



CITY OF  
ST. CATHARINES

## Corporate Report

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**Report from** Planning and Development Services, Building and Development

**Date of Report:** July 2, 2013

**Date of Meeting:** July 22, 2013

**Report Number:** PDS-196-2013

**File:** 56.2.5

**Subject:** Request to Vary Sign By-Law, 111 Hartzel Road; Home Hardware Flag Signs

### Recommendation

That Council approve the request for variances to Sign By-Law 2012-154 to allow five (5) flag signs with individual areas of 5.2 sq.m. (56 sq.ft.) where a maximum area of 3.0 sq.m. (32.29 sq.ft.) is allowed, and allow three (3) of these signs to be less than the minimum 1.0 metre (3 ft. 3 in.) from the north side property line, as noted in the report; and

That two of the signs, #2 and #6 shown on the attached Site Plan, be removed in order to maintain the minimum required clearance of 20 metres (65 ft. 7 in.) between flag signs. FORTHWITH.

### Summary

The purpose of the proposed flag signs is to advertise the Home Hardware business. While the areas of the individual signs exceed the maximum permitted by the By-Law it is the close spacing of the signs that appears to create an excessive amount of signage on the streetscape. This is not in keeping with the intent of the By-Law. The signs that are very close to the north side property line are adjacent to a public walkway and do not pose any sight line or safety hazards.

### Background

According to the owner of the property the proposed flag signs have been in place at the proposed locations for several years. The provisions to regulate flag signs were added in the previous Sign By-Law in 2011 to enable staff to deal specifically with these types of signs.

Since the signs, as they existed, did not comply with the By-Law the owner is required to remove the signs. The owner was agreeable to this requirement and has removed the flags from the poles and applied for the necessary sign permit.

## **Report**

For information purposes, refer to the Site Plan (Appendix 1) and Flag Sign Detail (Appendix 2). The flag signs are in planter boxes along the east and north property lines. The locations have been numbered 1 thru 7 on the Site Plan.

### **Sign Area(s)**

Each of the proposed flag signs is identical, being 1.2 by 4.0 metres (4 ft. by 14 ft.) with a resulting area of 5.2 sq.m. (56 sq.ft.) each. These exceed the 3.0 sq.m. (32.2 sq.ft.) maximum allowable area under the By-Law by approximately 73%. Although this percentage appears very large, the adverse visual impact of these larger existing signs are minimal due to the higher elevation and separation distances that would be attained by the strategic removal of the signs as discussed. As stated, there are no safety concerns with the location and size of these signs and therefore the requested variance, in this instance, is considered to be a reasonable compromise to an existing situation. Staff support the increased sign areas provided the minimum sign spacing complies with the By-Law – see *Distance Between Flag Signs* below.

### **Setback to Adjacent Lands**

Three (3) flag signs are proposed to be placed on existing poles that are less than the minimum 1.0 metre (3 ft. 3 in.) setback from the north property line as required by the By-Law (See Appendix 1 – Site Plan). Their locations vary from 0.29 to 0.34 metres (11 to 13 inches) from the north side property line. The land adjacent to this part of the property line is a public right-of-way (walkway) which is approximately 3.7 metres (12 feet) wide. Other more commercial property is located beyond. Since these signs do not appear to create any sight line or safety issues Staff has no concern with the encroachment.

### **Distance Between Flag Signs**

The By-Law requires a minimum 20.0 metre (65 ft. 7 in.) separation between flag signs. Several of the proposed flag signs are quite close together including a pair of signs at the front of the property that have a separation of 5.28 m. (17 ft.), and another pair 8.03 metres (26 ft. 4 in.) apart. The combination of oversized flags signs, placed closely together, appear to create an excessive amount of signage upon the streetscape.

The elimination of the proposed flag signs at Locations #2 and #6 would remedy the non-compliance.

The signs as proposed otherwise comply with the By-Law.

### **Financial Implications**

Not Applicable.

### **Conclusion**

Staff supports the proposed variances to the By-Law that allow the larger signs, some of which are quite close to the north property line. This support is subject to maintaining

the minimum spacing between the flag signs of 20 metres (65 ft. 7 in.). In order to achieve this, the proposed signs at locations #2 and #6 must be removed. By enforcing this minimum separation the total sign area relative to the scale of the property is such that the intent of the By-Law is maintained.

