Attachment-2 Overview of Recommended Changes for the New Sign By-law

Table 1 - Definitions

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
Current definitions do not clearly delineate between some types of signs.	Participants during public engagement indicated that the definitions in a new sign by-law need to be clearer and better at delineating between sign types. Improved definitions will provide customers and other stakeholders the ability to easily identify and understand the differences between signs that are regulated by the sign by- law. Staff notes that the current definitions have provided challenges in the administration of the current sign by-law.	Providing clearer definitions that better delineates between types of signs.

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law does not apply to the signs installed by or on behalf of the Downtown Board of Management - now the Downtown Guelph Business Association (DGBA).	Public engagement: During public engagement, some participants did not understand why the DGBA is exempt in the current sign by-law and did not think that an exemption should continue.	That the new sign by-law apply to the DGBA. That the DGBA be exempt for the purposes of the downtown community board.
	Staff believe that such broad exemption has the potential to create administrative challenges and is not necessary. As part of these recommendations, staff will be recommending that the DGBA be exempt from regulations relating to the downtown community board and have the opportunity to continue to place banners on approved street poles.	
	As part of this review process, Staff will also be recommending that exemptions be made available for signs on city land that are approved through a city special events permit.	
	Staff have consulted with the DGBA who have not objected to this change in exemption.	

Overview of current Considerations Overview of		
provisions	Considerations	Recommended changes for new Sign By-law
The current sign by-law does not apply to any sign installed by or on behalf of the University of Guelph and that is: (i) located within an I.2 or I.2-1 Zone; (ii) located on land owned by the University of Guelph; and (iii) located within the lands referred to as "academic and research lands" as set out in Schedule "A", Map 2 of this by-law.	During public engagement, some participants did not think the University of Guelph should be exempt from the sign by-law. Staff reviewed this aspect and consulted the University of Guelph. Staff believes the sign by-law should apply to non- regulatory signs that are less than 50m from arterial roads to ensure the intent of the by-law and the Official Plan are maintained. Staff and the University of Guelph are working together to propose specific regulations that meet the intent of the Official Plan, the new sign by-law and the University of Guelph's standards.	That the new Sign By-law apply to non-regulatory signs on land owned and operated by the University of Guelph that fronts onto or is located within 50 metres of the public highways known municipally as Gordon Street, College Avenue West, College Avenue East, Stone Road West, Stone Road East, and/or University Avenue East
While the City does have a general exemption in place, the current sign by-law does not clearly address: -temporary signs authorized by the City as part of a special events permit on city property -temporary signs authorized by the city as part of a city safety or economic development initiative -city approved murals	Not clearly addressing these types of signs can cause confusion and challenges.	Clearly address and provide exemption provisions for these types of signs and others signs intended to be exempt.
The current sign by-law does not have provisions for situations where there is a municipal need to relocate a sign for a road widening or other infrastructure project.	There have been situations where such relocation of signs by the city for municipal purposes has caused signs to become non-compliant with current regulations – requiring a variance. It is not the City`s intent to remove the rights or diminish the benefits of a sign for a business owner that lawfully erected a sign.	If a sign of the same dimensions and materials is relocated or replaced as a result of a city requirement, notwithstanding sightline requirements, it shall be deemed to conform with the new by-law.

Table 4 - Variances

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
Variances to the current Sign By-law require approval from council.	The current Sign Variance process takes a minimum of 3 months to complete. Stakeholders have indicated that this is far too long for a business that needs a sign.	An amendment to the Delegation of Authority By-law (2013-19529), as amended, will be brought forward at the same time as the new Sign By-law, requesting that staff be delegated the task of approving variances. Where the delegate has not approved a request for a variance, the applicant may request that the decision be reviewed by Guelph City Council.

