

TOWN OF SAINT ANDREWS BY-LAW 13-04

A BY-LAW TO AMEND ZONING BY-LAW 10-04, SECTION 8, SIGNAGE OF THE ZONING BY-LAW OF THE TOWN OF SAINT ANDREWS

8.0 SIGNAGE

8.1 Definitions

"AWNING"

Means a moveable or immovable *structure* with a skin of fabric, sheet metal or other relatively flexible material, supported from the *building* by a frame (fixed or retractable), which is used for advertising and/or the protection of persons from the weather.

"BANNER (Street)"

Means a temporary sign advertising an event or occasion made of flexible material affixed to lamp standards or telephone poles, or hung between telephone poles.

"BILLBOARD SIGN"

Means a large sign affixed to the ground or a *fascia sign* that is not related to any business or *use* located on the *lot* or premises on which it is located.

"DIRECTIONAL SIGN"

Means a sign naming a business, site, attraction, service or activity and that provides direction information through the use of an arrow or description and may include the distance to the named site.

"DIRECTORY SIGN"

Means a *sign* with more than one establishment and which displays only a listing of the names of these businesses or organizations without advertising copy, except a business logogram.

"FASCIA SIGN"

Means a sign, other than a roof sign or *projecting sign*, which is attached to and supported by a wall of a *building* located above doors and windows.

"FLAG"

Flag means all flags except for National, Provincial or municipal flags, which are exempt. All other flags are considered to be a *sign*.

"FREESTANDING SIGN"

Means a *sign*, other than a *portable sign*, supported independently of a *building* and securely fixed to the ground. The *sign* may display the name(s) of one or more businesses.

"ILLUMINATED SIGN - INTERNALLY LIT"

Means a *sign* lit internally with light(s) shining through a translucent or coloured material.

"ILLUMINATED SIGN - EXTERNALLY LIT"

Means a sign illuminated with external lighting shining onto the sign. Such sign shall not have the external lighting shining outside the boundary of the sign itself.

"INCIDENTAL SIGN"

Means a *sign* giving directions or limiting access, or one indicating *accessory uses* such as parking, washrooms, or information services. Such *sign* shall not exceed 0.18 m² (2 ft²) in *sign area*, and shall not be illuminated.

"INTERPRETIVE SIGN"

Means a *sign*, no greater than 1.2 m² (12 ft²), giving description or information on historic, environmental, geological or scientific features pertinent to the immediate area.

"MAP"

Means a *sign*, no greater than 3.2m² (32 ft²), giving a pictorial representation of the immediate area with associated legends and descriptions.

"PORTABLE OR MOBILE SIGN"

Means a *sign* greater than 1 m² (10.8 ft²) in area and less than 4 m² (43.1 ft²) in *sign area* that is located on but not permanently attached to the ground. It is capable of being easily relocated and holds a *sign* with one or more faces featuring letters and/or symbols that can be changed manually or electronically through adjustable characters, message panels or by other means.

"PROJECTING SIGN"

Means any *sign*, other than an *awning*, that is attached directly to a *building* wall, where the *sign face* is not parallel to the wall it is attached to.

"REAL ESTATE SIGN"

Means a *sign* indicating that property is available for sale, lease or rent.

"RESIDENTIAL SIGN"

Means a *sign* indicating the name and address of a private residence or indicating the historical or architectural significance of a *building* on which the *sign* is located.

"ROOF SIGN"

Means any *sign erected* upon but not above a roof, or on top of, or above the parapet of a *building*.

"SANDWICH BOARD SIGN"

Means a *sign* less than 1 m² (10.8 ft²) in *sign area* which is constructed of two boards connecting at one end and which shall be taken on and off a site on a daily basis.

"SIGN"

Means any *structure*, device, light, painting, or other representation or natural object that is used to identify, advertise, or attract attention to any object, place activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, or which displays or includes any letter, work, model, banner, flag, pennant, insignia, device, or representation used as an announcement, direction, or advertisement, and which is intended to be seen from off the premises or from a *parking lot*.

"SIGN AREA"

Means the area per side of the smallest triangle, square, rectangle, circle or semi-circle that can wholly enclose the surface area of the *sign*. In the case of *fascia sign(s)* featuring individual letters affixed to a *building*, *sign area* shall be the product of the combined areas of the smallest triangles, squares, rectangles, circles or semi-circles that can wholly enclose each individual letter.

