

**1619 Bayview Avenue
Sign Variance Request**

Date:	February 26, 2010
To:	Chairman and Members, North York Community Council
From:	Director of Building and Deputy Chief Building Official
Wards:	Don Valley West - Ward 26
Reference Number:	File No. 2010NY021 Folder No. 10 120098 ZSV 00 ZR

SUMMARY

This staff report is about a matter that the Community Council has delegated authority to make a final decision provided that it is not amended to that it varies with City policy or by-laws.

The purpose of this report is to review and make recommendations on a request by Steve Wolowich of Astral Media Outdoor L.P. on behalf of Horwood Group Investments Inc. for a variance from the former East York, Sign By-law 64-87, as amended, to permit a third party roof top with a vertical backlit mechanical change (scroll) tri-vision display at 1619 Bayview Avenue

RECOMMENDATIONS

Toronto Building North York Division recommends that:

1. The request for the variance, at 1619 Bayview Avenue, listed in the third column of the table included in page 3 of this report be refused.
2. If North York Community Council approves the application for the sign variance, the applicant should be notified of the requirement to obtain a sign permit from the Chief Building Official, and to file the sign permit application related to this approval with Toronto Building prior to April 6, 2010.

Financial Impact

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

COMMENTS

The property is located on the east side of Bayview Ave, south of Eglinton Avenue East, in a Commercial (C-1) zone. There is an existing two storey commercial building on the property. Refer to Attachments #1, #2 and #3.

Surrounding land uses are as follows:

North: Commercial C1
 South: Commercial C1
 East: Residential R1B
 West: Commercial C1

The applicant proposes to remove an existing third party static poster display face and replace it with a third party roof top with a vertical backlit mechanical change (scroll) tri-vision display. The sign dimensions of the Tri-vision face will be 2.92m (9'-7") wide by 4.4m (14'-5") high for a sign area of 12.85m² (138.32ft²) vertical backlit mechanical change (scroll). The proposed height of the roof sign will be 7.62m (25ft) above the roof. For the proposed sign elevations and details refer to Attachments #4 & #4A, and #5 & #5A respectively.

Currently there is a roof top V-sign billboard at the above noted address for which a sign permit No. 90-S-14335 was issued on July 10, 1990 by the former Borough of East York. Each face had an overall sign dimension of 3.66m width by 4.88m height (12'-0 x 16'-0") for a sign area of 17.84m² (192 ft²) and a height of 7.62m (25ft) above the roof.

As per Section 4.2 of the former Borough of East York, sign by-law, roof signs are not permitted in commercial zones unless in compliance with Section 6 of the by-law pertaining to "Standardized Outdoor Advertising Structures". The proposed roof sign is located in a commercial zone and its "copy area" is not in compliance with the sizes included in the definition of these types of signs as listed in subsection 1.1.27 of the by-law. Based on this information, this roof sign is not permitted.

The proposed signage does not comply with the former City of East York, Sign By-law No. 64-87, as amended in the following way:

Sign By-law Requirements	Applicant's Proposal	Required Variance(s)
<p>Section 1.1.1 "Activated" means any motion of a sign or advertising device or part thereof..."</p> <p>Section 1.1.27</p>	<p>The applicant proposes to erect a third party roof top with a vertical backlit mechanical change (scroll) tri-vision display having a size</p>	<p>1. To permit a third party roof top with a vertical backlit mechanical change (scroll) tri-vision display having a size of</p>

