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**Date:** November 9, 2020

**To:** Mayor and Council

**Author:** Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning Services

**RE:** Application for Site Plan Approval SPA/11/2020 by  
Pattison Outdoor (applicant - lessor) /  
Essex Region Conservation Authority –  
(owner)  
Main St. E (north side) and Chrysler Greenway  
Part of Lot 3, Concession 1 ED

**Report No.:** PS 2020-061

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## **AIM**

To provide the Mayor and Council with details regarding a site plan approval for a proposed active LED sign board on the north side of Main St. E. along the easterly boundary of the Chrysler Greenway.

## **BACKGROUND**

The Town was approached several months ago by the applicant, Pattison Outdoor, with a proposal to locate an electronic signboard on the north side of Main St. E. within the Chrysler Greenway and close to the LCBO. The Town does not have a comprehensive standalone sign by-law and would generally addresses signage associated with a particular business through the site plan approval process. The site plan control by-law generally would exempt a permanent sign from site plan approval on lands with no existing site plan approval. However, the by-law also affords the Manager of Planning Service the discretion to require site plan approval on any property regardless of type, value or location.

## **DISCUSSION**

Given the location of the sign and existing sensitivity to all development along Main St. E. administration recommended during the pre-consultation phase that the proposing be made subject to site plan approval and referred to Council for final consideration.

## **1.0 Provincial Policy Statement**

There are no issues of Provincial significance raised by this application.

## **2.0 Official Plan**

The subject property is designated 'Parks and Open Space' and subject to the policies under Section 3.5 of the Official Plan for the Town of Kingsville. The use of the property is not changing as a result of the proposed sign. Signage is not uncommon on lands that serve as park or open space and the use of an electronic sign board could provide opportunities for ERCA and the Town to provide additional messaging and public education in a highly visible well-travelled location. The applicant has offered to provide messaging for both in addition to the standard advertising.

## **3.0 Comprehensive Zoning By-Law – Town of Kingsville**

The subject property, being a former railway, takes on the zoning of the abutting properties which are commercial. As noted earlier there is no comprehensive sign by-law and signage is not directly addressed in the zoning by-law. Past practice, through the site plan process or building permit, has been to make sure that signage did not create any visual obstructions, particularly to the travelling public and is located clearly on private property. Full details of the proposed location are outlined under the site plan section of this report.

## **4.0 Site Plan**

The proposed development is a 2.43 m x 2.43 m (8 ft. x 8 ft.) Active LED sign with a maximum height of 6 m (20 ft.). The proposed location would be 17 m (56 ft.) from the front property line, 19 m (62 ft.) from the west line and 4 m (13 ft.) from the east lot line.(See Appendix A)

## **LINK TO STRATEGIC PLAN**

There is no direct link to the strategic plan resulting from this application.

## **FINANCIAL CONSIDERATIONS**

Building permit fees will be due if construction proceeds.

## **CONSULTATIONS**

ERCA as the landowner has not expressed any concerns with the proposed sign.

Administration has expressed hesitation to support the proposed sign for several reasons that the applicant, in Appendix A, has provided feedback on and include the following:

- i) Concern based on location at one of the main entry points to Kingsville;

Comment: There has been an increasing concern along the Main St. corridor that a consistent form of development is not being promoted nor are there design guidelines to establish a certain look and feel. This is particularly important at any of the entry point to the Town as it is where the initial impression is made for first time visitors.

ii) Proximity to the front lot line;

Comment: This was in part due to a conflict in site lines with the existing gateway feature that was developed as part of the Otis lands (Freshco site) and partially due to impact on the roadway. The applicant has increase the setback from 4 m to 17 m from the front property line.

iii) Visual distraction with potential safety concern;

Comment: The greenway crosses Main St. E. in this location. There is a significant level of vehicle traffic that crosses the greenway and a significant level of pedestrian traffic that crosses Main St. E. There is concern that an Active LED sign could be a source of distraction leading to a safety concern for pedestrians. Appendix B shows an example of the proposed sign type.

iv) Type of messaging permitted;

Comment: This relates to the type of messaging that is placed on the sign. The company has indicated that it follows the Canadian Code of Advertising.

v) Impact of re: lighting

Comment: Active LED signage can have a significant impact on areas where they are located. The applicant has indicated that the lighting of the sign is monitored automatically and is set to reduce brightness after sunset. This particular item could be established as a specific limitation in the site plan agreement.

## RECOMMENDATION

Administration is unable to make a recommendation. Should Council choose to approve the site plan, the following wording can be used in the motion:

That Council approves Site Plan Application SPA/11/2020 to permit a 2.43 m x 2.43 m (8 ft. x 8 ft.) 6 m (20 ft.) high active LED sign as detailed in Appendix A on the subject lands, subject to the terms outlined in the associated Site Plan Agreement, and authorizes the Mayor and Clerk to sign the Site Plan Agreement and register said Agreement on title.

Prepared by:

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Reviewed by:

*John Norton*

John Norton, B.A., M.A., LL.B  
Chief Administrative Officer