"SIGN BOX"

Means a box contained within a *freestanding* or *directory sign* that contains the name, logo or other insignia of a business or other *use*.

"SIGN FACE"

Means each individual side or face of a *freestanding* or *directory, projecting, sandwich board, portable* or *mobile sign(s)*.

"TRAFFIC SIGN"

Means a sign that identifies pedestrian, bicycle, or motor vehicle regulations pertinent to safe traffic movement

"WINDOW SIGN"

Means a non-illuminated painted, gold leaf, or otherwise affixed *signage* on display windows or door windows.

8.2 Administration

Deleted

8.3 Signage Permits

- (1) No person shall construct, *erect*, display, *alter* or relocate a *sign* and no person being the owner or lessee of property shall permit, suffer or allow the construction, *erection*, display, *alteration* or relocation of a *sign* on such property without a *sign* permit first having been obtained in accordance with the provisions of this By-law.
- (2) No permits shall be issued for a *sign* constructed on a permanent foundation without a *Building Permit* having first been issued in accordance with the *Building By-law*.
- (3) Notwithstanding the provisions of 8.3(1), no *sign* permit is required for:
 - (a) *real estate signs* that are of a temporary nature and advertise the property upon which they are located as being available for immediate sale, lease or rent provided that:
 - (i) the sign does not exceed 0.36 m² (3.9 ft²) in sign area; and
 - (ii) the sign is not illuminated.
 - (b) *signs* advertising a subdivision *development* provided that:
 - (i) the *signs* are *freestanding signs*;
 - (ii) a maximum of two *signs* are provided within the *development*;
 - (iii) the *signs* are located on lands within the subdivision being developed;
 - (iv) such *signs* do not exceed 3 m² (32.3 ft²) in *sign area*;
 - (v) the *signs* are set back a minimum of 3 m (10 ft) from any right-of-way; and
 - (vi) the *signs* are removed when residences are constructed on more than seventy-five (75%) of the *lots* within the subdivision.

- (c) a *residential sign* provided that:
 - (i) the *sign* shall not exceed 0.18 m² (2 ft²) in *sign area*; and
 - (ii) the *sign* may be only illuminated internally or externally to display the number of the address.
- (d) construction *signs* temporarily located on a *lot* that identifies the project, owner, architect and/or consulting engineer, provided such *sign* does not exceed 3 m² (32.3 ft²) in *sign area* and must be removed within 60 days of the completion of the project, by the owner.
- (e) posters of a temporary nature advertising specific community events;
- (f) traffic and directional *signs* authorized by the Municipality, Province or Federal government;
- (g) *signs* less than 0.09 m² (1 ft²) in *sign area*; unless there is a collection of three or more of such signs which constitute a display or advertisement. A collection of such signs less than 0.09 m² shall require a sign permit and
- (h) election *signs*.
- (i) legal notices

8.4 Applications and Plans

- (1) An applicant for a *sign* permit shall provide to the *Development Officer*:
 - (a) a scale drawing or dimensioned sketch of the proposed *sign* and of any supporting framework and anchoring devices showing the dimensions of the *sign* and details of lettering and colours;
 - (b) a site plan showing the proposed *sign* location in relation to the *street line* and property boundaries and *building* locations;
 - (c) a sketch of the *building* façade showing the location of the *sign(s)* and the vertical and horizontal dimensions of the *building* and *sign(s)*;
 - (d) such other information as may be required to determine compliance with these regulations.
- (2) A permit shall be issued by the *Development Officer* for any proposed sign conforming to the regulations upon payment of the permit fee set out in the Schedule of Fees and Charges approved by Council.

8.5 Signage Variances

- (1) The Planning Advisory Committee (PAC) may permit a *fascia sign*, *freestanding sign*, *incidental sign* or *directory sign* to exceed the number of signs and the *height* and *sign area* requirements of this By-law through a variance. When reviewing a variance application *Town Staff* and PAC shall consider the following:
 - (a) the dominance of the *sign* in relation to the building the *sign* is to be *erected* on;
 - (b) whether the *sign* is out of scale in context to surrounding *buildings* and other *signage* in the area;

- (c) the impact on the architectural features of the *building* and surrounding built environment;
 - (d) the impact of *illuminated signage* on the surrounding land *uses*; and
 - (e) whether the proposed *signage* may potentially impact pedestrian or vehicular movement.
- (2) The Planning Advisory Committee may permit a *fascia sign* to project outward beyond the wall surface of a *building* so long as the *sign*:
- (a) does not impact adjacent land *uses* through illumination or dominance of the *sign*; and
 - (b) does not impact pedestrian or vehicular movement.

