

**Sign Variance Report
16 Queen Elizabeth Blvd**

Date:	July 31, 2007
To:	Etobicoke York Community Council
From:	Edward Tipping, Director and Deputy Chief Building Official
Wards:	Etobicoke-Lakeshore, Ward 5
Reference Number:	2007EY025

SUMMARY

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

Toronto Building received a request for approval of variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, from Dominic Rotunda, the applicant on behalf of #1257217 Ontario Inc., owner of the property. The request is to install a Third Party Illuminated Roof Sign with a display area of 18.58 square metres and 30 metres of a former provincial highway, at 16 Queen Elizabeth Blvd.

RECOMMENDATIONS

Toronto Building recommends that:

1. the request for variance be approved for the reasons outlined in this report; and
2. the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permit.

FINANCIAL IMPACT

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

BACKGROUND

On June 5, 1998 Council adopted a bylaw (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 that:

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 prepares a report on each application to be forwarded to the appropriate Community Council for approval by Council.

The report also indicates 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 roof sign is 3.96 metres above the roof and has a display area of 18.58 square metres (200 square feet), and to be located 30 metres (100 feet) from Gardiner Expressway (former QEW) at 16 Queen Elizabeth Blvd. This property and all adjacent properties are zoned IC1. The nearest residential zone is to the north, and to the south, is more than 130 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, and does not comply with the Ministry of Transportation of Ontario Commercial Sign Policy, which is a 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
(1) 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	The proposed sign will be approximately 140 metres from another billboard sign that is located at 36 Queen Elizabeth Blvd.	There is one existing sign within 305 metres west of the proposed sign.

The sign does not comply with Chapter 215, Signs, of the former City of Etobicoke Municipal Code in the following way:

Sign By-law Section & Requirements	Applicant’s Proposal	Required Variance
3. 215-22(C) (4) The minimum distance between two sites of any two standardized outdoor advertising roof sign shall be 230 metres.	The applicant is proposing a standardized outdoor advertising roof sign 140 metres away from an existing roof sign.	There is an existing roof sign within 230 metres of the proposed sign.

Initially, the applicant was proposing a third party ground sign that was much higher, larger and closer to highway than the present proposal. After an initial review, the applicant revised the proposal to a roof sign that is in compliance with the all requirements of the Sign Code, as well as requirements of the Ministry of Transportation of Ontario Guidelines, except the separation requirements.

The Ministry of Transportation of Ontario Commercial Sign Policy requires that a third party sign with a display area of over 11.9 square metres but less than 18.60 square metres must have a setback minimum of 30 metres from highway property, and the height of a third party sign not to exceed 8 metres.

The proposed sign is in compliance with the MTO Guidelines and the former City of Etobicoke Sign Code in regards to height and display area. However, with reference to separation requirements of 305 metres and 230 metres respectively, it is not in compliance with the MTO Guidelines and the Sign Code of former Etobicoke.

Presently, there are two existing third party signs between Royal York Road and Islington Avenue, and are located at 82 Queen Elizabeth and 36 Queen Elizabeth Boulevards. The two signs are 460 metres apart.

The proposed sign to be installed 140 metres from the roof sign located at 36 Queen Elizabeth, and will be 175 metres away from Royal York Road. The average distance between the third party signs located at Royal York Road and Islington Avenue will be approximately 300 metres. East of Royal York Road is residential properties located more than 500 metres.

In the future, no other third party sign should be erected within 700 metres east of the proposed roof sign at 16 Queen Elizabeth Blvd.

Staff is of the opinion that the request for variance is minor in nature and recommend that Community Council approve the variance for 16 Queen Elizabeth Blvd.

