

Town of Oakville Memorandum

To: Mayor and Members of Council

From: Jim Barry, Director
Municipal Enforcement Services

Date: November 15, 2021

Subject: **Item 9.2 - Sign by-law – Sign face area review, By-law 2021-141**
(Which was deferred from the October 18, 2021 Council Meeting)

Please be advised that revisions have been made to By-law 2021-141, a by-law to amend the Sign By-law 2018-153, after consultation with the registered delegate from the October 18, 2021 Council meeting. A revised By-law 2021-141, is attached as Appendix A and the revisions have been highlighted in red.

Staff recommend the changes to the proposed amending by-law and that the recommendation be changed to read as follows:

1. That the report from Municipal Enforcement Services, dated October 12, 2021, titled "Sign by-law – Sign face area review", be received for information; and,
2. That By-law 2021-141 described in the report from the Municipal Enforcement Services dated November 2, 2021, being a by-law to amend By-law 2018-153 be approved, **as revised in accordance with the memo dated November 15, 2021 from Municipal Enforcement Services.**

APPENDIX A

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2021- 141

A by-law to amend Sign By-law 2018-153 (Sign Face Area – Ground Signs)

WHEREAS Section 11 of the *Municipal Act, 2001* permits municipalities to pass by-laws respecting signs;

WHEREAS Sign By-law 2018-153 was approved by Council on December 10, 2018;

WHEREAS Council is desirous of amending Sign By-law 2018-153;

COUNCIL ENACTS AS FOLLOWS:

1. Part 1 Definitions is hereby amended by:

a. deleting Definition 95 – Sign and substituting the following therefor:

	Term	Definition
95	Sign	means any device, including surfaces, structures and/or other component parts, whose purpose and design is to advertise, announce, draw attention to or identify a product, place, activity, person, institution, business or other entity, or to communicate a message or information of any kind to the public.

b. deleting Definition 96 – Sign Face;

c. deleting the second paragraph of Definition 99 – Sign Face Area (SFA) and substituting the following therefor:

99	Sign Face Area (SFA)	Where a sign has two faces parallel to each other, the area of both faces shall be included in determining the area of the sign, except that where two such faces are parallel to each other and are at no point more than three feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of
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		equal area, or as the area of the larger face if the two faces are of unequal area.
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- d. adding the following new Definition 57.1 – Message Area, Definition 71.1 – Open Construction and Definition 99.1 – Sign Face Area – Ground Sign:

57.1	Message Area	means the portion of a ground sign containing the information content of a sign, including but not limited to words, letters, numbers, logos, graphics, figures, emblems, pictures, symbols or other symbolic presentation incorporated into a sign with the purpose of attracting attention to the subject matter or message, excluding municipal addresses.
71.1	Open Construction	means the portion of a ground sign free from the display surface or face of the sign, including all frames, backing, face plates, non-structural trim or other component parts not otherwise used for support for parts of the sign that have a backing, resulting in an open space.
99.1	Sign Face Area – Ground Sign	<p>means the area found within the perimeter of the entirety of a ground sign delineated by a rectangle drawn vertically from grade to the highest attached component of the sign and horizontally from side to side, including any sign structure, borders, frames, emblems or any figure of a similar character, architectural details, decorative or ornamental features, messaging, addresses, logos, pictures, symbols, decorative walls, bases and open construction.</p> <p>Where a sign has two faces parallel to each other, the area of both faces shall be included in determining the area of the sign, except that where two such faces are parallel to each other and are at no point more than three feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.</p>

2. Part 5 Regulations for Signs by Land Use Designation is hereby amended by adding the following new heading and subsections 3.1, 3.2, 3.3, 3.4, 3.5, 3.6 and 3.7:

