

---

**To:** Mayor and Council

**From:** Danielle Barranger, Planning and Development Technician

**Meeting Date:** April 29, 2024

**Subject:** Report PB-013-2024 – Legal Non-Conforming Status for Ground Sign at 794047 County Road 124

---

## Recommendation

Be It Resolved that Council of the Township of Clearview hereby receive report PB-013-2024 (Legal Non-Conforming Status for Ground Sign at 794047 County Road 124) dated April 29, 2024; and,

1. That Council approve designation of the commercial ground sign located at 794047 County Road 124 as legal non-conforming and permit a maximum height of 6.71 m for the proposed replacement sign.

## Background

Jason Noseworthy from Priority Permits, who has applied for a Sign Permit and a Building Permit, is proposing to replace the current two-faced commercial ground sign that already exists on site with a new commercial ground sign. The ground sign is proposed to be in the same location as the existing sign, utilizing the existing sign base, approximately 2.15 m (7.05 ft) from the front lot line and sized 18.86 m<sup>2</sup> (203.04 ft<sup>2</sup>) with a total height of 6.71 m (22 ft).

The subject lands are municipally known as 794047 County Road 124 and are located within the Singhampton settlement area. The lands are sized approximately 0.51 ha and contain an Ultramar gas station with an accessory LCBO Convenience Outlet and accessory Beer Store.

The lands are designated 'Commercial' in the Township 2001 Official Plan and are zoned 'Highway Commercial Exception 5' (C2-5) in the Township Zoning By-law 06-54, as amended. Gas bar, restaurant, and accessory retail use are among the uses permitted in the C2 zone, subject to regulations.

The sign is proposed as part of the redevelopment of the subject lands to contain a Tim Hortons restaurant and a gas bar. The Township issued Site Plan Approval for the redevelopment in September 2023. The proposed sign location (existing and proposed) is consistent with the approved site plan.

The current sign, erected in and around 2006, and the proposed sign replacement exceed the maximum permitted height for a ground sign in the Township Sign By-law. Sec. 15 of the Sign By-law states that it is Council's intention to bring into conformity certain signs that do not conform to this By-law at Council's discretion and further that wall and ground signs that have obtained a building permit may be considered legal non-conforming by Council. There is no Building Permit on record for the erection of the original sign. The purpose of this report is to request that Council designate the ground sign at 794047 County Road 124 as legal non-conforming.

**Comments and Analysis**

Under the legislated authority of the Municipal Act, the [Township Official Plan](#) authorizes Council to enact a Sign By-law to control the visual impact of advertising and the design and placement of signs within the Township. [By-law 20-43](#) is in force to regulate signs within the Township. The Official Plan does not discuss any regulations for ground signage, and so, defers all regulations to the Sign By-law.

The applicant's original intent was to paint and reface the existing structure, however the existing sign structure is in relatively poor condition and is due to be replaced. The proposed sign will advertise the gas bar and restaurant and is slated to be the same stature and dimensions as the exiting pylon sign.

Sec. 9.7 of the Sign By-law regulates ground signage. One ground sign may be erected for each main commercial or industrial building on a lot. The following is a summary of the non-conformity of the existing and proposed ground sign, otherwise the requirements of the Sign By-law are intended to be met:

Section	Required	Provided	Variance
Max. Sign Height (s. 9.7.2)	4.5 m	6.71 m	2.21 m

It is recommended that Council approve the proposed sign as a legal non-conforming sign. The proposed sign is a replacement of the existing pylon sign and is proposed as part of the redevelopment of the property. The proposed sign, which is typical for a gas bar, is not anticipated to adversely impact the travelling public, neighbouring uses, or create a safety hazard.

**Financial Implications**

None to the Township.

**Clearview's Strategic Plan**

The above initiative supports the following strategic pillars:

- Governance

## **Report Appendices**

Appendix A: Orthophoto  
Appendix B: Planning Policy  
Appendix C: Sign Elevations

