

Sign Variance - 44 Victoria St (25 Richmond St East)

Date:	December 15, 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\2010TE004 09 118898 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.

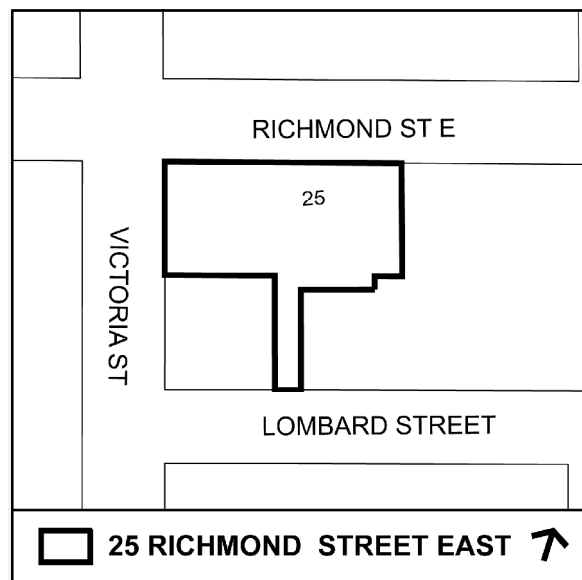
This report reviews and makes recommendations on a request by Sid Catalano of Pattison Outdoor on behalf of Metropolitan Parking Inc. for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to maintain, for third party advertising purposes, three four-sided illuminated ground signs at 44 Victoria Street (25 Richmond Street East). These signs replaced previously existing legal non-conforming third party pedestal signs.

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 four-sided illuminated ground signs at 44 Victoria Street (25 Richmond Street East).



Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property is located on the southeast corner of Victoria Street and Richmond Street East in a CR zone. The property is being used as a public parking lot. The applicant has installed, for third party advertising purposes, three four-sided, illuminated ground signs on this property without obtaining a sign permit from the City of Toronto. These three signs have replaced the three four-sided legal non-conforming third party pedestal signs on this property. Two of the three replacement ground signs are located along the Richmond Street frontage of the property and one replacement sign is located along the Lombard Street frontage of the property. These sign were installed without obtaining a sign permit from the City of Toronto. Each face of the ground sign is 1.53m wide and 3.14m high with an area of 4.80m². 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:

Sign By-law Section and Requirements	Applicant's Proposal	Required Variance
1. Chapter 297-10D (8)	To maintain two illuminated, four-sided third party ground signs, located along Richmond Street East frontage and one illuminated, four-sided, third party ground sign located along Lombard Street frontage of the property at 44 Victoria Street in a CR zone.	A third party ground sign in a CR zone is not permitted.
2. Chapter 297-10D (12)(a)	To maintain two illuminated, four-sided third party ground signs, located along Richmond Street East frontage and one illuminated, four-sided, third party ground sign located along Lombard Street frontage of the property at 44 Victoria Street in a CR zone.	Only one ground sign per lot frontage of a property is permitted and only two ground signs on a lot are permitted.
3. Chapter 297-10D (12)(c)	The ground sign located on the northwest corner of the property is setback 0.0m from the north property line and 0.0m from the west property line, and the sign at the northeast corner of the property is setback 0.48m from the north property line. The sign located along the south of the property is setback 0.48m from the south 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.
4. Chapter 297-10F(1)	The third party ground signs located on this property are located less than 60.0m from each other and from other existing	A third party sign is required to have a minimum separation

	third party signs located in the vicinity.	distance of 60.0m from other third party signs located in the vicinity.
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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 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 a 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 six ground signs are located on this property.

