

Vision: *The City of Greater Sudbury is a growing, world-class community bringing talent, technology and a great northern lifestyle together.*

Vision: *La Ville du Grand Sudbury est une communauté croissante de calibre international qui rassemble les talents, les technologies et le style de vie exceptionnel du Nord.*



Agenda

Policy Committee

meeting to be held

Wednesday, May 19th, 2010

at 6:00 pm

Council Chamber, Tom Davies Square

Ordre du jour

réunion du

Comité des politiques

qui aura lieu

mercredi 19^e mai 2010

à 18h 00

dans la Salle du Conseil, Place Tom Davies

POLICY COMMITTEE AGENDA

For the 56th Policy Committee Meeting
to be held on **Wednesday, May 19, 2010**
Council Chamber, Tom Davies Square at 6:00 pm

COUNCILLOR DOUG CRAIG, CHAIR

Jacques Barbeau, Vice-Chair

(PLEASE ENSURE CELL PHONES AND PAGERS ARE TURNED OFF)

The Council Chamber of Tom Davies Square is accessible to persons with disabilities. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. Persons requiring assistance are requested to contact the City Clerks Office at least 24 hours in advance of the meeting if special arrangements are required. Please call (705) 674-4455, extension 2471. Telecommunications Device for the Deaf (TTY) (705) 688-3919. Copies of Agendas can be viewed at www.greatersudbury.ca/agendas/.

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

COMMUNITY DELEGATIONS

PRESENTATIONS

1. Report dated May 12, 2010 from the Chief Financial Officer / Treasurer regarding 2010 Property Tax Policy. **8 - 17**
(ELECTRONIC PRESENTATION) (RECOMMENDATION PREPARED)
 - Ed Stankiewicz, Manager of Financial Planning & Policy

(This report is prepared for Council to adopt the 2010 Property Tax Policy decision.)

2. Report dated May 13, 2010 from the General Manager of Growth and Development regarding Town Centre Community Improvement Plan. **18 - 21**
(ELECTRONIC PRESENTATION) (RECOMMENDATION PREPARED)
 - Kris Longston, Senior Planner

(This report outlines the procedure required to extend the programs of the Downtown Sudbury Community Improvement Plan to the outlying town centres.)

CORRESPONDENCE FOR INFORMATION

REFERRED & DEFERRED MATTERS

MANAGERS' REPORTS

3. Report dated May 12, 2010 from the General Manager of Growth and Development regarding Amendment to Sign By-law #2007-250. **22 - 45**
(RECOMMENDATION PREPARED)

(As a result of the sign provisions being removed from the new Comprehensive Zoning By-law, a new permanent Sign By-law must be prepared.

A public meeting will be required to receive input. The public meeting will be arranged by the end of May.)

MOTIONS

ADDENDUM

CITIZEN PETITIONS

ANNOUNCEMENTS

NOTICES OF MOTION

9:00 P.M. ADJOURNMENT (RECOMMENDATION PREPARED)

(Two-thirds majority required to proceed past 9:00 pm)

Councillor Doug Craig
Chair

Franca Bortolussi
Council Secretary

COMITÉ DES POLITIQUES ORDRE DU JOUR

Pour la 56^e réunion du Comité des politiques
qui aura lieu le **19 mai 2010**
dans la Salle du Conseil, Place Tom Davies, à 18h 00

CONSEILLER DOUG CRAIG, PRÉSIDENT(E)

Jacques Barbeau, Vice-président(e)

VEUILLEZ ÉTEINDRE LES TÉLÉPHONES CELLULAIRES ET LES TÉLÉAVERTISSEURS)
La salle du

La salle du Conseil de la Place Tom Davies est accessible pour les personnes handicapées. Si vous désirez obtenir un appareil auditif, veuillez communiquer avec la greffière municipale, avant la réunion. Les personnes qui prévoient avoir besoin d'aide doivent s'adresser au bureau du greffier municipal au moins 24 heures avant la réunion aux fins de dispositions spéciales. Veuillez composer le 705-674-4455, poste 2471; appareils de télécommunications pour les malentendants (ATS) 705-688-3919. Vous pouvez consulter l'ordre du jour à l'adresse www.greatersudbury.ca/agendas/.

DÉCLARATION D'INTÉRÊTS PÉCUNIAIRES ET LEUR NATURE GÉNÉRALES

DÉLÉGATIONS DE LA COMMUNAUTÉ

PRÉSENTATIONS ET EXPOSÉS

1. Rapport de la chef des services financiers / trésorière municipale, daté du 12 mai 2010 portant sur Politique sur l'impôt foncier de 2010. **8 - 17**
(PRÉSENTATION ÉLECTRONIQUE) (RECOMMANDATION PRÉPARÉE)
 - Ed Stankiewicz, gestionnaire de la Planification et des politiques financières

(Ce rapport est rédigé pour le Conseil municipal pour adopter la décision sur la politique en matière d'impôt foncier de 2010.)
2. Rapport du directeur général de la croissance et du développement, daté du 13 mai 2010 portant sur Plan d'améliorations communautaires du centre-ville. **18 - 21**
(PRÉSENTATION ÉLECTRONIQUE) (RECOMMANDATION PRÉPARÉE)
 - Kris Longston, planificateur principal

(Ce rapport donne les grandes lignes de la procédure à suivre pour étendre aux centres-villes de la périphérie les programmes du Plan d'améliorations communautaires du centre-ville.) (Ce rapport donne les grandes lignes de la procédure à suivre pour étendre aux centres-villes de la périphérie les programmes du Plan d'améliorations communautaires du centre-ville.)

CORRESPONDANCE À TITRE DE RENSEIGNEMENTS SEULEMENT

QUESTION RENVOYÉES ET REPORTÉES

RAPPORTS DES GESTIONNAIRES

3. Rapport du directeur général de la croissance et du développement, daté du 12 mai 2010 portant sur Modification du règlement numéro 2007-250 sur les panneaux. **22 - 45**
(RECOMMANDATION PRÉPARÉE)

(En raison de l'enlèvement des dispositions sur les panneaux du nouveau règlement général sur le zonage, il faut rédiger un nouveau règlement permanent sur les panneaux. Une réunion publique sera nécessaire pour recueillir l'avis des membres de la communauté. La réunion publique sera organisée d'ici la fin mai.)

MOTIONS

ADDENDA

PÉTITIONS DE CITOYENS

ANNONCES

AVIS DE MOTION

LEVÉE DE LA SÉANCE À 21 H (RECOMMANDATION PRÉPARÉE)

(Une majorité des deux tiers est requise pour poursuivre la réunion après 21h 00.)

Le Conseiller Doug Craig,
Présidente

Franca Bortolussi,
Secrétaire du conseil

Request for Decision

2010 Property Tax Policy

Presented To: Policy Committee

Presented: Wednesday, May 19, 2010

Report Date: Wednesday, May 12, 2010

Type: Presentations

Recommendation

1) WHEREAS as a result of the property reassessment in 2009 which phases in assessment increases over four years, there continues to be inter-class shifting of tax burdens; and

WHEREAS the Ministry of Finance allows municipalities to set new tax ratios to mitigate the impact of tax shifts relative to the reassessment;

THEREFORE BE IT RESOLVED THAT THE CITY OF GREATER SUDBURY approve new revenue neutral tax ratios as calculated in the Online Property Tax Analysis System (OPTA) for the Multi-Residential, Commercial, Industrial and Pipeline property classes as follows:

Multi-Residential - 2.208780; Commercial - 2.027537; Industrial - 2.859391; Large Industrial - 3.240966; Pipeline - 1.764048; and

THAT the necessary bylaw be passed.

2) WHEREAS the City of Greater Sudbury continues the practice of having as many properties as possible pay their fair share of property taxes based on the Current Value Assessment (CVA); and

WHEREAS the Province of Ontario has provided tax tools to achieve this outcome;

THEREFORE BE IT RESOLVED THAT THE CITY OF GREATER SUDBURY use these tools to the maximum, resulting in more properties paying true CVA taxes, and the tools are as follows:

a) Implement a 10% tax increase cap rather than the mandatory 5% minimum cap, b) Implement a minimum annual increase of 5% of CVA level taxes for capped properties, c) Move capped and clawed back properties within \$250 of CVA taxes directly to CVA taxes; d) eliminate properties that were at Current Value Assessment in 2009 from the capping exercise; e) eliminate properties that crossed between capping and clawback in 2010 from the capping exercise; and

Signed By

Report Prepared By

Ed Stankiewicz
Manager of Financial Planning & Policy
Digitally Signed May 12, 10

Recommended by the Department

Lorella Hayes
Chief Financial Officer/City Treasurer
Digitally Signed May 12, 10

Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed May 12, 10

THAT the necessary bylaw be passed.

