



Legislation Text

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TAMRMS#: B06

Bylaw 33/2017 - Land Use Bylaw Schedule C-Sign Regulations

Presented by: Chelsea Thompson, Development Officer

RECOMMENDATION(S)

1. That Bylaw 33/2017, being amendment 152 to Land Use Bylaw 9/2005 and amendment 95 to Master Rates Bylaw 1/82, be read a first time.
2. That the Public Hearing on Bylaw 33/2017 be closed.
3. That Bylaw 33/2017 be read a second time.
4. That unanimous consent be given for consideration of third reading of Bylaw 33/2017.
5. That Bylaw 33/2017 be read a third and final time.

PURPOSE OF REPORT

The purpose of the report is to outline proposed amendments to Schedule C and Part 3 (Section 3.12 and 3.14) of Land Use Bylaw 9/2005, and to provide proposed regulations for the introduction of residential lawn signs, as per Council direction.

COUNCIL DIRECTION

On October 17th, 2016 Council passed the following motion:

(CM-16-037)

"That suggested amendments to the Land Use Bylaw be brought forward to Council to review in order to permit residents to engage in political expression through lawn signs."

BACKGROUND AND DISCUSSION

The Schedule C (Sign Regulations) section of Land Use Bylaw 9/2005 was adopted in 2005, and since that time only minor amendments have been undertaken. Recently, the addition of Digital Displays to Schedule C was approved by Council, with an effective date of July 14th, 2017.

Administration is proposing amendments to Schedule C to better address recent trends in the sign

industry, support the advertising needs of local businesses, assist the marketing of new development areas, allow opportunity for individual expression, and remedy areas of uncertainty within the existing document.

The scope of the Schedule C review included:

- Reviewing the entire schedule for consistency in terminology and formatting;
- Updating *Section C.3 - Definitions* to increase clarity and introduce new sign types (e.g. Developer Marketing Fence Sign, Entry Feature Sign, Lawn Sign);
- Reviewing *Section C.6 - Regulations for Specific Types of Signs* to ensure regulations are reasonably in line with other municipalities and appropriate for the City of St. Albert;
- Assessing the diversity of sign types available and identifying improvements, duplications, or obsolete information;
- Drafting regulations for 'Lawn Signs' as per Council motion; and
- Consideration for matters of frequent enforcement and signage complaints.

It should be noted that many of the redlined changes within the proposed Schedule C document are format-related and aim to provide consistency in the document's written structure. The goal of these changes is to allow for a clearer interpretation of the sign regulations.

Highlights of the proposed amendments include: the introduction of three new sign types; the addition of a 'Comprehensive Sign Plan' process; a new subsection within Section 3.14 - *Variances* of the Land Use Bylaw; a minor verbiage change to Section 3.12(8) - *Development Permit Rules*; and several amendments to the regulations for specific types of signs.

As per the Council motion, Administration has drafted provisions for the potential introduction of Lawn Signs to the Schedule C document. The proposed regulations for Lawn Signs will permit residents the ability to express their personal opinions and beliefs within a regulated framework.

However, Administration cautions against the addition of Lawn Signs to Schedule C. Research of other communities in the Capital Region identified that Lawn Signs for personal expression are currently not a common practice. Other communities have avoided specifically defining and regulating such a sign type within their Land Use Bylaws and often remain silent, addressing such signage only as issues arise. Main concerns with permitting Lawn Signs include potential clutter in residential neighbourhoods, enforcement measures, and the overall impact on the community.

Additional information related to the above-mentioned highlights have been included as an attachment entitled "*Schedule C Highlights*".

A draft version of the proposed Schedule C amendments was presented on June 19th, 2017 at a Standing Committee of the Whole (SCOW) meeting. The intent of the presentation was to foster discussion and allow for comment on the draft Schedule C document. Verbal suggestions were received from the Committee and as a result, minor changes were incorporated into the proposed Schedule C document.

