

OFFICE CONSOLIDATION
FOR INFORMATION PURPOSES ONLY

THE CORPORATION OF THE TOWN OF GANANOQUE
By-Law No. 2005-041
Last amended by By-law No. 2024-022, March 19, 2024
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TOWN OF GANANOQUE
By-law No. 2005-041

**BEING A BY-LAW TO REGULATE SIGNS AND OTHER ADVERTISING DEVICES IN
THE TOWN OF GANANOQUE**

WHEREAS the *Municipal Act*, S.O. 2001, c. 25 provides in Section 99, that Councils of Local Municipalities may pass by-laws for prohibiting or regulating signs and other advertising devices and the posting of notices on buildings or vacant lots within the municipality;

AND WHEREAS The Corporation of the Town of Gananoque deems it advisable to pass this By-law, applicable to the whole of the Town.

NOW THEREFORE the Council of The Corporation of the Town of Gananoque enacts as follows:

SECTION 1.0 TITLE

1.1 SHORT TITLE

This By-law shall be known and cited as the “**Sign and Merchandise Display By-law**”.

1.2 INTENT and SCOPE

This By-law shall apply to the whole of the Town of Gananoque. The intent of the By-law is to regulate *signs* and *merchandise displays* for controlling community appearance, safety, and the impact upon areas or buildings identified in this by-law for their historical or architectural significance.

SECTION 2.0 DEFINITIONS

In this By-law:

2.1 ALTER means any change to the *sign* structure or *sign* face, with the exception of:

- a) a change in the message being displayed, but not a change in the business name;
- b) repair and maintenance, including replacement by any identical components as required by this By-law.

2.2 BANNER means a *sign* composed of lightweight material so as to allow movement which is caused by atmospheric conditions.

2.3 BILLBOARD see SIGN, NON-ACCESSORY

2.4 BUILDING CODE means the *Ontario Building Code Act*, as amended from time to time, and includes any regulations thereunder.

2.5 BY-LAW ENFORCEMENT OFFICER means the person or persons designated by *Council* to enforce the municipal by-laws for the Town of Gananoque.

2.6 CANOPY, ATTACHED means an architectural integral part of a building providing shelter from the elements, for entrances to buildings and walkways in unenclosed *shopping centres*, plazas, theatres, hotels, apartment buildings, places of entertainment and other similar building types.

2.7 CANOPY, FREE STANDING means a building or structure unenclosed on all sides, which structure may afford protection or shelter from the elements.

Town of Gananoque Consolidation By-law No. 2005-041, as amended

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- 2.8 CHIEF BUILDING OFFICIAL** means the *person* so appointed by *Council* pursuant to the provisions of the *Ontario Building Code Act*.
- 2.9 COMMERCIAL OFFICE BUILDING** means a building having more than one *storey* used for business and professional office purposes. For the purposes of this definition a partial second floor or mezzanine level shall not be considered to constitute a *storey*.
- 2.10 COMMON ENTRANCE** means an entrance to an indoor corridor, passageway or staircase serving *premises* not having *direct access*.
- 2.11 COUNCIL** means the Council for The Corporation of the Town of Gananoque.
- 2.12 DIRECT ACCESS** means access to a covered or uncovered walkway, sidewalk, parking area or other outdoor public way, but shall not include an interior corridor.
- 2.13 DIRECTIONAL SIGN** means a *sign* for the public safety or which provides directional information for the control of vehicular traffic such as an entrance or exit *sign* or a loading area, and bearing no commercial advertising. A directional *sign* may take the form of a *Ground Sign* or *Wall Sign*.
- 2.14 DOUBLE-FACED SIGN** means a *sign* having two *sign* faces, each face being of equal area and identical proportions to the other and with each face located on the *sign* structure so as to be exactly opposite each other.
- 2.15 ELECTION SIGN** means any *sign* advertising or promoting the election of candidates.
- 2.16 ELECTRONIC MESSAGE DISPLAY** means a *sign* or that part of a *sign* which is electronically controlled, and which displays information in a prearranged sequence, and on which the intensity of illumination is maintained at a constant level; which may also include time and temperature *signs*.
- 2.17 ERECT** means the placing or relocation of any *sign* or part thereof, and the posting of notices.
- 2.18 EXTERIOR WALL** means a portion of the perimeter wall of a building facing one direction.
- 2.19 FASCIA SIGN** means a single faced *sign* located in an architectural *sign* band and/or above the ground floor window in such a manner that the *sign* is parallel to the main wall of the building to which it is attached.
- 2.20 FLASHING SIGN** means an *illuminated sign*, fixed or rotating upon which the source of illumination is not stationary or the intensity of the illumination or colour is not constant, but does not include *illuminated signs* indicating time or temperature.
- 2.21 GROUND SIGN** means any *sign* directly supported by the ground without the aid of any other building or structure, other than the *sign* structure and where the top of the *sign* is not more than 2.4 metres above the adjacent grade.
- 2.22 HEIGHT OF SIGN** means the vertical distance from the ground to the highest extremity of the *sign* including the border or frame and in the case of a *sign* without border or frame, the vertical distance from the ground to the top of letter, symbol or other part of the *sign* that is the highest.
- 2.23 HERITAGE DIRECTIONAL SIGN** shall mean a sign on a post installed and maintained by the Town in accordance with the provisions of this By-law.

- 2.24 HOME BUSINESS OCCUPATION OR PROFESSIONAL SIGN** means a *sign* identifying a permitted accessory use in a residential *zone*.
- 2.25 ILLUMINATED SIGN** means a *sign* that is lighted by an external source.
- 2.26 INDUSTRIAL SIGN** means a *sign* accessory to the permitted *industrial use*.
- 2.27 INSTITUTIONAL SIGN** means a *sign* accessory to the permitted *institutional use*.
- 2.28 LEGAL NON-CONFORMING USE** means a legal use as described in the *Planning Act*, R.S.O. 1990, c. 13, and amendments thereto, which does not comply with the provisions of any restricted area zoning by-laws of the Town of Gananoque.
- 2.29 LENGTH OF SIGN** means the distance between the border or frame of the *sign* measured horizontally and in the case of a *sign* without border or frame, it means the horizontal distance between the first and last extremities of the lettering, symbols or other parts of the *sign*.
- 2.30 LOT** means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 53 of the *Planning Act*, R.S.O. 1990, c. P 13 would not be required for its conveyance. For the purposes of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the street.
- 2.31 LOT LINE** means the division line between a utility or right-of-way and a *lot*, or the division line between two (2) *lots*.
- 2.32 LUMINOUS SIGN** means a *sign* that is backlit or lighted by an internal source.
- 2.33 MARQUEE** means an *awning* raised as a shelter from the curb to the door of a dwelling or public building.
- 2.34 MERCHANDISE DISPLAY** refers to any display of goods or merchandise for sale, offer or promotion of professional service.
- 2.35 PERSON** means an individual, association, firm, partnership or incorporated company.
- 2.36 PREMISES** means the area of a building(s) or part thereof and/or land(s) or part thereof occupied by a user, in a multiple occupancy building, each single occupancy shall be considered a separate premise.
- 2.37 PUBLIC INFORMATION SIGN** means any of the following *signs*:
- a) *Signs erected* by or under the direction of a government agency.
 - b) *Signs* designating public hospitals, schools operated by the Catholic District School Board of Eastern Ontario or the Upper Canada District School Board, Gananoque Public Library, Gananoque Community Centre, or other public government use.
 - c) *Signs* required by the municipality to inform the public of proposed planning applications (zoning amendments, official plan amendments, severances, minor variances, plans of subdivision etc.)
- 2.38 SHOPPING CENTRE** means a unified group of commercial establishments on a site designed, developed and managed as a single operating unit for which parking is provided in common off-street areas, as opposed to a business area comprising of unrelated individual commercial establishments.

