



Report to: Development Services Committee

Meeting Date: December 12th, 2022

SUBJECT: Ground Sign Variance – Don Valley North (Genesis)
7537 Woodbine Avenue
Application No. 22.114379.000.00.SP

PREPARED BY: Cristin Miller, Supervisor of Zoning
Ext. 3980

RECOMMENDATION:

1. THAT the ground sign variance application by Don Valley North (Genesis) at 7537 Woodbine Avenue, Application No. 22.114379.000.00.SP, BE APPROVED.
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

BACKGROUND:

The subject property is located on the east side of Woodbine Avenue, north of Esna Park Drive, and immediately south of the rail corridor (FIGURE 2). The lands are zoned C.C.A – Commercial Corridor Area, under By-law 108-81, as amended.

The site is the location of a single building, operating a motor vehicle sales establishment with accessory service garage.

The applicant is seeking permission to install a new ground sign on-site (FIGURE 3), while retaining the existing ground sign. The proposed sign does not comply with By-law 2002-94, as amended, in the following ways:

Sign By-Law Section and Requirements	Applicant's Proposal	Required Variance
<u>Section 5.3.10</u> A second ground sign shall be permitted in a commercial or industrial zone, excluding a Shopping Centre, where all of the following conditions exist: a) There is more than one main building on the lot b) The lot fronts onto a single street and, c) the lot has a frontage of 100 metres or greater.	The applicant is proposing installation of a second ground sign in a commercial zone; while meeting conditions b) and c) only.	<u>Section 5.3.10 a)</u> To permit a second ground sign in a commercial zone where there is only one main building on the lot; whereas the by-law requires more than one main building on the lot.

OPTIONS/ DISCUSSION:

Section 19.0 of Sign By-law 2002-94, as amended, states that when considering an application for a variance the Development Services Committee and Council shall have regard for:

- (a) *Special circumstances or conditions applying to the land, building or use referred to in the application:*

Historically, two buildings were located on the lot, municipally known as 7537 and 7541 Woodbine Avenue, and two ground signs would have been permitted as-of-right. However, recent applications for building permit, and subsequent construction, have resulted in the redevelopment of the site to contain one large building.

Despite the amalgamation to a single facility, the use remains divided between two independent automotive brands – Hyundai and Genesis. Within the building, each brand maintains an independent showroom/sales area, and independent service facilities (FIGURE 4).

The site maintains two entrances, with one ground sign proposed at each entrance. The proposed ground sign will maintain all other aspects of the By-law 2002-94, including the 45 metre separation required where two ground signs are permitted along a street frontage (FIGURE 5).

- (b) *Whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law:*

Strict application of the provisions of this By-law will result in a single ground sign permission for two automotive brands. Marketing requirements for each business may be hindered through the strict application of this provision. A letter of rationale provided by the applicant is enclosed (FIGURE 6) for reference.

- (c) *Whether such special circumstances or conditions are pre-existing and not created by the owner or applicant:*

Redevelopment of the site is a condition created by the owner which has resulted in unintended consequences to the ground sign permissions.

- (d) *Whether the sign that is the subject of the variance will alter the essential character of the area:*

The subject property fronts onto a regional arterial road where commercial signage is commonplace. It is uniquely positioned south of a rail corridor providing increased separation between the subject property and adjacent site signage to the north. In addition, the variation of lot frontages along Woodbine Avenue, results in existing signage patterns

along the streetline that are unequal, and unlikely to be impacted through the addition of a second ground sign on this lot.

To conclude, staff have reviewed the application with respect to Section 19.5 of the Sign By-law and are of the opinion that the variance requested meets the purpose and intent of the Sign By-law. The Building Department recommends that the ground sign variance be approved.

INTER-DEPARTMENTAL IMPLICATIONS:

The By-law Enforcement and Licensing Department is responsible for the inspection and enforcement of the Sign By-law.