The third variance is required because a ground sign is required to be setback 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 the 2.0m setback 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, these illuminated ground signs 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 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

SIGNATURE

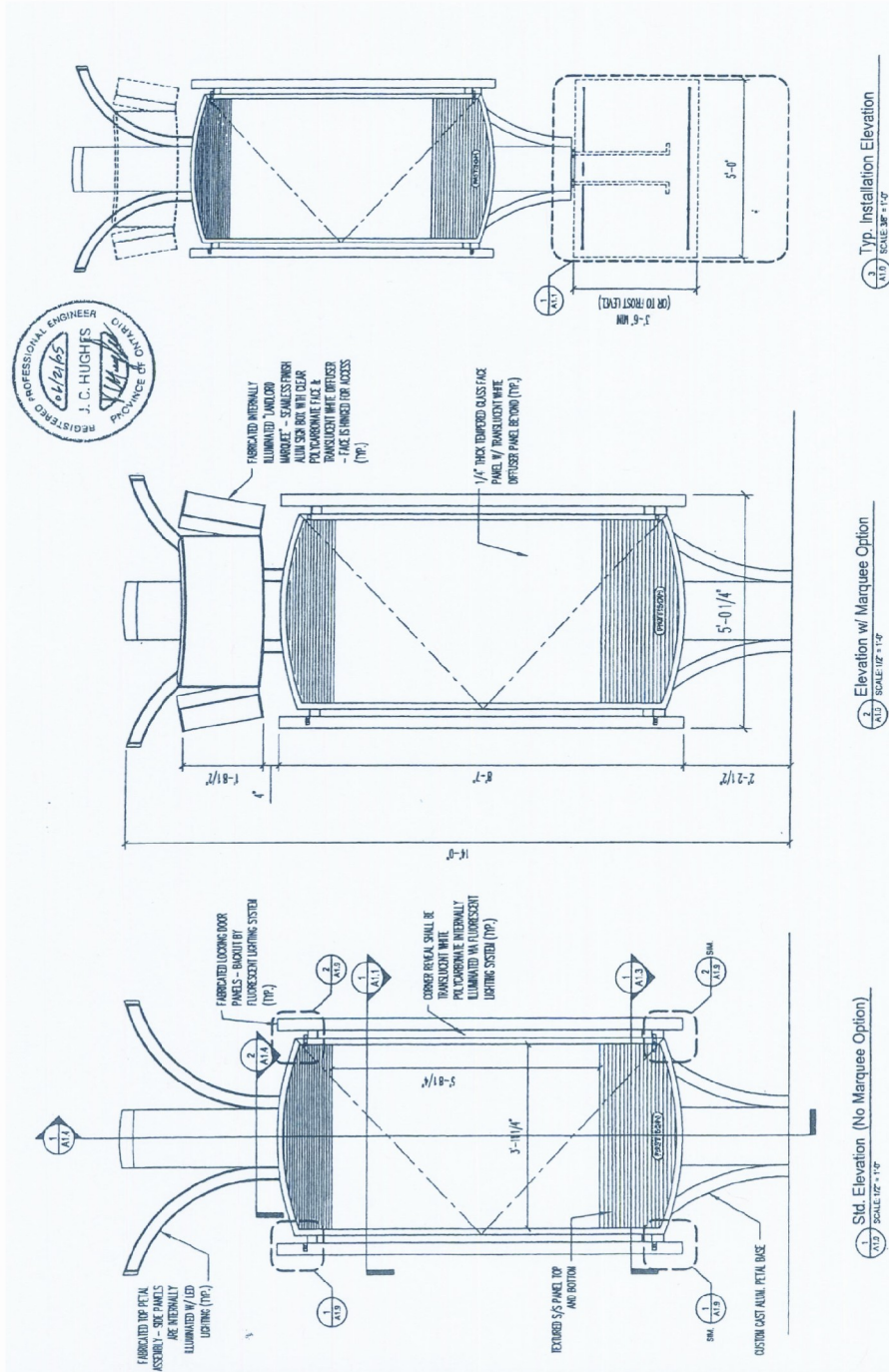
Jim Laughlin, Deputy Chief Building Official and Director, Toronto Building
Toronto and East York District