Table 5 -	Permits	not required	
-----------	---------	--------------	--

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law does not require permits for real estate or development signs over 1.8m in height.	Under Ontario Building Code requirements and our policy, real estate and development signs over 1.8m will be required to be designed and reviewed by a professional engineer. The building department will be required to review the sign and required documents from the engineer.	A sign permit with a building code review will be required in the new sign by-law.
The current sign by-law references elections signs.	The City now has an Election By-law that regulates election signs in Guelph.	That the new by-law exempt election signs regulated under the Election By-law.

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law requires store/business owners to obtain annual permits for portable signs on private property and on public property in the downtown.	Concerns have been raised regarding the need to apply for an annual permit. A Certificate of General Liability Insurance is required for portable signs located on city property in the downtown. Storefronts outside of the downtown are not permitted to place portable signs on city property.	Continue to regulate portable signs (a-frame, t-frame), but not require a permit for those located on private property. A permit requirement for signs permitted in the downtown to be on city property will ensure adequate insurance is in place to help protect the city from any potential liability.

Overview of current	Considerations	Overview of
provisions		Recommended changes for new Sign By-law
The current sign by-law does not clearly identify what may be required for review and issuance of a permit.	Requirements and the authority to require specific information should be made clear and be included in a by-law.	Include details and clearly describe what may be required during the permit process.
	Staff are often in a position where there is no way to confirm that a proposed freestanding sign is located within private property and in compliance with the required setbacks. There may be significant liability issues if a sign is mistakenly placed on city property. Additionally, determining property lines onsite for large properties can be difficult and next to impossible for new developments.	Require a Plan of Survey with freestanding sign applications and as built confirmation after installation (if deemed necessary).
The current sign by-law does not require proof of a heritage permit for a sign located on a protected heritage property.	The lack of this requirement could result in damage to the heritage attributes of a protected heritage property.	Where applicable, proof of approval of a heritage permit for a sign located on a protected heritage property will be required.
The current sign by-law provides a brief outline on the process for revoking and refusing a permit, but does not clearly outline the refusal process, cancellations of permits or address expiry of a permit.	A by-law should clearly address and provide authority for such processes if they are required for the proper administration of the by- law.	Provide detailed descriptions and authorities for refusing, revoking, cancellation and expiry of permits. For consistency, align the revocation timeline of a permit with that of the Ontario Building Code.

Table 8 - Required inspections and reports

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law does not clearly outline the requirement for requests for inspections or the need to provide reports listed as conditions of a permit.	This has posed challenges with respect to the administration of the permit process. Indicating requirements and providing the relevant authority can assist in overcoming these challenges.	Clearly indicate the requirement to request an inspection prior to the commencement of each stage of construction or erection of the sign (where there are prescribed inspections listed as part of the sign permit). Clearly outline the requirement for reports required as a condition of a sign permit to be forwarded to the Chief Building Official or designate within fourteen (14) days after the installation of the sign.

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current by-law provides for enforcement measures, including seizure and return of signs, however it does not clearly stipulate disposal provisions.	Providing clear disposal provisions directly in the by-law will allow for further transparency of the process. Providing further details relating to enforcement provisions will also do the same.	Clearly outline disposal provisions that are recommended to include immediate disposal of bag and wire signs and disposal of all other signs after seizure if not claimed within a specified period. Provide more detail to enforcement and administrative provisions to create further transparency.

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law prohibits a moving, swinging, revolving, flashing, animated sign or the like. It also prohibits any action, motion or colour change. Despite this, a message in a Billboard is currently permitted to have a panel change time of 10 seconds between advertisements. Electronic message boards in freestanding signs are generally permitted to be 50% of the sign area to a maximum of 2m ² if set back 1m from the property line (3m ² if set back from 6m property), whichever is less.	This has consistently been interpreted to prevent electronic message boards in freestanding signs from flashing, moving or being animated. This has also applied to menu boards Stakeholders have indicated the desire to be able to have the message change more frequently than once every 24 hours, with no animation, flashing or the like. Stakeholders have indicated a need for a larger area of electronic message boards within freestanding signs. Menu board technology has evolved. Stakeholders have requested that animation be permitted in menu boards. Stakeholders have also expressed concerns about the potential brightness of electronic message boards and their potential proximity to residentially zoned properties. A number of variances to permit animation in menu boards have been approved	Freestanding Signs In freestanding sign only: Permit a static message to change once every 180 seconds, with an instantaneous transition with no effects. Prohibit: -animations, motion, scrolling content, fading, flashing, or blinking light, or any effects that create the illusion of movement; -any sequential messages, either on the same sign or on subsequent signs; and -any imitation or resemblance of official traffic control devices. Electronic Message Boards in Freestanding Signs Require: -a minimum setback of 30m from any adjacent residentially zoned property. -a minimum setback of 30m from any signalized intersection. Permit: Electronic message boards to be a maximum of 60% of the sign face to a maximum of 3m ² . Limit luminance levels to: -5000 Nits between sunrise and sunset -300 Nits between sunset and sunrise (150 Nits when within 60m of a residentially zoned property)