3) WHEREAS the Province of Ontario under Bill 140 has a maximum tax increase policy (capping) for business properties (Multi-Residential, Commercial and Industrial); and

WHEREAS the City of Greater Sudbury, through past practice, has funded this cap on taxes by clawing back from properties realizing reduced taxation;

THEREFORE BE IT RESOLVED THAT the following clawback percentages, as calculated by the Online Property Taxation Analysis (OPTA) System, be adopted by the City of Greater Sudbury: Multi-Residential - 42.7505%; Commercial - 11.2570%; Industrial - 1.8148%; and

THAT the necessary bylaw be passed.

Executive Summary

This report deals with the adoption of 2010 property tax policy. In previous years, a brief history of the transference of this function from the Province to the municipalities, as well as the measures that the City has taken over the years, was presented to Council. As most decisions regarding tax policy have been in place for a number of years, and that there are only a few decision points for Council to review, therefore it will not be necessary to review the history.

Instead, this report will deal with the three decision points that Council must consider. As well, this report will provide Council with a distribution of tax increases/decreases, impact of reassessment and tax increases by service area (area rated services).

Background

Decisions Required for 2010 Property Tax Policy

Like other municipalities in Ontario, current and past City of Greater Sudbury Councils have supported the use of tools that would:

- 1) minimize the impact on the residential taxpayer,
- 2) eliminate capping and clawback wherever possible so that properties pay taxes on true market values.

Decision #1

Whether to accept revenue neutral tax ratios?

As a result of the province wide reassessment in 2009 which phased in increases over four years, the City of Greater Sudbury continues to experience severe interclass shifting. This is a direct result of the collective Residential class realizing higher valuation increases than other tax classes. The municipal tax burden pushed onto the Residential class totals \$2.9 million. By revising the property tax ratios for the Multiple Residential, Commercial, Industrial and Pipeline classes, the tax burden for each class returns to its 2009 levels.

There are two options:

- 1) Leave the ratios unchanged from 2009 and pass an additional \$2.9 million onto the Residential class,
- 2) Approve the revenue neutral rates and return tax burden to its 2009 levels by property tax class.

Consistent with prior years, it is recommended that Council approve the revenue neutral tax ratios, which is beneficial to the Residential class.

Decision #2

How to handle the Commercial tax ratio and Industrial tax ratio, which are over the provincial threshold of 1.98 and 2.63 respectively?

As a result of using revenue neutral tax ratios, the Commercial tax ratio has moved above the provincial threshold. The Industrial tax ratio has been above the threshold for the last two years.

Under provincial legislation, if a property tax class has a ratio above the provincial threshold, then only a maximum of 50% of the increased municipal levy can be passed onto this class, transferring this tax burden to all other classes.

There are two options:

1) Leave the Commercial tax ratio at 2.027537 and the Industrial tax ratio at 3.085393, pass on only 50% of the 2010 levy increase to properties in these classes. This would result in the Residential class collectively (inclusive of the increased education taxes) realizing a 3.3% tax increase.

2) Move the Commercial tax ratio and Industrial tax ratio to 1.98 and 2.63 respectively, and pass on 100% of the tax levy increase to these classes. The Residential class would realize an increase of 4.5%. This option would pass \$1.9 million of additional tax burden onto all classes, inclusive of \$1.7 million to the Residential class.

Option 1 is recommended as it benefits the residential property owner as well as all other classes at the expense of the Commercial and Industrial classes. Even with acceptance of this option, the percentage of tax burden for the Commercial and Industrial classes would still be less than in 2009.

Decision #3

What tax tools should be used with capping and clawbacks?

As a result of provincial legislation, business properties are limited to tax increases that can be applied to their properties. Under Bill 140, the cap was set at 5% over the previous year's taxes plus the municipal levy increase. In 2005, the Province allowed the municipalities more options relating to capping. In addition, in 2008, the Province allowed municipalities to eliminate more properties from the capping exercise by adding two more measures. All of the measures are still available for use by municipalities.

These options enable municipalities to have properties reach their true CVA taxes faster, and are as follows:

- 1) Increase the cap to a 10% increase over the 2009 taxes,

- 2) Increase taxes by at least 5% of CVA taxes,
- 3) Move capped and clawbacked properties within \$250 of CVA taxes directly to CVA taxes,
- 4) Eliminate properties that were taxed at CVA last year but would have been capped or clawed back this year,
- 5) Eliminate properties that moved between increasers and decreasers (ie: 2009 capped property moved to a clawed back property in 2010).

Acceptance of these options is consistent with previous years' decisions and assists in reducing the number of properties affected by this cap.

Table 1 reflects the increased clawback percentage and higher number of properties affected by the cap under the mandatory 5% tax cap.

Properties affected by the Mandatory 5% Cap

Table 1					
	Multi-Residential	Commercial	Industrial	Total	
Decrease Clawback %	19.4011%	6.0360%	1.6345%		
Clawback \$	\$20,702	\$325,545	\$44,025	\$390,272	
# of Capped Properties	28	184	29	241	}3,034
# of Clawback Decreasing Properties	166	2,256	371	2,793	
# of CVA Tax Properties	180	178	16	374	
Total # in Class	374	2,618	416	3,408	

Table 2 reflects the clawback percentage and properties affected by implementing the options to fast track the capping process.

Table 2					
	Multi-Residential	Commercial	Industrial	Total	
Decrease Clawback %	42.7505%	11.2570%	1.8148%		
Clawback \$	\$6,540	\$221,840	\$37,030	\$265,410	
# of Capped Properties	4	94	14	112	}449
# of Clawback Decreasing Properties	9	297	31	337	
# of CVA Tax Properties	361	2,227	371	2,959	
Total # in Class	374	2,618	416	3,408	

As reflected in Table 1 and Table 2, the number of properties in the capping exercise (capped and clawed back properties) was reduced from 3,034 to 449. When all options were accepted in 2009, the number of capped and clawbacked properties was 691. In 2010, the number has been reduced by 242, therefore having more properties paying tax on their true CVA.

The approval of using all options available is recommended to set the clawback percentage at:

Multi-Residential	42.7505%
Commercial	11.2570%
Industrial	1.8148%

By approving these clawback percentages it ensures that the decreasing properties will fund the cap of the increasing properties.

Tax Impacts Resulting from Approval of Recommendations

Revenue Neutral Tax Ratios - Impact on Residential Class

If Council chooses not to approve revenue neutral tax ratios, collectively the Residential class (inclusive of education) would reflect a 5.4% tax increase. However, approval of revenue neutral ratios brings the residential tax increase down to 3.3%.

During 2010 budget deliberations, Council approved a municipal tax levy increase of 2.5% prior to the development of property tax policy and area rating.

The residential tax increase is affected by the issue that the Commercial and Industrial classes exceed the threshold and will only have 50% of the levy increase passed onto its properties. This adds approximately a .2% increase to the residential tax bill bringing the municipal increase to 2.7%.

Municipal Tax Increases			
Class	Residential	Commercial	Industrial
Approved Budget Tax Increase	2.5%	2.5%	2.5%
Impact of Tax Policy	.2%	(.9%)	(1.2%)
Municipal Tax Increase	2.7%	1.6%	1.3%

Impact of Provincially Regulated Education Tax Rates

Residential Education Taxes

With the 2009 province wide reassessment, the average provincial residential valuation change was approximately 5%. As a result, the Ministry of Finance reduced the provincially regulated

residential education tax rate by approximately 5%. Based on the same premise as previously identified, if the property valuation increased by more than 5%, the property would realize an assessment related increase in education taxes. If the valuation was below 5%, the property would realize an assessment related education tax decrease.

Property valuations in Sudbury experienced the highest valuation increases of any large city in the province, reflecting the robust economy at the time. This caused a large majority of the properties to increase by more than 5%, therefore realizing an assessment related education tax increase. The residential class has increased education taxes of approximately \$1.4 million over 2009 values.

Commercial, Industrial and Pipeline Education Taxes

In the 2007 provincial budget, the Ministry of Finance introduced measures to reduce the education tax burden on businesses. Originally, this reduction was to take place over a seven year period. However, the Province reconsidered and implemented this phased-in reduction over three years for northern communities. The largest decrease in the tax rate takes place in 2010, which is now at the target rate. This led to a reduction in education taxes in the Commercial class of approximately \$5 million; Industrial class of approximately \$2.6 million with a small reduction to the Pipeline class for a total of \$7.6 million for these classes.

