

Committee of the Whole (2) Report

DATE: Tuesday, May 14, 2024

WARD(S): 1

TITLE: APPEAL TO SIGN VARIANCE APPLICATION SV 23-002

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To present for Council to uphold Notice of Decision as informed by the recommendation of the Sign Variance Committee to REFUSE sign variance application SV 23-002.

Report Highlights

- Applicant is proposing a single sided digital billboard sign which is:
 - not located within the limits of Employment Areas,
 - not setback minimum 5.0 metres from all street lines,
 - located within 100 metres of a building containing Residential dwelling units,
 - located within 100 metres of lands Zoned Residential, and
 - located within 100 metres of the Maple Heritage Conservation District Plan Area shown on Schedule “D”.

Recommendations

1. THAT Council uphold Notice of Decision as informed by the recommendation of the Sign Variance Committee to REFUSE sign variance application SV 23-002.

Background

The applicant is requesting to install a one (1) single-sided digital billboard sign at 0 Station Street which is:

1. not located within the limits of Employment Areas,
2. not setback minimum 5.0 metres from all street lines,

3. located within 100 metres of a building containing Residential dwelling units,
4. located within 100 metres of lands Zoned Residential, and
5. located within 100 metres of the Maple Heritage Conservation District Plan Area shown on Schedule “D”.

The proposed billboard sign location is on the north side of Major Mackenzie Drive, west side of Metrolinx railway corridor and east side of Simcoe Street. The site is currently zoned Utility Zone (U).

According to Section 15.1 of Sign by-law 140-2018, as amended, billboard signs in Vacant Industrial and Commercial Zoned Lands and Utility Corridors shall:

- be located within the limits of the Employment Areas as shown in Schedule “E”;
- be set back a minimum of 5.0 metres from all street lines;
- not exceed a maximum sign area of 20 square metres for any single sign face;
- not exceed 8.0 metres in height measured from the finished grade level at the base of the supporting structure;
- be setback a minimum of 5.0 metres from any common lot boundary with an adjacent lot;
- not be located closer than 1.0 metre to any driveway;
- be setback a minimum of 600 metres from any other billboard sign located on the same side of the street;
- not be permitted within 100 metres from a building containing Residential dwelling units;
- not be permitted within 100 metres from lands Zoned Residential;
- not be located within, and be setback 100 metres from, Special Sign Districts as shown on Schedules “A”, “B”, “C” and “D”; and
- not be placed within 400 metres of any 400 series highway.

Previous Reports/Authority

None

Analysis and Options

The summary table below outlines the variances requested for Sign Variance Application SV 23-002.

Summary Analysis of Variances Requested				
No.	Issue	Requirement	Proposed	Variance
1.	Location within Employment Areas per Schedule “E”	Within Employment Areas	Not within Employment Areas	640 m from nearest Employment Area to the north

2.	Minimum setback to a street line	5.0 m	3.0 m	Achieves 60% of the requirement
3.	Distance to Residential Dwelling Units	100 m	40 m	Achieves 40% of the requirement
4.	Distance to lands zoned Residential	100 m	1 m	Achieves 1% of the requirement
5.	Setback from Special Sign Districts	100 m	3 m	Achieves 3% of the requirement

The applicant appeared before the Sign Variance Committee on January 18, 2024. The Sign Variance Committee is comprised of staff from Building Standards, By-law & Compliance, Licensing & Permit Services, Cultural Heritage and Urban Design Sections of Development Planning. The Sign Variance Committee reviewed the application and recommended that Sign Variance Application SV 23-002 be REFUSED.

Financial Impact

None

Broader Regional Impacts/Considerations

Region of York Engineering approval is not required for the proposed sign.

Conclusion

The Sign Variance Committee and Director Building Standards do not support this application. The proposed variances are not considered minor variances.

Section 21.4 of the Sign By-law states that the Committee (i.e. the Sign Variance Committee) shall consider all applications respecting minor variances to the Sign By-law and make recommendations to the Director of Building Standards, or in his or her absence, the Director of By-law and Compliance, Licensing and Permit Services, on the disposition of the applications.

Section 21.5 states that the power and authority to grant or refuse a Sign variance application is hereby delegated to the Director of Building Standards, and in his or her absence, the Director of By-law and Compliance, Licensing and Permit Services.

If Council, however, finds merit in the application, a permit issued by the Building Standards Department is required.

For more information, please contact Jutta Court, Coordinator – Programs and Projects, ext. 8343.

Attachments

1. Property and Proposed Billboard Sign Location Maps
2. Submission Site Plan
3. Sign Variance Application and Rationale
4. Sign Variance Committee Minutes
5. Notice of Decision
6. Sign Variance Appeal Letter

Prepared by

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