

Billboards and Transit Signs (Response to Motion CM 19-6)

Date	April 29, 2021
To	City Council
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	CM21-8

RECOMMENDATION

That City Council:

1. Not approve the implementation of a moratorium on billboard signs.
2. Remove item CM19-16 from the list of Outstanding Items for City Council.

ISSUE

On December 16, 2019, City Council considered report CM19-16 concerning the adoption of the new *Regina Zoning Bylaw, 2019-19* (Zoning Bylaw). In consideration of the report, City Council adopted the following motion:

“That Administration bring a report back to City Council in Q1 2020 that would outline implications respecting:

1. The elimination or reduction of the 30-metre distance regulation for portable billboards;
2. The distance regulation from a billboard be eliminated;
3. The placement of a second portable sign on a lot be reduced from 90 metres to 70 metres;
4. A moratorium on new billboards; and
5. Information on the contract with Pattison Outdoor Signs and the number of benches that exist in the city.”

A portable sign is a sign mounted on a trailer, stand or similar support structure designed to be readily relocated to provide advertising at another location and does not include signs painted directly on motor vehicles. It can be used for both on-site and off-site advertising. On the other hand, a billboard sign is any sign that directs persons to or advertises goods, products, services or facilities situated or provided at a different property from where the sign is installed. Billboard signs typically take the form of freestanding signs or wall signs but are not limited to these forms.

City Council considered a report addressing items 1, 2 and 3 at the April 29, 2020 meeting (CM20-9). As Administration anticipated several delegations would want to speak to items 4 and 5, Administration determined it was best to bring forward a future report specific to these items at a future date.

IMPACTS

Policy/Strategic Impact

Section D5, Goal 6 – Built Form and Urban Design, Policy 7.34 of *Design Regina: The Official Community Plan Bylaw 2013-48* (OCP) directs the following:

Support design excellence by ensuring that public and private spaces and buildings contribute to a sense of place and an enhanced public realm through high-quality design and strategic location.

Sign regulations contribute to achieving this policy by implementing sign spacing and size standards that mitigate the impact of signs on the streetscape and provide uniform standards for their location. These standards help ensure a higher quality of urban design than would otherwise be if there were no such standards in place.

Other Impacts

The Zoning Bylaw includes regulations pertaining to signage located on private property. Signage on public right-of-ways, such as advertising space on transit bench and shelters, is not regulated under the Zoning Bylaw. The portable sign industry has expressed concern with these forms of signage related to the size of advertising space, the number of them and their locations when placed near street corners and other crossings. However, these are not regulated in the Zoning Bylaw and are administered under separate contracts, both of which do not expire until 2023.

OTHER OPTIONS

Option 1

Implement a moratorium on new permanent billboard approvals

One alternative to the recommendation in this report would be to implement a moratorium on new permanent billboards. It would see the City of Regina (City) cease approvals of new billboards for an undetermined or prescribed period. This option may present the following pros and cons:

Pros

- There will be no increase in the number of future permanent billboards in the city.
- No further changes to the roadside visual environment and streetscape character as, arguably, permanent billboards and signage in general may contribute to visual interference and potential driver distraction and the time it takes to respond to road signs.

Cons

- A moratorium on new billboards could impact the City's revenue from the lease of land for billboard placement.
- A moratorium on new billboards could impact private landowners' ability to generate income from their property by leasing space to billboard owners.
- A moratorium on new billboards could harm the City's reputation as a place to do business.

Option 2

Implement more stringent standards regarding their placement

Another alternative to this report's recommendation would be to implement more stringent standards for billboards related to spacing, etc. The pros and cons of this approach include:

Pros

- The impact on the billboard and sign industry will be mitigated somewhat in that new signs would continue to be reviewed and approved in accordance with the new standard as opposed to a complete moratorium. This would allow further engagement with the full sign industry and community on an appropriate revised spacing standard.
- There would be fewer new permanent billboards as increase in spacing requirements would ultimately lower the amount of space available for them.
- Changing the standard may result in the creation of legal non-conforming situations regarding the location of existing signs

Cons

- As *Regina Zoning Bylaw No. 2019-19* already updated the regulations for permanent billboards to be more restrictive than under the previous Zoning Bylaw, measures to restrict them further may be perceived as unfair or unnecessary.
- Similar to option 1, this could impact the ability of private landowners and the City to generate revenue from the lease of land for billboards.

COMMUNICATIONS

Stakeholders will receive a copy of this report and notification if they wish to appear as a delegate at Committee and Council. Stakeholders will also be notified of Council's decision.

DISCUSSION

The following discussion addresses Items 4 and 5 of the Council Motion CM19-16 responding to the implications of the issuance of new billboard signs and information on the context for advertisement of bus benches and transit shelters. Items 1-3 were addressed in CM20-9.

