

REPORT

Council Meeting

Meeting Date: May 25, 2021

FROM: Municipal Enforcement Services Department

DATE: May 18, 2021

SUBJECT: **2441 Lakeshore Road West (Farm Boy) Sign Amendment, By-law 2021-094**

LOCATION: 2441 Lakeshore Road West, Farm Boy

WARD: Ward 1

Page 1

RECOMMENDATION:

1. That the request for an amendment to the Sign By-law 2018-153 to permit two Entrance Canopy signs to project below the canopy and to allow a 7.34 meter sign height which is 63.1% increase over the maximum permitted sign height of 4.5 meter under the Sign By-law for an entrance canopy sign located at 2441 Lakeshore Road West, be approved.
2. That By-law 2021-094, A by-law to amend By-law 2018-153 – a by-law to prohibit and regulate signs within the Town of Oakville, permitting the exception in Recommendation 1, be approved.

KEY FACTS:

The following are key points for consideration with respect to this report:

- On February 11, 2021, the Designated Official denied the applicant's sign permit application as the proposed sign does not comply with Sign By-law 2018-153
- The applicant is seeking an amendment to the Sign By-law to permit two Entrance Canopy Signs to project below the canopy and to exceed the maximum height requirements at the subject property. The subject property is located in an Mixed Use and Urban Core use designation
- The By-law allows a maximum sign height of 4.5m in this land use designation
- The By-law does not permit Entrance Canopy Signs to project below the undersurface of the canopy structure

- The Planning, Traffic Engineering and By-Law Enforcement Departments have no objection to this Exception because of its compatibility in design and scale in an existing commercial plaza location and in a Mixed-Use retail development, its non-interference with traffic safety, and the non-objection to same from those to whom notice was given.
- The applicant is requesting
 - a sign height of 7.34m, which is 63.1% over that permitted by the Sign By-law; and
 - A sign that projects below the undersurface of the canopy structure

BACKGROUND:

Sign By-law Requirements:

The Sign By-law regulates signs based on the subject property's land use designation. Part 5.3, Table 5.3.1., subsection (E) of the Sign By-law states:

PART 5.3 Regulations for Signs in Mixed Use and Urban Core Land Use Designations

Table 5.3.1 All Mixed Use and Urban Core Land Use Designations (A)							
Permanent Signs	Awning Sign	Directional Sign	Directory Sign	Entrance Canopy Sign	Fascia Sign (B)	Ground Sign	Projecting Sign
Maximum number of signs per frontage	n/a	3	1 (C)	n/a		1	1
Maximum sign height	3.75 m (D) (E)	1.5 m	2.5 m	4.5 m (D) (E)	4.5 m (F)	2.5 m	4.5 m (E)
Maximum sign face area	(G) (H)	0.56 m ²	1.0 m ²	(G)	(H)	2.0 m ²	0.56 m ²
Maximum percentage of SFA using SEMB	prohibited					50% (I) (J)	prohibited
Illumination	internal & external	internal	internal & external	internal	internal & external	internal	internal & external
Minimum setback from front/ flankage property line(s)	n/a	2.0 m	17.0 m (K)	1.5 m	n/a	1.5 m	n/a
Maximum overhang onto public property	0.46 m	prohibited	0.1 m	prohibited	0.2 m	prohibited	0.46 m
Minimum separation distance	n/a					30.0 m (L)	n/a

