



Staff Report for Committee of the Whole Meeting

Date of Meeting: June 7, 2023

Report Number: SRCS.23.14

Department: Community Services

Division: Community Standards

Subject: **SRCS.23.14 Sign By-law Amendments for Digital Displays, Highway and Election Signs**

Purpose:

To amend the Sign By-law No. 52-09, as amended (Municipal Code Chapter 740).

Recommendation(s):

- a) That Staff Report SRCS.23.14 regarding amendments to the Sign By-law be received.
- b) That By-law No. 62-23 (Attachment 1 to staff report SRCS.23.14) be enacted to amend the Sign By-law No. 52-09, Municipal Code Chapter 740 regarding the regulation of Highway and Digital Display Signs within the City of Richmond Hill.
- c) That By-law No. 63-23 (Attachment 2 to staff report SRCS.23.14) be enacted to amend the Sign By-law No. 52-09, Municipal Code Chapter 740 regarding the regulation of Election Signs within the City of Richmond Hill.

Contact Person:

Dolly Anand, Manager Policy and Licensing, extension 6572

Report Approval:

Submitted by: Tracey Steele, Commissioner of Community Services

Approved by: Darlene Joslin, 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:

Signs are an important part of any City's infrastructure as they promote communication, market and brand local businesses, services and events, and provide directions. The Sign By-law strives to provide a balance between these interests of businesses with the City's objectives to manage the visual clutter, preserve the character and streetscape of the City, and ensure safety of the public.

The City enacted the current Sign By-law in 2009. The existing By-law sets standards for sign attributes and placement within the City depending on zoning and the type of sign. The Sign By-law controls many aspects of signs including type (such as mobile or permanent sign), size, location, and the number of signs allowed. The current Sign By-law has been amended several times, including to adjust regulations for Real Estate Open House Signs and Community Special Event Signs.

The Sign By-law is a complex by-law, requiring significant considerations to improve and modernize. Digital Displays, which include signs with modern technology and lighting, are commonly requested during the sign permitting process. However, the current by-law only contains provisions for an older technology known as Read-o-Grams. In addition, during and directly following recent past elections, many complaints were received regarding Election Signs including clutter and non-compliant signs. Further, an application was received for a large-scale highway sign that will be facing Highway 404. However, the Sign By-law does not currently contain provisions for considering these signs. For these and other reasons, SRCS.23.13 (approved by Council on May 10, 23) indicated that a comprehensive review of the Sign By-law would be undertaken, with the first phase of the review initiated in 2023 to address Digital Displays, Election Signs and Highway Signs, and the future phases scheduled for 2024.

Discussion

Review of Digital Signs, Election Signs and Highway Signs was initiated in December 2022 and involved:

- A detailed review of in-force by-laws in select Greater Toronto Area (GTA) municipalities and best practice research
- An online public consultation survey to obtain feedback from Richmond Hill residents related to these types of signs
- Consultation with Council members and staff across various City Divisions to identify issues and potential improvements to the by-law, and
- Consultation with stakeholders including the Ontario Ministry of Transportation (MTO) to further understand regulations and processes related with Highway Signs.

The survey received 129 responses, over 87% of the respondents indicated they were Richmond Hill residents and they were almost equally distributed across all wards. Some of the specific feedback gathered through the survey is highlighted below.

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Proposed Digital Display Amendments

Under the current Sign By-law all electronic signs are classified as a “Read-o-Gram”. Through permit applications, as well as municipal benchmarking, staff have identified that Read-o-Gram is an antiquated term. Most municipalities have updated their by-laws to define “Digital Displays” including newer technology such as electronic screens, projection, television, computer video monitors, liquid crystal displays (LCD), or light emitting diode (LED). The consultation survey indicated that residents are generally not supportive of signs containing LED or digital screens based on perceptions that they may create distractions and light pollution. However, other comments indicated that many residents would support this new technology in specific areas.

The proposed Sign By-law amendment (Attachment 1) will replace the term “Read-o-Gram” with the term “Digital Display” and define it to include any sign that displays information on an electronic screen, static, or not. The regulations for Digital Displays will remain consistent with those that have traditionally been used for Read-O-Grams, with the exception of increasing the permitted size from 25% to 50% of the total sign area. This increase is consistent with 7 of 8 municipalities that were benchmarked.

Proposed Election Sign Amendments

The top four issues with elections signs as indicated by the community consultation survey are:

1. Clutter caused by signs during or after an election (76%)
2. The number of election signs by one candidate (55%)
3. Visibility and safety restrictions caused by signs (52%)
4. Placement of signs on public boulevards (41%)

Further, over 65% of survey respondents indicated that election signs should be placed only on front lawns of private property with the owner consent, or at campaign offices.

