

PROPERTY MAINTENANCE

Chapter 680

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Article 1 INTRODUCTION

680.1.1 Citation

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

680.1.2 Purpose

The purpose of this Chapter is to regulate and enforce signs in the City of Kitchener with the intent of authorizing signs that:

- (a) are appropriate in size, number, and location to the type of activity or use to which they pertain;
- (b) provide reasonable and appropriate means for the public to locate and identify facilities, businesses, and services without difficulty or confusion;
- (c) are compatible with their surroundings;
- (d) protect and enhance the aesthetic qualities and visual character of the City of Kitchener by encouraging quality sign design;
- (e) are consistent with the City of Kitchener planning, urban design and heritage objectives;
- (f) do not create a distraction or safety hazard for pedestrians or motorists;
- (g) minimize adverse impacts on nearby public and private property; and,
- (h) provide commercial and industrial enterprises adequate and flexible means to identify themselves, their products or services, while recognizing that the primary function of signage is to identify rather than advertise.

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Article 2 DEFINITIONS

680.2.1 A-Frame sign - defined

“A-Frame Sign” means a specific type of portable sign.

680.2.2 Abandoned sign - defined

“abandoned sign” means a sign or sign structure which may have formerly identified, but no longer correctly identifies, the business, commodity, service or use presently conducted, sold or offered on the lot. A sign shall not be deemed abandoned until thirty days after such activity is discontinued.

680.2.3 Accessory sign - defined

“accessory sign” means a sign in which the copy relates to the lot upon which the sign is located.

680.2.4 Address sign - defined

“address sign” means a fascia or ground supported sign which has a maximum area of 0.2 square metres (2.15 square feet), contains no commercial message, and is intended solely to indicate municipal street address.

680.2.5 Adult sex film theatre - defined

“adult sex film theatre” means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, the showing of films classified as adult sex films by the Ontario Film Review Board.

680.2.6 Alteration - defined

“alteration” means any change to a sign structure or sign face but does not include the changing of copy in compliance with this Chapter or the replacement of similar parts for maintenance purposes.

680.2.7 Automatic - changing copy - defined

“automatic changing copy” means copy or images on a sign, shown by any electronic means, and which may or may not change. For the purpose of this Chapter, automatic changing copy shall include but is not limited to a video screen, television screen, read-o-graph or projected image.

680.2.8 Awning - defined

“awning” means a self-supporting structure which projects horizontally from the building face or wall and can be either retractable or non-retractable.

680.2.9 Awning sign - defined

“awning sign” means a sign painted on or affixed flat to the surface of an awning.

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680.2.10 Banner - defined

“banner” means a sign of lightweight fabric or similar non-rigid material, displaying a message in words or symbols, but shall not include a recognized flag, awning sign, window sign, inflatable sign, or fascia sign.

680.2.11 Billboard sign - defined

“billboard sign” means a free-standing sign advertising a business, use, product or idea not located on the same lot as the sign is located.

680.2.12 Bridgeport Business Park - defined

“Bridgeport Business Park” means the lands described as Part 1 on Reference Plan 58R-1185, in the City of Kitchener; as shown on a map attached in Schedule ‘A’.

680.2.13 Building elevation - defined

“building elevation” means all exterior walls of a building facing the same direction.

680.2.14 Building line - defined

“building line” means the building setback from any property line for a structure, as set out in the applicable City Zoning By-laws.

680.2.15 Canopy - defined

“canopy” means a non-retractable roof-like projection which projects horizontally from the building face or wall, extends across part or all of that building face or wall, or is a free-standing structure supported from the ground, and is intended to provide shelter.

680.2.16 City - defined

“City” means The Corporation of the City of Kitchener.

680.2.17 Commercial message - defined

“commercial message” means any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity.

680.2.18 Construction information sign - defined

“construction information sign” means any type of sign advertising construction, reconstruction, repair, renovation and/or development and may include the name of the project, the name and address of contractors, architects, engineers or consultants, and information or personnel related to the project. Construction information signs are commonly referred to as “Contractor Job Site” signs.

680.2.19 Copy - defined

“copy” means the wording and symbols on a sign.

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680.2.19.1 Corner lot - defined

“corner lot” means a lot situate at the intersection of, and abutting two streets, or parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which) contain an angle of not more than 135 degrees.

680.2.20 Corner visibility triangle - defined

“corner visibility triangle” means a triangular area formed within a corner lot by the intersecting street lines or the projections thereof and a straight line connecting them 7 metres from their point of intersection.

680.2.21 Council - defined

“Council” means the Council of The Corporation of the City of Kitchener.

680.2.22 Driveway visibility triangle - defined

“driveway visibility triangle” means a triangular area formed within a lot by the intersection of a driveway line and a lot line abutting a street or the projections thereof and a straight line connecting them. The driveway visibility triangle shall be measured from the point of intersection of a street line and the edge of a driveway a distance of 3 metres from the street line and 4.5 metres from the edge of the driveway.

680.2.23 Election sign - defined

“election sign” means a sign used to advertise any person or political party participating in an election for public office.

680.2.24 Encroachment agreement - defined

“encroachment agreement” means a ground supported sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as “drive-thru”, “private parking”, “entrance”, “washroom”, “loading dock”, “staff only”, and other similar directives. Incidental signs shall have a maximum height of 1.2 metres and shall be permitted to display the name or logo of a use on the lot.

680.2.25 Erected - defined

“erected” means attached, altered, built, constructed, re-constructed, enlarged, placed or moved.

680.2.26 Fascia sign - defined

“fascia sign” means a sign constructed of rigid material, attached to and generally parallel to a wall of a building, a parapet, a canopy, or the sloping portion of a mansard or similar roof.

680.2.27 Flashing sign - defined

“flashing sign” means a sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of illumination or an externally mounted light source.

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680.2.28 Fluorescence - defined

“fluorescence” means having inherent reflective qualities.

680.2.29 Frontage - defined

“frontage” means the length of a lot line extending along each legally accessible public street or public lane, and shall include the length of a lot line abutting land owned by the City or the Regional Municipality of Waterloo or the Province of Ontario, which land is held by such public agency for future road widening purposes or as a 0.3 metre (1 foot) reserve.

680.2.30 Grade - defined

“grade” means the elevation of the ground directly beneath a sign.

680.2.31 Ground supported sign - defined

“ground supported sign” means a free-standing sign which is permanently anchored in the ground.

680.2.32 Huron Business Park - defined

“Huron Business Park” means the lands bounded by Fischer Hallman Road, Bleams Road, Homer Watson Boulevard and Huron Road in the City of Kitchener; as shown on a map attached in Schedule ‘A’.

680.2.33 Illumination - defined

“illumination” means lighting of a sign or advertising device, in whole or in part, by any artificial means and further:

- (a) external illumination means the sign reflects light from a light source intentionally directed upon it;
- (b) internal illumination means the sign is illuminated by light emitted from within the sign;
- (c) non-illuminated means the sign is not illuminated, either externally nor internally; and
- (d) downward illumination means the sign is illuminated so as to prevent direct and indirect skyward lighting. Full cutoff lighting that directs no light above the horizontal plane is required for downward illumination.

680.2.34 Incidental sign - defined

“incidental sign” means a ground supported sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as “drive-thru”, “private parking”, “entrance”, “washroom”, “loading dock”, “staff only”, and other similar directives. Incidental signs shall have a maximum height of 1.2 metres and shall be permitted to display the name or logo of a use on the lot.”.

680.2.35 Inflatable sign - defined

“inflatable sign” means a sign designed to be inflated or airborne and tethered to the ground, a vehicle or any other structure.

680.2.36 Lancaster Corporate Centre - defined

“Lancaster Corporate Centre” means the lands described as Parts 1 to 35 inclusive on Reference Plan 58R-7231 and Parts 1 to 5 inclusive on Reference Plan 58R-7150, in the City of Kitchener; as shown on a map attached in Schedule ‘A’.

680.2.37 Lot - defined

“lot” means a parcel of land which can be legally conveyed pursuant to section 50 of the *Planning Act*, R.S.O. 1990, c. P.13. Where two or more abutting lots under one identical ownership have been consolidated for the purpose of development, all such lots shall be deemed to be a single lot for the requirements of this Chapter, and any setback requirements from lot lines shall apply only to the outer perimeter lot lines of the consolidated lot.

680.2.38 Lot line - defined

“lot line” means the line formed by the boundary of any lot.

680.2.39 Lot line visibility triangle - defined

“lot line visibility triangle” means a triangular area formed within a lot by the intersection of a lot line dividing two lots and a lot line abutting a street or the projections thereof and a straight line connecting them 4.5 metres (14.76 feet) from their point of intersection.

680.2.40 Mackenzie King Square - defined

“Mackenzie King Square” means the area bounded by Weber Street East, Queen Street North, Ellen Street East and Frederick Street; as shown on a map attached in Schedule ‘A’.

680.2.41 Maintain - defined

“maintain” means to repair or refurbish a sign or sign structure.

680.2.42 Mixed Use Corridor - defined

“Mixed Use Corridor” promotes transit supportive development along select primary streets. See maps as shown on the various maps attached in Schedule ‘B’.

680.2.43 Mobile sign - defined

“mobile sign” means a specific type of portable sign.

680.2.43.1 Multiple unit identification sign – defined

“multiple unit identification sign” means a multiple unit identification sign required by City of Kitchener Policy Number I-1035 – Emergency Service Policy and provide no other commercial content.

680.2.44 New home builder sign - defined

“new home builder sign” means a sign that is free-standing and provides directions to a new home development constructed by the new home builder at a location other than where the sign is located.

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680.2.45 New home development sign - defined

“new home development sign” means a temporary non-illuminated ground supported sign which provides information on sale or rental of new properties under development, relative only to the residential development on the lands of the developer on which the sign is located.

680.2.46 Non-accessory sign - defined

“non-accessory sign” means a sign in which the copy does not relate to the lot upon which the sign is located and shall include signs commonly referred to as third-party signs.

680.2.47 Officer - defined

“officer” means any municipal law enforcement officer or by-law enforcement officer of the City.

680.2.48 Ontario Building Code - defined

“Ontario Building Code” means the Ontario *Building Code Act*, 1992, S.O. 1992, c. 23 and regulations thereunder, as amended.

680.2.49 Parapet defined

“parapet” (including parapet wall) means that portion of a building wall, which rises above the roof level of the structure.

680.2.50 Pennant - defined

“pennant” means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind, but does not include banners or recognized flags.

680.2.51 Person - defined

“person” shall include any association, partnership, corporation, municipal corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

680.2.52 Plaque - defined

“plaque” means a commemorative or identifying inscribed tablet.

680.2.53 Portable sign - defined

“portable sign” means a sign designed to be readily moved from one location to another and which does not rely on a building or fixed foundation for its structural support. This definition shall include but is not limited to signs commonly referred to as mobile or trailer sign, T-frame, A-frame, sandwich board and sidewalk signs.

680.2.54 Poster - defined

“poster” means a sign placed on street furniture.

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680.2.55 Progressive sign - defined

“progressive sign” means any two or more signs used in a series to convey a cohesive message.

680.2.56 Projecting sign - defined

“projecting sign” means a sign constructed of either rigid or non-rigid material, attached to a wall, light standard, flag pole, free-standing pole or the underside of a canopy and further:

- (a) projecting signs constructed of rigid material shall have a copy surface that is generally not parallel to that wall, light standard, flag pole, free-standing pole or underside of the canopy; and
- (b) projecting signs constructed of non-rigid material shall have a copy surface that can be either generally parallel or generally not parallel to that wall, light standard, flag pole, free-standing pole or under side of the canopy.

680.2.57 Real estate sign - defined

“real estate sign” means a temporary non-illuminated ground supported sign, fascia sign or projecting sign that advertises the sale, rental, or leasing of all or a portion of any property or premises.

680.2.58 Region - defined

“Region” means the Regional Municipality of Waterloo.

680.2.59 Retail core - defined

“retail core” means areas zoned D-1, D-2 and D-3 in the City’s Zoning By-law; as shown on a map attached in Schedule ‘A’.

680.2.60 Roof sign - defined

“roof sign” means a sign erected upon or directly above the roof of a building.

680.2.61 Sandwich board sign - defined

“sandwich board sign” means a specific type of portable sign.

680.2.62 Sidewalk sign - defined

“sidewalk sign” means a specific type of portable sign.

680.2.63 Sign - defined

“sign” means any device, object or thing which directs attention to or which is designed to convey a message and that is placed for the purposes of advertising goods and/or services offered, identifying a business or enterprise or for conveying any other type of message and, without limiting the generality of the foregoing, this definition includes posters and the types of signs specifically defined in this Section.

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680.2.64 Sign area - defined

“sign area” means the smallest square, rectangle, triangle, or combination thereof that will encompass the extreme limits of the largest silhouette of a sign face visible at any one time, and shall include any writing, representation, emblem, or other display, together with any material or colour forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework or bracing.

680.2.65 Sign clearance - defined

“sign clearance” means the vertical distance measured from finished grade directly beneath the sign to the bottom of the lowest attached component of the sign, exclusive of any supporting structure.

680.2.66 Sign face - defined

“sign face” means that portion of the sign, excluding the supporting structure, where copy can be placed.

680.2.67 Sign height - defined

“sign height” means the vertical distance from the base at finished grade to the top of the highest attached component of the sign.

680.2.68 Sign structure - defined

“sign structure” means a structure which is intended to support, or be capable of supporting, any sign, and which in turn is supported by the ground, a building or a structure which is not an integral part of the sign.

680.2.69 Special event directional sign - defined

“special event directional sign” means a free-standing sign which is used solely for the purpose of directing traffic to the location of a special event. Without limiting the generality of the above, this definition shall include signs commonly referred to as real estate “open house” or “model home” signs. Such signs may include the nature of the event, name of the event holder and the location, arrow pointing to the event and/or time of the event, but shall contain no other commercial or promotional message.

680.2.70 Street - defined

“street” means the road allowance or the right-of-way of a public road or highway, which includes the area between the lateral lot lines thereof.

680.2.71 Street line - defined

“street line” means the property line abutting the lateral limit of a street.

680.2.72 Subdivision sign - defined

“subdivision sign” means a sign required as a condition of approval of a Plan of Subdivision under the *Planning Act*.

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680.2.73 T-frame sign - defined

“T-frame sign” means a specific type of portable sign.

680.2.74 Telecommunication tower and antenna sign - defined

“telecommunication tower and antenna sign” means a sign that identifies the owner/operator and contact information for a telecommunication tower.

680.2.76 Trailer sign - defined

“trailer sign” means a specific type of portable sign.

680.2.77 Video projection sign - defined

“video projection sign” means a sign where images are projected from an external source by electronic means onto a building or surface and may contain non-accessory copy.

