



STAFF REPORT ACTION REQUIRED

Sign Variance Report 156 Evans Avenue

Date:	October 9, 2007
To:	Etobicoke York Community Council
From:	Edward Tipping, Director and Deputy Chief Building Official
Wards:	Etobicoke-Lakeshore, Ward 6
Reference Number:	2007EY027

SUMMARY

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

Toronto Building received a request from Tom Giancos, applicant, on behalf of CIC Millwork Ltd., the owner of the property, for approval of variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, to install an 11 metre high Third Party Illuminated Ground Sign with a display area of 21 square metres, within 27 metres of a former provincial highway on 156 Evans Avenue in a residential zone.

RECOMMENDATIONS

Toronto Building recommends that the request for variance be refused for the reasons outlined in this report.

FINANCIAL IMPACT

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

BACKGROUND

In 1998, the Sign Variance Advisory Committee approved a request for a sign variance to install an illuminated standard outdoor advertising ground sign at 156 Evans Avenue. The property was zoned industrial at the time of application, and the variance was for 9 metres high instead of 7.7 metres as permitted. Setback from the property line was 1.07 metres in lieu of the 3 metres as required.

In 2006, the site was rezoned from industrial to residential for a 17 block, 177 unit townhouse development. Industrial buildings that were located on the site have been demolished, and the existing ground sign was relocated to its present location on the site. Construction of the townhouses has commenced and the applicant is requesting a variance to maintain the altered sign at its present location. The new sign is higher, larger and closer to the Expressway than the existing sign and the site is now zoned residential.

The Sign Code does not permit any third party advertising sign in residential zones.

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 a 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”.

In this report it is recommended that The Commissioner of Urban Development Services receive applications involving minor variances from the by-law relating to above mentioned highways, and prepare a report on each application, to be forwarded to the appropriate Community Council using the Ministry of Transportation of Ontario Sign Policy as a guideline.

COMMENTS

The applicant is proposing to maintain the relocated illuminated ground sign that is 11 metres (36 feet) in height and has a display area of 21 square metres (200 square feet). The sign will be located 27 metres (88 feet) from the Gardiner Expressway (former QEW) at 156 Evans Avenue.

The property was rezoned residential in 2006. The adjoining property to the east is residential and the property to the west is zoned residential however the present use of the land is commercial/industrial. Properties to the south of Evans Avenue are zoned industrial (IC1).

The proposed 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
1. 215-21(D) does not permit any standardized outdoor advertising ground sign in residential zones.	The applicant is proposing a standardized outdoor advertising sign in residential zones.	A standard outdoor advertising ground sign is proposed in a residential zone where none is permitted

The proposed 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 the F.G. Gardiner Expressway.

The proposed sign also 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 the 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) Height must not exceed 8 metres above the ground	The proposed sign is 11 metres in height	The proposed sign is 3 metres higher than permitted.
(2) Display area of a sign over 18.6 square metres but not more than 30.19 square metres must be setback 46 metres from the highway property line	The proposed sign has a display area of 21 square metres and located 27 metres from the highway	The proposed sign is 27 metres from the highway property line in lieu of 46 metres setback required from the highway.

The applicant is proposing to maintain a relocated and altered illuminated third party standard outdoor advertising ground sign that will be located in a residential zone, and where the Sign Code does not permit any such sign.

The townhouse development is presently under construction at the site. During a recent inspection, staff observed that the altered third party ground sign has already been relocated without a sign permit. As seen in the attached picture, the sign is located in close proximity to a window of one of the townhouse units.

The proposed sign does not comply with the Ministry of Transportation of Ontario Commercial Sign Policy in terms of height and setback from the highway.

Staff is of the opinion that the requested variances are not minor in nature due in mainly to the rezoning the lands to residential and therefore the proposed sign variance should be refused.

