

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2015-36

A bylaw regulating signs on regional roads

WHEREAS Section 11 of the *Municipal Act, 2001* (the “Act”) provides that an upper-tier municipality may pass bylaws respecting highways within its jurisdiction;

AND WHEREAS Subsection 8 (3) of the Act provides that a bylaw under Section 11 respecting a matter may: (a) regulate or prohibit respecting the matter; (b) require persons to do things respecting the matter; and (c) provide for a system of licences respecting the matter;

AND WHEREAS on August 31, 2000, Regional Council enacted Bylaw No. R-1232-2000-074 (the “Bylaw”) to regulate signs on regional roads;

AND WHEREAS the Bylaw was amended by Bylaw No. R-1232(a)-2006-101 on September 21, 2006 and by Bylaw No. 2012-35 on May 17, 2012;

AND WHEREAS the Bylaw, as amended, is being consolidated and amended as authorized by Regional Council;

NOW THEREFORE, the Council of The Regional Municipality of York hereby enacts as follows:

1. DEFINITIONS

1.1 In this bylaw:

“**area municipality**” means the municipality or corporation of the Town of Aurora, the Town of Georgina, the City of Markham, the Town of Newmarket, the Town of Richmond Hill, the City of Vaughan, the Town of Whitchurch-Stouffville, the Town of East Gwillimbury and the Township of King;

“**Commissioner**” means the Region’s Commissioner of Transportation Services or his/her designate;

“**election sign**” means a sign advertising or promoting a registered candidate in a federal, provincial or municipal election, including an election of a local board or commission;

“**intersection**” means the intersection of a regional road with another regional road or with a road under the jurisdiction of another municipality;

“**new home development**” means a new residential building project which is the subject of one draft plan of subdivision or plan of condominium;

“**person**” means any individual, firm, corporation, association or partnership;

“**Region**” means The Regional Municipality of York;

“**regional road**” means a road forming part of the regional road system and includes the boulevard and any road allowance; and

“**sign**” means any device for the purpose of direction, information, identification, advertisement, or business promotion.

2. EXCEPTIONS

- 2.1 This bylaw shall not apply to any sign placed by or under the direction of the federal or provincial government, a municipality, the Region, a public utility or a transit authority, or to any sign regulated under a federal or provincial statute.
- 2.2 This bylaw shall not apply to temporary signs advertising charitable or community events, provided that such signs comply with policies adopted by Regional Council from time to time.

3. GENERAL

- 3.1 No person shall erect, display or cause or permit to be erected or displayed any sign on or within a regional road unless:
 - (a) a permit for the sign has been issued under Section 6 of this bylaw; and
 - (b) the sign is placed in compliance with and conforms to all the provisions of this bylaw.
- 3.2 Despite Section 3.1 of this bylaw, no person shall erect, display or cause or permit to be erected or displayed, any sign at those intersections listed in Schedule “A” to this bylaw.

4. PERMITTED SIGNS

- 4.1 A sign may be placed on a regional road provided that:
 - (a) the area of the sign does not exceed 1.49m² (16 square feet); and
 - (b) the height of the sign does not exceed 1.22 metres (4 feet); and
 - (c) the width of the sign does not exceed 1.22 metres (4 feet); and
 - (d) the sign is displayed no earlier than 7:00 p.m. on any Friday and removed by no later than 6:00 a.m. of the following Monday, provided that where a statutory holiday falls on a Friday, the sign shall be displayed no earlier than 7:00 p.m. on the preceding Thursday, and where a statutory holiday falls on a

Monday, the sign shall be removed by no later than 6:00 a.m. on the following Tuesday; and

- (e) the sign is not placed in a location which impairs or obstructs the visibility or movement of vehicular or pedestrian traffic, or the visibility of warning devices, railway, traffic or municipal street signs; and
- (f) the sign has affixed to it a sticker issued by the Region as evidence that a permit has been obtained under Section 6 of this bylaw; and
- (g) the sign is located within 50 metres (164 feet) of the intersection of the road with the centre line of the intersecting road; and
- (h) the sign is not located on any centre median, traffic island, or centre boulevard within a road allowance; and
- (i) the sign is not located within a 5 metre (16.4 feet) distance from a fire hydrant, a transit shelter or a bus stop; and
- (j) the sign is not located within a 3 metre (9.8 feet) lateral distance from the edge of a road pavement; and
- (k) the sign is not located within a 10 metre (32.8 feet) lateral distance from a driveway pavement edge; and
- (l) the sign is maintained in a proper state of repair.

