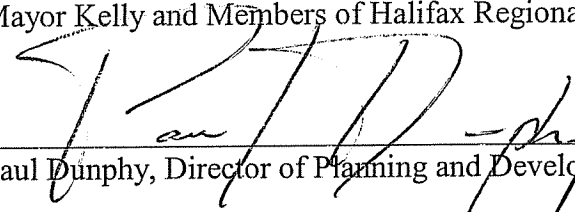


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Halifax Regional Council
April 25, 2006
Committee of the Whole

TO: Mayor Kelly and Members of Halifax Regional Council *May 9, 2006*

SUBMITTED BY: 
Paul Dunphy, Director of Planning and Development Services

DATE: April 10, 2006

SUBJECT: **Project 00327 - By-law Respecting the Licensing of Temporary Signs**

Supplementary Information Report

ORIGIN:

- This report arises from a staff presentation to Committee of the Whole on February 14, 2006 wherein Council provided direction to staff on various aspects of the draft Temporary Sign By-law and requested options on how to deal with planter box signs.
- During a recent meeting with the Temporary Sign industry, additional issues were raised regarding the Temporary Sign By-law. (Attachment 1 contains a letter outlining their issues)

BACKGROUND:

At the February 14, 2006 Committee of the Whole meeting, staff presented a draft Temporary Sign By-law for discussion and direction. During the Council debate, a number of changes to the draft By-law were approved and others requested. The changes can be placed into three categories:

- 1) Minor Amendments (including clarification and application of sign provisions): amendments requested have already been incorporated within the Temporary Sign By-law and deal with:
 - a) non-profit groups be exempt from a license fee;
 - b) amount of signage on a wall in regard to banners;
 - c) what is considered/permitted under mobile signs (clarification);
 - d) insert approved Capital District boundary map;
 - e) sidewalk decals being excluded under the By-law; and
 - f) movie company signs be permitted.

Regional Sign By-law

- 2) Amendments that Required Council Direction: Council passed motions on two issues
 - a) inflatable signs shall be permitted on roof tops; and
 - b) joining of multiple signs to create a single message board shall be prohibited.
- 3) Amendments that Council requested Options: Council requested staff to provide options on how planter box signs may be permitted on a more permanent basis.

In addition to these items, Councillors McCluskey and Adams had requested specific information on:

- a) How much does HRM charge for billboards and whether they are assessed for commercial taxes? Within the former County (generally) and Bedford areas, HRM does not charge a permit fee for billboards. However, permit fees are charged for billboards in Dartmouth (\$200) and Halifax (\$60). Billboards are not on the assessment roll, thus they are not assessed for commercial taxes.
- b) How many people attended the public consultation sessions? A total of 44 persons registered as attending the public information sessions. In addition to these sessions, staff also met with representatives of the permanent and mobile sign industries, Planning Advisory Committees (jointly), number of the Business Commissions, internal staff (Capital District, Right-of-Way Services, By-law Rationalization), Nova Scotia Automobile Association, and various individuals and businesses.
- c) What were the issues raised at the public sessions and have they been addressed? In 2005, Planning and Development conducted four public information sessions to obtain public feedback on a preliminary draft Temporary Sign By-law. In addition to these meetings, staff also met with Planning Advisory Committees. The comments provided by the public were either incorporated directly into the final draft Temporary Sign By-law or presented to the temporary sign industry for discussion and direction. Those issues which staff and industry could not come to agreement upon have been presented to Council for discussion and direction. Staff will provide copies of the notes to any Councillor upon request.
- d) What areas of HRM are exempt from the Temporary Sign By-law? The draft Temporary Sign By-law will apply to all temporary signs on private and HRM properties throughout the municipality and signs within HRM right-of-ways. In regard to mobile signs, the By-law contains more restrictive sign provisions in Bedford, Sackville Drive, the Capital District (includes downtown Dartmouth), and limited properties within Cole Harbour/Westphal and Eastern Passage/Cow Bay.

Regional Sign By-law

- e) How many temporary signs would be permitted under the present regulations versus under the draft Temporary Sign By-law? Recognizing limitation on staff resources and the time required to carry out the request, Councillor Adams agreed to focus the exercise on two major commercial strips:
- (i) Chain Lake Drive: from the intersection of Highway No 102 to the intersection of Chain Lake Drive and Susie Lake Cres.
 - (ii) Cole Harbour Road: from the intersection of Caldwell Road to the Forest Hills Parkway
- The results of this exercise will be circulated to Council prior to the Committee of the Whole meeting on April 18, 2006.
- f) How will residents be notified of the changes in sign provisions? With respect to the notification of the public and businesses of the proposed changes, staff intend to prepare a communication strategy upon Council's approval of the draft By-law. The strategy will include consultation with business groups and the sign industry.

