



**STAFF REPORT
ACTION REQUIRED**

**Sign Variance Request
237 Sheppard Avenue West**

Date:	February 23, 2010
To:	Chairman and Members, North York Community Council
From:	Director of Building and Deputy Chief Building Official
Wards:	Ward 23 - Willowdale
Reference Number:	File No. 2010NY022 Folder No. 10-118523 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 Gerald Maister of Global Imaging Inc., on behalf of the owner of 237 Sheppard Avenue West, to permit an illuminated first party ground sign to remain as erected at 237 Sheppard Avenue West.

RECOMMENDATIONS

Toronto Building, North York District recommends:

1. North York Community Council approve the request for Sign Variance at 237 Sheppard Avenue West,
2. the applicant be advised of the requirement to obtain a sign permit from the Chief Building Official and to file the sign permit application with Toronto Building prior to April 6, 2010; and
3. that as a condition of approval, the illumination be set on a timer so there is no illumination between the hours of 11 p.m. and 6 a.m.

Financial Impact

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

COMMENTS

The property is located on the south side of Sheppard Avenue West, west of Yonge Street, in a Commercial (C-6) zone. There is an existing one storey building on the property which has an enclosed porch beyond the main front wall. The subject illuminated wall sign is attached to the enclosed porch. The sign faces north towards the front property line and is visible to vehicular and pedestrian traffic along Sheppard Avenue West and to properties zoned Commercial (C1 & C6) on the north side of Sheppard Avenue West.

Surrounding land uses are as follows:

- North - Commercial mixed use along the north side of Sheppard Avenue West
- South - Residential single family dwelling neighbourhood
- East - Commercial mixed use
- West - Commercial mixed use

Existing Sign By-law Provisions:

The proposed sign does not comply with the former City of North York Sign By-law No. 30788 as amended in the following way:

Sign By-law Requirements	Applicant's Proposal	Required Variance(s)
7.3 Walls 7.3.3. Every wall sign shall have a minimum clearance of 2.5m (8ft.) above adjacent grade.	To maintain an existing illuminated backlit wall sign with a clearance of 1.37m (4.5') above adjacent grade	To allow an existing illuminated backlit wall sign to remain with a clearance of 1.37 m above adjacent grade where the by law states every wall sign shall have a minimum clearance of 2.5m (8ft.) above adjacent grade.
7.3.2 Wall signs shall not project beyond the ends of the wall to which they are attached unless they meet all the structural requirements	The wall sign projects beyond the west and east wall of the front porch.	To allow an existing wall sign to project beyond the ends of the wall to which it is attached, where wall signs shall not project beyond the ends of the wall to which they are attached unless they meet all the structural requirements.

Requirements of the new Sign By-law:

The new Harmonized Sign By-law was enacted by Council on December 6, 2009 and will come into full force and effect on April 6, 2010. The by-law sets out provisions for the proposed sign based on sign district, sign class and sign type, and illumination.

Sign Districts:

The by-law establishes Sign Districts. The proposed sign would be located in a CR-Commercial Residential District

Sign Class and Sign Type:

The by-law establishes sign classes and sign types. A sign class describes whether the sign is first or third party. The proposed sign would be classified as a first party ground sign as it advertises, promotes, or directs attention to businesses, goods, services, matters or activities that are not available at or related to the premises where the sign is located.

§ 694-18. Illumination:

A. No first party sign shall be illuminated at when a smog alert is in effect.

B All first party signs shall cease to be illuminated within four hours of the issuance of the smog alert.

The proposed sign does not comply with the City of Toronto Sign By-law adopted by Council on December 6, 2009 as follows:

Sign By-law Requirements	Applicant's Proposal	Required Variance(s)
§694-21 D (5)(f) 1. The sign shall not extend beyond either end of the wall upon which it is erected.	To maintain an existing wall sign which projects beyond the east and west ends of the wall upon which it is erected	To allow an existing wall sign to remain as erected projecting beyond both ends of the wall upon which it is erected. A wall sign shall not project beyond either end of the wall upon which it is erected.

CONTACT

Diane Damiano, Manager, Plan Review.

Tel. (416) 395-7561, Fax. (416)395-7589, e-mail damiano@toronto.ca

SIGNATURE

Edward Tipping, P.Eng.

