

Request for Decision

Options for Granting Portable Sign Permits

Presented To: Policy Committee

Presented: Wednesday, Jun 22, 2011

Report Date Tuesday, Jun 14, 2011

Type: Presentations

Recommendation

That Council approve Option 3 as described in this report which:

- Increases the number of portable signs allowed on properties with street lines 76.2 m (250 ft) or less from "1" to "2", (provided that all sign by-law requirements have been met);
- Amends the permit time for portable signs from 3 months to 1, 2 or 3 months;
- Provides a 1 month wait time between portable sign permits issued to the same business; and
- Removes the restriction of permits allowed to the property and restricts every business to a maximum of 6 months portable sign permit period per calendar year;

And further that Council direct staff to amend the Sign By-law to allow regulations in Option 3 of this report to be effective on January 1, 2012;

And further that Council direct staff to amend the User Fees By-law to increase Portable Sign Permits to \$75.

Finance Implications

An increase in revenue will be experienced if Council approves an increase in portable sign permit fees from \$44 to \$75 starting in 2012. The recommended fee will better assist with the recovery of costs incurred in permitting the use of portable signs in the municipality. Rationale for the costs include application review, permit issuance and inspections ensuring compliance with the regulations and sign removal upon permit expiry.

Background

The current Sign By-law has been in effect since January 1, 2008. It regulates, in part, temporary signs including portable signs. During the process of enactment, Council considered the need to regulate and permit portable signs in former area municipalities previously prohibited from their use. The enactment of this by-law promoted fairness in the use of temporary signs for all areas within the City of Greater Sudbury. The following three grounding principles were considered by Council during the development of the regulations of portable signs found in the current by-law;

Signed By

Report Prepared By

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Division Review

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Recommended by the Department

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- **Public safety** by prohibiting signs on public road allowances and day-lighting triangles and regulating the distance between each sign and from driveways;
- **Visual clutter**, by regulating the number of signs permitted within the community;
- **Temporary advertising venue** by providing a 'wait time' between permits issued on the same property.

Since enactment of this by-law, Council heard additional reports on the subject of portable signs, initiated by concerns that "portable sign provisions are too restrictive and are adversely affecting businesses" and the suggestion was made that "portable signs should be allowed on a permanent basis". After hearing a staff option report on this subject, Council passed the latest amendment to the sign by-law on April 23, 2008, upholding the current regulations in the by-law but providing some relief to the provisions for charitable organizations.

This report has been prepared in response to a motion carried by Council on March 23, 2011, attached to this report as "Appendix B", which directed Compliance and Enforcement Services to review the criteria for granting portable signs and present options to provide a fair, consistent advertising venue for businesses on all property sizes.

Portable Sign Regulations Review

A review of the current regulations and criteria for issuing portable sign permits was conducted. The review concentrated on the current practices and challenges that have hindered enforcement, the number of permits issued, the use of portable signs and past issues that have hindered the issuance of portable sign permits to businesses. This review has been centred around the above three grounding principles to which Council based their decisions in enacting the by-law and amendments thereto.

Public Safety

Provisions in the by-law prohibit the placement of portable signs on road allowances and on some portions of private property designated as sight triangles, within 3 m (10 ft) of driveways or within any entrance to the property. These restrictions enhance vision of motorists during ingress and egress to private property and provide additional safety measures for motorists and pedestrians in the area. Enforcement of these regulations is paramount to promoting public safety amongst motorists and pedestrians using public roadways and sidewalks. The regulations in the by-law restricting the number of portable signs and the separation distance between each reduces visual clutter and as such, enhances public safety by reducing the distraction factor of motorists trying to read numerous signs placed too closely together.

Visual Clutter

Council, through adopting the official plan and during the review leading to enactment of the current by-law, recognized the need to regulate the number, size and use of portable signs to protect the aesthetic qualities and visual character of the City of Greater Sudbury. Visual clutter of numerous portable signs changes the aesthetic quality of the landscape. The by-law regulates the number of signs allowed at any one given time and the number of permits issued yearly, determined solely on the length of street line the property has. The regulations also provide a distance separation of 45 m (150 ft) between each sign.

Visual clutter is also reduced by the temporary use of portable signs. The use of a portable sign is not necessary for business identification because permanent ground and fascia signs are permitted and encouraged for that purpose.

The regulations contained in the sign by-law restricting the numbers and use of portable signs in the City are meant to reduce visual clutter and maintain a community standard of aesthetic appeal.

Temporary Advertising

It is expected that businesses use permanent signage, such as pylon, ground and wall signs for identification. Permanent signs are intended to provide a reasonable and appropriate means for the public to locate and identify facilities, businesses and services without difficulty or confusion. Permanent sign regulations are consistent with the City of Greater Sudbury's planning, urban design and heritage objectives. The intended use of portable signs is for temporary purposes such as special events, promotions and special sales, or to draw attention to a new business, and should not be used on a continuous basis.

The use of portable signs as a temporary advertising venue is reflected in the current regulations by requiring a wait time of 3 months between the issuance of a permit for the same sign. The intention of this regulation is to ensure that the use of the sign does not become a continuous advertising venue.

The temporary use of a portable sign also reduces the number of signs in the municipality and aids in preventing visual clutter.

Current Practices and Challenges

The regulations in the sign by-law are meant to ensure public safety, reduce visual clutter and maintain the use of a portable sign for temporary advertising and currently, are not effective in practice. The regulations restrict the number of signs and permits allowed based on property street line, as shown in the table at section 42.(1) of the by-law and attached to this report as "Appendix C". The smallest street line in the table, less than 76.2 m (250 ft) allows 1 sign and 2 - 3 month permits per year, while the largest street line, more than 304.8 m (1000 ft) allows a maximum of 6 signs and 12 - month permits each year. The regulations also restrict a permit from being issued to the same location on the property within 3 months. The intent of this regulation is to reduce the number of signs within the municipality, and ensure the sign is not in continuous use.

Unfortunately, a loop-hole was found in this regulation which has hindered staff's ability to administer and enforce the wait time for properties which are permitted 2 or more signs at any given time. Because the regulations do not tie the permit issuance specifically to the business, the same business can obtain 4 - 3 month permits to display a sign provided the property has a street line exceeding 76.2 m (250 ft). Therefore depending on the number of businesses and the property location, a business may be able to advertise without observing any wait time between permits. The inability to enforce the intent of this section has created a 'permanent use' of portable signs. It has also created a perception of entitlement for those businesses taking advantage of this loop hole, and inequity for those who can't.

Businesses complain of not being able to advertise using portable signs when there are more businesses than permits and signs allowed on the property. This happens when a property with a short street line has many tenants who have the need for portable sign advertising. An inequity is seen when a single business on a property has a street line that allows 2 signs and 4 permits advertises continuously year round, and businesses on properties with a small street line are limited to 6 months of the year, regardless of the number of businesses on the property. The inequity is also seen between single businesses on properties that have less than 76.2 m (250 ft) street line and able to advertise 6 months using a portable sign and a business on a property greater than 76.2 m (250 ft) being able to advertise using portable signs continuously all year.

Failure to enforce the provisions set out in the by-law intended to reduce visual clutter and ensure temporary use, has lead to a perception of inequity in businesses' ability to advertise using portable signs.

Under the current practice two Junior By-law Officers administer and enforce the provisions in the by-law regarding the issuance of permits and enforcement of the regulations pertaining to portable signs.

During 2010 staff issued over 730 portable sign permits. Staff issue permits to some business owners for a mobile sign that they own, for the maximum number of permits on a yearly basis. For example, if a business is located on a lot that permits 4 or more permits, the business will display their own portable sign year round. The permits for the sign will be issued in January, with the last permit expiring at the end of December. There are businesses that rent portable signs to other businesses, and those permits are issued not in advance, but when an application for permit is made.

Each application must include approval from the property owner to be processed.