DISCUSSION:

Council's direction at Committee of the Whole was to provide options on how planter box signs may be permitted on a more permanent basis. Under the draft Temporary Sign By-law, planter box signs are considered:

- (i) temporary signs if they are not fixed permanently to the ground. (subject to the sign duration provisions in the draft By-law: 4 months up and 1 month down).
- (ii) permanent signs if they are fixed permanently to the ground (subject to the applicable Land Use By-law provisions and only require a one time permit and fee).

Council expressed concern with the discrepancies on how planter box signs are addressed. If Council wishes to consider planter box signs on a more permanent basis but subject to the siting criteria in the Draft Temporary Sign By-law, staff provide three options:

Option 1: Amend Draft By-law to Extend Time Period for Planter Box Signs (Reader Boards)

Option 1 would permit planter box signs on a permanent basis but subject to an annual license which could be renewed yearly without any down-time. This option would also permit other types of signs to be utilized, not just planter box signs. These signs would be subject to an increased separation distance between temporary signs to eliminate clutter (125 ft) and be subject to draft By-law siting criteria. Staff would also recommend a reduced permit fee (\$80 per year) compared to mobile sign fees (\$150 per year).

Regional Sign By-law

Option 1 would permit planter box signs and certain types of permanent signs on a semi-permanent basis but subject to reduced siting criteria. This option is the preferred approach of the temporary sign industry. If Council wishes to consider Option 1, it needs to indicate whether or not such signs would be permitted in those areas that currently have more restrictive mobile sign provisions.

Option 2: Amend Land Use By-laws to Permit Two (2) Permanent Ground Signs

Council's discrepancy on planter box signs can also be addressed by amending the various Land Use By-laws to permit a second ground sign on commercial and industrial properties that currently only permit one ground sign. The second sign would be subject to same siting criteria as under the draft Temporary Sign By-law and new design standards that would allow planter boxes signs and other types of permanent signs.

Option 2 would provide both industry and businesses with additional opportunities for signage. This option would require staff to review and amend all Land Use By-laws. If Council wishes to proceed with this option, it needs to give direction to staff on whether or not the amendments would apply to those communities that have more restrictive mobile sign provisions.

Option 3 Conduct a Review of All Permanent Sign Provisions

Under this option, Council would direct staff to conduct a comprehensive review of the permanent sign provisions currently contained in the various land use By-laws. Through this process, staff would address the planter box issue in a comprehensive manner. Until the review was completed, planter box signs would be permitted in accordance with the provisions outlined in the draft By-law.

Option 3 deals with the issue of planter box signs in a comprehensive manner but would require significant staff time and resources to complete. This option was the preferred approach by the permanent sign industry as it would clearly define the difference between what is temporary versus permanent signage and provide a level playing field for the entire sign industry.

Option3 would require significant staff time and resources to complete. Staff would not recommend Council proceeding with this option until the Regional Plan is approved and priorities set.

Additional Issues:

During discussions with the temporary sign industry representatives on planter box sign options, the representatives raised additional issues with the draft By-law (see Attachment 2). Five issues were raised:

Regional Sign By-law

Issues Staff Agree With:

1) Grand Opening and Moving Signs

Industry is requesting that businesses be permitted to use mobile signs to:

- a) advertize one month in advance of a business opening on site; and
- b) allow businesses, which are moving, to advertize their new location at their old location for up to one month.

Staff Comment: Staff supports this request and will incorporate it within the draft By-law, except for those areas that have more restrictive mobile sign provisions.

2) Permits Fees:

Industry is requesting that the Multi Special and Short term Events Signs be subject to a reduced license fee in order to discourage businesses from utilizing mobile signs for extended periods of time.

Staff Comment: Staff support this request and recommend that both types of signs be subject to the minimum license fee of \$20 per license if recommended.

3) Short Term Event Signs

Industry is requesting that mobile signs for short term periods of up to 2 days for weekend events be permitted. Industry would be required to notify HRM of the sign and its location in advance but would not require a license.

Staff Comment: Staff support this request but recommend that there be limitations placed upon the frequency and number of signs used per property (seek Council's direction).

Issues Staff Disagree With:

4) Multi Special Event Signs

Industry is requesting the ability to do large scale advertizing for short periods of time (1 to 2 weeks). This option would permit the use of a number of mobile signs for a special event (no limit on the number of signs). The industry is recommending that this option would only be for large businesses and limit it to two license per year.

Staff Comment: Staff have concerns with permitting an unlimited number of signs as it could result in increased clutter depending on the size and placement of signs on the property. Further, staff cannot regulate based on size of a business (ie only large businesses).

