



STAFF REPORT ACTION REQUIRED

Sign Variance Report 2025 Wilson Ave

Date:	October 27, 2009
To:	Chair and Members, The Etobicoke York Community Council
From:	Mark Sraga, Director and Deputy Chief Building Official
Wards:	York West, Ward 7
Reference Number:	2009EY047

SUMMARY

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

Request for approval of variances from the former City of North York Sign By-law No 30788 to erect a 3rd-party ground tri-vision (no animation), illuminated, double sided in the rear yard at 2025 Wilson Ave.

The request comes from Solomon Misghina with OOH Vision Inc for the owner Jimmy Piccinini for approval of the variances from the former City of North York Sign By-law No 30788.

RECOMMENDATIONS

It is recommended that:

- (1) The requested variance be denied by Community Council as it is not minor in nature.

FINANCIAL IMPACT

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

ISSUE BACKGROUND

The property is located in the former municipality of North York and is subject to Zoning By-law No. 7625, as amended. Based on Zoning By-law No. 7625, the property is zoned MC(H) - Industrial Zone. The property has a street frontage of approximately 38.9 metres.

COMMENTS

The 3rd party ground sign that is subject of this sign variance has been erected without the authorization of a valid sign permit having been issued by Toronto Building (see images on page 6). MLS is investigating this illegal sign. The sign that is proposed to be altered is located at the rear of 2025 Wilson Ave. The new sign faces will be a tri-vision panels that will be 40 ft by 10 ft. The height for the altered sign is 10.6 metres from adjacent grade.

Sign post appears to be preventing a vehicle from entering one of the required parking spaces

The sign does not comply with the former City of North York Sign By-law No 30788 in the following ways:

Sign By-law Section & Requirements	Applicant's Proposal	Required Variance
Prohibited Signs, 2.9.15 & 5.3.2. Ground "Off premise sign" (3rd party sign) is not permitted. [Sign By-law No. 30788, Sec. 2.9 -	Proposal is for a 3rd-party ground tri-vision (no animation), illuminated, double sided sign in the rear yard.	To permit a 3rd-party ground tri-vision (no animation), illuminated, double sided sign in the rear yard.

It is recommended that the requested variance be denied as it is not minor in nature.

PROPOSED NEW SIGN BY-LAW

A new harmonized Sign By-law will be introduced to the Planning and Growth Management Committee at its next regular meeting on November 4, 2009. The following is an evaluation of this particular sign variance application against the new draft Sign By-Law requirements that would govern this particular sign. This evaluation has been done to assist Council in understanding how this proposed sign would compare to the new regulatory requirements contained in the proposed Sign By-law.

One of the main features of the proposed Sign By-law is that the regulations governing signs are based upon the "Sign District" in which the sign is located. These Sign Districts align with the underlying land uses as envisioned in the Official Plan and will classify every property into a "sign district" and utilizes a series of maps to identify the various

sign districts throughout the City. This approach is similar to the one being utilized by the new proposed City-wide Zoning By-law mapping.

In the case of this sign variance application and the property on which the proposed sign is located it would be classified as an "E- Employment Industrial Sign District".

Sign By-law Section & Requirements	Applicant's Proposal	Required Variance
694-22 Third party sign general regulations. 694-22.D. A third party sign shall not be erected within 100.0 metres of any other lawful third party sign whether erected or not erected. 694-24. Site-specific area restrictions. 694-24.A. (14). A third party sign shall not be erected or displayed or cause to be erected or displayed in whole or in part within; 400 metres of any limit of any portion of Highway 401 contained within the municipal boundaries of the City; 694-25. An E-Employment sign district may contain the following; (1) A ground sign provided: (a) The sign face shall not exceed 20.0 square metres; (b) The height shall not exceed 10.0 metres; (f) There shall be no more than one ground sign erected on a premises;	Proposal is for a 3rd-party ground tri-vision (no animation), illuminated, double sided sign in the rear yard in addition to the existing signs on this property.	To permit a third party sign within approximately 35 metres of another third party sign. To permit a third party sign to be erected within approximately 21 metres of Hwy 401. To permit a third party sign with a sign face area of 23.23 square metres. To permit a sign with a height greater than 10 metres. To permit two ground signs at 1881 Wilson Ave.

