



# Corporate Report

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**PDC** APR 6 2010

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**DATE:** March 16, 2010

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: April 6, 2010

**FROM:** Edward R. Sajecki  
Commissioner, Planning and Building

**SUBJECT:** **Signage above the First Storey within the Downtown**

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**RECOMMENDATION:** That the Report dated March 16, 2010 from the Commissioner of Planning and Building regarding Signage above the First Storey within the Downtown, be adopted in accordance with the following:

1. That the Planning and Building Department continue with the current process of reviewing signage proposals above the first storey within the Downtown, through the sign variance process;
2. That the Planning and Building Department create a Special Sign District with specific sign provisions including provisions for signage above the first storey of a building, for the Downtown Area during the implementation phases of the Downtown21 Master Plan.

**BACKGROUND:** Sign By-law 0054-2002, as amended – Section 17 (3) states that "A fascia sign shall be erected no higher than the upper limits of the first storey of a building, unless otherwise permitted in this By-law, but this shall not apply to an enclosed shopping centre."

At the Planning and Development Committee meeting of June 29, 2009, the owner of several second storey commercial units within the Solstice Condominium – 3885 Duke of York Boulevard

(northeast corner of Webb Drive/Duke of York Boulevard) expressed frustration with having to seek approval of a sign variance for every sign because of their second storey location.

At the Council meeting of July 8, 2009, the following recommendation regarding Signage above the First Storey within the Downtown, was passed:

"That staff be directed to undertake a review of the Sign By-law 0054-2002, as amended, as it relates to Signage above the First Storey within the Downtown, as part of the Downtown21 Master Plan Implementation Process, and that a report be brought forward to a future Planning and Development Committee Meeting recommending amendments to Sign By-law 0054-2002, as amended, to incorporate signage as appropriate for the Downtown."

## **COMMENTS:**

### **Merit of the Sign Variance Process**

As a result of the Sign By-law not recognizing second storey signage as of right, sign applications with proposed signage above the first storey are reviewed through the sign variance process to assess the proposal on its own design merit. Through the sign variance process, staff have the ability to ensure coordination of the signage design amongst all tenants, along with the aesthetics of the building.

Staff have always recognized the need for second storey businesses to advertise their location to the public. Due to uncertainty of second storey leases and signage requirements, the sign variance process was viewed as an appropriate mechanism to control the signage. Planning and Development Committee have previously granted sign variances where deemed appropriate for signage on second storey commercial units. There are many factors in trying to determine what is appropriate signage for second storey commercial units. While new provisions in the Sign By-law could control the size and location of signage on the second storey of the building, it cannot control its design nor ensure that the proper coordination takes place between all units (see Appendix 1).

### **Second Story Signage in the Downtown**

There has been only one sign variance application for signage for second storey commercial units in the Downtown area. This sign variance application was for the Natura Wellness Clinic within the Solstice Condominium and was approved by the Planning and Development Committee in 2009 (see Appendix 2). In the case of the Natura Wellness Clinic, the applicant proposed a box sign in the lower part of the second floor, while the existing signage on the building was individual lettering signs. Through the sign variance process, staff required that all proposed signage be coordinated with the existing signage on the first floor and the architecture of the building. Typically, second floor commercial signage would be placed on the upper third of a storey (see Appendix 3). In this regard, the overhanging balconies on the third floor would have restricted the visibility of the Natura Wellness Clinic signage if placed on the upper third of the unit face.

To ensure the coordination of the architecture of the building with signage for second storey commercial units, the Planning and Building Department recommends the continuation of the current process for reviewing signage in the Downtown area through the sign variance process. It is the intention of the Planning and Building Department to coordinate all future signage on the second storey commercial units within the Solstice Condominium through the sign variance process, to ensure that the aesthetics of the signage has regard to the building and streetscape.

### **Downtown Sign District**

Through the close examination of the Sign By-law, it is noted that rigid signage provisions cannot adequately address the aesthetic values of the proposed Downtown21 Master Plan. The solution will be to create a Special Sign District for the Downtown Area with specific sign provisions for the area which will include provisions for signs displayed on second storey commercial units. Until the broader urban design, architectural and/or built-form considerations have been further refined through future implementation phases of the Downtown21 Master Plan, it may be

premature to establish provisions for signage above the first floor for the Downtown area in the Sign By-law.

**FINANCIAL IMPACT:** Through the 2009 Budget, City Council approved the funding for the Downtown21 Master Plan Implementation. Any additional funding requirements would be identified through the annual capital and operating budget processes.

**CONCLUSION:** To ensure the coordination of all signage for second storey commercial units with the architecture of the building, the Planning and Building Department recommends the continued use of the sign variance process for reviewing signage in the Downtown area.

As part of the future implementation phases of the Downtown21 Master Plan, a Special Sign District for the Downtown Area should be created with specific sign provisions for the area which will include provisions for signs displayed on second storey commercial units.

**ATTACHMENTS:** Appendix S-1 - Example of Lack of Coordination of Signage on the Second Storey  
Appendix S-2 - Natura Wellness Clinic - Proposed/Approved Signage  
Appendix S-3 - Typical Acceptable Second Storey Signage

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Edward R. Sajecki  
Commissioner of Planning and Building

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**Example of Lack of Coordination of Signage on the Second Storey**



Different Types of Signage on Second Storey  
(legal non-conforming signs prior to the formation of the sign by-law)



**Proposed**



**Approved**



Natura Wellness Clinic Signage

Typical Acceptable Second Storey Signage



Coordinated through the sign variance process.