

**Sign Variance - 114 Church St**

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| <b>Date:</b>             | December 7, 2009  |
| <b>To:</b>               | Toronto and East York Community Council                                   |
| <b>From:</b>             | Director, Toronto Building, Toronto and East York District                |
| <b>Wards:</b>            | Ward 28 – Toronto Centre-Rosedale   |
| <b>Reference Number:</b> | P:\2010\Cluster B\BLD\Toronto and East York\2010TE010 09 123179 ZSV 00 ZR |

**SUMMARY**

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

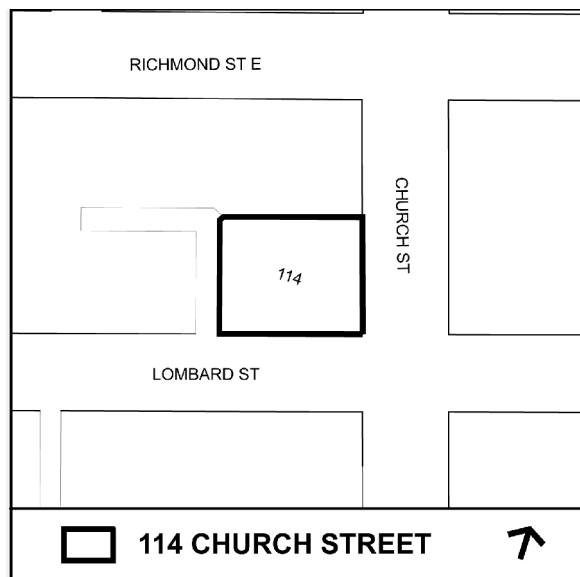
This report reviews and makes recommendations on a request by Sid Catalano of Pattison Outdoor on behalf of Lombard Church Holdings Inc for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to maintain, for third party advertising purposes, three four-sided illuminated ground signs at 114 Church Street. These ground signs replaced previously existing legal non-conforming third party pedestal signs at these locations on the property.

Staff recommends refusal of the application. The variances are major and not within the general intent and purpose of the Municipal Code.

**RECOMMENDATIONS**

**The Toronto Building Division recommends that:**

Toronto and East York Community Council refuse the request for variances to maintain, for third party advertising purposes, three illuminated, four-sided ground signs at 114 Church Street.



## Financial Impact

The recommendations in this report have no financial impact.

## ISSUE BACKGROUND

The property is located on the northwest corner of Church Street and Lombard Street in a CR zone. The property is being used as a public parking lot. The applicant is seeking permission to maintain, for third party advertising purposes, three four-sided, illuminated ground signs at 114 Church Street. One of the sign is located at the southeast corner of the property, the second ground sign is located at the southwest corner of the property and the third ground sign is located along Richmond Street East frontage of the property. These ground signs have been installed without obtaining a sign permit from the City of Toronto. Each side of the four-sided ground sign is 1.53m wide and 3.14m high with an area of 4.80m<sup>2</sup>. The overall height of each sign from grade to the top of the sign is 4.27m (see attached graphics).

The signs do not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code in the following ways:

| <b>Sign By-law Section and Requirements</b> | <b>Applicant's Proposal</b>  | <b>Required Variance</b>  |
|---|--|---|
| 1. Chapter 297-10D (8)                      | To maintain, for third party advertising purposes, three illuminated four sided ground signs which had replaced the three previously existed legal non-conforming, third party, four sided pedestal signs located at the same locations on this property.  | A third party ground sign in a CR zone is not permitted.  |
| 2. Chapter 297-10D (8)(a)                   | To maintain, for third party advertising purposes, three illuminated four sided ground signs which had replaced the three previously existed legal non-conforming, third party, four sided pedestal signs located at the same locations on this property.  | Only one ground sign per frontage of a lot and a total of maximum two ground signs per lot are permitted.                                 |
| 3. Chapter 297-10D (8)(b)                   | The sign located at the southeast corner of the property set backs 0.20m from the property line along Church Street and it set backs 0.70m from the property line along the Lombard Street frontage of the property. The sign located at the southwest corner of the property set backs 0.50m from the property line along the Lombard Street frontage and it set backs 0.9m from the property line along the public lane. The ground sign located | A ground sign is required to set back 2.0m from a property line and 6.0m from the intersection of two property lines of a corner property |

|                       |   |  |
|-----------------------|---|--|
|                       | along the north property line set backs 0.64m from the north property line.   |  |
| 4. Chapter 297-10F(1) | To maintain, for third party advertising purposes, three illuminated four sided ground signs which had replaced the three previously existed legal non-conforming, third party, four sided pedestal signs located at the same locations on this property. | A third party sign is required to have a minimum separation distance of 60.0m from other third party sign located in the vicinity. |

## COMMENTS

At its meeting of April 2, 1996, the former City of Toronto Council passed By-law No. 1996-0172 to amend Chapter 297 of the Municipal Code to prohibit third party ground signs and pedestal signs in CR, MCR and RA zone districts. The regulations were aimed at reducing proliferation of third party signs in the mixed-use zone districts. The replacement of third party ground signs are not permitted on this site within the CR zone district. The three third party pedestal signs previously located on this property were there prior to this by-law amendment and were therefore considered as legal non-conforming signs. The existing third party ground signs are illegal because the by-law does not permit replacement of any legal non-conforming signs. The applicant is seeking permission to legalize the three third party illuminated ground signs which were installed as replacement of the original pedestal signs on this property.

