

**Sign Variance - 85 Harbour St**

<b>Date:</b>	December 8, 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\2010TE001 09 118879 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.

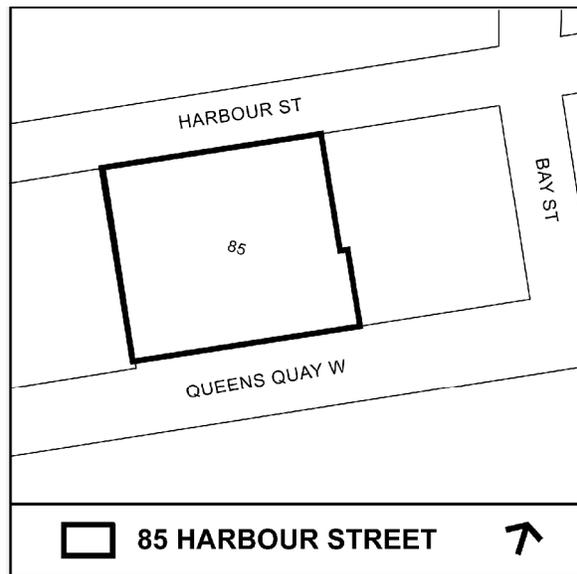
This report reviews and makes recommendations on a request by Sid Catalano of Pattison Outdoor on behalf of Oxford Properties Group for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal code to maintain, for third party advertising purposes, five four-sided illuminated ground signs at 85 Harbour Street. Although, these ground signs have replaced the previously existed five, four-sided, 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, five four-sided, illuminated ground signs at 85 Harbour Street.



## Financial Impact

The recommendations in this report have no financial impact.

## ISSUE BACKGROUND

The property is located west of Bay Street on the south side of Harbour 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, five four-sided, illuminated ground signs at 85 Harbour Street. The five ground signs have replaced the previously existed, five four-sided, legal non-conforming third party pedestal signs that were located on this property. Two replacement ground signs are located along the Harbour Street frontage of the property and three replacement ground signs are located along the Queen's Quay West 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 from grade to the top of sign is 4.27m (see attached graphics) A total of six illuminated ground signs, for third party advertising purposes, are now located on this property.

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 (12)	To maintain, for third party advertising purposes, five four-sided illuminated ground signs at 85 Harbour Street; two of the five four-sided illuminated ground signs are located along Harbour Street frontage of the property and three four-sided illuminated ground signs are located along the Queen's Quay West frontage of the property.	A third party ground sign in a CR, MCR or RA zone districts is not permitted.
2. Chapter 297-10D (12)(a)	To maintain, for third party advertising purposes, five four-sided illuminated ground signs at 85 Harbour Street; two of the five four-sided illuminated ground signs are located along Harbour Street frontage of the property and three four-sided illuminated ground signs are located along the Queen's Quay West frontage of the property.	Only one ground sign or a pedestal sign per frontage of a lot and a total of maximum two pedestal or ground signs per lot are permitted.
3. Chapter 297-10D (12)(c)	The sign at the northeast corner of the property set backs 1.50m from the north property line and the sign at the northwest corner of the property set backs 0.95m from the north property line. The sign located at the southwest corner of the property set backs 0.0m from the west	A ground or a pedestal sign is required to set back 2.0m from a property line and to set back 6.0m from the intersection of two

	property line and the sign located at the mid point along the south property line set backs 0.95m from the south property line, and the sign located to the east side along the south property line set backs 1.07m from the south property line.	property lines of a corner property.
4. Chapter 297-10F(1)	To maintain, for third party advertising purposes, five four-sided illuminated ground signs at 85 Harbour Street; two of the five four-sided illuminated ground signs are located along Harbour Street frontage of the property and three four-sided illuminated ground signs are located along the Queen's Quay West frontage of the property.	A third party sign is required to have a minimum separation distance of 60.0m from other third party signs 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 five 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 third party legal non-conforming, ground signs, pedestal signs or roof signs in a CR, MCR and RA zone district. The applicant is seeking permission to legalize the five third party illuminated ground signs which were installed as replacement of the original pedestal signs on this property.

With regards to second variance, only one ground sign or a pedestal sign per lot frontage is permitted and a total of only two ground signs or pedestal signs per lot are permitted. In this case, there are a total of six ground signs located on this property.

