


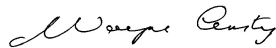
**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:**



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Dan English, Chief Administrative Officer



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Wayne Anstey, Deputy Chief Administrative Officer - Operations

**DATE:** June 8, 2009

**SUBJECT:** Case 01307 - Temporary Sign By-law Amendments

**ORIGIN**

Information Report received by Regional Council at the June 10, 2008 meeting, indicating staff was reviewing By-law S-800 (effective November 18, 2006), in response to staff identified housekeeping matters and issues raised by Council.

**RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Initiate the process to consider amending By-law S-800 Respecting Requirements for the Licencing of Temporary Signs; and
2. Direct staff to follow the public participation resolution as outlined in Attachment A.

## **BACKGROUND**

### **Initiation**

As indicated in the Origin section of this report, the Information Report received by Regional Council at the June 10, 2008 meeting indicated staff were reviewing the Temporary Sign By-law with regard to issues raised by the public, the sign industry, HRM administration of the By-law and Council, and would return with a recommendation report inclusive with proposed By-law amendments. Since the writing of the Information Report significant issues inherent to the intent of the goals of the By-law (described below in the Discussion section of this report) have been identified. Accordingly, staff believe these matters warrant initiation by Regional Council, inclusive of a public participation program.

### **Signage Regulations**

Prior to adoption of By-law S-800, temporary signs in the Municipality were regulated by a variety of By-laws including Land Use By-laws primarily in the former County and Signage By-laws in the former cities of Halifax and Dartmouth.

Permanent signage continues to be regulated by provisions contained in the respective land use by-laws and the Encroachment By-law.

In response to concerns identified by stakeholders regarding the regulations of permanent signage, staff have committed to a comprehensive review via a separate initiation process.

### **Temporary Sign By-law**

On July 4, 2006 Regional Council approved the creation of a Temporary Sign By-law (By-law S-800); thereby requiring the licensing of temporary signs for private property and within HRM rights-of-way.

The Temporary Sign By-law provided a differentiation between permanent signage such as billboards and fascia signs and signage of a temporary nature including mobile signs, posters sandwich boards, banners and inflatable signs.

The goals of the Temporary Sign By-law included:

- providing opportunities for temporary signs consistent with community vision and existing community plans
- preserving and enhancing the visual character of the Region's streetscapes
- ensuring consistent administration and enforcement of the By-law
- ensuring effective remedy for non-compliance.

## **DISCUSSION**

While the Temporary sign By-law has resulted in a simplification and standardization of temporary sign provisions within the Region, and has aided in improved streetscapes and enforcement of sign

provisions, over the past two years staff and industry stakeholders have monitored the administration and implementation of the Temporary Sign By-law with the following issues identified for review.

- transfer of responsibility for signs located in the right-of-way to HRM Transportation and Public Works
- duration of licences
- separation distances between signs
- administrative housekeeping matters

In addition to the above, an Information Report received by Council at the June 10, 2008 meeting was prepared in response to motions from Regional Council to initiate amendments to By-law S-800 regarding:

- the period of time that Mobile Sign may be permitted (October 24, 2006);
- limiting the use of mobile signs within the Cole Harbour/Westphal and Sackville Drive plan areas (October 24, 2006); and
- review of sandwich boards signs provisions (November 13, 2007).

The transfer of responsibility for temporary signage located in HRM rights-of-way from Development Services to Transportation and Public Works is proposed in the interest of efficiency of service delivery and staff expertise.

In conjunction with amendments to By-law S-800, staff anticipate amendments to the Encroachment By-law (E-200), Streets By-law (S-300) and Administrative Order 15 (Respecting license, Permit and Processing Fees) which will be addressed in the staff report.

### **Public Participation**

Past public information meeting practices regarding similar By-law amendments have included the scheduling of a PIM for each administrative region of the Municipality and has typically not resulted in additional public input. During the implementation of By-law S-800, this result was reiterated by the outcome of the public participation program which included the hosting of four public information meetings.

Given the nature of the proposed amendments, staff are proposing an alternative public participation program. The proposed public participation program for considering amendments to the Temporary Sign By-law is presented in Attachment A. In summary, the consultation methods include:

- Meeting with industry stakeholders
- A single public information meeting
- Proposal Fact Sheet
- HRM Webpage

The public information meeting will be supplemented by additional public participation enabled via the HRM webpage and offer a variety of methods for public response to the proposed amendments including telephone, fax, and email contact information.

Upon completion of the public participation program, staff will then prepare a report for consideration by Council at Committee of the Whole, and Regional Council for Public Hearing.

### **BUDGET IMPLICATIONS**

The costs to process this application can be accommodated within the approved operating budget for C310.

### **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**

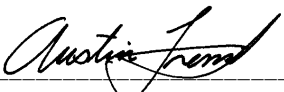
1. Council may choose to initiate the By-law amendment process. This is the staff recommendation.
2. Council may choose not to initiate the By-law amendment process. This is not recommended for the reasons outlined in this report.


### **ATTACHMENTS**

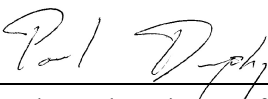
Attachment A Proposed Public Participation Program: Temporary Sign By-law Amendments

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.

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**Attachment A**

**Proposed Public Participation Program:  
Temporary Sign By-law Amendments**

1. Schedule consultation(s) with industry stakeholders.
2. Distribution of Fact Sheet with opportunity for feedback/comments via HRM webpage.
3. Schedule a Public Information Meeting.
4. Staff report prepared, including proposed By-law amendments, and proceed to Regional Council for First Reading.
5. Public Hearing before Regional Council.