

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
COMMITTEE OF THE WHOLE
MINUTES

February 14, 2006

PRESENT: Mayor Peter Kelly, Chair
Deputy Mayor Russell Walker
Councillors: Krista Snow
David Hendsbee
Harry McInroy
Gloria McCluskey
Andrew Younger
Becky Kent
Jim Smith
Mary Wile
Patrick Murphy
Dawn M. Sloane
Sue Uteck
Sheila Fougere
Debbie Hum
Linda Mosher
Stephen D. Adams
Brad Johns
Robert P. Harvey
Len Goucher
Reg Rankin
Gary G. Meade

REGRETS: Councillor Steve Streach
Councillor Bill Karsten

STAFF: Mr. Wayne Anstey, A/Deputy Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant

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1. CALL TO ORDER

The Mayor called the meeting to order at 10:09 a.m.

2. APPROVAL OF THE MINUTES

C A memorandum dated February 13, 2006 from the Municipal Clerk, with revised minutes of January 24, 2006 and January 31, 2006 was submitted.

MOVED by Councillor Wile, seconded by Councillor McCluskey that the revised minutes of January 24, 2006 and January 31, 2006 be approved. MOTION PUT AND PASSED.

3. TEMPORARY SIGN BY-LAW

Mr. Paul Dunphy, Director of Planning and Development addressed Council and provided an overview of the principles and scope of the proposed Bylaw for Temporary Signs. He advised that this was an opportunity for staff to review the draft with Council for the first time. Mr. Dunphy noted that once Council is in agreement with the bylaw, then staff would proceed to the public hearing phase of the process.

Mr. Kurt Pyle, Planner, HRM Planning Services provided a presentation outlining the background on the development, and purpose and objectives of the Bylaw.

At 10:14 p.m. Councillor Younger entered the meeting.

In reviewing some key highlights of the proposed bylaw, Mr. Pyle advised that no signs will be grandfathered and that the by-law will differentiate between temporary and permanent signage. He also advised that enforcement is key for the bylaw to be successful and, in this regard, he noted that staff have added prosecution as a third enforcement tool, in addition to summary offense tickets and removal of signs. Mr. Pyle advised that to address issues of enforcement, staff requested three new enforcement staff. To date, two have been hired and the third position will be generated from the fees in the actual Bylaw.

At 10:17 a.m. Councillors Johns and Sloane entered the meeting.

Mr. Pyle concluded his presentation by reviewing the consultation process that staff carried out; the license fees proposed in the bylaw; the areas in which staff are looking for policy direction from Council, and the next steps in the process.

At 10:20 a.m. Councillor Adams entered the meeting.

Mr. Pyle, Mr. Dunphy, and Mr. Kevin Warner, Development Officer, responded to questions.

In response to a question by Councillor Goucher, Mr. Pyle advised that this bylaw will not jeopardize any existing Land Use Bylaw which has more restrictive measures.

At 10:23 a.m. Councillor Mosher entered the meeting.

Council provided the following comments and suggestions in regard to the draft bylaw:

- C Clarify wording in regard to sandwich board signs on sidewalks to note the hazards they are to pedestrians, particularly people with mobility and visual challenges.
- C Planter Box Signs should be subject to temporary mobile sign setback standards.

At 10:27 a.m. Councillor Murphy entered the meeting.

- C In Part 2 of the Bylaw, there is no provision for a description of an overhead banner that is not over a roadway.
- C Exempt inflatable signs from being prohibited on roofs.
- C There appears to be conflicting sections in the bylaw pertaining to the size of banners, i.e. one section indicates they cannot be more than 10 percent of the coverage of the wall, but another section states that a banner may not exceed 500 sq. ft.
- C There are signs along the Peggy's Cove Road belonging to businesses that closed many years ago; a suggestion was put forward that staff look at this issue and see if it can be incorporated into the sign bylaw.
- C Include a clause that would prohibit someone from obtaining a license or permit if they already have outstanding fines.

In response to a question by Councillor McCluskey, Mr. Anstey advised that staff will provide a supplementary report explaining how much the Municipality charges for billboards and whether they are assessed for commercial taxes.

At 10:39 a.m. Councillor Kent entered the meeting.

Councillor McCluskey advised that nonprofit groups should not be charged a license fee.

MOVED by Councillor McCluskey, seconded by Councillor Murphy that the requirement for nonprofit groups to obtain a license fee be removed from the proposed bylaw. MOTION PUT AND PASSED.

- C Planter Box signs should be regulated as permanent signage; multiple signage proposal should not be allowed.