Sign By-law Requirements	Applicant's Proposal	Required Variance(s)
<p>“Standardized Outdoor Advertising Structures” means advertising devices which shall include:</p> <p>d) Superboards having copy area measuring 3.2 m x 14.3 m (10.5ft x 47.ft) and 4.3 m (14.0ft) and 14.6m (48.0ft).</p> <p>Section 3 - General Provisions</p> <p>3.1 Nothing in this By-law shall be constructed to permit the following types of signs and advertising devices;</p> <p>b) Activated signs</p> <p>3.2 No person shall erect, display, alter or repair a sign or advertising device:</p> <p>b) Within 10m of a traffic light, except where the sign is a facial sign;</p> <p>c) In a commercial zone within 30m of a residential use</p> <p>Section 6.1 b) & c)</p> <p>No standard outdoor advertising structures shall be erected except in conformity with the following provisions:</p> <p>b) No roof-mounted standardized outdoor advertising structure shall be erected on any property if the area of the said property is less than 2,000. m²</p> <p>d) Standardized outdoor advertising structures” shall be set back a minimum of 1.5m from any street line.</p>	<p>of 2.92m (9'-7") wide by 4.4m (14'-5") high for a sign area of 12.85m² (138.32ft²)</p> <p>The proposed height of the roof sign will be 7.62m (25ft) above the roof.</p> <p>The applicant proposes to erect a tri-vision sign which sign face will change periodically. This type of sign is considered an activated sign.</p>	<p>2.92m (9'-7") wide by 4.4m (14'-5") high for a sign area of 12.85m² (138.32ft²). The proposed sign height above the roof will be 7.62m (25ft). The sign is in a commercial zone where “Standardized Outdoor Advertising Structures” are the only type of signs permitted on the roof. This sign is not in compliance with the “Standardized Outdoor Advertising Structures” requirement in the by-law.</p> <ol style="list-style-type: none"> 2. To permit a third party roof top activated sign (tri-vision); where an activated sign is prohibited. 3. To permit a third party roof top sign on a property with a lot area of 245m² (from our records); where the by-law requires 2,000. m² 4. To permit a sign which may not be set back a minimum of 1.5m from any street line. 5. To permit a third party roof top sign within 10m of a traffic light. 6. To permit a third party roof top sign within 30m of a residential use.

Variations #4, #5 and #6, listed above may be eliminated if the applicant submits a survey showing the sign in compliance with the requirements of the by-law. To date, the applicant did not submit a current survey.

The height of the proposed roof sign will be 7.62m (25ft) above the roof. The sign by-law limits roof signs' height for “Standardized Outdoor Advertising Structures” to 8m; however this sign is not a “Standardized Outdoor Advertising Structures”.

We have been informed by Steve Wolowich, Director of Leasing of Astral Media Outdoor that the tri-vision display face will be illuminated with full internal lighting system that will meet the Bird friendly Guidelines as adopted by the City of Toronto. The sign will be utilizing Bull Frog Power, a renewable energy source from low-impact wind farms and hydro facilities.

The new Harmonized Sign By-law was enacted by Council on December 6, 2009 and will come into effect on April 6, 2010.

In the new sign by-law, a number of sign districts have been established and this property is located in a Commercial Residential District (CR). Refer to Attachment #7.

In this new by-law third party signs are only permitted either as a wall sign or as a ground sign depending on the sign district. Roof signs are prohibited everywhere.

A CR sign district may contain overhanging structure signs, ground signs, wall signs and projecting signs. In a CR sign district, only wall signs may be erected as third party signs. Third party signs are permitted to display mechanical copy.

Sign permits issued by the Chief Building Official for the erection of a third party sign shall expire five years from the date of issuance and is null and void on its expiry date, and that prior to the expiry of a sign permit for a third party sign, an application may be submitted to the Chief Building Official to renew the sign permit for a further period of five years provided no modifications or restorations are proposed to the sign.

The proposed sign does not comply with the City of Toronto Sign By-law adopted by Council on December 6, 2009 as follows:

Sign By-law Section & Requirements	Applicant's Proposal	Required Variance
<p>§ 694-15. Prohibited signs.</p> <p>B. (2) Roof signs are prohibited.</p> <p>§ 694-22. Third party sign general regulations.</p> <p>D. A third party sign shall not be erected within 100m of any other lawful third party sign whether or not erected.</p>	<p>The applicant proposes to erect a third party roof top with a vertical backlit mechanical change (scroll) tri-vision display having a size of 2.92m (9'-7") wide by 4.4m (14'-5") high for a sign area of 12.85m² (138.32ft²) and a proposed height of 7.62m (25ft) above the roof.</p>	<p>To permit the erection of a third party roof top with a vertical backlit mechanical change (scroll) tri-vision display having a size of 2.92m (9'-7") wide by 4.4m (14'-5") high for a sign area of 12.85m² (138.32ft²); and a proposed height of 7.62m (25ft) above the roof.</p> <p>The applicant proposes to erect a tri-vision sign which sign face will change periodically.</p> <p>To permit a third party roof sign within 100m from another third party sign.</p>

Steve Wolowich, Director of Leasing of Astral Media Outdoor submitted a letter in support of this application. Refer to Attachment #6.

