

**CITY OF CORNER BROOK
2012 DEVELOPMENT REGULATIONS**

**RESOLUTION TO ADOPT
AMENDMENT DR17-02
MAY, 2017**

URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT

CITY OF CORNER BROOK
DEVELOPMENT REGULATIONS AMENDMENT DR17-02

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the City of Corner Brook adopts the Corner Brook Development Regulations Amendment DR17-02.

Adopted by the City Council of Corner Brook on the 29th day of May, 2017.

Signed and sealed this 1st day of June, 2017.

DM
Mayor:

Brend Stachem



City Clerk:

Maria Selva

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

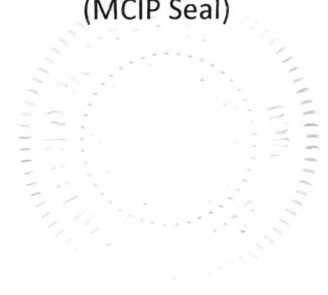
I certify that the attached Development Regulations Amendment DR17-02 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.

MCIP:

Colleen Humphries

(MCIP Seal)

Development Regulations/Amendment	
REGISTERED	
Number	<u>1200-2017-044</u>
Date	<u>June 20/2017</u>
Signature	<u>Eddie Joyce</u>



CITY OF CORNER BROOK

DEVELOPMENT REGULATIONS AMENDMENT DR17-02

BACKGROUND: Development Regulations Amendment DR17-02 is a “stand alone” text amendment to the Development Regulations that affects multiple land use zones and pertinent sections of the Development Regulations. Specifically, a restriction relating to the function and content of off-site advertising conditions in several land use zones will be removed order to permit a wider range of off-site third party advertising; adding “on-site” and “off-site” and “temporary” advertising conditions to the Downtown Smithville, Waterfront Mixed Use and Open Space zones (these three zones currently do not have any advertising conditions), in order that advertising can be approved for these zones; a condition will be added to the Shopping Centre and Large Scale Commercial zones in order to increase the total amount and number of on-site signs that may be permitted in those zones; adding a new general regulation to Part II General Development Standards to allow Council to consider increasing the size of certain types of signs and conditions under which they may be erected; adding a new general regulation to Part II General Development Standards to allow Council to consider ground/pylon signs on vacant land and conditions under which they may be erected; and adding two new definitions for GROUND SIGN and THIRD PARTY ADVERTISEMENT/SIGN. As part of this amendment, typographical errors in the existing advertising sections will also be corrected to change numerals to letters when referring to specific sections, and these will be identified accordingly. Specifically, the amendments include and are required in order to:

1. Remove the existing condition that restricts the function and content of off-site advertising to show only the name and nature of and location of or distance to uses not provided at the site on which the advertisement is displayed, in the following Use Zones, listed below, in Schedule C;

Townsite Commercial
Downtown Residential
Downtown Commercial
General Commercial
Residential Commercial Mix
Highway and Tourist Commercial
Shopping Centre
Large Scale Commercial
General Industrial
Light Industrial
Hazardous Industrial
Community Service
Innovation District
Rural
Solid Waste/Scrap Yard
Mineral Working

2. add "on-site", "off-site" and "temporary" advertising conditions to three existing zones: Downtown Smithville, Waterfront Mixed Use and Open Space that currently do not have any advertising conditions, in order that advertising can be approved for these zones;
3. change the existing condition in the Shopping Centre and Large Scale Commercial Use Zone Tables in order to increase the total amount and number of "on-site" signs that may be permitted in those zones.
4. add a new general regulation 106.1 to Part II General Development Standards to allow Council to consider an increase to the size of certain types of signs and the conditions under which they may be erected;
5. add a new general regulation 106.2 to address the erection of advertisement signs on vacant land;
6. add two new definitions for GROUND SIGN and THIRD PARTY ADVERTISEMENT/SIGN; and
7. correct typographical errors in the applicable advertising sections by replacing the numeric system of section identification with the alphabetical system.

PUBLIC CONSULTATION:

During the preparation of this amendment, Council advertised the proposed amendments in the Western Star newspaper on March 25, April 1, and April 15, 2017 which advised of Council's intention to seek the said amendment to its Development Regulations. In addition to this, the proposed amendment was posted on the City's website and was available for viewing at City Hall. The proposed Third Party and Digital Signage Regulations were also posted on the City's website at the time the proposed amendments were available for viewing. As part of the public consultation process, concurrent with the process to approve a new municipal Third Party and Digital Signage Regulations, a process utilizing PlaceSpeak, an online survey forum, was utilized to gauge the public's response primarily with respect to the proposed new municipal Third Party and Digital Signage Regulations, but those responses also assist to inform Council whether the amendments being proposed to the Development Regulations should proceed as proposed.

