



Committee of Adjustment Report

Date: July 17, 2025

Report No: RPT - 0263 - 25

To: The Chair and Members of the Committee of Adjustment
From: Roxana Flores, Junior Planner
Application Type: Sign Variance Application
Application No: SV1-25-RF
Location: 17 Washington Street, Paris
Agent / Applicant: Gerry Paxton, Chairman of Sacred Heart Church
Owner: Diocese of Hamilton c/o Rev. Joseph Okoko
Subject: Request for a decision on a Sign Variance Application.

Recommendation

That application for a Sign Minor Variance **SV1-25-RF** from Diocese of Hamilton c/o Rev. Joseph Okoko, Owner of the lands legally described as PLAN 109 LOT 8 PART LOTS 9 AND 10 SOUTH MAIN STREET LOT 9 NORTH QUEEN ST, in the former town of Paris and municipally known as 17 Washington St, is requesting relief from Sign By-law 121-08 to permit an LED Sign, whereas the Sign By-Law only stipulates for electronic messaging, which does not include LED signage, **BE APPROVED** subject to conditions.

THAT the reason(s) for approval are as follows:

- The proposed variance is considered appropriate use of the subject lands, bringing the the LED sign into compliance in a manner consistent with previously approved LED signage in the County;

Financial Considerations

None

Executive Summary

Sacred Heart Church, is seeking a minor variance of the County of Brant Sign By-law 121-08 at 17 Washington Street proposing to permit an existing LED sign to be located near the building, at the corner of Washington St & Main Street. The application will bring this type of sign into compliance whereas the Sign By-Law only stipulates for electronic messaging, which does not include LED signage.

It is intended that the new LED sign replace the previous illuminated ground sign using the same posts and location.

This planning analysis focuses on literature reviews of applicable policy in consultation with internal departments, an inspection of the subject lands and surrounding neighbourhood, as

well as discussions with the Applicant. Comments from internal departments and external agencies have confirmed that they have no operational concerns with the sign.

The recommendation for approval includes conditions to regulate the signs operation to mitigate potential nuisance caused by the emitted light. This includes prescribed timing and brightness levels during daytime and night display.

The proposed variance is appropriate, given Staff's intention to undertake a comprehensive review of the County of Brant Sign By-Law. Originally approved in 2008, the By-Law has not seen a significant update since, and therefore may not reflect current signage standards and trends. Staff are pleased to inform Committee that the Sign By-Law Review will be initiated in the coming year as part of the Policy Planning Work Plan.

Should this Application be approved, Staff could move forward in processing the Sign Permit Application for one (1) LED sign. As the Sign By-Law 121-08 is a legislative document of the *Municipal Act (2001)* any Variances approved for signage are not subject to appeal and any Decision of Committee would come into force and effect once the Decision has been written.

This report recommends that the application be approved based on consideration of the rational provided by Staff as outlined within this report.

Background

The existing LED sign was brought to Planning's attention following a complaint received by By-Law Enforcement from a neighboring property regarding light from the sign shining into a residential living space during evening hours. As a result, it was determined that the LED sign is not permitted and requires a site specific variance application. In response to this concern, a Building Permit will be required and included as a condition of approval.

Through an Applicant request made as a delegation to Council, the fee for this application has been waived. If Committee should choose to approve this Application, the Applicant will be responsible for any Sign Permits required from the County.

Location / Existing Conditions

The subject property is located within the Settlement Area of Paris, north of Queen Street, south of Main Street, east of Dumfries Street and west of Washington Street. It is civically known as 17 Washington Street (Sacred Heart Church). The subject lands are designated Open Space and are being used as such.

The subject lands are mostly surrounded by Residential uses with one Institutional property zoned N2 to the north.

The subject lands are irregular in shape and have a frontage of approximately 40.0 m (132 ft) along Washington Street and an area of approximately 0.37 hectares (0.90 acres).

Strategic Plan Priority

Strategic Priority 2 - Focused Growth and Infrastructure

Report

Analysis

Brant County Official Plan (2023)

The County of Brant Official Plan sets out the goals, objectives, and policies to guide development within the municipality. The Planning Act requires that all decisions that affect a planning matter shall 'conform to' the local Municipal Policies, including but not limited to the County of Brant Official Plan.