MTO REQUIREMENTS

Under the requirements of Sections 34 and 38 of the *Public Transportation and Highway Improvement Act* a sign permit is required to be issued by the Provinces Ministry of Transportation (MTO) for any proposed sign within 400 metres of a Kings Highway.

The criteria that MTO staff use when evaluation sign permit applications is found in the "Commercial Signing Policy" dated April 14, 2009 of the Corridor Management and Property Section.

Section 8 of this policy states the following:

A "billboard sign" is a sign that advertises goods and services that are not related to the property that the sign is located on.

Billboard signs are not permitted within the controlled area adjacent to class 1 and 2 highways.

Highway 401 is classified as a 'class 1' highway and 'controlled area' is defined as any area within 400 metres of the limit of a Provincial Highway.

Based upon this criteria along with conversations with MTO staff who administer the issuance of Sign Permits under the *Public Transportation and Highway Improvement Act* this proposed third party sign cannot be approved by the MTO.

Therefore, under the requirements of the *Building Code Act* and the Ontario Building Code a sign permit authorizing the erection of this sign cannot be issued by Toronto Building in the absence of this permit approval by the Ministry of Transportation.

CONTACT

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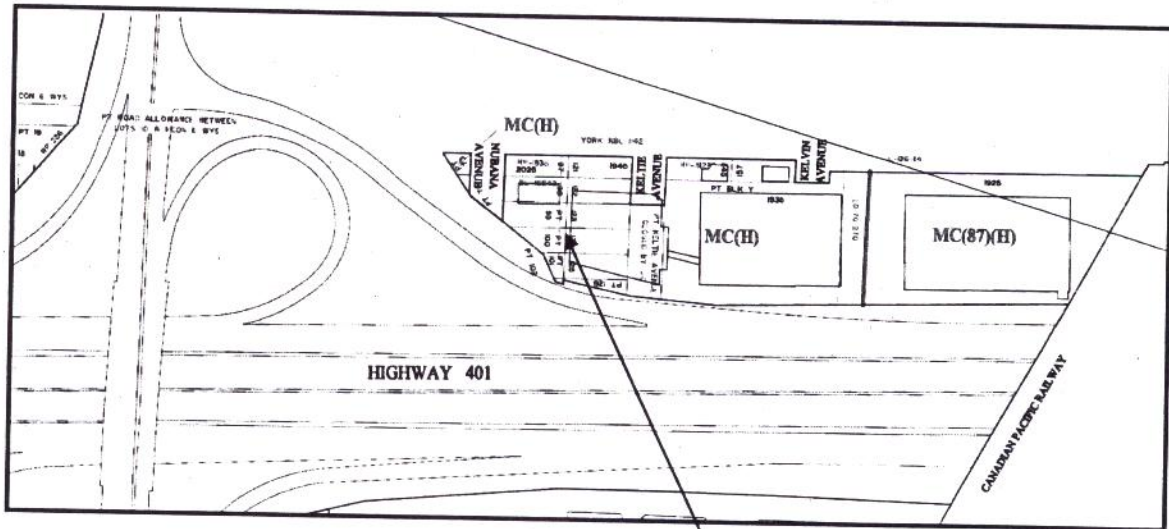
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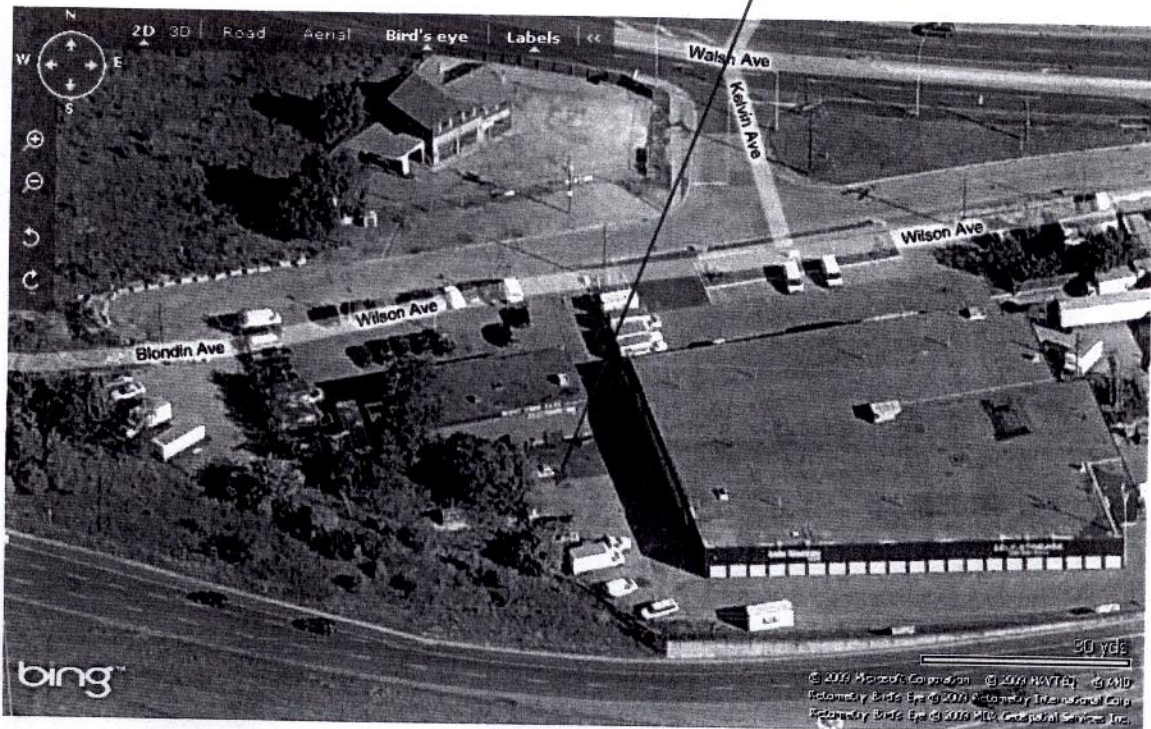
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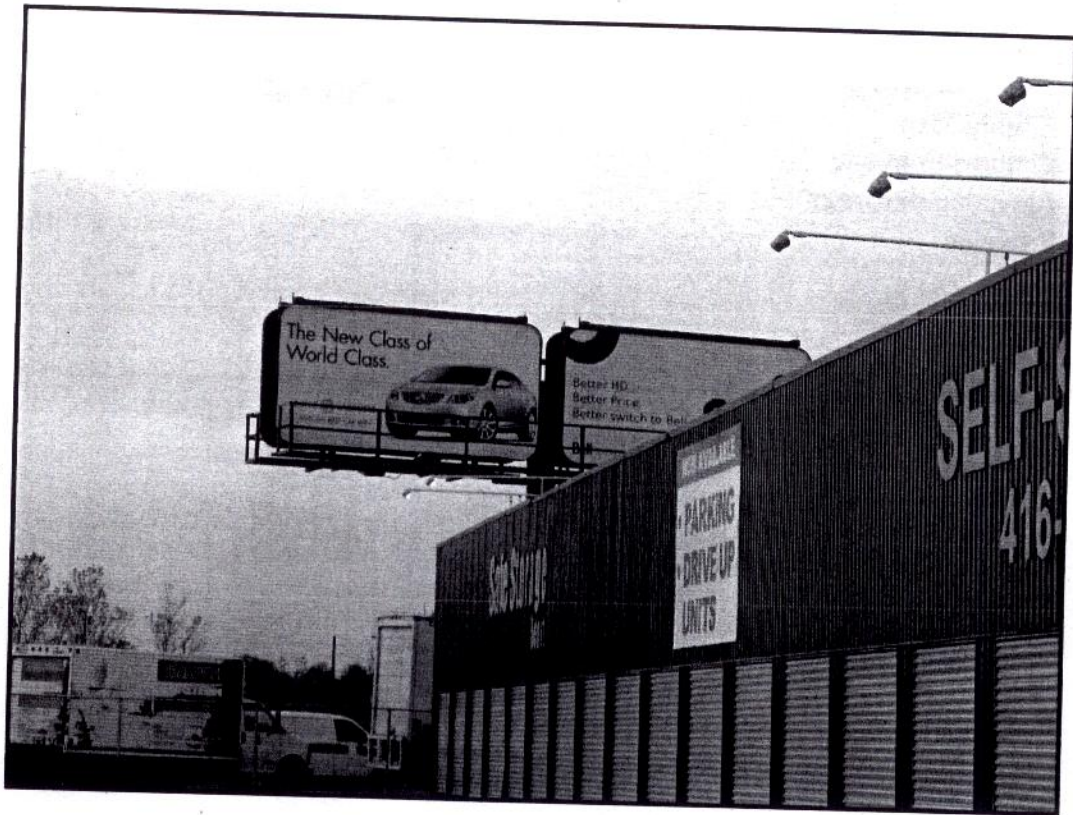
ATTACHMENTS