680.2.78 Window sign - defined

“window sign” means a sign placed inside a building visible through a window or placed on the inside or outside of a window but shall not include the display of goods for sale.

680.2.79 Zone - defined

“zone” means those specific land use areas which relate to the Zoning By-laws for the City and those specially defined areas identified by this Chapter.

680.2.80 Zoning By-law - defined

“Zoning By-law” means the Zoning By-laws of The Corporation of the City of Kitchener.

680.2.81 Administrative Penalty By-law - defined

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

680.2.82 Designated provision - defined

“designated provision” means any section of this Chapter designated in accordance with Article 27.”

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Article 3 GENERAL PROVISIONS

680.3.1 Singular - plural - masculine - feminine

In this Chapter, unless the contrary intention appears, words importing the singular number or the masculine gender only, shall include more persons, parties or things of the same kind than one, and females as well as males, and the converse.

680.3.2 Shall - mandatory

In this Chapter, the word “shall” is to be construed as being always mandatory.

680.3.3 Sign without permit - prohibited

No person shall erect, display, alter, cause or permit to be erected, displayed or altered any sign which does not comply in all respects with the provisions of this Chapter, provided that the maintenance and repair of a sign or a change in the copy displayed shall be deemed not in itself to constitute an alteration.

680.3.4 Exception - existing signs

This Chapter does not apply to a sign that was lawfully erected or displayed on the day this Chapter comes into effect if the sign is not substantially altered, and the maintenance and repair of the sign or a change in the copy, message or contents displayed shall be deemed not in itself to constitute a substantial alteration. For purposes of this section, substantial alteration includes but is not limited to any physical relocation of the sign, provided that where such relocation is necessary to accommodate a road widening by the City of Kitchener, the Regional Municipality of Waterloo, or the Ministry of Transportation of Ontario, the sign so relocated:

- (a) shall be deemed to comply with sign height, sign area, and lot width provisions of this Chapter; and shall be required to comply with all other requirements of this Chapter as though the sign was being newly erected. By-law 2017-079, 29 June 2015.

680.3.5 Compliance - owner responsibility

Every property owner shall ensure that any sign on their property complies with this Chapter and shall forthwith remove any sign that does not comply with all provisions of this Chapter.

680.3.6 Signs not specifically permitted - prohibited

Signs that are not specifically permitted in this Chapter are prohibited.

680.3.7 Exemption - sign type - set out

This Chapter shall not apply to:

- (a) signs within an enclosed structure, except window signs;
- (b) signs installed by or on behalf of the City, the Region, the Province of Ontario or the Government of Canada for the purpose of regulating parking or traffic;
- (c) plaques placed by historical agencies of the City, the Region, the Province of Ontario or the Government of Canada;

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- (d) election proclamations or notices under any *Election Act* or any voters list under a statute in that behalf;
- (e) signs installed by or on behalf of the Region in or on public transit shelters and on bus stop benches.

680.3.8 Conflict - other enactment

In the event of a conflict between the provisions of this Chapter and the provisions of any Zoning By-law prescribing sign requirements, the provisions of this Chapter shall prevail.

680.3.9 City sign - exemption

The City may, for public service purposes, erect or use any type of sign permitted by this Chapter in any zone in which such sign type would otherwise be prohibited, subject to the sign being in full compliance with the regulations prescribed for such sign type. With the exception of portable signs, such signs shall require a sign permit but application fees shall be waived.

680.3.10 Sign erected - compliant - or removal

Any sign which is erected after the date of passage of this Chapter, which does not comply in all respects with the provisions of this Chapter, shall be made to comply with this Chapter or be removed by the owner.

680.3.11 Sign - erected - property owner consent

Signs shall not be erected, posted, displayed, or caused or permitted to be erected, posted or displayed upon any property without the consent of the owner of such property.

680.3.12 Sign - projecting over street - prohibited - exception

Signs shall not project over a street or public lane unless authorization is obtained from Council.

680.3.13 Signs - attached to fence - structure - visible from street

Except where permitted by this Chapter, signs shall not be attached to, or painted onto, or caused or permitted to be attached to or painted onto a fence or board, tree, post, pole, or light standard; or any structure, when visible from any street.

680.3.14 Signs - painted on brick - building - prohibited

Signs shall not be painted on the exterior brick, block or cladding of any building.

680.3.15 Obstruction - visibility - misrepresentation

Signs shall not be erected, posted, displayed, or caused or permitted to be erected, posted or displayed in such a way as to:

- (a) obstruct pedestrian or vehicular traffic;
- (b) obscure clear visibility of normal approaching pedestrian or vehicular traffic;
- (c) by nature of the colour, shape, operation, content, illumination or location thereof, be confused with any traffic control sign, signal or device, or obscure the visibility or effectiveness of a traffic control sign, signal or device; or
- (d) be located in a corner visibility triangle, driveway visibility triangle or lot line visibility

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triangle, except where permitted by this Chapter.

680.3.16 Incidental signs - in visibility triangle

Incidental signs having a maximum height of 0.9 metres may be erected or displayed within a corner visibility triangle, driveway visibility triangle or lot line visibility triangle subject to Section 680.3.15.

680.3.17 Interference with wires - lamp - prohibited

Signs shall not be erected or displayed in such a manner as to contact or interfere with the use of any municipal street lamp, power or telephone wires, or their support.

680.3.18 Obstruction – any fire safety infrastructure

Signs shall not be erected or displayed in such a manner as to interfere with the free use of any fire escape, exit or fire department connection.

680.3.19 Integration with landscaping

All signs and sign structures shall be integrated with the site landscaping without interfering with the normal growth patterns of the plant material or the integrity of the landscape design.

680.3.20 Ontario Building Code - compliance

All signs and sign structures shall comply with the requirements as set out in the Ontario Building Code, Ontario Regulation 332/12, as amended, or any successor thereof.

680.3.21 Electrical Safety Authority - compliance - restrictions

All electrical signs shall comply with the Safety Code, Ontario Regulation 164/99. Electrical wires accessory to signs are prohibited on parking lots, driveways and walkways.

680.3.22 Heritage property signs - compliance

All signs and sign structures proposed to be erected, displayed, altered or relocated on property designated under the *Ontario Heritage Act* shall comply with the provisions of the Act with respect to alterations to property designated under section 29 or 34.5 of the *Ontario Heritage Act*, R.S.O. 1990, c. 0.18, as amended or substituted from time to time; or property located within a heritage conservation district designated under section 41 of the *Ontario Heritage Act*, R.S.O. 1990, c. 0.18, as amended or substituted from time to time.

680.3.23 External lighting - downward illumination only

All signs that use external lighting shall have downward illumination only.

680.3.24 Illumination restriction - use

No sign in any zone that directs light towards a residential property, or is within 30 metres (98.42 feet) of a residential property shall be illuminated between the hours of 10:00 p.m. and 6:00 a.m. unless:

- (a) the premises are open to the public;

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- (b) the lights used to externally illuminate a sign are arranged to direct light away from adjacent properties and roads; and
- (c) the intensity of illumination between the hours of 10:00 p.m. to 6:00 a.m. is not more than 0.5 vertical or horizontal footcandles upon any residential property. The measurement of illumination at a residential lot shall be taken at the residential lot line that is closest to the light source and measured at a height of 1.5 metres (4.92 feet) above ground level.

680.3.25 Signs on City streets - Council approved - types

Subject to Council's approval, signs for public buildings, institutions, historical sites, educational facilities, or directory signs in the retail core may be erected on City streets.

680.3.26 Playing fields - scoreboards - parks

Subject to Council's approval, signs may be displayed on playing field fences and scoreboards at Blockline Sportsfield, Budd Park, Centennial Stadium, Jack Couch Ball Park, Bridgeport Sportsfield, Woodside Park, Meinzinger Park, SW Optimist Sports fields, Fischer Park, Heritage Greens Lawn Bowling Club, Lions Sports fields, Breithaupt Park and Peter Hallman Ball Yard.

680.3.27 Visible from highways - MTO approval required

Signs within 400 metres of, and visible from, Highway #401, the Conestoga Parkway or Highway #8 between the Conestoga Parkway and Highway #401, shall require the approval of the Ministry of Transportation of Ontario.

680.3.28 Distance from electrical lines - approval requirements

Signs within 3 metres of an electrical transmission line shall require the approval of Enova Power Corp. and/or the Electrical Safety Authority.

680.3.29 Automatic changing copy sign - set back requirements

Automatic changing copy on a sign shall not be located within 23 metres of a street intersection or traffic light. Automatic changing copy on a sign shall not be located within 20 metres of any residentially zoned lot which is located on the same street as the sign containing the automatic changing copy, provided the sign is oriented perpendicular to the street line, or within 30 metres of any residentially zoned lot which is located on the same street as the sign containing the automatic changing copy, provided the sign orientation is not perpendicular to the street line. The automatic changing copy shall not contain flashing, intermittent or moving lights. The rate of change in the content of the copy shall be static for a minimum of six seconds, except on a video projection sign.

680.3.30 Automatic changing copy sign - requirements

Notwithstanding Section 680.3.29, automatic changing copy displaying the time, date, temperature and/or gas bar pricing, shall be permitted to a maximum of 0.5 square metres (5.38 square feet) provided that there is no scrolling or flashing of characters and that characters are displayed for a minimum of six seconds. By-law 2011-099, 27 June, 2011.

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680.3.31 Automatic changing copy sign - use

Notwithstanding Section 680.3.29, automatic changing copy shall conform to the following criteria and shall be certified in writing by a Lighting Engineer for the approval of the City Planner or designate after the installation of the sign and before its operational use:

- (a) the illuminance of any automatic changing copy shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals. Illuminance shall be measured with the automatic changing copy off, and again with the automatic changing copy displaying a white image for a full colour capable automatic changing copy, or a solid message for a single-colour automatic changing copy. All measurements shall be taken perpendicular to the face of the automatic changing copy at the distance determined by the total square footage of the automatic changing copy as set for in the accompanying Sign Area Versus Measurement Distance Formula in Section 680.3.31 (d);
- (b) the difference between the off and solid-message measurements using automatic changing copy measurement criteria noted above shall not exceed 0.3 footcandles;
- (c) all permitted illuminated automatic changing copy shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 footcandle measurements; and
- (d) the measurement distance is to be calculated with the following formula:
Measurement Distance in Metres = $\sqrt{\text{Area of Sign Sq.M.} \times 100}$.

680.3.32 Prohibited signs - set out

Except as otherwise provided in this Chapter, display of the following signs are prohibited in all zones:

- (a) flashing signs;
- (b) signs that advertise a business, product, activity or service, which are mounted, placed or displayed on any vehicle situated on any lot, except signs or lettering on vehicles currently in use as a means of transportation;
- (c) non-accessory signs (third party);
- (d) pennants, strings of flags or strings of exposed lights with a commercial message;
- (e) progressive signs and wind driven signs;
- (f) signs advertising adult sex film theatres, except those signs erected and displayed in compliance with Sections 680.4.3 (b) through 680.4.3 (e) inclusive;
- (g) abandoned signs.

680.3.33 Permitted signs - set out

Except as otherwise provided in this Chapter, the following signs are permitted in all zones in accordance with regulations contained in this Chapter:

- (a) address signs;
- (b) election signs;
- (c) construction information signs;
- (d) flags of recognized geo-political entities or corporate flags containing only the business name or logo and displayed only on the same lot where the business or use is located;

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- (e) incidental signs;
- (f) real estate signs;
- (g) special event directional signs;
- (h) subdivision signs; Planning Application Notice signs, such as Official Plan Amendment, Zoning By-law Amendment and Committee of Adjustment Notices; and Proposed School Site signs; the type, form, size, content and location of which shall be approved by the City Planner or designate;
- (i) window signs, provided they are non-flashing and do not block or cover more than 50 percent of the window area the sign is displayed on;
- (j) poster signs and notices;
- (k) new home builder signs;
- (l) new home development signs;
- (m) telecommunication tower and antenna signs; the form, size, content and location of which shall comply with requirements of the City's Telecommunication Tower and Antenna Protocol;
- (n) multiple unit identification sign.

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Article 4 PERMITTED SIGNS BY ZONING DESIGNATIONS

680.4.1 Retail core

The following signs are permitted in the retail core:

- (a) awning signs;
- (b) banner signs;
- (c) fascia signs;
- (d) roof signs;
- (e) portable signs, except trailer or mobile signs;
- (f) projecting signs;
- (g) video projection signs.

680.4.2 Commercial zones - downtown zones (other than the retail core)

The following signs are permitted in commercial zones and downtown zones other than the retail core:

- (a) awning signs;
- (b) banner signs;
- (c) fascia signs;
- (d) ground supported signs;
- (e) portable signs, except in the area defined as Mackenzie King Square in Section 680.2.40;
- (f) projecting signs;
- (g) roof signs, except in areas identified as Mixed Use Corridor or defined as Mackenzie King Square in Section 680.2.40;
- (h) inflatable signs; and
- (i) video projection signs in the Arterial Commercial Zone (C-6) and the Commercial Campus Zone (C-8) zone only.

680.4.3 Employment – Industrial – business park zones

The following signs are permitted in industrial and business park zones:

- (a) awning signs;
- (b) banner signs;
- (c) billboard signs;
- (d) fascia signs;
- (e) ground supported signs;
- (f) portable signs;
- (g) projecting signs;
- (h) roof signs;
- (i) inflatable signs; and
- (j) video projection signs.

680.4.4 Residential - institutional - park zones

The following signs are permitted in residential, institutional and park zones:

- (a) fascia signs;
- (b) ground supported signs;

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- (c) portable signs in institutional zones only, and erected in accordance with the regulations set out in the portable sign Article 15;
- (d) banner signs in institutional and park zones only.

680.4.5 Agricultural zones

The following signs are permitted in agricultural zones:

- (a) banner signs;
- (b) fascia signs;
- (c) ground supported signs.

680.4.6 Site Specific Permissions

The following properties shall have site-specific permissions, as follows:

680.4.6.1 105 King Street East, Kitchener

In all cases, the permitted Digital Sign must:

- i. Not be a non-accessory (third-party) sign,
- ii. Have maximum dimensions of 6.1 metres by 3.05 metres
- iii. Be located no closer than 1.2 metres to the intersection of Benton Street and King Street East,
- iv. Be entered into a black screen/sleep mode or turned off between the hours of 11:00pm and 6:00am, 7 days per week,
- v. Have an illumination that does not exceed 5,000 nits during the period between sunrise and sunset.
- vi. Have an illumination that does not exceed 300 nits during the period between sunset and sunrise.
- vii. Have illumination that shall not increase the light levels within 10.0 metres of all points of the sign face by more than 3.0 lux above the ambient lighting level, and
- viii. Be equipped with an ambient light meter to control the illumination levels of the sign.