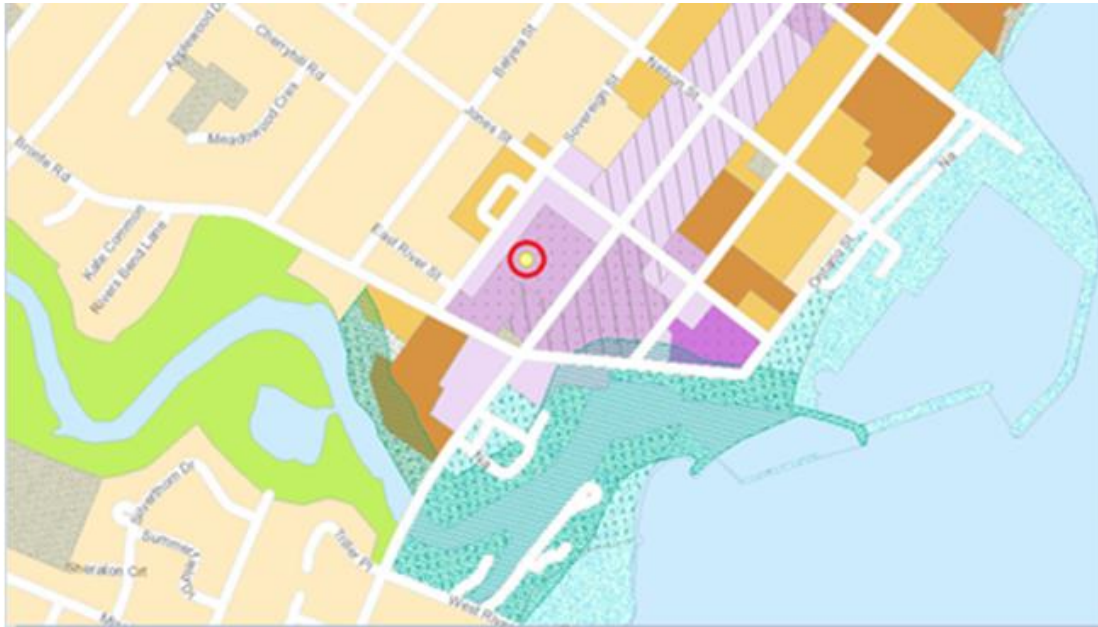
Additional Regulations for PART 5.3, Table 5.3.1:

(e) Sign shall not project below the undersurface of the awning or canopy structure.

As noted in the chart above the maximum sign height for Entrance Canopy Sign is 4.5 meters. Under this application the proposed height is 7.34 meters

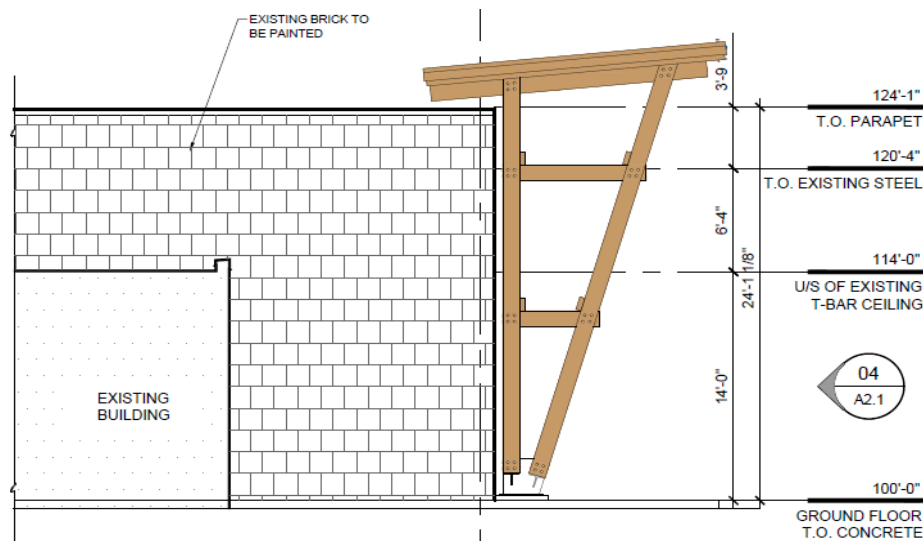
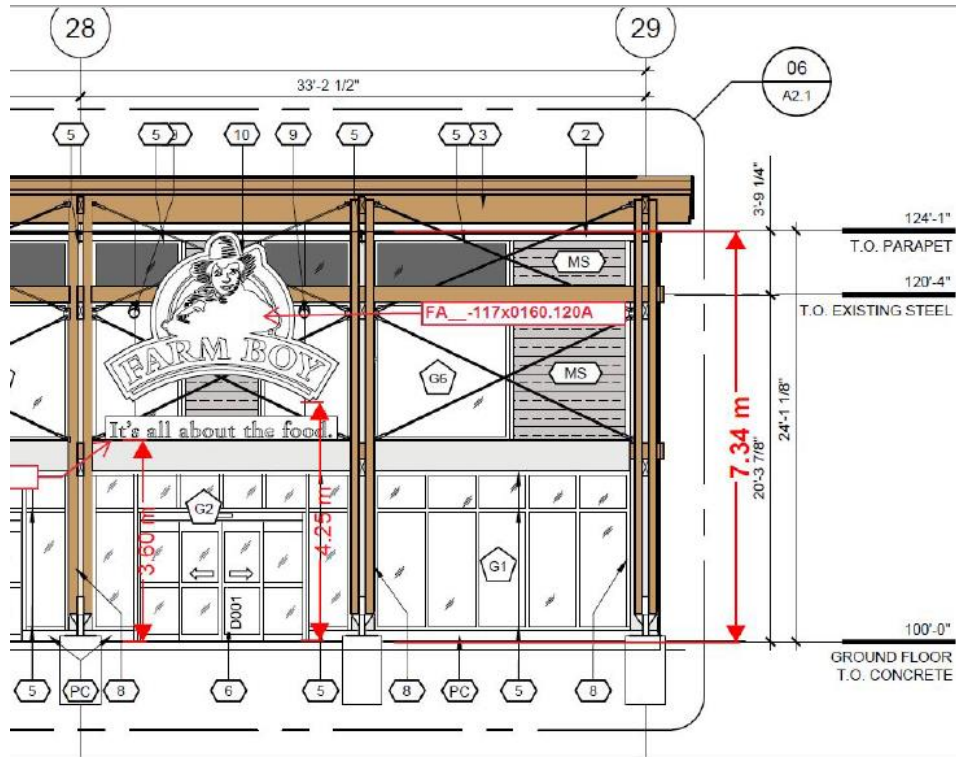
Location of Subject Property:





Sign Attributes and Sign Context

- The land for the proposed sign is a mixed use retail development located near the North-West corner of Lakeshore Road West and Jones Street.
- The proposed Entrance Canopy Sign consists of two signs; one is 12.08m^2 in size and the other is 1.65m^2 , the combined size of 13.73m^2 . The wall frontage of this building is permitted to display 30.12m^2 in sign face area for fascia signs. The proposed sign under the canopy to be considered as part of the fascia sign and its combined size 13.73m^2 to be taken off the max permitted fascia sign size 30.12m^2 . Upon approval the remaining fascia sign size available for future applications will be 16.39m^2 .
- The applicant is proposing the entrance canopy sign to be displayed below the undersurface of the canopy structure to a maximum height of 7.34m. The proposed sign height is 63.1% higher than that allowed by the Sign By-law.



- Farm Boy has erected similar signs in other locations as seen in the photos below:



- To provide context, the drawing below illustrates the canopy and its support structures:



Decision of the Designated Official

On February 11th, 2021 the Designated Official denied the applicant's sign permit application as the sign does not comply with the requirements of the Sign By-law. Specifically, Part 5.3, Table 5.3.1., subsection (E), as amended; Sign shall not project below the undersurface of the awning or canopy structure.

The applicant was advised that they could apply for an Amendment to the By-law's 'Entrance Canopy Sign' requirements for the subject property.

COMMENT/OPTIONS:

From an urban design perspective, the proposed sign is compatible in scale and design for the new entrance feature and façade of the existing commercial plaza building. The proposed signage is directed towards the parking lot and Lakeshore Road West and should not impact surrounding residential uses. As the district evolves with more mixed-use developments, any impacts resulting from sign illumination will be managed through the sign by-law and nuisance by-law regulations. Staff are supportive of the requested signage.

The applicant has provided all required information with its submission for an amendment to the By-law, including a copy of the notification letter that it circulated to all residents within 120m of the subject property in accordance with subsection 15.15(e) of the Sign By-law. The letter advised that a Sign By-law amendment report will be considered by Council. As of the writing of this report, staff has received no comments on the notification of the amendment.

Taking into account all factors, staff considers the request by the applicant to be reasonable and therefore recommends approval of the amendment.

CONSIDERATIONS:

(A) PUBLIC

This application was subjected to public notification and copy of the notification letter that it circulated to all residents within 120m of the subject property in accordance with subsection 15.15(e) of the Sign By-law.

(B) FINANCIAL

The following fees have been charged under this sign application as approved Rates and Fees by-law:

- amendment fee of \$2200
- Appeal fee of \$865
- sign application fee of \$780.00 (i.e. \$390 per sign)

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Multiple departments including Planning and Municipal Enforcement Services participated in the application review and recommendations. If the appeal is approved Municipal Enforcement Services and Building Services will complete the permit process.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- enhance our economic environment
- provide outstanding service to our residents and businesses
- be accountable in everything we do
- be the most livable town in Canada

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

- | | |
|--------------|--|
| Appendix A - | Location of buildings on the property |
| Appendix B - | Sign Appeal Application |
| Appendix C - | Letter of Rationale with drawings |
| Appendix D- | By-law 2021-094 Amending Sign By-law 2018-153 (2441 Lakeshore Road West, Farm Boy) |

Prepared by:
Raj Vemulapalli

Recommended by:
Margaret Boswell

Submitted by:
Selena Campbell
Manager-Enforcement Services