



Legislation Details (With Text)

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**Title:** Bylaw 18/2016 - Digital Display Signs - New Public Hearing  
Presented by: Michelle Brooking, Development Officer II

**Sponsors:**

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**Attachments:** 1. Bylaw 18/2016 - Land Use Bylaw Amendment, 2. Schedule C Sign Regulations REDLINE, 3. Summary of Changes - August 2016 to February 2017, 4. 3 Steps to Public Engagement, 5. Consultation History, 6. Digital Display Survey, 7. Consultation Comments

Date	Ver.	Action By	Action	Result
2/27/2017	1	City Council	approved	Pass
2/27/2017	1	City Council	approved	Pass

TAMRMS#: B06

**Bylaw 18/2016 - Digital Display Signs - New Public Hearing**

Presented by: Michelle Brooking, Development Officer II

**RECOMMENDATION(S)**

The following motion is automatically before Council:

Moved by Councillor Heron

That Bylaw 18/2016, being Amendment 134 to Land Use Bylaw 9/2005, be read a first time.

1. That the Public Hearing be closed.
2. That Bylaw 18/2016 be read a second time.
3. That unanimous consent be given for consideration of third reading of Bylaw 18/2016.
4. That Bylaw 18/2016 be read a third and final time.

**PURPOSE OF REPORT**

The purpose of the report is to outline the proposed amendments to the Land Use Bylaw to allow for the introduction of digital displays with static images on fascia signs, freestanding signs, and billboards.

## COUNCIL DIRECTION

On September 28, 2015, Council passed the following motion:

### **(C464-2015)**

That Administration bring forward amendments to Land Use Bylaw 9/2005 that allow the introduction of digital displays with static images as outlined in Option 3 of the Digital Display Background Report, provided as Attachment 1 to the September 28, 2015 agenda report entitled "Digital Displays (Electronic Video Messaging Signs)" by Q2 2016.

On June 7, 2016, Council passed the following motion:

### **(C361-2016)**

That the deadline for amendments to the Land Use Bylaw, as specified in Council Motion C464-2015, be extended to from Q2 2016 to Q3 2016

On August 22, 2016, Council passed the following motions:

### **(C497-2016)**

That the Public Hearing on Bylaw 18/2016 be closed.

### **(C498-2016)**

That Digital Sign matter be referred to Administration for consultation and return in February 2017.

## BACKGROUND AND DISCUSSION

In accordance with the above motion (C464-2015), amendments have been prepared to the Land Use Bylaw for Council's consideration, provided as the attachment entitled "*Bylaw 18\_2016 - Land Use Bylaw Amendment*". A redline of the proposed amendments have also been included as the attachment entitled "*Schedule C Sign Regulations REDLINE*".

A summary of the items changed from the August 22, 2016 version of the proposed amendments is provided in the attachment entitled "*Summary of Changes - August 2016 to February 2017*". This summary also addresses items of interest from the August 22, 2016 Public Hearing which have not been changed.

Key elements of the proposed regulations:

- 1) Allow for a digital display with static text images on fascia signs, freestanding signs, and billboards.
- 2) In Corridor Commercial (CC) and Commercial and Industrial Service (CIS) land use districts only.
- 3) Maximum digital display size on a **billboard**: 18.58 m<sup>2</sup> (10' x 20').
- 4) Maximum digital display size on a **fascia sign**: 5m<sup>2</sup> or 20% of unit face (whichever is less).
- 5) Maximum digital display size on a **freestanding sign**: 10m<sup>2</sup>.
- 6) Minimum spacing for a sign with a digital display:

- a. Billboard to billboard: 500m
  - b. Freestanding sign to freestanding sign: 150m
  - c. Billboard to freestanding sign: 150m
- 7) Minimum 100m from intersection.
  - 8) Minimum 3m from edge of sign with digital display to property line.
  - 9) Minimum 100m from residential, park, or institutional land use district.

The proposed regulations are based on and influenced by a number of key factors:

- Transportation Association of Canada (TAC) - 'Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines', provided as the attachment entitled "*CONFIDENTIAL - TAC Transportation Association of Canada Assessment Guidelines*". Key pages of note are pgs. 1-2, 15-20, 40-43, 53-58, 61-63, and 67.
- Best practices.
- Feedback received from consultations.
- Interest shown over time.
- In keeping with St. Albert's values and 'feel'.
- Council input at the September 28, 2015 Council meeting.
- Feedback at the August 22, 2016 Public Hearing.
- Manageable for Administration.

The proposed regulations allow for the greatest opportunity and flexibility for those wanting to employ the technology to be able to apply for it, while ensuring it is introduced in a reasonable manner. The proposed regulations strike a balance between allowing for the technology, safety, and manageability with current City resources.

The proposed regulations are considered a reasonable starting point to allow for the introduction of digital displays with static images. Administration will monitor implementation (from a processing, enforcement, safety, and needs perspective). Additional amendments can be brought forward in the future, if deemed necessary.

## STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

Public engagement was conducted in accordance with City Council Policy C-P&E-01 - Public Consultation requirements for Planning and Development processes. The public engagement process is outlined in the attachment entitled "*3 Steps to Public Engagement*".

An Open House was held on January 28, 2016 to obtain feedback from the public, local businesses, and the sign industry. The Open House display boards and survey were also available on the City website until February 29, 2016.

A Workshop was held on November 30, 2016. The format of the workshop was a World Café style where the facilitator posed generalized questions to tabled groups of stakeholder representatives, in order to obtain a cross-section of views from a diverse group of people. High-level representatives of identified stakeholder associations and/or committees as well as select members of the public were invited. The sign association representatives invited represented a total of 473 member companies. A Workshop outline is provided in the attachment entitled "*Consultation History*".

An online survey was available from December 5, 2016 to December 18, 2016. Invitations to complete the survey were sent via email to over 135 identified stakeholders. The survey was also advertised on various websites, in the newspaper, and via social media. 174 Surveys were completed. A survey outline is provided in the attachment entitled “*Consultation History*” and the survey results are provided in the attachment entitled “*Digital Display Survey*”.

A notice was circulated to internal departments for feedback.

A review of the draft regulations was completed by the Transportation Branch. The Transportation Branch requested a minimum 100m setback from intersections, a minimum 8 second copy hold time, and reference to meeting established TAC (Transportation Association of Canada) standards and practices. The requests from the Transportation Branch is based, in part, on their ‘Safe System Approach’.

The feedback obtained was reviewed and incorporated into the regulations.

An overall summary of the consultation history is provided in the attachment entitled “*Consultation History*”.

A summary of the consultation comments is provided in the attachment entitled “*Consultation Comments*”.

## IMPLICATIONS OF RECOMMENDATION(S)

### Financial:

A review of the application fees for a digital display charged by nine other Alberta Municipalities showed a range from \$125 to \$1,000. The recommended fee for a development permit application for a digital display was \$450. This fee has already been approved by Council and incorporated into the Master Rates Bylaw 1/82, Schedule E for 2017.

Consideration was given to the complexity and amount of time the permit review for a digital display application will require. Additional time required for enforcement was also considered.

A light meter (approximately \$250) will have to be purchased for enforcement purposes. A light meter enables the measurement of the illumination, i.e. the effect of a digital display on the ambient light conditions, to ensure it does not exceed the maximum allowable limits set in the Land Use Bylaw regulations.

### Legal / Risk:

Notwithstanding Council’s direction on the potential amendments to the Land Use Bylaw, which primarily regulates the use of private lands, the Traffic Bylaw specifically prohibits any sign that is “self-illuminated or employs the use of electricity” from placement on a Highway (essentially the road surface, plus boulevards and sidewalks within the road right of way). The proposed Land Use Bylaw amendments do not conflict with the Traffic Bylaw in this regard.

### Program or Service:

A new review process, application form, and brochure(s) will need to be developed. To that end, and in order to provide all potential applicants an equal opportunity for preparation and application,

administration requests that the digital display regulations, once approved, are to go into effect May 1, 2017. This will allow Administration to provide as level a playing field as possible. Additionally, prior to May 1, 2017, Administration will need to:

- Create forms
- Create brochure(s)
- Purchase required equipment (light meter)
- Set up development permit review protocols
- Set up enforcement protocols
- Integrate and coordinate with proposed Schedule C - Sign Schedule updates to ensure that potential regulation conflicts or loopholes are avoided.

Additional staff time will be required to process applications and for enforcement.

Organizational:

The in-depth review required for this type of application will add to the workload of both the Development Branch and the Transportation Branch. To what extent, is yet to be determined.

## **ALTERNATIVES AND IMPLICATIONS CONSIDERED**

If Council does not wish to proceed with closing the public hearing and proceed through all three readings of Bylaw 18/2016 during the February 27 meeting, the following Alternative Recommendations have been provided:

1. That Bylaw 18/2016, being amendment 134 to Land Use Bylaw 9/2005, be read a first time.
2. That the Public Hearing be adjourned to March 20, 2017.

## **STRATEGIC CONNECTIONS**

Council's Strategic Outcomes and Priorities (See Policy C-CG-02)

**CULTIVATE ECONOMIC PROSPERITY:** A diversified, robust and resilient economic foundation to support growth and community service delivery.

Long Term Plans (e.g. MDP, Social Master Plan, Cultural Master Plan, etc.)  
Land Use Bylaw

Corporate Objectives (See Corporate Business Plan)  
Deliver programs and services that meet or exceed our standards  
Ensure our customers are very satisfied

Council Policies  
n/a

Other Plans or Initiatives (Business Plans, Implementation Strategies, etc.)  
n/a

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Author(s): Michelle Brooking, Development Officer  
Committee/Department: Development Services  
General Manager: Gilles Prefontaine  
City Manager: Kevin Scoble