680.4.6.2 1495 Victoria Street North, Kitchner

Notwithstanding Sections 680.4.2, and 680.7.1 to Section 680.7.9, a billboard sign maybe located on the lands at 1495 Victoria Street North subject to the following conditions:

- a) to be located a minimum of 135 metres from a residential zone;
- b) to have a front yard setback of 5 metres and a side yard setback of 2.1 metres;
- c) to have a maximum sign area of 20.24 square metres;
- d) to be located a minimum of 215 metres from another billboard sign;
- e) the luminance of the digital billboard shall not exceed 3000 nits between sunrise and sunset, and 150 nits between sunset and sunrise;
- f) notwithstanding section 680.4.6.2 (e) above, the billboard sign shall turned off or be entered into black screen/sleep mode between midnight and 6:00 a.m., 7 days per week;
- g) notwithstanding Section 680.3.31(a) and (d), the illuminance measurement shall be taken vertically (parallel to the face of the automatic changing copy) measured from any point on the Victoria Street right-of-way or 10 m on adjacent properties.

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680.4.7 Mixed Use Zones

The following signs are permitted in mixed use zones:

- (a) awning signs;
- (b) banner signs;
- (c) fascia signs;
- (d) ground supported signs;
- (e) portable signs; and
- (f) projecting signs.

680.4.8 Mixed Use Zones – exceptions

Notwithstanding Section 680.4.7, any property developed solely as a residential use shall only permit signs as allowed in Section 680.4.4.

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Article 5 AWNING SIGN REGULATIONS

680.5.1 Regulations - set out

Unless otherwise provided in this Chapter, awning signs shall be erected in accordance with the regulations set out in this Article.

680.5.2 Sign clearance - minimum

The minimum awning sign clearance shall be:

- (a) 2.44 metres (8 feet) when projecting over an area intended for pedestrian traffic;
- (b) 4.3 metres (14 feet) when within 0.6 metres (1.96 feet) of an area intended for vehicular traffic.

680.5.3 Total area - length restrictions

The total area of an awning structure shall not exceed 30 percent of the wall area on which the awning structure is located and the sign face shall not exceed 80 percent of the awning length.

680.5.4 Illumination

Awning signs may be externally illuminated, internally illuminated or non-illuminated.

680.5.5 Covering of architectural features - prohibited

Awning signs shall not be placed or located to cover architectural features of a building or structure. Such features include but are not limited to windows, columns, doors, arches, coinings, cornices, casings, keystones, sills, gables, porticos, dentils or lintels.

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Article 6 BANNER SIGN REGULATIONS

680.6.1 Regulations - set out

Unless otherwise provided in this Chapter, banner signs shall only be erected in accordance with the regulations set out in this Article.

680.6.2 Permit required - on private property

A banner sign shall require a permit when located on private property.

680.6.3 Permit - maximum display period

Each banner sign permit shall be valid for a period of 30 continuous days.

680.6.4 Permit - maximum issued - yearly

A maximum of six permits for banner signs may be issued for any one business or use in any calendar year per location.

680.6.5 Permit application - preprocessing

No sign permit application for a banner sign shall be accepted for processing more than 30 days prior to the effective date of the permit.

680.6.6 Dimensions - maximum - exception

The maximum sign area of a banner sign shall not exceed 6 square metres (64.6 square feet) and the banner sign shall be attached to a building, except for a banner sign erected over a City street at a location approved by Council.

680.6.7 Sign clearance – minimum

The minimum sign clearance shall be:

- (a) 0.0 metres when projecting over an area not intended for pedestrian or vehicular traffic;
- (b) 2.44 metres when projecting over an area intended for pedestrian traffic;
- (c) 4.3 metres when projecting over an area intended for vehicular traffic.

680.6.8 Placement - over architectural features - prohibited

A banner sign shall not be placed or displayed over architectural features of a building or structure. Such features include, but are not limited to windows, columns, doors, arches, coinings, cornices, casings, keystones, sills, gables, porticos, dentils or lintels.

680.6.9 One sign - per business or use

A maximum of one banner sign is permitted for any one business or use on a lot at any one time.

680.6.10 Sign - separation - minimum

No banner sign shall directly abut another banner sign and a banner sign shall have a minimum separation distance of 0.3 metres (0.98 feet) from other signs.

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680.6.11 Cultural - ethnic festivals - use - conditions

Notwithstanding the other regulations set out in this Article, and subject to Council's approval, any number of banners advertising cultural or ethnic festivals, conferences, sporting events or other similar occasions may be displayed at authorized locations on any City property at any one time, provided they are not placed or displayed over architectural features of a building or structure.

SIGNS

Article 7 BILLBOARD SIGN REGULATIONS

680.7.1 Regulations - set out

Unless otherwise provided in this Chapter, billboard signs shall be erected in accordance with the regulations set out in this Article.

680.7.2 Distance from residential zone

Billboard signs shall not be located within 150 metres (492 feet) of any residential zone.

680.7.3 Clearance - minimum requirement

The minimum clearance for a billboard sign shall be 2.44 metres (8 feet) and the minimum clearance for a billboard sign, when located within 0.6 metres (2 feet) of an area intended for vehicular traffic shall be 4.3 metres (14 feet).

680.7.4 Location - size - requirements

Billboard signs shall:

- (a) be located behind any building line setback and comply with all other yard requirements as set out in the applicable Zoning By-law;
- (b) have a maximum height of 7.5 metres (24.6 feet);
- (c) have a maximum area of 20 square metres (215.28 square feet). By-law 2011-099, 27 June, 2011.

680.7.5 Landscaping - requirements

In locations deemed appropriate by the City Planner or designate, billboard signs shall be landscaped in accordance with a landscape plan approved by the City Planner or designate.

680.7.6 One sign - per lot - maximum

Only one billboard sign structure, having a maximum of two sign faces, erected either back to back or at an angle not exceeding ninety degrees, shall be erected on any one lot.

680.7.7 Distance from other billboard signs

Billboard signs are prohibited within 300 metres (984 feet) of another billboard sign.

680.7.8 Distance from parks - woods

Billboard signs are prohibited within 300 metres (984 feet) of the following areas set out in the City's approved Official Plan:

- (a) Huron Natural Area;
- (b) Doon Pinnacle Hill;
- (c) Hidden Valley;
- (d) Steckle Woods.

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680.7.9 Business park - restrictions

Billboard signs are prohibited within the boundaries of the Huron Business Park, Bridgeport Business Park and Lancaster Corporate Centre, as defined in Article 2.

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Article 8 CONSTRUCTION INFORMATION SIGN REGULATIONS

680.8.1 Regulations - set out

Unless otherwise provided in this Chapter, construction information signs shall only be erected in accordance with the regulations set out in this Article.

680.8.2 Area - maximum - ground supported sign

The maximum sign area for a ground supported construction information sign shall be 13 square metres (139.93square feet).

680.8.3 Height - maximum - ground supported sign

The maximum sign height for a ground supported construction information sign shall be 6 metres.

680.8.4 Setback - from lot line - minimum requirement

The minimum setback from any lot line for a ground supported construction information sign shall be 0.4 metres (1.31 feet).

680.8.5 Location - within - visibility triangle - prohibited

Construction information signs shall not be located in a corner visibility triangle, driveway visibility triangle or lot line visibility triangle.

680.8.6 Residential dwellings - requirements

In addition to the requirements of this Section, ground supported construction information signs erected on any property containing a single detached dwelling, semi-detached dwelling, duplex dwelling or street townhouse dwelling shall not require a permit and are subject to the following regulations:

- (a) maximum sign area of 1.2 square metres (12.9 square feet);
- (b) maximum sign height of 1.0 metre (3.2 feet).

680.8.7 Portable construction signs - requirements

Portable signs, excluding trailer or mobile signs, may be used for the purposes of construction information signs in residential zones, shall not require a permit and are subject to the following regulations:

- (a) maximum sign area of 1.2 square metres (12.9 square feet);
- (b) maximum sign height of 1.0 metres (3.2 feet); and
- (c) minimum setback of 0.4 metres (1.3 feet) from any lot line.

680.8.8 Construction information sign - on fascia

Construction information signs attached to the fascia of a building shall be erected in accordance with the regulations for fascia signs.

680.8.9 Construction information sign - on fence

Construction information signs may be attached to a fence but shall be located outside any corner visibility or driveway visibility triangles.

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680.8.10 Construction signs - removal

All construction information signs shall be removed upon completion of the project.

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Article 9 ELECTION SIGN REGULATION

680.9.1 Regulations - set out

Unless otherwise provided in this Chapter, election signs shall only be erected in accordance with the regulations set out in this Article.

680.9.2 City - public property

No election sign of any kind shall be displayed on any City property or other public property.

680.9.3 Area - maximum - on private property

Election signs displayed on private property shall have a maximum width of 1.2 metres (3.94 feet) and a maximum height of 0.9 metre (2.95 feet).

680.9.4 Sign - regulations - applicable

Notwithstanding Section 680.9.3, election signs greater than 1.2 metres (3.94 feet) by 0.9 metre (2.95 feet) shall comply with the corresponding regulations for signs in each zone with respect to structure, location, dimensions and sign characteristics. By-law 2011-099, 27 June, 2011; By-law 2013-094, 24 June, 2013.

680.9.5 Display duration

Election signs shall not be erected or displayed more than 45 days preceding the election date, except for provincial and federal general elections in which case they shall not be erected or displayed before the issuance of the election writ.

680.9.6 Removal - deadline

Election signs which are erected or displayed on any lot shall be removed within 72 hours of the termination of the event for which the signs are erected or displayed, by the owner of such signs, or owner of the lot on which the signs are erected, failing which the City's Director, Enforcement may have such signs removed.

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Article 10 FASCIA SIGN REGULATIONS

680.10.1 Regulations - set out

Unless otherwise provided in this Chapter, fascia signs shall only be erected in accordance with the regulations set out in this Article.

680.10.2 Projection from wall - maximum

The maximum projection from any wall to which a fascia sign is attached shall be 0.4 metres (1.3 feet).

680.10.3 Projection above façade - maximum

The maximum projection of a fascia sign above the elevation of the façade of the building, including any parapet to which the fascia sign is attached, shall be 1 metre (3.28 feet).

680.10.4 Sign clearance - minimum requirements

The minimum sign clearance shall be:

- (a) 0.0 metres (0 feet) when projecting over an area not intended for pedestrian or vehicular traffic;
- (b) 2.44 metres (8 feet) when projecting over an area intended for pedestrian traffic.

680.10.5 Sign ends - advertising copy - prohibited

Advertising copy shall be prohibited on the ends of a fascia sign.

680.10.6 Sign area - maximum - how calculated

The total sign area of all fascia signs shall not exceed 30 percent of the building elevation on which the fascia sign(s) is/are located.

680.10.7 Area - residential zone - maximum permissible

Notwithstanding Section 680.10.6, in all residential zones, fascia signs accessory to a multiple residential or non residential use legally established on the lot shall have a maximum area which shall not exceed 10 percent of the building elevation on which the sign is located, but in no case greater than 9 square metres (96.87 square feet).

680.10.8 Number of signs - residential zone - maximum

In all residential zones, a maximum of two signs, either fascia or ground supported, or any combination thereof, are permitted when accessory to a multiple residential or non-residential use legally established on the lot.

680.10.9 Number of signs - institutional zones - no restriction

In all institutional zones there shall be no restriction on the number of fascia signs or ground supported signs located on a lot provided that the lot has a minimum lot width of 50 metres (164 feet), the signs are accessory to a non-residential use and that all signs meet any required separation distance.

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680.10.10 Home business - sign - one only

In all agricultural, existing use, residential or institutional zones, a maximum of one fascia sign is permitted accessory to a legally established home business (including private home day care) in a single detached or semi-detached dwelling or a maximum of one window sign to a maximum of 0.2 square metres (2.15 square feet); and in no case shall both signs be permitted.

680.10.11 Home business sign

Notwithstanding Sections 680.10.10, in all agricultural, existing use, residential and institutional zones, the maximum sign area of a fascia sign accessory to a home business (including private home day care) shall be 0.2 square metres (2.15 square feet).

680.10.12 Home business sign - internal illumination - prohibited

Fascia signs accessory to a home business (including private home day care) shall not be internally illuminated.

680.10.13 Home business sign - changing copy - prohibited

A fascia sign accessory to a home business shall not be permitted to have automatic changing copy.

680.10.14 Sign width - maximum

A fascia sign shall not exceed 90 percent of the width of the building elevation, or the width of an individual unit elevation in a multi-unit building, on which the fascia sign is located.

680.10.15 Sign - separation - directly abutting - prohibited

No fascia sign shall directly abut another fascia sign and each fascia shall have a minimum separation distance of 0.3 metres (0.98 feet) from other signs.

680.10.16 Architectural features - covering - prohibited

Fascia signs shall not be placed or located to cover architectural features of a building or structure. Such features include, but are not limited to windows, columns, doors, arches, coinings, cornices, casings, keystones, sills, gables, porticos, dentils or lintels.

680.10.17 Automatic changing copy sign - location restrictions

A maximum of one fascia sign containing automatic changing copy shall be permitted on a building and shall not be located within 23 metres (75.45 feet) of a street intersection or traffic light or within 100 metres (328 feet) of a residentially zoned lot which is located on the same street as the sign containing the automatic changing copy.

680.10.18 Fascia signs - erected

Fascia signs erected in D-1, D-2 and D-3 zones shall be permitted external downward illumination only.

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680.10.19 Fascia signs - illumination

Notwithstanding Section 680.10.18, fascia signs in D-1, D-2 and D-3 zones that are constructed of individual channel letters shall be permitted to have backlit illumination.

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Article 11 GROUND SUPPORTED SIGN REGULATIONS

680.11.1 Regulations - set out

Unless otherwise provided in this Chapter, ground supported signs shall only be erected in accordance with the regulations set out in this Article.

680.11.2 Street frontage - requirements

Ground supported signs are permitted for each lot having a minimum continuous street frontage of 15 metres (49.21 feet).

680.11.3 Street frontage - corner lot

Where a lot at the intersection of two streets does not have a minimum frontage of 15 metres (49.21 feet) on either street, one ground supported sign shall be permitted if the combined continuous frontage is 15 metres (49.21 feet) or greater.

680.11.4 Height - area - requirements

Maximum sign height and area requirements for ground supported signs shall be as follows:

| Lot Frontage | Maximum Sign Height | Maximum Sign Area |
|----------------------------------|----------------------------|---------------------------------------|
| < 20 Metres (65 feet) | 3.5 metres (11.4 feet) | 6 square metres (64.58 square feet) |
| > 20 to 30 metres (65-98 feet) | 4.5 metres (14.7 feet) | 9 square metres (96.87 square feet) |
| > 30 to 40 metres (98-131 feet) | 5.5 metres (18 feet) | 12 square metres (129.16 square feet) |
| > 40 to 50 metres (131-164 feet) | 6.5 metres (21 feet) | 15 square metres (161.46 square feet) |
| > 50 metres (164 feet) | 7.5 metres (24.6 feet) | 20 square metres (215.27 square feet) |

680.11.5 Height - area - maximum

In no case shall a ground supported sign exceed 7.5 metres (24.6 feet) in height or 20 square metres (215.2 square feet) in area.

