

**Sign Variance - 65 King St E**

<b>Date:</b>	December 2, 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\2010TE003 09 118892 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.

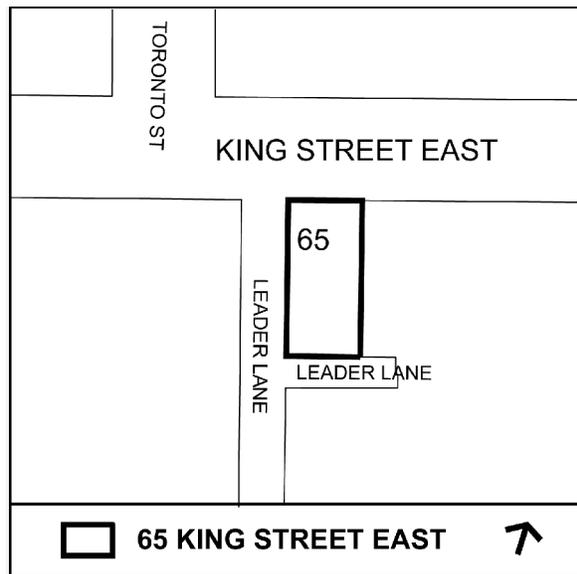
This report reviews and makes recommendations on a request by Sid Catalano of Pattison Outdoor on behalf of Citypark Inc for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to maintain, for third party advertising purposes, an illuminated, four-sided ground sign on the northwest corner of the property at 65 King Street East. This sign replaced an existing legal non-conforming third party pedestal sign.

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, an illuminated, four-sided ground sign on the northwest corner of the property at 65 King Street East.



## Financial Impact

The recommendations in this report have no financial impact.

## ISSUE BACKGROUND

The property is located east of Yonge Street on the southeast corner of King Street East and Leader Lane in a CR zone. The property is being used as a public parking lot which is being operated by Citypark Inc. The applicant is seeking permission to maintain, for third party advertising purposes, an illuminated, four-sided ground sign at 65 King Street East. The ground sign has replaced the previously existed third party legal non-conforming pedestal sign at this location on the property. This sign was installed without obtaining a sign permit from the City of Toronto. Each side of the 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 sign does not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code in the following ways:

Sign By-law Section and Requirements	Applicant's Proposal	Required Variance
1. Chapter 297-10D (8)	To maintain, for third party advertising purposes, an illuminated four sided ground sign as a replacement of a four sided pedestal sign located on the northwest corner of the property.	A third party ground sign in a CR zone is not permitted.
2. Chapter 297-10D (8)(b)	The sign is setback 0.29m from the north property line and is setback 0.35m from the west property line.	A ground sign is required to set back 2.0m from a property line and to be setback 6.0m from the intersection of two property lines of a corner property.

## 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 and MCR districts. The regulations were aimed at reducing proliferation of third party signs in the mixed-use zone districts. The replacement of third party ground sign is not permitted on this site within the CR zone district. A third party pedestal sign previously located on this property was there prior to this by-law amendment and it was therefore considered as legal non-conforming sign. The existing third party ground sign is illegal because the by-law does not permit replacement of any third party legal non-conforming sign. The applicant is now seeking permission to legalize the third party illuminated ground sign which was installed as replacement of the original pedestal sign on this property.

The second variance is required because a ground sign is required to be setback 2.0m from a property line and 6.0m from the intersection of two property lines of a corner property. In this case, the sign does not meet the 2.0m and 6.0m setback requirements.

Staff can advise that the ground sign 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 signs in the mixed-use zone districts.

