



City of  
**Peterborough**

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**To: Members of the Planning Committee**

**From: Ken Hetherington, Manager, Planning Division**

**Meeting Date: May 5, 2014**

**Subject: Report PLPD14-026  
Proposed Amendments to the Sign By-law for the Regulation  
of Electronic Signs**

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## **Purpose**

A report to evaluate the planning merits of updating the City's Sign By-law to include new regulations with respect to Electronic Signs.

## **Recommendation**

That Council approve the recommendation outlined in Report PLPD14-026 dated May 5, 2014, of the Manager, Planning Division, as follows:

That Chapter 624 (Sign By-law) of the City of Peterborough Municipal Code be repealed and substituted with the draft By-law amendment, attached as Exhibit 'A' to Report PLPD14-026.

## **Budget and Financial Implications**

There are no direct budget or financial implications arising from the approval of the recommendation.

## **Background**

At its meeting on February 3, 2014, Council passed By-law Number 14-016, being an Interim Control By-law prohibiting the issuance of permits for Electronic Signs for a period of four months to allow for the completion of consultation and further research.

In Report PLPD14-004, staff reported that the current Sign By-law is twelve years old, and since that time, technological advancements have allowed for significant changes to Electronic Signs. They can vary in colour and light intensity, they can flash, and are able to have continuous motion with rapid changes in advertising copy.

Since the passage of the Interim Control By-law, there have been three meetings of a special interest group to discuss and examine the issues related to Electronic Signs. The proponents of moving copy or video display Electronic Signs point out that this type of sign works. By attracting attention to the sign with the use of movement, colour, varying light intensity, and rapid change in sign copy, revenue can be generated by selling third party advertising. However, the opponents point out that the City's commercial streetscapes have seen a proliferation in the "video display" type of electronic sign, raising concerns regarding driver distraction, the night sky, the environment and the effect the growing number of signs have on the character of the City.

A Sign By-law Review Committee made up of city staff was also created to examine the details related to the placement of Electronic Signs relative to land-use designations as defined in the Official Plan and the Zoning By-law. The Committee also considered By-law wording, enforcement issues and studied the Sign By-laws of other municipalities across Ontario. The Sign By-law Review Committee consisted of the following personnel:

- i) The Planner, Urban Design,
- ii) The Associate City Solicitor,
- iii) The Planner, Policy and Research,
- iv) The Supervisor of Enforcement Services,
- v) The Sign By-law Enforcement Officer, and
- vi) The Assistant Planner.

## **Analysis**

The Sign By-law Special Interest Group and the Sign By-law Review Committee benefited from a great deal of study and recent work that has been undertaken by other municipalities on the topic of Electronic Signs. There appear to be five main issues that are used to guide the crafting of regulations for Electronic Signs:

- i) Controlling the duration of the message or advertising copy,
- ii) Brightness,
- iii) Driver distraction,
- iv) The negative impact on the character of a city's streetscapes, and
- v) Maintaining a reasonable distance from residential areas and quiet parkland.

Concerns related to the environment have also been raised, such as the impacts additional light might have on living things and power consumption.

Consideration of the above issues went into crafting the recommended regulations for Electronic Signs. Staff gave full attention to the comments made by representatives from the local sign industry during the Special Interest Group meetings. A compromise was reached with regard to the duration of the messages. Most municipalities have imposed longer minimum durations for sign copy to remain displayed on an Electronic Sign. But Electronic Sign Company representatives stated that a minimum duration that is too long will render the signs ineffective.

Sign Company representatives also wanted movement, such as “drop-downs”, scrolling or fading when transitioning from one message to another. However, it is virtually impossible to craft regulations and enforce them when attempting to accommodate some forms of movement over others. For this reason and concerns with respect to the cumulative effect moving sign copy has on streetscapes and potential driver distraction, staff are recommending that the movement of any sign copy be prohibited. This approach is consistent with the approach most other municipalities have instituted in their Sign By-laws across Ontario.

The consultation and research that has taken place before and after the passing of the Interim Control By-law has lead staff to recommend the prohibition of Electronic signs that move, vary in light intensity, flash, scroll, fade and rapidly change the sign copy. Given the number of video display electronic signs in existence today, together with the number of permits that were issued for additional signs of this type before the passing of the Interim Control By-law, there will be a total of twelve Lansdowne Street West alone.

### **Other Municipalities**

The following provides a summary of other municipalities' Sign By-law regulations with respect to some key features and the duration of the message/sign copy that is permitted to be displayed on an Electronic Sign:

- City of London: Electronic Message Centre Signs cannot exceed 50% of the maximum sign area, must have an 'off cycle' no less than 5 seconds (black screen between one ad to another), and must be located in commercial areas only.
- City of Kingston: Message cannot change more frequently than once every 5 seconds, otherwise it will be considered an 'electronic spectacular sign', which is prohibited.
- City of Kawartha Lakes: Electronic Signs permitted in all commercial, industrial and institutional zones - except their Business Improvement Area Downtown. However, they are permitted for theatre uses in their Downtown. There are no timing restrictions for Electronic Signs.