5. MAXIMUM NUMBER OF SIGNS

- 5.1 Subject to Section 3.2 of this bylaw, the maximum number of signs permitted at any one intersection shall be twenty (20) signs, with no more than five (5) signs permitted on any one corner of an intersection.
- 5.2 In the event that the number of signs placed at any intersection or any corner of an intersection exceeds the maximum number permitted under Section 5.1 of this bylaw, the Region shall have the right to remove all the signs placed at such intersection or corner, without notice or compensation, notwithstanding that a permit has been issued in respect of such signs.

6. APPLICATIONS FOR PERMITS

- 6.1 The Commissioner is hereby authorized to issue permits for the erection and display of signs on regional roads.
- 6.2 Each applicant for a permit shall submit an application on a form prescribed by the Region and shall:
 - (a) identify and describe in detail the sign for which the application is made;

- (b) agree to indemnify and save harmless the Region from and against any cost, claim, damages or loss whatsoever which arises from the issuance of the permit or the use or occupation of the regional road or anything done or neglected to be done in connection with such use;
- (c) provide and maintain in full force and effect public liability insurance in the amount of five million dollars (\$5,000,000.00) naming the Region as an additional insured, and containing a cross liability clause, and the applicant shall produce evidence of such insurance upon request by the Region; and
- (d) submit the applicable fee as set out in Schedule "B" to this bylaw.

6.3 Subject to Section 6.4, no more than twelve (12) permits shall be issued to any person.

6.4 In the case of a new home development, no more than forty (40) permits shall be issued in respect of each new home development.

6.5 A permit shall expire six (6) months after the date of issuance.

6.6 Upon expiry of a permit, the permit may be renewed for successive six (6) month periods upon payment of a further fee as set out in Schedule "B" to this bylaw.

7. REVOCATION OF PERMIT

7.1 A permit may be revoked by the Region without notice or compensation if:

- (a) the sign is not in compliance with any provision of this bylaw; or
- (b) the sign does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the sign is placed.

8. ELECTION SIGNS

8.1 Despite Section 4.1 (d) of this bylaw, election signs may be placed on regional roads at any time during the period commencing at 10 a.m. on the 28th day prior to the election day for the applicable election and ending 72 hours following the close of polls on the day of the election, provided that:

- (a) the placement of the sign complies with subsections 4.1 (a) (b) (c) (e) (g) (h) (i) (j) (k) and (l) of this bylaw; and
- (b) despite Section 5.1 of this bylaw, no more than two (2) signs per registered candidate shall be permitted at any one intersection and no more than one (1) sign per registered candidate shall be permitted on any one corner of an intersection; and

(c) the candidate pays to the Region the applicable fee set out in Schedule "B" to this bylaw, in the manner prescribed by the Commissioner.

8.2 Sections 3.1 (a), 6 and 7 of this bylaw shall not apply to election signs.

8.3 Section 10.3 shall not apply to election signs. The Region may remove, without notice, any election sign placed in contravention of any provision of this bylaw. Where the Region has removed any election sign, the Region shall store the election sign until the 30th day following the election. A candidate or any person acting on his or her behalf may, at any time following the election day, retrieve the election sign at no cost. At any time after the 30th day following the election, the Region may destroy or otherwise dispose of any election signs that have not been retrieved, without notice or compensation to any person.

8.4 Except as provided herein, all other provisions of this bylaw shall apply to election signs.

9. PRESUMPTION

9.1 Where a sign is erected or displayed in contravention of any provision of this bylaw, any person named on the sign shall be presumed to have been the person who erected or displayed the sign, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

9.2 Where a sign is erected or displayed in contravention of any provision of this bylaw, and the sign has no person's name on it, but a telephone number appears on the sign, any person to whom the telephone number is listed in a telephone directory, including any internet directory, shall be presumed to have been the person who erected or displayed the sign, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

9.3 Where a sign is erected or displayed by a corporation in contravention of any provision of this bylaw, the directors and officers of the corporation shall be presumed to have knowingly concurred in the erection or display of the sign in contravention of this bylaw, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

9.4 Where an authorized officer has reasonable grounds to believe that an offence has been committed by any person, the authorized officer may require the name, address and proof of identity of that person, and the person shall supply the required information.

10. REMOVAL OF SIGNS

10.1 A permit holder, or, in the case of an election sign, the candidate, shall immediately remove or repair any sign which in the Commissioner's opinion is in a dangerous or defective condition, or which interferes with the Region's maintenance or construction operations.

