

To: Economic and Development Services Committee

From: Warren Munro, HBA, MCIP, RPP, Commissioner,
Economic and Development Services Department

Report Number: ED-23-23

Date of Report: February 1, 2023

Date of Meeting: February 6, 2023

Subject: Results of the Extended Pilot Project to Permit Sandwich Board
Signs in the Central Business District Zones in the Downtown
Oshawa Urban Growth Centre

Ward: Ward 4

File: 12-12-0092

1.0 Purpose

The purpose of this Report is to provide an overview of the results of the pilot project extension to permit sandwich board signs in Central Business District (“C.B.D.”) Zones in the Downtown Oshawa Urban Growth Centre which ends on April 1, 2023.

Attachment 1 is a map showing the location of the C.B.D. Zones and the existing zoning in the area.

Attachment 2 is a copy of Report DS-20-111 dated September 30, 2020 which includes as an attachment the previous Report DS-16-203 dated December 1, 2016 which authorized staff to undertake a 3-year pilot project to permit sandwich board signs in the C.B.D. Zones in the Downtown Oshawa Urban Growth Centre.

Attachment 3 is a copy of the Council-approved sandwich board sign regulations.

Attachment 4 is a copy of By-law 12-2017 as well By-law 116-2020, both of which are by-laws to further amend Sign By-law 72-96 to temporarily permit sandwich board signs in the C.B.D. Zones in the Downtown Oshawa Urban Growth Centre.

2.0 Recommendation

That the Economic and Development Services Committee recommend to City Council:

1. That, pursuant to Report ED-23-23 dated February 1, 2023, the City’s sandwich board sign pilot project not be further extended, such that as of April 1, 2023, sandwich board signs shall no longer be permitted in the Central Business District Zones in the

Downtown Oshawa Urban Growth Centre, and the necessary by-law to amend Sign By-law 72-96 in this regard be passed in a form and content acceptable to the City Solicitor and the Commissioner of Economic and Development Services.

2. That, pursuant to Report ED-23-23 dated February 1, 2023, the notice provisions of By-law 147-2007 (e.g. newspaper advertisements) be waived concerning notice for any proposed amendment to the Sign By-law 72-96 in consideration of the sandwich board sign pilot project being temporary with an end date of April 1, 2023 listed in the program.
3. That, pursuant to Report ED-23-23 dated February 1, 2023, upon the expiration of the City's sandwich board sign pilot project on April 1, 2023, Municipal Law Enforcement and Licensing Services resume enforcement of the Sign By-law 72-96 and the Boulevard By-law 163-2006, as amended, as it relates to sandwich board sign restrictions in the Central Business District Zones in the Downtown Oshawa Urban Growth Centre.
4. That a copy of Report ED-23-23 dated February 1, 2023 and the related Council resolution be sent to the Region of Durham.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following have been consulted in the preparation of this Report:

- Commissioner, Corporate and Finance Services
- Commissioner, Community and Operations Services
- City Solicitor

5.0 Analysis

5.1 Background

In 2014, City Council considered the Downtown Plan 20Twenty. Among the various action items was direction to have staff investigate legalizing sandwich board signs in the C.B.D. (see Attachment 1) given that they are not permitted by the City's Sign By-law 72-96.

Sandwich board signs represent an important and affordable tool for business owners to advertise their businesses, particularly during the summer season, in the downtown.

Some business owners can accommodate sandwich board signs on private properties. Others, however, do not have the space available on private property and wish to use the public boulevard including the sidewalk in the downtown.

On May 24, 2016, City Council considered Report DS-16-66 and authorized staff to initiate the public process for Council to consider the proposed 3-year pilot project to

permit sandwich board signs in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre, subject to the Region of Durham's approval of the City's request for an amendment to the Region's Temporary Sign By-law 22-2014 ("Sign By-law 22-2014") to advance the proposed pilot project.

It is important to note that Centre Street and Simcoe Street in Downtown Oshawa are under the jurisdiction of the Region of Durham and any sandwich board sign erected within these Regional road right-of-ways would be regulated by the Region's Sign By-law 22-2014. At the time, staff's review of the Region's Sign By-law 22-2014 indicated that the regulations for temporary signs under the by-law conflicted with regulations proposed for the 3-year pilot project. It would have been confusing to the business owners and public to have different sandwich board sign regulations on City streets versus Regional roads in the Downtown.

On September 14, 2016, Regional Council approved a temporary suspension of the application and enforcement of the Region's Sign By-law 22-2014 to allow the City of Oshawa to proceed with the proposed pilot project.

On December 19, 2016, City Council considered Report DS-16-203 (which forms part of Attachment 2) and approved the 3- year pilot project to permit sandwich board signs in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre and to amend the Sign By-law 72-96. A copy of the amending By-law 12-2017 dated February 21, 2017 is found in Attachment 4.

The pilot project started on April 1, 2017 and was scheduled to end on April 1, 2020. Development Services staff worked with Corporate Communications to message out the start of the program through social media opportunities including Facebook and Twitter accounts, posting on the Business and Investment newsfeed on the City's website, and emailing those who subscribe to the newsfeed. In addition, the then Oshawa Central Business District Improvement Area ("B.I.A.") was notified of the commencement of the pilot project.

Staff also undertook a follow-up survey and consultation to elicit further input from the broader business community in the City.

On October 26, 2020, City Council considered Report DS-20-111 (see Attachment 2) and approved an extension of the pilot project to April 1, 2023 to continue to permit sandwich board signs in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre and to amend the Sign By-law 72-96. A copy of the amending By-law 116-2020 dated December 14, 2020 is found in Attachment 4.

Planning Services staff worked with Corporate Communications to develop a communications plan to message out the extension of the pilot project. The communications plan included the following:

- Posting public notices on the City's website;
- Issuing social media posts on the City's corporate accounts including Twitter, Facebook, LinkedIn and the Economic Development social media channels; and,

- Sending electronic newsletters to the downtown businesses and the Chamber of Commerce.

In Report DS-20-111, it was noted that staff would report back to Council on the results of the extended pilot project.

5.2 Regulations for the Sandwich Board Sign Pilot Project

Regulations for the sandwich board sign pilot project were approved by Council on December 19, 2016 pursuant to Report DS-16-203 dated December 1, 2016. They were subsequently updated on October 26, 2020 pursuant to Report DS-20-111 dated September 30, 2020. The regulations, as updated, are shown on Attachment 3 to this Report and generally deal with matters such as location, size, material and insurance.

5.3 Results of Pilot Project

During the pilot project extension, eleven (11) business owners submitted an application for a sandwich board sign permit. Of those eleven (11) business owners, six (6) were successful in obtaining a permit for their sandwich board sign. The remaining five (5) business owners were unsuccessful in obtaining a permit for one or more of the following reasons:

- They submitted an incomplete application and despite follow-up by staff, the outstanding information was not provided by the business owners (e.g. insurance certificate).
- The business was not located in a C.B.D. Zone in the Downtown Oshawa Urban Growth Centre.
- The business already had a sandwich board sign permit. Per the regulations of the sandwich board sign pilot project only one sandwich board sign shall be permitted for each business unit.

The six (6) successful sandwich board sign permits were all issued in 2021. Feedback that was received from the public throughout the pilot project consisted of the following:

- The sandwich board sign permit process is onerous on businesses including the cost associated with obtaining the insurance that is required by the City for a sandwich board sign permit.
- Sandwich board signs interfere with barrier free accessibility.

5.4 Staff Recommendation

Staff recommend letting the sandwich board sign pilot project lapse on April 1, 2023 without formalizing a regular procedure to allow sandwich board signs in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre on an on-going basis.

Reasons for letting the sandwich board sign pilot project expire without implementing permanent regulations on an on-going basis are as follows:

- There was limited take-up during the extension of the pilot project with only eleven (11) business owners submitting an application for a sandwich board sign, and only six (6) sandwich board sign permits successfully issued.
- Sandwich board signs interfere at times with the maneuverability of maintenance equipment including the sidewalk sweeper and the vacuum vehicle.
- Concerns were raised that the sandwich board signs were blocking the sidewalks and create an accessibility issue.
- The permit process, including the need for insurance, was identified by business owners as being onerous, financially and otherwise.

Staff note that upon the expiry of the City's sandwich board signs pilot project on April 1, 2023, sandwich board signs will no longer be permitted in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre in accordance with Sign By-law 72-96 and the Boulevard By-law 163-2006, and will be subject to by-law enforcement.

Staff will undertake any necessary by-law amendments to Sign By-law 72-96 to remove any instances of temporary permissions for sandwich board signs.

6.0 Financial Implications

There are no financial implications associated with the Recommendation in this Report.

7.0 Relationship to the Oshawa Strategic Plan

The recommendation advances the Accountable Leadership goal identified in the Oshawa Strategic Plan.



Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,
Planning Services

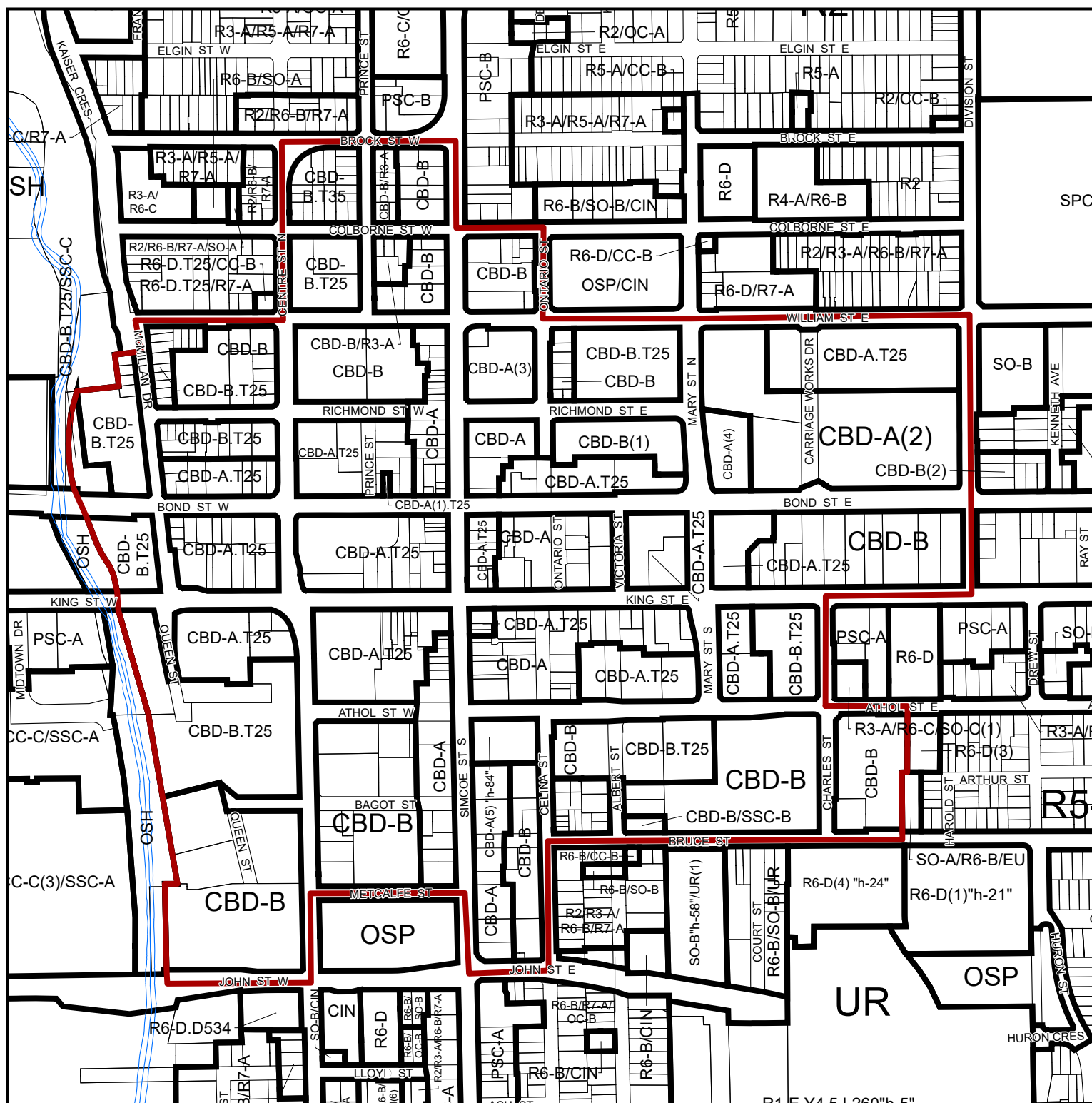
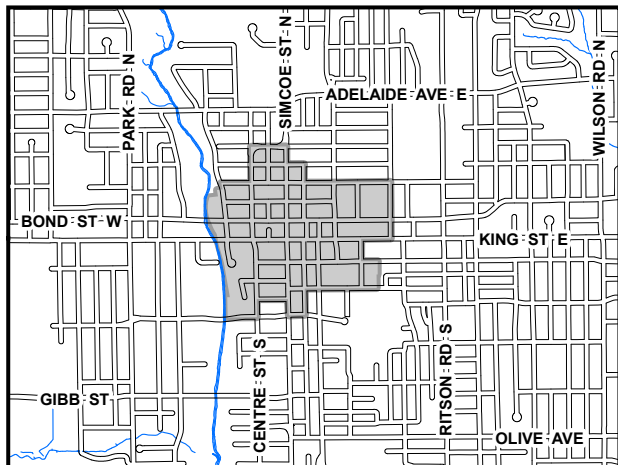


Warren Munro, HBA, MCIP, RPP, Commissioner,
Economic and Development Services Department

Ward: Ward 4
File: 12-12-0092



Central Business District Zones Boundary 





Public Report

To: Development Services Committee

From: Warren Munro, HBA, RPP, Commissioner,
Development Services Department

Report Number: DS-20-111

Date of Report: September 30, 2020

Date of Meeting: October 5, 2020

Subject: Results of the 3 Year Pilot Project to Permit Sandwich Board
Signs in the Central Business District Zones in the Downtown
Oshawa Urban Growth Centre

File: B-1210-0092

1.0 Purpose

The purpose of this report is to provide an overview of the results of the 3-year pilot project to permit sandwich board signs in Central Business District (C.B.D.) Zones in the Downtown Oshawa Urban Growth Centre which ended on April 1, 2020, and to seek direction on next steps.

The implementation of the 3-year pilot project to permit sandwich board signs in the C.B.D. was an action item included in the Downtown Plan 20Twenty.

Attachment 1 is a map showing the location of the C.B.D. Zones and the existing zoning in the area.

Attachment 2 is a copy of Report DS-16-203 dated December 1, 2016 which authorized staff to undertake a 3-year pilot project to permit sandwich board signs in the C.B.D.

Attachment 3 is a copy of By-law 12-2017 being an amending by-law to Sign By-law 72-96, to temporarily permit sandwich board signs in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre.

2.0 Recommendation

That the Development Services Committee recommend to City Council:

1. That, pursuant to Report DS-20-111 dated September 30, 2020, an extension of the pilot project up until April 1, 2023 to temporarily permit sandwich board signs in Central Business District Zones in the Downtown Oshawa Urban Growth Centre be approved, and the necessary by-law to amend Sign By-law 72-96 be passed in a form and

content acceptable to the City Solicitor and the Commissioner of Development Services.

2. That, pursuant to Report DS-20-111 dated September 30, 2020, the Region of Durham be requested to approve an extension to the previously approved suspension of the Region of Durham's Temporary Sign By-law, to advance the proposed regulations in the pilot project extension for sandwich board signs which will include regional roads in Central Business District Zones in the Downtown Oshawa Urban Growth Centre, up until April 1, 2023.
3. That, pursuant to Report DS-20-111 dated September 30, 2020, the implementation of the pilot project extension to temporarily permit sandwich board signs in Central Business District Zones in the Downtown Oshawa Urban Growth Centre be undertaken in accordance with the Proposed Implementation Strategy as generally described in Section 5.5 of said Report.
4. That, pursuant to Report DS-20-111 dated September 30, 2020, the notice provisions of By-law 147-2007 (e.g. newspaper advertisements) be waived concerning notice for any proposed amendment to the Sign By-law 72-96 in consideration of the public meeting notice (e.g. newspaper advertisements) provided for the October 24, 2016 Non-Statutory Public Meeting, and the public consultation advanced in August 2020.
5. That a copy of Report DS-20-111 dated September 30, 2020 and the related Council resolution be sent to Board of Management of the Oshawa Central Business District Improvement Area.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following have been consulted in the preparation of this report:

- Commissioner, Corporate Services
- Commissioner, Community Services
- City Solicitor
- Region of Durham
- Oshawa Central Business District Improvement Area (B.I.A.)
- Mayor's Economic Recovery Task Force
- Durham Municipal Insurance Pool (D.M.I.P.)

5.0 Analysis

5.1 Background

In 2014, City Council considered the Downtown Plan 20Twenty. Among the various action items was direction to have staff investigate legalizing sandwich board signs in the C.B.D. (see Attachment 1) given that they are not permitted by Sign By-law 72-96.

Sandwich board signs represent an important and affordable tool for business owners to advertise their businesses, particularly during the summer season, in the downtown.

Some business owners can accommodate sandwich board signs on private properties. Others, however, do not have the space available on private property and wish to use the public boulevard including the sidewalk in the downtown.

On May 24, 2016, City Council considered Report DS-16-66 and authorized staff to initiate the public process for Council to consider the proposed 3-year pilot project to permit sandwich board signs in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre, subject to the Region of Durham's approval of the City's request for an amendment to the Region's Temporary Sign By-law 22-2014 to advance the proposed pilot project.

It is important to note that Centre Street and Simcoe Street in Downtown Oshawa are under the jurisdiction of the Region of Durham and any sandwich board sign erected within these Regional road right-of-ways would be regulated by Regional By-law 22-2014. Staff's review of Regional By-law 22-2014 indicated that the regulations for temporary signs under the by-law conflicted with regulations proposed for the 3-year pilot project. It would have been confusing to the business owners and public to have different sandwich board sign regulations on City streets versus Regional roads in the Downtown.

On September 14, 2016, Regional Council approved a temporary suspension of the application and enforcement of the Region's Temporary Sign By-law 22-2014 to allow the City of Oshawa to proceed with the proposed pilot project.

On December 19, 2016, City Council considered Report DS-16-203 and approved the 3-year pilot project to permit sandwich board signs in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre and to amend the Sign By-law 72-96 (see Attachment 2). A copy of the amending By-law 12-2017 dated February 21, 2017 is found in Attachment 3.

The pilot project started on April 1, 2017 and ended on April 1, 2020. Development Services staff worked with Corporate Communications to message out the start of the program through social media opportunities including Facebook and Twitter accounts, posting on the Business and Investment newsfeed on the City's website, and emailing those who subscribe to the newsfeed. In addition, the B.I.A. was notified of the commencement of the pilot project.

In Report DS-16-203, it was noted that staff would report back to Council on the results of the pilot project in April 2020.

5.2 Regulations for the Sandwich Board Sign Pilot Project

Regulations for the sandwich board sign pilot project were approved by Council on December 19, 2016 pursuant to Report DS-16-203 dated December 1, 2016, and consisted of the following:

1. Sandwich board signs shall be permitted in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre.

2. Sandwich board signs shall be permitted on private properties and the boulevard including the sidewalk on City streets and Regional roads.
3. One sandwich board sign shall be permitted for each business unit including for businesses located on upper floors that have dedicated entries from the street and shall clearly indicate the name of the business and/or the unit/building number that the business is located in.
4. Sandwich board signs shall require a sign permit sticker, issued by the City of Oshawa as part of the sign permit, to be affixed to the display surface, throughout the year for which the permit has been issued.
5. Sandwich board signs shall be located in front of the business unit adjacent to the entrance door or across from the entrance door fronting the business unit.
6. Sandwich board signs shall be non-electrical and shall not include or display lights or moving parts.
7. Sandwich board signs shall be located along the edge of the building or at the curb edge in order to allow a clearance width of 1.8 metres for pedestrian traffic after placement of the sandwich board sign.
8. Sandwich board signs located along the edge of the curb in the municipal boulevard shall be at least 0.6 metres away from the curb or the edge of the travelled portion of the road, to allow for door swings for cars parked on the road.
9. The maximum sign height of any sandwich board sign shall be 1 metre.
10. The maximum sign width of any sandwich board sign shall be 0.6 metres.
11. Sandwich board signs shall be made of polyvinyl chloride, metal, or plywood or other higher quality material in the opinion of the Commissioner of Development Services or the Director of Planning Services and shall include additional weight or brace attached for additional stability.
12. Sandwich board signs shall be located a minimum of 3 metres from any other sandwich board sign.
13. Sandwich board signs shall be removed by the business owner from the boulevard to allow for snow clearance and maintenance.
14. Sandwich board signs shall be permitted on the boulevard during the hours of the business and shall be removed at all other times.
15. Sandwich board signs shall be located a minimum distance of 1 metre from all pay and display machines, street furniture and waste receptacles.
16. A Certificate of Insurance shall be required prior to the issuance of the sign permit to show proof of \$2 million Commercial General Liability insurance with the City of Oshawa named as an additional insured.

17. Sandwich board signs will be removed by the business owner during periods of severe weather (such as high winds) that could result in such boards becoming airborne causing damage or public injury.
18. The City has the right to remove any sandwich board sign that does not have a sign permit or sticker or has a sign permit and sticker but is located such that it does not comply with the regulations.
19. Permits for sandwich board signs will be issued on an annual basis and expire one year from the date of issuance or on April 1, 2020 for any permit issued after April 1, 2019.
20. Special events held by the B.I.A. shall be exempt from Sandwich Board Sign permits and requirements.

5.3 Sandwich Board Sign Regulations in Other Municipalities

Staff have reviewed the temporary sign by-law provisions of the other Durham Region lakeshore municipalities to identify the regulatory and enforcement provisions currently in effect for each municipality.

A review of the information collected through a survey of the Durham Region lakeshore municipalities is presented in Table 1 below.

Table 1: Sign By-Law Provisions for Durham Region Lakeshore Municipalities

Municipality	Permitted on Private Property	Permitted on Lower-tier Municipal Road Allowance	Permit Required	Criteria (e.g. restrictions on size and location)	Required Permit Fee	Required Insurance
Pickering	Yes	Yes	Yes	Yes Maximum Height: 1m Maximum Width: 0.6m Permitted in a Special Sign District	\$100	No
Ajax	Yes	No	No	Yes Maximum Height: 1m Maximum Width: 1m Maximum Sign Area: 1m ²	No Fee	No

Municipality	Permitted on Private Property	Permitted on Lower-tier Municipal Road Allowance	Permit Required	Criteria (e.g. restrictions on size and location)	Required Permit Fee	Required Insurance
				Permitted in commercial, employment and institutional zones		
Whitby	No	No	N/A	N/A	N/A	N/A
Clarington	Yes	Yes	No	Yes Maximum Height: 1.25m Maximum Sign Area: 1m ² Permitted in the following zones: RES, IND, COM, INS, AGR(1), HRA(2), CWG	No Fee	No

5.4 Results of Pilot Project

During the 3-year pilot project, only nine business owners submitted an application for a sandwich board permit. Of those nine (9) business owners, six (6) were successful in obtaining a permit for their sandwich board sign. The remaining three (3) business owners submitted incomplete applications and despite follow-up by staff, the outstanding information was not provided by the business owners.

The majority of the sandwich board sign permits were issued in 2017. Potential reasons for the lack of success with the sandwich board sign pilot project are listed below:

- There was a lack of communication to educate and inform the downtown businesses of the opportunity afforded to them through the 3-year pilot project. Businesses that had sandwich board signs without a permit from the City were not regularly inspected and identified, and those businesses were not regularly reminded that they needed to obtain a permit from the City.
- Sandwich board sign permits expired after 1 year of being issued. No business owners applied for a renewal of their permit. It is possible that the businesses in question were

no longer in operation, there was a new owner or the owner was unaware that the permit expired.

- There is a cost associated with obtaining the insurance that is required by the City for a sandwich board sign permit.
- Some newer business owners were unaware of the 3-year pilot project to permit sandwich board signs.
- Some business owners had existing and new signs that did not meet the sandwich board sign regulations established by the pilot program.

Staff also consulted with the City's Road Operations staff. It was noted that the sandwich board signs interfered at times with the maneuverability of maintenance equipment including the sidewalk sweeper and the vacuum.

5.4.1 Follow-up Survey and Consultation

In order to elicit further input from the broader business community in the City in general and in the downtown in particular, staff undertook the following:

- a) Prepared and distributed to the B.I.A. a survey on the initial pilot project and the potential to extend the project with a request that the B.I.A. share it with their membership;
- b) Encouraged members of the Mayor's Economic Recovery Task Force, as representatives of the general business community, to participate in the survey; and,
- c) Communicated and promoted the survey through the City's Economic Development Services' Twitter account.

The survey was available for completion from August 17, 2020 to September 11, 2020. A total of 8 responses were collected.

The results of the survey are as follows:

- One (1) out of the eight (8) respondents was aware that the City of Oshawa was running a pilot project to permit sandwich board signs in the C.B.D. Zones in the Downtown Oshawa Urban Growth Centre between April 1, 2017 and April 1, 2020. The one (1) respondent that was aware of the pilot project participated in the project.
- Three (3) out of the eight (8) respondents would be interested in participating in the pilot project if it is extended. Common reasons given in support of extending the pilot project included increased exposure and marketability. One (1) respondent stated that they would not participate in the pilot project because they do not use a sandwich board sign.
- Respondents did not see any barriers to participating in the pilot project if it was extended.

- One (1) out of the eight (8) respondents had concerns that the sandwich board signs were blocking the sidewalk and noted that they may be a tripping hazard.

The survey also provided an opportunity for respondents to provide their input with respect to any comments/feedback on the pilot project. Key comments/feedback raised by the public are set out below, together with a staff response.

Comment:

The pilot project should be extended.

Staff Response:

Staff agrees and is recommending that the pilot project be extended to April 1, 2023 with a corresponding increase in communication and education among the business owners within C.B.D. Zones in the Downtown Oshawa Urban Growth Centre. Staff's recommendation to extend the sandwich board sign pilot project is further discussed in Section 5.5 of this Report.

Comment:

Business owners should not have to renew their sandwich board sign permit sticker annually. The permit sticker should be for an extended period of time. Annual renewals of the permit sticker is onerous on the business owner.

Staff Response:

Under the sandwich board sign pilot project business owners were issued a permit sticker that was valid for one (1) year, with the intention that it be renewed annually through the submission of a new application each year. In consideration of the outcome of the initial three (3) years of the pilot project and the above noted comment received as feedback from the business community, staff considers it appropriate to adjust the timeframe the permit stickers are valid to match the duration of the proposed pilot project extension, to April 1, 2023.

Comment:

The City should amend the Sign By-Law 72-96 to permit sandwich board signs in the C.B.D. Zones in the Downtown Oshawa Urban Growth Centre instead of extending the pilot project. There are limited businesses open in the C.B.D. Zones in the Downtown Oshawa Urban Growth Centre and this matter is not a relevant topic to address.

Staff Response:

Staff's recommendation is to extend the pilot project to April 1, 2023 [two (2) summers] to accommodate additional monitoring and increase education among the business owners within the C.B.D. Zones in the Downtown Oshawa Urban Growth Centre. During the 3-year pilot project, there was a lack of education to inform downtown businesses of the opportunity afforded to them. If the pilot project is extended, a more extensive assessment of its effectiveness will be conducted to determine any long term approaches to allowing

sandwich board signs in the C.B.D. on a more permanent basis. An extension of the pilot project will provide two summers worth of monitoring and will account for the COVID-19 pandemic restrictions and the associated economic impacts to the C.B.D. businesses in 2020. This will allow a more fulsome review of the situation and help inform decision-making on the need for permanent amendments to the Sign By-law.

5.5 Staff Recommendation – Extend the Pilot Project

Staff recommends extending the sandwich board sign pilot project to April 1, 2023 [two (2) summers], increasing education/awareness of the project among the business owners within C.B.D. Zones in the Downtown Oshawa Urban Growth Centre, and adjusting the timeframe the permit stickers are valid from one (1) year to a period that matches the duration of the proposed pilot project extension, i.e. to April 1, 2023.

Reasons for extending the sandwich board sign pilot project to April 1, 2023 and increasing the duration of the permit stickers are as follows:

- Sandwich board signs will advance the Economic Prosperity goal of the Oshawa Strategic Plan and promote downtown revitalization.
- Sandwich board signs will support new and existing businesses and provide them with an opportunity for increasing their customer base.
- Sandwich board signs will bring vibrancy, colour, activity and a more active streetscape to the downtown.
- Sandwich board signs will attract people to the downtown who will then be exposed to the retail stores, services and other amenities available downtown.
- The pilot project extension will provide for two (2) additional summer seasons after which a more extensive assessment of its results will be conducted to determine any long term approaches to allowing sandwich board signs in the C.B.D. on a more permanent basis, if deemed appropriate. Staff will report back to the Development Services Committee on the results of the extended pilot program.
- The pilot project has been designed to reasonably protect the City's interest, risk and liability.
- The pilot project has reasonable financial implications for the City and the necessary tools to implement the sandwich board sign program, including permit application forms and stickers, are in place.
- Sandwich board signs were identified as a key deliverable of the Downtown Plan 20Twenty.
- If the pilot project is not extended, sandwich board signs will be illegal in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre and subject to by-law enforcement.
- The Oshawa Downtown Streetscape Design Vision is a guide that assists in the development of the public realm in the downtown. An emphasis is placed on widening

sidewalks. Wider sidewalks have the capacity to permit sandwich board signs without compromising pedestrian activity or accessibility. The City has been strategically focusing on the pedestrian realm and widening sidewalks along King Street in the downtown, where there will be additional space to accommodate sandwich board signs.

- An extension will provide two (2) summers worth of monitoring and education, so as to account for the COVID-19 pandemic restrictions and the associated economic impacts to the C.B.D. businesses in 2020.
- Extending the duration of an approved sticker from one (1) year to three (3) years may increase take-up while also reducing administration.

It is important to note that if staff's recommendation is endorsed by City Council, the Region of Durham will have to approve a temporary suspension of the application and enforcement of the Region's Temporary Sign By-law 22-2014 in order to allow the City of Oshawa to proceed with the extension of the pilot project along regional roads. The application and enforcement of By-law 22-2014 was only suspended for a 3-year period, to April 1, 2020.

No additional public consultation is recommended at this time given that the extension of the pilot project to April 1, 2023 will continue to generally follow the same regulations established by City Council for the initial 3-year pilot project pursuant to Report DS-16-203 dated December 1, 2016.

If the recommended action is supported by Council, administrative changes to the regulations for the sandwich board sign pilot project as detailed in Section 5.2 of this report will be required to give effect to the extended duration of stickers, to April 1, 2023. Amendments to Articles 4 and 19 will be required and advanced.

In the event that Council chooses to endorse staff's recommendation, staff will advance an amendment to the City of Oshawa Sign By-law 72-96 and request the Region of Durham to suspend the enforcement of the Temporary Sign By-law 22-2014 to April 1, 2023. City staff will continue with the pilot project on City streets only within the C.B.D. Zones in the Downtown Oshawa Urban Growth Centre even if the Region does not support the approval of the pilot project.

6.0 Financial Implications

The anticipated costs for extending the pilot project to April 1, 2023 relate to staff processing the applications and promotion and education efforts.

7.0 Relationship to the Oshawa Strategic Plan

The recommendation advances the Accountable Leadership and Economic Prosperity and Financial Stewardship goals identified in the Oshawa Strategic Plan.

A handwritten signature in blue ink, appearing to read "Tom Goodeve".

Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,
Planning Services

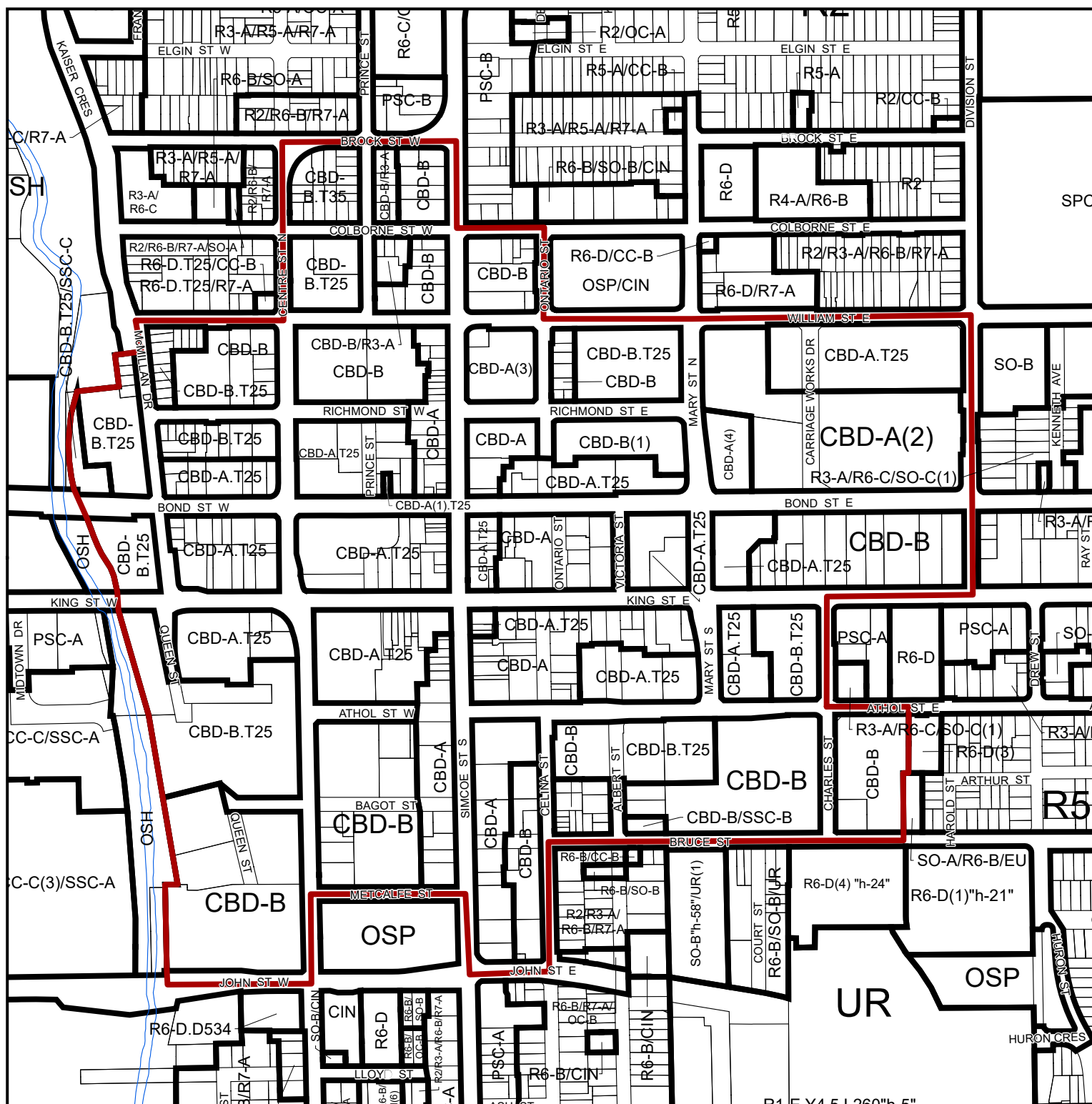
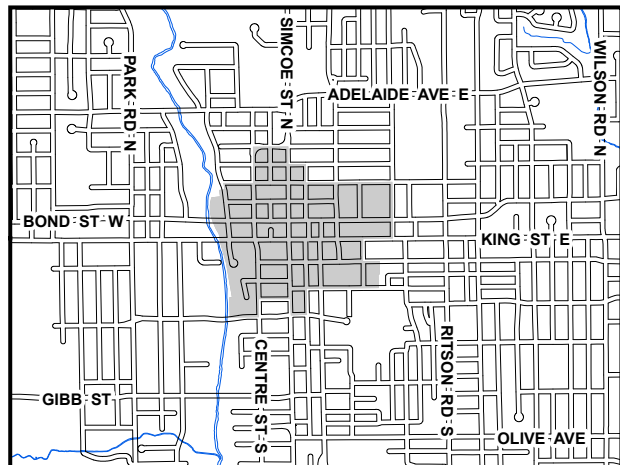
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Warren Munro, HBA, RPP, Commissioner,
Development Services Department

File: B-1210-0092



Central Business District Zones Boundary 



Public Report

To: Development Services Committee

From: Paul D. Ralph, BES, RPP MCIP, Commissioner,
Development Services Department

Report Number: DS-16-203

Date of Report: December 1, 2016

Date of Meeting: December 5, 2016

Subject: Proposed Amendment to Sign By-law 72-96 to Facilitate a 3-year Pilot Project to Permit Sandwich Board Signs in the Central Business District (CBD) Zones in the Downtown

File: B-1210-0092

1.0 Purpose

The purpose of this report is to recommend an amendment to Sign By-law 72-96 to facilitate a 3-year Pilot Project to permit sandwich board signs in the Central Business District (CBD) Zones in the Downtown (Pilot Project).

On May 24, 2016, City Council considered Report DS-16-66 and authorized staff to initiate the public process for Council to consider the proposed Pilot Project, subject to the Region of Durham's approval of the City's request for an amendment to the Region's Temporary Sign By-law 22-2014 to advance the proposed Pilot Project.

On September 14, 2016, Regional Council approved a temporary suspension of the application and enforcement of the Region's Temporary Sign By-law 22-2014 to allow the City of Oshawa to proceed with the proposed Pilot Project.

Attachment 1 is a map showing the location of the CBD Zones.

Attachment 2 is a table showing the results of a review of sign by-law provisions in other municipal jurisdictions.

Attachment 3 is a list of proposed regulations for sandwich board signs.

A non-statutory public meeting was held on October 24, 2016 concerning the Pilot Project. At its conclusion, the Development Services Committee adopted a recommendation to refer the Pilot Project back to staff for further review and the preparation of a subsequent report and recommendation. The minutes of the non-statutory public meeting form Attachment 4 to this report.

2.0 Recommendation

That the Development Services Committee recommend to City Council:

1. That, pursuant to Report DS-16-203 dated December 1, 2016, the 3-year Pilot Project to permit Sandwich Board Signs in the CBD (Central Business District) Zones in the Downtown, be approved and the necessary by-law to amend the Sign By-law 72-96 be passed in a form and content acceptable to the City Solicitor and the Commissioner of Development Services.
2. That, the implementation of the 3-year Pilot Project to permit Sandwich Board Signs in the CBD (Central Business District) Zones in the Downtown be undertaken in accordance with the Proposed Implementation Strategy as generally described in Section 5 of Report DS-16-203 dated December 1, 2016.
3. That the notice provisions of By-law 147-2007 (e.g. newspaper advertisements) be waived concerning notice for any proposed amendment to the sign by-law in consideration of the public meeting notice (e.g. newspaper advertisements) provided for the October 24, 2016 Non-Statutory Public Meeting.

3.0 Executive Summary

In 2014, City Council considered the Downtown Plan 20Twenty. One of the action items was that staff investigate legalizing sandwich board signs in the downtown since they are not permitted by Sign By-law 72-96.

Sandwich Board signs represent an important and affordable tool for business owners to advertise their businesses, particularly during the summer season, in the downtown.

Some business owners can accommodate sandwich board signs on private properties. Others however, do not have the space available on private property and wish to use public boulevard including the sidewalk in the downtown.

After undertaking research work, consulting with the Group 20Twenty and Business Improvement Area representatives, and holding a public consultation process, it is recommended that the Council approve the recommended 3-year Pilot Project to permit sandwich board signs in the CBD (Central Business District) Zones in the Downtown ("Pilot Project").

Staff will monitor the performance of the "Pilot Project" in consultation with the BIA and Group 20Twenty over the term of the "Pilot Project". Staff will report back to Council on the results of the "Pilot Project" after the term of the "Pilot Project" expires, on April 1, 2020.

4.0 Input From Other Sources

4.1 General

The following have been consulted in the preparation of the proposed "Pilot Project":

- Community Services
- Municipal Law Enforcement and Licensing Services
- Finance Services - Risk Management and Insurance Officer
- Legal Services
- Region of Durham

4.2 Group 20Twenty

On February 3, 2016, Development Services Department staff presented Group 20Twenty with an overview of the regulatory framework for sandwich board signs in other municipal jurisdictions.

At that time individual members of the Group 20Twenty advised that:

- Sandwich board signs are an important and affordable tool for business owners to advertise their businesses, particularly during the summer season, in the downtown.
- Sandwich board signs may be regulated by the City, with respect to size and location of the sandwich board signs, on private properties and in the public realm.
- The sandwich board signs should be legalized and permitted in the downtown, without any by-law regulations and requirements.
- There is no support for implementing any sign permit, sign licence, encroachment agreement or permit fee requirements for the placement of sandwich board signs in the downtown, on either public property or private property, for business owners.

On October 12, 2016, Development Services staff presented Group 20Twenty with an overview of the proposed regulations for Sandwich Board Signs that were presented at the October 24, 2016 non-statutory public meeting in order to obtain further comments and input.

At the October 12, 2016 meeting individual members of the Group 20Twenty advised:

- Sandwich board signs should be free standing.
- Sandwich Board Signs should be suitably weather sealed or laminated to withstand the elements.
- Sandwich Board Signs should have weight prescribed for stability of signs.
- City should have the right to remove the signs if a sign does not have a sign permit or does not comply with the regulations.
- Permits for Sandwich Board signs should be issued on an annual basis and expire one year from the date of issuance or on April 1, 2020 for any permit issued after April 1, 2019. This would give the City the ability to determine the condition of the sign each year to help ensure the streetscape quality in the Downtown is not compromised by locating a sign that is not in an acceptable condition.

- Special events (Kars on King, Wine Tasting, Bikes on Bond, Show and Shine) held by the Business Improvement Association (BIA) in the CBD Zones in the Downtown, should not require a sign permit from the City for any such sandwich board signs. However, the BIA should be required to advise the City of temporary occasional sandwich board signs for special events, including the specific sign locations, timing for the erection of the signs prior to the event and the removal of the signs after the event. It is appropriate to provide an exemption to the BIA as they represent all business owners in the BIA and promote the downtown as a key policy objective. Exempting BIA events from the requirements of the “Pilot Project” will help advance that key objective.
- Display times for signs should be based on business operating hours and not based on the hours of sunrise to sunset.

These comments have been reviewed and have informed the recommended Sandwich Board Sign Regulations for the “Pilot Project”.

4.3 Municipal Law Enforcement and Licensing Services

Municipal Law Enforcement and Licensing Services (M.L.E.L.S.) provided information on the number of complaints received by the City related to sandwich board signs in the downtown.

M.L.E.L.S. commented that:

- The current complaint tracking software is not designed for fine-grained tracking that specifically identifies the type of sign being complained about and accordingly an accurate overview of sandwich board sign or A-frame sign complaints is not possible.
- Between January 2012 and January 2016, 37 complaints were received by the City that related to all signs in the downtown. However, this does not include proactive enforcement where an officer may have removed a sign or spoken to a business owner/tenant and achieved immediate compliance.
- It is estimated that 50% of these complaints relate to sandwich board signs. All complaints were specifically related to the obstruction of the sidewalk. Some complaints also related to sight obstructions in corner sight triangles or signs obstructing the opening of doors of vehicles parking along the curb lane.

4.4 Region of Durham

The Traffic Engineering and Operations Division of the Regional Works Department was consulted. Temporary signs and banners devices on or adjacent to Regional roads are regulated by Regional By-law 22-2014.

Centre Street and Simcoe Street in Downtown Oshawa are under the jurisdiction of the Region of Durham and any sandwich board sign would be regulated by Regional By-law 22-2014.

The review of Regional By-law 22-2014 indicates that the regulations for temporary signs under the by-law contradict or conflict with the staff proposed regulations for the 3-year "Pilot Project". It would be confusing to the business owners and public to have different sandwich board sign regulations on City streets versus Regional roads in the Downtown.

The Region of Durham Traffic Engineering and Operations Division staff reviewed the staff proposed regulations for the 3-year Pilot Project for sandwich board signs in the downtown and support the program in principle. Regional staff advised that the Regional By-law 22-2014 needed to be addressed, to allow the proposed 3-year Pilot Project for sandwich board signs in Downtown Oshawa on Regional Roads due to discrepancies between the Regional By-law regulations and the proposed regulations for the Pilot Project.

On May 24, 2016, City Council approved the recommendation from Development Services Department, pursuant to Report DS-16-66, that the Region of Durham be requested to approve an amendment to the Regional By-law 22-2014 to advance the proposed "Pilot Project".

On September 14, 2016, Regional Council approved the recommendation, pursuant to Report 2016-COW-10, for a three-year suspension of the application and enforcement of the Regional By-law 22-2014 to allow the Proposed "Pilot Project" to be advanced.

4.5 Other Municipalities

The sign by-law regulations of the following municipalities have been reviewed:

- | | | |
|---------------|--------------------|-------------|
| ▪ Ajax | ▪ Newmarket | ▪ Victoria |
| ▪ Brampton | ▪ Oakville | ▪ Waterloo |
| ▪ Clarington | ▪ Pembroke | ▪ Whitby |
| ▪ Cobourg | ▪ Peterborough | ▪ Windsor |
| ▪ Guelph | ▪ Pickering | ▪ Woodstock |
| ▪ Markham | ▪ Regina | |
| ▪ Mississauga | ▪ Region of Durham | |

The results of the review of the other municipalities are presented in Attachment 2.

5.0 Analysis

5.1 Background

The City's Sign By-law 72-96 was passed in 1996 and currently does not permit sandwich board signs in the City.

There are a number of sandwich board signs at several business locations, throughout the downtown.

In 2014 City Council considered the Downtown Plan 20Twenty. One of the action items was that staff investigate legalizing sandwich board signs in the downtown.

5.2 Other Municipal Jurisdictions

Staff reviewed the sign by-law provisions of other municipalities to determine the regulatory framework for implementation and enforcement of sandwich board signs in other jurisdictions.

Staff reviewed the sign by-law provisions of other municipalities to:

- Determine whether or not the sandwich board signs are permitted;
- Investigate what these signs are called and how they are regulated in other jurisdictions;
- Determine whether or not a sign permit is required for the placement of sandwich board signs;
- Determine the various classification or categories for sandwich board signs (e.g. double faced A-board signs, A-frame signs, portable signs, temporary signs);
- Understand each municipality's regulations and criteria; and
- Investigate the fees for an application to permit/place a sandwich board sign (i.e. annual fee or fee per application).

A review of the information received from other municipalities and presented in Attachment 2 indicates:

- The signs which are being considered are typically referred to as double-faced A-Board, A-frame and T-frame signs.
- It is a common practice across municipalities to regulate sandwich board signs under the regulations for portable signs, temporary signs and sidewalk signs in their sign by-laws.
- 17 of the municipalities surveyed permit sandwich board signs to be located either on private property and/or the municipal road allowance subject to regulations regarding location, size, timing and number.
- 14 of the municipalities surveyed permit sandwich board signs to be located on boulevard/sidewalks within the municipal road allowance.
- 13 of the municipalities surveyed require sign permits for placement of sandwich board signs either on public or private property while the remaining five municipalities have no such requirement.
- 3 municipalities require either a licence or encroachment agreement, in addition to sign permits, for the placement of sandwich board signs in the municipal road allowance.
- 10 municipalities require Commercial General Liability insurance, up to a maximum of \$2 million per accident or occurrence, to be provided to the municipality to cover public

liability and property damage, with the municipality being named as an Additional Insured.

5.3 Recommended Pilot Project and Implementation Strategy

5.3.1 Pilot Project

The recommended Pilot Project is to permit sandwich board signs in the Central Business District (CBD) Zones in downtown Oshawa for a three-year period beginning April 1, 2017. There will be no permit fee during the 3 year Pilot Project.

5.3.2 Proposed Amendment to Sign By-law 72-96

An amendment to Sign By-law 72-96 is required to permit the sandwich board signs in the CBD Zones in the Downtown for up to 3 years.

Sandwich board signs will require a sign permit from the City on an annual basis. Permits will expire one year from the date of issuance or on April 1, 2020 for any permit issued after April 1, 2019.

The proposed amendments generally will:

- Include adding a definition of “sandwich board sign” as follows:

“SANDWICH BOARD SIGN” means a free standing portable sign supported by its own weight and may include an A-frame, A-board and a T-frame sign with advertising.”
- Allow sandwich board signs on both private property and within the boulevard/sidewalk portion of municipal road allowances as temporary signs.
- Include regulations for sandwich board signs that control such matters as the number, size, location and timing of display of sandwich board signs.
- Give authorization to the Planning Services Branch of the Development Services Department to administer the sign permit process during the Pilot Project.
- Delegate the approval and issuance of the sign permit for the Pilot Project to the Commissioner of Development Services or Director of Planning Services.

The proposed regulations/requirements generally form Attachment 3.

5.3.3 Sign Permit Process for the Pilot Project

The Sign Permit Process is generally as follows:

- The business owner applies for a sign permit for the sandwich board sign.
- The Commissioner of Development Services or Director of Planning Services issues sign permits for qualifying sandwich board signs during the Pilot Project.

- Business owners shall obtain a sign permit on an annual basis during the 3-year period of the Pilot Project. Permits will expire one year from the date of issuance or on April 1, 2020 if the permit is issued after April 1, 2019.
- Sandwich board signs shall require a sign permit sticker, issued by the City of Oshawa, showing the permit number, address and expiry date of the permit, to be affixed to the display surface of the sign.
- The business owner would demonstrate that the sandwich board sign is in good condition. If Planning Services after inspecting the sign determines that, the sign is not in a good condition, Planning Services may refuse to issue the sticker until the sign is in an acceptable condition for placement.
- The sign permit sticker shall be displayed throughout the year for which the permit has been issued.
- The sign permit shall include terms and conditions as determined by the Commissioner of Development Services or Director of Planning Services in consultation with the City Solicitor and shall include amongst other matters:
 - (a) The term of the sign permit;
 - (b) Liability Insurance and indemnification requirements;
 - (c) A site plan showing the location for the sandwich board sign for the Sign permit in accordance with the Sandwich Board Signs Regulations; and
 - (d) Design of the sandwich board sign, showing the size and material.

5.3.4 Liability and Risk

The City accepts liability and risk with each decision and initiative it undertakes and the Pilot Project is not without such risk and liability.

The Pilot Project would permit the sandwich board signs in the public boulevard including sidewalks. Accordingly, the sandwich board signs and the City's approval of them will have a risk, which needs to be managed.

Accordingly, the key following items are recommended:

- A Certificate of Insurance shall be provided prior to the issuance of a Sign Permit to show proof of \$2 million Commercial General Liability insurance, with a requirement the City be named as an Additional Insured; and,
- The business owner shall indemnify the City.

5.3.5 Communication Plan

If Council approves the Pilot Project, Planning Services staff will work with Corporate Communications to message out the start of the program through social media opportunities such as the City's website and Facebook and Twitter accounts.

The BIA will also be notified of the commencement of the "Pilot Project".

5.4 Notice By-law

The general requirements for giving notice to the public is embedded in By-law 147-2007. Fourteen days notice to the public is required by By-law 147-2007 when Council is considering passing or amending a by-law concerning advertising devices, including signs.

In this particular circumstance, it is appropriate for Council to waive the notice requirements given the previous notice provided for the October 24, 2016 non-statutory Public Meeting.

5.5 Rationale for Support

Staff recommends the implementation of the Pilot Project in the downtown for the following reasons:

- Sandwich board signs will advance the Economic Prosperity goal of the Oshawa Strategic Plan and promote downtown revitalization;
- Sandwich board signs will support existing businesses and provide them with a new opportunity for increasing their customer base;
- Sandwich board signs will bring vibrancy, colour, activity and a more active streetscape to the downtown;
- Sandwich board signs will attract people to the downtown who will then be exposed to the retail stores, services and other amenities available downtown;
- The Pilot Project will only be three years after which an assessment will be conducted;
- The Pilot Project has been designed to reasonably protect the City's interest, risk and liability;
- The Pilot Project has reasonable financial implications for the City; and
- Sandwich board signs were identified as a key deliverable of Plan 20Twenty.

6.0 Financial Implications

Anticipated costs to the City will be included in the appropriate 2017 Departmental budgets and generally relate to the printing of Sign Permit stickers to be issued to business owners with sign permits, preparing application forms and processing applications.

7.0 Relationship to the Oshawa Strategic Plan

The implementation of the "Pilot Project" advances the Economic Prosperity & Financial Stewardship goal identified in the Oshawa Strategic Plan.



Warren Munro, HBA, Director,
Planning Services



Paul D. Ralph, BES, RPP MCIP, Commissioner,
Development Services Department

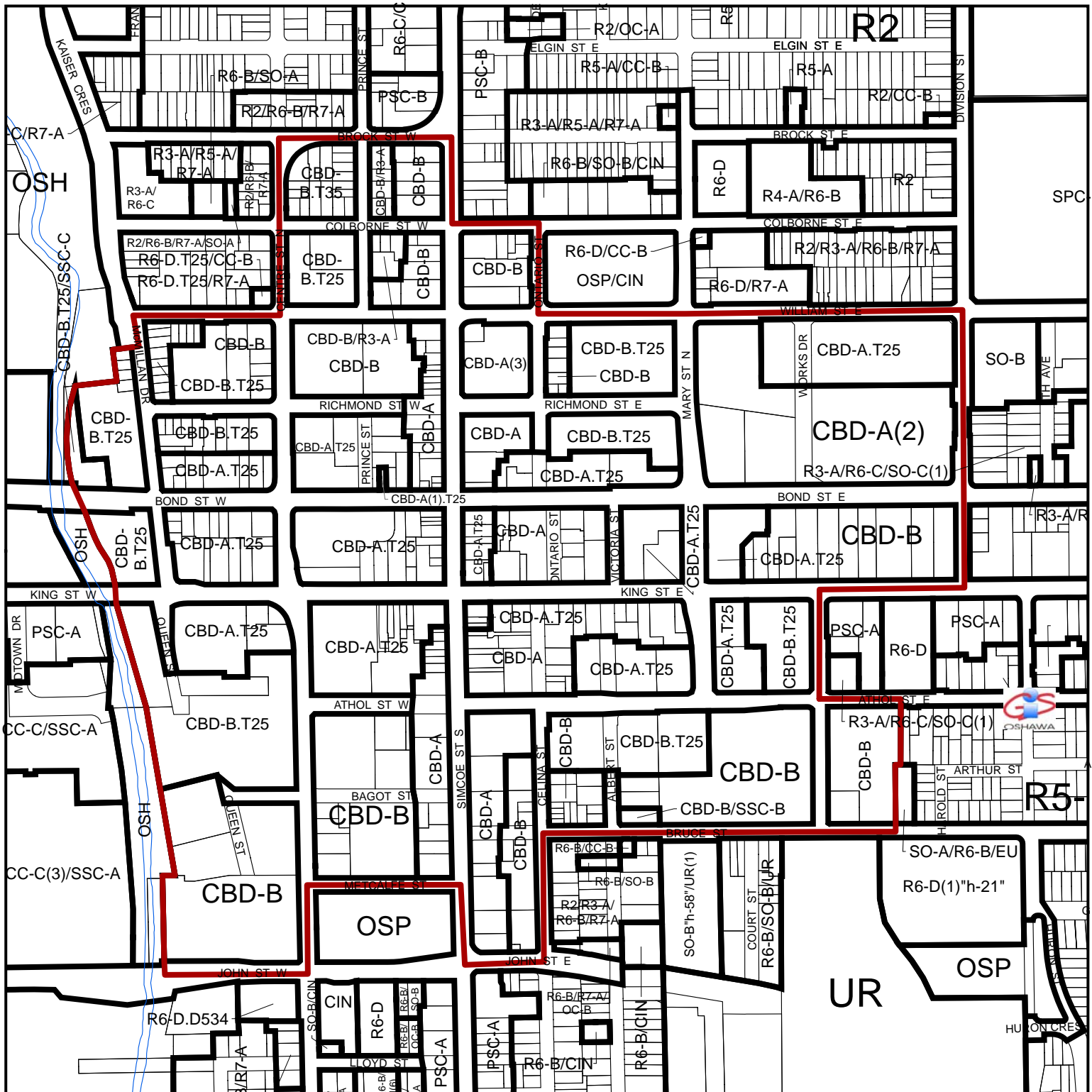
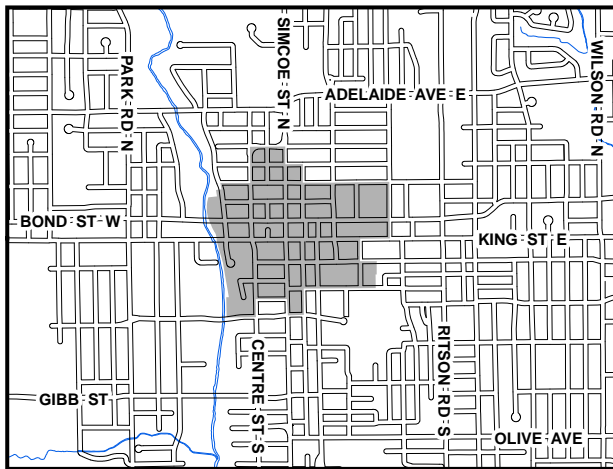
Development Services Department

Subject: Proposed Pilot Project to permit sandwich board signs in the Central Business District (CBD) Zones in the Downtown

File: B-1210-0092



Central Business District Zones Boundary 



Sign By-Law Provisions in Other Municipal Jurisdictions

Municipality	Permitted on Private Property	Permitted on Municipal Road Allowance	Permit Required	Criteria (e.g. restrictions on size and location)	Required Permit Fees	Required Insurance
Ajax	Yes	No	No	Yes	No	No
Brampton	Yes	No	Yes	Yes	\$125/30 days	\$2 million
Clarington	Yes	Yes	No	Yes	No	No
Cobourg	Yes	Yes	Yes	Yes	N/A	\$1 million
Guelph	Yes	Yes	Yes	Yes	\$65/year	\$2 million
Markham	Yes	No	Yes	Yes	N/A	No
Mississauga	Yes	Yes	Yes	Yes	\$100/year	\$2 million
Newmarket	Yes	Yes	Yes	Yes	N/A	No
Oakville	Yes	Yes	Yes	Yes	\$30/15 days	No
Pembroke	Yes	Yes	Yes	Yes	N/A	\$1 million
Peterborough	Yes	Yes with an Encroachment Agreement	Yes	Yes	N/A	\$2 million
Pickering	Yes	Yes with a licence	Yes	Yes	\$100	No
Regina	Yes	Yes	Yes	Yes	Varies	\$1 million
Region of Durham	N/A	Yes, but not on sidewalk	N/A	Yes	N/A	N/A
Victoria	Yes	Yes	Yes	Yes	\$35/year	\$2 million
Waterloo	Yes	Yes	No	Yes	No	\$1 million
Whitby	No	No	N/A	N/A	N/A	N/A
Windsor	Yes	Yes with an Encroachment Agreement	Yes	Yes	\$140/year	Yes
Woodstock	Yes	Yes	No	Yes	No	No

Proposed Regulations/Requirements for Sandwich Board Signs

1. Sandwich board signs shall be permitted in the Central Business District Zones.
2. Sandwich board signs shall be permitted on private properties and the boulevard including the sidewalk on city streets and regional roads.
3. One sandwich board sign shall be permitted for each business unit including for businesses located on upper floors that have dedicated entries from the street and shall clearly indicate the name of the business and/or the unit/building number that the business is located in.
4. Sandwich board signs shall require a sign permit sticker, issued by the City of Oshawa as part of the sign permit, to be affixed to the display surface, throughout the year for which the permit has been issued.
5. Sandwich board signs shall be located in front of the business unit adjacent to the entrance door or across from the entrance door fronting the business unit.
6. Sandwich board signs shall be non-electrical and shall not include or display lights or moving parts.
7. Sandwich board signs shall be located along the edge of the building or at the curb edge in order to allow a clearance width of 1.8m for pedestrian traffic after placement of the sandwich board sign.
8. Sandwich board signs located along the edge of the curb in the municipal boulevard shall be at least 0.6m away from the curb or the edge of the travelled portion of the road, to allow for door swings for cars parked on the road.
9. The maximum sign height of any sandwich board sign shall be 1m.
10. The maximum sign width of any sandwich board sign shall be 0.6m.
11. Sandwich board signs shall be made of polyvinyl chloride, metal, or plywood or other higher quality material in the opinion of the Commissioner of Development Services or the Director of Planning Services and shall include additional weight or brace attached for additional stability.
12. Sandwich board signs shall be located a minimum of 3m from any other sandwich board sign.
13. Sandwich board signs shall be removed by the business owner from the boulevard to allow for snow clearance and maintenance.
14. Sandwich board signs shall be permitted on the boulevard during the hours of the business and shall be removed at all other times.

15. Sandwich board signs shall be located a minimum distance of 1 metre from all pay and display machines, street furniture and waste receptacles.
16. A Certificate of Insurance shall be required prior to the issuance of the Sign Permit to show proof of \$2 million Commercial General Liability insurance with the City of Oshawa named as an Additional Insured.
17. Sandwich board signs will be removed by the business owner during periods of severe weather (such as high winds) that could result in such boards becoming airborne causing damage or public injury.
18. The City has the right to remove any sandwich board sign that does not have a sign permit or sticker or has a sign permit and sticker but is located such that it does not comply with the regulations.
19. Permits for sandwich board signs will be issued on an annual basis and expire one year from the date of issuance or on April 1, 2020 for any permit issued after April 1, 2019.
20. Special events held by the BIA shall be exempt from Sandwich Board Sign permits and requirements.

**Excerpts from the Minutes of the Development Services Committee Meeting held on
October 24, 2016**

Planning Act Public Meetings

The Chair outlined the purpose and format of the public meeting.

Declarations of Pecuniary Interest

Councillor Carter made a declaration of pecuniary interest concerning Report DS-16-192 as he owns property in the downtown and is a member of the business improvement area and did not take part in discussion or voting on this matter.

Presentation

Hena Kabir, Principal Planner presented an overview of the proposed 3-year pilot project to permit sandwich board signs in the Central Business District Zones in Downtown Oshawa.

The Committee questioned Hena Kabir.

Delegations

No public comments were received.

Correspondence

None.

Report

DS-16-192	Proposed Pilot Project to Permit Sandwich Board Signs in the Central Business District (CBD) Zones in the Downtown
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Moved by Councillor Pidwerbecki,
“That pursuant to Report DS-16-192 dated October 20, 2016, the proposed 3-year Pilot Project to permit sandwich board signs in the Central Business District Zones in the Downtown be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval.” Carried



By-law 12-2017

of The Corporation of the City of Oshawa

Being a by-law to further amend the City of Oshawa's By-law 72-96 (Being a By-law to Regulate Signs within Oshawa and Projections and Suspensions on Highways), as amended.

IT IS ENACTED as a by-law of The Corporation of the City of Oshawa by its Council as follows:

1. That By-law 72-96 (Being a By-law to Regulate Signs within Oshawa and Projections and Suspensions on Highways), as amended, is further amended as follows:

- (a) By deleting the word "and" in Subarticle 1.8.1(b); by replacing the text "." at the end of Subarticle 1.8.1(c) with "; and" ; and by adding a new Subarticle under Article 1.8.1 as follows: "(d) SANDWICH BOARD SIGNS", so that Article 1.8.1 as amended reads as follows:

1.8.1 The following SIGNS shall require a SIGN PERMIT:

- (a) COMMERCIAL MOBILE SIGNS;
- (b) SPECIAL EVENT BANNERS;
- (c) SIGNS associated with a temporary sales office as described in Subsection 5.17; and
- (d) SANDWICH BOARD SIGNS.

- (b) By amending Article 1.8.3 by adding after the words "from time to time" at the end of the existing sentence the following text: ", except that application for a SIGN PERMIT for a SANDWICH BOARD SIGN shall be made on the form or forms as may be required by the COMMISSIONER or the DIRECTOR from time to time" so that Article 1.8.3 as amended reads as follows:

Every PERSON making application for a SIGN PERMIT shall make application on the form or forms as may be required by the CHIEF BUILDING OFFICIAL from time to time, except that application for a SIGN PERMIT for a SANDWICH BOARD SIGN shall be made on the form or forms as may be required by the COMMISSIONER or the DIRECTOR from time to time.

- (c) By adding new definitions in proper alphabetical arrangement under Subsection 2.1, as follows:

(i) "COMMISSIONER" means the CITY's Commissioner, Development Services Department.

(ii) "DIRECTOR" means the CITY's Director of Planning Services, Development Services Department.

(iii) "SANDWICH BOARD SIGN" means a free standing portable TEMPORARY SIGN supported by its own weight and includes an A-frame, A-board and a T-frame SIGN with advertising.

(d) By amending the definition of "SIGN PERMIT" contained in Subsection 2.1 to add ", the COMMISSIONER or the DIRECTOR" after the words "CHIEF BUILDING OFFICIAL" and before the words "pursuant to the provisions of this By-law, so that the amended definition of SIGN PERMIT reads as follows:

"SIGN PERMIT" means any permit, other than a building permit or encroachment permit, issued by the CHIEF BUILDING OFFICIAL, the COMMISSIONER or the DIRECTOR pursuant to the provisions of this By-law.

(e) By amending the definition of "TEMPORARY" under Subsection 2.1 to add "SANDWICH BOARD SIGN," after "a COMMERCIAL MOBILE SIGN," and before "a PLANNING NOTIFICATION SIGN,"

(f) By adding a new Article 3.5.6, as follows:

Notwithstanding Article 3.5.1, SANDWICH BOARD SIGNS are permitted on a BOULEVARD provided that a SIGN PERMIT for the SANDWICH BOARD SIGN has been issued and the SANDWICH BOARD SIGN is in compliance with the provisions of this By-law.

(g) By adding a new section 5.18, after Article 5.17.3, as follows:

5.18 SANDWICH BOARD SIGNS

- 5.18.1 Notwithstanding any provision of this By-law, Subsection 5.18 of this By-law shall prevail to the extent of any conflict with any other provision of this By-law.
- 5.18.2 No PERSON shall erect or display, or cause or permit to be erected or displayed, a SANDWICH BOARD SIGN:
- (a) without having been issued a SIGN PERMIT for the SANDWICH BOARD SIGN;
 - (b) in any ZONE except for CBD (Central Business District) ZONES;
 - (c) other than in the location authorized by the SIGN PERMIT;
 - (d) that does not contain on its DISPLAY SURFACE a valid SIGN PERMIT sticker issued by the COMMISSIONER or DIRECTOR;

- (e) that does not maintain both a 1.8m minimum width for pedestrian traffic within the BOULEVARD and a 0.6m minimum setback from the curb or edge of the travelled portion of any CITY STREET or REGIONAL ROAD;
- (f) that contains advertising or other copy that does not relate to the lawful use of any business located within 3m of the SANDWICH BOARD SIGN;
- (g) within 3m of any other SANDWICH BOARD SIGN;
- (h) within the traveled portion of any HIGHWAY;
- (i) located less than 1m from any pay and display parking machines, street furniture or waste receptacles;
- (j) on a BOULEVARD in such a manner that it interferes with or obstructs snow removal or maintenance;
- (k) that falls over;
- (l) outside of the hours of operation of any business relating to the SANDWICH BOARD SIGN;
- (m) that does not clearly indicate the name of the business or the building unit number where the business is located;
- (n) having a SIGN HEIGHT greater than 1m;
- (o) having a sign width greater than 0.6m;
- (p) that is not made of plastic, metal, or wood unless approved by the COMMISSIONER or the DIRECTOR;
- (q) that is electrical, includes or displays lights or contains moving parts;
- (r) that is not maintained in a good state of repair.

5.18.3

No PERSON issued a SIGN PERMIT for a SANDWICH BOARD SIGN shall fail to maintain throughout the duration of the SIGN PERMIT's validity a Certificate of Insurance for Commercial General Liability in an amount and form satisfactory to the CITY with the CITY named as an Additional Insured.

- 5.18.4 The COMMISSIONER and DIRECTOR are hereby authorized to administer, approve (with or without conditions) and refuse to approve SIGN PERMITS for SANDWICH BOARD SIGNS.
- 5.18.5 An application for a SIGN PERMIT for a SANDWICH BOARD SIGN shall be made at the CITY's Development Services Department on the form or forms that the COMMISSIONER or DIRECTOR may prescribe.
- 5.18.6 The COMMISSIONER and DIRECTOR are hereby authorized to require at any time any documentation, insurance or indemnity in favour of the CITY as the COMMISSIONER or DIRECTOR deems appropriate.
- 5.18.7 The COMMISSIONER and the DIRECTOR may revoke any SIGN PERMIT for a SANDWICH BOARD SIGN if the PERSON issued the SIGN PERMIT for the SANDWICH BOARD SIGN fails to comply with any provision of this By-law.
- 5.18.8 SIGN PERMITS for SANDWICH BOARD SIGNS shall only be valid between April 1, 2017 and April 1, 2020 (inclusive) and every SIGN PERMIT for SANDWICH BOARD SIGNS shall expire on the earlier of: (a) one year from the date of issuance; or (b) April 1, 2020.
- 5.18.9 Notwithstanding Article 1.10.4 of this By-law, the CITY has the right to immediately remove any SANDWICH BOARD SIGN if there is noncompliance with this By-law, without notice to any PERSON.
- 5.18.10 No more than one SANDWICH BOARD SIGN shall be permitted for each business unit identified by a municipal address within the CITY.
- 5.18.11 A business unit located on an upper floor of a building is eligible for a SANDWICH BOARD SIGN provided the business unit has a separate front entrance from a CITY STREET or REGIONAL ROAD such that the upper floor entrance is separate from the ground floor entrance.
- 5.18.12 Unless otherwise authorized by the COMMISSIONER or DIRECTOR, a SANDWICH BOARD SIGN shall be safely erected or displayed in front of a business unit adjacent to the entrance door, or across from the entrance door fronting the business unit, in compliance with the provisions contained within this By-law.

- 5.18.13 During special events promoted by the Business Improvement Association ("BIA"), including but not limited to Kars on King, Bikes on Bond and Show and Shine, the BIA shall be exempt, with respect to SANDWICH BOARD SIGNS in the business improvement area, from the requirements contained in Article 1.8.1(d), Article 3.5.1, Subsection 3.2 and Subsection 5.18 of this By-law, which exemption shall commence fourteen (14) calendar days prior to the start of the special event and terminate twenty-four (24) hours after the conclusion of the special event.
- 5.18.14 The BIA shall both notify and consult with the COMMISSIONER or DIRECTOR no later than thirty-one (31) calendar days prior to the start of any special event referenced in the preceding Article of this By-law.
- 5.18.15 Nothing in Article 5.18.13 of this By-law shall be deemed to exempt any individual member or business located within the CITY's business improvement area from Article 1.8.1(d), Article 3.5.1, Subsection 3.2 and Subsection 5.18 of this By-law.

2. That By-law 72-96 (Being a By-law to Regulate Signs within Oshawa and Projections and Suspensions on Highways), as amended, is further amended as follows:

- (a) By amending the definition of FASCIA SIGN contained in Subsection 2.1 by inserting the words "or the architectural feature of a building" immediately after the words "parallel to the FACADE" and before the words "to which it is attached" and adding immediately after the words "to which it is attached" and before the words "A FASCIA SIGN INCLUDES" the following words: "A SIGN attached to an architectural feature of a building is a FASCIA SIGN." so that the definition of FASCIA SIGN, as amended, will read as follows:

"FASCIA SIGN" means a SIGN located in such a manner that the DISPLAY SURFACE of the SIGN is parallel to the FACADE or the architectural feature of the building to which it is attached. A SIGN attached to an architectural feature of a building is a FASCIA SIGN. A FASCIA SIGN includes:

- (a) a single FASCIA SIGN with a single panel of copy;
- (b) a single FASCIA SIGN with more than one SIGN panel of copy within it;

(c) more than one FASCIA SIGN on one FACADE, provided the SIGNS' dimensions, excluding length, are identical and the SIGNS abut one another so as to appear as a single SIGN; and

(d) free standing numbers, letters or shapes or groupings of numbers, letters or shapes provided the dimensions of each number, letter or shape are identical and each number, letter or shape is placed in a sequence or manner which presents a consistent and co-ordinated message similar to that which would be provided by a single panel of copy."

(b) By amending the definition of STOREY in Subsection 2.1 by inserting the following words at the end of the existing definition: "For the purpose of permitting FASCIA SIGNS, the architectural feature of a building is considered to be part of the STOREY the architectural feature is affixed to.", such that the definition, as amended, will read as follows:

"STOREY" means a part of a building which is not a half storey and which is situated between any floor level and the floor, ceiling or roof next above it and shall include a basement but shall not include a cellar or attic. For the purpose of permitting FASCIA SIGNS, the architectural feature of a building is considered to be part of the STOREY the architectural feature is affixed to."

(c) By deleting Article 3.6.3 in its entirety and replacing it with the following:

"3.6.3(1) No FASCIA SIGN shall extend vertically above a roof line unless it is affixed to an architectural feature of a building.

(d) By adding a new Article 3.6.3(2) as follows:

3.6.3(2) No FASCIA SIGN affixed to an architectural feature of a building shall extend more than 2m vertically above a roof line.

(e) By adding a new Article 3.6.3(3) as follows:

3.6.3(3) Notwithstanding Article 3.6.3(2), a FASCIA SIGN which solely exhibits a corporate logo and is affixed to an architectural feature of a building may extend more than 2m vertically above a roof line but it shall not extend more than 4m vertically above a roof line.

(f) By amending Article 4.3.3(1) by adding the following words after the existing sentence:

"In addition, one FASCIA or CANOPY SIGN shall be permitted for each wall not facing a STREET LINE provided the wall faces a non-residential ZONE or the wall faces a

Residential ZONE and the wall is setback a minimum of 25m from that Residential ZONE", such that Article 4.3.3(1) will read as follows:

"4.3.3(1) Only one FASCIA or CANOPY SIGN shall be permitted facing each STREET LINE. In addition, one FASCIA or CANOPY SIGN shall be permitted for each wall not facing a STREET LINE provided the wall faces a non-residential ZONE or the wall faces a Residential ZONE and the wall is setback a minimum of 25m from that Residential ZONE."

- (g) By amending Article 4.3.4(1) by adding the following words after the existing sentence:

"In addition, one FASCIA or CANOPY SIGN shall be permitted for each wall not facing a STREET LINE provided the wall faces a non-residential ZONE or the wall faces a Residential ZONE and the wall is setback a minimum of 25m from that Residential ZONE", such that Article 4.3.4(1) as amended will read as follows:

"4.3.4(1) One FASCIA or CANOPY SIGN shall be permitted facing each STREET LINE. In addition, one FASCIA or CANOPY SIGN shall be permitted for each wall not facing a STREET LINE provided the wall faces a non-residential ZONE or the wall faces a Residential ZONE and the wall is setback a minimum of 25m from that Residential ZONE."