There were four responses that may be considered in relation to the public notifications (newspaper, City Hall or website postings) regarding the proposed Development Regulations text amendments and/or proposed Third Party and Digital Signage Regulations. As the proposed Third Party and Digital Signage Regulations were also posted on the City's website at the same time the proposed Development Regulations amendments were available for viewing, the comments submitted have been interpretation to be related primarily to the proposed municipal signage regulations, based on the nature of the comments, but some of the remarks have relevance to portions of the proposed Development Regulations amendments, and are attached to this report. Twenty-nine completed surveys were

submitted via the PlaceSpeak forum and the results of that survey are also attached to the Report on the Public Consultation process for this amendment for information purposes. A supplementary report was also prepared which summarized the comments received from two companies and one business association and is attached to the Report on the Public Consultation for this amendment.

AMENDMENT:

The 2012 Development Regulations is hereby amended by changing the applicable sections of the Development Regulations as described above and as per the attached copies of the applicable Use Zone Tables; by adding the new regulations and definitions to the appropriate sections of the Development Regulations; and by correcting typographical errors in the applicable advertising sections by replacing the numeric system of section identification with the alphabetical system.

The following regulations are to be added to Part III – Advertisements section of the Development Regulations:

106.1. ADVERTISEMENT SIZE EXCEPTION

Notwithstanding the conditions regulating the maximum size of an advertisement in applicable sections Advertisements Relating to Offsite Uses as set out in the Use Zone Tables of these Regulations, a digital “Ground Sign” or “Pylon Sign” meeting the definition in these Development Regulations and the City of Corner Brook “Third Party Signage Regulation”, may, in a Use Zone in which an off-site advertisement is permitted or discretionary, at the discretion of the Authority, be permitted to exceed the maximum size of an offsite sign in a Use Zone subject to the following:

- (a) the maximum overall dimension of the sign area may not exceed 10.0 square metres;
- (b) the overall size of the (ground) sign, including the sign area, must still be within the maximum total allowable advertisement size permitted for the lot, calculated as a percentage of the building façade area. If more than one (ground) sign advertisement is located on a lot, the total of all signs must still be within the total percentage for offsite advertisement display as set out in the applicable Use Zone Tables;
- (c) the Authority shall give notice of the application for a permit or for outline planning permission for a “Ground Sign” or “Pylon Sign” that will exceed the maximum size as set out in the applicable Use Zone Tables, by public advertisement in a newspaper circulating in the area and by any other means deemed necessary to adequately notify the general public. The public notice shall provide an opportunity for public comment on the application;
- (d) notification shall be given to property owners within 100 metres distance of the proposed location of the sign who may be affected by the erection of the sign; and
- (e) the advertisement complies with all other applicable regulations of the City of Corner Brook.

106.2 ADVERTISEMENTS ON VACANT PROPERTY

Only ground or pylon digital signs may be erected on vacant property, in zones where they may be permitted, subject to the following conditions:

- (a) the sign must comply with the City of Corner Brook Third Party and Digital Signage Regulations;
- (b) the maximum size of a ground or pylon sign on vacant land shall be 10.0 Square metres;
- (c) only one ground or pylon sign may be permitted on any single vacant parcel of land;
- (d) separation distances between this and another ground or pylon sign on another lot, vacant or containing a building(s) shall be as set out in the City of Corner Brook Third Party and Digital Signage Regulation;
- (e) all other setbacks from property boundaries, residential zones and intersections shall be as set out in the City of Corner Brook Third Party and Digital Signage Regulation;
- (f) a ground or pylon sign shall be erected on a vacant parcel of land in a manner that will not interfere with the required development standards of a building that may subsequently be developed on the property; and
- (g) the Authority shall give notice of the application for a permit or for outline planning permission for a ground or pylon sign on vacant land, by public advertisement in a newspaper circulating in the area and by any other means deemed necessary to adequately notify the general public. The public notice shall provide an opportunity for public comment on the application.

The following definitions are to be added to the SCHEDULE A: DEFINITIONS section of the Development Regulations:

GROUND SIGN – means a sign affixed to the ground, intended as a permanent structure, and which is supported by one or more uprights or braces (pylons) in or upon the ground, which may be a static sign or a digital sign and includes what is commonly also referred to as a “pylon” sign.

THIRD PARTY ADVERTISEMENT/SIGN - means any outdoor sign that advertises goods and services that are not available upon the same property or premises where the sign is located.