Sign Face Area Calculations for Ground Signs

- 3.1 Part 5 subsections 3.2 to 3.7:
- a. apply to ground signs, directory signs, monolith signs, drive-through pre-sale menu board signs and drive-through menu board signs; and
 - b. do not apply to temporary signs, ground advertising signs or directional signs.
- 3.2 The maximum sign face area for ground signs shall be as specified in the Land Use Designation Tables set out in this By-law.
- 3.3 The maximum message area for ground signs shall be as specified in the Land Use Designation Tables set out in this By-law.
- 3.4 For the purposes of Part 5 subsection 3.3, the message area on a ground sign shall be measured by drawing a rectangle around the full extent of the message area.
- 3.5 Ground signs that are greater than 3 metres in height, that have an overall sign face area greater than 18 square metres and are equal to or less than the maximum 25 square metres, require 65% of the area measured by drawing a rectangle 1.2 metres from grade vertically and horizontally to the maximum width of the sign, to be open construction. The calculation for the portion of the ground sign to be open construction is:
- Width of the rectangle x 1.2 m x 65%
- 3.6 Ground signs that are greater than 3 metres in height, that have an overall sign face area equal to or less than 18 square metres, require 10% of the area measured by drawing a rectangle 1.2 metres from grade vertically and horizontally to the maximum width of the sign, to be open construction. The calculation for the portion of the ground sign to be open construction is:
- Width of the rectangle x 1.2 m x 10%
- 3.7 Part 5, subsections 3.5 and 3.6 do not apply to the Motor Vehicle Service Stations land use designation or the Motor Vehicle Dealerships land use designation.

3. Table 5.1.1 All Commercial Land Use Designations is hereby amended by:

- a. deleting the figure for maximum sign face area for ground signs in row 5 and substituting 25.0 m² therefor;
- b. deleting the figure for the maximum percentage of SFA incorporating SEMB for ground signs in row 6 and substituting 2.25 m² therefor;

- c. deleting the word “percentage” and substituting the word “area” therefor in column 1, row 6;
- d. adding new row 10 Maximum message area to the end of Table 5.1.1 as follows:

Table 5.1.1 All Commercial Land Use Designations (A)					
Permanent Signs	Awning Sign	Directional Sign (B)	Entrance Canopy Sign	Fascia Sign (C)	Ground Sign
Maximum message area	n/a				7.5 m ² (L)

- e. re-lettering the ninth Additional Regulation to read (I);
- f. adding a reference to Additional Regulation (L) for ground signs in row 5; and
- g. adding new Additional Regulation (L) as follows:

(L) For calculating the maximum sign face area and maximum message area of a ground sign, refer to Part 5

4. Table 5.2.1 All Employment Land Use Designation is hereby amended by:

- a. deleting the figure for maximum sign face area for ground signs in row 5 and substituting 25.0 m² therefor;
- b. deleting the figure for maximum sign face area for directory signs in row 5 and substituting 8.0 m² therefor;
- c. deleting the figure for the maximum percentage of SFA incorporating SEMB for ground signs in row 6 and substituting 2.25 m² therefor;
- d. deleting the word “percentage” and substituting the word “area” therefor in column 1, row 6;
- e. adding new row 10 Maximum message area to the end of Table 5.2.1 as follows:

Table 5.2.1 All Employment Land Use Designations (A)						
Permanent Signs	Awning Sign	Directional Sign	Directory Sign (B)	Entrance Canopy Sign	Fascia Sign (C)	Ground Sign
	n/a		7.5 m ² (M)	n/a		7.5 m ² (M)

- f. adding a reference to Additional Regulation (M) for ground signs and directory signs in row 5; and
- g. adding new Additional Regulation (M) as follows:

(M) For calculating the maximum sign face area and maximum message area of a ground sign and a directory sign, refer to Part 5

5. Table 5.3.1 All Mixed Use and Urban Core Land Use Designations is hereby amended by:
 - a. deleting the figure for maximum sign face area for ground signs in row 5 and substituting 6.25 m² therefor;
 - b. deleting the figure for maximum sign face area for directory signs in row 5 and substituting 2.0 m² therefor;
 - c. deleting the figure for the maximum percentage of SFA incorporating SEMB for ground signs in row 6 and substituting 1.0 m² therefor;
 - d. deleting the word “percentage” and substituting the word “area” therefor in column 1, row 6;
 - e. adding a new row 10 Maximum message area to the end of Table 5.3.1 as follows:

Table 5.3.1 All Mixed Use and Urban Core Land Use Designations (A)							
Permanent Signs	Awning Sign	Directional Sign	Directory Sign	Entrance Canopy Sign	Fascia Sign (B)	Ground Sign	Projecting Sign
Maximum message area	n/a		1.0 m ² (N)	n/a		2.0 m ² (N)	n/a

- f. deleting Additional Regulation (M) and reference to Additional Regulation (M) for ground signs in row 6
- g. adding a reference to Additional Regulation (N) for ground signs and directory signs in row 5; and
- h. adding new Additional Regulation (N) as follows:

(N) For calculating the maximum sign face area and maximum message area of a ground sign and a directory sign, refer to Part 5

