



## STAFF REPORT ACTION REQUIRED

### Sign Variance Report 860 The Queensway

<b>Date:</b>	January 11, 2010
<b>To:</b>	Chair and Members, The Etobicoke York Community Council
<b>From:</b>	Mark Sraga, Director and Deputy Chief Building Official
<b>Wards:</b>	Etobicoke-Lakeshore, Ward 5
<b>Reference Number:</b>	2010EY010

### SUMMARY

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

Toronto Building received a Request for Approval of a Variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, from Sid Catalino with Pattison Outdoor, on behalf of the property owner Marco Massaro. The request is to permit to erect one illuminated third party wall sign with a tri-vision panel and having a face area of 18.58 sq. m each (200 sq.ft) located on the west wall of the building at 860 The Queensway.

### RECOMMENDATIONS

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It is recommended that:

1. The request for variance at 860 The Queensway be refused for the reasons outlined in this report.

### Financial Impact

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

## COMMENTS

The property is located in the former municipality of Etobicoke which is subject to the Etobicoke Zoning Code. Based on the Etobicoke Zoning Code the property is zoned Limited Commercial-Avenues (AV) and is also subject to By-laws 514-2003 and 191-2006. The property at 860 The Queensway is a two storey building that contains a residential unit on the second floor.

The property is surrounded by other commercial properties to the south, east and west, and residential properties are located to the north. There is a 6 metre lane that separates the property from residential properties. The lane provides access to the rear of commercial properties along The Queensway.

The proposed third party wall sign will be an illuminated tri-vision sign installed along the west wall of the two storey building facing eastbound traffic on The Queensway. The overall dimensions of this sign will be 6.0 m wide by 3.0 m high (20 ft x 10 ft”) with a total sign area of 18.58 sq. m (200.0 sq. ft). The Sign Code does not permit any third party signs in a commercial zone unless the lot is vacant.

In 2005 the applicant had submitted a request to permit installation of a third party roof sign at this location. Staff report dated August 9, 2005 recommended a refusal of this variance. At its October 2009 City Council meeting council adopted staff’s recommendations to refuse the variances.

The signs do not comply with Chapter 215, Signs, of the former City of Etobicoke Municipal Code in the following ways:

<b>Sign By-law Section &amp; Requirements</b>	<b>Applicant’s Proposal</b>	<b>Required Variance</b>
By-law 280-1998 2 (a) prohibits y third party signs within 400 m of F. G. Gardiner Expressway from Highway 427 to the Humber River	The proposed sign will be located approximately 150 meters from the highway right-of-way.	Sign to be located 150 meters from the highway right-of-way in lieu of the 400 meters required.
215-20(l) No advertising facia signs may be erected in any commercial zone	To erect a tri-vision third party wall sign on a commercial building	To permit a tri-vision third party wall sign that is prohibited in a commercial zone.

### ***Variance from requirements of MTO Commercial Sign Policy***

The applicant is proposing to erect a billboard wall sign with a display area of 18.58 square metres, within 150 metres of the F. G. Gardiner Expressway. This will result in the sign exceeding limitations contained in the MTO Commercial Sign Policy that has been adopted for use as guidelines when evaluating the merits of Sign Variance applications for signs within 400 metres of the F.G. Gardiner Expressway between Highway 427 and the Humber River.

The proposed installation of a third party tri-vision billboard wall 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 the portion of the F.G. Gardiner Expressway from Highway 427 to the Humber River. It also does not comply with the Ministry of Transportation Commercial Sign Policy which is a guideline for the “Interim Third Party Advertising Sign Minor Variance Process” that was adopted by Council in 1998, in the following ways:

<b>MTO Commercial Sign Policy</b>	<b>Applicant's Proposal</b>	<b>Deviations from MTO Commercial Sign Policy</b>
No other sign to be placed within 305 metres of another billboard sign per direction, provided there are no left hand billboard signs facing the motorist	The proposed sign to be erected within 305 metres from the billboard sign located at 833 The Queensway.	Sign will be located within approximately 90 metres from the other sign.

