

Committee of the Whole (1) Report

DATE: Tuesday, September 12, 2023

WARD(S): ALL

TITLE: UPDATE ON THE SIGN BY-LAW RELIEF FOR BUSINESSES
(REFERRED)

FROM:

Gus Michaels, Deputy City Manager, Community Services

ACTION: DECISION

Purpose

This report seeks Council approval to make the relief for businesses that use mobile and portable signs permanent and to make appropriate changes to the Sign By-law.

Report Highlights

- Since the declaration of the COVID-19 emergency in March of 2020, the City has introduced a number of relief initiatives to mitigate some of the adverse impacts of the emergency measures taken, one of which was introduced in March 2022 and supported businesses that use mobile and portable signs by a relief from certain provisions of the City's Sign By-law.
- The recommendations in this report make all previously introduced temporary relief changes permanent, including: allowing more mobile and portable signs per lot, allowing those signs for longer periods of time, eliminating black-out period requirements, suspending zoning clearances and site drawings and authorizing the Director and Chief Licensing Officer to refuse mobile sign permit applications.

Recommendations

Council at its meeting of June 20, 2023, adopted the following recommendation, (Item 18, Committee of the Whole Report No. 28), without amendment:

1. That the following be approved in accordance with Communication C9, Memorandum from the Deputy City Manager, Community Services, dated June 2, 2023;

THAT the Committee of the Whole defer Item 18 and Item 20 of Report No. 28 to the Committee of the Whole meeting of September 12, 2023.

Report of the Deputy City Manager, Community Services, dated June 6, 2023:

1. THAT Council approve the following permanent changes to the Sign By-law:
 - a) Mobile signs be permitted on an eligible property, with a minimum distance of 30 metres (or 100 feet) between such signs, with up to three (3) signs per property, provided that the mobile sign does not directly abut a residentially zoned property;
 - b) No limit be placed on the number of permits that may be obtained by any one business, subject to the limits in recommendation 1(a);
 - c) No black-out period be imposed between permits, with permits continuing to be for 21 days, and each permit requiring a separate application and fee;
 - d) To expedite the issuance process, application requirements be streamlined by permanently suspending zoning clearances and the submission of site drawings; and
 - e) The Director and Chief Licensing Officer be authorized to refuse mobile sign permit applications where he or she determines there are ongoing compliance issues.
2. THAT the proposed by-law amendments to the Sign By-law be in a form satisfactory to the City Solicitor.

Background

Since the COVID-19 emergency declaration in March of 2020, the City of Vaughan has introduced a number of initiatives to support businesses and individuals, while continuing to also ensure the health, safety and well-being of the public. One such temporary initiative was introduced in March 2022, and involved increasing the opportunities for local businesses to advertise using mobile and portable signs by providing a temporary relief from current provisions of the Sign By-law that regulate such signs. This change has shown to benefit those businesses that use those signs and has remained in effect until further notice.

Previous Reports/Authority

- [Sign By-law](#) (approved by Council on June 19, 2018);
- [Item No. 13 of Report No. 12](#) from March 8, 2022, *Sign By-law Relief for Businesses*

(approved by Council on March 22, 2022);

- [Communication C2, Item No. 13 of Report No. 12](#) from March 8, 2022, *Sign By-law Relief for Businesses*.

Analysis and Options

City staff believe that the introduced measures provide valuable relief and support for businesses and do not see any risks in continuing to provide these measures. Thus, BCLPS staff recommend adopting those measures on a permanent basis, with corresponding amendments to the Sign By-law. By-law staff continue to ensure that standards of health, safety and nuisance control are upheld and enforced as needed. The proposed amendments include:

Number of Signs per Lot

Under current provisions of the Sign By-law, one mobile sign is 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. Based on previous consultation, staff recommended a distancing requirement between signs to be 30 metres, along with a maximum number of signs per lot set at three. Staff also recommended a distancing requirement between signs to be 30 metres (or 100 feet), along with a maximum number of signs per lot set at three. Such requirements are in line with that of other municipalities. As a result, staff are recommending making this change permanent.

Number of Permits Allowed per Year

As per the current Sign By-law provisions, commercial or industrial premises are entitled to mobile sign permits for up to a maximum of four (4) occasions per year, with a separate permit for every occasion. During the previous consultations, businesses expressed that the City should not regulate how often a business may advertise and no such restriction is needed. The previous analysis also indicated that Vaughan has some of the most restrictive by-law provisions in this respect in comparison with other municipalities in Ontario. Given these considerations, staff are recommending that the limit of the number of annual permits be removed on a permanent basis.

Black-out Periods Between Permits

Under the current provisions of the Sign By-law, there is a requirement of a minimum of twenty-one (21) days between the expiry of one permit and the issuance of another on the same lot. During consultations, this black-out period was considered as unnecessary, especially in the context of providing relief to businesses. Many municipalities do not impose such required periods between permits. Staff are recommending that the black-out periods be removed from the Sign By-law permanently.

These measures were anticipated to result in a higher volume of sign permits. In order to resolve the potential issues with delays in the issuance of permits, staff recommended that some of the application processes be temporarily suspended, including zoning checks and the submission of site drawings to determine precise sign placement. Despite this introduced relief from application submissions, applicants would still need to comply with the established requirements, as per a condition of holding a permit. Staff have also recommended that where the Director and Chief Licensing Officer determines that there are ongoing compliance issues, the issuance of further permits to an applicant be denied, with such decision being final. This strengthened authority helps to prevent abuse of the relief process and encourages overall compliance. As such, staff recommend making all application process changes and the shift of the authority to deny applications to the Director and Chief Licensing Officer permanent.

Financial Impact

There is no financial impact to the City's budget as a result of the recommendations of this report.

Broader Regional Impacts/Considerations

There are no broader regional impacts or considerations as a result of the recommendations of this report.

Operational Impact

This report has been prepared in consultation with Building Standards and Legal Services.

Conclusion

During the COVID-19 emergency, the City of Vaughan introduced a number of measures to support its businesses. As businesses begin to reopen after the latest pandemic wave, staff see merit in providing further relief through an easing of mobile sign restrictions. The relief from mobile sign permit requirements provides a streamlined process without materially sacrificing health, safety and standards. The easing of regulatory restrictions is being counterbalanced with strengthened enforcement powers. Thus, the temporary amendments, which were intended to give businesses greater accessibility to advertising opportunities, are hereby proposed to be made permanent.

For more information, please contact: Susan Kelly, Chief Licensing Officer and Director of By-law and Compliance, Licensing and Permit Services, ext. 8952.

Attachment

1. Communications from June 6, 2023, Committee meeting.

Prepared by

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Communications from Committee of the Whole (2) – June 6, 2023
Item 18, Report No. 28.

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