Other Municipalities

Neighbouring municipalities and those in other areas of Ontario were surveyed on their portable sign permit issuance regulations. "Appendix A" of this report includes a table of results. Most municipalities that issue permits for mobile signs, have a wait period between permits, regulate the maximum number of signs allowed on a property, the length of permit and the number of permits per year, similar to our municipality. Although the numbers relating to the specific regulations are quite varied amongst those surveyed municipalities there is one significant difference. Where most other municipalities regulate the maximum number of permits allowed for each specific business, the City of Sudbury restricts the number of permits by the specific property, regardless of the businesses on that property. Although the permit time periods and restrictions for mobile signs are varied for each municipality surveyed, there is a common thread in the restrictions for sign permit issuance in the Municipalities of Toronto, Ottawa and Barrie.

Options for Council Consideration

Three options are presented in this report responding to the motion carried by Council; "to provide a fair, consistent advertising venue for businesses on all property sizes". The options presented consider the original policies of regulating mobile signs as determined previously by Council as well as ensuring public safety, avoiding visual clutter and portable sign use for temporary advertising. In addition, the following factors were included in presenting options and making the recommendation in this report;

- Restriction of sign placement and number of signs per property
- Flexibility of businesses to manage sign permits
- Fairness of businesses to obtain permits regardless of street line distances
- Consistency in enforcement and issuance of portable sign permits
- Administrative and financial effects on the municipality
- Current practices and expectations of businesses and portable sign companies

Option 1 – Align By-law with Current Practices

- Remove the 3 month wait time between permits on all properties;
- Increase the number of permits allowed on properties 76.2 m (250 ft) or less from "2" to "4".

Option 1 will reflect the current practices of the municipality, increase the number of permits issued to properties with smaller lot frontages, and effectively provide portable sign advertising year round to all properties, regardless of street line distances and the number of businesses on the property. This option maintains the status quo in administration and records our current practices in the by-law regulations. It helps to equalize the ability for smaller property frontages to obtain the continuous use of a portable sign, as experienced by other properties, however it does not provide an equal opportunity for all businesses, regardless of property sizes, to advertise using portable signs. The increase of portable sign use and no wait time period between permits is not conducive to minimizing visual clutter, public safety and the temporary use of portable signs, and for these reasons, this option is not recommended.

Option 2 – Increase Signs on Properties with Smallest Street-Line and Enforce Wait Period

- Increase the number of signs allowed on properties with street lines 76.2 m (250 ft) or less from "1" to "2", and permits allowed on the property from "2" to "4" (provided all sign by-law requirements are met); and
- Reinforce wording in the by-law to ensure enforcement of the 3 month wait period between permits issued to the same business on the property.

Option 2 reflects the intent of the current regulations and provides an increase in the number of permits issued to properties with smaller street lines. It maintains the principal of all businesses using portable signs for temporary advertising by enforcing a wait time between permits issued to the same business on the property. Applying the permit wait time to businesses will remove the loop hole

explained previously in this report and will uphold the principle of using portable signs for temporary advertising. This option may be opposed by those businesses who have been benefitting from the use of a portable sign for continuous advertising on the property, however it will promote fairness of portable sign advertising for all businesses. By enabling enforcement of the wait time of 3 months between permits to the same business, all businesses will be limited to 2 portable sign permits each year, for a period not exceeding 6 months in the year.

This option provides more opportunity for businesses located on properties with the smallest street line (less than 76.2 m (250 ft)) by increasing the number of signs and permits allowed. The increase in the number of signs permitted on smaller lots may be partially offset by the reduction of signs resulting in enforcement of the wait period between permits. This option will provide additional advertising opportunity for businesses with smaller street lines and maintains the three principles related to portable sign advertising; for those reasons it is an acceptable alternative to the recommendation in this report. This option is not recommended because it does not provide maximum flexibility for businesses to manage permits and may continue to cause unfair distribution of permits amongst businesses on properties where the number of permits allowed is less than the number of businesses on the property.

Option 3 – Flexible Business Based Permitting

- Increase the number of signs allowed on properties with street lines 76.2 m (250 ft) or less from "1" to "2" (providing all by-law requirements are met);
- Amend the permit time from 3 months to 1, 2 or 3 months;
- Provide a 1 month wait time between permits issued to the same business;
- Remove the restriction of permits allowed to the property and restrict every business to a maximum of 6 months permit period per calendar year.

Option 3 reflects a model of sign permit issuance that provides fair and consistent opportunity for all businesses and allows flexible permit options for businesses to better manage their portable sign needs. It also promotes fairness in the distribution of portable sign permits amongst businesses located on properties with smaller street lines by allowing additional signs on those properties. The restriction of the number of signs on the property at any given time is consistent with the current table in the by-law, with exception of those properties with the smallest street line.

This option promotes a sign sharing opportunity amongst those properties with numerous businesses, by imposing a 1 month wait time between permits. The 1 month wait time between permits will provide opportunities for other businesses on the same property to advertise and help decrease the competition for permits between businesses. The maximum time period for any one business to advertise using portable signs regardless of lot size is 6 months yearly and is consistent with the intent of the current by-law. By issuing permits in 1, 2 or 3 month increments, businesses will have options to manage permits and advertising based on needs and time periods throughout the year more effectively. The maximum number of signs will be permitted to remain on the property as long as businesses have the demand for advertising and have not exceeded their maximum time period for the year.

Similar to Option 2 in this report, an increase in the number of signs permitted for smaller lots, may be partially offset by the decrease in the number of signs being used currently for continuous advertising during the year.

Option 3 is recommended as it addresses the concerns put forth in the motion carried by Council on March 23, 2011. A flexible business based permitting program provides greater opportunity and equality for businesses to use mobile sign media to advertise, increases the number of signs on smaller properties, allows greater flexibility for management of mobile sign advertising for all businesses, and uses distance between signs as part of the criteria for granting portable sign permits. This model also promotes the use of a portable sign as a temporary advertising device that businesses can utilize for special events, sales and promotions during the business year.

Effective Enactment Date - January 1, 2012

If Council approves Option 3 in this report, staff is recommending that implementation of the

regulations be effective January 1, 2012. This will allow the permits issued for the remainder of 2011 to remain in effect, and will provide some adjustment time for businesses. It will also allow sign rental companies to make any required adjustments to their practices. Staff will require time to consult with businesses, and prepare for the administration of the regulations proposed in the option. The effective date of January 1, 2012 is consistent with the start of the fiscal year and provide a smooth transistion from the current regulations and practices to those in the proposed option.

Permit Fees

The recommended option will discontinue the practice of issuing concurrent permits in 2012. This may result in a decrease in permits issued, however expected to be offset by the increase in permits issued to businesses that currently cannot obtain permits based on small property street lines. The current cost of a portable sign permit is \$44, pursuant to the 2011 user fees by-law. This fee has not been reviewed since the City began issuing portable sign permits. The recommendation in this report includes an increase in permit fees to assist in the cost of administration and enforcement of the regulations of portable sign use.

For each permit application that is recieved, staff time and equipment are required to review the application, process the payment, record the particulars in the electronic data base, print and deliver the actual permit. After the issuance of the permit, two inspections of the permit location are conducted. The first inspection is to insure that the portable has been erected in compliance with the regulations in the by-law, then upon expiry of the permit, a follow up inspection is conducted to ensure that the sign has been removed. Inspections take officers considerable time and resources to accomplish, depending on where in the city the sign is located. Resources include expenses incurred for travel, such as a vehicle, gas and insurance, and equipment used to measure and record inspection results. The rationale for the recommended fee of \$75 is to partially recover the costs of \$25 to administer and issue the permit and \$25 for each of the two required inspections. It is recommended that one fee is applicable regardless of the length of permit time; 1, 2 or 3 months, because the cost for issuing the permit, follow-up and enforcement of the regulations takes the same time and resources, regardless of the time the permit is in effect.

