

**1252 Lawrence Avenue East
Sign Variance Request**

Date:	January 19, 2009
To:	North York Community Council
From:	Director of Building and Deputy Chief Building Official
Ward:	Don Valley East – Ward 34
Reference Number:	File No. 2009 NY 001 Folder No. 08-224766 ZSV 00 ZR

SUMMARY

This staff report is about a matter that must be approved by City Council as the proposal is in contravention with the former municipality of Metropolitan Toronto (Metro) By-law 211-79 as amended.

The purpose of this report is to review and make recommendations on a request by Stephen Mazur of Pattison Outdoor Advertising LP acting for the owner of the property, Mr. Tzembelicos president of KAPA, for a variance from the Metro Sign By-law 211-79, as amended, to erect a third party roof sign on the property at the above noted address.

RECOMMENDATIONS

Toronto Building North York Division recommends that:

1. The request for the variance be refused.

Financial Impact

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

COMMENTS

The zoning of the property is MC (H) (Industrial-Commercial Zone) and is developed with a two storey commercial building.

The property is located along the north side of Lawrence Avenue East, in the area east of the Don Valley Parkway and west of Victoria Park Avenue. The properties surrounding the site are (refer to Attachment #1):

North: Curlew Drive and single family residential dwellings
South: Across Lawrence Avenue East– Industrial/Commercial uses
East: Two storeys Industrial/Commercial
West: One storey Commercial plaza

The applicant has informed that the front yard setback of the building to the property line is 7 metres. The sign will be located on the roof and approximately 15 metres setback from the front building wall.

The proposed third party sign complies with the former City of North York Sign By-law 30788 as amended (refer to Attachment #2). For details and elevations of the proposed sign refer to Attachment #3.

The proposed third party sign does not comply with the Metro Sign By-law 211-79, as amended, in the following way:

Sign By-law Section & Requirements	Applicant's Proposal	Required Variance
By-law 211-79, Section 1 No person shall use any land within 45 metres of Lawrence Avenue East between the Donway East and the westerly limit of Victoria Park Avenue for any sign, billboard or advertising devices other than signs advertising the property on which they are erected for sale or signs identifying or advertising ownership or the products of the owners or occupants of such land or directional signs at each point of ingress or egress from such land.	To erect a third party roof sign with a sign area of 18.6m ² (200 ft ²) where the sign by-law does not permit any third party signs.	To permit a third party roof sign with a sign area of 18.6m ² (200 ft ²) where the sign by-law does not permit any third party signs.

The sign will be illuminated by way of a solar cell which allows the sign to be turned off in daylight and on at night.

Mr. Sid Catalino, Director of Legislation for Pattison Outdoor Advertising LP, submitted a letter (refer to Attachment #4) on behalf of the owner in support of his request for the sign variance in which he outlines his reasons for approval. It is Mr. Catalino's opinion that the proposed sign application will not negatively impact the lands described in Metro Bylaw 211-79.

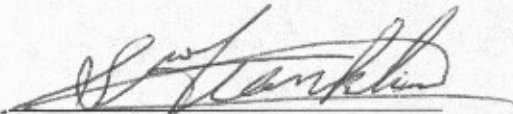
If North York Community Council approves the application for the sign variance, the applicant should be advised of the requirement to obtain the necessary sign permits from the Chief Building Official. Approval from Toronto Transportation will also be required prior to the issuance of a sign permit.

CONTACT

Magda Ishak, P. Eng., Manager, Plan Review; Tel.: 416-395-7555; Fax: 416-395-7589;