- 2.39 SIGHT TRIANGLE** means the area of a corner *lot* which is formed by measuring from the projected point of intersection of the two street curbs abutting the front and exterior side *lot lines* a distance of 6.0 metres along each street to two points, and the triangle area formed by the joining of those two points.
- 2.40 SIGN** means any advertising device or notice and means any visual medium including its structure and other component parts, which is used or is capable of being used to attract attention to a specific subject matter, other than itself, for identification, information, or advertising purposes.
- 2.41 SIGN AREA** means the number of square metres on the surface of a *sign* including the border and/or frame, and where there is no border shall include all the area of the surface lying within the extremities of the smallest single basic geometric form (square, rectangle, circle or triangle) which can wholly enclose the surface area of the *sign*.
- 2.42 SIGN, AWNING** means a *wall sign* supported entirely from the *exterior wall* of a building and composed of non-rigid materials except for the supporting framework.
- 2.43 SIGN, CANOPY** means a *sign erected* as an integral part of an *attached canopy* or a *free-standing canopy*.
- 2.44 SIGN, INTERNAL** means a *sign* visible to *persons* only when they are located on the *premises* on which the *sign* is situated.
- 2.45 SIGN, PORTABLE** means any *sign* not securely anchored to the ground or to a building or which because of its design may be moved and shall include a *sign* located on a vehicle, other than a *sign* printed or painted on the side identifying ownership of a commercial vehicle, if such *sign* identifies, advertises or gives information in respect to a *premises* or a part thereof. For the purposes of this by-law, *signs* commonly known as Trailer or Mobile *Signs*, "A" *Signs*, and Inflatable *Signs* shall be *portable signs*.
- 2.46 SIGN, PROJECTING** means a *sign* which is affixed to a building, wall or structure and which projects therefrom for a distance greater than 0.6 metres, but does not include an *Awning Sign*.
- 2.47 SIGN, PYLON** means a *ground sign* supported on a central column or two columns, on which the advertising portion of the *sign* is more than 2.4 metres above the ground and may include an Electronic Message Display.
- 2.48 SIGN, READOGRAPH** means a *sign* constructed so that the message located thereon may be easily rearranged or changed.
- 2.49 SIGN, REVERSED GRAPHICS** means an internally *illuminated sign* having translucent or transparent advertising copy on an opaque background where the background is similar in colour to the wall or *canopy* to which the *sign* is attached.
- 2.50 SIGN, ROOF** means a *sign* supported by the roof of a building or a *sign* supported by a portion of a building or structure projecting above the surface of the roof.
- 2.51 SIGN, SOFFIT** means a *sign* supported by the underside of a projecting *canopy* or soffit.
- 2.52 SIGN, NON-ACCESSORY (THIRD PARTY SIGNS)** means a *sign* related to a business, enterprise, or other activity not conducted within the building or upon the *premises* on which the *sign* is *erected*.

- 2.53 SIGN, WALL** means a *sign* which is *erected* against the wall of any building, the display area of which is parallel to the face of and supported by such wall and which does not project more than 0.5 metres from such wall. For the purpose of this by-law, an *Awning Sign* is deemed to be a *Wall Sign*.
- 2.54 SIGN, WINDOW** means any *sign*, located on the interior of a building, which is intended to be seen from off the property on which the building is located and which is constructed in such a manner as intended to be of a permanent nature, but shall not include *illuminated signs* commonly used to advertise products sold on the *premises* provided such *sign* does not exceed 0.50 sq.m in *sign area*.
- 2.55 STOREY** means the portion of a building other than the cellar, basement or unfinished attic, which lies between the surface of the floor and the surface of the next floor above, and if there is no floor above it, then the surface next above it, provided its *height* is not less than 2.3 m.
- 2.56 USE, AGRICULTURAL** means any general farming or agricultural use which is not obnoxious to the public welfare, including animal hospitals, apiaries, aviaries, berry or bush crops, animal husbandry, dog kennels, or the breeding, boarding, or the sale of dogs or cats, field crops, forestry station, goat or cattle dairies, mushroom farms, orchards, riding stables or academies, the raising of sheep or goats, the raising of swine, tree and shrub farms, and such uses or enterprises as are customarily carried out on in the field of general agricultural.
- 2.57 USE, CATEGORY** means an *Agricultural Use, Commercial Use, Industrial Use, Institutional Use, Residential Use, or Recreational Use* as defined in this By-law.
- 2.58 USE, COMMERCIAL** means the use of any land, buildings, or structures, for the purposes of buying and selling of commodities or supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing and construction.
- 2.59 USE, INDUSTRIAL** means the use of any land, buildings, or structures for the purposes of warehousing, manufacturing, processing or assembly of goods or materials to a finished product or byproduct, including the storage of such goods or materials.
- 2.60 USE, INSTITUTIONAL** means the use of any land, buildings or structures for the purposes of any institution owned and operated by a religious, educational or charitable institution.
- 2.61 USE, RECREATIONAL** means the use of any land, buildings or structures for the purposes of parks, playgrounds, tennis courts, lawn bowling greens, curling and skating rinks, athletic fields, picnic areas, swimming pools, day camps, community centres, snow skiing, walking trails, golf courses, miniature golf courses, golf driving ranges, and other similar uses.
- 2.62 USE, RESIDENTIAL** means the use of any land, buildings, or structures for the purposes of human habitation and includes accessory home occupation uses permitted by the Zoning By-law.
- 2.63 ZONE** means a designated area of land use shown on the schedules to The Corporation of the Town of Gananoque Comprehensive Zoning By-law No. 1991-037, as amended.

SECTION 3.0 ADMINISTRATION OF THE BY-LAW

This By-law shall be administered by the *By-law Enforcement Officer* and enforced by the By-law Enforcement Section of the Building Inspection Department.

3.1 PERMITS REQUIRED

Except for the *signs* referred to in Sections 4 no *person* shall *erect*, display, repair or *alter* a *sign* unless a permit is obtained therefore.

3.2 RESPONSIBILITIES REGARDING THE APPLICATION FOR PERMIT

No *person* shall make application for a *sign* permit who is not the owner or lessee, or the authorized agent of the owner or lessee of the property on which the work is to be performed. No *person* shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a *sign* permit, detail of construction, or revision thereto.

3.3 APPLICATION FOR PERMIT

The applicant for a *sign* permit shall:

- a) submit an application on a prescribed form furnished for that purpose;
- b) submit scale drawings and specifications of sufficient detail and quality as is necessary to ascertain whether or not the *sign* and its structure will be in compliance with this by-law and the Ontario *Building Code*; and the plans shall show the location of the proposed *sign* on the *lot*;
- c) submit the approval of other authorities having jurisdiction.

3.4 CONFORMITY WITH THE BY-LAW AND THE APPROVED PLANS

It shall be the responsibility of the owner, or lessee, or an authorized agent to comply with this by-law and the approved plans and specifications.

3.5 EXPIRATION OF PERMIT

Every permit issued by The Town of Gananoque, shall expire six (6) months from the date of issuance unless diligently acted upon, and shall become null and void upon the removal of the *sign*.

3.6 RENEWAL OF PERMIT

Where before the expiry date of a permit, an application is made to extend this permit for a further six (6) months, the Town may renew the permit after payment of the prescribed fee and where the *sign* proposed conforms to the standards prescribed in the by-law in effect at the time of the application.

3.7 REVOCATION OF PERMIT

A permit may be revoked by the Town of Gananoque under the following circumstances:

- a) where the *sign* does not conform to this By-law;
- b) where the *sign* does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the *sign* is situated;
- c) where the permit has been issued as the result of false or misleading statements, or undertakings, in the application;
- d) where the permit has been issued in error.

3.8 FEES

The following fees shall be paid to the Town of Gananoque at the time of application for a *sign* permit:

- a) All *signs* except *Portable Signs* \$10.00 for each metre squared or part thereof plus \$15.00 for the application.
- b) *Portable Signs* – Mobile \$75.00 for each occasion not to exceed sixty (60) days Maximum two (2) non-consecutive occasions per year.
- c) *Portable Signs* – “A”-Frames / Sandwich Board – New application or renewal after April 30th - \$50.00 for one year (expiry April 30th).
- d) Annual renewal of a previously approved sandwich board *sign* - \$25.00 (on or before April 30th).
- e) Application fee where installation of a *sign* has been carried out without a permit - Application fee plus 30% of application fee or \$60.00 (whichever is greater).
- f) Refunds – Permit application fees are not refundable.
- g) Application for minor variance to the provisions of this by-law - \$50.00.
- h) Heritage Directional Sign - \$500.00
- i) Annual Maintenance fees for heritage directional signs - \$25.00

The above fees are subject to review and changes by amendment to this By-law.

3.9 REMOVAL OF ILLEGAL SIGNS

- a) When a *sign* is *erected* or displayed in contravention of the provision of this by-law, such *sign* may be removed immediately without notice, if located on, over, partly on, or partly over, property owned by or under the jurisdiction of the Town of Gananoque.
- b) If such *sign* is located on property other than property owned by or under the jurisdiction of the Town of Gananoque, the Town may deliver a notice by personal service or registered mail, to the Lessee or owner of the *sign*, or their agents, or to the *person* or agent having the use or major benefit of the *sign*, requiring that the *sign* be permanently removed within the time specified in the notice and thereafter not replaced with any *sign* in contravention of this By-law.
- c) If the notice is not complied with, the Town of Gananoque may require that the municipality, its employees, or an independent contractor enter upon the land and remove such *sign* at the expense of the owner of the *sign*.
- d) *Signs* so removed shall be stored by the municipality for a period of not more than thirty (30) days, during which time the owner or his agent may be entitled to redeem such *sign* upon receipt by the Treasurer of the amount calculated by the Town of Gananoque as the cost of removing and storing the *sign*.
- e) Where a *sign* has been removed by the municipality and stored for a period of thirty (30) days and has not been redeemed, such *sign* may be forthwith destroyed or otherwise disposed of by the Municipality.
- f) Notwithstanding any other provision in this by-law, where a *portable*, or moveable *sign* is placed on municipal property without approval, the Town may remove the *sign* without notice at the expense of the owner of the *sign*.

3.10 APPEAL

- a) A decision of the issuing officer may be appealed to *Council*.
 - i) *Council* may upon application of any *person*, authorize minor variances from the provisions of the by-law, if in the opinion of the committee the general intent and purpose of the By-law are maintained.
 - ii) An application for minor variance to the *Sign* and *Merchandise display* by-law shall be circulated to the Planning Advisory Committee in order to obtain a recommendation with respect to the application.
 - iii) The Planning Advisory Committee shall have 14 business days in which to provide their comments with respect to the application for minor variance.
 - iv) An application for minor variance shall be reviewed by *Council* within 21 business days of the receipt of a complete application.

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- v) In the event that there is not a majority vote, of the members present at an appeal hearing, to authorize the application, the application shall be denied.

3.11 PENALTY

Every *person* who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.00, pursuant to the *Provincial Offences Act*, R.S.O. 1990, C.P. 33.

3.12 VALIDITY

In the event any part or provision of this By-law is held to be illegal or void, it shall be considered separate and severable from the remaining provisions of this By-law, which shall remain in force and be binding.

3.13 CONFLICT WITH OTHER BY-LAWS

Where there is a conflict or a contradiction between this By-law and any other by-law of the Town of Gananoque, the provisions of this By-law shall prevail.

3.14 PRECEDING BY-LAWS

By-law 95-35 as amended, of the Town of Gananoque is hereby repealed.
By-law 2004-63 as amended, is hereby amended by deleting the words

“Fees for application to obtain a sign permit shall be as follows:

Portable signs (30 days)	\$25
Roof signs (under 100 sq. ft.)	\$25
Roof signs (100 sq. ft. and over)	\$50
Ground signs (under 25 sq. ft.)	\$10
Ground signs (25 sq ft. and over but under 50 sq. ft.)	\$15
Ground signs (50 sq. ft. and over but under 100 sq. ft.)	\$35
Ground signs (100 sq. ft. and over)	\$100
Wall signs (under 25 sq. ft.)	\$10
Canopy and awnings	\$35
Fees to examine signs under 50 sq. ft.	\$5
Fees to examine signs over 50 sq. ft.	\$10”

and replacing them with the following: “Refer to By-law No. 2005-041, “**Sign and Merchandise Display By-law**”

SECTION 4.0 SIGNS PERMITTED FOR ALL USE CATEGORIES

4.1 Notwithstanding Sections 6 to 15 inclusive of this By-law, the following *signs* shall be permitted for all use categories in the Town of Gananoque and shall be exempted from the requirements of a permit. However, such *signs* shall comply with the provisions specified herein.

- a) "No Trespassing" *signs* or other such *signs* regulating the use of a property, of no more than 0.50 sq.m in *sign area*.
- b) Real Estate *signs* not exceeding 1.0 sq.m in *sign area* for *residential uses* and 2.0 sq.m in *sign area* for all other use categories, which advertise the sale, rental, or lease of the *premises* or *lot* upon which said *signs* are located. Such real estate *signs* shall be removed within seven (7) days after the date of closing of the *premises*. A maximum of one (1) *sign* shall be permitted per listing company per *lot*, per business *frontage*.
- c) *Directional signs* not exceeding 0.5 sq.m in *sign area*.
- d) Memorial *signs* or tablets and *signs* denoting the date of erection of buildings, attached to the wall of a building or structure.
- e) Flags bearing the crest or insignia of any corporation, government agency or religious, charitable, or fraternal organization to a maximum number of three (3) such flags per *lot*.
- f) Public election lists, public *election signs*, and candidate *signs* subject to the following:

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- i) No *election signs* shall exceed a maximum *sign area* of 5.0 sq.m. except that a commercially available *billboard* may be used to display an *election sign* subject to the time restrictions noted below.
- ii) Such *signs* shall not be *erected* more than six (6) weeks prior to the date of the election and shall be removed within seven (7) days after the election.
- iii) No *election sign* shall be permitted on any road allowances or municipal property under the jurisdiction of The Corporation of The Town of Gananoque.
- iv) All *signs* shall be setback in accordance with this By-law.
- v) All *signs* in contravention of this By-law shall be removed pursuant to the authority set out in of the *Municipal Act*, S.O. 2001, c. 25, paragraph 3 of Section 99.
- g) *Public Information signs* as defined in Section 2.
- h) Temporary *Signs* advertising festivals and community events operated by a church or other charitable organization, subject to the following:
 - i) Temporary *signs* shall have a maximum *sign area* of 3.7 sq.m with a maximum of three (3) *signs* per event, and with a maximum of one (1) *sign* per *lot*.
 - ii) Temporary *signs* shall be setback in accordance with this by-law. Such *signs* may be located within a road allowance providing written approval is received from the appropriate authority having jurisdiction.
 - iii) Such *signs* shall be permitted to be displayed for a maximum of fourteen (14) days prior to and shall be removed immediately after the event.
- i) *Signs* not exceeding 0.5 sq.m in *sign area* indicating the municipal address of a building.
- j) *Internal signs* as defined in Section 2.
- k) Portable Signs (A-Frame/Sandwich Board) for the local Chamber of Commerce and defined Farmers' Market during operations.

SECTION 5.0 PROHIBITED SIGNS

- 5.1** No *person* shall *erect*, install, post, display, maintain or keep on a *premises* any of the following types of *signs*:
- a) *Signs* which incorporate in any manner any flashing or moving illumination which varies in intensity or which varies in colour, and *signs* which have any visible moving parts, visible mechanical movement of any description, or other apparent movement achieved by electrical pulsations or by actions of normal wind current other than time or temperature.
 - b) *Signs* which by reason of size, location, content, colouring, or manner of illumination obstruct the vision of drivers or pedestrians, or obstruct or detract from the visibility or effectiveness of any traffic *sign* or control device on public streets and roads or which are located in a *sight triangle*.
 - c) *Signs* which make use of words such as "Stop", "Look", "One Way", "Danger", "Yield", or any similar words, phrases, symbols, lights, or characters in such manner as to tend to interfere with, mislead, or confuse traffic and which are not *erected* by a Public Authority.
 - d) *Signs* located so as to obstruct or impede any required fire escape, fire exit, walkway, passageway, door, window, skylight, flue or air intake or exhaust or so as to prevent or impede free access of firefighters to any part of the building.
 - e) *Signs* on or over public property or public right of way, unless *erected* and approved in writing by a government agency having jurisdiction.
 - f) *Signs* painted on, attached to, or supported by a tree, stone, or other natural object or wooden utility pole.
 - g) *Signs* painted on the *exterior walls* of any building, except as approved by the committee of adjustment.
 - h) *Roof Signs* and *signs erected* in part or entirely above the surface of the roof of a building or structure.
 - i) *Ground Sign* in excess of 2.40 m in *height* within 15m. of a traffic light.
 - j) *Signs* attached to a projecting or freestanding *canopy* except *canopy signs* and *soffit signs*.