The illustration below reflects the 2009 and 2010 education rates for these classes.

Education Tax Rates			
	2009	2010	% change
Residential	.252%	.241%	-4.4
Commercial	1.894%	1.43%	-24.5
Industrial	2.250%	1.43%	-36.5
Pipeline	1.509%	1.43%	-4.2

Valuation Changes affecting Residential Tax Increases

As a result of the 2009 reassessment, phased-in valuations for residential properties from 2008 to 2009 increased by an average of 13.7%. From 2009 to 2010 the residential average increased by 12.1%. Acceptance of revenue neutral ratios in essence brought all classes up to a 12.1% valuation increase. For that reason the municipal tax rate was reduced accordingly. In 2010, the City of Greater Sudbury approved a 2.5% municipal tax increase; adjusted to 2.7% as a result of tax policy. For simplicity purposes, area rating will not be considered for this next explanation. With a 12.1% valuation increase being the average, that means if a property had an assessment increase from 2009 to 2010 of 12.1%, it would realize a 2.7% municipal tax increase. An assessment increase below 12.1%, properties would see a municipal increase of less than 2.7%. Conversely, properties above a 12.1% assessment increase would realize a greater than 2.7% municipal tax increase.

	2009 \$	2010 \$	\$ Increase	% Increase
Assessment	136,440	152,880	16,440	12.1
Municipal Taxes	2,185	2,244	59	2.7
Education Taxes	344	368	24	7.0
Total Taxes	2,529	2,612	83	3.3

The above illustration reflects a property if no area rating exists. However, both fire services and transit services are area rated and the tax increases vary amongst service areas.

Appendix "A" charts will reflect the tax increases (municipal and education combined) by area and class for a property based on the average valuation increase from 2009 to 2010 for that class.

In reviewing the last two charts on the Appendix, you will notice that properties in the Industrial and Large Industrial classes that are close to the class valuation increase average will realize a tax decrease of 9.3% to 14.9%. Of the 358 properties in the Industrial class, 45 properties will have an increase in taxes over 2009. There are no Large Industrial properties that will have a 2010 increase in taxation. In addition, there are 2,194 of 2,618 commercial properties that will experience a tax reduction in 2010. The decreases in the Commercial and Industrial classes are a result of the graduated reduction measure in the Business Education Tax (BET) introduced in the 2007 Provincial Budget that is now at the target rate in 2010.

Distribution of Taxes

The following chart will reflect the distribution of tax increases (education tax included) by class and the number of properties increasing and decreasing.

Class	Municipal Tax Increase (\$ millions)	Education Tax Increase (\$ millions)	Total Tax Increase (\$ millions)	Properties Increasing	Properties Decreasing
Residential	3.2	1.4	4.6	48,712	7,466
Multi-Residential	.4	.0	.4	343	31
Commercial	.7	(5.0)	(4.3)	424	2,194
Industrial	.0	(1.1)	(1.1)	45	358
Large Industrial	.2	(1.5)	(1.3)	0	13
Totals	4.5	(6.2)	(1.7)	49,524	10,062

This next chart reflects the tax impact in the Residential class, inclusive of education taxes.

\$ Impact	Increasing Properties	Decreasing Properties
0 - \$200	47,082	7,296
> \$200	1,630	170
Total	48,712	7,466

There are only 1,630 of the total 56,178 residential properties that will experience an increase of greater than \$200 on their 2010 property tax bill.

Summary

The recommendations outlined in this report are consistent with tax policy decisions adopted by this and previous Councils. If these recommendations are approved, tax rates may also be approved at the next Council meeting resulting in timely production of tax bills.

Appendix AA®

2009 CVA \$136,440

Residential Class (*12.1% valuation increase - 2010 CVA \$152,880)

	Career/ Urban	Composite/ Commuter	Volunteer/ Commuter	Volunteer
2009 Taxes	2,608	2,463	2,382	2,311
2010 Taxes	2,693	2,543	2,460	2,385
Tax Increase	85	80	78	74
% Increase	3.3%	3.2%	3.3%	3.2%

2009 CVA \$131,160

Multiple Residential Class (*8.5% valuation increase - 2010 CVA \$143,320)

	Career/ Urban	Composite/ Commuter	Volunteer/ Commuter	Volunteer
2009 Taxes	4,988	4,691	4,524	4,378
2010 Taxes	5,159	4,849	4,677	4,521
Tax Increase	171	158	153	143
% Increase	3.4%	3.4%	3.4%	3.3%

2009 CVA \$124,560

Commercial Class (*3.7% valuation increase - 2010 CVA \$129,120)

	Career/ Urban	Composite/ Commuter	Volunteer/ Commuter	Volunteer
2009 Taxes	6,258	6,009	5,869	5,748
2010 Taxes	5,786	5,529	5,387	5,250
Tax Increase	(472)	(480)	(482)	(498)
% Increase	(7.5%)	(8.0%)	(8.2%)	(8.7%)

2009 CVA \$120,120

Industrial Class (*.1% valuation increase - 2010 CVA \$120,240)

	Career/ Urban	Composite/ Commuter	Volunteer/ Commuter	Volunteer
2009 Taxes	7,991	7,649	7,456	7,288
2010 Taxes	6,893	6,556	6,369	6,200
Tax Increase	(1,098)	(1,093)	(1,087)	(1,088)
% Increase	(13.7%)	(14.3%)	(14.6%)	(14.9%)

2009 CVA \$125,520

Large Industrial Class (*4.4% valuation increase - 2010 CVA \$131,040)

	Career/ Urban	Composite/ Commuter	Volunteer/ Commuter	Volunteer
2009 Taxes	9,088	8,683	8,454	8,255
2010 Taxes	8,264	7,849	7,618	7,409
Tax Increase	(846)	(834)	(836)	(846)
% Increase	(9.3%)	(9.6%)	(9.9%)	(10.2%)

* Represents the average valuation increase in each class as reflected in the 2009 reassessment.

Request for Decision

Town Centre Community Improvement Plan

Presented To:	Policy Committee
Presented:	Wednesday, May 19, 2010
Report Date	Thursday, May 13, 2010
Type:	Presentations

Recommendation

That Council direct staff to prepare a Community Improvement Plan for the purposes of extending the programs currently available in the Downtown CIP or applying similar programs to the Town Centres identified on Schedule 1c of the City of Greater Sudbury Official Plan, Schedules “E5 and E6” of the City of Greater Sudbury Development Charges By-law 2009-200F and to the Flour Mill Business Improvement Area (BIA).

Finance Implications

Approximately, \$80,000 of the one-time funding approved for the Downtown Sudbury Financial Incentives program is still uncommitted. Further funding requests to continue the Sudbury downtown program and/or the expanded Town Centre initiatives would require further approvals by Council during 2011 budget deliberations.

Background

In 2007, City of Greater Sudbury Council adopted the report entitled “Constellation City: Building a Community of Communities in Greater Sudbury”. This report provided a total of 35 recommendations for City Council, which were grouped into the four broad categories of a city that is 1) connected, 2) caring, 3) empowered and 4) equitable.

One of the recommendations of the report dealt specifically with the issue of downtowns and parks. Through the transition team process, residents in communities across the City of Greater Sudbury expressed concern that the downtown areas and parks outside the city core receive less attention than those within the former City.

The recommendation of the report respecting downtown was as follows:

“That the City of Greater Sudbury designate specific downtown areas in appropriate communities. Further that the City commit to improving the development of downtowns in outlying areas and ensure that the city programs that are established for improvement or enhancement of

Signed By

Report Prepared By

Kris Longston
Senior Planner
Digitally Signed May 13, 10

Division Review

Paul Baskcomb
Acting Director of Planning Services
Digitally Signed May 13, 10

Recommended by the Department

Bill Lautenbach
General Manager of Growth and Development
Digitally Signed May 13, 10

Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed May 13, 10

downtown and target areas be made available across the city.”

There is currently a Community Improvement Plan (CIP) in place in downtown Sudbury, the development of which was supported by the Downtown BIA and the purpose of which is to stimulate redevelopment. The components of this CIP include financial incentives in the form of Tax Increment Financing (TIF), Planning Fee Rebates, Feasibility Study grants, Façade Improvement Grants and Building Improvement Loans.