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

Edward Tipping
Director of Building and
Deputy Chief Building Official
Etobicoke York District

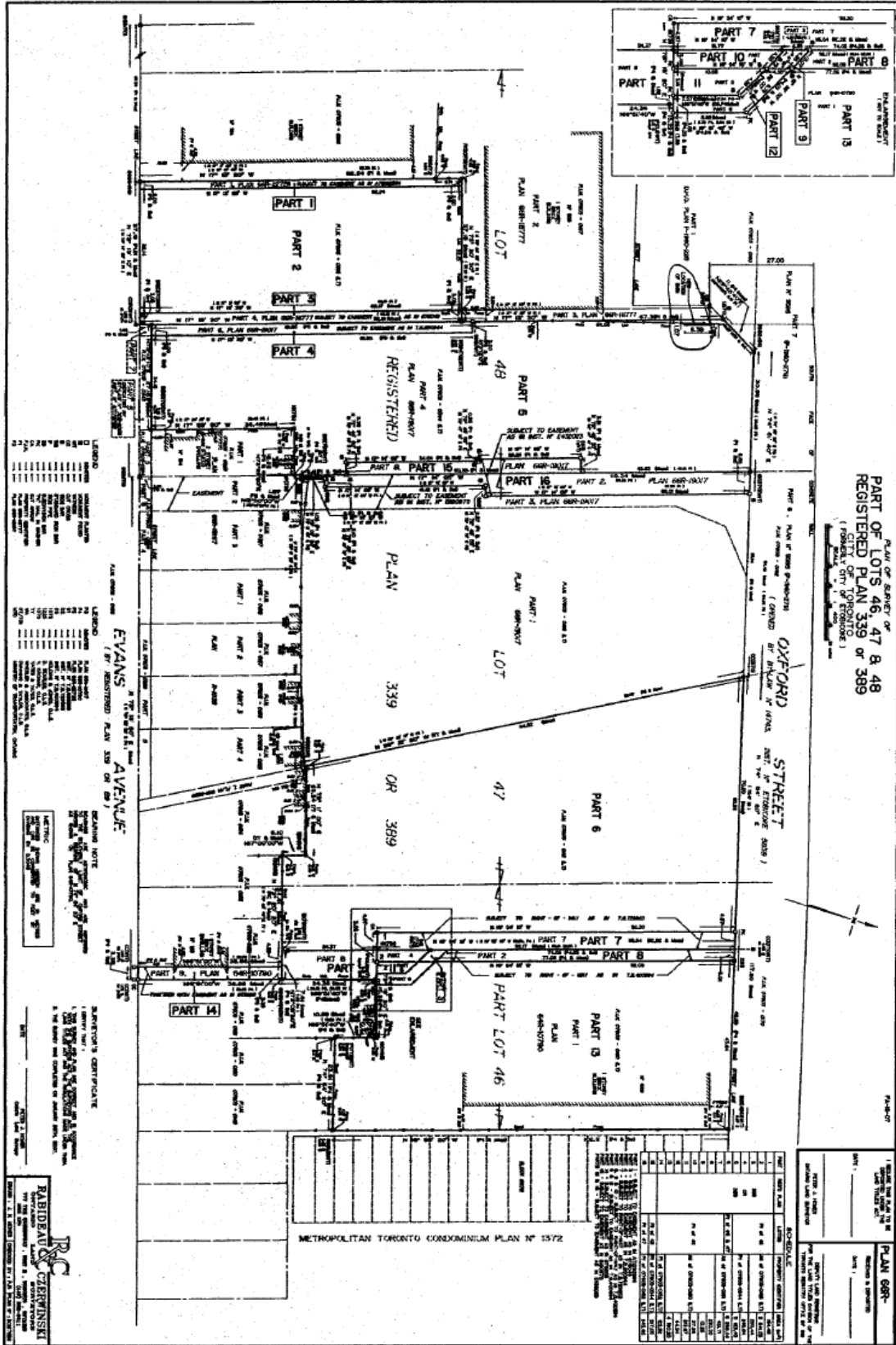
CONTACT:

TOM GIANCOS
CIC MILLWORK
105 SIX POINTS ROAD
TORONTO, ONTARIO
M8Z 2X3

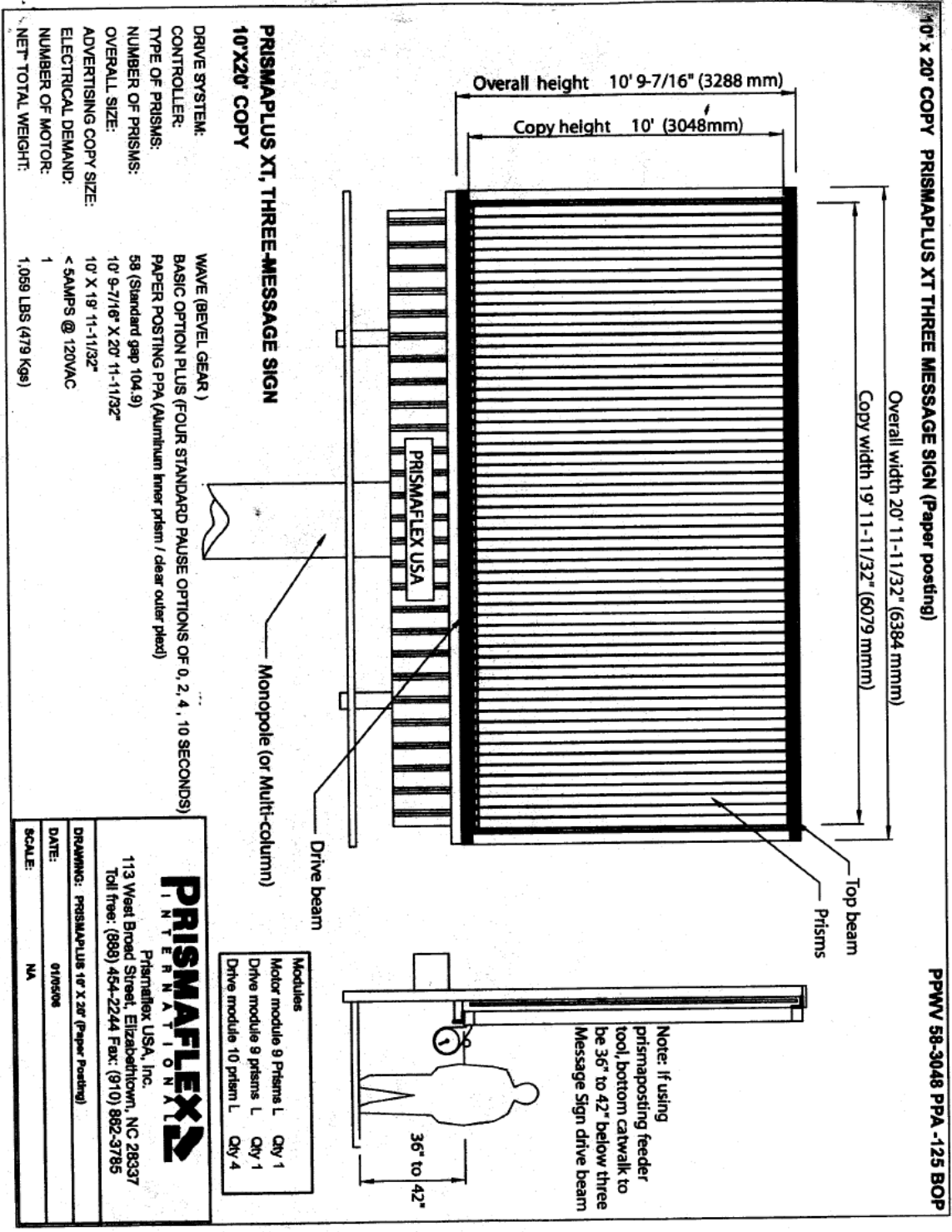
Tel: (416) 236-9800

ATTACHMENTS

1. Site Plan
2. Elevation