- 10.2 The Region may remove, without notice, any sign placed in contravention of any provision of this bylaw.
- 10.3 Where the Region has removed a sign under Section 10.2, the Region shall retain the sign for at least thirty (30) days, during which time the permit holder may redeem such sign upon payment to the Region of the sum of fifty dollars (\$50.00). Where a sign has been removed by the Region and stored for a period of thirty (30) days and has not been redeemed, the Region may destroy or otherwise dispose of the sign, without notice or compensation to any person.

11. ENFORCEMENT

- 11.1 The provisions of this bylaw may be enforced:
- (a) by a police officer; or
 - (b) by a bylaw enforcement officer of an area municipality or the Region; or
 - (c) by any other person appointed by the Region for the purpose of enforcing this bylaw.

12. OFFENCE

- 12.1 Every person who contravenes a provision of this bylaw is guilty of an offence.
- 12.2 If a corporation has contravened a provision of this bylaw, every director and officer who knowingly concurred in such a contravention is guilty of an offence.
- 12.3 If a sign has been erected or displayed in contravention of any provision of this bylaw, and the contravention has not been corrected, the contravention of the provision shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected.
- 12.4 Every person who is guilty of an offence under this bylaw shall be subject to the following penalties:
- (a) upon a first conviction, to a fine of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00);
 - (b) upon a second or subsequent conviction for the same offence, to a fine of not less than two hundred dollars (\$200.00) and not more than one hundred thousand dollars (\$100,000.00);
 - (c) upon conviction for a continuing offence, to a fine of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00) for each day or part of a day that the offence continues. The total of the daily fines is not limited to one hundred thousand dollars (\$100,000.00);

(d) upon conviction of a multiple offence, for each offence included in the multiple offence, to a fine of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00). The total of all fines for each included offence is not limited to one hundred thousand dollars (\$100,000.00).

12.5 For the purposes of this bylaw, “multiple offence” means an offence in respect of two or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this bylaw.

12.6 For the purposes of this bylaw, an offence is a second or subsequent offence if the act giving rise to the offence occurred after a conviction had been entered at an earlier date for the same offence.

13. SCHEDULES

13.1 Schedules “A” and “B” shall form part of this bylaw.

14. REPEAL AND TRANSITIONAL PROVISION

14.1 Bylaw Nos. R-1232-2000-074, R-1232(a)-2006-101 and 2012-35 are hereby repealed.

14.2 Notwithstanding the repeal of Bylaw Nos. R-1232-2000-074, R-1232(a)-2006-101 and 2012-35, these bylaws shall continue to apply to any acts, omissions or occurrences and to any offences that took place prior to the enactment of this bylaw.

ENACTED AND PASSED on June 25, 2015.

Denis Kelly

Wayne Emmerson

Regional Clerk

Regional Chair

Authorized by Clause 5, Report 11 of the Committee of the Whole, adopted by Regional Council at its meeting on June 25, 2015

SCHEDULE "A"

Intersections where no signs are permitted:

14th Avenue (YR 71) and Coppard Avenue
14th Avenue (YR 71) and Middlefield Road
14th Avenue (YR 71) and Ninth Line (YR 69)
14th Avenue (YR 71) and Vettese Court

16th Avenue (YR 73) and Black Creek Drive
16th Avenue (YR 73) and Highway 48
16th Avenue (YR 73) and Peter Street

Bathurst Street (YR 38) and Carrville Road (YR 73)/Rutherford Road (YR 73)
Bathurst Street (YR 38) and Centre Street (YR 71)
Bathurst Street (YR 38) and Highway 7/Bathurst Street ramp

Bayview Avenue (YR 34) and Creswick Road/Highway 7 ramp

Dalton Road (YR 9) and McDonough Avenue/High Street (Sutton) (YR 9)

Davis Drive (YR 31) and Barbara Road/130 Davis Drive [the entrance to the Newmarket Plaza]

Davis Drive (YR 31) and Bayview Parkway
Davis Drive (YR 31) and Charles Street
Davis Drive (YR 31) and George Street
Davis Drive (YR 31) and Hill Street
Davis Drive (YR 31) and Longford Drive
Davis Drive (YR 31) and Lorne Avenue
Davis Drive (YR 31) and Lundy's Lane/Prospect Street
Davis Drive (YR 31) and Main Street North/Main Street South
Davis Drive (YR 31) and Niagara Street/Vincent Street
Davis Drive (YR 31) and Parkside Drive
Davis Drive (YR 31) and Superior Street
Davis Drive (YR 31) and 465 Davis Drive [the entrance to The Tannery Mall]
Davis Drive (YR 31) and Wilstead Drive

