



Report to: Development Services Committee      Date Report Authored: February 3, 2015

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**SUBJECT:**                      Sign Variance for Markham Village Esso  
                                        Imperial Oil Limited  
                                        5965 Highway 7  
                                        Markham Village Heritage Conservation District  
  
                                        File No. 14 138540 SP

**PREPARED BY:**              George Duncan, Senior Heritage Planner, ext. 2296  
**REVIEWED BY:**              Regan Hutcheson, Manager of Heritage Planning

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**RECOMMENDATION:**

- 1)      That the staff report titled "Sign Variance for Markham Village Esso, Imperial Oil Limited, 5965 Highway 7, Markham Village Heritage Conservation District" dated February 3, 2015, be received;
- 2)      That the application for a sign variance (14 138540 SP) be approved for a maximum ground sign face of 6.04 square metres for each side of the two proposed ground signs and that internal illumination be permitted only for the electronic gas price number component of each sign;
- 3)      And that staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

To recommend that Council approve the requested sign variance for Markham Village Esso on the basis of the unique characteristics of the location and site.

**BACKGROUND:**

**The subject property contains an existing gas station, kiosk and car wash that are proposed to be reconstructed**

The subject property, at the south west corner of Highway 7 and Main Street South, in the Markham Village Heritage Conservation District, contains an existing gas station, kiosk and car wash. Imperial Oil Limited is fully reconstructing the site to update the structures and improve vehicular access through Site Plan Control Application SC 14 126410. The Site Plan Control Application is approaching the Endorsed stage and is anticipated to be fully approved early this year.

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**The Esso Station has been redesigned to better fit into the Markham Village Heritage Conservation District**

The reconstruction of the Esso Station has been designed in consultation with the Heritage Districts Team and Heritage Markham to better fit into the character of the Markham Village Heritage Conservation District, as envisioned by the District Plan. Imperial Oil Limited has created a custom design for the main building containing a kiosk, a convenience store and a coffee bar/drive-through, and a separate car wash building (see illustration, Figure 2). The new buildings, finished in clay brick, stone and siding, reflect historic materials found in Markham Village. New landscape treatments are proposed to further enhance the site, including a stone corner feature with the name "Markham Village."

**The proposed ground signs will be mounted on stone bases**

The two new, double-faced ground signs proposed for the Esso station will be mounted on stone bases and will be ground-related as opposed to elevated on posts as is the case with the current pylon sign. The new ground signs have been designed to be integrated with the landscape plan for the site.

**The new ground signs are larger than permitted by the Sign By-law**

The Sign Variance Application is for two new ground signs for the Esso Station and the convenience store, coffee outlet and car wash. One ground sign will be located at the west end of the Highway 7 flankage, and the other at the south end of the Main Street South frontage (see Site Plan and Sign Design, Figure 3 and Figure 4).

The area of the signs exceeds what the Sign By-law (2002-94, as amended by 2007-278) permits in Special Sign Districts. For multi-occupant ground signs in the Special Sign Districts, the maximum area is 2.0 square metres. The requested variance is for a sign area of 6.04 square metres.

**Internal illumination is being requested for the numbers on the gas price panel**

In addition to a variance for sign area, the applicant is requesting internal illumination for the electronic numbers on the gas price component of the signs.

**OPTIONS/ DISCUSSION:****The Sign By-law includes a process for variance applications**

The Sign By-law sets out a process by which a variance can be applied for, including that a staff report be prepared for the consideration of the Development Services Committee that outlines the reasons why a variance to the Sign By-law is being requested and a recommendation to Council. In the review of an application for a variance, the following criteria are to be considered:

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

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*the general intent and purpose of this By-law.*

- (c) Whether such special circumstances or conditions are pre-existing and not created by the owner or applicant.*
- (d) Whether the sign that is subject of the variance will alter the essential character of the area.*

**The applicant has provided a rationale for the sign variance**

The applicant has provided the following rationale for the requested variance:

- The ground sign needs to convey the company logo, price of gasoline, and identify other services provided within the site in a manner that is clearly visible.
- The sign represents a modification to the typical ground sign found at Esso stations as a best effort to reduce any perceived impact from a standard sign.
- The internal illumination [of the gas price] is best suited for this sign that must be visible to traffic on both Markham Road [Main Street South] and Highway 7.
- The signs are oriented so that they are not noticeable from properties directly across the street and provide maximum visibility to passing motorists.