3. Pictures

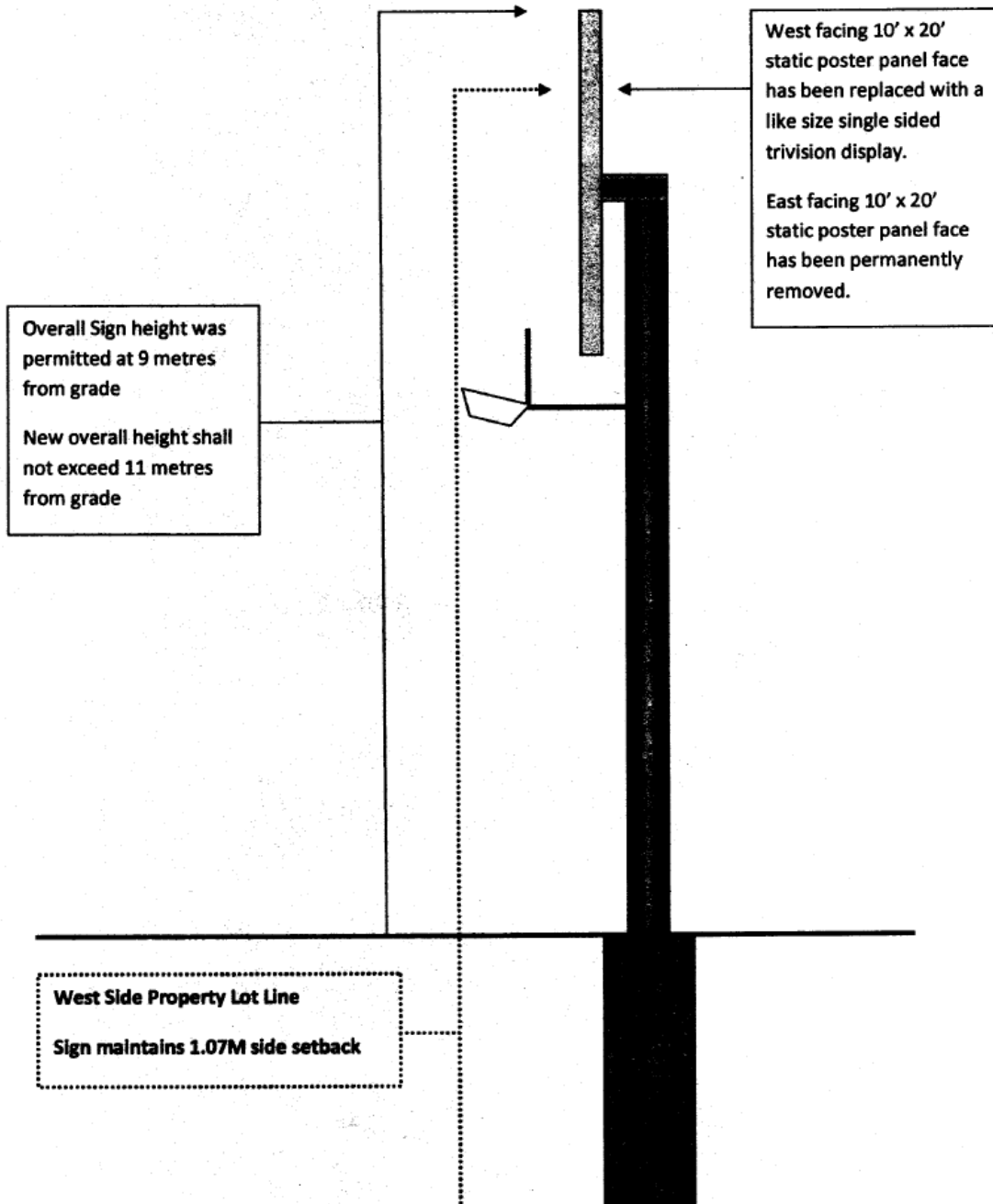


Site Plan



Front Elevation

New Side Elevation of existing sign at 156 Evans Avenue



Side Elevation



East Elevation