ATTACHMENTS

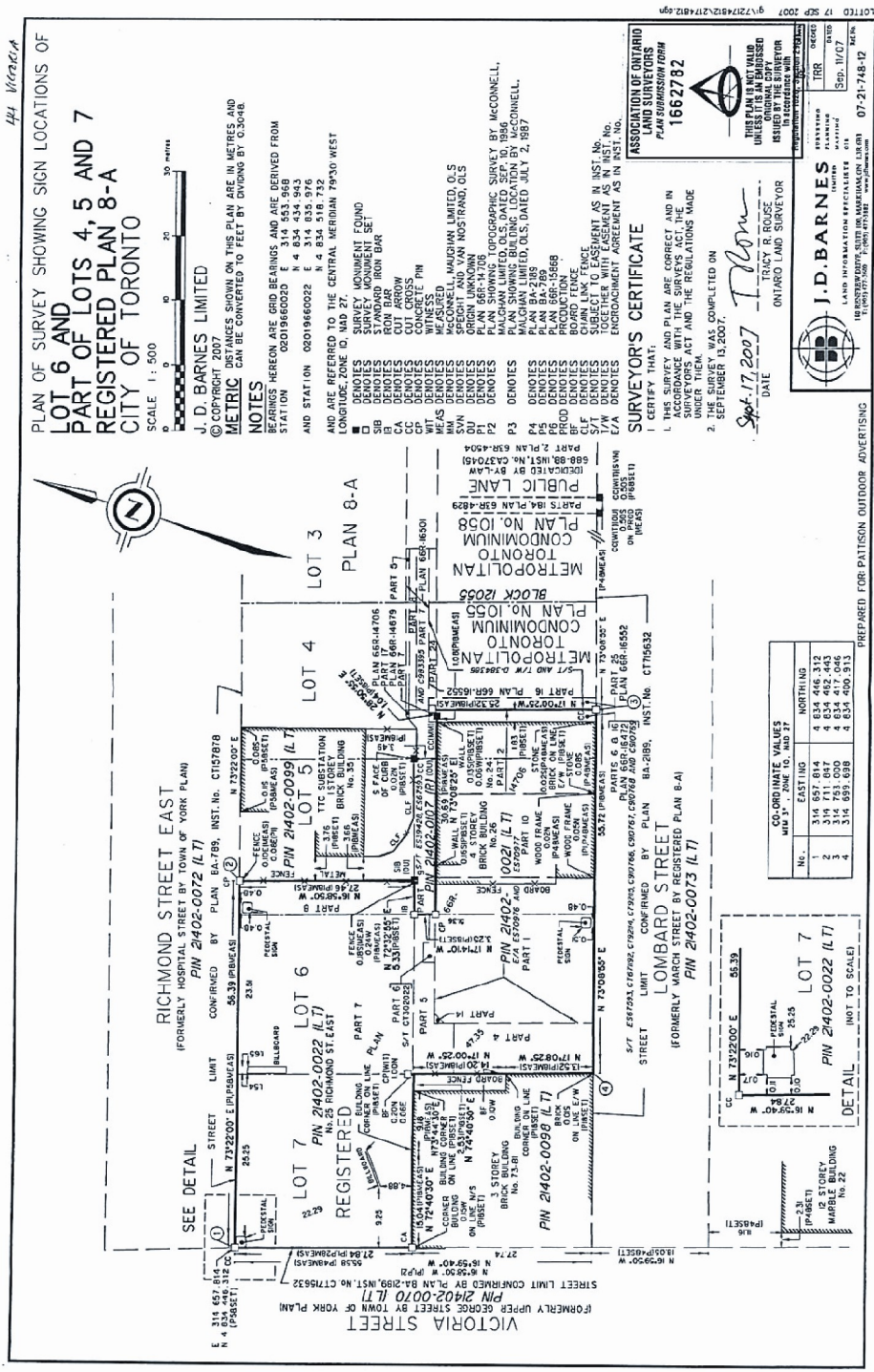
Attachment 1: Elevations

Attachment 2: Site Plan

Attachment 1: Elevations



Attachment 2: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
12/09/09

25 Richmond Street East

File # 09_118898