5) Apartment Building Signs

Industry is requesting the ability to obtain mobile sign licenses for large apartment buildings to advertize vacancies and other issues.

Staff Comment: Staff have concerns with allowing commercial type signage in residential areas (ie compatibility) and there are other options available for rental advertizing. If apartment buildings are located on properties zoned for commercial use, mobile signs would be permitted under the Draft Temporary Sign By-law. Further, limiting such signage to only large apartment buildings, which is difficult to define, would make the By-law less consistent in its application.

BUDGET IMPLICATIONS:

The staff report to be presented for First Reading will contain recommendations with regard to enforcement levels, any required funding (if necessary), and potential revenues.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN:

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES:

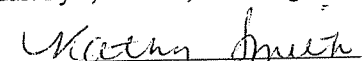
Not applicable

ATTACHMENTS:

Attachment 1: Letter to Staff from Mobile Sign Industry (April 1, 2006)

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Prepared by: Sharon Bond, Manager of Subdivision and Land Use
Kevin Warner, Development Officer, Planning and Development Services
Kurt Pyle, Planner, Planning and Development Services

Financial Review: 
fr Joan Brousard/Financial Consultant 490-6267

Attachment 1
Letter to Staff
Proposed Sign By-law # S-800

April 1, 2006

From: Mobile Sign Companies of HRM

RE: Suggestions

After discussing the matter of the proposed sign by-law with many Councillors, it was identified that the main issues are clutter, mobile sign maintenance, proper setbacks, no third party signs and HRM's power to ticket violators of the by-law. We agree and all of **these issues are addressed**.

Therefore, as an association, we don't understand why staff puts up such a fight in everything we suggest. The direction from council is definitely not to have so many restrictions but to listen and implement our concerns.

Once these new bylaws are in place, it will cause quite an out-cry from businesses when they find out that own their mobiles are going to have so many restrictions. We feel if we implement the concerns below, it will ease this outcry and not effect the problems we face with mobiles today.

- 1) **Planter Box Signs** - implement a separate by-law for this style of mobile.
 - Similar restrictions as mobile – except:
 - Separation distance of 125'
 - Apply for a permit for 2-year expiry. Due to the higher cost to install these signs it does not make sense for a one-year permit. Presently we only offer these signs on a two-year contract. To make the permit for one-year and our contract for two does not make sense. We provide a one-year contract, however the cost would rise substantially for the business owner, defeating one of the reasons for this type of sign. This will still look after the staff concerns, as these permits are still only valid for a two-year duration, which is not a long time for a sign of this class.
 - Mobiles still allowed on these properties with a separation of 100'.
 - Multi special event and temporary 2 day signs and signs would still be aloud.

1. **Multi Special Events** - need the ability to do large-scale advertising for a short period of time. This is only requested by larger businesses that like to put on an event such as a week tent sale at Mic Mac Mall. Few businesses have the budget for this therefore it will never be the concern of many businesses wanting to do it all the time.
 - Let's create a Special Events Permit for Mobile Signs that allows a business to have multiple Mobile Signs for a short period of time (1-2 weeks).
 - May want to limit the business to use this permit to two times per year.
 - No limit on the number of signs.
 - This should be in addition to bylaws pertaining to the numbers of mobile and semi-mobile signs on the property.

1. **Temporary Event Sign** - for short-term rental of up to 2 days. Customers request these sign for weekend radio promotions, directional signs etc. It is important to note many of the requests for these signs are on properties that have mobiles now. Therefore they would be in addition for the very short time they are up.
 - Allow these signs as long as HRM are notified in advance
 - This should be in addition to bylaws pertaining to the numbers of mobile and semi-mobile signs on the property.

Regional Sign By-law

Apartment Buildings – We are not looking to have the ability to put mobile signs at residential buildings in the thick of residential housing. Nor do these generally smaller apartment buildings request our type of mobile. We are looking to allow mobiles for the larger buildings along Bedford HWY, Bayers Road, Barrington Street, High Field Park, South Park, etc. It is not a problem now on these properties with mobiles. With more restrictive bylaws there will be even less again.

- Add a clause in the bylaw for this type of purpose.

Prohibited Temporary Signs

Section 4.1 C

- Allow for mobiles to be installed 1 month before business opens & up to 1 month after.

Permits

We believe the permit for 4 months is \$60. Is the charge for 1 month \$20?
We do get a number of short-term requests from 1 week to 1 month. If a lower fee is not added this will encourage businesses to keep their mobile longer which defeats what staff is trying to do.

Thank you for your time. We hope these concerns will be implemented to help us all move on. Please feel free to contact us with any comments/suggestions.

Kindest regards,

Mobile Sign Companies of HRM

Bright Signs
Glow Signs
Look Signs