

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 21, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 25, 2013.

21

**PUBLIC MEETING
MOBILE SIGN REGULATIONS
CITY OF VAUGHAN SIGN BY-LAW 203-92 AS AMENDED
CITY-WIDE**

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Director of Building Standards and Commissioner of Planning, dated June 11, 2013, be approved; and**
- 2) **That the following deputations and Communication be received:**
 1. **Mr. Ian Duffy, Magnetsigns Toronto, Wallace Road, Oakville, and Communication C5, dated June 10, 2013; and**
 2. **Mr. Leonel Apter, Look Signs, Edward Avenue, Richmond Hill.**

Recommendation

The Director of Building Standards and Commissioner of Planning recommend:

That City of Vaughan Sign By-Law 203-92 as amended, be further amended by;

- 1) Permitting one (1) additional mobile sign on lots zoned "C4" (Neighbourhood Commercial Zone) or "C5" (Community Commercial) provided that there is a minimum of 215 metres between Mobile Signs located on the same street frontage.

Contribution to Sustainability

N/A

Economic Impact

There is no economic impact associated with the recommendation.

Communications Plan

Notice of this Public Meeting to consider possible amendments to the City's Sign By-law has been given in accordance with the City's Notice By-law 394-2002 as amended. Further, E-Mail notices and copies of this report have been sent to all Licensed Mobile Sign Companies on record as operating in the City of Vaughan.

Purpose

On October 30, 2012 Council approved a recommendation as outlined below directing Staff to report on the results of the revised mobile sign application procedures.

Background - Analysis and Options

Subsequent to a deputation by Mr. Ian Duffy of Magnet Mobile Signs, on October 30, 2012 City Council approved the following recommendation from Staff:

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- 1) That the Building Standards Department revise their current application procedure, which restrict applicants to a one day window of opportunity, for a 6 month trial period to allow applicants for mobile sign permits at least a two week window for applying for permits. and;
- 2) That the trial period commence on January 1, 2013 in order that other Licensed Mobile Sign Operators may be advised and allow time for Mobile Sign Operators and Staff to modify their processes, and
- 3) That Building Standards Department bring forward a report to Council respecting the results of the 6 months trial period.

Further, as part of the Building Standards Department current 2013 Business Plan there is departmental objective to review the City's Sign By-law to encourage constant improvements. This objective along with additional requests from the Mobile Sign Companies has resulted in Staff also reviewing the current requirements for Mobile Signs.

Mobile Sign By-Law Review

Existing Mobile Sign By-Law Requirements

The last time the Mobile Sign provisions of the Sign By-Law was reviewed was in 2009.
(By-law 154-2009 – enact June 30, 2009)

Attached as Appendix 1 is a photograph of a Mobile Sign.

At the present time the City's Sign By-Law permits:

- One Mobile Sign per Street Frontage
- Each permit is valid for 21 days with a minimum 21 days between the issuance of the permits. (21 day display period with a 21 day blackout or off period.)
- Each Business Premises is permitted a maximum of 4 - 21 day permits per year.
(At a maximum - display time = 23 % ± of the year)
- A validation display sticker issued by the City must be displayed on the sign.

Mobile Sign Company Operators

Staff have met briefly with the Mobile Sign operators (January 2013) to discuss possible changes to the by-law.

The following is a brief outline of some of the comments/requests:

- Increase the number of permits per Business from 4 permits per year to 6 permits per year.
- Reduce the minimum time between the issuance of the permits (Mandatory off period) from 21 to 7 days.
- Allow 2 Mobile Signs per street frontage with a minimum separation between signs.
- Remove the single colour and permit validation sticker requirements.
- Permit applications, information, and payments should be available on-line.

General Comments and Recommendations

Staff endorse the Mobile Sign operators comments respecting on-line permit information and applications and continue to work towards this goal. As a first step, later this year the department's database is planned to be updated to the most recent web version.

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Staff have reviewed the sign by-law and are not recommending any wholesale changes at this time.

