



STAFF REPORT ACTION REQUIRED

Sign Variance Report 2150 Lake Shore Blvd W

Date:	October 27, 2009
To:	Chair and Members, The Etobicoke York Community Council
From:	Mark Srage, Director and Deputy Chief Building Official
Wards:	Etobicoke-Lakeshore, Ward 6
Reference Number:	2010EY004

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 variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code to install a double faced third party electronic LED ground sign that has 4.27m x 14.6m (14 ft x 48 ft) digital screens for sign faces on the north end of the property with the signs facing the Gader Expressway at 2150 Lake Shore Blvd W.

The request comes from Graham Armstrong with Pattison Outdoor for the owners Kraft Canada., attention Sandra Cifersons, Director of Marketing for approval of the variance from Chapter 215, Signs, of the former City of Etobicoke Municipal Code.

RECOMMENDATIONS

It is recommended that:

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

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 Industrial Class One (IC1). On this property is located Christie's bakery.

The applicant proposed to erect a third party illuminated "V" shaped sign that has 4.27m x 14.6m (14 ft x 48 ft) digital screens for sign faces resulting in a sign face area of 62.34 m² (672 ft²). The sign will be located at the north end of the lot with the signs facing the Gardiner Expressway and the CNR rail line. The top of the sign will be 31.4 metres (103 ft) above the adjacent grade so that the signage can be seen by traffic on the Gardiner Expressway.

The sign does not comply with Chapter 215, Signs, of the former City of Etobicoke Municipal Code in the following way:

Sign By-law Section & Requirements	Applicant's Proposal	Required Variance
Bylaw 280-1998 2 (a) prohibits third party signs within 400m of F. G. Gardiner Expressway from Highway 427 to the Humber River.	A third party double faced electronic LED ground sign that has 4.27m x 14.6m (14ft x 48ft) digital screens for sign faces is proposed in a location that will be approximately 55 metres away from F. G. Gardiner Expressway and just west of the Humber River.	To permit a third party double faced electronic LED ground sign that has 4.27m x 14.6m (14ft x 48ft) digital screens for sign faces within 400 metres F. G. Gardiner Expressway.

Variance from requirements of MTO Commercial Sign Policy

The applicant is requesting to install a 31.4m high third party double faced billboard electronic LED ground within approximately 55 metres of the F. G. Gardiner Expressway. This will result in the sign exceeding size, height and type limitations as 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 electronic LED billboard ground 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 F.G. Gardiner Expressway. 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:

MTO Commercial Sign Policy	Applicant's Proposal	Deviation from MTO Commercial Sign Policy
(1) Changeable message signs* are not permitted on Billboard signs**.	To install a third party billboard electronic LED ground sign (i.e., changeable message sign).	To install a third party billboard electronic LED ground sign (i.e., changeable message sign).
(2) Billboard signs will not exceed 8 metres in height above ground when attached to a building.	The proposed sign will be 31.4 metres above the ground.	The proposed sign will be 23.4 metres (293%) higher than permitted.
(3) Billboard signs greater than 60.39m ² (650ft ²) will not be allowed within 400m if the highway.	The proposed sign will be approximately 55 metres from the highway.	To install a billboard ground sign with a sign area size that is prohibited.

* Changeable Message Sign is defined in the MTO Commercial Sign Policy as a sign that is capable of content change by means of mechanical or electronic input and includes the following;

- Electronic – a changeable sign whose content can be changed by means of an electrically energised display matrix, such as an LED pixel board.

** Billboard signs are defined in the MTO Commercial Sign Policy as an advertising sign erected at a place where the goods and services advertised are not available on the property.

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 “E- Employment Industrial Sign District”.

Sign By-law Section & Requirements	Applicant's Proposal	Required Variance
<p>694-22 Third party sign general regulations.</p> <p>694-24. Site-specific area restrictions.</p> <p>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 the F.G. Gardiner Expressway from Highway 427 to the Humber River, transferred from the Province by Order in Council 534/97;</p>	<p>Proposal is for a 3rd-party electronic LED double faced ground sign within approximately 55 metres of the F.G. Gardiner Expressway.</p>	<p>To permit a third party sign to be erected within 400 metres of the F. G. Gardiner Expressway.</p>