The third variance is required because a ground or a pedestal sign is required to set back 2.0m from a property line. In this case, the signs located along the north property line or 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 signs located in the vicinity. In this case, the five illuminated ground signs, for third party advertising purposes, 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**

Norm Girdhar, Assistant Planner

Tel. No. 416-392-7209

Fax No. 416-392-7536

E-mail: [ngirdhar@toronto.ca](mailto:ngirdhar@toronto.ca)

## **SIGNATURE**

---

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

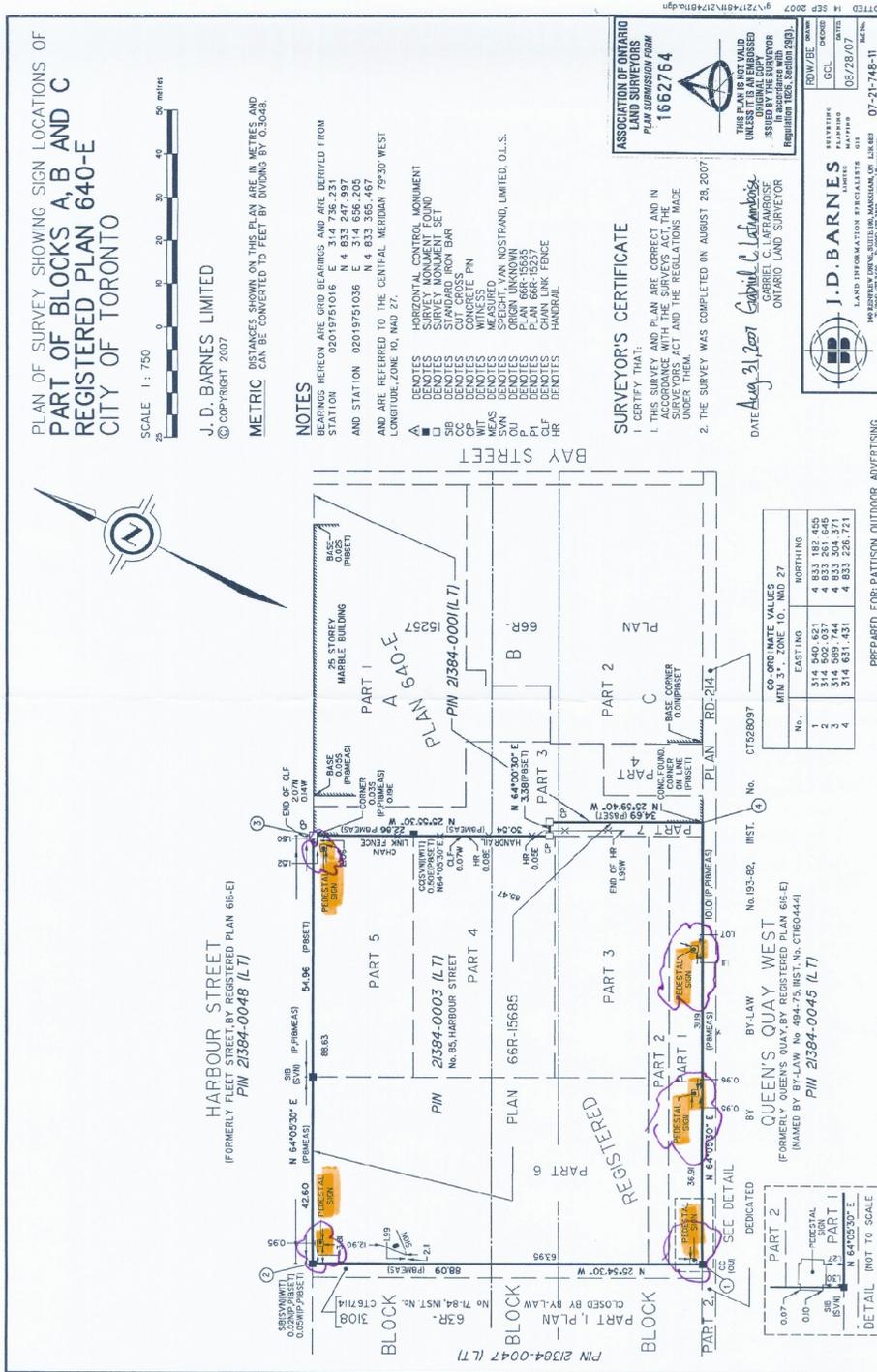
## **ATTACHMENTS**

Attachment 1: Elevations

Attachment 2: Site Plan



# Attachment 2: Site Plan



**Site Plan**

**Applicant's Submitted Drawing**

Not to Scale  
12/08/09

85 Harbour Street

File # 09\_118879