To: **Municipality of the County of Antigonish Council**

From: **Planning Staff (EDPC)**

Date: **February 3, 2015**

Reference: **Amendments to the *Antigonish County Municipal Planning Strategy and Land Use Bylaw – Fringe Area* to expand the application of variance provisions for the height of signage in Commercial Zones.**

Information:

At the Committee of the Whole session of January 15, 2015 just prior to Second Reading approval of the Fringe Area Municipal Planning Strategy Council reviewed a memo from planning staff related to issues raised by a developer present at the Public Hearing. Council with their motion to approve the Planning Strategy and Land Use By-Law also directed planning staff to immediately develop an amendment for Council's consideration that would see a sign to the height proposed by Somerled Properties (100 feet) permitted on its property and provide a framework for similar signage related development requests to be considered.

Amendments:

That Council:

1) **Approve** an amendment to the **Municipal Planning Strategy** by inserting a special height and area Policy for signs located in close proximity to the Trans-Canada Highway;

2) **Approve** an amendment to the **Municipal Planning Strategy** by inserting a new Variance Policy for height and/or area of signs in Commercial Areas;

3) **Approve** an amendment to Part 7, Section 8, Subsection (b), of the **Land Use By-law** by adding increased sign **height** and **area** provisions for signs in the General Commercial (C-2) and Large Scale Commercial (C-3) Zones and in close proximity to the Trans-Canada Highway; and

4) **Approve** an amendment to Part 7, Section 8, Subsection (b) of the **Land Use By-law** adding a further increased sign **height** and **area** provision for signs in the General Commercial (C-2) and Large Scale Commercial (C-3) Zones and in close proximity to the Trans-Canada Highway through a variance process where sightlines warrant an increased height to allow for visibility.

The above amendments will implement the changes requested by Council with respect to signage in the Commercial Areas in close proximity to the Trans-Canada Highway.

A By-law to Amend the *Antigonish County Municipal Planning Strategy – Fringe Area* to expand the application of variance provisions for the height and area of signage in some Commercial Zones and to allow for larger and higher signs in close proximity to the Trans-Canada Highway.

A) The *Antigonish County Municipal Planning Strategy – Fringe Area* is hereby amended by inserting the text shown in bold below immediately following Policy CS-2.5:

Council is aware that visibility of a commercial use is a site-specific variable. Some commercial properties located close to the Trans-Canada Highway may require higher and larger signage so that the travelling public can make decisions to leave the highway prior to their off-ramp. Commercial properties located on a hill overlooking a highway would only need minimal signage and still be visible to the passing public. With this in mind the size and height of signs in Commercial areas will be regulated on a site-by-site basis. The Land Use By-law will include an "as-of-right" height which will be the base height for signage. In addition to this there would be a second sign size and height which would be available to developers in close proximity to the Trans-Canada Highway. Finally there would be a third sign standard which would be available through the variance provisions of the *Municipal Government Act*.

Policy CS-2.5(A)

It is the policy of Council to have special height and size provision for commercial signage in close proximity to the Trans-Canada Highway.

B) The *Antigonish County Municipal Planning Strategy – Fringe Area* is hereby amended by inserting the text shown in bold below immediately following Policy I-1.19:

Policy I-1.19(A)

It is the policy of Council to allow for the variance of sign height and area based on visibility of the sign from the Trans-Canada Highway. Should the Development Officer grant a variance, a notice of this action must be served in accordance with the *Municipal Government Act*. Anyone served with such notice may appeal a decision regarding the variance to Council

This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Municipality of the County of Antigonish on _____, 2015.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, 2015.

_____
Glenn Horne
Municipal Clerk

A By-law to Amend the *Antigonish County Land Use Bylaw – Fringe Area* to expand the application of variance provisions for the height of signage in some Commercial Zones and to allow for larger and higher signs in close proximity to the Trans-Canada Highway.

A) Part 7, Section 8, Subsection (b) of the *Antigonish County Land Use By-law – Fringe Area* is hereby amended by inserting the following text shown in bold:

b. Ground Signs:

i. one ground sign not exceeding 6.5 square metres (70 square feet) in sign area for a single fascia sign or 13.0 square metres (140 square feet) of sign area for multiple fascia signs combined shall be permitted **except for properties located within 75 metres (246 feet) of the Trans-Canada Highway, in which case the sign shall not exceed a maximum area of 19.5 square metres (209.9 square feet) provided the signage is not situated within 150 metres (492.1 feet) of a dwelling**. Signs for more than one business occupying a single property shall be consolidated in a multiple occupancy ground sign.

ii. notwithstanding clauses i above, ground signs located within 75 metres (246 feet) of the Trans-Canada Highway may be considered for a variance allowing areas to a maximum of 80.0 square metres (861 square feet) where the proponent can show such a size is necessary to see the sign given the elevation of the property relative to the highway and provided the signage is not situated within 150 metres (492.1 feet) of a dwelling.

