

**Subject:** Sign Variance Application – Wall Sign – 54 First Street

**Department:** Corporate Services

**Division:** Clerks/By-law

**Report #:** CPS-CL-2020-25

**Meeting Date:** September 28, 2020

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**Orangeville Forward – Strategic Plan**

**Priority Area:** Strong Governance

**Objective:** Transparent and fair decision-making processes

**Sustainable Neighbourhood Action Plan**

**Theme:** Not applicable

**Strategy:** Not applicable

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## **Recommendations**

That report CPS-CL-2020-25, regarding Sign Variance (Wall Sign) – Dr. Hannah Lemke – 54 First Street be received; and

That the sign variance request be denied.

## **Background and Analysis**

On June 15, 2020, John Lemke on behalf of his daughter Dr. Hannah Lemke contacted the By-law Division with respect to erecting new signs at 54 First Street.

John Lemke subsequently provided By-law staff drawings of the proposed signage. Attachment #1 shows the proposed signage. As shown, the applicant's request is to place one (1) ground sign measuring 1.4m X 0.9m and one (1) wall sign measuring 0.6m x 3.0m (1.8 m<sup>2</sup>).

The subject property being 54 First Street is a corner lot with frontage facing both First Street and Fead Street.

The property has a C5 zoning classification which is subject to the regulations outlined in section 6.3 of Sign By-law 28-2013, as amended. Section 6.3 does not permit a wall sign but allows one (1) ground sign per lot having a maximum sign area of 1.5 m<sup>2</sup> and a maximum height of 2m.

### **Ground Sign**

The placement of the proposed ground sign is near the sightline of Fead Street and First Street. By-law Division staff circulated the ground sign permit application to Infrastructure Services for review and comment on any potential motorist or pedestrian safety issues. Infrastructure Services staff were satisfied with the proposed placement of the ground sign and as a result a sign permit was issued on June 30, 2020.

### **Wall Sign**

The applicant is requesting approval of a sign variance for a wall sign based on:

- the approval of a sign variance for a wall sign by AC Cannabis Corp located at 59 First Street; and
- that the ground sign may not be visible to motorists

Staff do not support approval of the sign variance request as:

- the approval of a sign variance for a wall sign at 59 First Street was supported as both the provincial and federal government requires signage that clearly identifies the business on the exterior of the authorized cannabis store and a ground sign could not be placed on the property based on its dimensions. A copy of Report CPS-CL-2020-21 is attached for your reference (Attachment 2)
- the approved ground sign is located on a prominent corner in Orangeville that experiences significant pedestrian and vehicular traffic

Should Council wish to approve the sign variance request it is recommended that such approval be conditional upon obtaining a sign permit.

### **Financial Impact**

Revenues have been collected for the sign variance fee of \$200.00.

Respectfully submitted

Prepared by

Andrea McKinney, General Manager  
Corporate Services

Chris Johnston, By-law and  
Property Standards Officer

Karen Landry, Clerk  
Corporate Services

Attachments:

1. Approved Ground Sign and Proposed Wall Sign
2. Report CPS-CL-2020-21

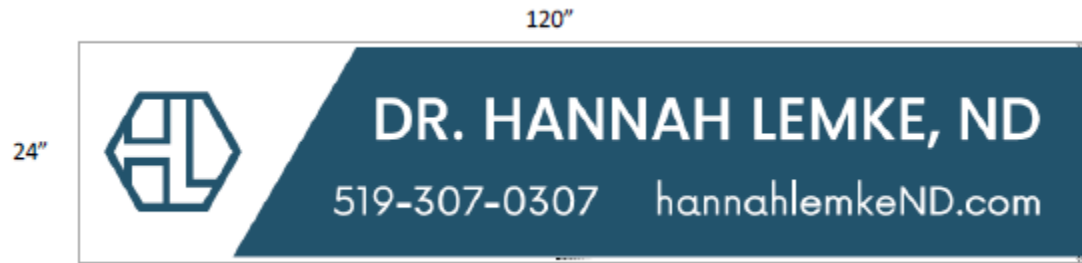
## ATTACHMENT #1 – PROPOSED GROUND SIGNAGE - APPROVED



Current



Proposed



Current



Proposed

**ATTACHMENT #2 – REPORT CPS-CL-2020-21****Report**

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**Subject:** Sign Variance Application – AC Cannabis Corp.  
**Department:** Corporate Services  
**Division:** Clerks/By-law  
**Report #:** CPS-CL-2020-021  
**Meeting Date:** July 16, 2020

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**Orangeville Forward – Strategic Plan**

**Priority Area:** Strong Governance  
**Objective:** Transparent and fair decision-making processes

**Sustainable Neighbourhood Action Plan**

**Theme:** Not applicable  
**Strategy:** Not applicable

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**Recommendations**

That Report CPS-CL-2020-021, regarding Sign Variance Application – AC Cannabis Corp – 59 First Street be received; and

That Council grant a variance to Sign By-law 28-2013, as amended, to permit three (3) wall signs measuring:

- 3 metres x 0.45 metres, 0.45 metres x 0.45 metres and 0.45 metres x 0.45 metres; and

That the variance approval be conditional on the applicant obtaining a Sign Permit.



## Background and Analysis

In 2013, Council passed Sign By-law 28-2013 to regulate the quantity and quality of signs throughout the Town.

In early June 2020, representatives from AC Cannabis Corp. located at 59 First Street approached the By-law Division with respect to placement of Wall Signs on the premise.

The proposal submitted by AC Cannabis Corp. showed three (3) wall signs to be erected. Sign #1 – as shown in attachment 1 - 3 metre X 0.45 metre rectangular wall sign erected above the entryway of the property. Signs #2 and #3 – as shown in attachment 2 – 0.6 metres X 0.6 metres square signs. The construction materials for each sign is a Dibond (aluminium composite sheeting) and will be fastened to the brick wall via industrial screws and fasteners.

By-law Division staff conducted a review of the proposal in conjunction with the regulations of Sign By-law 28-2013, as amended. It was determined under Section 6.3 which outlines the parameters for signage in C5 Zones, which allows for the placement of only **Awning Signs** and **Ground Signs** within this zone. The placement of a Wall Sign is not permitted. As such, a sign permit could not be issued for the applicant.

The Cannabis Licence Act of Ontario provides guidelines and regulations for retail operations to open. The approval process is comprehensive and thorough to ensure consumer protection and regulatory compliance. As part of the approval process, signage is one aspect the Alcohol and Gaming Commission of Ontario reviews. The purpose of a sign review by the AGCO is as follows:

### **6.1 Licensees must have signage clearly identifying their business on the exterior of the authorized store.**

### **6.2 Advertising may not:**

- a. appeal to or target persons under 19 years of age;
- b. promote cannabis or cannabis accessories in a way that is false, misleading, or deceptive;
- c. suggest or imply, directly, indirectly, or by use of endorsements of testimonials, that consumption of cannabis is associated with success, enjoyment of an activity, fulfillment of a goal, or the resolution of a problem;
- d. be associated with medicine, health, or pharmaceuticals;
- e. depict or suggest the illegal sale of cannabis;
- f. associate consumption of cannabis with driving a motorized vehicle, or with any activity that requires care and skill or has elements of danger

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On July 6, 2020, AC Cannabis Corp. confirmed with By-law Division staff that the AGCO has approved the drawings and rendering for the proposed signage. AC Cannabis Corp. is currently working towards opening the retail storefront as soon as possible to meet the AGCO requirements.

As of April 15, 2019, the operation of a retail cannabis store was permitted in the Town. AC Cannabis Corp. operating as Hempire House will be Orangeville's first retail cannabis store. By-law Division staff support the recommendation proposed by AC Cannabis Corp. for wall signs due to the nature of the proposal and the confirmation of provincial approval.

**Financial Impact**

Revenues have been collected for the sign variance fee of \$200.00. Additional revenue for the sign permit fee of \$150.00 will be submitted by the applicant upon approval of the variance.

Respectfully submitted

Prepared by

Andrea McKinney, General Manager  
Corporate Services

Chris Johnston, By-law and  
Property Standards Officer

Karen Landry, Clerk  
Corporate Services

**Attachments:**

1. Proposed Sign #1
2. Proposed Sign #2 & #3



**ATTACHMENT #1 – SIGN #1 (STOREFRONT WALL SIGN)**



**ATTACHMENT #2 – SIGNS # 2-3 (SIDE OF BUILDING WALL SIGN)**



South side of property



Northerly side of property