

CHAPTER 210

SIGNS

[HISTORY: Adopted by the Council of the Corporation of the City of Dryden 8-8-2006 by By-Law No. 3392-2006.

Editor's Note: This by-law was passed under the authority of subsections 5 (1) and (3), 8 and 11 (1) and Section 99 of the Municipal Act, S.O. 2001, c. 25. By-Law No. 3392-2006 also repealed former Ch. 210, Signs, adopted 4-12-1999 by By-Law No. 2648-99, as amended.

Amendments noted where applicable.]

GENERAL REFERENCES

Numbering of buildings and lots — See Ch. [139](#).

Property standards — See Ch. [171](#).

Zoning — See Ch. [270](#).

§ 210-1

Title.

This chapter may be known and cited as the "Sign By-Law."

§ 210-2

Definitions.

A.

For the purpose of this chapter, the definitions and interpretations given in this section shall govern.

B.

In this chapter, the word "shall" is mandatory.

C.

Reference to provincial legislation shall mean Ontario Legislation, S.O. 2001, and includes the Act both as amended and revised from time to time, or any legislation enacted in substitution therefor.

APARTMENT BUILDING

A building containing three or more dwelling units.

APARTMENT DEVELOPMENT

Two or more apartment buildings on one property or owned or managed as a single development.

BUILDING INSPECTOR

Building Inspector or Chief Building Official, or his or her designate, appointed by by-law of the Corporation of the City of Dryden.

CANDIDATE

Shall have the same meaning as in the Canada Elections Act, the Elections Act (Ontario), or the Municipal Elections Act, 1996, as applicable, and shall be deemed to include any qualified individual, corporation or trade union registered to seek to influence other persons to vote for or against any question or by-law submitted to the electors under section 8 of the Municipal Elections Act, 1996.

[Amended 3-3-2008 by By-Law No. 3551-2008]

CANOPY

That portion of a building which projects for the purpose of giving cover at an entrance and which may or may not have signs thereon.

COMMERCIAL BUILDING

A building containing commercial uses.

COMMERCIAL ZONE

Includes any zone that has the word "commercial" in the zone title, as designated by the Zoning By-Law.
Editor's Note: See Ch. [270](#), Zoning.

CORPORATION

The Corporation of the City of Dryden.

DWELLING UNIT

A dwelling as defined by the Zoning By-Law.

ELECTION SIGN

Any sign or other advertising device which by the use of words, pictures or graphics or any combination thereof is intended to influence persons:
[Added 3-3-2008 by By-Law No. 3551-2008]

(1)

To give or to refrain from giving their votes to a candidate at an election held in accordance with the Canada Elections Act, the Elections Act (Ontario), or the Municipal Elections Act, 1996; or

(2)

To vote for or against any question or by-law submitted to the electors under section 8 of the Municipal Elections Act, 1996.

FRONTAGE

The measurement of a property abutting a street line.

INDUSTRIAL ZONE

Includes any zone that has the word "industrial" in the zone title as designated in the Zoning By-Law.

INSTITUTIONAL ZONE

Includes any zone that has the word "institutional" in the zone title as designated by the Zoning By-Law.

MARQUEE

An attachment to a building which projects for the usual purpose of giving cover and which may or may not have advertising signs thereon.

OPEN SPACE ZONE

An open space zone as designated by the Zoning By-Law.

PROPERTY LINE

A line dividing one property from another property.

PUBLIC UTILITY POLE

A pole owned or controlled by an entity which provides a municipal or public utility service, including the City of Dryden, Dryden Telephone, Dryden Mobility, Bell Canada, Hydro One and any subsidiaries thereof.

RESIDENTIAL ZONE

Includes any zone that has the word "residential" in the zone title as designated in the Zoning By-Law.
Editor's Note: See Ch. [270](#), Zoning.

ROAD ALLOWANCE

The allowance for a public road and includes the travelled and untravelled portions of the road allowance, the road shoulders, ditches, boulevards and sidewalks.

SIDEWALK

A public sidewalk and shall not include a sidewalk located on private property.

SIGHT TRIANGLE

The triangle space formed by intersecting street lines or a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each point being measured nine metres from the point of the intersection of the street lines.

