

STAFF REPORT: BUILDING & BY-LAW DEPARTMENT



REPORT TO: Council
MEETING DATE: January 14, 2008
REPORT NO.: SRB.08.01
SUBJECT: 5 Grey Street North - Gary
Bochna (Thornbury Self-
Storage)
PREPARED BY: D. Finbow, Director Bldg & B/L

A. Recommendations

THAT Council receive Staff Report No. SRB.08.01 for information purposes.

B. Background

Council at its meeting of December 10, 2007 considered the following recommendation from the Sign By-law Review Committee:

“That Council authorize a minor variance to the Sign By-law so as to permit a replacement “v” shaped double-sided first-party sign on the westerly side of the subject lands having a height of approximately 19’ with each sign face having an area of 120 square feet (10’ x 12’) with such variance being specific to the current owner/tenant of the lands; and, refuse the request for a replacement two-sided billboard sign at the easterly side of the subject lands.”

In this regard, Council adopted the following:

“THAT with regard to 5 Grey Street North – Gary Bochna (Thornbury Self-Storage), Council does hereby authorize a minor variance to the Sign By-law so as to permit a replacement “v” shaped double-sided first-party sign on the westerly side of the subject lands having a height of approximately 19’ with each sign face having an area of 120 square feet (10’ x 12’) with such variance being specific to the current ownership of the lands;

AND THAT Council does Table the request for a replacement billboard at this time, Carried.”

It is writer's understanding that Council deferred this matter so that background information related to previous variance requests respecting billboard and/or off-site signs could be provided.

SIGN BY-LAW & BILLBOARD SIGNS

Section 3.01(3) of the Sign By-law prohibits billboard signs in all districts.

The Sign By-law defines a billboard sign as:

"shall mean a sign which advertises goods, products, services or facilities not available at the premises upon which the sign is located or which directs persons to a different location from that upon which the sign is located.

Section 5.01 of the Sign By-law indicates"

"Signs which have been legally erected prior to the date of passing of this By-law, or, signs that which were erected prior to January 1, 2001 and which do not conform to the specific provisions of this by-law shall herein be given the designation "legal nonconforming" provided that:

(1) The Chief Building Official determines the sign is not defective, damaged, or substantially deteriorated.

The Chief Building Official is satisfied that the existing billboard sign is a "legal nonconforming" one-sided sign.

PREVIOUS REQUESTS

With respect to previous requests for billboard signs, as indicated verbally at the Council meeting on December 10, 2007, By-law Enforcement Staff have been successful in causing the removal of numerous non-authorized billboard signs within the municipality prior to a formal request coming forward. For the most part these signs would be considered non-permanent in nature. With respect to previous requests considered by Council:

"Far Hills" (Loramountain Holdings) – December 10, 2007 – "That the Loramountain Holdings sign at 41 Arthur Street West be approved for 6 months."

"Stonegate" – November 27, 2006 – "That Council refuses the request to maintain a third party ground sign at the Southwest corner of Arthur Street West and Victoria Street respecting the "Stonegate" subdivision."

"Thornbury Home Décor" – September 27, 2004 – That this Council hereby does refuse an application for minor variance filed by Skot and Heather Lawrence ("Thornbury Home Décor") for a variance to Sign By-law No. 2001-57 related to a third party sign (Benjamin Moore Paints) at the storage building located on lands known municipally as 19 Arthur Street West (17.137.00)."

“Mountain Beach Resorts” – April 5, 2004 – “That this Council hereby does authorize a variance to Sign By-law No. 2001-57 to Mountain Beach Resorts Inc. for the erection of a two-sided development sign at Old Lakeshore Road and the Georgian Trail (Roll No. 3-368-02) notwithstanding such development sign will not be located on the land to which it applies provided:

1. the sign complies with all other provisions related to development signs; and,
2. the existing ground sign located on the lands to be removed.

