

Sign Variance - 227 Gerrard St E

Date:	December 11, 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\2010TE007 09 118922 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.

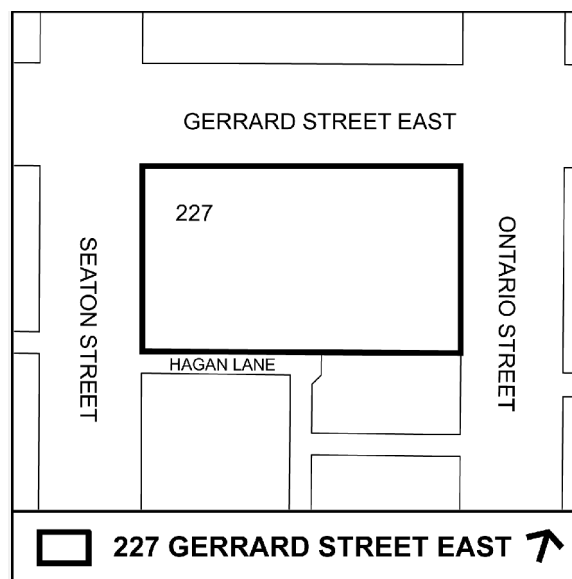
This report reviews and makes recommendations on a request by Sid Catalano of Pattison Outdoor on behalf of Brewer Retail for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to maintain, for third party advertising purposes, two four-sided, illuminated ground signs along Gerrard Street frontage of the property at 227 Gerrard Street East. 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, two four-sided, illuminated ground signs along Gerrard Street frontage



of the property at 227 Gerrard Street East.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property is located east of Jarvis on the southeast corner of Gerrard Street East and Seaton Street in a CR zone. The property contains a one-storey building which is being occupied by the Brewer Retail Store. The applicant is seeking permission to maintain, for third party advertising purposes, two four-sided, illuminated ground signs located along Gerrard Street East frontages of the property at 227 Gerrard Street East. These ground signs replaced previously existing legal non-conforming third party pedestal signs that were located on this property. Each side 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, for third party advertising purposes, two illuminated, four-sided ground signs located along Gerrard Street frontage of the property.	A third party ground sign in a CR zone is not permitted.
2. Chapter 297-10D (8)(a)	To maintain, for third party advertising purposes, two illuminated, four-sided ground signs located along Gerrard Street frontage of the property.	Only one ground sign per frontage of a lot and a total of maximum two ground signs per lot are permitted.
3. Chapter 297-10D (8)(b)	The ground sign located at the northeast corner of the property set backs 0.67m from the property line and 0.61m from the intersection of two property lines and the second ground sign located along Gerrard Street frontage and at approximately mid-point of property sets back 0.49m from the property line.	A ground sign is required to set back 2.0m from a property line and 6.0m from the intersection of two property lines of a corner lot.
4. Chapter 297-10F(1)	To maintain, for third party advertising purposes, two-illuminated, four sided ground signs located along the Gerrard Street 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 two, 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 two, third party illuminated ground signs which were installed as 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 in this case, two illuminated four-sided, third party ground signs are located along Gerrard Street East frontage of the property.

The third variance is required because a ground sign is required to set back 2.0m from a property line and 6.0m from the intersection of two property lines. In this case, the signs set back 0.48m and 0.64m from the from the property line along the Gerrard Street East frontage. The sign located at the northeast corner of the property set backs 0.59m from the east property line and 0.67m from the intersection of two property lines.

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 two illuminated ground signs, for third party advertising purposes, have a separation distance of 25.97m from each other and that is not permitted.

