

proposed Sign is compatible with the Immediate Street Context, as identified in the Character Statement.

- (4) The Development Authority may waive the requirement for a separate Development Permit for a Sign where it is satisfied that all required information and details have been provided pursuant to Section 11.4.1(1) with a Development Permit application for a Building or portion of a Building.
- (5) The Development Authority may consider the following when it reviews applications:
 - (a) the scale and design of the area;
 - (b) historical designations;
 - (c) Statutory Plan requirements;
 - (d) streetscape improvements;
 - (e) scale, form, and massing;
 - (f) infrastructure and safety; and
 - (g) proximity to a Residential District.

11.4.2 Conditions of Development Approval for Signs

- (1) In addition to Section 2.10 Conditions of Issuing a Development Permit, the Development Authority may impose the following conditions:
 - (a) If the Development Authority approves a Permanent Sign on or over Public Property:
 - (i) that the Owner must sign an agreement to pay costs and be legally responsible for injuries to a person or damage to property from the presence, collapse, or failure of the Sign; and
 - (ii) that the Owner provide proof of insurance naming The City as co-insured covering bodily injury and property damage for claims related to the Sign for a dollar amount The City specifies.
 - (b) For Illuminated Signs, including Signs with Dynamic or Electronic Message components, any condition needed to mitigate the effects of the Illumination on Sites in a Residential District.

11.4.3 Variances

- (1) ¹Despite Section 2.7(i) and 2.8(3) the Development Authority may only vary the following for Signs:
 - (a) Sign Height;
 - (b) Sign Width;
 - (c) permitted number of Signs on a Site, except for the number of Billboard Signs which cannot be varied;
 - (d) the minimum separation distance between Signs, except for Billboard Signs which cannot be varied;
 - (e) ²the restriction of Dynamic Fascia Signs and Dynamic Freestanding Signs within 100.0m of a Site located in or adjacent to a Residential District, subject to the following:

¹ 3357/B-2019

² 3357/DD-2018, 3357/B-2019

- (i) without limited the ability of the Development Officer to refer applications to the Commission under Section 2.7(k), the Development Officer may approve variances of up to 10%;
 - (ii) the Commission may approve variances between 10.1% and 20%; and
 - (iii) all variances over 20.1% are prohibited.
 - (f) total Sign Area;
 - (g) minimum clearance above grade for Freestanding Signs; and
 - (h) setbacks.
- (2) In determining if a variance is justified, the Development Authority may consider:
- (a) the size and location of the Site;
 - (b) the design or construction of a Building or a Sign;
 - (c) the Immediate Street Context;
 - (d) whether the proposed Sign would unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring Sites;
 - (e) the heritage value of a Sign or Building;
 - (f) the topography or configuration of the Site;
 - (g) all applicable Council policies and guidelines; and
 - (h) applicable Statutory Plans.
- (3) Notwithstanding any other provision of this bylaw, if necessary for safety reasons, the Development Authority may require greater distance separations between Signs and may increase the minimum display time for Dynamic or Electronic Messaging.

11.4.4 Attaching Conditions to Variances

- (1) Any variance approved by the Development Authority may be temporarily approved and may be subject to conditions including:
- (a) the removal of existing Sign(s) on a Site;
 - (b) restrictions on the location, number, and type of new and existing Signs on a Site;
 - (c) controls on light levels or hours of operation of Illuminated Signs;
 - (d) other upgrades or changes to existing Signs on Site;
 - (e) safety and construction matters; and
 - (f) Conditions that reflect impacts on adjacent Sites pursuant to Section 640(6) of the *Municipal Government Act*.

- (4) Dynamic Fascia Signs and Dynamic Freestanding Signs are Discretionary Uses on those Sites adjacent to Taylor Drive within the following Districts:
 - (a) Riverlands Taylor Drive (RL-TD),
 - (b) C1 Commercial (City Centre),
 - (c) DC(6),
 - (d) DC(9), and
 - (e) DC(28) Districtsas shown in red on Figure 1, provided that the Dynamic Fascia Signs and Dynamic Freestanding Signs are placed on a Building Façade or a portion of a Yard abutting Taylor Drive.

11.8.2 Residential Proximity Sign Overlay District

- (1) The Residential Proximity Sign Overlay District prohibits Billboard Signs, Dynamic Fascia Signs, and Dynamic Freestanding Signs within 100.0 m of a Site located in or adjacent to a Residential District.
 - (a) ⁶The Development Authority may allow a variance to the 100.0m prohibition for Dynamic Signs in accordance with Section 11.4.3 Variances.
- (2) ⁷This Overlay District applies to Signs that are allowed within 100.0m of a Site located in or adjacent to a Residential District.
- (3) The intent of the Residential Proximity Sign Overlay District is to ensure the design, size, and type of allowable Signs located near Residential Districts support commercial and public service activity while being sensitive to the residential context.
- (4) Signs within the Residential Proximity Sign Overlay District shall adhere to the following development standards:
 - (a) ⁸Only external spot lighting is allowed, unless the Sign faces a Street. The exceptions to this development standard are Electronic Message Signs and Dynamic Signs.
 - (b) Electronic Message Fascia Signs and Electronic Message Freestanding Signs shall not be illuminated between 10:00 p.m. and 6:00 a.m.;
 - (c) Sign Area shall not face a Residential District; and
 - (d) Maximum Sign Height shall be 7.5 m, unless otherwise specified in this part.

11.8.3 Developing Community Sign Overlay District

- (1) This Section 11.8.3 sets out the development standards applicable to Developing Communities.
- (2) The intent of the Developing Community Sign Overlay District is to allow for Signs that market and advertise new communities and their Developments.
- (3) Temporary Directional Signs in Residential Districts in this Overlay shall adhere to the following:

⁶ 3357/DD-2018, 3357/B-2019

⁷ 3357/DD-2018

⁸ 3357/DD-2018