



FORMAL REPORT

To: Mayor Strathdee and Members of Council

From: Grant Brouwer, Director of Building and Development

Date of Meeting: 25 April 2017

Subject: **DEV 10-2017 Sign By-law Update**

PURPOSE

The purpose of this staff report is to update Council on the current enforcement of the Town's Sign By-law and provide suggestions to Council to help deal with examples of disregard of the sign by-law by both property and business owners in the Central Commercial District.

RECOMMENDATION

THAT Council directs Staff to move from complaint driven enforcement for Sign By-law 33-2005 to proactive enforcement for all areas of the Town of St. Marys, to commence June 1, 2017.

BACKGROUND

Council received a letter from the St Marys Heritage Committee (attached) on February 22, 2017 outlining the Committee's dissatisfaction with the current enforcement of the Town's Sign By-law. Since receiving this letter, staff have received additional complaints from businesses and property owners regarding signage in the downtown core. At the March 21, 2017 regular Council Meeting, Council asked Staff to bring back a report outlining an education campaign through resolution 2017-03-21-06.

REPORT

Historically staff has enforced the Sign By-law through a complaint driven process, and has reacted to these complaints through a written process, much like the Town's Property Standards By-law, unless there is an apparent health and safety concern.

Staff conducted a tour of the Central Commercial District (CCD) on March 23, 2017 and cataloged all of the current signs. The CCD has approximately 84 signs of different shapes and forms;

- of the 84 only 33 have had permits issued
- of the 84 only 11 were installed prior to 2005

With the 51 signs that we have no records of permits being issued, about 50% of them would pass the current bylaw leaving approximately 25 signs that would need to be replaced or a variance issued by Council. Some of the common issues that we noticed were:

1. The business owner may have had a sign permit at one location, and moved to a different address and installed the same sign and not applying for a permit
2. Signs in, on, or behind windows

3. All sidewalk signs (mainly not entering into an agreement with the Town)

Next Steps: based on the information discovered during the site tour, staff recommends that the Town moves from its current enforcement method to a proactive education and enforcement model. In speaking with the Economic Development & Culture Manager, it would be preferred to have a 45 day window to allow time to start an information campaign prior to the proactive enforcement model coming into effect.

The Building Department will work with Corporate Services Department on an information campaign to ensure that each business owner receives a letter informing them of the status on the current sign. This will allow them ample opportunity to apply a permit, prior to active enforcement taking place. Proactive enforcement will start with Town Staff reviewing Sign Permits on file and if the Town does not have a record of a permit on file, business and property owners will need to show proof of an approved sign permit being issued for its current location.

As a long term strategy, and working parallel with a more proactive enforcement program, the Economic Development & Culture Manager is planning a more proactive approach to educating current and prospective business owners about the sign by-law requirements and processes. Stakeholders who need to be involved include: business owners, property owners, realtors, Town Staff, Town Council, Committees of Council, and partner organizations who deal with new businesses (e.g. St. Marys BIA, CFDC, Stratford Perth Centre for Business). Education on the by-law, guidelines, and process can be delivered in many ways including: Town website, implementation of Business Registry, Business Update Newsletter, Business-to-Business events, BIA meetings, meeting with Realtors; doing a mock signage application to ensure that the process is as efficient as possible; and providing regular updates to all stakeholders. Specific products can include a 'Signs in St. Marys 101 Information Sheet'; an inventory of signs that meet the by-law and guidelines so that people can see what is expected; and a pictorial guide to show examples of good signage that would fit in St. Marys.

SUMMARY

Due to the high number of signs not compliant with the Town's Sign By-law, staff is recommending the Town moves to a proactive enforcement model. Prior to proactive enforcement, the Town will establish an information campaign to ensure each property and business owner understand the status of their sign and allow them time to apply for a sign permit.

FINANCIAL IMPLICATIONS

Financial Implications will depend on the willingness of both the property and business owners to comply with the by-law. If the by-law is not complied with, the Town does have the right to enter upon the property and correct the non-compliant issue and collect expenses through municipal taxes as per Section 446 of the *Municipal Act*.

OTHERS CONSULTED

Trisha McKibbin, Director of Corporate Services / Deputy Clerk
Laurel Davies Snyder, Culture and Economic Development Manager

ATTACHMENTS

Letter from St. Marys Heritage Committee, dated February 22, 2017
Sign By-law 33-2005

Respectfully submitted,



Grant Brouwer
Director of Development and Planning

Brent Kittmer
CAO / Clerk