8.6 Prohibited Signs

- (1) No *sign* shall be *erected*, operated, used or maintained which:
- a) due to its position, shape, colour, format or illumination obstructs the view of, or may be confused with, an official traffic *sign*, signal or device, as determined by the *Development Officer*;
 - b) displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency *vehicles*;
 - c) obstructs the *use* of a fire escape, door, window, or other required exit;
 - d) projects over or rests upon any part of a public right-of-way or public sidewalk, except a *fascia sign*, an awning, a banner, a flag or projecting sign unless otherwise permitted in this By-law;
 - e) extends above the roof line or parapet of the *building* or the top of the marquee or canopy, nor shall it extend beyond the end of the wall, marquee or canopy to which it is attached;
 - f) is attached to a tree;
 - g) is a *roof sign*;
 - h) is a *portable sign*;
 - i) is painted upon or covers a fence or roof or on the exterior of any *building*; and
 - j) is an off-site *sign*, except as provided in section 8.3.3(f)
 - k) is a mural or other such similar scenic depiction
 - l) is an internally lit sign in a residential area
- (2) No *sign* or *sign structure* shall:
- (a) extend above a wall or beyond the ends of a wall of any *building* to which it is attached;
 - (b) extend over any sidewalk or walkway at a *height* of less than 2.5 m (8 ft);
 - (c) be placed on private or public property without the written consent of the owner, or the owner's agent, if the owner of the property is not the owner of the sign;;
 - (d) be; be internally lit, with the exception of one on internally illuminated "open/ouvert" non-flashing, non-moving, sign no larger than 0.018 m² (2 ft²) ;

- (e) obstruct or be attached to any part of a fire escape;
- (f) be placed within 3.0 m (10 ft) of a fire alarm or utility wire, other than that required to illuminate the *sign*, without obtaining permission in writing from the authority having jurisdiction over the same;
- (g) be attached to any tree, utility pole or post, or any support which rests upon the sidewalk but shall be securely attached to a *building* or other satisfactory support, with the exception of a street banner or as otherwise provided in this By-Law;
- (h) except for awnings and *projecting signs*, project over any public right-of-way, highway or sidewalk;
- (i) advertise an activity, business or sale of a product or service no longer conducted on the premises which the sign serves, or
- (j) be an imitation of a traffic control device or *sign* or have a size, shape, location, content, colouring, or manner of illumination which may be confused with any traffic control device or *sign*.
- (k) Contain electronic messaging or electronic visual display
- (l) Extend above the roof line or parapet roof line of a building.

8.7 Number of Signs on Residential Properties

In any Residential Zone, or on any residential *building* in the Mixed Use (MU) Zone, the maximum number of *signs* for each *dwelling* shall be 4 which shall be chosen from the following:

- (a) one *incidental sign*;
- (b) one *residential sign*; and
- (c) where such businesses are allowed, a *sign* identifying a *bed and breakfast* or a *home based business* as permitted under Section 4.1.9 or 4.1.10, provided that this is a *fascia sign*, , or *freestanding sign* with a sign area not exceeding 0.5 m² (5.4ft²)
- (d) one interpretive sign

8.8 Number of Signs on Commercial Properties

- (1) The maximum number of advertising *signs* for any *use* in the Central Commercial (CC) Zone or Tourist Commercial (TC) Zone shall be 5 which shall be chosen from the following:
 - (a) one *fascia sign*;
 - (b) one *awning*;
 - (c) one *projecting sign* or *freestanding sign*
 - (d) two *window signs*
 - (e) one sandwich board sign
 - (f) one interpretive sign
- (2) For any property located within the Mixed Use Zone and the Business Improvement Area, any Central Commercial or Tourist Commercial *use* may be permitted to have one *sandwich board sign*. Such *signs* must not be placed on any part of a sidewalk or street-right-of-way, or in any other position which would constitute a public nuisance or danger. Such signs may

not be more than one metre from the property line of said Commercial Property. Any such *sign* found in non-conformance with this provision may be removed by any *Town* employee on the direction of the *Development Officer*.