A comparison of other municipalities' fees for permits is shown on the table of municipalities surveyed, attached to this report as "Appendix A". Although portable signs permit fees in the municipalities served are quite varied, a \$75 permit fee is not substantially higher or lower in comparison.

Conclusion – Options for Granting P&

Request for Recommendation Priorities Committee



Type of Decision

Meeting Date	July 11, 2007				Report Date	June 26, 2007			
Decision Requested	x	Yes		No	Priority	x	High		Low
	Direction Only				Type of Meeting	x	Open		Closed

Report Title

Sign By-law Review

Policy Implication & Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Financial implications will be identified based on direction from Council and when the new Sign By-law is presented to Council.

Background Attached

Recommendation

THAT Council direct staff to draft a new Sign By-law that would include the staff recommendations as contained in this report.

PORTABLE SIGNS - Option 3

Review the current provisions and include a provision to allow properties with more than 600 feet of frontage to obtain additional permits, as well introduce a height restriction for portable signs and allow a 3 month permit to run consecutively for a six month period to allow for a special event.

BANNER SIGNS

That banner sign provisions be included in the new Sign By-law.

POSTER SIGNS - Option 1

Poster signs will be allowed on public property but limited to certain light standards and hydro poles and certain streets. Poster provisions will also include size, means of attachment, location and duration.

Recommendation Continued

Recommended by the Department

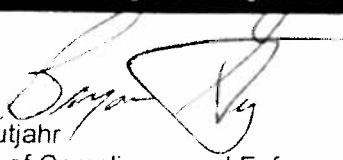
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Division Review


Bryan Gutjahr
Manager of Compliance and Enforcement Services

Background:

In 1978 the Region of Sudbury passed a Sign By-law which regulated the erection of signs and other advertising devices within the Region. The by-law also addressed the need for sign permits and the fee structure. This by-law was used to control permanent signs only.

In 1988 the Region of Sudbury introduced a new Sign By-law which incorporated the previous regulations but also added controls over portable signs which were growing in popularity in our community. However the new Sign By-law only permitted portable signs within the boundaries of the Former City of Sudbury and made no provisions for portable signs in the other area municipalities. The 1988 Sign By-law also prohibited the erection of signs on any property owned by the Municipality except for signs erected by the Municipality. During the past 19 years many new types of advertising devices have been developed and it is time to create a new Sign By-law to regulate these types of signs.

Many portable signs, banner signs and poster signs have appeared in the City of Greater Sudbury where the 1988 Sign By-law either has no jurisdiction or completely prohibits signage.

Large banner signs have been erected on many buildings within the City with no control over size, location or length of time that they may be kept up. Poster signs have been attached to many hydro poles and light standards throughout the City and as such a new Sign By-law is necessary to control these types of signs.

Signs are highly visible parts of the City of Greater Sudbury. They are the key element in what residents and visitors see along Greater Sudbury's streets. Signs identify uses and businesses and help create the 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 - type, number, size, location, and design - the signs 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 big, in the wrong place 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 both the Sign By-laws' standards and the City's enforcement of its regulations. Appropriate sign standards and effective by-law enforcement are the two key factors for achieving and maintaining quality signage in a community. This is the goal of the Sign By-law.

INTENT OF THE NEW SIGN BY-LAW

The purpose of a new Sign By-law is to regulate signs within the City of Greater Sudbury with the intent of authorizing the following signs:

- a) signs that are appropriate in size, number, and location to the type of activity or use to which they pertain;
- b) signs which provide reasonable and appropriate means for the public to locate and identify facilities, business, and services without difficulty or confusion;
- c) signs that are compatible with their surroundings;
- d) signs that protect and enhance the aesthetic qualities and visual character of the City of Greater Sudbury;
- e) signs which are consistent with the City of Greater Sudbury's planning, urban design, and heritage objectives;
- f) signs which do not create a distraction or safety hazard for motorists and pedestrians;
- g) signs which minimize adverse impacts on nearby public and private property;
- h) signs which allow the public the right and freedom of expressions while staying in context to the purpose and direction of the by-law

PUBLIC INPUT SESSION

Although no longer a requirement of the Municipal Act, staff held a public input session to gather ideas and suggestions from the general public, the sign industry and business owners. The portable sign provisions have been in place for 19 years within the former City of Sudbury and it was felt that we needed to revisit these provisions to see if there are ways to improve or increase the restriction.

An advertisement was placed in the local papers advising of the public input session that would take place at Tom Davies Square on June 21, 2007. As well, staff contacted all the local sign companies to advise them of the session. In all, 13 people turned out for the meeting consisting of 4 owners of local sign companies, 4 business owners, and 5 representatives of local non-profit organizations. Each individual was asked to speak to the three types of temporary signs that were up for discussion. They were asked to offer suggestions on ways the by-law could be addressed to improve on the current provisions.

The City Solicitor was present and outlined to the participants the need for a new Sign By-law. He explained that the current by-law will not be completely re-written, that there would be only revisions done to the existing by-law. He also indicated that this revision is only an interim revision and the whole Sign By-law will be redrafted when a new zoning by-law comes into effect which may be in 2-3 years. It was also explained that the current by-law prohibits portable signs in the areas outside of the City and this new by-law will bring everyone onto a level playing field.

During the meeting each participant was asked to speak to the 3 key issues up for discussion being portable signs, postering and banner signs all being temporary signs. All suggestions were recorded and are contained in this report (Schedule "A").

KEY ISSUES

PORTABLE SIGNS -Temporary Signs

"*Portable Sign*" means a sign not permanently affixed to the ground and designed in such a manner as to be capable of being moved from place to place, but does not include a sidewalk sign.

As stated earlier, the Region of Sudbury Sign By-Law #88-100 permitted regulation of portable signs only within the boundaries of the former City of Sudbury. To ensure a level playing field for all businesses and residents it is proposed that the new Sign By-law contain provisions to govern portable signs throughout the City of Greater Sudbury.

This will enable staff to administer the current provisions to everyone equally. Size, setbacks, location and length of times erected will be enforced to prevent visual clutter as well as to ensure pedestrian and vehicular safety.

The provisions for portable signs were introduced in the Sign By-law in 1988. At that time portable signs were becoming popular as an alternative to expensive permanent signs. Keeping in mind that portable signs were to be temporary signs Council approved provisions that would ensure these signs were removed after a 3 month period and allowed again after a further 3 months of being removed. The provisions also meant that the numbers, location and duration were controlled for public and vehicular safety. The popularity of these signs has increased over the years and the City is now issuing over 500 permits per year.

Although prohibited outside the former City of Sudbury, portable signs are used extensively in these areas and are now being placed on sight triangles, city properties and residential properties. However needed these signs are, controls and regulations must be in place to ensure public safety and to avoid visual clutter.

As such, staff offer the following options for Council consideration. Options 2 and 3 contain recommendations received from the public input session.

OPTION 1

Maintain the current portable sign provisions and expand those provisions to include all areas within the City of Greater Sudbury

OPTION 2

Revise the current provisions to allow the following:

- Permit portable signs all year regardless of frontage
- Properties with more than 450 feet of frontage be allowed 8 permits rather than 6
- Properties with more than 600 feet of frontage be allowed 10 - 12 permits
- Issue a special 1 month permit to new businesses not be included in total permits
- Allow to encroach on City property and to be in sight triangles
- Reduce frontage requirement for 4 permits from 250 feet to 200 feet
- Restrict maximum height of a portable sign to 3 metres
- Allow 3 month permits to run consecutively to allow a sign to be erected for six months for a special event

OPTION 3

Review the current provisions and include a provision to allow properties with more than 600 feet of frontage to obtain additional permits, as well introduce a height restriction for portable signs and allow a 3 month permit to run consecutively for a six month period to allow for a special event.