6. Table 5.4.1 Residential Land Use Designations and Long-Term Care Land Uses is hereby amended by:
 - a. deleting the figure for maximum sign face area for ground signs in row 5 and substituting 6.25 m² therefor;
 - b. deleting the figure for maximum sign face area for directory signs in row 5 and substituting 5.25 m² therefor;
 - c. adding new row 9 Maximum message area to the end of Table 5.4.1 as follows:

Table 5.4.1 Residential Land Use Designations and Long-Term Care Land Uses						
Permanent Signs	Awning Sign (A)	Directional Sign	Directory Sign	Entrance Canopy Sign (A)	Fascia Sign (A), (B) (I)	Ground Sign (C) (J)
Maximum message area	n/a		2.0 m ² (K)	n/a		4.0 m ² (K)

d. deleting footnote (J) and substituting the following therefor:

(J) Permitted on detached dwelling lots for day nurseries and short-term accommodations, one per property, with a maximum message area of 0.5 m² and a maximum sign face area of 1.5 m²

e. adding a reference to Additional Regulation (K) for ground signs and directory signs in row 5; and

f. adding new Additional Regulation (K) as follows:

(K) For calculating the maximum sign face area and maximum message area of a ground sign and a directory sign, refer to Part 5

7. Table 5.5.1 Institutional Land Use Designations is hereby amended by:

- deleting the figure for maximum sign face area for ground signs in row 5 and substituting 20.0 m² therefor;
- deleting the figure for the maximum percentage of SFA incorporating SEMB for ground signs in row 6 and substituting 2.25 m² therefor;
- deleting the word “percentage” and substituting the word “area” therefor in column 1, row 6;
- adding new row 10 Maximum message area to the end of Table 5.5.1 as follows:

Table 5.5.1 Institutional Land Use Designations					
Permanent Signs	Awning Sign	Directional Sign	Entrance Canopy Sign	Fascia Sign (A)	Ground Sign
Maximum message area	n/a				7.5 m ²

		(K)
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- e. adding a reference to Additional Regulation (K) for ground signs in row 5; and
- f. adding new Additional Regulation (K) as follows:

(K) For calculating the maximum the sign face area and maximum message area of a ground sign, refer to Part 5

8. Table 5.5.3 Community Use Land Use Designations is hereby amended by:

- a. deleting the figure for maximum sign face area for ground signs in row 5 and substituting 6.25 m² therefor;
- b. deleting the figure for maximum sign face area for directory signs in row 5 and substituting 5.25 m² therefor;
- c. deleting the figure for the maximum percentage of SFA incorporating SEMB for ground signs in row 6 and substituting 2.0 m² therefor;
- d. deleting the word “percentage” and substituting the word “area” therefor in column 1, row 6;
- e. adding a new row 10 Maximum message area to the end of Table 5.5.3 as follows:

Table 5.5.3 Community Use Land Use Designations						
Permanent Signs	Awning Sign	Directional Sign	Directory Sign	Entrance Canopy Sign	Fascia Sign (A)	Ground Sign
Maximum message area	n/a		2.0 m ² (M)	n/a		4.0 m ² (M)

- f. deleting Additional Regulation (L) and reference to Additional Regulation (L) for ground signs in row 6
- g. adding a reference to Additional Regulation (M) for ground signs and directory signs in row 5; and
- h. adding new Additional Regulation (M) as follows:

(M) For calculating the maximum sign face area and maximum message area of a ground sign and a directory sign, refer to Part 5

- i. adding a reference to Additional Regulation (N) for ground signs in row 5;
- j. adding new Additional Regulation (N) as follows:

(N) A maximum sign face area of 20.0 m² is permitted for ground signs placed on the frontage along an arterial roadway

9. Table 6.1.1 Motor Vehicle Service Stations is hereby amended by:

- a. deleting the figure for maximum sign face area for ground signs and monolith ground signs in row 5 and substituting 25.0 m² therefor;
- b. deleting the word “percentage” and substituting the word “area” therefor in column 1, row 8;
- c. adding the word “message” after the word “Maximum” in column 1, row 9;
- d. adding new row 11 Maximum message area to the end of Table 6.1.1 as follows:

Table 6.1.1 Motor Vehicle Service Stations								
Permanent Signs	Awning Sign	Directional Sign	Entrance Canopy Sign	Fascia Sign (A)	Fuel Pump Canopy Sign	Fuel Pump Sign	Ground Sign	Monolith Ground Sign
Maximum message area	n/a						7.5 m ² (Q)	