e-mail: mishak@toronto.ca

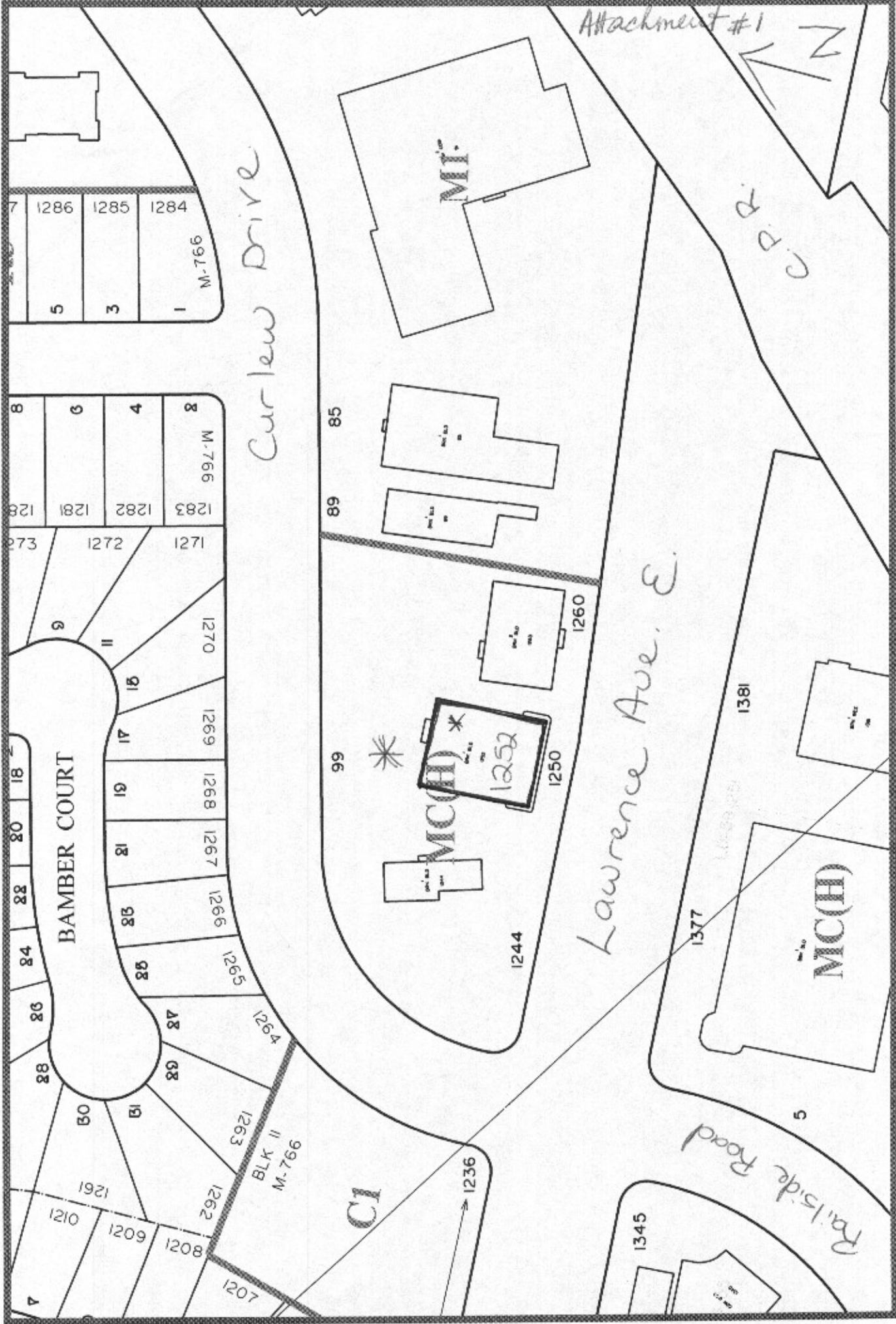
SIGNATURE



Steve Franklin, P.Eng.
Director and Deputy Chief Building Official
North York District

