

Re: Item No. 15.1.3

HALIFAX

Proposed Amendments to Temporary Signs

By-law S-801
Regional Council
October 26, 2021

2021-10-26

Background

- By-law S-801 Respecting Temporary Signs came into effect April 17, 2015
- June 6, 2016 – the processing of Temporary Signs applications was transitioned from a permitting to a licensing process under the responsibility of the License Administrator. Following this transition, concerns from the sign industry about the new process were brought to the attention of Council.
- April 26, 2017 – Regional Council directed staff to undertake consultation with internal and external stakeholders to consider possible by-law and administrative amendments

Background

- May 24, 2017 – licensing staff held an external stakeholder’s engagement session with sign industry members to discuss options on how to move forward to reduce the “red tape” while striking a good balance between social, environmental and economic goals.
- June 12, 2017 – licensing staff held an internal stakeholder’s engagement meeting with the HRM business units involved in the licensing of Temporary Signs and reviewed industry’s concerns and options for moving forward

Background

- March 26, 2019 – Regional Council deferred the matter pending a supplemental report with additional consultation from stakeholders
- February 9, 2021 – Regional Council deferred pending supplementary report that addresses items b, c, d, and g
- October 26, 2021 – Seeking Council direction on all proposed amendments

Regulatory Modernization

The proposed amendments are intended to help achieve the following outcomes:

Business Outcomes for HRM:

- Decrease operational costs through streamlined processes
- Improve compliance levels and decrease enforcement intervention
- Improve customer service to better meet the needs of businesses and support economic growth
- Improve stakeholder confidence in Municipal service delivery

Customer Benefits:

- Faster processing times for permit and license applications and inquiries
- Decreased cost to business to comply with regulation
- Increase in customer service satisfaction
- Improved business confidence in Municipal service delivery
- Improved business confidence in economic development opportunity

Temporary Signs to be permitted in the right-of-way

- ***Original proposed amendment:***
 - setback of 4.0m from the face of the curb or,
 - 6.5m from the edge of the asphalt (where there is no curb),
 - 1.5m from the back of the sidewalk or the edge of the ditch; whichever is greater
- ***Regional Council requested amendment:***
 - setback of 4.5m from the face of the curb or,
 - 6.5m from the edge of the asphalt (where there is no curb),
 - 0.3m from the back of the sidewalk or the edge of the ditch

Temporary Signs to be permitted in the right-of-way

- ***Updated amendment:***
 - setback of 4.0m from the face of the curb or,
 - 6.5m from the edge of the asphalt (where there is no curb),
 - 1.5m from the back of the sidewalk or the edge of the ditch; whichever is greater
 - If the applicant wishes to place a sign at a location that does not conform with the minimum setbacks, an individual application will be required and will be reviewed by staff. The original amendment did not allow for this.

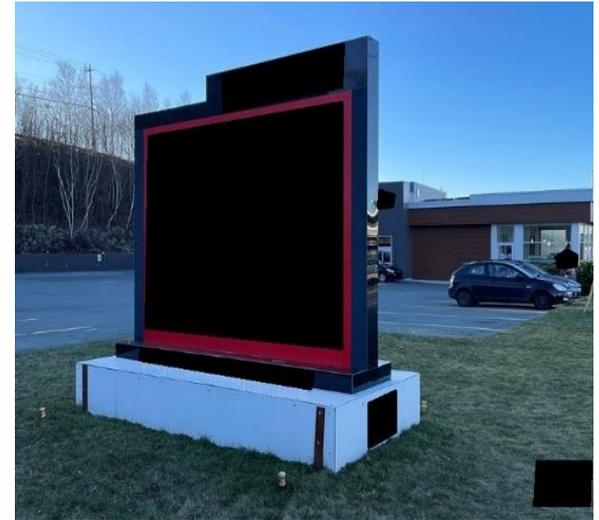
Box Signs

- ***Original amendment:***

Remove Box Signs from the Temporary Sign By-law

- ***Regional Council requested amendment:***

Keep Box Signs in the Temporary Sign By-law



Box Signs

- ***Updated amendment: None***

Remove Box Signs from the Temporary Sign By-law

- If approved, businesses that still want to use Box Signs must apply for a permanent sign permit. These signs will then fall under a Land Use By-law.
- Cost for a permanent sign: \$200.00 (one time application)
- Many Land Use By-laws do not restrict the number of ground signs permitted, this gives business owners options as to what and how many signs they would like.