Staff are of the opinion that the existing by-law requirements work well and only minor improvements are required to address stakeholders concerns. Staff continues to hold the position that mobile signs should be temporary in nature and not permanent fixtures on the lot. This is presently accomplished by permitting one Mobile Sign per street frontage and by requiring a mandatory off period equal to the display period. In other words, each Mobile Sign is only permitted to be displayed for 50% of the year. The public remain engaged. Calls are regularly fielded by Staff about the overabundance of signage around the City which includes Mobile Signs.

One exception to the above, Staff are recommending that one additional Mobile Sign be permitted on the larger “C4” Neighbourhood and “C5” Community Commercial Plazas. Here the by-law could be amended in such a fashion as to permit an additional sign subject to a substantial separation between the different signs on the same street. This measure of allowing an additional sign per property would give the larger plazas which generally contain a greater number of tenants the better opportunity to display a Mobile Sign and at the same time not create and overabundance of signage. It should be noted however that this will require mobile sign applicants to submit a plan showing the layout of the development with their applications in order that Staff can review the separation requirements. These approved plans must then be forwarded to Enforcement Services to ensure by-law compliance.

Staff are recommending that the City of Vaughan Sign By-Law 203-912 as amended, be further amended as follows:

- 1) That one (1) additional mobile sign be permitted on lots zoned “C4” (Neighbourhood Commercial Zone) or “C5” (Community Commercial) provided that there is a minimum of 215 metres between Mobile Signs located on the same street frontage.

The above recommendation attempts to strike a balance between the needs of the business community who want more signage vs. comments and complaints from City ratepayers about the abundance of signage.

Revised Application Procedures

Subsequent to the Council meeting of October 30, 2012, that recommended the trial period for the revised application procedures, the following policies were developed. One of the changes included slightly increasing the recommended two week application window of opportunity to correspond with the Sign By-law's twenty one (21) day display and blackout periods.

The revised application policies for Mobile Signs are as follows:

- Mobile Sign Permits are issued for 21 calendar days commencing on the issued day. (No Change)
- The 21 day off period (Calendar days) commences the day after the expiry of the previous permit. (No Change)
- Permits may be applied for 21 calendar days prior to the availability for the permit on the lot. That is, mobile permits may now be applied for during the properties off period. The foregoing was later redefined to require that where a Mobile Sign Permit is currently available for the property, the permit must be issued right away. This requirement to require the permit to be issued right away is to prevent an applicant pre-reserving or holding the property when the permit is available for others.

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- When an availability date falls on a weekend or other day when the City offices are not open the availability date is moved to the Friday or the last day the offices are open prior to the availability date.
- Permits that are issued in advance of the permitted display period are only valid during the approved display period and are non-transferable and non-refundable.

Building Standards Department met with the Mobile Sign Operators in advance of implementing the revised application policies. The revised policies were implemented on January 2, 2013. The revised policies received very mixed reviews from the different mobile sign operators. The reaction varied from company to company. Some companies welcomed the new changes as it reduced the number of times they had to visit the municipal offices. Other companies criticized citing problems related to having to pre-purchase the permits in advance and collecting the fees from the customers at a later date.

Apart from the added complexity in calculating when a Mobile Sign Permit is available for the many different properties, (These are now complex manual calculations.) staff have found few other problems within the current process. Most of these other minor problems relate to issuing the permit in advance of the display period and where the permit is no longer required by the Sign Company or the Owner for various reasons. (Once issued, Sign permits are non-refundable.)

Staff have no objections in continuing with the 21 day in advance window of opportunity for Mobile Sign Applications.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council and the necessary resources to conduct this review of the current process have been allocated and approved.

Regional Implications

Mobile signs located on private properties do not require Regional approvals.

Conclusion

Staff have reviewed the sign by-law and are not recommending any wholesale changes at this time.

Staff are of the opinion that the existing by-law requirements work well for the most part. Staff continues to hold the position that mobile signs should be temporary in nature and not permanent fixtures on the lot.

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Attachments

Appendix 1 - Photograph of a Mobile Sign.