Schedule 'A' Land Use Designation: **Community Node**

Settlement Area: **Primary Urban Settlement Area of Paris**

It is my professional planning opinion that the recommendation conforms to the policies of the County of Brant Official Plan for the following reasons:

- *The proposal aligns with the intent of the Community Node designation as the church functions as a public service facility and community gathering space, which are key components of these areas. Community Nodes are intended to bring people together through a mix of uses and accessible public spaces. The proposed LED sign supports the church by sharing information about services and events, and supports the designation by promoting visibility, engagement, and a vibrant public space. (OP, Part 5, Section 1.3)*

As the Sign By-Law (By-Law 121-08) was passed under the Municipal Act and implements the County of Brant Official Plan, the Committee of Adjustment has the authority to grant variances through the Sign By-Law Variance Application process. This authority is supported by Sections 6.8 and 6.14 of the Official Plan, which allows the Committee to consider variances to By-Laws, including the Sign By-Law, in accordance with the Planning Act.

Zoning By-Law 61-16:

Schedule 'A' Zone Classification: **Site-Specific Open Space with Heritage Classification (HA-OS1-12)**

All other requirements of the Zoning By-Law 61-16 are being satisfied, and the proposed sign variance application is in conformity with the existing development on these lands.

Sign By-Law 121-08 (As Amended By By-law 168-09):

Currently, the County of Brant Sign By-Law 121-08 does not permit electronic message display (LED) signs unless written confirmation is provided by County staff indicating no concerns regarding visibility or interference with traffic signs or signals. However, the County has previously approved signs with special provisions, including LED ground signs, under the same by-law.

Staff note that the existing non-complying LED sign has been reviewed under Section 4, Subsection 4.4 of Sign By-law 121-08, and can confirm that there are no concerns from internal departments or external agencies regarding the LED sign, provided the recommended conditions are met.

The table below outlines key details of the existing non-complying LED sign, including sign face area, height, and setbacks, for the Committee's reference.

Location	Number of Signs	Street Setbacks (to the sidewalk)	Electronic (LED) Sign Face Area	Existing Sign Height
17 Washington Street	1	3.56 m (11.67 ft) from Main St. 5.28 m (17.33 ft) from Washington St.	1.0 m ² (1,575.0 in ²)	2.0 m (77.0 in)

Interdepartmental Considerations

Department / Agency Comments
<p>Development Engineering</p> <ul style="list-style-type: none"> • DED have no objections to the sign variance application, however, other responding agencies (i.e. operations department), might have interest and comment on the following item below: • Part of the existing Illuminated sign encroaches into the Main Street right-of-way, an encroachment easement may be required.
<p>Policy</p> <ul style="list-style-type: none"> • Policy does not have any comments regarding this application at this time.
<p>Environmental Planning</p> <ul style="list-style-type: none"> • Environmental Planning has no comments.
<p>Operations – Roads Department</p> <p>Further to our conversation, it is my understanding that the location of the proposed LED sign has replaced the existing sign already located on private property. Although I have no objection to their request regarding the LED sign for the above noted address provided that the sign adheres to the following conditions:</p> <ol style="list-style-type: none"> 1. The LED sign will not flash, scroll or shake in any manner such that the LED information is stationary for approximately 60 seconds. 2. The LED sign located on private property is typically at least 3.0 meters from our right of way. 3. If the LED light is a concern with residents in the area shining into their homes, the light must be deactivated, (turned off), during the evening and all through the night.
<p>Fire</p> <ul style="list-style-type: none"> • The fire department has no objections at this point.
<p>Grandbridge Energy</p> <ul style="list-style-type: none"> • GrandBridge Energy Inc. has no objection to the proposed ground-mounted illuminated sign seeking relief from by-law 121-08. • Only one primary service per property is permitted, if a meter is required for this sign, a service layout is required.

- Must maintain ESA minimum clearances between any proposed building, lighting, signs etc. and existing electrical equipment.

The following Departments/ Commenting Agencies were included on the technical circulation of this application with no comments received:

- Building
- Community Services Department
- Brant Heritage Committee
- Operations
- Canada Post
- Enbridge Gas Inc.
- Mississaugas of the Credit First Nation (MCFN)

Public Considerations

Notice of this Application, Contact information and Public Hearing Date were circulated by mail on July 2, 2025 to all property owners within 60 metres of the subject lands in accordance with Section 45(5) of the Planning Act as required.

