

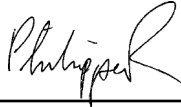
**Shediac Planning Review and Adjustment Committee /  
Comité de révision de la planification de la Commission du Shediac**  
Monday, September 24, 2018 / Le lundi 24 septembre, 2018

**Staff Report / Rapport du personnel**

**Subject / Objet :** Variance Request / Demandes de Dérogation

**File number / Numéro du fichier :** 18-1270

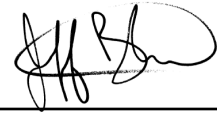
**From / De :**



Phil Robichaud

Development Officer / Agent  
d'aménagement

**Reviewed by / Révisé par :**



Jeff Boudreau

Development Officer / Agent  
d'aménagement

**General Information / Information générale**

**Applicant / Requéant :**

Robert J. Turbitt HarbourEdge Realty Administration

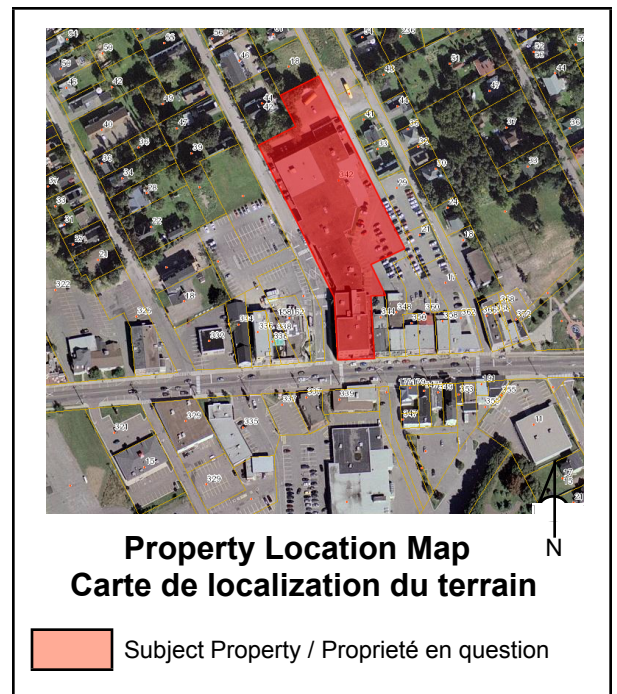
**Landowner / Propriétaire :**

Robert J. Turbitt HarbourEdge Realty Administration

**Proposal / Demande :**

Two variances for a new projecting sign at 342 Main Street, Shediac.

1. Increase maximum permitted surface area from 3 m<sup>2</sup> allowed to 15.01 m<sup>2</sup> proposed.
2. Reduce minimum height of sign above grade from 3 m allowed to 2.43m proposed.



**Site Information / Information du site**

**PID / NID:** 70265541

**Lot Size / Grandeur du lot:** 9431 m<sup>2</sup>

**Location / Endroit :**

342 Main Street, Ville de Shediac / Town of Shediac

**Current Use / Usage présent :**

Commercial

**Zoning / Zonage :**

CC - Central Commercial

**Future Land Use Designation / Désignation de l'utilisation future du sol :**

Commercial

**Surrounding Use & Zoning / Usage des environs & Zonage :**

Surrounding Use : Commercial, residential

Surrounding Zoning : Central Commercial (CC), High Density Residential (R3)

**Municipal Servicing / Services municipaux:**

Public water and sewer

**Access-Egress / Accès/Sortie :**

Main Street

## **Policies / Politiques**

### **Zoning and/or Subdivision Regulation / Réglementations de zonage et/ou de lotissement**

#### **SCHEDULE B**

SHEDIAC ZONING BY-LAW Z-14-44 Consolidated October 2017

Section 36.8 Facia Wall Sign

#### **Internal Consultation & External Consultation / Consultations internes et externes**

General Manager and Clerk:

No objection

Director of Municipal Operations:

Did not receive comments

Centre-Ville Shediac Downtown Inc

See schedule D

#### **Discussion**

##### **SCHEDULE D - Sign Proposal**

##### **SCHEDULE E - Perpendicular Projecting Sign Example.**

##### **SCHEDULE F - Existing Canopy**

The applicant and owner, HarbourEdge Realty Administration Corporation, is intending to revitalize the Shediac Downtown Mall. They intend to paint the facade, add wood panels, add gooseneck lighting and add new signs. All of these proposed modifications is respecting the zoning by-law expect for the surface area of the signs and height of the signs from the grade.