CONTACT

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Director of Building and
Deputy Chief Building Official
The Etobicoke York District

ATTACHMENTS

1. Site Plan
2. South Elevation
3. Side Elevations
4. Sign Details
5. Pictures
6. Aerial View

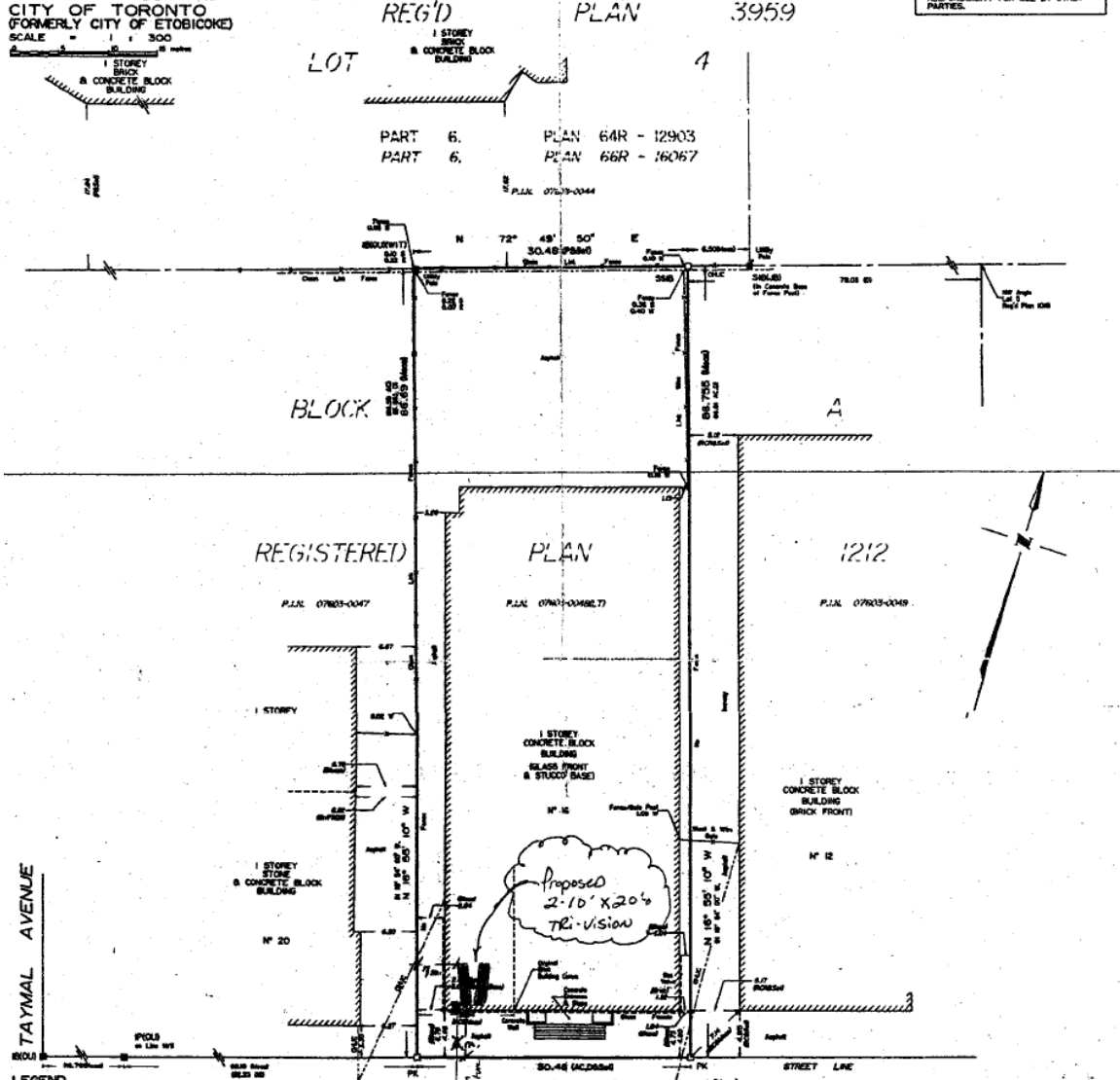
APPLICANT:

Dominic Rotundo
5920 Atlantic Drive
Mississauga, Ontario
L4W 1N6
Tel: (416) 738-9259
Cell: (647) 408-6255

PART OF BLOCK A
REGISTERED PLAN 1212
CITY OF TORONTO
(FORMERLY CITY OF ETOBICOKE)
SCALE = 1" = 300'

AND CAN BE CONVERTED TO FEET BY
DIVIDING BY 0.3048

THIS PLAN AND REPORT WERE PREPARED
FOR THE CITY OF TORONTO AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER
PARTIES.



