

Committee of Adjustment**MISSION STATEMENT:**

“Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together.”

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To: Committee of Adjustment

Subject Application: Relief from the provisions of Sign By-law 250-2004, 84-2019, and 93-2024

Owner: ATWAN DEVELOPMENT INC.

Applicant: VIZABLE IDENTIFICATION PRODUCTS

Location: 4470 NORTH SERVICE RD E

Legal Description: CON 2; PT LOT 108

1. RECOMMENDATION:

That the Minor Variance application of ATWAN DEVELOPMENT INC. for the relief from the provisions of **Sign By-law 250-2004, 84-2019, and 93-2024** for request to increase the permitted number of signs per lot from 2 to 3 on the property municipally known as 4470 NORTH SERVICE RD E. **BE DEFERRED.**

2. THE REQUESTED VARIANCES:

Request to increase the permitted number of signs per lot from 2 to 3, thereby seeking the following reliefs from Sign By-law 250-2004, 84-2019, and 93-2024:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	6.6.3	Number of Signs	2	3

Required Variances:

After the application was submitted and reviewed by staff it was determined that the proposal requires additional variances. Since the notification issued only lists one variance, it's recommended to defer the application to allow proper public notification, to allow the applicant to alter their proposal to better align their proposal with the intent of

the Sign By-law, and to allow staff time to review the correct variances required to facilitate the proposal. Below is a list of the variance required based on the current proposal:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	6.6.3	Number of Signs	2	3
2	6.6.5	Maximum Total Sign Face Area	6.89 m ²	26.94 m ²
3	6.6.12.iv	No part of any GROUND SIGN shall be ERECTED within 30.0 m of a PERMANENT GROUND SIGN on the same LOT	30.0 m	16.55 m

3. PLANNING ANALYSIS:

The subject property, municipally known as 4470 North Service Road East, is developed with an existing manufacturing facility. The applicant is proposing the installation of three ground signs to provide identification for the site. The proposal requires relief from Provisions 6.6.3, 6.6.5, and 6.6.12.iv of Sign By-law 250-2004, as amended, to permit an additional ground sign, an increase in the maximum permitted total sign face area, and a reduction in the required separation distance between ground signs on the same lot.

Administration recognizes that the subject property has approximately 97 metres of frontage, which permits two ground signs as-of-right under the Sign By-law. While the applicant has demonstrated a desire to provide additional site identification, the proposed sign package significantly exceeds the intent of the Sign By-law by requesting a third ground sign, a total sign face area nearly four times greater than permitted, and a reduced separation distance between signs. Collectively, these variances result in a sign design that is not considered minor in nature.

Administration is of the opinion that the requested variances, as currently proposed, do not maintain the general intent and purpose of the Sign By-law. Collectively, these variances result in an excessive concentration of signage on the property. A revised sign design that better aligns with the permitted number, size, and spacing of ground signs may be capable of achieving the applicant's objectives while remaining more consistent with the established design parameters of the Sign By-law.

Accordingly, Administration recommends that the application be deferred to provide the applicant with an opportunity to revise the proposal. Should a revised design not be submitted that more closely aligns with the intent of the Sign By-law, Administration would not be in a position to support the requested variances.

PLANNING ACT

Subsection 45(1) of the Planning Act states that the Committee of Adjustment “*may, despite any other Act, authorize minor variance from the provisions of the by-law, in respect of the land building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained.*”

PROVINCIAL PLANNING STATEMENT (PPS) 2024

The Planning Staff has reviewed the relevant policies of the PPS - “Strategic Growth Areas” (Policy statement 2.4.1.2 b of the PPS). The requested minor variance is consistent with these policies, which direct planning authorities to focus commercial uses within strategic growth areas such as this stretch of Dougall Avenue.

OFFICIAL PLAN (OP)

The Minor Variance Policies in Section 11.6.6 are hereto attached as **Appendix A**. Section 11.6.6.2 outlines the evaluation criteria for minor variance applications.

The subject land is designated Manufacturing per the Official Plan. The proposed sign is for the Manufacturing use and is permitted. However, the requested variances do not meet the general intent and purpose of the Official Plan per Section 11.6.6.2(a).

The proposed sign is permitted and conforms to the sign by-law provisions, except for the requested variances. However, the general intent and purpose of the sign by-law being varied is not maintained.

The requested variances are not desirable as they significantly exceed the intent of the Sign By-law by requesting a third ground sign, a total sign face area nearly four times greater than permitted, and a reduced separation distance between signs. Collectively, these variances result in a sign design that is not considered minor in nature.

SIGN BY-LAW 250-2004, 84-2019 AND 93-2024

On June 23, 2026, an application was submitted by Vizable Identification Products on behalf of the owner, the ATWAN DEVELOPMENT INC. for a minor variance from the Sign By-law, particularly Provisions 6.6.3, 6.6.5, and 6.6.12.iv of By-law 250-2004, which states the following:

“6.6.3: Number of SIGNS - Where the LOT FRONTAGE is: 12.0 m to less than 75.0 m; 1 SIGN 75.0 m and greater; 1 SIGN for each additional 150.0 m or fraction thereof, to a MAXIMUM of 3 GROUND SIGNS.”