The option exists to make these programs available to the Town Centre areas of the former municipalities that are now part of the City of Greater Sudbury, as identified in the City’s Official Plan and in the Development Charges By-law 2009-200F. While considering the option of extending the Financial Incentives Program, it is also recognized that there is one other commercial area in the City, apart from Downtown Sudbury, that has a BIA. This is the Flour Mill BIA which has for many years had both a Community Improvement Plan and BIA. The option exists to add these programs to this CIP in conjunction with this project.

The purpose of this report is to outline a work plan and timeline, including Planning Act and Official Plan requirements, should Council choose to expand the programs to these areas.

Downtown CIP

A CIP has existed in the downtown in some form since 1987, when the Street and Streetscaping Improvement Component was introduced. This original plan was followed up by a Tax Increment Financing Component in 2003 and additional financial incentives in 2007. The existing financial incentive portions of the current Downtown CIP include:

a) Tax Increment Financing Program

Under this existing program, owners who undertake improvements or redevelop their properties are eligible to receive a grant in the amount of the increase in taxes that occurs as a result of a reassessment due to the improvements made. This grant is equal to 100% of the increase in the first year and is decreased by 10% every year for ten years. In no case, however, can the amount of the grant exceed the cost of the improvements.

b) Planning Fees Rebate Program

Under this program assistance is made in the form of a refund of the fees for planning approval, demolition or building permit. Building permit fee rebates are up to a maximum of \$5,000.

c) Feasibility Studies

The intent of this program is to stimulate private sector investigation of the potential adaptive re-use or redevelopment of buildings or vacant land. Financial assistance for feasibility studies, building renovation design, and business plans will be provided through this program up to a maximum of \$5,000.

d) Façade Improvement Program

The Façade Improvement Grant program provides grants to property owners who rehabilitate and improve facades (including signs) of buildings within the Community Improvement Project Area. The purpose of the program is to achieve aesthetic improvements to the downtown streetscape and grant applications are required to demonstrate how the proposal will achieve this goal. A grant of 50% of the cost to improve a building’s façade, to a maximum of \$15,000 is available. Payments are made only upon the completion of the work.

e) *Building Improvement Loan Program*

This program seeks to stimulate private sector investment in, and revitalization and rehabilitation of the existing commercial and mixed used building stock in the downtown by providing financial incentives to property owners. The program will focus on structural repairs and improvements that may be required to maintain the overall building integrity and provide for conversion or adaptive re-use of a building. This program provides loans of 50% of the project costs, to a maximum of \$50,000 to property owners who undertake the revitalization and rehabilitation of their properties that would result in the increased use, adaptive re-use or conversion of vacant space. The amount of the loan does not exceed the value of the work to be done.

Expansion of Downtown CIP to other areas within the City

There is an opportunity to extend the programs in the downtown CIP to the Town Centres in the former municipalities. This can be accomplished by developing and implementing a new CIP to cover the Town Centres identified on Schedule 1c of the City of Greater Sudbury Official Plan and in Schedules “E5 and E6” of the City of Greater Sudbury Development Charges By-law 2009-200F, namely: Chelmsford, Dowling, Capreol, Azilda, Levack, Onaping, Garson, Lively/Mikkola, Val Caron, Wahnapiatae, Hanmer.

The rationale for using the both the Official Plan and the Development Charges by-law is that with respect to the Town Centres of Val Caron and Hanmer, the Development Charges by-law clarifies these areas that would benefit the most from the CIP programs.

In the case of the Flour Mill BIA, as noted above, an amendment to the existing CIP could be prepared to include the financial incentives in conjunction with this project.

Planning Act Requirements & Official Plan

Under Section 20.11.1 of the City of Greater Sudbury Official Plan, when Council proposes to adopt a Community Improvement Plan, staff will conduct a minimum of two open houses, and a public meeting will be held no sooner than 30 days after the requirements for the giving of notice have been complied with. The Official Plan requirements for amendments to an existing CIP involve one public meeting. Public meetings are to be held no sooner than 10 days after the requirements for the giving of notice have been complied with. Once a Community Improvement Plan has been adopted by Council, the Clerk must give notice of the passing within 15 days. After notice has been given there is a 20 day appeal period.

Based on the above, once a CIP and CIP Amendment have been prepared, there is approximately 3 to 4 months of public consultation that must take place before they could be adopted by Council. This would be followed by an appeal period.

Approximate Timeline

In terms of a timeline for this project, there would be three main components.

1) *Drafting the CIP and CIP Amendment*

The actual text of the Town Centres CIP would have to be prepared. Much of the background and rationale for downtown CIPs is already laid out in the City of Greater Sudbury Official Plan. Additionally, the programs, their components and regulations have already been completed in the Downtown Sudbury CIP. Drafting the CIP would therefore require this existing information to be consolidated in a new document for the Town Centres. It is anticipated that drafting the new CIP would take approximately 1 month. An amendment to the Flour Mill CIP would involve incorporating

this same information into the existing document and could be done concurrently.

2) *Public Process and Council Approval*

Once the draft CIP and CIP amendment is completed they would have to be reviewed and approved by Council followed by the prescribed public process outlined in the Official Plan and the Planning Act.

One of the considerations that Council will have to determine with respect to the draft CIP documents would be the amount of funding to dedicate to the program, as expanding to include these areas will also increase the number of properties eligible for grants and loans.

As outlined above it would take approximately 4 months to bring a draft CIP and CIP amendment through the public consultation process before Council adoption of the document could be finalized.

3) *Budgeting and Implementation*

Once Council approves an expanded area for Financial Incentives, the issue of funding the programs will have to be addressed. The Downtown Sudbury Financial Incentives program was funded with a \$250,000 one time allotment in 2005. Approximately \$80,000 of this original amount remains uncommitted following two rounds of applications. It is the intent of staff to evaluate this pilot project at the end of this year with a view to making recommendations for its future use.

Upon the completion of the CIP project proposed in this report, and subject to Council's direction, it is anticipated that a budget option would be prepared to address funding in the 2011 budget. It should be noted that one of the incentives, Tax Increment Financing, does not require a budget allocation. This program involves temporarily foregoing tax revenue which would result from new development and increased assessment which may not have occurred without the incentive program.

Request for Decision

Amendment to Sign By-law #2007-250

Presented To: Policy Committee

Presented: Wednesday, May 19, 2010

Report Date: Wednesday, May 12, 2010

Type: Managers' Reports

Recommendation

It is recommended that Council accept this report along with the proposed amendments;

ALSO direct staff to hold a Public Input Meeting in order to hear concerns and ideas submitted by the public and stakeholders with regards to the proposed amendments to the Sign By-law #2007-250;

AND THAT staff bring back to Council an amended Sign by-law after the Public Input Meeting for Council approval.

BACKGROUND

In 1978 the Region of Sudbury passed a Sign By-law which regulated the erection of permanent signs and other advertising devices within the Region. In 1988 the Region of Sudbury passed a new Sign By-law which incorporated the previous regulations but also added new controls for the ever growing types and sizes of permanent signs. As well, the Zoning By-laws for each area municipality had provisions set within the Zoning By-law which governed the type, size and location of the signs being erected in our community.

Recently a new Draft Zoning By-law for the City of Greater Sudbury has been introduced to City Council. On January 12, 2010 at the Planning Committee, a report on the Draft Comprehensive Zoning By-law was tabled. The report stated: "The City's existing Zoning By-laws include signage provisions which vary depending upon the zones. The Draft Zoning By-law deletes all provisions regarding signage. The regulation of signage is

Signed By

Report Prepared By

Stephen Walker
Manager of Compliance and
Enforcement
Digitally Signed May 12, 10

Division Review

Guido Mazza
Director of Building Services/Chief
Building Official
Digitally Signed May 12, 10

Recommended by the Department

Bill Lautenbach
General Manager of Growth and
Development
Digitally Signed May 12, 10

Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed May 12, 10

intended to be addressed through a new Sign By-law passed under the Municipal Act”.

Further to this, staff recommended “The timing of the enactment of the new Sign By-law is to be coordinated with the enactment of the new Zoning By-law in order that there will be no lapses in the application of signage regulation in the City”.

The purpose of this report is to inform Council that with the enactment of the new Zoning By-law all permanent sign regulations in the City of Greater Sudbury will be repealed. The City of Greater Sudbury has a Sign By-law #2007-250, which regulates portable signs and poster signs. However permanent sign provisions must be incorporated into this by-law.

The proposed permanent sign provisions are attached as an appendix.

PURPOSE

The purpose of the amendments to the Sign By-law is to regulate permanent signs within the City of Greater Sudbury, as well it is the intent to carry forward the existing permanent sign provisions as contained in the current Zoning By-laws.