[Added 3-3-2008 by By-Law No. 3551-2008]

SIGN

Includes an advertising device or notice and means any visual medium, including its structure and other component parts, which is used or capable of being used to attract attention to a specific subject matter, other than itself, for identification, information or advertising purposes.

SIGN, BENCH

Any sign that is painted, placed or attached to a bench.

SIGN, CARTOP

Any sign that is displayed on top of a vehicle.

SIGN, ELECTION

Any type of sign:

(1)

That promotes, directly or indirectly, the candidacy of any person for election held in accordance with the Canada Elections Act, 2000, c. 9, the Elections Act, R.S.O. 1990, c. E.6, Municipal Elections Act, S.O. 1996, and the Education Act, R.S.O. 1990, c. E.2, as amended from time to time.

(2)

That is intended to influence persons to vote for or against any question or by-law submitted to electors under subsection 8 of the Municipal Elections Act, S.O. 1996.

SIGN, ENCROACHING

Any sign which hangs over or encroaches upon any street and includes any device used as support for such sign.

SIGN FACE

That portion of the sign, excluding the sign structure, upon which, as part of, against or through which the message of the sign is displayed.

SIGN, GROUND

A sign directly supported by the ground without the aid of any other building or structure, other than the sign structure.

SIGN HEIGHT

The vertical distance from the ground to the top of the sign, including the border frame or support poles where applicable.

SIGN, IDENTIFICATION

A sign, including in whole or in part, only the name, address and telephone number of the premises, including any insignia related thereto, plus the name, address and telephone of the owner and/or manager of the premises.

SIGN, MOBILE

A sign not exceeding 6.7 square metres in area and 3.0 metres in height and situated on the ground but not permanently affixed thereto and, without restricting the generality of the foregoing, is deemed to include signs that may be moved from place to place.

SIGN, PROJECTING

A sign attached and perpendicular to the main wall of a building.

SIGN, PUBLIC INFORMATION

Any of the following signs:

(1)

Sign erected by or for a government agency.

(2)

Signs designating public hospitals, churches, schools operated by a public school board or an ecclesiastical authority other than a nursery school, a public library, a community centre or arena or other government use.

(3)

Signs erected within parks, stadia or playgrounds for use as scoreboards or timers.

(4)

Signs erected within stadia (arenas, ball diamonds, soccer fields, etc.).

(5)

Signs erected for the purpose of indicating the status of contributions toward community projects.

(6)

Signs erected for the purpose of promoting community festivals and events sponsored by Council and any local board thereof, and by the Dryden District Chamber of Commerce.

SIGN, REAL ESTATE

A sign advertising the sale or rental of property upon which the sign is located.

SIGN, ROOF

A sign which is located entirely on or above the main roof of a building or located entirely above a parapet of a building.

SIGN STRUCTURE

A structure which supports, did support or which is constructed to support a sign face, and which in turn is

supported by the ground or by a building or structure not an integral part of the sign.

SIGN, TEMPORARY OPEN HOUSE

A sign advertising an open house being conducted at a property being offered for sale or rent.

SIGN, TRANSIT SHELTER

An advertising sign displayed upon or within a transit shelter.

SIGN, WALL

A sign entirely supported by or through the face of a building or structure, or by component members comprising all or a part of said face, and includes fascia signs.

STREET

A street, highway, road or other public right-of-way, including a road allowance and sidewalk, but does not include a private lane.

STREET LINE

A line dividing a property from a street.

STREET, RESIDENTIAL

A street within a residential zone.

ZONING BY-LAW

The City of Dryden Zoning By-Law 2470-2000 or any by-law enacted in substitution therefor.

§ 210-3

Exceptions with respect to location and safety.

The provisions of this chapter shall not apply:

A.

With respect to safety, to:

(1)

Maintenance or repairs using materials identical to the materials of the component being maintained or repaired.

B.

With respect to location, to:

(1)

A public information sign.

(2)

A "no trespassing" sign and a safety or caution sign, including an entrance, exit and parking sign on private property, provided that the sign area does not exceed 0.46 square metre.

(3)

A non-illuminated real estate sign, provided that such sign is located on the building or property being advertised and that the sign area does not exceed 0.5 square metre.