Town of Gananoque Consolidation By-law No. 2005-041, as amended

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- k) *Signs* advertising a business not legally entitled to operate within the Town of Gananoque.
- l) Any obsolete *sign* which no longer advertises a business conducted, or a product sold at the *sign* location. Such obsolete *signs* shall be removed within 30 days of the closing of the business.
- m) *Signs* not related to any business *premises* located on the *lot*.
- n) *Signs* which obstruct a required parking space or utilize such parking space for purposes of locating a *sign*.

SECTION 6.0 GENERAL PROVISIONS FOR ALL SIGNS

The following provisions shall apply in all use categories:

6.1 LIMIT ON NUMBER OF SIGNS

Except as may otherwise be permitted in this By-law, the maximum number of *signs* that may be *erected* shall be:

- a) One (1) fascia or one (1) ground sign per business per business frontage, and;
- b) One (1) only of the following *sign* types per *exterior wall* per business *premises*:
 - i) *Wall sign*,
 - ii) *Canopy sign*,
 - iii) *Soffit sign*,
 - iv) *Window sign*,
 - v) *Reversed graphics sign*, or
 - vi) *A projecting sign*
- c) One (1) electronic message display may be erected per lot;
- d) Notwithstanding the above,
 - i) One (1) additional *ground sign* may be *erected* for a *lot* having a street frontage greater than 125 m.
 - ii) Where a *lot* abuts two or more streets an additional *sign* may be *erected* on the second street frontage provided that said street has a minimum frontage of 15.0 m.

6.2 COMPLIANCE WITH SITE DEVELOPMENT AGREEMENTS

- a) Where a site plan approved by the Town provides standards for *signs* and the *signs* for the development comply therewith, such *signs* shall be deemed to comply with this By-law.
- b) A variance to a *sign* regulated by an approved site plan shall be considered as an amendment to the site plan and the appropriate application shall be made to the Planning Department.

6.3 COMPLIANCE WITH ZONING BY-LAWS

No *person* shall *erect* or maintain a *sign* upon a parcel of land or building unless it is accessory to a use that is lawfully being operated on such land.

6.4 MIXED USES

Where a building or part of a building contains more than one *use category* as defined in Section 2 of this By-law, the *signs* permitted shall be in accordance with the portion of the building attributed to each *use category*.

6.5 GROUND SIGNS

The following regulations shall apply to all *ground signs*:

- a) *Ground signs* shall be set back a minimum of 1.0 m from all street *lot lines*.
- b) No *ground sign* shall exceed 5.0 m in any dimensions of the *sign* face.
- c) No more than one (1) *sign* shall be mounted to the supporting structure of any *ground sign*. Notwithstanding the foregoing, additions may be allowed to existing *ground signs* provided that additions are of the same design, material and shape as the existing *sign*.
- d) No *ground sign* shall exceed a maximum *height* of 7.5 m from the finished grade level at the base of the supporting structure of the said *sign*.

- e) *Ground signs* shall be setback a minimum of 1.5 m from any common *lot* boundary with an adjacent *lot*.
- f) A *ground sign* including any part of its structure shall not be located closer than 1.0 m to any driveway.
- g) No *ground signs* shall be *erected* where the distance between a structure and the street line is less than 4 m. One (1) *projecting sign* shall be permitted in lieu of a *ground sign* where such distance is less than 4 m.

6.6 WALL SIGNS

The following regulations shall apply to all *wall signs*:

- a) No *wall sign* shall extend above the top of the roof surface.
- b) No *wall sign*, or any part thereof, shall project more than 0.5 m from the wall upon which it is mounted.
- c) No portion of any *sign* shall be less than 2.44 m above the exterior finished grade level immediately below such *sign*.
- d) No *wall sign* shall extend beyond the extremities of the wall to which it is attached.
- e) No *wall sign* shall extend around the comers of the wall upon which it is mounted, except that when a *premises* is located at the comer of a building, a *wall sign* may extend around the corner on which it is mounted. *Signs* extending around the comer lawfully *erected* under this section shall be deemed to be two (2) *signs* for the purpose of calculating the permitted number of *signs* and permitted *sign area*.
- f) *Wall signs* shall only be located at the *storey* having *direct access* to a street, except that where a *premises* occupies all stories in a multi-*storey* building the *wall sign* may be *erected* on the next *storey* immediately above the *storey* having *direct access* to the street.

6.7 CANOPY SIGNS

The following regulations shall apply to all *canopy signs*:

- a) A *canopy sign* shall be designed as an integral part of the *canopy fascia*.
- b) No *canopy sign* shall extend beyond the limits of the *canopy fascia*.
- c) No portion of any *sign* shall be less than 2.44 m above the exterior finished grade level immediately below such *sign*.
- d) No *canopy sign* shall extend around the comers of the *canopy* upon which it is mounted, except that when a *premises* is located at the comer of a building, a *canopy sign* may extend round the corner on which it is mounted. *Signs* extending around the corner lawfully *erected* under this section shall be deemed to be two (2) *signs* for the purpose of calculating the permitted number of *signs* and permitted *sign area*.
- e) *Canopy signs* shall only be located on the *storey* having *direct access* to a street.

6.8 SOFFIT SIGNS

The following regulations shall apply to all *soffit signs*:

- a) No portion of any *soffit sign* shall be less than 2.44 m above the finished grade or floor level immediately below such *sign*.
- b) No *soffit sign* shall be located above the first *storey* of any building.
- c) No *soffit sign* shall be closer than 0.2 m from the outer edge of the *canopy* upon which it is suspended.
- d) No *soffit sign* shall have a vertical dimension greater than 0.4 m or have a horizontal dimension greater than 1.9m.
- e) No *soffit sign* shall exceed 0.6 sq.m in *sign area*.

6.9 PROJECTING SIGNS

The following regulations shall apply to all *projecting signs*:

- a) No portion of a *projecting sign* shall be less than 2.44 m above the finished grade or floor level immediately below such *sign*.
- b) No *projecting sign* shall exceed 1.0 sq.m in area per *sign face*.

- c) No *projecting sign* shall be illuminated internally.
- d) A *projecting sign* shall not be constructed as a free swinging *sign*.
- e) No *projecting sign* shall project more than 1.0m from the wall of any building to which the *sign* is attached.

6.10 WINDOW SIGNS

The following regulations shall apply to all *window signs*:

- a) The maximum *sign area* of any *window sign* shall not exceed 25% of the area of the window in which the *sign* is located.

6.11 READOGRAPH SIGNS

The following regulations shall apply to all *readograph signs*:

- a) *Readograph signs* shall be designed as an integral part of a *ground sign* or *wall sign*.
- b) No *readograph sign* shall be located in the Special Sign Zone; or within 15 metres of a traffic signal; or within 5.0 metres of a road or driving lane in any other part of the Town of Gananoque.

6.12 REVERSED GRAPHICS SIGN

The following regulations shall apply to all reversed graphic *signs*:

- a) Where *reversed graphics* are used on a *wall sign* or *canopy sign*, the *sign area* shall be the smallest triangle, rectangle, square, circle, semicircle or other common geometric form which can wholly enclose the advertising copy of the *sign*. Notwithstanding the foregoing, the maximum permitted *sign area* for a reversed graphic *wall* or *canopy sign* shall not be more than 50% in excess of that which would be permitted for any ordinary *wall* or *canopy sign*.

6.13 HERITAGE DIRECTIONAL SIGNS

The following regulations shall apply to all *heritage directional signs*:

- a) The cost of a *heritage directional sign* shall be in accordance with Section 3.8 of this by-law.
- b) The Town shall administer the application process for *heritage directional signs*.
- c) Signs shall be allocated to individual businesses on a first come first served basis.
- d) No individual business shall have more than one *heritage directional sign* on any individual post, and no more than two within the Town of Gananoque.
- e) Business shall be located no more than 1 kilometer from any *heritage directional sign* advertising the business.
- f) The maximum number of *heritage directional signs* per post shall be 12, with no more than 6 pointing in any one direction.
- g) The minimum height of a *heritage directional sign* above the adjacent grade shall be 2.5 metres (8ft 2in).
- h) The individual business shall be considered an accommodation, food or attraction serving the transient public for a Heritage Directional Sign. Franchise establishments will not be permitted.
The exact locations shall be determined by the department of Public Works.
- i) The minimum number of heritage directional signs required for any post to be installed shall be 5. Posts may be considered with fewer signs, provided the cost of the installation is entirely covered by the users of the post. Where the cost per user is reduced because additional signs are installed at an established location, and the cost for the system is fully covered, prorated refunds may be provided to the original users of the system.
- j) Heritage directional signs shall be removed upon the advertised business cease of operation.

6.14 SPONSORSHIP SIGNAGE AT MUNICIPAL RECREATION FACILITIES

Includes: 600 King Street East (all elements such as GBM Canada 150 Outdoor Rink, BMX Track, etc.), 30 King Street (ballfield facility), 145 River Street (dog park) and other municipal facilities with recreational fields.

Notwithstanding Section 5.0 m) signs not related to any business premises located on a lot is permitted provided:

- a) Sponsorship signs are mounted within the complex where the sign is facing inward towards a recreational ballfield/rink/facility or alternate location approved by the Parks and Recreation Department.
- b) The Sponsorship non-advertising side shall be a solid white colour.
- c) The above noted sponsorship signs do not require a building permit.

6.15 SPONSORSHIP SIGNAGE AT MUNICIPAL ARENA

Located at: 21 Bay Road (building exterior).

Notwithstanding Section 5.0 m) signs not related to any business premises located on a lot is permitted provided:

- a) Sponsorship signs are mounted on the exterior of the building of the Municipal Marina.
- b) Sign specifications are to be provided by the Town
- c) The above noted sponsorship signs do not require a building permit.

SECTION 7.0 SIGNS PERMITTED FOR RESIDENTIAL BUILDINGS

Subject to the requirements in Section 6 General Provisions For All Signs, no *person* shall *erect*, display, maintain any *sign* on a *lot* or building used for residential purposes, except in accordance with the following:

7.1 SINGLE FAMILY, SEMIDETACHED, STREET TOWNHOUSE DWELLINGS

- a) A *sign* containing the name, address and profession of a resident or occupant, not more than 0.4 sq.m in *sign area* and shall not include any commercial advertising.

7.2 MULTIPLE FAMILY BUILDINGS, BLOCK TOWNHOUSES, APARTMENT BUILDINGS

- a) Only one (1) *ground sign* per *lot*, identifying a multiple family building or other permitted use, shall be permitted. Said *sign* shall not exceed a *sign height* of 2.0 m nor a *sign area* of 2.4 sq.m.
- b) In addition to the above, one (1) *wall sign* located at the ground floor level of a permitted use may also be permitted provided such *sign* does not exceed a *sign area* of 2.4 sq.m. Such *sign* shall not contain commercial advertising and shall identify only the building.

7.3 BED AND BREAKFAST / HERITAGE TOURIST INN ESTABLISHMENTS

- a) Only one (1) ground sign, projecting sign or soffit sign per lot, identifying a Bed and Breakfast or Heritage Tourist Inn, shall be permitted.
- b) A ground sign shall not exceed a sign height of 2.0m, or a sign area of 1.0sq. m.
- c) All other provisions shall comply with Section 6.5, 6.8 and 6.9.

7.4 OTHER SIGNS PERMITTED FOR RESIDENTIAL BUILDINGS

- a) Those *signs* permitted in Section 4 Signs Permitted For All Use Categories, are also permitted.

SECTION 8.0 SIGNS PERMITTED FOR COMMERCIAL AND INDUSTRIAL BUILDINGS

Subject to the requirements in Section 6 General Provisions For All Signs and Section 11 Special Sign District, no *person* shall *erect*, display or maintain any *sign* on a *lot* or building used for commercial or industrial purposes except in accordance with the following:

8.1 GROUND SIGNS

Except as otherwise permitted in Section 8.7 and 8.8, no *ground sign* shall be larger than 8.0 sq.m in area on a single *sign* face, or 16.0 sq.m of *sign area* for all faces combined.

8.2 WALL SIGNS

- a) The area of a *wall sign* shall not exceed 0.75 sq.m per linear horizontal metre of the *exterior wall* of a building upon which such *sign* is located. In multiple occupancy buildings or *shopping centres*, the *sign area* for each business *premises* shall be proportional to the length of the *exterior wall* forming part of the *premises*. Notwithstanding the foregoing, the total area of a *wall sign* per business *premises* shall not exceed 16.0 sq.m or be limited to less than 1.6 sq.m.
- b) On a multiple occupancy building, a directory *sign* will be permitted at first floor level, listing names of businesses not having *direct access* to a public way. The area of such *sign* shall not exceed 1.0 sq.m.

8.3 CANOPY SIGNS

- a) A *canopy sign* shall not exceed 0.75 sq.m per linear horizontal metre of *canopy* upon which such *sign* is located. In multiple occupancy buildings the *sign area* for each business *premises* shall be proportional to the length of the *exterior wall* forming part of the *premises*. Notwithstanding the foregoing, the total area of a *canopy sign* per business *premises* shall not exceed 16.0 sq.m or be limited to less than 2.0 sq.m.
- b) A *canopy sign* erected as an integral part of a *free standing canopy* shall not exceed 1.6 sq.m. in area.

8.4 SOFFIT SIGNS

All *soffit signs* shall comply with the provisions in Section 6.8.

8.5 PROJECTING SIGNS

All *projecting signs* shall comply with the provisions in Section 6.9.

8.6 WINDOW SIGNS

All *window signs* shall comply with the provisions in Section 6.10.

8.7 SHOPPING CENTRE SIGNS

In addition to the other provisions of this by-law, the following provisions further apply to *shopping centres*:

- a) Ground Signs
 - i) No individual business or other enterprise within a *shopping centre* may *erect* or maintain a *ground sign*.
 - ii) Notwithstanding Section 8.1 respecting the maximum area of *ground signs*, where a *shopping centre* is located on a *lot* having an area in excess of 1.0 hectares, the maximum area of *ground signs* may be increased to 20 sq.m in area per single *sign* face or 40 sq.m for all faces combined, provided this increased area shall only apply to a *sign* that is designed professionally to conform with the architectural and design details of the development.
- b) Wall Signs
 - i) An additional *wall sign* complying with Sections 6.6 and 8.2 may be permitted in lieu of a *ground sign* for *shopping centre* identification purposes only.

- c) Soffit Signs
 - i) In the case of a *shopping centre* with an *attached canopy*, one additional accessory *soffit sign* may be *erected* per business *premises* beneath the *canopy* and at right angles to each store entrance, provided all such *signs* are of uniform size.
 - ii) The maximum *sign area* for each such *sign* shall not exceed 0.6 sq.m. All other *signs* identifying each individual business *premises* shall be *erected* in accordance with the provisions of this By-law.

8.8 SERVICE STATION AND GAS BAR SIGNS

Notwithstanding any other provisions of this by-law the following *signs* may also be permitted in association with service stations and gas bars:

- a) "Gas Price" *signs* not exceeding 0.5 sq.m in *sign area* may be permitted on the fascia of a freestanding *canopy* associated with pump islands provided that such *sign* is an integral part of the *canopy* design and does not extend beyond the fascia limits, and further provided that not more than two (2) such *signs* shall be permitted per *canopy*.
- b) *Signs* customarily displayed on gasoline pumps which are an integral part of the pump or pump island design.
- c) Directory *signs* not exceeding 0.5 sq.m in area may be *erected* as an integral part of a *canopy* fascia provided that no directory *sign* shall advertise, indicate or direct attention towards any activity not carried on at the pump island with which the *canopy* is associated.
- d) Notwithstanding the foregoing, such directory *signs* shall be limited to two (2) *signs* per function per *canopy*.