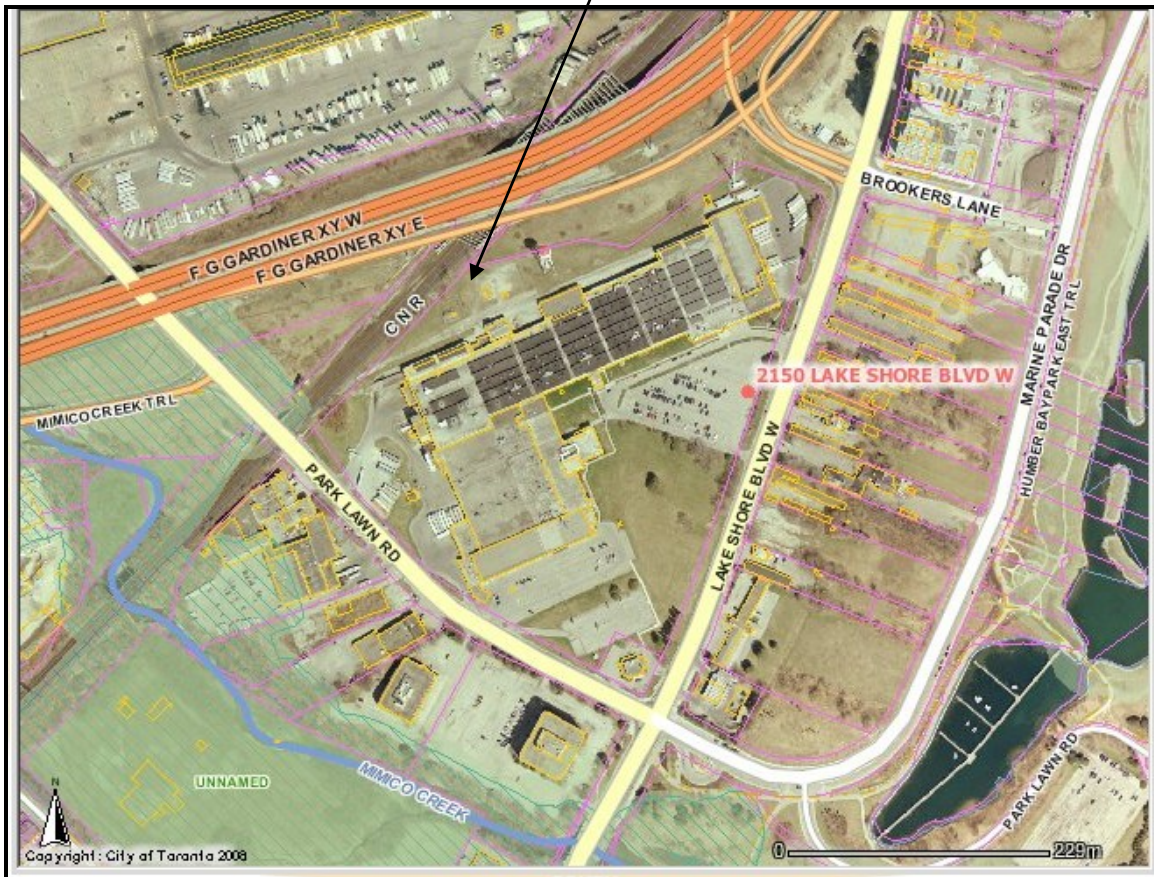
Mark Sraga
 Director of Building and
 Deputy Chief Building Official
 Etobicoke York District

