



## **Staff Report for Council Meeting**

**Date of Meeting:** July 9, 2019

**Report Number:** SRCS.19.18

**Department:** Community Services

**Division:** By-law & Licensing Enforcement

**Subject:** **SRCS.19.18 Sign By-law Amendment to Permit Real Estate Open House Signs**

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### **Purpose:**

To respond to the Council direction to produce a report outlining a proposed amendment to the Sign By-law No. 52-09 to permit real estate open house signs.

### **Recommendations:**

- a) That Staff Report SRCS.19.18 be received.
- b) That, should Council wish to amend Sign By-law No. 52-09 as per the Member Motion dated May 28, 2019, then the draft By-law 97-19 attached as Attachment 1 to Staff Report SRCS.19.18, be enacted.

### **Contact Person:**

Tracey Steele, Director of By-law and Licensing Enforcement, Extension 2476

Chris Goode, By-law Policy Officer, Extension 2416

### **Report Approval:**

**Submitted by:** Ilmar Simanovskis, Commissioner of Community Services

**Approved by:** Neil Garbe, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner and City Manager. Details of the reports approval are attached.

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### **Background:**

The Richmond Hill Sign By-law No. 52-09 was first enacted in 2009, and has since been subject to several site specific amendments, and two general amendments affecting mobile sign and election sign regulations. The Sign By-law does not currently have specific regulations regarding real estate open house signs; these signs are addressed through a broad prohibition against signage located on public property. One (1) real estate “For Sale” sign is permitted on any property that is on the market, and this has been interpreted to include allowance for an open house insert affixed to the “For Sale” sign.

The Real Estate and Business Brokers Act, 2002 and the associated Ontario Regulation 580/05 (Code of Ethics) requires realtors and brokers to display the name of the brokerage, and the name of the sales agent on all advertisements displayed by them or on their behalf.

At its meeting of May 28, 2019, Council approved a member motion (Attachment 2 to SRCS.19.18) which resolved that “staff utilize Vaughan’s Real Estate Open House Sign permissions for the formulation of changes to Richmond Hill’s permissions for this type of sign with the change to the Vaughan Model to allow for a maximum of 5 signs, and a requirement that the date and time of the Open House be clearly outlined on the sign.” Additionally, Council further directed that “staff produce a report outlining a proposed amendment to Richmond Hill’s Sign By-law and that these changes be brought back to Council for consideration before summer recess.”

In 2018 the By-law and Licensing Enforcement Division received approximately 25 complaints involving real estate open house signs. In 2018 and 2019 the investigations resulting from these complaints found approximately 100 different agents and brokers with open house signs erected on public property in contravention of the Sign By-law. Staff have record of 5 real estate agents expressing their concerns with the current prohibition around open house signs.

### **Proposed Sign By-law Amendment**

Attachment 1 to this report is a proposed Sign By-law amendment that allows a maximum of 5 signs per open house, requires the signs to include the date and time of the open house, and is based on the Vaughan model (including Vaughan’s size and locational siting restrictions). The proposed amendment also includes the following features, which are being recommended by staff based on benchmarking with other municipal by-laws and a discussion with City of Vaughan staff regarding enforcement of their by-law requirements:

1. A permissive enforcement clause allowing for a By-law Enforcement Officer to remove all signs associated with the same open house, if more than five (5) signs are displayed.
2. A slight adjustment to the timeframe for display of signs to allow them to be erected 24 hours prior to the open house, and for 2 hours after the completion of

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the open house (Vaughan's by-law utilizes a maximum of 72 hours for the display of real estate open house signs, but this is more difficult to enforce).

3. Additional restrictions on the siting of the signs prohibiting their placement on center medians, boulevards, traffic islands, or in a manner that creates a safety concern.

### **Financial/Staffing/Other Implications:**

There are no financial or staffing implications associated with this report.

### **Relationship to the Strategic Plan:**

Allowing a controlled number of signs is consistent with the Strategic Plan goal of "Better Choice in Richmond Hill" and the associated strategy to "Better understand and support the requirements of businesses". As well, ensuring that real estate open house signs are maintained to a consistent and acceptable community standard is consistent with the Strategic Plan goal of "A More Vibrant Richmond Hill," and the associated strategy of "creating a sense of identity and place through maintaining a clean and safe community through education, community involvement and enforcement."

### **Conclusion:**

The Richmond Hill Sign By-law No. 52-09 regulates real estate open house signs through a broad prohibition of signs on public property. On May 28, 2019 Council passed a member motion instructing staff to utilize the City of Vaughan's model for regulating real estate open house signs, and to report back before summer recess with a proposed amendment.

A proposed amendment consistent with the Council direction is attached to this report as Attachment 1.

### **Attachments:**

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format, please call contact person listed in this document.

- Attachment 1 – By-law 97-19, being a By-law to amend By-law No. 52-09 of the Corporation of the City of Richmond Hill being a by-law for the regulation of signs and other advertising devices, as amended.
- Attachment 2 - Member Motion May 28, 2019

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### Report Approval Details

Document Title:	SRCS.19.18 Real Estate Open House Signs .docx
Attachments:	- By-law 97-19 Sign By-law Amendment.docx - Council Motion May 28, 2019.pdf
Final Approval Date:	Jul 3, 2019

This report and all of its attachments were approved and signed as outlined below:

**Tracey Steele - Jul 3, 2019 - 11:46 AM**

**Ilmar Simanovskis - Jul 3, 2019 - 12:08 PM**

**Neil Garbe - Jul 3, 2019 - 2:06 PM**