SUBJECT: Application to Amend the Ancaster Sign By-law, 70 Garner Road East (Ancaster) (PED05196) (Ward 12)

RECOMMENDATION:

That approval be given to Amended Sign Variance Application SV-05-05, Ancaster Christian Reformed Church, Owner, to permit an electronic animated ground sign with changing messages in the front yard, for lands located at 70 Garner Road East (former Town of Ancaster), as shown on Appendix “A” to Report PED05196, on the following basis:

(a) That the existing ground sign in the front yard be removed prior to the erection of the new electronic animated ground sign, to the satisfaction of the Director of Building and Licensing.

(b) That the proposed electronic animated ground sign include the municipal street address number in numerals that are a minimum 15 centimetres in height.

(c) That third party advertising shall be prohibited.

(d) That the sign shall have a maximum area of 10.0 square metres per face, of which not more than 1.4 square metres may contain changeable lettering or copy.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department
EXECUTIVE SUMMARY:

An application was received from Zip Signs Ltd. to amend the Ancaster Sign By-law to permit an electronic animated ground sign with changing messages in the front yard for the Ancaster Christian Reformed Church at 70 Garner Road East. The proposed sign complies with the maximum sign area, maximum height and minimum setback requirements of the Ancaster Sign By-law, however, electronic animated signs with changing messages are not permitted. Staff supports a restriction of no third party messages for the proposed electronic animated ground sign and restrictions to reflect its proposed size, and conditions to allow the proposal to comply with the draft recommendations for the City’s new Sign By-law.

The application has merit and can be supported because the proposed sign would be compatible with the streetscape and the surrounding area.

BACKGROUND:

Proposal

The proposed electronic animated ground sign is to be mounted on a double pole (see Appendix “B”) and is to be located in the front yard of the subject property (see Appendix “C”). The owner is applying to amend the Sign By-law of the former Town of Ancaster to permit the electronic sign with no third party messages. The proposed sign complies with the maximum sign area, maximum height and minimum setback requirements of the Ancaster Sign By-law. The subject lands are zoned as Institutional “I” Zone and Agricultural “A” Zone and are located on the south side of Garner Road East and east of Fiddler’s Green Road. The proposed sign is to be located on that portion of the property zoned as “I” (see Appendices “A” and “C”). The surrounding area currently has a mix of land uses including commercial, industrial and agricultural uses along the south side of Garner Road East, and existing residential uses along the north side of Garner Road East.

Details of Submitted Application

Owner/Applicant: Ancaster Christian Reformed Church

Agent: Zip Signs Ltd.

Property Size: Frontage: 97.9 m (Garner Road East)
72.6 m (Fiddler’s Green Road)

Depth: 383.1m

Area: 9.01 ha.
EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tr>
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<td>Church and Agricultural use</td>
<td>Institutional “I” and Agricultural “A” Zones</td>
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<tr>
<th>Surrounding Lands:</th>
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<tr>
<td>North</td>
<td>Single Detached Dwellings</td>
<td>Existing Residential “ER” Zone</td>
</tr>
<tr>
<td>South</td>
<td>Agricultural use</td>
<td>Agricultural “A” Zone</td>
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<tr>
<td>East</td>
<td>Agricultural use</td>
<td>Agriculture “A” Zone</td>
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<tr>
<td>West</td>
<td>Single Detached Dwelling, Agricultural and Commercial uses with Outside Storage</td>
<td>Agriculture “A” Zone</td>
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</tbody>
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ANALYSIS/RATIONALE:

1. **Former Town of Ancaster Sign By-law No. 95-50**

   **Illuminated Signs and Electronically Animated Signs**

   Section 4.4.4 of By-law No. 95-50, specifically states that electrically animated signs or signs having moving parts or changing messages, are not permitted. A variance is required to permit the proposed type of sign.

   **Maximum Number of Ground Signs**

   Section 9.1.1 of By-law No. 95-50, states that one ground sign is permitted for every 76.0 metres of lot frontage with a maximum of two signs per property.

   The subject property has a lot frontage of 98.0 metres on Garner Road East and 72.6 metres on Fiddler’s Green Road, and the applicant is proposing one new electronic animated ground sign. Currently, there is an existing ground sign in the front yard of the existing church. The owner’s agent has indicated that this sign is to be removed prior to the erection of the new sign. This complies with the regulations of Section 9.1.1 of By-law No. 95-50.

   **Maximum Sign Area for a Ground Sign**

   Section 9.1.2 of By-law No. 95-50, states that 0.38 square metres of sign area shall be permitted for each metre of lot frontage.
Since the subject property has 98.0 metres of lot frontage on Garner Road East and 72.6 metres of lot frontage on Fiddler’s Green Road, a maximum sign area of 64.8 square metres is permitted. The sign area of the proposed ground sign is 10.0 square metres per face. This complies with the regulations of Section 9.1.2 of By-law No. 95-50. Furthermore, the total sign area of the electronic component (L.E.D) of the proposed ground sign is 1.4 square metres per face (see Appendix “B”). Staff recommends that since this is an electronic sign, that the sign area be limited to 10.0 square metres per face and 1.4 square metres per face for the electronic component, as proposed.

Minimum Distance Between Ground Signs

Section 9.1.3 of By-law No. 95-50, states there must be a minimum distance of 50.0 metres between ground signs located on the same property.

