

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, February 14, 2023
Subject	<b>Sign By-law Variances for <a href="#">43 Woodlawn Road West</a></b>

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## Recommendation

1. That the request for variance from Section 18.1.3(G) – Permanent Signs in CC Zones of Sign By-law (2021)-20621, as amended, to permit a ground sign that has a 0 metre setback from the street line, has a maximum height of 12.2 metres above the adjacent roadway and a maximum sign face area of 95 square metres at 43 Woodlawn Road W, be refused; and
  2. That the request for variance from Section 18.1.3(J) - Permanent Signs in CC Zones of Sign By-law (2021)-20621, as amended, to permit a ground sign with an 18.6 square metre changeable copy electronic message board at 43 Woodlawn Road W, be refused; and
  3. That the request for variance from Table 24.1, Row 2 – Locations Restricted for Electronic Message Centres of Sign By-law (2021)-20621, as amended, to permit an electronic message centre with a minimum distance of 22.02 metres from an intersection at 43 Woodlawn Road W, be refused.
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## Executive Summary

### Purpose of Report

This report is to advise of multiple Sign by-law variance requests for a ground sign which includes an electronic message board located at 43 Woodlawn Road West, the Smart Centres property.

### Key Findings

This property is located in the Specialized Community Shopping Centre Zone (CC-18) which permits commercial uses. The Comprehensive Zoning By-law proposes the lands as a specialized Commercial Mixed-Use Centre (CMUC) zone which will permit commercial uses together with residential uses such as apartments, mixed-use buildings and retirement facilities. Ground signs are permitted subject to meeting sign by-law requirements.

Calloway REIT (SW Ontario) Inc. has submitted a Sign by-law variance application at 43 Woodlawn Road W to permit a 12.2 m tall by 7.8 m wide (95.2 m<sup>2</sup>) ground sign with a backlit orange post/column and internally illuminated signage. The

ground sign also incorporates a 3.1 m tall by 6.1 m wide (18.6 m<sup>2</sup>) electronic message centre.

The proposed ground sign exceeds the requirements of the Sign by-law as follows:

- Proposing a setback of 0 m from the street line/property line with a 12.2 m height and a 95.2 m<sup>2</sup> sign face area whereas the Sign by-law permits a maximum ground sign height of 6 m with a maximum sign face area of 8 m<sup>2</sup> when a sign has a minimum setback of 1 metre from the street line/property line or a maximum height of 7 metres with a maximum sign face area of 17 m<sup>2</sup> when a ground sign has a minimum setback of 6 metres from the street line/property line;
- Proposing a sign face area for changeable copy (electronic message centre) of 18.6 m<sup>2</sup> whereas the sign by-law permits a maximum sign face area for changeable copy is 60% of the Sign area to a maximum of 3m<sup>2</sup>; and
- Proposing a ground sign 22 m from an intersection where the Sign by-law restricts the location of electronic message centres to be located a minimum of distance of 30m away from any intersection.

The request for variances for this sign is recommended for refusal for the following reasons:

- It does not meet the intent of the Official Plan policies under section 8.14. or the Commercial Built Form Standards that states signs, display areas and lighting should be compatible in scale and intensity to the proposed activity and tailored to the size, type and character of a development or the space to be used and that signage should be incorporated into the building façade design;
- The doubled height and sign face area of the ground sign being more than 5 times of what the maximum of sign by-law permits, together with the large electronic message board, is excessive and its scale is not compatible with the future vision of the area, which is designated under the Official Plan as a Commercial Mixed-Use Centre and a Community Mixed-use Node. It is also within a Strategic Growth Area identified in OPA 80. This area is intended to develop over time into an urban village concept with a mix of uses in a compact urban form with attractive private and public open spaces. A range of uses including retail and office uses, live/work opportunities and medium to high density residential uses are permitted. The signage is not in keeping with existing and planned residential and mixed-use urban village context;
- The proposed electronic message centre included on the ground sign has an area 18.6m<sup>2</sup>, which is more than 6 times larger than the sign by-law permits and the size is just under the maximum sign area of 20 m<sup>2</sup> for billboards that have only five permitted locations in Guelph and require a maximum height of 5 m.; and
- The electronic message board is 22 metres from the signalized intersection.

### **Strategic Plan Alignment**

The proposed Sign y-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.

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## Report

This report is being presented at Council for decision as Section 7.2 d) of Sign By-law (2021) - 20621 states that the Sign Administrator's authority is limited in scope and shall not apply to sign variances related to a reduction in distance required for any sign from a traffic control device. The proposed sign is 22.02 m away from a signalized intersection. City staff also relayed to the applicant that regardless of the proposed distance to the signalized intersection, the height, total sign face area and sign face area of the electronic message board was not supportable as it greatly exceeds regulations of the Sign by-law. Applicants also may appeal a sign variance decision made by the Sign Administrator to Council.