Therefore, it is recommended that Council deny the requested variance as it is not minor in nature.

### **PROPOSED NEW SIGN BY-LAW**

On December 7, 2009 City Council approved a new harmonized Sign By-law that will come into force and effect on April 6, 2010. 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 “CR- Commercial Residential Sign District”.

<b>Sign By-law Section &amp; Requirements</b>	<b>Applicant's Proposal</b>	<b>Required Variance</b>
694-24 Site-specific area restrictions. 694-24.A. (1). 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 any limit of the F.G. Gardiner Expressway from Highway 427 to the Humber River, transferred from the Province of Ontario in Council 534/97.	Proposal is to permit a 3rd-party tri-vision wall sign.	To permit a third party wall sign approximately 150 metres of the F.G. Gardiner Expressway.
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 third party sign.	Proposal is to permit a 3rd-party tri-vision wall sign within 90 metres from another third party roof sign at 833 The Queensway.	To permit a tri-vision third party wall sign approximately 90 metres from an existing third party sign.
694-25 District specific third party sign regulations 694-25.A.(1)( e) A wall sign shall not be erected within 30 metres of any premises located in whole or in part in an R,RA or OS sign district	Proposal is to permit a 3rd-party tri-vision wall sign within 6 metres from a residential zone.	To permit a tri-vision third party wall sign within 6 metres from residential properties.

## **CONTACT**

Galina Veltman, Manager, Plan Examination

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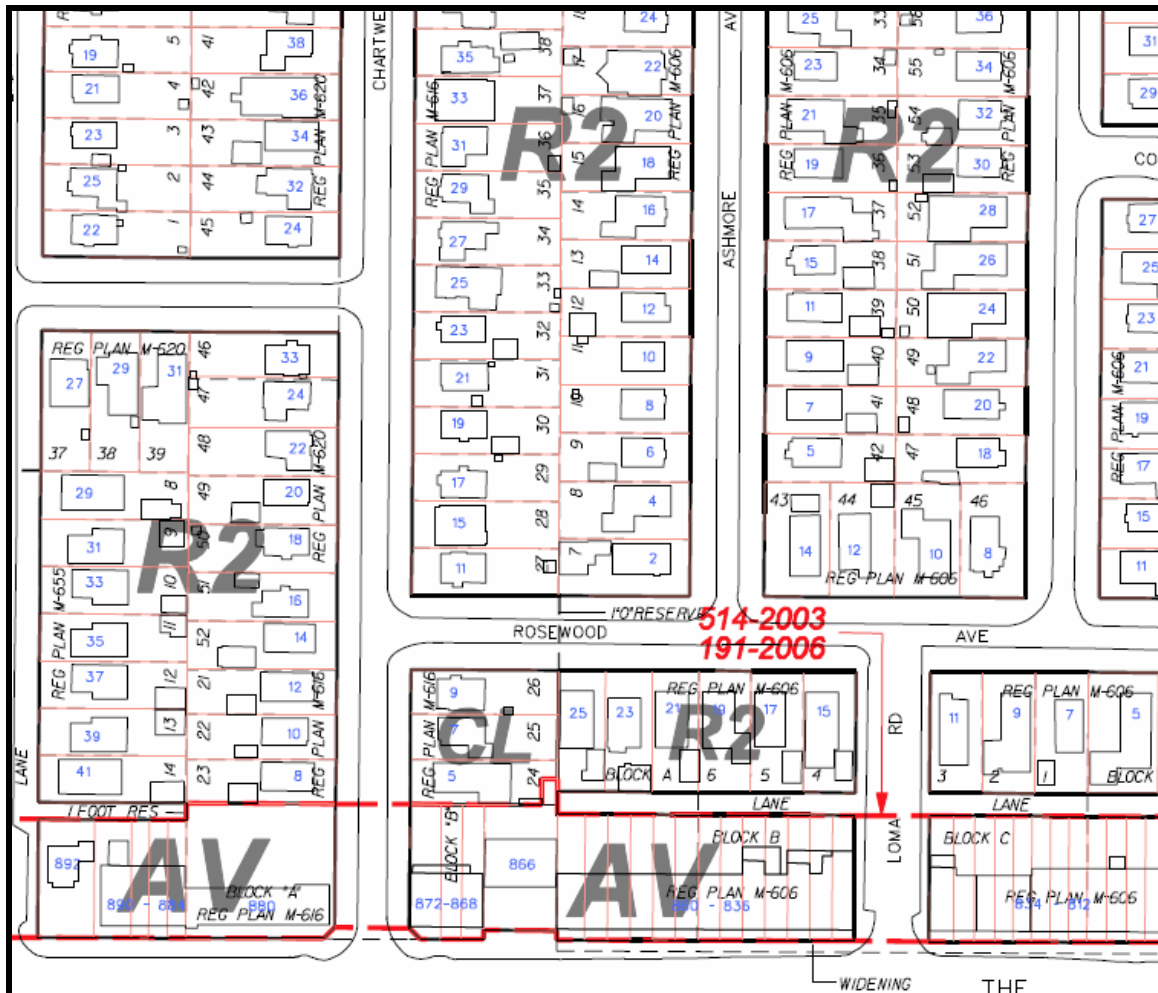
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Mark Sraga  
Director of Building and  
Deputy Chief Building Official  
The Etobicoke York District