680.11.6 Height - maximum - Mixed Use Corridor designation

Notwithstanding Section 680.11.4, the maximum height for a ground supported sign on a property identified as Mixed Use Corridor shall be 2.0 metres.

680.11.7 Area - maximum - Mixed Use Corridor designation

Notwithstanding Section 680.11.4, the maximum sign area for a ground supported sign on a property identified as Mixed Use Corridor shall be 6.0 square metres.

680.11.8 Height - maximum - residential - institutional zones

Notwithstanding Section 680.11.4, in all residential zones or institutional zones, ground

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supported signs accessory to a multiple residential or non-residential use legally established on the lot shall have a maximum sign height of 3.0 metres (9.8 feet).

680.11.9 Area - maximum - residential - institutional zones

Notwithstanding Section 680.11.4, in all residential zones or institutional zones, ground supported signs accessory to a multiple residential or non-residential use legally established on the lot shall have a maximum sign area of 3.0 square metres (32.29 square feet).

680.11.10 Set back - from property line

Ground supported signs shall have a minimum setback of 0.4 metres (1.3 feet) from any lot line.

680.11.11 Set back - residential - institutional zones

Notwithstanding Section 680.11.10, in all residential zones or for residential uses within institutional zones, where ground supported signs are permitted; the minimum setback for a ground supported sign shall be 3.0 metres (9.8 feet) from any lot line.

680.11.12 Number of signs - limitation - Mixed Use Corridor

On any property identified as Mixed Use Corridor, a maximum of one ground supported sign shall be permitted on any lot less than 50 metres in width and a maximum of two signs shall be permitted on a lot greater than 50 metres in width.

680.11.13 Separation distances

Ground supported signs are prohibited within 50 metres of another ground supported sign on the same property or within 15 metres of a ground supported sign on an abutting property.

680.11.14 Within visibility triangles - prohibited - exception

Ground supported signs are prohibited within any corner visibility triangle, driveway visibility triangle or lot line visibility triangle; unless they have a minimum clearance of 2.44 metres (8 feet) and shall remain clear from any obstruction within the required sign clearance except for the required structural support.

680.11.15 Address - required - copy size - requirement

Ground supported signs located between a front lot line or side lot line abutting a street and the minimum building setback from such lot line, as required in the Zoning By-law, shall contain the civic number and/or full municipal address(es) of the property on which the ground supported sign is located and shall comply with the regulations which follow:

- (a) if located on a corner property, the full municipal address (civic number and street name) is required;
- (b) the address shall contain text that has a minimum height of 15.0 centimetres;
- (c) the address shall be located at a minimum of 0.9 metres above grade, or at the top of the sign if the sign is less than 0.9 metres in height; and
- (d) the address must be clearly visible and shall be located on all faces of the sign that contain copy.

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680.11.16 Maximum permissible - residential - institutional

In all residential zones or institutional zones, a maximum of two signs, either ground supported or fascia, or any combination thereof, are permitted when accessory to a multiple residential or non-residential use legally established on the property.

680.11.17 Institutional zone - accessory to non-residential use

Notwithstanding Section 680.11.16, if a ground supported sign or fascia sign are located in an institutional zone on a lot with a width of 50 metres (164 feet) or greater, and the sign is accessory to a non-residential use, there shall be no restriction on the number of signs provided that all signs meet any required separation distance.

680.11.18 Temporary signs - posters - affixed to - prohibited

No temporary signs, posters or banners shall be affixed in any manner to a ground supported sign.

680.11.19 Changeable copy - limitation

Any manual changeable copy or automatic changing copy component of a ground supported sign shall be limited to 50 percent of the sign face.

680.11.20 Changing copy - residential - institutional - limitation

Notwithstanding Section 680.11.19, in all residential and institutional zones, the manual changeable copy or automatic changing copy component of a ground supported sign shall be limited to 70 percent of the sign face.

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Article 12 INFLATABLE SIGN REGULATIONS

680.12.1 Regulations - set out

Unless otherwise provided in this Chapter, inflatable signs shall only be erected in accordance with the regulations set out in this Article. By-law 2011-099, 27 June, 2011.

680.12.2 Specific locations - as approved - only

Inflatable signs shall be erected only in such specific locations as shown on a plan approved for such purposes by the City Planner or designate.

680.12.3 Sign owner's information - affixed to sign

The sign owner's name, current business address and current phone number shall be permanently affixed to the sign in a readily identifiable location.

680.12.4 Frontage - minimum requirements

Inflatable signs shall be permitted on a lot having a minimum continuous street frontage of 15 metres (49.21 feet).

680.12.5 Height restriction - lot less than one acre

An inflatable sign shall have a maximum height of 4.0 metres (13.12 feet) when erected on a lot having a lot area of 0.4 hectares (1 acre) or less.

680.12.6 Height not restricted - lot over one acre

The size of an inflatable sign shall not be restricted when the sign is erected on a lot having a lot area of more than 0.4 hectares (1 acre).

680.12.7 Set back - requirements

Inflatable signs are prohibited within 0.4 metres (1.3 feet) of any lot line, within 10 metres (32.8 feet) of any traffic light or within a corner visibility triangle, driveway visibility triangle or lot line visibility triangle.

680.12.8 Distance from other signs - on other lot

Inflatable signs are prohibited within 10 metres (32.8 feet) of a ground supported sign, a portable sign or another inflatable sign on an abutting lot.

680.12.9 Distance from other signs - same lot

Inflatable signs are prohibited within 10 metres (32.8 feet) of a ground supported sign, or portable sign on the same lot and within 50 metres (164 feet) of any other inflatable sign on the same lot.

680.12.10 Roof display - restriction

A maximum of one inflatable sign may be displayed on the roof of a building provided no permanent roof sign is erected thereon.

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680.12.11 One sign - per business - maximum

One inflatable sign shall be permitted for each business or use at any one time, per location.

680.12.12 Portable - inflatable sign - use - prohibited

The simultaneous display of a portable sign and an inflatable sign by the same business or use on a property is prohibited.

680.12.13 Permits - maximum number - yearly

A maximum of six sign permits for inflatable signs may be issued for any one business or use in any calendar year.

680.12.14 Display maximum - duration

Each inflatable sign permit shall be valid for a period of thirty continuous days per location.

680.12.15 Application - preprocessing

No sign permit application for an inflatable sign shall be accepted for processing more than thirty days prior to the effective date of the permit.

680.12.16 Location restrictions

Sign permits for inflatable signs shall be issued only for businesses or uses currently located on the lot on which the sign is to be displayed, within thirty days of the relocation of a business to another lot, or up to thirty days prior to a business or use locating on the lot, provided that such business or use is permitted by the applicable Zoning By-law. The sign shall advertise only the business or use for which the sign permit was issued.

680.12.17 Properly secured - at all times

All inflatable signs shall be secured.

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Article 13 NEW HOME BUILDER SIGN REGULATIONS

680.13.1 Regulations - set out

Unless otherwise provided in this Chapter, new home builder signs shall only be erected in accordance with the regulations set out in this Article.

680.13.2 Size - maximum

New home builder signs shall have a maximum width of 1 metre (3.28 feet) and maximum height of 0.9 metres (2.95 feet).

680.13.3 One sign - each side of street

A maximum of one new home builder sign shall be permitted for the same new home builder, for each side of a road between two consecutive streets.

680.13.4 Location - distance from development

New home builder signs shall be located within two kilometres of the new home builder development.

680.13.5 Placement - removal - times

New home builder signs shall be placed no earlier than noon on any Friday and removed no later than noon of the following Monday, provided that where a statutory holiday falls on a Friday, the sign shall be placed no earlier than noon on the preceding Thursday, and where a statutory holiday falls on a Monday, the sign shall be removed by no later than noon on the following Tuesday.

680.13.6 Location - on street - boulevard

New home builder signs may be erected on that portion of a City street located between the curb or edge of travelled roadway and the sidewalk, commonly known as the boulevard. Where no curbs, sidewalks or boulevards exist, such signs may be erected on the undeveloped portion of the right-of-way closest to the outer edge of the travelled roadway.

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Article 14 NEW HOME DEVELOPMENT SIGN REGULATIONS

680.14.1 Regulations - set out

Unless otherwise provided in this Chapter, new home development signs shall only be erected in accordance with the regulations set out in this Article.

680.14.2 Area - maximum

New home development signs shall have a maximum area of 13 square metres (140 square feet).

680.14.3 Height - maximum

New home development signs shall have a maximum height of 6.0 metres (19.68 feet).

680.14.4 Distance from similar sign

New home development signs are prohibited within 50 metres (164 feet) of any other new home development sign along the same continuous street frontage.

680.14.5 Location - design not impeding visibility - traffic

New home development signs shall be designed and located so as not to impede the visibility or movement of pedestrian and vehicular traffic.

680.14.6 Set backs - from property line - minimum

New home development signs shall have a minimum setback of 0.4 metres (1.3 feet) from any lot line.

680.14.7 Location - within visibility triangle - prohibited

New home development signs shall not be located in any corner visibility triangle, driveway visibility triangle or lot line visibility triangle. By-law 2011-099, 27 June, 2011.

680.14.8 Permit – maximum duration

Sign permits for new home development signs shall be valid for a period of four years.

680.14.9 Located on land under development

New home development signs shall only be located on the land under development.

680.14.10 Sign - removal

New home development signs shall be removed no later than when 90 percent of lands being built upon have been sold.

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Article 15 PORTABLE SIGN REGULATIONS

680.15.1 Regulations - set out

Unless otherwise provided in this Chapter, portable signs shall only be erected in accordance with the regulations set out in this Article. By-law 2011-099, 27 June, 2011.

680.15.2 Location - specific - as approved

Portable signs shall be erected only in such specific locations as shown on a plan approved for such purposes by the City Planner or designate.

680.15.3 Owner's information - permanently affixed

The sign owner's name shall be permanently affixed to the frame of the portable sign in a readily identifiable location.

680.15.4 Permit - for one sign only - one permit per business

Each portable sign permit issued shall apply to one portable sign or one side of a portable sign for each business or use. No business or use may have more than one permit at any one time on the same lot.

680.15.5 Permit - maximum - annually

A maximum of six sign permits for portable signs, whether or not the permit applies to one or two sides, may be issued for any one business or use in any calendar year, except an institutional use located in an institutional zone.

680.15.6 Permit - charitable event - conditions

Notwithstanding Section 680.15.5, two additional sign permits for portable signs may be issued for any one business or use in any calendar year, for the purpose of advertising a charitable organization or charitable event, except an institutional use located in an institutional zone. There shall be no fee for these permits.

680.15.7 Permit - institutional use - charitable event - conditions

A maximum of two sign permits for portable signs may be issued for any one institutional use located in an institutional zone in any calendar year for the purpose of advertising a charitable organization, charitable event, or any event related to and provided by the institutional use. There shall be no fee for these permits.

680.15.8 Permit - valid - thirty continuous days

Each portable sign permit shall be valid for a period of 30 continuous days.

680.15.9 Submission - application - timing

No sign permit application for a portable sign shall be accepted for processing more than 30 days prior to the effective date of the permit.

680.15.10 Permits - conditions of issue

Sign permits for portable signs shall be issued only for a business or use:

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- (a) currently located on the lot on which the portable sign is to be displayed;
- (b) within 30 days of the relocation of a business or use to the lot; or
- (c) up to 30 days prior to a business or use locating on the lot.

680.15.11 Sign - advertisement for use permit was issued

The portable sign shall advertise only the business or use for which the sign permit was issued, except as otherwise provided.

680.15.12 Portable - inflatable sign - simultaneous use

Simultaneous display of a portable sign and an inflatable sign by the same business or use on a lot is prohibited.

680.15.13 Height - area - maximum

Portable signs shall have a maximum height of 3 metres (9.84 feet) and a maximum area of 5.6 square metres (60.27 square feet).

680.15.14 Location - set back - requirements

Portable signs are prohibited within 0.4 metres (1.3 feet) of any lot line and shall not be located within 10 metres (32.8 feet) of any traffic signal or within a corner visibility triangle, driveway visibility triangle, or lot line visibility triangle.

680.15.15 Separation distances

Separation distances for portable signs shall be as follows:

- (a) portable signs are prohibited within 50 metres of another portable sign on the same lot or within 10 metres of a portable sign on an abutting lot;
- (b) portable signs are prohibited within 15 metres of a ground supported sign on the same lot unless the ground supported sign has a minimum clearance of 2.44 metres.

680.15.16 Fluorescence - prohibited

No part of a portable sign or its copy attached thereto may contain material having fluorescence.

680.15.17 Small signs - requirements

Portable signs having a maximum width of 1.0 metre (3.2 feet) and a maximum height of 1.2 metres (3.93 feet) may be placed on a lot provided that:

- (a) signs maintain a minimum setback of 7.5 metres (24.6 feet) from a street line;
- (b) signs are positioned on a pedestrian walkway or patio, leaving a minimum of 1.5 metres (4.92 feet) of unobstructed passage on the walkway;
- (c) signs shall not be placed in a parking stall, loading zone or an aisle leading to a parking stall or loading zone;
- (d) signs shall not be placed within a traffic island, planting bed or grassed area;
- (e) a maximum of one sign per business is permitted on a property;
- (f) signs erected in accordance with subsection (a) through (e) do not require a permit.

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680.15.18 Illumination - animation - creating noise - prohibited

Portable signs shall only be non-illuminated, and shall not contain any animation or device that creates noise or motion.

680.15.19 Signs not entirely on lot - restrictions

Where it is not possible to locate the sign entirely on the same lot, the sign may be placed on an abutting City sidewalk within the Retail Core and areas designated as Mixed Use Corridor in the City's Official Plan provided that:

- (a) the sign is placed as close to the face of the building as possible;
- (b) a minimum unobstructed sidewalk width of 1.5 metres (4.92 feet) can be maintained;
- (c) the maximum size of the sign does not exceed 1.2 metres (3.93 feet) high by 1.0 metres (3.2 feet) wide.

680.15.20 Sign structure - with no copy

A portable sign structure with no copy shall be deemed to be a sign for the purpose of this Chapter and shall comply with all applicable provisions of this Chapter. By-law 2011-099, 27 June, 2011.