## **Approvals**

**Submitted by:** Danielle Barranger, Planning and Development Technician

**Reviewed by:** Amy Cann, Director of Planning & Building

**Financial Implications  
Reviewed by:** Kelly McDonald, Treasurer

**Approved by:** John Ferguson, CAO

# Schedule 'A': OrthoPhoto



## Subject Lands:

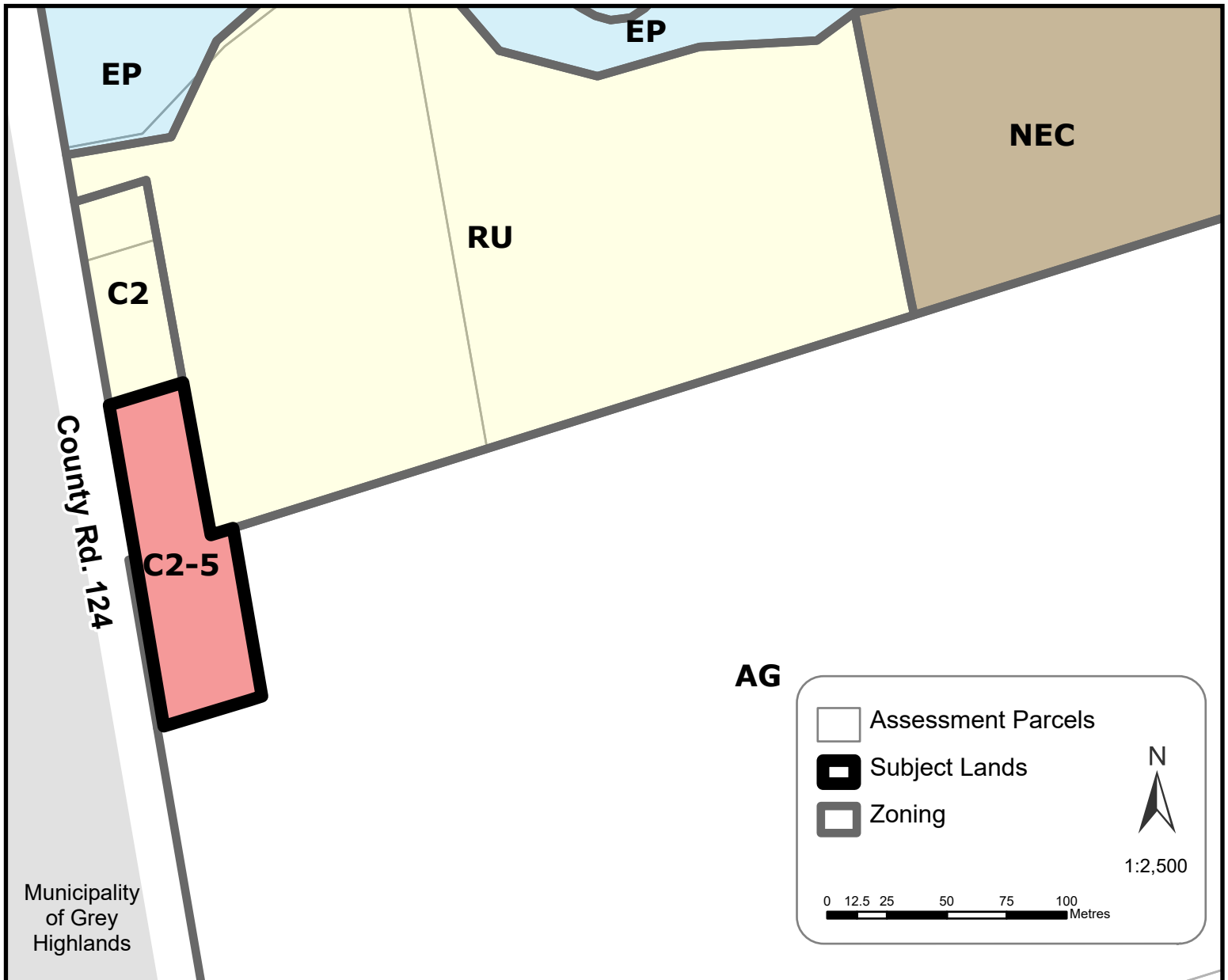
794047 COUNTY RD 124  
(4329-010-009-06703)

Produced by Clearview Township GIS. This map may not be reproduced, in whole or in part, without written permission by The Corporation of the Township of Clearview. Information other than zone boundaries is provided for reference only. Clearview Township assumes no liability for inaccuracies, errors, or omissions. This map is not a legal plan of survey.



CLEARVIEW  
TOWNSHIP

# Schedule 'B': Planning Policy



## Zoning Code, Zoning Description

AG, AGRICULTURAL  
 C2, HIGHWAY COMMERCIAL  
 C2-5, HIGHWAY COMMERCIAL EXCEPTION 5  
 EP, ENVIRONMENTAL PROTECTION  
 IN, INSTITUTIONAL  
 NEC, NIAGARA ESCARPMENT COMMISSION  
 RU, RURAL

## Official Plan Designations

 Agriculture  
 Rural  
 Commercial  
 Escarpment - Natural Area  
 Escarpment - Rural Area  
 Greenland - Hazard Land Areas

## Subject Lands:

794047 COUNTY RD 124  
 (4329-010-009-06703)

Produced by Clearview Township GIS. This map may not be reproduced, in whole or in part, without written permission by The Corporation of the Township of Clearview. Information other than zone boundaries is provided for reference only. Clearview Township assumes no liability for inaccuracies, errors, or omissions. This map is not a legal plan of survey.



**CLEARVIEW  
 TOWNSHIP**

# APPENDIX C:

