



## CITY OF ST. ALBERT ADMINISTRATIVE BACKGROUNDER

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### **TITLE: LAND USE BYLAW SCHEDULE C – LAWN SIGNS**

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On July 17, 2017 Councillor MacKay provided notice in accordance with Section 23 of Procedure Bylaw 22/2016 that he intended to bring forward the proposed motion below.

*In order for Council to debate the motion, the motion must be formally moved.*

#### **PROPOSED MOTION(S):**

I move that we remove the potential Schedule C relating to the 30 consecutive days for lawn sign to be displayed. For the lawn sign issue.

#### **BACKGROUND:**

Administration's understanding of the notice of motion is, that while there is a desire to create provisions for lawn signs allowing residents the freedom for expression within residential districts, there is a concern over the potential for a proliferation of lawn signs, as well as enforcement challenges.

#### History

Land Use Bylaw 9/2005 - Schedule C is currently under review and addresses signage within the City. Amendments to Schedule C, for the addition of 'Lawn Signs', were directed by a motion (CM-16-037) for Council consideration. Accordingly, provisions for lawn signs were drafted by Administration for Council review at an upcoming Council Meeting, scheduled for August 21, 2017.

A draft copy of the Schedule C amendments was provided to the Standing Committee of the Whole (SCOW) on June 19<sup>th</sup>, 2017 for information and comment. Verbal and written comments on the draft were received at that time.

In addition, a meeting to further discuss lawn signs occurred between Councillor MacKay and Development Branch staff on July 17<sup>th</sup>, 2017.

#### Amendment(s)

Lawn signs are addressed under Section C.6(16) of the draft Schedule C document. As drafted, the lawn sign regulations read as follows:

- (a) *A lawn sign is a permitted use in a R1, R2 or R3 district and no development permit is required.*
- (b) *A lawn sign must:*
  - (i) *be a self-supported sign;*
  - (ii) *not exceed 0.3 sq. m in sign area;*
  - (iii) *not exceed 1 m in sign height;*
  - (iv) *on an interior lot, be located in the front yard; and*
  - (v) *on a corner lot, be located in the front yard or the side yard adjacent to a public roadway.*
- (c) *No more than 1 lawn sign is allowed per dwelling unit.*
- (d) *Lawn signs may be displayed for a maximum of 30 consecutive days. Following the expiration of the display period, the dwelling unit shall not display another sign for a minimum of 30 consecutive days. Lawn signs may be displayed to a maximum of 180 days in a calendar year.*

#### Rationale

The current draft Schedule C Subsection C.6(16)(d) identifies a display timeframe for lawn signs. Administration's rationale behind this requirement was to set parameters by which, without the requirement of a Development Permit, there was an identified, permissible time-period for lawn sign display.

The proposed time frame would assist Administration in the management of enforcement issues. The provision ensures that signage is not located on a property for an indeterminant time-period and, that the sign does not fall into a state of disrepair from prolonged exposure to the elements.

This provision further aims to mitigate the potential for prolonged visual clutter within a residential district, where signage is not traditionally found. Lastly, the limitation on the display time could mitigate the potential for neighbour disputes regarding this sign type.

#### Pros and Cons

Should Council choose to amend the draft Schedule C subsection of C.6(16)(d) and remove the timeframe for the display of lawn signs in residential districts, then the following positives and negatives of this action should be considered.

Viewed from the perspective of a resident, a benefit to the removal of the proposed timeframe is that a lawn sign would be an open opportunity for personal expression. A lawn sign could be displayed for a period of time of the choosing of a resident, no matter how short or indefinite that may be. When viewed from the perspective of City staff, a perceived benefit to the removal of the timeframe provision, is that no

enforcement by Administration would be required to address the length of time that a lawn sign is displayed.

That said, the potential impact of not having subsection C.6(16)(d) in Schedule C is that signs may be located within a residential district for an indefinite length of time. This could result in lawn signs falling into a state of disrepair - being illegible, tipped over, or broken due to prolonged weather exposure. In addition, by not having an identified on/off timeframe for a lawn sign, no reprieve is provided to residents who may not necessarily support lawn signs in their neighbourhood. Lastly, having a timeframe identified for the display of a lawn sign provides Administration with a clear regulation, so that should a lawn sign be displayed for longer than the identified period, enforcement of the sign may be pursued.

### Alternatives and Options

While Administration cautions against the introduction of the lawn sign type into the Schedule C document; based on the understanding of the above notice of motion, the following alternatives are offered for consideration:

1. Maintain the lawn sign provisions as proposed, keeping the 30-consecutive day timeframe in place. The proposed lawn sign regulations are considered fair and manageable from an administrative perspective; or
2. Require a Development Permit for a lawn sign (as a permitted use) and set a one year time-period that, upon expiration, would require permit renewal. This option would permit homeowners the ability to have their sign up for a longer period of time with no “down time”, but allows Administration the opportunity to review the permit application on an annual basis.

This option will require an amendment to the Master Rates Bylaw to identify an associated fee for a lawn sign Development Permit. The application fee would aim to offset administrative costs and permit processing; or

3. Require a Development Permit for a lawn sign (as a permitted use) and not identify a specific display time-period within the regulations of C.6(16). This option would result in each Development Permit application being reviewed and conditioned based on the merits of that specific application proposal.

This option is not viewed as ideal, as it could result in inconsistencies with regard to Development Permit approvals. Meaning that, one permit could be approved with no renewal time-frame identified, while another permit could be conditionally approved with a limited display time. This option delegates the determination and approval of a time-period to the Development Officer(s).

This option will also require an amendment to the Master Rates Bylaw to identify an associated fee for a lawn sign Development Permit. The application fee would aim to offset administrative costs and permit processing.

Ultimately, the draft regulations, the proposed notice of motion, and the alternatives provided above, each present unique opportunities and constraints related to the introduction of lawn signs to Schedule C of Land Use Bylaw 9/2005.

At this time, Administration has not adjusted the draft Schedule C document as per the notice of motion, for the reasoning provided in the rationale section above.

Report Date: August 21, 2017

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Committee/Department: Infrastructure and Development Services

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City Manager: Kevin Scoble