- St. Catharine's: video screen/electronically animated images including video trailers, digital or computer images are prohibited (no video display). There is no timing restriction. However, any movement could be interpreted as video display and could be prohibited.
- City of Guelph: Billboards with changeable copy require a minimum panel change time of 10 seconds. Generally, only 50% of the allowable free-standing sign face can be changeable copy. Changeable copy is only allowed on some free-standing signs. The maximum sign area relates to the land-use district in which they are located. Moving/swinging/revolving/flashing/animated signs are prohibited.
- City of Hamilton: Does not allow flashing or animated video screens but does allow motion on Electronic Text Message Signs.
- City of Sault Ste. Marie: Prohibits Electronic Signs that flash, scroll or fade during the transition of sign copy, including any lighting or backlighting effects.
- City of Toronto: Recent staff recommendation to continue to prohibit Electronic Moving Copy Signs except at Yonge and Dundas Square where they are used for "place making". Any proposed first party Electronic Moving Copy Signs can be applied for as a variance to the Sign By-law. All others would require a Sign By-law Amendment.

With the conclusion of a review of other municipalities' Sign By-laws, studies, consultation with the public, the special interest group and staff, the following three new Electronic Sign definitions are proposed:

**Electronic Static Text Message Sign:**

A sign where sign copy is changed remotely, displaying static non-pictorial text information, where the transition from message to message is accomplished almost instantly.



Currently, the Text Message Sign at the Memorial Centre uses motion to attract attention to it. The staff recommendation is to allow Electronic Text Message Signs, but to prohibit motion. Signs in existence before the enactment of the recommended Sign By-law would be permitted to exist unless Council directs otherwise.

**Electronic Static Copy Sign:**

A sign where sign copy is changed remotely, displaying static text and/or images, where the transition from message to message is accomplished almost instantly.



The above is a Billboard Electronic Static Copy Sign. An Electronic Static Copy Sign can be incorporated on Free-standing Sign such as Special Purpose Retail and Service Commercial land-use designations. Text may be able to change on the image, but without motion or special effects.

**Electronic Price Indicator Sign:**

A portion of a free-standing sign on a lot with a service station or hotel or parking lot or parking garage use, as defined by the Zoning By-law, with static text copy displaying a price.



This type of sign can have limited electronic sign display in some land-use districts where the other two types of electronic signs are not permitted.

Electronic Static Text Message Signs are intended to replace the old “reader boards” where a person would have to climb a ladder to manually change the letters on a sign to create a new message. With this type of sign, the message copy can be changed remotely. As well, many messages could be displayed over the course of a day. However, there is a minimum amount of time proposed for the duration of each message – 3 seconds. This allows a sequence of messages to be displayed. For example, in a message sequence, the first message could say: “Petes host Kingston Thursday”. After a minimum of 3 seconds, the next message could say: “Seats still available”. Then the following message could say: “Get your tickets today!” The message sequence could be read by a passer by in 9 seconds.

Except for Billboards, the same timing of the change in alphanumeric copy or text could occur in an Electronic Static Copy Sign. However, on this type of sign, the background, graphic, or image must remain displayed for a minimum of 10 seconds. Images could be displayed for 10 seconds or longer and text could be changed at a minimum of 3 second intervals (or not at all).

The objective of the recommended regulations is to continue to give significant potential to advertise, but without any movement and/or flashing of the sign copy. To keep “blinking” in check when viewing the electronic signs down a street, the recommended regulations also specify how bright the signs can be. The proposed regulations also require that the light intensity does not change during the message or from message to message.

### **Some highlights of the Proposed Sign By-law Changes:**

The following provides a synopsis of the proposed changes to Electronic Sign regulations in the Sign By-law:

- In the Downtown (Central Area as defined in the Official Plan), Electronic Static Text Message Signs and Electronic Static Copy Signs will not be permitted with the exception of a few designated properties: Showplace, The Market Hall, and The Galaxy Cinemas
- Electronic Static Copy Signs and Electronic Static Text Message Signs are proposed to be permitted on most Public Service designated properties such as churches, schools, arenas, community centres, etc... on arterial roads only. They are proposed to be permitted on University and College designated properties as well.
- Selected existing Billboard locations identified in the By-law by municipal address may have one Electronic Static Copy Sign. There are four proposed locations that are far enough away from residential and natural areas where one Billboard Sign at each location may be converted to an Electronic Static Copy Sign.

