

**Sign Variance - 1467 Bathurst St**

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| <b>Date:</b>             | December 11, 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 21 – St. Paul's   |
| <b>Reference Number:</b> | P:\2010\Cluster B\BLD\Toronto and East York\2010TE013<br>09 165481 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.

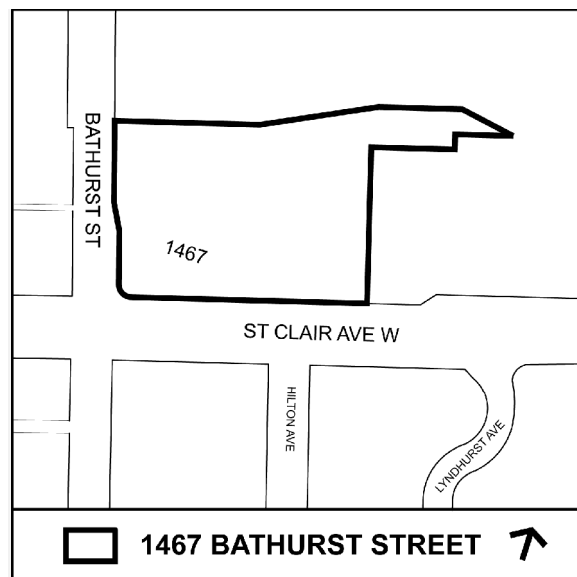
This report reviews and makes recommendations on a request by Sid Catalano of Pattison Outdoor on behalf of Cross Town Car Wash for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit replacement of an existing four-sided third party, illuminated pedestal sign with a newly designed four-sided third party, illuminated ground sign along St. Clair Avenue West frontage of the property at 1467 Bathurst Street.

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 Toronto and East York Community Council refuse the request for variances to permit replacement of an existing illuminated third party, four-sided pedestal sign with a newly designed four-



sided illuminated ground sign, for third party advertising purposes, along St. Clair Avenue West frontage of the property at 1467 Bathurst Street.

### Financial Impact

The recommendations in this report have no financial impact.

### ISSUE BACKGROUND

The property is located on the northeast corner of Bathurst Street and St. Clair Avenue West in a MCR zone district. The property contains a one-storey building. The applicant is seeking permission to replace an existing legal non-conforming, third party, four-sided illuminated pedestal sign with a newly designed four-sided, illuminated ground sign for third party advertising purposes, along St. Clair Avenue West frontage of the property at 1467 Bathurst Street. Each side of the proposed 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 the proposed 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)(b)            | The proposed ground sign would set back 0.60m from the property line along St. Clair Avenue West frontage of the property.   | The proposed 0.6m set back from the property line would be 1.4m less than the minimum 2.0m set back required. |
| 2. Chapter 297-10D (8)               | To install an illuminated four-sided third party ground sign along St. Clair Avenue frontage of the property and remove the existing third party pedestal sign located at that location on the property. | A third party ground sign in a CR or MCR zone district is not permitted.                                      |

### 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 are aimed at restricting proliferation and limiting life span of existing third party ground or pedestal signs in the mixed-use zone districts.

Although, the existing third party illuminated pedestal sign located on this property is a legal non-conforming sign, the current Sign By-law does not permit the replacement of existing legal non-conforming signs in the CR or MCR zone districts. Also, in zones where third party ground signs are permitted, the By-law requires a minimum set back of 2.0m from the property line, in this case, the proposed third party ground sign would not meet that requirement.

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 or pedestal 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**

Norm Girdhar, Assistant Planner  
Tel. No. 416-392-7209  
Fax No. 416-392-7536  
E-mail: ngirdhar@toronto.ca

### **SIGNATURE**

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Mario Angelucci, Acting Director, Toronto Building  
Toronto and East York District

### **ATTACHMENTS**

Attachment 1: Elevations