**Notification**

W. Patrick Walsh Limited at 111 Hartzel Road, St. Catharines, ON, L2P 1N6, and Home Hardware at 111 Hartzel Road, St. Catharines, ON, L2P 1N6 be so advised.

**Submitted by:**

Sandra Burrows  
Manager Building & Development

**Prepared by:**

Todd Rogers  
Building Inspector II

**Approved by:**

James N. Riddell, MPI, MCIP, RPP  
Director, Planning & Development Services

# SKETCH TO SHOW

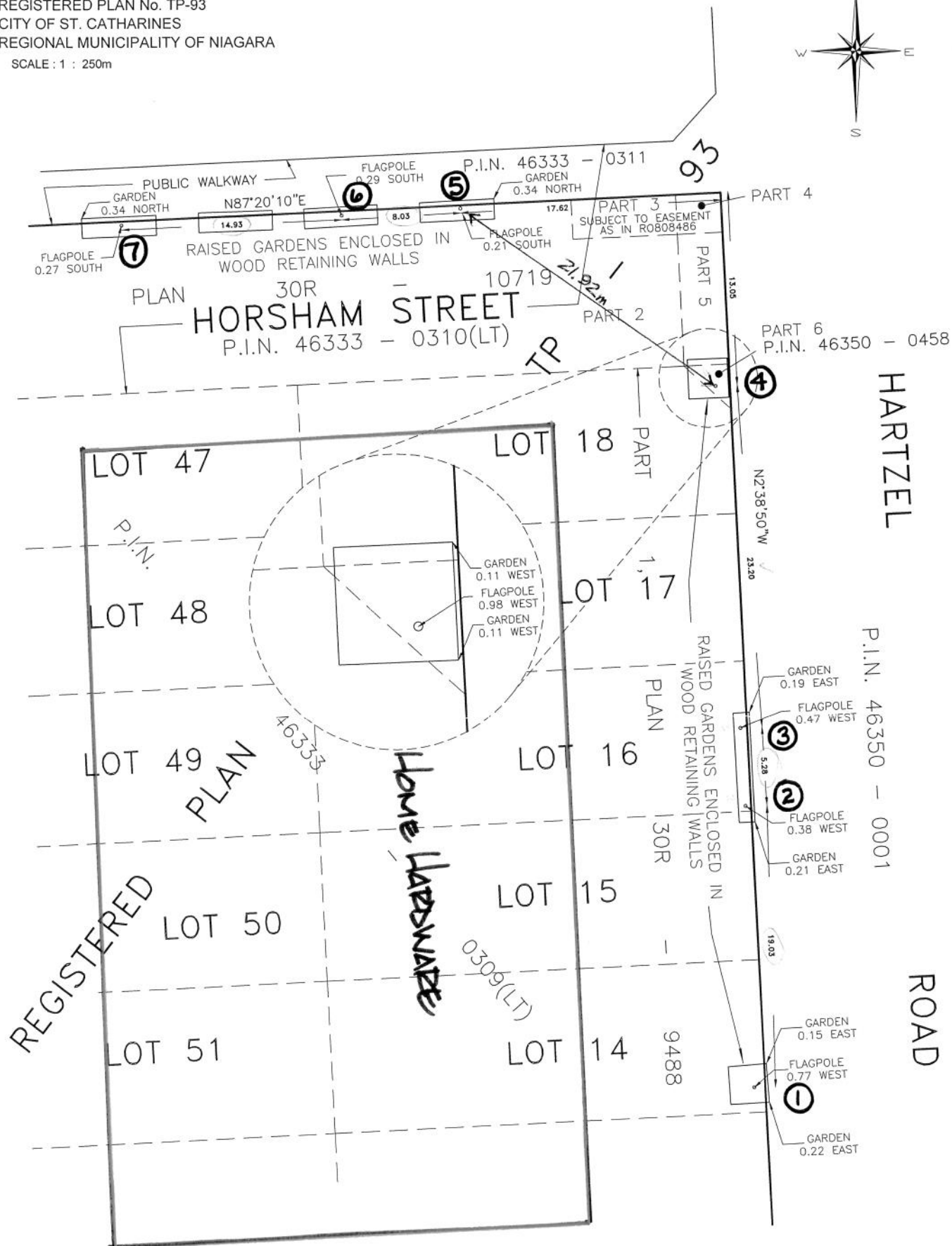
PART OF HORSHAM STREET AND PART OF LOTS 14 TO 18

