

Sign Variance - 21 Lower Sherbourne St

Date:	December 14, 2009
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	P:\2010\Cluster B\BLD\Toronto and East York\2010TE006 09 118916 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.

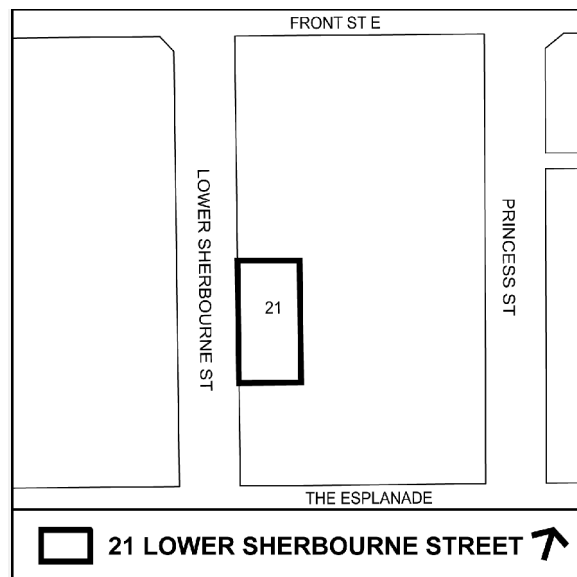
This report reviews and makes recommendations on a request by Sid Catalano of Pattison Outdoor on behalf of Glenvale Estates Inc. for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to maintain, for third party advertising purposes, a four-sided illuminated ground sign along Lower Sherbourne Street frontage of the property at 21 Lower Sherbourne 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, a four-sided illuminated ground signs along Lower Sherburne Street



frontage of the property at 21 Lower Sherburne Street.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property is located on the southeast corner of Front Street East and Lower Sherburne Street in an RA zone. The property is being used as a public parking lot. The applicant is seeking permission to maintain, for third party advertising purposes, an illuminated, four-sided ground sign along Lower Sherburne Street frontage of the property at 21 Lower Sherburne Street. The ground sign replaced a previously existing third party, legal non-conforming pedestal sign at this location on the property. The ground sign is 1.53m wide and 3.14m high with an area of 4.80m². The overall height from grade to the top of the sign is 4.27m (see attached graphics). A total of three illuminated ground signs, for third party advertising purposes, are located on the property.

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 a four-sided ground sign, for third party advertising purposes installed to replace a previously existing legal non-conforming pedestal sign on this (mixed-use) RA zoned property.	A third party ground sign in a RA zone is not permitted.
2. Chapter 297-10D (8)(a)	To maintain an illuminated four-sided ground sign, for third party advertising purposes which is the third ground sign located along Lower Sherburne Street frontage of the property.	Only one ground sign per frontage of a property is permitted.
3. Chapter 297-10D (8)(b)	The sign is setback 0.74m from the west property line.	The ground sign is required to be setback 2.0m from a property line.
4. Chapter 297-10F(1)	The illuminated four sided ground sign, for third party advertising purposes, is located less than 60.0m from other third party signs located in the vicinity.	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 third party pedestal sign previously located on this property was there prior to this by-law amendment and 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 legal non-conforming sign. The applicant is seeking permission to legalize the third party illuminated ground sign which was installed as replacement of the original pedestal sign 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 three ground signs are located on this property and all three signs are located along the Lower Sherbourne Street frontage of the 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 signs located along the Lower Sherbourne Street frontage of the property are setback 0.74m from the property line.

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 third party ground sign located to the north of this sign has separation distance of 32.85m and the third party ground sign located to the south of this sign has a separation distance of only 27.42m from this sign.

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 recommends refusal of this application. The variances are 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

SIGNATURE

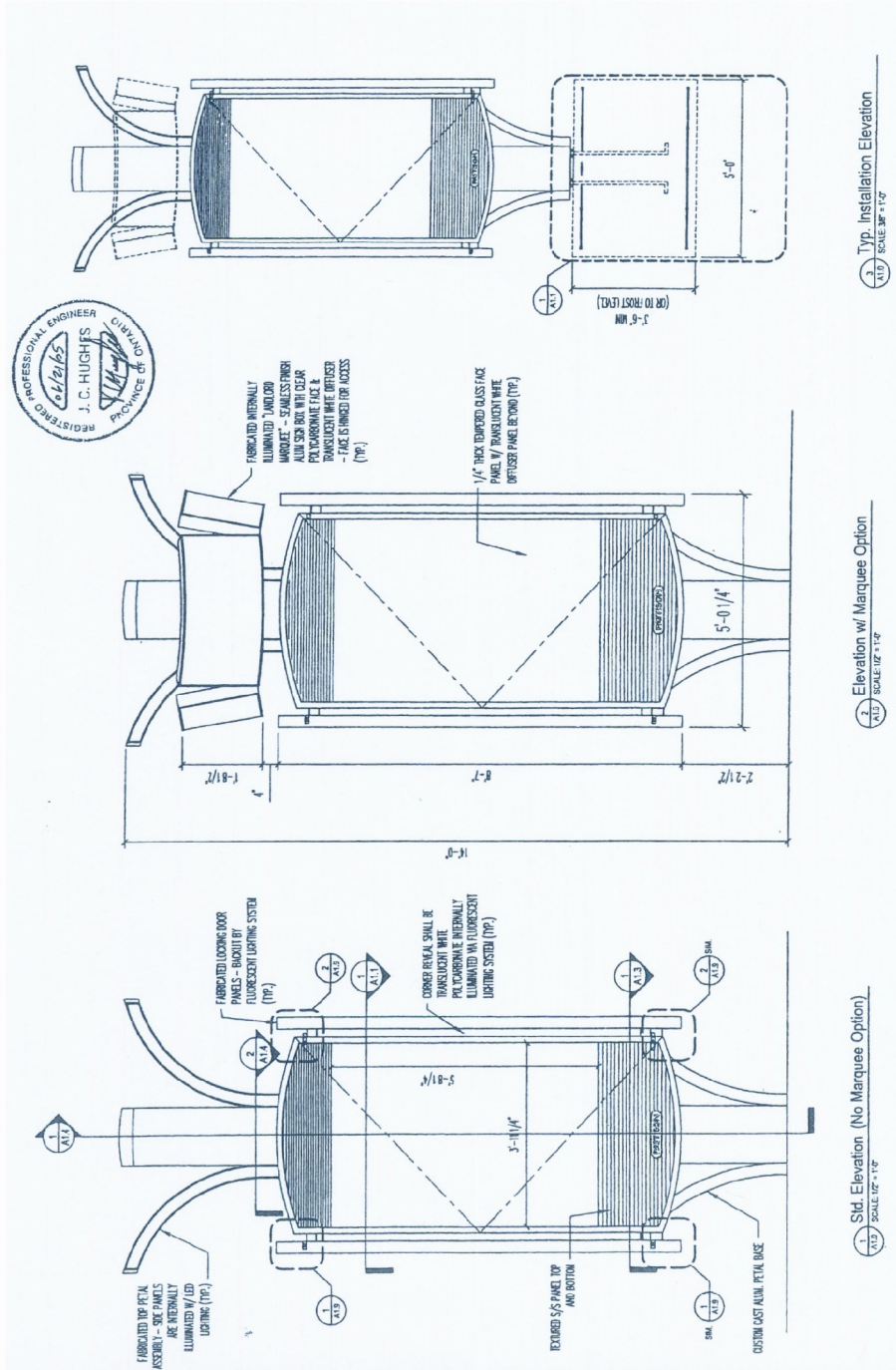
Jim Laughlin, Deputy Chief Building Official and Director, Toronto Building
Toronto and East York District