Moratorium on New Billboards

Though there are approximately 150 billboards in Regina¹, the permanent billboards regulations are more restrictive than any other sign type in Regina. The regulations require a separation distance between permanent billboards on the same side of the street of at least 90 metres (approximately 300 feet) to provide appropriate separation and consistency regarding their placement on a streetscape. Among the essential objectives of the separation distance criteria for permanent billboards has been the desire to minimize the visual clutter associated with signs as permanent fixtures in the landscape. As a result, the regulations also permit billboards in fewer zones (MH – Mixed High-rise, MLM – Mixed Large Market, DCD-D – Downtown Direct Control District and all Industrial zones) than signs used for on-site advertising (all Residential, Mixed-use, Industrial and Special zones and DCD-D – Downtown Direct Control District), which further controls their numbers.

In addition to the separation distance and location restrictions, the new regulations for digital signs (which mainly impact billboards) should reduce or eliminate the problems caused by digital signs (i.e., too bright, too distracting, etc.). Analysis of comparable cities did not indicate that Regina was too permissive concerning permanent billboards; in fact, with the new requirements for digital signs, Regina is now among the most restrictive cities² examined (see Appendix B comparing permanent billboard regulations in Regina and other jurisdictions).

Implementing a moratorium on the approval of permanent billboards may help preserve and promote the natural landscape of the city by minimizing the visual clutter associated with signs. However, it could significantly impact business and property owners in Regina and the City itself. Property owners, including the City, often lease or rent their land to

¹ A manual count conducted by the City found 139 digital or static billboards, while the Regina Portable Sign Association has indicated that by their count there are 164 (124 static and 40 digital). See Appendix A for locations identified by the City.

² The Zone Forward team compared Regina's sign regulations with five comparable communities - Saskatoon, Winnipeg, Calgary, Windsor and London.

advertising companies for billboards. These lease agreements generate income for private landowners and the City. Industry stakeholders have noted that lease agreements for billboard placement create over \$500,000 in annual revenue for private landowners and the City. The City generated approximately \$111,000 revenue from 23 leases in 2019 and 2020. The City's rates for such leases are increasing in 2021. However, the total number of leases is decreasing to 19. Some clients have indicated that they will be removing some of their billboards, and the City removed two billboards (one at City Council's direction and one because of a road alignment). As a result, the annual revenue from these leases will be approximately \$112,000. The City also generated approximately \$3300 in property tax revenue from these locations in 2020. While a moratorium on new billboards may not impact existing sign locations unless the owner sought to alter an existing sign, it would impact the future ability of property owners, including the City, to generate revenue.

For private property owners, these lease agreements' revenue can help offset operating costs and tax obligations. For the City, these lease agreements generate revenue to support operating costs that would otherwise have to come from other sources.

The City has not authorized any billboards under the current Zoning Bylaw since its adoption in December 2019. However, five have recently been erected but they were approved under the former Zoning Bylaw No. 9250. These are located at 1801 11th Avenue, 3939 Rochdale Boulevard, 3010 E Quance Street, 3806 Albert Street and 3901 Albert Street. The applicants have two years to complete the construction before their permit expires and as such, all of these permits remain valid.

Items related to Council's motion was to provide Council with information on the contract with Pattison Outdoor Advertising and the number of benches that exist in the city. The information is included in Appendix A, C and D to this report.

DECISION HISTORY

- In August 2019, City Council approved *The Regina Zoning Bylaw, Bylaw No. 2019-19* and *The Regina Sign Bylaw, Bylaw No. 2019-20*. Both bylaws went to the Minister of Government Relations for ministerial approval according to *The Planning and Development Act, 2007*.
- In December 2019, the province approved *The Regina Zoning Bylaw, Bylaw No. 2019-19* on the condition that the regulations in *The Regina Sign Bylaw, Bylaw No. 2019-20* instead be located within *The Regina Zoning Bylaw, Bylaw No. 2019-19*.
- In December 2019, Administration brought forward an amendment to *The Regina Zoning Bylaw, Bylaw No. 2019-19* to incorporate the City's sign regulations into the new Zoning Bylaw. Council approved this amendment and directed Administration to prepare a report (see CM19-16) outlining the implications of the following:
 - The elimination or reduction of the 30 metres distance regulation for portable billboards;

- The distance regulation from a billboard be eliminated;
 - The placement of a second portable sign on a lot be reduced from 90 metres to 70 metres;
 - A moratorium on new billboards; and
 - Information on the contract with Pattison Outdoor Signs and the number of benches that exist in the city.
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- In April 2020, Administration brought forward a report (CM20-9) addressing items 1-3 from CM19-16, with the intent to bring forward a future report addressing items 4 and 5.

City Council's approval is required, pursuant to Part V of *The Planning and Development Act, 2007*.

Respectfully Submitted,



Fred Scarle, Director, Planning & Development Services

Respectfully Submitted,



4/15/2021

Diana Hawryluk, Executive Director, City Planning & Community Dev.

4/22/2021

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ATTACHMENTS

- Appendix A - Permanent Billboard Locations in Regina final
- Appendix B - Permanent Billboard Regulations in Regina and Other Jurisdictions
- Appendix C - Information on Contract with Pattison Outdoor Advertising
- Appendix D - Bench types in Regina and Saskatoon