- The full amount of building facia sign area cannot be electronic. Maximum sign areas are proposed.
- Not all of a Free-standing Sign can be electronic. There is a maximum sign area proposed for all types of Electronic Signs on Free-standing signs. Generally, 50% of the sign area can be electronic, but it must be located on the lower three quarters of the Free-standing Sign.
- There is a maximum sign area prescribed for electronic signs displayed in windows. Without introducing a regulation, the entire area of a window on a building could display a video type of electronic sign.
- Minimum distances are prescribed from Residential Districts, designated Natural Areas and street intersections.
- There is a process outlined for the approval of proposed Projection Signs.
- Electronic signs can not be left on if malfunctioning.

In the event there is a proposal submitted for a video display type of Electronic Sign, the proponent can apply to amend the Sign By-law. The Sign By-law amendment would require the approval of City Council. Should there be a proposal submitted to vary a regulation(s) for a permitted type of Electronic Sign, the proponent would have to make an application to the Committee of Adjustment for approval.

### **Legal Non-Conformity Status: Options Regarding Existing Electronic Signs**

This report has not made a recommendation to have existing electronic signs brought into compliance with the proposed Sign By-law regulations. For example, Electronic Signs with video display or motion in existence before the enactment of the Interim Control By-law would be able to continue to exist unless Council determines that they should be gradually replaced with signs that comply. Similarly, Electronic Signs that would be too close to intersections under the proposed regulations would be permitted to continue to exist at their present locations.

Council has options with respect to these existing signs and electronic signs that were permitted before the passing of the Interim Control By-law:

- a) Grandfather all of them in perpetuity,
- b) Resolve to require that the signs comply with all By-law regulations within a specified time frame,

- c) Require that signs comply with selected regulations, such as:
- setbacks from intersections
  - brightness
  - prohibition of moving copy
  - minimum time frame for the display of static copy
  - minimum distance from a Residential District

If attention were to be given toward particular regulations for the graduation to compliance, staff would recommend that all Electronic Signs be brought into compliance with respect to the following:

- a) Minimum distance from a Residential District
- b) Minimum setback from an intersection
- c) Brightness

Existing moving copy signs would be permitted to exist as long as they comply with the regulations selected by Council.

Alternatively, Council could select certain locations where existing video display, or the moving copy signs, transition to static copy, immediately, or within a specified time-frame. Locations could include any sign deemed to be too close to an intersection and/or too close to a Residential District.

## Summary

Staff are recommending to make changes to the Sign By-law to preserve the character of the City while creating additional opportunities by introducing static electronic signs into some Public Service and University/College Districts.

This report does not include a recommendation to impose a time limit for the removal of existing moving copy electronic signs capable of other special effects. Unless Council directs otherwise, all existing electronic signs of this type, as well as those that were issued permits before the enactment of the Interim Control By-law, may exist in perpetuity.

Submitted by,

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**Attachments:**

Exhibit A – Draft Sign By-law

Exhibit A – Draft Sign By-law



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**The Corporation of the City of Peterborough**

**By-Law Number 14-[Clerk's Office will assign the number]**

Being a By-law to Regulate Signs and Advertising Devices in the City of Peterborough

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The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

**1. Title**

This by-law shall be known as the “Sign By-law”.

**2. Permitted Signs**

**2.1. Land Use Designation Matrixes**

Signs may be located within land use designations as depicted on Schedules A, M, O and I of the Official Plan, only in accordance with the following matrix and subject to the exceptions listed thereafter:

<b>Sign Type</b>	A	B	C	D	E	F	G	H	I
Animated			x				x2	x2	
Directional	x	x	x	x	x	x	x	x	x
Facia	x	x	x	x	x	x	x	x	x
Freestanding	x	x	x	x	x	x	x	x	x
Portable	x6	x4	x			x4	x2	x2	x3
Electronic Text Message Sign	x8		x	x10	x9	x9	x	x	x
Electronic			x	x	x9	x9	x	x	x

By-law 14-[Clerk's Office will insert the by-law #]

Static Copy Sign									
Electronic Price Indicator Sign			x			x	x	x	x

Signs may be located within land use designations as depicted on Schedule J of the Official Plan, only in accordance with the following matrix and subject to the exceptions listed thereafter:

Sign Type	J	K	L	M	N	O	P	Q
Animated								
Directional	x	x	x	x	x	x	x	x
Facia	x5	x5	x5	x5	x5	x5	x5	x5
Freestanding	x	x	x	x	x	x	x	x
Portable								
Electronic Text Message Sign	x1		x			x	x7	
Electronic Static Copy Sign	x1						x7	
Electronic Price Indicator Sign	x	x	x	x	x	x		

