



SUBJECT: Sign Variance Application for 439 Brock Avenue

TO: Planning and Development Committee

FROM: Planning and Building Department

Report Number: PB-40-17

Wards Affected: 2

File Numbers: 530-006/16

Date to Committee: June 27, 2017

Date to Council: July 10, 2017

Recommendation:

Approve the application for variances to Sign By-law 34-2007 made by Astound Group to permit the installation of a new ground sign which requires the following variances:

1. A 3 metre side yard setback instead of the minimum required 4.5 metres from any lot line other than a front lot line
2. A distance of 20 metres between ground signs, whereas a minimum separation distance of 45 metres is required.

Subject to the following condition:

1. The variance applies to the proposed ground sign only and is valid only for the duration of the existing use on site.

Purpose:

To recommend approval of the variance request to allow the installation of a new ground sign at 439 Brock Avenue.

Background and Discussion:

Property Details

The subject property has the following characteristics:

- Located on the east side of Brock Avenue, north of Lakeshore Road (See Appendix A – Location Sketch). Surrounding land uses consist of:
 - North: Parking Lot, Brock Park to the northeast

- East: Art Gallery of Burlington
- South: Commercial
- West: Long Term Care centre and high density residential
- The property currently supports a one (1) storey commercial building. The property abuts the east side of Brock Avenue. The subject lands are approximately 0.084 hectares (0.21 acres) in size and contain the commercial building as well as the associated parking.
- Zoned “O3-343 (Open Space)” under Zoning By-law 2020 (see Appendix B –Zoning Sketch).

Existing Signage

The building in which The Sunshine Doughnut Company is located is shared with other tenants and therefore a number of signs already exist on the subject property. Specifically, there are wall signs for each tenancy within the plaza and one (1) ground sign existing on the subject property along the Brock Avenue frontage. It should also be noted that the Sunshine Doughnut Company has the company’s name painted on the north exterior wall. The applicant is proposing to add a new ground sign for way-finding purposes.

Discussion

The applicant wishes to install a ground sign on the subject property in order to provide way-finding to the existing Sunshine Doughnut Company. The proposed sign will be approximately 7.89 metres in height and will feature a doughnut element at the top which will be just above the roofline of the building and will provide way-finding for the company. It should also be noted that the sign will not feature any text. This proposal would require the following relief from the Sign By-law:

- To permit a 3 metre setback, whereas a set back of 4.5 metres is required to any lot line other than a front lot line; and,
- To permit a separation distance of 20 metres between ground signs, whereas the minimum separation distance between signs is 45 metres.

Sign By-law 34-2007

Sign By-law 34-2007 contains various regulations pertaining to signage, including general prohibitions listed under Section 5 and the provisions for ground signs under Subsection 6.1. Regulations exist to control the size, location and number of ground signs permitted on a property. The Sign By-law sets out that no more than two ground signs shall be located on any property and shall be located no closer than 45 metres to each other. In this case, the subject property already contains one ground sign and the applicants are proposing to add a second ground sign which is proposed to be located 20 metres away from the existing ground sign along the Brock Avenue frontage and will therefore require relief of the Sign By-law provisions. In addition, the Sign By-law

requires a 4.5 metre setback from any lot line other than a front lot line. It should be noted that the proposed sign would be 3 metres from the north (side) property line.

Intent of Sign By-law Regulations

The intent of the Sign By-law regulations are to help provide businesses with identification from adjacent public areas (mainly streets) while ensuring that signage does not pose a negative visual impact on the existing streetscape and surrounding land uses, and that they not impact public safety. Regulating the type and design of signage ensures that each property maintains an acceptable mix of signage; and that the signs are thereby compatible with the signage for similar uses in the surrounding area.

Comments from Other Departments

Staff from the Capital Works Department, Transportation Department and By-law Enforcement Department were consulted on the application. No objections were received.

Staff Considerations

In assessing the location of ground signs or decreases in the required distance between ground signs, staff considers the overall impact that the additional signage will have on the site, and to surrounding land uses. Staff notes that while the two ground signs are located 20 metres apart instead of the minimum required 45 metres, they are two very different signs. The two signs will not be located along the same street frontage. Further, the existing ground sign is meant to display the names of the tenants on the site, whereas the proposed ground sign includes no text and is meant to be symbolic of the use that it serves. Staff notes further that while the existing ground sign is meant to be seen from passersby at street level, the intent of the proposed sign is to be seen from further away. In this regard, staff is not of the opinion that the approval of a second ground sign would clutter the streetscape.