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

## **CONTACT**

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## **SIGNATURE**

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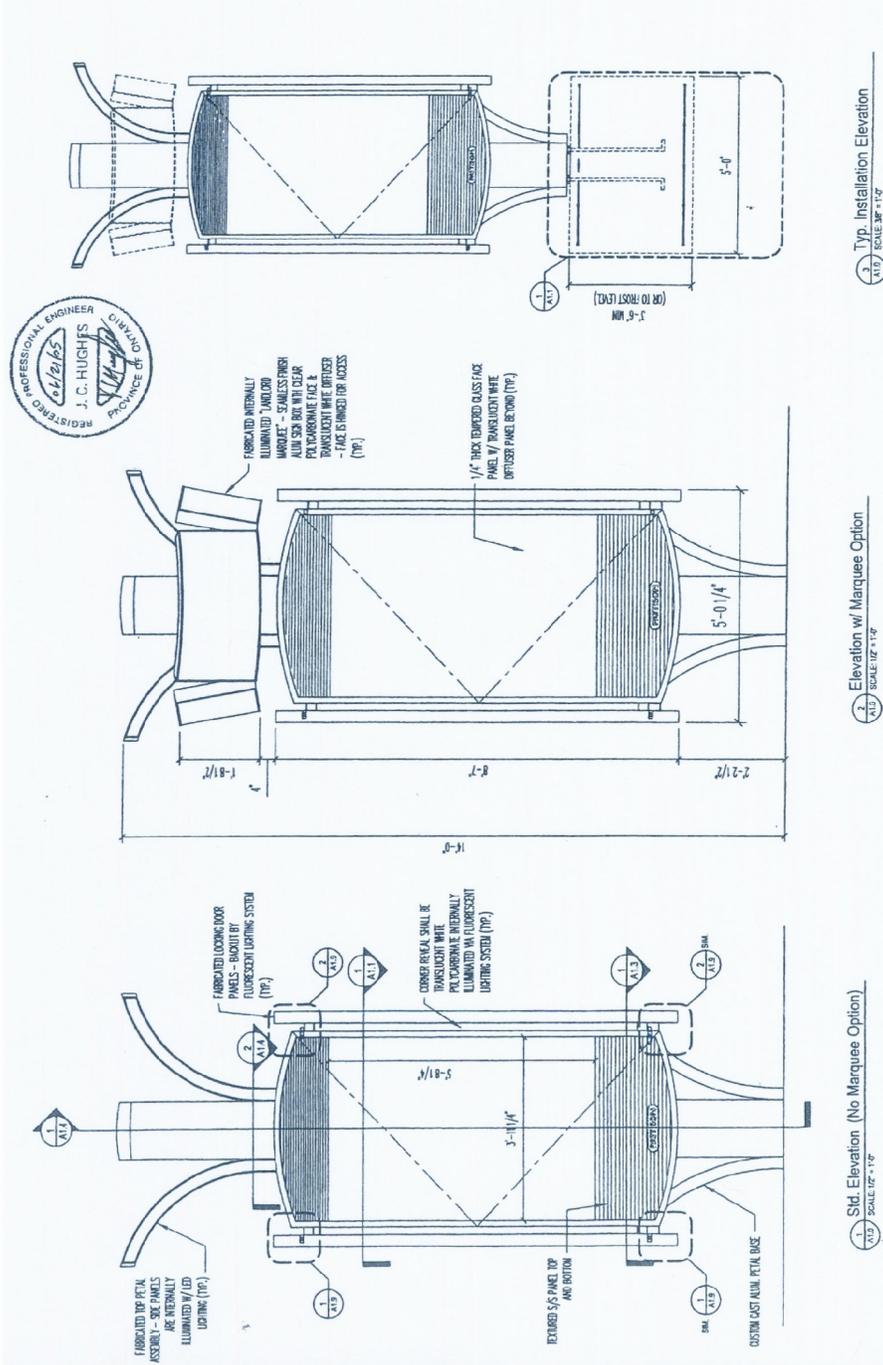
Jim Laughlin, Deputy Chief Building Official and Director, Toronto Building  
Toronto and East York District