This property is located in the Specialized Community Shopping Centre Zone (CC-18) which permits commercial uses. The Comprehensive Zoning By-law proposes the lands as a specialized Commercial Mixed-Use Centre (CMUC) zone which will permit commercial uses together with residential uses such as apartments, mixed-use buildings and retirement facilities. Ground signs are permitted in the CC-18 zone subject to meeting sign by-law requirements. Calloway REIT (SW Ontario) Inc. has submitted a sign by-law variance application at 43 Woodlawn Road W requesting to permit a ground sign with the following outlined on the letter of justification:

- a 0 m setback from the street line/property line.
- a maximum sign height variance to a height of 12.20 meters.
- a maximum sign face area variance to a face of 66.05 square meters. (Includes all support structures and graphics).
- an 18.6 sq. m. changeable copy that comprises 100% of the sign face.

Staff notes that the applicant calculated the area of the signage differently than how the sign by-law defines how to calculate sign face area. The by-law describes sign face area as, "the area on the surface of a Sign including the boarder and frame and where there is no border, shall include all of the surface area lying within a rectangular box drawn around the full extent of words, numbers, images, and/or symbols comprising the complete message". This calculates a sign face area of 95 m<sup>2</sup> for the proposed ground sign. Also, the changeable copy sign face area is not 100% of the sign face as the remainder of the graphics, large posts/columns and other signage around the electronic message board is included in the sign face.

The following is a summary in support of the proposed variance by the Applicant:

"We are requesting a variance for a digital ground sign to promote the centre which has a very limited street vista. The sign will exceed the sign by-law max digital sign face area which is 3 square metres. This sign will be aesthetically pleasing to the eye and will help advertise existing tenants and assist with attracting new tenants to the property."

See Attachment 1-Location Map for the location of the property and surrounding lands, Attachment 2-Sign Variance Drawings for the graphical representation of the sign and Attachment 3-Letter of Justification.

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

By-law Section	By-law Requirements for Ground Signs	Request
Table 18.1.2 refers to Section 18.1.3 (G)	A maximum height of 6m above the adjacent Roadway when setback a minimum of 1 m from the street line (property line) with a maximum sign face area of 0.3m <sup>2</sup> for every 1m of frontage to a maximum of 8m <sup>2</sup> or a maximum height of 7 m above an adjacent Roadway when setback a minimum of 6 m from the street line (property line) with a maximum Sign Face of area of 0.3m <sup>2</sup> for every 1m of frontage to a maximum of 17m <sup>2</sup>	A maximum sign height of 12.2 m above the adjacent roadway with a a 0 m setback from the street line and a maximum sign face area of 95 m <sup>2</sup>
Table 18.1.2 refers to Section 18.1.3 (J)	Maximum Sign face area for Changeable Copy is 60% of the Sign area to a maximum of 3m <sup>2</sup>	An 18.6 m <sup>2</sup> changeable copy electronic message board
Table 24.1, Row 2	Unless otherwise permitted by this By-law, Electronic Message Centres shall be located a minimum of distance of 30 m away from any residentially zoned property and any intersection.	Sign is 22.02 m away from a signalized intersection

The request for variances for this ground sign is recommended for refusal for the following reasons:

- It does not meet the intent of the Official Plan policies under section 8.14. or the Commercial Built Form Standards that states signs, display areas and lighting should be compatible in scale and intensity to the proposed activity and tailored to the size, type and character of a development or the space to be used and that signage should be incorporated into the building façade design;
- The doubled height and sign face area of the ground sign being more than 5 times of what the maximum of sign by-law permits, together with the large electronic message board, is excessive and its scale is not compatible with the future vision of the area which is designated under the Official Plan as a Commercial Mixed-Use Centre and a Community Mixed-use Node. It is also within a Strategic Growth Area identified in OPA 80. This area is intended to develop over time into an urban village concept with a mix of uses in a compact urban form with attractive private and public open spaces. A range of uses including retail and office uses, live/work opportunities and medium to high density residential uses are permitted. The signage is not in keeping with existing and planned residential and mixed-use urban village context;
- The proposed electronic message board included on the ground sign has an area 18.6 m<sup>2</sup>, which is more than 6 times larger than the Sign by-law permits. The

size is close the maximum sign area of 20 m2 for billboards that have only five permitted locations in Guelph which permit a maximum height of 5 m.; and

- The electronic message centre is 22 metres from the signalized intersection.

### **Financial Implications**

Not applicable.

### **Consultations**

Internal consultation with Planning Services - Urban Design staff who also do not support the application. 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

Attachment-3 Applicant Letter of Justification

### **Departmental Approval**

Patrick Sheehy, Program Manager – Zoning

Jeremy Laur, Chief Building Official

### **Report Author**

Kelly Patzer, Senior By-law Administrator

### **This report was approved by:**

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### **This report was recommended by:**

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