(4)

A non-illuminated sign not exceeding 12.0 square metres in area stating the name of the builder or project to be built on the property on which the sign is located and stating names and addresses of owners, contractors, consultants, provided that such sign shall be removed within two months of first occupancy.

(5)

Signs or lettering attached to or painted directly on a vehicle, provided that such vehicle is not being used mainly for sign purposes at any location at which such sign may not otherwise be permitted.

(6)

Transit shelter signs, bench signs, waste container signs or similar advertising objects where such are erected or displayed under separate agreement with the corporation.

(7)

Cartop signs where such are erected or displayed in accordance with the licence by-law.

(8)

A sign or advertising device that is lawfully erected or displayed on the day this chapter comes into force, if the sign or advertising device is not substantially altered, and the maintenance and repair of the sign or advertising device or a change in the message displayed shall be deemed not in itself to constitute an alteration.

(9)

Election signs are permitted within the City of Dryden subject to the following provisions:

[Amended 3-3-2008 by By-Law No. 3551-2008]

(a)

The signs associated with a federal or provincial election shall not be erected or installed earlier than the official date of notice of the date for any federal or provincial election, with the exception of signage at a campaign headquarters.

(b)

The signs shall not be erected or displayed for a municipal election or by-election until after nomination day and, if the election or by-election does not include an election for an office, on or before the 31st day before voting day.

(c)

The signs shall be removed within seven days after the completion of voting on voting day. For the purpose of this subsection, the candidate or registrant shall be responsible for the removal of his or her election signs within the prescribed time. If a sign is not removed within the prescribed time, City staff may remove the sign without notice.

(d)

The signs are not located within 15 metres of a sight triangle.

(e)

The signs shall not interfere with the safe operation of vehicular traffic or with the safety of pedestrians.

(f)

The signs shall be erected with the consent of the owner or occupier of private property.

(g)

The signs shall not be erected or displayed on any lands, trees, property, buildings, facilities, public utility poles, motor vehicles, equipment or machinery, owned or operated by the Corporation.

(h)

No person shall at any time on any election voting day, including those days when advance voting is held, place an election sign, or cause an election sign to be placed on the premises used as a voting place for elections.

(i)

If a sign is erected or displayed in violation of this chapter, or creates a hazard to vehicular traffic or pedestrians, the Building Inspector or other municipal law enforcement officer may cause the sign to be removed immediately without notice.

§ 210-4

Permits.

A.

Permit required.

(1)

No person shall erect, display, alter or repair or allow the erection, display, alteration or repair of any sign within the City of Dryden without first obtaining a permit therefor.

(2)

A change in the message displayed on the sign does not constitute an alteration so as to require a permit.

B.

No person shall erect, display, alter or repair a sign or part thereof except in accordance with:

(1)

This chapter; and

(2)

The plans, drawings and specifications on the basis of which a permit has been issued; and

(3)

The applicable provisions of the Ontario Building Code.

C.

The application for the permit shall be accompanied by the following information filed in duplicate:

(1)

Completed drawings and specifications of the sign and the supporting framework; and

(2)

Plans indicating the location of the proposed sign on the building relative to vehicular access, doors, windows, and other existing signs on the site; and

(3)

Site plans to scale indicating the location of the proposed sign on the site, street lines and other boundaries of the property and the location of the building thereon.

D.

A permit may be refused for any sign that, if erected or displayed, would be contrary to the provisions of any by-law of the corporation.

E.

The fee for a required inspection and approval of plans shall be set out in Schedule A attached hereto.

Editor's Note: Schedule A is included at the end of this chapter.

§ 210-5

General regulations and prohibitions.

A.

Proximity to street and property lines.

(1)

Except where otherwise expressly permitted or prohibited in this chapter, no sign shall be erected, displayed, altered or repaired so as to be closer than 0.5 metre to any street or property line.

(2)

Where the distance between a building and the street or property line is less than 0.6 metre, a wall sign may be permitted, provided that the wall sign projects no more than 0.3 metre from the building.

B.

No sign shall be erected, displayed, altered or repaired in any location where, in the opinion of the Building Official, it directly interferes with, obstructs the view of, or may be confused with, any traffic sign, signal or device.

C.

