



## STAFF REPORT ACTION REQUIRED

### Sign Variance Report 2387 Weston Rd

<b>Date:</b>	January 19, 2009
<b>To:</b>	Chair and Members, The Etobicoke York Community Council
<b>From:</b>	Mark Sraga, Director and Deputy Chief Building Official
<b>Wards:</b>	York South-Weston, Ward 11
<b>Reference Number:</b>	2009EY002

### SUMMARY

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This staff report is about a matter for which the Community Council has not been delegated authority from City Council to make final decision.

Request for Approval of Variances from the former City of York Sign By-law No 3369-79 to maintain an Illuminated and Animated 3rd-party Wall Sign as per attached conditions by Community Council decision, dated May 9, 2008 at 2387 Weston Road.

The request comes from Dong Heon Kim, for Artcube, for approval of the variances from the former City of York Sign By-law No 3369-79.

### RECOMMENDATIONS

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It is recommended that the request for variances be refused for the reasons outlined in this report.

#### 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 York which is subject to the York Zoning By-law 1-83. Based on the York Zoning By-law 1-83, the property is zoned R1 and is also subject to the York Sign By-law 3369-79.

## COMMENTS

The property is a 2-storey studio building located on Weston Road where St. Philips Road ends, which is along the regular bus route for TTC Bus Number 73. The sign is an illuminated pixel LED sign that was installed above the front entrance without a permit.

Eventually a sign permit was issued for a first party sign under permit no. 07 105951 SGN on April 11, 2007 with the following conditions attached by Community Council at their meeting on March 27, 2007:

1. that the application for a variance to permit an illuminated fascia sign on the west front elevation of 2387 Weston Road, be approved, subject to the following conditions:
  - a. that the intensity of the illumination be at the 20 gray level; and
  - b. that scrolling of the sign display and message be permitted in a slow loop manner; and
2. that the Manager, Municipal Licensing and Standards be directed to monitor the situation for compliance and to report back to the Etobicoke York Community Council within six (6) months.

( <http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-2420.pdf> )

Based on the follow up inspection by Municipal Licensing and Standards it was reported back to Community Council ( <http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-12321.pdf> ) on May 6, 2008 that 3<sup>rd</sup> party advertising was being displayed on what was approved to be a first party sign.

In addition, a complaint had been filed by the TTC that the strobe effect of the running lights and the illumination levels were quite high on certain advertising images. These findings resulted in the Building Division revoking the sign permit 07 105951 SGN for advertising third party goods/services and in failing to meet the conditions attached to the permit.

In preparation of this report a site visit was made and it was found that the illuminated sign was turned off.

The sign does not comply with the former City of York Sign By-law No 3369-79 in the following ways:

Sign By-law Section & Requirements	Applicant's Proposal	Required Variance
17.1.2 Third party advertising signs are not permitted in an R1 district.	Erect a third party advertising sign on the south elevation.	Permit a third party advertising sign on the south elevation.

Sign By-law Section & Requirements	Applicant's Proposal	Required Variance
16.2.1 The maximum number of off premise sign locations shall be 177.	To exceed the maximum number of off premise sign locations in former City of York.	To permit a third party illuminated LED fascia sign that will exceed the maximum number of off-premise sign locations of, 177.
16.2.4. Off-premise signs on the same street, facing the same traffic flow, shall not be placed closer to each other than 91 metres measured centre to centre, except at the intersection of 2 arterial streets and where a rail road overpass crosses an arterial street.	To erect a third party illuminated LED fascia sign that will be placed 70 metres from an existing third party sign located to the west of the proposed sign.	The proposed third party illuminated LED fascia sign will be located approximately, 70 metres from the nearest existing third party sign facing the same traffic flow, in lieu of the minimum separation distance of 91 metres.
14.3 Signs may be illuminated, but shall not be animated or flashing.	The proposed third party illuminated LED fascia sign will have animation and flashing light capabilities.	To permit a third party illuminated LED fascia sign that has animation and flashing light capabilities

The proposed illuminated LED sign is located at a location where the illumination levels and animation have the potential to distract drivers traveling north on St Phillips Road. The previous approval for the sign under file no. 07 105951 SGN had two conditions attached to the issuance of the sign permit by Community Council, but it was found that those conditions were difficult to monitor. In the case of the intensity of the illumination there are no standards for "20 gray level" and there is no instrumentation available to measure "20 gray level". As for the requirement of a slow loop for message changes what is the maximum speed that defines "slow loop"?