With regards to the second variance, only one ground sign per lot frontage is permitted and a total of only two ground signs per lot are permitted. In this case, a total of four third party ground signs are located on this property.

The third variance is required because a ground sign is required to set back 2.0m from a property line. In this case, the sign located along the north property line or the signs located along the south property line do not meet 2.0m set back requirement.

With regards to the fourth variance, the by-law requires a minimum separation distance of 60.0m from other third party sign located in the vicinity. In this case, the third party ground signs located on this property do not meet that requirement.

Staff can advise that the ground signs as outlined in this application would not be permitted in the sign district to be established under the new sign by-law approved by City Council at their meeting of December 8, 2009.

Staff is of the opinion that approval of this application by way of minor variance process is not appropriate and would be contrary to city policy aimed at restricting the proliferation and limiting the life span of existing third party ground or pedestal signs in the mixed-use zone districts.

Staff recommends refusal of this application. The variance is major and not within the general intent and purpose of the Municipal Code.

**CONTACT**

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**SIGNATURE**

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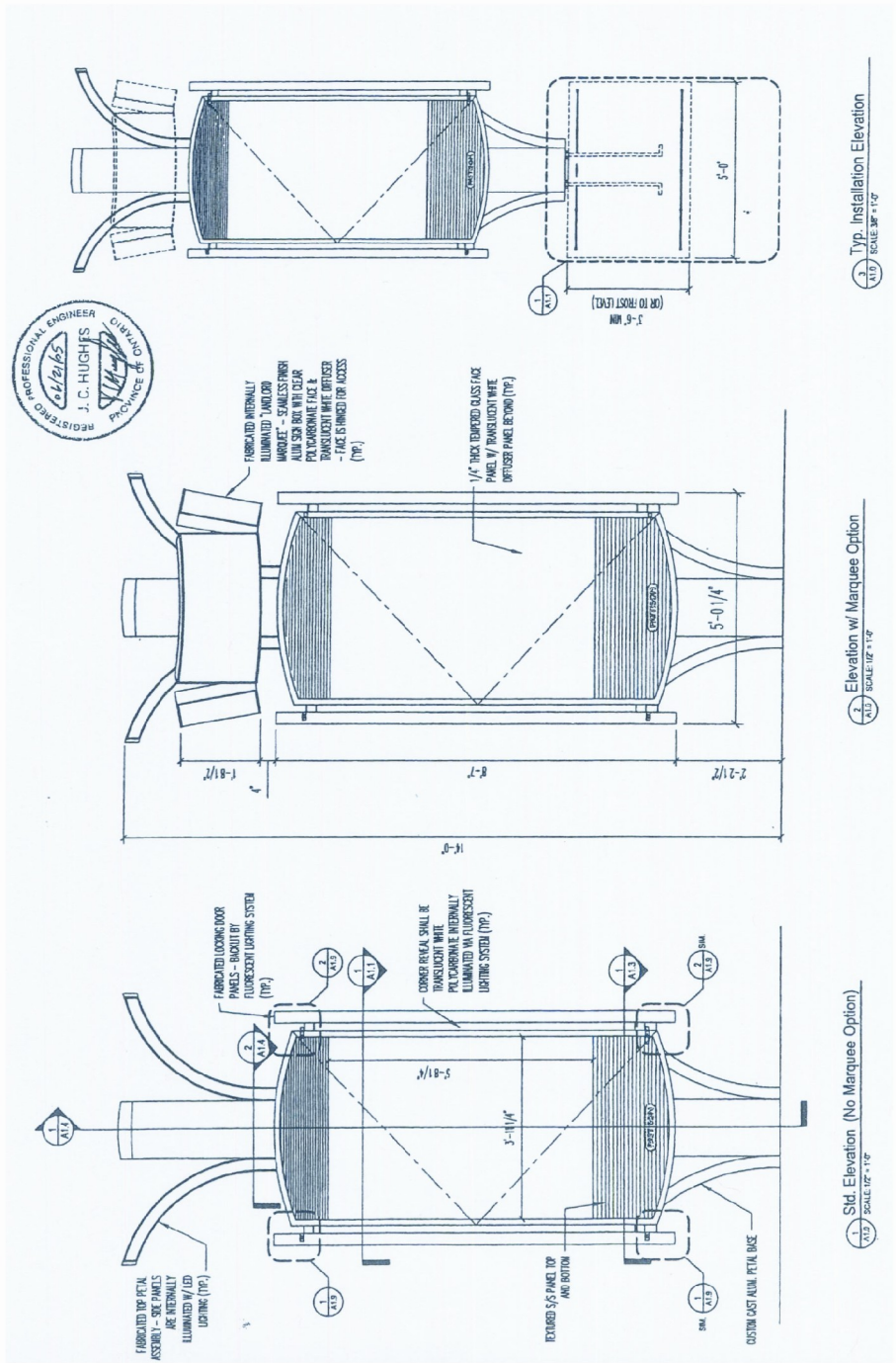
Jim Laughlin, Deputy Chief Building Official and Director, Toronto Building  
Toronto and East York District

