

February 10, 2014

**CORPORATE SERVICES REPORT –  
LEGISLATIVE SERVICES 2014-04**

TO: Committee of the Whole

SUBJECT: *Review of the Decision of the Fence and Sign Variance Committee – 270  
Doak Lane*

ORIGIN: Supervisor of By-law Enforcement & Director of Legislative  
Services/Town Clerk

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**RECOMMENDATIONS**

**THAT Corporate Services Report – Legislative Services 2014-04 dated February 10, 2014 regarding “Review of the Decision of the Fence and Sign Variance Committee – 270 Doak Lane” be received;**

**AND THAT the decision of the Fence and Sign Variance Committee to approve the application for a variance from the Sign By-law (By-law 2009-79) at 270 Doak Lane be upheld.**

**COMMENTS**

The purpose of this report is to seek Council authority to uphold the decision of the Fence and Sign Variance Committee to permit a variance from the Town’s regulations for a fascia sign located at 270 Doak Lane (see location map, Appendix A) for the the Renessa retirement residence. The variance application was submitted prior to the current Sign By-law (By-law 2014-02) coming into effect, so the provisions of Sign By-law 2009-79 apply with respect to variances.

Sign By-law 2009-79 permits the erection of one identification sign in an institutional zone. The property at 270 Doak Lane is zoned institutional and Forrest Group, on behalf of Newmarket Golden Space Inc. has applied for one ground sign at this property which complies with Sign By-law 2009-79 (see rendering, Appendix B). For the Town to permit additional identification signage, a variance is required.

Forrest Group first applied to the Fence and Sign Variance Committee (Committee) on November 20, 2013 for a variance to allow two illuminated fascia signs on the north east

**Corporate Services Department**

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(53 square feet) and west (47 square feet) elevations of the building, in addition to the application for the ground sign.

Correspondence from the Building and Engineering departments had no objections to the variance; however, Planning and Legislative Services departments recommended denying the application due to the lack of information regarding illumination of the sign. Concerns were also raised by a resident abutting the west elevation of the building where the sign would be visible. As a result of these concerns, Forrest Group withdrew their application for a variance from Sign By-law 2009-79 for a fascia sign on the west elevation of the building.

Forrest Group submitted a revised variance application to permit one illuminated fascia sign on the north east elevation (having a total of 53 square feet, see rendering, Appendix C). No concerns were raised by Town departments regarding the revised variance application and no objections from residents abutting the north east elevation where the sign would be visible were raised. The revised variance application indicated that the sign would be placed on a timer and turned off nightly by 10:30 p.m. On January 15, 2014, the Committee approved the revised variance application.

A resident to the west of the property has filed a request for review of the decision of the Committee by Council stating that the variance contravenes the Town's sign regulations which permits one identification sign in an institutional zone.

In making their decision, the Committee had regard to the following criteria, set out in Council-approved Policies and Procedures for the Committee:

- a) Construction factors such as design, structural integrity and/or ease of maintenance;
- b) Costs;
- c) Need for security;
- d) Need for privacy;
- e) Compatibility with adjoining uses;
- f) Compatibility with the neighbourhood;
- g) Sight lines;
- h) Grade differences; and
- i) Performance standards for the zone of the property.

The Policies and Procedures provide that Council must "deal with the matter," meaning that it must approve or deny the variance application and not refer the matter to the Committee for further review. Council should consider the decision of the Committee relative to the criteria set out in the Policies and Procedures, and either approve or deny the request on the face value of the application. Council can consider conditions of approval or an alternate size if the applicant has the opportunity to respond. The applicant has been advised of the Committee of the Whole meeting date.

There is no requirement for the Committee or Council to have regard to past precedent.

On review of the Committee's decision, staff are in agreement with the revised variance application and recommends that Council uphold the Committee's decision as the



request is minor in nature. As well, Sign By-law 2009-79 provides for a variance process so there is no inherent contravention of the Town's sign regulations.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

This report relates to the "Well Equipped and Managed" link of the Town's community vision implementing policy and processes that reflect sound, accountable governance.

### **CONSULTATION**

The Senior Engineering Development Coordinator, Senior Planner of the Planning Division and the Chief Building Official have no objections to the revised variance application and decision of the Committee.

### **HUMAN RESOURCE CONSIDERATION**

There are no human resources considerations related to this report.

### **BUDGET IMPACT (CURRENT AND FUTURE)**

There are no budget impacts related to this report.

### **CONTACT**

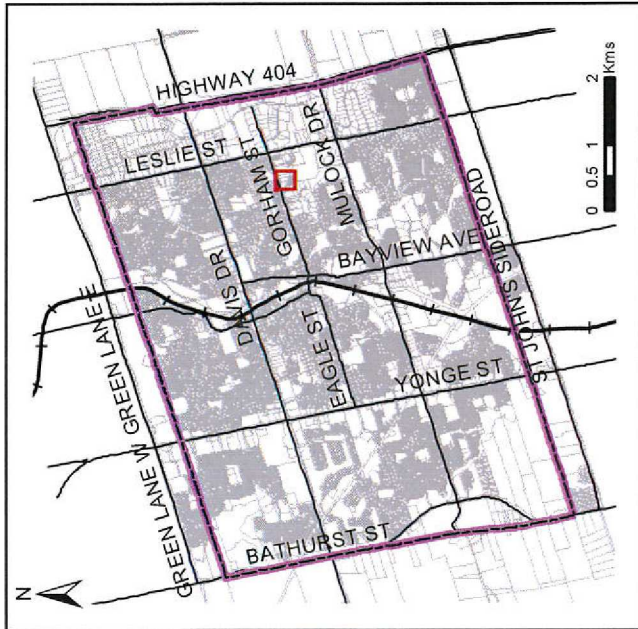
For more information on this report, please contact Lesley Long, Supervisor of By-law Enforcement at [llong@newmarket.ca](mailto:llong@newmarket.ca) or at 905 953-5300, ext. 2222