Staff surveyed Hamilton, North Bay and Ottawa regarding their portable sign provisions and can offer the following:

- All regulate number of signs on a property
- All regulate location
- All not to be located on City property
- All regulate size of portable sign
- All regulate that sign must be on property that business is located on
- All not allowed on residential properties
- Hamilton and Ottawa regulate height
- Hamilton and Ottawa regulate time frame

Refer to Schedule "B"

STAFF RECOMMENDATION:

The current Sign By-law's portable sign provisions were enacted 19 years ago and the provisions prohibited portable signs outside the former City of Sudbury. Portable signs are becoming more abundant in those areas and they are being erected without any regulation. Until the Sign By-law is redone in its entirety to include the zoning provisions, which may be in 2-3 years, staff recommend the current provisions be expanded to include all of the City of Greater Sudbury. Also that other minor provisions be introduced that would assist business owners to advertise keeping in mind safety issues for pedestrian and vehicular traffic. Therefore staff would recommend Option 3.

BANNER SIGNS - Temporary Sign

"Banner sign" means a temporary sign other than a poster that is of a decorative nature and made of cloth, canvass or other lightweight, non-rigid material that is used or that functions as a sign.

The Region of Sudbury Sign By-law contains no provisions to regulate banner signs and as such sign permits are not issued for these signs. Banner signs are used by businesses to advertise goods and products as well banners are used by groups to announce special events.

Banners are becoming more predominant throughout the City as a form of advertising which is much less costly than a permanent sign and is not governed by the City. These signs are being left up permanently, adding visual clutter to existing signage and are not enhancing the visual character of our community. The City has no control as to how these signs are attached to buildings.

Staff surveyed Hamilton, North Bay, Ottawa, Espanola and Markham and can offer the following:

Four municipalities regulate banners but the degree of regulation varies

- North Bay downtown core only
- Markham commercial zone only
- Ottawa street banners only
- Hamilton regulate all locations
- Espanola does not regulate
- Hamilton and Ottawa regulate time frames and size.
- Hamilton and Ottawa classify banners as temporary and for special events.

Refer to Schedule "B"

STAFF RECOMMENDATION:

To ensure public safety and to avoid visual clutter staff recommends that banner signs provisions be included in the new Sign By-law. The provisions will include size limitations, means of attachment, sign location and time limitations. Staff also recommends that a temporary banner sign be permitted for special events such as charitable announcements, church benefits and special business event (closing out) for a limited time period without permit fees.

POSTER SIGNS - Temporary Sign

"Poster" means a printed notice conveying information intended to be displayed for a temporary period of time and includes but is not limited to a bill, handbill, leaflet, notice or placard.

The current Region of Sudbury Sign By-law strictly prohibits any signs, including posters, from being erected on public property. Public property would include road allowance, municipal property, light standards and hydro poles. However, as we know the favoured form of posting is to attach them to light standards and hydro poles along all the major arteries throughout the City. The means of attachment are by using tape, nails, tacks and plastic straps.

Several years ago a Sign By-law of a Municipality in Southern Ontario that contained the same restrictive provisions as our by-law was challenged in the Courts. The Courts held that the restrictive provisions were unconstitutional and not within the authority of the Municipality. As such the by-law was struck out and the Courts decided that municipalities must allow for certain signage on public property. The Municipality could however control what type of signage would be permitted and the locations on public property. Staff recognize that posting is a needed form of communication for things such as special events and as such staff recommends that posters be allowed on public property but limited to certain light standards and hydro poles and certain streets. Poster provisions will also include size, means of attachments, location and duration of erection. These provisions will allow staff to monitor and administer a quality system of posting to prevent the visual clutter that we see today but still allow individuals and businesses the opportunity to announce their events.

OPTION 1:

Poster signs will be allowed on public property but limited to certain light standards and hydro poles and certain streets. Poster provisions will also include size, means of attachment, location and duration.

OPTION 2:

Poster sign will be allowed on public property but limited to poster sleeves which will be located at certain locations within the downtown areas of each municipality.

OPTION 3:

Poster signs will be allowed on public property but limited to community boards which will be erected and maintained by the City. The Community Boards will be located at central locations throughout the City of Greater Sudbury.

Staff have contacted North Bay, Espanola, Hamilton, Ottawa and the Town of Markham regarding their regulations for postering and can offer the following:

- Espanola is the only municipality that allows posters on light standards and City utility poles
 - \$100 deposit for each event
 - unregulated locations
- Hamilton and North Bay offer community bulletin boards at various locations
 - Does not alleviate postering on light standards
- Hamilton, Ottawa and Markham offer poster sleeves in the downtown core areas
 - Does not alleviate postering on light standards
 - Each sleeve (stainless steel) are very expensive \$400-\$500
- All municipalities regulate size.
- All municipalities regulate time frames

Refer to Schedule "B"

STAFF RECOMMENDATION:

THAT the new Sign By-law regulate poster signs by dedicating certain light standards and utility poles for the purpose of posters and also regulate the size, time frame and means of attachment as presented in Option 1.

Summary

Appropriate sign standards and effective By-Law Enforcement are key factors for achieving and maintaining quality signage in our community. Highly visible signs are a key element in what residents and visitors see along Greater Sudbury streets and they help create the visual character of an area. As such staff recognizes that the current Sign By-law needs to be updated and improved. A compatible and positive Sign By-law will contribute to the public safety and appearance and aesthetics of Greater Sudbury.

Schedule "A"

PUBLIC INPUT SESSION

COMMENTS

Organization	Portable Signs	Posting	Banners
Len Denomee, Owner Mobile Sign Rentals	<ul style="list-style-type: none"> Allow portable signs to encroach on City Property Not in sight triangles One month special permit Adjoining lands same owner allow on adjoining lands 		
Gerry Pawolski, Owner Magnet Signs (Mobile)	<ul style="list-style-type: none"> Allow portable signs all year round Larger frontage property to have 8-12 permits Over 450 ft frontage allow 8 instead of 6 Under 250 ft increase to 4 permits Reduce 250 ft frontage to 200 ft frontage Sight triangles - allow in special circumstance 1 permit for 12 months Allow on City property 	<ul style="list-style-type: none"> Posters on public property need permits Limit to every third pole 	
Keith McCormick Sudbury Art Club	<ul style="list-style-type: none"> Allow 3' x 4' signs to advertise art shows 		
Roland Malette Knights of Columbus	<ul style="list-style-type: none"> Allow portable signs to announce Special Events for non-profit charitable organizations 		
Len Ross Knights of Columbus	<ul style="list-style-type: none"> Same concerns as Mr. Malette 		
Les Wither, Owner 674-JUNK	<ul style="list-style-type: none"> To be allowed on vacant commercial land to advertise 		

Schedule "A"

Organizations	Portable Signs	Postering	Banners
Joan Villeneuve, Owner Pizza Gallery	<ul style="list-style-type: none"> Allow portable signs all year round regardless of frontage Permits allowed to run consequently to 6 months 		
Val Mazzuca, Owner Hanmer Mall	<ul style="list-style-type: none"> Increase permits for larger properties 650 ft. + More businesses need more signs 		
Gerry Rivest, Owner R.P. Signs	<ul style="list-style-type: none"> Increase permits for properties with less than 250 ft frontage Reduce frontage to 200 ft Signs should be 150 ft apart Increase permits for large properties 		
Gerry O'Brien, Owner Game Experts	<ul style="list-style-type: none"> Allow 8 permits for properties over 450 ft Special one month permit for new business Permit advertising for Special Events Setback for signs on different properties 	<ul style="list-style-type: none"> Limit size to width of pole Located at bus stops only 	
Kathry O'Leary Northern Center Factory Outlet (e-mail response)	<ul style="list-style-type: none"> Allow 8 permits for properties over 450 ft Two signs allowed for year on larger properties 		
Greg Bell, Owner, Celebrity Sign Rental (Mobile) (e-mail response)	<ul style="list-style-type: none"> Under 250 ft frontage allow 1 sign for year - 4 permits 250-450 ft allow 2 signs for year - 8 permits Maintain 150 ft apart 450 ft plus allow 3 signs for year - 12 permits No fee for charitable event Maintain size at 105 sq. ft Maintain when permit expires, remove signs Maintain 2 days in residential area 	<ul style="list-style-type: none"> Poster signs on private property must have permit for permanent sign 	

