



Report to: Development Services Committee      Date Report Authored: January 24, 2012

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**SUBJECT:**                      **GROUND SIGN VARIANCE**  
                                 **Bank of China**  
                                 **50 Minthorn Boulevard**  
                                 **Application for a 2<sup>nd</sup> ground sign along Highway #7 street**  
                                 **frontage**  
  
                                 **File No. SP 11 129600 001**

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**RECOMMENDATION:**

- 1)      That the report dated January 24, 2012, titled GROUND SIGN VARIANCE Bank of China, 50 Minthorn Boulevard, application for a 2<sup>nd</sup> ground sign along Highway #7 street frontage, be received.
- 2)      That the application for the proposed ground sign variance (SP 11 129600 001) be approved.

**BACKGROUND:**

The subject property has an area of approx. 2.48 hectares and is zoned M.C (70%) – Select Industrial and Limited Commercial, under By-law 165-80, as amended, which permits professional and business offices, banks and financial institutions amongst other uses. A single 8 storey multi-tenant commercial office building exists on the lands and is located on the Highway #7 frontage. The property is a through lot having two parallel street frontages, Highway #7 to the north and Minthorn Boulevard to the south. In this case the Sign By-law authorizes one tenant ground sign, 6m<sup>2</sup> in area along each street frontage.

The applicant has been issued sign permits for these two ground signs, and two wall signs located on the upper level penthouse. The land owner has given a letter of consent to allow The Bank of China to erect ground signs and wall signs at this location. One ground sign will be located along the Highway #7 street frontage at a size of 6m<sup>2</sup> and a height of 5m. The Minthorn Boulevard ground sign is 3.5m<sup>2</sup> in area and 1.9m in height.

Staff met with the applicant and Bank of China representatives to discuss their applications and potential options for sign exposure within the confines of the sign by-law. The applicant concluded that their preferred option remains to obtain authorization through a variance to allow a 2<sup>nd</sup> ground sign to increase exposure along the Highway #7 street frontage.

The sign by-law requirements and applicant's proposal is outlined in the table below:

<b>Sign By-law Requirements</b>	<b>Permitted</b>	<b>Proposed</b>
Ground signs along a single street frontage (Highway #7)	1	2

The sign by-law permits a 2<sup>nd</sup> ground sign on a street in a commercial zone where the following conditions are met:

- a) There is more than one main building on a lot;
- b) The lot fronts onto a single street and,
- c) The lot has a frontage of 100 metres or greater.

The subject property complies with c) but does not meet conditions a) and b).

#### **OPTIONS/ DISCUSSION:**

The Town of Markham Sign By-law 2004-94 indicates that when considering an application for a sign variance, the Development Services Committee and Council shall have regard for:

- a) *Special Circumstances or conditions applying to the land, building or use referred to in the application:*
- b) *Whether strict application of the provisions of this By-law in context of the special circumstances applying to the land, building or use would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this by-law:*
- c) *Whether such special circumstances or conditions are pre-existing and not created by the owner or applicant:*
- d) *Whether the sign that is the subject of this variance will alter the essential character of the area:*

The applicant's special circumstances include necessity for increasing exposure along the principal street frontage in proximity to where the main building is located, as opposed to the more remote street frontage at the back of the building, and to support the development of an additional retail bank building on the lot. If this development occurs, the lot would conform with two of the three sign By-law conditions for an additional ground sign.

Highway #7 is an extremely busy commercial artery, and the addition of one ground sign is unlikely to affect the character of this area. A consequence of approving this additional ground sign could, however, be an increase in applications from other landowners, which may increase the proliferation of signs along Highway 7 to some extent.

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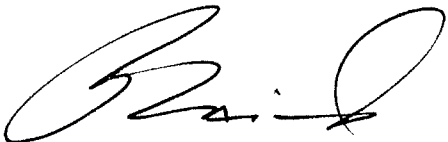
After considering all the particulars, approval of the variance to the Sign By-law to permit a 2<sup>nd</sup> ground sign along the Highway #7 frontage can be recommended in this instance.

Economic Development staff have been involved for some months in discussions with the Bank of China and the landlord regarding requirements for this proposal and concur in this recommendation.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The By-law enforcement and Licensing Department is responsible for the inspection and enforcement of the Sign By-law.