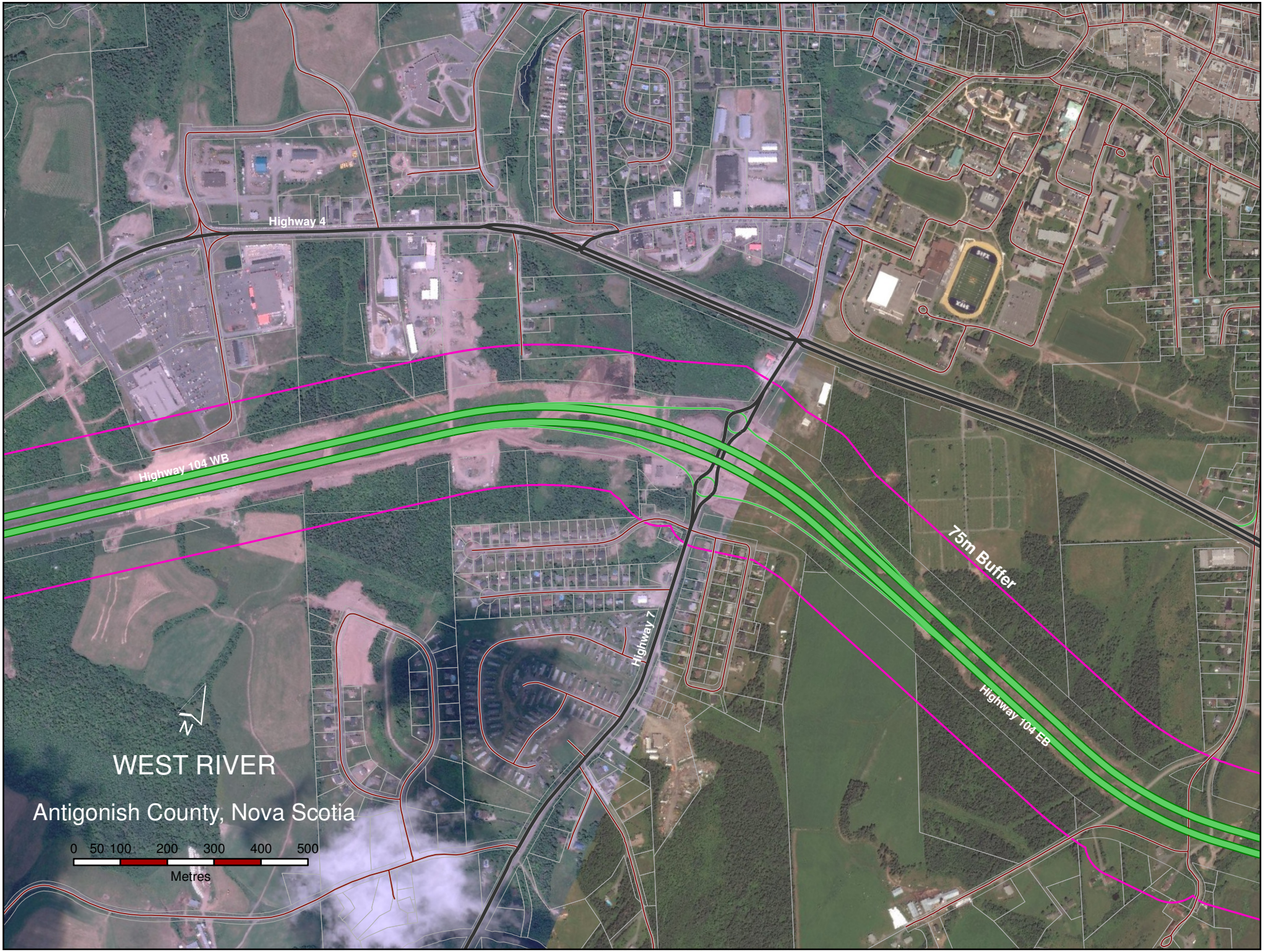
iii. ground signs shall not exceed a height of 10.7 metres (35 feet) from the grade level to the highest part of the sign **except for ground signs located within 75 metres (246 feet) of the Trans-Canada Highway shall not exceed a height of 21.3 metres (70 feet) from the grade level to the highest part of the sign.**