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
See previous page.	See previous page.	Menu Boards Require: -if facing toward or visible from a residentially zoned property, a minimum setback of 30m -if facing toward or visible from a street line, a minimum setback of 15m from a property line
		Limit luminance levels to: -5000 Nits between sunrise and sunset -300 Nits between sunset and sunrise (150 Nits when within 60m of a residentially zoned property)
		Billboards Only permit billboards to be located in the current permitted locations, but allow them to have electronic message boards (restrict timing and illumination).
		Permit a static message to change once every 180 seconds, with an instantaneous transition with no effects.
		Limit luminance levels to: -5000 Nits between sunrise and sunset -300 Nits between sunset and sunrise (150 Nits when within 60m of a residentially zoned property)

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law prohibits any sign which identifies a home occupation as set out in the zoning by-law.	Stakeholders have requested that signage be permitted to help their customers easily locate their home occupation.	Allow one (1) window sign per dwelling unit with a maximum area of 0.4m ² . No lighting permitted.
	Some stakeholders requested small window signage, while others have requested a portable sign to be displayed in front of their home.	Only permitted to be displayed during the operation of the home occupation.
	Balancing the needs of small business owners and the need to maintain the residential characteristics of a neighbourhood, staff believe a small window sign during operating hours is a good balance.	
The current sign by-law does not allow window signs in commercial or industrial zones to be illuminated.	Stakeholders have identified that they need to have an illuminated open sign so that their customers know that they are open.	Permit an illuminated open/closed sign with a maximum area of 0.4m ² . Require message to be static with no motion, animation, flashing or like.
	Many businesses already utilize an illuminated open sign which staff find is reasonable.	

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law restricts second storey signage of industrial, institutional and commercial properties.	Some stakeholders have indicated a need for second storey signage in industrial, institutional, and commercial zones. Others have expressed concerns with second storey signage in commercial zones. A number of variances have been supported and approved for second storey signage in both industrial and institutional zones. The Official Plan indicates that commercial signage should be displayed at a consistent height on building facades, such as the top of the ground floor. Permitting second storey signage in commercial zones could lead to inconsistent signage heights and a negative impact on our commercial streetscapes.	Regulate and permit second storey signage in industrial and institutional zones. Only permit signage to the external façade of the part of the building occupied by the business advertised. Continue to restrict second storey signage in commercial zones. Signage restricted to commercial tenanted space.

Overview of current Considerations Overview of		Overview of
provisions		Recommended changes for new Sign By-law
Freestanding signs located in commercial or industrial zones (Downtown, CR, OR zones excluded) restrict signs with a 1m setback to a height of 4.5m and a maximum area of 10m ² .	Urban design guidelines now require buildings to be developed closer to street lines. Stakeholders have concerns that these guidelines make it difficult for a sign of up to 7m to be seen from the street (due to the required 6m setback for signs of this height – they can have a maximum area of 17m ²). Other Stakeholders have indicated concern with having larger signs closer to the street line. Variances have been approved for signs with 6m in height with a setback of 1m, but with a reduced area. Urban design staff also finds this acceptable.	In commercial and industrial zones (Downtown, CR, OR Zones excluded), permit freestanding signs with a height of 6 metres at a setback of 1m from the property line with a maximum area of 8m ² .
Freestanding signs located in Downtown or Office Residential zones require a minimum separation distance of 30m from other freestanding signs on an adjacent property.	The frontage of these zones is generally small which has caused this regulation to be a challenge for businesses in these zones. Stakeholders have indicated concerns with this regulation as it has prevented some businesses from being able to have a freestanding sign. The maximum height of a freestanding sign in an Office Residential or Downtown zone is 1.8m, the removal of a separation distance between signs on each property should not have a negative impact on our streetscape.	Remove the requirement that freestanding signs located in Downtown or Office Residential zones be required to be a minimum separation distance of 30m from other freestanding signs on an adjacent property. Freestanding signs will still be required to be a minimum of 1m from an adjacent property.

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law restricts the number of menu boards to 1 menu board with a sign area of 2.3m ² and a maximum height of 2m above an adjacent roadway is permitted per property.	Corporate standards for many large food chains require pre-sell menus and larger integrated menu boards. Additionally, some properties are developed with multiple drive- throughs. Variances have been approved to accommodate these changes.	Permit 1 menu board per drive-through lane with a maximum height of 2.4m above the associated drive through lane and an area of 2.3m ² . Permit 1 pre-sell menu per drive-through lane with a height of 2.4m above the associated drive through lane and an area of 1m ² .

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law restricts window signage to the first storey and to 25% of a windowpane located within a wall and 50% of a windowpane located within a door. Lifestyle images are not clearly captured within the current sign by-law.	Stakeholders have indicated a desire to have the size of the signage calculated by the total window area, rather than windowpane. Additionally, it was identified that faux windows should be considered and regulated. Use of perforated material has been used to try to challenge calculation of window sign area. The whole of a sign made of perforated material has the same urban design impact as a sign made of non-perforated material. Lifestyle images have the same urban design impact	Calculate window area by including the entire window and faux window area of the façade of the business being advertised (regardless of product perforation). Define and regulate lifestyle images the same as other window signs.
	as other window signage.	

Table 17 - Temporary Signs – Signs attached to light poles

Considerations	Overview of Recommended changes for new Sign By-law
Vehicle gas bars and vehicle sales establishments use signage attached to light poles on private property. These stem from banner flags, chloroplast sheets zip tied together.	 Permit vehicle gas bars and vehicle establishments to have light pole banner signs and pole posters. Pole cannot have a Light Pole Banner Sign and a Pole Poster Sign attached at the same time. Light Pole Banner Sign and Pole Poster Signs required to have a minimum separation distance of 15m from each other. Cannot be attached to a freestanding sign. Must be a minimum distance of 15m from a freestanding sign. Above separation restrictions, does not apply to banners signs on poles at vehicle sales
	Vehicle gas bars and vehicle sales establishments use signage attached to light poles on private property. These stem from banner flags, chloroplast sheets

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law prohibits any flag that is a sign unless such flag is a maximum size of 2m ² and is on a freestanding flagpole which is affixed to the ground. It also states that all signs not permitted by the by-law are prohibited.	Feather banner signs also referred to a feather flags, or tear drop flags have become desirable for some businesses. Through public engagement there was support for regulating and requiring a permit for their display (to ensure that the volume of their use remains balanced in such a way to not negatively detract from streetscapes).	Regulate and permit them in commercial, industrial and institutional zones. To help preserve the streetscape, require a separation distance of 30m from any other feather banner sign or mobile sign. No premises issued more than 4 feather banner or mobile sign permits per year.

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
See previous page.	Staff have noted that there have been visibility concerns with some mobile signs at intersections (collector or arterial roads) given that they have a 0m setback requirement from a property line parallel to a street.	See previous page.
	Increasing the number of mobile signs for commercial properties could lead to more challenges related to the ability for businesses to equitably obtain permits due to separation requirements between signs, maximum number of signs per property, and location restrictions for safety purposes.	