The proposed by-law amendment (Attachment 2) includes the following amendments:

- Location and Type
Election signs are required to be:
 - A portable sign
 - Only located on private property with owner permission (erection of signs on City property including parks and boulevards is not permitted)
 - Be no larger than 0.36 metres squared in sign area, and
 - Not exceed one sign per candidate per property

The proposed amendment would continue to allow candidates to erect a wall or ground sign at their campaign office, provided a sign permit is obtained from the City prior to its erection.

- Election Sign Permit

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Under the current Sign By-law policies, election candidates are required to pay a non-refundable election sign fee, after which candidates may erect election signage. The City's new technology for processing this fee refers to this as an election sign permit application so it is proposed that the by-law be amended to adopt this terminology, and remove this sign type from Table A (Signs Not Requiring a Permit).

- **Criminal Offences**
It is recommended to remove offences for mischief and removing or damaging elections signs as these types of criminal offences are handled by York Regional Police.
- **Municipal vs Provincial and Federal Elections**
It is recommended to add a conflict clause which explicitly draws attention to the fact that Provincial, or Federal legislation may take precedence of the City's Sign By-law in regulation of provincial and federal election signs.

Proposed Highway and Billboard Sign Amendments

The MTO regulates signs located within 400 metres of any 400-series highway and issues permits for such signs in accordance with the *Public Transportation and Highway Improvement Act* and the provincial *Highway Corridor Management Manual (HCMM)*. The City's current by-law does not have provisions to permit highway signs and specifically prohibits all sign types not explicitly allowed. The majority of municipalities consulted (including Toronto, Mississauga, Oshawa Ajax, Brampton, London, Vaughan and Markham) permit highways signs under allowances for Billboard Signs (larger signs that advertise businesses, services or products not sold directly at the location of the sign) and additionally require applicants to obtain MTO approval if these signs are within 400 metres of a major highway.

70% of survey respondents were either unsure or did not believe that Highway Signs along the 404 should be allowed, indicating that the biggest concerns were the distraction on roadways and clutter. Over 55% of respondents were either unsure or did not believe that billboard signs that advertise or provide information of products or services not located directly on the premise should be allowed.

Considering the community feedback, it is not recommended that billboard signs be permitted to the by-law at this time. It is recommended that the Sign By-law be amended to recognize that highway signs are regulated by the province and add a slightly more restrictive framework than currently set out by MTO including:

- Defining "Highway Sign" and creating a sign type to be a sign that is within 400 metres of a 400 series highway, and is greater than 3 square metres
- Permitting Highway Signs in the form of a Wall Sign to be up to 20% of the wall, on which it is displayed, and cannot extend past the out limits of the wall
- Limiting Highway Signs in the form of Ground Signs to be:

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- 46 meters squared in sign area
- 9 metres in sign height
- 3 metres from a provincial lot line, and
- The greater of 1.5 metres or 75% of the sign height from any other lot line.

It is proposed that Highway Signs can be internally or externally lit and contain Digital Display components in conformity with already established regulations within the Sign By-law, provided there is no residentially-zoned property between the sign and the highway.

Financial/Staffing/Other Implications:

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

Relationship to Council's Strategic Priorities 2020-2022:

Regulation of signs is consistent with the Strategic Priorities of Strong Sense of Belonging, as it helps to create awareness and brand recognition for businesses within the Community, as well as Balancing Growth and Green by controlling visual clutter to preserve the character and streetscape. Finally, the regulation of signs guides the design and placement of signs to increase awareness of business locations, facilitate easier navigation, and minimize interference with traffic contributing to the Balancing of Growth and Green.

Climate Change Considerations:

Climate change consideration are not applicable to this staff report.

Conclusion:

The Sign By-law strives to provide a balance between the City's objectives and the advertising interests of businesses by managing the visual clutter, preserving the character and streetscape of the City, and ensuring the health and safety of the public.

Staff have started a comprehensive review of the Sign By-law, which will take a phased approach. Phase one addresses Digital Displays, Election Signs and Highway Signs.

The recommended by-law amendments contain modern definitions for existing and new sign types, new and updated regulations for sign types as well as permit requirements, which are consistent with Provincial sign guidelines.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

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- Attachment 1 – By-law No. 62-23 to amend the Sign By-law No. 52-09 (Municipal Code Chapter 740) with respect to Highway Signs, and Digital Displays
- Attachment 2 – By-law No. 63-23 to amend the Sign By-law No. 52-09 (Municipal Code Chapter 740) with respect to Election Signs

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Report Approval Details

Document Title:	SRCS.23.14 - Sign By-law Amendment Digital, Highway and Election Signs.docx
Attachments:	- By-law No. 62-23 - Digital and Highway Sign Amendment.docx - By-law No. 63-23 - Election Sign Amendment.docx - By-law No. 63-23 - Amendment Election Sign 1.docx
Final Approval Date:	May 30, 2023

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

Dolly Anand - May 30, 2023 - 1:35 PM

Tracey Steele - May 30, 2023 - 3:26 PM

Darlene Joslin - May 30, 2023 - 5:01 PM