Davis Drive West (YR 31) and Eagle Street West

Dufferin Street (YR 53) and Centre Street (YR 71)

High Street (Sutton) (YR 9) and Market Square Crescent
High Street (Sutton) (YR 9) and Middle Street
High Street (Sutton) (YR 9) and River Street

Highway 7 (YR 7) and Chalmers Road/South Park Road
Highway 7 (YR 7) and Circa Drive
Highway 7 (YR 7) and Cochrane Drive/Frontenac Drive
Highway 7 (YR 7) and Commerce Street
Highway 7 (YR 7) and Commerce Valley Drive East/East Beaver Creek Road
Highway 7 (YR 7) and Commerce Valley Drive West/West Beaver Creek Road
Highway 7 (YR 7) and Costa Road
Highway 7 (YR 7) and Creditstone Road
Highway 7 (YR 7) and Doncrest Road
Highway 7 (YR 7) and East Valhalla Drive/Allstate Parkway
Highway 7 (YR 7) and Edgeley Boulevard/Interchange Way
Highway 7 (YR 7) and Exit 27
Highway 7 (YR 7) and Exit 29
Highway 7 (YR 7) and Highway 7/Bathurst Street ramp
Highway 7 (YR 7) and Highway 7/Bayview Avenue ramp
Highway 7 (YR 7) and Highway 7/Yonge Street ramp
Highway 7 (YR 7) and Islington Avenue (YR 17)
Highway 7 (YR 7) and Jane Street (YR 55)
Highway 7 (YR 7) and Langstaff Road (YR 72)
Highway 7 (YR 7) and Leslie Street (YR 12)
Highway 7 (YR 7) and Lunar Crescent
Highway 7 (YR 7) and Maplecrete Road
Highway 7 (YR 7) and Millway Avenue
Highway 7 (YR 7) and McCowan Road (YR 67)
Highway 7 (YR 7) and Montgomery Court/Fairburn Drive
Highway 7 (YR 7) and Oakcrest Avenue
Highway 7 (YR 7) and Pine Valley Drive (YR 57)
Highway 7 (YR 7) and Pond Drive
Highway 7 (YR 7) and Red Maple Road
Highway 7 (YR 7) and Rockwell Road
Highway 7 (YR 7) and Rodick Road
Highway 7 (YR 7) and Saddlecreek Drive
Highway 7 (YR 7) and Silver Linden Drive
Highway 7 (YR 7) and South Town Centre Boulevard/Town Centre Boulevard
Highway 7 (YR 7) and Swansea Road
Highway 7 (YR 7) and Valleymede Drive/Times Avenue
Highway 7 (YR 7) and Warden Avenue (YR 65)
Highway 7 (YR 7) and Weston Road (YR 56)
Highway 7 (YR 7) and Woodbine Avenue (YR 8)

Highway 27 (YR 27) and Old King Road
Highway 27 (YR 27) and Rutherford Road (YR 73)

Keele Street (YR 6) and Cavell Avenue
Keele Street (YR 6) and Highway 7 (YR 7)
Keele Street (YR 6) and Kirby Road
Keele Street (YR 6) and King Road (YR 11)
Keele Street (YR 6) and Major Mackenzie Drive West (YR 25)

Kennedy Road (YR 3) and 14th Avenue (YR 71)
Kennedy Road (YR 3) and Highglen Avenue
Kennedy Road (YR 3) and Highway 7 (YR 7)
Kennedy Road (YR 3) and Metro Road North (YR 78)

King Road (YR 11) and Hoop Street

Leslie Street (YR 12) and Davis Drive (YR 31)
Leslie Street (YR 12) and Farr Avenue/Mount Albert Road (YR 13)
Leslie Street (YR 12) and Mount Albert Road (YR 13)/19000 Leslie Street [the entrance to the Civic Centre]
Leslie Street (YR 12) and Queensville Sideroad

Lloydtown/Aurora Road (YR 16) and Jane Street (YR 55)/Kettleby Road

Major Mackenzie Drive East (YR 25) and Baker Avenue
Major Mackenzie Drive East (YR 25) and Church Street South
Major Mackenzie Drive East (YR 25) and Lawrence Avenue
Major Mackenzie Drive East (YR 25) and Ruggles Avenue

Major Mackenzie Drive West (YR 25) and Jackson Street

Markham Road (YR 68) and 7690-7770 Markham Road [entrance to the Armadale Square Plaza]

