



Corporate Report

Clerk's Files

Originator's
Files

BL.03-SIG (2006)

DATE: May 23, 2006

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 12, 2006

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Sign By-law 0054-2002, as amended**
Sign Variance Applications

RECOMMENDATIONS: That the Report dated May 23, 2006, from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested two Sign Variance Applications described in Appendix 1 to 2 to the Report, be adopted in accordance with the following:

1. That the following Sign Variances **be granted:**

- (a) Sign Variance Application 06-00456
Ward 2
Tim Hortons
2165 Royal Windsor Drive

To permit the following:

- (i) One menu board and one pre-menu board located adjacent to the drive through lane.
- (ii) One fascia sign located on the east elevation of the building.

- (b) Sign Variance Application 06-00574
Ward 6
Shell
1250 Eglinton Avenue West

To permit the following:

- (i) One fascia sign located on the west elevation.

BACKGROUND:

The *Municipal Act* states that Council may, upon the application of any person, authorize minor variances from the Sign By-law if in the opinion of Council the general intent and purpose of the By-law is maintained.

COMMENTS:

The Planning and Building Department has received two Sign Variance Applications (see Appendix 1 to 2) for approval by Council. Each application is accompanied by a summary page prepared by the Planning and Building Department which includes information pertaining to the site location; the applicant's proposal; the variance required; an assessment of the merits (or otherwise) of the application; and a recommendation on whether the variance should or should not be granted.

FINANCIAL IMPACT:

Not applicable.

CONCLUSION:

Council may authorize minor variances from Sign By-law 0054-2002, as amended, if in the opinion of Council, the general intent and purpose of the By-law is maintained. Sign By-law 0054-2002, as amended, was passed pursuant to the *Municipal Act*. In this respect, there is no process to appeal the decision of Council to the Ontario Municipal Board, as in a development application under the *Planning Act*.

ATTACHMENTS:

Tim Hortons
Appendix (1-1 to 1-7).

Shell – Car Wash
Appendix (2-1 to 2-5).

Edward R. Sajecki
Commissioner of Planning and Building



SIGN VARIANCE APPLICATION REPORT
Planning and Building Department

May 23, 2006

FILE: 06-00456

RE: Tim Hortons
2165 Royal Windsor Drive

The applicant requests the following variances to section 14 of the Sign By-law 0054-2002, as amended.

Section 14	Proposed
Does not permit menu boards or pre-menu boards in an industrial zone.	One (1) menu board and one (1) pre-menu board to be located along the drive through lane.
Does not permit fascia signs on the side (east) elevation of the building located in an industrial zone.	One (1) fascia sign located on the side (east) elevation of the building.

COMMENTS:

Although the business is a commercial use, it located in an industrial zone. Sign By-law 0054-2002, as amended does not have provisions for such a use in an industrial zone. However, the Sign By-law would have permitted the variances if the business was located in a commercial zone. The Planning and Building Department therefore finds the variances to be within the intent of the Sign By-law.

APPENDIX 1-2

820637 ONT. INC.April, 10th 2006

To,

The City of Mississauga.

I have been advised by my tenant that you are looking for a letter of rationale outlining support for the sign variance application.

The sign variance application should be approved because:

1. The proposed signage is attractive and compliments the renovated building.
2. The proposed signage is complimentary to the other building signage at this location.
3. The existing building has been used for a free-standing restaurant since 2000. It is allowed as a use in this zoning and the "Tim Horton's" has received a building permit. Most recently, the building has been a "Coffee Time" and a "Cluckers Restaurant". Both of these past tenants had fascia signage similar to what is proposed for "Tim Horton's".
4. The proposed restaurant needs the signage for the standard operation of the restaurant. The signage being requested is no different than other "Tim Horton's" restaurants in the City of Mississauga.

I, Nevenka Gospodnetic fully support the proposed request for sign variance and sign permits.

If you require any information, please do not hesitate to call me (416) 908-1859.

Yours truly,

N. Gospodnetic
Nevenka Gospodnetic
Owner



TRANSMITTAL – HAND-DELIVERED ONLY

DATE: April 11, 2006

FROM: Maurice Luchich, Project Manager, Planning Dept.
The TDL Group Corp., 874 Sinclair Rd., Oakville, Ont., L6K 2Y1
Facsimile: (905) 845-5551, Telephone: (905) 339-5696

TO: Mr. Jeffery Grech, Sign OBC/By-law Plan Examiner - Building

RE: **Sign Permit, Code 06-456 -- Sign Variance Application**
2165 Royal Windsor Drive

TDL has recently found out that the sign permit application replacing existing signs requires sign variance approval. To this end, please find enclosed the following:

- (1) Two sets of plans depicting the proposed signage and site/sign plan indicating location of the proposed signage;
- (2) Payment to be made by VISA for the proposed Sign Variance application;
- (3) Sign Variance Application form;
- (4) Letter of Authorization/Justification from the landowner.

Please be advised that TDL's interpretation of the Sign By-law indicates that one fascia sign is permitted as-of-right (south façade, facing Royal Windsor Drive). Therefore, the sign variance application is for the menu sign, preview menu sign, and one fascia sign (east façade, facing parking lot).

In addition to the justification from the landowner, TDL has prepared the following rationale for the proposed sign variance application:


1. The Sign By-law's restrictions are intended to ensure that the use provisions of the applicable Zoning By-law are not contravened. In other words, the Sign By-law ensures that sign permits are not issued for a use that potentially contravenes the use provisions of the zoning by-law. In this case, the store at 2165 Royal Windsor Drive has a base zone of 'M1' under By-law 5500 which under the Sign By-law does not allow for "Commercial" provisions. Specifically, the menu board, preview board, etc.. are not permitted as-of-right. Obviously, the proper, safe, and efficient operation of a convenience restaurant with drive-through facility requires appropriate signage. Notwithstanding the "M1" base zone, the site is zoned "M1-2094" which specifically notes that a convenience restaurant is permitted.
2. It should be noted that the overall signage requests would not contravene any aspect of the Sign By-law provisions if this site had a base "commercial" zone. Also, the signage requested is in no way in excess of a typical Tim Hortons store. The common pylon and directional signs are being left alone: variances are only required for the one fascia sign and the menu signage. The signage proposal is very similar to most of the other existing signs for commercial restaurant development along this roadway. A similar variance application, with a base industrial zone, was reviewed and approved in the fall of 2004 by the City for 1801 Dundas Street East.
3. As noted by the landowner, the existing building has been in operation as a convenience restaurant for approximately 6 years. In that time, each tenant has had the necessary signage for the operation of the store. The proposed fascia signage by TDL represents a reduction in the amount of signage and graphic "banding" which existed on the previous store facades. The menu signage replaces signage that existed previously and is only required as a result of the relocation of both signs.
4. The proposed standard Tim Hortons fascia signage is sized and located to be attractive and complimentary to the renovated building facades.

In light of the above information, the sign variance application request is reasonable and appropriate for the subject lands in light of the proposed renovation, the store design, and the existing context. TDL is looking forward to the support of staff, area Councillor, and members of PDC for the requested sign variance.

On a final note, TDL is requesting that this matter be scheduled immediately as the store is opening very soon. It should be noted that the formal notification of the sign variance requirements was not sent to TDL resulting in a loss of time. Your cooperation in this matter is greatly appreciated.

I believe that with this information, the application is in order and you can proceed to process this matter expeditiously. As always, if you need any further clarification or additional information on this matter, please do not hesitate to call.

