



**TOWN OF CARBONEAR
DEVELOPMENT REGULATIONS
AMENDMENT NO. 37, 2019**

Revised Signage Regulations

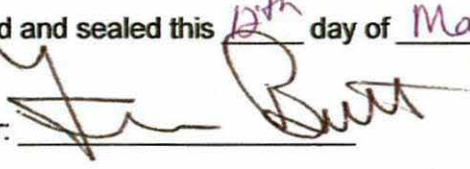
**Prepared by:
Mary Bishop, FCIP
April, 2019**

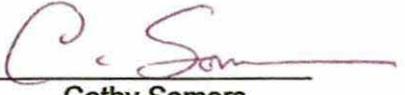
**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF CARBONEAR
DEVELOPMENT REGULATIONS AMENDMENT NO. 37, 2019**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Carbonear adopts Development Regulations Amendment No. 37, 2019.

Adopted by the Town Council of Carbonear on the 21st day of April, 2020.

Signed and sealed this 12th day of May, 2020.

Mayor: 

Clerk: 
Cathy Somers

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No. 37, 2019 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

Mary Bishop
Mary Bishop, FCIP



Development Regulations/Amendment

REGISTERED

Number 950-2020-042

Date JULY 7, 2020

Signature Mary Bishop

TOWN OF CARBONEAR DEVELOPMENT REGULATIONS AMENDMENT NO. 37, 2019

PURPOSE

The Carbonear Municipal Plan and Development Regulations came into legal effect in 2004. Part III of the Development Regulations include standards and conditions for signage within the Town. Council wishes to update and modernize these regulations and consolidate all references to signage within this section of the Development Regulations. By way of this amendment, the Town is also intending to apply to the Province to enable municipal regulation of signage along Route 70 within the Town which is currently a Provincial Highway and subject to *Provincial Highway Sign Regulations*.

BACKGROUND

The Carbonear Municipal Plan allows for signs and advertisements and requires that standards and conditions be set out in the Development Regulations. Since the Carbonear Municipal Plan and Development Regulations were approved over a decade ago, the Town has grown considerably, with additional commercial and residential development, expansion of highway and other infrastructure. At the same time, technology related to signage has also evolved. For example, today, signage that uses LED (light emitting diode) technology in commercial signage is becoming prevalent. The current regulations related to signage do not include any provisions to enable Council to deal with these new technologies in signage.

Signage along roads maintained by the Provincial Department of Transportation and Works (Route 70) is subject to the *Provincial Highway Sign Regulations*. These regulations do not permit signs such as offsite promotional or directional signage. Within built up commercial areas in communities, it is often desirable to be able to provide information to direct traffic to other areas in the town, such as downtown commercial districts for example.

Recent changes to the *Provincial Highway Sign Regulations* now allow provincial roads to be exempted from provincial control if the municipality where those roads are located has provisions in their Municipal Plans and Development Regulations for local signage that is acceptable to government. Section 3.1(b) of the regulations require that exemptions from provincial control are limited to areas where speeds are no higher than 60 km/h. The Town intends to seek an exemption from provincial signage control along Columbus Drive (Route 70), between London Road and Clarke's Road where the speed limit is 50km per hour. In this area, municipal signage regulations would apply. The area in question is shown on the map on the following page.



The provisions in the signage regulations included in this proposed amendment are intended to satisfy government's requirements to allow exemption of this portion of Route 70 from the *Provincial Highway Sign Regulations*.

CONSULTATION

The Town of Carbonear provided an opportunity for public review and comment on the proposed amendment by publishing a notice in the *Compass* on January 8, 2020 inviting written comment by January 17. The amendment document was also posted on the Town's social media and made available for public viewing at the Town Office.

In preparing the changes to the signage regulations, the Town consulted with the provincial departments of Transportation and Works, Municipal Affairs and Environment, Service NL and Tourism, Culture, Industry and Innovation and their input has been incorporated into the amendment. In addition, officials from the Town of Conception Bay South provided additional input as they have recently revised their signage regulations to satisfy provincial requirements for exemption of provincial highways in that town.

AMENDMENT

The Town Council of Carbonear proposes to amend the Carbonear Development Regulations as follows:

1. Deleting the definitions for Advertisements and Signs from Schedule A: Definitions;
2. Removing the following conditions pertaining to on-site and off-site signage from the following Use Zones in Schedule C as follows:

Use Zone	Conditions to be deleted
Commercial General	2 and 3
Commercial Highway	2 and 3
Heritage Area	3 and 4
Industrial	2 and 3
Industrial General	2 and 3
Industrial – Ocean -Related	2 and 3
Public Buildings	2 and 3
Rural	1 and 2
Mineral Working	1 and 2
Commercial Tourism	5 and 6

3. Replacing Part III Advertisements, with the following:

PART III - SIGNAGE

3.1 Intent

The purpose of regulations set out in this section is to regulate signs in the Town with the intent of authorizing signs that:

- a) Are appropriate in size, number, and location to the type of activity or use to which they pertain.
- b) Provide reasonable and appropriate means for the public to locate and identify facilities, businesses, and services without difficulty or confusion.
- c) Are compatible with their surroundings.
- d) Protect and enhance the aesthetic qualities and visual character of the Town.
- e) Do not create a distraction or safety hazard for pedestrians or motorists.
- f) Minimize adverse impacts on nearby public and private property.

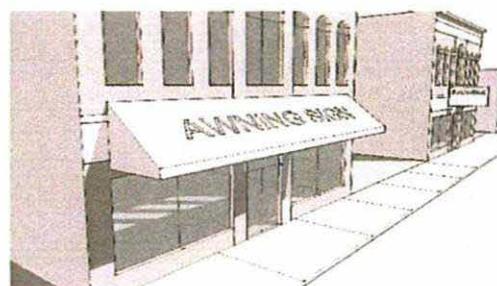
3.2 Definitions

BANNER SIGN means a sign composed of lightweight, non-rigid material such as cloth, canvas or similar material that is attached to a building, but does not include a canopy sign.

BILLBOARD means an off premises ground or wall sign erected and maintained by a person, or business engaged in the sale or rental of the space on the sign to a client for the purpose of advertising a business, goods, or services not necessarily sold, offered, or conducted on the premises where the sign is located.

BUILDING FACE means the total area between the finished surface of the ground and the eaves of a building.

CANOPY (AWNING) SIGN means a sign that has a structure of rigid or non-rigid material on a framework sheltering an area or forming a sheltered walk.



CHANGEABLE COPY SIGN means any sign that has a sign face that includes an internal light source capable of displaying words or symbols that can be electronically changed by remote or automatic means. For the purposes of these regulations, a changeable message sign includes Digital and Projected Advertising Displays (DPADS).

COMPREHENSIVE SIGN PLAN means a coordinated plan for all of the signs on a parcel, which specifies the size, type, design, location and number of signs proposed for a building or group of buildings.

DIRECTORY SIGN means a sign with more than one establishment and which displays only a listing of the names of these businesses or organizations without advertising copy, except a business logo.

ELECTION SIGN means any sign used to promote a candidate or party during an election for public office.

ELECTRICAL SIGN means a sign that utilizes an electrical source.

GROUND SIGN means a sign permanently affixed to the ground by one or more self-supporting poles or supported by a free-standing structure.



GROUP SIGN means a sign that identifies the names and locations of tenants in a multi-tenant building or in a development made up of a group of buildings.

HEIGHT as it pertains to signage, means the vertical distance from the established grade below the sign to the highest physical point of the sign.

HOME-BASED BUSINESS SIGN means a sign indicating a business within the premises or parcel that has been approved under these Regulations as a home-based business.

ILLUMINATED with reference to a sign means the sign is lit up by means of an artificial light source located within, on or external to the sign.



MENU BOARD means a sign erected as part of a drive-through facility and used to display and order products and services available in association with a drive-through business.

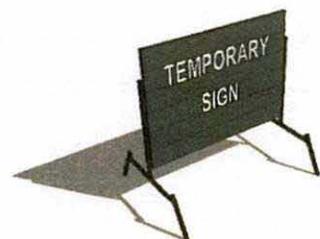
NEW DEVELOPMENT SIGN means a temporary sign that

- a) Includes, in whole or in part, information promoting a development;
- b) Relates to or advertises the location, construction or sale of a building or structure in the process of being constructed on a premises;
- c) Promotes a plan of subdivision or the construction of a building or building complex on the premises or land during development, and indicating the names of the owner, designer, developer or contractor for the development.

OFF-PREMISES DIRECTIONAL SIGN means a sign indicating direction to a property, business, service or event that is located elsewhere but does not include a billboard.

ON-PREMISES SIGN means a sign (permanent or temporary) located wholly within the confines of the owner's property.

PORTABLE SIGN means a temporary sign which is not permanently affixed to the ground or to any structure, typically designed for the rearrangement of copy on the sign's display surface, and which is capable of being readily moved from place to place.

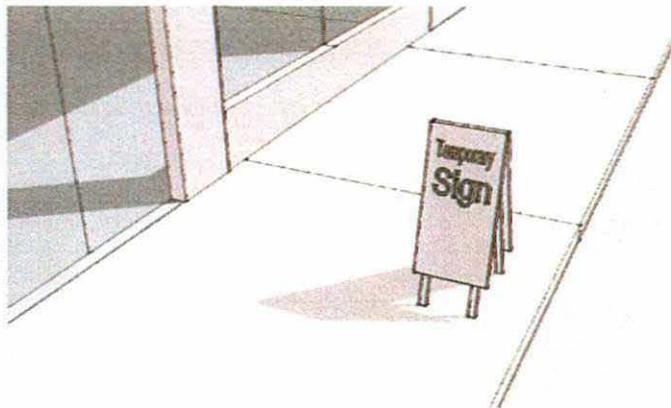


PROJECTING SIGN means any sign that is wholly or partly dependent upon a building for support and projects from the wall or face of a building or structure.

REAL ESTATE SIGN means a sign located on a property for the purpose of announcing the sale, lease, or rental of such property or building or part of a building located thereon.

ROOF SIGN means a sign fixed, placed upon or supported by the roof of a building.

SANDWICH BOARD SIGN means a freestanding temporary sign with no more than two faces joined at the top of the sign that is intended for temporary use during the hours of the business to which it applies and that is constructed in a manner and of materials such that it can be placed and moved manually by a person without mechanical aid.



SIGHT TRIANGLE means a triangle-shaped portion of land established at street intersections to ensure a safe sight distance for motorists entering or leaving the intersection. The triangular-shaped portion of land is formed by the street lines and a line drawn from a point in one street line to a point in the other street line.



SIGN means a word, letter, model, placard, board, device or representation, whether illuminated or not, in the nature of or employed wholly or in part for the purpose of advertisement, announcement, or direction and excludes those things employed wholly as a memorial, advertisements or local government, utilities and boarding or similar structures used for the display of advertisements.

Province of
Reg. 4(q)

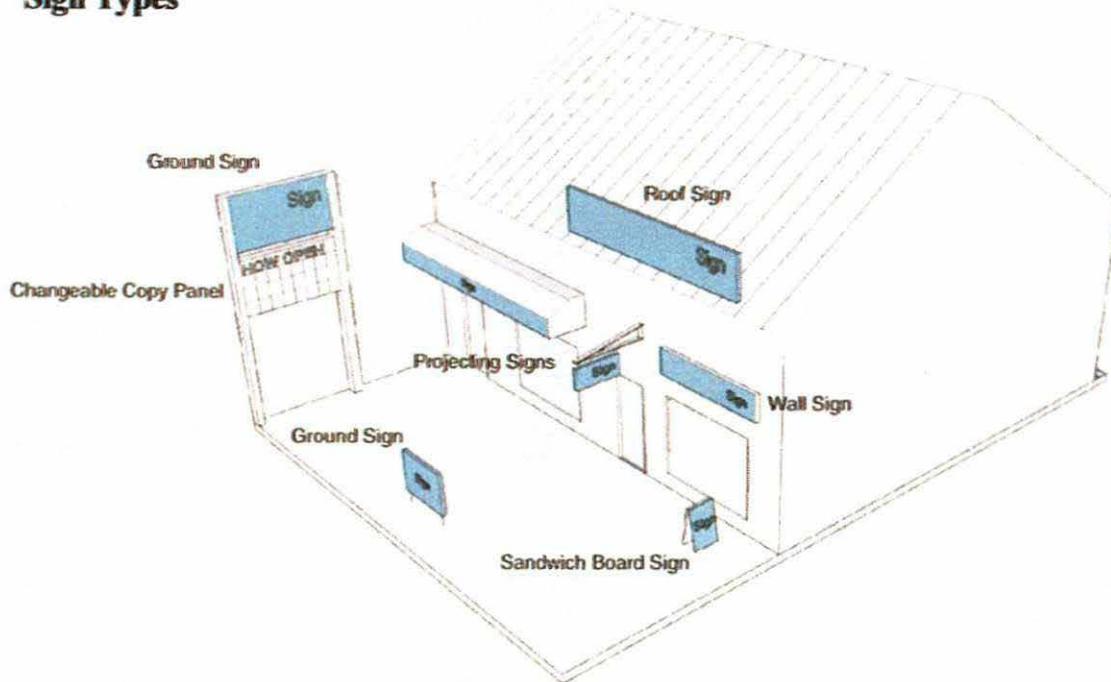
SIGN FACE AREA means the total area in height and width of the entire advertising device, excluding posts and includes any framing or border around the actual lettering or graphics. Irregular shaped signs shall have their area determined by the maximum dimensions of the sign face. Where a sign has two faces or more, the maximum area is permitted for each of the two faces.

TEMPORARY SIGN means a sign, not permanently installed or in a fixed position, that advertises a business, site, event or activity for a limited period of time.

VEHICLE/TRAILER SIGN means a sign which is painted on or affixed to a motor vehicle or trailer which is parked and visible from a public right-of-way and its intended use is as a sign or sign structure.

WALL SIGN means a sign which is painted on or permanently affixed to a single wall of a building.

Sign Types



3.3 Permit Required

- 1) Subject to the provisions of Regulation 3.10, no sign shall be erected or displayed in the Planning Area unless a permit is first obtained from Council.
- 2) The erection or placement of any sign within 100 m of the road centreline of the Conception Bay North Bypass Road (Route 70) - Columbus Drive – requires a permit from Service NL (Government Service Centre) under the *Highway Sign Regulations* and the Town. Subject to Ministerial approval, the 50km per hour zone along Columbus Drive between London Road and Clarkes Road is exempted from provincial *Highway Sign Regulations* and signs to be erected in this area only require a permit from Council.

3.4 Form of Application

Application for a permit to erect or display an advertisement shall be made to Council in accordance with Regulation 17, Part I of these Regulations.

3.5 Prohibited Signs

- 1) The following signs shall be prohibited:
 - a) Vehicle Signs;
- 2) Notwithstanding the provisions of this Section, Council may refuse any sign or advertisement that, in the opinion of Council, is considered hazardous to road traffic by reasons of its siting, colour,

animation, illumination or structural condition or is considered detrimental to the visual appearance of the surrounding area.

- 3) No signage shall be placed in a location or manner that obstructs regulated/warning roadway signage (speed limits, warning signs, stop signs, etc.).
- 4) Signage shall not be placed along any roadway in a manner that impacts the sight lines for roadway travel lanes, obstructing the view of motorists travelling along the roadway.

3.6 Removal of Signs

Notwithstanding the provisions of these Regulations, Council may require the removal of any sign that, in its opinion, is:

- a) Hazardous to vehicular and pedestrian traffic by reason of its sitting, colour, illumination, or structural condition.
- b) Not maintained to the satisfaction of Council; or
- c) Has been erected without a permit.

3.7 Signs Prohibited in Street Reservation

No sign shall be permitted to be erected or displayed within, on or over any highway or street reservation.

3.8 Sight Triangle

All access points shall be designed to achieve the minimum turning movement sight distance set out in the Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads. For a 50km/hr posted speed limit, the minimum sight distance shall be 115m. As a minimum, no sign or advertisement shall be permitted to be located within a 3m setback the area identified by Council as the sight triangle at the intersection of streets.

3.9 Easements

With the exception of portable signs, signs shall not be permitted to locate upon or project within the limits of utility or municipal service easements. Any sign located adjacent to a utility or municipal service easement shall be located in accordance with the requirements of the easement owner.

3.10 Signs Exempt from Control

The following signs may be erected or displayed in the Planning Area without application to Council:

Sign Type	Conditions
Election Sign	Limited to federal, provincial, municipal or regional school board election, not greater than 3 m ²
Temporary Sign	Limited to signs associated with federal, provincial and municipal public works
Public Notices	Limited to notices required by law to be posted
Regulatory, Warning, directional, guide or informational	Limited to federal, provincial, or municipal authority, or a community group approved by Council
Utility Sign	Limited to those of a utility company to indicate danger.
Real Estate Sign	Limited to non-illuminated signs not larger than 0.5 m ² advertising the sale or rent of a building or lot upon which the sign is located. Subject to Section 3.23 Real Estate Signs
Real Estate Open House Directional Signs	Not larger than 0.5 m ² , displayed during the period of the Open House.
New Development Sign	One sign not exceeding 9 m ² related to a development, located on the site of the development, to be well maintained and removed upon completion or at a time determined by Council.
Sandwich Board Sign	Not exceeding 0.55m ² on each sign face

The replacement of sign content or messaging, so long as the sign size and structure is not altered.

3.11 Signs Associated with Non-Conforming Uses

Notwithstanding the provisions for signs permitted in a use zone, a permit may be issued for the erection and display of signs for a non-conforming use, provided the advertisement does not exceed the size and type of sign which could be permitted if the development was in a use zone appropriate to its use.

3.12 Non-Conforming Signs

A sign that legally exists at the date of coming into effect of these Regulations which is not in accordance with the standards of these Regulations may continue to exist provided the sign is maintained and in good repair, and does not pose a safety hazard. It may be modified or replaced provided such modification or replacement is in accordance with these Regulations.

3.13 Banner Signs

A banner sign shall not be suspended across any street unless Council grants its approval. A banner sign attached to a face of a building, fence or other structure shall be considered in a like manner to a wall sign.

3.14 Canopy Sign

A Canopy sign shall meet the following conditions:

a) Standard	
Sign width (max)	Width of the wall to which it is attached
Vertical Clearance (min)	Lowest portion 2.2 m above the ground surface

- b) The canopy or awning does not abut a residential lot or zone.
- c) The sign shall not extend over public land or streets except were approved by Council.
- d) No portion of the sign shall overhang a provincial street right of way.
- e) The canopy shall be self-supporting and shall not have supports that rest upon a sidewalk or public right of way.
- f) The sign shall be anchored and secured in accordance with the requirements of the Town's Engineer.

3.15 Changeable Message Sign

A changeable message sign that is placed within a ground sign or within a wall sign is subject to the following conditions:

- 1) Any proposed changeable message sign advertising goods and services offered on properties other than that on which the sign is located, and notwithstanding its otherwise compliance with these regulations, shall be at the discretion of Council after public notification and consultation as if the proposed sign were a discretionary use and in accordance with Regulation 90, in Part V of these Regulations.
- 2) The changeable message sign face shall:
 - a) Have a maximum illumination level of 1,000 lumens.
 - b) Have an instantaneous transition from one image or format to the next, without transitions that include scrolling, sliding or rolling.
 - c) Have a minimum image display time of 8 seconds.
 - d) Be shielded to reduce glare in a manner acceptable to Council.
 - e) Have a positive contrast orientation.
 - f) Not have animation, flashing, strobe, intermittent or moving lights;
 - g) Not have lights in a colour or combination of colours which, in the opinion of Council, may be misinterpreted as an emergency/warning device or vehicle or other traffic control device;
 - h) Be turned off between midnight and 6:00am;
 - i) Display a black screen in the event of an error;

- j) Be automatically adjustable so that it does not increase the light levels (illuminance) adjacent to the changeable message sign by more than 3.0 lux above the ambient light level; and
- k) Shall not be erected in such a manner so that it is within the background of an existing or proposed traffic control signal from an approaching driving lane.

3) A changeable message sign that is part of a ground sign or a wall sign shall:

- a) Be located on a lot that has a minimum frontage of 30 m;
- b) The sign may have two sign faces, each of which shall not exceed 7 m².
- c) Have a maximum height from the established grade to the top of the sign no greater than 8 m.
- d) Be set back from traffic decision points a distance equal to the stopping sight distance based on the roadway posted speed as defined in the Transportation Association of Canada's Geometric Design for Canadian Roads
- e) Not be located closer than 2 m to the front, side or flanking street lot line.
- f) Not be located within the limits of a utility or municipal service easement.
- g) A separation shall be maintained between signs when on the same side of the street so as to preserve a sight or visual plane.
- h) Not interfere or obstruct access to or from a lot or create a visual obstruction to the travelling public.
- i) Not be located within 60 m of a residential zone and shall not be oriented such that it faces an abutting residential zone or residential lot.
- j) Lighting of the sign shall not be directed towards the street and shall not adversely affect neighbouring areas.
- k) The sign shall be anchored and secured in accordance with the requirements of the Town's Engineer.
- l) The sign and foundation shall be constructed in accordance with engineered drawings prepared, signed and sealed by a professional engineer of the Association of Professional Engineers and Geoscientists of Newfoundland and Labrador; and
- m) Any proposed changeable message sign will be assessed for its impacts of traffic and surrounding properties in accordance with the "Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines" published by the Transportation Association of Canada, March 2015.

3.16 Election Signs

Election signs shall be subject to the following conditions:

- a) Permission of the owner is required for placement on private property.
- b) The sign does not cause an obstruction to neighbouring properties.
- c) Election signs may be permitted on vacant land owned by Council, provided they do not cause an obstruction to the travelling public or the work of Council, and are not located within the far limits of the street at any street intersection.

- d) Election signs shall not be affixed or attached to existing municipal buildings, structures or signs.
- e) Candidates shall remove their election sign within 36 hours after the close of polls on Election Day and shall ensure that the site is cleaned up.
- f) If the Candidate fails to remove his or her election signs within 36 hours after the polls close on Election Day, Council may remove them and dispose of them and the candidate shall be responsible for the costs of the removal and disposal of such signs.
- g) Council reserves the right to remove without notice, any election signs placed where such placement is not permitted, or where their placement causes an obstruction to the travelling public.

3.17 Electrical or Illuminated Signs

Every electrical or illuminated sign shall be approved by a certified organization that is accepted by the Province of Newfoundland and Labrador and the Standards Council of Canada. A licensed electrician shall undertake the electrical hook-up of the sign and the electrical certification's approval sticker shall be displayed on the sign.

3.18 Ground Sign

Ground signs shall be subject to the following conditions:

Standard	
Sign Face Area	48 m ² , maximum width of 6 m
Height	8 m
Number permitted on a lot	1 Greater than one at the discretion of Council
Density	No more than 1 sign per 30 m along any street
Setback	One half the sign height from the front lot line; 1 m (min) from side lot line
Separation distances (min)	3 m from a dwelling, apartment, school or church; 15 m from ground signs on abutting lots. 1 m from ground surface for any electrical component.

3.19 Menu Board Sign

Menu Board signs shall be subject to the following conditions:

Standards	
Sign Face Area (max)	2 m ² Pre-menu Board 4.1 m ² Menu Board
Height (max)	3 m
Number of signs	1 pre-menu and 1 menu board per drive-through isle

3.20 Off-site Directional Sign

- 1) Off-site directional signs, intended to direct traffic to a commercial or industrial site or use, shall not be permitted unless they are part of an Off-site directional sign (fingerboard sign) that has been approved under the *Provincial Highway Signage Regulations*.
- 2) Off-site directional signs related to a charitable, non-profit or municipally sponsored event, which direct traffic to a community facility, may be permitted provided only one sign is erected per street frontage, the sign is erected for the duration of the event, and the location, size and construction of the sign conforms to the requirements of Council.

3.21 Portable Sign

Portable signs shall be subject to the following conditions:

a) Standards	
Size	2 sign faces (max) of not more than 9 m ² each
Height	3 m from ground level to top of sign
Setback	1.5 m from any lot line, outside of the sight triangle on a corner lot
Density	Not more than one where lot frontage is less than 20 m. Where lot frontage is greater than 20 m, sign shall be no less than 15 m apart.

- b) The sign must be located on the property on which the business is located and shall only display advertising for that business.
- c) A home-based business is not permitted to have a portable sign.
- d) A maximum of one (1) portable sign is permitted per 50m frontage, or part thereof, to a maximum of three (3) portable signs per property.
- e) Portable signs are not permitted on vacant property or on a road allowance;
- f) The sign shall not interfere or obstruct access to or from a lot.
- g) The sign shall not be placed on a portion of a lot that abuts a residential zone or existing residential lot.
- h) The portable sign permit shall be valid for a period of 365 days (1 year) from the date of issue by Council. Upon expiration of the sign permit, the sign is to be removed or a new sign application submitted to Council and such permit may be renewed for further periods of 180 day upon application and approval.
- i) Every portable sign or advertisement shall display, the name and phone number of the owner of the portable sign.

3.22 Projecting Sign

Projecting signs shall meet the following conditions:

a) Standard	
Vertical Clearance	3 m (min) from ground surface
Separation	3 m (max) Projection from the building to which it is attached

- b) The sign is a rigid sign and its design and construction does not permit it to swing in the wind.
- c) A projecting sign shall not extend over public land or streets except where approved by Council.
- d) A projecting sign shall not extend over a driving area or parking surface except where approved by Council.

3.23 Real Estate Signs

Real estate signs shall be subject to the following conditions:

- a) No real estate sign shall be affixed to any utility pole or municipal building, structure or sign or be erected or placed on publicly owned land without the permission of the property owner.
- b) There shall be a limit of one double-faced sign per property or for every 30 m of lot frontage.
- c) A corner lot may carry two double-faced signs, one sign for each street.
- d) Portable real estate open house signs shall also be permitted provided their placement does not obstruct vehicular or pedestrian movement, and the duration of such placement is limited to the time of the actual open house.
- e) A real estate sign marking that the property is "sold" may appear for a limit of two weeks from the date of the closing of the transaction.

3.25 Sandwich Board Sign

Sandwich board signs shall meet the following conditions:

Standard	
Size	Maximum of two sign faces, no greater than 0.55 m ² each
Height	1 m
Separation	3 m from any driveway access Where placed on a sidewalk, placed as close to the building face as possible, maintaining an unobstructed sidewalk width of 1.5 m during business hours and taken indoors at all other times.

3.26 Wall Sign

Wall signs shall meet the following conditions:

a) Standard	
Size	Wall coverage no greater than 20% of building face No wider than the wall to which it is attached
Vertical Clearance	3 m above ground surface
Projection	30 cm (max)

- b) Wall signs shall not immediately face a residential lot.
- c) The sign shall be anchored and secured in accordance with the requirements of the Engineering Department.
- d) A permit for a Wall Sign on the primary facade is not required for a new building that has been approved by Council.

3.27 Signs Permitted in Use Zones

Use Zone	Permitted	Subject to Public Notice
Residential Zones RLD, RMD, RR, RLL, RS	Home Based Business: Ground Sign (0.5m ² sign face area max.) Multi-unit Residential and Commercial buildings: Ground Sign, Canopy Sign, Wall Sign	Signs associated with commercial uses: Wall Sign, Ground Sign
Commercial Zones CG, CH, CT	Canopy Sign, Ground Sign, Menu Board Sign Sign, Portable Sign, Projecting Sign, Wall Sign	Changeable Message Sign Billboard (CG and CH only)
Heritage Area (HA)	Canopy Sign, Ground Sign, Marquee Sign, Projecting Sign, Wall Sign	Portable Sign
Industrial Zones IL, IG, IOR	Banner, Canopy Sign, Ground Sign, Inflatable Sign, Portable Sign, Projecting Sign, and Wall Sign.	Changeable Message Sign,
Public Building Zone	Canopy Sign, Ground Sign, Marquee Sign, Portable Sign, Projecting Sign, Roof Sign, and Wall Sign.	Changeable Message Sign
Recreational Open Space		Banner, Canopy Sign, Ground Sign, Sign, Portable Sign, Wall Sign
Conservation	Wayfinding Signs	
Rural	Banner, Canopy Sign, Ground Sign, Portable Sign, Projecting Sign and Wall Sign.	
Mineral Working	Ground Sign, Wall Sign, Portable Sign	