

Consolidated Clause in Toronto and East York Community Council Report 1, which was considered by City Council on February 14, 2006.

9a

**Variances from Chapter 297, Signs, of the former
City of Toronto Municipal Code - 1 Jefferson Avenue and
1A Atlantic Avenue (Ward 14 - Parkdale-High Park and
Ward 19 - Trinity-Spadina)**

City Council on February 14, 2006, received this Clause, as the application for a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code, for 1 Jefferson Avenue and 1A Atlantic Avenue, has been withdrawn.

Council also considered additional material, which is noted at the end of this Clause.

City Council on January 31, February 1 and 2, 2006, postponed consideration of this Clause to its special meeting on February 14, 2006.

Council also considered additional material, which is noted at the end of this Clause.

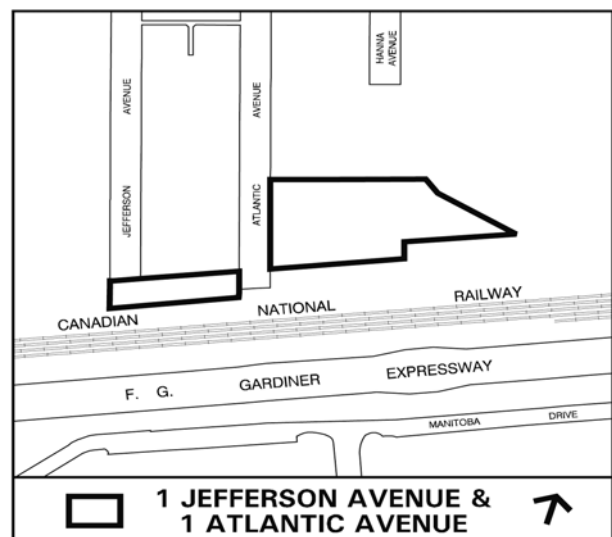
The Toronto and East York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (December 16, 2005) from the Director, Community Planning, Toronto and East York District.

Purpose:

To review and make recommendations on a request by Gerry Gawryluk, President, Moneta Media & Marketing Inc., on behalf of 1289777 Ontario Limited, for approval of variiances from Chapter 297, Signs, of the former City of Toronto Municipal Code, to permit five third party advertising signs at the above noted location.

Financial Implications and Impact Statement:

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



Recommendations:

It is recommended that the requests for variances be refused to permit five third-party advertising signs on the properties known as 1 Jefferson Avenue and 1A Atlantic Avenue.

Comments:

The applicant proposes to erect five third-party advertising signs at the foot of Jefferson Avenue and Atlantic Avenue at the south end of Liberty Village, immediately north of the F.G. Gardiner Expressway. The signs would be facing the Expressway. The property is zoned for industrial use (IC).

The signs do not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code in the in the following ways:

| Sign By-law Section and Requirements | Applicant's Proposal | Required Variance |
|--------------------------------------|--|--|
| (1) Section 297, 10 D 9 (a) | 5 signs with each one having an area of approximately 94.75 m ² . | By-law does not permit more than 1 ground sign exceeding 25 m ² within any frontage of a lot. |
| (2) Section 297, 10 F (1) | 5 signs within 60 metres of other 3 rd party advertising signs. | Signs for 3 rd party advertising must be separated at least 60 metres from any other sign used for 3 rd party advertising. |
| (3) Section 297, 10 F (2) | 5 signs with an area of approx. 94.75 m ² within 300 metres of signs more than 70 m ² in area. | Signs more than 70 m ² in area are required to be separated by a minimum distance of 300 metres from another sign having an area of more than 70 m ² . |
| (4) Section 297, 10 H | The proposed signs will have a height of 16.76 metres. | The maximum permitted height of a ground sign in an IC district is 10 metres. |
| (5) Section 297, 10 H | The proposed signs will have an area of approximately 94.75 m ² . | The maximum permitted area of a ground sign in an IC district is 25 m ² . |
| (6) Metro By-law 211-79 | | Signs are not permitted within 45 metres of the northerly limit of the Frederick G. Gardiner Expressway. |
| (7) Section 297, 10 E (d) | | No more than 50% of the area of the sign can contain animated copy. |
| (8) Section 297, 10 H | | The minimum required setback from a lot in an R or G district is 20 metres. |

Planning staff do not support this application for the reasons outlined below.