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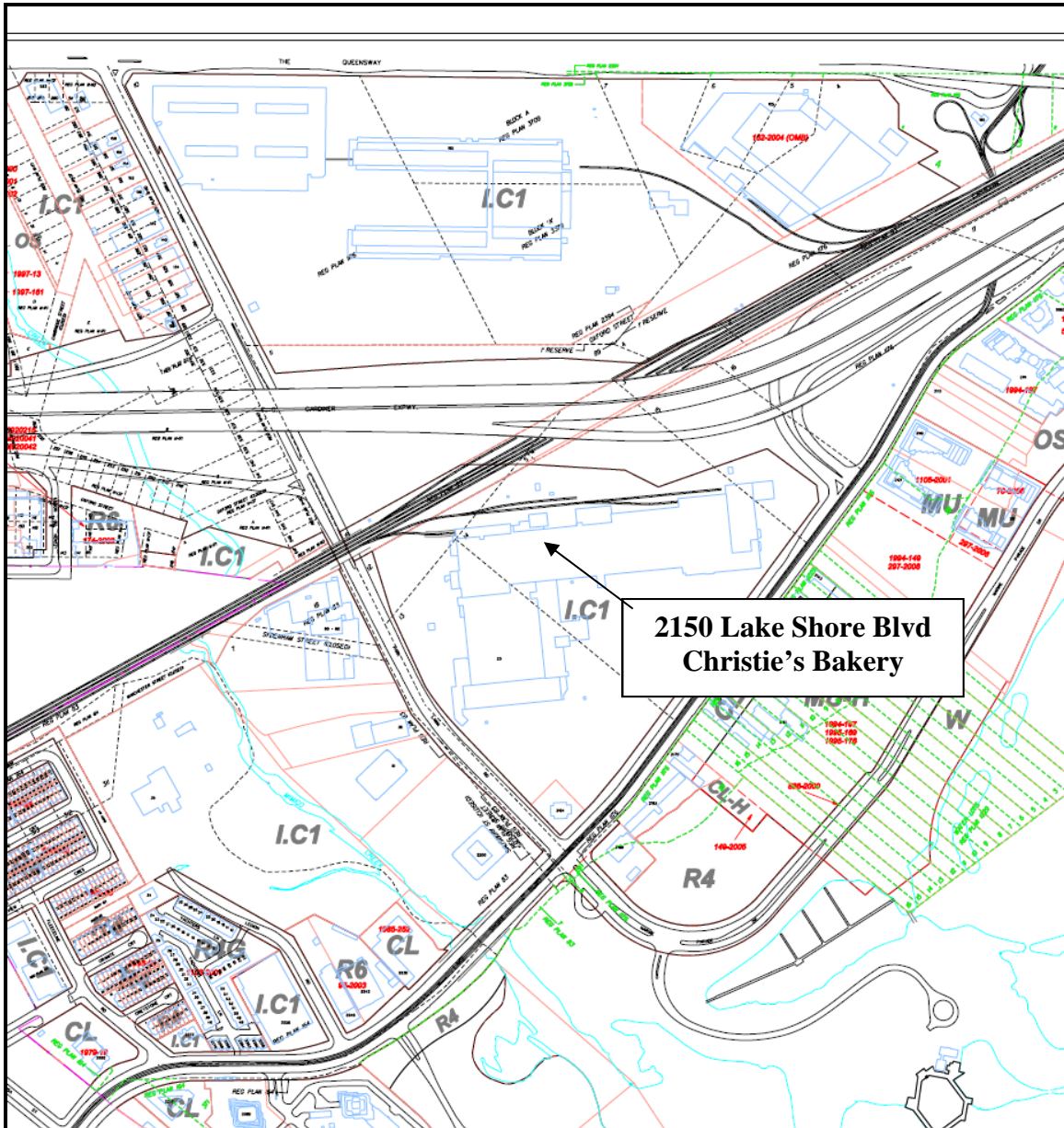
ATTACHMENTS

- Air photo of proposed location
- Zoning map
- Perspective photo showing location of proposed sign
- Site plan drawing
- Engineering drawing of proposed ground sign

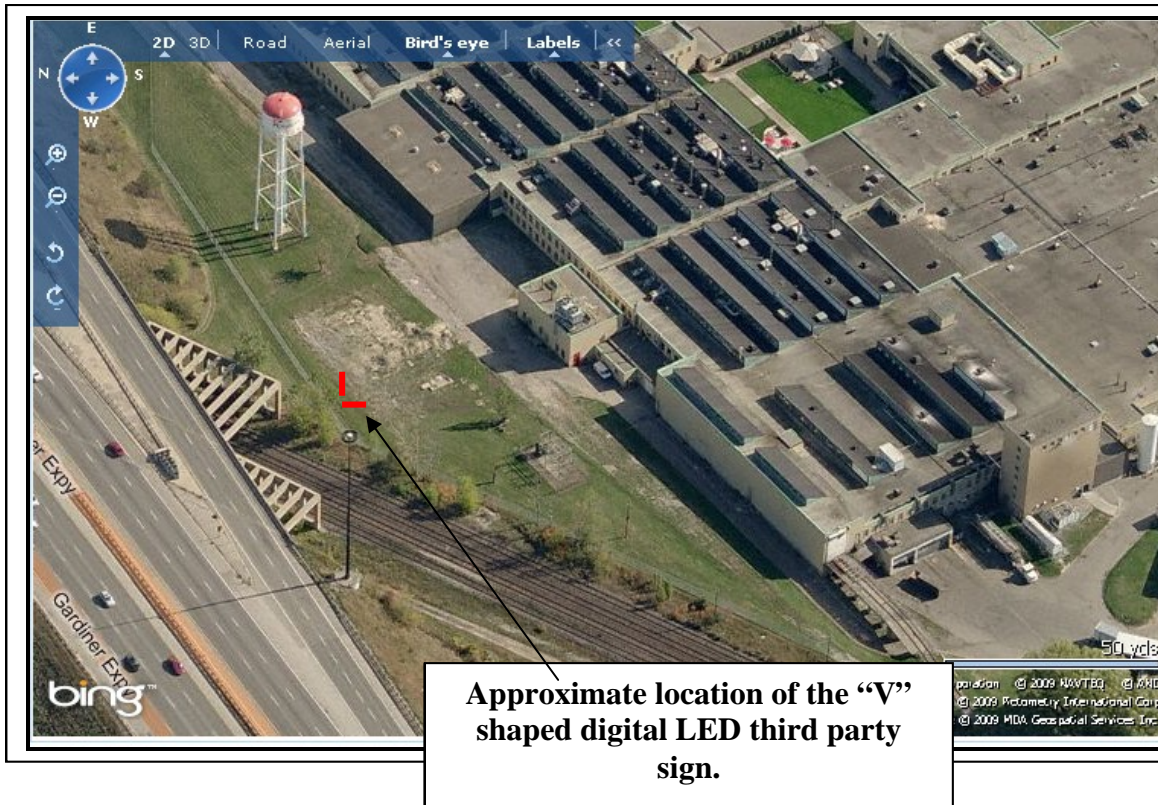
Approximate location of the
“V” shaped digital LED third
party sign.



