



May 3, 2012

## City Council Committee Report

**To: Mayor & Council**

**Fr: Tara Rickaby, Planning Administrator**

**Re: Request for Variance to Sign By-law No. 115-2010, Central Community Club**

### **Recommendation:**

That Council refuses a variance, to sections 4.1 (e)(h)(i) and of Sign By-law No. 115-2010 as the approval of same would not meet the intent of the by-law for the following reasons:

- 1) the size, number and location of the signs are not appropriate in an open space/recreational area owned by the City of Kenora;
- 2) are not compatible with surrounding activities or uses as the activity on the rink would be able to be observed by persons travelling by, and the snow clearing operations of the rink would be negatively impacted;
- 3) the aesthetic qualities and visual character of the City would not be protected and enhanced;
- 4) the location of billboard signs is not consistent with the City's planning, urban design and heritage objectives
- 5) the location of numerous billboard signs will create a distraction, or safety hazard, for pedestrians and motorists.

### **Background:**

The Central Community Club volunteers are requesting a variance under Sign By-law No. 115-2010

*4.1 Any person shall not locate, erect, display or cause to be located, erected or displayed a sign, save and except signs expressly permitted in Part 5 of this By-law, and located, erected or displayed in strict compliance with the requirements of Part 5, which:*

*(e) Is on public property, unless expressly permitted in this By-law and in accordance with the conditions of such permission as set out in this By-law*

*(h) Does not relate to any use or uses of the premises located on the same property;*

*(i) Is within the sight triangle; (Sight Triangle - A triangular area formed within a corner lot by the intersecting street lines or the projections thereof and a straight line connecting them or 9 metres from their point of intersection. A Corner Lot is a lot situate at the intersection of and abutting, two streets or parts of the same street the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which contain an angle of not more than 135 degrees).*

The Club is requesting this variance so they can proceed with a revenue generating plan based on rink board advertising sales and sponsorship. Based on that premise, the Club is respectfully requesting that the sign application fees be waived. This plan is similar to the what the City does in the their indoor rinks.

The variance application was circulated internally and the following comments received:

Planning Department	<p>This proposal could create a sheltered area for people to congregate when the community club closed.</p> <p>The intent of the Sign By-law is to reduce sign clutter ; this proposal will encourage sign clutter and therefore does not meet the intent of the by-law</p>
Building Department	<p>Signs should be located only inside the rink boards. Permitting Bill Boards at this location contradicts the direction the City has taken to date in regards to signage. This is compounded by the fact that this is City property. I also have a concern that there may be a liability issue being head/body over board collisions with the edges and structural members of the proposed signs.</p>
Roads Department	<p>A sign for the community club and emergency contacts is ok on the building with no advertising. Advertising on the inside of the boards (players side) and not on top would be ok</p>
Sewer & Water Department	<p>No comments received</p>
Fire and Emergency Services	<p>No objections</p>
Parks Supervisor	<p>I do not believe that the proposal meets the intent of the by-law regarding aesthetics or the urban design.</p> <p>I can understand the signs on the outside of rink boards (not above), and none on the building – this definitely does not meet the intent re. aesthetics.</p>
Municipal Engineer	<p>I would not be so much concerned over driver distraction as the aesthetics of the neighbourhood, as realistically they are asking permission to erect bill boards. Not sure how the ones on top of the rink boards may affect their slow blowing and shoveling off of the ice surface in the winter? Dependent on how the signs are installed on the boards, it may create a more hidden view of activities going on within the rink and it may affect the structural stability of the existing rink board structure.</p> <p>Might be a good idea to have details on how many, what material, what size, method and look of the installation on the boards and what is would be placed on the signage i.e. text only, detailed graphics, etc? The City should have the right to dictate to the club to remove any sign that is past its life span i.e. faded and signs in poor shape, and would also suggest the club would require City approval on the signs content prior to the manufacture and erection.</p>

Based on the comments from Staff, the Central Community Club was contacted regarding numbers of signs, issues such as snow removal. Responses are attached. Please note that the billboards would be permanent, and not something that would be removed in the spring. The Community Club is less active during the summer and the billboards could provide better opportunity for unapproved activity which could be carried on during the months when the Community Club is not used on a daily basis.

**Budget: No cost to the City**

**Communication Plan/Notice By-law Requirements:**

Licensing, Building, Parks Supervisor, Community Services, Central Community Club, Operations and notice on the Committee Agenda that variance to Sign By-law refused.