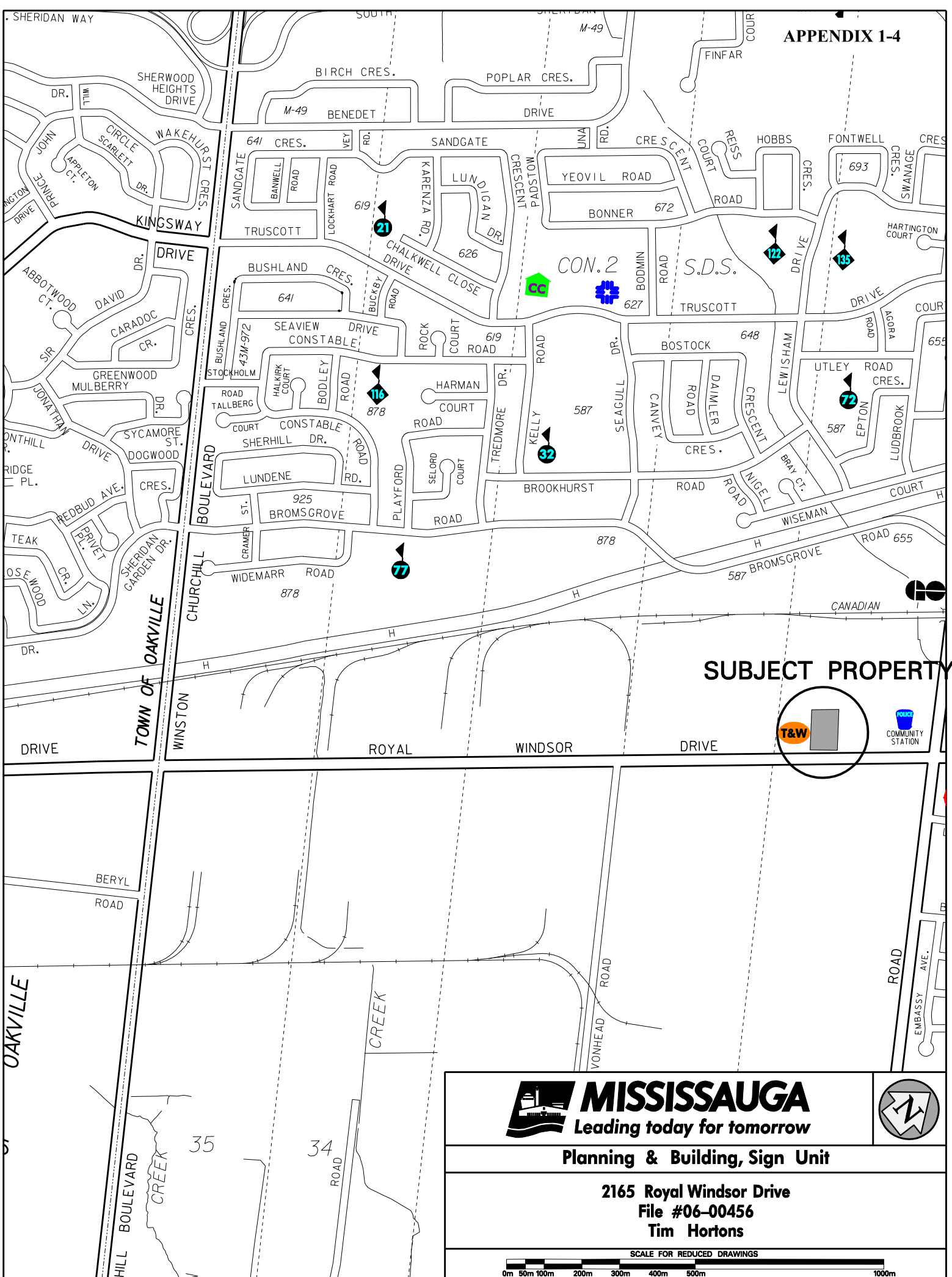
Yours truly,

A handwritten signature in black ink, appearing to read "M. Luchich", with a long horizontal flourish extending to the right.

Maurice Luchich, Project Manager – Planning
Engineering Services Department

*Enclosure (Drawings)

c: Councillor P. Mullin, Ward 2
Ms. N. Gospodnetic, 820637 Ont. Inc.



MISSISSAUGA
Leading today for tomorrow

Planning & Building, Sign Unit

2165 Royal Windsor Drive
File #06-00456
Tim Hortons



(FOR REFERENCE ONLY)
SITE DEVELOPMENT STATISTICS

SURVEY
PROPERTY INFORMATION TAKEN FROM
PLAN OF SURVEY PREPARED BY
FRED C. CUNNINGHAM OLS, 205 MAIN ST.
WILTON, LBT INT FILE NO. 93-834
DATED FEBRUARY 1993

LOT DESCRIPTION
CONCESSION 2 SOUTH OF DUNDAS
PART OF LOTS 31 AND 32
CITY OF MISSISSAUGA

EXISTING ZONING
ZONING BY-LAW M1-SECTION 2094 (SPECIAL EDITION)

SITE DEVELOPMENT STATISTICS

SITE AREA : 11130.1 SM (2.75 AC) 100%
TOTAL BUILDING AREA : 1720.0 SM (18 915 SF) 15.5%
PAVED AREA - ASPHALT : 6615.0 SM (71 205 SF) 59.4%
LANDSCAPING : 2795.1 SM (30 087 SF) 25.1%

LOADING
GARBAGE 3 BAYS @ 3.0 X 5.0 EA
LOADING 1 BAY @ 3.5 X 5.0

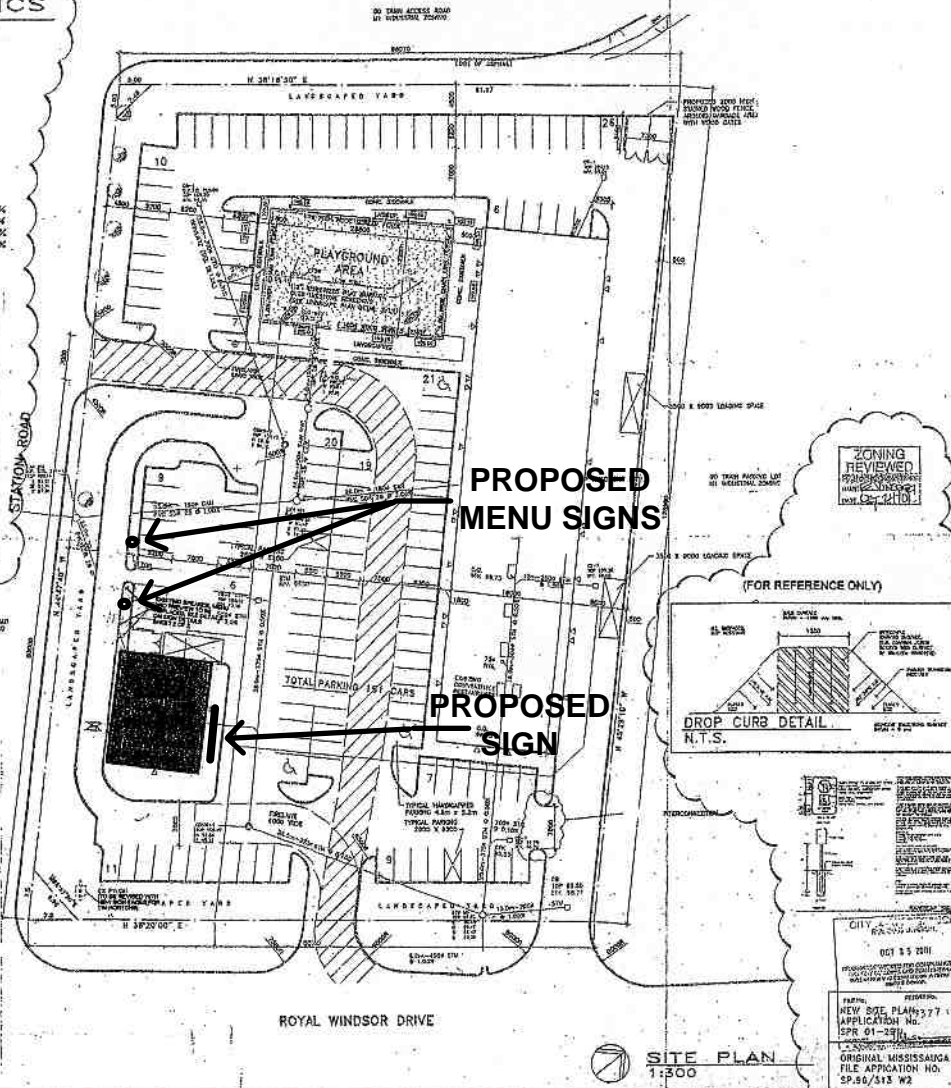
BUILDING USES	AREA m²	PKG. RATE	PKG. REQ'D.
BUILDING A: CONVENIENCE RESTAURANT MIXED USE (M1-ZONING)	453.0 234.2	16/100 m² 1.6/100 m²	73 4
DAY NURSERY	801.8	1/TEACHER +1/SERVICE	31
BUILDING C: CONVENIENCE RESTAURANT WITH DRIVE THRU (10 CAR STACKING)	231.0	16/100 m² +10 CAR STACKING	37
TOTAL AREA & REQ'D. PARKING	1720.0		145
PARKING PROVIDED			151
HANDICAPPED PARKING REQ'D			2
HANDICAPPED PARKING PROVIDED			3

