

10. Exemption to Permanent Signs on Private Property By-Law - Mural at 13 O'Meara Avenue

Exemption au Règlement régissant les enseignes permanentes sur des propriétés privées – Peinture murale au 13, avenue O'Meara

COMMITTEE RECOMMENDATIONS

That Council approve an exemption to Section 140 (2) and 141 (b) & (c) of the Permanent Signs on Private Property By-law 2016-326, as amended to:

1. allow a mural on a residential building in a residential zone, which is not adjacent to a commercial, industrial or institutional zone and has not been subject to graffiti, to be located on the side wall at 13 O'Meara Avenue;
2. allow this request beyond the general application process for minor variances found in the delegation of authority provisions By-law 2016-326.

RECOMMANDATIONS DU COMITÉ

Que le Conseil approuve une exemption aux articles 140 (2) et 141 (b) et (c) du Règlement régissant les enseignes permanentes sur des propriétés privées, dans sa version modifiée afin :

1. qu'une murale puisse être réalisée sur le mur latéral d'un bâtiment résidentiel en zone résidentielle situé au 13, avenue O'Meara, qui n'est pas adjacent à une zone commerciale, industrielle ou institutionnelle, et qui n'a pas fait l'objet de graffiti.
2. de traiter cette demande indépendamment du processus général de demande de dérogation mineure mentionné dans les dispositions relatives à la délégation de pouvoirs du Règlement no 2016-326.

DOCUMENTATION/DOCUMENTATION

1. Councillor J. Leiper's report, Kitchissippi ward, dated March 12, 2019 (ACS2019-CCS-PLC-0007)

Rapport du conseiller J. Leiper, quartier Kitchissippi, daté le 12 mars 2019
(ACS2019-CCS-PLC-0007)

2. Extract of draft Minutes, Planning Committee, March 28, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 28 mars
2019

Report to
Rapport au:

Planning Committee
Comité de l'urbanisme
28 March 2019 / 28 mars 2019

and Council
et au Conseil
10 April 2019 / 10 avril 2019

Submitted on March 12, 2019
Soumis le 12 mars 2018

Submitted by
Soumis par:
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Ward: KITCHISSIPPI (15)

File Number: ACS2018-CCS-PLC-0007

SUBJECT: Exemption to Permanent Signs on Private Property By-Law - Mural at
13 O'Meara Avenue

OBJET: Exemption au *Règlement régissant les enseignes permanentes sur
des propriétés privées* – peinture murale au 13, avenue O'Meara

REPORT RECOMMENDATIONS

That Planning Committee recommend that Council approve an exemption to
Section 140 (2) and 141 (b) & (c) of the Permanent Signs on Private Property By-
law 2016-326, as amended to:

1. allow a mural on a residential building in a residential zone, which is not adjacent to a commercial, industrial or institutional zone and has not been subject to graffiti, to be located on the side wall at 13 O'Meara Avenue;
2. allow this request beyond the general application process for minor variances found in the delegation of authority provisions By-law 2016-326.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver une exemption aux articles 140 (2) et 141 (b) et (c) du *Règlement régissant les enseignes permanentes sur des propriétés privées*, dans sa version modifiée afin :

1. qu'une murale puisse être réalisée sur le mur latéral d'un bâtiment résidentiel en zone résidentielle situé au 13, avenue O'Meara, qui n'est pas adjacent à une zone commerciale, industrielle ou institutionnelle, et qui n'a pas fait l'objet de graffiti.
2. de traiter cette demande indépendamment du processus général de demande de dérogation mineure mentionné dans les dispositions relatives à la délégation de pouvoirs du *Règlement n° 2016-326*.

BACKGROUND

The City of Ottawa's Mural Program has been successful in supporting arts and culture, deterring graffiti, and adding a unique layer of beauty and character to our City. As part of this process, the Building Code Services Branch reviews mural proposals to assess compliance with the Permanent Signs on Private Property By-law with respect to location, appropriate zoning and mural content. A mural approval does not require a permit and there is no fee for the associated staff review.

The property at 13 O'Meara is zoned Residential Fourth Density (R4H) under the City's Zoning By-Law. By-law 2016-326 does not permit murals on residential buildings or structures in a residential zone unless the property directly abuts a commercial, industrial or institutionally zoned property and has a documented history of graffiti. The surrounding area around the subject building is residential. There has been no reported incidents of graffiti at this location. The property consists of a two-storey residential building clad in painted white panelling.

The owner of 13 O'Meara has proposed to fund a mural on the west-facing wall of the residential property. He has secured local artist Arpi to design and complete the mural, which will feature depictions of a fox, mandala, trestle bridge, ladybug and blades of grass in Arpi's signature style, adding natural elements and vibrancy to the neighbourhood.

DISCUSSION

The property owner has requested this exemption to the Sign By-law to beautify the otherwise blank side-yard elevation of his property and to promote local arts within the community. The placement of the mural on the west-facing wall of 13 O'Meara will not be obtrusive to local residents and will invigorate the immediate vicinity. Although not a wall subject to reported graffiti, having a mural at this location can lessen the possibility of this wall being tagged in the future.