These provisions will ensure that:

- signs that are appropriate in size, number, and location the type of activity or use to which they pertain
- signs which provide reasonable and appropriate means for the Public to locate and identify facilities, businesses, and services without difficulty or confusion
- signs which are compatible with their surroundings
- signs that protect and enhance the aesthetic qualities and visual character of the City of Greater Sudbury
- signs which are consistent with the City of Greater Sudbury’s planning, urban design, and heritage objectives
- signs which do not create a distraction or safety hazard for motorists and pedestrians
- signs which minimize adverse impacts on nearby Public and Private property
- signs which allow the Public the right and freedom of expression while staying in portion to the purpose and direction of the By-law

At present Permanent Signs applications are applied through the City of Greater Sudbury’s Compliance & Enforcement Services department. All permanent signs are regulated according to the former seven area municipality zoning by-laws. Six zoning by-laws are from the 1983 series, and one zoning by-law was developed and passed in 1995. No sign provisions are in by-law 2001-242 and by-law 2001-252, which cover the new amalgamated areas. Development of amendments to the Sign By-law will combine the former area municipality’s specific zoning provisions with respect to signage and ensure a fair and level playing field for all City of Greater Sudbury properties wishing to erect permanent signs.

WHY ARE SIGNS SO IMPORTANT?

Signs are highly visible parts of the City of Sudbury. They are the key element that residents and visitors see along Greater Sudbury streets. Signs identify uses and businesses and help create visual character of an area.

Good signs in a community suit their context. They are sensitive to the character of the area, support its land uses, and advance Greater Sudbury's community building objectives. In areas with appropriate signs, the type, number, size, location and design reinforce the area's activities in a compatible and positive manner that enhances the image of the area.

In areas with inappropriate signage, too many signs, signs that are too large, in the wrong location or poor in appearance, the opposite effect is the result. Inappropriate signs create visual clutter and can affect vehicle and pedestrian safety. Inappropriate signs detract from their surroundings and help contribute to a negative image for an area.

The signs we see on properties and buildings across Greater Sudbury are the result of the Zoning By-law and Sign By-law's standards as well as the City's enforcement of these regulations. Appropriate sign standards and effective By-law Enforcement are the two key factors for achieving and maintaining quality signage in our community.

The main purpose of signs is to identify a property and use or provide information. The Sign By-law deals with the many types of signs placed on properties and buildings in Greater Sudbury.

CONCLUSION

It is the intent in creating these amendments to carry forward most of the provisions currently permitted within the existing zoning By-Laws in order to have a comprehensive Sign By-Law in place when the former Zoning By-Laws are repealed. This will simplify the approval process and effectively maintain the status quo. Once a single Sign By-Law is in place, other modifications can be considered in due course.

If Council accepts this report and proposed amendments, staff will commence with a Public Input Meeting in order to give residents and stakeholders the opportunity to review the proposed amendments to the Sign By-law and provide their comments. This information will be submitted to Council along with staff recommendations.

RECOMMENDATION

It is recommended that Council accept this report along with the proposed amendments;

ALSO, direct staff to hold a Public Input Meeting in order to hear concerns and ideas submitted by the Public and Stakeholders with regard to the proposed amendments to the Sign By-Law #2007-250;

AND THAT, staff bring back to Council an amended Sign By-Law after the Public Input Meeting for Council approval.

SCHEDULE "A"
to By-Law 2007-250 of the City of Greater Sudbury

Sign Data

SIGN TYPE	ZONING																		
	R1, R2 & RMH	R3 & R4		C1	C2 & C3	C4	C5	C6	C7	M1, M1-1	M2 & M4	M3	M5 & M6	RU & A	RS & SLS	I & P	OSR, OSC & OSP	EP & FD	OSW
Name Plate	√	√		√				†						√	√		√	√	
Name Ground	†	†		†				†						†	†		†	†	
BUSINESS ID																			
Wall / Fascia	†	†		√	√	√	√	√	√	√	√	√	√	√	√		√	√	
Projecting				√	√		√	√	√	√	√	√							
Roof					√		√	√	√			√							
Ground		†			†	†	†	†	†	†	†	†	†	†	†		†	†	
ADVERTISING																			
Wall / Fascia					√					√		†							
Projecting					√					√									
Roof					†					√									
Ground					†					†		†		†					

NOTE

√

†

denotes signage type allowed

denotes signage type allowed with restrictions

SCHEDULE "B"

to By-Law 2007-250 of the City of Greater Sudbury

RESIDENTIAL ZONINGS

SIGN TYPE	R1, R2 & RMH	R3 & R4
Name Plate	1 unlit or illuminated area max 0.1m ² single face	1 unlit or illuminated area max 0.1m ² single face
Wall and / or Ground	area max 0.1m ² per face or 0.2m ² in total max ground sign height 1.2m	area max 0.1m ² per face or 0.2m ² in total max ground sign height 1.2m
Permitted Non- Residential Use	1 unlit bus id wall sign area max 1.0m ²	1 unlit bus id wall or ground sign, wall sign max 4.0m ² in total, ground sign max 2 sign faces, area max 2.0m ² per face or 4.0m ² in total, accessory to Convenience Store only
R1 (all) R2 (all) R3 (all) R4 RMH	Low Density Residential One Low Density Residential Two Medium Density Residential High Density Residential Residential Mobile Home	

SCHEDULE "C"
to By-Law 2007 - 250 of the City of Greater Sudbury

COMMERCIAL ZONINGS

SIGN TYPE	C1	C4	C6
Name Plate			
Wall	1 unlit or illuminated	1 unlit or illuminated	1 unlit or illuminated
and / or	area max 0.1m ² single face	area max 0.1m ² single face	area max 0.1m ² single face
Ground	area max 0.1m ² per face or 0.2m ² in total	max area of ground sign 2.0m ² per sign face (double) and 2.5m ² (single)	max area of ground sign 2.0m ² per sign face (double) and 2.5m ² (single)
	max ground sign height 1.2m	max ground sign height 1.2m	max ground sign height 1.2m
Signage Area Allowed	total sign area for property max 0.5m ² per 1.0m of lot frontage	n/a	total sign area for property max 1.08m ² per 1.0m of lot frontage and lot flankage; if lot or group of lots occupied by 1 building exceeds 2 storeys in height the total sign area may be increased by 0.27m ² per metre of lot frontage and lot flankage for each additional storey. Overhanging signs allowed with encroachment agreement between owner and City
Business ID			
wall		1 wall sign for each ground floor use with a separate entrance from the street, max area 0.14m ² per 1 m of lot frontage	wall and fascia signs
projecting	1 projecting sign in each exterior yard, max sign area 2.0m ² per sign face or 4.0m ² total, no closer than 3.0m from lot line	n/a	projecting signs not exceeding 5.40m ²
roof		n/a	1 roof sign
ground		1 ground sign max 2.25m ² sign area for each lot occupied by one building, max height of 1.35m, located min of 3.0m from side lot line, 0.0m from front lot line	1 ground sign max 9.0m ²
parking		1 business ID sign for parking lot, max 1.08m ² in area, located min of 3.0m from front lot line	n/a

- C1 Local Commercial
- C4 Office Commercial
- C6 Downtown Commercial

SCHEDULE "C"
to By-Law 2007 - 250 of the City of Greater Sudbury

COMMERCIAL ZONINGS

SIGN TYPE	C2 & C3	C5	C7
Signage Area Allowed	total sign area for property max 1.2m ² per 1.0m of lot frontage or lot flankage (greatest)	total sign area for property max 1.2m ² per 1.0m of street line	total sign area for property max 1.2m ² per 1.0m of lot frontage
Business ID			
wall	1 wall sign adjacent to each exterior yard and abutting court per main use	wall and fascia signs	1 wall sign per main use
projecting	1 projecting sign adjacent to each street line, max 3.0m ² per sign face or 6.0m ² in total, located min of 3.0m from lot line	1 projecting sign for each 30m of street line, max 3.0m ² per sign face or 6.0m ² in total, located min of 3.0m from lot line	1 projecting sign max sign area of 3.0m ² per sign face or 6.0m ² on total, located min of 3.0m from lot line
roof	max. 1 roof sign not directly abutting a residential zone	roof signs	1 roof sign not abutting Residential Zone
Ground	ground signs, located min of 3.0m from lot line, 15.0m from Residential Zone *	ground signs, located min of 3.0m from lot line, 15.0m from Residential Zone *	1 ground sign max area of 6.0m ² per sign face or 12.0m ² in total, located min of 3.0m from lot line, 15.0m from Residential Zone
Advertising Signs			
wall	1 wall sign adjacent to each exterior yard and abutting court per main use	n/a	n/a
projecting	1 projecting sign in each street line, max sign area 3.0m ² per sign face or 6.0m ² total, no closer than 3.0m from lot line	n/a	n/a
roof	1 roof sign not abutting a Residential Zone	n/a	n/a
ground	ground signs, located min of 3.0m from lot line, 15.0m from Residential Zone *	n/a	n/a