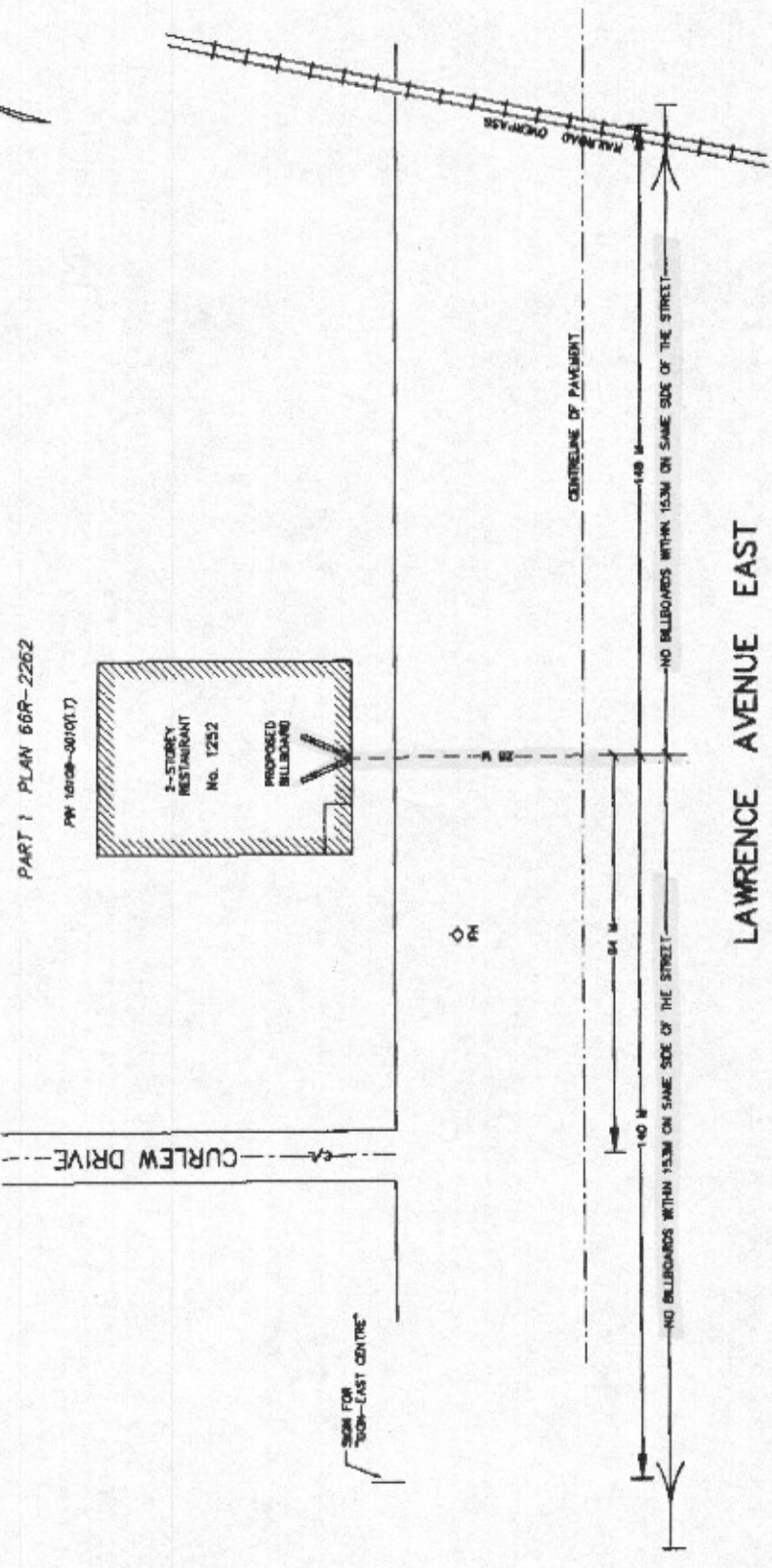
ATTACHMENTS

Attachment #1:	Zoning Map
Attachment #2:	Survey Indicating Required Separation Distance
Attachment #3:	Sign Details & Elevation
Attachment #4:	Letter from the Applicant



SKETCH SHOWING PROPOSED BILLBOARD IN
PART OF BLOCK MM
REGISTERED PLAN M-766
CITY OF TORONTO
 (FORMERLY CITY OF NORTH YORK)
 © COPYRIGHT 2008 J. VINKLERS SURVEYING LTD.

BLOCK MM REGISTERED PLAN M-766



LEGEND

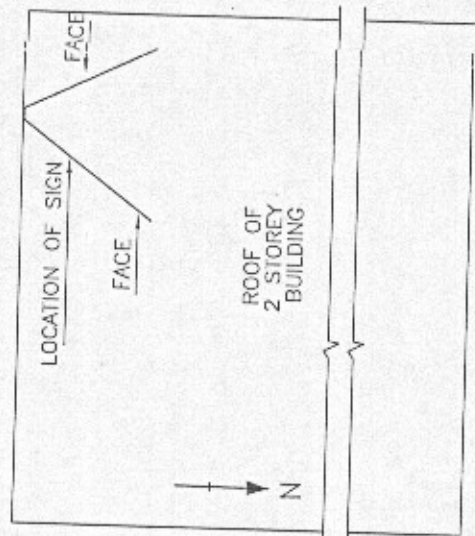
- DENOTES SURVEY MONUMENT FOUND
- STANDARD IRON BAR
- RIVET
- C.C. MARKER
- MET
- CH
- BM
- WT
- TS
- C/A
- WV DENOTES WATER VALVE
- SCISSOR TREE
- CONIFEROUS TREE
- LIGHT STANDARD
- FIRE HYDRANT
- UTILITY POLE
- CATCH BASIN
- MANHOLE
- DENOTES SURVEY MONUMENT FOUND
- STANDARD IRON BAR
- RIVET
- C.C. MARKER
- MET
- CH
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- C/A

NOTE:
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
 THIS DRAWING IS NOT TO SCALE

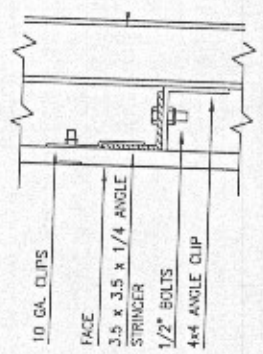
SURVEYOR'S CERTIFICATE
 I CERTIFY THAT THIS SURVEY WAS COMPLETED ON THE 13TH DAY OF NOVEMBER, 2008.
 DATE: 08 Nov 20
 J. Vinklers
 J. VINKLERS
 ONTARIO LAND SURVEYOR

VINKLERS SURVEYING LTD.
 2629 KENNEDY ROAD
 TORONTO ON M1T 3H5
 PROJECT No. 08E73-40

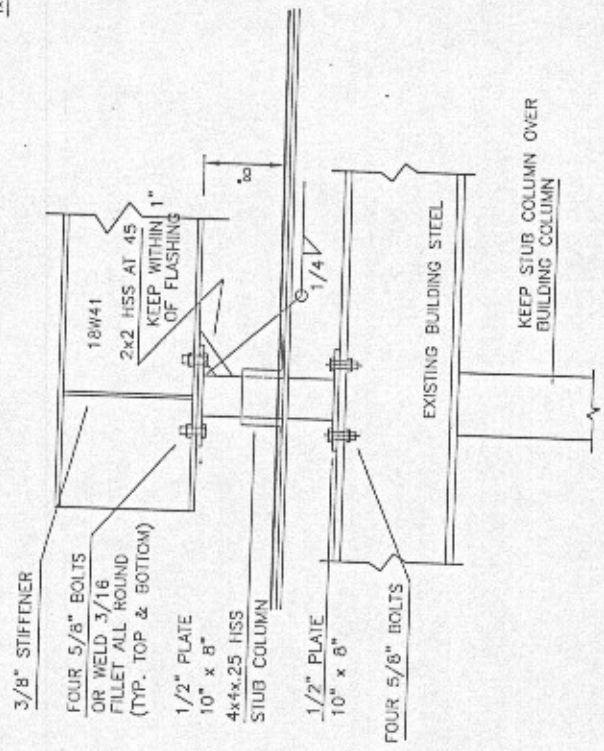
LAWRENCE AVE. E.