**2.1.1. Land Use Designation Legend (Official Plan Schedules A,M,O and I)**

- a) The following land use designations have the same meaning as is contained in the specific schedule to the Official Plan:
  - A. Residential Designation, excluding Local Commercial sites (Schedule A)
  - B. Local Commercial sites within the Residential Designation (Schedule A)
  - C. Service Industrial and General Industrial (Schedules M and O)
  - D. Prestige Industrial Designation (Schedules M and O)
  - E. Agriculture and Major Open Space Designation (Schedule A)
  - F. Major Institution Designation (Schedule A)
  - G. Major Shopping Centre (Schedule I)

- H. Special Purpose Retail and Service Commercial (Schedule I)
- I. Neighbourhood Centre (Schedule I)

### 2.1.2. Land Use Designation Legend (Official Plan Schedule J)

The following land use designations have the same meaning as is contained in the specific schedule to the Official Plan:

- J. Commercial Core Area
- K. Waterfront Commercial Area
- L. Industrial Conversion Area
- M. Business Districts
- N. Transitional Uses Area
- O. Industrial Area
- P. Open Space Area
- Q. Special Policy Area

### 2.1.3. Sign Type Definitions

**Animated Sign:** means a sign which revolves, oscillates or moves, either in whole or in part.

**Banner Sign:** means a sign made of non-rigid material such as vinyl, cloth or canvas.

**Billboard Sign:** a large, off-premise free-standing sign, placed and maintained on a property by a person or company engaged in the sale or rental of the space on the sign to a client upon which space is displayed which advertises goods, products, services or facilities not necessarily sold or offered or conducted on the property.

**Directional Sign:** means a freestanding sign to control or direct vehicular or pedestrian movement on a lot.

**Election Campaign Sign:** means a sign which:

- i) advertises or promotes a candidate in a Federal, Provincial or Municipal election, including an election of a local board or commission; or
- ii) is intended to influence persons to vote for or against any question or by-law submitted to the electors under the *Municipal Elections Act, 1996*.

**Electronic Static Text Message Sign:** means a sign where sign copy is changed remotely, displaying static text information only.

**Electronic Static Copy Sign:** means a sign where sign copy is changed remotely, displaying static text and/or images.

**Electronic Price Indicator Sign:** a portion of a free-standing sign on a lot with a service station, hotel, parking lot or parking garage use, as defined by the Zoning By-law, with static text copy displaying a price.

**Facia Sign:** means a sign attached to, marked, inscribed or painted onto an exterior wall of a building.

**Freestanding Sign:** means a sign permanently affixed to a foundation in the ground and visually separated from a building.

**Portable Sign:** means a sign intended to be moved from one location to another, which is not permanently affixed to a foundation in the ground, or any structure

**Projection Sign:** A type of Electronic Sign where images or text are projected onto a building structure or any surface

**Real Estate Development Sign:** a freestanding sign which advertises the lease, sale or development of land and/or buildings.

#### 2.1.4. Exceptions

- x1 an Electronic Static Copy Sign or an Electronic Static Text Message Sign will be permitted at the following locations: Showplace at 290 George Street North, The Market Hall at 336 George Street North and The Galaxy Cinema at 320 Water Street, subject to the review and approval of the Planner, Urban Design, or his/her designates.
- x2 Animated or Portable signs will not be permitted on The Parkway between Lansdowne Street West and Clonsilla Avenue.
- x3 Portable signs with a maximum sign area of 4.5 square metres will be permitted only on Chemong Road between Wolsely Street and Highland Road.
- x4 Portable signs with a maximum sign area of 2.0 square metres are permitted.
- x5 Facia signs are permitted if approved by the Manager of the Building Division and the Planner, Urban Design or his/her designates.

- x6 Portable signs with a maximum sign area of 2.0 square metres are only permitted on lands zoned as a “Public Service District”
- x7 An Electronic Static Copy Sign or an Electronic Static Text Message Sign is permitted along the George Street frontage of Del Cray Park subject to the review and approval of the Planner, Urban Design, or his/her designates. Electronic Static Text Message Signs or Electronic Static Copy Signs are permitted as a Facia Sign.
- x8 An Electronic Static Text Message Sign is permitted on lands zoned as a “Public Service District” provided that the sign is set back not more than 3.0 metres from an arterial road as depicted on “Schedule “B” of the City’s Official Plan.
- x9 A Freestanding Electronic Static Copy Sign or an Electronic Static Text Message Sign is permitted on lands zoned as a “Public Service District” and “University and College District” with the following uses as defined by the Zoning By-law: an arena, a recreation centre, a fire station, a police station, a museum, an art gallery, a public administration office, a school a hospital , a college and a university, provided that the sign is set back not more than 3.0 metres from an arterial road as depicted on “Schedule “B” of the City’s Official Plan.
- x10 An Electronic Static Text Message Sign is permitted, up to 30% of the Free-standing Sign area, displaying continuously in a static manner for a period of time not less than 10 seconds.