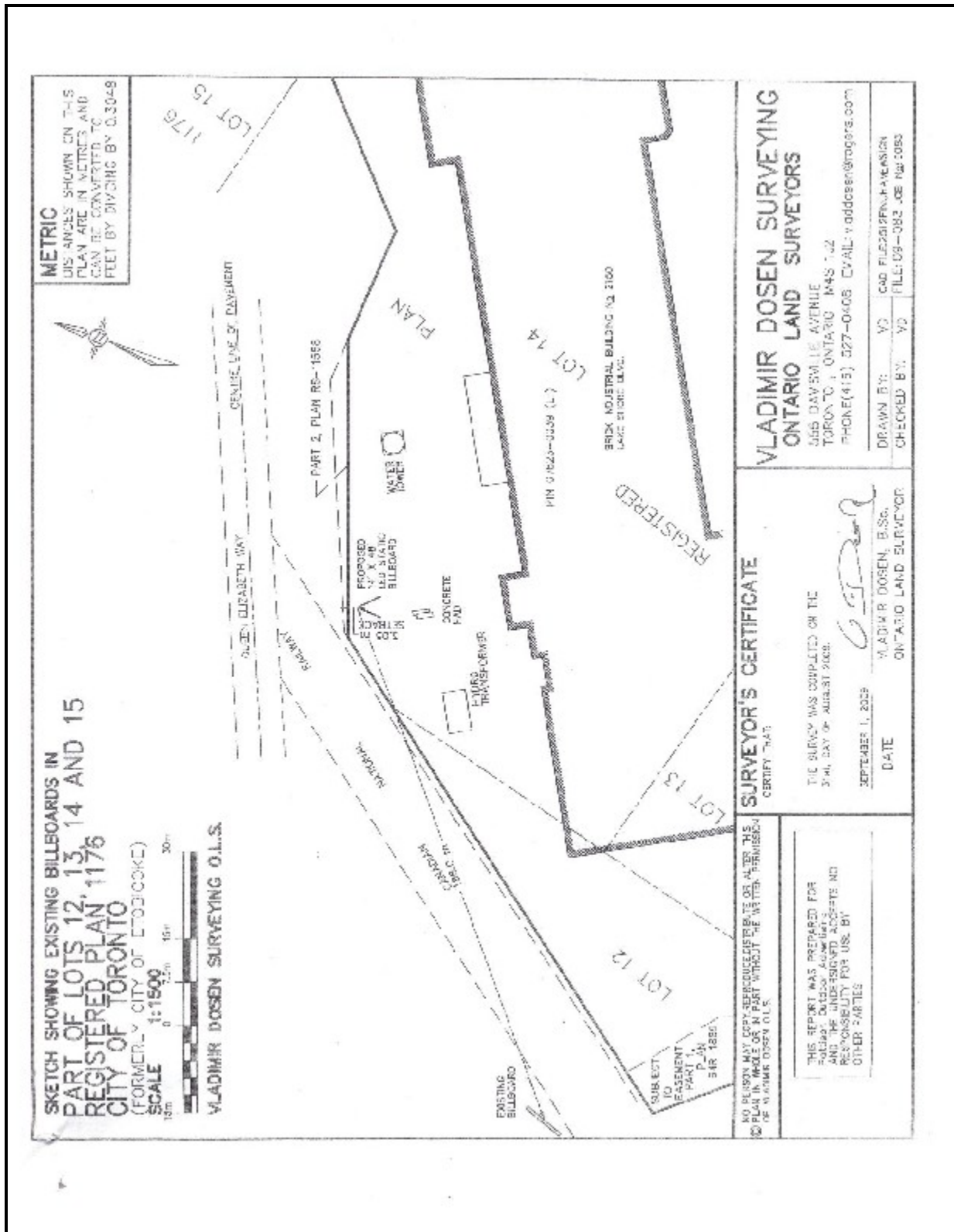
Air photo of proposed location



Zoning Map



Perspective of proposed sign location



Site Plan of proposed sign location

Applicant:

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