

Local businessman has issues with sign bylaw

By Angela Gismondi & Mark Pavilons

A local businessman is butting heads with the municipality over a sign advertising his operation.

On May 25, Andre Flys, of the well known Pioneer Brand Honey, placed a sign at the Esso station located at the north east corner of Highway 27 and 15th Sideroad with the permission of the owner.

The sign stands four feet by four feet and provides directions to the honey farm located several hundred feet east at 5815 15th Sideroad. Flys said he



He was surprised when he received a call from Nick Tzaras, the owner of the Esso Station, advising him that a King bylaw officer informed him the sign must be removed. The issue is the Township's bylaw does not allow third-party signage - permanent, advertising signage put up on a property not owned by the business owner. That's when Flys contacted the Township.

'I have invested time and money for a professionally designed and nice looking sign to advertise our honey farm,' explained Flys in a letter to Township council and staff. 'I now find, much to my shocking surprise, that King Township does not allow signs promoting agricultural products or sales. The same Township, I might add, that spends substantial sums on advertising King Township's support for local business and boasts an environmental sustainability plan which claims to support environmentally critical and sustainable businesses like that of our apiary. Yet as an apiary we cannot place a sign on private property to direct travelers to our honey farm. How can it be that King council claims to support agriculture and promotes a 'sustainable King,' but prohibits farmers from making the public aware of their existence?'

He argued that developers are allowed to advertise on huge billboard signs around the township.

'I would point out that I see many huge, billboard-type signs throughout King Township advertising condos, commercial properties, residential,' Flys noted. 'How is it that development of land in King Township qualifies for billboard-sized signage at dozens of intersections but a honey farm does not qualify for one four foot by four foot sign?'

He asked that council reconsider the restrictions in the sign bylaw.

'I will remove the sign if forced but I wonder how the citizens of King will react to council's enforcing such a ludicrous bylaw,' said Flys.

The matter was brought up under new business at the June 9 meeting by Councillor Avia Eek. As a farmer, Eek understands the challenges agricultural business owners face.

'When you have an agricultural business, how are people supposed to find you?' asked Eek. 'I would really like to see if there is any way we can do this. He had to fight tooth and nail to get the sign on his own property.'

Eek asked if there was a way that staff could revisit the bylaw and include an exemption which 'will not cost the farmer or agricultural business an arm and a leg to put up a sign.'

Councillor Linda Pabst agreed.

'I share your thoughts and concerns,' said Pabst. 'I think we need to take a long hard look at it. There has to be a fine line.'

She suggested that staff look at what other municipalities are doing.

Township clerk Kathryn Smyth explained to council that the sign bylaw is relatively new and went through an extensive public review process. She spoke with Flys and advised him to proceed with a sign bylaw exemption request. The annual cost associated with an exemption is over \$500.

However, farmers are not the only businesses facing challenges, Smyth pointed out.

'The challenges farmers face are not unlike other business owners,' she said.

'The rules have to apply to all equally otherwise the bylaw can be challenged,' added Township CAO Susan Plamondon. 'I would

like to do a review. We need to understand the implications of third-party signage.?

Councillor Cleve Mortelliti said council has received more complaints since they passed the bylaw than they have in the last 10 years. He asked if King should consider allowing third party signage as long as the business is located in King.

?It's something I like the idea of because I think we need to help our local businesses promote themselves,? said Mortelliti.

Plamondon suggested that Flys apply for the exemption and go through the process as the clerk suggested. Under the current sign bylaw, directional signs are permitted for agricultural businesses, but not commercial ones.

?Let's allow him to work through the current bylaw process to help him achieve his objective,? said Plamondon. ?It may actually be more beneficial for him in this case. He may not even need third party signage.?

Mayor Steve Pellegrini asked if there was any way the applicant could go through the process but that the Township waive the fee.

?The bylaw applies to everybody,? said Pellegrini. ?There are a lot of good businesses, like theirs, that we want to help. But we don't want eye pollution and big billboard ads all over the township. There are special provisions in the bylaw for agricultural operations. Everything he is asking for is there.?

Plamondon informed council a legal opinion is required to see if the Township can differentiate between one class of third-party signage versus another. Staff will report back on the matter.

?What I would caution against is setting a precedent without all the information necessary to make that decision,? said Plamondon.

Councillor Peter Grandilli has been very vocal in recent months about sign pollution and illegal signs being placed at intersections, particularly at King Road and Highway 27 in Nobleton.

?In King we have a process in place and bylaws to follow about sign placement and installation that we all should follow, respect and be enforced,? said Grandilli following the meeting.

?I have no objection about honey sign or any sign being installed as long as they are permitted, installed properly, pay a permit fee, just like any other business in King,? Grandilli continued. ?This is a third party sign and we do not allow third party signs. It is against our bylaw. I do not agree with some council members to waive the fee or reduce the fee or give farmers special concession, business is business. We business owners are all in it trying to make a dollar.?

Staff is expected to report back on the matter. A report on agri-tourism is also expected to come before council in July.