more than 1.2 m above the first storey of a building and may have a sign face area of up to 5% of the calculated area of the building’s largest face, if a permit is obtained. The sign may be located on any of the building faces provided the sign does not obstruct any window or obstruct openings required to provide natural light and/or ventilation to an occupied space directly connected to the window area. The sign shall be non-illuminated and shall have no additional exterior lighting directed toward it. More than one sign may be permitted to be displayed on the building provided there is not more than one sign per building face, and the combined area of all signs on the building cannot exceed the 5% area calculation based on that largest building face. No such sign shall be erected for more than 210 days in any calendar year. A permit for a Real Estate Advertising Sign displayed on a building wall shall be issued for such multiple of 30 consecutive days as is specified in the permit and shall be valid from the date of issuance of the permit or from the date specified in the permit.

(c) Notwithstanding section 6.4 (b) above, the two existing signs at 131-137 Dundas Street and 208-210 Dundas Street which exceed the 5% permitted sign coverage area may remain for a period of time up to December 1, 2012.”

8. Section 8.1 of By-law S. -3775-95 is amended by inserting a new subsection (e) as follows:

“(e) **New Home Development Portable Signs**

1. New Home Development Portable Signs shall be limited to groupings of up to 2 signs or a maximum of 1 sign per builder where there are more than 2 builders for the subdivision, provided the groupings are:

- restricted to two corners of a street intersection;
- placed no closer than 100 metres from any other grouping of New Home Development Portable Signs; and
- not placed adjacent to residential property except for the rear property line of the lot or a lot that is undeveloped;

2. A New Home Development Portable Sign shall:

- contain no more than two sign faces, each sign face having maximum area of 0.6 m<sup>2</sup>; and
- be a maximum height of 1.1 metres.

3. No person shall place or cause the erection or display of or locate a New Home Development Portable Sign:

- on a median or any other location on a street that obstructs a sight line, interferes with street maintenance, impedes the movement of pedestrian or vehicular traffic, or otherwise creates a hazard;
- closer than 10 metres to a transit stop;
- closer than 3.0 metres to a driveway intersection with a street line; or
- within 1.0 metres of a municipal sidewalk.

4. No person shall place or locate a New Home Development Portable Sign on a street before 4:00 p.m. on a Friday and all such signs shall be removed no later than 9:00 a.m. of the immediately following Monday, provided that where a Friday or a Monday is a statutory holiday, the hours shall be extended only to the extent necessary to include the statutory holiday.

5. An annual permit for a New Home Development Portable Sign may be issued with an effective date valid from the date specified in the permit and shall be effective April 1 of the year issued to April 1<sup>st</sup> of the subsequent year. No more than one New Home Development Portable Sign shall be authorized by a permit. The current annual validation sticker shall be displayed at all times in a prominent location on the top left-hand corner of one face of the sign. The expired sticker is to be removed or covered.

**6. Licensing Agreement and Insurance for Signs on Road Allowance - No New Home Development Portable Sign shall be erected or placed on a road allowance until the owner of the sign;**

(i) submits to, and has accepted by, the Chief Building Official, a completed copy of a licensing agreement attached as Schedule "D" to this by-law, which has been modified as follows:

(a) in section 3 replace the term "property" with the phrase "sign";

(b) delete section 4(a);

(c) delete the phrase in section 4(f)(i) and replace it with the new phrase "address of premises to which the sign relates";

(d) delete section 4(f)(ii); and

(e) replace the phrase "Owner/Occupant" wherever it appears and replace it with the phrase "Sign Owner"; and

(ii) provides the City with satisfactory evidence of insurance coverages described on Schedule "E" to this by-law, or satisfactory to the City's Manager of Risk Management, covering all periods that a New Home Development Portable Sign is placed on a road allowance."

9. Subsection 10.1(c) of By-law S.-3775-95 is amended by inserting the phrase "(except a temporary sales trailer for new construction located on the site of the construction)" after the phrase "painted on a vehicle".

10. Paragraph 2 of subsection 10.2 of By-law S.-3775-95 is amended by inserting the phrase "or New Home Development Portable Sign" after the phrase "read-o-graph mobile sign" and deleting the word "or" after the phrase "validation sticker".

11. Subsection 10.3(b) of By-law S. -3775-95 is amended by inserting the phrase ", and section 8.1(e)" after the phrase "permitted by section 5.4".

12. Subsection 2(b) of Schedule "A" to By-law S.-3775-95 is amended by inserting the phrase "The \$100 administration fee for New Home Development Portable Signs is payable once annually for each application for one or more permits for New Home Development Portable Signs."

13. This by-law shall come into force and effect on December 1, 2011.

PASSED in Open Council on November 7, 2011.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk