



STAFF REPORT

FUNCTION: Sign Variance Committee

CHAIR: Cindy Tremblay

DATE: February 28, 2019

REPORT NO.: PL-2019-21
Sign Variance Application C.2/2019

RECOMMENDATION:

That the Planning and Building Services Department supports the approval of Sign Variance Application C.2/2019 with respect to 9226 County Road 93 for the following:

- To permit one new replacement (1) Pylon Sign on the subject property in addition to the existing Pylon Sign, for a total of two (2) Pylon Signs, whereas the By-law permits one (1) sign per property
- To increase the maximum Sign Area of a Pylon Sign from 10.0 square metres to 17.0 square metres, a variance of 7.0 square metres

Subject to the following Conditions:

1. That approval of the Variance is granted and fixed to the size, extent and design of the proposed signage shown on the Elevation attached to Staff Report PL-2019-21 dated February 28, 2019 and shown on Attachment #2.
2. That necessary approvals be obtained within one (1) year of approval from the County of Simcoe.
3. That Sign Permits be obtained within one (1) year of approval.
4. That the existing northerly pylon sign be demolished and removed.

BACKGROUND:

The Town received a Sign Variance Application on February 26, 2019, submitted by Michael Cillis, the authorized agent for the property owner of 9226 County Road 93. The application is for a Variance to the Sign By-law 2011-79, as amended, for the property known municipally as 9226 County Road 93, commonly known locally as 'Mountainview Plaza'. The property is legally described as Part of Lot 106, Concession 1 (OS) and more particularly described as Parts 2 to 11, inclusive, Reference Plan 51R-10292 in the Town of Midland (See Attachment #1: Location Map). The lands have the following general dimensions: a frontage of 360 metres on County Road 93, a variable depth having a maximum depth of 440 metres, and an area of 16.2 hectares.

The surrounding land uses are:

North: Commercial
South: Commercial

East: Commercial
West: Commercial

Proposal and Application Request

The application seeks permission to construct one (1) new replacement Pylon Sign on the subject property in addition to the existing Pylon Sign, for a total of two (2) Pylon Signs. The Sign By-law permits one (1) Pylon sign per property. The Applicant is also seeking to increase the maximum Sign Area of a Pylon Sign from 10.0 square metres to 17 square metres, a variance of 7 square metres. The sign is 6.7 metres in height.



Figure 1 Existing Signs

There are currently two existing pylon signs on the property (See Figure 1 on the right). In 2016, parts of the subject property were dedicated to the County of Simcoe for the purpose of a road widening for County Road 93. Sign 'A' is located in a strip of land that has been dedicated to the County. As a result, Sign 'A' has to be removed. The Applicant has made the application herein to replace Sign 'A' with the proposed new sign in the same general location located within the private property and setback 7.3 metres from the property line.

Official Plan

The property is designated **EMPLOYMENT AREAS** in the Town of Midland's Official Plan. In the Official Plan, Section 3.1.5 Development Policies for Employment Areas state: *a) building design, location and treatment should be complementary to surrounding uses.* Buildings located adjacent to major transportation routes, such as Highway 12, are expected to have high quality designs to heighten the aesthetic appeal of the location and surrounding area.

Section 4.7 of the Official Plan provides specific policies respecting signage:

4.7.1 Good community design requires attention to signage. Signs for all types of uses should contribute to the visual attractiveness of both the development and the surrounding area. The Town shall:

4.7.1.1 Encourage the design of signs to be used to add colour and enhance the appeal of developments and business establishments in order to contribute to the overall visual quality of the built environment.

4.7.1.2 Encourage the use of an appropriate variety of signage types such as fascia signs, canopies and awnings, ground signs and directory signs, which compliment building designs rather than dominate them.

4.7.1.3 *Discourage the use of portable signs.*

4.7.1.4 *Comply with Town, County and Provincial Sign By-laws where applicable.*

Town of Midland Zoning By-law 2004-90

The property is zoned **HIGHWAY COMMERCIAL – HC** which permits a number of commercial uses.

Sign By-law 2011-79

The purpose of the Sign By-law is to “...*regulate signs in the Town of Midland that:*

- a) *Are appropriate in the type, placement, and scale to the type of business or use to which they pertain;*
- b) *Minimize adverse impacts on nearby public and private property;*
- c) *Do not create a distraction or safety hazard for pedestrians or motorists;*
- d) *Provide appropriate communication to the public in order to identify facilities, businesses, and services without difficulty or confusion;*
- e) *Protect and enhance the aesthetic qualities and character of the Town of Midland.”*

The Sign By-law defines a Pylon Sign as “...*a free-standing vertical sign supported by permanent column(s) on a foundation in the ground and which is not attached to any building or structure. May include a changeable copy component, on which the copy can be changed manually or by electronic display.”*

The following are the regulations pertaining to Ground and Pylon Signs in the **Highway Commercial Zone – HC** under the Sign By-law:

8.2.4 Ground Signs and Pylon Signs

- a) *One (1) **Ground Sign** or **Pylon Sign** shall be permitted per property.*
- b) *The maximum sign area of a **Ground Sign** shall be calculated at a rate of 1 square metre per 10 metres of **frontage** to a maximum sign area of 6 square metres (65 sq.ft.), and a maximum **sign height** of 2.0 metres (6.6 ft.).*
- c) *The maximum **sign area** of a **Pylon Sign** shall be calculated at a rate of 1 square metre per 10 metres of **frontage** to a maximum sign area of 10.0 square metres (108 sq.ft.), a maximum **sign height** of 7.62 metres (25 ft.), and a **minimum sign clearance** of 2.44 metres (8 ft.).*
- d) *In the **Marine Commercial (MC) Zone**, the maximum **sign area** of a **Pylon Sign** that faces water shall be 14.0 square metres (150 sq.ft.) and have a maximum **sign height** of 10.0 metres (33 ft.).*
- e) *A **Ground Sign** or **Pylon Sign** shall be located within a landscaped island in a parking lot or at a driveway entrance, and shall be **setback** a minimum of 1.5 metres (5 ft.) from all **property lines** and not located within a **sight triangle**. Where the sign is located on a Provincial highway or County road, the **setback** requirements of the Provincial or County governments shall be the required **setback**.*

Departmental and Agency Comments

March 4, 2019 - Director of Engineering, Water and Wastewater

1. The County will be installing a new sidewalk in the boulevard and the sign should have the appropriate setback from the new sidewalk.

ANALYSIS:

Staff supports the requested Sign Variance as it is in keeping with the Town's Official Plan and the purpose of the Sign By-law. The proposed sign is replacing an existing sign in the same general location and will be set further back from the property line. The request for two pylon signs on the property is reasonable and appropriate given the large size of the property, which has a frontage of over 360 metres and an area of 16.2 hectares. The two pylon signs provide notice of commercial tenants and stores for both entrances to the property and ensure effective communication with visitors.

The proposed Pylon sign is in a highly commercial area on County Road 93 where there are several pylon signs. The subject property has over 380,000 square feet of commercial leasable area and is serviced with two signalized intersections providing access to the commercial plaza and related commercial pad buildings. Two pylon signs for this property and development is therefore appropriate. The increase in the sign area will also not negatively impact the commercial character of the area. With the conversion of the subject property to a plaza and the addition of new tenants, the proposed increase in sign area will ensure that businesses can communicate effectively with the public. Furthermore, the height of the sign will be in compliance with the requirements of the Sign By-law.

CONCLUSIONS:

The proposed Pylon sign is appropriate in scale for the type of business, provide appropriate communication to the public, and will not adversely impact public or private lands. Therefore, Staff supports the requested Sign Variances subject to the following Conditions:

1. That approval of the Variance is granted and fixed to the size, extent and design of the proposed signage shown on the Building Elevation attached to Staff Report PL-2019-21 dated February 28, 2019.
2. That necessary approvals be obtained within one (1) year of approval from the County of Simcoe.
3. That Sign Permits be obtained within one (1) year of approval.
4. That the existing northerly pylon sign be demolished and removed.

FINANCIAL IMPACT:

There is no financial impact to the Town of Midland.

Prepared by: Angela Zhao, Planner

Approved by: Wes Crown, Director of Planning and Building Services

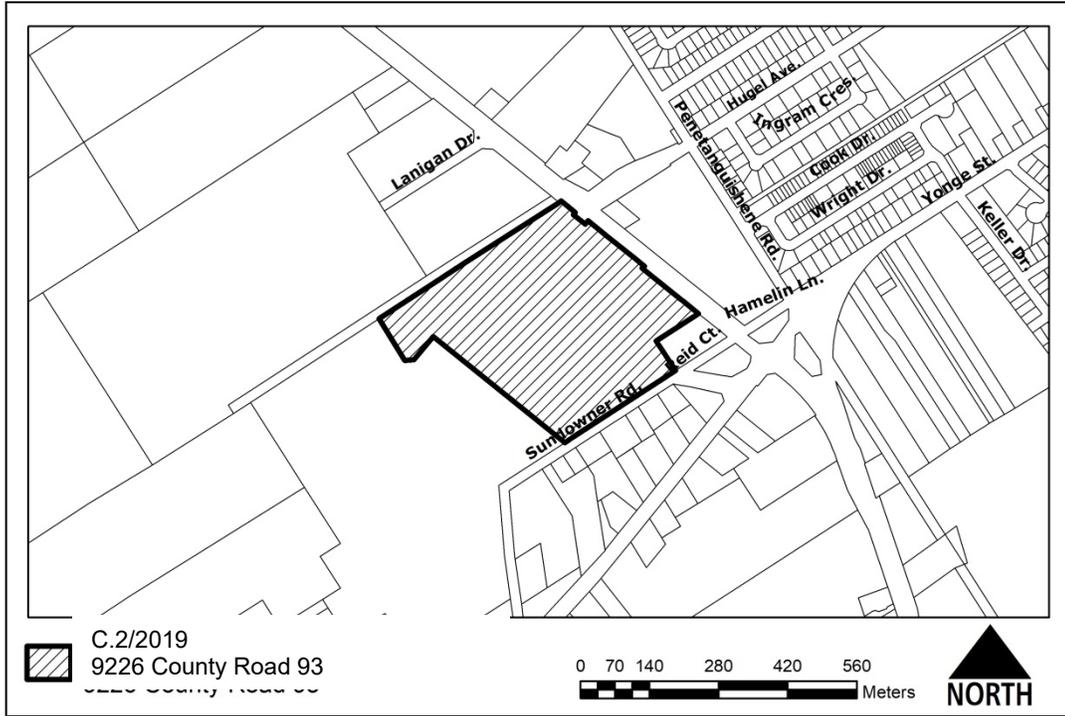
Attachments

#1: Location Map

#2: Proposed Signage

Sign Variance Application C.2/2019

Attachment #1: Location Map



Sign Variance Application C.2/2019

Attachment #2: Proposed Signage

