

Clause embodied in Report No. 1 of the Scarborough Community Council, as adopted by the Council of the City of Toronto at its regular meeting held on February 4, 5 and 6, 2003.

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**Final Report
Zoning By-law Amendment Application TF ZBL 2002 0018
Nick Brokalakis, 2635 Victoria Park Avenue
L'Amoreaux Community
(Ward 40 - Scarborough Agincourt)**

(City Council at its regular meeting held on February 4, 5 and 6, 2003, adopted this Clause, without amendment.)

The Scarborough Community Council recommends that:

- (1) the recommendation in the following report (January 6, 2003) from the Director of Community Planning, East District, to refuse this application, be struck out;**
- (2) the applicant be requested to submit an Official Plan Amendment application to accommodate the Zoning By-law Amendment; and**
- (3) a Public Meeting under the Planning Act, to consider the Official Plan and Zoning By-law Amendments, be targeted for the Special meeting of Community Council to be held on February 20, 2003.**

Recorded vote on the question of the adoption of the foregoing recommendation:

Yeas: Councillors Altobello, Balkissoon, Berardinetti, Duguid, Kelly, Shaw -6

Nays: Councillor Ashton -1

The Scarborough Community Council submits the following report (January 6, 2003) from the Director of Community Planning, East District:

Purpose:

This report reviews and recommends refusal of the application to amend the L'Amoreaux Zoning By-law to permit a roof-mounted sign on the existing building at 2635 Victoria Park Avenue.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council refuse the application to amend the L'Amoreaux Community Zoning By-law for the former City of Scarborough to permit a roof-mounted sign on the existing building at 2635 Victoria Park Avenue.

Background:

Proposal

The application is for a Zoning By-law amendment to permit a roof-mounted sign on the existing building.

Site and Surrounding Area

The property comprises 0.37 hectares (.76 acres) of land at the northeast corner of Victoria Park Avenue and Sheppard Avenue East. The site is developed with a 882.6 square metre (9,500 square feet) retail commercial building with a 650 square metre (7,000 square feet) bank fronting on Sheppard Avenue East and a 232.3 square metre (2,500 square feet) Coffeetime shop facing Victoria Park Avenue (Attachment 1).

Adjacent lands to the east contain a small retail commercial plaza and to the west and south comprise retail commercial uses. Lands to the north and further east comprise apartment development. Lands to the southwest comprise a major office complex.



There is an existing roof-mounted sign on the existing commercial building to the east, which pre-dates the current regulations for signs.

Official Plan

The subject lands are designated Highway Commercial Uses and Place of Worship. As well, the following policy applies generally to the former City of Scarborough: "It is Council's policy not to allow roof mounted Non-Accessory Third Party Signs."

The new Toronto Official Plan, which has been adopted by Council, but which is awaiting approval by the Minister of Municipal Affairs and Housing, designates the site as “Mixed Use” which provides for “a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.” The new Toronto Official Plan does not explicitly address the issue of commercial signage, but Public Realm and Built Form policies seek to ensure quality urban design by “ensuring new development enhances the quality of the public realm”, and that new development is “located and organized to fit with its neighbours or planned context”.

Zoning

The lands are zoned Highway Commercial (HC) and Place of Worship (POW). The Highway Commercial zone permits the existing retail uses. As well, there is a general prohibition of Non-Accessory, Roof-mounted Signs.

Site Plan Control

The application is for the addition of roof-mounted signs to the list of permitted uses. There is an existing Site Plan Control agreement, registered on title for this property. If Council were to approve amendments to the Zoning By-law and the Sign By-law to permit the installation of this sign, it would also be necessary to amend the existing Site Plan Control Approval and agreement to permit the installation of the proposed sign.

Reasons for Application

Roof-mounted signs are specifically prohibited in the Zoning By-law, therefore, a Zoning By-law amendment is required to permit the proposed sign. A Preliminary Project Review indicated that the subject proposal would also require variances to the Sign By-law.

Community Consultation

Staff are recommending refusal of this application so a Community Information Meeting is not necessary.

Agency Circulation

The application was discussed with staff of Building Division, who would be responsible for processing any application for variances to the Sign By-law. They have indicated that the Sign By-law does not permit roof-mounted signs and they would therefore not support an application for variances to permit the subject proposed sign.

Conclusions

The Official Plan for the former City of Scarborough contains a clear policy against allowing third-party, roof-mounted signs. The former City of Scarborough did extensive studies in establishing policies for signs, resulting in the existing Zoning By-law prohibition of roof-mounted signs and current Sign By-law standards. Scarborough clearly wanted to prevent

the erection of additional third-party roof-mounted signs to avoid the visual intrusion and clutter which would result from a proliferation of such signage. The new Toronto Official Plan, adopted by Council in November, does not contain explicit policies pertaining to third-party signage, but it does contain policies promoting attractive streetscapes and maintaining and enhancing the character of local neighbourhoods. Maintaining the current prohibition of roof-mounted third-party signage conforms fully with these policies.

In light of the foregoing, it is recommended that Council refuse the application for a Zoning By-law Amendment to permit the proposed roof-mounted sign.

Contact:

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(The attachment referred to in the foregoing report was included in the Agenda for the Scarborough Community Council meeting held on January 21, 2003, and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.)

Speros Kanellos, Solicitor for the applicant, appeared before the Community Council in connection with the foregoing matter.