8.9 Number of Signs in Institutional and Green Space Zones

The maximum number of signs for a facility in an Institutional or Green Space Zone shall be 3 which shall be chosen from the following::

- (a) one *fascia sign*;
- (b) one *projecting sign* or *freestanding sign*; and
- (c) two *incidental signs*, one of which may be a sandwich board sign
- (d) one interpretive sign

8.10 Sign Area Calculations

For the purposes of determining the total permitted *sign area*:

- (a) the *sign area* shall be considered to be the area of the smallest triangle, square, rectangle, circle or semi-circle that can totally circumscribe the *sign face* in the plane of its largest dimension of a *fascia sign* as shown below in Figure 8.3.1;

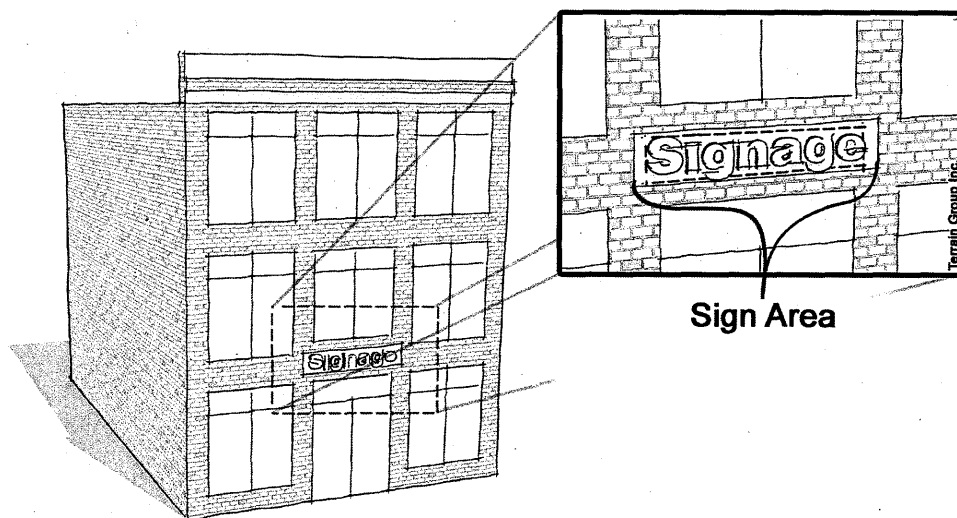


Figure 8.3.1

- (b) in the case of *fascia signage* featuring individual letters affixed to a *building* face, the total *sign area* is the sum of the *sign area* for each individual letter as shown below in Figure 8.3.2;