  
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Lesley Long, Supervisor,  
By-law Enforcement

  
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Andrew Brouwer, Director, Legislative  
Services/Town Clerk

  
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Anita Moore, Commissioner, Corporate Services

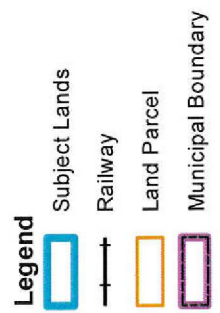




## Location Map 270 Daok Lane

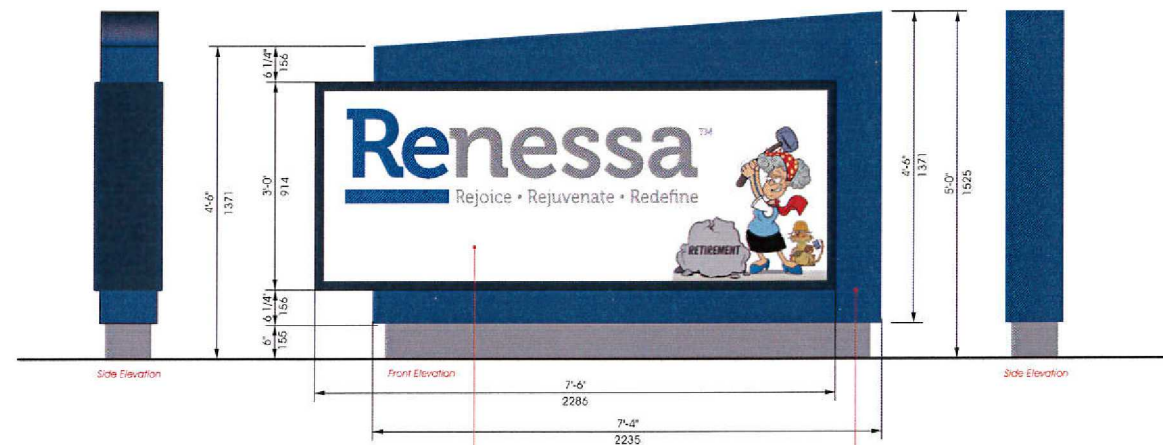


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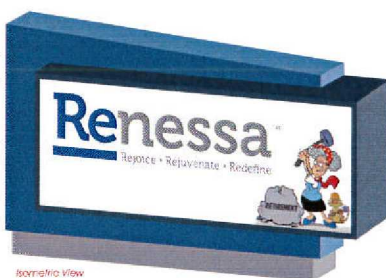
SOURCES: 2013 Colour Ortho Imagery - First Base Solutions Inc. 2013 Orthophotography; Land Parcel Boundaries - © Terand Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2013 Roads, Railway, Water Features - Geomatics Division © 2013 The Regional Municipality of York. All other data - Town of Newmarket, 2013. DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. The information depicted on this map has been compiled from various sources. While every effort has been made to accurately depict the information, datamapping errors may exist. This map has been produced for illustrative purposes only. IT IS NOT A SUBSTITUTE FOR A LEGAL SURVEY.



Item 1 - Illuminated Monument Sign (*double sided graphic*)

**Illuminated Sign Box**  
 Face - white polycarbonate w/ digital print translucent vinyl  
 & matte laminate  
 Box & frame painted AlzoNobel (*colour to be confirm*)  
 Light Source - T12 fluorescent lamp  
 PMS 3005  
 PMS 430

Aluminum panel w/ painted finish  
 (*colour to be confirm*)



Isometric View

- ☒ All sizes to be confirmed upon site check.
- ☒ All colours to be confirmed by client.
- ☒ Client will pin point exact position at site.
- ☒ This drawing is for concept only, not for quotation & production.
- ☒ This is the final free of charge revision, the next change is subject to a service fee of \$50.00 per change.
- ☒ This change is subject to a service fee of \$50.00 per change.
- ☒ Refer to structural drawing before fabrication & installation.



FORWARD SIGNS INC.

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 Ontario M1S 1B1  
 Tel: 416.291.4477  
 Fax: 416.291.4478  
 E-mail: info@forwardsign.com

**CLIENT**  
 Newmarket Golden Space Inc.

**LOCATION**  
 Newmarket

**PROJECT**  
 Illuminated Ground Sign

**DRAWN BY**  
 Joe

**FILE NAME**  
 GROUND SIGN-G-C2-F

**DATE OF DRAWING**  
 Jan 13, 2014

**SCALE**

**SALESPERSON**  
 Fan Jiang

**REMARKS**

CLIENT APPROVED / DATE

ART DEPT. APPROVED / DATE





**GORHAM ST. RETIREMENT RESIDENCE**  
NORTH/EAST PERSPECTIVE  
NEWMARKET, ONTARIO