REGISTERED PLAN No. TP-93

CITY OF ST. CATHARINES

REGIONAL MUNICIPALITY OF NIAGARA

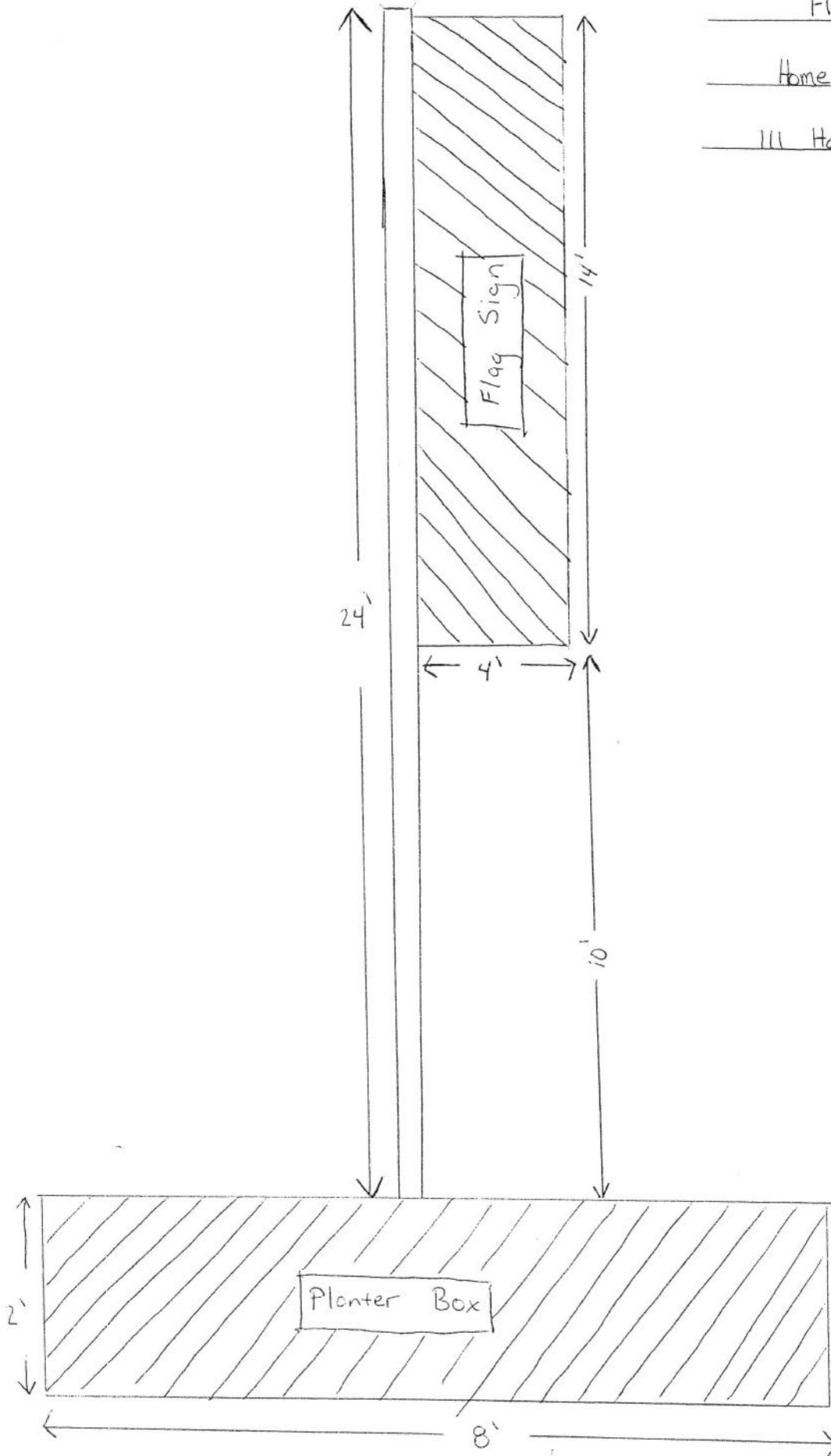
SCALE : 1 : 250m



Flag Sign Drawing

Home Hardware

111 Hartzel Rd, St. Catharines



applicant Signature: *Peo. Alu*