A site visit along with the posting of the Public Notice sign was completed on July 2, 2024.

At the time of writing this report, no public comments have been received.

Conclusions and Recommendations

In reviewing the application, staff analyzed the application regarding Section 9.7 *Variances* of the Sign By-Law:

- a) Special circumstances or conditions applying to the property, building or use referred to in the application;
 - ***The ground sign on the property was installed before the current Sign By-law (as noted by the applicant) and was recently replaced to include LED messaging. It remains in the original location, using the original posts.***
- b) Whether strict application of the provisions of this by-law in the context of the special circumstances applying to the property, 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;
 - ***Enforcing full compliance would require removal or relocation of a sign structure that has been there for a long time. Given that the sign remains in its original location with mitigation measures in place, strict application would impose unnecessary hardship without providing any meaningful benefit.***

c) Whether such special circumstances or conditions are preexisting and not created by the owner or applicant; and,

- ***The ground sign's location and structural elements are preexisting. The applicant simply updated the sign to include LED messaging without altering its footprint.***

d) Whether the sign that is subject of the amendment, variance, or exemption will alter the essential character of the area.

- ***The sign is consistent in form and location with the previous sign. With automatic shut-off and reduced brightness, it is not expected to impact the character of the surrounding area.***

The variance being requested is to allow one (1) existing LED ground sign located on the subject lands, fronting Washington Street. The applicant confirmed in their justification letter that the sign will be turned off from 9:00pm to 6:00am via timer. Brightness will also be adjusted to reduce impacts on neighbouring properties. These have been included as conditions for approval.

Internal departments and external agencies have indicated no concerns with the existing non-complying LED sign and have

Comments from the Development Engineering Division (DED) indicate that the illuminated sign encroaches into the Main Street right-of-way and that an encroachment easement may be required. However, the applicant noted that the illuminated sign was simply replaced using the same posts and location as the previous sign. This would indicate that an easement may not be necessary.

In response to Operations' comment that LED signs on private property are typically setback a minimum of 3.0 metres from the right-of-way, the applicant noted that the existing illuminated sign remains in its original location with adequate setbacks. As such, the sign location would be considered legal non-complying.

As the Sign By-law is pending a comprehensive update, and given past approvals for similar LED signs with special provisions, staff is of the opinion that the request aligns with the general intent of the Sign By-law. The existing sign will be required to obtain a Sign Permit as a condition of approval. Staff have no concerns regarding impact on adjacent properties and is recommending approval of the variance application subject to conditions.

Prepared by:



Roxana Flores

Attachments

1. Conditions of Approval
2. Zoning Map
3. Official Plan Map

4. Aerial Map
5. Sketch Showing Sign Location
6. Site Photos

Reviewed By

1. Dan Namisniak, Manager of Development Planning
2. Jeremy Vink, Director of Planning

Copied To

3. Nicole Campbell, Secretary Treasurer of the Committee of Adjustment
4. Committee of Adjustment
5. Applicant/Agent

File # SV1-25-RF

By-law and/or Agreement

By-Law required	(No)
Agreement(s) or other documents to be signed by Mayor and /or Clerk	(No)
Is the necessary By-Law or agreement being sent concurrently to Council?	(No)

LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

1. That the following conditions be satisfied with to the satisfaction of the County of Brant:

17 Washington Street

LED Ground Sign

Notwithstanding any provision of this by-law to the contrary, an LED ground sign located wholly on private property known as 17 Washington Street, shall also be permitted, subject to the following;

- i. Maximum Sign Face Area 1.0 m² with LED;
- ii. Maximum Height of 2 m;
- iii. Maximum one (1) ground sign on the property, within the existing location as approved;
- iv. The brightness level shall be adjusted to reflect appropriate day and night use (including daylight savings) to ensure no nuisance to surrounding residents and traffic, the satisfaction of the County of Brant.
- v. Hours of operation 6:00 a.m. until 9:00 p.m.;
- vi. The LED sign will not flash, scroll or shake in any manner such that the LED information is stationary for approximately 60 seconds.
- vii. There shall be no commercial or videos/movies permitted to be run on the sign.
- viii. Third party advertising shall not be permitted.