Schedule "A"

Organizations	Portable Signs	Postering	Banners
Dwayne Brown, Owner Signs Now (Banners)		<ul style="list-style-type: none"> Regulate posters as to size, location, duration and numbers 	<ul style="list-style-type: none"> Permit for banners used for advertising business Transfer permit if permanent sign replaces banner time limit on Special Event Banners Charities have banners at any location they get permission
Bob Brisebois, Stamp Show		<ul style="list-style-type: none"> Introduce size limitations and distance from intersection Secure with screws, cheaper than the wraps 	
Peter Trulson St. Andrew's Place		<ul style="list-style-type: none"> Limit time when posters can be put up and taken down No fees for charities, \$10.00 for businesses Charge to take them down Allow 8 permits for properties over 450 ft 	

Schedule "B"

SURVEYED MUNICIPALITIES			
City	Portable Signs	Posters	Banners
Hamilton	<ul style="list-style-type: none"> Regulate: Number of signs on property Location Size Height Time frame Not allowed on residential Not allowed on City Property 	<ul style="list-style-type: none"> Community Bulletin Board Various locations Regulate size and time frames <p><u>Comments:</u> Does not alleviate posterage on light standards</p>	<ul style="list-style-type: none"> Regulate all locations
North Bay	<ul style="list-style-type: none"> <u>Regulate:</u> Size Number of signs on property Location On business property Not allowed in residential zone Time frame 	<ul style="list-style-type: none"> Community bulletin boards various locations regulate size and time frames <p><u>Comments:</u> Does not alleviate posters on light standards</p>	<ul style="list-style-type: none"> Regulate downtown only
Ottawa	<ul style="list-style-type: none"> <u>Regulate:</u> Size Number of signs on property Location Height On business property Not allowed in residential Time frame 		<ul style="list-style-type: none"> Regulate street banners only

Schedule "B"

City	Portable Signs	Posters	Banners
Markham	N/A	<ul style="list-style-type: none"> • Poster sleeves in downtown • Regulate size • Regulate time frame <p><u>Comments:</u> Does not alleviate posters on light standards Poster sleeves very expensive (\$500)</p>	<ul style="list-style-type: none"> • Regulate commercial area only
Espanola	N/A	<ul style="list-style-type: none"> • Allow on light standards and City utility poles • \$100.00 deposit • Unregulated locations • Regulate size • regulate time frame 	<ul style="list-style-type: none"> • Do not regulate

POLICY DISCUSSION PAPERS - PRELIMINARY DISCUSSION (continued)

Item 4
Examining the Need
for an All Terrain
Vehicle By-Law in
Greater Sudbury
(continued)

The Committee, by a two-thirds majority, agreed to dispense with the Rules of Procedure and vote on the motion at this time.

The following recommendation was presented:

RECOMMENDATION 2007-39: Moved by Councillor Cimino:

Rules of Procedure

WHEREAS the Constellation City Report recommends the development of a comprehensive by-law to govern the use of All Terrain Vehicles (ATVs); and

WHEREAS members of the recently formed North Simcoe ATV Club - Greater Sudbury Chapter have also identified the need for an ATV by-law;

THEREFORE be it resolved that an Advisory Panel be created to include members of Council and the public to review issues and options related to an ATV By-Law as outlined in the Report dated July 31st, 2007 from the General Manager of Community Development and that this Panel host a series of public meetings to gather broad community input.

CARRIED

POLICY DISCUSSION PAPERS - DECISION REQUESTED

Item 5
Sign By-law Review

Report dated 2007-06-26, with attachments, from the General Manager of Growth & Development regarding Sign By-law Review was received.

The following recommendation was presented:

RECOMMENDATION 2007-40: Moved by Councillor Cimino:

THAT Council direct staff to draft a new Sign By-law that would include the staff recommendations as outlined in the report dated June 26, 2007 from the General Manager of Growth & Development:

PORTABLE SIGNS - Option 3

Review the current provisions and include a provision to allow properties with more than 600 feet of frontage to obtain additional permits, as well introduce a height restriction for portable signs and allow a 3 month permit to run consecutively for a six month period to allow for a special event.

PRIORITIES 2007-08-08 (14th)

(3)

POLICY DISCUSSION PAPERS - DECISION REQUESTED (continued)

Item 5
Sign By-law Review
(continued)

RECOMMENDATION 2007-40: (continued)

BANNER SIGNS

That banner sign provisions be included in the new Sign By-law.

POSTER SIGNS - Option 1

Poster signs will be allowed on public property but limited to certain light standards and hydro poles and certain streets. Poster provisions will also include size, means of attachment, location and duration.

CARRIED

The General Manager of Growth & Development indicated that further information would be brought to the Committee identifying poles for poster signs and acceptable means of attachment.

Item 6
Municipal Drinking-
Water Licensing
Program

Report dated 2007-07-11 from the Acting General Manager of Infrastructure Services regarding Municipal Drinking-Water Licensing Program was received.

The following recommendation was presented:

RECOMMENDATION 2007-41: Moved by Councillor Cimino:

THAT Council authorize the recruitment and hiring of a permanent full time staff member as well as 900 hours of clerical support to facilitate compliance with the requirements emanating from the recently proclaimed Municipal Drinking Water Licensing Regulation (O.Reg 188/07) under the Safe Drinking Water Act, 2002;

AND THAT Council approve a 2007 unbudgeted expenditure of up to \$80,000 funded from Capital Financing Reserve Fund - Water as necessary;

AND THAT the ongoing annual funding requirement of \$144,000 be incorporated into the 2008 base budget, as outlined in the report dated July 11th, 2007 from the Acting General Manager of Infrastructure Services.

CARRIED

Adjournment

RECOMMENDATION 2007-42: Moved by Councillor Callaghan:

THAT this meeting does now adjourn. Time: 6:08 p.m.

CARRIED

Councillor J. Gasparini, Chair

Angie Haché, City Clerk

PRIORITIES 2007-08-08 (14th)

(4)

Opening Remarks
(continued)

Councillor Craig stated that Coniston is a tight knit community with only one eyesore being the public works building in the middle of the community. Requests have been made to upgrade it or condemn it and tear it down, however it is a very slow process.

COUNCILLOR BRIEFING SESSIONS

Item 3
Sign By-law

Report dated 2007-09-19 was received from the General Manager of Growth & Development regarding Sign By-law.

Bryan Gutjahr, Manager of Compliance and Enforcement Services, and Dave Brouse, By-law Enforcement Officer, provided an electronic presentation regarding the proposed Sign By-law. A brochure entitled "*New Sign By-law Implementation - Portable and Sidewalk Signs*" was distributed to the Committee Members.

Bryan Gutjahr advised that at the Priorities Committee meeting of July 11th, 2007 three recommendations dealing with temporary sign provisions were approved and staff was directed to draft a by-law. The temporary signs include portable, banner and poster signs. He outlined the criteria for portable signs and banners; which criteria includes location, size and time restrictions.

Dave Brouse outlined the criteria for posters; which criteria includes location, size, fastening methods and time restrictions. He pointed out the poster corridors within the former City of Sudbury where 'designated poles' have been selected and stated that 'designated poles' in the outlying areas are being selected.

Bryan Gutjahr advised that the new by-law will come into effect on January 1st, 2008 and will be enforced by Staff. Also, sign companies and business owners are being informed of the new regulations.

RECOMMENDATION 2007-46: Moved by Councillor Craig:

THAT Council direct staff to draft a new Sign By-law which incorporates the provisions as contained in the report dated September 10th, 2007 from the General Manager of Growth & Development

CARRIED

Item 4
Constellation City
Report - Service
Review.

