



STAFF REPORT ACTION REQUIRED

Sign Variance Report 10 Wickman Road

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| Date: | June 7, 2007 |
| To: | Etobicoke York Community Council |
| From: | Edward Tipping, Director and Deputy Chief Building Official |
| Wards: | Etobicoke-Lakeshore, Ward 5 |
| Reference Number: | 2007EY017 |

SUMMARY

This staff report is about a matter for which the Etobicoke York Community Council has been delegated authority from City Council, to make a final decision.

On May 7, 2007, Toronto Building received a sign variance application request from Rav Banwait, Applicant, on behalf of John and Mary Kudlak, Owners, for approval of variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, to install a 18.29 metre height Third Party Illuminated Ground Sign with a display area of 62.43 square metres, within 23 metres of the former Provincial Highway, on 10 Wickman Road.

RECOMMENDATIONS

Toronto Building recommends that Etobicoke York Community Council:

1. Refuse the request for a sign variance for the reasons outlined in this report.

FINANCIAL IMPACT

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

BACKGROUND

On June 5, 1998 Council adopted By-Law No. 280-1998, to prohibit Third Party Signs, as an interim measure, on lands adjacent to certain former Provincial Highways until such time as Council has had an opportunity to enact a comprehensive Sign By-law.

City Council, on July 29, 30 and 31, 1998, adopted the Clause embodied in Report No. 9 of the Urban Environment and Development Committee for an “Interim Third Party Advertising Sign Minor Variance Process for Areas Abutting the F.G. Gardiner Expressway (Formerly the Queen Elizabeth Way), Eglinton Avenue West, Highway 2, Highway 2A and Highway 27”.

The report recommends the following:

1. The Commissioner of Urban Development Services receive applications involving minor variances from the by-law relating to the recently transferred portions of Highways 27, 2, 2A and the F.G. Gardiner Expressway;
2. The review of these applications for minor variance be undertaken by appropriate staff of Urban Development Services, in consultation with the staff of Works and Emergency Services, using the Ministry of Transportation of Ontario Commercial Sign Policy as a guideline, as outlined in this report; and
3. The Commissioner of Urban Development Services prepare a report on each application to be forwarded to the appropriate Community Council for approval by Council.

The report outlines that staff could use the Ministry of Transportation of Ontario Commercial Sign Policy as a guideline, in conjunction with other urban design and site specific planning considerations, including Official Plan policies. Also, the 45-metre prohibition on Third Party Signs that is embodied in the existing Metro Sign By-law will be adhered to in reviewing these minor variance applications.

COMMENTS

The proposed sign is 18.29 metres (60 feet) in height with a display area of 62.43 square metres (672 square feet), and is located less than 23 metres (75 feet) from the Gardiner Expressway (former QEW) at 10 Wickman Road. This property and all adjacent properties are zoned IC1, and the nearest residential zone is more than 240 metres from the proposed sign.

The sign does not comply with By-law No.280-1998 “to prohibit third party signs, as an interim measure, on lands adjacent to certain former provincial highways” since it is located within 400 metres of F.G. Gardiner Expressway. Furthermore, the proposed sign does not comply with the Ministry of Transportation of Ontario Commercial Sign Policy, which is the Guideline for the “Interim Third Party Advertising Sign Minor Variance Process “ for above-mentioned former Provincial Highways, in the following ways:

| MTO Commercial Sign Policy (where posted speed more than 50 km/hr) | Applicant’s Proposal | Required Variance |
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| (1) Height must not exceed 8 metres above the ground | Proposed sign is 18.29 metres in height | The proposed sign is more than twice the height as permitted. |
| (2) Display area of a sign must not exceed 60 square metres | Proposed sign has a display area of 62.43 square metres | Display area of the proposed sign is exceeding the maximum display area requirements of the guidelines. |
| (3) No signs are to be placed within 23 metres of the highway property line | Proposed sign is located less than 23 metres from the highway | Proposed sign will be approximately 18 metres from the property line of the highway. |
| (4) Display area of a sign up to and including 11.9 square metres must be setback 23 metres from highway property line | Proposed sign has a display area of 62.43 square metres and less than 23 metres of the highway | No sign is permitted within 23 metres of a highway property line, and signs larger than 60 square metres are not permitted within 400 metres of a highway. The proposed sign is not in compliance with these limits. |
| (5) Display area of a sign greater than 60 square metres will not be allowed within 400 metres of the highway property line | Proposed sign has a display area of 62.43 square meters and less than 23 metres of the highway | The proposed sign is larger than any sign permitted within 400 metres of a highway. |
| (6) No other sign to be placed within 305 metres of another billboard sign per direction, provided there are no left hand billboard signs facing the motorist | Proposed sign will be approximately 110 metres from another billboard sign located at east side of Wickman Road | There are three existing signs within 305 metres to the south of the proposed sign. |