C2	General Commercial
C3	Limited General Commercial
C5	Shopping Centre Commercial
C7	Resort Comercial

Ground Sign Requirements
*

- 1) lots whose longest street line is less than 15.5m, 1 ground sign only, max. 5.4m² in total area
- 2) lots whose longest street line is not less than 15.5m and not greater than 76.5m, max. 1 ground sign not exceeding 15m² in total area
- 3) lots whose longest street line is not less than 76.5m but not greater than 137.1m, max. 2 ground signs, each sign not exceeding 15m² in total area, and located not less than 60m apart
- 4) lots whose longest street line is greater than 137.1m, max. 3 ground signs, each sign not exceeding 15m² in total area, and located not less than 60m apart

SCHEDULE "D"
to By-Law 2007-250 of the City of Greater Sudbury

INDUSTRIAL ZONINGS

SIGN TYPE		M1 & M1-1	M2
Signage Area Allowed		total sign area for property max 1.2m ² per 1.0m of lot frontage or lot flankage (greatest)	total sign area for property max 1.0m ² per 1.0m of lot frontage
Business ID			
wall		1 wall sign adjacent to each exterior yard and abutting court per main use	1 wall sign per main use
projecting		1 projecting sign adjacent to each street line, max sign area 3.0m ² per sign face or 6.0m ² total, no closer than 3.0m from lot line	1 projecting sign adjacent to each street line, max 3.0m ² per sign face or 6.0m ² in total, located min of 3.0m from lot line
roof		1 roof sign not abutting a Residential Zone	1 roof sign not abutting a Residential Zone
ground		ground signs, located min of 3.0m from lot line, 15.0m from Residential Zone *	1 ground sign in each exterior yard, max of 6.0m ² per sign face or 12.0m ² in total, located min of 3.0m from any lot line
Advertising Signs			
wall		1 wall sign adjacent to each exterior yard and abutting court per main use	n/a
projecting		1 projecting sign in each street line, max sign area 3.0m ² per sign face or 6.0m ² total, no closer than 3.0m from lot line	n/a
roof		1 roof sign not abutting a Residential Zone	n/a
ground		ground signs, located min of 3.0m from lot line, 15.0m from Residential Zone *	n/a

- M1 Mixed Light Industrial / Service Commercial
- M1-1 Business Industrial
- M2 Light Industrial

Ground Sign Requirements *

- 1) lots whose longest street line is less than 15.5m, 1 ground sign only, max 5.4m² in total area
- 2) lots whose longest street line is not less than 15.5m and not greater than 76.5m, max. 1 ground sign not exceeding 15m² in total area
- 3) lots whose longest street line is not less than 76.5m but no greater than 137.1m, max. 2 ground signs, each sign not exceeding 15m² in total area, and located not less than 60m apart
- 4) lots whose longest street line is greater than 137.1m, max. 3 ground signs, each sign not exceeding 15m² in total area, and located not less than 60m apart

SCHEDULE "D"
to By-Law 2007-250 of the City of Greater Sudbury

INDUSTRIAL ZONINGS

SIGN TYPE		M3	M4
Signage Area Allowed		total sign area for property max 1.0m ² per 1.0m of lot frontage	total sign area for property max 1.0m ² per 1.0m of lot frontage
	Business ID		
	wall	1 wall sign per main use	1 wall sign
	projecting	1 projecting sign adjacent to each street line, max 3.0m ² per sign face or 6.0m ² in total, located min of 3.0m from lot line	1 projecting sign adjacent to each street line, max 3.0m ² per sign face or 6.0m ² in total, located min of 3.0m from lot line
	roof	1 roof sign not abutting a Residential Zone	1 roof sign not abutting a Residential Zone
Advertising Signs	ground	1 ground sign in each exterior yard, max of 6.0m ² per sign face or 12.0m ² in total, located min of 3.0m from any lot line	1 ground sign in each exterior yard, max of 6.0m ² per sign face or 12.0m ² in total, located min of 3.0m from any lot line
	wall	1 advertising wall, max of 5.0m vertically and 15.0m horizontally	n/a
	projecting	n/a	n/a
	roof	n/a	n/a
	ground	1 advertising ground sign, max 3 sign faces, each max of 5.0m vertically and 15.0m horizontally ***	n/a

M3 Heavy Industrial
M4 Mining Industrial

Ground Sign Requirements

- 1) no sign face contains more than 2 separate and distinct sign displays
- 2) no such sign is located closer than 240m, in any direction, to an advertising sign previously established
- 3) no part of sign is located in an exterior yard or closer than 60m to a Residential Zone
- 4) no part of any ground sign is located closer than 3m to any interior lot line
- 5) each sign face is located in such a way as to be fully visible from an arterial road at a distance of at least 75m

SCHEDULE "D"
to By-Law 2007-250 of the City of Greater Sudbury

INDUSTRIAL ZONINGS

SIGN TYPE	M5	M6
Signage Area Allowed	total sign area for property max 1.0m ² per 1.0m of lot frontage	total sign area for property max 1.0m ² per 1.0m of lot frontage
Business ID		
wall projecting roof	1 wall sign per main use, max area of 6.0m ² n/a n/a	1 wall sign, max area of 6.0m ² n/a n/a
ground	1 ground sign in each exterior yard, max of 6.0m ² per sign face or 12.0m ² in total, located min of 3.0m from any lot line	1 ground sign in each exterior yard, max of 6.0m ² per sign face or 12.0m ² in total, located min of 3.0m from any lot line
Advertising Signs	n/a	n/a

- M5 Extractive Industrial
- M6 Disposal Industrial

SCHEDULE "E"
to By-Law 2007-250 of the City of Greater Sudbury

RURAL ZONINGS

SIGN TYPE		RU	A
Name Plate Wall and / or Ground	1 unlit or illuminated area max 0.2m ² per face or 0.4m ² in total		1 unlit or illuminated area max 0.2m ² per face or 0.4m ² in total
	area max 0.2m ² per face or 0.4m ² in total max ground sign height 1.5m		area max 0.2m ² per face or 0.4m ² in total max ground sign height 1.5m
	Signage Area Allowed	n/a	n/a
Business ID			
Wall	1 wall sign, max 2.0m ² per sign area, adjacent to each exterior yard		1 wall sign, max 2.0m ² per sign area, adjacent to each exterior yard
	2 unlit wall signs, identifying agricultural use only painted directly on a building		2 unlit wall signs, identifying agricultural use only painted directly on a building
Ground	1 ground sign, max 4.0m ² per sign face or 8.0m ² in total, in each exterior yard, located min of 3.0m from any lot line		1 ground sign, max 4.0m ² per sign face or 8.0m ² in total, in each exterior yard, located min of 3.0m from any lot line
Advertising Signs	1 advertising ground sign, 1 sign face only, max 60.0m ² in total sign area *****		1 advertising ground sign, 1 sign face only, max 60.0m ² in total sign area *****

RU Rural
A Agricultural

Ground Sign Requirements

- 1) sign is located adjacent to section of arterial road which is straight or has an oncoming maximum curve of 1 ° 30' and has a grade not exceeding 4%, fully visible to traffic for a distance of at least 75m
- 2) no part of such sign is located in a required yard or closer to a street line than:

a) 80m where sign area exceeds 30m²
b) 50m where sign area does not exceed 30m²
c) 23m where sign area does not exceed 12m² and the sign face dimensions are 3m vertically and 4m horizontally
- 3) no such sign is located;

a) closer than 90m to the corner point of a corner lot
b) closer than 60m to a Residential Zone
c) closer than 300m in any direction to an existing advertising sign
- 4) no such sign contains more than 1 separate and distinct sign display

SCHEDULE "E"

to By-Law 2007-250 of the City of Greater Sudbury

RURAL ZONINGS

SIGN TYPE	RS		SLS	
	Name Plate		1 unlit or illuminated	
Wall and / or Ground	area max 0.1m ² single face		area max 0.1m ² single face	
	area max 0.1m ² per face or 0.2m ² in total max ground sign height 1.2m		area max 0.1m ² per face or 0.2m ² in total max ground sign height 1.2m	
Permitted Non-Residential Use	1 unlit bus id wall sign area max 1.0m ²		1 unlit bus id wall sign area max 1.0m ²	

