

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, December 6, 2022
Subject	Sign By-law Variances for 158 Clair Road East

Recommendation

1. That the request for variance from Table 20.3.1 – Drive-Through Facilities and Table 24.1 - Electronic Message Centres, of Sign By-law (2021)-20621, as amended, to permit one electronic drive-through pre-sell menu board sign with a display visible to a residentially zoned property and a setback of 14.7 metres from a residentially zoned property line, at 158 Clair Road East, be approved; and
 2. That the request for variance from Table 20.3.1 – Drive-Through Facilities and Table 24.1 - Electronic Message Centres, of Sign By-law (2021)-20621, as amended, to permit one electronic drive-through menu-board sign with a display visible to a residentially zoned property and a setback of 14.8 metres from a residentially zoned property line, at 158 Clair Road, be approved; and
 3. That the request for variance from Table 20.3.1 – Drive-Through Facilities and Table 24.1 - Electronic Message Centres, of Sign By-law (2021)-20621, as amended, to permit one electronic drive-through menu-board sign with a display visible to a residentially zoned property and a setback of 19.3 metres from a residentially zoned property line, at 158 Clair Road, be approved.
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Executive Summary

Purpose of Report

This report is to advise of sign by-law variances to permit a drive-through electronic pre-sell menu and two drive-through electronic menu boards at 158 Clair Road East.

Key Findings

The subject property is located in the Specialized Community Shopping Centre Zone (CC-17) which permits commercial uses. Sign By-law Number (2021)-20621, as amended, Table 20.3.1 – Drive-Through Facilities, requires permanent drive-through pre-sell and menu board signs to have a minimum lot line setback of 30 metres when visible from a residentially zoned property. Table 24.1 - Electronic Message Centres requires all electronic signs to be located a minimum of distance of 30m away from any residentially zoned property.

Pride Signs has submitted a sign by-law variance application on behalf of Choice Properties REIT at 158 Clair Road East to permit one electronic drive-through pre-

sell menu board sign and two electronic drive-thru menu-board signs at Tim Horton's, which all have a distance less than 30 metres and are visible to the adjacent residentially zoned property line (98 Farley Drive). The variance requests are recommended for approval for the following reasons:

- The proposed signs are replacing an existing drive-through pre-sell menu board and drive-thru menu-boards in the same locations;
- New wooden fencing has been installed and evergreen trees have been planted near the property line to shield light shining from the electronic drive-through signs into the residential property;
- The proposed signs are located approximately 80 metres from the adjacent residential apartment building at 98 Farley Drive; and
- The proposed signs will comply with all other provisions of the Sign By-law.

Strategic Plan Alignment

The proposed Sign By-law Variance Report aligns with the direction of our Strategic Plan Priority "Powering our future - to help businesses succeed and add value to the community".

Financial Implications

Not applicable.

Report

The subject property is located in the Specialized Community Shopping Centre Zone (CC-17) which permits commercial uses. The applicant, Pride Signs on behalf of Choice Properties REIT, is proposing to replace one existing drive-through pre-sell menu board sign and two existing drive-through menu-board signs with new digital signs with electronic changeable copy at the dual lane Tim Horton's drive-through located at 158 Clair Road East. The proposed signs will remain in the same location and face the same direction as the existing signs. The proposed signs are controllable in terms of brightness and are required to meet a maximum illumination of 200 nits between sunset and sunrise as they are located within 60m of a residentially zoned property. The maximum illumination between sunrise and sunset is 5000 nits. The applicant has confirmed the electronic signs are able to have a minimum illumination of 150 nits.

Section 7.2(c) of Sign By-law (2021)-20621 requires that Council decide on variances where a reduction in distance is requested from a residential zone for an illuminated Sign.

See Attachment 1 – Location Map for the location of the property and surrounding area and Attachment 2 – Sign Variance Drawings for the sign renderings.

Table 1 - Requested Variances from Sign By-law (2021)-20621

By-law Requirements	Request
A minimum 30 metre setback from a residentially zoned property line is required for electronic message centres and for any drive-through signs visible from a residentially zoned property	14.7 metre setback from a residentially zoned property and visible from a residentially zoned property line
A minimum 30 metre setback from a residentially zoned property line is required for electronic message centres and for any drive-through signs visible from a residentially zoned property	14.8 metre setback from a residentially zoned property and visible from a residentially zoned property line
A minimum 30 metre setback from a residentially zoned property line is required for electronic message centres and for any drive-through signs visible from a residentially zoned property	19.3 metre setback from a residentially zoned property and visible from a residentially zoned property line

The variance requests are recommended for approval for the following reasons:

- The proposed signs are replacing an existing drive-through pre-sell menu board and drive-thru menu-boards in the same location;
- New wooden fencing has been installed and evergreen trees have been planted near the property line to shield light shining from the electronic drive-through signs into the residential property;
- The proposed signs are located approximately 80 metres from the adjacent residential apartment building at 98 Farley Drive; and
- The proposed signs will comply with all other provisions of the Sign By-law.

Financial Implications

Not applicable.

Consultations

Internal consultation with Planning Services (Urban Design). External communication with the Applicant. A public notice will also be circulated to inform the public.

Attachments

Attachment-1 Location Map with Aerial Photo

Attachment-2 Sign Variance Drawings

Departmental Approval

Patrick Sheehy, Program Manager – Zoning

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This report was approved by:

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