## 2.2. Definitions

In this By-law:

**Ambient Light:** means natural and/or artificial light in the vicinity of a sign, coming from such a direction as to illuminate the face of the sign.

**Architectural Elevation:** means that portion of the exterior of a building, which is visible at right angles from the building, excluding any portion above the eave line.

**Chief Building Official:** means the person appointed from time to time by by-law as Chief Building Official for the City of Peterborough.

**City:** means the Corporation of the City of Peterborough.

**Council:** means the Council of the Corporation of the City of Peterborough.

- Land Use Designation:** means the designation of property made in accordance with the Official Plan.
- Lot:** means a separately owned parcel of land.
- Luminous:** means a sign which is lighted by an internal light source.
- Lux:** means a unit of luminance equivalent to one lumen per square metre.
- Nit:** means unit of luminance equivalent to one candela per square metre.
- Official Plan:** means the Official Plan of the City of Peterborough as amended from time to time.
- Rear Lot Line:** means a lot line other than a street line or side lot line.
- Side Lot Line:** means a lot line which intersects a street line.
- Sign:** means any device, including its supporting structure and other component parts, which is used or capable of being used to attract attention to a specified subject matter, other than itself, for identification, information or advertising purposes.
- Sign Area:** means the total surface area of that portion of a sign, which is used or capable of being used to provide information or advertising, and which can be viewed from any one perspective. In the case of a sign composed only of individual letters or numerals, the sign area shall be the area bounded by the outside periphery of the letters and/or numerals.
- Sign Copy:** means any colour, graphic logo, symbol, word, numeral, text, image, message, picture or combination thereof displayed on a sign face.
- Sign Elevation:** means the vertical distance between the average elevation of the ground directly beneath the sign and the lowest point of that portion of the sign which is used to provide the identification, information or advertising.
- Sign Face:** means the interior area of a sign, excluding its frame portion.

<b>Sign Height:</b>	means the vertical distance between the average elevation of the ground directly beneath sign and the highest point of the sign.
<b>Street:</b>	means a dedicated public highway.
<b>Street Line:</b>	means a lot line separating a lot from a street, or a 0.3m reserve which abuts a street.
<b>Total Sign Area:</b>	means the total of the sign area of all signs on a lot.
<b>Zoning By-Law:</b>	means Restricted Area By-law 1997-123 as amended from time to time.

### **3. Non-Conformity**

This By-law applies to signs erected after its passage. All signs lawfully erected prior to the passage of this By-law will be permitted to continue to exist, provided the degree of non-conformity with this By-law is not increased. If a sign permit has been issued prior to the passage of this By-law, and the permit has not been revoked, a sign may be constructed in accordance with the permit, and shall be deemed to have been lawfully erected prior to the passage of this By-law.

### **4. General Provisions**

#### **4.1. Compliance**

No person shall erect, install, alter, or use, any sign except in accordance with the provisions of this By-law.

#### **4.2. Sign Permit**

- a) Except as hereinafter provided, no person shall erect, install, or alter any sign without having obtained a permit from the Chief Building Official. Where a complete application has been submitted along with the required plans and fee, and the proposed work set out in the application conforms with this By-law, and all other applicable by-laws, the Chief Building Official shall issue a sign permit.
- b) An application for a permit pursuant to this By-law shall include such information as the Chief Building Official requires, which may include:
  - i) A scaled site plan, showing the street lines and other boundaries of the lot upon which it is proposed to erect the sign, and its location in relation to other signs, buildings and structures on the lot and the abutting lands and streets;



- ii) Complete plans and specifications covering the construction of the sign and its supporting structure;
  - iii) Drawings and such other information with respect to any buildings or structures upon which it is proposed to locate the sign, as may be necessary to determine whether the construction of such building or structure will carry the additional loads and stresses imposed thereto.
- c) Where the applicant for a permit is not the owner of the lot, or his/her authorized agent, the application shall include the written authorization of the owner or agent.
- d) A permit for a fascia sign or a portable sign which would project over, or be located in whole or in part on, public property shall not be issued until the owner of the lot, or his/her authorized agent, has entered into an Encroachment Agreement with the City covering at least the following matters:
- i) The owner shall provide evidence of public liability and property damage insurance in the minimum amount of \$2,000,000.00, with the City as an additional-named insured and containing a satisfactory cross-liability clause. The policy shall not be altered, revoked or terminated except upon at least thirty (30) days written notice to the City.
  - ii) The owner shall agree to indemnify and save harmless the City against any actions, losses, damages, suits, judgments, orders, awards, claims, costs or demands arising from the existence of the encroachment.
  - iii) The owner shall agree to remove the encroachment upon ninety (90) days written notice from the City, in the event that the public property is required by the City for municipal purposes.

