



STAFF REPORT ACTION REQUIRED

Supplementary Report Sign Variance Request 1552 Avenue Road

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|--------------------------|---------------------------------------------------------|
| Date: | May 7, 2009 |
| To: | Chairman and Members, North York Community Council |
| From: | Director of Building and Deputy Chief Building Official |
| Wards: | Ward 16 - Eglinton - Lawrence |
| Reference Number: | File No: 2009NY012 Folder No. 09 108355 ZSV 00 ZR |

SUMMARY

The North York Community Council at its meeting on April 21, 2009 deferred consideration of the report dated March 25, 2009, Item NY 25.13 from the Director and Deputy Chief Building Official, Toronto Building, North York District, which recommended approval of the sign variance for two tri-vision panels, to its meeting on May 14, 2009, to allow city staff to conduct a review of the proposed sign and report back with the appropriate sign variances and recommendation.

The purpose of this supplementary report is to review and make recommendations on a request by Kelly Adam of Kramer Design Associates, on behalf of Astral Media Outdoor, for approval of variances from former City of North York Sign By-law No. 30788, as amended, to permit the replacement of an existing Off premise roof sign with another Off premise roof sign containing one Multi-Prism (tri-vision) display and one Animated/Flashing sign face consisting of Light Emitting Diodes (LED), and not two tri-vision panels as outlined in the staff report dated March 25, 2009.

RECOMMENDATIONS

Toronto Building North York Division recommends that:

1. The report (March 25, 2009) from the Director of Building and Deputy Chief Building Official, be received; and
2. North York Community Council refuse the request to permit, an Off premise (third party) roof sign containing one Multi-prism display and one Animated/Flashing LED face.

Financial Impact

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

COMMENTS

The property is located on the west side of Avenue Road, north of Lawrence Avenue West, in a Commercial (C-1) zone. There is an existing two storey commercial building on the property. Abutting uses surrounding the property are all commercial on lands zoned "C1".

The proposed off premise roof V sign will contain one multi prism display and one LED display with a sign area of 33.1m^2 , which exceeds the maximum area permitted by the sign by law of 32.5m^2 , and located closer than 153 meters from another small roof sign which was erected with the benefit of a sign permit in 1992.

The proposed sign does not comply with the former City of North York Sign By-law No. 30788 as amended in the following way:

| Sign By-law Section & Requirements | Applicant's Proposal | Required Variances |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 5.2.1.1 A roof sign not exceeding 32.5m^2 (350sq.ft.) in sign area may be erected on the roof of a commercial building provided that no such roof sign shall be less than 153.0 meters (500.0 ft) from another roof sign on the same side of the street. | To erect an off-premise roof top V-sign with a sign area of 33.1m^2 , which includes an electronic message display containing a clock and temperature display of 0.6m^2 ; and located within 35 meters of an existing first party roof sign on the same side of the street; and | To permit an off premise roof V-sign containing one Multi-Prism (Tri-vision) panel and one Animated/Flashing LED panel with a sign area of 33.1m^2 where the by-law restricts the sign area for these types of signs to 32.5m^2 . Located within 35 meters of an existing first party roof sign on the same side of the street where the by-law requires a distance separation of 153 meters. |
| Section 1.1.22 "Flashing Sign" means a sign with illumination that varies in intensity at periodic intervals. Section 1.1.2 "Animated Sign" means a sign with a sign face which moves in whole or in part and includes a flashing or rotating sign, but does not include a clock, a time, date or temperature display, a multi-prism (tri-vision), or an electronic message display. Section 2.9.6 An animated sign is prohibited. | containing one Multi-Prism panel (Tri-vision), and one Animated/Flashing LED image board panel with illumination which varies both in colour and intensity as it changes from one image to another and is a prohibited sign type in the sign by-law. | Containing one Animated/Flashing LED image board display with illumination which varies both in colour and intensity as it changes from one image where the sign by-law prohibits animated signs. |

Steve Wolowich, Director of Leasing for Astral Media Outdoor submitted a letter dated April 29, 2009 (refer to Attachment #8), in support of this application.

Having observed a roof sign using similar illumination technology, erected in the former City of Scarborough without the benefit of a sign permit; we are reporting that contrary to the statement of Steve Wolowich, Director of Leasing for Astral Media Outdoor, the sign illumination varies with each copy both in colour and intensity at periodic intervals and is a “flashing sign” which is a sign type included in the definition of “Animated Signs” which are prohibited under the former City of North York Sign By-law No. 30788, as amended. Based on the foregoing, that animated signs are prohibited in the Sign by-law we are recommending the refusal of this variance.

As North York Community Council is aware, a new Sign By-law is currently under development. The team working on the new by-law is in the process of analyzing these types of signs and are considering standards which would regulate attributes of these signs, such as frequency of copy change, illumination levels, setbacks, separating distances and location. Approving the current application prior to adoption of the new Sign By-law, may result in North York Community Council permitting a sign which may not be in compliance with the standards eventually approved in the new Sign By-law for signs of this type.

If North York Community Council approves the application for the sign variance, the applicant should be advised of the requirement to obtain the necessary sign permits from the Chief Building Official.

CONTACT

Diane Damiano, Manager Plan Review Tel: 416-395-7561; Fax: 416-395-7589;
E-mail: damiano@toronto.ca

SIGNATURE

Edward Tipping

Director of Toronto Building and Deputy Chief Building Official, North York District

ATTACHMENTS

Attachment 2 - Aerial View

Attachment 3 – Survey of the Property

Attachment 4 – Site Plan

Attachment 5 – Photo of existing signs

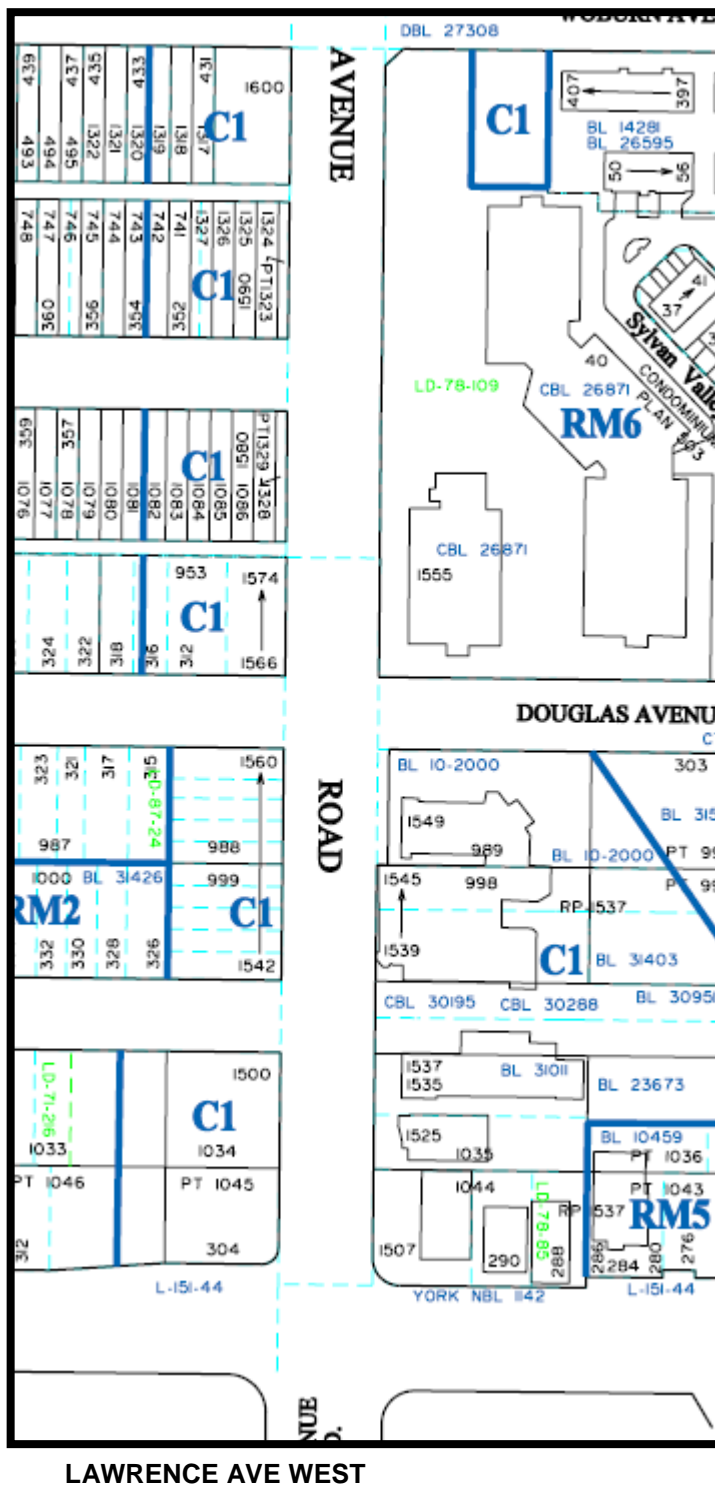
Attachment 6 - Photo of proposed sign

Attachment 7 – Details of the proposed Sign

Attachment 8 – Applicants Letter

Supplementary Staff report for action, Sign Variance – 1552 Avenue Rd.