Our recommendations are that the required variances be refused on the grounds that there are no measurable standards for a LED sign and that they can be a distraction to drivers.

## **CONTACT**

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Mark Sraga  
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The Etobicoke York District

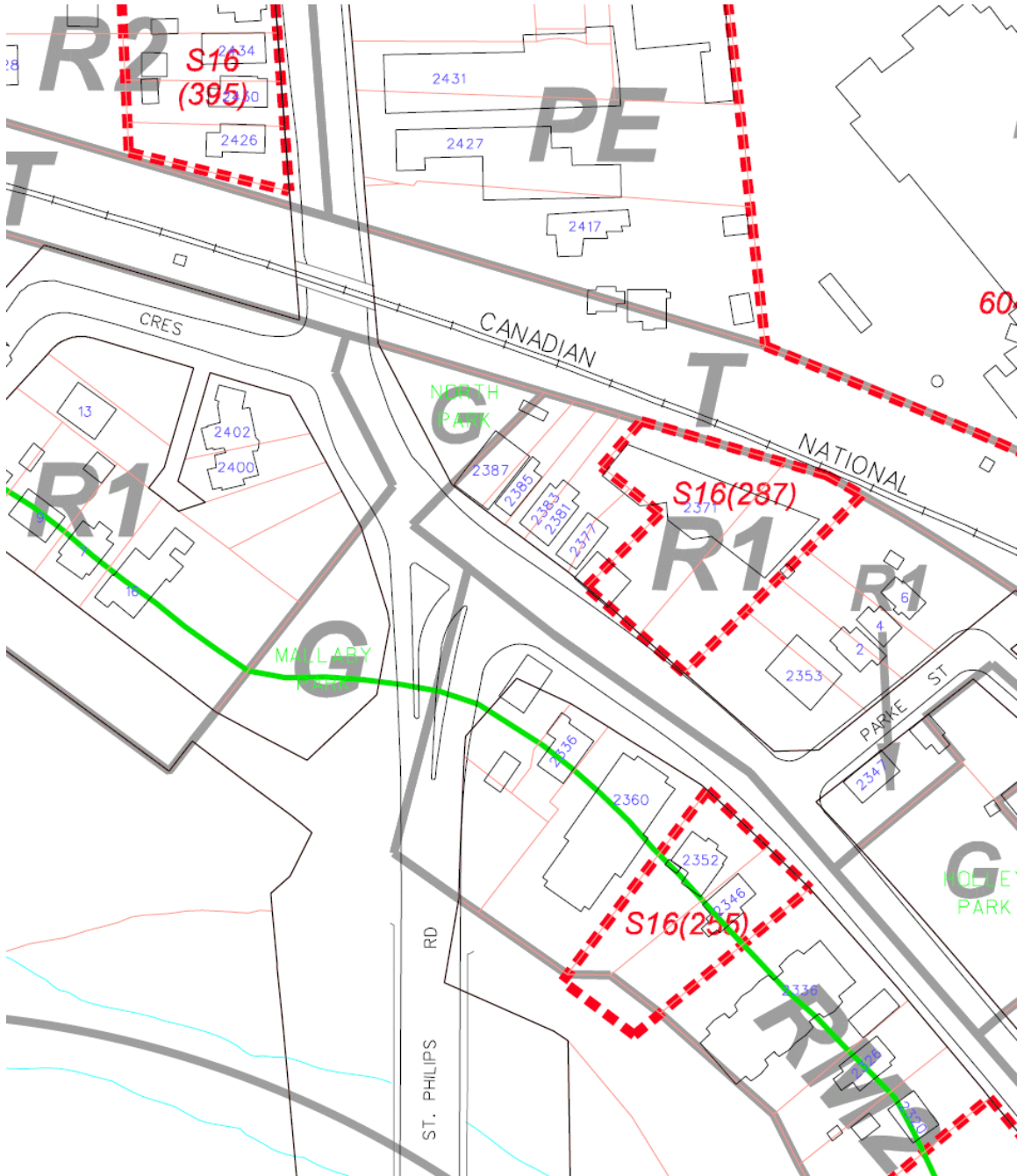