SITE PLAN NOTES

- 1- I HEREBY CERTIFY THAT THIS DRAWING CONFORMS IN ALL RESPECTS TO THE SITE DEVELOPMENT PLAN AS APPROVED BY THE CITY OF MISSISSAUGA, UNDER FILE NO. 93-834.
- 2- THE CITY OF MISSISSAUGA AGREES THAT ALL WORKING DRAWINGS SUBMITTED TO THE BUILDING DIVISION AS PART OF AN APPLICATION FOR THE ISSUANCE OF A BUILDING PERMIT SHALL BE REVIEWED BY THE DESIGNER AS SHOWN IN CONFORMANCE WITH THE SITE DEVELOPMENT PLAN AS APPROVED BY THE CITY OF MISSISSAUGA.
- 3- ALL EXISTING LOT LINES WILL BE SHOWN ON THE SITE AND WILL NOT BE ADJUSTED UNLESS THE ADJACENT PROPERTIES.
- 4- ALL ROOF TOP MECHANICAL UNITS SHALL BE SCREENED FROM VIEW BY THE APPLICANT.
- 5- GRADES SHALL BE SET WITHIN 30% MAXIMUM SLOPE AT THE PROPERTY LINES AND WITHIN THE SITE.
- 6- PARKING SPACES RESERVED FOR DISABLED PERSONS MUST BE IDENTIFIED BY A SIGN INSTALLED AT THE APPLICANT'S EXPENSE, IN ACCORDANCE WITH THE DESIGN SPECIFICATIONS OF FIGURE 1 TO SCHEDULE 1 OF THE CITY OF MISSISSAUGA.
- 7- AT THE ENTRANCE TO THE SITE, THE MANICURED CURBS AND SIDEWALKS WILL BE CONFORMANT WITH THE CITY OF MISSISSAUGA AND A DRAINAGE SYSTEM WILL BE PROVIDED FOR EACH ENTRANCE.
- 8- THE TOP OF ANY CURBS BORDERING THE SIDEWALKS WITHIN THE MUNICIPAL ROADWAY SHALL BE FLUSH WITH THE MUNICIPAL SIDEWALK AND ROAD CURB.
- 9- THE APPLICANT IS RESPONSIBLE FOR PROVIDING THAT THE PROPOSED SIDEWALKS IS MAINTAINED THROUGHOUT ALL PHASES OF DEVELOPMENT AND CONSTRUCTION IN THE LOCATION AND CONDITION AS APPROVED BY THE PLANNING AND BUILDING DEPARTMENT. NO MATERIALS INCLUDING ASPHALT, ETC. MAY BE STOCKPILED WITHIN THE AREA OF SIDEWALKS BORDERING THE SIDEWALKS UNLESS OTHERWISE APPROVED BY THE CITY OF MISSISSAUGA. THE APPLICANT WILL OBTAIN FOR THE LATER BY ORDER TO BE HELD FOR TWO (2) YEARS FOLLOWING COMPLETION OF ALL THE WORK.
- 10- THE PARKING RATE INDICATED REPRESENTS THE MAXIMUM RATE AS PER THE USES PERMITTED ON THIS PROPERTY. PARKING FOR EACH CATEGORY SHALL BE COMPLETED THROUGH THE ZONING CERTIFICATE OF OCCUPANCY REVIEW PROCESS.
- 11- SHADING SHOWN ON THE SITE DEVELOPMENT PLANS IS FOR INFORMATION PURPOSES ONLY. ALL SHADING WILL BE SUBJECT TO THE PROVISIONS OF SECTION 22-24, AS AMENDED AND A SEPARATE SHADING APPLICATION WILL BE REQUIRED THROUGH THE BUILDING DIVISION.
- 12- ANY EXCESS MATERIAL IS TO BE REMOVED FROM THE SITE.
- 13- EXISTING DRAINAGE PATTERN IS TO BE MAINTAINED.
- 14- ANY STRUCTURE ADJACENT TO MUNICIPAL LOTS WILL BE LOCATED 150M (500') INSIDE THE PROPERTY LINE.

NOTES (DEC. 2005)

1. THIS PLANS TO BE USED IN CONJUNCTION WITH THE INTERIOR RENOVATION PERMIT FOR 2167 ROYAL WINDSOR DRIVE.
2. ALL EXISTING GRADING TO REMAIN AS IS.
3. NO CHANGES PROPOSED TO BUILDING GFA, COVERAGE, LANDSCAPING, PARKING LOT, ETC.
4. FORMER SITE PLAN APPROVAL UNDER FILES SP 98/313W2 AND SP 01/291 W2.



APPENDIX 1-5



OPERATED BY THE TDL GROUP CORP.
174 BUCKLE ROAD
DANVILLE, ONTARIO L8K 2Y1
TEL (905) 845-5511 FAX (905) 845-5551

THESE DRAWINGS SHOULD BE CHECKED FOR CONFORMANCE TO LOCAL, PROVINCIAL, AND STATE BUILDING CODES.

THESE DRAWINGS SHOULD NOT BE SCALED.

THIS DRAWING SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL ISSUED FOR CONSTRUCTION BY AN ENGINEER.

11	10/1
10	07/1
9	02/1
8	06/1
7	11/1
6	02/1
5	06/1
4	06/1
3	22/1
2	07/1
1	02/1

8		
7		
6		
5		
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2		
1		

No REVISIONS DATE

PROJECT
Tim Hortons
MISSISSAUGA, ONT.
2167 ROYAL WINDSOR DRIVE

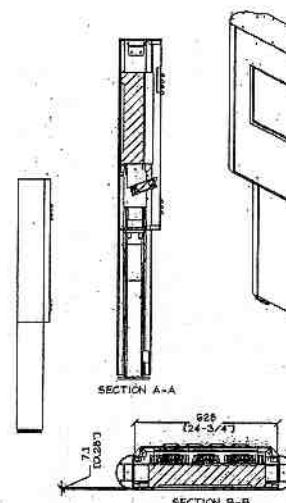
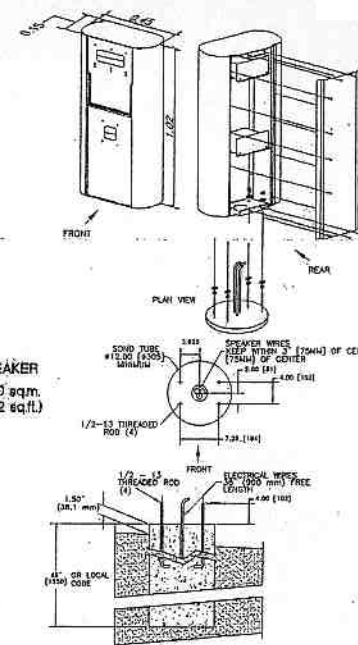
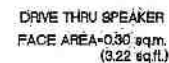
DRAWING
TITLE:
INT. ALTERATION

DRAWN BY: JJ
SCALE: 1:400
DRAWING NO.