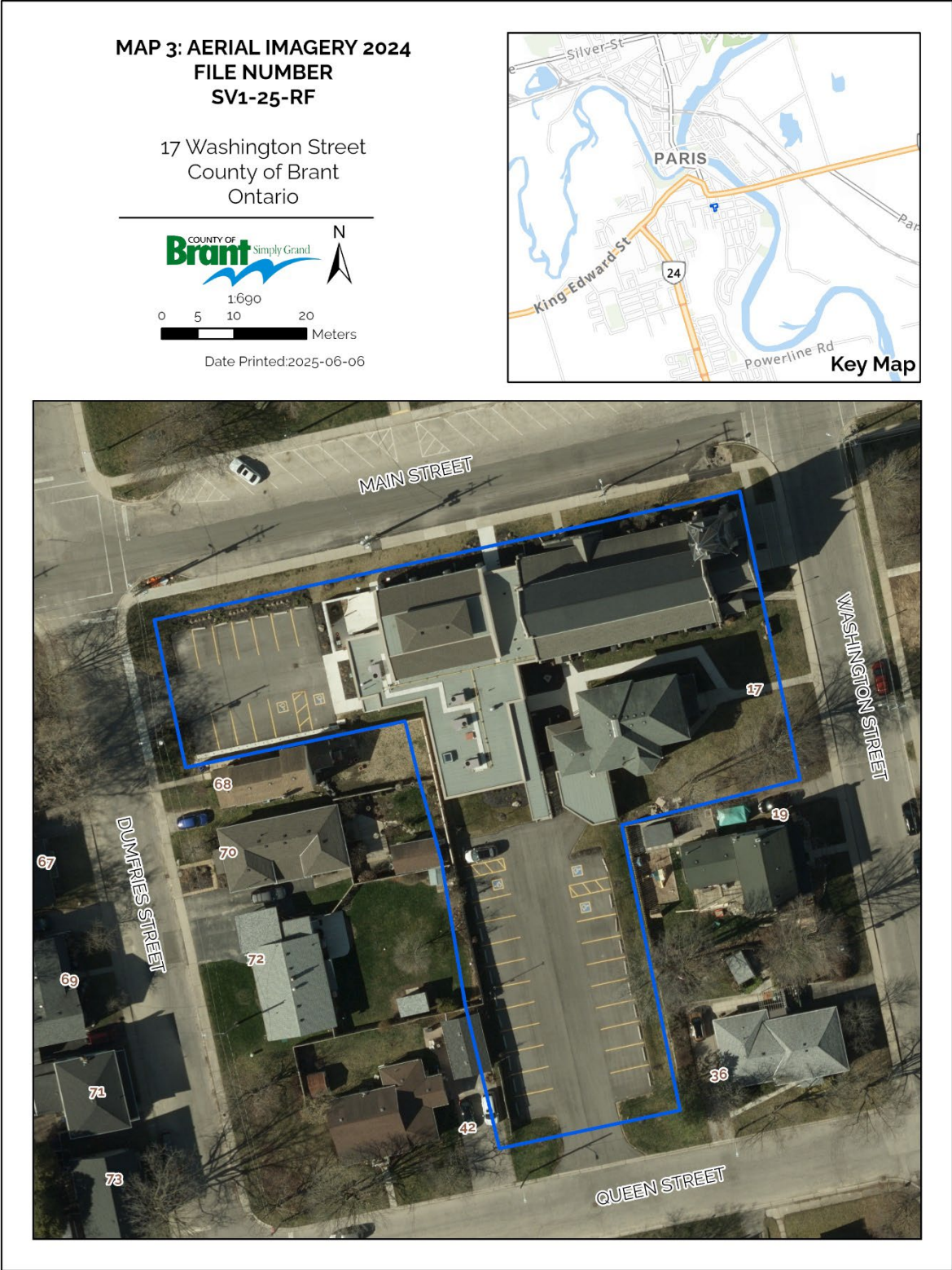
All other requirements of the By-law shall apply.

2. That the Owner/Applicant demonstrate confirmation from the Building Division that a sign permit, as required has been obtained, to the satisfaction of the County of Brant.
3. That the above conditions be satisfied within two years of the date of the decision, to the satisfaction of the County of Brant, otherwise the approval shall lapse.

Attachment 2 – Site Photos



Attachment 3



Attachment 4