(1) Gardiner Expressway

Views/Aesthetics - Sign restrictions in the Gardiner Corridor are intended to protect panoramic views of the City's skyline and to provide an attractive gateway to and from the City. It is appropriate from a planning and city beautification perspective to strive for the elimination of third-party advertisements visible from the Gardiner Corridor.

Safety - The Municipal Code restricts free-standing signs, such as ground signs, in area and in height. The intent of this regulation is to prevent situations such as this, with the erection of large signs that are directed toward the expressways, distracting motorists and potentially affecting traffic safety.

(2) Context

Residential Development – Nearby former vacant lands such as the Fort York Neighbourhood and the King Liberty lands are currently undergoing significant redevelopment where there will be a substantial number of people moving in to the neighbourhood. Large third-party advertising signs compromise the urban design objectives for these neighbourhoods and are not appropriate close to residential areas.

Liberty Village – The Liberty Village area that is located north of these proposed signs is emerging as an important employment area for the City with high-technology, multi-media and creative businesses moving into the area. These proposed signs along the Gardiner Expressway are detrimental with regard to the public realm objectives for the Liberty Village employment area. The Liberty Village is also a significant heritage area and these signs are detrimental to the heritage character of the area.

(3) Toronto Waterfront Revitalization

The proposed signs are also inappropriate when considered in the context of the Waterfront Revitalization Task Force proposal including the potential dismantling of the Gardiner Expressway. The proposed signs would detract from opportunities to improve views from the city to the lake and enhance the urban design quality of this area.

These applications involve major variances, contravene the general intent and purpose of the sign provisions of the Municipal Code as well as the City's planning objectives including the Beautiful City initiatives. The proposed signs also compromise traffic safety on the Gardiner Expressway. Staff recommend refusal of these applications.

Conclusions:

The City's By-law prohibits the erection of signs such as the ones proposed due to their size, location and illumination/animation levels. In this case, not only do the signs not conform in any way with the Municipal Code but five are proposed in close proximity.

It is recommended that the request for the variances be refused.

Contact:

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Applicant's Information:

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(Copies of the following Attachments in the report (December 16, 2005) from the Director, Community Planning, Toronto and East York District, were forwarded to all Members of the Toronto and East York Community Council with the agenda for its meeting on January 17 and 19, 2006, and copies are on file in the City Clerk's Office:

- Attachment 1: Elevation and Sign Detail; and
- Attachment 2: Sign Location.)

The Toronto and East York Community Council also had before it the following communications and copies are on file in the City Clerk's Office:

- Communication (January 12, 2006) from Allan Barkin;
 - Communication (January 13, 2006) from Paul Seaman, President, Seaman and Associates;
 - Communication (January 16, 2006) from Steve Mercer;
 - Communication (January 16, 2006) from Alice Barton;
 - Communication (January 16, 2006) from Liz Hayward;
 - Communication (January 16, 2006) from Ashlee Cooper;
 - Communication (January 15, 2006) from Albert Kwan;
 - Communication (January 15, 2006) from Emily Tu;
 - Communication (January 16, 2006) from Cynthia Gould; and
 - Communication (January 16, 2006) from Stewart Russell.
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The following addressed the Toronto and East York Community Council:

- Bruce Maschmeyer, CEO, Moneta Media and Marketing;
- Ron Nurwisah; and
- Ron Fletcher.

City Council – January 31, February 1 and 2, 2006

Council also considered the following:

Communications:

- *(January 17, 2006) from Raj Bharati [Communication 3(a)(1)]; and*
- *(January 17, 2006) from Jane Siklos, York Heritage Properties [Communication 3(a)(2)].*

City Council – February 14, 2006

Council also considered the following:

Communications:

- *(January 17, 2006) from Raj Bharati [Communication 1(a)(1)];*
- *(January 17, 2006) from Jane Siklos, York Heritage Properties [Communication 1(a)(2)];*
- *(January 30, 2006) from Yau-Kwan Wong [Communication 1(a)(3)];*
- *(January 30, 2006) from Central Garage [Communication 1(a)(4)];*
- *(January 30, 2006) from Yang Wong [Communication 1(a)(5)];*
- *(January 30, 2006) Yau Wing Wong [Communication 1(a)(6)]; and*
- *(February 7, 2006) Bruce Maschmeyer, Chief Executive Officer, per: Gerry Gawryluk, President, Moneta Media & Marketing Inc. [Communication 1(b)].*