



## Report to Council

Department: Development Services

Division: Planning

Date: August 4, 2020

Prepared by: Rita Jabbour, RPP, Manager, Planning Services

Report Number: Planning2020-18

Subject: Sign Bylaw Amendment Request for 108 County Road 50 East (Ward 3) .docx

Number of Pages: 7

### Recommendation(s)

**That** Planning report PLANNING2020-18 entitled Sign Bylaw Amendment Request for 108 County Road 50 East prepared by Rita Jabbour, RPP, Manager, Planning Services dated August 4, 2020 be received.

### Purpose

For a non-residential use in an Agricultural District, Town of Essex Sign By-law, By-law 1350, does not permit an on-site ground sign having a height which is greater than 2.0 metres. Any amendment to By-law 1350 for special regulations that differ from one or more provisions of the By-law for a sign that is not permitted must be submitted to the Town for decision by Council.

## Background and Discussion

A request for a site-specific amendment to By-law 1350, being a By-law regulating the erection of signs in the Town of Essex, was submitted in December 2019 by Mr. Bernard Gorski of the Colchester Ridge Estate Winery (CREW) for the property located at 108 County Road 50 East for the retention of the existing 4.4 metre (14.4 feet) pole sign structure with electronic display, and was presented to Council on January 20, 2020. Council resolved to defer decision on the application until Administration underwent a review of the Town's sign bylaw specific to signage along County Road 50. A copy of Planning report PLANNING2020-01 is attached to this report.

At a special Council meeting on July 13, 2020 following the submission and presentation of survey results concerning the adequacy of signage along County Road 50, Council resolved to make no general amendments to the existing sign Bylaw regulations and continue to receive applications for amendments on a site specific basis (Resolution Number: SP20-07-013).

**On July 23, 2020, Mr. Gorski submitted a revised application to remove the electronic media component of the sign, but retain the pole sign structure.**



Figure 1. The new sign structure at CREW Winery constructed in 2019.



Figure 2. Dimensions of new sign structure as submitted by Town of Essex Building Division



Figure 3. Previous sign structure constructed in 2005.

For a non-residential use in an Agricultural District, such as a winery, Town of Essex Sign By-law, By-law 1350, permits one (1) on-site *ground sign* having a maximum height of 2.0 metres (6.5 feet).

- A *ground sign* is defined as a free standing sign, permanently affixed to the ground and used for identification of the property and the use(s) on it; conveying on-site information or decision, and or advertising an on-site product or service, and on-site or off-site charitable event or any combination of them.

The sign structure erected at the subject property falls within the definition of a *pole sign*.

- *Pole signs* are free-standing signs permanently affixed to the ground by a pole or poles, with or without decorative cladding, and have a sign height of more than 2.0 metres (6.5 feet) above the ground. Pole signs are only permitted in Commercial, Institutional and Manufacturing districts under Bylaw 1350, where height regulations are dependent on the property frontage.

The new sign structure is 4.4 metres (14.4 feet) in height and is supported by two (2) 6x6 steel posts; an existing logo that was moved from the previous sign structure; and, a powered-down LED electronic display which occupies 2.2 square metres (23.7 square feet).

- Therefore the new pole sign is 2.4 metres (7.9 feet) greater in height than a permitted ground sign, and 0.24 metres (0.8 feet) greater than the previous ground sign.

In an effort to lessen the impact of the height of the new sign structure, the applicant has proposed to install raised planter boxes along the base of the structure. The planters will be constructed using landscape timbers and will be two (2) feet in height, four (4) feet in width, and ten (10) feet in length. The planters will integrate flowers similar in variety to those used along the periphery of the Colchester welcome sign.

The applicant is proposing to utilize the electronic display for the display of a digital static message indicating hours of operation, only. The sign is proposed to be automatically set to turn on at 10AM and turn off at 6PM, with a black background and either green or yellow or red letters.



Figure 4. Proposed Lighted Sign

An *electronic media sign*, defined as a sign or part of a sign, exclusive of a flashing sign, comprising a video monitor or an electronic display for the display of images, words and or numbers in an animated format used exclusively for the purpose of conveying a message, is not permitted in the agricultural district under Bylaw 1350.

The proposed sign does not constitute an electronic media sign since the words and numbers are **not** proposed to be displayed in an animated format. This proposed use constitutes a *lighted sign* which is defined as a sign that is lit either internally or externally to enhance its visibility. Lighted signs are permitted in the agricultural district. One such example is the Viewpoint Winery sign as indicated below:





*Photo Source: Essex Tourism Directory*

The area comprising the static message- the *Sign Face Area*- is proposed to be no greater than one (1) square metre on both sides of the electronic display.

A *Sign Face Area* is defined as that part of the sign used or capable of being used for identification, the conveyance of information and or advertising. When the sign is composed of individual letters, numerals or symbols or any combination of them, the sign face area is the outside area of the sum of them. The maximum sign face area for an on-site ground sign, on one-side, is 4.0 square metres under Bylaw 1350. The sign face area for the proposed structure will total 3.3 square metres on each side, when the electronic display is combined with the existing logo board.

The Engineering Technician for the County of Essex has reviewed the sign structure at 108 County Road 50 East and has stated that the sign meets County of Essex standards for height and location. The County of Essex does not have a sign bylaw but rather utilizes a Best

Management Practice Manual as a guide. These instructions are to be used in conjunction with all municipal bylaws.

Council may choose to deny or approve the request to retain the existing 4.4 metre pole sign structure. Council may approve an amendment by resolution or by a supplementary by-law, at Council's discretion.

If it is the desire of Council to approve the amendments, it should be conditional on the applicant limiting the lighted sign face area to one (1) square metre on both sides; the installation of decorative landscaping along the base of the structure; and, the obtainment of a sign permit from the Town of Essex Building Division.

## **Financial Impact**

None.

## **Consultations**

Kristoffer Ballalo, Engineering Technician, County of Essex



## Link to Strategic Priorities

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☒ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.

## Report Approval Details

Document Title:	Sign Bylaw Amendment Request for 108 County Road 50 East (Ward 3) .docx
Attachments:	- Sign Bylaw Amendment for 108 County Road 50 East - Planning-2020-01.docx
Final Approval Date:	Jul 27, 2020

This report and all of its attachments were approved and signed as outlined below:



**Lori Chadwick, Director, Development Services - Jul 27, 2020 - 12:05 PM**



**Chris Nepszy, Chief Administrative Officer - Jul 27, 2020 - 12:59 PM**