ATTACHMENTS

Attachment 1: Elevations

Attachment 2: Site Plan

Attachment 1: Elevations



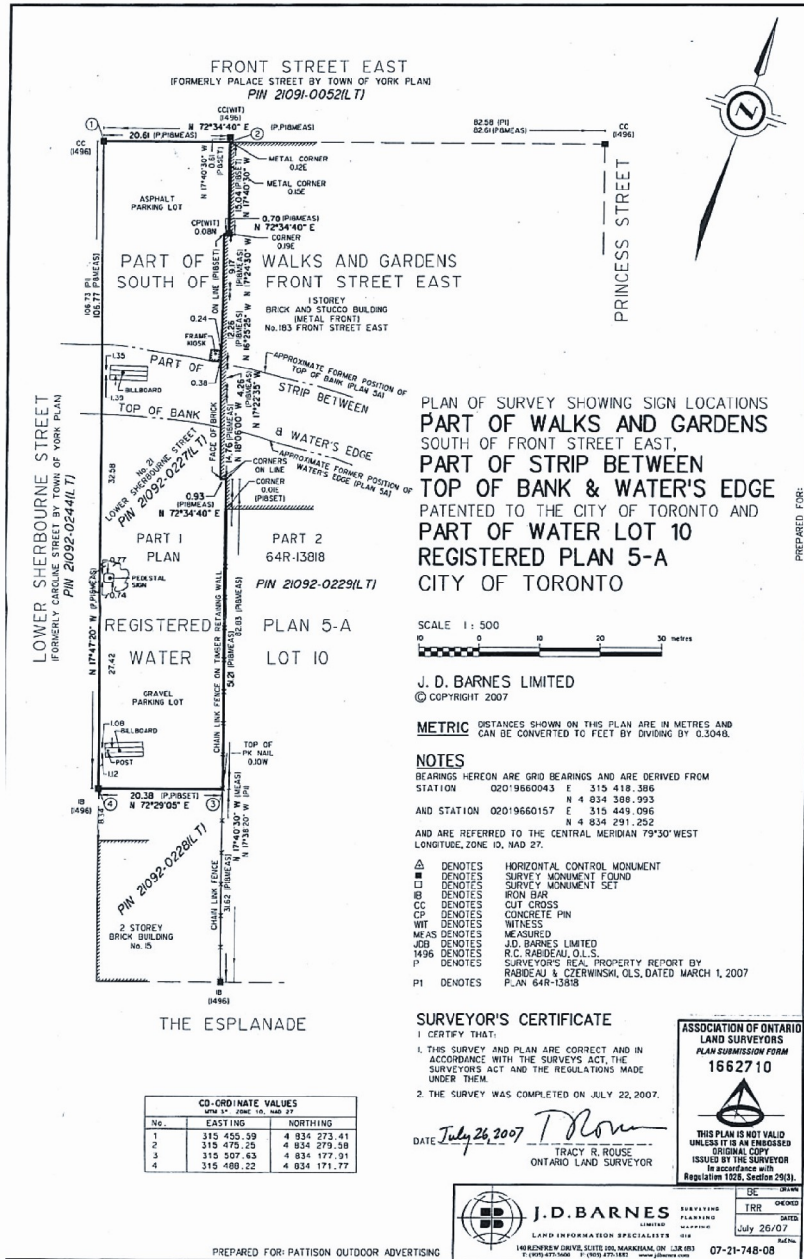
21 Lower Sherbourne Street

Elevations
 Applicant's Submitted Drawing

File # 09_118916

Not to Scale
 12/09/09

Attachment 2: Site Plan



Site Plan

21 Lower Sherbourne Street

Applicant's Submitted Drawing

Not to Scale

File # 09_118916