Report dated 2007-09-12 was received from the Executive Director of Administrative Services regarding Constellation City Report - Service Review.

BY-LAWS (continued)

2008-44Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND
BY-LAW 95-500Z THE COMPREHENSIVE ZONING BY-LAW FOR
THE FORMER CITY OF SUDBURY

Planning Committee Recommendation 2008-34

(This By-law deletes Clause (I) in exception "C4-14", Office Commercial Special Zone, which had restricted the permitted uses to a retail clothing boutique, one dwelling unit and their related accessory uses. With this amendment the permitted uses will include all of the uses permitted in the "C4", Office Commercial Zone as set out in Part IV, Section 4, Subsection (2) of By-law 95-500Z. - Jacqueline Gervais, 273 Elm Street, Sudbury.)

2008-45Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND
BY-LAW 95-500Z THE COMPREHENSIVE ZONING BY-LAW FOR
THE FORMER CITY OF SUDBURY

Planning Committee Recommendation 2008-32

(This by-law rezones the subject property to "R1", Single Residential in order to permit a single detached dwelling on a lot formerly utilized for overflow customer parking and as the location of a District Regulator Station for Union Gas - Beverley Dubreuil, Lincoln Road, Sudbury.)

2008-46 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO
AUTHORIZE AN APPLICATION FOR APPROVAL TO
EXPROPRIATE PART OF PIN 73561-0007 (LT), BEING PART 9
ON PLAN 53R-18403 FROM 2136205 ONTARIO LIMITED FOR
THE KINGSWAY ROADWORK PROJECT

(This By-law replaces Bylaw 2008-30, to correct clerical errors.)

Three Readings

2008-59 Berthiaume-Barbeau: THAT By-law 2008-36A to and
including By-law 2008-46 be read three times and passed.

CARRIED

MOTIONS

Item R-2
Sign By-law 2007-250

The following resolution was presented by Councillor Berthiaume:

Berthiaume-Barbeau: WHEREAS Sign By-law #2007-250 was
recently enacted and came into force and effect on January 1, 2008;

AND WHEREAS concerns have been expressed that the portable
sign provisions are too restrictive and are adversely affecting
businesses;

C.C. 2008-02-13 (25TH) (10)

Item R-2
Sign By-law 2007-250
(continued)

AND WHEREAS the suggestion has been made that portable signs should be allowed on a permanent basis while maintaining the restriction as to their numbers, as provided in the current by-law:

AND WHEREAS it has been suggested that non-profit, charitable groups should be exempt from paying permit fees in relation to portable signs:

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury direct staff to prepare a report with options on how to address the concerns raised by business owners for the March 19, 2008 Priorities Committee meeting.

Councillor Rivest requested that the following be concerned during the preparation of the report: distance between two signs; number of businesses at a location compared to number of signs allowed at that location (i.e. three business and only two signs allowed); signs for apartment buildings to advertise vacancies.

Friendly Amendment

With the concurrence of the mover, Council agreed that the foregoing motion be amended by changing the meeting date to the April 16, 2008 Priorities Committee meeting.

Main Motion
(as amended)

The following resolution was presented as amended:

2008-60 Berthiaume-Barbeau: WHEREAS Sign By-law #2007-250 was recently enacted and came into force and effect on January 1, 2008;

AND WHEREAS concerns have been expressed that the portable sign provisions are too restrictive and are adversely affecting businesses;

AND WHEREAS the suggestion has been made that portable signs should be allowed on a permanent basis while maintaining the restriction as to their numbers, as provided in the current by-law:

AND WHEREAS it has been suggested that non-profit, charitable groups should be exempt from paying permit fees in relation to portable signs:

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury direct staff to prepare a report with options on how to address the concerns raised by business owners for the April 16, 2008 Priorities Committee meeting.

CARRIED

Policy Discussion Papers - Decision Requested



Request for Recommendation

Sign By-Law Review

Presented To: Priorities Committee

Presented: Wednesday, Apr 16, 2008

Report Date Monday, Apr 07, 2008

Type: Consent - Policy Discussion Papers -
Decision Requested

Recommendations

That Council approve Option 1 that would allow properties with street frontage over 304.8m (1000 ft) to have the maximum number of portable signs as allowed in the Sign By-law (6) without having to remove the portable signs for a 3 month period;

And further, that Council direct staff to amend the Sign By-law to allow non-profit/charitable groups to use portable signs to advertise their special events;

And further, that Council direct staff to amend the User Fee By-law to exempt non-profit and charitable organizations from paying portable sign permit fees.

Finance Implications

There will be a minimal amount of lost revenue as a result of exempting non-profit and charitable organizations from paying portable sign permit fees. However, this will be more than offset by incr...

Signed By

Report Prepared By

Bryan Gutjahr
Manager of By-law Enforcement
Services
Digitally Signed Apr 11, 08

Recommended by the Department

Doug Nadorozny
General Manager of Growth and
Development
Digitally Signed Apr 11, 08

Recommended by the C.A.O.

Mark Mieto
Chief Administrative Officer
Digitally Signed Apr 11, 08

finance implications continued...

(Financial Implications continued from cover)

...increased revenue generated from the additional permits of larger properties.

Background

At the meeting of February 13, 2008, Council passed resolution #2008-59 that directed staff to prepare a report with Options on how to address concerns and suggestions from business owners regarding portable signs.

The concern raised on the motion was that the portable sign provisions of the Sign By-Law #2007-250 are too restrictive and are adversely affecting businesses. In particular, the motion addressed larger properties with multiple tenants and it was suggested that portable signs on these larger properties be allowed to remain on a permanent basis while maintaining the restriction as to their numbers as provided in the current Sign By-law. It was also suggested in the motion that non-profit, charitable groups should be exempt from paying permit fees in relation to portable signs.

By-Law Amendments:

To address the first concern regarding allowing portable signs to remain on large properties on a permanent basis, staff can offer the following 2 options:

Option 1: (Large properties only - over 1000 ft of street frontage) allow only those properties with street frontage greater than 304.8 m (1000 ft) to retain up to the maximum number of portable signs currently permitted (six) without having to remove the portable signs for a 3 month period.

Option 2: Allow all properties with street frontage as outlined in the Sign By-law to retain the maximum number of portable signs permitted by the by-law without having to remove the portable signs for a 3 month period.

The following chart illustrates the maximum number of signs that would be permitted on a property based on street frontage:

Street Frontage	Max # of Signs
up to 76.2m (250 ft)	1
76.3m - 137.2m (450 ft)	2
137.3m - 183m (600 ft)	3
183.1m - 243.8m (800 ft)	4
243.9 - 304.8 (1000 ft)	5
over 304.8 m (1000 ft)	6

Note: While this would remove the 3 month up 3 month down provision, a permit would still be required for each sign and the permit would continue to expire every 3 months.

The second part of the motion suggested that non-profit charitable groups should be exempt from paying portable sign permit fees. It should be recognized that these groups function in order to assist those less fortunate, for the improvement of the community. As such, the portable sign permit fees may become financially restrictive.

To implement the non payment of fees for these groups, an amendment is required to the User Fee By-law that would exempt these groups from paying the portable sign fees.

Although not part of the resolution, during the Priorities meeting other suggestions were brought forward. These suggestion include allowing each business on a property to have a portable sign to advertise that business, allow portable signs to be placed closer together which would allow more portable signs on a property, and to allow portable signs to be used on multi residential properties to advertise apartments for rent.

If Council should consider implementing these suggestions it should be kept in mind that in doing so there will be a huge increase in the number of portable signs throughout the City. Portable signs are much less expensive than permanent signs so the tendency would be to use portable signs to advertise a business rather than using a permanent sign. Some properties may become inundated with portable signs which would add substantially to visual clutter and which can affect the safety of both vehicle and pedestrian traffic. The goal of the Sign By-law is to maintain quality signage within the community and to achieve this, appropriate standards and regulations must be in effect. For the above reasons, these suggestions are not recommended by staff.