680.15.21 Road construction - limited access - special provisions

In the event that public work construction creates a road closure or limited access impacting a business, the erection of a portable sign may be permitted at a different location at the discretion of the City's Director, Enforcement, or City Planner or designate at no cost. A portable sign may be erected at a location approved in writing by the City's Director, Enforcement, or City Planner or designate provided any private property owner has granted consent. Signs shall be permitted for a period of time as approved in writing by the City's Director, Enforcement, or City Planner or designate and shall not exceed the duration of the construction work.

680.15.22 Automatic changing copy - prohibited

Automatic changing copy shall not be permitted on any portable sign.

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Article 16 POSTER SIGN REGULATIONS

680.16.1 Regulations - set out

Unless otherwise provided in this Chapter, poster signs shall only be erected in accordance with the regulations set out in this Article.

680.16.2 Erection - posting - displaying - limitation

No person shall erect, post, display or cause or permit to be erected, posted or displayed any poster sign upon any highway, right-of-way or walkway, except on a street light standard, hydro utility pole, or a combination thereof.

680.16.3 Posting on poles - restrictions

Notwithstanding Section 680.16.2, no person shall erect, post, display or cause or permit to be erected, posted or displayed any poster sign on a street light standard, hydro utility pole or a combination thereof, that supports an electrical duct, electrical switch mechanism, or a traffic control sign, device or signal.

680.16.4 Removal by City

Where, in the opinion of the City's Director, Transportation Planning it is necessary to erect, place, post or display a traffic control sign, device or signal on a street light standard, hydro utility pole or a combination thereof, the City's Director, Transportation Planning is authorized to remove any poster sign displayed thereon, without notice or compensation to its owner.

680.16.5 Removal by Kitchener-Wilmot Hydro

Where, in the opinion of Kitchener-Wilmot Hydro Inc., it is necessary to erect or place an electrical duct or an electrical switch on a street light standard, hydro utility pole or a combination thereof, Kitchener-Wilmot Hydro Inc. is authorized to remove any poster sign displayed thereon, without notice or compensation to its owner.

680.16.6 Posting - regulations - set out

Unless otherwise provided in this Chapter, a poster sign erected, posted or displayed, or caused or permitted to be erected, posted or displayed or permitted to be erected, posted or displayed upon any City highway, right-of-way or walkway, on a street light standard, hydro utility pole or a combination thereof, shall be in accordance with the regulations which follow:

- (a) a poster sign shall conform to the shape of, or be of a width not exceeding the diameter of the standard or pole on which it is displayed;
- (b) no poster sign shall be displayed at a height exceeding 2.2 metres (7.21 feet);
- (c) no more than one poster sign per owner shall be displayed on a standard or pole;
- (d) no poster sign shall cover or overlap in whole or in part another sign;
- (e) the maximum dimensions of a poster sign shall not exceed 28 centimetres (11 inches) in width and 46 centimetres (18 inches) in height;
- (f) a poster sign shall be attached to a standard or pole only by tape, wire, staples, push pins or thumb tacks;

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- (g) a poster sign shall set out the date of posting and the name, address, and telephone number of the owner of the poster sign in a manner that is visible;
- (h) a poster sign and its attaching devices shall be removed by the owner of the poster sign, within 30 days from the date of posting or within 72 hours of the occurrence of an event advertised on the poster sign, whichever is the shorter period;
- (i) no person shall remove a poster sign displayed in accordance with the above regulations, except the owner of the poster sign or a person authorized by the owner of the poster sign.

680.16.7 Removal by City - owner's expense

The City reserves the right to remove any poster sign erected, posted or displayed contrary to Sections 680.15.2 to 680.15.6 inclusive without notice to, and at the expense of the owner of the poster sign. The cost of removing the poster sign shall be charged to the owner and, if the owner fails to pay the cost of removal, such cost may be recovered by the City in like manner as municipal taxes pursuant to the provisions of the *Municipal Act, 2001*

680.16.8 Removal by Kitchener-Wilmot Hydro

The City and Kitchener-Wilmot Hydro Inc. further reserve the right to remove any poster sign displayed on a standard or pole, without notice or compensation to its owner, in order to maintain, clean or take down the standard or pole upon which it is displayed.

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Article 17 PROJECTING SIGN REGULATIONS

680.17.1 Regulations - set out

Unless otherwise provided in this Chapter, projecting signs shall only be erected in accordance with the regulations set out in this Article.

680.17.2 Frontage - minimum requirement

Projecting signs shall be permitted for each lot having a minimum continuous frontage of 6.0 metres (19.86 feet).

680.17.3 Projection - maximum

The maximum projection for a projecting sign shall be 1.5 metres (4.92 feet).

680.17.4 Projection - copy surface parallel building

Notwithstanding Section 680.17.3, projecting signs having a copy surface generally parallel to the building elevation shall have a minimum projection of 0.075 metres (7.5 cm) (3 inches) and a maximum projection of 0.15 metres (15 cm) (6 inches).

680.17.5 Area - total - maximum

The total sign area of all projecting signs shall not exceed 20 percent of the area of the building elevation on which the projecting sign is located, or a maximum sign area of 1.5 square metres (16.14 square feet) if attached to a light standard, flag pole or free-standing pole.

680.17.6 Area - total - maximum - underside of canopy

Notwithstanding Section 680.17.5, projecting signs shall have a maximum area of 1 square metre (10.76 square feet) when attached to the underside of a canopy.

680.17.7 Area - maximum - copy surface - parallel to building

Notwithstanding Sections 680.17.5, projecting signs having a copy surface generally parallel to the building shall have a maximum area of 20 square metres (215.28 square feet).

680.17.8 Extend above wall - parapet prohibited

Projecting signs shall not extend above the wall or parapet on which they are erected.

680.17.9 Non-rigid material - kept taut

A projecting sign constructed of non-rigid material shall be supported from opposing ends keeping the non-rigid material continuously taut.

680.17.10 Cultural - ethnic - other events - on City property

Subject to Council's approval, projecting signs erected on a light standard, flag pole or similar structure on City property advertising cultural or ethnic festivals, conferences, sporting events or other similar occasions may be displayed at authorized locations and do not require a permit.

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680.17.11 Service station requirements

Projecting signs may be erected on the supporting pylons of canopies over service station pump islands. Any such sign shall have a maximum area of 1.5 square metres (16.14 square feet) and may not project horizontally beyond the limits of the pump island over which it is displayed.

680.17.12 Clearance - requirements

Projecting signs with a copy surface that is generally not parallel to the building elevation shall have a minimum clearance of 4.3 metres (14 feet) when located within 0.6 metres (1.96 feet) of an area intended for vehicular traffic; otherwise, the minimum clearance shall be 2.44 metres (8 feet). Projecting signs with a copy surface that is generally parallel to the building elevation shall have a minimum clearance of 4.3 metres (14 feet) when located within 0.6 metres (2 feet) of an area intended for vehicular traffic; otherwise the minimum clearance shall be 0.0 metres (0 feet).

680.17.13 External illumination - permitted

Projecting signs may have external illumination only.

680.17.14 Architectural features - covering - prohibited

Projecting signs shall not be placed or located to cover architectural features of a building or structure. Such features include, but are not limited to windows, columns, doors, arches, coinings, cornices, casings, keystones, sills, gables, porticos, dentils or lintels.

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Article 18 REAL ESTATE SIGN REGULATIONS

680.18.1 Regulations - set out

Unless otherwise provided in this Chapter, real estate signs shall only be erected in accordance with the regulations set out in this Article.

680.18.2 Placement - restriction

No person shall place, or permit to be placed, or cause or permit to be placed a real estate sign except on the property or premises for sale, rent or lease.

680.18.3 Fascia signs - regulations - Article

Fascia real estate signs shall be erected in accordance with the regulations set out in Article 10 Fascia Signs Regulations.

680.18.4 Projecting signs - regulations - Article

Projecting real estate signs shall be erected in accordance with the regulations set out in Article 17 - Projecting Sign Regulations

680.18.5 Height - maximum - ground supported signs

Ground supported real estate signs shall have a maximum sign height of 2.0 metres and a maximum sign area of 1.0 square metres when located on a lot containing or permitting a single detached dwelling, a semi-detached dwelling, a street townhouse dwelling, with or without additional dwelling unit(s), or a multiple dwelling having up to 6 units.

680.18.6 Height - area - set back restrictions

Notwithstanding Section 680.18.5 ground supported real estate signs shall have a maximum height of 4 metres (13.12 feet), a maximum sign area of 6 square metres (64 square feet) and a minimum setback of 0.4 metres (1.3 feet) when:

- (a) advertising a multiple residential building having more than 6 units on a lot having a minimum frontage of 15 metres (49.21 feet); or
- (b) advertising a non-residential building.

680.18.7 Location - within visibility triangles - prohibited

Ground supported real estate signs shall not be located in a corner visibility triangle, driveway visibility triangle or lot line visibility triangle.

680.18.8 One sign - per property - exception

Only one real estate sign shall be permitted for each street line of the property on which the sign is erected unless the property is:

- (a) a multiple residential building on a lot having a minimum frontage of 15 metres (49.21 feet); or
- (b) a non-residential building.

680.18.9 Distance from similar sign

Notwithstanding Section 680.18.8, no ground supported real estate sign shall be located

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within 15 metres (49.21 feet) of another ground supported real estate sign that is situated on the same lot.

680.18.10 Permit not required - relocated if requested

Real estate signs do not require City approval, but must be relocated or removed if requested by the City's Director, Enforcement or the Director, Transportation Planning.

680.18.11 Portable sign

Notwithstanding Section 680.15.2 portable real estate signs shall be erected in accordance with regulations set out in Article 15 - Portable Sign Regulations.

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Article 19 ROOF SIGN REGULATIONS

680.19.1 Regulations - set out

Unless otherwise provided in this Chapter, roof signs shall only be erected in accordance with the regulations set out in this Article.

680.19.2 One per building

A maximum of one roof sign shall be permitted on a building.

680.19.3 Height maximum - building less than 6 metres high

The maximum height of a roof sign shall be 1.5 metres (4.92 feet) on a building which is less than 6 metres (19.68 feet) in height.

680.19.4 Area - maximum - building less than 6 metres high

The maximum area of a roof sign shall be 6 square metres (64.58 square feet) on a building which is less than 6 metres (19.68 feet) in height.

680.19.5 Height - maximum - higher than 6 metres

The maximum height of a roof sign shall be 3 metres (9.84 feet) on a building which is 6 metres (19.68 feet) in height or greater.

680.19.6 Area - maximum - higher than 6 metres

The maximum area of a roof sign shall be 10 square metres (108 square feet) on a building which is 6 metres (19.68 feet) in height or greater.

680.19.7 Extension beyond building perimeter - prohibited

Roof signs shall not extend beyond the perimeter of the building and the supporting structures of roof signs shall be screened.

680.19.8 Sign - content - restriction

A roof sign shall only contain the logo and/or name of the business located on the property.

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Article 20 SPECIAL EVENT DIRECTIONAL SIGN REGULATIONS

680.20.1 Regulations - set out

Unless otherwise provided in this Chapter, special event directional signs shall only be erected in accordance with the regulations set out in this Article.

680.20.2 Illumination - animation - prohibited

Special event directional signs shall contain no means of illumination or animation.

680.20.3 Height - maximum

Special event directional signs shall have a maximum height of 0.9 metres (3 feet).

680.20.4 Width - maximum

Special event directional signs shall have a maximum width of 0.65 metres (2.13 feet).

680.20.5 Display time/date details

Special event directional signs may only be displayed on the day(s) of the special event, and shall prominently display either the date(s) of the event or the day(s) of the week with text height being at least 5 centimetres.

680.20.6 Erection on private property - owner consent

Special event directional signs may be erected on private property with the consent of the property owner.

680.20.7 Location - on boulevard

Special event directional signs may be erected on that portion of a City street located between the curb or edge of the travelled roadway and the sidewalk, commonly known as the boulevard. Where no curbs, sidewalks or boulevards exist, such signs may be erected on the undeveloped portion of the right-of-way closest to the outer edge of the travelled roadway.

680.20.8 Location - on sidewalk - road - shoulder - prohibited

Special event directional signs may not be erected on City sidewalks or on any portion of the travelled roadway, including any paved or gravelled shoulder.

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Article 21 SUBDIVISION SIGN REGULATIONS

680.21.1 Regulations - set out

Unless otherwise provided in this Chapter, subdivision signs as required under the *Planning Act* shall only be erected in accordance with the regulations set out in this Article.

680.21.2 Location - approval required

Subdivision signs shall be located outside of the required yard setbacks of the applicable zone and outside of any corner visibility triangle, driveway visibility triangle or lot line visibility triangle. The specific sign location to be approved by the City's Manager, Development Review or designate.

680.21.3 Sign clearance - minimum

Subdivision signs shall have a minimum sign clearance of 1.5 metres (4.92 feet).

680.21.4 Height - maximum

Subdivision signs shall have a maximum height of 6.0 metres (19.68 feet).

680.21.5 Area - maximum

Subdivision signs shall have a maximum sign area of 13 square metres (139.93 square feet).

680.21.6 Graphics - information requirements

Graphics on a subdivision sign shall depict the features within the limits of the subdivision including, without limiting the generality of the foregoing, approved street layout, including emergency access roads, zoning, lotting and specific land uses, types of parks, storm water management areas, hydro corridors, trail links and walkways, potential or planned transit routes and bus stop locations, notification regarding contacts for school sites, noise attenuation measures, environmentally sensitive areas, tree protection areas, special buffer/landscaping areas, water courses, flood plain areas, railway lines and hazard areas and shall also make general reference to land uses on adjacent lands including references to any formal development applications, all to the satisfaction of the City's Manager, Development Review or designate.

680.21.7 Location - low maintenance landscaping requirement

Approved subdivision sign locations shall be conveniently accessible to the public for viewing. Low maintenance landscaping and/or suitable parking and pedestrian access may be required between the sign location and public roadway.

680.21.8 Information - current - maintained

The subdivider shall ensure that the information is current as of the date the sign is erected. Notice shall be posted on the subdivision signs advising that information may not be current and to obtain updated information, inquiries should be made at the City's Development Services Department.

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Article 23 VIDEO PROJECTION SIGNS

680.23.1 Regulations - set out

Unless otherwise provided in this Chapter video projection signs shall only be erected, or caused or permitted to be erected, in accordance with the regulations set out in this Article.

680.23.2 Location - restriction - abutting residential property

A video projection sign shall not be located within 100 metres (328 feet) of a residential property where the residential property directly abuts the same street on which the sign faces.

680.23.3 Location - distance from traffic signal

A video projection sign shall not be located within 23 metres (75.45 feet) of a traffic signal.

680.23.4 Location - distance from similar sign

A video projection sign shall not be located within 100 metres (328 feet) of another video projection sign.

680.23.5 Sign clearance - minimum

The minimum sign clearance shall be 7.5 metres (24.6 feet) above grade level.