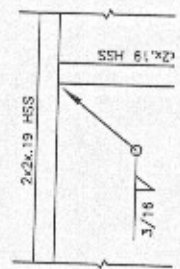
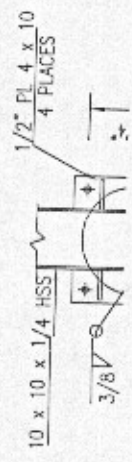
SITE PLAN



STRINGER DETAIL

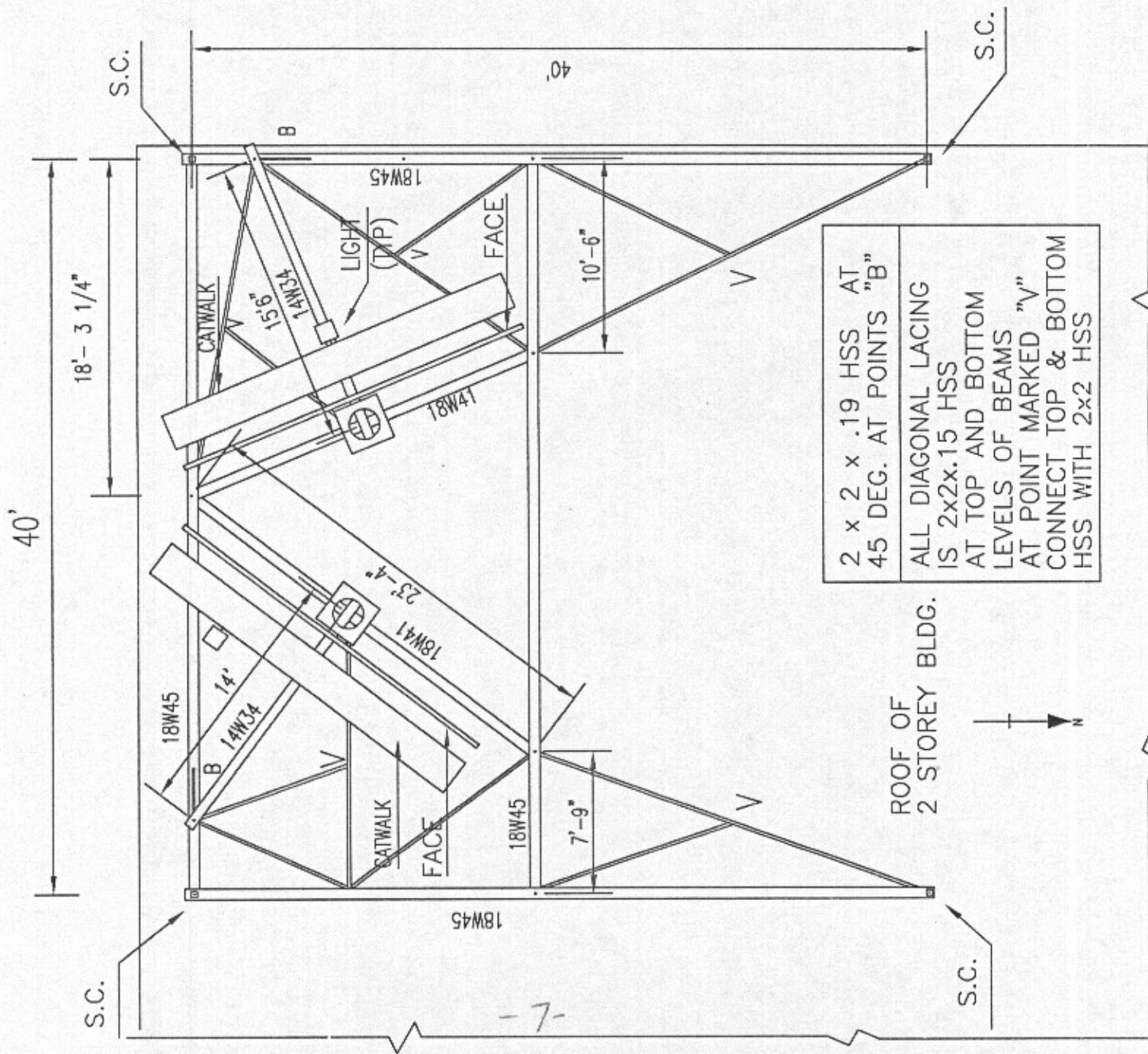


TYPICAL STUB-COLUMN DETAIL (S.C.)

