



STAFF REPORT ACTION REQUIRED

Sign Variance 515 Drewry Avenue (New Application & Report)

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|--------------------------|---|
| Date: | October 19, 2009 |
| To: | North York Community Council |
| From: | Director of Building and Deputy Chief Building Official |
| Wards: | Ward – 23 Willowdale |
| Reference Number: | Folder No. 2009NY026 File No.09 178365 ZSV 00 ZR |

SUMMARY

This staff report is about a matter that the Community Council has delegated authority to make a final decision provided that it is not amended to that it varies with City policy or by-laws.

The purpose of this report is to review and make recommendations on a request by Todd Trudelle of The Goldberg Group, on behalf of Imperial Oil Ltd., owners of the property at 515 Drewry Avenue for approval of a variance from the former North York Sign By-law 30788, as amended, to permit the installation of three (3) business identification ground signs in conjunction with a Carwash and a Tim Hortons Pick-Up and Drive-Through facility at this location.

RECOMMENDATIONS

The Toronto Building Division recommends that:

1. North York Community Council approve the request for sign variance at 515 Drewry Avenue.

Financial Impact

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

ISSUE BACKGROUND

On October 13, 2009, the North York Community Council refused the request for Sign Variance to allow six ground signs in conjunction with the uses on the site. The owner, Imperial Oil Ltd., in their letter dated October 15, 2009, Attachment 4 to this report, is asking North York Community Council to consider a revised sign proposal which will now provide for three ground signs (reduced from six signs which were previously requested) in addition to the two ground signs which are permitted at this location.

The proposed additional signs would provide the minimum essential signage to facilitate the safe, effective operation for the Tim Hortons and the Carwash buildings at this location. Of the proposed three signs, one will display the Tim Hortons pre menu board, the second will display the Tim Hortons menu board at the location where the order is placed; and the third will advertise the time of operation for the Carwash.

COMMENTS

The property is located on the southeast corner of Bathurst Street and Drewry Avenue and also has frontage on the north street line of Transwell Avenue. The subject lands are zoned Commercial C2 (13). The site contains an Esso Service Station and Convenience Store (“On the Run”) which includes a Tim Hortons Pick-Up and Drive-Through facility as well as a Carwash. Building permits were issued for this project on May 15, 2009 when the Site Plan Approval process was completed.

Surrounding land uses are zoned as follows:

North - Residential on the north side of Drewry Avenue. A medical office is located on the northeast corner of Bathurst Street and Drewry Avenue.

South - Commercial on the south side of Transwell Avenue.

East - Residential on the east side of lane abutting the subject lands.

West - Residential on the west side of Bathurst Street.

While ground signs are a permitted sign type at this location, the number of ground signs is limited to one ground sign per frontage. The owner seeks variance to the Sign By-Law to install three additional ground signs internal to the site to facilitate the Drive-Through and the Carwash. The cumulative ground sign area complies with Section 5.2.2.5 of By-law 30788.

Permits have already been issued for the two permitted ground signs, where the sign by-law would permit one on each street frontage for a total of three ground signs. The two permitted ground signs are to be located one on the Bathurst Street frontage and the second on the Transwell Avenue frontage. A ground sign is not proposed on the Drewry Avenue frontage, as the applicant has indicated there is greater need for additional internal signage.

The maximum sign height of the three proposed ground signs range in height from approximately 1.22 meters (Carwash sign) to 2.14 meters (Tim Hortons Menu Board); and the proposed total ground sign area is approximately 35 square meters. Both the sign height and the total sign area will comply with the provisions in Section 5.2.2.2. of the North York Sign By-law.

The proposed signs do not comply with the former City of North York Sign By-law No. 30788, as amended, in the following ways:

| Sign By-law Requirements | Applicant's Proposal | Required Variance |
|--|---|---|
| <p>Section 5.2 Commercial Zones 5.2.2.2</p> <p>“One ground sign on an inside lot which has a street frontage of at least 12.2 meters and up to 76.2 meters provided that such ground sign shall have a maximum height of 7.7 meters and a maximum sign area of 0.09m² for every 0.3m of street frontage.</p> <p>5.2.2.5 “ground signs in accordance with Sections 5.2.2.2 may be erected on each street frontage of a corner lot, provided however, that each such street frontage has a minimum length of 12.2 meters</p> | <p>A total of 5 ground signs for the purpose of business identification, where the by-law permits one ground sign per street frontage. The total ground sign area is 34.41m² which is less than the permitted ground sign area of 55.28 m².</p> | <p>To permit a total of 5 ground signs with a sign area of 34.41m² for the purpose of business identification, where only one ground sign for each street frontage is permitted.</p> |