The theme of the mural will invoke the combination of natural and urban elements, which is indicative within the Hintonburg Community. Hintonburg is an area of Ottawa with a strong socioeconomic diversity, and the mural would represent the strength of this vibrant and healthy community (Document 1).

The mural will be visible to traffic travelling down O'Meara and those residing west of the location. The immediate neighbours and the Hintonburg Community Association have been consulted, and encourage the project.

RURAL IMPLICATIONS

There are no specific rural implications associated with this report.

CONSULTATION

The property owner of 13 O'Meara consulted 9 neighbours in the immediate area who were all in favour and supportive of the mural.

The Hintonburg Community Association has been consulted and the association has no objection to this mural. In addition, the group has provided a letter of support (Document 3).

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Leiper is fully supportive of the mural and has provided the following comments:

I am very pleased to support this mural that will be painted by local artist Arpi. We have had an extensive discussion with neighbours and are certain that it will be welcomed by residents. The murals are increasingly commonplace in Hintonburg and Mechanicsville, and I am looking forward to a quick review of the signs by-law to eliminate the need to seize Council with these routine applications.

LEGAL IMPLICATIONS

There is no legal impediment to the adoption of the recommendations in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

HC4-Support arts, heritage and culture.

SUPPORTING DOCUMENTATION

Document 1: Artist's rendering of proposed mural

Document 2: Location Map and Streetview

Document 3: Community Letters of Support

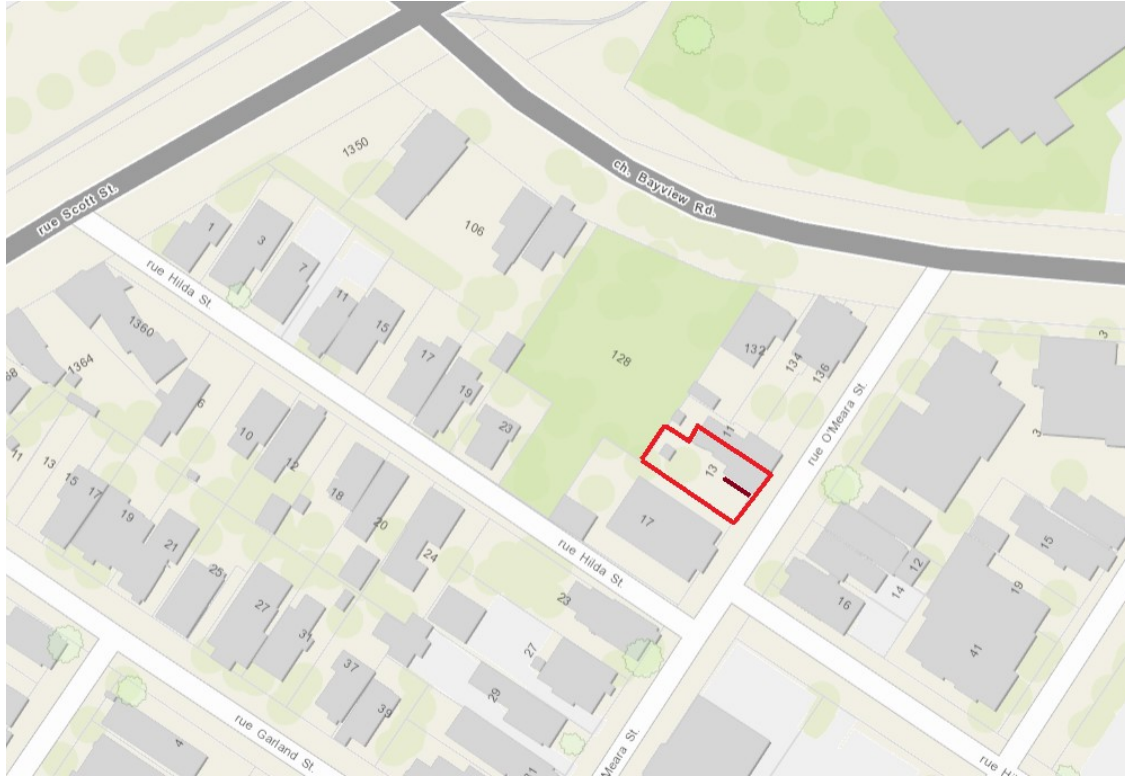
DISPOSITION

Staff will implement Council's decision, as directed.

Document 1: Artist's rendering of proposed mural



Document 2: Location Map and Street View



Building on left side is where the mural would be installed on west-facing wall

Document 3: Community Letter of Support



December 4th, 2018

Jeff Leiper
Councillor, Kitchissippi Ward

Good morning, Jeff,

The proposed mural for 13 O'Meara was on the agenda for the HCA Board of Directors meeting held last evening.

The board was unanimously in favour of the mural proceeding. We understand that the neighbours contiguous to 13 O'Meara are supportive as well.

I have asked our arts committee to propose a mechanism whereby we work with your office to participate in the approval process of any other murals being proposed for private property and to any of our commissions in partnership with business owners and other entities in Hintonburg.

We look forward to enjoying the new mural.

Regards,

Larry Hudon
—
President, Hintonburg Community Association

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