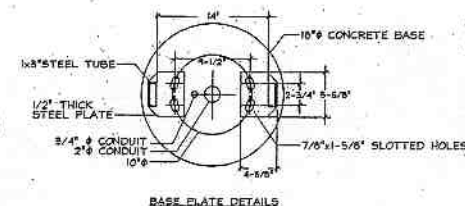
SP



THIS DRAWING SHOULD NOT BE USED FOR
CONSTRUCTION PURPOSES UNTIL ISSUED FOR
CONSTRUCTION BY AN ENGINEER.



PREVIEW MENU DETAIL
SCREEN AREA = 0.142 sq.m.
(153 sq.ft.)



9		
8		
7		
6		
5		
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2		
1		
No.	REVISIONS	DATE

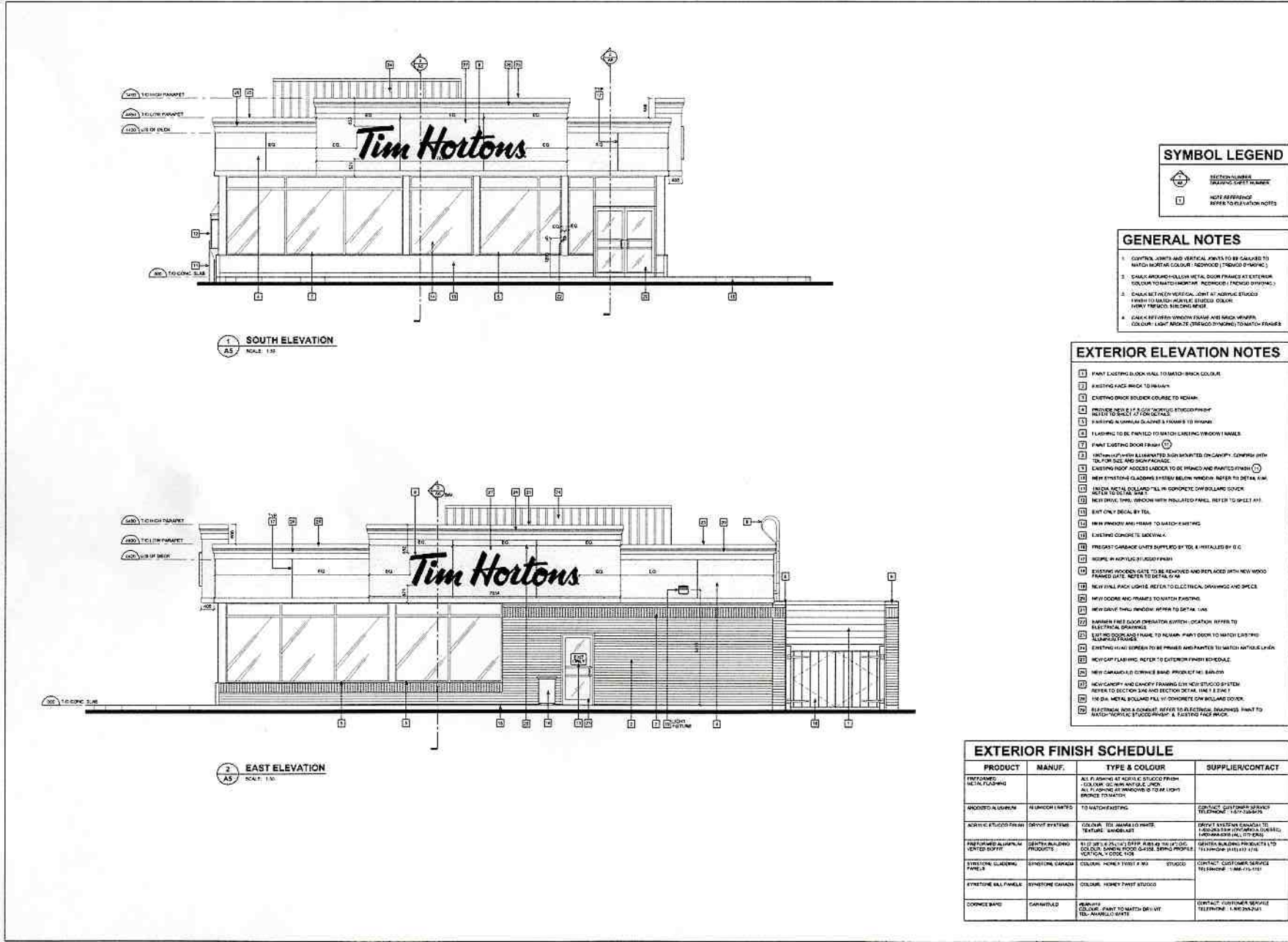
PROJECT
Tim Hortons.

SHEET 2 OF 2

DRAWING
TITLE:
SIGN DETAILS

DRAWN BY: MM
SCALE: N.T.S.
DRAWING NO.

SD



ISSUE TABLE		
No.	Date (mm-dd-yy)	Description
01	12-10-01	ISSUED FOR REVIEW AND REVISION
02	11-26-01	ISSUED FOR TENDER
REVISIONS		
No.	Date	Description
DRAWINGS REVISED AS PER DESIGN BULLETIN		
No.	Date	Description
64-25	12-10-01	NOT HOLDING DRAFT
67-25	12-10-01	SUBMITTANT REQUIRED COMMENT



SIGN VARIANCE APPLICATION REPORT
Planning and Building Department

May 23, 2006

FILE: 06-00574

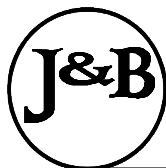
RE: Shell - Car Wash
1250 Eglinton Avenue West - Ward 6

The applicant requests the following variance to section 13 of the Sign By-law 0054-2002, as amended.

Section 13	Proposed
Permits fascia signs to be located on a car wash wall with an exit having a maximum sign area of 4.79 m ² (51.63 ft ²).	One (1) fascia sign on a car wash wall with an exit having a sign area of 5.74 m ² (61.79 ft ²).

COMMENTS:

The variance is a slight increase in sign area but is in keeping with the design of the building and other fascia signs on the building. The Planning and Building Department finds the variance acceptable from a design perspective.



J AND B ENGINEERING INC.

5734 Yonge Street, Suite 501
Toronto, Ontario, Canada M2M 4E7

Telephone: (416) 229-2636
Fax: (416) 229-6965
E-mail: staff@jandb-engineering.com

~~Planning and Building~~ Department
300 City Centre Drive

March 27, 2006

Att: Jeff Gretch
Inspector, Sign Unit

Re: Shell Car Wash
1250 Eglinton Avenue West

Dear Jeff,

As per our telephone conversation of March 24, 2006, I would like to apply for a Variance to allow for additional coverage with the Car Wash exit sign at the above location.

As submitted in the Sign Permit application the coverage for the exit sign is 11.895% and exceeds the allowable coverage for an exit sign of 10%.