CONTACT

Magda Ishak, Manager, Plan Review; Tel.: 416-395-7555; Fax: 416-395-7589;

e-mail: mishak@toronto.ca

SIGNATURE

Edward Tipping
 Director and Deputy Chief Building Official
 North York District

ATTACHMENTS

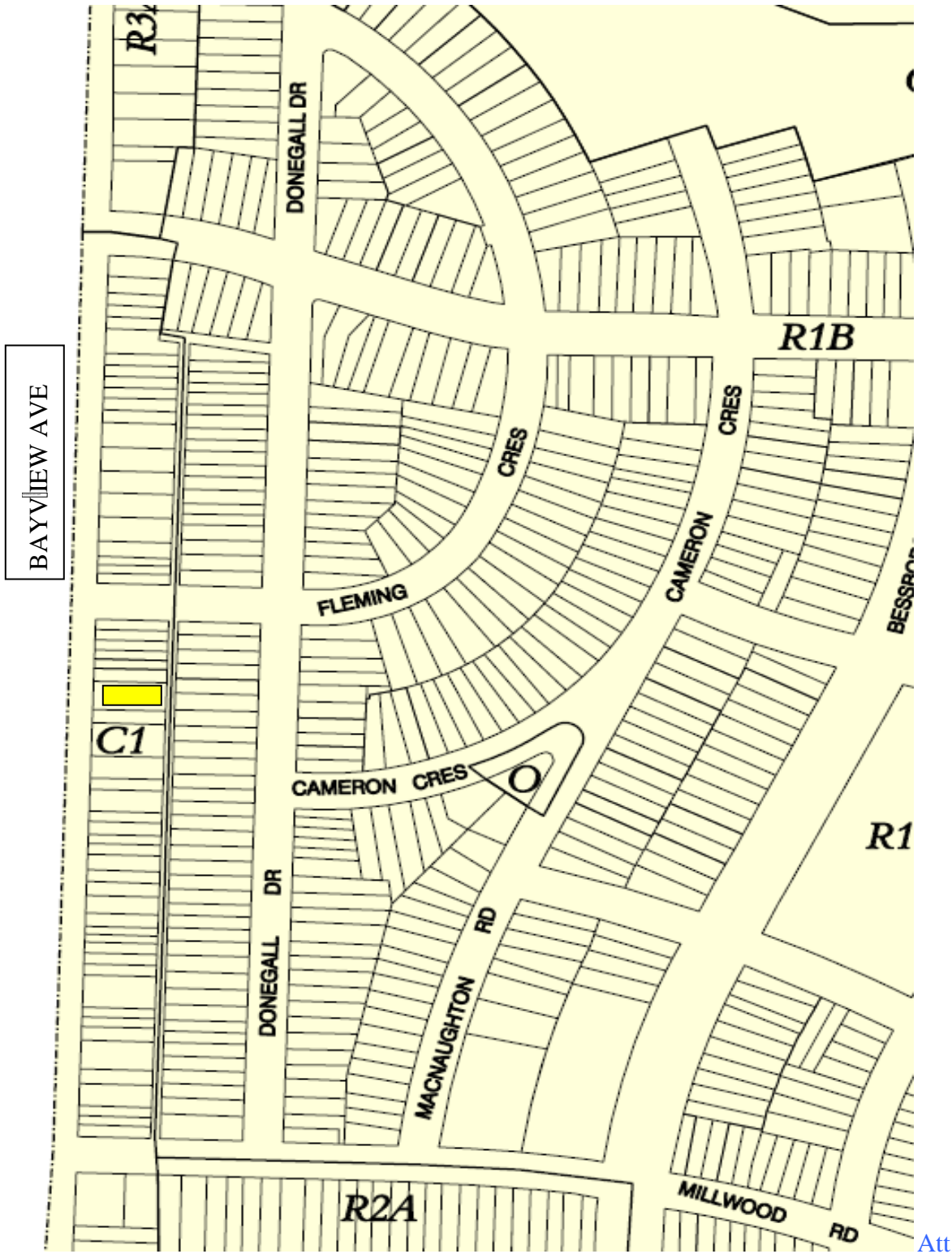
Attachment #1:	Aerial View
Attachments #2:	Zoning Map
Attachment #3:	Site Plan
Attachments #4 & 4A:	Sign Elevations
Attachments #5 & 5A:	Sign Details
Attachment #6:	Applicant's Justification Letter
Attachment #7:	Sign District Partial Map



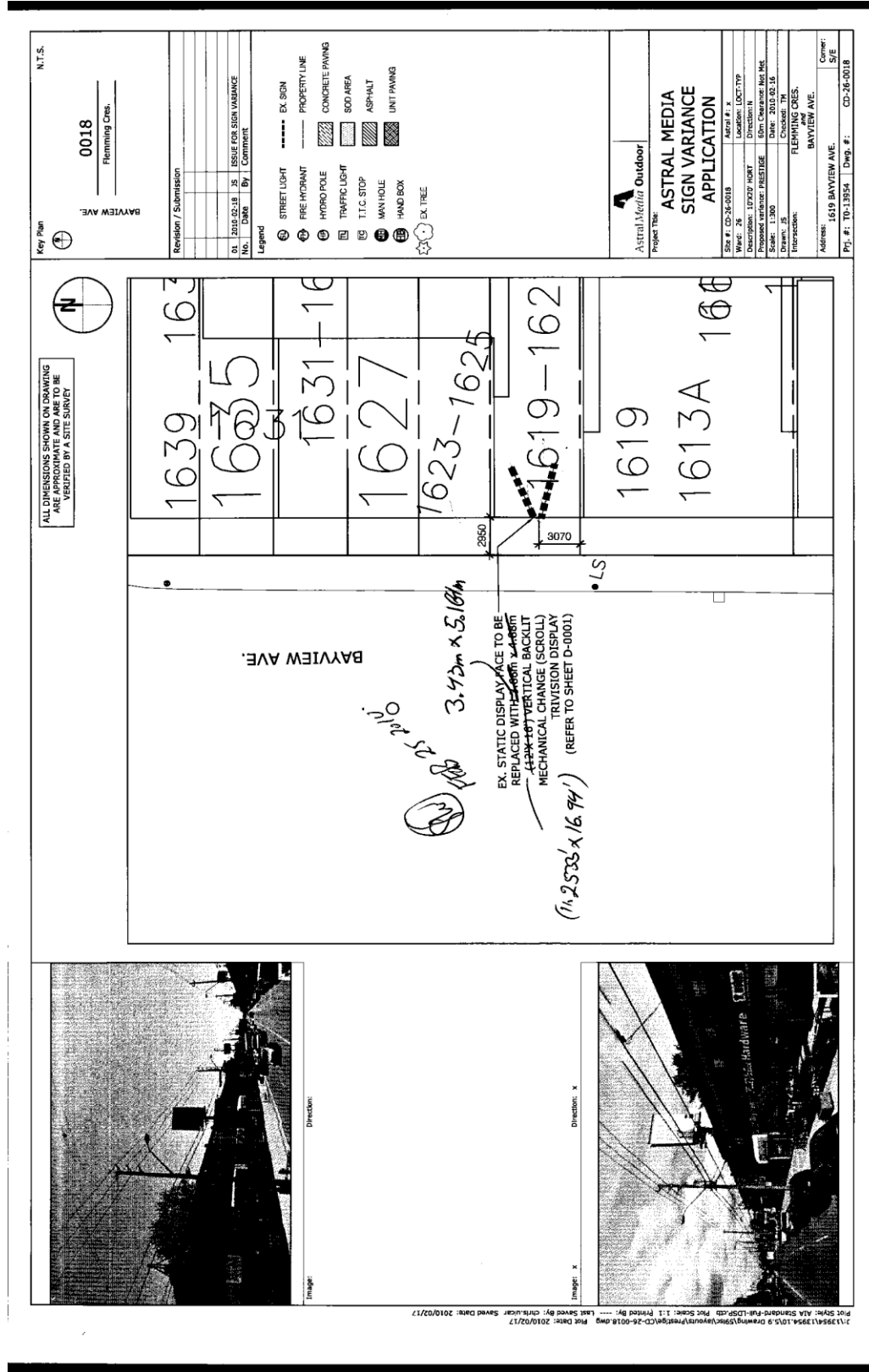
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Attachment #2 – Zoning Map

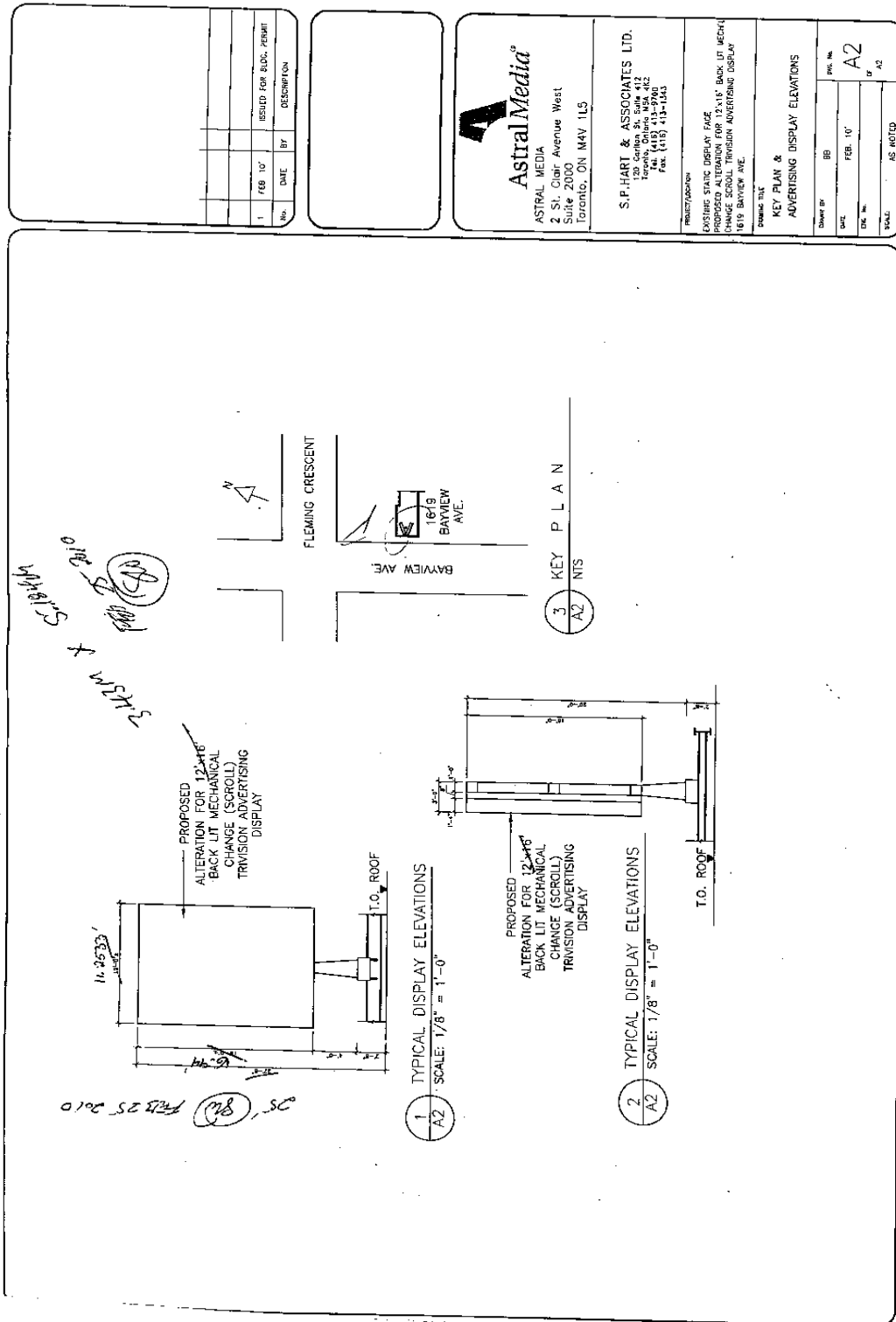
EGLINTON AVE. EAST



Attachment #3 – Site Plan



Attachment #4 – Sign’s Elevations



No.	DATE	BY	DESCRIPTION
1	FEB 10'		ISSUED FOR B.C.C. PERMIT



AstralMedia
 ASTRAL MEDIA
 2 St. Clair Avenue West
 Suite 2000
 Toronto, ON M4V 1L5

S.P. HART & ASSOCIATES LTD.
 120 Carlton St. Suite 412
 Toronto, Ontario M5A 3K2
 Tel: (416) 413-1442
 Fax: (416) 413-1443