- LEGEND**
- DENOTES MONUMENT PLANTED
 - MONUMENT FOUND
 - WT WITNESS
 - IP IRON PIPE
 - IB IRON BAR
 - SB STANDARD IRON BAR
 - SSB SHORT STANDARD IRON BAR
 - PK "PK" NAIL & WASHER
 - RP REGISTERED PLAN 1212
 - P.L.N. PROPERTY IDENTIFIER NUMBER
 - D INST. N° CA 323190
 - D2 INST. N° TB 863199
 - P PLAN 648-12903
 - JS JOHN C. BEATSON, O.L.S.
 - AC FIELD NOTE & SKETCH BY A. COOK, O.L.S.
 - SC DATED FEBRUARY 22/23, 1948. FIELD NOTE BY: BROWNE & CAVELL, O.L.S.
 - ROR DATED MARCH 9TH, 1948. PLAN OF SURVEY BY: R.C. RABIDEAU, O.L.S.
 - OR DATED AUGUST 30TH, 1964. OVERHEAD UTILITY CABLES (B/F/NO): BRICK/FOUNDATION

QUEEN ELIZABETH BOULEVARD
By By-Law 7495 ETOBICOKE, Inst. N° EB 78473

COPYRIGHT © 2007 RABIDEAU & CZERWINSKI, O.L.S.

SURVEYOR'S CERTIFICATE

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION FROM RABIDEAU & CZERWINSKI, ONTARIO LAND SURVEYORS.

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON JANUARY 12TH, 2007.

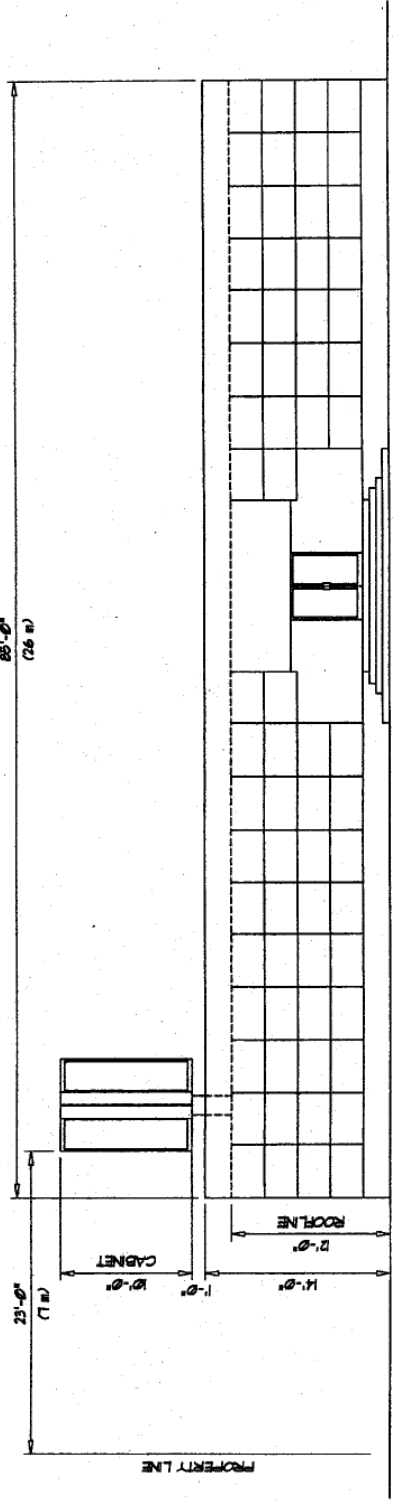
BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF PART HAVING A BEARING OF N 72° 49' 50" E AS SHOWN ON PLANS 648-12903 AND 668-16067.

