

**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>	September 12, 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>	2007SC020

## **SUMMARY**

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

The variance for the signs was covered in the May 9, 2007 report from the Director of Building, submitted to the May 29, 2007 meeting of Scarborough Community Council for consideration. In that report, staff recommended refusal of the requested variance for the facial sign.

Scarborough Community Council deferred consideration of that report until its meeting of June 26, 2007 meeting to allow further consultation with the applicant.

At the June 26, 2007 meeting, Scarborough Community Council deferred consideration of the report until its meeting of Oct 2, 2007 and requested that the applicant meet with staff from Planning (Urban Design) and Building (Signs), and report thereon to the Scarborough Community Council at its meeting of October 2, 2007. This report deals with that request.

## **FINANCIAL IMPACT**

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There are no financial implications resulting from this report.

## **DECISION HISTORY**

### **SC6.10**

At the May 29, 2007 meeting, Scarborough Community Council deferred consideration of the report (May 9, 2007) from the Director of Building and Deputy Chief Building Official until the June 26, 2007 meeting to allow for further consultation with the applicant.

### **SC7.11**

At the June 26, 2007 meeting, Scarborough Community Council deferred consideration of this matter until its meeting of Oct 2, 2007 to allow the applicant to meet with staff from Planning (Urban Design) and Building (Signs), and report thereon to the Scarborough Community Council at its meeting of October 2, 2007.

## **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 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. Some of the proposed signs are to be erected on to a structural frame which extends above the parapet wall of the building. The structural frame was shown on the Site Plan Approved drawings and was intended for the placement of signs as well and it also formed part of the architectural features of the building. Signs are permitted by the Sign bylaw to be placed on this frame as long as the top of the sign message is not higher than the permitted height of 1.58 metres (5.18 feet) above the parapet.

## **COMMENTS**

As directed by Community Council, the applicant met with staff from the Planning (Urban Design) and Building Divisions. Urban Design staff suggested that the top two rails be removed and the proposed signs be lowered. However, the applicant advised that the management of the shopping centre had considered this but the cost of approximately

\$40,000 to implement this change is something they cannot afford. The applicant also mentioned that removing the two top rails would not significantly alter the look. Also if the signage is lowered on the existing structure, the overall appearance of the combined structure and signs would look “unbalanced”.

It is to be noted that the Site Plan Approved drawings show the structural frame and there are no regulations that prohibit it. Signs can be placed on it if the height does not exceed 1.58 m (5.18 ft). A variance to the sign bylaw is required if any sign is placed higher than 1.58 m.

Based on an e-mail and a sketch the applicant has provided, he is now proposing that the signs would be placed no higher than the fourth rail which is 3.03 m (10 ft) from the lowest parapet. The variance that would now be required is as follows:

To allow the erection of facial roof signs, on the south and east elevation of the building, projecting above the parapet wall 3.03 m (10 ft), whereas the permitted projection is 1.58 m (5.18 ft). This variance is 93% greater than the permitted height.

If the original variance request was approved, it would allow signs to be placed up to the highest rail.

This report is submitted for information only.

## **CONTACT**

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## **SIGNATURE**

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

### Applicant's Information:

Fraser Smith,  
Smart Centres  
700 Applewood Cr.  
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L4K 5X3  
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Attachment 1: Existing Structural frame with signs.

Attachment 2: Applicant's e-mail.

Attachment 3: Applicant's e-mail to staff

Attachment 4: Rail and limit to top of sign.