Director of Toronto Building and Deputy Chief Building Official

North York District

ATTACHMENTS

Attachment 1 – Survey of the Property

Attachment 2 – City of Toronto Sign District Map

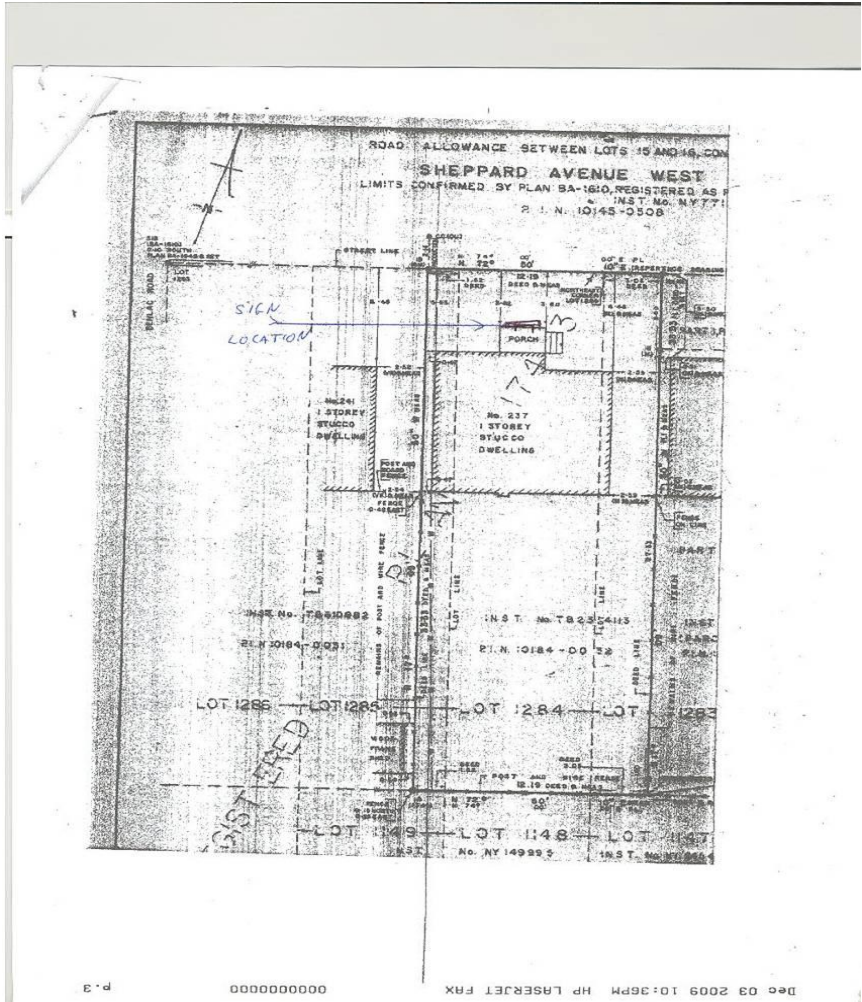
Attachment 3 – Zoning map

Attachment 4 – Sign Elevation 1

Attachment 5 – Sign Elevation 2

Attachment 6 – Photo of Sign

Attachment 7 – Applicant/Owner Letter



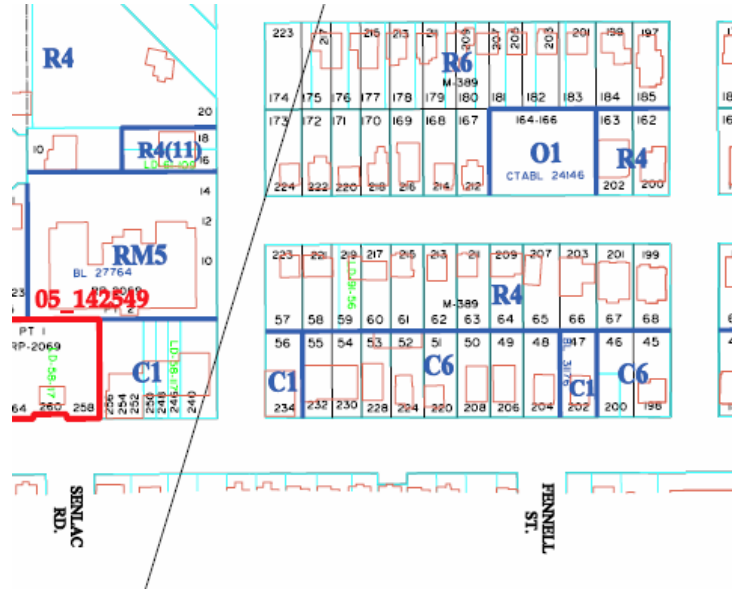
Attachment #1

Survey



Attachment #2

City of Toronto Sign District Map

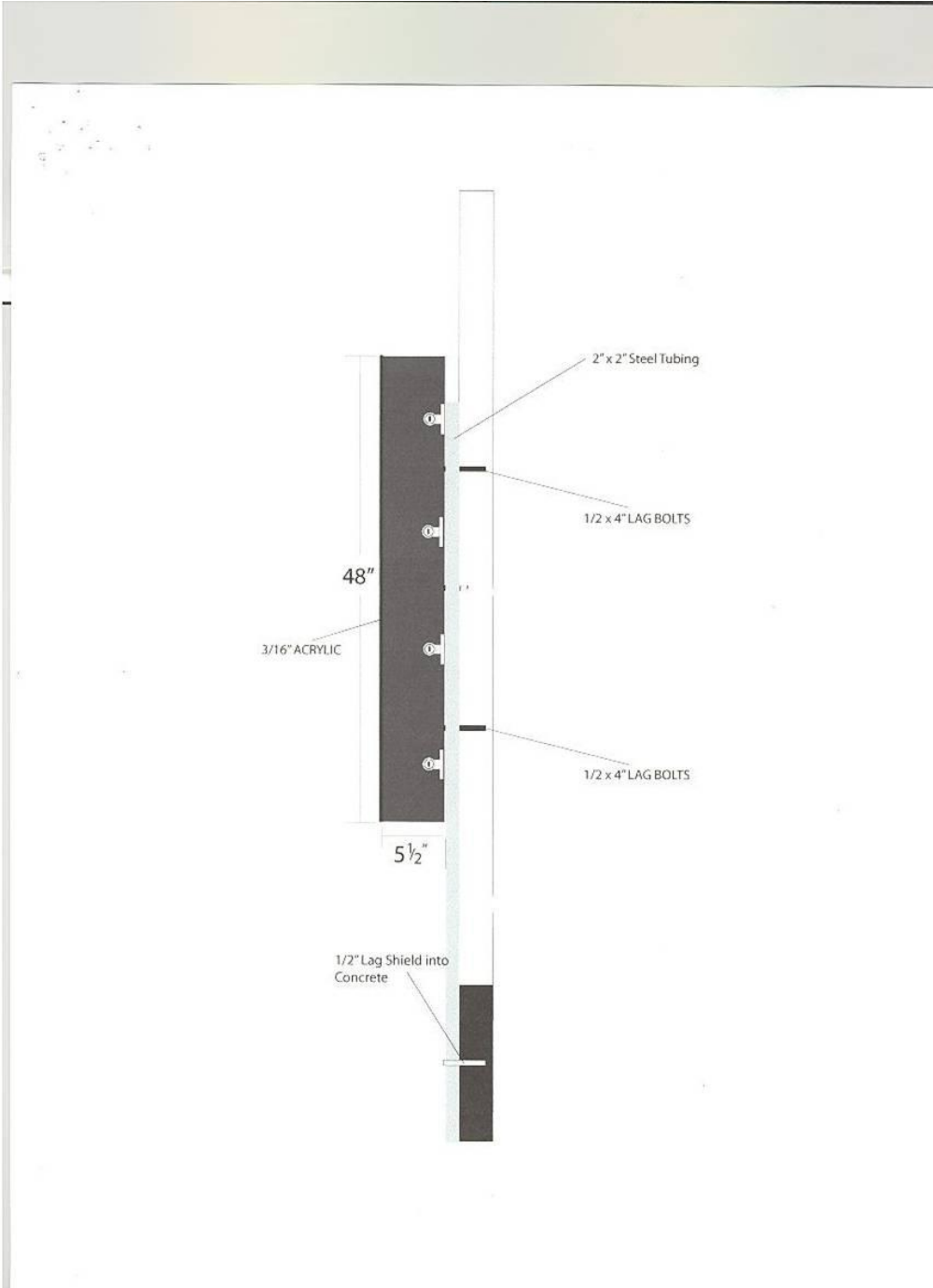


237 Sheppard Ave. West

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1269	1133	1270	1134	902	1270	1133	997
1271	1135	1271	1135	999	1271	1135	999
1272	1136	1272	1136	1000	1272	1136	1000
1273	1137	1273	1137	1001	1273	1137	1001
1274	1138	1274	1138	1002	1274	1138	1002
1275	1139	1275	1139	1003	1275	1139	1003
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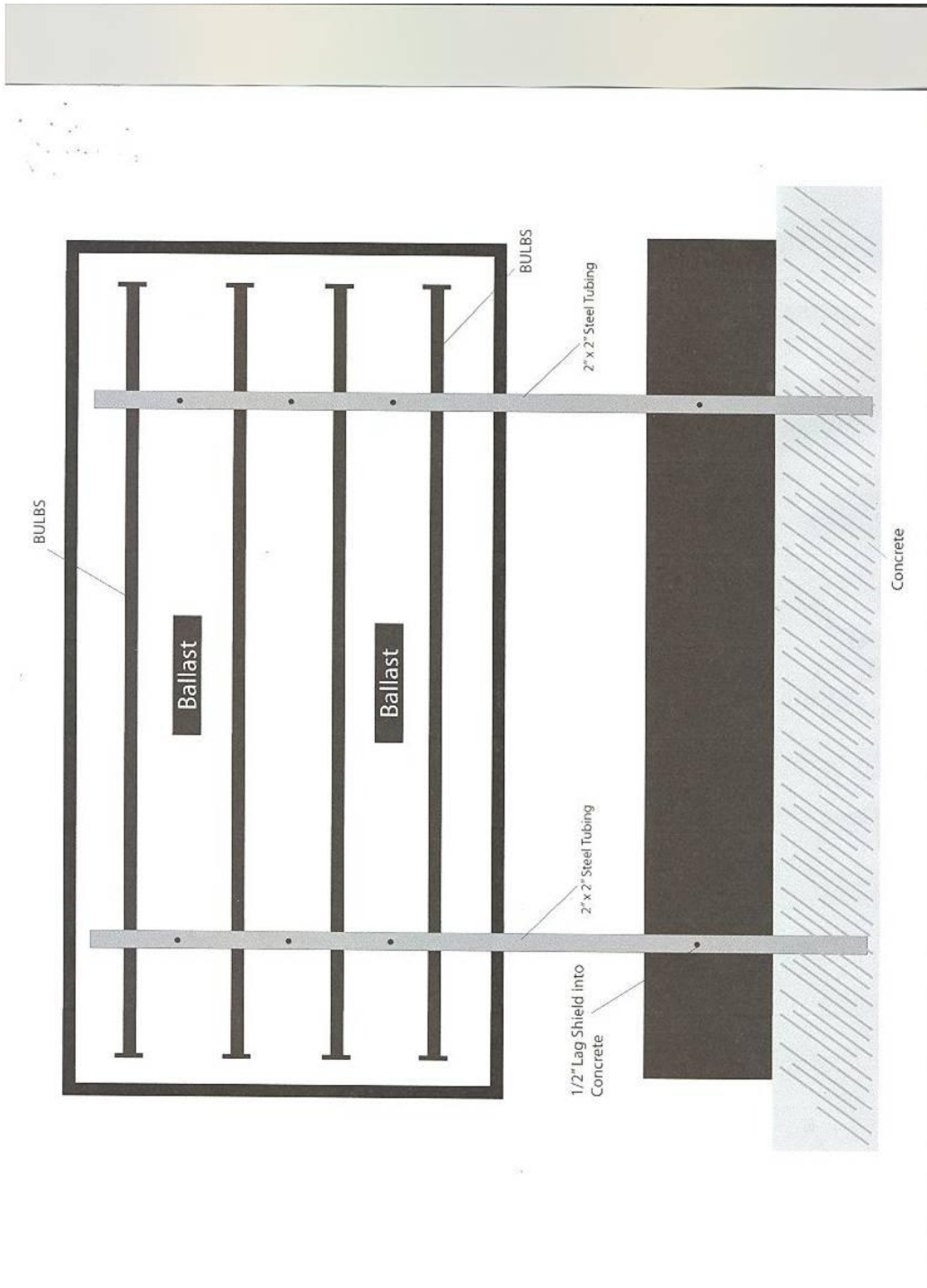
