



SUBJECT: Sign Variance Application for 1217 King Road
TO: Planning and Development Committee
FROM: Department of City Building - Planning Building and Culture

Report Number: PB-61-18

Wards Affected: 1

File Numbers: 530-001/18

Date to Committee: July 10, 2018

Date to Council: July 16, 2018

Recommendation:

Approve the application for a variance to Sign By-law 34-2007, made by Jones Neon Displays Limited, to permit the installation of a new ground sign, which requires the following variance:

1. To permit a ground sign with a height of 2.16 m to have a setback of 0.61 m from the actual width of King Road instead of the minimum required 1.88 m from the deemed width of King Road;

Subject to the following conditions:

1. The variance applies to the proposed ground sign only and is valid only for the duration of the existing uses on site; and
2. The owner of the subject property enter into an encroachment agreement with the City, to the satisfaction of the City Solicitor and Director of Legal Services. The encroachment agreement shall require the current owner of the property to ensure that any subsequent purchaser of the subject property is advised of the agreement with the City. The City and the current owner shall endeavour to have the encroachment agreement registered on title to the subject property.

Purpose:

To recommend approval of the request for a variance to allow a new ground sign (see Appendix B – Detail Plan and Appendix C – Elevation Plans) at 1217 King Road.

Background and Discussion:

The subject property has the following characteristics:

- Located on the west side of King Road, south of Highway 403 and north of the Canadian National Railway (CNR) (see Appendix A – Location/Zoning Sketch). Surrounding uses consist of:
 - North: Employment and Highway 403
 - East: Creek Block and Utility Services
 - South: Employment and CNR
 - West: Vacant Land (zoned Employment and Business Corridor)
- Currently contains four (4) buildings that support Pollard Windows Inc. The subject property is approximately 6.3 ha in size and is accessible via driveway entrances from King Road and Hydro Lane.
- Zoned “GE1 – General Employment” under Zoning By-law 2020 (see Appendix A – Location/Zoning Sketch)

Existing Signage

There are currently only two signs located on the subject property. The display centre building, south of building ‘B’ along King Road, is identified by fascia signage located on the west elevation. The second sign is a tall ground sign that is located north of building ‘A’ beside Hydro Lane, which identifies the business to vehicles travelling on Highway 403.

Discussion

The subject application contemplates the installation of a new ground sign that will be located west of building ‘A’ adjacent to King Road (see Appendix B – Detail Plan and Appendix C – Elevation Plans). The proposed sign will replace a ground sign that was previously located in the same area, but has since been removed from the subject property.

The proposed sign requires a sign variance from the Sign By-law to permit a reduced setback from the actual property line. Staff note that King Road is not at the deemed width on the east side, the side abutting the subject property, and a road widening of approximately 2.5 m is required. Due to the deemed street width, the proposed sign will be located within the City’s road allowance. In this regard, to permit a sign to be located in the City’s road allowance, an encroachment agreement is required to be entered into by the property owner.

Sign By-law 34-2007

The City's Sign By-law contains various regulations pertaining to signage, including general prohibitions listed under Section 5, and specific regulations for ground signs under Subsection 6.1. The following regulation is pertinent to the subject application:

6.1.7 The maximum size, height and setback of grounds signs shall be as follows:

SIGN AREA PER FACE (m ²)	MINIMUM SETBACK FROM PROPERTY LINE OR DEEMED WIDTH WHICHEVER IS GREATER	MAXIMUM HEIGHT MEASURED FROM GRADE TO TOP OF SIGN COMMERCIAL ZONE	MAXIMUM HEIGHT MEASURED FROM GRADE TO TOP OF SIGN EMPLOYMENT ZONE	MINIMUM SETBACK FROM A LOT LINE ABUTTING A RESIDENTIAL ZONE, HOSPITAL, PARK OR SCHOOL	MINIMUM SETBACK FROM ANY OTHER LOT LINE
2.7 times the height (metres) of ground sign	1.5 m	1.2 times the setback (metres) from the closest street to a maximum height of 10.5 m	3.6 m	15 m	4.5 m

Intent of Sign By-law Regulations

The Sign By-law regulations are intended to provide businesses with sufficient means of identification from adjacent public areas while ensuring that signage does not negatively impact the existing streetscape and nearby land uses, and that it does not impact public safety. Regulating the type and design of signage ensures that each property maintains an acceptable mix of signage, and that new signs are compatible with surrounding development.

