



Report to Council

Department: Development Services
Division: Planning
Date: September 8, 2020
Prepared by: Rita Jabbour, RPP, Manager, Planning Services
Report Number: Planning2020-22
Subject: PLANNING2020-22 .docx
Number of Pages: 30 (includes attachments)

Recommendation(s)

That Planning2020-22 entitled Sign Bylaw Amendment Request for CREW Winery (108 County Road 50 East, Ward 3) prepared by Rita Jabbour, Manager, Planning Services dated September 8, 2020 be received, and,

That Council deny or approve the requested amendments by resolution or a supplementary by-law.

Purpose

To obtain Council's decision on an application for sign bylaw amendment for the property located at 108 County Road 50 East (CREW Winery) to allow for an on-site ground sign of 2.39 metres in height with a Sign Face Area (SFA) of 4.27 square metres and a lighted sign component. Any amendment to Town of Essex Sign Bylaw, Bylaw 1350, for special regulations that differ from one (1) or more provisions of the Bylaw for a sign must be submitted to the Town for decision by Council.

Background and Discussion

A request for 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) located at 108 County Road 50 East in the former township of Colchester South. Council was presented with an application seeking the retention of an existing 4.4 metre (14.4 foot) pole sign structure with electronic media component on January 20, 2020. The proposal at that time and what currently exists is identified in **Figure 1**. Council subsequently resolved to defer decision on the application until Administration undertook a review of By-law 1350 specific to signage along County Road 50. A copy of Planning report PLANNING2020-01 is attached to this report.

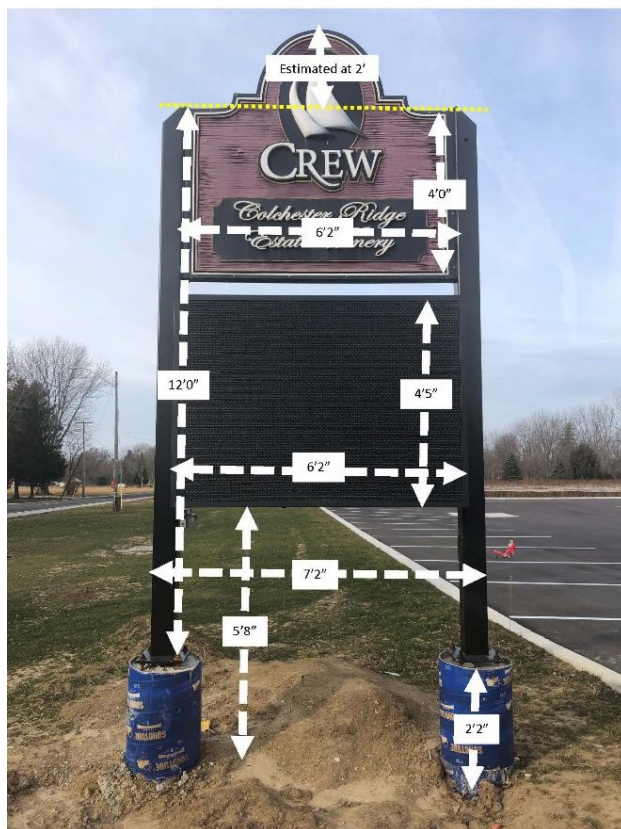


Figure 1. January 20, 2020 pole sign proposal with electronic media component

At a special Council meeting on July 13, 2020, and 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. The electronic component was proposed to be utilized for the display of a static message, as identified in **Figure 2**. Council deferred the application at their regular meeting on August 4, 2020, upon the request of Mr. Gorski who wished to present a further amended proposal to appease the concerns of residents and Council, and better align with the intentions of the sign bylaw for non-residential uses within agricultural districts along County Road 50. A copy of Planning report PLANNING2020-18 is attached to this report.



Figure 2. Electronic component proposed to be utilized for static message

September 8 Proposal

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*. 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 direction, and or advertising an on-site product or service, and on-site or off-site charitable event or any combination of them.

A ground sign is limited to a maximum height of 2.0 metres (6.5 feet) and a maximum Sign Face Area (SFA) of 4 square metres (43 square feet). Bylaw 1350 defines "Height" as the height of the sign from the ground immediately below it to the highest point of the sign above ground. 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 SFA is the outside area of the sum of them.

The proposed sign structure is identified below in **Figure 4**:

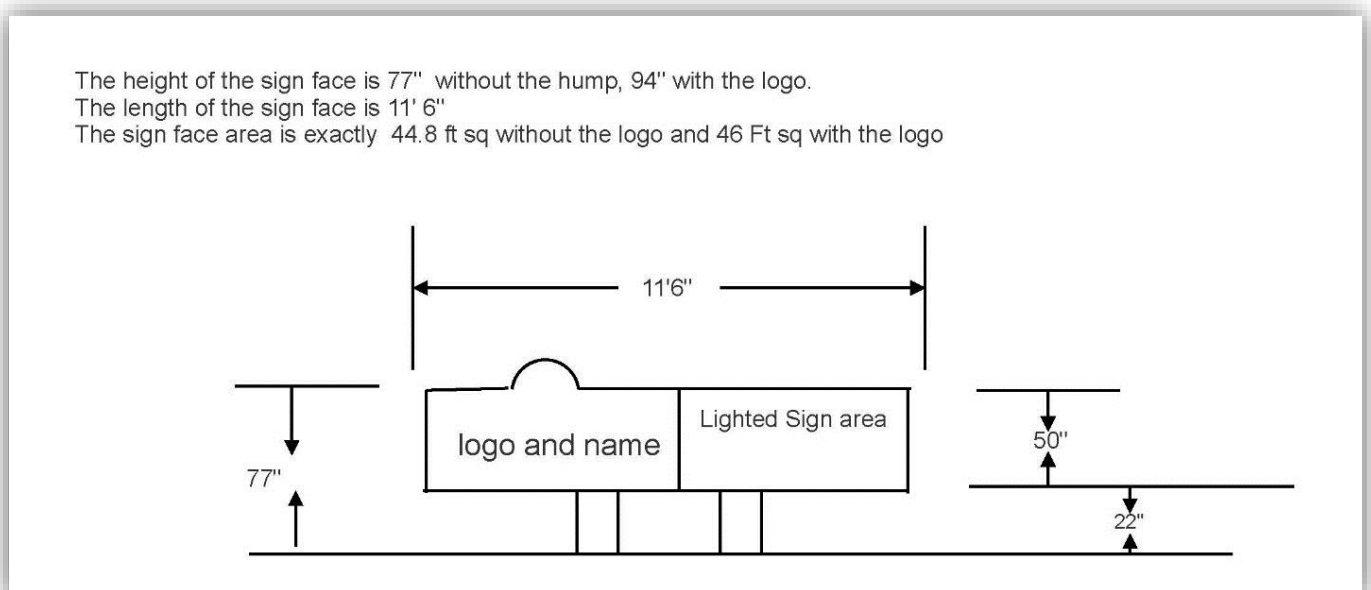


Figure 4. September 8, 2020 sign proposal

As identified in the attached letter of application to Mayor and Council, the applicant notes that the design of the sign has been changed to include a horizontal layout, rather than the previously proposed vertical orientation which was more reflective of a pole sign structure. A portion of the proposed sign will include a lighted sign area for the conveyance of on-site information, such as opening and closing hours. Words and numbers are **not** proposed to be displayed in an animated format and therefore the lighted sign area **does not** constitute an electronic media sign.

Lighted signs are signs which are lit either internally or externally to enhance the visibility of the sign. Examples of lighted signs exist in the commercial district and agricultural districts. One such example is the Viewpoint Winery sign identified in **Figure 5**. Although the intention of Bylaw 1350 was to clearly permit lighted signs in agricultural districts, upon further review of the Bylaw, it was noted that reference to lighted signs are absent from **any** land use district in the Bylaw and are therefore, not explicitly permitted nor prohibited in the Agricultural district. (Administration will be proposing a general amendment to Bylaw 1350 in the future to correct this omission and explicitly recognize lighted signs in various districts).



Figure 5. Lighted Sign at Viewpoint Winery (*Photo Source: Essex Tourism Directory*)

The proposed sign is not in compliance with the maximum regulations for the height and SFA due to the curved portion of the CREW logo. Without the logo portion, the height of the sign

would be in compliance with the sign bylaw. The logo, however, adds to the aesthetic design of the sign and occupies a small portion of the overall sign.

In summary, the following amendments are, therefore, required:

- An increase of 0.39 metres in the height of the sign;
- An increase of 0.27 square metres in the SFA; and,
- The use of a lighted sign.

The applicant is aware of the necessity for a sign permit from the County of Essex and Town of Essex Building division. Mr. Gorski has been working diligently with the Building and Planning division on the matter in hopes of presenting a sign that is attractive for residents and tourists along County Road 50, and effective for his business while still maintaining and respecting the rural landscape and ambiance of the area and better aligning with the intentions of the sign bylaw for non-residential uses within agricultural districts along County Road 50.

It is ultimately the decision of Council to deny or approve the requested amendments by resolution or a supplementary by-law.

Financial Impact

None.

Consultations

Kevin Carter, C.E.T, C.B.C.O. Manager Building Services, Chief Building Official

Jeff Watson, Planner

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.
- ☐ Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

Report Approval Details

Document Title:	Sign Bylaw Amendment Request for CREW Winery (108 County Road 50 East, Ward 3) .docx
Attachments:	<ul style="list-style-type: none">- Sign Bylaw Amendment for 108 County Road 50 East - Planning-2020-01.docx- Sign Bylaw Amendment Request for 108 County Road 50 East (Ward 3) .docx- Sign By-Law letter to Essex 8-24-20.docx- Horizontal Sign Drawing 8-26-20.jpg
Final Approval Date:	Aug 31, 2020

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



Lori Chadwick, Director, Development Services - Aug 31, 2020 - 11:58 AM

No Signature - Task assigned to Chris Nepszy, Chief Administrative Officer was completed by delegate Doug Sweet, Director, Community Services/Deputy CAO

Chris Nepszy, Chief Administrative Officer - Aug 31, 2020 - 3:18 PM