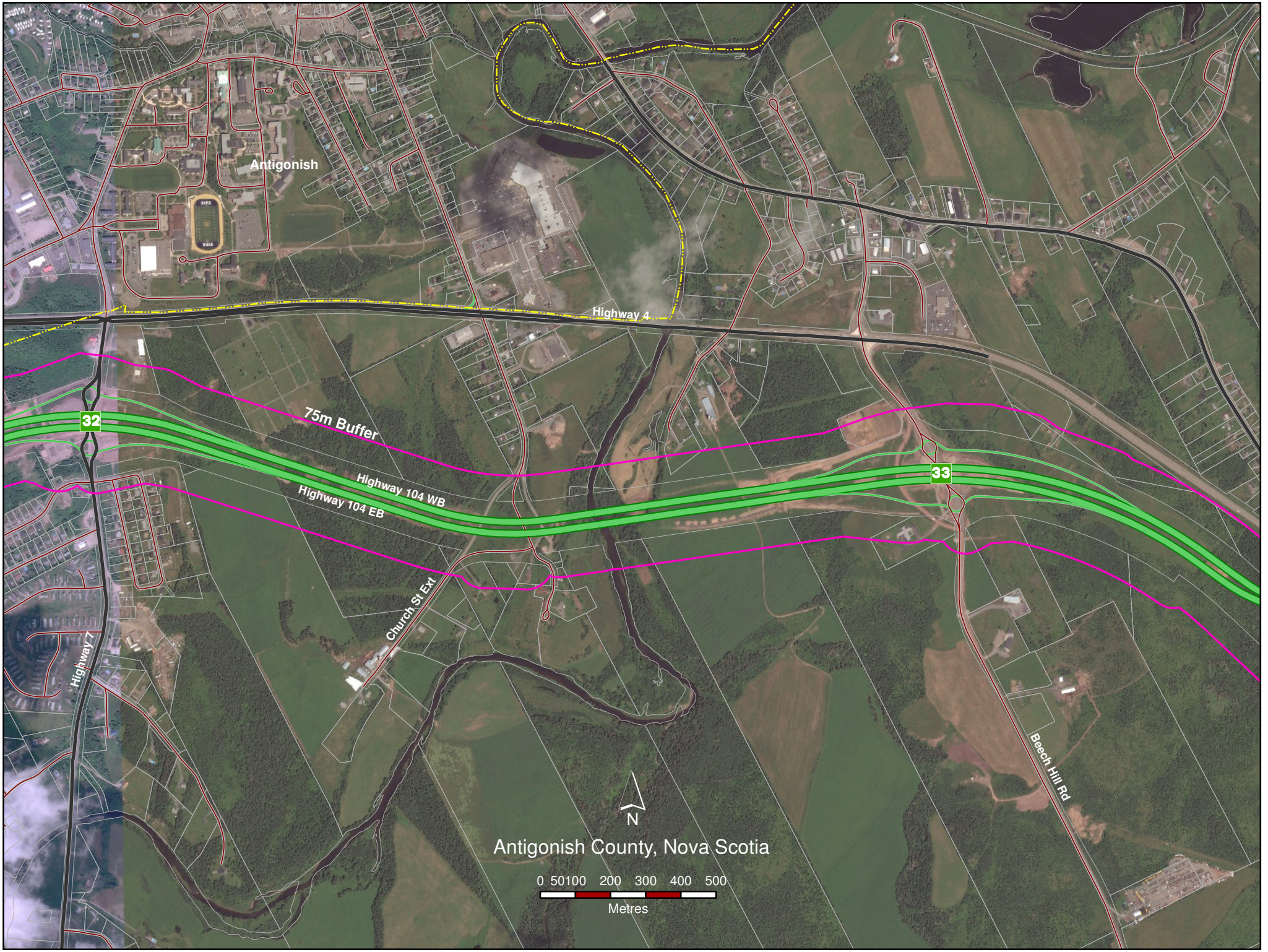
iv notwithstanding clauses iii above, ground signs located within 75 metres (246 feet) of the Trans-Canada Highway may also be considered for a variance allowing heights to a maximum of 36.0 metres (118 feet) where the proponent can show such heights are necessary to see the sign given the elevation of the property relative to the highway and provided the signage is not situated within 150 metres (492.1 feet) of a dwelling.

This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Municipality of the County of Antigonish on _____, 2015.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, 2015.

_____
Glenn Horne
Municipal Clerk


Highway 4
Highway 104 WB
75m Buffer
Highway 7
Highway 104 EB
N
WEST RIVER
Antigonish County, Nova Scotia
0 50 100 200 300 400 500
Metres


Antigonish
Highway 4
32
75m Buffer
Highway 104 WB
Highway 104 EB
33
Church St Ext
Highway 7
Beech Hill Rd
N
Antigonish County, Nova Scotia
0 50100 200 300 400 500
Metres