8.9 PROVISIONS FOR PORTABLE SIGNS AND MERCHANDISE DISPLAYS

a) GENERAL CONDITIONS

- i) No *portable signs* or *merchandise displays* shall be located on or over Town property, streets, sidewalks, highways or encroach thereon, except as permitted by the provisions of this section.
- ii) No *portable sign* or *merchandise display* shall be located or placed on property in the Town of Gananoque except as permitted by the provisions of this by-law.
- iii) In addition to the number of *signs* permitted in Section 6.1, one *portable sign* shall be permitted per business.

b) APPLICATION

- i) A fully completed application for this purpose shall be made to the Town at least (3) business days prior to the intended use and such application shall be in the form prescribed in Schedule "B" to this by-law.
- ii) When an application is approved, it shall be for a specific period of time that shall not exceed 12 months.
- iii) All approvals longer than 121 days shall have an expired date of not later than April 30th of the following calendar year.
- iv) Where a renewal of the application is required, a new complete application must be submitted for approval.
- v) That permission for placement of a *sign*, *merchandise display* or other property as regulated by this by-law rest solely with the Town of Gananoque or its designate.
- vi) The Town's *Chief Building Official* or designate shall be the issuing officer.
- vii) That property set out or displayed and governed by this section of the by-law shall be done so only during business hours and that all property including *signs*, racks, tables, merchandise or other property used to display or contain merchandise shall not be left on any Town property other than during normal business hours.

c) LOCATION

- i) *Portable sign* locations are to be noted on the application. A map and/or diagram of the location shall be provided.
- ii) All proposed locations shall be subject to Town review, and relocation.

d) HOLD HARMLESS AGREEMENT AND INSURANCE REQUIREMENT

- i) The applicant business and its owners shall be required to execute a hold harmless agreement in the form prescribed in Schedule "B" to this by-law, agreeing to hold and save harmless and to indemnify the Corporation of the Town of Gananoque and its officers and agents for any injury or damage arising from the erection or placement of *portable signs* or *merchandise displays*; and further, to provide evidence in the form prescribed in Schedule "B" to the Town of Gananoque that a minimum of one million dollars (\$1,000,000.00) of liability insurance is in full force and acknowledges this agreement.

e) COMPLIANCE

- i) Wherever a *portable sign* or *merchandise display* is in violation of this section of the by-law, the *By-law enforcement officer* shall notify the owner of such a *sign* or display in writing, by causing a notice to be delivered personally to such owners requiring them to remove such *signs* or displays within one (1) day from the receipt of such notice in writing.
- ii) Refusal to comply with request to remove an unauthorized *sign* will permit the Town to remove the offending *portable sign* or *merchandise display* at the owner's expense and the provisions of Section 11 to this By-law shall apply with respect to the recovery of expenses by the municipality.

f) MERCHANDISE DISPLAY STANDARDS

With respect to *merchandise displays*, the following criteria shall apply:

- i) Racks, tables or other property used to display or contain merchandise shall not be greater than 78 cm (30 in), in depth, nor extend beyond the frontage width of the business *premises*. The merchandise so displayed shall not extend more than 92 cm (38 in) onto Town property. The *merchandise display* shall be a minimum of 41 cm (16 in) in *height* and shall not lie on the ground.
- ii) *Merchandise displays*, benches, tables or chairs shall not impede the free flow of pedestrians and a minimum unobstructed continuous width of 1.5 m.(5 ft) of sidewalk shall be maintained. The parking of cars, access to parking meters, the view of motorists at intersections or snow removal shall not be impeded by the placement of such displays.

b) PORTABLE SIGN STANDARDS

With respect to *portable signs*, intended for display on a road allowance, sidewalk, private property or pedestrian mall, the following criteria shall apply:

- i) The *sign* shall not have more than two (2) faces.
- ii) The area of the *sign* face shall not exceed .74 m² (8 sq ft) per side.
- iii) The width of the *sign* shall not be less than 80 cm (24 in) or exceed 76 cm. (30 in).
- iv) The *height* shall not be less than 92 cm. (36 in) or more than 120 cm (48 in) above the ground.
- v) The *sign* shall be of sandwich board design.
- vi) The *sign* shall not have any projections from the sides or bottom.
- vii) The *sign* shall have its edges smooth and rounded.
- viii) The *sign* shall be secured in the open position with rigid cross bracing when placed on display.
- ix) The location of the *sign* shall be determined at the time of application.
- x) *Portable signs* which are to be displayed for more than 14 business days shall be built of rigid weather resistant material, (i.e. plywood, masonite, etc.)

c) DURATION OF APPROVAL

- i) A temporary *sign* other than a sandwich board *sign* shall not be displayed for more than 60 consecutive days during the calendar year for any one business location.
- ii) Annual application for each temporary, *portable* or sandwich board *sign* is necessary.
- iii) Annual expired date for sandwich board *signs* approvals is April 30th of each year.

d) DISPLAY

- i) All *portable signs* shall be maintained by the applicant in a good state of repair.
- ii) *Portable signs* and sandwich board *signs* shall not be placed on display during high winds, snow storms, at time of snow removal, placed on snow banks or in any manner which may cause danger to *persons* or property.
- iii) *Portable sign* placement shall not impede the free flow of pedestrians on the sidewalk where a minimum width of 1.5 m. (4 ft 11 in) is to be maintained.
- iv) Access to parking meters, the view of motorists at corners and snow removal shall not be adversely affected by the placement of a sandwich board or temporary portable *sign*.

SECTION 9.0 SIGNS PERMITTED FOR INSTITUTIONAL BUILDINGS

Subject to the requirements in Section 6 General Provisions For All Signs and Section 11 Special Sign District, no *person* shall *erect*, display or maintain any *sign* on a *lot* or building used for institutional purposes except in accordance with the following:

9.1 GROUND SIGNS

- a) No *ground sign* shall be larger than 2.0 sq.m in area on a single *sign* face or 4.0 sq.m of area for all faces combined.
- b) Notwithstanding Section 6.5(d) no *ground sign* shall exceed 4.0 sq.m in *height* above the average finished grade level at the base of such *sign*.

9.2 WALL SIGNS

- a) *Wall signs* shall not exceed 0.5 sq.m per linear horizontal metre of the building wall and/or *canopy* upon which such *sign* is located. Notwithstanding the foregoing, the total area of a *wall sign* per *premises* shall not exceed 10.0 sq.m or to be limited to less than 2.0 sq.m.

9.3 OTHER SIGNS PERMITTED FOR INSTITUTIONAL BUILDINGS

- a) Those *signs* permitted in Section 4 *Signs Permitted For All Use Categories* are also permitted.

SECTION 10.0 AGRICULTURAL AND RECREATIONAL BUILDINGS

Subject to the requirements in Section 6 General Provisions For All *Signs* and Section 11 Special *Sign* District, no *person* shall *erect*, display or maintain any *sign* on a *lot* or building used for agricultural or recreational purposes except in accordance with the following:

10.1 GROUND SIGNS

- a) A maximum of two *ground signs* shall be permitted, each having a maximum *sign area* of 5.0 sq.m. and a total *sign area* of 10.0 sq.m. Such *signs* shall advertise the name of the occupant of the agricultural or *recreational use* and shall not include any commercial advertising.

10.2 OTHER SIGNS PERMITTED FOR INSTITUTIONAL BUILDINGS

- a) Those *signs* permitted in Section 4 *Signs Permitted For All Use Categories* are also permitted.

SECTION 11.0 SPECIAL SIGN DISTRICTS

- 11.1** Subject to the provisions of Section 6, General Provisions For All Signs, (and notwithstanding the Requirements of Section 8) the provisions outlined in Schedule "A" shall apply for all *signs* installed within the "Special Sign Zone" shall apply to all *signs* located in a Special Sign District.
- 11.2** For the purposes of this by-law, the following areas as described in Schedule "A" and depicted on the map as Schedule "C", attached hereto, are hereby defined as Special Sign Districts within the Town of Gananoque.
- 11.3** All applications for *signs* in Special Sign Districts shall be reviewed by the Planning Advisory Committee (PAC) for comment prior to the issuance of a Sign Permit.