No sign shall be erected, displayed, altered or repaired in such a manner as to materially impede the view of any driveway, lane, street or highway intersection, or in such manner as to materially impede the view of the intersection of the street or highway with a railroad crossing.

D.

No sign or any lighting fixture or other device associated with a sign which projects over a sidewalk or other public pedestrian walk shall be located lower than 2.5 metres above the surface of the sidewalk or other public pedestrian walk.

E.

No sign shall be erected, displayed, altered or repaired so as to prevent or impede free access by emergency response personnel to any part of a building or so as to prevent or impede any exit from any part of a building.

F.

Illuminated signs shall be erected, displayed, altered or repaired so as to divert light away from any adjacent residential use.

G.

Every sign shall be kept in good repair and safe and in a secure condition so as not to endanger the safety of persons or property at all times.

H.

Where a sign is not constructed of galvanized or corrosion-resistant material, it shall be maintained in a painted condition and clean of rust.

I.

Every sign for which a permit is required shall be subject to an inspection by the Building Official when completed.

J.

Any sign or part thereof which advertises a business which is no longer operating or a service which is no longer being offered must be removed within 60 days of the discontinuance of such business or service.

K.

Except where otherwise expressly permitted in this chapter, no sign or any part thereof is permitted to be erected or displayed upon or encroach onto or over any property owned by the City of Dryden.

L.

The area of any sign shall not exceed 11.4 square metres on any one side, or a total of 23 square metres for the entire sign.

M.

Where signs or other advertising devices are not attached to a building, such signs or advertising devices shall be permitted to describe or otherwise advertise only the business or activity which is existing upon the property where such sign or advertising device is situated.

N.

The message carried by a ground sign shall relate solely to the use of the property upon which it is located.

O.

All ground signs shall consist of not more than two faces and shall be constructed with non-combustible frames and supported on concrete foundations. The face of a sign may be combustible material and illuminated but shall not be rotating.

P.

No wall sign shall be illuminated externally.

§ 210-6

Mobile signs.

A.

No person shall erect, display, alter or repair, or cause to be erected, displayed, altered or repaired, any mobile sign unless:

(1)

An application for a permit therefor has been submitted to the Building Official and such application has been endorsed by the person for whom or on whose behalf the sign is proposed to be installed, erected or displayed, or by such person's agent; and

(2)

A permit has been issued and is valid for the date or dates upon which such sign is displayed; and

(3)

Such sign is displayed within 30 days of the date of issuance of such permit.

B.

No permit shall be issued to permit a mobile sign to be displayed on any one property for a consecutive number of days longer than four months in any calendar year; provided, however, that for the purposes of this subsection, each commercial tenant of a multi-occupancy commercial building shall be deemed to occupy separate property.

C.

No person shall erect, display, alter or repair a mobile sign which does not have permanently affixed thereto in a readily identifiable location the name and current business telephone number of the owner of such sign.

D.

No person shall erect, display, alter or repair a mobile sign which:

(1)

Is closer than 5.0 metres to the intersection of two street lines; or

(2)

Is closer than one metre to any property line.

E.

No person shall erect, display, alter or repair more than one mobile sign at any one time on any property; provided, however, that for the purpose of this subsection, each commercial tenant of a multi-occupancy commercial building shall be deemed to occupy separate property.

F.

Notwithstanding any other provisions of this chapter, no mobile sign shall be erected or displayed on any public road allowance.

§ 210-7

Signs in residential and open space zones.

A.

Limitations.

(1)

One sign not exceeding 0.10 square metre in area is permitted to indicate a business, profession or occupation lawfully conducted upon the property.

(2)

One identification sign having a maximum area of 5.0 square metres is permitted for a golf course located upon the same property.

(3)

One identification wall sign not exceeding 3.0 square metres is permitted upon an apartment building.

(4)

One identification ground sign not exceeding 3.0 square metres is permitted at an apartment development.

B.

One mobile sign is permitted in a residential zone for less than one week to announce a birth, birthday, anniversary or similar personal event, provided that any such sign shall not be illuminated between the hours of 10:00 p.m. and 8:00 a.m.

§ 210-8

Signs in commercial zones.

No person shall erect, display, alter or repair or permit a sign in a commercial zone save and except the following:

A.