The specific changes include the addition of the full St. Albert Trail road alignment to Figure 24, and an increase to the allowable timeframe from 48 hours to 72 hours for not-for-profit/charity event Banner Signs.

A written comment was also received regarding Real Estate Signs, suggesting that a Development Permit and term length be required for Real Estate signage. Concern over the appearance of larger commercial & industrial Real Estate Signs was also identified. Real Estate Signs include properties for sale, lease, or rent. Upon review, Administration has not recommended amendments to address this suggestion.

The volume of real estate transactions that occur within the City of St. Albert would require additional resources for both Development Permit processing, monitoring, and enforcement. The length of time that a Real Estate Sign may be displayed is “market-driven” and therefore, not regulated by Land Use Bylaw Schedule C. Lastly, Administration suggests that matters related to the appearance of Real Estate signs can be adequately addressed through enforcement of existing bylaw regulations.

For additional clarity, the attachment entitled “*Sign Issues and Responsibility*” provides detail on what existing bylaws, policies, and documents are in place to address common sign complaint and enforcement situations.

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*”.

Three separate engagement activities were undertaken as part of the Schedule C review.

1. 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 were also available on the City website until February 29, 2016.
2. 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. The intent of this engagement was to obtain a cross-section of views from a diverse group of people. Attendees were high-level representatives of identified stakeholder associations and select members of the public.

A Workshop outline is provided in the attachment entitled “*Consultation History*”.

3. 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. A total of 223 surveys were completed.

A survey outline is provided in the attachment entitled “*Consultation History*” and the survey results are provided in the attachment entitled “*Schedule C - Survey Results*”.

Furthermore, a draft copy of the Schedule C document was circulated to several internal departments for feedback. Previous discussion(s) with the Economic Development Department identified that

consideration should be given to how marketing and signage of development areas on the “fringe” of St. Albert and how larger scale developments are addressed.

Economic Development also advised that developers and builders are looking for more appropriate ways to market their products. Larger sign areas, sign heights, increased number of signs per property, and allowing marketing fencing/hording was supported by that department. This feedback was reviewed and incorporated into the regulations.

An overall summary of the consultation history is provided in the attachment entitled “*Consultation History*”. Lastly, a general summary of the consultation comments is provided in the attachment entitled “*Consultation Comments*”.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

A new fee of \$950.00 is recommended for the ‘Comprehensive Sign Plan’ development permit process. This fee would require Council approval to be incorporated into the Master Rates Bylaw 1/82, Schedule E.

In determining the proposed new fee, consideration was given to the potential complexity and amount of time that a permit review for a ‘Comprehensive Sign Plan’ application may require.

Legal / Risk:

The proposed amendments to Schedule C aim to better position the City with respect to possible challenge(s), while permitting signage to occur without infringing on the rights of individuals, but to an extent that is necessary for the greater public interest, in accordance with the *Municipal Government Act*, Part 17, Section 617.

Program or Service:

None at this time.

Organizational:

The proposed amendments to Schedule C are intended to reduce the number of sign-related appeals that appear before the Subdivision and Development Appeal Board and lower the number of sign enforcements within the City.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council wishes not to proceed with all three readings of Bylaw 33/2017, then direct staff to amend the regulations (as required) and pass the following motion:

1. That Bylaw 33/2017, being amendment 152 to Land Use Bylaw 9/2005 and amendment 95

to Master Rates Bylaw 1/82, be read a first time.

2. That the Public Hearing on Bylaw 33/2017 be adjourned to September 5, 2017.

Should the Lawn Sign regulations be removed from Bylaw 33/2017, this is expected to have a positive impact on staff capacity from an enforcement perspective. From a stakeholder perspective (as commented to during the consultation processes), not permitting Lawn Signs in residential districts would minimize the potential for visual clutter and reduce the opportunity for neighbour disputes to occur.

STRATEGIC CONNECTIONS

City of St. Albert Strategic Plan (Policy C-CG-02) - Pillars of Sustainability

ECONOMIC

- 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

Report Date: August 21, 2017

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Committee/Department: Infrastructure and Development Services

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