RS

SLS

Rural Shoreline

Seasonal Limited Service

SCHEDULE "F"
to By-Law 2007-250 of the City of Greater Sudbury

OTHER ZONINGS

SIGN TYPE		I	P	OSR
Name Plate Wall and / or Ground		n/a	n/a	1 unlit or illuminated area max 0.1m ² single face
		n/a	n/a	area max 0.1m ² per face or 0.2m ² in total max ground sign height 1.2m
		n/a	n/a	1 unlit bus id wall sign area max 1.0m ²
Permitted Non-Residential Use		n/a	n/a	
Signage Area Allowed		total sign area for property max 0.5m ² per 1.0m of street line	n/a	n/a
Business ID				
wall		wall signs, max 10.0m ² per sign area	1 wall sign, max 10.0m ² per sign area adjacent to each exterior yard	1 wall sign, max 10.0m ² per sign area adjacent to each exterior yard
ground		ground signs, max 10.0m ² per sign face or 20.0m ² in total, located min of 3.0m from any lot line	1 ground sign in each exterior yard, max of 10.0m ² per sign face or 20.0m ² in total, located min of 3.0m from any lot line	1 ground sign in each exterior yard, max of 10.0m ² per sign face or 20.0m ² in total, located min of 3.0m from any lot line

- I Institutional
- P Park
- OSR Open Space - Recreation

SCHEDULE "F"
to By-Law 2007-250 of the City of Greater Sudbury

OTHER ZONINGS

SIGN TYPE		OSC & OSP	EP & FD	OSW
Name Plate Wall and / or Ground		1 unlit or illuminated area max 0.1m ² single face	1 unlit or illuminated area max 0.1m ² single face	n/a
		area max 0.1m ² per face or 0.2m ² in total max ground sign height 1.2m	area max 0.1m ² per face or 0.2m ² in total max ground sign height 1.2m	n/a
	Signage Area Allowed	n/a	n/a	n/a
Business ID				
	wall	1 wall sign, max 2.0m ² per sign area, adjacent to each exterior yard 2 unlit wall signs, identifying agricultural use only painted directly on a building	1 wall sign, max 2.0m ² per sign area, adjacent to each exterior yard 2 unlit wall signs, identifying agricultural use only painted directly on a building	n/a
	ground	1 ground sign, max 4.0m ² per sign face or 8.0m ² in total, in each exterior yard, located min of 3.0m from any lot line	1 ground sign, max 4.0m ² per sign face or 8.0m ² in total, in each exterior yard, located min of 3.0m from any lot line	n/a
		OSC OSP EP FD OSW	Open Space - Conservation Open Space - Private Environmental Protection Future Development Open Space - Waterbody	

BY-LAW 2010-**

**A BY-LAW OF THE CITY OF GREATER SUDBURY TO
AMEND BY-LAW 2007-250 A BY-LAW TO REGULATE THE ERECTION OF SIGNS
AND ADVERTISING DEVICES**

WHEREAS the City of Greater Sudbury wishes to amend By-law 2007-250, as amended, being a By-law to Regulate the Erection of Signs and Advertising Devices;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

1. By-law 2007-250, a By-law of the City of Greater Sudbury to Regulate the Erection of Signs and Advertising Devices, as amended, is hereby amended by adding the following definitions to Section 1 thereof:

“Abandoned Sign” means a sign located on property which becomes vacant and unoccupied for a period of ninety days or more, or any sign which pertains to a time, event or purpose which no longer applies;

“Advertising Device” means any device or object erected or located so as to attract public attention to any goods or services or facilities or events and includes flags, banners, pennants and lights;

“Animated Sign” means any kinetic or illusionary motion or video of all or any part of a sign and includes the rotation of a sign, but does not include a sign which revolves or appears to revolve, in whole or in part, at a rate not exceeding eight revolutions per minute or which changes its image not more than eight times a minute, provided such sign is not animated in any other way and does not include an electronic variable message centre;

“awning” means a space frame system, moveable or fixed, covered with fabric or like material attached and projecting from a building or structure, but not forming an integral part thereof, and includes a canopy;

“awning sign” means a sign with copy painted or affixed flat to the surface of an awning which does not extend vertically or horizontally beyond the limits of such awning;

“business identification sign” means a sign identifying or advertising a business or other non-residential use located, operated or conducted on the same lot, with or without reference to a product sold, distributed or manufactured on the premises or to an activity occurring in conjunction with such use;

“canopy” means a roof-like structure projecting from the exterior face of a building;

“changing copy sign” means a sign constructed so that the message or copy can be changed by manual, electronic, or electro-mechanical means;

“copy” means the graphic content of a sign surface in either permanent or removable letter, pictorial, symbolic or numeric form;

“directory sign” means a sign listing the tenants of a multi-tenant industrial building containing at least two distinct tenant units which sign includes only the municipal address and a list of tenants or occupancies for identification purposes;

“double faced sign” means a sign having two sign faces of equal area and proportions which are located exactly opposite each other on the sign structure;

“electronic variable message centre” means an illuminated sign or part thereof which is computer controlled and which displays information to the public by way of a prearranged or variable sequence of electronically generated letters, words, light patterns or shapes but does not include an animated sign;

“fascia sign” means a sign attached to, marked and inscribed on, erected or placed against a wall forming part of a building, or supported by or through a wall of a building and having the exposed face thereof on a plane approximately parallel to the plane of such wall and includes a painted wall sign and an awning sign;

“flashing sign” means a sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted light source but does not include an automatic changing sign or electronically variable message centre;

“frontage” means the length of the property line of any one lot parallel to and along each legally accessible public street;

“ground sign” means a sign supported by a pole, pylon or other structure embedded directly in the ground;

“height” means the vertical distance measured from the average elevation of the finished grade immediately below a sign to the highest point of the sign and includes any support structure;

“highway” means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

“illuminated” when used in reference to a sign or advertising device, shall mean lighted by any artificial means whatsoever, and shall include direct, indirect, internal or external sources of illumination;

“menu board” means a ground sign erected as part of a drive-through facility and used to display and order products and services available in association with a drive-through business;

“multi-faced sign” means a ground sign having more than two sign faces up to a maximum of four faces, each face being of equal area and proportion to the other;

“mural” means a painting, illustration or decoration applied or affixed directly to any external façade of a building or structure which may not include any words of advertisement or any other direct or indirect promotional message or content;

“name plate sign” means a sign identifying the name, address or occupation of an occupant or owner of a dwelling or dwelling unit;

“permanent sign” is a sign that is not a temporary sign;

“place of worship” means any building used primarily as a place of public worship and is also used for administrative offices in conjunction with the place of worship as well as a place of conduct of social, recreational and charitable activities;

“premises” means a lot under registered ownership and includes all buildings and structures thereon;

“projecting sign” means a sign which is affixed to, and projects from, a wall of a building;

“public property” means property, land, or buildings owned by the City, or a local board as defined in the *Municipal Affairs Act*, R.S.O. 1990, c.M.46, as amended, or owned by a Federal or Provincial government;

“pump island sign” means a fascia sign on top of gasoline service pumps or on the columns of a gas bar canopy, on guard posts or freestanding on a gasoline pump apron;

“roof sign” means a sign supported by a structure erected upon the roof-top of a building;

“sight triangle” means in the case of a corner lot, the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, as set out in a relevant section of the Zoning By-law, or in a site plan agreement, or in a sight triangle otherwise approved by the City;

“storey” means a horizontal division of a building floor from a floor to the ceiling directly above such floor, regardless of whether or not such floor constitutes an overhanging mezzanine, a gallery or a balcony, and includes an attic, basement or cellar but does not include any crawl space or other area that is, for all intents and purposes, unusable by virtue of its inaccessibility;

“unsafe” means a sign which is structurally unsafe, or which constitutes a fire or safety hazard, impedes the movement of vehicular or pedestrian traffic, or which otherwise constitutes a risk to the safety of persons or premises;

“zone” means the area of a defined land use zone in the Zoning By-law; and

“Zoning By-law” means the By-law 2010-100 being the Zoning By-law for the City of Greater Sudbury, as amended from time to time.

2. By-law 2007-250, as amended, being a By-law of the City of Greater Sudbury to Regulate the Erection of Signs and Advertising Devices is hereby amended by repealing Paragraph 10(b).

3. By-law 2007-250, as amended, being a By-law of the City of Greater Sudbury to Regulate the Erection of Signs and Advertising Devices is hereby amended by repealing enacting the following Sections 15A – 15G immediately after Section 15 and before Section 16.