The Chief Building Official and the Planner of Urban Design or his/her designates are hereby authorized to execute any such Encroachment Agreements on behalf of The Corporation of the City of Peterborough, so long as they are satisfied that all other requirements for the issuance of the sign permit have been met.

- e) **Applicable Fees:** The fees to be paid to the City for permits issued under this By-law shall be in the amounts as established from time to time by resolution of City Council.

- f) Inspections: The Chief Building Official, or his designate, may enter upon private property at any reasonable time for the purpose of inspecting a site on which a sign permit has been issued or an application for a sign permit has been made, or determining if a permit is required to be issued.
- g) The holder of a sign permit shall notify the Chief Building Official that the new sign is ready for inspection at the following stages:
  - i) In the case of a freestanding sign, when the foundation is ready to be poured and at completion.
  - ii) In the case of a fascia sign, when the sign is ready to be installed and at completion.
  - iii) In the case of a portable sign, when the sign is installed.

#### **4.3. Exempt Signs**

This By-law shall not apply to signs erected by the Corporation of the City of Peterborough.

#### **4.4. Exceptions**

- a) The following signs may be located on any lot, and do not require a permit:
  - i) a non-electronic sign located inside a building.
  - ii) a sign located outside a building, provided the sign area does not exceed 0.2 square metres.
  - iii) a sign formed by a landscaping design.
- b) The following alterations to signs do not require a permit.
  - i) The changing of the advertising copy or message on a sign.
  - ii) Maintenance or repair of a sign.
- c) Notwithstanding anything else in this By-law, the following shall apply to the properties municipally known as 598 Lansdowne Street West and 890 Monaghan Road:
  - i) On the property known as 598 Lansdowne Street West, only one (1) freestanding sign, having a maximum sign area of 52 square metres and sign height of 10.0 metres, shall be permitted; and
  - ii) On the property known as 890 Monaghan Road, only one (1) freestanding sign, having a maximum sign area of 7.2 square metres, shall be permitted,

provided that the owner of the property at 598 Lansdowne Street West enters into a Site Plan Agreement with the City of Peterborough, pursuant to Section 41 of the *Planning Act*.

#### **4.5. Amendment to the By-law**

If a proposed sign does not conform to this By-law, an application may be made to either the Committee of Adjustment to permit a minor variance, or to City Council to amend the By-law. The Committee of Adjustment is hereby authorized to grant minor variances to this By-law provided that the general intent and purpose of the provisions are maintained, excepting a change in the type of sign which is permitted in a particular land use designation. Any such change shall require an amendment to this By-law.

#### **4.6. Removal**

- a) When the Chief Building Official, or his/her designate, determines that a sign has been erected, displayed or altered, without a permit first having been obtained, or contrary to the approved plans in respect of which a permit was issued, the owner of the sign and/or the owner of the lot shall either make the sign comply with this by-law, or shall remove the sign, within any period directed in writing by the Chief Building Official, or his/her designate.
- b) Where the Chief Building Official, or his/her designate, has determined a sign to be in an unsafe condition, the owner of the sign and/or the owner of the lot shall remove the sign, or make it safe, within any period directed in writing by the Chief Building Official or his/her designate.
- c) Upon expiry of the period directed in writing by the Chief Building Official, or his/her designate, if the sign has not been made to comply with this By-law, or has not been removed, the Chief Building Official, or his/her designate may cause such sign to be pulled down or removed at the expense of the owner of the sign and/or the owner of the lot. Any costs incurred by the City may be recovered in like manner as municipal taxes on the lot where the sign was located, or may be recovered by action, pursuant to Section 326 of *The Municipal Act*.

#### **4.7. Offence**

Every person who contravenes any provision of this By-law is guilty of an offence and is liable to the penalty imposed by applicable law, which is recoverable pursuant to the *Provincial Offences Act*.

#### **5. Directional Signs**

### **5.1. Regulations**

- a) Maximum sign area per sign - 0.5 square metres
  - i) the sign area of Directional Signs shall not form part of the maximum sign area for Freestanding Signs on a lot.
- b) If located at a vehicular entrance:
  - i) maximum number of signs - 2
  - ii) maximum sign height - 1.2m if within 3m of a street line
  - iii) minimum distance from the side lot line - 0.75m

### **6. Electronic Signs: General Prohibitions**

No Electronic Sign shall:

- a) Emit sound or be interactive in any way;
- b) Change the intensity of light during the display of sign copy, Flash, scroll or fade, during the transition of sign copy, including any lighting or back lighting effects;
- c) Contain graphics, words or phrases that could be mistaken for a traffic control sign or an emergency situation.
- d) Have images or text projected onto a building structure or any surface, unless approved by the Planner, Urban Design accompanied by:
  - i) An application fee in the amount of \$200.00
  - ii) A site plan showing the size and location of the projected sign together with the location of the projector; and
  - iii) Written confirmation from the property owner, agreeing to the application to permit a projected electronic sign, as well as the projection equipment.
- e) Be displayed from inside a window no greater in sign area than 0.35 square metres except where approved by the Planner, Urban Design in the Commercial Core Area as depicted on Schedule J of the Official Plan,
- f) Be left on if malfunctioning such that the sign is no longer effective in delivering the message.