## **ATTACHMENTS**

Attachment 1: Elevations

Attachment 2: Site Plan

# Attachment 1: Elevations



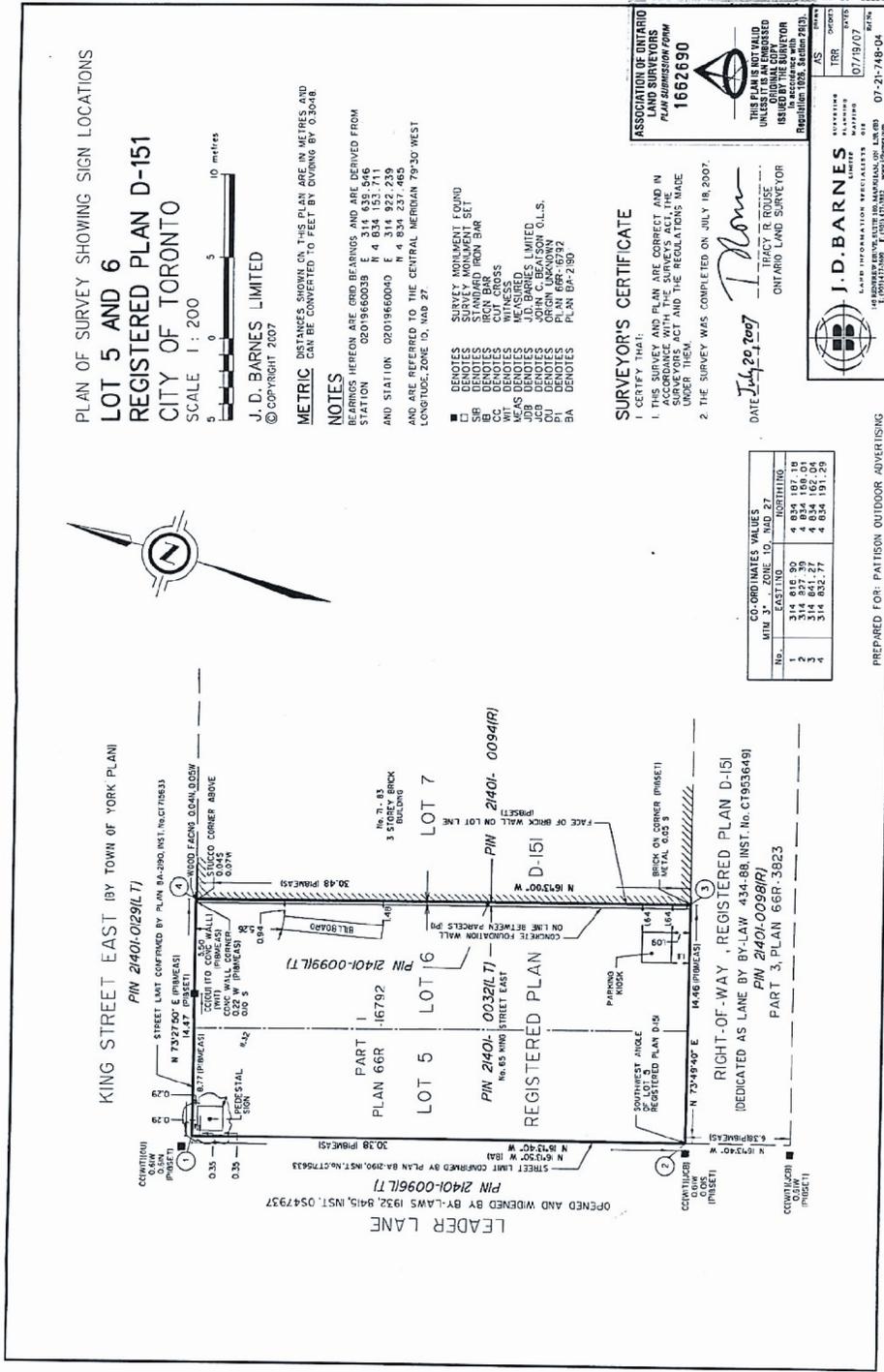
65 King Street East

File # 09\_118892

Elevations  
Applicant's Submitted Drawing

Not to Scale  
12/10/09

# Attachment 2: Site Plan



**Site Plan**  
Applicant's Submitted Drawing  
Not to Scale  
12/10/09

**65 King Street East**

File # 09\_118892