



STAFF REPORT ACTION REQUIRED

Sign Variance Report 1885 Wilson Ave

Date:	October 27, 2009
To:	Chair and Members, The Etobicoke York Community Council
From:	Mark Sraga, Director and Deputy Chief Building Official
Wards:	York West, Ward 7
Reference Number:	2009EY046

SUMMARY

This staff report is about a matter for which the Community Council has been delegated authority from City Council to make final decision.

Request for approval of variance from the former City of North York Sign By-law No 30788 to convert the existing first party sign to a 3rd-party illuminated ground tri-vision "V" shaped sign in the rear yard at 1885 Wilson Ave.

The request comes from Solomon Misghina with OOH Vision Inc for the owner 1014864 Ontario Limited, Attn Jimmy Merigliano for approval of the variances from the former City of North York Sign By-law No 30788.

RECOMMENDATIONS

It is recommended that:

- (1) The requested variance be denied by Community Council as it is not minor in nature.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report

ISSUE BACKGROUND

The property is located in the former municipality of North York and is subject to Zoning By-law No. 7625, as amended. Based on Zoning By-law No. 7625, the property is zoned MC(H) - Industrial Zone. The property has a street frontage of approximately 39.40 metres.

COMMENTS

There are two (2) existing signs erected at this property; a 1st party ground sign located at the front of the property facing Wilson Ave. and a 3rd party double faced ground sign located at the rear of the building facing Hwy. 401 (see images on pages 6 & 7). The ground sign at the rear of the building was erected under a Sign Permit # 095492 issued on August 22, 1990 and the 1st party ground sign at the front of the property was erected under Sign Permit # 093343 issued on February 15, 1993.

The sign that the applicant is requesting a variance for is the roof sign located at the rear of the building at 1885 Wilson Ave. The new sign faces will be a tri-vision sign with each sign face measuring 35 ft by 10 ft. Applicant has not provided the overall height for this sign but it appears to be approximately 15 metres tall.

The sign does not comply with the former City of North York Sign By-law No 30788 in the following way:

Sign By-law Section & Requirements	Applicant's Proposal	Required Variance
Prohibited Signs, 2.9.15 & 5.3.2. Ground "Off premise sign" (3rd party sign) is not permitted. [Sign By-law No. 30788, Sec. 2.9 -	Proposal is for a 3rd-party ground tri-vision (no animation), illuminated, double sided sign in the rear yard.	To permit a 3rd-party ground tri-vision (no animation), illuminated, double sided sign in the rear yard.

It is recommended that Council deny the requested variance as it is not minor in nature.

PROPOSED NEW SIGN BY-LAW

A new harmonized Sign By-law will be introduced to the Planning and Growth Management Committee at its next regular meeting on November 4, 2009. The following is an evaluation of this particular sign variance application against the new draft Sign By-Law requirements that would govern this particular sign. This evaluation has been done to assist Council in understanding how this proposed sign would compare to the new regulatory requirements contained in the proposed Sign By-law.

One of the main features of the proposed Sign By-law is that the regulations governing signs are based upon the "Sign District" in which the sign is located. These Sign Districts

align with the underlying land uses as envisioned in the Official Plan and will classify every property into a “sign district” and utilizes a series of maps to identify the various sign districts throughout the City. This approach is similar to the one being utilized by the new proposed City-wide Zoning By-law mapping.

In the case of this sign variance application and the property on which the proposed sign is located it would be classified as an “E- Employment Sign District”.

Sign By-law Section & Requirements	Applicant's Proposal	Required Variance
<p>694-22 Third party sign general regulations.</p> <p>694-22.D. A third party sign shall not be erected within 100.0 metres of any other lawful third party sign whether erected or not erected.</p> <p>694-24. Site-specific area restrictions.</p> <p>694-24.A. (14). A third party sign shall not be erected or displayed or cause to be erected or displayed in whole or in part within; 400 metres of any limit of any portion of Highway 401 contained within the municipal boundaries of the City;</p> <p>694-25. An E-Employment sign district may contain the following;</p> <p>(1) A ground sign provided:</p> <p>(a) The sign face shall not exceed 20.0 square metres;</p> <p>(b) The height shall not exceed 10.0 metres;</p> <p>(f) There shall be no more than one ground sign erected on a premises;</p>	<p>Proposal is for a 3rd-party ground tri-vision (no animation), illuminated, double sided sign in the rear yard in addition to the existing ground sign on this property.</p>	<p>To permit a third party sign within approximately ?? metres of another third party sign.</p> <p>To permit a third party sign to be erected within approximately 12.42 metres of Hwy 401.</p> <p>To permit a third party sign with a sign face area of 35.35 square metres.</p> <p>To permit a sign with a height greater than 10 metres.</p> <p>To permit two ground signs at 1885 Wilson Ave.</p>

MTO REQUIREMENTS

Under the requirements of Sections 34 and 38 of the *Public Transportation and Highway Improvement Act* a sign permit is required to be issued by the Provinces Ministry of Transportation (MTO) for any proposed sign within 400 metres of a Kings Highway.

The criteria that MTO staff use when evaluation sign permit applications is found in the "Commercial Signing Policy" dated April 14, 2009 of the Corridor Management and Property Section.

Section 8 of this policy states the following:

A "billboard sign" is a sign that advertises goods and services that are not related to the property that the sign is located on.

Billboard signs are not permitted within the controlled area adjacent to class 1 and 2 highways.

Highway 401 is classified as a 'class 1' highway and 'controlled area' is defined as any area within 400 metres of the limit of a Provincial Highway.

Based upon this criteria along with conversations with MTO staff who administer the issuance of Sign Permits under the *Public Transportation and Highway Improvement Act* this proposed third party sign cannot be approved by the MTO.

Therefore, under the requirements of the *Building Code Act* and the Ontario Building Code a sign permit authorizing the erection of this sign cannot be issued by Toronto Building in the absence of this permit approval by the Ministry of Transportation.

CONTACT

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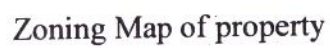
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Mark Sraga
Director of Building and
Deputy Chief Building Official
Etobicoke York District

- Zoning Map
- Pictures from site
- Elevation drawings
- Site plan





1885 Wilson Ave
with existing sign shown
at the rear



Existing ground sign at front of property – looking East



View of existing ground sign at rear of building - looking East