**ATTACHMENTS**

Attachment 1: Elevations

Attachment 2: Site Plan

# Attachment 1: Elevations



## Elevations

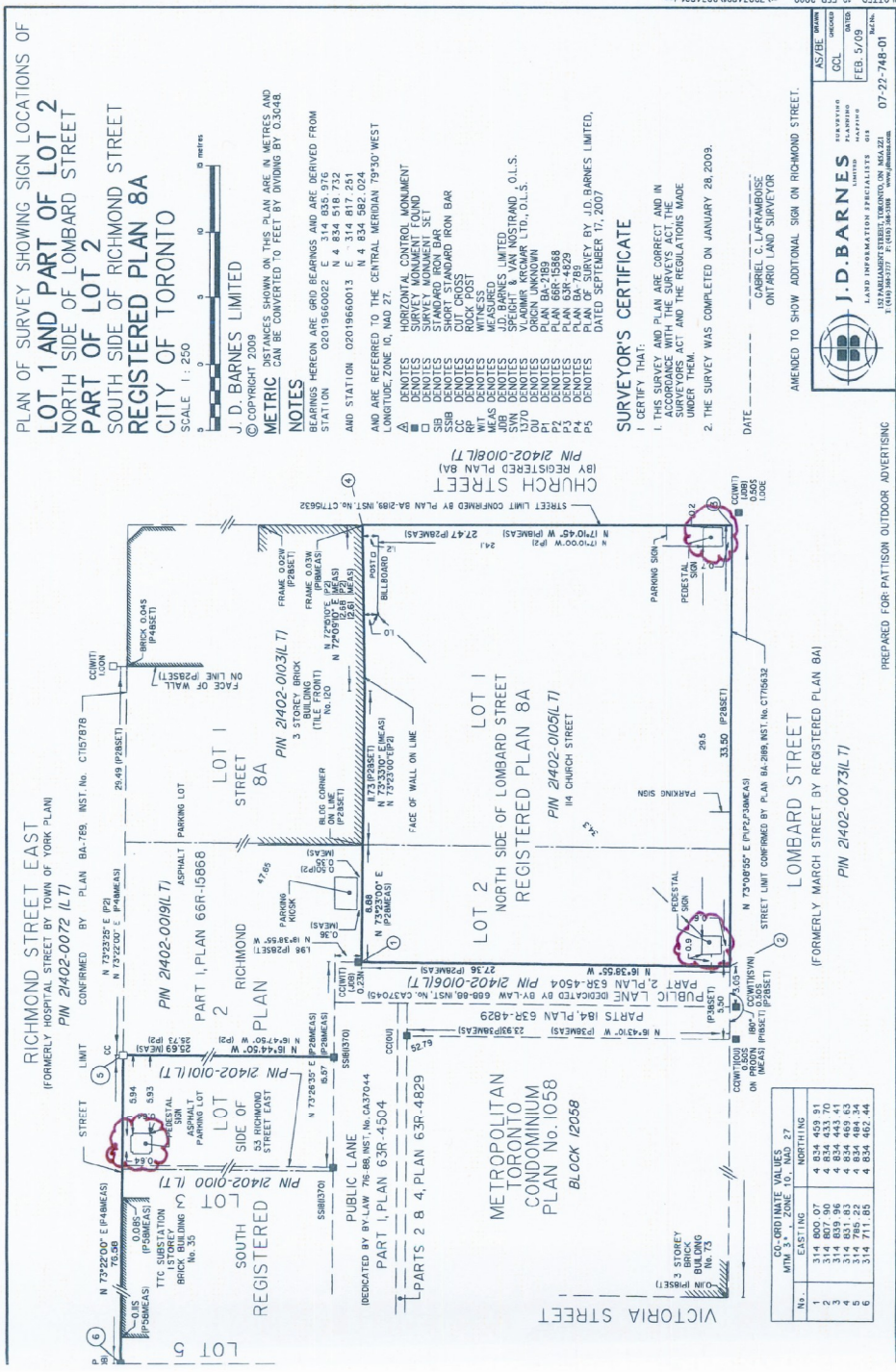
Applicant's Submitted Drawing

Not to Scale  
12/08/09

## 114 Church Street

File # 09\_123179

Attachment 2: Site Plan



114 Church Street

Site Plan  
 Applicant's Submitted Drawing  
 Not to Scale  
 12/08/09

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