Roof signs not exceeding eight square metres may be erected on the roof of a commercial building. Not more than one such sign shall be erected on one property. Where two such signs are erected back-to-back on a single supporting structure, they are deemed to be one sign for the purpose of this section.

B.

Wall, projecting, marquee and canopy signs are permitted on the exterior of commercial buildings, provided that the total area of all such signs on any part of a commercial building shall not exceed 23.2 square metres except that on the side of a corner building facing a residential street a wall sign shall not exceed a maximum area of 4.7 square metres.

§ 210-9

Signs in industrial and institutional zones.

No person shall erect, display, alter or repair or permit a sign in an industrial institutional zone save and except the following:

A.
Roof signs not exceeding eight square metres.

B.
A real estate ground sign exceeding 1.0 square metre in area but not exceeding 4.6 square metres in area may be permitted on vacant land.

C.
Wall signs, the total area of which do not exceed 24 square metres, for the purpose of advertising a lawful business or service conducted or products manufactured or sold within the building, may be erected on walls of buildings.

§ 210-10

Non-conforming signs and unlawful signs.

A.
Whenever the Chief Building Official or Municipal Law Enforcement Officer finds a sign to be in violation of any provisions of this chapter, he or she may, by registered mail or by personal service, give a written notice of violation to the property owner and/or the property occupant and/or the owner of the sign, requiring them or either of them to make such sign comply with this chapter within 14 days of the issuance of such notice.

B.
A person who has caused a sign to be erected, displayed, altered or repaired without first having obtained a permit to do so; or having obtained a permit has caused a sign to be erected, displayed, altered or repaired contrary to the approved plans in respect of which the permit was issued; or has caused a sign to be erected, displayed, altered or repaired contrary to this chapter, shall make such sign comply with the provisions of this chapter or remove such sign within 14 days of the issuance of a written notice of violation.

C.
Notwithstanding Subsection B, the time limit for compliance or removal with respect to a mobile sign shall be three business days.

D.
Despite any other provisions of this section, if, upon inspection by the Chief Building Official or Municipal Law Enforcement Officer, the Official or Officer is satisfied there is non-conformity with this chapter to such extent as to pose an immediate danger to the health or safety of any person, the Chief Building Official or Municipal Law Enforcement Officer may issue the notice of violation verbally and may require the work to be done forthwith to terminate the danger.

E.
If a notice issued under Subsection A, B or D is not complied with, the corporation may pull down and remove the sign or cause it to be pulled down and removed, at the expense of the owner of the sign.

F.
A sign removed pursuant to Subsection E shall be stored by the corporation for a period of not less than 30 days, during which time the sign owner or his or her agent is entitled to redeem the sign upon receipt by the Treasurer of the corporation of

sufficient funds to cover the cost incurred by the corporation in the removal and storage of the sign.

G.

Where the corporation has incurred costs under Subsection E, a copy of an invoice for any costs incurred, together with a certificate by the Treasurer indicating that the invoice has been sent to the person liable to pay same and no payment or insufficient payment has been received for the invoice and payment for the invoice is overdue, shall be sufficient authority to enter the amount of the unpaid balance of the invoice on the Tax Collector's rolls and collected in like manner as municipal taxes.

H.

Any sign stored by the corporation under the provisions of this section for a period exceeding 90 consecutive days shall be subject to disposal by public tender, public auction, or by such other means as may be approved by the Council, without further notice to the owner of the sign.

§ 210-11

Appeal for a sign variance.

A.

The corporation recognizes that there may be exceptions to the rule, and an appeal to the Council of the corporation may be made for minor variances to this chapter.

B.

An application for a minor variance must be forwarded to the City Clerk, in writing, stating the reason for such variance and be accompanied by the required documents as set out in § 210-4C.

§ 210-12

Offences.

Any person who contravenes any provision of this chapter is guilty of an offence and, upon conviction, is liable to a penalty as provided in the Provincial Offences Act.

Editor's Note: This section was passed under the authority of section 320 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, and, under section 61 of the Provincial Offences act, R.S.O. 1990, c. P.33, as amended, a person convicted of an offence under this section is liable to a fine of not more that \$5,000.

[210a Schedule A](#)