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| (7) In situations where billboard signs have been placed to be viewed on the left hand side of the highway, no additional billboard will be permitted within the spacing requirements on the opposite side of the highway | Proposed sign will be located within 155 metres from a billboard sign on the south of the highway structure | There are several existing billboard signs on both sides of the highway, which will be located within 305 metres of the proposed sign. |
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The sign does not comply with Chapter 215, Signs, of the former City of Etobicoke Municipal Code in the following ways:

| Sign By-law Section & Requirements | Applicant's Proposal | Required Variance |
|---|---|---|
| 1. 215-12(D) does not permit any standardized outdoor advertising ground sign to exceed 7.7 metres in height | Applicant is proposing a standardized outdoor advertising sign 18.29 metres in height. | The proposed sign is more than twice the height of a ground sign that is permitted. |
| 2. 215-22(C)(3)(a) permits a standardized outdoor advertising ground sign with a maximum display area of 19 square metres, where lot frontage is more than 30 metres but less than 60 metres. | Applicant is proposing a standardized outdoor advertising ground sign with a display area of 62.43 square metres. | The proposed sign is more than three times the display area of a ground sign that is permitted. |

The applicant is proposing a sign that will be located approximately 18 metres off the highway property line, where no sign is permitted under the Ministry of Transportation of Ontario Commercial Sign Policy. Furthermore, the display area of the proposed sign is larger than any sign permitted within 400 metres of a highway under the Policy.

The proposed sign is 18.29 metres in height whereas a maximum of 8 metres is permitted, and the overhead highway structure is approximately 9 metres above ground level and is therefore not in compliance with the former City of Etobicoke Sign Code.

Considering that the height and display area not only exceeds the permitted size but there are several existing signs within separation requirement of the policy and therefore, the sign variance application should be refused.

CONTACT

Sait Toprak
Manager, Plan Examination
Tel: (416) 394-8010
Fax: (416) 394-8209
E-mail: stoprak@toronto.ca

Edward Tipping P.Eng
Director of Building and
Deputy Chief Building Official
The Etobicoke York District

