



## STAFF REPORT ACTION REQUIRED

### Request for approval of a variance from the former City of Scarborough Sign By-law No. 22980, as amended, for Facial Roof signs at 875 Milner Avenue.

<b>Date:</b>	May 9, 2007
<b>To:</b>	Chairs and Members, Scarborough Community Council
<b>From:</b>	Director, Toronto Building, Scarborough District
<b>Wards:</b>	Scarborough Centre – Ward 42
<b>Reference Number:</b>	2007SC010

#### SUMMARY

---

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

To review and make recommendations on a request by Fraser Smith of Smart Centres, on behalf of Calloway Real Estate Investment Trust Inc., for approval of a variance from the former City of Scarborough Sign By-law No. 22980, as amended, to permit the erection of facial roof signs above the parapet at 875 Milner Avenue on the south (rear) elevation, facing highway 401, and the east elevation.

The projection of the proposed facial roof signs above the parapet is not in compliance with the requirements of the by-law and this report deals with the required variance to allow the erection of the proposed facial roof signs.

The requested sign variance, in staff's opinion, is not minor in nature. Staff recommends the requested variance be refused.

## **RECOMMENDATIONS**

---

### **Director of Building and Deputy Chief Building Official**

It is recommended that:

- (1) The requested variance be refused.
- (2) Should Community Council approve the requested variance, the variance should also form part of the Sign Uniformity Plan so that all signs installed on the south (rear) and east building elevation shall be in uniformity with signs installed on the north building elevation.

## **FINANCIAL IMPACT**

---

There are no financial implications resulting from this report.

## **ISSUE BACKGROUND**

The applicant submitted on November 23, 2006 an application for a Sign Uniformity Plan permit for the erection of signs at this property. This application was not approved because the proposed facial roof signs facing Highway 401 and the east elevation did not comply with the requirements of the Sign By-law. As a result, the applicant submitted an application for a sign variance. Issuance of the permits for the signs facing Highway 401 is subject also to approval from the Ministry of Transportation of Ontario.

The subject property is located in the south east quadrant of Milner Avenue and Morningside Avenue, just north of Highway 401. The land is occupied by several commercial buildings with different heights. This variance is in relation to the building located at the most south easterly part of the property. The area is designated as a Mixed Employment Zone (ME), in the Rouge Employment District, of Zoning By-law No. 24982, of the former City of Scarborough.

The abutting lands are designated, in the above zoning by-law, as follows:

North: "Mixed Employment Zone" (ME).  
South: "Industrial Holding Zone" (M(H)).  
East: "Industrial Zone (M)"  
West: "Mixed Employment Zone" (ME), both are on east side of Milner Avenue.  
"Industrial Zone (M)", on west side of Morningside Avenue.

The applicant proposes to erect facial wall signs on the north elevation and facial roof signs on the south (rear) elevation facing Highway 401 and east building elevation. This report deals with the signs facing Highway 401 and on the east building elevation.

## COMMENTS

The subject property is classified as Group-Use 4 in the former City of Scarborough Sign By-law.

For the facial roof signs, the permitted height of a sign face above the roof deck or the parapet wall is limited, in this case, to 25 percent of the height of the roof deck above grade.

The proposed signs do not comply with this requirement of the sign by-law. The following table describes in greater detail the extent of the non-compliance.

<b>Sign By-law Section &amp; Requirements</b>	<b>Applicant's Proposal</b>	<b>Required Variance</b>
<p><u>2.3.9(5)</u></p> <p>(a) No sign shall be erected on a roof which would have its sign face project above the roof deck a distance greater than the lesser of, for facial roof signs, 25 percent and for projecting roof signs, 50 percent of the height, measured directly below the sign, of the roof deck above grade or of the average height of the first storey. If a parapet wall extends above the roof deck, the aforesaid distances may be measured from the top of the parapet wall.</p>	<p>To erect facial roof signs, on the south and east elevation of the building, projecting above the parapet wall 3.66m. (12.0 ft.)</p>	<p>To allow the erection of facial roof signs, on the south and east elevation of the building, projecting above the parapet wall 3.66m. (12.0 ft.), whereas the permitted projection is 1.58m. (5.18 ft.).</p> <p>The proposed projection exceeds by 2.08m. (6.82 ft.), or 132% greater than what is permitted.</p>

Attachment 6 shows that three signs have already been erected on the south (rear) elevation of the building without the benefit of obtaining permit approval.

For the above reasons staff recommends that the requested variance be refused.

## **CONTACT**

Robert Lue, P. Eng  
Manager, Plan Review  
Tel: (416) 396-8225  
Fax: (416) 396-5231  
E-mail: [lue@toronto.ca](mailto:lue@toronto.ca)

## **SIGNATURE**

---

Bruce Ashton, P.Eng  
Director of Building and  
Deputy Chief Building Official  
Scarborough District

### Applicant's Information:

Fraser Smith,  
Smart Centres  
700 Applewood Cr.  
Vaughan, ON  
L4K 5X3  
Tel: (905) 760-6200

## **ATTACHMENTS**

Attachment 1- Site Plan  
Attachment 2- Zoning Map  
Attachment 3- South building elevation (West Part)  
Attachment 4- South building elevation (East Part)  
Attachment 5- East building elevation  
Attachment 6- Picture of south wall building elevation