The Sign By-law regulates signage in terms of a number of aspects. Size, amount, location, clarity, compatibility, aesthetics, visual character, safety, and consistency with City objectives are all considered under the By-law and balanced with the public's right to expression.

Specifically, the City's Sign By-law requires that a sign located in a commercial zone shall be setback a specific distance from the street that is proportional to the sign height (setback = height / 1.2). This regulation ensures that public safety is achieved through the safe movement of vehicles and pedestrians, by preventing visibility obstructions to

vehicles traveling past, or entering and exiting the site. Further, this regulation strives to achieve an aesthetically-pleasing streetscape that does not detract from the character of the area.

Comments from Other Departments

Staff from the Department of City Building (By-law Enforcement), Transportation Department, and Capital Works Department, and the Ministry of Transportation were circulated on the subject application. No objections were received.

Staff Considerations

Staff must consider the impact of the proposed sign on the subject property and surrounding area, as well as the potential implications of a reduced setback from the street. The subject property is located within an area that supports employment, commercial, and light industrial uses. Areas of this nature, commonly utilize ground signs to identify businesses for way finding and advertising purposes.

The site currently does not have a ground sign located along the King Road frontage, and as such the proposed ground sign would provide for an opportunity to advertise and identify the business located at the subject site to vehicles traveling along King Road, as no additional signs are proposed.

The applicant requests relief from the Sign By-law to permit a reduced setback from King Road. The sign has not been installed; however the concrete footings for the sign have been poured, prior to receiving a permit. In this regard, a setback of 0.61 m instead of the minimum permitted setback of 1.88 m is requested to recognize the footings location.

Due to the height of the proposed sign, a larger setback is required than proposed. Staff is of the opinion that the reduced setback and location of the proposed sign will not establish a negative impact to the streetscape or establish visibility concerns. The distance between the proposed sign and nearest driveway is adequate and will not create any adverse visual impacts to vehicles entering or exiting the site from the noted driveway. Staff note the subject property has significant frontage on King Road, which contains considerable landscaping. In the opinion of staff, the proposed ground sign has been incorporated into the existing streetscape in a positive manner that is compatible and appropriate for the subject property and surrounding area.

The requested reduced setback for the proposed ground sign is compatible with the site and surrounding area, and would not pose negative impacts. In the opinion of staff, the requested variance meets the intent and purpose of Sign By-law 34-2007. As mentioned above in the Discussion section, an encroachment agreement must be entered into by the owner to allow the sign to be located within the City's road

allowance. The variance for the proposed sign is conditional upon the encroachment agreement.

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 recommends that the application be approved subject to the proposed conditions of the Recommendation

Respectfully submitted,

Robyn Stebner

Planner I

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Appendices:

- A. Sketch No. 1 – Location/Zoning Sketch
- B. Sketch No. 2 – Detail Plan
- C. Sketch No. 3 – Elevation Plans

Notifications:

JONES NEON DISPLAYS LIMITED

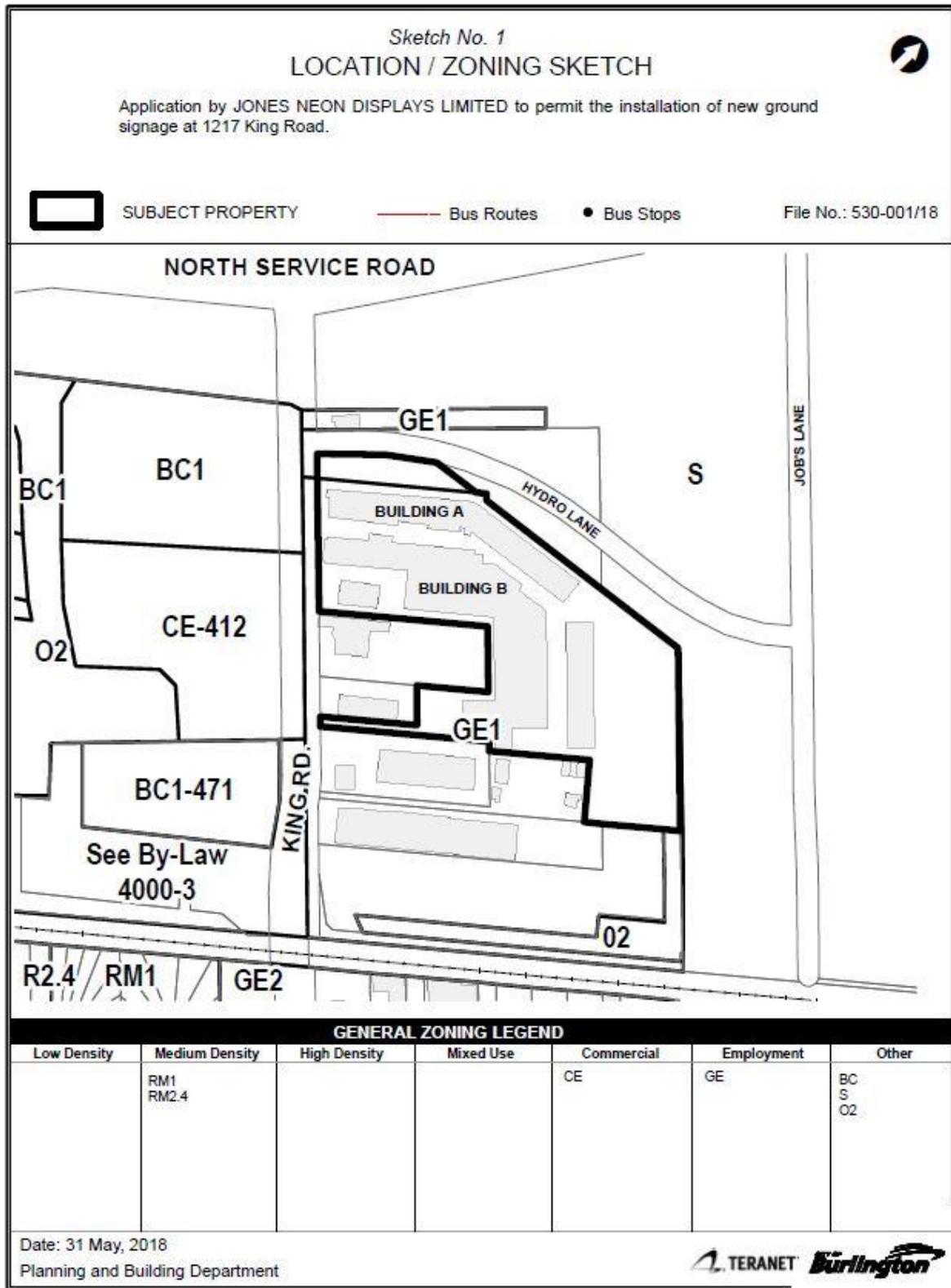
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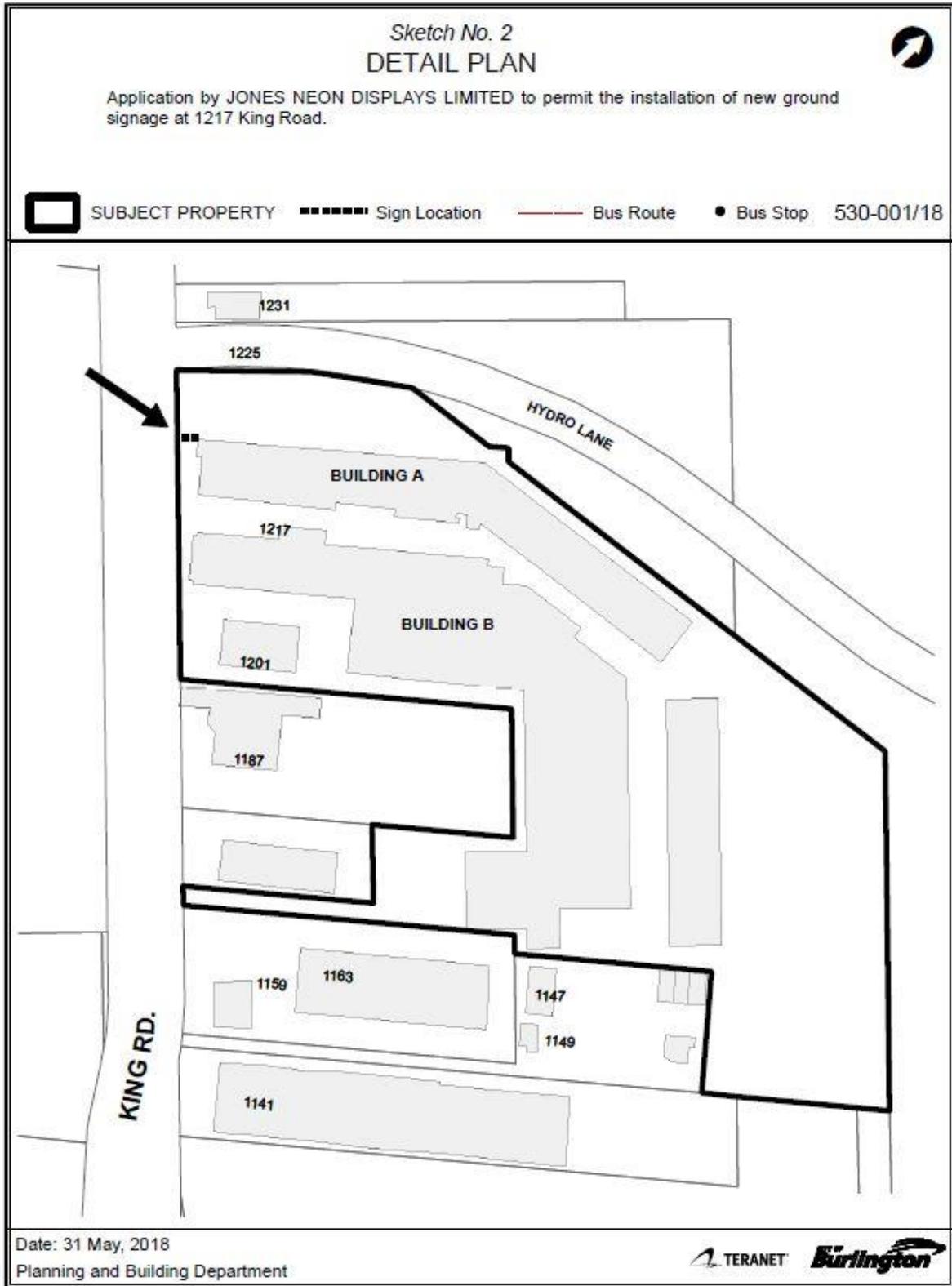
Report Approval:

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/Zoning Sketch



Appendix B – Detail Sketch



Appendix C – Elevation Plans

Sketch No. 3
ELEVATION PLANS

Application by JONES NEON DISPLAYS LIMITED to permit the installation of new ground signage at 1217 King Road.

530-001/18

IMMEDIATELY WEST OF BUILDING A