Overview of current	Considerations	Overview of
provisions		Recommended changes for new Sign By-law
The current sign by-law restricts portable signs to 1 per business location to a maximum of 5 per mall. It also allows for 2 per vehicle service station or vehicle gas bar. The current height restriction for this category of portable sign is 1m.	A restriction of 5 per mall can be problematic for malls with more than 5 business locations. Stakeholders indicated that they would like this restriction removed. Some stakeholders indicated the desire to increase the size regulations to provide a little more exposure and because many of the pre- fabricated standard signs exceed this area. Some stakeholders indicated that they would like to further be permitted to have 2 per business location. As already mentioned in this attachment, some stakeholders raised concerns regarding the need to apply for an annual permit. Allowing two per business could have several overall impacts, including visual clutter, AODA challenges and other placement challenges related to safety. Further, removal of an annual permit (and fee) provides fewer opportunities for the city to educate and proactively review for placement.	Remove the restriction of 5 per mall, but continue to permit only 1 sign per business. As mentioned in "Permits Required", continue to regulate but remove the requirement for an annual permit for portable signs on private property. Increase the permitted height of this category of portable sign to 1.2m.
The current by-law restricts real estate open house directional signage to 4 per open house.	Stakeholders have indicated a desire to increase the number permitted to 8 per open house. Signage generally begins at a main street and leads through the developed neighbourhood to the open house.	Increase the maximum number permitted per open house to 8. Restricted display of signs to 2 hours prior to the open house and 2 hours after to ensure developed neighbourhoods do not have signs within them for an extended period.

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current by-law restricts model home directional signs to 4 per model home location.	Stakeholders have indicated a desire to increase the number permitted. Some Stakeholders have suggested 8, where other	Increase the maximum number permitted to 8 per sales location. Increase the permitted height of this category of
This category of portable sign varies in size from a maximum sign face area of 0.46m2 to 0.62m2 and a maximum height of 0.8m to 1m depending on location.	have indicated 16. Other Stakeholders have indicated that there are already too many of them. Some stakeholders have indicated the need for an increase in the size of this category of sign.	portable sign to 1.2m Providing that the sales centre is open, signs to be permitted to be placed out after 4pm Friday and removed by no later than 10am Monday.

Table 23 -	Temporary	Signs -	Development Signs
------------	-----------	---------	-------------------

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law restricts development, construction site/subdivision signs to a maximum sign face area of 10m ² and a maximum height of 5m.	Stakeholders have indicated the need to increase the size of these signs. Some have indicated a need to increase the sign area to 21m ² and height of 6.5m, while others have requested a maximum of 18m ² and a maximum height of 6m. Other Stakeholders have indicated that they are already too large. Current maximums are based on sign type, not size of property.	Base maximum sizes relative to lot size as follows: Lots less than 0.2 HA = maximum area of 6m ² , maximum height of 4m. Lots over 0.2 HA to less than 1 HA = maximum area of 11m ² , maximum height of 6m. Lots over 1 HA = maximum area of 18m ² , maximum height of 6m.

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law does not define or permit hoarding signs.	Hoarding signs can be an attractive addition to advertise an upcoming development.	Regulate and permit hoarding signage during construction.
		Restrict any construction hoarding sign containing any element or content in red, amber and/or green shall be erected more than 30m from a traffic control signal.
		Permit hoarding signs or Freestanding development signs, but not both.
		Only permit hoarding signs during construction.

Table 25 - Miscellaneous

Overview of current provisions	Considerations	Overview of Recommended changes for new Sign By-law
The current sign by-law is divided by types of signs. The current by-law has references to specific uses, but they are intermixed with other regulations.	Staff have received feedback that the current by-law is confusing and is not user friendly. The current by-law attempts to address particular needs of specific uses such as vehicle gas bars, but not all aspects of the typical types of signage are addressed or regulated.	Create the new sign by- law so that users can review all signage available to them by zone. Create specific sections and regulations to address specific uses such as motor vehicle gas bars and vehicle service stations to address and regulate typical signage found with these uses.