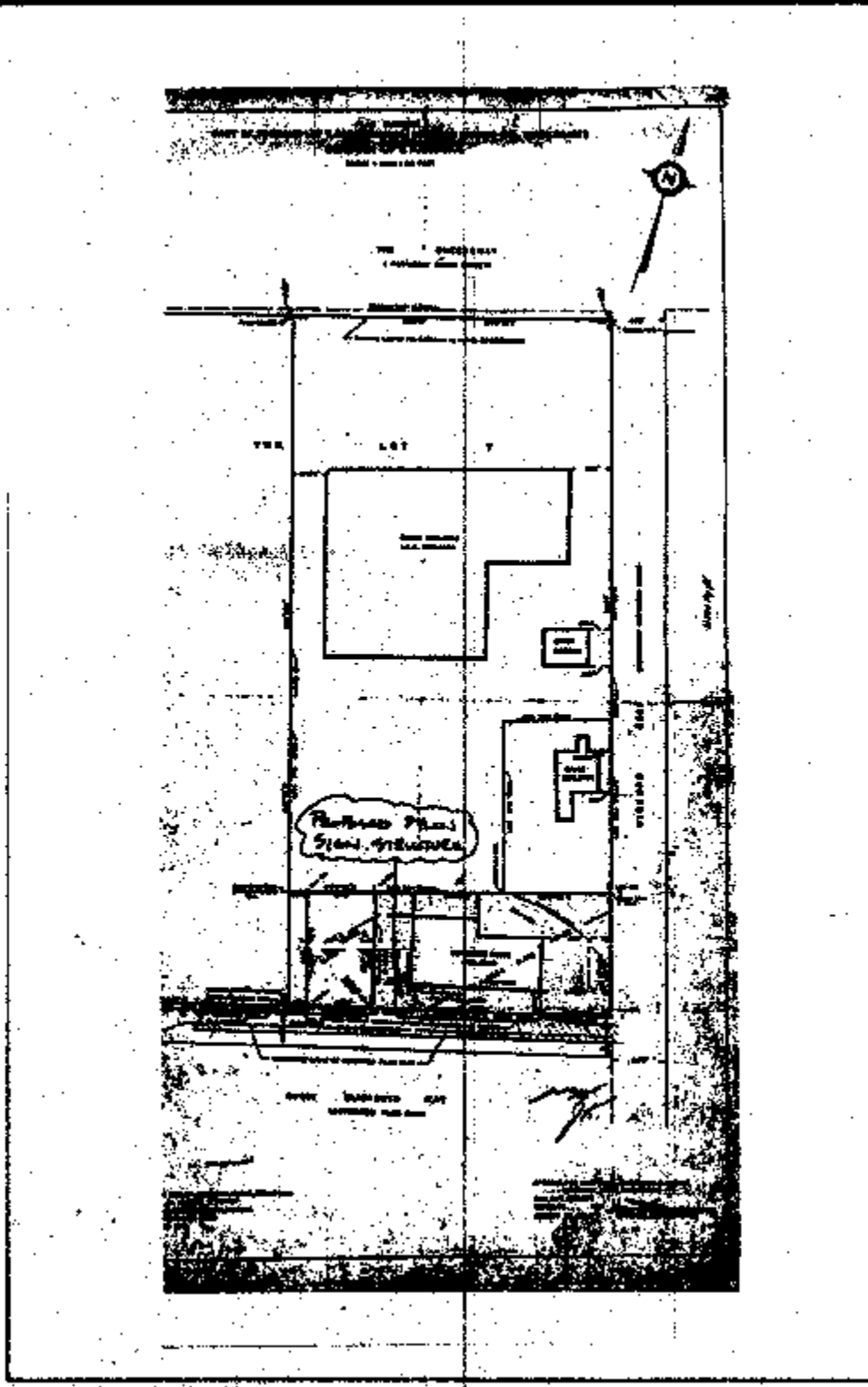
ATTACHMENTS

1. Site Plan
2. Elevation

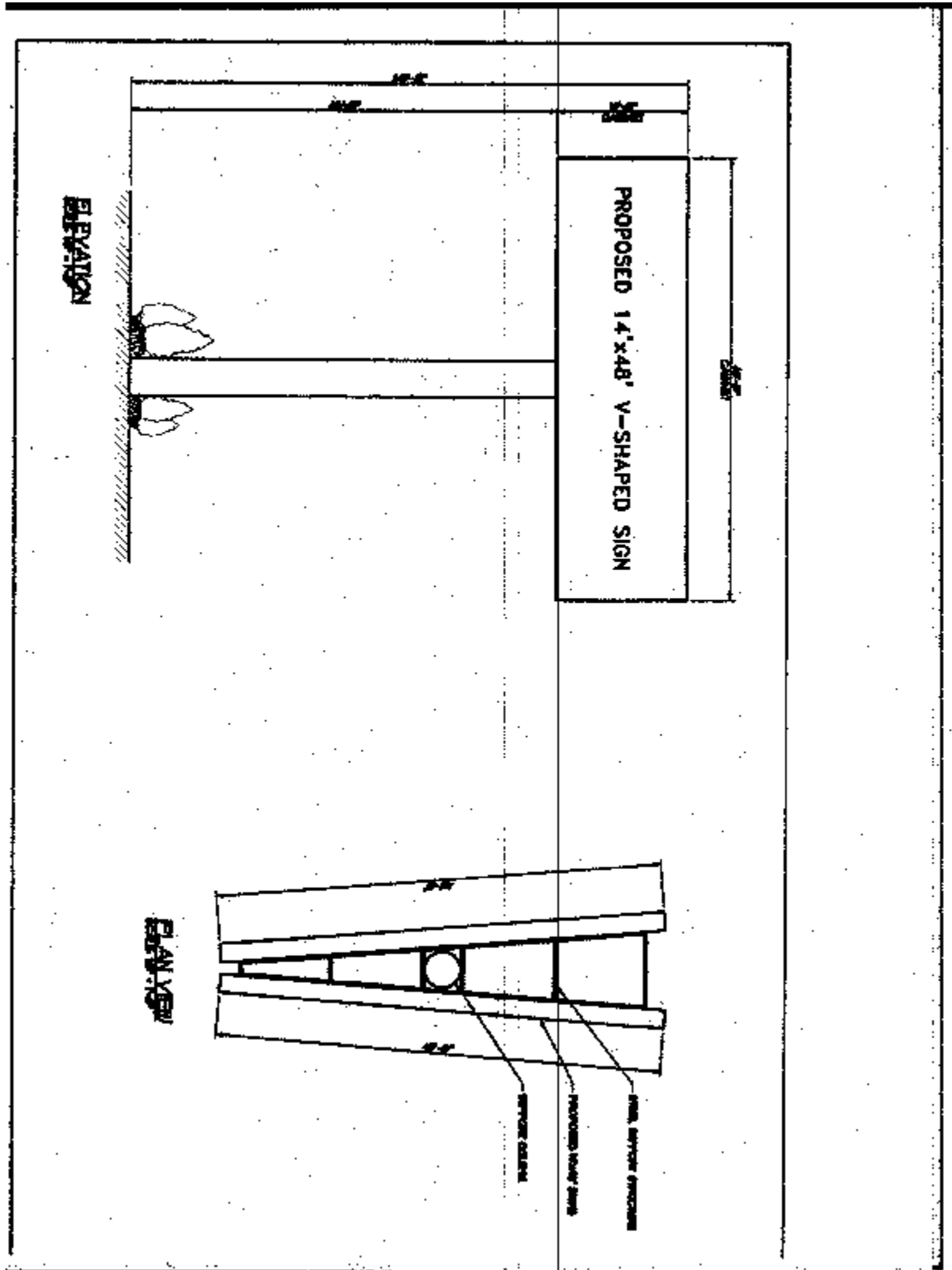
CONTACT:

Rav Banwait
Media Outdoor Media
6 Humberline Drive
Toronto, Ontario
M9W 6X8

Tel: (416) 675-9997
Fax: (416) 674-0434



Site Plan



Elevation