At the Priorities Committee meeting of April 2, 2008, Council raised further concerns that they felt needed to be addressed regarding the Sign By-law review report.

One of the concerns raised by several Councillors at this meeting, was the need to allow non-profit/charitable groups to advertise their special events using portable signs. The current provisions of the Sign By-law prohibits the use of portable signs for advertising a business, a service or a use which is not conducted or located on the same lot as the portable sign. It is recognized that it is important to allow these groups to use portable signs to announce their special events. As such, staff will recommend that an amendment be made to the Sign By-law that would allow the use of portable signs for announcing special

events held by non-profit/charitable groups.

The other concern that was touched upon was the distance restriction between portable signs. A Councillor felt the distance restriction (150 ft) was too prohibitive and should be amended.

Staff can advise that the 150 ft restriction was carried over from the old Sign By-law, #88-100, and this distance restriction has been in place since 1988. This restriction was put into place to ensure portable signs are spaced far enough apart that they do not become a visual distraction such as to interfere with the safety of vehicular traffic. (Drivers attempting to read messages on the signs.) Also, having these signs closer together adds to the perception of visual clutter.

In the past 20 years the distance restriction between portable signs has not been a major concern to businesses or portable sign owners. As such, staff do not recommend amending this provision.

RECOMMENDATION:

That Council approve Option 1 that would allow properties with street frontage over 304.8m (1000 ft) to have the maximum number of portable signs as allowed in the Sign By-law (6) without having to remove the portable signs for a 3 month period;

And further, that Council direct staff to amend the Sign By-law to allow non-profit/charitable groups to use portable signs to advertise their special events;

And further, that Council direct staff to amend the User Fee By-law to exempt non-profit and charitable organizations from paying portable sign permit fees.

Item 3
Capital and Major
Maintenance Projects,
Ward 8 (continued)

course for sustainability. He stated that with respect to the water distribution system, they are working on condition assessment and rehabilitation programs, enhanced infrastructure maintenance which will identify weak links and general upgrades. There will also be plant upgrades and improvements. They are also working on conditional assessment programs and enhanced infrastructure maintenance with respect to the wastewater collection system as well as treatment plan upgrades.

Closing Remarks

Councillor Callaghan explained Ward 8 as residential, bed room community of 13,000 people. He stated that all Wards are similar in that there are a multitude of small concerns. He feels the budget has to be looked at to allow for more funds for all Wards to take care of the small things that mean something to the area residents.

POLICY DISCUSSION PAPERS - DECISION REQUESTED

Item 4
Sign By-law Review

Report dated 2007-04-07 was received from the General Manager of Growth & Development regarding Sign By-law Review.

The following recommendations were presented:

RECOMMENDATION 2008-16: Moved by Councillor Berthiaume:

THAT Council approve Option 1 that would allow properties with street frontage over 304.8m (1000 ft) to have the maximum number of portable signs as allowed in the Sign By-law (6) without having to remove the portable signs for a 3 month period;

AND FURTHER THAT Council direct staff to amend the Sign By-law to allow non-profit and charitable groups to use portable signs to advertise their special events;

AND FURTHER THAT Council direct staff to amend the User Fee By-law to exempt non-profit and charitable organizations from paying portable sign permit fees.

DEFEATED

RECOMMENDATION 2008-17: Moved by Councillor Cimino:

THAT Council direct staff to amend the Sign By-law to allow non-profit and charitable groups to use portable signs to advertise their special events;

AND FURTHER THAT Council direct staff to amend the User Fee By-law to exempt non-profit and charitable organizations from paying portable sign permit fees.

CARRIED

PRIORITIES 2008-04-16 (27TH)

(3)

CORRESPONDENCE FOR INFORMATION ONLY

Item C-13
Greater Sudbury
Development
Corporation Quarterly
Update

Report dated 2008-04-11 was received from the General Manager of Growth & Development regarding Greater Sudbury Development Corporation Quarterly Update for information only.

Item C-14
2006-2007 Drinking
Water Inspection
Report Summary

Report dated 2008-04-18 was received from the General Manager of Infrastructure Services regarding 2006-2007 Drinking Water Inspection Report Summary for information only.

Item C-15
Electronic Newborn
Registration Service

Report dated 2008-04-11 was received from the Executive Director, Administrative Services regarding Electronic Newborn Registration Service for information only.

Item C-16
Affordable Housing
Program Update

Report dated 2008-04-16 was received from the General Manager of Community Development regarding Affordable Housing Program Update for information only.

MINUTES

Item C-3
Report No. 27
Priorities Committee
2008-04-16

Councillor Rivest requested that Priorities Committee Item 4 (Sign By-law Review) be pulled and Recommendation 2008-18 be voted on separately.

2008-156 Cimino: THAT Council approve Option 2 that would allow all properties with street frontage as outlined in the Sign By-law to retain the maximum number of portable signs permitted by by-law without having to remove the portable signs for a three month period.

DEFEATED

2008-157 Berthiaume-Rivest: THAT Report No. 27, Priorities Committee Minutes of 2008-04-16 be adopted.

CARRIED

Adjournment

In accordance with the Procedural By-law, the meeting automatically adjourned at 11:00 p.m. as unanimous consent of all members present was not received to proceed past 11:00 p.m.

Mayor John Rodriguez

Angie Haché, City Clerk

INTEROFFICE MEMO

DATE: May 5, 2008
TO: B. Gutjahr, Manager of Compliance and Enforcement Services
FROM: A Haché, City Clerk
RE: **Sign By-law Review**

The following recommendation #2008-17 was passed by the Priorities Committee on April 16, 2008 and ratified by City Council on April 23, 2008:

THAT Council direct staff to amend the Sign By-law to allow non-profit and charitable groups to use portable signs to advertise their special events;

AND FURTHER THAT Council direct staff to amend the User Fee By-law to exempt non-profit and charitable organizations from paying portable sign permit fees.

The Committee noted that the existing by-law would therefore remain in effect, as amended.



A. Haché
City Clerk

/fb

cc: D. Nadorozny, General Manager of Growth & Development
R. Swiddle, City Solicitor
L. Hayes, Chief Financial Officer/Treasurer
E. Stankiewicz, Manager of Financial Planning & Policy
D. Dumontelle, Manager of Financial Support and Budgeting

APPENDIX A – Options for Granting Portable Sign Permits - pg 1 of 3

Municipality	Contact Person/Title/Phone #/email address	By-law #	Number of Signs?	Cost of Permit? Time Max/Min	Distance separation?	# of Sign Rental Companies	Any issues, changes you would make in the by-law or administration? Comments Good/bad practices
Sudbury	Tina Romanyszyn By-Law Officer	#2007-250	Table in by-law sets number of signs allowed per property and number of permits issued per year based on lot frontage	\$44.00 (2011) 3 months permit 3 months between permits	45 m from another sign, not restricted to same lot	3	-allow more permits yearly for smaller businesses to retain fair competition 3 month wait time not enforced –issue permits concurrently
Sault St Marie 705-759-2500	Don Maki d.maki@cityssm.on.ca Building Dept.	#2005-166	-no restrictions yet -working on implementing stricter guidelines and restrictions	\$10.00/30 days \$60.00/2 years	15 m between signs on same lot	4	The Sign Bylaw is out of control from lack of enforcement. One officer to enforce. The community has taken full advantage of the situation and there are signs everywhere. The city has hired a consultant firm to make assessment on the issue and advise the best way to proceed in resolving this issue. Looking to change the by-law and make many amendments to tighten up the laws.
Windsor 1-519-255-6267 [6166] 1-877-746-4311 (gen#)	Al Peach apeach@city.windsor.on.ca Building Dept. By-law officers	#250-2004 Sec. 7.10	Max of 45 consecutive days per permit Max 180 days per business 1 sign per lot 1 sign for every group of 4 occupants and max of 3 per lot Min 14 day between permits for the same business	\$2.00/day (1 st 10 days) then \$1.00/day for subsequent days Min. \$20.00 55.00 on average	25m between signs on the same lot	8+ Sign vendors must also be licensed	Would like to abolish portable signs