Jan 8 2007
DATE
DAVE J. HAWLEY
Ontario Land Surveyor



RABIDEAU & CZERWINSKI
ONTARIO LAND SURVEYORS
777 THE QUERRONWAY, UNIT E, TORONTO, ONTARIO
M8E 1R4
(416) 292-8811

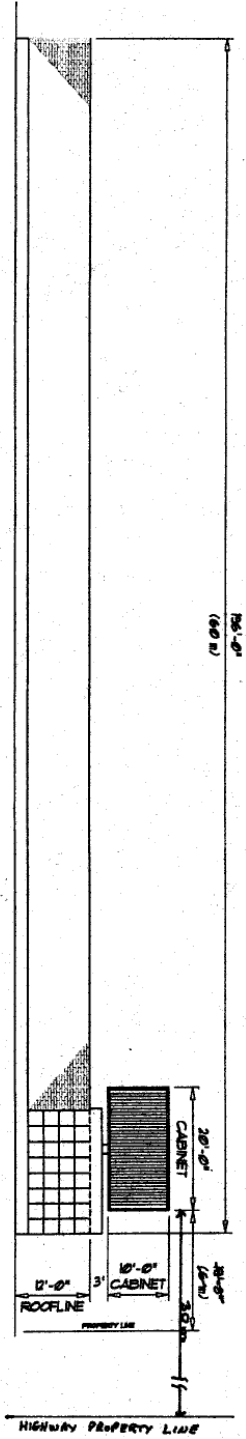
Site Plan



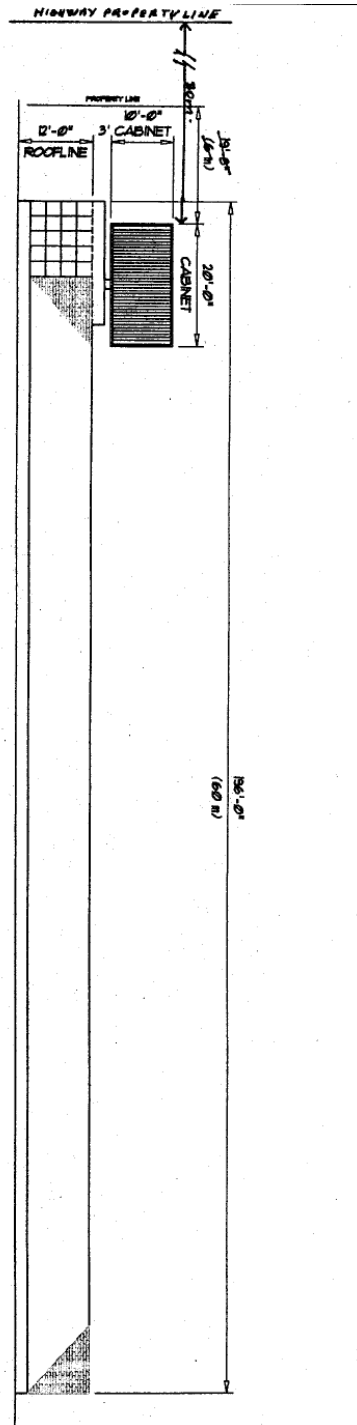
SOUTH ELEVATION
SCALE: 1/8"=1'-0"