It being noted that the subject variance was circulated to potentially affected neighbouring land owners and no objections were received, and the proposed development lands are located immediately across Old Lakeshore Road.”

“Barrie Gray, REMAX” – March 3, 2003 – “That this Council hereby does refuse a request from Barrie Gray, Associate Broker, REMAX Four Seasons Realty Limited, for a variance to Sign By-law No. 2001-57 to permit the continued erection of a billboard sign at 104 Blue Mountain Drive (Roll No. 03-073) (former Easter Seals Society Camp).”

“Tabera” – March 3, 2003 – “That this Council hereby does grant a variance to Sign By-law No. 2001-57 to Tabera Limited (Shiff) for a development sign to be located on lands other than those that are the subject of the Tabera draft plan of subdivision. It being noted that:

1. The proposed development sign location is on lands owned by the adjacent Alpine Ski Club and such lands are being developed in conjunction with the Tabera development; and
2. The Tabera lands do not feature frontage on a highway assumed for public highway purposes.

This variance expires on December 31, 2003.”

“Intrawest Corporation” – August 12, 2002 – “That this Council does hereby grant a minor variance to Town Sign By-law 2001-57 for Intrawest Corporation for a development sign to be located on lands other than those that are the subject to Intrawest Corporation development application, it being noted the proposed development sign location is on lands owned by the adjacent Blue Mountain Resorts Limited and such lands are to be developed as a linked part of the Village at Blue Mountain development, said variance to be considered as interim until December 31st, 2002, as per the recommendations of the Sign By-law Review Committee.”

“Tabera” – August 12, 2002 – “That this Council hereby does grant a variance to Sign By-law No. 2001-57 to Tabera Limited (Shiff) for a development sign to be located on lands other than those that are the subject of the Tabera draft plan of subdivision. It being noted that:

1. The proposed development sign location is on lands owned by the adjacent Alpine Ski Club and such lands are being developed in conjunction with the Tabera development; and

2. The Tabera lands do not feature frontage on a highway assumed for public highway purposes.

This variance expires on December 31, 2003.”

“Honey House” – July 22, 2002 – “That this Council hereby does authorize the erection of a ground sign by Al and Keri Lockhart (proprietors of the “Honey House”) on the lands known as the Clarksburg Parkette, Roll No. 12-217-01, with such a sign (size and text) being substantially in accordance with the attached sketch. It being noted that the sign will be located less than the required 3.0 metres from the front property line and not located on the lands to which the sign applies – both as required by the Town’s Sign By-law. Further, this Council does hereby authorize the erection of the proposed sign on the existing flag pole on the lands provided the Royal Canadian Legion has no further interest in such flag pole, or, the proposed sign may be erected on a new pole in close proximity to the said flag pole.”

“Tabera” – September 17, 2001 – “That this Council does hereby grant a minor variance to Town Sign By-law 2001-57 for Tabera Limited (Shiff), for a development sign to be located on lands other than those that are the subject to the Tabera draft plan of subdivision, it being noted the proposed development sign location is on lands owned by the adjacent Alpine Ski Club and such lands are to be developed as a linked part of the Tabera development, it being further noted the Tabera lands do not feature frontage on Arrowhead Road but will be linked to an internal road proposed as part of the Alpine lands and fronting on Arrowhead Road along and through which the Tabera lands will be serviced, said variance to be considered as interim for a period of one year from this date, as per the recommendations of the Sign By-law Review Committee.”

“Thornbury Riverwalk” – August 9, 2000 – “That this Council does hereby adopt Building Staff Report SRB.00.14, Sign By-law Amendment – Thornbury Riverwalk Condominium, dated August 9, 2000, and further does support the Recommendations contained therein.”

C. The Blue Mountains’ Strategic Plan

“Providing a strong, well managed municipal government.”

D. Budget Impact

N/A

E. Attached

1. Copy of Staff Report SRB.07.36 dated December 10, 2007.

Respectfully submitted,