Currently, there is one ground sign on the subject property, which the owner’s agent has advised is to be removed prior to the erection of the new sign. As a result, the erection of the proposed ground sign would comply with the regulations of Section 9.1.3 of the By-law.

Height and Setback

Section 9.1.4 of By-law No. 95-50, states that the maximum height and minimum setbacks for ground signs are determined by the sign area.

By-law No. 95-50 notes that for a sign area between 7.0 and 14.0 square metres, the maximum height for a ground sign is 7.6 metres. The height of the proposed sign is 3.2 metres, which complies with the regulations of the By-law.

With respect to setbacks, a sign area between 7.0 and 14.0 square metres requires a minimum 3.0 metre setback from the streetline and a minimum 4.5 metres setback from an Agricultural “A” Zone. The proposed ground sign is to be located 3.6 metres from the streetline and to be located approximately 110 metres from the abutting property to the east, which is zoned as Agricultural “A” Zone (see Appendices “A” and “C”).

2. With regard to impacts on traffic, the proposed ground sign is to be setback 3.6 metres from Garner Road East and will not impede the sight lines of traffic along Garner Road East. In addition, the proposed sign will not be located within the 5 metre by 5 metre visibility triangles located between the access limits to the site and the ultimate road allowance limits of Garner Road East.

3. In terms of impact on adjacent land uses, the proposed ground sign is located along the south side of Garner Road East, which has a road allowance width of 36.58 metres. The properties located on the north side of Garner Road East, which are zoned as Existing Residential “ER” Zone, have a minimum front yard setback of 7.5 metres. Since the proposed sign is to be setback 3.6 metres from the streetline, this results in a total separation distance greater than 47.0 metres
from the proposed sign to the front wall of the existing dwellings to the north. The sign would also be oriented east and west away from the dwellings. With respect to the abutting agricultural properties to the east and west, the sign is located approximately 110 metres from the easterly lot line and 75 metres from the westerly lot line.

4. Staff has reviewed this proposal within the context of the City’s New Sign By-law project, and notes that the proposed electronic animated ground sign with changing messages is in accordance with the type of signs that are currently being considered for the new By-law. A draft report for the City’s New Sign By-law Study has been prepared by Martin Rendl Associates, and will be presented at the December 6, 2005 Planning and Economic Development Committee meeting. According to the draft report, a maximum of 30% of the permitted area of the sign face of a ground sign may contain changeable messages. With regard to the proposed electronic animated ground sign, the total sign area of the electronic component of the ground sign for changing messages is 1.4 square metres per face, which represents 14% of the total sign face (10.0 square metres). While it is noted that the timing between changing messages should be minimal in order to ensure that the drivers of motor vehicles are not distracted by these messages, as it could potentially affect road safety, no time limits between messages have been recommended by the study. In addition, as per the recommendations of the study, the proposed ground sign should include the municipal street address number in numerals that are a minimum 15 centimetres in height. The study also recommends that a minimum distance of 100 metres be imposed between two ground signs.

Staff’s recommendation on the subject application requires the existing sign to be removed and the municipal street address to be included on the new sign to satisfy the draft study requirements. Also, staff recommends that the sign area of the proposed sign will be limited to 10.0 square metres per face and 1.4 square metres per face for the electronic component, as per the specifications as submitted by the applicant’s agent.

As the proposed sign is to be accessory to the Church, staff has also recommended that no third party advertising be permitted.

**ALTERNATIVES FOR CONSIDERATION:**

Should this application not be approved, the applicant could provide a non-electronic ground sign in accordance with the current By-law provisions.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial: N/A.

Staffing: N/A.
Legal: The proposed amendment is under the Municipal Act and there are no requirements for a Public Meeting.

POLICIES AFFECTING PROPOSAL:

Ancaster Official Plan

The subject property is designated "Agricultural" by the Ancaster Official Plan. The predominant use of lands designated Agricultural shall be for agriculture. Non-agricultural uses that serve the needs of the rural community are to be directed towards lands less suited for agriculture. The subject property has an existing church on site, which is not a recognized use under the "Agricultural" policies.

Zoning By-law No. 87-57 (former Town of Ancaster)

The subject property is zoned Institutional "I" Zone by the former Town of Ancaster Zoning By-law No. 87-57. This zone permits institutional uses such as churches.

RELEVANT CONSULTATION:

Traffic Engineering and Operations Section, Public Works Department

The Traffic Engineering and Operations Section noted that minimum 5 metre by 5 metre visibility triangles are required between the access limits to the site and the ultimate road allowance limits of Garner Road East, in which the maximum height of any objects or mature vegetation cannot exceed a height of 0.70 metres above the corresponding perpendicular centreline elevation of the adjacent streets. In addition, the proposed sign must not encroach into the 5 metre by 5 metre visibility triangle.

CITY STRATEGIC COMMITMENT:

By evaluating the "Triple Bottom Line", (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Arts, culture, archeological and cultural heritage are supported and enhanced.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Human health and safety are protected.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Cultural industries are enhanced.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No

:OQ

Attaches. (3)
Location Map

Planning and Economic Development Department

File Name/Number: SV-05-05
Date: November 2nd 2005
Appendix "A"

Scale: N.T.S
Planner/Technician: OQ/MF

Subject Property
70 Garner Road East

Ward 12
Keymap
N.T.S