**RECOMMENDED BY:**



Jim Baird, M.C.I.P., R.P.P.  
Commissioner, Development Services



Stephen Chait  
Director, Economic Development

**ATTACHMENTS:**

- Figure 1 - Applicant and Property Owner
- Figure 2 - Site Plan
- Figure 3 - Existing Highway #7 Ground Sign #1
- Figure 4 - Site Photograph (Eastbound along Highway #7)
- Figure 5 – Applicant's reasons for variance

File Path: Q\ZONING\REPORTS\GRDSIGN

Figure -1

Applicant Information:

Steve Soong  
Forward Signs Inc.  
60 Emblem Court,  
Scarborough, ON  
M1S1B1

Property Owner Information:

Dagmar Teubner  
Wemat Holding Limited  
215 Banbury Road.  
Toronto, ON  
M3B3C6

Figure 2 – Site Plan

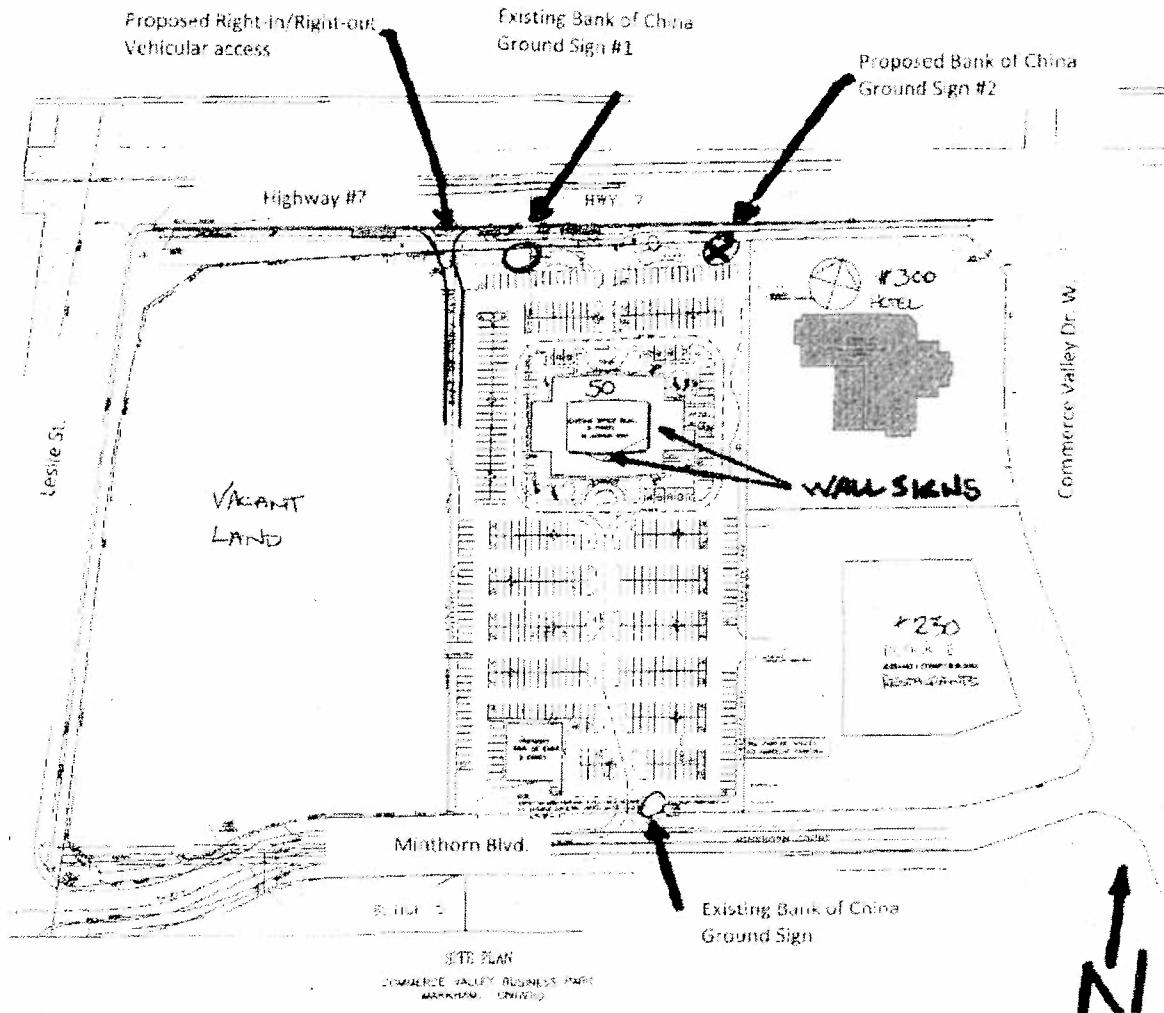


Figure #3 – Existing Highway #7 Ground Sign #1

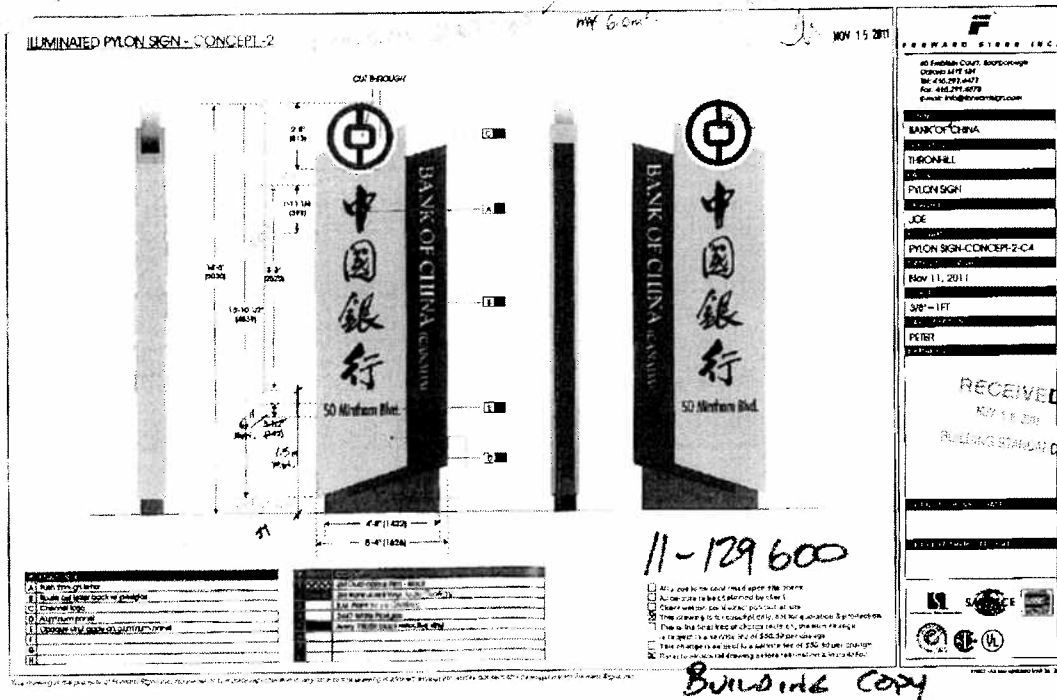
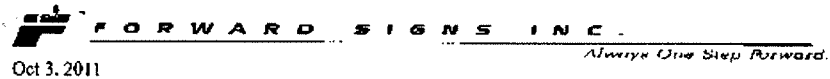


Figure 4 - Site Photograph (Eastbound along Highway #7)



Figure 5 – Applicants reasons for variance



Dear Chairperson and Members of the Site Plan Committee,

RE: Sign permit for Bank of China – 50 Minthorn Blvd. e.g. Unit2, Thornhill, L3T 7N7

Forward Signs Inc. is applying for variance on behalf of Bank of China for the above location. We are hoping to install a 13'6-1/4" tall by 5'4-1/4" wide ground sign at the back of the building. According to the sign by-law 2002-94 5.3.9 "A maximum of one ground sign is permitted per street frontage unless specifically permitted elsewhere in this by-law." Although the ground sign we are hoping to put up now is the second ground sign. We believe we should be allowed to put up the sign due to the following two rationales.

First, the proposed new pylon sign will be facing Highway 7. The existing storefront sign of our client is facing the parking lot, which makes it hard for potential customers for Bank of China to notice the sign. In addition, traffic is often busy on Highway 7, potential customers often missed the sign because they drive pass it quickly. If we are allowed to put up the sign on Highway 7, we can definitely attract customers who drive pass Highway 7. Second, Bank of China is hoping to build a retail bank building at where the existing parking lot located (at the corner of Leslie Street and Minthorn Court). It is going to be a huge building which attracts customers from different diversities. We firmly believe a recognizable pylon is the first step of building this successful retail bank.

We urge you to consider the above mentioned points as valid reasons for the variance. If you require any further information, please do not hesitate to contact the account executive mentioned below.

Sincerely,

**Peter Luk,**  
Account Executives