Attachment 1 – Zoning Map



1552 AVENUE ROAD

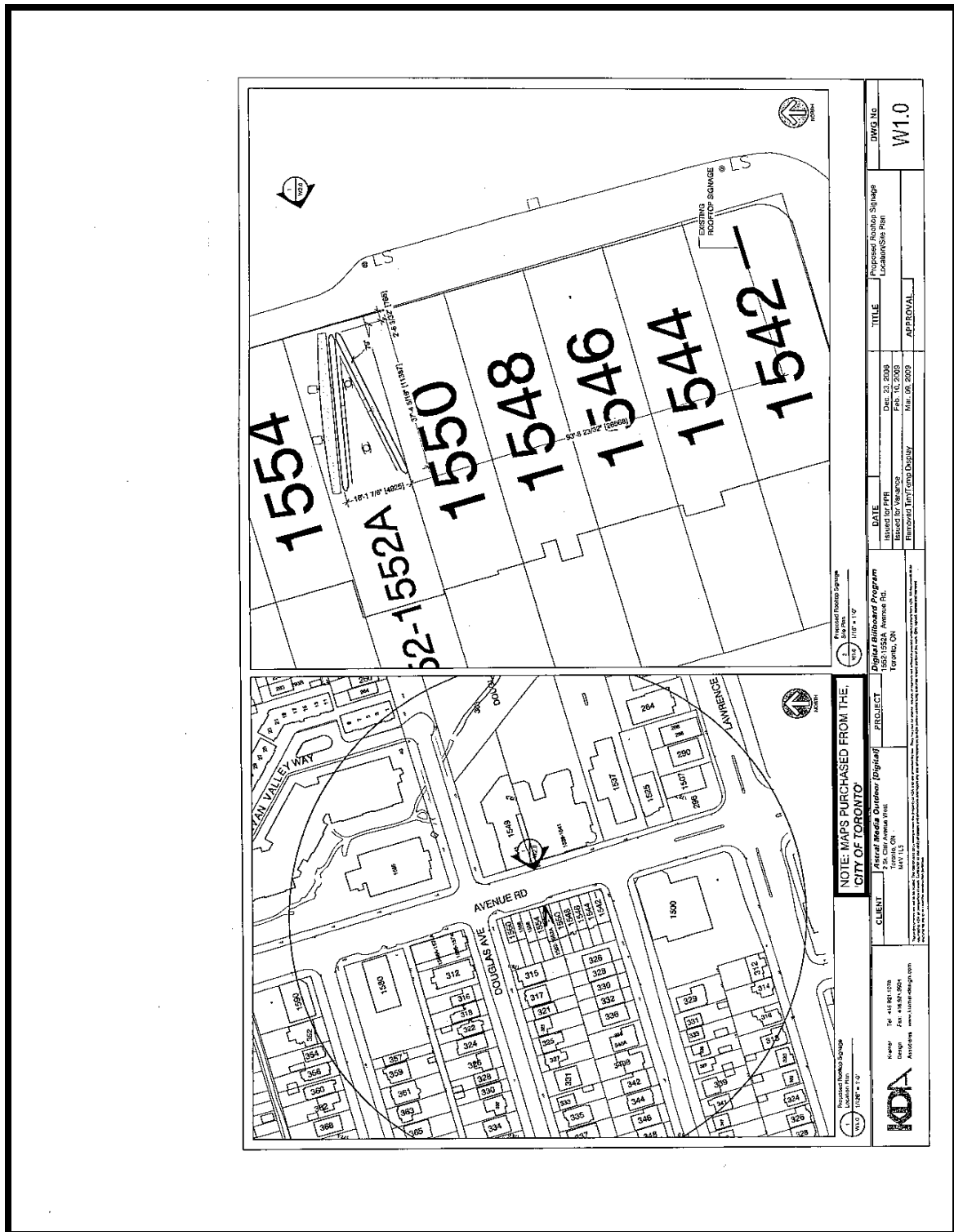
Attachment 2 - Aerial View



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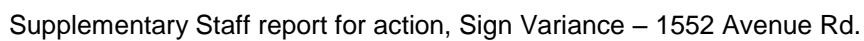


Attachment 4 – Site Plan

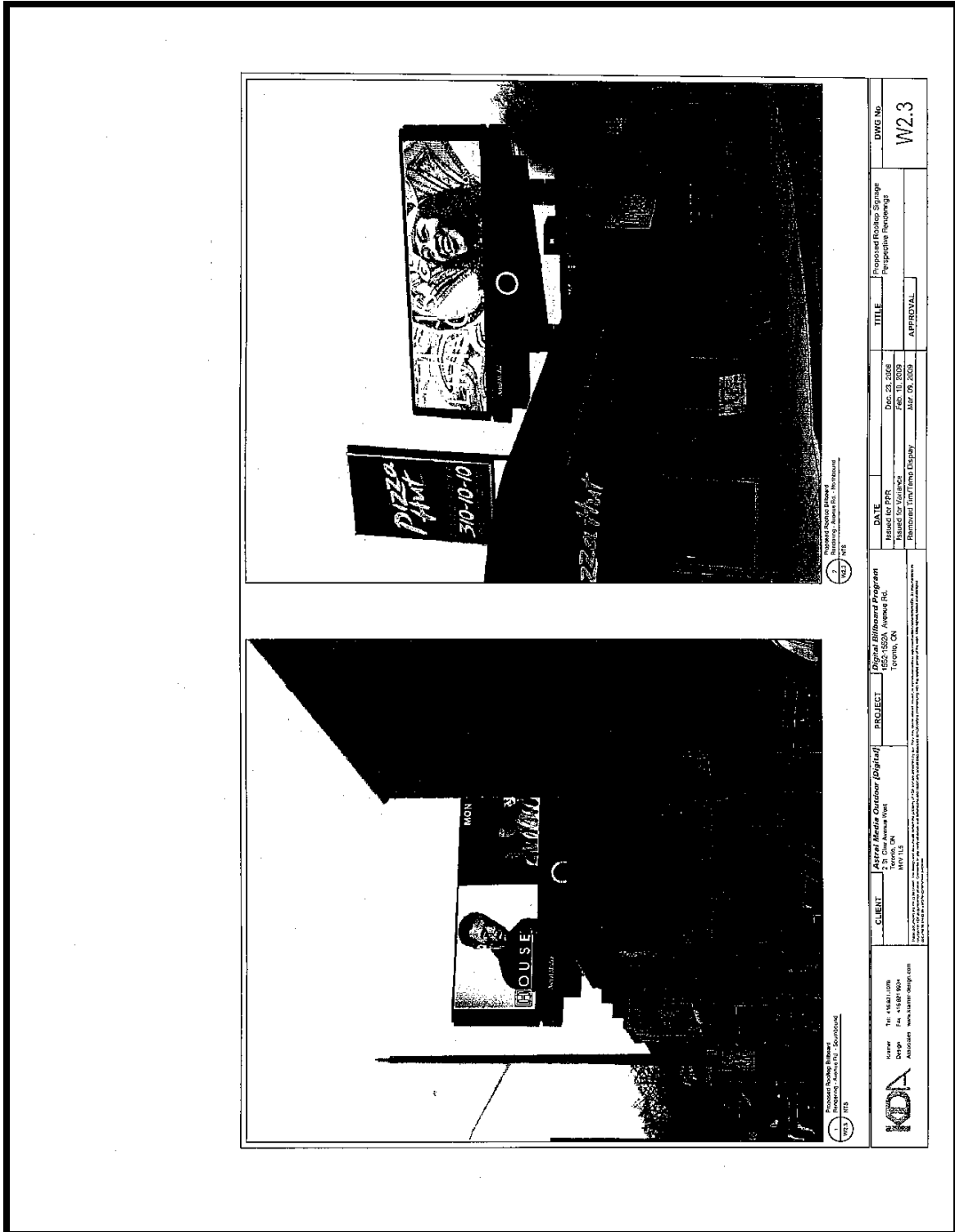


Supplementary Staff report for action, Sign Variance – 1552 Avenue Rd.

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Attachment 6 - Photo of proposed sign



Supplementary Staff report for action, Sign Variance – 1552 Avenue Rd.



Attachment 8 – Applicants Letter

April 29, 2009

CITY OF TORONTO

North District Community Council

Re: Revised letter for variance request at 1552 Avenue Road. Alter one side of the existing sign display with a non-mechanical Electronic LED Image display with static changeable copy messaging.

Attention: Planning and Building Department and North District Community Council members

The proposed sign alteration requires a variance because the former North York sign by-law does not provide clear permissions for the advent of such technology. Respecting staff decision to now include the LED display component of the sign alteration as part of the variance requirement please consider the following:

The sign will be used for STATIC MESSAGES only with NO VIDEO, OR FLASHING OR ANIMATION OF ANY KIND. The message will change just like a mechanical trivision sign except the change is created electronically and remotely operated. The images shall change at a rate far slower than current trivision operating practices which are not regulated under the current sign by-law. ALL THIRD PARTY SIGNS HAVE CHANGEABLE COPY WHICH IS MANUALLY APPLIED. The proposed sign is the exact same except it is now achievable far more efficiently and effectively with new technology.

The LED digital sign display proposed offers the following benefits:

- The environmental benefits are no paper or substrate to produce the image on, no inks or chemicals are used during the printing process and no vehicle emissions are created to travel to the sign to install the message. All power for the sign shall be provided by a renewable energy source.
- The ability to instant message will allow the city to use the displays in emergency situations such as for Amber Alert or disaster situations.
- The sign will incorporate the newest materials and design with the highest regard for an overall improved aesthetic.

Sincerely,

Steve Wolowich
Director of Leasing, Ontario