

Answers to Council Questions – Provided by Urban Planning

1. Given the low attendance at the consultation held July 2018, should there be an addition consultation session before the public hearing in the fall since most people will be back from summer vacation?

Some residents have expressed confusion over this signage proposal, as residents were consulted via the public survey back in fall, 2017. Despite hosting additional consultation during the summer months, low turn-out may also be due to residents having already participated and provided their views on the matter. The legislative process also includes additional public notification and consultation (e.g. two newspaper and website notices for the public presentation due to the Municipal Plan re-adoption, and the public hearing due to the Municipal Plan and Zoning By-law re-adoptions). Urban Planning is recommending to proceed with the legislative process as originally scheduled, with the first statutory public notices issued August 30/September 1. Members of the business community, and other stakeholder groups as determined by Town staff, may also be informed through mail-out notice similar to the pre-legislative consultation process.

2. Council would like to clearly understand how Riverview is proposing to be different from Moncton, and in particular, where Riverview is proposing to be more restrictive than Moncton (e.g., portable sign licensing) Council wants to ensure that they are not creating a disadvantage for attracting business opportunities.

With the exception of the draft, new Portable Sign By-law No. 700-60, the proposed signage provisions are by and large the same as the City of Moncton's by-laws. As a result of working with Town staff, the proposal includes a limit of three, 30-day portable sign licensing permits per lot (subsections 7(4) and (5)). The intent of this provision is to encourage and facilitate permanent, affixed signage in the Town as opposed to the permanent placement of portable signs.

In the City of Moncton Portable Sign By-law No. L-402, there are two types of licensing permits: (1) an annual permit for \$100, which expires March 31 the following year (subsection 7(1)); and (2) a special permit for \$25, which expires 30 days later and a maximum of two per lot, per year is permitted (subsections 7(1) and (4)).

The statement also assumes that the proposal is creating disadvantage/advantage for attracting business opportunities, which may not be the result as a whole. For example, this provision may result in the increased business of freestanding and/or electronic message signs to advertise on multi-business lots.

3. Has any work been done to provide Council with an opportunity to pass a resolution that would clearly prohibit locating signs in certain area, i.e. Riverfront?

As is the status quo, signs cannot be installed on any property without landowner consent. This holds true for any signs installed on public property without the consent of the Town. Urban Planning worked with Town staff to add an additional regulation to support this:

92(2) No sign shall be erected unless in compliance with the following: (g) despite subsection 92(1)(a), the consent of the property owner is attained prior to installing any sign.

4. The Town's electronic message sign might be within the cone analysis (restriction zone) based on the new regulations. Would it be grandfathered? Does this make it seem like the Town is contradicting its own by-law; and making private businesses attain a higher standard than the Town followed?

Any freestanding electronic message sign permit issued prior to the enactment of these new regulations would be grandfathered and therefore legal non-conforming. The Transportation Association of Canada (TAC) released their 'Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines' in October, 2014; the Town's original Municipal Development Plan and Zoning By-laws were adopted prior to this. New uses and sign types regularly emerge in which Urban Planning responds with latest best practice and recommended policy and regulatory changes. Legal non-conforming uses and developments are common as land uses evolve over time.

5. Ensure portable signs cannot be located in residential zones.

In accordance with proposed section 99 in the Zoning By-law, portable signs are only permitted in the commercial, industrial and community use zone subject to the Portable Sign By-law.

6. Why is there an application fee for a portable sign license, but not for a sandwich sign?

In working with Town staff, Urban Planning and staff believe it is appropriate to waive this requirement as this portable sign sub-type is smaller in scale and land use impact (i.e. does not require as much regulatory oversight).

7. Why are there more restrictions for a projecting sign than a canopy sign, even though a canopy sign by definition projects outward as well?

Even wall signs have some element of projection, albeit typically negligible. By their nature, canopy signs typically have a moderate element of projection. From regulatory practice (enforcement), this has not been an issue with Urban Planning files. True projecting signs, however, can have major projection into the public street right-of-way, thereby creating additional public safety and insurance issues.

If Council is worried about this, there could be a limit on the projection distance of a canopy design. This would not be difficult to add for the Public Presentation.

8. The restriction of 3 x 30 days for the portable sign does not seem to take into account if one lot has multiple (more than 3) businesses on it.

Correct; this supports the intent of the proposed signage provisions to encourage and facilitate permanent on-site signage. If Council feels strongly against this recommendation, Council can make a resolution to change the proposal right up until the Public Hearing (this would be a non-substantive change and thus would not require re-triggering the legislative process).

I can prepare an alternate option here (e.g. per business on a lot with a minimum spacing to avoid cluttering) in the event Council wishes to put this change to a vote.

9. Council has received complaints about existing electronic message signs on Coverdale Road (in particular, safety concerns with flashing lights on signs vs. on emergency vehicles). Will those signs be grandfathered?

As above; if said signs have existing permits, they constitute (grandfathered) legal non-conforming uses and cannot be enforced under the *Community Planning Act*.

10. There are several real estate signs advertising condos on Trites. These are all clustered together.

Under the current Riverview zoning provisions, it specifies that only one real estate sign is permitted; however under the proposed provisions (similar to Moncton), it does not specify a maximum number of signs per lot. Therefore, currently, if there are multiple real estate signs on a property, they would be in violation of the Zoning by-law and Council could transfer the matter to By-law enforcement. If the signs are located within the Town's right-of-way, the Town could remove them since they did not provide consent for having signs located there. If the proposed regulations are adopted, it would remove the one sign limitation, and technically, if located on private property, they would not be limited to only one real estate sign.