

9. Exemption to the Permanent Signs on Private Property By-law – Residential Mural at 164 Arthur Street

Exemption au *Règlement régissant les enseignes permanentes sur les propriétés privées* – murale résidentielle au 164, rue Arthur

Committee recommendation

That Council approve an exemption to Section 140 (2) and 141 (b) and (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 been subject to graffiti, to be located on the side wall at 164 Arthur Street;
2. allow this request beyond the general application process for minor variances found in the delegation of authority provisions By-law 2016-326.

Recommandation du Comité

Que le Conseil approuve une exemption aux paragraphes 140 (2) et 141 (b) et (c) du *Règlement régissant les enseignes permanentes sur les propriétés privées* (no 2016-326), 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 164, rue Arthur, qui ne jouxte pas une zone commerciale, industrielle ou institutionnelle et qui a fait l'objet de graffitis.
2. de traiter cette demande indépendamment du processus général de demande de dérogation mineure énoncé dans les dispositions relatives à la délégation de pouvoirs du Règlement no 2016-326.

Documentation/Documentation

1. Councillor Catherine McKenney's report, dated March 12, 2020 (ACS2020-OCC-PLC-0002)

Rapport de la conseillère Catherine McKenney, daté 12 mars 2020
(ACS2020-OCC-PLC-0002)

2. Extract of draft Minutes, Planning Committee, April 9, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 9 avril
2020

Report to
Rapport au:

Planning Committee
Comité de l'urbanisme
9 April 2020 / 9 avril 2020

and Council
et au Conseil
22 April 2020 / 22 avril 2020

Submitted on March 12, 2019
Soumis le 12 mars 2018

Submitted by
Soumis par:
Councillor / Conseillère Catherine McKenney

Contact Person
Personne ressource:
Catherine McKenney
Councillor / Conseiller
(613) 580-2485, Catherine.McKenney@ottawa.ca

Ward: SOMERSET (14)

File Number: ACS2020-OCC-PLC-0002

SUBJECT: Exemption to the Permanent Signs on Private Property By-law –
Residential Mural at 164 Arthur Street

OBJET: Exemption au *Règlement régissant les enseignes permanentes sur
les propriétés privées* – murale résidentielle au 164, rue Arthur

REPORT RECOMMENDATIONS

That Planning Committee recommend that Council approve an exemption to Section 140 (2) and 141 (b) and (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 been subject to graffiti, to be located on the side wall at 164 Arthur Street;**
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 paragraphes 140 (2) et 141 (b) et (c) du *Règlement régissant les enseignes permanentes sur les propriétés privées* (n° 2016-326), 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 164, rue Arthur, qui ne jouxte pas une zone commerciale, industrielle ou institutionnelle et qui a fait l'objet de graffitis.**
2. **de traiter cette demande indépendamment du processus général de demande de dérogation mineure énoncé 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 164 Arthur Street 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 building is in a residential zone; however, graffiti has been applied to the north-facing wall of the building and evidence of its removal is still apparent. The property consists of a three-storey residential brick building.

The owner of 164 Arthur Street has proposed to fund a mural on the north-facing wall of the residential property. She has secured local artist Ariane Beauchamp to design and complete the mural, which will feature depictions of a mallard in earthy and neutral tones in Ariane Beauchamp'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 her property to deter future graffiti attempts, and to promote local arts within the community. The placement of the mural on the north-facing wall of 164 Arthur Street will not be obtrusive to residents and will invigorate the immediate vicinity. Having a mural at this location can lessen the possibility of this wall being tagged again in the future.

The mural will be visible to traffic travelling on Arthur Street and Christie Street and those residing North of the location. The immediate neighbours have been consulted and encourage the project.

The property at 164 Arthur Street is on the Heritage Register and is currently not designated under the *Ontario Heritage Act*. Heritage Services staff have reviewed this report and have no heritage concerns with a mural being painted at this location, since staff support mural artwork to prevent future instances of graffiti.

RURAL IMPLICATIONS

There are no specific rural implications associated with this report.

CONSULTATION

The property owner of 164 Arthur Street consulted five neighbours in the immediate area who were all in favour and supportive of the mural.

The Dalhousie Community Association has been consulted and the association has no objection to this mural.

COMMENTS BY THE WARD COUNCILLOR

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

“I fully support a mural on this property, especially considering past instances of graffiti on the building. The property owner has commissioned local artist, Ariane Beauchamp, to create a piece that adds beauty and interest to this corner property. This mural represents a chance to beautify a building previously tagged with graffiti, and I look forward to its installation at 164 Arthur Street.”

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the report recommendations.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management issues related to 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 Street View and Location Map

DISPOSITION

Staff will implement Council's decision, as directed.

Document 1 – Artist's rendering of purposed mural



Document 2 – Street View and Location Map



The mural would be installed on the graffiti-impacted north facing wall