SECTION 12.0 DEVELOPMENT SIGNS

Subject to the requirements in Section 6 General Provisions For All Signs, no *person* shall *erect*, display or maintain any Subdivision Development *Sign* except in accordance with the following:

12.1 SUBDIVISION DEVELOPMENT SIGNS

a) ONSITE SIGNS

- i) Such *signs* must be located within the subdivision.
- ii) Such *signs* may advertise only the subdivision in which the *sign* is located and not the sale of *lots* elsewhere or the Realtors, developers, or landowners business in general.
- iii) A maximum of two (2) *signs* shall be permitted per builder and the total combined *sign area* shall not exceed 20.0 sq.m.
- iv) Illumination of such *signs* shall only be from an external source.
- v) No other *signs* shall be permitted within the subdivision.

b) OFFSITE SIGNS

In addition to those *signs* permitted in Subsection 12.1(1), and notwithstanding Section 5 the following *signs* shall also be permitted outside of the subdivision:

- i) Two (2) *ground signs* having a maximum *sign area* of 8.0 sq.m each with a total combined *sign area* of 16.0 sq.m. Such *signs* shall be located in an Agricultural or Open Space *Zone*, not more than one (1) kilometre from the project for which the *signs* are *erected*, and at least 100 m from a Residential *Zone*.
- ii) Illumination of such *signs* shall only be from an external source.
- iii) No permit shall be issued for any such *signs* without the written consent of the registered owner of the land on which the *sign* is to be located.

c) SUBDIVISION DEVELOPMENT SIGNS ON SALES TRAILERS AND SALES PAVILIONS

- i) One (1) *wall sign* advertising the sale of *lots* or dwellings may be *erected* on a wall of a sales trailer or sales pavilion provided that it covers no more than 50% of one (1) wall of the sales trailer or sales pavilion.
- ii) No part of the *wall sign* shall extend above the surface of the roof or beyond the extremities of the wall to which it is attached.

SECTION 13.0 CONSTRUCTION SIGNS

- 13.1** A *sign* having an area of not more than 5.0 sq.m incidental to building construction shall be permitted on the property where such construction is to take place. Such *signs* shall not be *erected* prior to the commencement of said construction and shall be removed as soon as said construction is completed or is discontinued for a period exceeding sixty (60) days.
- 13.2** Such *signs* may identify the developer(s) architect(s), engineer(s), consultant(s) and/or contractor(s) pertaining only to the construction of buildings on the property on which the *sign* is located.
- 13.3** Illumination of such *signs* shall only be from an external source.

SECTION 14.0 NON-CONFORMING SIGNS

Any *sign* lawfully *erected*, or displayed before the day this by-law shall come into force, may remain and be maintained notwithstanding that it does not conform with the by-law, provided that no such *sign* shall be substantially *altered*, unless the same shall either conform or be made to conform in all respects with this By-law.

SECTION 15.0 MAINTENANCE

The owner, lessee or agent of the lands or *premises* upon which any *sign* or advertising device is located, shall maintain, or cause such *sign* or advertising device to be maintained, in a proper state of repair, so that such *sign* or advertising device does not become unsafe, unsightly or dangerous. All *signs* shall be completely operative at all times.

SECTION 16.0 MATERIALS AND STRUCTURAL REQUIREMENTS

16.1 MATERIAL

- a) All materials incorporated into a *sign* shall comply with the relevant requirements of the Ontario *Building Code*.
- b) Every *sign* shall comply with all governing requirements of the Ontario Hydro Electric Commission or the Gananoque Public Utilities Commission, whichever has the jurisdiction.

16.2 STRUCTURAL

- a) *Signs* and their structural members shall be designed to have structural capacity to resist safely and effectively all effects of loads and influence from environment that may be expected and shall in any case satisfy the requirements of the Ontario *Building Code*.

SECTION 17.0 SCHEDULES

Schedules "A", "B", and "C" shall form part of this By-law.

SCHEDULE "A"
to By-law No. 2005-041

SPECIAL SIGN ZONE-COMMERCIAL SIGNS

A 1.0 SPECIAL SIGN ZONE

The Special Sign Zone shall be the area bounded by the following streets: King Street West from Market Street to the Gananoque River; King Street East from the Gananoque River to Charles Street; Charles Street from Garden Street to Pine Street; Stone Street North from Garden Street to King Street East; and Stone Street South from King Street East to Pine Street; and all properties abutting and fronting onto these streets shall be subject to the restrictions and requirements herein. See Schedule "C" map.

A 2.0 GENERAL CONDITIONS

- A2.1 All applications for signs in Special Sign Districts shall be reviewed by PAC for comment prior to the issuance of a Sign Permit.
- A2.2 Sign materials used in the construction of signs to be located in the special sign zone shall be wood or a material that gives the appearance of wood, (example of a material that could be accepted is a carved and painted plastic composite material).
- A2.3 Sign materials that are not permitted to be used for signs located in the special sign zone include sheet plastic, plexiglass, aluminum, vinyl and other synthetic materials unless the proponent can demonstrate that the material application is appropriate to the age and style of the building.
- A2.4 No luminous sign shall be installed within the special sign zone.
- A2.5 Non-conforming signs:
Notwithstanding Section 14 of this By-law existing signs located in the Special sign zone that do not conform to the requirements of this bylaw on the date the bylaw is passed are encouraged to be brought into conformity with the bylaw within five years of the date of passing the bylaw or sooner where repair or maintenance of the sign will be required.
- A2.6 Notwithstanding Section 2.4, rectangular neon open signs no greater than 24" x 13" may be permitted in the Special Sign Zone.

A 3.0 PERMITTED SIGNS

Signs in the special sign zone shall be permitted subject to the following conditions:

- A3.1 One fascia, ground, projecting or pylon sign may be erected for each business frontage provided that such sign conforms to the conditions in the following categories:
- a) Fascia signs:
One fascia sign may be erected on a business frontage provided:
- i) the sign is attached to and parallel with the main wall of the building;
 - ii) the sign is a minimum of 1.8 m.(5 ft 11 in) above the finished sidewalk or mall grade;
 - iii) the sign is no longer than the horizontal measurement of the wall or building facade to which it is attached;
 - iv) the sign face does not project more than .10 m.(4 in) from the main wall of the building;
 - v) the sign does not carry advertising copy on its ends;
 - vi) if on a lane, the sign is a minimum of 4.3 m.(14 ft) measured vertically from the surface of the lane;
 - vii) the width of the sign band above the ground floor windows shall be architecturally compatible with the building, (in most cases it should not exceed one half the distance from the top of the ground floor window lintel to the bottom of the second floor window sill); and

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- viii) The width of the sign graphic within the sign band shall not exceed two thirds of the width of the sign band unless it can be demonstrated that the graphic will harmonize with the architectural character of the building.

b) Projecting Signs:

One vertical projecting sign may be erected on a business frontage provided:

- i) the maximum projection of the sign from the face of the building wall shall not be greater than 1.2m (47 in);
- ii) no part of the sign that projects 1.2m.(47 in) from the face of a building shall be closer than 3. m.(9 ft 10 in) from finished grade;
- iii) no part of a sign that projects .10 m.(4 in) from the face of a building shall be closer than 2.1 m.(6 ft 10 in) from finished grade;
- iv) no part of a sign projects from the face of a building past a line drawn from the points defined in sentences (b) & (c). (see diagram in appendix "D".);
- v) Notwithstanding Section 6.9(b), no projecting sign shall exceed 0.75 sq.m in area per sign face;
- vi) they are located as close as possible to the horizontal centre of the building, except in the case of a building on a corner lot, in which case a projecting sign may be located at the corner of the building in lieu of one sign one on each frontage;
- vii) there shall be no overhanging structures or wires from the roof of any building where a projecting sign is allowed;
- viii) no projecting sign shall be constructed as a swing sign;
- ix) only one sign assembly shall be permitted where two or more businesses share the same entrance.

b) Standard or Pylon Signs:

Standard or pylon signs shall not be erected or installed at a place of business in the special sign zone, except where the property in question has a parking lot adjacent to the business, one sign shall be permitted provided;

- i) the area of the sign does not exceed 1.5 sq metres (16 sq ft); and
- ii) the sign complies with all other standards defined in section of this By-law.

c) Ground Signs:

One ground sign per frontage may be erected between the building line and lot line provided that:

- i) the maximum height is not more than 2.1 m (6ft 10.5in);
- ii) the maximum area is not more than .743 sq metres (8 sq ft);
- iii) Notwithstanding any other provision of this bylaw, readograph signs shall not be permitted in a Special Sign District;
- iv) No sign erected in a Special Sign District, shall obstruct or interfere with any architectural detailing on a building.

b) Other signs permitted:

Those signs permitted in Section 4 Signs Permitted For All Use Categories, are also permitted subject to the review by the Planning Advisory Committee.