South Elevation

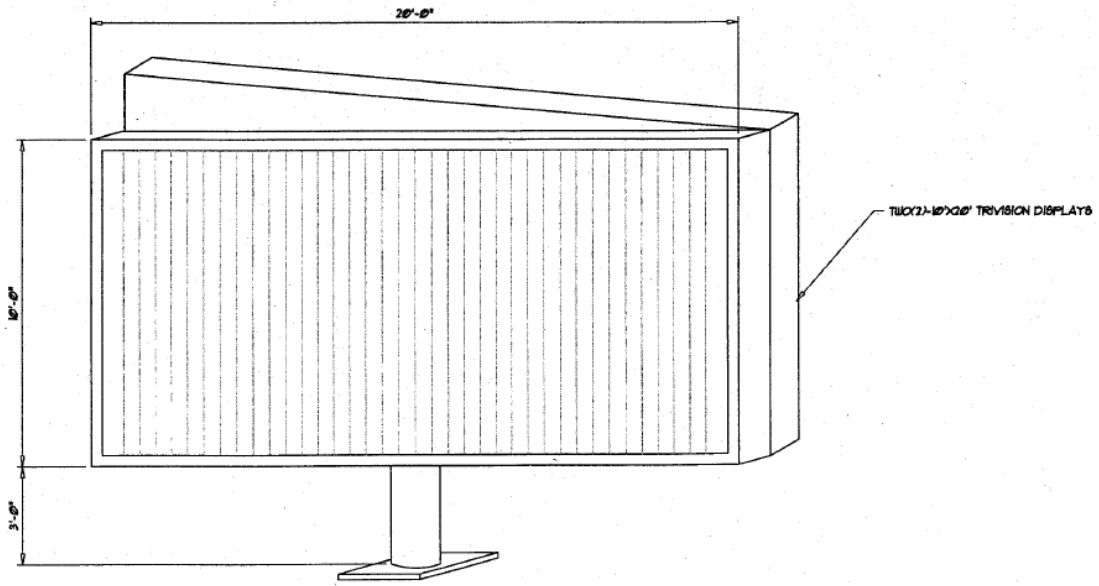
WEST ELEVATION
SCALE 1/8" = 1'-0"



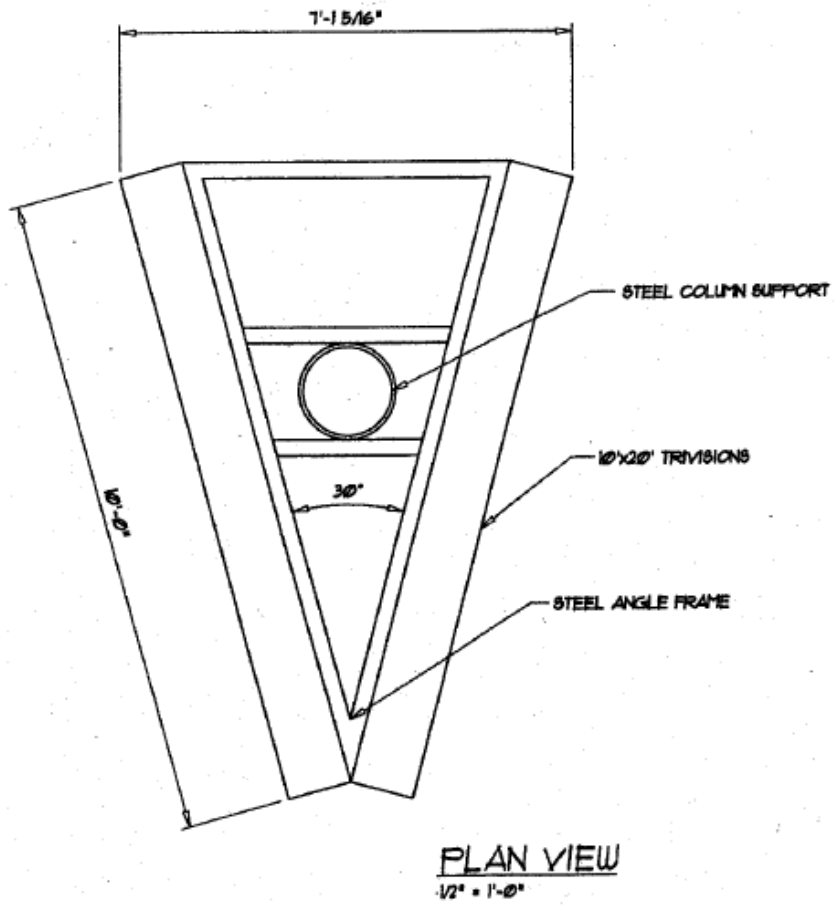
EAST ELEVATION
SCALE 1/8" = 1'-0"



Side Elevations



Sign Detail



Sign Detail



View from Royal York Bridge



Queen Elizabeth Blvd - West



Aerial View