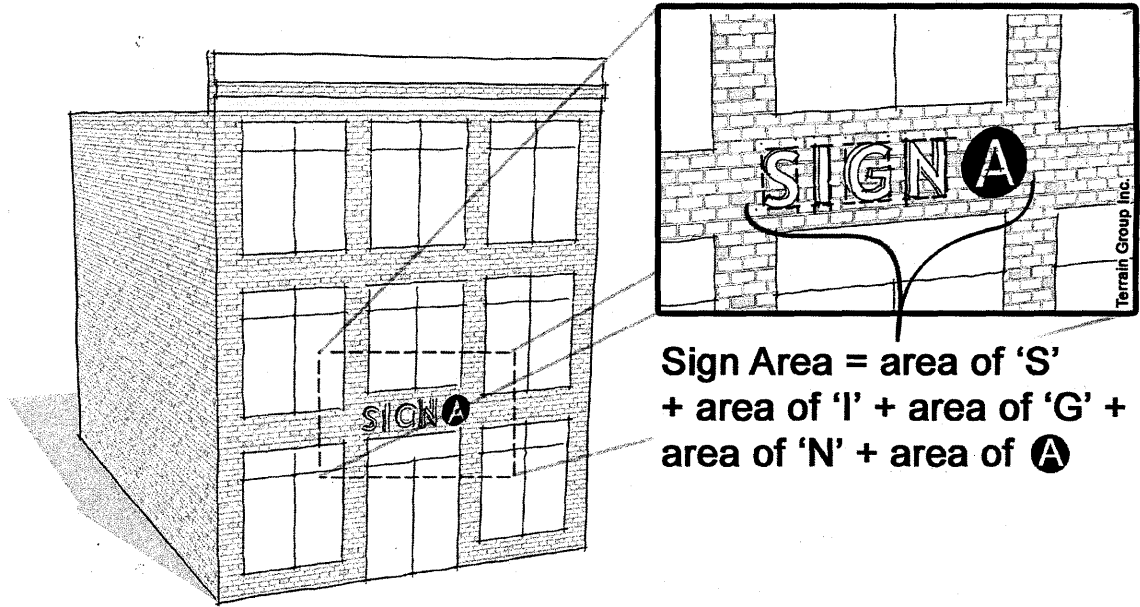


Figure 8.3.2

- (c) when determining the *sign area* of a *freestanding sign* or *directory sign*, the total area of one or more *sign boxes* must be calculated as shown below in Figures 8.3.3 and 8.3.4; and

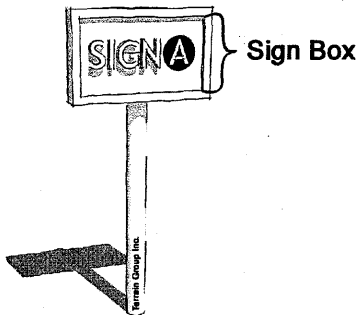


Figure 8.3.3

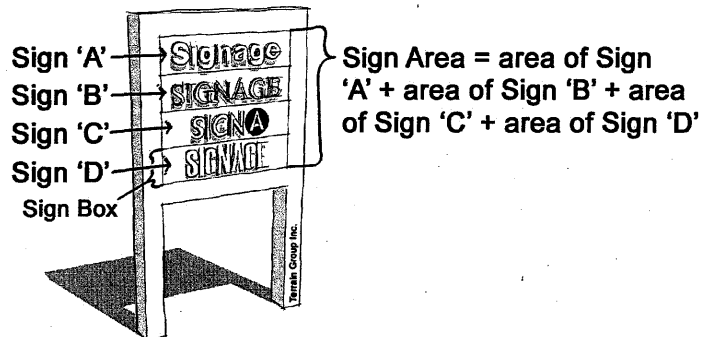


Figure 8.3.4

- (d) each visible face of a *sign* shall be calculated separately and then totaled in determining the *sign area*.

8.11 General Standards for Signs

1. Any internally *illuminated sign* must be lit with all light shining through a translucent or coloured material. Any externally illuminated sign must be lit so that all of the illumination shines only on the sign.

2. Except for *awnings, banners, real estate signs, and "sign" flags*, which may be made of dyed or painted material, or formed and painted acrylic, a *sign* shall be constructed of wood or long lasting synthetic product which simulates the properties and appearance of wood, and may be painted or routed and painted, or consist of cut-out wooden letters affixed to a board, and may include a symmetrical ornamental border or framing piece around the perimeter.
3. No *sign* shall include more than three different sizes of typefaces for lettering, or *use* more than three colours in addition to black or white. Fluorescent, neon or reflective paint is prohibited. Not more than fifty percent (50%) of the *sign area* shall consist of any picture, illustration or corporate logo. The sign should incorporate heritage style and typeface.
4. Not more than one of a *projecting, free-standing or fascia sign* advertising a business may be illuminated by shielded lights positioned to shine directly on the *sign*. Electrical work required for an externally *illuminated sign* shall conform with any applicable electrical code, as determined by the *Building Inspector*, and shall be equipped with such devices as are necessary to prevent interference with radio or television reception.
5. *Signs* to be *erected* in the *street* right-of-way of a Provincial Highway are subject to approval of the Department of Transportation as well as to the *signage* regulations of the Town of Saint Andrew's Zoning By-law. The *Development Officer* shall not issue a permit for any *sign* for which a permit from or approval of the Department of Transportation is required, until such Provincial approval has been issued.
6. A *sign structure* shall be subject to the approval of the *Building Inspector* where it is:
 - (a) a *projecting sign* that weighs more than 25 kilograms (55 pounds); or
 - (b) a *freestanding sign* that weighs more than 50 kilograms (110 pounds); or
 - (c) an *awning* that weighs more than 25 kilograms (55 pounds).

