

Clause embodied in Report No. 7 of the Humber York Community Council, as adopted by the Council of the City of Toronto at its meeting held on May 21, 22 and 23, 2002.

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**1163 St. Clair Avenue West - Request for Approval
of a Variance from Chapter 297, Signs, of the former
City of Toronto Municipal Code to Permit a Roof Sign
(Davenport, Ward 17)**

(City Council on May 21, 22 and 23, 2002, adopted this Clause, without amendment.)

The Humber York Community Council recommends that:

- (1) the application for relief from the provisions of Sign By-law No. 1995-0229 of the (former) City of Toronto, to permit a roof sign at 1163 St. Clair Avenue West, be approved as a variance to the Sign By-law on a temporary basis, to expire on the date falling one year after the date the building permit for the sign is issued, subject to:**
 - (a) a building permit being obtained for the temporary sign within three months of approval by City Council;**
 - (b) the temporary sign being installed substantially in accordance with the application plans on file with the Building Division, South District, within three months of the building permit issuance;**
 - (c) the owner of the property providing an undertaking satisfactory to the Director of Community Planning, South District, to remove the temporary sign by the date falling one year after the date the building permit for the sign is issued; and**
 - (d) the owner of the property providing a letter of credit or other form of security satisfactory to the Director of Community Planning, South District, to secure the undertaking in Part (c) above; and**
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.**

The Humber York Community Council submits the following report (April 16, 2002) from the Director, Community Planning, South District:

Purpose:

To review and make recommendations on a request by Sid Catalano, Director of Legislation, Pattison Outdoor Advertising, for Nick Galifi, for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code, to permit a roof sign at the above noted location.

Financial Implications and Impact Statement:

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

Recommendation:

It is recommended that the request for a minor variance be **refused** for the reasons outlined in this report.

Background:

The proposed sign will be located on the south side of St. Clair Avenue West, a short distance east of Dufferin Street. St. Clair Avenue is a busy "mainstreet" area occupied by two and three storey buildings. Most buildings have retail uses along the street edge with residential or office uses above. The property is zoned "MCR" which permits a mix of commercial and residential uses.

Comments:

A roof sign is not permitted by Chapter 297, Signs, of the former City of Toronto Municipal Code.

In 1995, City Council adopted By-law No. 1995-0229 to amend Chapter 297 of the Municipal Code to prohibit roof signs in all CR and MCR districts in the former City of Toronto. The prohibition resulted from a study of signage along the city's "main streets" that documented the negative effects of roof signs on skyline views, and their unattractive appearance within these mixed-use areas and from the adjacent residential districts.

This application clearly contradicts the City's prohibition on new roof signs. Allowing a new roof sign will undercut the clear intent of Council's policy.

In addition, Council is currently considering designating this portion of St. Clair Avenue West as part of a Community Improvement Project area. This designation will allow Council to consider and implement measures to enhance the appearance of the area, support a stronger retail sector and create an improved pedestrian environment. Approval of this sign would be contrary to the City's initiatives to improve the area through the development of a Community Improvement Plan.

As well, the proposed sign will contribute to sign clutter along this portion of St. Clair Avenue. There are two legal non-conforming roof signs already located on the roof of a building located at the northwest corner of St. Clair Avenue West and Dufferin Street. There are also two large size satellite dishes erected on the roof of a building located on the west side of Dufferin Street, just south of St. Clair Avenue West.

Conclusion:

I am recommending refusal of this application as I find the requested variance to be major and in contravention of the general intent and purpose of the Sign provisions of the Municipal Code.

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(The Attachments referred to in the foregoing report were forwarded to all Members of the Humber York Community Council with the Agenda for its meeting on May 7, 2002, and copies are on file in the office of the City Clerk, York Civic Centre.)