- Zoning Map
- Pictures from site
- Elevation drawings
- Site plan



2025 Wilson Ave

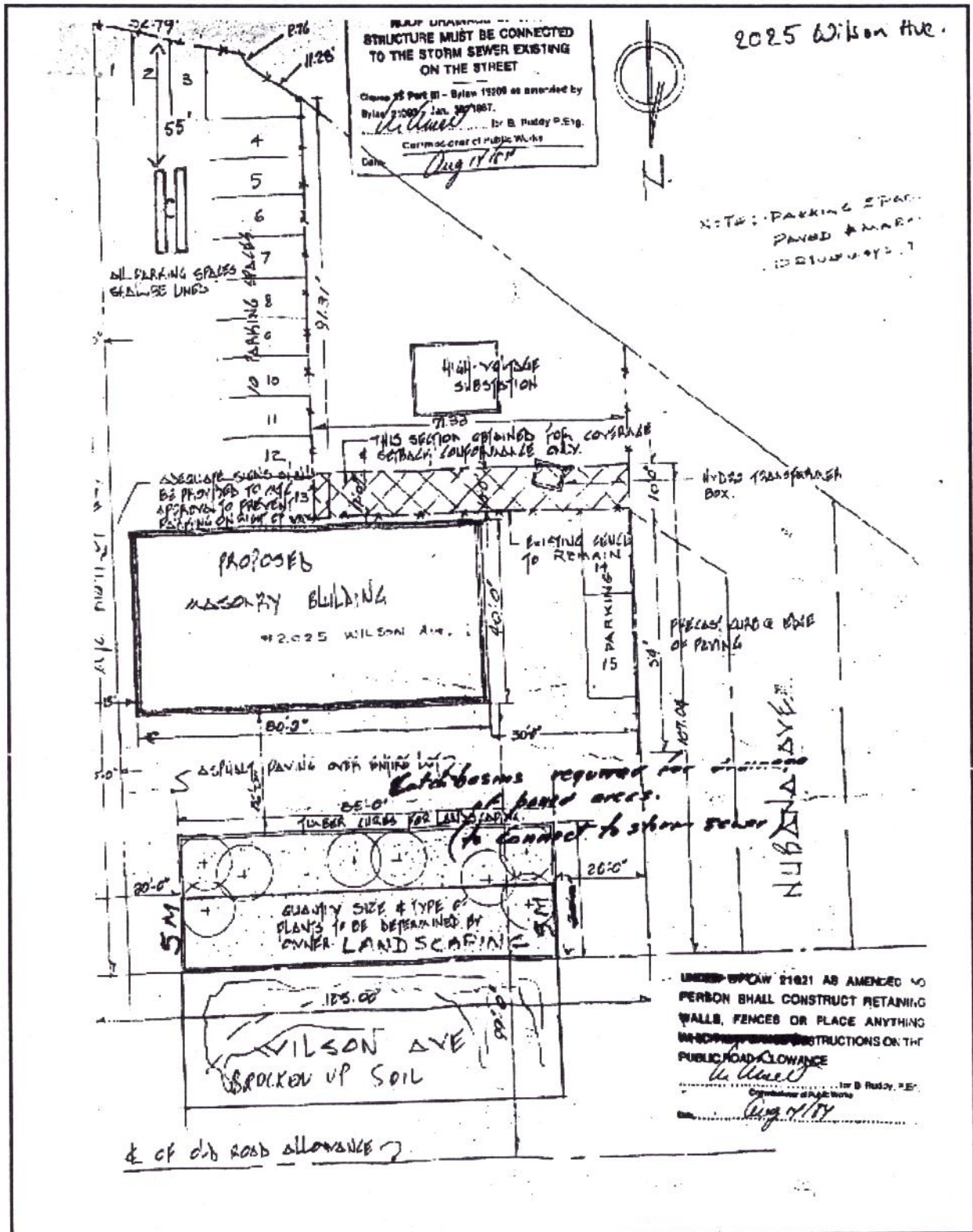




View of sign looking West



View of sign looking West – chain link fence is Hwy 401 off-ramp to Weston Rd.



Site Plan showing location of proposed sign