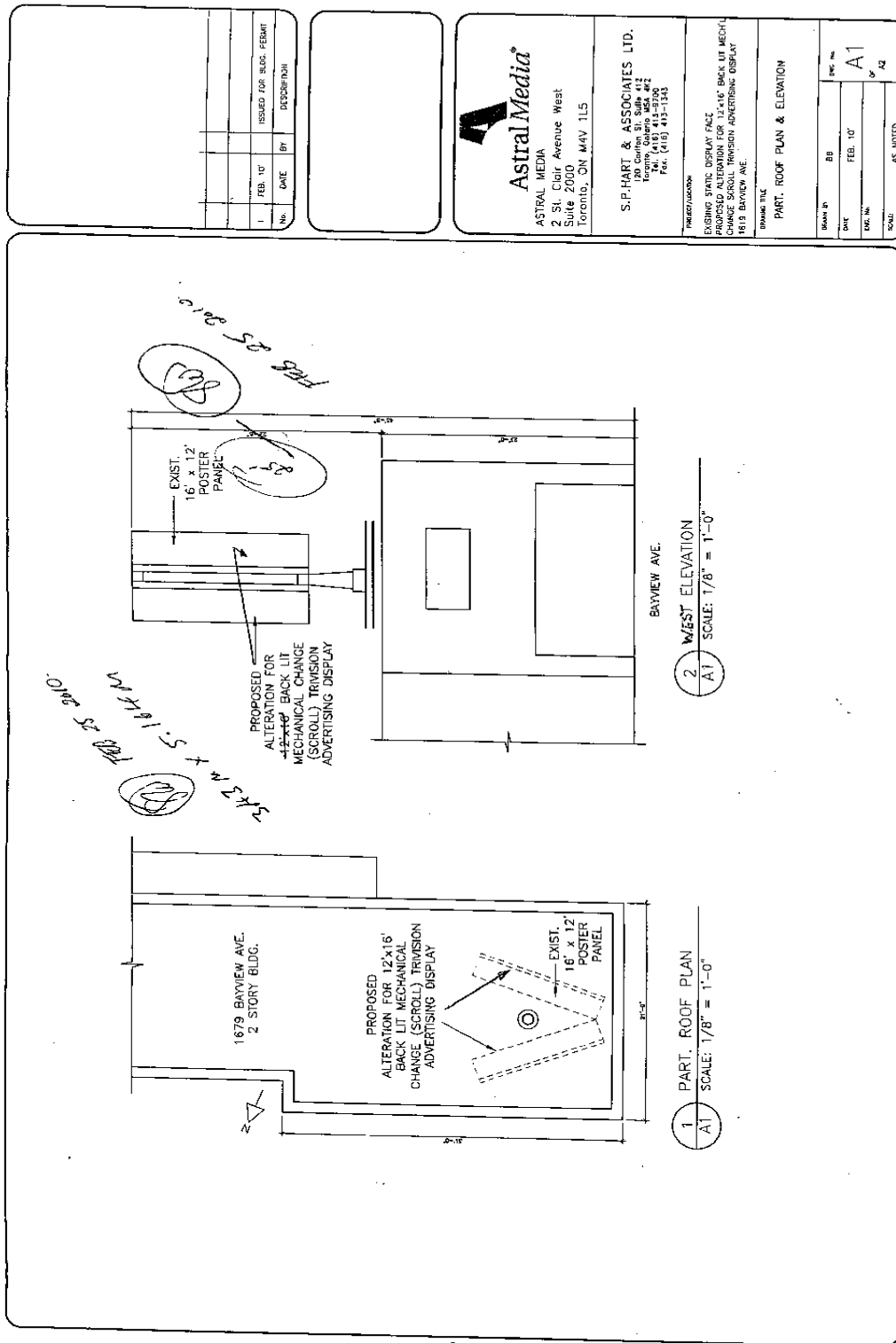
REVISIONS
 EXISTING STATIC DISPLAY FACE
 PROPOSED ALTERATION FOR 12"x16" BACK LT MECH-
 CHANGE SCROLL TRIVISION ADVERTISING DISPLAY
 1619 BAYVIEW AVE.

PROJECT TITLE
 KEY PLAN &
 ADVERTISING DISPLAY ELEVATIONS

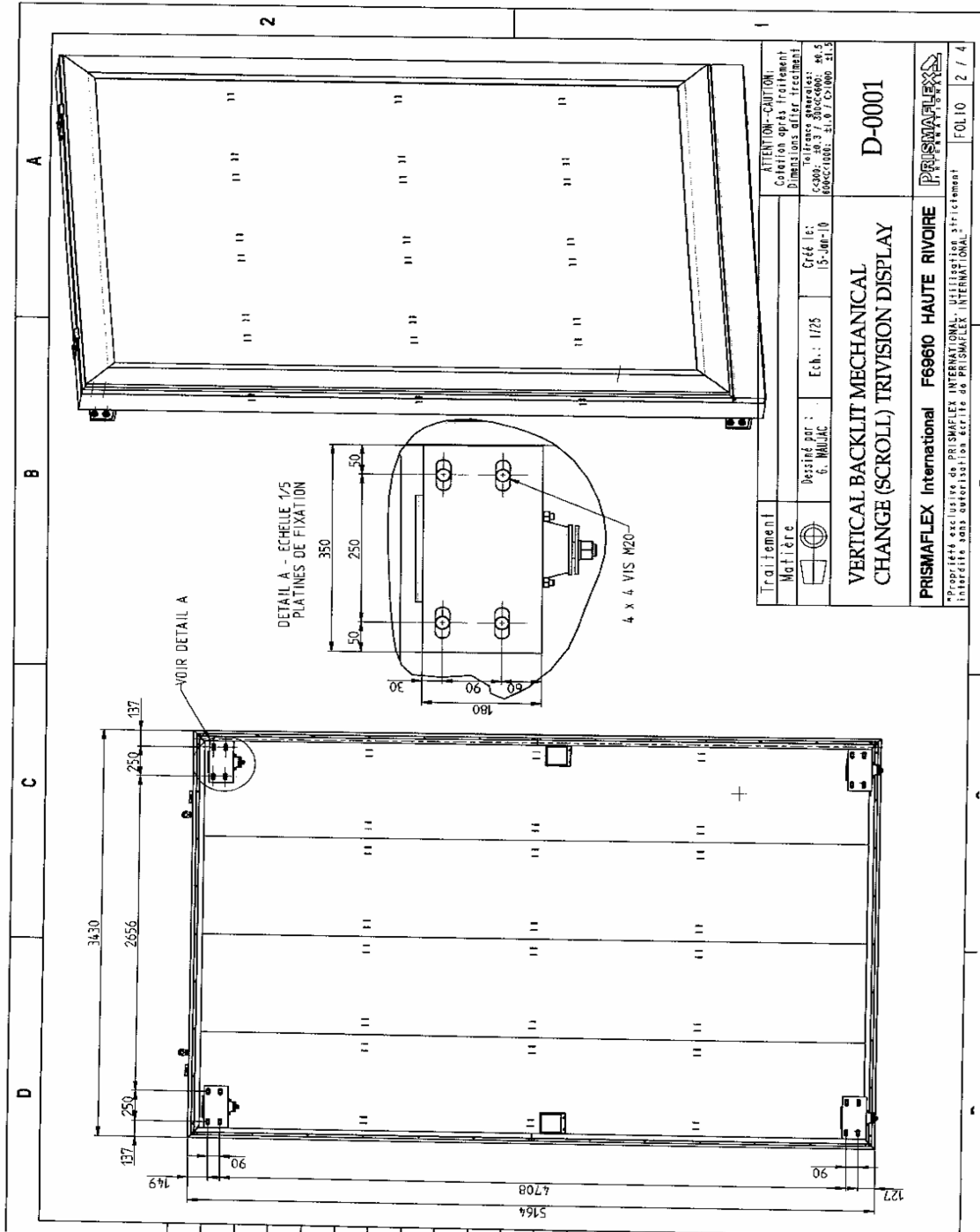
DATE	BY	REV.
FEB. 10'		A2

SCALE: AS NOTED

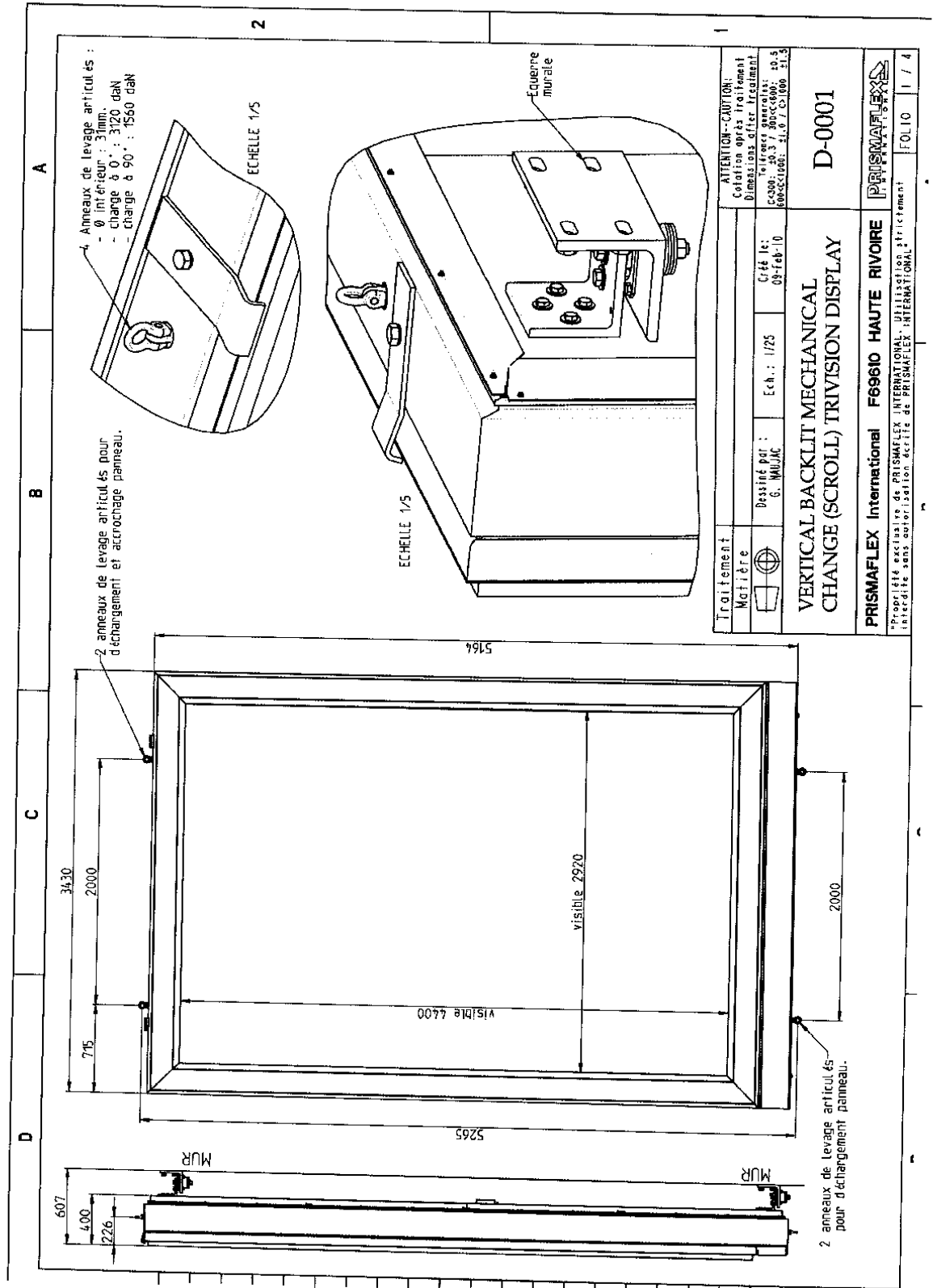
Attachment #4A – Sign’s Elevations



Attachment #5 – Sign’s Details



Attachment #5A – Sign's Details



Attachment #6 – Applicant’s Justification Letter

Astral Media Outdoor, L.P.

2 St. Clair Avenue West
Site 2000
Toronto, Ontario
M4V 1L5

Tel : (416) 924-6664
Fax : (416) 924-9031



City of Toronto
Community Council

Re: Letter for variance request based upon a proposed alteration of the existing static poster display face(s) with a vertical backlit mechanical change (scroll) trivision display.

Attention: Planning and Building Department and Community Council members

Astral Media Outdoor request that the City of Toronto grant variance approval to alter an existing, legal non-conforming billboard sign.

The existing billboard structure has conventional external lighting and static display face(s).

The proposed alteration to the attribute of the sign display and upgrade consists of the following:

- New modernized, designed, vertical sign structure with state of the art technology;
- Replacement of existing external lighting with full internal lighting system will meet the Bird Friendly Guidelines as adopted by the City of Toronto;
- The proposed sign will be utilizing Bull Frog Power, a renewable electricity generated from low-impact wind farms and hydro facilities. This is in compliance with the new Sign Bylaw that requires self sufficient energy supplies; and
- Refusal of this report will result in the current sign remaining in its current configuration. Approval will provide an opportunity for an improved visual aesthetic to be achieved, as well as improving its energy efficiency.

Astral Media Outdoor continues to lead the outdoor advertising industry with its proactive visionary approach to the future and its desire to alter the existing sign with new materials, improved aesthetics and design, improved lighting system, and energy efficient technology will translate into a more pleasing sign location with an improved long term revenue opportunity for the City of Toronto.

We are confident that this proposed renovation will be a clear improvement.
Sincerely,

Steve Wolowich
Director of Leasing, Ontario

Attachment #7 – Sign District Map



Legend

- Residential District
- Residential Apartment District
- Commercial District
- Commercial Residential District
- Employment Industrial District
- Employment Industrial Office District
- Institutional District
- Open Space District
- Utility District
- Gardiner Gateway Special Sign District
- Chinatown Special Sign District
- Downtown Yonge Special Sign District
- Dundas Square Special Sign District
- University Avenue Special Sign District
- City Hall and Nathan Phillips Square
Special Sign District