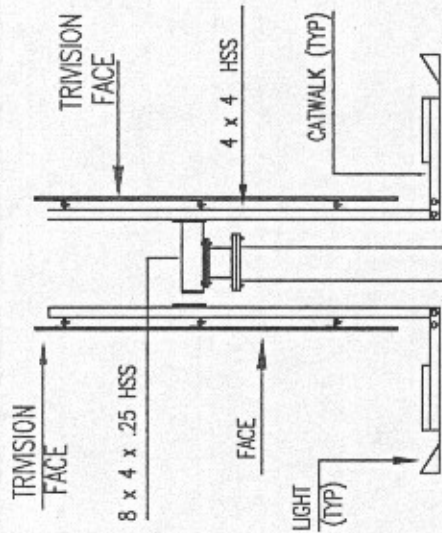


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I T N I M A I I T



2 x 2 x .19 HSS AT
45 DEG. AT POINTS "B"
ALL DIAGONAL LACING
IS 2x2x.15 HSS
AT TOP AND BOTTOM
LEVELS OF BEAMS
AT POINT MARKED "V"
CONNECT TOP & BOTTOM
HSS WITH 2x2 HSS

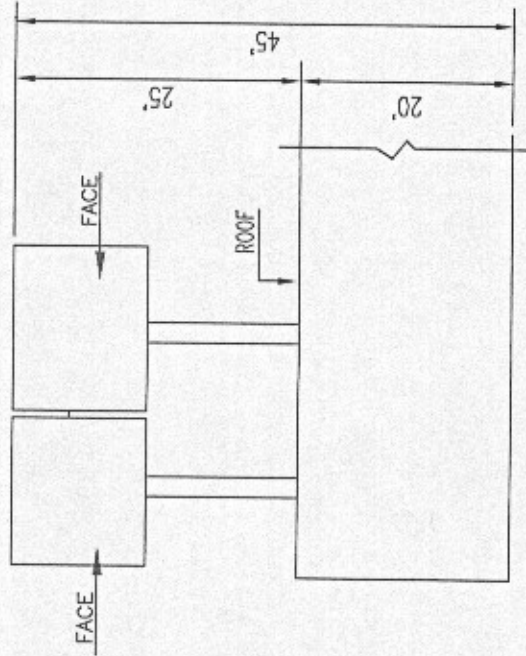
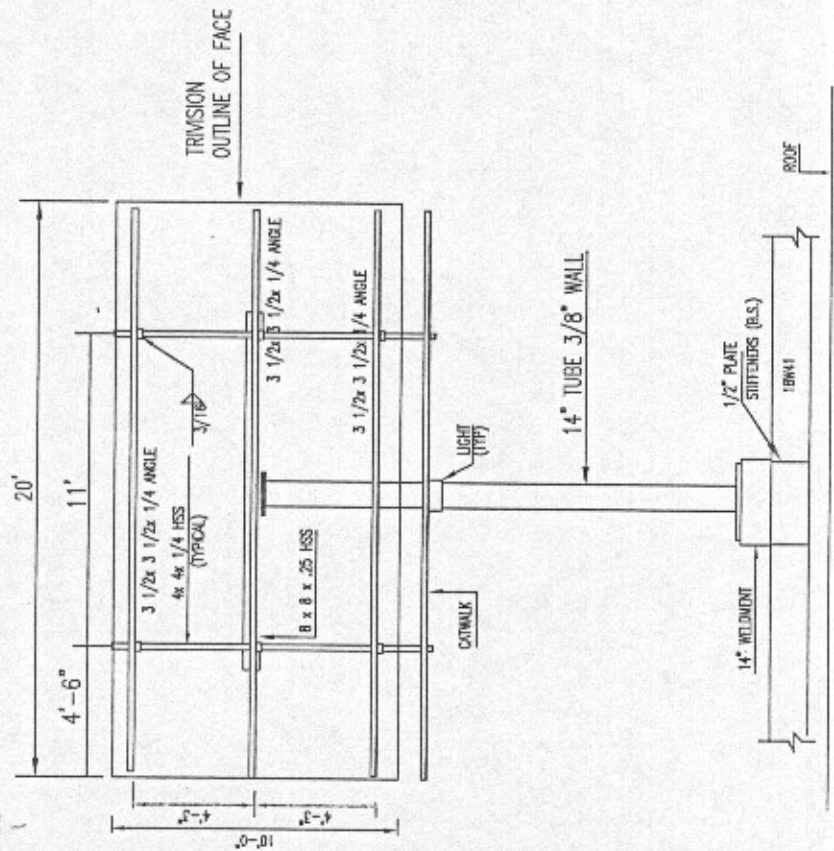