In their letter dated October 15, 2009 and attached to this report as Attachment #4, the owner indicates the proposed Menu and Pre-Menu signs are screened from Bathurst Street by considerable landscaping proposed for the corner of Bathurst Street and Drewry Avenue. The sign associated with the Carwash is screened from view by landscaping along Transwell Avenue and from the residential properties to the east by the 1.8 metre high tongue in groove acoustical fence along the east property line.

CONTACT

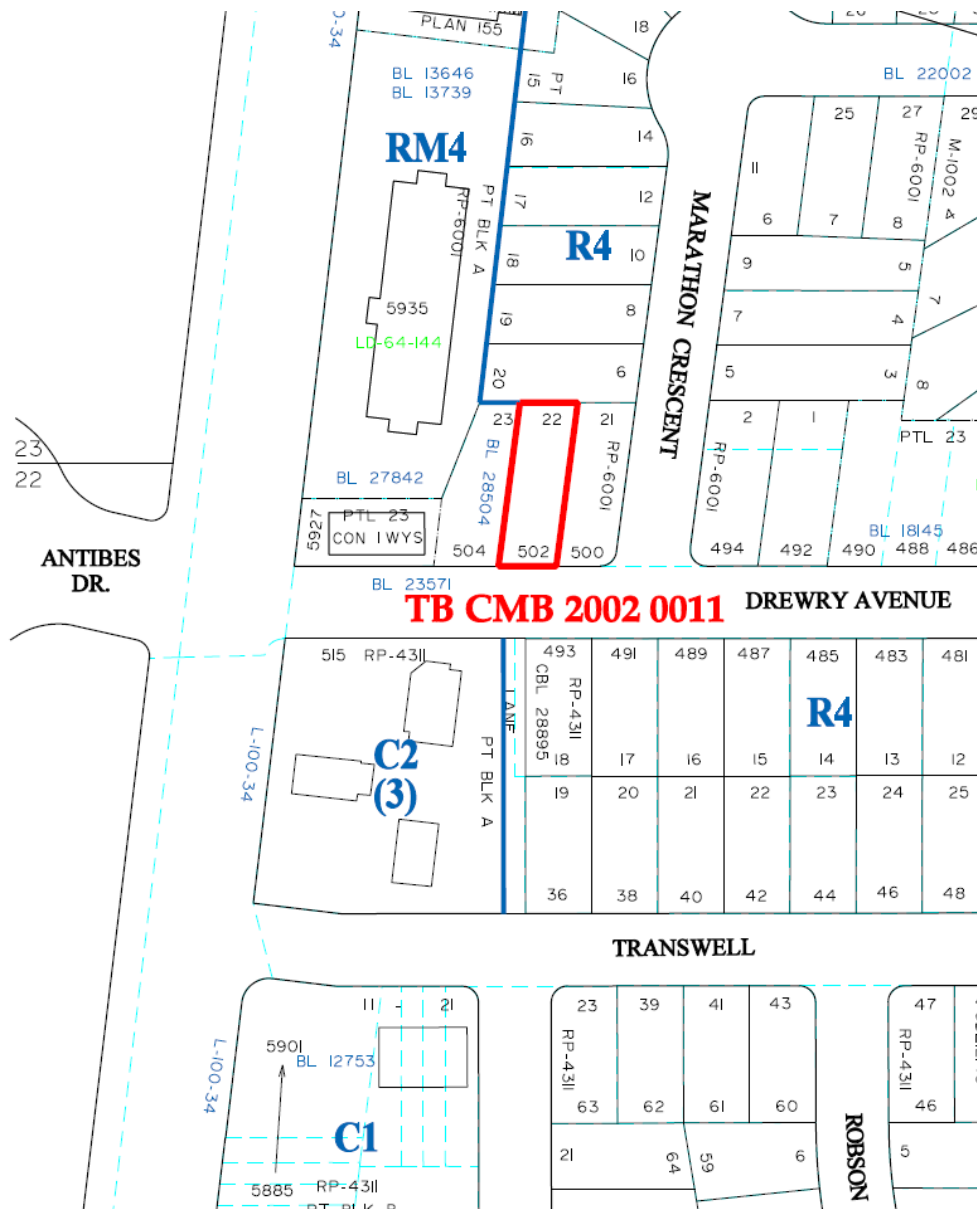
Diane Damiano, Manager, Plan Review
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SIGNATURE