The reason for the Variance request is because, upon follow up on the sign sizing on Friday I discovered that the entrance, exit and north fascia signs have all been manufactured and are awaiting shipment. Due to the nature of the site all 3 of these signs were special order. As it turns out they were manufactured prior to final approval.

The fascia sign on the north elevation meets the requirements for minimum sign area coverage of 10% with a 5% coverage area.

The entrance sign coverage is only 10% of the allowable 15% coverage.

The exit sign (as applied for) will exceed the minimum coverage area by 1.895%.

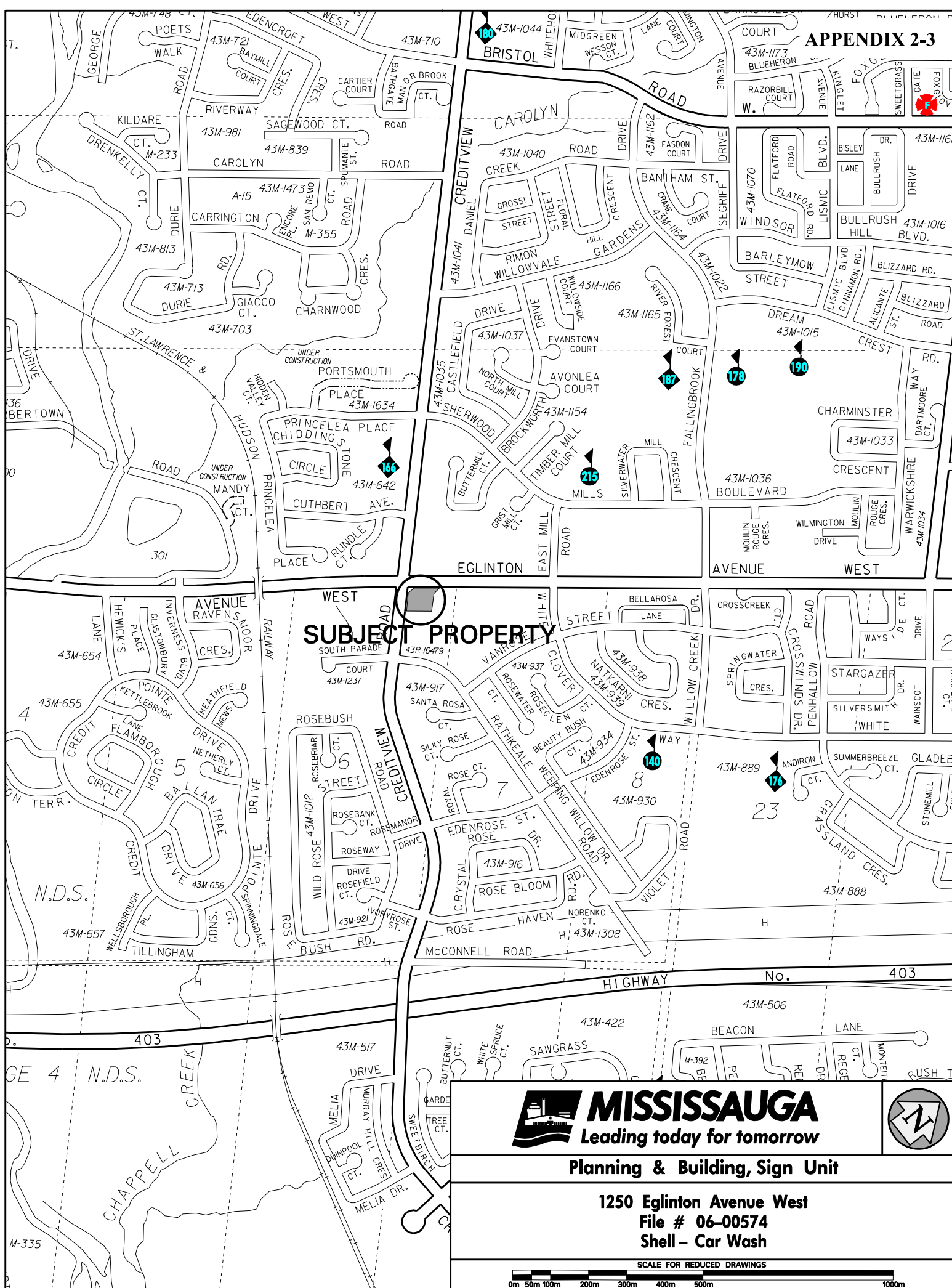
Could you please review the Variance application to allow for the extra 1.895% coverage of the exit sign.

Thanking you in advance

Al Chabassol

Project Manager
J and B Engineering Inc.

416 229 2636 (227)
905 995 8863



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Leading today for tomorrow



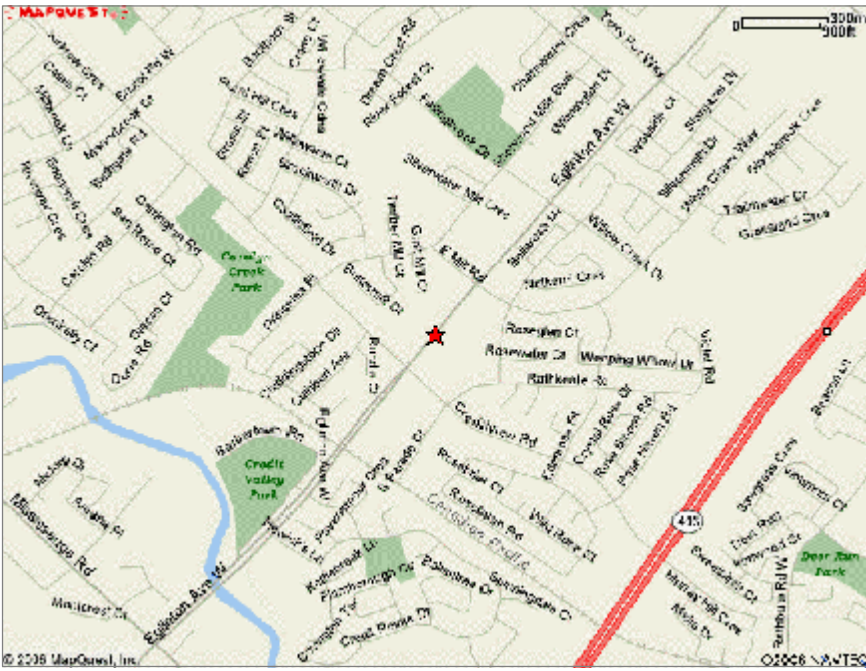
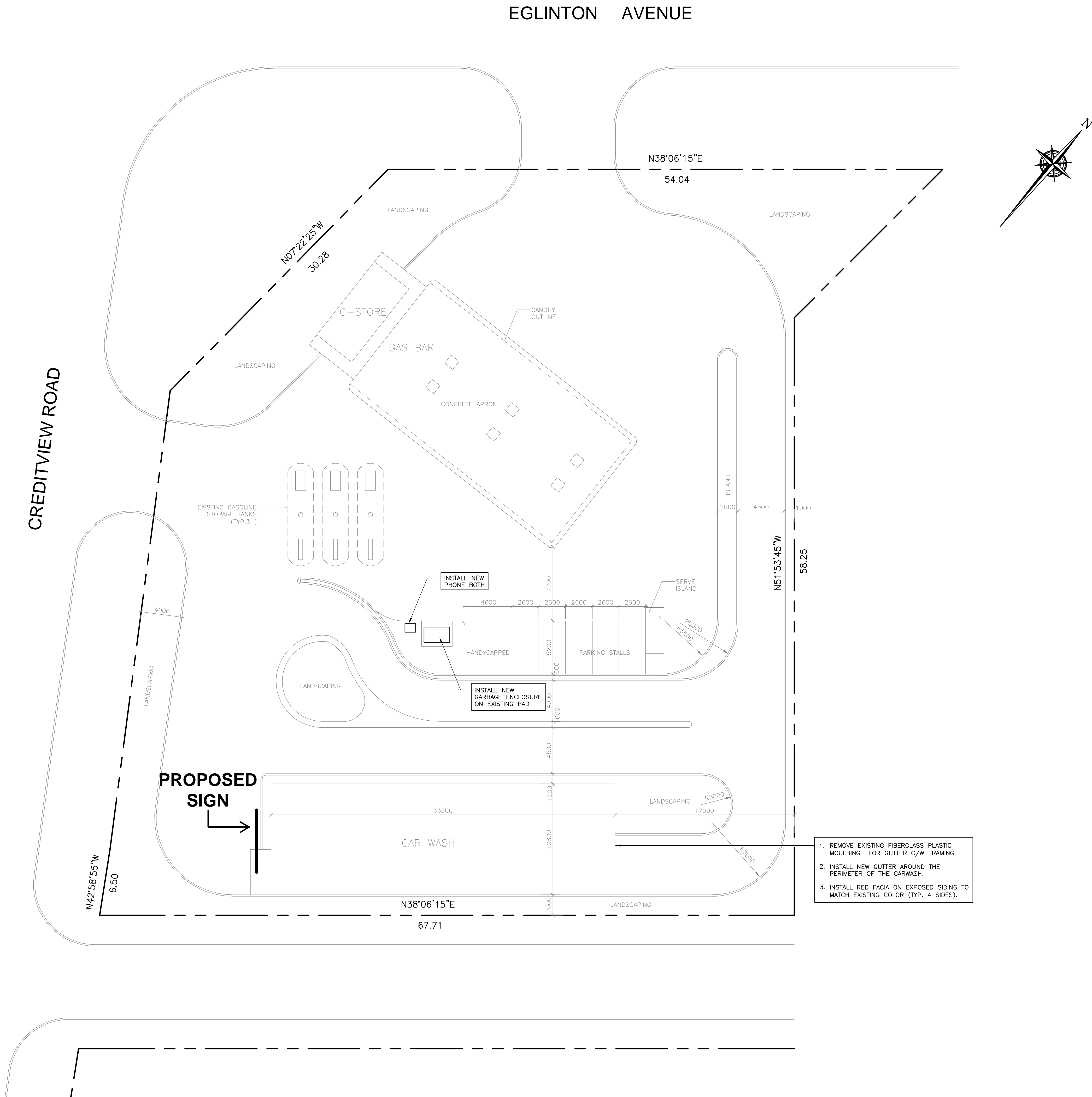
Planning & Building, Sign Unit