TOWN OF GANANOQUE

APPLICATION FOR SIGN PERMIT

For Office Use Only	
Permit Number	
App'n Complete	
Value	
Fee Paid	
Receipt Number	

The personal information collected in this form is collected pursuant to the Building Code Act, 1992, and will be used in the processing of this application.

NOTES:

1. Pursuant to section 7 of the *BUILDING CODE ACT*, the applicant shall provide the Building Official with such information as the Building Official may require. The Building Official may refuse to accept or further consider the application until the prescribed information, material, and the required fee are received.
2. A complete application consists of the following:
 - a. Completed application form
 - b. 3 copies of plans and specifications including:
 - GROUND SIGNS
 - Site plan or copy of an up-to-date property survey showing property dimensions, the location of all existing signs and their setbacks to property line(s) and building(s), the location of the proposed sign, indicating setbacks from the property line(s) and any existing or known future buildings on the site.
 - Structural details including foundation, base and/or column detail including materials, dimensions, and anchorage details of the sign. Professional Engineer's stamp may be required where applicable.
 - Elevation plans detail showing area of the sign face and the message to be displayed
 - WALL SIGNS
 - Site plan or copy of up-to-date survey showing property dimensions and indicating the location of the proposed sign on the building
 - Elevation of the wall face of the building or unit on which the proposed sign is to be located and indicating the dimensions of both the building or unit and the sign.
 - Construction details, materials, and method of attachment to the building, including the weight of the sign. Professional Engineer's stamp may be required where applicable
 - c. Building Permit Fee (See fee schedule in Sign and Merchandise Display By-law)
3. Questions regarding the provisions of the Sign By-law may be directed to either the Planning Approvals Coordinator at 382-2149 ext. 126 or the By-law Enforcement Officer at (613) 541-3213

1. (a) Name of Applicant _____
 (print given and family name in full)
 Address _____
 Phone # _____ Fax # _____
 Email _____
- (b) Name of Business Owner _____
 Address _____
 Phone # _____ Fax # _____
 Email _____
- (c) Name of Property Owner _____
 Address _____
 Phone # _____ Fax # _____
 Email _____
- (d) Name of Sign Designer _____
 Address _____
 Phone # _____ Fax # _____
 Email _____
2. (a) Address where sign is to be located: _____
- (b) Legal Description of property: _____

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3. Type of Sign (Check all that apply)

Wall _____ Roof _____
 Ground _____ Other _____
 Type of Construction: Wood _____ Plastic _____ Steel _____ Other _____
 If Illuminated: Type of Illumination _____

4. Dimensions of proposed sign: Length: _____ Width: _____ Height: _____

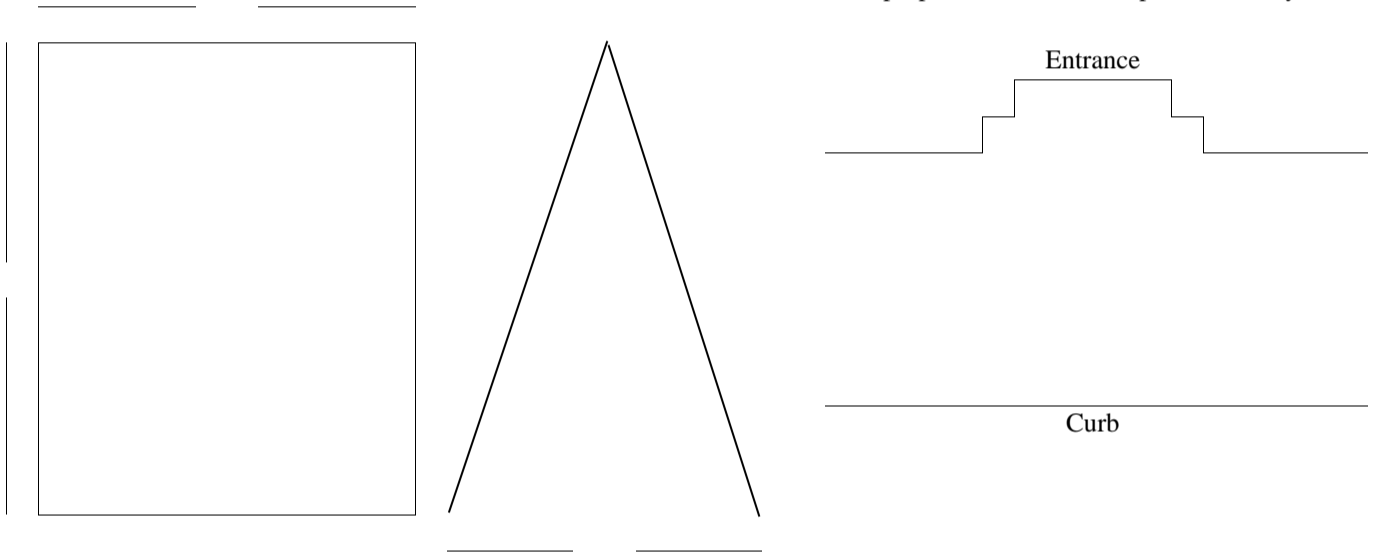
5. Type and number of existing signs on the subject property (indicate number)

Wall _____ Roof _____
 Ground _____ Other _____

6. This space may be used for sandwich board / merchandise display information

Indicate proposed dimensions and sketch message / image proposed

Indicate proposed sign location
 Show any existing meters, light standards, etc.
 For properties outside BIA, provide survey



DECLARATION

I, the undersigned, _____ am the owner / authorized agent for the owner named in the above application and I certify the truth of all statements herein.

I understand that the issuance of a permit shall not be deemed a waiver of the provisions of any by-laws or other regulations, notwithstanding anything included in or omitted from the plans or other material filed in support of this application.

I acknowledge that in the event that a permit is issued, any departure from the plans, specifications or locations proposed in the application is prohibited and such could result in the permit being revoked. I further acknowledge that in the event the permit is revoked for any cause or irregularity or nonconformity with the by-laws and regulations, there shall be no right of claim whatsoever against the municipal corporation or any official thereof and any such claim is hereby expressly waived.

Declared before me at the _____ of _____ }
 _____ }
 in the _____ of _____ }
 _____ }
 this _____ of _____ 20 _____ }

 Signature of applicant/solicitor/authorized agent, etc.

 Signature of a Commissioner, etc.

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HOLD HARMLESS AGREEMENT

THE UNDERSIGNED hereby agrees to hold and save harmless the Corporation of the Town of Gananoque, its officers, employees and officials from all claims or cause of action against the Corporation of the Town of Gananoque, because of injury or damage to property of others arising from the placement of a sign or other property of the undersigned and placed on, into, or above property or premises of the Town of Gananoque.

Declared before me at the _____ of _____ }
in the _____ of _____ }
this _____ of _____ 20 _____ } _____
Signature of applicant/solicitor/authorized agent, etc.

Signature of a Commissioner, etc.

INSURANCE CERTIFICATION

THE UNDERSIGNED hereby certifies that insurance coverage is in full force and effect for the above named property with the (Insurance Company) _____ under policy number _____ with liability limits not less than \$1,000,000.00 and covering all business premises and operations, and further, that this policy acknowledges the above agreement.

SIGNED BY: _____ DATE _____
 AUTHORIZED INSURANCE REPRESENTATIVE

NAME (PLEASE PRINT)

ADDRESS

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SCHEDULE "C"



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