



Report
Staff Report
 The Corporation of the City of Brampton
 1/13/2025

Date: 2025-01-02

Subject: **Information Report – Creation of Zoning By-law Regulations to Apply to Large Statues and Monuments**

Contact: Nicole Hanson, Principal Planner/Supervisor, Development Services & Design
 Alex Sepe, Manager, Development Services & Design

Report number: Planning, Bld & Growth Mgt-2024-857

RECOMMENDATIONS:

1. That the report from Nicole Hanson, Principal Planner/Supervisor, Development Services & Design to the Planning and Development Committee Meeting of January 13, 2025 re: **Information Report – Creation of Zoning By-law Regulations to Apply to Large Statues and Monuments** be received; and
2. That Staff be directed to develop Zoning By-law performance standards for tall statues and monuments and incorporate those performance standards through the public meeting associated with the City's Comprehensive Zoning By-law Review, to be scheduled before the end March 2025.

OVERVIEW:

- **In recent years the City has received requests for large statues/monuments to be erected.**
- **Statues, monuments, cenotaphs and ornamental structures are subject to the City of Brampton Site Plan Review process however, the current Zoning By-law does not currently provide the performance standards to regulate their maximum height, and minimum setbacks from property lines, to help ensure the installations do not create inappropriate shadowing, block views, have an imposing nature, or otherwise negatively affect abutting properties or the community.**

- **Detailed in this report is a benchmarking analysis of zoning by-laws from several Ontario municipalities that regulate monuments, statues, cenotaphs and ornamental structures.**
- **The recommended action is for staff to develop zoning performance standards for tall statues/monuments and incorporate those performance standards through the City's ongoing Comprehensive Zoning By-law Review.**
- **There are no financial implications associated with the information of this report.**

CURRENT SITUATION:

City staff have recently received requests to install large monuments/statues in the City. Although the City's Site Plan Approval Process can be used to ensure a review of the proposed statues/monuments, staff have limited authority to require changes to their proposal if it is determined that the statue/monument is too tall, or located inappropriately on the site, and thereby negatively impacting abutting properties or the community. Staff's authority is limited in this way due to the current Zoning By-law not containing performance standards to regulate these structures.

Due to the current provisions of the Zoning By-law, Zoning staff need to interpret statues/monuments as landscaping features that are not subject to maximum height and size, and minimum setback requirements that apply to buildings in the Zoning By-law. This undermines staff's ability to ensure these structures are constructed in accordance with good planning and design principles.

Specific provisions for statues/monuments are believed to be especially important because these types of structures are also not regulated under the Ontario Building Code. As well, because the Planning Act does not require public consultation in association with Site Plan matters, there is no requirement for area residents to be consulted to provide comments or express any concerns.

Through staff's recent benchmarking with other municipalities, we see that several municipalities classify statues and monuments as structures and apply their Zoning performance standards accordingly. Taking a similar approach in Brampton will improve how these types of proposals are regulated helping to ensure large statues/monuments are properly planned, and do not adversely affect abutting communities.

Benchmarking - Municipal Zoning By-law and Design Standard

Several municipalities in Ontario have implemented City-wide Zoning By-law standards to regulate the height, location and setbacks of statues, monuments and cenotaphs. The following provides a brief overview of different municipal approaches.

City of Vaughan

The City of Vaughan identifies statues and monuments as 'Accessory Uses, Building and Structures' under Section 4.1 of their Zoning By-law. Included within the By-law are performance standards for regulating statues, such as location, setbacks, lot coverage and maximum height. For example, in residential zones the maximum height of an accessory structure is 3m.

City of Mississauga

The City of Mississauga identifies statues as an 'Accessory Structure', and the maximum height of accessory structures is determined based on the size of the property upon which it is to be erected. Recently, a religious statue (Buddha), with a height of 7.6m, was approved by their Committee of Adjustment at 3141 Cawthra Road. Due to the site characteristics in that scenario, the as of right Zoning permissions allowed a maximum height of 3.5m (11.5 feet).

City of Markham

In Markham statues are identified as a structure in their Zoning By-law, and are subject to height requirements of the Zoning By-law. In 2017 an 8-metre tall statue of a cow was erected at 36 Charity Crescent. The subject site is zoned Open Space – Public which permits structures with a maximum height of 11 metres. City Council voted to have the statue removed in 2018 amidst resident concerns of the statue height and design.

Town of Richmond Hill

The Town of Richmond Hill permitted a large statue located at 8640 Yonge St, Richmond Hill (Vishnu Mandir). The site contains a site-specific zoning by-law that includes regulations applicable to the site. The statue on the site was reviewed as a 'structure' and was subject to the regulations, such as yard setbacks and height permissions.

City of Niagara Falls

The City of Niagara Falls permitted the development of a monument at 4871 Willmott Street. The monument was permitted subject to the provisions of site-specific zoning by-law. The by-law outlined a fixed location of the monument, the maximum allowable area and a maximum height of 3.7m.

CORPORATE IMPLICATIONS:

Financial Implications:

There are no financial implications associated with the recommendations of this report.

Other Implications:

There are no other Corporate implications.

STRATEGIC FOCUS AREA:

- **Health & Well-being:** Statues and monuments, depending on their size/scale and general appropriateness can either contribute to or detract from the overall place making of a community; enhance or worsen the aesthetic value of public spaces, affecting the sense of pride and belonging among residents.
- **Growing Urban Centres & Neighbourhoods:** Implementing appropriate regulations for statue would help in the creation of cultural landscapes within growing communities and neighbourhoods that are strong and connected.
- **Culture and Diversity:** Secular and non-secular statues and monuments significantly contribute to cultural diversity, cross-cultural understanding, and supporting artistic expression and production of urban memory.
- For more information about the Strategic Focus Areas, visit <https://www.brampton.ca/EN/City-Hall/Strategic-Planning/Pages/Welcome.aspx>

CONCLUSION:

By implementing zoning by-law requirements for large statues, the City can help to ensure that these developments will not exceed appropriate heights, mitigating the risk of negative impacts, such as excessive shadowing, blocking of views, having an imposing character, or generally being unsightly for those on neighboring properties.

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