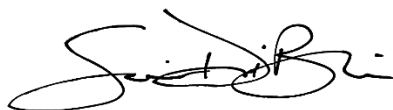
“6.6.5: MAXIMUM TOTAL SIGN FACE AREA - Square root of the STREET FRONTAGE (to which the SIGN relates) multiplied by 0.7. If more than one GROUND SIGN is erected, the MAXIMUM TOTAL SIGN FACE AREA shall be portioned between the SIGNS, but the MAXIMUM TOTAL SIGN FACE AREA permitted shall not be exceeded when all the GROUND SIGN FACE AREAS relating to the same STREET FRONTAGE are added together.”

“6.6.12.iv: SIGN Restrictions - No part of any GROUND SIGN shall: iv. Be ERECTED within 30.0m of a BILLBOARD GROUND SIGN or other PERMANENT GROUND SIGN on the same LOT”

Non-conformity has been outlined in Section 2 (THE REQUESTED VARIANCES) of this report as requested variances to the Sign By-law.

4. PLANNER’S OPINION:

The requested variances are not minor in nature and do not maintain the general intent and purpose of the Official Plan and Sign By-law 250-2004, as amended. The Planning Division recommends deferral of the applicant’s request to allow the applicant time to alter their application.



Sophia Di Blasi
Planner III – Urban Design

I concur with the above comments and opinion of the Planner III.

Laura Diotte

Laura Diotte MCIP, RPP
Manager of Development Applications

APPENDICES:

Appendix "A" - Excerpts from the Official Plan Volume I

Appendix "B" - Comments received by the Secretary Treasurer of the Committee of Adjustment

APPENDIX “A”

Excerpts From Official Plan Volume I

11.6.6 Minor Variance Policies

<i>COMMITTEE OF ADJUSTMENT EVALUATION CRITERIA</i>	11.6.6.1	Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law (s) and/or any other by-law that implements the Official Plan.
	11.6.6.2	When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that: (a) The general intent and purpose of the Official Plan, including the Strategic Directions, Goals and Objectives of the land use designation in which the property is located, is maintained; (b) The general intent and purpose of the By-law being varied is maintained; (c) The variance or the number of variances to the By-law are minor in nature, would not more appropriately be considered through an application to amend the Zoning By-law due to the cumulative impacts of the variances, preserves the pattern, scale and character of the blockface; (d) The variance(s) are generally not more than 20 percent above the By-law regulation being varied where the variances would increase the building envelope of a main building or accessory building containing a dwelling unit. For clarity this includes variances related to lot width; lot area; lot coverage; front, rear, and side yard depth; building height; and maximum gross floor area; and (e) The variance is desirable for the appropriate use of the land, building or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, would not cause a detriment, safety concerns, or would not detract from the character or amenity of nearby properties or the neighbourhood. The area of influence or the neighbourhood will vary with the scale of development and associated areas of potential impact.
<i>EXISTING UNDERSIZED LOTS</i>	11.6.6.3	Notwithstanding the provisions of sub-section (d) above, the Committee may give further consideration to variances required to enable appropriate development for existing undersized lots, where existing non-complying structures are being altered or where infilling and intensification is occurring provided that the Committee is satisfied that the provisions of 11.6.6.2 subsections (c) and (e) have been fully addressed.
<i>TERMS & CONDITIONS</i>	11.6.6.4	The Committee of Adjustment may attach such terms and conditions as it deems reasonable and appropriate to the approval of the application for a minor variance. The conditions shall relate directly to the impact of the variance and may include measures required to mitigate the impact of altering the zoning regulations on the resulting built form or property development, including but not limited to: a) Specifying architectural elements such as window location, outdoor amenity space, fencing or other screening and door location; b) Requiring additional landscaping including low impact design elements; c) Providing additional bicycle facilities in lieu of motor vehicle parking; and d) Improvement to grading and stormwater management.
<i>AGREEMENTS</i>	11.6.6.5	The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality and address the impacts of the variance dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies, and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.

APPENDIX “B”
Comments Received by the Secretary Treasurer of the Committee of Adjustment

Zoning Review

Requested variances from Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	6.6.3	Number of Signs	2	3
2	6.6.5	Maximum Total Sign Face Area	6.89 m2	26.94 m2
3	6.6.12.iv	No part of any GROUND SIGN shall be ERECTED within 30.0 m of a PERMANENT GROUND SIGN on the same LOT	30.0 m	16.55 m

Development, Projects & Right-of-Way

Our comments remain consistent with SPC-2025-01. Any requirements have been addressed through this process. This department has no objection to the applicant's request. (Lea Marshall)

Transportation Planner

Transportation Planning has no concerns regarding this application, provided that adequate sightlines are maintained for drivers at all times.

- Aashvi Sarvaiya, Transportation Planner I

Contact info: tda@citywindsor.ca (Aashvi Sarvaiya)

Windsor Police Service

The Windsor Police Service has no concerns or objections with any of the remaining applications listed in this agenda. In reviewing them, all are relatively minor in terms of their potential impact to public safety, security, or public disorder. None of the applications to be considered are therefore anticipated to create outcomes that will negatively impact the ability of the Windsor Police Service to provide proper and adequate response to incidents, whether emergency or non-emergency in nature, and other service delivery requirements.

Respectfully,

Barry Horrobin

Director of Planning & Physical Resources
Windsor Police Service (Riley Dufour)