



## STAFF REPORT ACTION REQUIRED

### Temporary Sign Variance – 520 Annette Street, 514 Annette Street, 2255 Bloor Street West, 3015 Dundas Street West and 3289 Dundas Street West

<b>Date:</b>	June 30, 2008
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Richard Mucha, Manager, Municipal Licensing & Standards, Licensing Services
<b>Wards:</b>	Ward 13 Parkdale – High Park

#### **SUMMARY**

---

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

This report outlines the results of site investigations for five business locations where business operators are seeking the necessary variances in order to obtain a temporary sign permit for a portable A-frame sign.

#### **RECOMMENDATIONS**

---

##### **Municipal Licensing and Standards recommends:**

1. The requests for variances from the provisions of the City of Toronto Municipal Chapter 693 be refused; **OR**
2. The specific variances required to issue the permits be granted; **.AND**
3. The variances be applied to the specific sign being applied for; **AND**
4. The business operators are required to submit the necessary application and photo of the specific sign being requested and pay the required fee; **AND**
5. The business operators are required to provide proof to Municipal Licensing and Standards, upon request that there have been no alterations to the sign that has been approved by the variance granted; **AND**

6. The variance be cancelled should the annual permit fee not be paid and a further application submitted.

### **Financial Impact**

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

### **DECISION HISTORY**

City of Toronto Municipal Code Chapter 693 Article III outlines the regulations regarding the use and placement of temporary signs.

Within those provisions are requirements regarding physical criteria which must be met in order for temporary sign permits to be issued administratively.

Business operators must submit applications and related site plans and photos of their proposed sign and location. These applications are reviewed by Municipal Licensing and Standards for compliance with the provisions of the by-law.

The physical criteria for qualification for a temporary A-frame sign permit are:

1. No permit for a portable sign shall be issued in relation to a premise with a frontage of less than 20 feet, 693-18 A(4).
2. When portable signs are displayed or erected on public property as permitted by the article, the placement of the signs shall allow for 2.1 metres (seven feet) of unobstructed sidewalk space or, where City approved installations are located on the sidewalk, shall be located so as not to obstruct the remaining portion of the sidewalk, 693-18 B(1).
3. Portable signs shall only be displayed or erected on the road allowance abutting the business to which the sign relates, if there is insufficient area on private property in front of the main front wall of a building or side wall if the building is situated on a corner lot, 693-18 B(2).
4. Portable signs shall be located against the front wall of the premises directly adjacent to the business which it is advertising or where City approved installations are located on the sidewalk and the sign is permitted on public property, the portable signs shall be located so as not to obstruct the remaining portions of the sidewalk, 693-18 B(3).
5. Only the business owner or operator of the ground floor storefront may display a portable sign on the sidewalk adjacent to the premises, 693-18 B(4).

6. No business, that has licensed a portion of the public right of way for a boulevard café or for marketing purposes may locate an A-frame sign outside of the limits of the area so licensed, 693-18 B(5).
7. No A-frame sign shall be located in an area that has tall grass or weeds, litter, trash or is generally unkept, and it shall be the responsibility of the owner of the business being advertised on the sign to keep the property free of such conditions, 693-18 B(6).
8. No more than one portable sign shall be displayed or erected for each business location, 693-18C(1).
9. Every portable sign relating to a business may only be displayed during the hours that the business is open and operating, 693-18 C(2).
10. A portable sign shall not be animated, illuminated, have flashing lights, emit sound or have an electronic device to create or simulate motion, nor have any attachments adding to its height or width, 693-18 C(3).

A site inspection of five locations was conducted at the request of Councillor Saundercook. The site conditions were reviewed for compliance with the above noted criteria. The results of those site inspections indicate non-compliance with the provisions of Municipal Code Chapter 693 as follow:

3015 Dundas Street West - Agora Mediterranean Market Café

Frontage: 4.99m (16.27 feet) does not meet minimum 6.01m (20 feet) requirement as per 693-18 A (4).

Sidewalk Clearance: 2.04m (6.7 feet) does not meet minimum 2.13m (7 feet) clearance requirement as per 693-18 B(1); if a sign .61m (2 feet) in width is erected the passable sidewalk space will be reduced further to 1.43m (4.7 feet).

3289 Dundas Street West - Reba's Café

Frontage: 5.22m (17.12 feet) is the total frontage of the building does not meet minimum 6.01m (20 feet) requirement as per 693-12 A(4).

Frontage of actual store front: 3.75m (12.30 feet) does not meet the minimum 6.01m (20 feet) requirement as per 693-18 A(4).

Sidewalk Clearance: 3.03m (9.94 feet), a temporary sign cannot exceed .61m (2 feet) in order to assure that the required 2.13m (7 feet) of sidewalk clearance as per 693-18 B(1).

520 Annette Street - Butcher - By Nature

Frontage: 4.72m (15.48 feet) – does not meet minimum 6.01m (20 feet) requirement as per 693-12 A(4)

Sidewalk Clearance: 1.78m (5.84 feet) does not meet minimum 2.13m (7 feet) sidewalk clearance requirement as per 693-18 B(1); if a sign .61m (2 feet) in width is erected at the west limit of the property the sidewalk clearance of 2.13m (7 feet) could be maintained. The passable space on the sidewalk has been reduced at this location due to an existing bus shelter.

#### 514 Annette Street - Unit B - Lou's Café

Frontage: 4.17m (13.68 feet) does not meet minimum 6.01m (20 feet) requirement as per 693-12 A(4).

Sidewalk Clearance: 3.77m (12.36 feet) sufficient sidewalk is existing for the placement of a temporary sign and compliance with 693-18 B (1).

#### 2255 Bloor Street West - 2<sup>nd</sup> Floor - Earth Salon

The business requesting permission for a temporary sign at this location occupies the second floor of the premises. This does not meet the requirement that only the ground floor occupant of the premises is eligible for a temporary sign permit as per 693-18 B(4).

Frontage: 1.10m (3.6 feet) does not meet minimum 6.01m (20 feet) requirement as per 693-12 A(4).

Sidewalk Clearance: there is an existing boulevard café operated by the ground floor occupant at this location, reducing the sidewalk to 2.13m of passable space.

## **ISSUE BACKGROUND**

By-law No. 698-2005 was enacted by City Council on July 21, 2005, amending the City of Toronto Municipal Code Chapter 693 Signs by adding Article III Temporary Signs.

Article III of the Chapter outlines the provisions for the placement of temporary signs within the City of Toronto and the requirement to obtain permits.

As part of the 2008 spring clean up initiative Municipal Licensing and Standards, Investigation Services, accelerated the enforcement of illegal A-frame signs. This enforcement included the seizure of illegally placed A-frame signs within the public right of way. Provisions for the removal of these signs are authorized under the City of Toronto Municipal Code Chapter 693.

At the request of Councillor Saundercook Municipal Licensing and Standards, Licensing Services undertook site investigations of five business locations within Ward 13,

Parkdale-High Park, to determine eligibility to obtain permits for temporary signs in front of the properties noted above.

With the exception of the business at 3289 Dundas Street West, where an application for a permit was previously refused, none of the other businesses at the properties investigated have submitted a permit application to Municipal Licensing and Standards for temporary sign permits.

Since the by-law was enacted in 2005 a total of 15 application permits have been issued across the City of Toronto.

## **COMMENTS**

In principle, business operators should be required to submit applications prior to requesting variances in order to ensure that requests for variances are not processed where a sign permit application can be approved administratively, that site plans and sign plans have been submitted by the applicant and that all appropriate fees have been paid.

Furthermore, Community Council should consider the potential for the proliferation of A-frame signs should variances be granted.

## **CONTACT**

Kimberley Belshaw  
Supervisor, Licensing Services  
Municipal Licensing and Standards  
Telephone: (416) 392-3128  
Fax: (416) 338-7225  
E-mail: [kbelshaw@toronto.ca](mailto:kbelshaw@toronto.ca)

## **SIGNATURE**

---

Richard Mucha, Manager  
Licensing Services  
Municipal Licensing and Standards

## **Appendices**

**Appendix No. 1 - photo and sketch of 3015 Dundas Street West**

**Appendix No. 2 - photo and sketch of 3289 Dundas Street West**

**Appendix No. 3 - photo and sketch of 520 Annette Street**

**Appendix No. 4 - photo and sketch of 2255 Bloor Street West**

**Appendix No. 5 - photo and sketch of 514B Annette Street**