

# 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

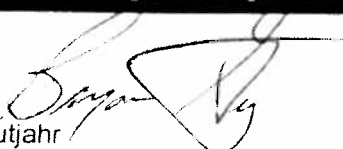
## Recommended by the Department

Doug Nadorozny  
General Manager of Growth & Development

## Recommended by the C.A.O.

Mark Mieto  
Chief Administrative Officer

**Report Prepared By**

  
Bryan Gutjahr  
Manager of Compliance and Enforcement Services

**Division Review**

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



# Schedule "A"

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

# Schedule "A"

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

## Schedule "B"

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

Schedule "B"

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