



Town of Newmarket
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Billboard Sign Variance Application 749 Davis Dr Staff Report to Council

Report Number: 2025-41

Department(s): Legislative Services

Author(s): Nathan Irvine, Supervisor of Licensing & Permits

Meeting Date: September 8, 2025

Recommendations

1. That the report entitled Billboard Sign Variance Application 749 Davis Drive dated September 8, 2025, be received; and,
2. That Council considers and selects an option in the report; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose to this Staff Report is to present a billboard sign variance application that requires Council's consideration and decision in accordance with Sign Bylaw 2017-73.

Background

Legislative Authority

In accordance with Section 11 of the Municipal Act, a municipality may authorize the erection of any sign through by-law.

Sign By-law 2017-73

Under current by-law regulations, anyone wishing to erect a Billboard Sign in Newmarket is required to obtain a sign permit under Sign By-law 2017-73. To be approved, it is required to meet requirements on size, specifications and location.

Attachment #1 is a map that outlines the areas in Town in which a Billboard sign is permitted to be erected by the Sign By-law. Should someone wish to erect a Billboard Sign in a manner not permitted through By-law, they are required to apply for a variance.

Variance Process

Under Sign By-law 2017-73, the Director of Legislative Services (“Director”) has delegated authority to grant or refuse a sign variance application. Due to the impact Billboard Signs may have, the By-law requires any variances related to Billboards be referred to the Committee of the Whole for Council consideration. As part of the variance application process, property owners within 200m of the subject property are provided a notice outlining variances proposed. In considering a sign variance application, the by-law specifies that Council may:

- 1) Grant the variance.
- 2) Grant the variance with conditions; or
- 3) Refuse to grant the variance.
- 4) Require a Public Information Centre be held regarding the billboard prior to a decision being made.

Discussion

Eye Candy Ads, a representative of Taxa Developments Limited and owners of the subject property, has requested Council’s consideration to vary Sign By-law 2017- 73 to allow for the erection of a billboard sign at 749 Davis Drive. The variances required are as follows:

| Sign Bylaw Requirements | Variance Needed | Variance Requested |
|---|---|--|
| Setback of 200m (656ft) of Residential Zone | Requires variance from residential zone | Requesting setbacks from the following residential properties: West 115m - 715 & 705 Davis Dr Condo Development South 150m – Grace St properties (rear yards) East 150m – Huron Heights Condos |
| Setback of 200m (656ft) of School property | Requires variance from School property | Requesting setback of 42m from Huron Heights Secondary School |

Billboard Sign Application Details

The applicant has identified within its application (**Attachment #2**) the proposed billboard sign's purpose as advertising for local businesses and promoting community events.

The characteristics of the proposed sign are described as follows:

- Size: height 23 feet, sign area: 193.03 square feet (compliant with size regulations)
- A two-sided display;
- Each sign face will have LED lighting, the west static and east digital;
- the use of SiteLine Technology, which is designed to eliminate light trespass in sensitive locations, will be implemented; and
- the sign faces will be aligned in a V-shape configuration displaying east and west on Davis Dr.

Other Relevant Regulations

In accordance with the Town's Sign By-law, billboard signs are not permitted within 15 metres of a ground sign. To comply with this requirement at the 749 Davis Drive property the proposed billboard sign, if approved will replace the existing ground sign currently located on site.

Additionally, the Sign By-law prohibits the placement of both a billboard sign and a mobile sign on the same property. As such, if the proposed billboard sign is approved for this location, no mobile signs will be permitted on the property in the future.

Feedback Received

In accordance with the Sign By-law, Staff are required to provide notice to all property owners within 200 metres of the subject property. Following the circulation, feedback was heard from three property owners who raised concerns that electronic signs are distracting, particularly near major roads, and contribute to increased light pollution. Respondents noted potential health and safety impacts on both people and animals, as well as disturbances caused by excess light entering residential units. Additionally, property owners expressed concerns about the need to invest in improved window coverings to maintain privacy.

Consultation

Planning Department was consulted in the preparation of this report.

Property Owners within 200m of the subject property were notified of the variance application.

Conclusion

The proposed billboard sign at 749 Davis Drive requires variances from the Town's Sign By-law to be eligible for a Sign Permit. While the sign complies with size regulations and incorporates SiteLine Technology to mitigate light trespass, concerns have been raised by residents regarding potential light pollution, visual disruption, privacy impacts, and driver distraction along a major arterial road.

The subject property lies outside the approved billboard locations, and granting this variance may set a precedent for future variance applications.

Staff is now seeking Council direction on the following options:

Option 1: Grant the variances.

Option 2: Grant the variances with conditions.

Option 3: Refuse to grant the variances.

Option 4: Require a Public Information Centre be held regarding the proposed billboard prior to a decision being made.

Council Priority Association

This report aligns with the following Council Priority: Extraordinary Places and Spaces.

Human Resource Considerations

None.

Budget Impact

Billboard Sign Permit fee - \$1,954.23

Variance Fee - Committee \$652.15

Attachments

Attachment 1 – Billboard Acceptable Locations Map

Attachment 2 – Sign Permit Application

Attachment 3 – Sign Variance Application

Approval for Submission

John Comeau, Manager, Regulatory Services

Lisa Lyons, Director, Legislative Services

Report Contact

For more information on this report, contact info@newmarket.ca.