8.12 Standards for Specific Types of Signs

8.12.1 Fascia Signs

- (1) Where the *building* has a fascia board, the *height* of the *sign* shall not exceed the lesser of 60 centimeters (24 inches) or the *height* of the fascia board, and shall not obstruct the architectural detail of the cornice.
- (2) Where a *building* has no fascia board, a *sign* not exceeding 60 centimeters (24 inches) in *height* may be affixed to the *building*, provided there is sufficient space between the top of the first floor mouldings or cornice and the bottom of the second floor window mouldings.
- (3) The width of a *sign* may not extend beyond the lesser of:
 - (a) the outside edges of the first floor windows and/or door; or
 - (b) ninety percent (90%) of the *building* width.
 - (c) width of the building
- (4) No *fascia sign* shall project more than 25 cm (10 in) from the wall that the *sign* is affixed to.

8.12.2 Freestanding Signs

- (1) *Freestanding signs erected* outside the *Town Plat* and *Historic Business District* shall not exceed 3.0 m² (32 ft²) in *sign area* per side, and 6.0 m² (64 ft²) in total *sign area*. *Freestanding signs* in the *Town Plat* and *Historic Business District* shall not exceed 0.75 m² (8 ft²) in *sign area* per side and 1.5 m² (16 ft²) in total *sign area*.
- (2) The outermost point of a *freestanding sign* may extend to, but not beyond, the *street* right-of-way line.
- (3) A *freestanding sign* shall be either:
 - (a) more than 2.5 m (8 ft) but less than 5.0 m (16 ft) high; or
 - (b) the lower edge of the *freestanding sign* shall not be more than 60 cm (24 in) above the ground and its top shall not be more than 1.5 m (5 ft) high.
- (4) No more than one *freestanding sign* shall be permitted for every 30 m (98.4 ft) of *lot frontage*. In the case of a *corner lot* the sign shall be located at least 11 m (36.1 ft) from the intersection of the *lot lines*.
- (5) Freestanding interpretive signs on municipal, provincial and/or federal sites are exempt from regulations and specifications in sections 8.12.2 (1), (2) (3) and (4).

8.12.3 Awnings

- (1) A rigid or non-movable *awning* shall not extend over a public sidewalk.
- (2) A moveable *awning* may extend over a public sidewalk if:
 - (a) the lowest part is not less than 2.5 m (8.2 ft) above the sidewalk;
 - (b) the supporting *structure* does not rest on the sidewalk or *street* right-of-way; and
 - (c) it does not project more than one-third (1/3) of the width of the sidewalk.
- (3) No moveable *awnings* shall be deployed from November 1st of any year to April 15th of the following year.
- (4) Any valance on an *awning* shall not be more than 30 cm (12 in) wide.
- (5) Lettering shall be confined to the valance of an *awning*.
- (6) An *awning* shall be affixed to a *building* in such a manner as to not obstruct the architectural detail of the cornice.

8.12.4 Street Banners

- (1) The erection of all banners requires pre-approval by the Development Officer.
- (2) Banners may be erected no more than fourteen (14) days before an event or occasion and must be removed no later than seven (7) days after the event is concluded.
- (3) The content, design and size of the banner require pre-approval by the Development Officer.

8.12.5 Non Commercial Temporary Signs

- (1) Non commercial temporary signs include incidental signs, sandwich boards and freestanding signs.
- (2) Non Commercial Temporary signs must be pre-approved by the development Officer
- (3) The placement of Non Commercial temporary signs is subject to section 8.6 of this zoning by-law.
- (4) The sign may be placed no more that 7 days prior to the event or activity and must be removed no more than one day after the conclusion of the event or activity
- (5) Non Commercial temporary sign may only be placed by civic and not for profit organizations, the Saint Andrews Town Market, the municipality or by approval of the development officer
- (6) The maximum number of non commercial temporary signs placed by any organization is at the discretion of the development officer, with no more than one sign being place in any one location.

8.12.6 Projecting Signs

- (1) A *projecting sign* may extend up to 1 m (3 ft) from the *building* it serves and may not project above the roof line.
- (2) A *projecting sign* shall not exceed 0.74 m² (8 ft²) in *sign area* per side and shall be limited to two sides.
- (3) The bottom of a *projecting sign* shall be at least 2.5 m (8 ft) high but not more than 5.0 m (16 ft) high.
- (4) A *projecting sign* may be sectional, provided that the total *sign area* of all sections does not exceed 0.74 m² (8 ft²).
- (5) There shall be a maximum of one *projecting sign* per business on a property.
- (6) No *projecting sign* shall project more that 1 m (3.3 ft) from the *building* wall.
- (7) No *projecting sign* shall project more that 30 cm (12 in) above the roof of a *building*.