The proposed sign will be located less than 4.5 metres from the north property line, however it should be noted that the most prominent feature of the sign, the doughnut, will be elevated above the building level and will not create impacts at the ground level. Staff also notes that the originally proposed setback to the property line was 2.77 metres. Transportation staff requested a minimum of 3 metres in order to allow traffic to pass through and the applicant revised the plan accordingly. Transportation staff is now satisfied with the revision.

The proposed sign adds a very unique and friendly character to the existing Sunshine Doughnut Company. It will provide way-finding from a distance and will not clutter the streetscape. Staff is satisfied that the requested variances are within the intent and purpose of the City's Sign By-law. Staff views these variances as acceptable deviations from the By-law requirements.

Financial Matters:

The application has been processed under the standard fee for sign variances in accordance with the Development Application Fee schedule.

Environmental Matters:

There are no environmental matters arising from the recommendation of this report.

Conclusion:

Staff, having had regard for Sections 9.9.1, 9.9.2 and 9.9.3 of the City's Sign By-law 34-2007, is of the opinion that the proposed sign variance is minor, desirable and within the general intent of Sign By-law 34-2007 and recommend the application be approved subject to the proposed condition of the Recommendation.

Respectfully submitted,

Melissa Morgan

Planner I – Site Plan and Urban Design

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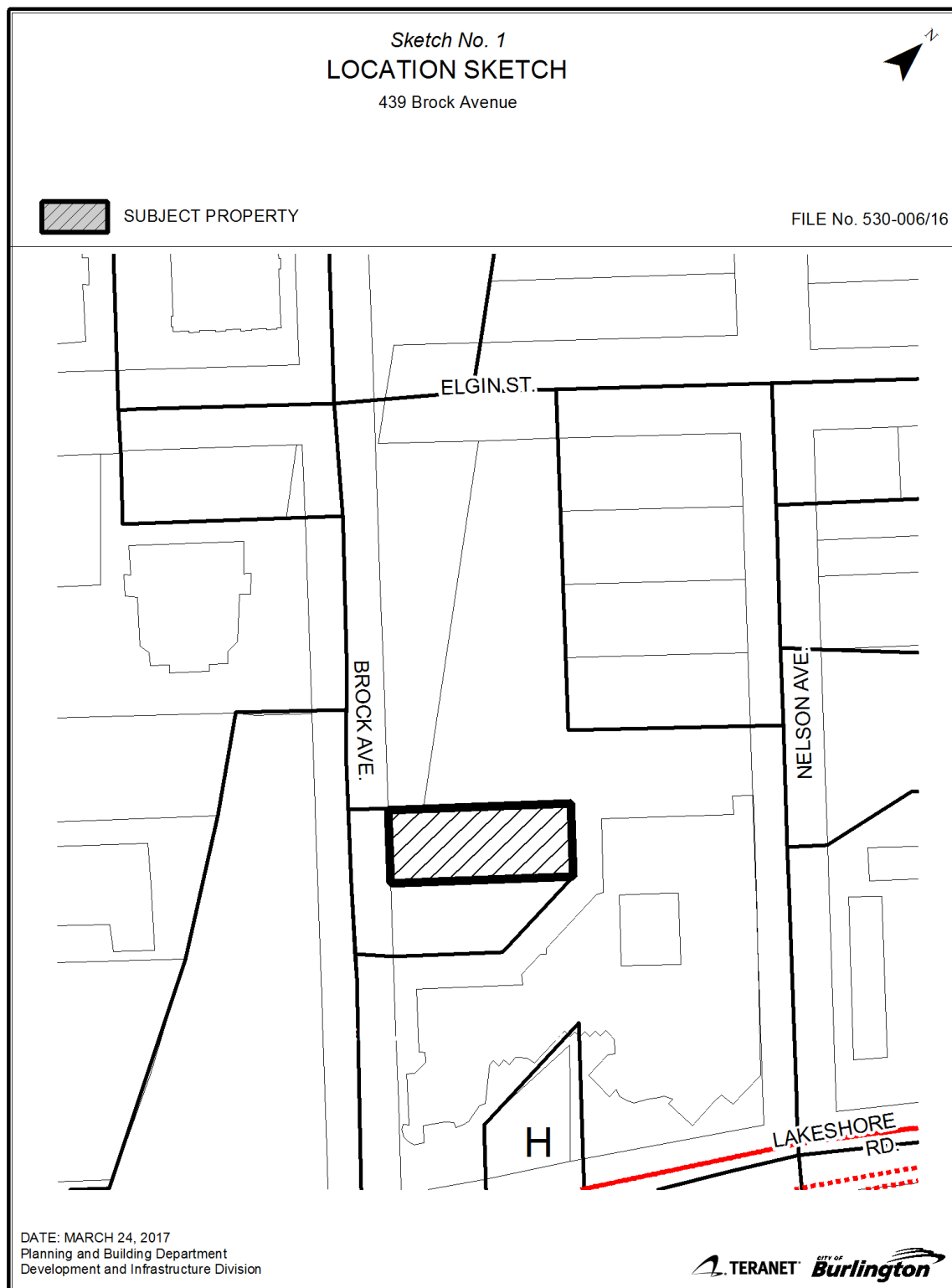
Appendices:

- a. Sketch No. 1 – Location Sketch
- b. Sketch No. 2 – Zoning Sketch
- c. Sketch No. 3 – Detail Sketch
- d. Sketch No. 4 – Proposed Ground Sign Elevation

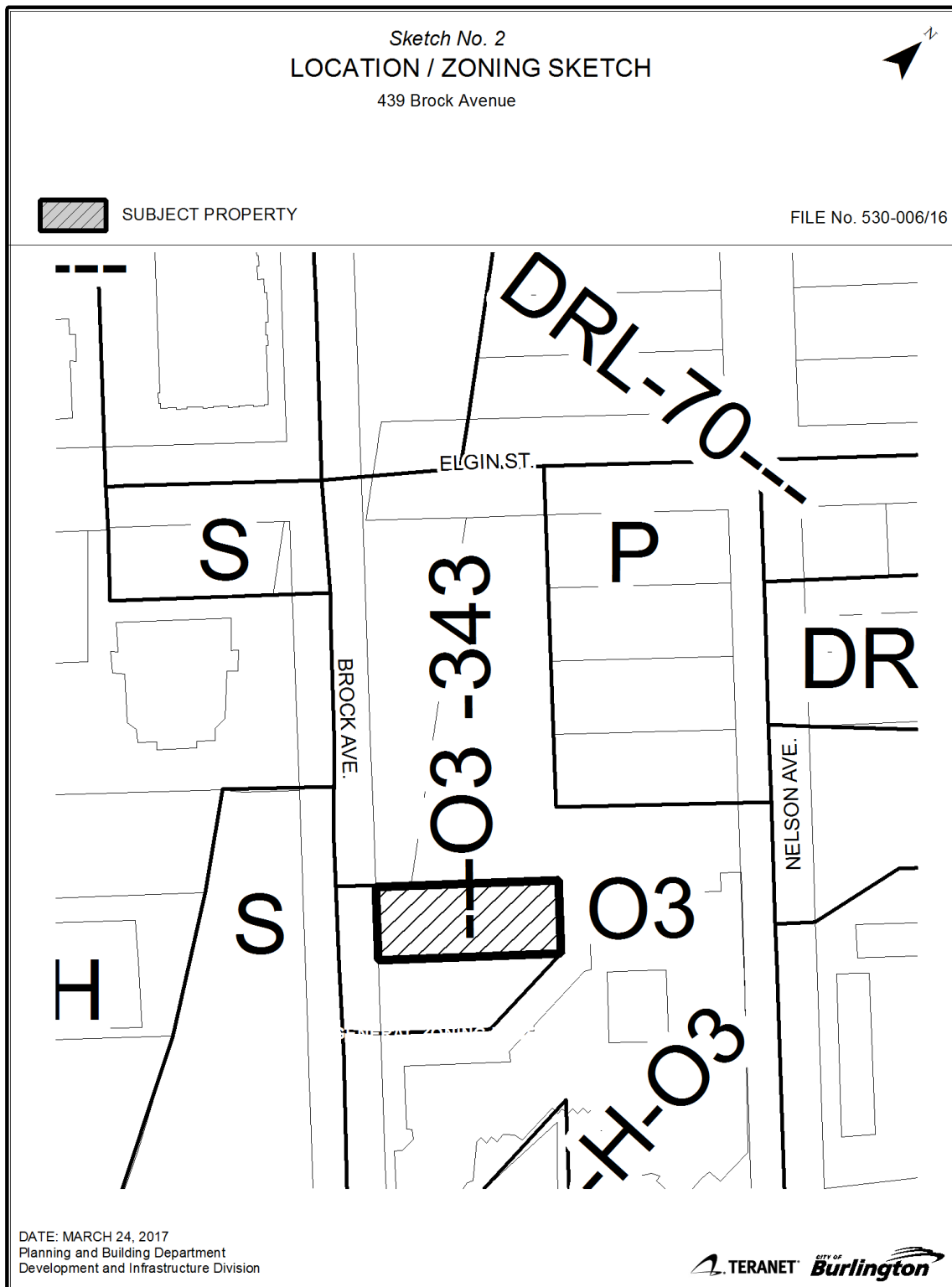
Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