Attachment #3

By-law 7625 Zoning Map



Attachment #4

Sign Elevation 1



Attachment #5

Sign Elevation 2



Attachment #6

Photo of Sign



February 12, 2010

Diane Damiano
North York Sign Variance Application
5100 Yonge Street
Toronto, ON

Re: Sign Variance regarding Sign Permit Application No. 09 200770 SGN 00 SP
for 237 Sheppard Avenue West

Dear Diane,

I am acting on behalf of my client CD Capital Inc. who has carried on a business at the above location for the past 19 years. My client has indicated the sign which advertises the business located at the above address has been at its current location for approximately 19 years. This sign is required so that clients know where the business is located, to draw attention to the identity of the business and to generally promote the activity at this location.

As you know, Sheppard Avenue West is a major thoroughfare and very busy at most times of the day. This sign provides the necessary exposure to vehicular traffic and serves to enhance the business. Increased business activity can only lead to the stimulation of the economy.

Ever since trade began in the Western world, as we know it today, one of the first things a business owner did was to hang his shingle at his place of business to inform people that he was there and what the nature of the business was. The basic concept has not changed and for this reason CD Capital Inc. need their sign.

As the old adage goes 'A business with no sign is a sign of no business.'

Please do not hesitate to contact me if you have any questions as to the above. I can be reached on my cell (416) 616-1460 (even on weekends).

Thanking you in advance,


Gerald Maister
V.P. Sales & Marketing

1707 Sismet Road, Unit #9 & 10, Mississauga, ON, L4W 2K8
Phone: (905) 564-5977 or (905) 624-9888 Fax: (905) 624-9897

Attachment #7

Applicant Letter