**Sign variances are not generally supported by staff**

Generally, sign variances are not supported by staff. There is a valid concern that such variances may set an undesirable precedent and thereby undermine the effectiveness of the Sign By-law, which has been developed to ensure appropriate commercial signage in the interest of good urban design in the City. In the case of Special Sign Districts, which consist of Markham's four Heritage Conservation Districts, the provisions of the Sign By-law have been carefully designed to ensure that signage complements the special historic character and scale of those areas.

**In this case, staff is of the opinion that the requested sign variance is appropriate and supportable**

Staff considers the Markham Village Esso situation a special case that is supportable, based on the criteria in the By-law cited above, for the following reasons:

- The location at a busy intersection, speed of traffic, mature trees and the curving road configuration along Highway 7 are factors that have been taken into consideration as legitimate justification for larger ground signs.
- The applicant is asking for a sign face area that is one square metre larger than the sign face area of the existing pylon sign, not a significant difference from the present situation.
- The old internally-illuminated pylon sign will be removed and the new ground signs will primarily be externally illuminated, an improvement within the context of the site and Markham Village Heritage Conservation District.
- With respect to internal illumination, only the electronic gas price numbers will be internally illuminated. This detail has previously been permitted at the Esso Station at Main Street North and 16<sup>th</sup> Avenue, therefore there is precedent for supporting this feature of the proposed new ground signs.

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**Heritage Markham supports the Sign Variance**

Heritage Markham reviewed the sign permit application and the application for a sign variance at its January 14, 2015 meeting and had no concerns (see Extract, Appendix 'A').

**Recommendation**

Staff recommend that the application for a sign variance for a maximum ground sign area of 6.04 square metres per sign face for the two proposed ground signs, and internal illumination for only the electronic gas price number component, be approved in consideration of the above-noted rationale and the overall benefit of the Esso Station reconstruction project to the character of the Markham Village Heritage Conservation District.

**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

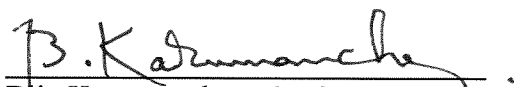
Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

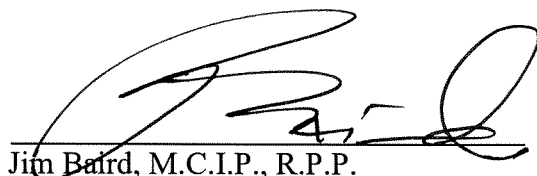
Not applicable.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

This report has been reviewed by the Building Department.