ELEVATION AT APEX END

SIGN STRUCTURE AT 1252 LAWRENCE AVE. E.

LOCATION

8-



SOUTH ELEVATION

FRONT ELEVATION



Attachment #4
P. 1 of 2

City of Toronto
Building Department
5100 Yonge Street
Toronto Ontario
M2N 5V7

November 25, 2008

Re: Sign Application 1252 Lawrence Ave East
File No. 08 122131

By way of this letter, we are hereby applying for a minor variance from the Former City of North York Sign Code, respecting the property at 1252 Lawrence Ave East. In making submission of a sign application we were notified by way of an Examiner's Notice dated April 15, 2008 that our application did not comply and a sign permit could not be issued as of right.

Previous to this application, Pattison Outdoor Advertising on September 18, 1998 had a applied for a roof sign to be located on the property known as 1260 Lawrence Ave East which is one building to the east of 1252 Lawrence Avenue the subject property. On October 30, 1998 sign permit no. S9804892 was issued permitting a roof sign to be located on said property as of right. This roof sign has been located on the roof of 1260 Lawrence Ave East, until March 2008, when the owner requested the sign be removed, due to improvements being made to the building and in particular the roof area.

It was determined in the Examination carried out in April 2008, that a roof sign is not permitted now or in the past on this property as it does not comply with Metro By-law 211-79.

The Metro By-law 211-79 does not permit third party signs to be permitted within 45 meters, of such roads, as this portion of Lawrence Ave East, along with portions of Eglinton Avenue East, Bayview Avenue, Mount Pleasant Road, Don Valley Parkway and the Gardiner Expressway as these lands where at one time considered to be significant green space..

The property and or properties along this stretch of Lawrence and Victoria Park are characterized as one to two storey buildings, and commercial retail strips. The lands to

PATTISON OUTDOOR ADVERTISING LP
2285 Wyecroft Road, Oakville, Ontario L6L 5L7

Telephone : 905 - 465 - 0114 Fax : 905 - 465 - 0633

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the far west of the subject property along Lawrence Ave East form part of the Don Valley river valley. I can understand and respect that By-law 211-79 wanted to protect the greens space lands surrounding the Don Valley.

In addition, the lands immediately to the east of the subject property and west of Victoria Park Avenue, have similar third party advertising signs, albeit, they are ground oriented and not roof and are of a larger overall dimension.

The proposed roof sign, as well as the previously existing roof sign located at 1260 Lawrence Ave East will have generous setbacks from the front elevation wall. Therefore the roof sign will not intrude on those green space lands of the Don Valley and in fact is not visible from the Don Valley corridor, which was the intent of Metro Bylaw 211-79.

Therefore when our original permit for 1260 Lawrence Ave East was considered in 1998, due diligence on the part of City staff, revealed that the intent and integrity of Metro Bylaw 211-79 was not compromised in issuing the previous permit.

It is therefore our opinion that the proposed sign application is very much within the general purpose and intent of the Former City of North York Sign Bylaw and will not negatively impact the lands as described in Metro Bylaw 211-79.

I would be glad to answer any questions relating to this or the previous application in 1998.

Sincerely,

A handwritten signature in cursive script that reads "Sid Catalano".

Sid Catalano
Director of Legislation
Pattison Outdoor Advertising LP