

REPORT

PLANNING AND DEVELOPMENT COUNCIL

MEETING DATE: FEBRUARY 8, 2021

FROM: Municipal Enforcement Services

DATE: January 26, 2021

SUBJECT: **By-law 2021-034 an amendment to the Town of Oakville Sign By-law 2018-153**

LOCATION: 2500-2508 Winston Park Drive, Oakville, ON

WARD: 6

Page 1

RECOMMENDATION:

That Amending By-law 2021-034, for a sign located at 2500-2508 Winston Park Drive, as detailed in the report from the Municipal Enforcement Services department dated January 26, 2021, be passed.

KEY FACTS:

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

- On January 25, 2019, the Designated Official denied the applicant's sign permit application as the proposed signs did not comply with Sign By-law 2018-153 and a previous sign agreement.
- The subject property is located in a commercial land use designation.
- The By-law allows a maximum of one ground sign per frontage in this land use designation, however one additional ground sign is permitted for every 100.0m of frontage.
- On June 5, 2001, the subject property was granted a variance to the Town of Oakville Sign bylaw 1994-142, to permit an oversized ground sign. Whereas the bylaw permitted a ground sign with a maximum height of 22.14 feet and a maximum area of 80.7 square feet, Council granted a variance to the bylaw to permit a ground sign with a height of 24 feet and an overall area of 210 square feet
- The conditions of the above noted variance, was conditional upon "no further ground signs being located on the property without the express consent of the Council of the Town of Oakville".

BACKGROUND:

In 2001 a sign permit was approved for the installation of a sign on the Dundas Street E frontage of the property. The variance requested included an increase to the permitted sign face area and height. The variance was approved on June 5, 2001 with the following condition:

- “no further ground signs being located on the property without the express consent of the Council of the Town of Oakville”.
- The total number of ground signs permitted on the property be limited to two, the existing ground sign along the Dundas Street East frontage and the new secondary ground sign along the Winston Park Drive frontage.

Sign By-law Requirements:

The Sign By-law regulates signs based on the subject property's land use designation. Part 5.1, Table 5.1.1, subsection of the Sign By-law states:

Table 5.1.1 All Commercial Land Use Designations (A)					
Permanent Signs	Awning Sign	Directional Sign (B)	Entrance Canopy Sign	Fascia Sign (C)	Ground Sign
Maximum number of signs per frontage	n/a	3	n/a		1 (D)
Maximum sign height	3.75 m (E)	1.5 m	4.59 m (E)	n/a	6.75 m
Maximum sign face area	(G)	0.56 m ²	(F)	(G)	7.5 m ²
Maximum percentage of SEMB	prohibited				30% (H) (I)
Illumination	internal & external	internal		internal & external	
Minimum setback from front/flankage property line(s)	1.5 m	2.0 m	1.5 m	n/a	1.5 m (J)
Minimum separation distance	n/a				30.0 m (K)

Additional Regulations for Table 5.1.1:

- (D) For Community Commercial and Core Commercial designations only, one (1) additional ground sign is permitted for every 100.0 m of frontage.
- (H) For regulations specific to static electronic message boards, refer to Part 8
- (I) Where two or more ground signs are permitted, only one ground sign shall be permitted to include a static electronic message board.
- (J) A maximum setback of 17.0 m from front and flankage property lines.
- (K) Minimum separation distance from another ground sign on the same property.

Location of Subject Property**Sign Attributes and Sign Context**

There is currently one ground sign on the property with an overall area of 19.51m² and a height of 7.32m. At the time of installation of this ground sign there were two buildings on the property occupied by 5 tenants.

This site has undergone infill development adding one additional building with 5 new tenants. The property has 3 frontages along Dundas Street E, Winston Park Drive and Bristol Circle totaling 420m.

On December 10, 2018 the applicant submitted an application for a ground sign to be located along the Winston Park Drive frontage. The applicant has worked with the Town to address concerns regarding the size, placement and orientation of the proposed secondary ground sign, to achieve compliance with all provisions of the sign by-law and to gain support from the Planning department (Urban Design). As a result the sign application now complies with the current sign by-law. However, in accordance with the 2001 variance, the applicant is still required to have the express consent of Council to install any additional ground signs on the property.

Decision of the Designated Official

On January 25, 2019, the Designated Official denied the applicant's submission for a sign permit as the proposed signs did not comply with the requirements of the Sign By-law.

The applicant has since amended the application to reduce the sign face area to comply with the permitted sign face area under the By-law.

COMMENT/OPTIONS:

The requested amendment to the existing 2001 sign agreement is recommended for approval with the following conditions:

- The total number of ground signs permitted on the property be limited to two, the existing ground sign along the Dundas Street East frontage and the new secondary ground sign along the Winston Park Drive frontage.

The applicant has provided all required information with its submission for an amendment to the sign agreement, along with the required information to issue a permit for an additional ground sign.

In forming its opinion, staff took into consideration the following:

- An additional ground sign on this property is compatible with urban design guidelines for the surrounding area;
- Surrounding residential uses will not be negatively impacted.

Taking into account all factors, staff considers the request by the applicant to be reasonable and therefore recommends approval subject to the option presented above.

CONSIDERATIONS:**(A) PUBLIC**

An additional ground sign on the subject property will not negatively impact surrounding residential uses should the requested exception to the By-law be approved.

(B) FINANCIAL

The application fee of \$380.00 to recover the costs to process this application has been received.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Multiple departments including Planning, Legal, Traffic and Municipal Enforcement Services participated in the application review and recommendations. .

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- Provide outstanding service to our residents and businesses
- Be accountable in everything we do
- Be the most livable town in Canada
- Enhance our economic environment

(E) COMMUNITY SUSTAINABILITY

Recommending responsible sign exceptions working with businesses and considering sign safety and aesthetic impacts on the community, supporting the economic and cultural aspects of the community

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APPENDICES:

Appendix A	Site map
Appendix B	Proposed ground sign.
Appendix C	Sign agreement June 5, 2001.
Appendix D	Drawings of existing sign (granted as per variance in 2001)
Appendix E	Letter of rationale from applicant
Appendix F	Amending by-law 2021-034

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