## **ATTACHMENTS**

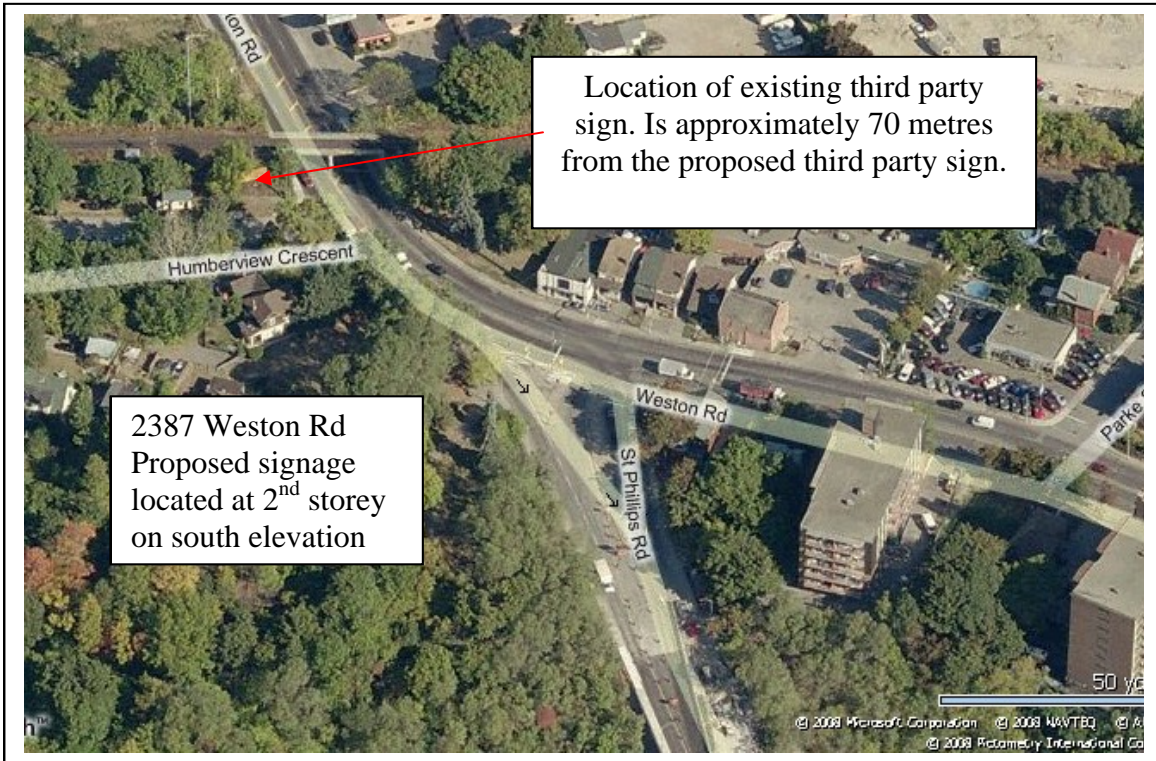
- Zoning Map
- Pictures from site
- Elevation drawings
- Site plan

Applicant's Info

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**South Elevation of 2387 Weston Rd with LED screen attached to building**



**Looking west from 2387 Weston Rd at existing 3<sup>rd</sup> party sign**



**Looking south down St Philips Rd from 2387 Weston Rd**