8.12.7 Window Signs

- (1) The contents of a *window sign* shall be limited to identifying a business name or proprietor's name, the nature of service or product, and the establishment's hours of operation.
- (2) No *window sign* shall exceed:
 - (a) thirty percent (30%) of the glass area of a display window; or
 - (b) fifty percent (50%) of the glass area of a door.

8.13 Maintenance of Signs

- (1) The owner, operator or manager of the business or facility for which any *sign* has been *erected* shall maintain it in a proper state of repair, so that it does not become unsightly, defective or dangerous.

- (2) Any *sign* which is in a state of disrepair shall be repaired or removed by the owner or lessee on receiving written notice from the *Development Officer*. If the *sign* is not repaired or removed within 15 days of the mailing of such notice, the *Development Officer* may order the removal of the *sign* at the expense of the owner.
- (3) Any *sign* which, in the opinion of the *Building Inspector* or *Development Officer* is a danger to the surrounding property or persons may be repaired or removed without prior notice by the *Town* and the expenses involved in such action will be charged to the owner of the *sign*.

8.14 Non-Conforming Existing Signs

The provisions of this By-law with respect to *signs* that do not conform to the By-law at the time of its effective date, other than provisions of Section 8.13, shall not be construed to have a retroactive effect. The exception to this rule is a non-conforming *sign* that is relocated, replaced, *altered*, or removed which is then required to comply with the provisions of this By-law. The provisions of this section shall not exempt the owner of a non-conforming *sign* from the obligation for proper maintenance of a *sign*.

8.15 Election Signs

- (1) No election *sign* shall be *erected* on *Town*, Provincial or Federal property.
- (2) A sign or poster advertising any political party or candidate in an election for public *office* shall be removed within 48 hours after the election for which the sign was *erected*. If a sign is not removed within such time, the *Development Officer* may order its removal at the expense of the owner.

8.16 Exemptions

- (1) The following *signs* are not subject to the *sign* provisions of this By-law:
 - (a) a traffic control device as defined under the *Motor Vehicle Act*, or any Provincial or Municipal signs for regulating traffic;
 - (b) legal notices; and
 - (c) *street name signs*.

8.17 Abandoned and Unlawful Signs

- (1) No person being the owner or lessee of property that a *sign* is located shall permit, suffer or allow such *sign*, its faces, supports, electrical system or anchorage to become unsightly, dilapidated or unsafe.
- (2) The *Development Officer* may require the removal of any *sign* that, in his or her opinion is, has become, unsightly, or is in such a state of disrepair as to constitute a hazard.
- (3) Any *sign* that no longer advertises a bona fide business or service on the premises shall be removed within sixty (60) days of termination of the business or service.

8.18 Refusal of a Sign Permit

- (1) The Development Officer shall refuse to issue a sign permit for any sign if:
- (a) the proposed sign does not comply with the provisions of this By-Law or any other applicable By-Law or legislation or would make any existing sign non-compliant;
 - (b) the building or structure supports on which the sign is to be located or attached is determined to be incapable of supporting the sign, or if the information submitted regarding the construction of the sign or supporting structure is not sufficient to enable the Development Officer to adequately determine the capability of such support;
 - (c) the proposed sign would, in the opinion of the Development Officer, obstruct or otherwise interfere with any traffic control devices, or the visibility of motorists or pedestrians; or
 - (d) an applicant has failed to provide the information required by the Development Officer; or
 - (e) the proposed sign directly interferes with the visibility of adjacent signs.

8.19 Revocation of a Sign Permit

- (1) The Development Officer may revoke a sign permit
- (a) where there is a violation of any condition under which the sign permit was issued;
 - (b) where there is a violation of any provision of the By-Law or any other applicable law or legislation;
 - (c) if he/she is satisfied that such sign permit was issued by reason of incorrect, false, or misleading information furnished by the applicant; or
 - (d) if the permit was issued in error.

Read First Time:	July 8, 2013
Read Second Time:	September 9, 2013
Read Third Time and Enacted:	September 9, 2013

Stanley Choptarian
Mayor

[Signature]
Clerk