ATTACHMENTS:

Figure 1 – Applicant

Figure 2 – Site Location

Figure 3 – Proposed Ground Sign Drawing

Figure 4 – Floor Plan and Elevation Diagrams of Independent Brand Areas

Figure 5 – Site Plan Depicting Ground Sign Locations and Separation Distance

Figure 6 – Applicant Letter of Rationale

RECOMMENDED BY:

Stephanie DiPerna
Director of Building Standards

Arvin Prasad,
Commissioner of Development Services

FIGURE 1 – Applicant

Priority Permits
C/O Jason Noseworthy, Ryan Matthews
331 Parkdale Avenue North
Hamilton, Ontario
L8H 5Y1

FIGURE 2 – Site Location



FIGURE 3 – Proposed Ground Sign Drawing

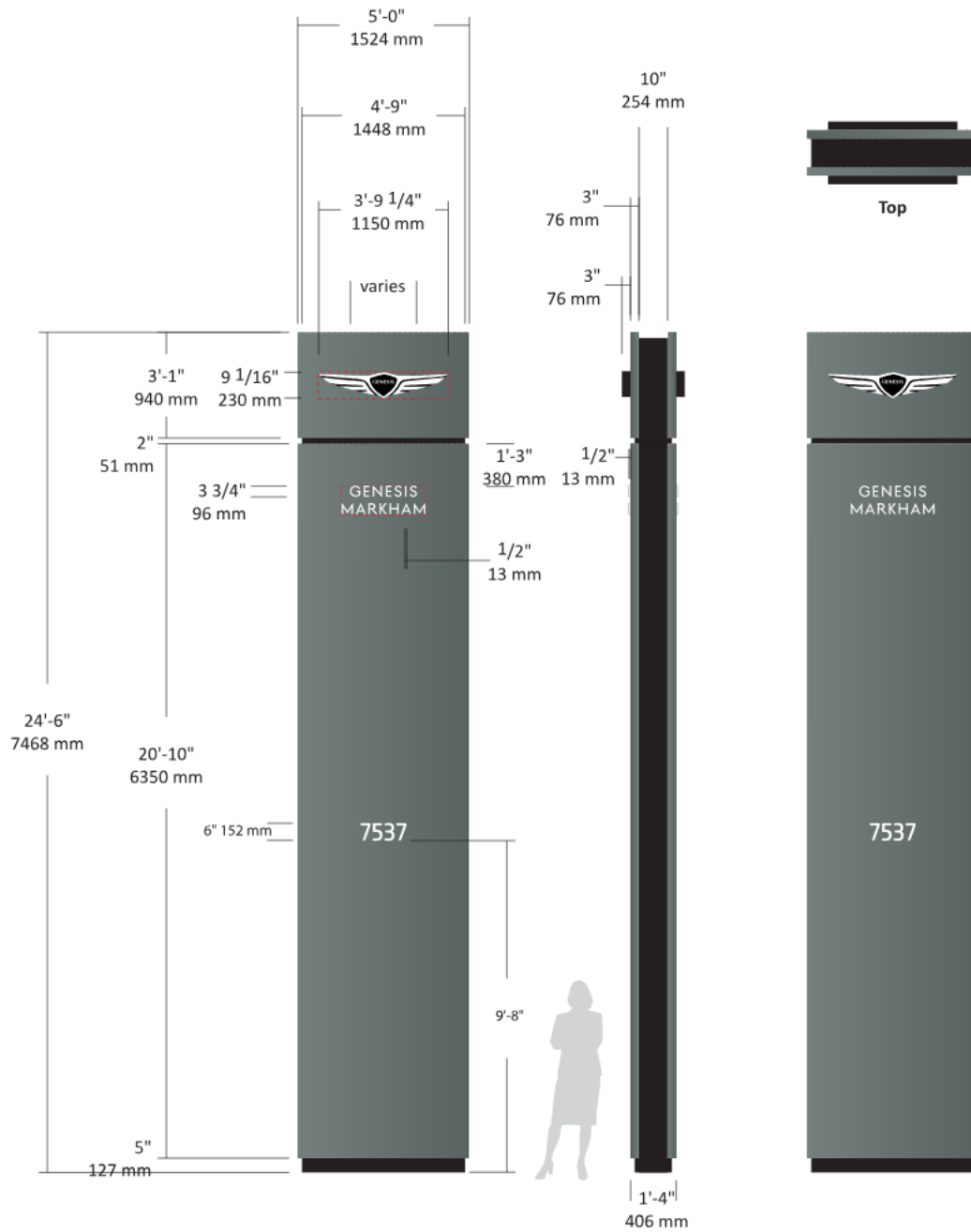
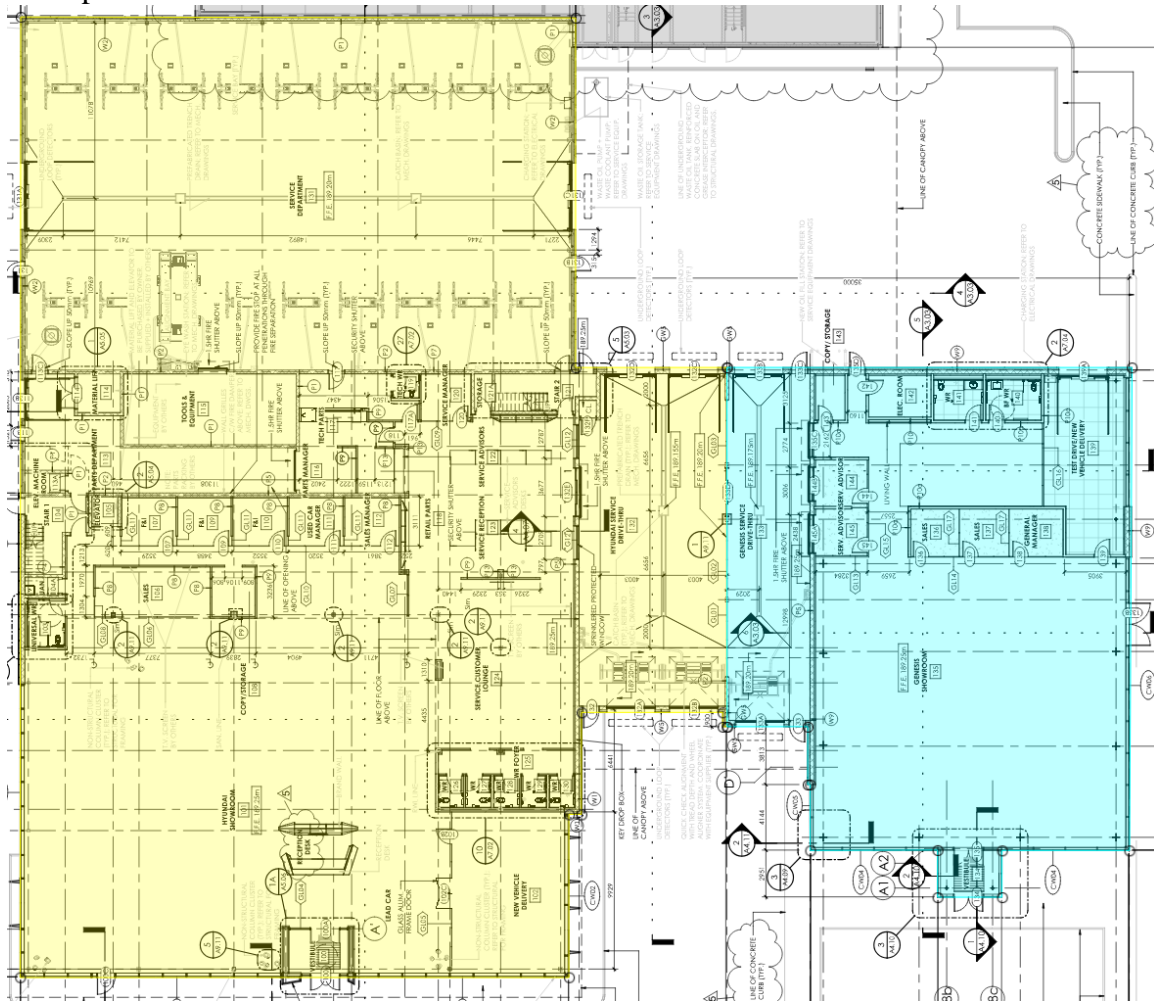
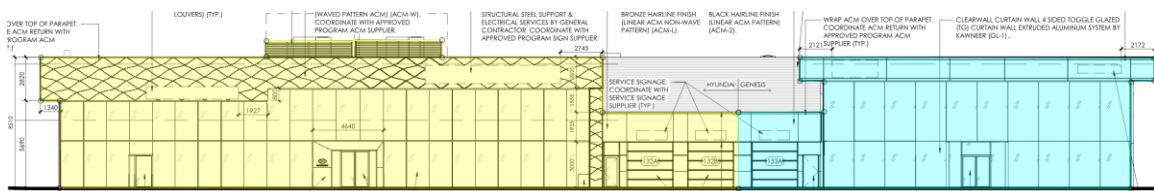