The proposed signs is defined as a projecting sign. A projecting is a sign that projects more than 0.3m (1 foot) and that may project beyond a property line.

The proposed sign has a width of 3.5 meters (11' - 4") and a length of 4.4 meters (14' - 4"). The surface area is 15.1 m<sup>2</sup> (162.44 ft<sup>2</sup>). The sign is extending 0.61m (2 feet) beyond the property line and over the municipal sidewalk. The height from the bottom of the sign to the grade is 2.44 m (8 feet).

As per the zoning by-law, the maximum area is 3 m<sup>2</sup>. The sign can project on the sidewalk as long as it does project further than the sidewalk. The minimum required height from the bottom of sign to the grade is 3m.

To summarize:

Proposed surface area = 15.1m<sup>2</sup>

Maximum permitted surface area = 3m<sup>2</sup>

Proposed height of a sign (from grade) = 2.44m

Minimum permitted height of a sign (from grade) = 3m

The applicant has requested a variance request to increase the maximum surface area for a projecting to 15.1 square meters and has requested a variance request to reduce the minimum height of a sign (from grade) to 2.44 meters.

Typically, signs that are placed flat on a wall are called fascia wall signs and have a maximum permitted surface area based on the width of the building. This results in a much larger permitted surface area than a projecting sign. A fascia wall sign with the proposed dimensions (15.1m<sup>2</sup>) would be respecting the zoning by-law. In this proposal, the applicant decided to use a projecting sign made with canvas material for a more attractive and architectural design. The sign is in an angle and is only extending 0.61 meters (2 feet) at the bottom. Therefore it must be considered as a projecting sign.

The intent of having such a limited surface area for projecting sign are for the scenarios that the sign is projecting perpendicular to the wall (as shown in schedule F). For these type of signs, it is reasonable to limit the surface area at 3 square meters. As discussed above, the proposed sign is laid on a small angle against the wall and resemble a fascia wall sign. The staff is in the opinion that the variance request is reasonable and does meet the intent of the zoning by-law.

The applicant intends to match the height of the sign from the grade to the proposed wooden bands. There is also an existing canopy on the building at this same height. (see schedule G). This is done for aesthetic reasons. The department municipal operation also confirmed that they had no objection to this request. This variance request is deemed reasonable.

Comments from the Shediac Downtown Committee were received and as shown in schedule D, they are in favor of this revitalization and have no objection to the variance request to increase the maximum surface area.

The staff of the Southeast Regional Service Commission finds that the two variances request are reasonable and does follow the intent of the zoning by-law.

## **Public Notice / Avis public**

Notice was sent to land owners within 60 metres of the subject property

## **Legal Authority / Autorité légale**

### **Town of Shediac Zoning by-law Z-14-44**

#### Part I - Enforcement

#### 4 Powers of the Commission

4.2 The Commission may, subject to the terms and conditions it judges appropriate:

d) permit a reasonable variance from the requirements of the zoning by-law falling within subsection 34 (3)a) of the Community Planning Act, if it is of the opinion that the variance is desirable for the development of a parcel of land or a building or structure, and accords with the general intent of the by-law and any plan or statement affecting the development in accordance with the Act;

### **Community Planning Act, SNB 2017, c. 19**

55(1) Subject to the terms and conditions it considers fit, the advisory committee or regional service commission may permit

(b) a reasonable variance from the requirements referred to in paragraph 53(2)(a) of a zoning by-law if it is of the opinion that the variance is desirable for the development of a parcel of land or a building or structure and is in keeping with the general intent of the by-law and any plan under this Act affecting the development.

53(2) For greater certainty and without limiting subsection (1), a zoning by-law shall divide the municipality into zones, prescribe the purposes for which land, buildings and structures in a zone may be used and prohibit the use of land, buildings and structures for any other purpose, and may

(a) with respect to a zone, regulate

(xiii) the location, dimensions, standards of construction and purposes of advertising signs and billboards,

### **Recommendation / Recommandation**

Staff respectfully recommends that the Shediac Planning Review and Adjustment Committee to approve the two variance requests.

1. Increase maximum permitted surface area from 3 m<sup>2</sup> allowed to 15.01 m<sup>2</sup> proposed.
2. Reduce minimum height of sign above grade from 3 m allowed to 2.43m proposed.

**Note:** This report was written in english and translated to a bilingual document. Where a conflict exists between the two languages, the language the report was written shall prevail. / **Note:** *ce rapport a été rédigé en anglais et traduit en version bilingue. En cas de conflit entre les deux langues, la langue dans laquelle le rapport a été rédigé a préséance.*