- (h) By amending Article 4.3.4(3) by adding the following words after the existing sentence:

"In addition, one FASCIA or CANOPY SIGN shall be permitted for each PREMISES which has a door for direct public entry/egress which faces a non-residential ZONE or which has a door for direct public entry/egress that faces a Residential ZONE and the door for direct public entry/egress is setback a minimum of 25m from that Residential ZONE.", such that Article 4.3.4(3) as amended will read as follows:

"4.3.4(3) One additional FASCIA or CANOPY SIGN shall be permitted for each PREMISES which has a door for direct public entry/egress which faces a STREET LINE or window exposure which faces a STREET LINE. In addition, one FASCIA or CANOPY SIGN shall be permitted for each PREMISES which has a door for direct public entry/egress which faces a non-residential ZONE or which has a door for direct public entry/egress that faces a Residential ZONE and the door for direct public entry/egress is setback a minimum of 25m from that Residential ZONE."

- (i) By amending Article 3.10.2 by adding the following words immediately following the existing sentence: "except in the CBD (Central Business District) ZONE", such that Article 3.10.2 as amended will read as follows:

"3.10.2 No PROJECTING SIGN shall be permitted on the FIRST STOREY, except in the CBD (Central Business District) ZONE"

- (j) By amending Article 5.17.1 by inserting the words "or permit" after "or cause" and before "to be erected" in the existing sentence; and by deleting the words "in a Council approved draft plan of subdivision or condominium", immediately following the words "with a temporary sales office", such that Article 5.17.1 as amended, will read as follows:

"5.17.1 No person shall erect or display, or cause or permit to be erected or displayed, any SIGN associated with a temporary sales office except in compliance with the provisions of this Subsection."

- (k) By amending Article 5.17.2 by deleting the words "in a Council approved draft plan of subdivision or condominium", immediately following the words "SIGNS located on lands", and replacing the expressions "Commissioner" and "Commissioner of the Development Services Department" in Article 5.17.2 with "COMMISSIONER" such that Article 5.17.2 as amended, will read as follows:

"5.17.2 Notwithstanding any other provision of this by-law, SIGNS located on lands within 50m of a temporary sales office or on said office shall be permitted with the approval of the COMMISSIONER. SIGNS approved by the COMMISSIONER shall comply with the provisions of Subsection 3.1 and shall not be located on a HIGHWAY."

- (l) By replacing the words "Commissioner" and "Commissioner of the Department of Development and Planning Services" in Articles 5.10.12 and 5.17.3, respectively, with "COMMISSIONER"

By deleting Article 3.4.1(f) in its entirety and replacing it with the following:

"3.4.1(f) SIGNS erected by any conservation authority, school board or post-secondary institution established by the Government of Ontario, as related to their facilities and mandates."

- (m) By amending Article 4.5.7 by deleting the following words: "Durham College of Applied Arts and Technology and the" and by revising the reference for "Oshawa General Hospital" to "Lakeridge Health Hospital", such that Article 4.5.7 as amended, will read as follows:

"4.5.7 Notwithstanding Article 4.5.1, Lakeridge Health Hospital shall be permitted SIGNS in accordance with Subsection 4.3".

- (n) By amending the definition of PYLON SIGN in Subsection 2.1 by deleting the words "having a DISPLAY SURFACE a minimum of 2.4m above the grade and having no advertising device between the ground and the bottom of the SIGN FACE" immediately following the words "one or more poles."; and by adding after the words

"one or more poles" the words "or standards" before the final "." such that the definition of PYLON SIGN as amended, will read as follows:

"PYLON SIGN" means a SIGN supported by one or more poles or standards."

(o) By deleting Article 3.1.21 in its entirety and replacing it with the following:


3.1.21. No SIGN shall be permitted in a SIGHT TRIANGLE, RAILWAY SIGHT TRIANGLE or a DRIVEWAY SIGHT TRIANGLE unless:

- (a) the SIGN has a SIGN HEIGHT of 0.9m or less;
- (b) the SIGN is located in a RAILWAY SIGHT TRIANGLE and maintains a CLEARANCE of 2.4m and utilizes a single pole or standard as the support provided the pole or standard has a diameter or width at its largest dimension of less than 0.3m.; or,
- (c) the SIGN is located within a SIGHT TRIANGLE or DRIVEWAY SIGHT TRIANGLE, maintains a CLEARANCE of 2.4m and utilizes a pole(s) or standard(s) as the support, provided that every pole or standard has a diameter of width at its largest dimension of less than 0.3m and no more than one (1) pole or standard is located within the SIGHT TRIANGLE or DRIVEWAY SIGHT TRIANGLE."

By-law passed this twenty-first day of February, 2017.



Mayor



City Clerk

Council-approved Sandwich Board Sign Regulations

1. Sandwich board signs shall be permitted in C.B.D. Zones in the Downtown Oshawa Urban Growth Centre.
2. Sandwich board signs shall be permitted on private properties and the boulevard including the sidewalk on City streets and Regional roads.
3. One sandwich board sign shall be permitted for each business unit including for businesses located on upper floors that have dedicated entries from the street and shall clearly indicate the name of the business and/or the unit/building number that the business is located in.
4. Sandwich board signs shall require a sign permit sticker, issued by the City of Oshawa as part of the sign permit, to be affixed to the display surface, throughout the year for which the permit has been issued.
5. Sandwich board signs shall be located in front of the business unit adjacent to the entrance door or across from the entrance door fronting the business unit.
6. Sandwich board signs shall be non-electrical and shall not include or display lights or moving parts.
7. Sandwich board signs shall be located along the edge of the building or at the curb edge in order to allow a clearance width of 1.8 metres for pedestrian traffic after placement of the sandwich board sign.
8. Sandwich board signs located along the edge of the curb in the municipal boulevard shall be at least 0.6 metres away from the curb or the edge of the travelled portion of the road, to allow for door swings for cars parked on the road.
9. The maximum sign height of any sandwich board sign shall be 1 metre.
10. The maximum sign width of any sandwich board sign shall be 0.6 metres.
11. Sandwich board signs shall be made of polyvinyl chloride, metal, or plywood or other higher quality material in the opinion of the Commissioner of Economic and Development Services or the Director of Planning Services and shall include additional weight or brace attached for additional stability.
12. Sandwich board signs shall be located a minimum of 3 metres from any other sandwich board sign.
13. Sandwich board signs shall be removed by the business owner from the boulevard to allow for snow clearance and maintenance.
14. Sandwich board signs shall be permitted on the boulevard during the hours of the business and shall be removed at all other times.

15. Sandwich board signs shall be located a minimum distance of 1 metre from all pay and display machines, street furniture and waste receptacles.
16. A Certificate of Insurance shall be required prior to the issuance of the sign permit to show proof of \$2 million Commercial General Liability insurance with the City of Oshawa named as an additional insured.
17. Sandwich board signs will be removed by the business owner during periods of severe weather (such as high winds) that could result in such boards becoming airborne causing damage or public injury.
18. The City has the right to remove any sandwich board sign that does not have a sign permit or sticker or has a sign permit and sticker but is located such that it does not comply with the regulations.
19. Sign permits for sandwich board signs shall only be valid between December 14, 2020 and April 1, 2023 and every sign permit for sandwich board signs shall expire on April 1, 2023.
20. Special events held by the B.I.A. shall be exempt from Sandwich Board Sign permits and requirements.



By-law 12-2017

of The Corporation of the City of Oshawa

Being a by-law to further amend the City of Oshawa's By-law 72-96 (Being a By-law to Regulate Signs within Oshawa and Projections and Suspensions on Highways), as amended.

IT IS ENACTED as a by-law of The Corporation of the City of Oshawa by its Council as follows:

1. That By-law 72-96 (Being a By-law to Regulate Signs within Oshawa and Projections and Suspensions on Highways), as amended, is further amended as follows:

(a) By deleting the word "and" in Subarticle 1.8.1(b); by replacing the text "." at the end of Subarticle 1.8.1(c) with "; and"; and by adding a new Subarticle under Article 1.8.1 as follows: "(d) SANDWICH BOARD SIGNS", so that Article 1.8.1 as amended reads as follows:

1.8.1 The following SIGNS shall require a SIGN PERMIT:

(a) COMMERCIAL MOBILE SIGNS;

(b) SPECIAL EVENT BANNERS;

(c) SIGNS associated with a temporary sales office as described in Subsection 5.17; and

(d) SANDWICH BOARD SIGNS.

(b) By amending Article 1.8.3 by adding after the words "from time to time" at the end of the existing sentence the following text: ", except that application for a SIGN PERMIT for a SANDWICH BOARD SIGN shall be made on the form or forms as may be required by the COMMISSIONER or the DIRECTOR from time to time" so that Article 1.8.3 as amended reads as follows:

Every PERSON making application for a SIGN PERMIT shall make application on the form or forms as may be required by the CHIEF BUILDING OFFICIAL from time to time, except that application for a SIGN PERMIT for a SANDWICH BOARD SIGN shall be made on the form or forms as may be required by the COMMISSIONER or the DIRECTOR from time to time.

(c) By adding new definitions in proper alphabetical arrangement under Subsection 2.1, as follows:

(i) "COMMISSIONER" means the CITY's Commissioner, Development Services Department.

(ii) "DIRECTOR" means the CITY's Director of Planning Services, Development Services Department.

(iii) "SANDWICH BOARD SIGN" means a free standing portable TEMPORARY SIGN supported by its own weight and includes an A-frame, A-board and a T-frame SIGN with advertising.

(d) By amending the definition of "SIGN PERMIT" contained in Subsection 2.1 to add ", the COMMISSIONER or the DIRECTOR" after the words "CHIEF BUILDING OFFICIAL" and before the words "pursuant to the provisions of this By-law, so that the amended definition of SIGN PERMIT reads as follows:

"SIGN PERMIT" means any permit, other than a building permit or encroachment permit, issued by the CHIEF BUILDING OFFICIAL, the COMMISSIONER or the DIRECTOR pursuant to the provisions of this By-law.

(e) By amending the definition of "TEMPORARY" under Subsection 2.1 to add "SANDWICH BOARD SIGN," after "a COMMERCIAL MOBILE SIGN," and before "a PLANNING NOTIFICATION SIGN,"

(f) By adding a new Article 3.5.6, as follows:

Notwithstanding Article 3.5.1, SANDWICH BOARD SIGNS are permitted on a BOULEVARD provided that a SIGN PERMIT for the SANDWICH BOARD SIGN has been issued and the SANDWICH BOARD SIGN is in compliance with the provisions of this By-law.

(g) By adding a new section 5.18, after Article 5.17.3, as follows:

5.18 SANDWICH BOARD SIGNS

5.18.1 Notwithstanding any provision of this By-law, Subsection 5.18 of this By-law shall prevail to the extent of any conflict with any other provision of this By-law.

5.18.2 No PERSON shall erect or display, or cause or permit to be erected or displayed, a SANDWICH BOARD SIGN:

(a) without having been issued a SIGN PERMIT for the SANDWICH BOARD SIGN;

(b) in any ZONE except for CBD (Central Business District) ZONES;

(c) other than in the location authorized by the SIGN PERMIT;

(d) that does not contain on its DISPLAY SURFACE a valid SIGN PERMIT sticker issued by the COMMISSIONER or DIRECTOR;

- (e) that does not maintain both a 1.8m minimum width for pedestrian traffic within the BOULEVARD and a 0.6m minimum setback from the curb or edge of the travelled portion of any CITY STREET or REGIONAL ROAD;
- (f) that contains advertising or other copy that does not relate to the lawful use of any business located within 3m of the SANDWICH BOARD SIGN;
- (g) within 3m of any other SANDWICH BOARD SIGN;
- (h) within the traveled portion of any HIGHWAY;
- (i) located less than 1m from any pay and display parking machines, street furniture or waste receptacles;
- (j) on a BOULEVARD in such a manner that it interferes with or obstructs snow removal or maintenance;
- (k) that falls over;
- (l) outside of the hours of operation of any business relating to the SANDWICH BOARD SIGN;
- (m) that does not clearly indicate the name of the business or the building unit number where the business is located;
- (n) having a SIGN HEIGHT greater than 1m;
- (o) having a sign width greater than 0.6m;
- (p) that is not made of plastic, metal, or wood unless approved by the COMMISSIONER or the DIRECTOR;
- (q) that is electrical, includes or displays lights or contains moving parts;
- (r) that is not maintained in a good state of repair.

5.18.3

No PERSON issued a SIGN PERMIT for a SANDWICH BOARD SIGN shall fail to maintain throughout the duration of the SIGN PERMIT's validity a Certificate of Insurance for Commercial General Liability in an amount and form satisfactory to the CITY with the CITY named as an Additional Insured.

