



## Report to Council

Department: Planning  
Date: July 13, 2015  
Prepared by: Jeff Watson, Policy Planner  
Submitted by: Chris Nepszy, Director of Infrastructure and Development  
Report Number: Planning 2015-15  
Subject: Sign By-law, By-law 1350, and Off-Site Sign Guidelines  
Number of Pages: 10

### **Recommendation(s)/Conclusion(s)**

That By-law 1350, being the comprehensive new sign by-law for the Town of Essex, be approved.

That notice of approval of By-law 1350 be given in the Essex Times and Harrow Free Press and to the Essex Center Business Improvement Association and to the Harrow Chamber of Commerce.

That Council adopt the guidelines set out in this report when evaluating an application for the erection of a billboard and other off-site signage.

### **Reason for the Report**

To recommend approval of a new comprehensive sign by-law, By-law 1350, by Council for the Town of Essex and the repeal of the current sign by-law, By-law 355, and to establish guidelines for off-site signage applications.

## Comments

### **By-law 1350, Town of Essex Comprehensive Sign By-law:**

A public meeting was held on Monday, August 25, 2014, to hear representations concerning the draft comprehensive sign by-law for the Town of Essex. It would replace the current sign by-law, By-law 355, which was adopted by Council on September 17, 2001.

Three people addressed Council. Steve Bjorkman, on behalf of the Essex Center BIA, requested more generous provisions for the size of sidewalk signs to recognize existing sidewalk signage and to ensure such signage in the future would have the same options regarding their size. The by-law has been revised to satisfy that request. David McClarty advised Council that he intended to request Council's approval of billboard signage he was interested in erecting. It was noted that, like the current by-law, the draft by-law requires Council's approval of billboards prior to the issuance of a building permit. Milton Dzodin asked that Council initiatives such as this be given more public exposure once in place to keep the business community up to date on municipal policies.

With regard to this by-law, minor changes have been made for the purposes of clarification, for broader provisions regarding directional and information signage and for the repeal of By-law 355, concurrent with the passing of this by-law. The provisions regarding special occasion signage have been expanded. Charities and other non-profit organizations can place such signs in any zoning district without the need for a sign permit in order to advertise an event organized by them. For other special occasion signs, to advertise a commercial sale for example, a sign permit is required and there is a limit on the number of times per calendar year such signs can be placed on the property.

Provisions for election signs have been added as subsection 11.4 of the by-law. Like any sign currently placed within a public right-of-way, Council's approval is required for election signage. As with other special occasion signs, there is a 21 day limit on their placement and they must be removed with 7 days after the close of voting.

It should be noted that under the Municipal Act there is no process for appeal of a by-law enacted under the Act. Consequently, By-law 1350 takes effect on the date of its passing. Planning will monitor the application of the by-law for the first year and report back to Council on any modifications that might improve the administration and application of the by-law.

### **Billboards and Other Off-site Signage:**

The matter of billboards and criteria that might be applied when Council considers an application to erect one was discussed by Council at its general meeting of September 2, 2014. Since By-law 1350, like By-law 355, requires Council's approval of a billboard or other off-site sign, By-law 1350 can be adopted without further delay, if Council wishes to do so, as recommended.

Outlined below are recommendations for general policies regarding billboards and other off-site signage to assist Council in its evaluation of site specific sign applications requiring Council's approval.

In By-law 1350, a billboard is defined as "a freestanding non-accessory sign permanently affixed to the ground used to identify or advertise an off-site use, activity, product or service". That means that they can serve one or several purposes. Whether advertising a use, activity, product or service, its intention is to promote something that is not offered on the same site. It is observed that, in some municipalities, what is advertised, a particular business for example, is not even in the same municipality.

**But it is noted that off-site signage, that is not specifically special occasion signage for charities and non-profit organizations, requires approval by Council. In its consideration of an off-site sign application, Council should first be satisfied as to the intended purpose of the sign and its relative merits in terms of community benefit or benefit to an industry or business association.**

Off-site signage can take many forms. Billboards, in particular, can be very intrusive and have a negative impact on the visual landscape. This is because they tend to stand out from the surrounding land uses and they can be excessively large. They can also proliferate because, once the door is opened to permit them, it is difficult to say no to others. Other options, such as signs on out buildings in agricultural districts, can be more aesthetically pleasing and less intrusive.