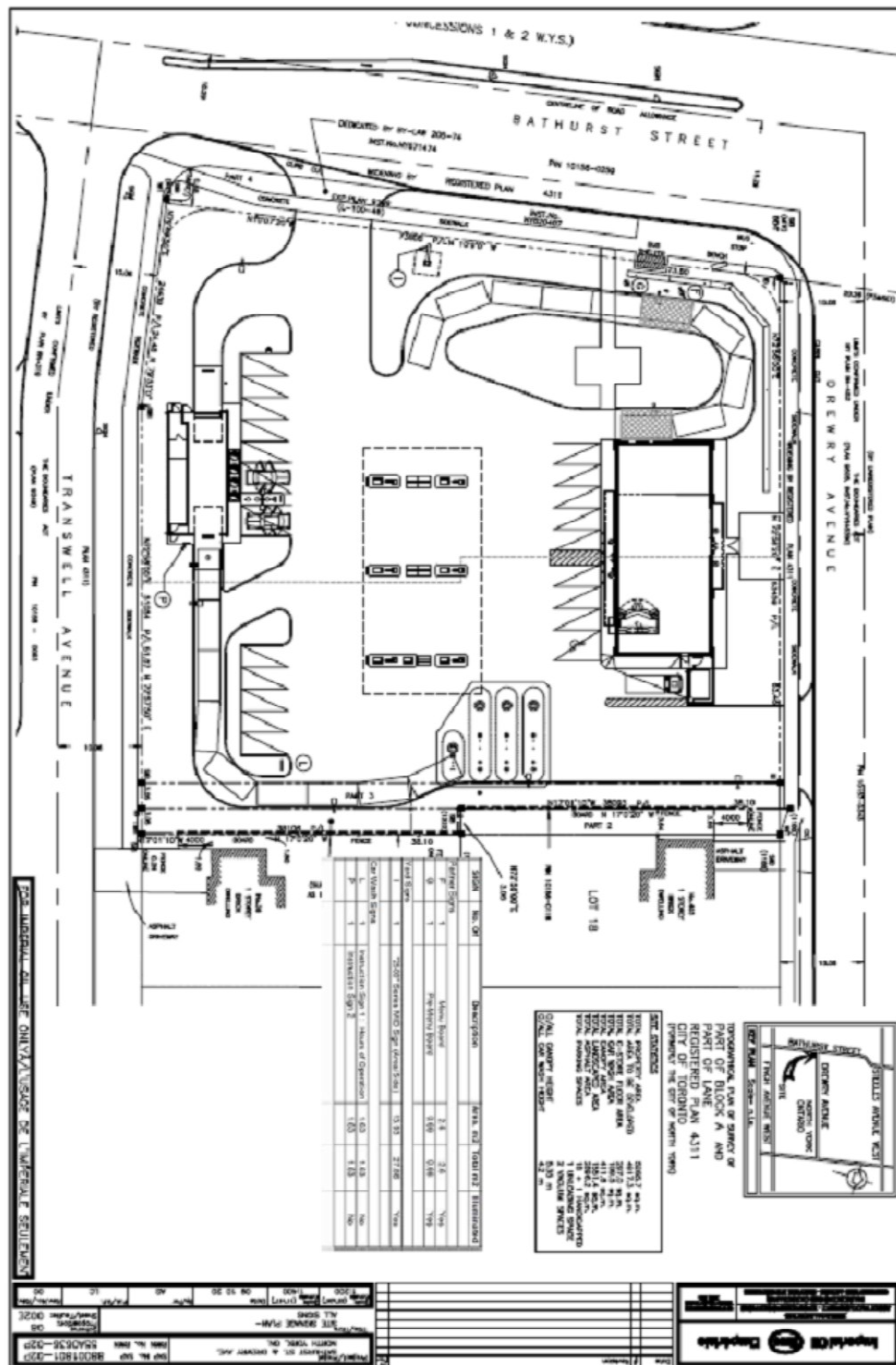
Edward Tipping
Director of Toronto Building and Deputy Chief Building Official, North York District

ATTACHMENTS

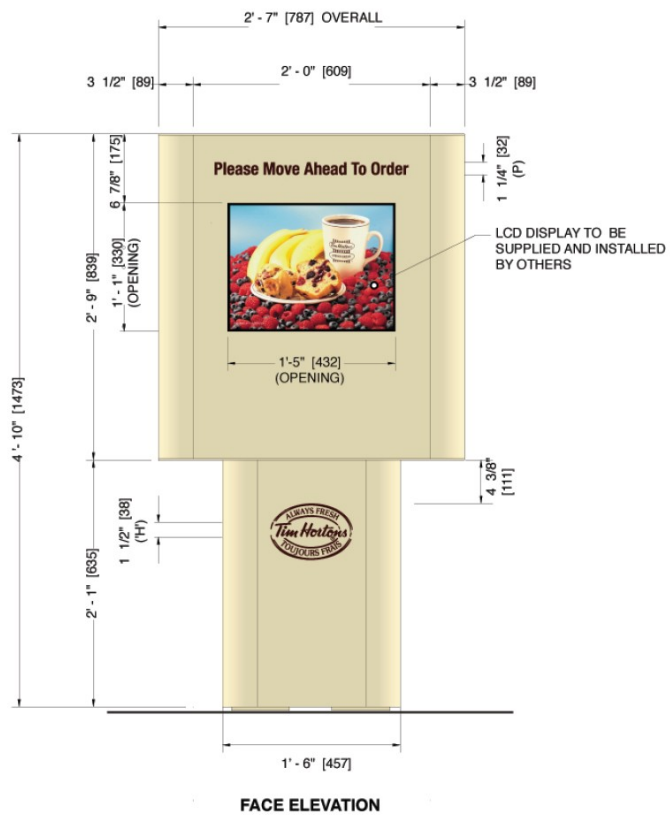
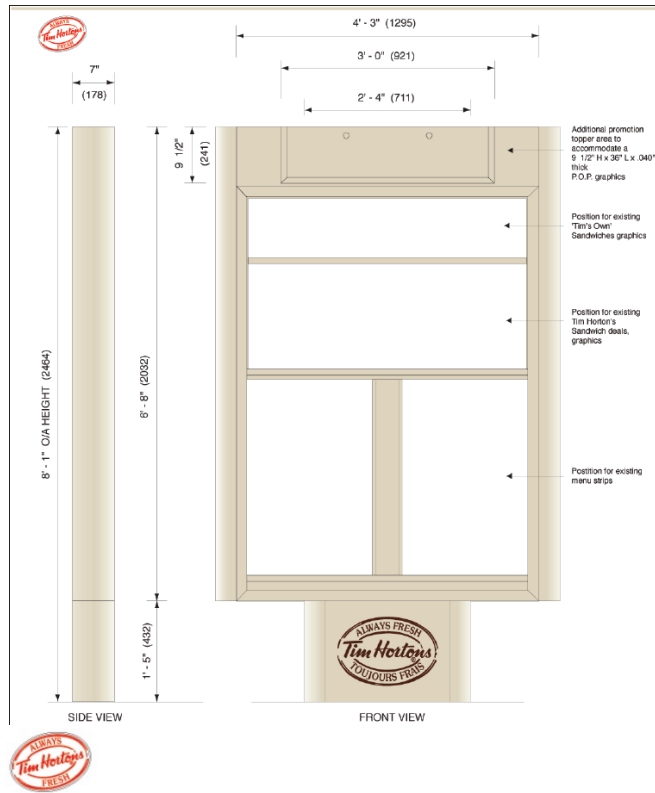
Attachment 1 – Zoning Map
Attachment 2 – Site Plan/Location of Signs at Variance
Attachment 3 – Elevation of the proposed signs
Attachment 4 – Applicant’s Letter



Attachment 1 Zoning Map



Attachment 2



Attachment 3

October 15, 2009

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**RE: Sign Variance Application 09 178365 ZSV 00 ZR
515 Drewry Avenue, Imperial Oil Ltd.**

At North York Community Council (NYCC) on October 13, 2009 the sign variance application (09 140893 ZSV 00 ZR) for 6 additional ground signs was refused. Though staff supported the variances through a report dated September 22, 2009, a motion was brought forward to refuse the variances by the local Councillor. The reasons given for this motion was that, in the Councillor's opinion, the site is over developed.