Metro Road South (YR 78) and Frederick Street
Metro Road South (YR 78) and Simcoe Avenue

Mount Albert Road (YR 13) and Yonge Street (YR 51)/Queen Street

Ninth Line (YR 69) and Cedarvale Boulevard
Ninth Line (YR 69) and Church Street
Ninth Line (YR 69) and Mitchell Avenue
Ninth Line (YR 69) and Second Street

Pine Valley Drive (YR 57) and Langstaff Road (YR 72)

Prospect Street (YR 34) and Gorham Street/Water Street
Prospect Street (YR 34) and Grace Street
Prospect Street (YR 34) and Lydia Street
Prospect Street (YR 34) and Poplar Lane
Prospect Street (YR 34) and Timothy Street
Prospect Street (YR 34) and Wellington Street (YR 15)

The Queensway South (YR 12) and Cameron Crescent
The Queensway South (YR 12) and Metro Road South (YR 78)/Morton Avenue
The Queensway South (YR 12) and Richmond Park Drive
The Queensway South (YR 12) and Riveredge Drive/Cameron Crescent

Warden Avenue (YR 65) and 14th Avenue (YR 71)/Alden Road

Wellington Street West (YR 15) and Dufferin Street (YR 53)

Woodbine Avenue (YR 8) and Buttonville Crescent West
Woodbine Avenue (YR 8) and Buttonville Crescent East
Woodbine Avenue (YR 8) and Buttonville Crescent West/Buttonville Crescent East
Woodbine Avenue (YR 8) and Natasha Way

Yonge Street (YR 1) and the entrance to 17250 Yonge Street [the entrance to the Administrative Centre]
Yonge Street (YR 1) and Baif Boulevard/Observatory Lane
Yonge Street (YR 51) and Bradford Street (YR 13)/Thompson Drive
Yonge Street (YR 1) and Carrville Road (YR 73)/16th Avenue (YR 73)
Yonge Street (YR 1) and Clarissa Drive
Yonge Street (YR 1) and Davis Drive (YR 31)/Davis Drive West (YR 31)
Yonge Street (YR 1) and Eagle Street/Eagle Street West
Yonge Street (YR 1) and Garden Avenue/Highway 7-Yonge Street Ramp
Yonge Street (YR 1) and Gladman Avenue
Yonge Street (YR 1) and Edgar Avenue/Dalemount Gate
Yonge Street (YR 1) and Harding Boulevard West/Harding Boulevard
Yonge Street (YR 1) and 9350 Yonge Street [the entrance to Hillcrest Mall]/9325 Yonge Street [the entrance to the South Hill Shopping Plaza]
Yonge Street (YR 1) and High Tech Road
Yonge Street (YR 1) and Hopkins Avenue/Elmwood Avenue
Yonge Street (YR 1) and King Road (YR 11)
Yonge Street (YR 1) and Mackay Drive
Yonge Street (YR 1) and Major Mackenzie Drive West (YR 25)/Major Mackenzie Drive East (YR 25)
Yonge Street (YR 1) and May Avenue

Yonge Street (YR 1) and Meadowview Avenue/7200 Yonge Street [entrance to the Auto Mall Plaza]

Yonge Street (YR 1) and Millard Avenue/Millard Avenue West

Yonge Street (YR 1) and Mulock Drive (YR 74)

Yonge Street (YR 1) and Oak Avenue/Northern Heights Drive

Yonge Street (YR 1) and Roosevelt Drive

Yonge Street (YR 1) and Scott Drive/Bantry Avenue

Yonge Street (YR 1) and Spruce Avenue

Yonge Street (YR 1) and Weldrick Road West/Weldrick Road East

Yonge Street (YR 1) and Westwood Lane/Beresford Drive

Yonge Street (YR 1) and William Roe Boulevard/Clearmeadow Boulevard

Yonge Street (YR 1) and Yongehurst Road

Yonge Street (YR 1) and 8640 Yonge Street [entrance to the Vishnu Mandir Temple]

Yonge Street (YR 1) and Wellington Street West (YR 15)/Wellington Street East (YR 15)

Yonge Street (YR 1) and 17480 Yonge Street [the entrance to the Yonge-Davis Centre]

SCHEDULE "B"

FEES

Per sign for six (6) month permit	\$100.00
Per sign, each additional six (6) month permit	\$100.00
Election signs, for the period set out in Section 8.1	\$250.00 for each area municipality in which signs are placed