



STAFF REPORT ACTION REQUIRED

Sign Variance Report 16 Queen Elizabeth Blvd

Date:	September 12, 2008
To:	Etobicoke York Community Council
From:	Edward Tipping, Director and Deputy Chief Building Official
Wards:	Etobicoke-Lakeshore, Ward 5
Reference Number:	2008EY020

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 Mr Wallace John Whistance-Smith, on behalf of 2047276 Ontario Inc., owner of the property. The request is to raise the height of an existing Third Party Illuminated Roof Sign at 16 Queen Elizabeth Blvd by 3.53 metres.

RECOMMENDATIONS

Toronto Building recommends that:

1. a) The request for height variance from Ministry of Transportation of Ontario Guidelines be approved for the reasons outlined in this report.

b) The applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permit,
2. The request for separation of sites variance from the Sign Code be approved.

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.

On July 29, 30 and 31, 1998, Council 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.
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.

On September 10, 2007, Etobicoke York Community Council approved a Sign Variance request for a roof sign at the above mentioned location. The variance identified and reported to the Community Council at the time was the separation between signs. Community Council approved the distance between the two sign as 140 metres in lieu of 305 metres required under MTO Guidelines and 230 metres required by The Etobicoke Sign Code.

COMMENTS

Variance from height requirements of MTO guidelines

The existing roof sign is 3.96 metres (13 feet) above the roof, 7.5 metres above the ground and has a display area of 18.58 square metres (200 square feet). It is to be located 30 metres (100 feet) from the Gardiner Expressway (former QEW) at 16 Queen Elizabeth Blvd. This property and all adjacent properties are zoned IC1.

An application has been submitted to raise the existing sign in order to make it more visible from the Gardiner Expressway. A new sign variance is required in order to raise the existing

sign. The applicant indicates that there are a lot of mature trees along the highway which cuts the visibility of the sign to both the eastbound and westbound highway traffic.

During a recent inspection, staff observed that visibility of the existing sign is limited due to natural and man made obstructions such as trees and a bridge. This is especially true regarding the eastbound traffic on the highway which does not see the sign until they are less than 100 metres from the sign. It is also only visible from a very sharp angle. The westbound traffic has also very limited and intermittent visibility from the highway. This also applies to the westbound traffic on Queen Elizabeth Boulevard.

The applicant is requesting to raise the sign to 11.15 metres which will result in the sign exceeding the MTO guideline for height by 3.15 metres. In the past Community Council approved variances for some other standard outdoor advertising ground signs exceeding height requirement of the MTO guidelines along the Gardiner Expressway. In 2004 Council approved a sign variance for a standard outdoor advertising ground sign located east of Wickman Road and south of Gardiner Expressway with a height of 18.29 metres. In 2007 Community Council approved another sign variance for another standard outdoor advertising ground sign located at 10 Wickman Road just north of Gardiner Expressway with a height of 18.29 metres.

Based on previous approval of 18.29 metres high ground signs by council, staff is of the opinion that the request for variances are minor in nature and recommends that Community Council approve the variances for 11.15 metres high roof sign at 16 Queen Elizabeth Blvd.

The proposed raising of the existing roof 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. It 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) No sign to exceed 8 metres in height above the ground.	The proposed roof sign will be approximately 11.15 metres above the ground.	The roof sign will be 11.15 metres above the ground in lieu of 8 metres permitted.

Variance from separation requirement between roof signs and residential zones

The Sign Code requires a minimum distance of 61 meters from any residential zone to the site on which a standard outdoor advertising roof sign is to be located. The nearest residential zone to the site is to the north. The site which the roof sign located is approximately 50 metres from this residential zone and the roof sign is more than 130 metres from the zone. The Sign Variance Report dated July31, 2007 and considered by Community Council in their September 10, 2007 meeting did not include this variance. It was missed inadvertently by the staff and Community Council approved the sign variance without knowledge of the second variance required for the

sign. On March 20, 2008, a sign permit was issued for the above mentioned roof sign in error. The sign has been erected and is being used.

The existing roof 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. 215-22(C)(4)(c) requires minimum of 61 metres distance from any residential zone to the site on which the standardized outdoor advertising roof sign erected.	The proposed site which standardized outdoor advertising roof sign located is 50 metres from a residential zone.	The site which the roof sign is located is 50 metres from a residential zone in lieu of 61 metres required.

The Sign Code requires a minimum distance of 61 metres from any residential zone to the site on which the roof sign is located. In this case, the site is only 50 metres from the zone. The actual sign is located more than 130 metres from the residential zone. It is a "V" shaped sign and does face the highway. The residential zone in question faces the back of the sign only.

Based on above mentioned observation, staff is of the opinion that the request for variances are minor in nature and recommends that Community Council approve the variances for 16 Queen Elizabeth Blvd.

