

Sign Variance - 25 Bishop Tutu Blvd

Date:	February 16, 2009
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	P:\2009\Cluster B\BLD\Toronto and East York\2009TE021

SUMMARY

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

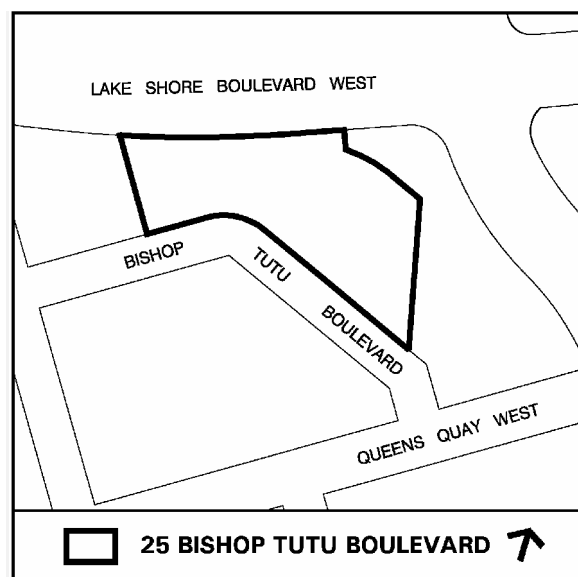
This report reviews and makes recommendations on a request by Dan LeFave-Manager Commercial Business Development of Toronto Community Housing Corporation for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal code to permit, for third party advertising purposes, a non-illuminated mural sign painted directly on the north elevation of the building at 25 Bishop Tutu Blvd.

Staff recommends approval of the application. The variance is minor and within the general intent and purpose of the Municipal Code.

RECOMMENDATIONS

The Toronto Building Division recommends that:

1. Toronto and East York Community Council approve a non-illuminated mural sign for third party advertising purposes, painted directly on the north elevation of the building at 25 Bishop Tutu Blvd; and



2. Toronto and East York Community Council direct the City Clerk's Office to advise the applicant, upon approval of a variance, of the requirement to obtain the necessary sign permits from the Chief Building Official.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property at 25 Bishop Tutu Boulevard, located just west of Bathurst Street, south of Lake Shore Boulevard West, lies within a CR zone. A 10-storey residential building, owned by Toronto Housing Company, is located on the property. Adjacent uses include a gas station to the northeast, a broadcast building to the east, and the Bathurst Quay residential community to the south. To the north is the new Fort York residential neighbourhood that is now under construction. A building permit for a third party fascia sign in the same location of this building was granted in 2003. The sign which was installed was larger than permitted under the sign permit. A subsequent investigation and action by the Municipal Licensing Services, led the applicant to remove the sign from this location.

The applicant is now seeking permission to paint a non-illuminated mural sign directly on the north elevation of the building for third party advertising purposes at 25 Bishop Tutu Blvd. The sign is 10.46m wide and 8.60m high with an area 89.96m².

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

Sign By-law Section and Requirements	Applicant's Proposal	Required Variance
1. Chapter 297-11 (II)	To paint non-illuminated murals sign on the north elevation of the building.	A mural sign in the CR zone within this part of Bathurst Quay- Harbour front / Fort York area is not permitted.

COMMENTS

The proposal is to paint a non-illuminated third party mural sign directly on the north wall of the building. The Municipal Code does permit a third party mural sign having an area of up to 100.0m² in a CR zone elsewhere in the City. The proposed mural sign is not permitted in this area, because the property is located within the Fort York Precinct Signage Area, which is an area of specific restrictive exceptions to the sign by-law under Chapter 297-11. In 2004 City Council had adopted this by-law amendment in order to limit the type of signs permitted in the vicinity of Fort York, to ensure its historic

integrity and to protect views from the National Historic site. The applicant has submitted a letter supporting their application. (Attachment #2)

This proposal is for a painted mural sign having an area of 89.96m² and at a height of less than 15.0m above grade. If this mural sign was to locate in a CR zone in another part of the City, it would be approved as of right. In this case, the proposed mural sign would substantially set back from the street behind the Esso Gas Station. Due to the recently constructed high rise condominium buildings between the subject property and Fort York as well as the position, height and location of the sign on the building, the sign would not be visible from any vantage point from Fort York.

It is staff's opinion that permitting a non-illuminated mural sign painted directly on the wall at this location would not result in adverse impact on the building, surrounding uses or the streetscape. Staff considers the proposed non-illuminated mural sign at this location is acceptable.

Staff recommends approval of the application. The variance is minor and within the general intent and purpose of the Municipal Code.

CONTACT

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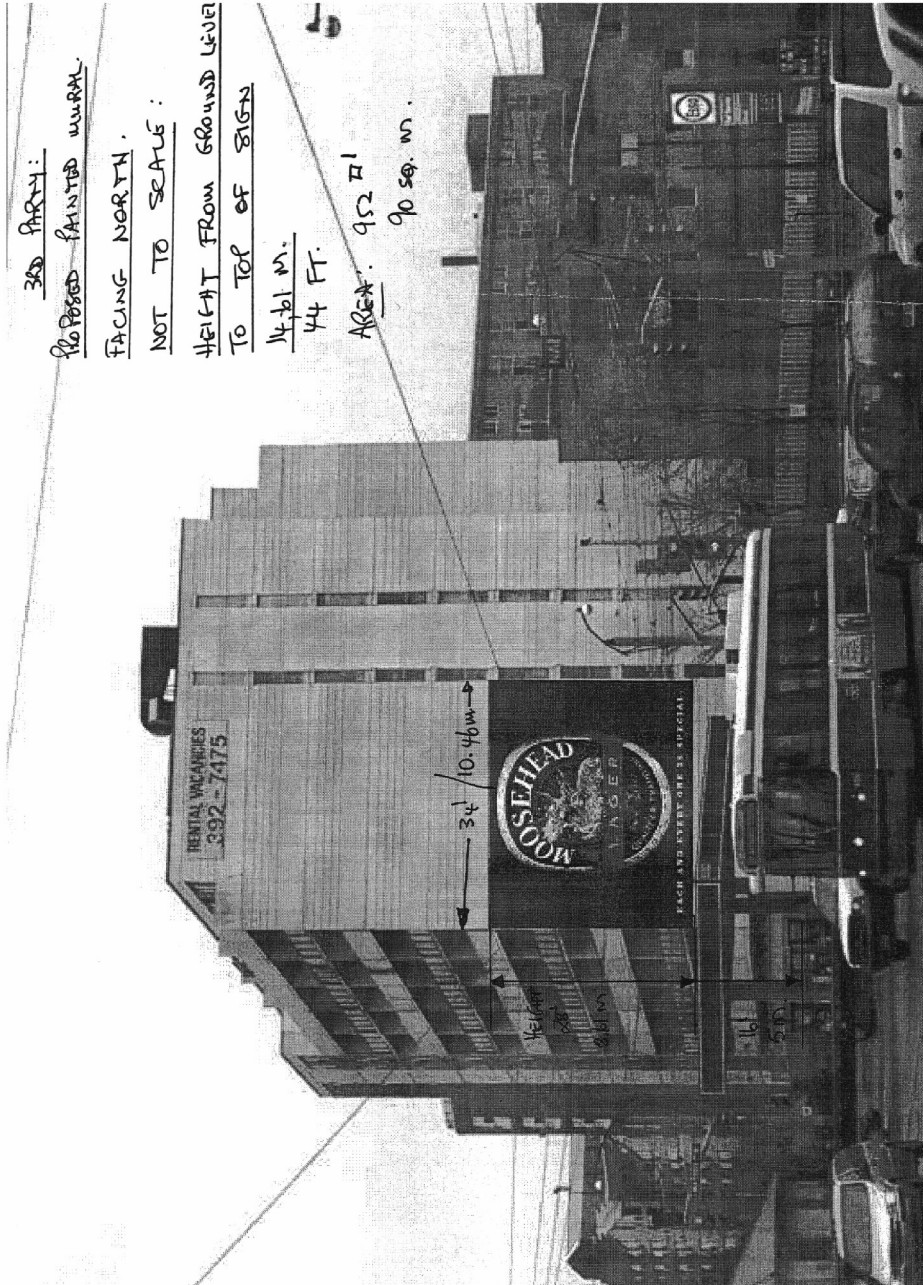
SIGNATURE

Mario Angelucci, Acting Director, Toronto Building
Toronto and East York District

ATTACHMENTS

Attachment 1: Elevation
Attachment : Applicant's Letter

Attachment 1: Elevation



Elevation

25 Bishop Tutu Boulevard

Applicant's Submitted Drawing

Not to Scale
11/27/08

File # 08_217938

Attachment #2: Applicant's Letter

October 24, 2008

Mr. Norm Girdhar

SUBJECT: 25 Bishop Tutu Blvd – Painted Mural Variance Application

Dear Mr. Girdhar,

I would like to take this opportunity to provide you with additional information regarding our application for a non-illuminated painted mural on one of our buildings located at 25 Bishop Tutu Boulevard.

The building is located in a CR district, within the Fort York Precinct Signage Area which is an area specific restrictive exception to the sign by-law, Chapter 297-11. As you know, Council adopted this by-law amendment in 2004 due to the number of large advertising signs around Fort York that “are clearly visible from within the fort (and) seriously detract from its historic atmosphere. At night, the signs illumination casts an unfavourable glow over the fort, disrupting the interpretive experience of evening programs.” The purpose of this area-specific exception is to “limit the signs permitted in the vicinity of Fort York, to enhance its historic integrity and to protect views from the National Historic site.”

<http://www.toronto.ca/legdocs/2004/agendas/council/cc040518/ts4rpt/cl006.pdf>

We appreciate the goals of the Fort York Precinct signage area and Chapter 297 of the Toronto Municipal Code and have developed our application to address these policies and guidelines in the following way:

- We have chosen a non-illuminated painted mural that is less than one hundred (100) square metres in size (in accordance with Chapter 297 – 11 a1) for its artistic value and its limited visual interference at night.
- The height of the non-illuminated painted mural is less than 15 metres above grade (Chapter 297 – 11c)
- The north wall of the building does not directly face the street and is setback from the street behind a gas station (Chapter 297 – 11b)
- The sign will not be visible from any vantage point from Fort York due to the position and size of the mural on the building and the recently constructed condominium (600 Fleet Street) which is blocking its view. (pictures attached)

Through consultation with the outdoor advertising industry, we have developed specific internal criteria that address the City of Toronto sign by-law and assist us with the selection of suitable locations. These important initiatives provide much needed revenue for the TCHC's 58,500 housing units in over 2,000 buildings across the City, largely subsidized by the City of Toronto.

Please feel free to contact me if you have any questions regarding this application.

Best regards,

Dan LeFave, Manager Commercial Business Development – Toronto Community Housing Corp.