Is the particular sign the best option? Is it compatible with or at least less intrusive upon the surrounding neighbourhood than other options, while still fulfilling its function?

**Examples of off-site signage, both bad (first three) and good (last three), are shown in Appendix A.**

To address the negative impacts, Council can limit them:

- to specific zoning districts or, conversely, not permit them in specific zoning districts;
- by size and form of media;
- by separation from another off-site sign, or
- restrict them to specific roads , or, alternatively, prohibit them on specific roads;
- all of the above.

In this report, specific guidelines are being presented for consideration. They are subjective and other options could be considered. These guidelines represent the recommendations of Planning and our Chief Building Officials.

**Application Format:**

- An application is made through Planning and pre-consultation is mandated. This will give Planning the opportunity to circulate the application internally and to consult with the Chief Building Officials, regarding Building Code and Sign By-law provisions.
- If warranted, Planning will review the proposal and consider what enhancements can be made to make the off-site sign more aesthetically pleasing and a better fit within the surrounding neighbourhood, while still meeting its intended purpose.

- Planning will report to Council with specific recommendations.

## **Guidelines for Off-site Signage**

### a) Pre-consultation Questions:

- Is the billboard to be erected for general advertising purposes or is it specifically for a particular use, product or service and over what time period?
- How distant from the use or activity is it and is the use or activity within the Town limits?
- How many products or uses are proposed to be displayed, single versus multi-purpose panels?
- How is the message to be conveyed e.g. through electronic media or changeable copy or fixed in place materials?
- Is the structure of the sign aesthetically pleasing or at least a less prominent feature of the sign?
- Are the location, setback and size acceptable in terms of its compatibility with surrounding uses, activities, services and view lines and reasonable for its intended purpose?
- How close is this sign to existing off-site signs?
- What is the community benefit? This can be interpreted to mean the benefit to the community in general or to a particular industry or activity group within the Town.

### b) General Provisions and Limitations:

- An off-site sign will be considered on lands located in one of the following zoning districts: Agricultural, Highway Commercial and Manufacturing Districts;

- An off-site sign will not be permitted in a settlement area, the boundaries of which are shown in the Town of Essex Official Plan (Essex Center, Harrow, Colchester, McGregor, Gesto and the Lakeshore Residential District on the south side of County Road 50 between the Meadows and Colchester);
- Outside of a Settlement Area, within a permitted zoning district, an off-site sign will be considered on a property fronting on any of the following roads: County Roads 8, 11, 13, 15, 20 and 23, and, subject to a maximum sign face area, on one side, of 4.5 square meters (49 square feet), on County Road 50;
- Generally, depending on the purpose of the sign (e.g. a single use or a grouping of uses), a minimum separation of one kilometer will be maintained between off-site signs;
- The sign face area will be of a fixed format, not electronic media or changeable copy formats;
- The sign will advertise a single business or association of businesses (e.g. wineries or a business park), an event or an activity, but will not be used to advertise a product, unless it is in combination with and incidental to the advertised business or association of businesses, event or activity which is the principal subject of the sign;
- It will be entirely at Council's discretion whether or not an off-site sign application will be approved;
- Council has the right to deny the application, require modifications, consider other signage options or to approve the application as submitted;
- Council's decision is final.

In summary, the guidelines set out the recommended locations where such signage could be considered and where exposure for businesses would be greatest. It sets a general minimum distance separation between signs so as to reduce the potential for sign pollution and negative visual impacts on other land uses. The response to pre-consultation questions and negotiation should also assist Council with its evaluation and decision as to whether or not a specific proposal is acceptable.

## **Financial Impact**

No direct impact on municipal expenditures.

## **Link to Strategic Priorities**

May enhance economic development activities.

Reviewed by: Russell Philips, Chief Administrative Officer - Concurs

Reviewed by: Chris Nepszy, Director of Infrastructure and Development - Concurs

Reviewed by: Wayne Mills, Chief Building Official - Concurs

Reviewed by: Kevin Carter, Chief Building Official - Concurs

## Appendix A - Off-Site Sign Examples

### The Bad







The Good





