Council Direction:

At its meeting of August 12, 2010, Council approved item (e) of the (former) Economic Development and Planning Committee Report 10-016, respecting Comprehensive Review of the Sign By-law (Report PED05172(h)), which reads as follows:

“What staff be directed to develop a kiosk pilot program for poster locations in consultation with the Westdale, International Village and Downtown Business Improvement Areas, Public Works and the Wards 1 and 2 City Councillors and report back with a recommended plan to the Economic Development and Planning Committee by January 2011.”

Information:

In September 2009, in Report PED05172(f) “Comprehensive Review of the Sign By-law”, staff provided an overview regarding the regulation of postering in the City of Hamilton and the potential of a pilot kiosk program. In that Report staff noted that “as a result of challenges in other Ontario cities, the Courts have ruled that municipalities may regulate but may not prohibit postering.” For many years, Hamilton has regulated postering through the Sign By-law by limiting the amount of time posters are allowed to be in place, how they are to be attached to poles, and by specifying the size and type of
material which may be used. With the enactment of the new Sign By-law 10-197 on August 12, 2010, the following additional restrictions on postering have been included as follows:

- require a 200 metre separation between posters advertising an activity/event;
- allow only one poster per post/utility pole; and,
- require that posters be of biodegradable material for ease of removal.

The regulation of postering in Business Improvement Areas (BIA) has been a concern of BIAs for many years and rather than allow postering to continue in these areas, information kiosks and poster sleeves have been proposed. Since 2005, monies have been approved in the Downtown and Community Renewal Division’s Capital Budget for information kiosks within the Downtown, Community Downtowns and BIAs. In total, there is $310,000.00 allocated towards the design, fabrication and installation of information kiosks, of which:

- $60,000.00 has been designated for the design, fabrication and installation of up to six information kiosks and poster sleeves for the pilot; and,
- a maximum of $35,000.00 has been approved for maintenance of the kiosks for the duration of the pilot.

The kiosk designs were created and finalized in 2009 by the Downtown and Community Renewal Division.

**Pilot Project Plan Update:**

Immediately following the approval and enactment of the new Sign By-law 10-197, Parking and By-law Services staff met with Public Works staff in order to discuss and plan the kiosk pilot program. The purpose of the program is to assess the effectiveness of the Sign By-law, with respect to postering, by using information kiosks and poster sleeves in the Downtown BIAs. As noted in the recommendation, the three pilot areas are Westdale, International Village and the Downtown BIAs.

There are a total of six information kiosks approved for the pilot study areas as well as 30 poster sleeves, which would be attached to utility poles. As part of the pilot program, staff will install the following mix of kiosks and poster sleeves:

- Study Area A: Westdale BIA – one Information Kiosk and a minimum of two poster sleeves within the BIA; and,
- Study Area B: International Village BIA - two Information Kiosks and a minimum of one poster sleeve within the BIA (with an option to increase poster sleeves dependent upon usage and need)
- Study Area C: Downtown BIA – three Information Kiosks and poster sleeves as required within the BIA to ensure adequate placement for By-law enforcement.

This approach is being taken due to the geographical size of each BIA. The Westdale BIA is the smallest of the three while the Downtown BIA is the largest. By creating the three pilot areas based on the total number of kiosks per BIA and their relative size, this will provide a better understanding and better results pertaining to the use of kiosks and poster sleeves in conjunction with the new poster regulations in the Sign By-law.

Public Works will be leading the implementation of the kiosks and poster sleeves. Public Works staff have met with each BIA to scope out potential sites for the kiosks and poster sleeves. A Request for Quotes has been sent out to 14 potential proponents for the design and creation of the kiosks and poster sleeves. The pilot will officially launch once the poster kiosks have been installed in each BIA. The tentative start is for this Spring, 2011.

Public Works will be working closely with Parking and By-law Services Division to evaluate the effectiveness of the pilot program. The evaluation will include:

- a pre-audit and inspection of the designated areas prior to the installation of the kiosks,
- enforcement and maintenance of the kiosks/poster sleeves during the pilot as well as ongoing audits during the pilot; and,
- post-audit/interviews with BIA and the affected Ward Councillors at the conclusion of the pilot.

Staff will create a communication and education campaign in order to inform individuals of the new postering requirements and to encourage the use of the poster kiosks and sleeves in the three pilot areas. Staff will also work closely with individual BIAs in order to create an effective campaign and pilot.

Staff will report mid-way through the pilot program to provide a status update concerning the pilot and report on any issues or concerns that may arise.

JX/dt