## **7. Electronic Static Text Message Sign**

### **7.1. Regulations**

- a) May only be a Free-standing sign as defined in this By-law, with a maximum sign area of 50% of the Free-standing Sign. When on a Free-standing Sign, must be located on the bottom three quarters of the sign.
- b) Duration of message – sign copy shall be displayed continuously in a static manner and without any change for a period of time not less than 3 seconds.
- c) Transition of message – sign copy may change if the transition is no longer than 0.3 second and is a change of the entire sign copy area.
- d) Brightness – the brightness of the brightest portion of a sign (measured in Nits) must not exceed 0.5 times the ambient light level (measured in Lux). The brightness of any sign must not exceed 10,000 Nits but may not be less than 100 Nits.
- e) Minimum distance from a property designated as a Residential District in the Zoning By-law – 60 metres.
- f) When located within 120 metres of a property designated as a Residential District in the Zoning By-law or a Protected Natural Area as depicted on Schedule A of the Official Plan, the sign must be turned off between the hours of 9:00 p.m. and 7:00 a.m.

## **8. Electronic Static Copy Sign**

### **8.1. Regulations**

- a) Maximum Facia Sign Area – Outside the Central Area as defined in the City's Official Plan: 30% of the potential Facia Sign area up to a maximum of 3.0 square metres.
- b) Maximum Free-standing Sign Area - One Electronic Static Copy Sign per Free-standing Sign up to 50% of the sign area to a maximum of 6.0 square metres. When on a Free-standing Sign, must be located on the bottom three quarters of the sign.
- c) Duration of message – Background, pictorial or graphic copy shall be displayed continuously in a static manner and without any change for a period of time not less than 10 seconds.
- d) The text message component shall be displayed continuously in a static manner and without any change for a period of time not less than 3 seconds

- e) Transition of message – sign copy may change if the transition is no longer than 0.3 second in duration and is a change of the entire sign copy area.
- f) Brightness – the brightness of the brightest portion of a sign (measured in Nits) must not exceed 0.5 times the ambient light level (measured in Lux). The brightness of any sign must not exceed 10,000 Nits but may not be less than 100 Nits.
- g) Minimum distance from a Residential District – 60 metres
- h) When located within 120 metres of a property designated as a Residential District in the Zoning By-law or a Protected Natural Area as depicted on Schedule A of the Official Plan, the sign must be turned off between the hours of 9:00 p.m. and 7:00 a.m.
- i) Minimum distance from any intersection – 30 metres

## **9. Electronic Price Indicator Sign**

### **9.1. Regulations**

- a) May only be part of a Free-standing Sign up to 1.0 square metre in sign area.
- b) Brightness – the brightness of the brightest portion of the sign (measured in Nits) must not exceed 0.5 times the ambient light level (measured in Lux). The brightness of any sign must not exceed 10,000 Nits but may not be less than 100 Nits.

## **10. Facia Signs**

### **10.1. Regulations**

- a) No person shall erect, display or alter a Facia Sign within the Central Area, as shown on Schedule J of the Official Plan, without first having obtained the approval of the Chief Building Official and the Planner, Urban Design, or his/her designates. Approval of a Central Area Facia Sign application shall be in accordance with the Central Area Facia Sign Design Guidelines, as established by Council from time to time.
- b) Maximum Sign Area -15% of the area of the architectural elevation to which it is attached.
- c) Maximum vertical projection of a sign above the eave line of the roof of the building to which it is attached - 0.6 metres, except where the proposed sign forms part of the architectural design of the building.

- d) A sign located on, or within 15 metres of, a lot within land use designation A, may not be luminous.

## **11. Freestanding Signs**

### **11.1. Regulations**

- a) Minimum distance between signs on a lot - 30m.
- b) Maximum sign area per street line on any lot:
  - i) on a lot with land use designation N - 1.5 square metres
  - ii) on a lot within land use designation K and P - 0.1 square metres per metre of street line
  - iii) on a lot within any other land use designation - 0.15 square metres per metre of street line, to a maximum of 37 square metres.
- c) Maximum sign height on a lot within land use designation D - 2m.
- d) Maximum sign height on a lot within land use designation N - 1.5m.
- e) Maximum sign height on a lot within land use designations C, H or I:
  - i) where the street line is less than or equal to 60m - 6.5m.
  - ii) where the street line is greater than 60m, and less than or equal to 90m - 7m.
  - iii) where the street line is greater than 90m, and less than or equal to 120m - 7.5m.
  - iv) where the street line is greater than 120m, and less than or equal to 150m - 8m.
  - v) where the street line is greater than 150m - 9m.
- f) Maximum sign height on a lot within land use designation G:
  - i) where the street line is less than or equal to 60m - 7m.
  - ii) where the street line is greater than 60m, and less than or equal to 90m - 7.5m.
  - iii) where the street line is greater than 90m, and less than or equal to 120m - 8m.
  - iv) where the street line is greater than 120m, and less than or equal to 150m - 9m.
  - v) where the street line is greater than 150m - 10m.

- g) Maximum sign height on a lot within all other land use designations:
  - i) where the street line is less than or equal to 60m - 5m.
  - ii) where the street line is greater than 60m, and less than or equal to 90m - 5.5m.
  - iii) where the street line is greater than 90m, and less than or equal to 120m - 6m.
  - iv) where the street line is greater than 120m, and less than or equal to 150m - 6.5m.
  - v) where the street line is greater than 150m -7m.
- h) Minimum distance from a side lot line:
  - i) on a lot within land use designation N - 3m.
  - ii) on a lot line within any other land use designation - 6m.
  - iii) Minimum distance from a street line - 1.5m.
- i) A sign located on, or within 15 metres of, a lot within land use designation A, may not be luminous.

## **12. Portable Signs**

### **12.1. Regulations**

- a) A portable sign shall only be located on the lot in respect of which the permit is issued or on the road allowance which abuts such lot.
- b) A portable sign shall not be located in a motor vehicle parking space required under the Zoning By-law.
- c) Maximum sign area:
  - i) in land use designations C, G, H and I - 4.5 square metres.
  - ii) in land use designations A and B - 2.0 square metres.

The sign area of a portable sign shall not form part of the maximum sign area for freestanding signs on a lot.

- d) Maximum sign height:
  - i) in land use designations C, G, H and I - 2.1m.
  - ii) in land use designations A and B - 1.8m.



- e) Minimum setbacks
  - i) from a side lot line - 4.5m
  - ii) from a driveway entrance - 6.0m
  - iii) from the back of a sidewalk on a public road allowance - 1.5m
  - iv) from the curb, or the back edge of the shoulder of the travelled road - 4.5m
- f) Minimum distance between portable signs on, or in front of, a lot - 30m.
- g) A portable sign shall not be luminous, or an electronic or animated sign.
- h) A portable sign shall at all times have a sticker visibly displayed showing the permit number, the address, and the expiry date of the permit.
- i) A permit for a portable sign shall expire six (6) months after issuance.

### **13. Real Estate Development Sign**

#### **13.1. Regulations**

- a) Maximum sign area - 20.0 square metres
- b) Maximum sign height - 5.5m.
- c) Minimum setback from a street line -1.5m, plus an additional 0.5m for every square metre of sign area greater than 1 square metre.
- d) Minimum setback from a side or rear lot line - 6.0m.
- e) Minimum distance from any other freestanding sign -30m.
- f) A Real Estate Development Sign shall not be luminous, or an electronic or animated sign.
- g) A permit for a Real Estate Development sign shall expire two years after issuance.

### **14. Banner Signs**

#### **14.1. Regulations**

- a) A Banner Sign shall be permitted only as a Facia Sign.
- b) A permit for a Banner Sign shall expire sixty (60) days after issuance.

**15. Billboards**

**15.1. Regulations**

- a) A Billboard shall be permitted only as a free-standing sign.
- b) One existing Billboard may be an Electronic Static Copy Sign with its whole sign area as an Electronic Static Copy Sign only at the following municipal addresses: the property at 971 Lansdowne Street West, 843 Park Street South, 861 Lansdowne Street West and 16 Lansdowne Street West.

**16. Election Campaign Signs**

**16.1. Regulations**

- a) Election campaign signs shall not be permitted on any property owned by The Corporation of the City of Peterborough prior to:
  - i) Labour Day, for a Municipal election; and
  - ii) the date of issuance of the Writ of Election, for a Federal or Provincial election;
- b) and not later than three (3) days following voting day in any such election.

**17. Repeal**

Chapter 624 of the City of Peterborough Municipal Code (The Sign By-law); and By-laws 02-045, 04-201 and 05-250, by-laws to amend Chapter 624 of the Municipal Code, are hereby repealed.

By-law read a first, second and third time this 20th day of May, 2014.

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Daryl Bennett, Mayor

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John Kennedy, City Clerk