Report prepared by:

John Studdy, Manager of Customer and Administrative Services. (Ext.8232)

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

Subject:
Attachments:

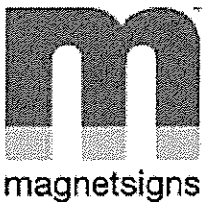
Committee of the Whole Meeting Tomorrow
Sign Bylaw Review and Comments.pdf

c 5
Communication
CW: June 11/13
Item: 21

From: IAN DUFFY [mailto:iduffy.magnetsigns@gmail.com]
Sent: Monday, June 10, 2013 11:21 AM
To: Magnifico, Rose
Subject: Committee of the Whole Meeting Tomorrow

Hi Rose. Attached is the document I will speak to. Does it need a cover page so that it is distinguished from other stuff?

Sincerely
Ian Duffy
Magnetsigns Toronto
1404 Wallace Rd, Oakville, Ont, L6L 2Y2
Tel: 905-847-3539
New Fx: 1-855-255-9289
IDUFFY.MAGNETSIGNS@GMAIL.COM



**PUBLIC MEETING
MOBILE SIGN REGULATIONS
CITY OF VAUGHAN SIGN BY-LAW 203-92 AS AMENDED
CITY-WIDE**

Recommendation

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Contribution to Sustainability

N/A

Economic Impact

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Communications Plan

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Purpose

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- 2) That the trial period commence on January 1, 2013 in order that other Licensed Mobile Sign Operators may be advised and allow time for Mobile Sign Operators and Staff to modify their processes and;
- 3) That Building Standards Department bring forward a report to Council respecting the results of the 6 months trial period.

Further, as part of the Building Standards Department current 2013 Business Plan there is departmental objective to review the City's Sign By-law to encourage constant improvements.

This objective along with additional requests from the Mobile Sign Companies have resulted in Staff also reviewing the current requirements for Mobile Signs.

Mobile Sign By-Law Review

Existing Mobile Sign By-Law Requirements

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(By-law 154-2009 – enact June 30, 2009)

Attached as Appendix 1 is a photograph of a Mobile Sign.

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- Each Business Premises is permitted a maximum of 4 - 21 day permits per year.

Magnetsigns Toronto provides sign rentals in Vaughan and our franchise network expands across Canada. We disagree with Staff's opinion. In Vaughan, sign companies and some business owners routinely line-up before the opening hour of City Hall to get an available permit; most plazas in Vaughan are allowed only 8 permits per year but have 15 or more tenants and therefore less than half can have a sign in the given year; all the email responses we received from our customers demanded more signage; other types of illegal signs continue to proliferate in Vaughan and could be controlled through more legally permitted mobile signs; Vaughan's current by-law limitations are the most stingy in the GTA.

- Reduce the minimum time between the issuance of the permits (Mandatory off period) from 21 to 7 days.
- Allow 2 Mobile Signs per street frontage with a minimum separation between signs.
- Remove the single colour and permit validation sticker requirements.
- Permit applications, information, and payments should be available on-line.

General Comments and Recommendations

Staff endorse the Mobile Sign of applications and continue to work department's database is planned

Staff have reviewed the sign by-law time.

We agree, the signs should not appear as permanent. A blackout between signs ensures this. The limitation of one sign per frontage has little to do with the appearance of permanence.

Information and after this year the changes at this

Staff are of the opinion that the existing by-law requirements work well and only minor improvements are required to address stakeholders concerns. Staff continues to hold the position that mobile signs should be temporary in nature and not permanent fixtures on the lot. This is presently accomplished by permitting one Mobile Sign per street frontage and by requiring a mandatory off period equal to the display period. In other words, each Mobile Sign is only permitted to be displayed for 50% of the year. The public remain engaged. Calls are regularly fielded by Staff about the overabundance of signage around the City which includes Mobile Signs.

It is not clear what signs are overabundant or how many. Signage includes lawn signs, election signs, postering on lamp posts, space for lease signs, banners, flags, ground signs, ground signs, a-frames, gas station t-frames, etc... What is causing the problem? Is data available to help highlight the issues and what type of signage is actually causing the problem? The city itself uses approx. 40 mobile signs almost year around for its own advertising. Are these the problem?

by-law could be amended in such a fashion as to permit an additional sign subject to a substantial separation between the different signs on the same street. This measure of allowing an additional sign per property would give the larger plazas which generally contain a greater number of tenants the better opportunity to display a Mobile Sign and at the same time not create and overabundance of signage. It should be noted however that this will require mobile sign applicants to submit a plan showing the layout of the development with their applications in order that Staff can review the separation requirements. These approved plans must then be forwarded to Enforcement Services to ensure by-law compliance.