## ATTACHMENTS

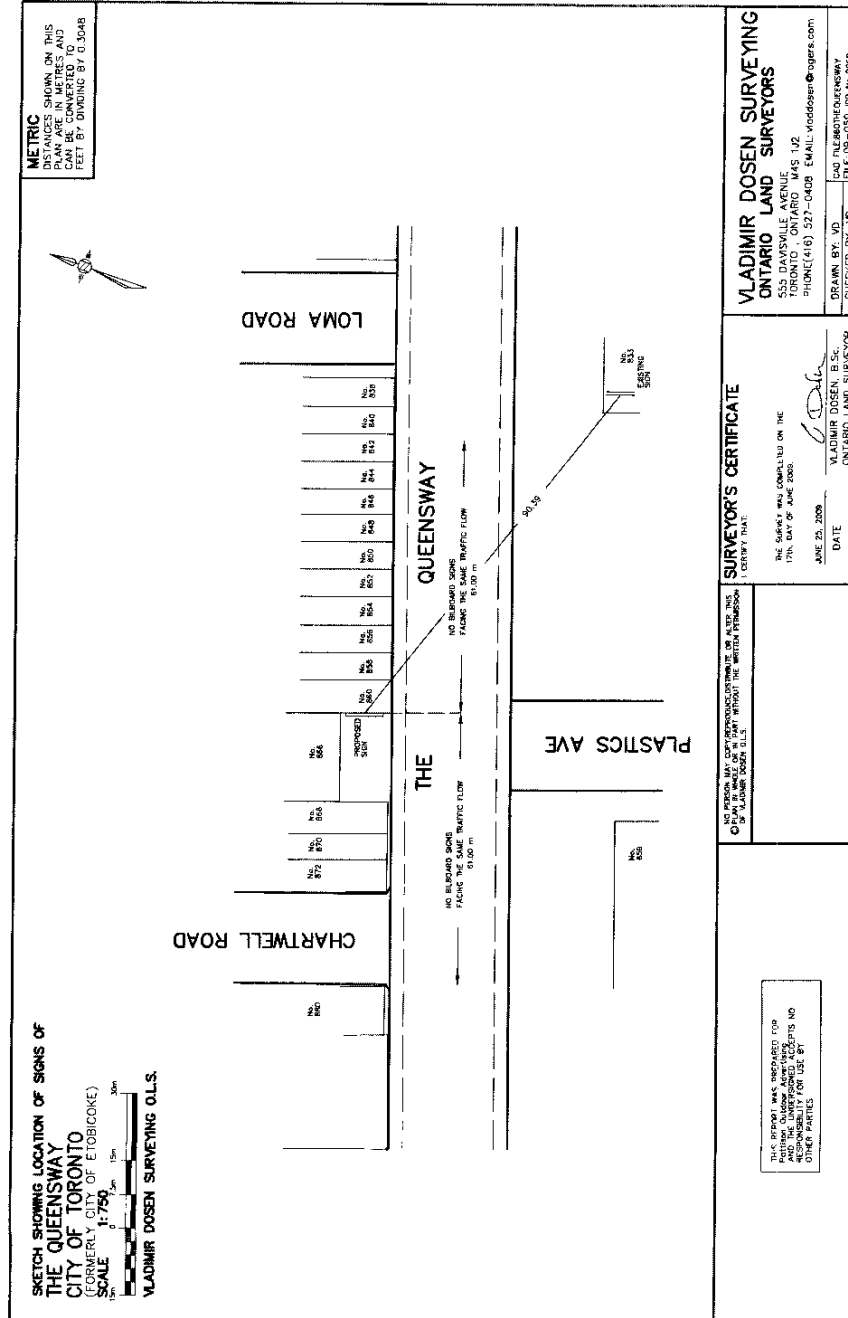
- Attachment 1 – Zoning Map
- Attachment 2 – Site Plan
- Attachment 3 – Aerial View
- Attachment 4 – Existing Site Photos
- Attachment 5 – Sign Details
- Attachment 6 - Applicants Letter

