

November 7, 2010



City Council Committee Report

To: Mayor & Council

Fr: Tara Rickaby, Planning Administrator

Re: Buck Matiowski for Farmers Market, Train of Lights, Knights of Columbus Christmas Dinner Variance to Sign By-law 115-2010

Recommendation:

That Council of the City of Kenora refuses the request for a variance from Sign By-law 115-2010 to permit a trailer mounted sign at property at 1010 Highway 17 East for the following reasons:

- Creates a driver distraction for motorists on approach to the intersection of Highway 17 East and Fifth Street South,
- The location of a temporary sign does not protect and enhance the aesthetic qualities and visual character of the City.

Background:

Buck Matiowski, on behalf of the owner of property located at 1010 Highway 17 East, has applied to locate a temporary sign, trailer mounted, at property located at 1010 Highway 17 East. This property is the location of a vacant industrial building between Dingwall Ford and A & W.

There are several areas in the City already approved for special events and non-profit groups, which do not require permission for use by non-profit groups:

- 1) Hill abutting Lakeview Drive and CPR mainline, west of roundabout
- 2) Retaining wall at South end of Bernier Drive
- 3) Road Allowance at corner of Railway Street and Tenth Avenue South.

The intent of the Sign By-law is to regulate the location and number of signs within the City. The Planning Department does not recommend the use of an unused property as a location for signage as it does not enhance the aesthetic qualities and visual character of the area.

Mr. Matiowski has arranged that there be no charge for the location of the sign, in return for advertising the sale of the property on behalf of the property owner.

This application was also made in August of 2011, and Council made the following decision:

Refusal of Sign By-law Variance – Highway 17 East

29. Moved by L. Roussin, Seconded by S. Smith & Carried:-

That Council of the City of Kenora refuses the request for a variance from Sign By-law 115-2010 to permit a trailer mounted sign at property at 1010 Highway 17 East for the following reasons:

- Creates a driver distraction for motorists on approach to the intersection of Highway 17 East and Fifth Street South;
- The location of a temporary sign does not protect and enhance the aesthetic qualities and visual character of the City

Definition of mobile signs per Sign By-law 115-2010:

6.7 Mobile signs

- 6.7.1 A mobile sign shall have a maximum of two (2) faces;
- 6.7.2 The copy of the mobile sign shall not exceed three (3) colours within the copy and sign area shall not exceed one (1) colour;
- 6.7.3 A mobile sign shall not be located, erected or displayed on vacant lands.
- 6.7.4 A permit for a mobile sign shall be valid for a maximum period of thirty (30) consecutive days from the date the permit is issued.
- 6.7.5 Where one (1) permit for a mobile sign has been issued for a premises, no subsequent permit for the same premises shall be issued until at least 30 (thirty) days of elapsed from the date of expiry of the previous permit.
- 6.7.6 A mobile sign shall not be located, erected or displayed within:
 - (a) 15.0 metres of an intersection or traffic signalization;
 - (b) 1.5 metres of a private driveway;
 - (c) 3.0 metres of any other lot line; and
 - (d) 15.0 metres of a property used for residential purposes.
- 6.7.7 A mobile sign shall only advertise for the premises to which the permit was issued, save and except a community special event sign may be permitted.
- 6.7.8 A mobile sign shall not be located, erected or displayed on the same premises or property on which a portable sign has already been located, erected or displayed unless and until such portable sign has been removed.
- 6.7.9 A mobile sign shall not include flashing lights.

Comments from Sign Commissioner:

- There is no start and end date included in this application; permanent signs not permitted.
- Given that this is the second application for the same location, it appears as though this is a request for a permanent sign location, in addition to those pre-approved.

Comments from Operations Manager (August 2011)

- The location is too close to a busy intersection, with a requirement for the driver to look over and down to see a sign.

Comments from Roads Supervisor

- Per Sign By-law No. 115-2010, temporary signs on trailers do not fit with what the City wants to portray as far as a modern city. Therefore I will not recommend the variance be approved.

Budget: N/A

Communication: Per Notice By-law No. 144-2007; Council Agenda, Applicant