CONTACT

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

Edward Tipping P.Eng
Director of Building and
Deputy Chief Building Official
The Etobicoke York District

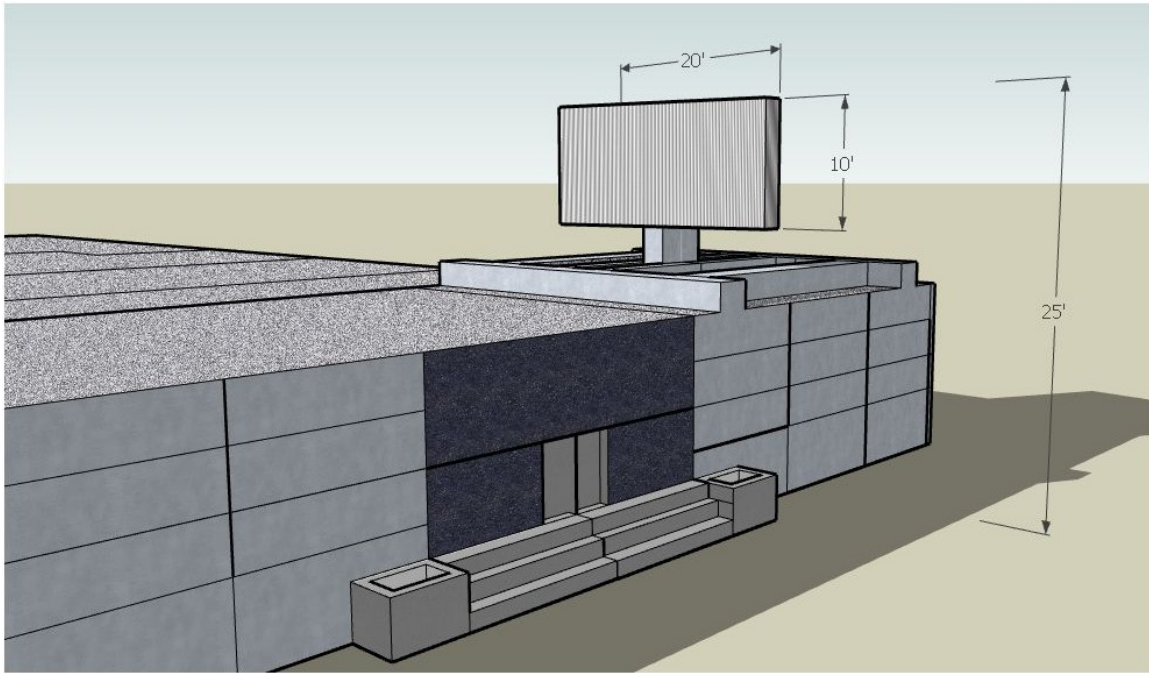
ATTACHMENTS

1. Existing Sign
2. Proposed Sign
3. View from Top of Royal York Bridge
4. View from Taymall Ave. and Queen Elizabeth Blvd – Westbound
5. View from Dayton Ave. and Sinclair St.

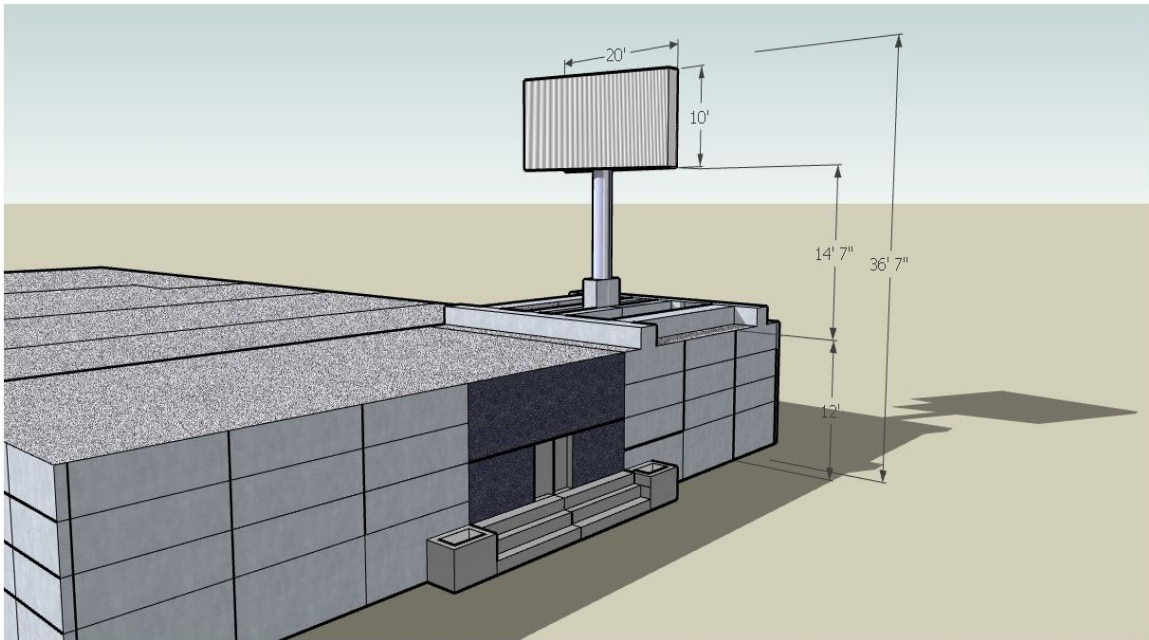
APPLICANT:

Wallace John Whistance-Smith
2047276 Ontario Inc.
16 Queen Elizabeth Blvd.
Etobicoke, Ontario
M8Z 1L8

Tel: (416) 236-9255



Existing Sign



Proposed Sign



View from Top of Royal York Bridge



View from Taymall Ave. and Queen Elizabeth Blvd – Westbound



View from Dayton Ave. and Sinclair St.