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 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

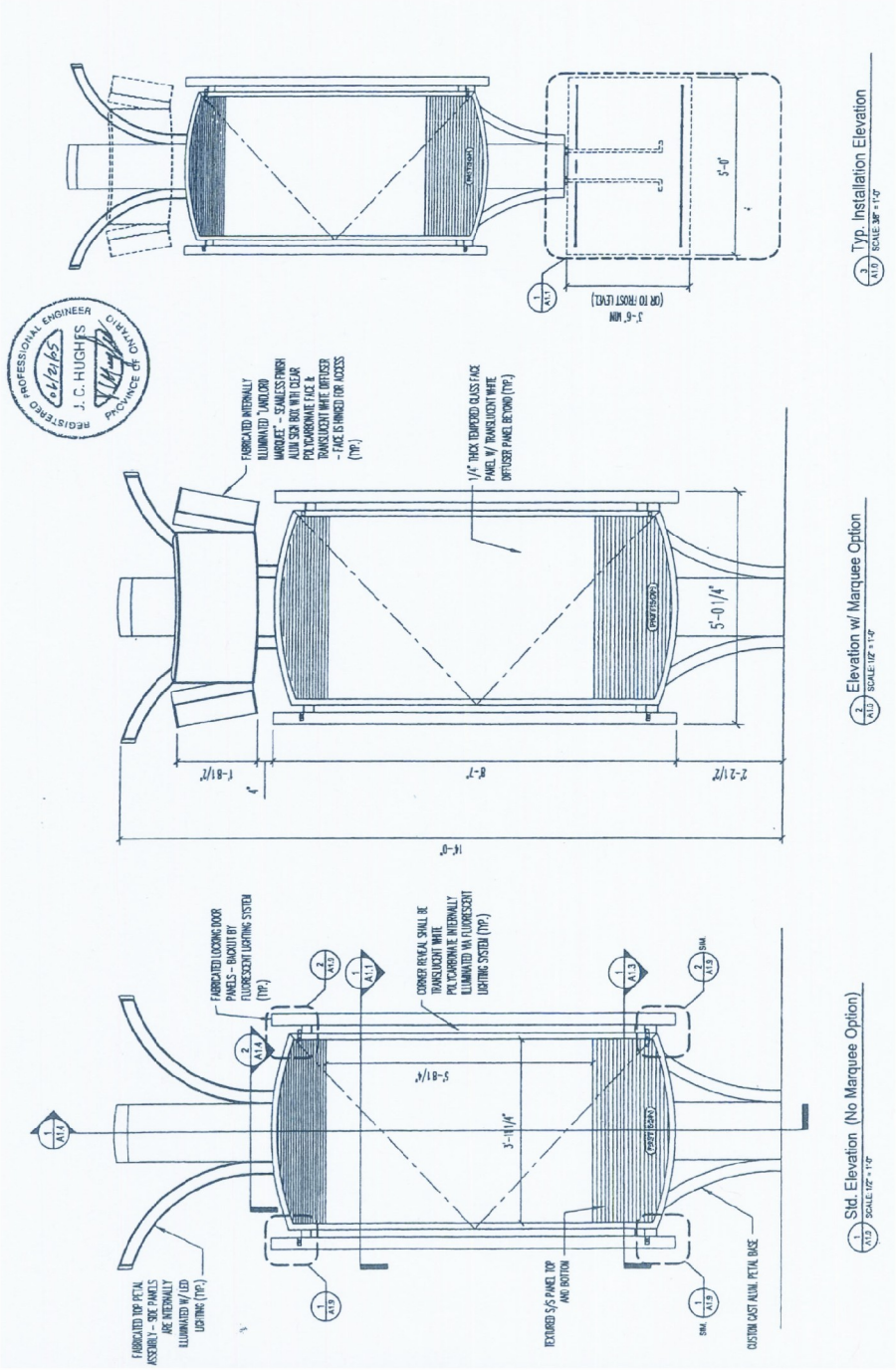
Jim Laughlin, Deputy Chief Building Official and Director, Toronto Building
Toronto and East York District

ATTACHMENTS

Attachment 1: Elevations

Attachment 2: Site Plan

Attachment 1: Elevations



Elevations

227 Gerrard Street East

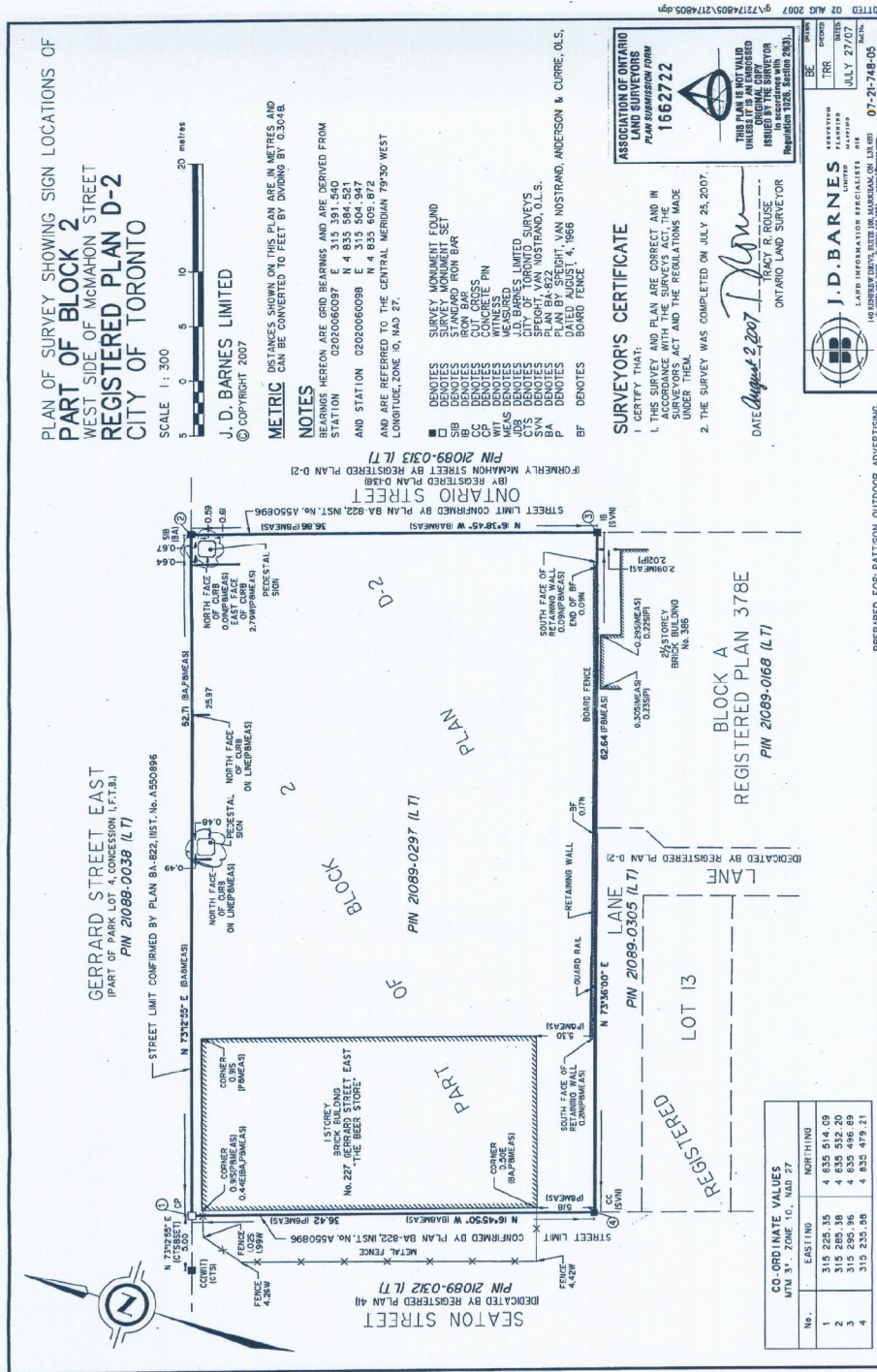
Applicant's Submitted Drawing

Not to Scale

12/10/09

File # 09_118922

Attachment 2: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
12/10/09

227 Gerrard Street East

File # 09_118922