



## STAFF REPORT ACTION REQUIRED

### Request for Approval of Variances from the Former City of Scarborough Sign By-law No. 22980, as amended, for a Ground Sign at 3660 Midland Ave.

<b>Date:</b>	October 20, 2009
<b>To:</b>	Chair and Members, Scarborough Community Council
<b>From:</b>	Director, Toronto Building, Scarborough District
<b>Wards:</b>	Ward 41 - Scarborough-Rouge River
<b>Reference Number:</b>	2009SC016 File No: 09-168973

## SUMMARY

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This staff report is about a matter for which Scarborough Community Council has delegated authority to make a final decision.

The purpose of this report is to review and make recommendations on a request by Oskar Management Ltd., on behalf of 1572866 Ontario Inc., for approval of variances from the former City of Scarborough Sign Code, By-law No. 22980, as amended, to permit the erection of a ground sign at the above address.

The requested variances for maximum sign area and height of a ground sign are considered by staff to be significant and the variances are recommended not to be approved.

## RECOMMENDATIONS

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**Toronto Building, Scarborough District, recommends that:**

1. The requested variances not be approved; and
2. The applicant be informed to revise the design of the ground sign to conform to the provisions in the Sign By-law 22980.

## **FINANCIAL IMPACT**

There are no financial implications resulting from this report.

## **ISSUE BACKGROUND**

The subject property, known as 3660 Midland Avenue, is located on the west side of Midland Avenue between McNicoll Ave. and Killcullen Castle Gate. The area is designated as a Mixed Employment Zone (ME) in the Milliken Employment District, of Zoning By-law No. 24982 of the former City of Scarborough.

The abutting lands are designated, in the above zoning by-law, as follows:

North: “Industrial District Commercial Zone and Mixed Employment Zone (MDC & ME)”;

South: “Industrial Zone (M)”;

East: “Neighbourhood Commercial Zone (NC)” on the east side of Midland Avenue under the Milliken Community By-law 17677;

West: “Mixed Employment Zone (ME)”.

The applicant wishes to legalize an installed ground sign at front of the property facing Midland Avenue. This sign has replaced a previous smaller and lower sign.

## **COMMENTS**

The subject property is classified as Group 2 Non-Residential Use in the former City of Scarborough Sign By-law 22980. The by-law allows a maximum ground sign area of 4 m<sup>2</sup> (43.06 ft<sup>2</sup>) and a maximum sign height of 3.33 m (10.93 ft.)

The owner of the property has replaced an existing ground sign with a new one without first obtaining a permit. A permit application has been received but cannot be further processed until the requested variances are granted.

The installed sign is a double faced sign with each face having an area of 7.89 m<sup>2</sup> (84.93 ft<sup>2</sup>) and a sign height of 4.17 m (13.68 ft.). Both area and height exceed those permitted in the by-law. The following table describes in greater detail the extent of the non-compliances.

Sign By-law Section and Requirements	Applicant's Proposal	Required Variance
<p><b>Sign By-law 2.3.5(4)(d)(iii)</b> The maximum area per sign face, with respect to identification or business or promotional advertising sign face only, shall not exceed: (iii) for Group 2 Non-Residential Use premises the greater of 4 m<sup>2</sup> (43.06 ft<sup>2</sup>) or 1 m<sup>2</sup> (10.76 ft<sup>2</sup>) for each 40 m (131.23 ft.) of the street frontage.</p> <p><b>Sign By-law 2.3.1.(4)(b)</b> A double faced sign, or a sign having a cylindrical or spherical shaped sign face, or a sign face joined with another sign face for the full length of their edges such that all sign faces on the sign are similarly joined together, may have the total area of all sign faces double the permitted for any one sign face.</p> <p><b>Sign By-law 2.3.5(5)(a)(i)</b> The maximum permitted height of a sign face above grade shall not exceed the lesser of the following:  (i) 2 m (6.56 ft.) plus 1 m (3.28 ft.) for each 3 m<sup>2</sup> (32.29 ft<sup>2</sup>) of permitted sign face area, for permitted area of 10 m<sup>2</sup> (107.64 ft<sup>2</sup>) or less, and for permitted areas in excess of 10 m<sup>2</sup> when (i) would provide for a height greater than (ii) following, where Clause 2.3.5(4)(f)(ii) applies;</p>	<p>The applicant has erected a new double faced ground sign with a total sign face area of 15.78 m<sup>2</sup> (168.85 ft<sup>2</sup>) and a sign height of 4.17 m (13.68 ft.) in the street yard of the premises facing Midland Avenue to replace an existing ground sign.</p>	<p>To allow the erection of a double faced ground sign with a total sign face area of 15.78 m<sup>2</sup> (168.85 ft<sup>2</sup>) and a height of 4.17 m (13.68 ft.) whereas the maximum permitted total ground sign face area is 8 m<sup>2</sup> (86.11 ft<sup>2</sup>) for a double faced ground sign and a maximum sign height is 3.33 m (10.93 ft.).</p> <p>The proposed total ground sign face area is larger than the permitted sign area by 7.78 m<sup>2</sup> (83.74 ft<sup>2</sup>) or 97.25%; and the proposed sign height is greater than the permitted height by 0.84 m (2.76 ft.) or 25.23%.</p>

The applicant erected a new sign in order to better serve and promote the businesses and organizations on the premises. However, as described in the table, the sign face area and height significantly exceed the maximum allowed by the bylaw. Staff does not consider the requested variances to be minor and recommends their refusal.

## **CONTACT**

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## **SIGNATURE**

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Steve Franklin, P.Eng.  
Director of Building and  
Deputy Chief Building Official  
Scarborough District

### Applicant's Information:

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## **ATTACHMENTS**

Attachment 1 – Site Plan  
Attachment 2 – Zoning Map  
Attachment 3 – Ground Sign Details