Prohibitions

“15A (1) No person being the owner of a property shall fail to remove from his or her property:

- (a) an abandoned sign located thereon; or
- (b) an unsafe sign located thereon.

(2) No person shall erect, display, alter, maintain or cause or authorize the erection, display, alteration, or maintenance of a flashing or animated sign unless expressly permitted by this By-law;

(3) No person shall erect, display, alter, maintain or cause or authorize the erection, display, alteration, or maintenance of an illuminated sign or lighting fixtures providing exterior illumination of a sign except in a manner:

- (a) as to direct or deflect glare or spill-over light away from adjacent lots and roads; and
- (b) so as to not impair the vision of person driving vehicles on roads in the City.

(4) No person shall erect, display, alter, maintain or cause or authorize the erection, display, alteration, or maintenance of a sign in proximity to overhead electric power lines unless done so in compliance with all applicable standards of the public utility having jurisdiction.

(5) No person shall erect, display, alter, maintain or cause or authorize the erection, display, alteration, or maintenance of a sign in a location which may interfere with or damage any above or below ground municipal or utility services which have been lawfully placed at the location.

Establishment of Sign Classes by Zoning Category

15B The zone categories and terms set put below and used herein shall have the same meaning as in the Zoning By-law

Zone Categories

where zones have the same meaning as in the Zoning By-law

Residential Zones

R1	Low Density Residential One
R2	Low Density Residential Two
R3	Medium Density Residential
R4	High Density Residential
RMH	Residential Mobile Home

Commercial Zones

C1	Local Commercial
C2	General Commercial
C3	Limited General Commercial
C4	Office Commercial
C5	Shopping Centre Commercial
C6	Downtown Commercial
C7	Resort Commercial

Mixed Light Industrial / Service Commercial Zones

M1-1	Business Industrial
M2	Light Industrial
M3	Heavy Industrial
M4	Mining Industrial
M5	Extractive Industrial
M6	Disposal Industrial

Rural Zones

A	Agricultural
RU	Rural
RS	Rural Shoreline
SLS	Seasonal Limited Service

Other Zones

I	Institutional
P	Park
OSC	Open Space - Conservation
OSP	Open Space - Private
OSR	Open Space - Recreation
OSW	Open Space - Waterbody
EP	Environmental Protection
FD	Future Development

Requirements for Permanent Signs

- 15C.** No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of any permanent sign on a property unless the sign:
- (a) is permitted in that Zoning Category for that property in accordance with Schedule A; and
 - (b) is compliant with the regulations and standards applicable to that type of sign within the applicable class of sign as set out in Schedule E for Residential Class Signs, Schedule F for Commercial Class Signs, Schedule G for Industrial Class Signs, Schedule H for Rural Class Signs or Schedule I for Other Class Signs; and
 - (c) is compliant with any other applicable provisions of this By-law.

GENERAL PROVISIONS – PERMANENT SIGNS

Ground Signs

15D-(1) No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of a ground sign except on a property within the permitted zoning categories determined in accordance with Schedule A for a ground sign.

(2) No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of a ground sign unless the ground sign meets each of the following criteria:

- (a) the ground sign does not have a height in excess of 7.5 metres;
- (b) if the ground sign is double-faced or multi-faced, the total sign area does not exceed double the area permitted for one sign face;
- (c) if the ground sign is double-sided or multi-faced each sign face is attached to the adjacent sign face at an angle no greater than 90 degrees;
- (d) if the ground sign is in a commercial or industrial zone, the municipal address number is displayed on the ground sign in numerals and letters that are no less than 150 millimetres in height;
- (e) if the ground sign has an electronic variable message centre, the electronic variable message centre does not occupy more than 50% of each sign face;
- (f) the ground sign is not located within 3 metres of a driveway entrance or exit;
- (g) the ground sign is not located in the rear or side yard of a lot in a commercial or industrial zoned located adjacent to a Provincial Highway; and

- (h) the ground sign is compliant with any applicable provisions for ground signs set out on Schedules B - F for the zoning category applicable to the property on which the sign is erected or displayed.

Fascia Signs

15E No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of a fascia sign on a except on a property within the permitted zoning categories determined in accordance with Schedule A for a fascia sign.

(2) No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of a fascia sign unless the fascia sign meets each of the following criteria:

- (a) the fascia sign does not project out from a building by more than 30 centimetres;
- (b) the fascia sign is attached to the building façade which was used to calculate the maximum sign area of the sign;
- (c) the fascia sign is not erected higher than the upper limit of the first storey of a building, unless otherwise permitted in this By-law, or unless the fascia sign is attached to an enclosed shopping centre; and
- (d) the fascia sign is compliant with any applicable provisions for fascia signs set out on Schedules B - F for the zoning category applicable to the property on which the sign is erected or displayed.

(2) Where a building is located in a commercial or industrial zone on a lot that is adjacent to a Provincial Highway, the Provincial Highway shall be considered a street for the purposes of permitting a fascia sign in compliance with this By-law.

Advertising Signs

15F-(1) Where an advertising sign is permitted, it may be illuminated or non-illuminated.

(2) No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of an advertising sign except on a property within the permitted zoning categories identified on Schedule A for an advertising sign.

(3) No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of an advertising sign unless the advertising sign meets each of the following criteria:

- (a) the advertising sign has no more than two faces;
- (b) no part of the advertising sign is located closer than 300 metres in any direction to another advertising sign;

- (c) no part of the advertising sign is located closer than 60 metres measured in a straight line from a residential zone, determined in accordance with the Zoning By-law;
- (d) no part of the advertising sign is more than 7.5 metres in height; and
- (e) the advertising sign is compliant with any applicable provisions for advertising signs set out on Schedules B - F for the zoning category applicable to the property on which the sign is erected or displayed.

Roof Signs

15H No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of a roof sign except on a property within the permitted zoning categories determined in accordance with Schedule A for a roof sign.

(2) No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of a roof sign unless the roof sign meets each of the following criteria:

- (a) the roof sign is the only roof sign on the lot and the lot does not abut a Residential Zone, determined in accordance with the Zoning By-law.
- (b) the roof sign is compliant with any applicable provisions for roof signs set out on Schedules B - F for the zoning category applicable to the property on which the sign is erected or displayed.

Maintenance of Signs

15G.-(1) No person being the owner of a sign shall fail to maintain or cause such sign to be maintained in a proper state of repair.

(2) No person being the owner of property on which a sign is placed, erected or constructed shall fail to maintain or cause such sign to be maintained in a proper state of repair.

- (3) A sign shall be deemed to not be in a proper state of repair if the sign is:
 - (a) not completely operative at all times; or
 - (b) unsafe;
 - (c) defective; or
 - (d) dangerous.

(4) Maintenance or repairs using materials identical to the materials of the component being maintained or repaired does not constitute an alteration so as to require a permit to be issued.

Interpretation

- 4.(1) Whenever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender or gender neutral applicable to the circumstances.
- (2) References to items in the plural include the singular, as applicable.
- (3) The words “include”, “including” and “includes” are not to be read as limiting the phrases or descriptions that precede them.
- (4) Headings are inserted for ease of reference only and are not to be used as interpretation aids.
- (5) Specific references to statutes in the By-law are printed in italic font and are meant to refer to the current statutes applicable with the Province of Ontario as at the time the By-law was enacted, as they are amended or replaced from time to time, and includes the regulations thereunder.
- (6) Any reference to periods of time, stated in numbers of days, shall be deemed applicable on the first business day after a Sunday or Statutory holiday if the expiration of the time period occurs on a Sunday or Statutory holiday.

Schedule

5. The following Schedules attached here, are incorporated into and form as part of this By-law:

- | | | |
|------------|--|--|
| Schedule A | Sign Classes by Zoning Category | being Schedule B to By-law 2007-250; |
| Schedule B | Residential Class Signs
Regulations and Standards | being Schedule C to By-law 2007-250; |
| Schedule C | Commercial Class Signs
Regulations and Standards | being Schedule D to By-law 2007-250; |
| Schedule D | Industrial Class Signs
Regulations and Standards | being Schedule E to By-law 2007-250; |
| Schedule E | Rural Class Signs
Regulations and Standards | being Schedule F to By-law 2007-250; and |
| Schedule F | Other Class Signs
Regulations and Standards | being Schedule G to By-law 2007-250 |

Enactment

5. This By-law shall come into force and take effect on *****

READ AND PASSED IN OPEN COUNCIL this day of

_____ Mayor

_____ Clerk