- 5.18.4 The COMMISSIONER and DIRECTOR are hereby authorized to administer, approve (with or without conditions) and refuse to approve SIGN PERMITS for SANDWICH BOARD SIGNS.
- 5.18.5 An application for a SIGN PERMIT for a SANDWICH BOARD SIGN shall be made at the CITY's Development Services Department on the form or forms that the COMMISSIONER or DIRECTOR may prescribe.
- 5.18.6 The COMMISSIONER and DIRECTOR are hereby authorized to require at any time any documentation, insurance or indemnity in favour of the CITY as the COMMISSIONER or DIRECTOR deems appropriate.
- 5.18.7 The COMMISSIONER and the DIRECTOR may revoke any SIGN PERMIT for a SANDWICH BOARD SIGN if the PERSON issued the SIGN PERMIT for the SANDWICH BOARD SIGN fails to comply with any provision of this By-law.
- 5.18.8 SIGN PERMITS for SANDWICH BOARD SIGNS shall only be valid between April 1, 2017 and April 1, 2020 (inclusive) and every SIGN PERMIT for SANDWICH BOARD SIGNS shall expire on the earlier of: (a) one year from the date of issuance; or (b) April 1, 2020.
- 5.18.9 Notwithstanding Article 1.10.4 of this By-law, the CITY has the right to immediately remove any SANDWICH BOARD SIGN if there is noncompliance with this By-law, without notice to any PERSON.
- 5.18.10 No more than one SANDWICH BOARD SIGN shall be permitted for each business unit identified by a municipal address within the CITY.
- 5.18.11 A business unit located on an upper floor of a building is eligible for a SANDWICH BOARD SIGN provided the business unit has a separate front entrance from a CITY STREET or REGIONAL ROAD such that the upper floor entrance is separate from the ground floor entrance.
- 5.18.12 Unless otherwise authorized by the COMMISSIONER or DIRECTOR, a SANDWICH BOARD SIGN shall be safely erected or displayed in front of a business unit adjacent to the entrance door, or across from the entrance door fronting the business unit, in compliance with the provisions contained within this By-law.

- 5.18.13 During special events promoted by the Business Improvement Association ("BIA"), including but not limited to Kars on King, Bikes on Bond and Show and Shine, the BIA shall be exempt, with respect to SANDWICH BOARD SIGNS in the business improvement area, from the requirements contained in Article 1.8.1(d), Article 3.5.1, Subsection 3.2 and Subsection 5.18 of this By-law, which exemption shall commence fourteen (14) calendar days prior to the start of the special event and terminate twenty-four (24) hours after the conclusion of the special event.
- 5.18.14 The BIA shall both notify and consult with the COMMISSIONER or DIRECTOR no later than thirty-one (31) calendar days prior to the start of any special event referenced in the preceding Article of this By-law.
- 5.18.15 Nothing in Article 5.18.13 of this By-law shall be deemed to exempt any individual member or business located within the CITY's business improvement area from Article 1.8.1(d), Article 3.5.1, Subsection 3.2 and Subsection 5.18 of this By-law.

2. That By-law 72-96 (Being a By-law to Regulate Signs within Oshawa and Projections and Suspensions on Highways), as amended, is further amended as follows:

- (a) By amending the definition of FASCIA SIGN contained in Subsection 2.1 by inserting the words "or the architectural feature of a building" immediately after the words "parallel to the FACADE" and before the words "to which it is attached" and adding immediately after the words "to which it is attached" and before the words "A FASCIA SIGN INCLUDES" the following words: "A SIGN attached to an architectural feature of a building is a FASCIA SIGN." so that the definition of FASCIA SIGN, as amended, will read as follows:

"FASCIA SIGN" means a SIGN located in such a manner that the DISPLAY SURFACE of the SIGN is parallel to the FACADE or the architectural feature of the building to which it is attached. A SIGN attached to an architectural feature of a building is a FASCIA SIGN. A FASCIA SIGN includes:

- (a) a single FASCIA SIGN with a single panel of copy;
- (b) a single FASCIA SIGN with more than one SIGN panel of copy within it;

- (c) more than one FASCIA SIGN on one FACADE, provided the SIGNS' dimensions, excluding length, are identical and the SIGNS abut one another so as to appear as a single SIGN; and
- (d) free standing numbers, letters or shapes or groupings of numbers, letters or shapes provided the dimensions of each number, letter or shape are identical and each number, letter or shape is placed in a sequence or manner which presents a consistent and co-ordinated message similar to that which would be provided by a single panel of copy."

- (b) By amending the definition of STOREY in Subsection 2.1 by inserting the following words at the end of the existing definition: "For the purpose of permitting FASCIA SIGNS, the architectural feature of a building is considered to be part of the STOREY the architectural feature is affixed to.", such that the definition, as amended, will read as follows:

"STOREY" means a part of a building which is not a half storey and which is situated between any floor level and the floor, ceiling or roof next above it and shall include a basement but shall not include a cellar or attic. For the purpose of permitting FASCIA SIGNS, the architectural feature of a building is considered to be part of the STOREY the architectural feature is affixed to."

- (c) By deleting Article 3.6.3 in its entirety and replacing it with the following:

"3.6.3(1) No FASCIA SIGN shall extend vertically above a roof line unless it is affixed to an architectural feature of a building.

- (d) By adding a new Article 3.6.3(2) as follows:

3.6.3(2) No FASCIA SIGN affixed to an architectural feature of a building shall extend more than 2m vertically above a roof line.

- (e) By adding a new Article 3.6.3(3) as follows:

3.6.3(3) Notwithstanding Article 3.6.3(2), a FASCIA SIGN which solely exhibits a corporate logo and is affixed to an architectural feature of a building may extend more than 2m vertically above a roof line but it shall not extend more than 4m vertically above a roof line.

- (f) By amending Article 4.3.3(1) by adding the following words after the existing sentence:

"In addition, one FASCIA or CANOPY SIGN shall be permitted for each wall not facing a STREET LINE provided the wall faces a non-residential ZONE or the wall faces a

Residential ZONE and the wall is setback a minimum of 25m from that Residential ZONE", such that Article 4.3.3(1) will read as follows:

"4.3.3(1) Only one FASCIA or CANOPY SIGN shall be permitted facing each STREET LINE. In addition, one FASCIA or CANOPY SIGN shall be permitted for each wall not facing a STREET LINE provided the wall faces a non-residential ZONE or the wall faces a Residential ZONE and the wall is setback a minimum of 25m from that Residential ZONE."

(g) By amending Article 4.3.4(1) by adding the following words after the existing sentence:

"In addition, one FASCIA or CANOPY SIGN shall be permitted for each wall not facing a STREET LINE provided the wall faces a non-residential ZONE or the wall faces a Residential ZONE and the wall is setback a minimum of 25m from that Residential ZONE", such that Article 4.3.4(1) as amended will read as follows:

"4.3.4(1) One FASCIA or CANOPY SIGN shall be permitted facing each STREET LINE. In addition, one FASCIA or CANOPY SIGN shall be permitted for each wall not facing a STREET LINE provided the wall faces a non-residential ZONE or the wall faces a Residential ZONE and the wall is setback a minimum of 25m from that Residential ZONE."

(h) By amending Article 4.3.4(3) by adding the following words after the existing sentence:

"In addition, one FASCIA or CANOPY SIGN shall be permitted for each PREMISES which has a door for direct public entry/egress which faces a non-residential ZONE or which has a door for direct public entry/egress that faces a Residential ZONE and the door for direct public entry/egress is setback a minimum of 25m from that Residential ZONE.", such that Article 4.3.4(3) as amended will read as follows:

"4.3.4(3) One additional FASCIA or CANOPY SIGN shall be permitted for each PREMISES which has a door for direct public entry/egress which faces a STREET LINE or window exposure which faces a STREET LINE. In addition, one FASCIA or CANOPY SIGN shall be permitted for each PREMISES which has a door for direct public entry/egress which faces a non-residential ZONE or which has a door for direct public entry/egress that faces a Residential ZONE and the door for direct public entry/egress is setback a minimum of 25m from that Residential ZONE."

(i) By amending Article 3.10.2 by adding the following words immediately following the existing sentence: "except in the CBD (Central Business District) ZONE", such that Article 3.10.2 as amended will read as follows:

"3.10.2 No PROJECTING SIGN shall be permitted on the FIRST STOREY, except in the CBD (Central Business District) ZONE"

- (j) By amending Article 5.17.1 by inserting the words "or permit" after "or cause" and before "to be erected" in the existing sentence, and by deleting the words "In a Council approved draft plan of subdivision or condominium", immediately following the words "with a temporary sales office", such that Article 5.17.1 as amended, will read as follows:

"5.17.1 No person shall erect or display, or cause or permit to be erected or displayed, any SIGN associated with a temporary sales office except in compliance with the provisions of this Subsection."

- (k) By amending Article 5.17.2 by deleting the words "in a Council approved draft plan of subdivision or condominium", immediately following the words "SIGNS located on lands", and replacing the expressions "Commissioner" and "Commissioner of the Development Services Department" in Article 5.17.2 with "COMMISSIONER" such that Article 5.17.2 as amended, will read as follows:

"5.17.2 Notwithstanding any other provision of this by-law, SIGNS located on lands within 50m of a temporary sales office or on said office shall be permitted with the approval of the COMMISSIONER. SIGNS approved by the COMMISSIONER shall comply with the provisions of Subsection 3.1 and shall not be located on a HIGHWAY."

- (l) By replacing the words "Commissioner" and "Commissioner of the Department of Development and Planning Services" in Articles 5.10.12 and 5.17.3, respectively, with "COMMISSIONER"

By deleting Article 3.4.1(f) in its entirety and replacing it with the following:

"3.4.1(f) SIGNS erected by any conservation authority, school board or post-secondary institution established by the Government of Ontario, as related to their facilities and mandates."

- (m) By amending Article 4.5.7 by deleting the following words: "Durham College of Applied Arts and Technology and the" and by revising the reference for "Oshawa General Hospital" to "Lakeridge Health Hospital", such that Article 4.5.7 as amended, will read as follows:

"4.5.7 Notwithstanding Article 4.5.1, Lakeridge Health Hospital shall be permitted SIGNS in accordance with Subsection 4.3".

- (n) By amending the definition of PYLON SIGN in Subsection 2.1 by deleting the words "having a DISPLAY SURFACE a minimum of 2.4m above the grade and having no advertising device between the ground and the bottom of the SIGN FACE" immediately following the words "one or more poles."; and by adding after the words

"one or more poles" the words "or standards" before the final "." such that the definition of PYLON SIGN as amended, will read as follows:

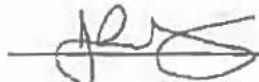
"PYLON SIGN" means a SIGN supported by one or more poles or standards."

(o) By deleting Article 3.1.21 in its entirety and replacing it with the following:


3.1.21. No SIGN shall be permitted in a SIGHT TRIANGLE, RAILWAY SIGHT TRIANGLE or a DRIVEWAY SIGHT TRIANGLE unless:

- (a) the SIGN has a SIGN HEIGHT of 0.9m or less;
- (b) the SIGN is located in a RAILWAY SIGHT TRIANGLE and maintains a CLEARANCE of 2.4m and utilizes a single pole or standard as the support provided the pole or standard has a diameter or width at its largest dimension of less than 0.3m.; or,
- (c) the SIGN is located within a SIGHT TRIANGLE or DRIVEWAY SIGHT TRIANGLE, maintains a CLEARANCE of 2.4m and utilizes a pole(s) or standard(s) as the support, provided that every pole or standard has a diameter of width at its largest dimension of less than 0.3m and no more than one (1) pole or standard is located within the SIGHT TRIANGLE or DRIVEWAY SIGHT TRIANGLE."

By-law passed this twenty-first day of February, 2017.



Mayor



City Clerk



**By-law 116-2020
of The Corporation of the City of Oshawa**

Being a by-law to further amend the City of Oshawa's Sign By-law 72-96 (being a By-law to Regulate Signs within Oshawa and Projections and Suspensions on Highways), as amended.

IT IS ENACTED as a by-law of The Corporation of the City of Oshawa by its Council as follows:

1. That By-law 72-96 (being a By-law to Regulate Signs within Oshawa and Projections and Suspensions on Highways), as amended, is further amended as follows:

- (a) By deleting Article 5.18.8 in its entirety and replacing with the following new Article 5.18.8:

5.18.8 SIGN PERMITS for SANDWICH BOARD SIGNS shall only be valid between December 14, 2020 and April 1, 2023 (inclusive) and every SIGN PERMIT for SANDWICH BOARD SIGNS shall expire on April 1, 2023.

By-law passed this fourteenth day of December, 2020.



Mayor



City Clerk