



Hamilton

INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	May 3, 2016
SUBJECT/REPORT NO:	L.E.D. Signs - Amendments and Process (Outstanding Business List Item) (PED16094) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Ken Leendertse (905) 546-2424 Ext. 3059
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

Council Direction:

At the Planning Committee meeting of September 15, 2015, staff was directed to report back on a process to amend the City's current Sign By-law to permit L.E.D. displays, and on February 2, 2016, the Planning Committee directed staff to report back with an enforcement strategy pertaining to illegal L.E.D. and electronic signs.

Information:

The City of Hamilton Sign By-law 10-197 was passed in 2010 with further technical and housekeeping amendments approved in 2011. There is no provision in this By-law to address the specific regulations or requirements of L.E.D. or Electronic Signs other than to prohibit the use of electronic and moving images in signs. Although prohibited, several of these signs have been approved through the issuance of Sign Variances, while others have been grandfathered into the By-law as they already existed prior to 2010.

Digital sign technology uses electronic screens with light emitting diodes (L.E.D.), similar to flat-screen televisions in order to display their sign copy. The sign copy can be programmed to change at different intervals and the screen brightness is adjustable according to time of day or ambient light conditions.

The intent of the By-law is to authorize signs that:

- (a) are appropriate in size, number, and location to the type of activities or use to which they pertain;

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- (b) provide reasonable and appropriate means for the public to locate and identify facilities, businesses, and services without difficulty or confusion;
- (c) are compatible with their surroundings;
- (d) protect and enhance the aesthetic qualities and visual character of the City;
- (e) are consistent with the City's planning, urban design and heritage objectives;
- (f) do not create a distraction or safety hazard for pedestrians or motorists; and,
- (g) minimize adverse impacts on nearby public and private property.

The current "one-off" approach that approves specific signs through Sign Variances does not give the City a global approach to L.E.D. signs and does not fall within the intent of the By-law. The City has an excellent opportunity to develop the approach, criteria and regulations to control the influx of this new sign technology, while at the same time, taking a measured approach that protects and enhances the aesthetic qualities and visual character of the City.

When examining regulations and restrictions in relation to L.E.D. signs, there are many issues to consider prior to implementing any amendments to the existing Sign By-law. As L.E.D signs may have more of an impact on the larger intent of the By-law, consideration must be given to the following areas:

- Impact on traffic flow and road safety;
- Impact on neighbourhoods;
- Size / height restriction of signs;
- Minimum setbacks from road allowance;
- Zoning requirements;
- Screen brightness (measurement of luminance);
- Transition times of images;
- Hours of operation (restrictions at night);
- Proper engineering and controls of the signs; and,
- Overall community impact.

In review of the information available through existing literature and that of other Canadian Municipal By-laws, it appears that other Municipalities have examined the same criteria and have established regulations that ensure proper integration of these signs into a community. Both the Cities of Calgary and Ottawa have created a regulatory framework that appears to be best practices for L.E.D. sign approvals.

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The City, through the Finance, Administration and Revenue Generation Division, is currently examining these criteria with a proposal for a pilot program coming forward to permit digital signage on City properties. The processes developed during the pilot program would establish the appropriate criteria and approvals for digital signs to ensure that the intent of the Sign By-law is met.

The Enforcement Strategy for staff will be to continue to enforce the Sign By-law in relation to L.E.D. signs on a complaint basis and with pro-active enforcement. As most signs in this category will require a Building Permit or a variance under the Sign By-law, it is staff's position that no further L.E.D. signs be approved until established restrictions and criteria are approved by Council.

KL:cab