### Attachment 1 – Zoning Map



[illegible]

# Attachment 3 – Site Survey



### Attachment 3 – Aerial View





#### Attachment 4 – Existing Site Photos



Proposed wall sign above 1<sup>st</sup> floor and existing roof sign at 833 The Queensway



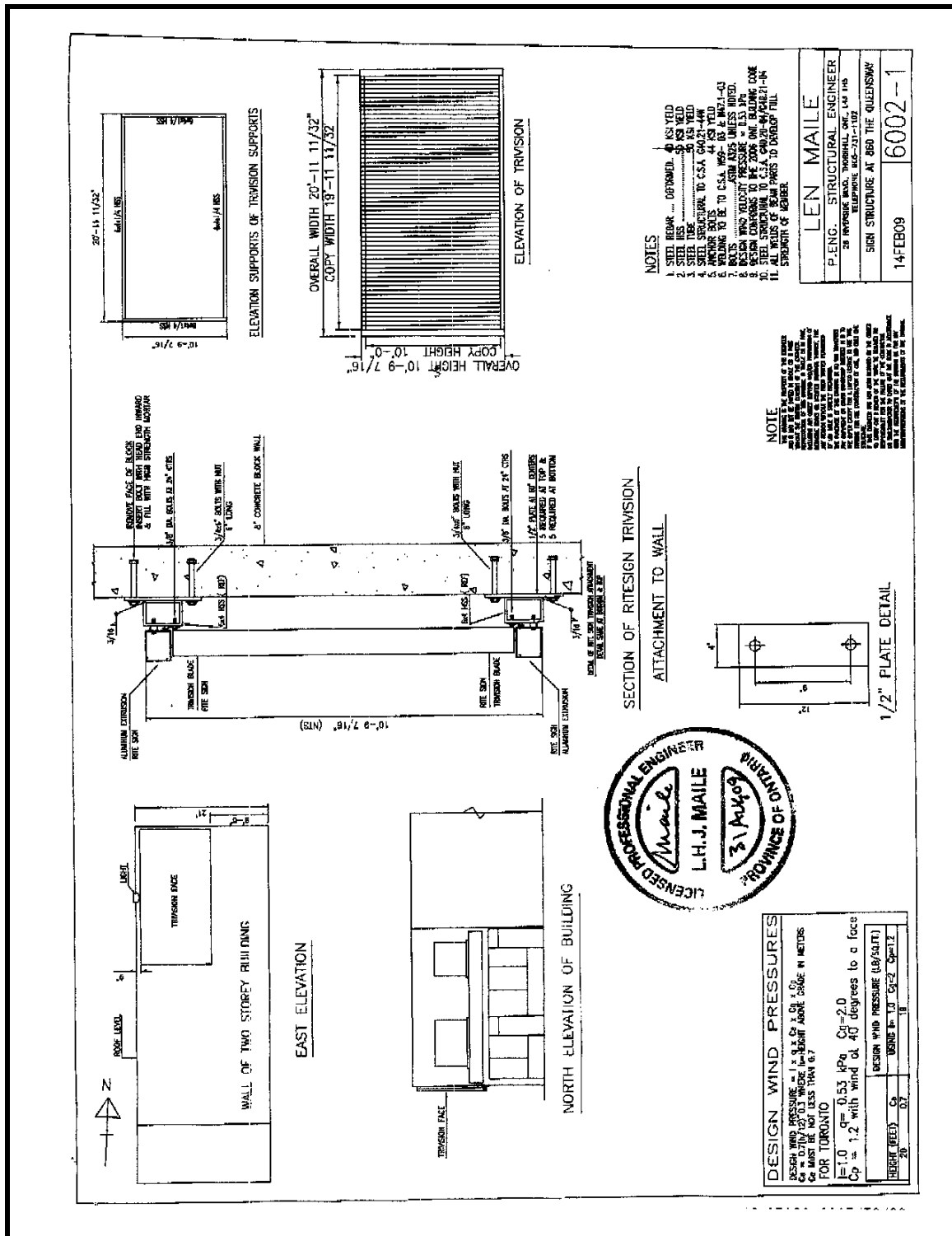
Front Elevation

860 THE QUEENSWAY



Rear Laneway and residential properties to the north

Staff report for action on 860 The Queensway. 11



## Attachment 6 – Applicants Letter



August 31, 2009

Att: Glenda Jagai, Committee Administrator  
Etobicoke York Community Council  
2 Civic Centre Court  
Toronto ON  
M9C 5A3

Re: Sign Variance Application – 860 The Queensway- (Ward 5)

Committee Administrator:

By way of this letter and the necessary documents filed, we are applying for a minor variance to the Former City of Etobicoke Sign Code. The subject property is located on the north side of The Queensway, between Lomar and Chartwell Road. We are proposing to erect a single face 10 by 20 wall sign having tri-vision panels to be located on the west wall of the two storey building.

The variance we are seeking relates to the 400 metre separation from the Gardiner and wall signs of this type are not permitted in commercial zones. In August 2005, this location was before your Committee seeking a variance for a roof sign. The application was refused. At the time there was concern that the proposed roof sign would be visible from the residential component, even though the commercial component on The Queensway was separated from the residential by an additional 6 metre lane to the rear.

The proposed single face wall sign will be located on the west elevation of the property and will be visible only to vehicular traffic travelling eastbound. The sign will be located slightly below the roof line therefore no visibility to properties located to the north.

Lastly respecting the 400 metre setback from the Gardiner guideline, the subject property is located approximately 150 metres north of the Gardiner and has no visibility to the Gardiner. In fact the only visibility to the sign from the south, would be from the properties located on the south side of The Queensway, 66 feet away.

It is our opinion given the variances, our application satisfies them and the proposed sign, is in keeping with the general intent and purpose of the sign bylaw.

A handwritten signature in dark ink, appearing to read "Sid Catalano".

Sid Catalano,  
Director of Legislation, Pattison Outdoor Advertising LP

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