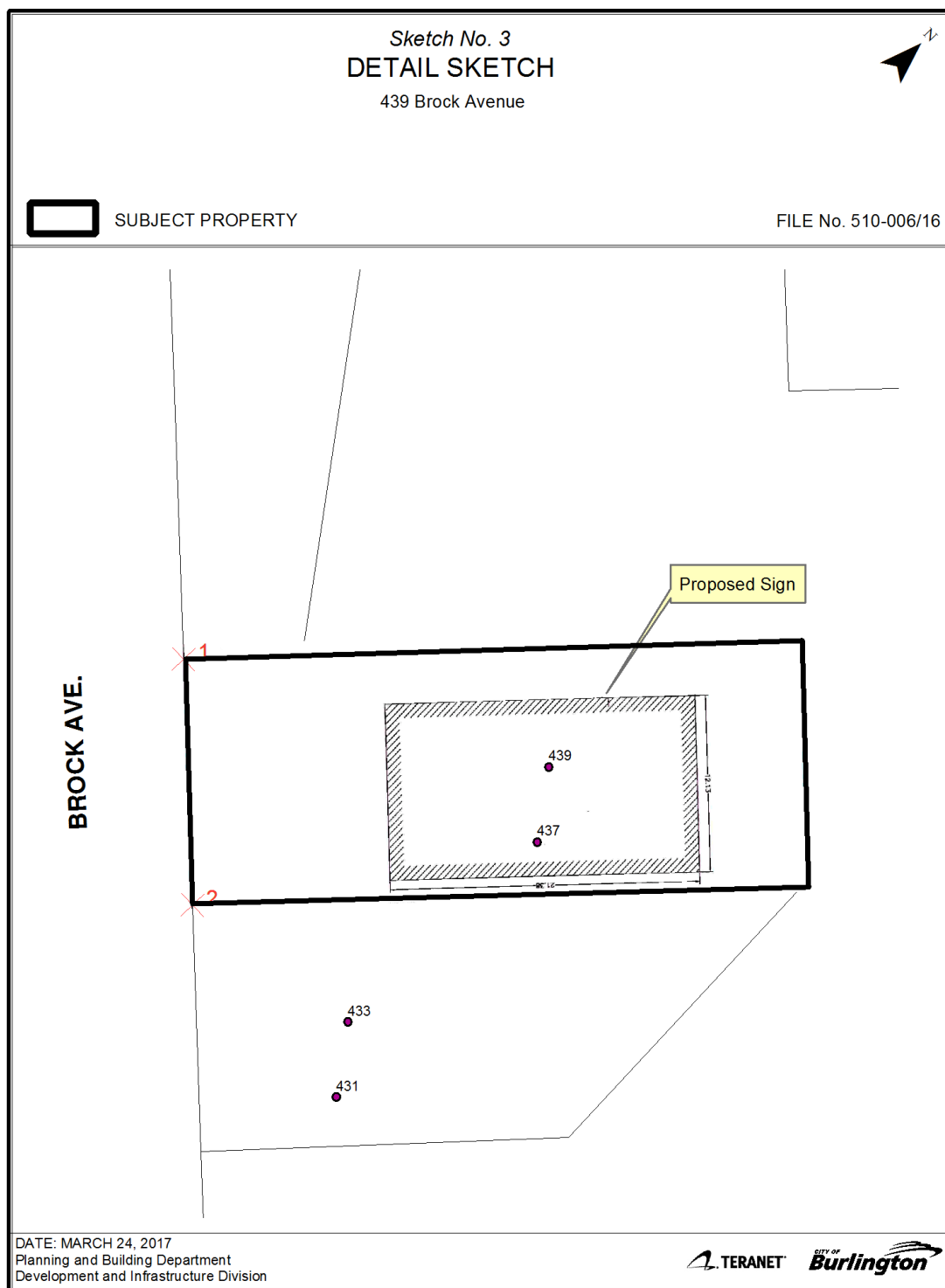
Appendix A – Location Sketch



Appendix B – Zoning Sketch



Appendix C – Detail Sketch



Appendix D – Proposed Ground Sign Elevation

