

To: Planning Advisory Committee
From: Andrew Fisher, Manager of Planning & Strategic Initiatives
Date: April 4, 2019
Subject: **Off Lot signage in the Core Area**

INTRODUCTION:

At its March meeting, Council considered a request from Birkinshaw's Tea Room for an exemption to the sign regulations that would allow the placement of an off-lot sign. Under section 6.14 (h) of the Land Use Bylaw (LUB) noted below, staff are not able to issue a Development Permit for an off-lot sign in the Core Area, and there is no mechanism to give exemptions under the LUB. As a result, the following motion was passed:

That Council direct the Planning Advisory Committee to review the Land Use Bylaw and propose amendments to permit non-electronic off-site signage in the downtown core, and further that the PAC do this in the most expedient manner possible.

BACKGROUND:

Attached for reference is a map showing the Core Area District as a yellow line within the Downtown Commercial Zone. Also attached is an excerpt of the LUB pertaining to signs.

On June 24, 2013, Council amended the LUB to adopt a suite of amendments that established a Core Area District within the Downtown Commercial Zone. These amendments included building design requirements to protect and enhance the traditional downtown built form and aesthetic. The signage requirements included in these amendments were intended to promote more traditional signage that was not internally lit.

On December 22, 2014, Council amended the LUB to remove the restriction that off-lot signage be restricted to businesses and uses located within 5 km of town limits. The amendment was the result of a request by a property owner that wanted to operate an electronic billboard at the corner of South Albion Street and Robert Angus Drive. The amendment allowed off-lot signage on any non-residential property but counted towards the maximum number of signs permitted.

On April 18, 2018, at the request of a property owner, Council amended the LUB to allow electronic signs in the Core Area that also included a prohibition on off-lot signage within the Core. LUB section 6.14 (h) states:

h) Signs that display a business, product, or use not located on the property or premises where the sign is located are not permitted;

The general intention of the above provision was to limit the ability within the Core Area to sell advertising space to off-lot businesses, which could potentially create an excessive amount of signage. It is important to note that the off-lot prohibition does not apply to areas outside the Core Area. Subsequent to the April 2018 amendment, Staff enforced this regulation by requiring an off-lot sign be moved from a property on the edge of the Core Area to an adjacent property just outside the Core. Over the course of the last year, Staff have advised other individuals and businesses that off-lot signage in the Core Area is not permitted.

PUBLIC PARTICIPATION OPPORTUNITY:

On May 1st, staff held an advertised PPO attended by three members of the public and the Mayor, a Councillor, and two PAC members. The attached meeting summary illustrates the subjective nature of signage with respect to how it should be regulated. The proponent wants an

off-lot sign to help customers find his business. One of the attendees felt directional signage is important, but promoted the concept of sign standardization that fits with the town's built heritage. The third attendee that owns an electronic sign felt that the restriction on off-lot signage should be removed for all sign types, electric or otherwise.

RELEVANT POLICY:

Any amendment to the LUB must be in keeping with the intent of Municipal Planning Strategy (MPS) policies. There are no policies specific to off-site signage, but in relation to this issue the following policies have some relevance. An amendment to the sign regulations would not be contrary to any of these policies.

<i>Downtown Commercial Zone</i>	<p>CP-3 It shall be the intention of Council to include in the Land Use Bylaw a Downtown zone. This zone shall be applied to the downtown commercial core and permit a range of commercial uses appropriate to the unique character of the area. The Downtown Zone shall include an overlay Core Area District where a development permit shall be required for new developments, and exterior renovations that alter the architectural features of a building. Issuance of a development permit shall be contingent on compliance with both the Downtown Zone and Core Area District requirements.</p> <p>It shall further be the intention of Council to include in the Land Use Bylaw provisions to regulate: signage, setbacks, building height, bulk, architectural features, building materials, and parking within the Downtown zone and Core Area District.</p>
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<i>Amendment Criteria</i>	<p>A-5 It shall be the intention of Council, when considering an amendment to this or any other planning document, including the entering into or amendment of a development agreement, to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:</p> <p>(a) That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.</p> <p>(c) That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:</p> <p>(i) type of use;</p> <p>(ii) height, bulk and lot coverage of any proposed building;</p> <p>(iii) parking, traffic generation, access to and egress from the site;</p> <p>(iv) any other matter of planning concern outlined in this strategy.</p>
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DISCUSSION:

With respect to the challenges this particular business may have, these are challenges common to any business looking to drive more customers to their location. Within existing regulations, there are other signage options that might address this challenge. Sandwich Board signs are permitted without needing a permit. Also, a projecting wall sign could be placed on the corner of the subject building that directs customers to the location, as well as, other businesses located within the building. These alternatives could arguably be just as, if not more, effective as an off-lot sign.

The restriction on off-lot signage was recommended by the PAC and adopted by Council in 2018 with the intention to restrict the sale of sign space within the Core Area. Given the low cost of non-electric signage relative to electronic signs, the potential for excessive non-electric off-lots signs is significant regardless of electrification.

OPTIONS:

The Council motion directs the PAC to provide a recommendation on an LUB amendment that would allow non-electric off-lot signage in the Core Area. Below are three possible options provided for consideration; however, it should be noted that there are many ways to vary each option.

Option 1: Recommend that off-lot signage of all types be permitted by removing 6.14 (h):

- h) ~~Signs that display a business, product, or use not located on the property or premises where the sign is located are not permitted;~~

Staff note: This option removes the off-site restriction put in place in 2018.

Option 2: Recommend that **non-electric off-site signage in the Downtown Core be permitted** by removing LUB section 6.14 (h) as follows:

- h) ~~Signs that display a business, product, or use not located on the property or premises where the sign is located are not permitted;~~

and add the following subsection 6.14 i) ix:

- i (xi) Electronic signs that display a business, product, or use not located on the property or premises where the sign is located are not permitted;

Staff note: This option only restricts electronic off-site signs, and would allow the proponent's sign.

Option 3: Recommend that **non-electronic off-site signage in the Downtown Core be permitted, subject to a maximum permitted size** by amending 6.14 (h) as follows:

- h) Non-Electronic signs that display a business, product, or use not located on the property or premises where the sign is located shall not exceed **1.5m² (16 sqft)** in sign area;

*Staff note: This option allows off-lot signs, but **not** the 24 sqft sign put forward by the proponent.*

Option 4: Recommend that Council not amend the Land Use Bylaw to allow non-electric off-site signage in the Downtown Core Area District.

Staff recommend **Option 4**.