APPENDIX A – Options for Granting Portable Sign Permits – pg 2 of 3

Municipality	Contact Person/Title/Phone #/email address	By-law #	Number of Signs?	Cost of Permit? Time Max/Min	Distance separation?	# of Sign Rental Companies	Any issues, changes you would make in the by-law or administration? Comments Good/bad practices
City of North Bay		2006-143	Min 12m lot frontage for sign, additional sign if more than one business on lot, additional sign allowed for lot flankage	Yearly permits \$100	No distance separation		
Kawartha Lakes 705-324-9411		#2009-076	1 sign per business at any time	\$150.00/year For a shorter time, \$50.00 + \$20.00 for each month thereafter	No distance separation		
Whitby 1-905-668-5803	Scott/Ann (clerk) corbya@whitby.ca	#5656-05	1 sign if 6 businesses on property 2 signs if more than 6 businesses	\$100.00 /permit 15, 30, and 60 day permits Up to 60 days max per business per calendar year	60m between signs on same lot	5	Short form wording changed/ if in violation permit should be revoked ASAP permanently -implement land owners giving permission
Barrie 705-739-4241	A Doble (By-law Officer) adoble@barrie.ca Municipal Law Enforcement	#2005-093	1 sign if frontage is < than 125 m 1 additional if frontage is > than 125 m 1 additional sign if >20 businesses 1 additional sign if intersecting street frontage >15 m Max 3 signs per lot	\$50.00/30days \$100.00/90 days Up to 180 days per business per year -30 day waiting period Non-Profit \$25.00 (30 days)	15 m on the same or adjacent lot	3	Over all by-law works well as is, but being in the "snow belt" the removal of signs upon expiry of permit in the winter is almost impossible therefore some concessions are made (the advertisement is removed until the sign can come down)

APPENDIX A – Options for Granting Portable Sign Permits – Pg 3 of 3

Municipality	Contact Person/Title/Phone #/email address	By-law #	Number of Signs?	Cost of Permit? Time Max/Min	Distance separation?	# of Sign Rental Companies	Any issues, changes you would make in the by-law or administration? Comments Good/bad practices
Hamilton 905-546-2489	Scott Baldry Licensing Dept. 905-546-2424(1206)	#06-243	2 signs max per lot	\$65 -14 days \$100 -28 days No more than 6 permits per year per business (12 weeks max) 14 day waiting between permits	50 m apart on the same property		Currently seeking consult from public opinion in regards to sign by-laws
London 519-661-4500	Laura Dunkerly ldunkerl@london.ca Zoning Dept.	#S-3775-94 Part 6	1 for each 45m of street frontage max 3 signs per lot	\$225.00/year \$18.75/month [June-July]	Yearly permit	22	Increases in # of permits/property as per company requests in major centers
Ottawa 613-580-2424 [29270]	Marcel Robert Licensing	#2004-239	Max 4 permits per business yearly	\$90.00/max 30 days	23m between signs on the same lot		
Toronto 416-392-3128	Pat Thornback pthornba@toronto.ca Municipal Licensing & standards	Code Chapter 693 (693-19)	max 3 permits per business yearly	\$125.00/ max 30 days 30 day waiting period	23m between signs on the same lot	14	
Thunder Bay 807-625-3978	Bonnie Millard bmillard@thunderbay.ca Development Services Dept.	#315-1992	Permit time >1mths and <4mths total time <8mths per business – one sign for every 50m or part thereof of frontage	\$20.00/permit No wait time between permits	At least 5m distance between signs on same property	3	In process of reviewing to a new sign by-law...

meeting of the Policy Committee to allow time for the Committee to review the draft by-laws.

Motions

8 PRESENTED BY COUNCILLOR BELLI:

The following recommendation was presented by Councillor Belli:

2011-10 Belli-Kilgour: WHEREAS the City of Greater Sudbury's Sign By-law 2007-250 restricts the number of portable sign permits commercial properties are permitted based on their frontage;

WHEREAS properties with 76.2 metres (250 feet) of frontage are restricted to two, three month portable sign permits per year which only allows a business to have a portable sign for six months of the year;

WHEREAS properties find it difficult to manage the restricted number of permits, especially towards the end of the year during the Holiday season;

WHEREAS large properties with many businesses, but small frontages are particularly affected by this restriction;

WHEREAS businesses rely on portable signs as a cost effective method of advertising;

WHEREAS many municipalities in Ontario use distance as part of the criteria for granting portable sign permits;

THEREFORE BE IT RESOLVED THAT that Compliance and Enforcement Services review criteria for granting portable sign permits and present options to provide a fair, consistent advertising venue for business on all property sizes to the Policy Committee for their consideration at their April or May meeting.

CARRIED

9 PRESENTED BY COUNCILLOR KILGOUR:

The following recommendation was presented by Councillor Kilgour:

2011-11 Kilgour-Cimino: WHEREAS Cliffs Natural Resources has acquired chromite deposits in the "Ring of Fire" area of Northern Ontario for the purpose of mining chromite and producing ferrochrome for sale to steel makers in North America and around the world for an estimated 30-year period;

AND WHEREAS the base case location identified by Cliffs Natural Resources for the Ferrochrome Production Facility is located north of Capreol on privately-owned lands within the City of Greater Sudbury;

AND WHEREAS the proposed site has been identified by Cliffs Natural Resources as the most technically feasible site for its large size and relative remoteness, proximity and connection with the CN transcontinental rail line, and existing road and electric power corridors;

AND WHEREAS Cliffs Natural Resources estimates that 500 people will work at the site

Table from Sign By-law providing number of portable signs and permits allowed on certain properties –
(By-law 2007-250, 42.(1))

Length of Street Line	Max # of Signs Permitted at any given Time	Max # of Signs Permitted in a Calendar Year
76.2 m (250 ft) or less	1	2
76.3 m to 137.2 m (450 ft)	2	4
137.3 m to 183 m (600 ft)	3	6
183.1 m to 243.8 m (800 ft)	4	8
243.9 m to 304 m (1000 ft)	5	10
Over 304 m	6	12

Conversions

Distance Separation between signs - 45 m = @150 ft

Proposed Distance Separation between signs on lots 76.2 m (250 ft) or less - 30 m = @100 ft

Conclusion – Options for Granting Portable Sign Permits

This report provides three options for granting portable sign permits in response to a motion carried by Council on March 23, 2011. Option 3 – Flexible Business Based Permitting has been recommended as it upholds the three basic principles maintained by Council in their previous decisions on this matter, those being public safety, visual clutter, and temporary use. The recommended option also considers current practices, fairness of the ability for businesses to obtain portable signs, flexibility for businesses to manage their advertising needs, consistency in enforcement and administrative and financial effects on the municipality.

Option 3, Flexible Business Based Permitting, recommends the following amendments to the Sign by-law

- Increase the number of signs allowed on properties with street line 76.2 m (250 ft) or less from "1" to "2" (providing all sign by-law requirements are met);
- Amend the permit time from 3 months to 1, 2, or 3 months;
- Provide a 1 month wait time between permits issued to the same business;
- Remove the restriction of number of permits allowed to the property and restrict every business to a maximum of 6 months permit time per calendar year.

In addition to the preferred option, staff is also recommending that Council defer implementation of this option until the next calendar year; January 1, 2012. This will provide time for staff and businesses to adjust practices consult with stakeholders and align administrative requirements. It will provide a smooth transition to the new portable sign regulations, based on the calendar year and conclude this year with current practices.

Staff has taken this opportunity to review the cost of administering and enforcing the portable sign regulations and recommend an increase in portable sign permit fees, to \$75. This amount has been rationalized to better help recover the costs of permit review and issuance, and the required inspections to ensure compliance with the portable sign regulations.