

The Corporation of the Town of Tecumseh

By-Law Number 2024-054

Being a by-law to amend By-Law No. 2018-33, the Town's By-law regarding signs within the Municipality.

Billboard Signs and Off-Site Signs along Walker Road / County Road 11 between King's Highway 401 and McCord Lane.

Whereas Sections 8, 9, 11 and 99 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended, provide that a municipality may prohibit or regulate signs and as part of the power to regulate or prohibit, may require persons to do things respecting signs, provide for a system of permits, approvals, registrations and impose conditions as a requirement of obtaining, continuing to hold or renew a permit, approval or registration; and may be general or specific in its application and may differentiate in any way and on any basis a municipality considers appropriate;

And whereas Section 446 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended, provides that if a municipality has the authority under a by-law under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of its being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

And whereas By-law No. 2018-33 is the Town's By-law regulating signs within the municipality;

And whereas the Council of the Corporation of the Town of Tecumseh deems it necessary and in the best interest of proper planning to further amend By-law No. 2018-33;

Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:

1. That By-Law No. 2018-33, as amended, is hereby further amended by the addition of a new "Schedule A" to immediately follow subsection 6.9.7 and to read as follows:

"Schedule A"

Billboard Signs and Off-Site Signs along Walker Road / County Road 11 between King's Highway 401 and McCord Lane.

Notwithstanding subsection 4.9 h) and i) of this By-law, a Billboard Sign or an

Off-Site Sign may be permitted on a property having frontage/flankage on Walker Road / County Road 11 between King's Highway 401 and McCord Lane subject to the following regulations:

1. Locational Requirements

The following location requirements shall apply:

- i) prohibited in the following locations:
- Within 60 metres (200 feet) of a residentially-zoned property.
 - Adjacent to a controlled access divided highway whether or not a frontage road exists.
 - Within or overhanging a day lighting area.
 - Within 91.4 metres (300 feet) of the limit of a road, street, or railway that intersects County Road 11/Walker Road at a grade.
 - Adjacent to a highway on a curve more than 1 degree 30 minutes.
 - A location that requires left hand exposure only.
 - Within 304.8 metres (1000 feet) of another Billboard Sign or Off-Site Sign, regardless of which side of the roadway the other sign is located.

This rule has the following exceptions:

- When 2 Billboard Signs or Off-Site Signs are facing the same direction, and placed at one location, provided the length of the combined signs does not exceed 16.15 metres (53 feet).
- When a maximum of 2 Billboard Signs or Off-Site Signs are placed back-to-back to the signs noted immediately above, provided the length does not exceed 16.15 metres (53 feet).

2. Size Requirements

The maximum allowable dimensions are as follows:

Maximum Length	16.1 metres (53 feet)
Maximum Height	7.6 metres (25 feet)
Maximum Area	60.3 sq. metres (650 sq. feet)

3. Setback Requirements

The following setback requirements shall apply:

Size of Sign	Setback From Centreline of Road
Less than 11.8 sq. m (128 sq. ft)	41.1 metres (135 feet)
11.8 sq. m (128 sq. ft) to 30.1 sq. m (325 sq. ft)	64.0 metres (210 feet)
30.1 sq. m (325 sq. ft) to 60.3 sq. m (650 sq. ft)	102.1 metres (335 feet)

Notwithstanding the setbacks noted above, the setback of a sign may be reduced when an established building line has been approved by the County of Essex and a reduced setback is approved by the County of Essex. In this event, the sign may be placed no closer to the street centreline than that which is approved by the County of Essex.

4. Lighting Specifications

If applicable, the following lighting specifications shall apply:

- shall have an intensity of illumination and luminance not to exceed the lesser of:
 - 3 lux (0.3 foot candles), or 300 nits (300 cd/m²) above ambient light conditions, during the hours between dusk and dawn; and
 - 3 lux (0.3 foot candles), or 5000 nits (5000 cd/m²) above ambient light conditions, during the daytime hours.

5. Display/Message Specifications

The following specifications shall apply to all signs that display a changeable/alternating message:

- Minimum Dwell Time (MDT) – is the minimum amount of time, in seconds, which a static message must be displayed for.
- Maximum Transition Time (MTT) – is the maximum amount of time, in seconds, which shall be allowed between consecutively displayed static messages.

Type of Message Display	MDT (seconds)	MTT (seconds)
Mechanical	20	2

Electronic	20	1
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- The purpose of the MTT is to ensure a near instantaneous change between fully displayed messages. Transition effects such as wipe, slide, fade, or pixelate shall not be permitted.
- A sign that alternates solely between current time and current temperature shall be permitted an MDT equal to 15 seconds. The MTT shall be as listed in the table above, dependent on whether the sign is mechanical or electronic in nature.
- All signs must be designed to ensure that in the event of a malfunction, the display image becomes fixed or blacks out.
- Signs may be illuminated per the specifications noted in this Schedule.

6. Additional Requirements

As part of any building permit application for a sign, a County of Essex permit/approval shall be required.”

Read a first, second, third time and finally passed this 28th day of May, 2024.

Gary McNamara, Mayor

Robert Auger, Clerk