The subject site required a zoning application to add the carwash as an additional permitted use. All other uses proposed, including the drive-through were permitted uses under the previous zoning category (C2(3)). A lengthy pre-consultation process was undertaken with City planning, urban design and transportation staff to arrive at an acceptable design. Accordingly, on July 7, 2008 at NYCC a Final Report supporting the development was presented to Community Council for consideration. The application for rezoning and site plan were subsequently refused by Community Council and appealed to the Ontario Municipal Board.

The Ontario Municipal Board decision of December 24, 2008 approved the zoning (now by-law 287-2009 (OMB)) and the site plan application. The proposed drive-through is being constructed and will be operational in November 2009.

The sign variance application considered by NYCC on October 13, 2009 proposed 6 additional ground signs, over and above the 2 currently permitted. This application now proposes a variance for 3 additional ground signs from the 2 that are currently permitted through the sign by-law. The sign by-law permits one ground sign on each street frontage. As this site has 3 street frontages (Bathurst Street, Drewry Avenue and Transwell Avenue), a total of 3 ground signs should be permitted. However, since no ground signs are proposed along the Drewry Avenue frontage, it has been determined by staff that only 2 ground signs are permitted.

Due to the nature of the operations of the site as a gas station, carwash and convenience store with drive through; additional ground signs are required that are associated directly with the approved facilities that require additional signage to function efficiently. The Tim Horton's Menu board provides information on what is available from the drive through and includes prices. The drive-through cannot function in an effective manner without the Menu Board.

The Pre-Menu board provides a list of specials, advises patrons to have their money ready and keeps the vehicular traffic moving efficiently through the stacking lane. The Pre-Menu Board is essential to the functional and timely operation of the drive-through facility.

The third variance ground sign is for the carwash hours of operation. This sign, located at the entrance to the carwash advises patrons of the hours of operation and also advises patrons that carwash tickets must either be purchased from the pumps or within the convenience store. As this facility is self-automated notification of hours and where to purchase tickets are necessary.

Community Council refusal of the previous sign variance application on October 13, 2009, gave no consideration to the approved components of the development and the required signage associated with each.

The following table provides details on the signs that the variance application applies to:

| Sign ID | Description | Message | Size (m²) | Comment |
|----------------|---------------------------------------|---|-----------------------------|--|
| F | Tim Hortons drive through menu board. | Display items and prices of goods. Orders placed here. | 2.6 | Illuminated menu board necessary for the ordering of items from the Drive through. Situated internal to the site closest to Bathurst Street frontage in a southeast facing orientation away from the street. Located behind landscaping. |
| G | Tim Hortons Pre-Menu Board | Advises patrons to order ahead and provides list of special menu items. | 1.7 | Illuminated sign located along Bathurst St. frontage. Face of sign oriented in a southeast direction for cars entering the drive through. Provides instructional information to the patrons of the drive through prior to arriving at the Menu Board. This sign is required to reduce delays once cars arrive at the Menu Board. Located behind landscaping. |
| L | Carwash Instruction Sign 1 | Indicates carwash hours of operation | 1.63 | Non-illuminated sign located in southeast corner of site closest to Transwell with sign face oriented to the north to vehicles entering carwash queuing lane. This sign is necessary to advise patrons of hours of operation and need to pay at store. |

The proposed ground signs requiring variance are essential to the operation of the site. These signs do not face any of the surrounding streets and are internal to the site. The Menu and Pre-Menu signs are screened from Bathurst Street by considerable landscaping proposed for the corner of Bathurst Street and Drewry Avenue. The carwash “Hours of Operation” sign is internal to the site, is screened from view by Landscaping along Transwell Avenue and from the residential properties to the east by the 1.8 metre high tongue in groove acoustical fence along the east property line.

We are eager to have this item considered on the November 10, 2009, NYCC Agenda and would appreciate your efforts to include this application for consideration at that time.

If any further information is required, please contact me.

Sincerely

GOLDBERG GROUP

A handwritten signature in black ink, appearing to read "T. Trudelle", written in a cursive style.

Todd Trudelle
Planner

Cc. L. Curran, Imperial Oil Ltd.
D. Dussault, Imperial Oil Ltd.

Attachment 4