- e. deleting Additional Regulation (P) and substituting the following therefor:

(P) Fuel rate digital display is included within the total message area

- f. adding a reference to Additional Regulation (Q) for ground signs and monolith ground signs in row 5; and
- g. adding new Additional Regulation (Q) as follows:

(Q) For calculating the maximum sign face area and maximum message area of a ground sign and a monolith sign, refer to Part 5

10. Table 6.2.1 Motor Vehicle Dealerships is hereby amended by:

- a. deleting the figure for maximum sign face area for ground signs and monolith signs in row 5 and substituting 25.0 m² therefor;
- b. deleting the figure for the maximum percentage of SFA incorporating SEMB for ground signs in row 8 and substituting 2.25 m² therefor;
- c. deleting the word “percentage” and substituting the word “area” therefor in column 1, row 8;
- d. adding new row 10 Maximum message area to the end of Table 6.2.1 as follows:
- e. adding a reference to Additional Regulation (M) for ground signs and monolith signs in row 5; and
- f. adding new Additional Regulation (M) as follows:

Table 6.2.1 Motor Vehicle Dealerships						
Permanent Signs	Awning Sign	Directional Sign	Entrance Canopy Sign	Fascia Sign (A)	Ground Sign	Monolith Sign
Maximum message area	n/a				7.5 m ² (M)	7.5 m ² (M)

(M) For calculating the maximum sign face area and maximum message area of a ground sign and a monolith sign, refer to Part 5

11. Table 6.3.1 Drive-Through Facilities is hereby amended by:

- a. deleting the figure for maximum sign face area for drive-through pre-sale menu board signs in row 5 and substituting 1.5 m² therefor;
- b. deleting the figure for maximum sign face area for drive-through menu board signs in row 5 and substituting 5.25 m² therefor;
- c. adding new row 8 Maximum message area to the end of Table 6.3.1 as follows:

Table 6.3.1 Drive-Through Facilities			
Permanent Signs	Directional Sign	Drive-Through Pre-Sale Menu Board Sign	Drive-Through Menu Board Sign
Maximum message area	n/a	1.0 m ² (D)	2.0 m ² (D)

- d. adding a reference to Additional Regulation (B) to row 2 of Drive-Through Pre-Sale Menu Board Sign;
- e. adding a reference to Additional Regulation (C) to row 2 of Drive-Through Menu Board Sign
- f. adding a reference to Additional Regulation (D) for drive-through pre-sale menu board signs and drive-through menu board signs in row 5;
- g. adding new Additional Regulations (B), (C) and (D) as follows:
 - (B) Digital display to a maximum of 1.0 m²
 - (C) Digital display to a maximum of 2.0 m²
 - (D) For calculating the maximum sign face area and maximum message area of a drive-through pre-sale menu board sign and a drive-through menu board sign, refer to Part 5

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12. The following amendments are hereby made to Part 8 Regulations for Static Electronic Message Boards, Table 8.1:

- a. adding “directory signs” and “directional signs” after “advertising ground signs” in Bullet 2, Row 2 – Permitted Sign Types; and
- b. deleting Row 18 – Maximum permitted percentage of SEMB to the total sign face area of a Ground Sign and substituting the following therefor:

Table 8.1 Regulations for Static Electronic Message Boards (SEMB)	
Maximum area of SFA incorporating SEMB for a ground sign	as specified in the land use designation tables or through amendment

13. The following amendments are hereby made to Part 15 Exceptions, Appeals and Amendments:

- a. adding new subsection 3(c) as follows:

Grant of Exception by Designated Official

- c. message area

- b. amending line 2 of Part 15 subsection 6 to read as follows:

6. “... an exception pursuant to Part 15 subsection 3(a), 3(b) and (c), ...”

14. Part 21 Enforcement be amended by the addition of a new heading and subsection 7.1 as follows:

Ground Signs Erected Prior to December 1, 2021

- 7.1 Any ground sign that was erected with a sign permit or as a result of a variance prior to December 1, 2021 is deemed to be in compliance with the Sign By-law’s regulations respecting sign face area for ground signs.

15. Amending By-law 2021-141 comes into force and effect on December 1, 2021.

16. All other provisions of By-law 2018-153 hereby remain in force and effect.

PASSED this 15th day of November, 2021

MAYOR

TOWN CLERK