680.23.6 Traffic hazard - permit revoked

In the event that the sign is determined to be a traffic hazard by the City and/or the Region of Waterloo staff, the City shall have the right to revoke the sign permit.

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Article 24 PERMITS

680.24.1 Permit - required - all signs

No person shall erect, display, alter or relocate any sign without first having obtained a sign permit from the City to do so.

680.24.2 Sign copy not relating to occupancy - prohibited

A sign permit shall not be issued where the sign or copy relates to a use which does not have a valid Zoning Occupancy Certificate as required by the City's Zoning By-law.

680.24.3 Exemptions - permit not required

Notwithstanding Section 680.24.1, the following signs shall not require a permit, provided that in all other respects they conform with the provisions of this Chapter:

- (a) address signs;
- (b) banners on City property in locations authorized by Council;
- (c) election signs;
- (d) construction information signs when erected on a property containing a single detached dwelling, a semi-detached dwelling or street townhouse dwelling, with or without additional dwelling unit(s);
- (e) flags;
- (f) incidental signs;
- (g) multiple unit identification, the content and location of which shall be approved by the City's Chief Fire Prevention Officer
- (h) planning application notice signs;
- (i) real estate signs;
- (j) portable signs having a maximum width of 1.0 metre and a maximum height of 1.2 metres , in the retail core and areas designated as Mixed Use Corridor in the City's Official Plan, or if located in accordance with Section 680.15.17 approved by the City during public work construction and portable signs advertising a charitable organization or charitable event;
- (k) special event directional signs)
- (l) window signs that do not block or cover more than 50 percent of the window area on which it is placed and that are not accessory to a home business use;
- (m) posters or notices;
- (n) projecting signs on City property at locations authorized by Council;
- (o) signs in or on public transit shelters;
- (p) signs on bus stop benches;
- (q) signs on playing field fences and scoreboards at Blockline Sportsfield, Budd Park, Centennial Stadium, Jack Couch Ball Park, Bridgeport Sportsfield, Woodside Park, Meinzingher Park, SW Optimist Sports fields, Fisher Park, Heritage Greens Lawn Bowling Club, Lions Sports fields, Breithaupt Park and Peter Hallman Ball Yard;
- (r) telecommunication tower and antenna signs.

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680.24.4 Fees - set by Council

Unless otherwise specified, there shall be a fee payable for any permit required by this Chapter, which shall be in an amount as prescribed by Council from time to time.

680.24.5 Revocation - error - nonconformance - conditions

The City may revoke a sign permit at any time if it is determined by the City that:

- (a) the sign permit has been issued in error by the City of Kitchener;
- (b) the sign does not conform to this Chapter, the Ontario Building Code, Ontario Regulation 332/12 or any other applicable regulation or legislation; or
- (c) the sign permit has been issued as a result of false, mistaken, or incorrect, information shown on the sign permit application;
- (d) if, after six months after its issuance, the construction of the sign has not been seriously commenced, or
- (e) if the holder requests in writing that it be revoked.

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Article 25 INSPECTIONS

680.25.1 Notice to City - prior to installation

A person to whom a sign permit is issued shall notify the City prior to installation of any sign to arrange an inspection.

680.25.2 Notice - two business days in advance of inspection

A person to whom the sign permit has been issued shall give notification requesting an inspection at least two business days in advance of the required inspection time.

680.25.3 Inspection - at all reasonable times - by City

The City may, at all reasonable times, inspect a sign in accordance with the provisions of this Chapter. By-law 2011-099, 27 June, 2011.

680.25.4 Right of entry for inspection - exception

An employee of the City reporting to the City Planner or designate, or an officer, may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not this Chapter is being complied with. Entry to any place actually been used as a dwelling unit shall be subject to the requirements of the Municipal Act, 2001.

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Article 26 VARIANCES

- 680.26.1** Upon application and payment of the prescribed fee determined from time to time by Council, the City's Director of Planning or designate may grant variances from the requirements of this Chapter if the variance request is considered minor, upon such terms as are reasonable, where there are no objections from the community.
- 680.26.2** Written notice shall be provided to all property owners within:
(a) 60 metres for a sign by-law variance, or
(b) 120 metres for a sign by-law amendment, with the opportunity to comment. Notice of the request shall also be posted on the City's website."
- 680.26.3** Planning staff will circulate the request and receive input from City Divisions deemed to have an interest.
- 680.26.4** In the case of any objections from the community, staff shall attempt to address the concerns or seek a compromise. If the community concern is not addressed successfully or if staff do not support the requested variance, community members or the applicants may appeal the matter and/or the staff decision to Council.
- 680.26.5** If in the opinion of the delegated authority, a variance request is deemed worthy of consideration but not minor, the application will be processed as a by-law amendment that will be presented to Council for its consideration. Council decisions on amendment requests would be final. By-law 2011-099, 27 June, 2011; By-law 2019-141, 16 December, 2019.

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Article 27 PENALTIES AND ENFORCEMENT

680.27.1 Administration - enforcement - authority

The City Planner or designate shall be responsible for the administration of this Chapter and the Director, Enforcement shall be responsible for overseeing the enforcement of this Chapter.

680.27.2 Sign - unsafe - action by Chief Building Official

If, in the opinion of the City's Chief Building Official, any sign is in such a state so as to constitute an unsafe condition, the Chief Building Official shall take immediate action pursuant to the Ontario *Building Code Act*, 1992.

680.27.3 Contravention - on - partly on City property - removal

Where a sign is erected or displayed in contravention of any provisions of this Chapter, and is located on, over, partly on or partly over any property owned by, managed by, or under the jurisdiction of the City the sign may be removed immediately and without notice.

680.27.4 Contravention - on private property - notice

Where a sign is erected or displayed on any property in the City of Kitchener in contravention of any provisions of this Chapter, an officer, the City's Director, Enforcement or any persons acting upon his/her instructions, may issue a notice by mail or personal delivery to the property owner, sign owner or any other person responsible for the erection or display of the sign at that person's last known address. The notice will require the person to remove, repair or replace the sign, or otherwise bring the sign into compliance with this Chapter. In the event of failure to comply with the notice by the date and time specified in such notice, the City may remove the sign at the expense of the sign owner, property owner, or such other person responsible for the erection or display of the sign.

680.27.5 Contravention - obstruction - traffic - visibility

Notwithstanding any other provision of this Chapter, any sign that, in the opinion of the City's Director, Enforcement; Director, Transportation Services or the Chief Building Official (or designates) constitutes an unsafe condition or obscures the visibility of normal approaching pedestrian or vehicular traffic may be removed or relocated by the City forthwith.

680.27.7 Sign - removal - disposal

Any sign removed in accordance with the provisions of this Article may be disposed of forthwith without notice to the owner of the sign or their agent and the owner shall not be entitled to compensation.

680.27.9 Cost recovery - by City

The City may recover the cost of removal, repair, transportation and/or storage of any sign not located in accordance with the provisions of this Chapter, from the owner of the property on which the sign was located, in like manner as municipal taxes, pursuant to

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the provisions of the *Municipal Act, 2001*.

680.27.10 Fine - for contravention

Every person who contravenes any provision of this Chapter is guilty of an offence and is liable, upon conviction, to a fine not exceeding Five Thousand Dollars (\$5,000), exclusive of costs, pursuant to the *Provincial Offences Act*.

680.27.11 Administrative Penalty By-law - application

Articles 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 of this Chapter are hereby designated as parts of this Chapter to which the Administrative Penalty By-law applies.

680.27.12 Administrative Penalty By-law - notice of contravention

Any person shall be liable to pay an administrative penalty and any administrative fees in accordance with the Administrative Penalty By-law, upon the issuance of a penalty notice for a contravention of this Chapter.

680.27.13 Provincial Offences Act

The Provincial Offences Act continues to apply to the provisions of this by-law in addition to the designated provisions of this by-law.

680.27.14 Non-payment

Where a person has not paid the administrative penalty within 30 days in accordance with the Administrative Penalty By-law, the City may add the administrative penalty to the tax roll for any property for which the owner or owners are responsible for paying the administrative penalty under Section 680.27.12.

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Article 28 SEVERABILITY

680.28.1 Validity

It is hereby declared that each and every of the foregoing provisions of this Chapter is severable and that if any provisions of this Chapter should, for any reason, be declared invalid by any court, it is the intention of this Council that each and every of the then remaining provisions of this Chapter shall remain in full force and effect.

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Article 29 REPEAL - ENACTMENT

680.29.1 By-law - enacting- previous

By-law 87-344, 14 December 1987; By-law 91-189, 13 May 1991; By-law 92-204, 17 August 1992; By-law 93-60, 29 March 1993; By-law 94-74, 25 April 1994; By-law 94-107, 13 June 1994; By-law 95-9, 23 January 1995; By-law 95-43, 27 March 1995; By-law 95-97, 19 June 1995; By-law 95-130, 25 September 1995; By-law 96-83, 3 June 1996; By-law 96-124, 12 August 1996; By-law 97-28, 17 February 1997; By-law 97-140, 15 September 1997; By-law 97-177, 24 November 1997; By-law 98-72, 15 June 1998; By-law 99-26, 15 February 1999; By-law 99-65, 19 April 1999; By-law 99-81, 3 May 1999; By-law 99-123, 5 July 1999; By-law 2000-133, 28 August 2000; By-law 2001-242, 10 December 2001; By-law 2002-71, 8 April 2002; By-law 2005-194, 24 October 2005; By-law 2007-170, 17 September 2007; By-law 2011-099, 27 June 2011; By-law 2012-070, 14 May, 2012; By-law 2013-094, 24 June, 2013; By-law 2015-079, 29 June 2015; By-law 2019-141, 16 December 2019; By-law 2021-075, 20 September 2021; By-law 2024-015, 22 January 2024; By-law 2024-109, 27 May 2024; By-law 2024-127, 24 June 2024.

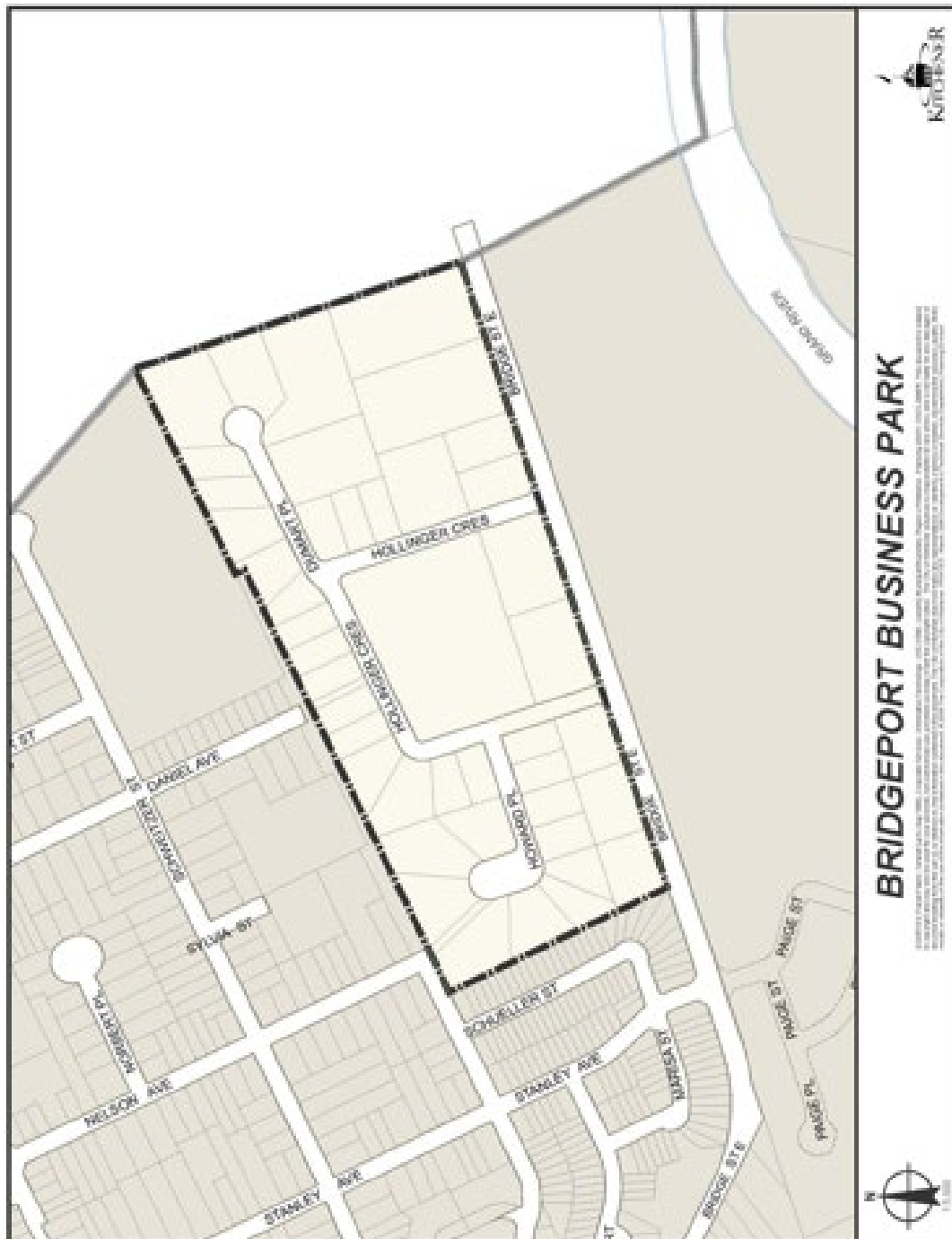
680.29.2 Effective date

This Chapter shall come into force and effect on the date of passage of the enabling by-law. By-law 2011-099, 27 June, 2011.

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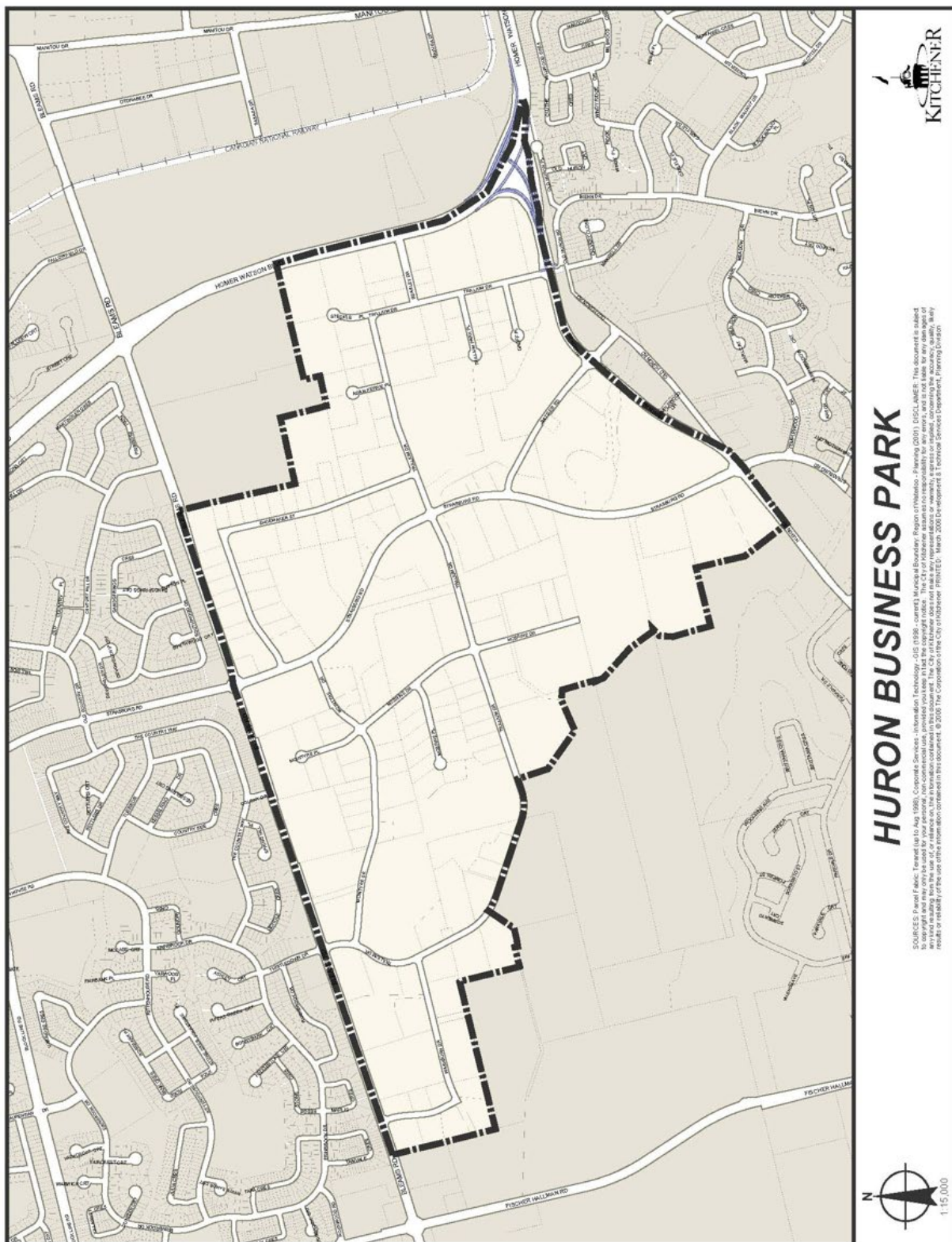
SCHEDULE

Schedule 'A' - Bridgeport Business Park



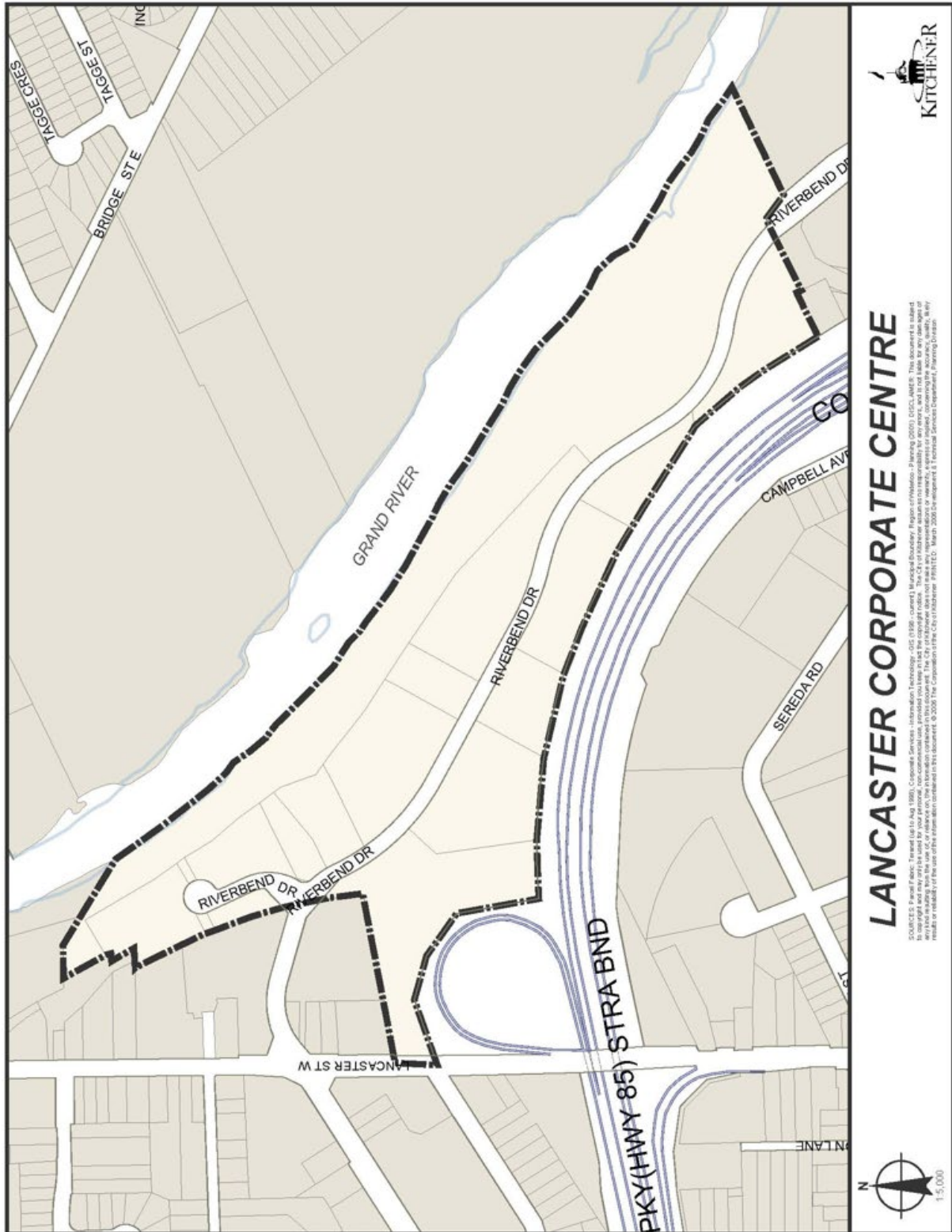
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Schedule 'A' - Huron Business Park



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Schedule 'A' - Lancaster Corporate Centre

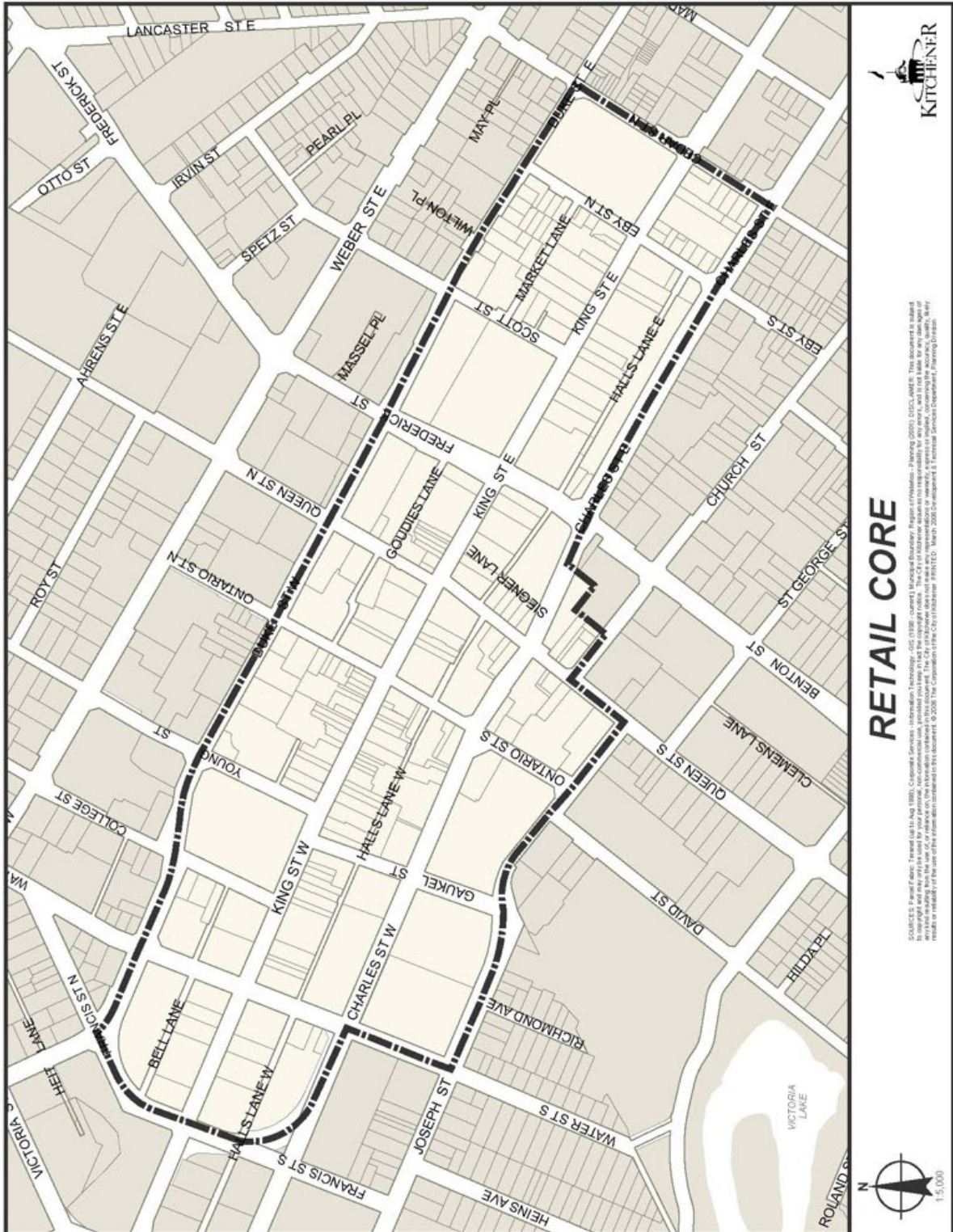


Schedule 'A' - Mackenzie King Square



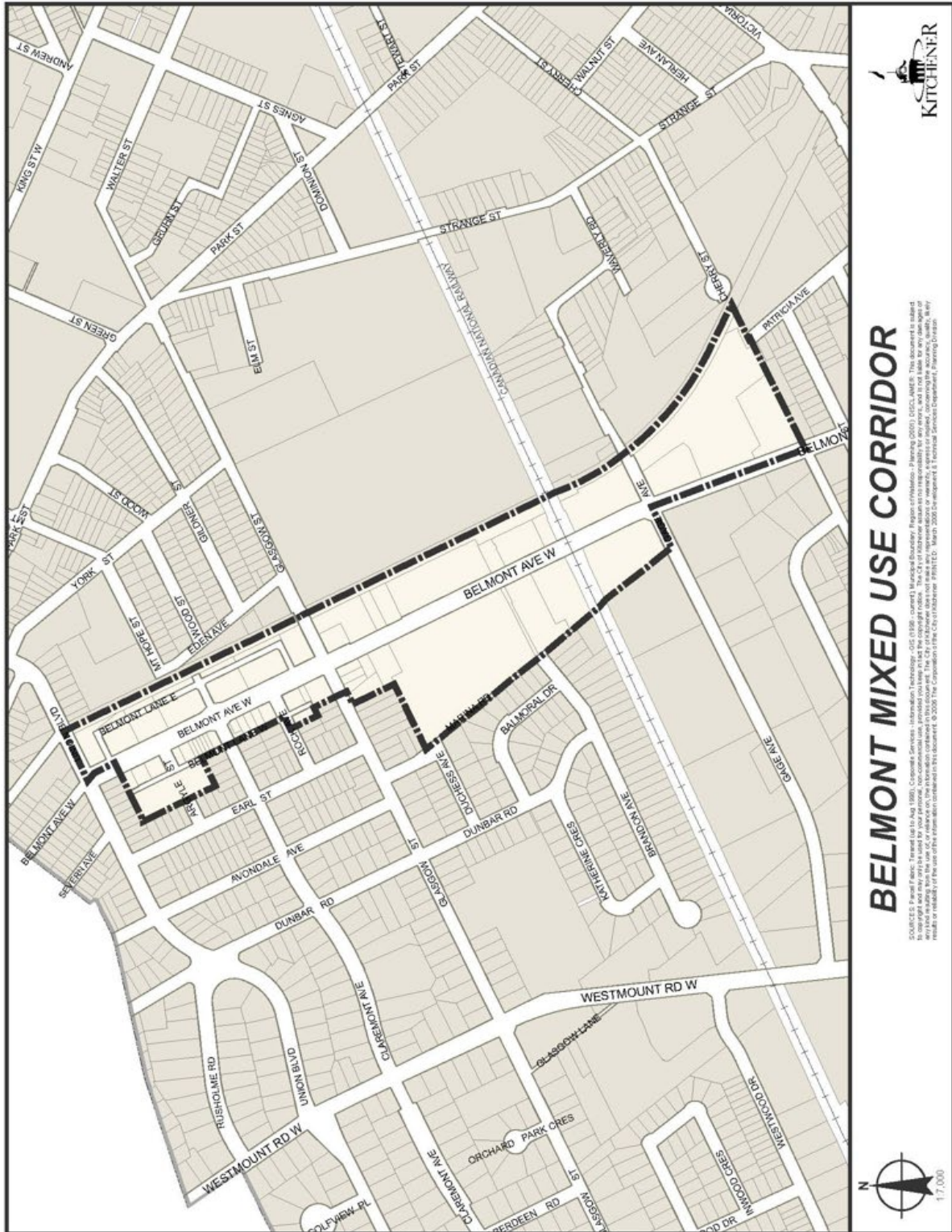
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Schedule 'A' - Retail Core



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Schedule 'B' - Belmont Mixed Use Corridor



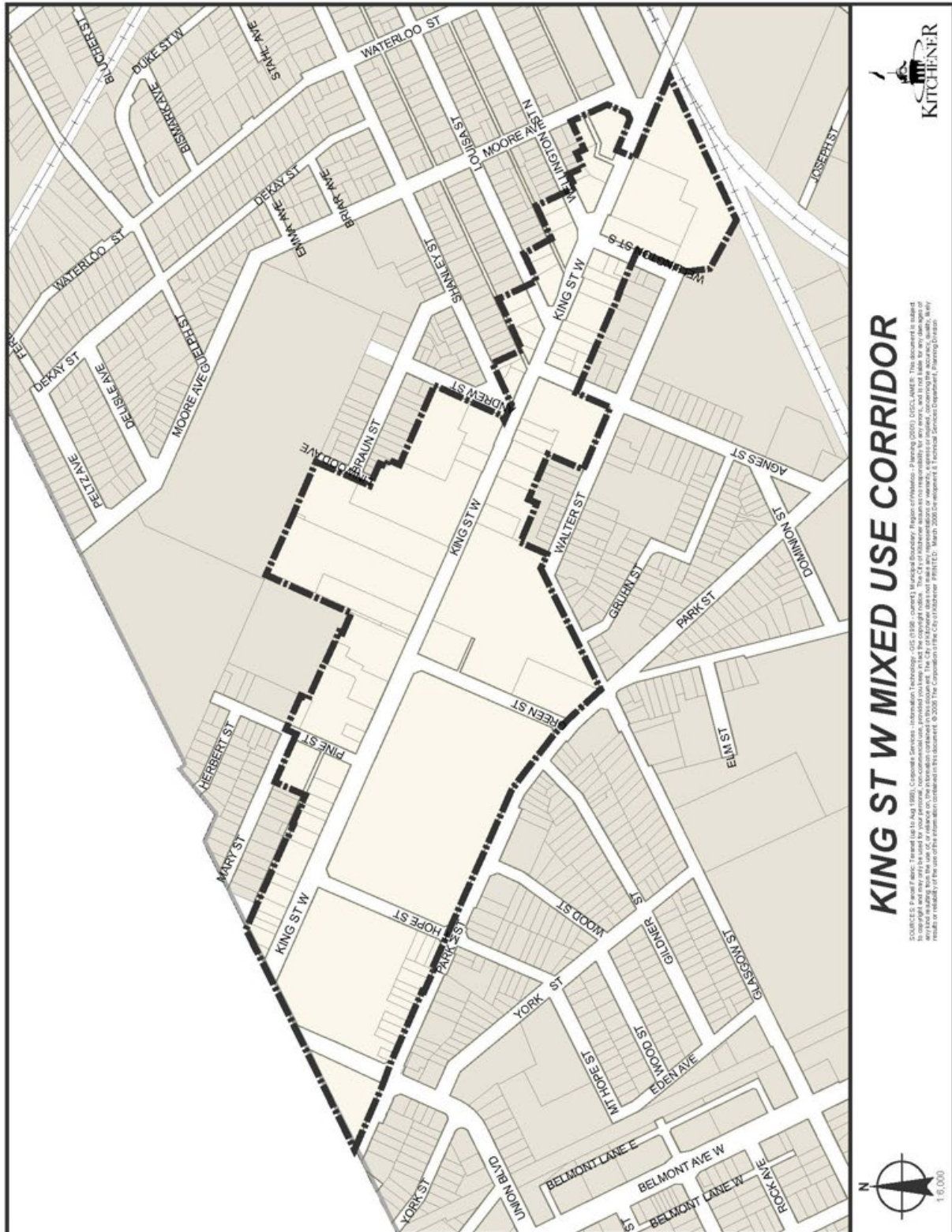
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Schedule 'B' - King St E Mixed Use Corridor



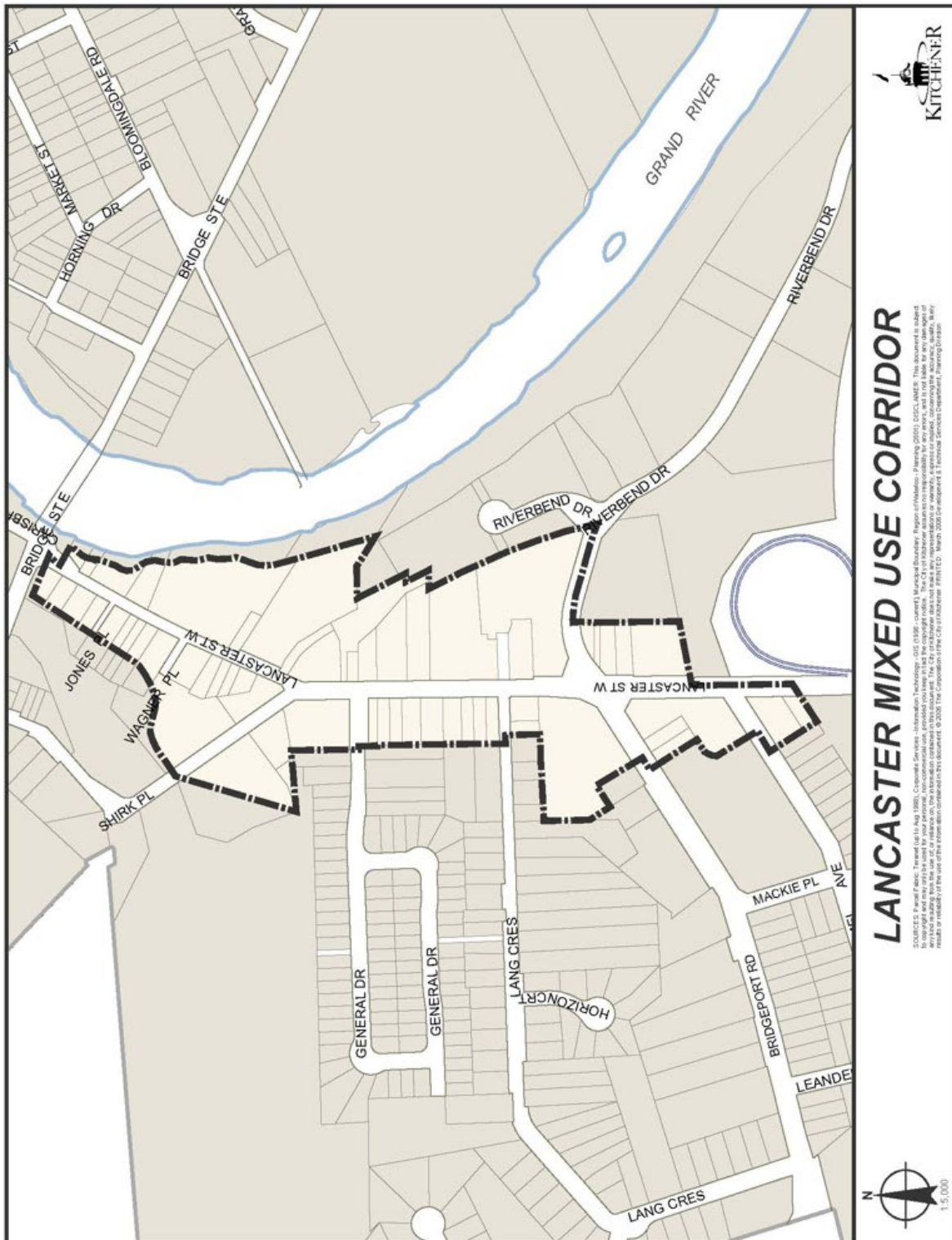
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Schedule 'B' - King St W Mixed Use Corridor



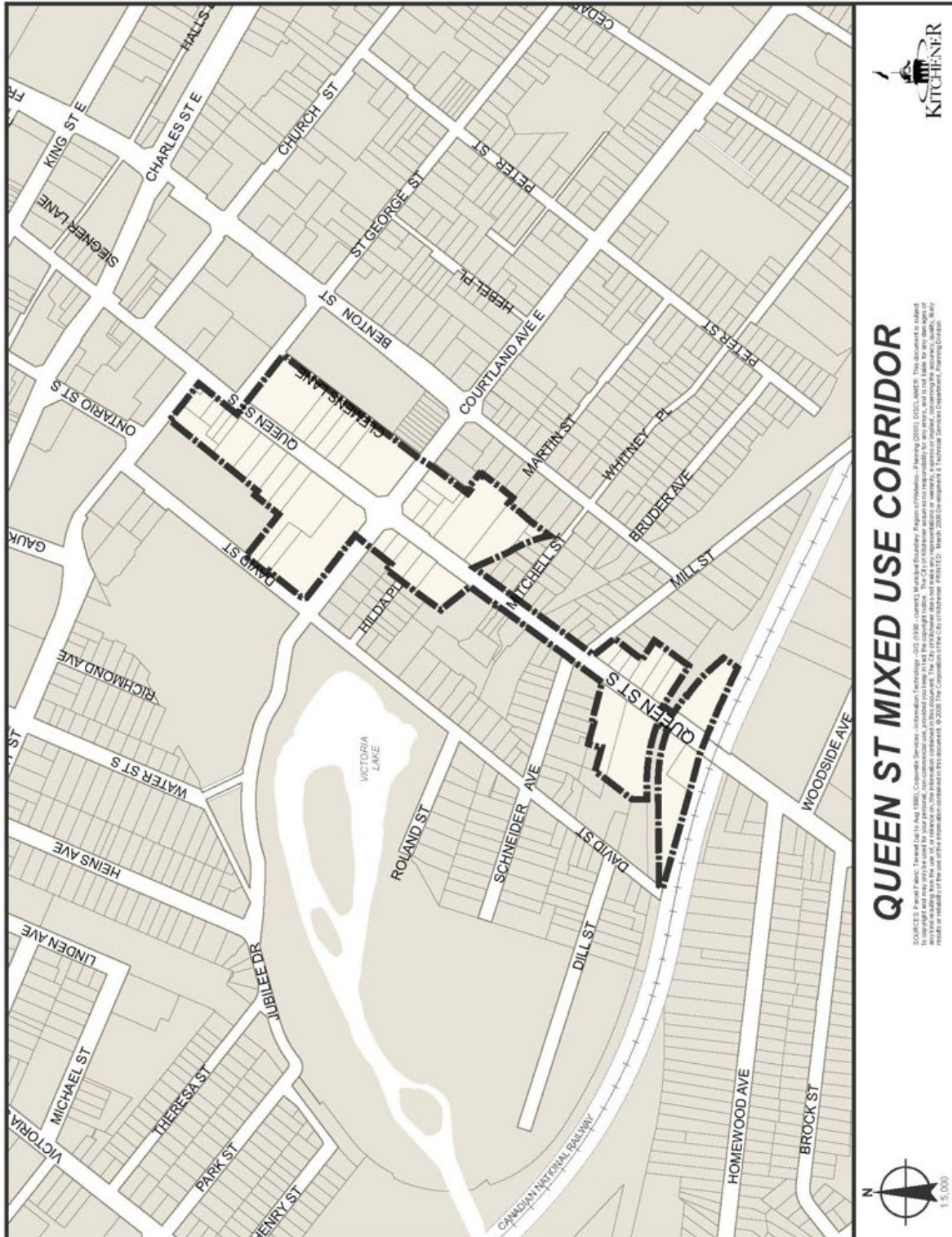
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Schedule 'B' - Lancaster Mixed Use Corridor



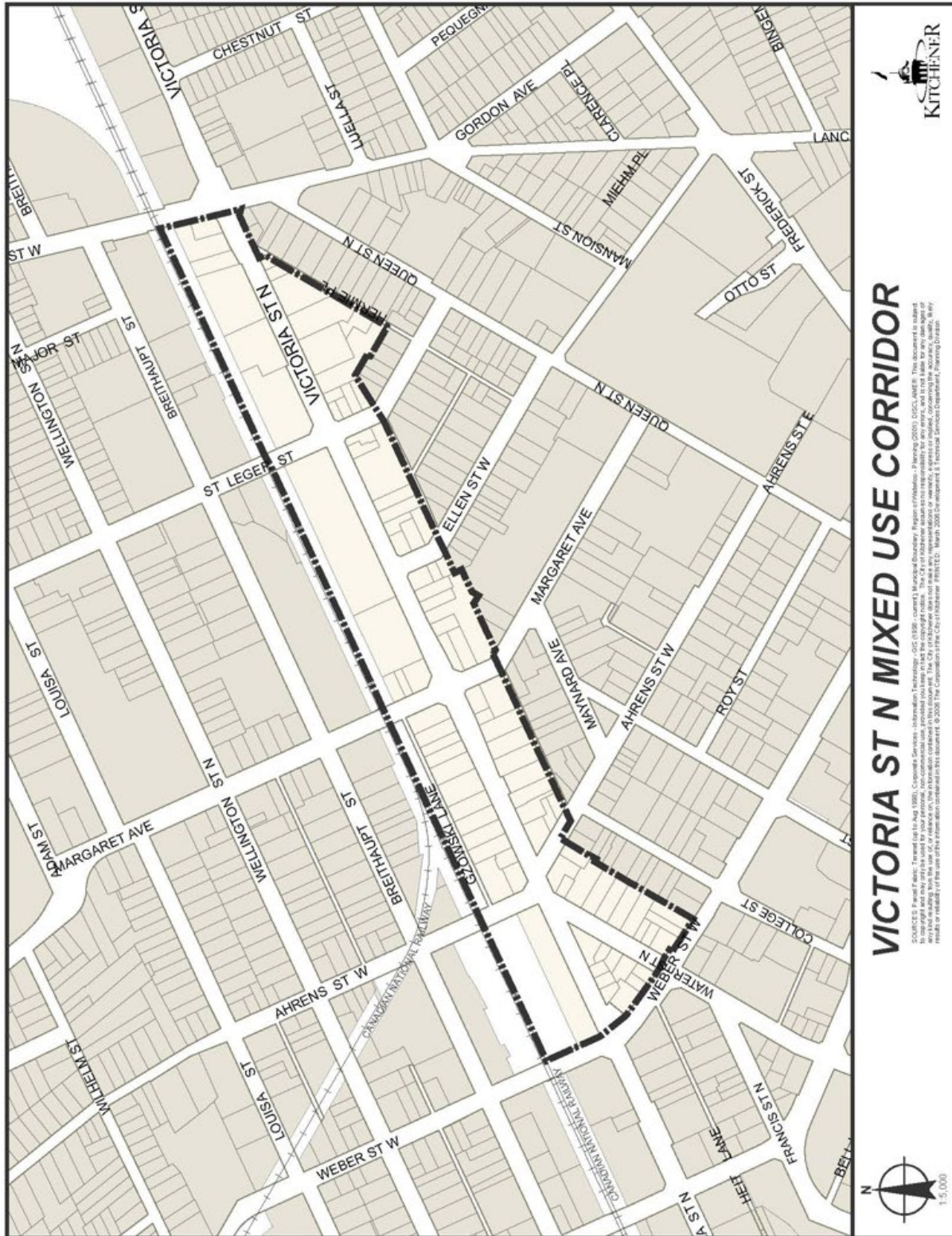
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Schedule 'B' - Queen St Mixed Use Corridor



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Schedule 'B' - Victoria St N Mixed Use Corridor



Schedule 'B' - Victoria St S Mixed Use Corridor