At 10:47 a.m. Mayor Kelly left the meeting and Deputy Mayor Walker assumed the Chair.

- C Ensure that the bylaw is stringent enough that an entire wall of a building is not used for signage.
- C In reference to the boundary map, it was noted that the capital district has changed significantly - it is a much larger capital district than what was presented to Council for ratification.

At 10:55 a.m. Councillor Rankin entered the meeting.

- C The business community needs to be informed that the proposed bylaw will require a license fee for a commercial special event.
- C The bylaw should have a separate category for Planter Box signs.

Mr. Dunphy referred to the various comments regarding duration of permitting signs to stay up, and come down (i.e. four months up and two down), and pointed out that this was something Council agreed to previously, and had passed a motion in this regard. He suggested that if Council wanted to change this aspect, that a motion be passed.

- C Planter Box Signs should have standards of permanent signs.
- C The license fee for sandwich boards is excessive and should be reconsidered.

At 11:07a.m. Councillor Hendsbee entered the meeting.

- C Staff requested to give consideration to licenses for short term events, ie. for a few days or a week at a time.

Councillor Adams asked staff to provide a report on how many people attended the public consultation sessions; what were the issues identified and have they been addressed; and what areas are exempt from the bylaw.

- C The bylaw needs to be more clear in terms of identifying all the items that do not apply under mobile signs.

Council recessed at 11:30 a.m.

Council reconvened at 1:20 p.m. with the same members present, with the exception of Councillor Smith. Further comments were provided by Council as follows:

- C Staff go back to industry for further consultation on Planter Box Signs and work out something that would be acceptable to both industry and the Municipality.
- C The bylaw is unfair to small business.
- C A \$100 annual fee is a fair price for a sandwich board sign; it was also noted that the fee would be tax deductible for the business.
- C The bylaw require that sandwich board signs be located by the building and not by the curb.

- C Suggestion that multiple mobile signs be permitted for short impact times such as one or two weeks.

Councillor Adams asked for a further report which details how many temporary signs would be allowed with the present bylaw, and how many signs would be permitted if the proposed bylaw were passed, as is. As well, he asked the report include how many signs of private businesses will be impacted, and if these people will be notified of a change to the bylaw.

- C Mobile signs are also a safety concern because they can block driveway views.
- C It was noted that last summer, sidewalk decals began appearing and it was suggested that if staff have not already looked into this matter, that consideration be given to this issue.
- C More uniform policy on signage; a uniform design for planter boxes; has consideration been given to signage required in a state of emergency or for Public Service Announcements.
- C There should be fees associated with election campaign signs and fines issued for signs that are not removed after the election, and for yard sale and garage sale signs that are not removed.
- C Temporary digital signs are appearing more frequently, and this does not appear to be addressed in the bylaw
- C It was noted that movie companies often post directional signs, and staff was asked to ensure that the bylaw does not negatively impact on their ability to shoot movies on location throughout the Municipality.

In concluding the presentation, Mr. Pyle noted that there were varying opinions put forward on some key issues. He advised that staff would like clear direction, and requested Council provide motions in regard to the duration and frequency of mobile signs, planter box signs, inflatable signs, and multiple mobile signs.

MOVED by Councillor McInroy, seconded by Councillor Hendsbee that the maximum amount of time per license on a commercially, industrially, or institutionally zoned or used property shall be no more than 90 days, and upon expiry or cancellation of the license, the Sign shall be removed from the property for a period of no less than 60 days (i.e. up for three months, and down for two). MOTION PUT AND DEFEATED.

MOVED by Councillor McInroy, seconded by Councillor Snow that staff report back with options for dealing with Planter Box Signs. MOTION PUT AND PASSED.

MOVED by Councillor Fougere, seconded by Councillor Snow that staff reconsider the issue of inflatable signs as per the discussion of Committee of the

Whole. MOTION PUT AND PASSED.

MOVED by Councillor McInroy, seconded by Councillor Hendsbee that the joining of multiple mobile signs for the purpose of one message be disallowed in the bylaw. MOTION PUT AND PASSED.

Mr. Dunphy advised that staff will review and revise the bylaw according to the feedback received today, and will return to Committee of the Whole. He noted, however, the statistical information requested by Councillor Adams will take significantly more time to research, and this information would be provided at a later date.

4. SIDEWALK SNOW PLOWING

This matter was deferred to the Committee of the Whole meeting of Tuesday, February 21, 2006.

5. ADJOURNMENT

The meeting adjourned at 2:33 p.m.

Jan Gibson
Municipal Clerk