FIGURE 4 –

Excerpt of Ground Floor Plan



Excerpt of West Elevation (facing Woodbine Avenue)



Hyundai
Genesis

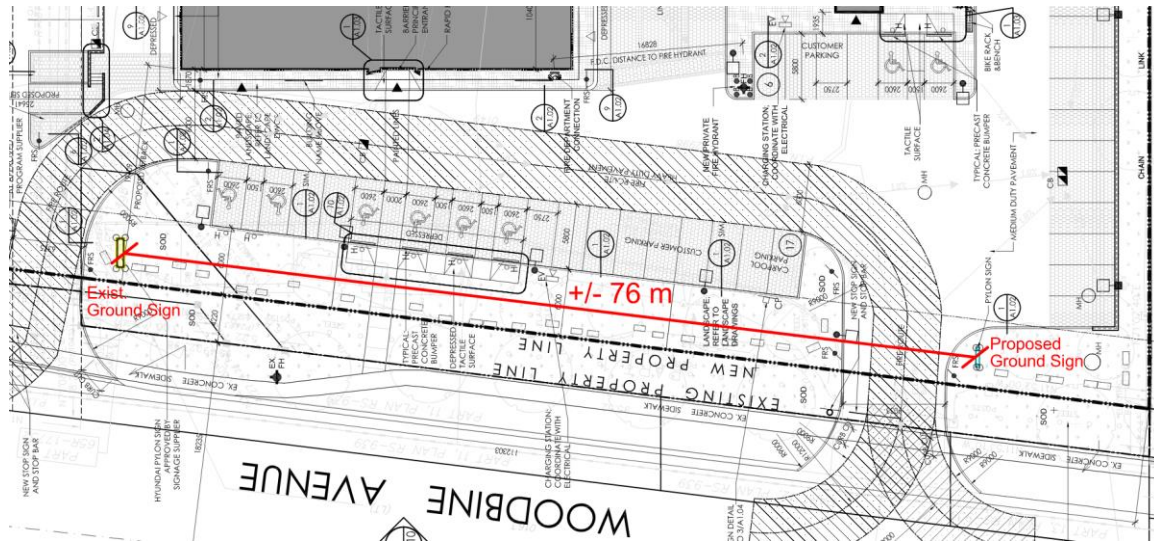
FIGURE 5 – Site Plan Depicting Ground Sign Locations and Separation Distance

FIGURE 6 – Applicant Letter of Rationale

March 4, 2022

Letter of Rationale

7537 Woodbine Ave | Genesis

Dear City of Markham,

Please see below bylaw compliance issues that the proposed Genesis ground signage has revealed;

Bylaw Deficiencies:

- **Sign Bylaw (2002-94) - 5.3.10 – Maximum of One Ground Sign**
 - Genesis ground Sign is the second (2nd) ground sign for this lot (Max is 1 ground signs)

Rationale:

Hyundai / Genesis is proposing to add a second ground sign at this site. The current site conditions contain one existing "Hyundai" ground sign. The second sign will place the site over the limit of 1 ground sign per the bylaw.

- The proposed ground sign complies with all other applicable bylaws with respect to the setbacks, sign location, distance to other ground signs on the same site, and sign size and area.
- Given the extensive number of ground signage posted along Woodbine Ave for a varying array of other businesses, the proposal to increase the number of ground signs, especially given their separation distance on the same lot, will fit well within the area, and not prove distracting towards vehicle or pedestrian traffic.
- There are no nearby residential lots.
- The Genesis brand is an integral part of the significant building renovations taking place on site, and the ground sign has been professionally designed with high quality materials and energy efficient technologies in order to compliment the character of the site and surrounding area.

We sincerely hope that you will consider our variance to the above noted deficiencies as well as any deficiencies not noted in order to allow the installation of the newly proposed Genesis ground sign.

Ryan Matthews**Priority Permits**

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