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An additional sign per frontage should be allowed where there is more than 250ft of frontage. Staff's recommendation limiting additional signage to only C4 and C5 size properties with a 215 metre separation is not nearly sufficient to address the existing demands of the taxpayers/small businesses in the majority of Vaughan's plazas. Even if Staff's recommendation is followed, most tenants at a plaza will still only be allowed 1 sign per year!

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Building Standards Department met with the Mobile Sign Operators in advance of implementing the revised application policies. The revised policies were implemented on January 2, 2013. The revised policies received very mixed reviews from the different mobile sign operators. The reaction varied from company to company. Some companies welcomed the new changes as it reduced the number of times they had to visit the municipal offices. Other companies criticized citing problems related to having to pre-purchase the permits in advance and collecting the fees from the customers at a later date.

The sign companies do not have to purchase permits in advance. They can still purchase them the day of installation if they so choose.

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in the four-five months since implementation our company has saved 29 trips to city hall, the city has issued 29 fewer receipts, performed 29 fewer financial transactions, and the industry itself is now more environmentally friendly. Other sign companies will also have saved trips. Staff is to be congratulated for adopting the new procedure.

Elimination of stickers should now be pursued so that on-line implementation of the permits is not impeded. Only Brampton, Toronto and Vaughan require that a permit be a-fixed to the sign. This is largely redundant in Vaughan as inspections are performed based on inspection cards provided by Building Standards to Enforcement.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council and the necessary resources to conduct this review of the current process have been allocated and approved.

Regional Implications

Mobile signs located on private properties do not require Regional approvals.

The current bylaw limits signs to all one colour. We believe this infringement is questionable and we ask that staff legal department review this limitation prior to the committees endorsement of staffs report. Similar colour restrictions have recently been eliminated in Oakville after being challenged.

Staff are of the opinion that the existing by-law requirements work well for the most part. Staff continues to hold the position that mobile signs should be temporary in nature and not permanent fixtures on the lot.

Staff are recommending that the City of Vaughan Sign By-Law 203-912 as amended, be further amended as follows:

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Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

LEO GRELLETTE
Director of Building Standards

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Relationship to Vaughan Vision 2020/Strategic Plan

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Regional Implications

Mobile signs located on private properties do not require Regional approvals.

Conclusion

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Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

LEO GRELLETTE
Director of Building Standards

TANNING
NEW MANAGEMENT
✱NEW PRICES✱
✱AMAZING DEALS✱
CLEAN CLEAN CLEAN

QUIKSIGN.CA 905-851-7845

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 091-2013

A By-law to amend City of Vaughan Sign By-Law 203-92, as amended.

WHEREAS the Municipal Act 2001, S.O. 2001, c. 25 provides in Section 11(3), that Councils of lower-tier municipalities may pass by-laws respecting matter pertaining to structures, including fences and signs.

AND WHEREAS The Corporation of the City of Vaughan deems it advisable to pass a further amendment to Sign By-Law 203-92, as amended:

NOW THEREFORE the Council of the Corporation of City of Vaughan ENACTS AS FOLLOWS:

1. That By-law 203-92 as amended, is hereby further amended by:

- (1) Deleting Section 8.11 1) a) of By-law 203-92 as amended in it's entirety and replacing it with the following:
 - a) i) One mobile sign shall be permitted along each street line of a lot, up to maximum of two mobile signs per lot, provided that the mobile sign does not directly abut a residentially zoned property.
 - ii) Notwithstanding the above, where a lot is zoned "C4" (Neighbourhood Commercial Zone) or "C5" (Community Commercial) under City of Vaughan Zoning By-law 1-88 as amended, one additional Mobile Sign shall be permitted along one street frontage provided that there is a minimum of 215 metres between Mobile Signs located on the same street frontage.
 - iii) Notwithstanding the above, no more than three (3) mobile signs shall be permitted on a property and any one time.

Enacted by City of Vaughan Council this 25th day of June, 2013.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk