
To:	Michael Benner
From:	Jim Dyment
Date:	May 31, 2016
File:	o8171H
Subject:	Sign By-law

I prepared this memo to follow up from the Open House session held on May 30, 2016 regarding the proposed Sign By-law. The Open House was held from 4:00 p.m. to 6:00 p.m. Following the Open House I made a brief presentation to Council identifying the issues that had been raised during the Open House session. In that presentation I recommended that these issues be reviewed with the Sign By-law Review Committee prior to preparing revisions to the by-law and forwarding the revisions to Committee of the Whole and then subsequently to Council.

The following are the issues I identified to Council.

1. **Number of signs per building frontage** – At the present time the draft by-law permits one sign per building frontage, however there are a number of buildings with the Town that have more than one tenant. It would seem reasonable to allow one sign per business within a building on each building frontage provided that the other regulations related to fascia sign (90% of the building front etc.) continue to apply.
2. **Pylon Signs** – There is request for additional regulations on pylon signs. The decision by Council to restrict Pylon Signs to 3.5 metres in height and otherwise, restrict them to a certain extent nullifies further regulations. However, I have proposed the following additional regulations that mirror the Town of Meaford by-law with respect to Pylon Signs.
3. **Billboard Signs - Prohibition** – A representative of Pattison Signs indicated that it was not legal to prohibit billboard signs in The Town of the Blue Mountains under the provision of the Planning Act. My understanding of the provisions of the Municipal Act are that signs in themselves cannot be prohibited however, the municipality may regulate the size and type of sign. With that understanding, I believe it is fully reasonable for the municipality to prohibit

new Billboard Signs within the Town. There is nothing to prohibit the change of copy of existing billboard signs. This is a matter that I discussed with representative of the Royal Harbour Resort. I believe we could improve the By-law by indicating that a permit is not required to change the copy of a billboard sign. This would enable the existing signs to remain and be economically viable however, new signs of that nature would not be permitted. Persons wishing to advertise could utilize other forms of signs that are permitted by the By-law.

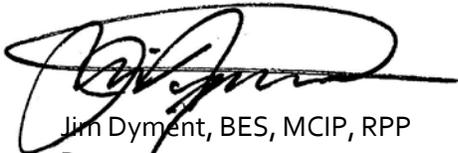
4. **Special Event Signs** – It is noted that the draft by-law permits special event signs for non-profit organizations only. There are other events such as cycling events, tourism events etc. which are operating for profit and use special event signs. It is therefore recommended that the non-profit portion of those regulations be deleted.
5. **Portable Signs** – the current regulations indicate that a portable sign cannot be in place for more than 21 days. During the open house it was noted that removing the sign for one day could initiate another 21 day period. It is suggested that section of the by-law be amended to say that portable signs cannot exist for more than 21 days in any calendar month. The intent of this section is to ensure that the portable signs do not become permanent. This new regulation would ensure they are still moveable and portable.
6. **Blue Mountain Resorts and other complexes needing multiple signs** – Representative of Blue Mountain Resorts indicated they are encumbered by the existing Sign By-law and that they require a greater degree of flexibility with respect to signs for various events and activities that occur on the property. I have suggested that we incorporate a provision in the by-law that allows a corporation to develop a sign strategy that would be approved by permit by the Sign By-law Review Committee. The sign strategy would provide some flexibility on the copy and type of signs used but primarily identify the number and location of signs that could be used. This would reduce the amount of work required by the Committee and allow for long term flexibility by the business owner.
7. **Backlit Signs** – There were persons in attendance at the open house that all backlit signs should be prohibited. At the present time the Sign By-law permits backlit signs for industrial and institutional uses. During the presentation to Council, the Mayor suggested that backlit signs could be restricted by the amount of illumination for the backlit sign. I believe the Committee needs to consider this information and provide some direction. With direction we could obtain information from a lighting engineer regarding the amount of illumination which would prevent light trespass.
8. **Non-conforming and non-complying signs** – As indicated during my presentation the By-law deals with signs that are non-conforming which means the signs are not permitted but does not address non complying signs, being signs that do not meet the regulatory requirements of the by-law. This is a matter that should be reviewed as part of the by-law to ensure that the terms are used correctly as they should be done in zoning.

9. **Orders to Repair or Remove Signs** – There was one comment at the workshop and at Council indicating that the municipality should not assume the liability of removing signs on properties that are dangerous to the public if they do not affect public lands. The municipality needs to consider this in light of the property maintenance standards. I believe the wording of the by-law reads that the municipality may remove signs if they are a danger to the public. If there is no possibility of a sign falling down and injuring members of the public on public lands, I cannot see that the municipality would enforce this portion of the by-law. I believe the current wording is satisfactory. I will also note that some of the language related to the repair of signs is seriously dated and needs to be revised.

Following review and direction on these matters by the Sign By-law Review Committee, I will make the amendments to by-law and prepare a memo similar to this that can be attached to a staff report for Committee of The Whole and Council.

If you have any questions with respect to these items, please do not hesitate to contact me.

Yours truly,
MHBC



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Partner