1250 Eglinton Avenue West
File # 06-00574
Shell - Car Wash

SCALE FOR REDUCED DRAWINGS



APPENDIX 2-4

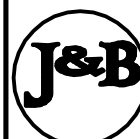


KEY PLAN
NTS

- GENERAL NOTES:**
1. ALL DIMENSIONS ARE TAKEN FROM SURVEY OF JAN. 30, 1990 AND MAY NOT BE ENTIRELY AS STATED
 2. DO NOT SCALE DRAWINGS.

1	15 MAR.' 06	ISSUED FOR CITY APPROVAL	IL	AC
No.	Date	Description	Drawn By	Engineer

REVISIONS

**J AND B ENGINEERING INC.**

5734 Yonge Street, Suite 501, City of North York, Ontario M2M 4E7, Tel(416)229-2636

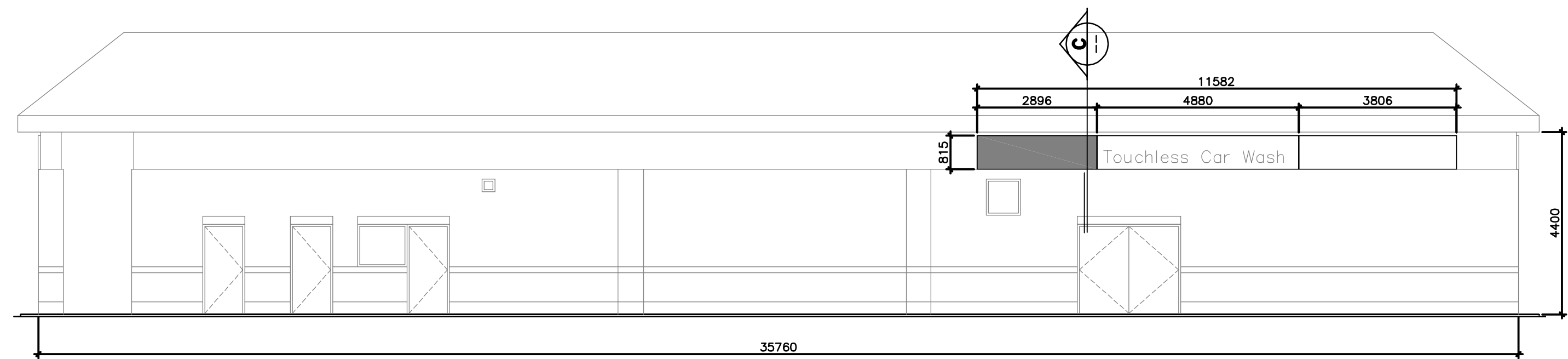
**Shell Canada Products**

Project: SHELL CANADA PRODUCTS C20130

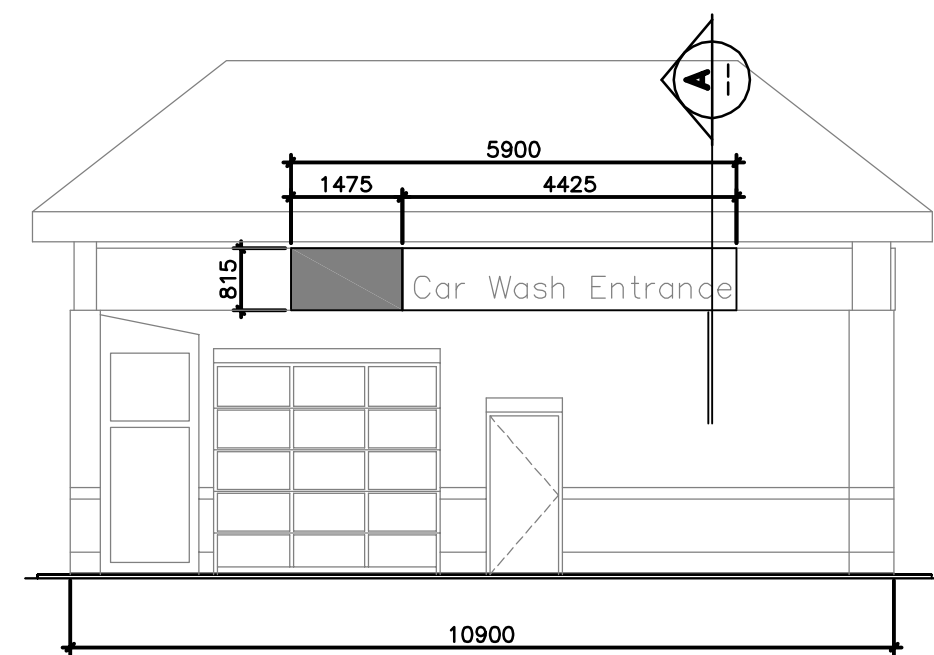
SITE PLAN

1250 EGLINTON W. MISSISSAUGA, ON.

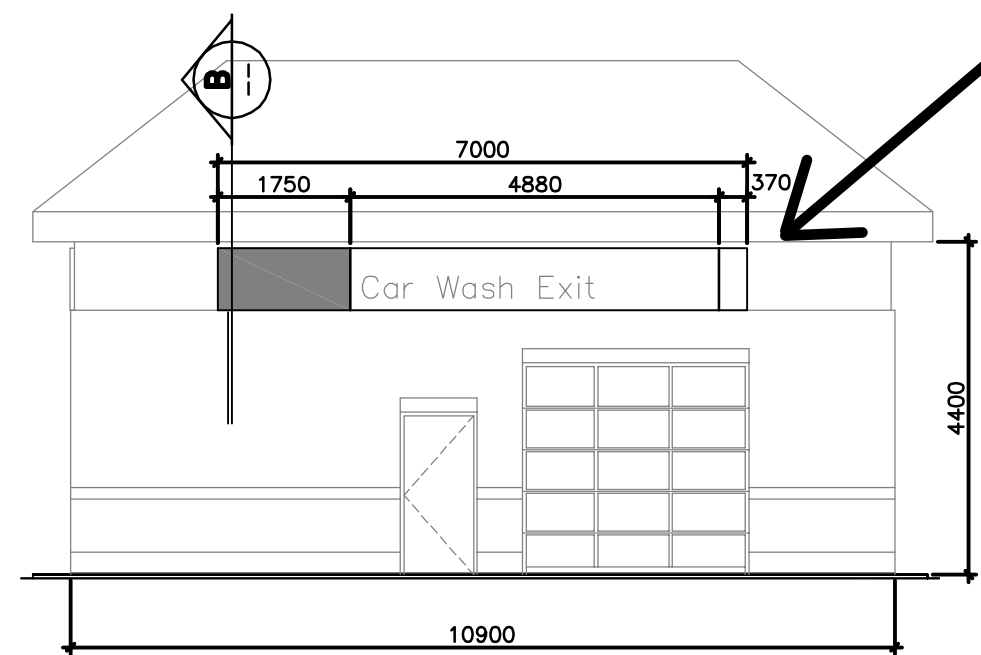
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Drawn By: IL	Scale: 1:200	Dwg. File: 060085-P-200
Checked By: AC	Sheet 1 of 1	Plotting Scale: 1=1
Drawing No: P-200		Drawing Size: D