**RECOMMENDED BY:**

Biju Karumanchery, M.C.I.P., R.P.P.  
Acting Director of Planning & Urban Design



Jim Baird, M.C.I.P., R.P.P.  
Commissioner of Development Services



Tim Moore, O.A.A.  
Director of Building Standards

**ATTACHMENTS:**

Figure 1: Applicant and Location Map

Figure 2: Site Plan and Sign Design

Appendix 'A': Heritage Markham Extract

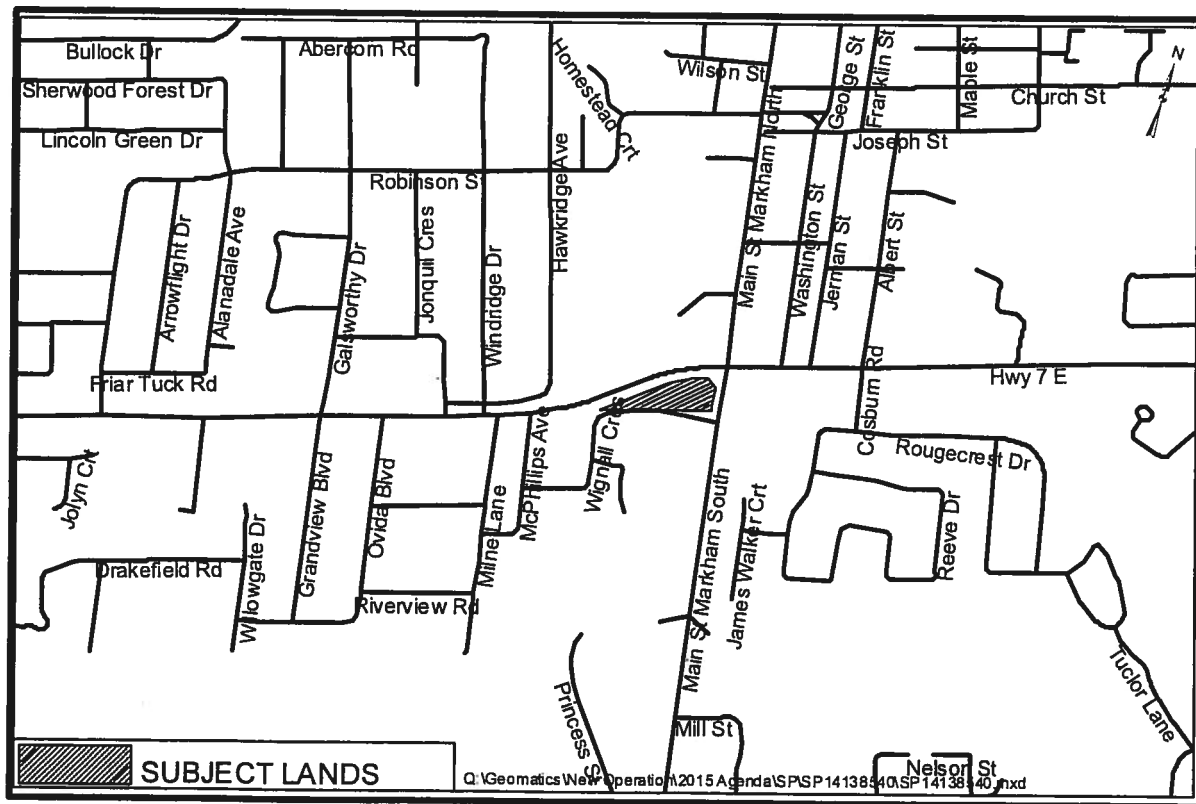
**Figure 1:****Owner:**

Imperial Oil Limited  
1 Duncan Mill Road  
Toronto ON M3B 1Z2

**Applicant:**

Todd Trudelle  
Golberg Group  
2098 Avenue Road  
Toronto ON M5M 4A8

Tel. 416 322-6364 ext.2103  
ttrudelle@golberggroup.ca

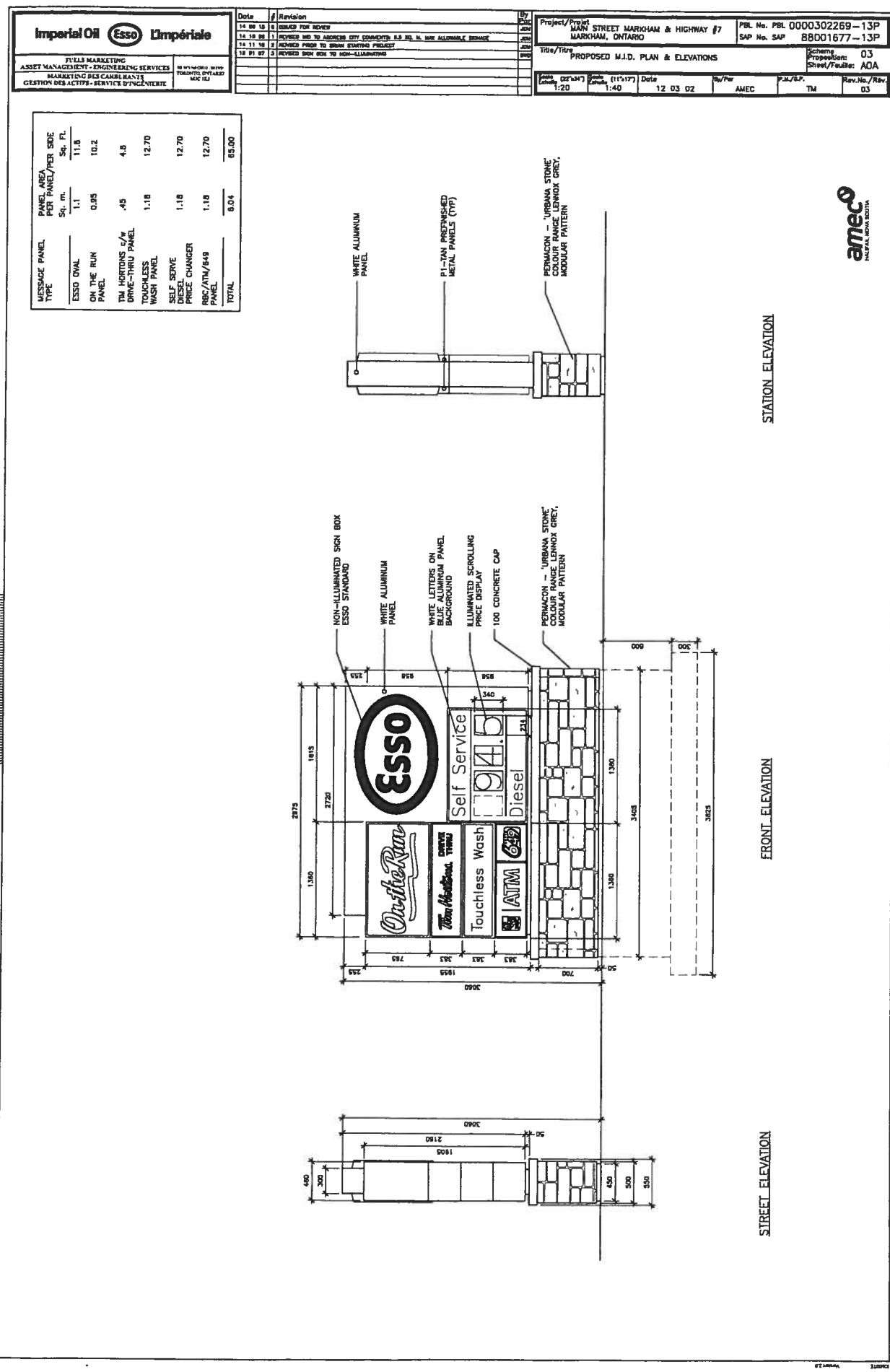
**Location Map:**



Main Street Markham South Entrance

Figure 2: Esso Station Reconstruction





**Figure 4: Proposed New Ground Sign Design**



HERITAGE MARKHAM  
EXTRACT

DATE: January 15, 2015  
TO: R. Hutcheson, Manager of Heritage Planning  
G. Duncan, Senior Planner

EXTRACT CONTAINING ITEM #4 OF THE FIRST HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON JANUARY 14, 2015.

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4. **Sign Variance Application**  
**5965 Highway 7,**  
**Proposed Ground Signs**  
**Imperial Oil (Esso)(16.11)**  
File Number: SP 14 138540  
Extracts: R. Hutcheson, Manager of Heritage Planning  
G. Duncan, Senior Planner
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David Johnston disclosed an interest with respect to Item # 4 for 5965 Highway 7, by nature of being the architect for the project, and did not take part in the discussion of or vote on the question of the approval of this matter.

The Senior Heritage Planner explained the proposed sign variances for 5965 Highway 7 and the rationale for the request. Staff outlined the positive aspects of the proposed redevelopment of this property and have no objection to the variances.

Mr. Don Dussault, applicant, was in attendance and responded to questions from the Committee regarding accessibility and illumination. Downward lighting was requested.

Heritage Markham Recommends:

That Heritage Markham has no objection to the requested sign variances for the ground signs for Markham Village Esso at 5965 Highway 7 on the basis of the unique characteristics of the site and in consideration of the area of the existing ground sign.

CARRIED