Mobile Signs and Inflatables

- ***Original amendment:***
 - License period of 90 days with a 30-day downtime
- ***Regional Council requested amendment:***
 - No downtime required due to the negative impact on businesses that operate for most of year (i.e. Garden Centre open for 9 months)



Mobile Signs and Inflatables

- ***Updated amendment:***
 - A license period of 90 consecutive days and not more than three 90-day periods during a calendar year
 - This will allow seasonal businesses to operate for most of the year

Municipal Property (including parks)

- ***Original amendment:***
 - Allow businesses that lease permanent and temporary space on/in municipal property to advertise with temporary signs for a period not exceeding 10 days from June – September and 14 days the other months. Written permission from facility general manager required.
- ***Regional Council requested amendment:***
 - Leave 10 days for Park land but treat HRM properties such as arenas or recreation centres and allow long license periods

Municipal Property (including parks)

- ***Updated amendment:***
 - Park land: license period not exceeding 10 days from June – September and 14 days the other months
 - Municipal properties: license period not exceeding 21 days. Written permission from facility general manager required.
- This will allow businesses that lease temporary or permanent space on/in an HRM property to advertise their business. This is not currently permitted.

All Proposed Amendments (Attachment A)

- a) **Annual business license** for sign companies. Individual applications no longer required.
- b) **General setback requirement** of 4.0m from the face of the curb or 6.5m from the edge of the asphalt and 1.5m from the back of the sidewalk or the edge of the curb whichever is greater. **Individual** application required for review by staff.
- c) **Remove Box Signs** from Temporary Sign By-law.

All Proposed Amendments (Attachment A)

- d) **Mobile Sign** or **Inflatable** license period of 90 consecutive days and not more than three 90-day periods during a calendar year.
- e) Limit **one Variable Messaging Sign** to one per property and may be illuminated when business is closed.
- f) **Free Standing Signs** will not require a license but will be restricted to a maximum of 5 per property. More than 5 signs require an individual application with staff review.

All Proposed Amendments (Attachment A)

- g) **Parkland** license period not exceeding 10 days from June – September and 14 days the other months. **Municipal properties** license period not exceeding 21 days. Written permission from facility general manager required.
- h) **Waiving** of Temporary Sign **fees** for schools and churches.
- i) **Short Term** Events signs will be allowed for up to 10 days.
- j) Addition of provision that allows **new types of temporary signs** that do not fit into the by-law currently to be considered.

All Proposed Amendments (Attachment A)

- k) **Light Standard** or Pole Signs shall not exceed 3.90m (42 square feet) and will remain unlicensed.
- l) Mobile Sign exception for **Bedford** to apply to the Bedford Highway only. The current legislation applies to the commercial and industrial zones within the boundaries of the Bedford Municipality Planning Strategy. A map outlining the boundary will be provided.
- m) A sign License for a **Multiple Resident Sign** may be issued for a period of 60 days; the sign shall be removed after expiry or cancellation for a period of at least 30 days.

All Proposed Amendments (Attachment A)

- n) A license for a **Banner** may be issued provided that such sign shall not be placed for a period exceeding 90 consecutive calendar days. No more than one license will be issued within a 30-day period. Such sign shall not exceed a maximum of ten percent coverage of the building.

Conclusion

The Temporary Sign By-law, by its very name, applies to signs that are erected on a **temporary basis**. The By-law's purpose is to provide for and regulate, the location of temporary signs to ensure signs are compatible with surrounding land uses, are well maintained, numbers are limited and express the identity of the individual business or event. The By-law accomplishes a balance between advertising needs, the freedom of expression, and the necessity of regulation.

Recommendation for Council

It is recommended that Halifax Regional Council direct the Chief Administrative Officer to draft amendments to By-law S-801, *Respecting Licensing of Temporary Signs* and Administrative Order 15, *License, Permits and Processing Fees*, as set out in the “Updated Amendments – September 1, 2021 Report” column of Attachment A of this report.