1 FRONT ELEVATION
SCALE: 1:100



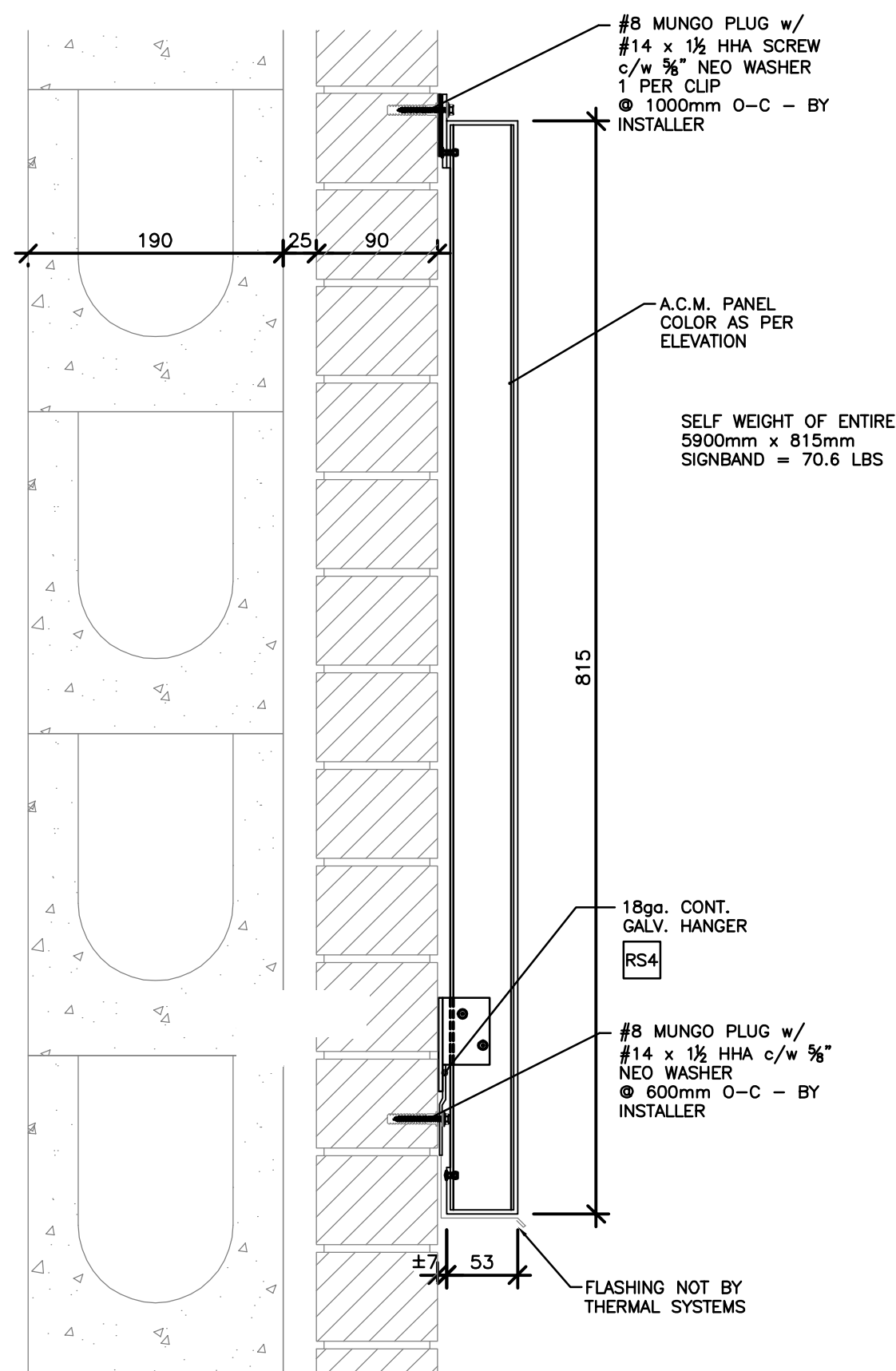
2 LEFT ELEVATION
SCALE: 1:100



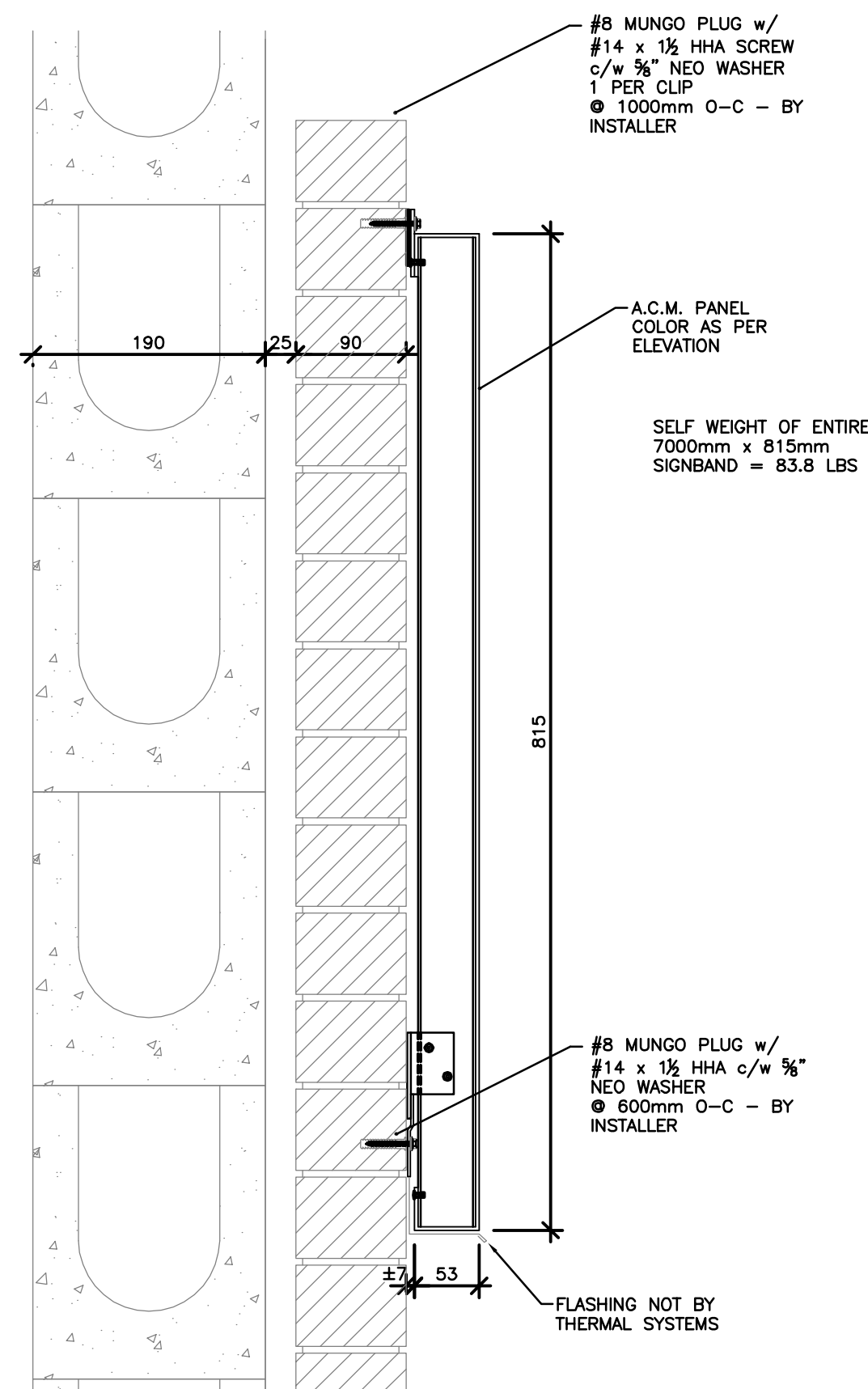
3 RIGHT ELEVATION
SCALE: 1:100

PROPOSED
SIGN

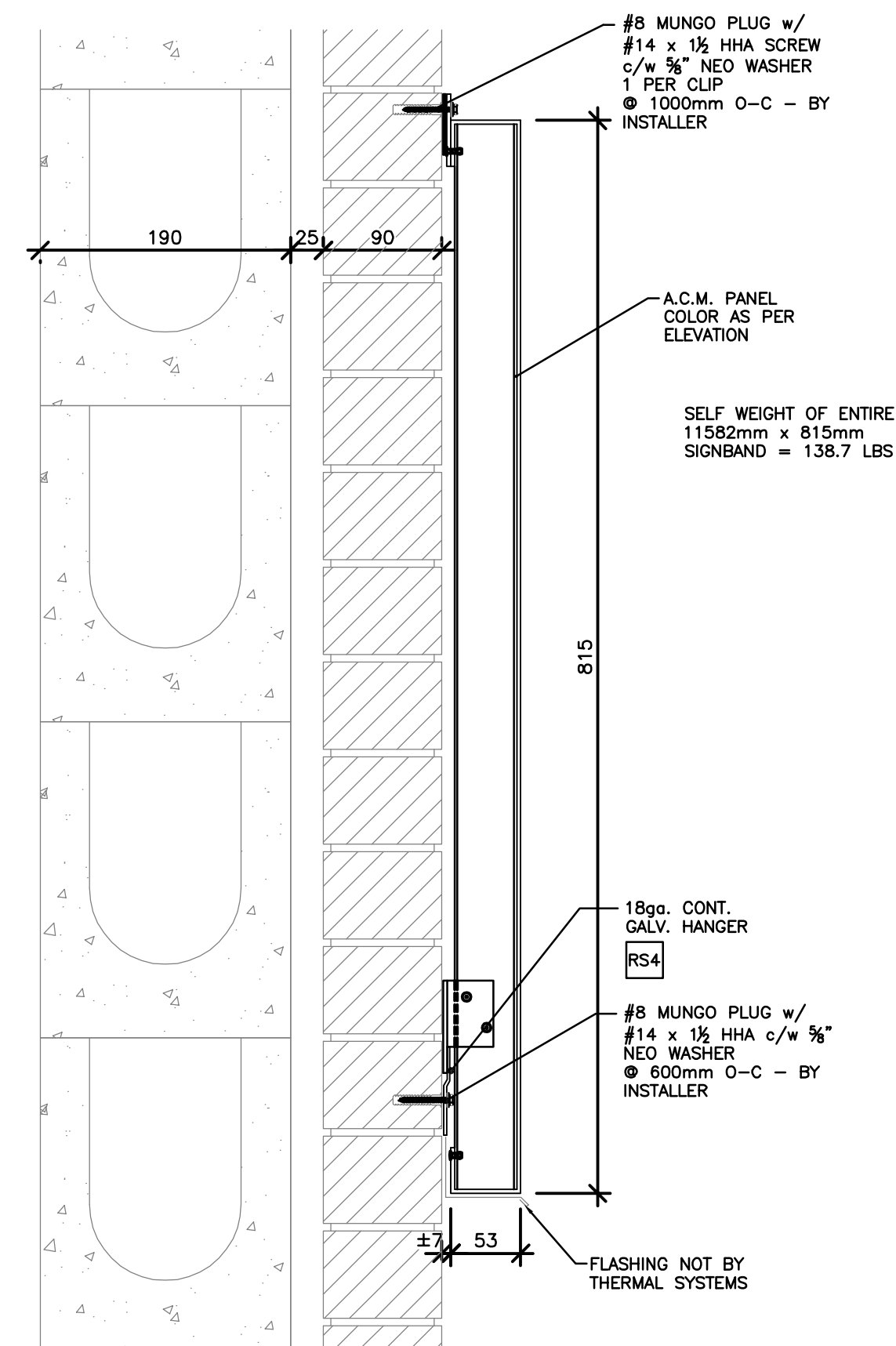
— DENOTES RVI BLUE



A SIGN BAND SECTION • CARWASH WALL
SCALE: 1:5





B SIGN BAND SECTION • CARWASH WALL
SCALE: 1:5



C SIGN BAND SECTION • CARWASH WALL
SCALE: 1:5

NOTE:
THIS DRAWING IS BASED ON DETAIL AND ELEVATION
DRAWINGS PROVIDED BY THERMAL SYSTEMS KWC LTD.
DATED 06/03/17

0	21 MAR. 06	ISSUED FOR REVIEW	KM	AC
No.	Date	Description	Drawn By	Engineer
REVISIONS				
 J AND B ENGINEERING INC.				
5734 Yonge Street, Suite 501, City of Toronto, Ontario M2M 4E7, Tel(416)229-2636				
 Shell Canada Products				
Project: SHELL CANADA PRODUCTS				
CAR WASH ELEVATIONS AND SECTIONS RVI UPGRADE				
1250 EGLINTON AVE. W.			MISSISSAUGA, ON	
File No:	060085	Date: 20 MAR. 06	ACAD INFO	
Drawn By: KM	Scale: AS SHOWN	Sheet 1 of 1	Dwg. File: 60085-A-200	
Checked By: AM			Plotting Scale: 1=1	
Drawing No: A-200			Drawing Size: D	