



**STAFF REPORT
ACTION REQUIRED**

**Sign Variance Request
1552 Avenue Road**

Date:	March 4, 2010
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: Folder No: 10 120084 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 so 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, Director of Leasing, Ontario, of Astral Media Outdoor L.P., on behalf of 517736 Ontario Limited for approval of sign variances from the former City of North York Sign By-law No. 30788, as amended, to permit the existing off-premise roof sign to be removed and replaced with an animated, off-premise roof sign, with vertical backlit mechanical change (scroll) display at 1552 Avenue Road.

RECOMMENDATIONS

Toronto Building North York Division recommends that:

1. The North York Community Council refuse the request for sign variance to permit the replacement of an existing off-premise roof sign with an animated off-premise roof sign, at 1552 Avenue Road,
2. should the North York Community Council approve this request for sign variance, the applicant 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; and

3. that as a condition of the approval by the North York Community Council of the sign variance the illumination be set on a timer so there is no illumination between the hours of 11p.m. and 6 a.m.

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 “C1” Zone, and is developed with a two storey commercial building. Abutting uses surrounding the property are commercial, zoned “C1” to the north and south; and residential, zoned “R7”/“RM2” to the west.

The applicant proposes to remove the existing static billboard off-premise roof sign, and replace it with an animated, off-premise roof sign, having a vertical backlit mechanical change (scroll) display. The proposed roof sign would be considered a two sided sign having overall dimensions of 3.43 m x 5.15 m (11.25’ x 16.94’) and a sign face area of 12.85 sq. m (138.30 sq. ft.) on each side. The mechanism would allow for the rotation of three separate off-premise advertisements on each of the sign faces.

The existing off-premise roof sign is also a two sided sign having overall dimensions of 3.66 m x 4.88 m (12’ x 16’) with conventional external lighting and static display faces. The permit for the existing off-premise roof sign was issued in 1989.

The existing roof sign no longer complies with the by-law requirements for separation between signs since another small roof sign at 1542 Avenue Rd. for “Pizza Hut” was erected 1992. The distance between the two existing roof signs is 35 m (114.83 ft.) where the by-law requires a minimum separation between roof signs of 153.0m (500.ft.).

The proposed sign does not comply with the City of North York Sign By-law 30788 as amended, in the following way:

Sign By-law Section Requirements	Applicant's Proposal	Required Variance
<p>Section 5.2.1.1.</p> <p>A roof sign, including an off-premise sign, not exceeding 32.5 sq. m. (349.8 sq. 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 m (500.0 ft.) from another roof sign on the same side of the street.</p> <p>Section 2.9.6</p> <p>An animated sign is prohibited on any premises.</p>	<p>To erect an off-premise (third party) roof sign having a sign area of 17.71 sq.m (190.66 sq. ft.). The roof sign will be located within 35 m (114.8 ft.) of another roof sign on the same side of the street.</p> <p>To erect an animated roof sign having a sign area of 17.71 sq. m (190.66 sq. ft.).</p>	<p>To allow the existing roof sign to be replaced by an off-premise roof sign having a sign area of 17.71 sq. m (190.66 sq. ft.) and to be located within 35 m (114.8 ft.) of an existing roof sign, where a minimum distance of 153.0 m (500.0 ft.) from another roof sign on the same side of the street is required.</p> <p>To allow the existing roof sign to be replaced by an animated roof sign having a sign area of 17.71 sq. m (190.66 sq. ft.), where an animated sign is prohibited.</p>

New Sign By-law Provisions:

The new Harmonized Sign By-law was enacted by Council on December 6, 2009 and will come into force and effect on April 6, 2010. The by-law sets out criteria for signage based on sign districts, sign class and sign type.

The new Sign By-law establishes Sign Districts. The proposed sign would be located in a CR-Commercial Residential District.

The new Sign By-law also establishes sign classes and sign types. A sign class describes whether the sign is first or third party. The proposed sign would be deemed to belong to the third party class and designated a roof sign with respect to type under the new Sign By-law.

We have been informed by the Applicant that the display face of the proposed sign 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. A copy of the Applicant's letters in support of this application are attached. Refer to Attachments #8 and #9.

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. 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.

A third party sign permit will only be renewed if the sign continues to comply in all respects with this chapter. Where an application is made to renew a permit for a third party sign which no longer complies with Subsection 694-22D because a variance or by-law amendment was granted by the City permitting the erection of another third party sign, the sign permit shall be renewed.

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 Requirements	Applicant's Proposal	Required Variance(s)
<p>§ 694-15. Prohibited signs.</p> <p>A roof sign is prohibited.</p>	<p>To install a third party roof sign with a vertical backlit mechanical change (scroll) display.</p>	<p>To allow a third party roof sign with a vertical backlit mechanical change (scroll) display, where a roof sign is prohibited.</p>
<p>§ 694-25. District specific third party sign regulations.</p> <p>A CR-Commercial Residential sign district may contain a wall sign.</p>	<p>To install a third party roof sign with a vertical backlit mechanical change (scroll) display.</p>	<p>To allow a third party roof sign with a vertical backlit mechanical change (scroll) display, where only a third party wall sign is permitted.</p>

The proposed new roof sign will replace an existing roof sign that was approved in 1989. This variance is required as a result of the proposed sign being an animated sign and the location of an existing off-premise (first party) roof sign for Pizza Hut, which is approximately 35 m from the existing off-premise (third party) roof sign at this location.

It is noted that approval of this application for the sign variance request would result in North York Community Council permitting a sign which is not in compliance with the standards approved in the new Sign By-law for signs of this type.

CONTACT

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

SIGNATURE

Edward Tipping P. Eng.,
Director of Toronto Building and Deputy Chief Building Official
North York District

ATTACHMENTS

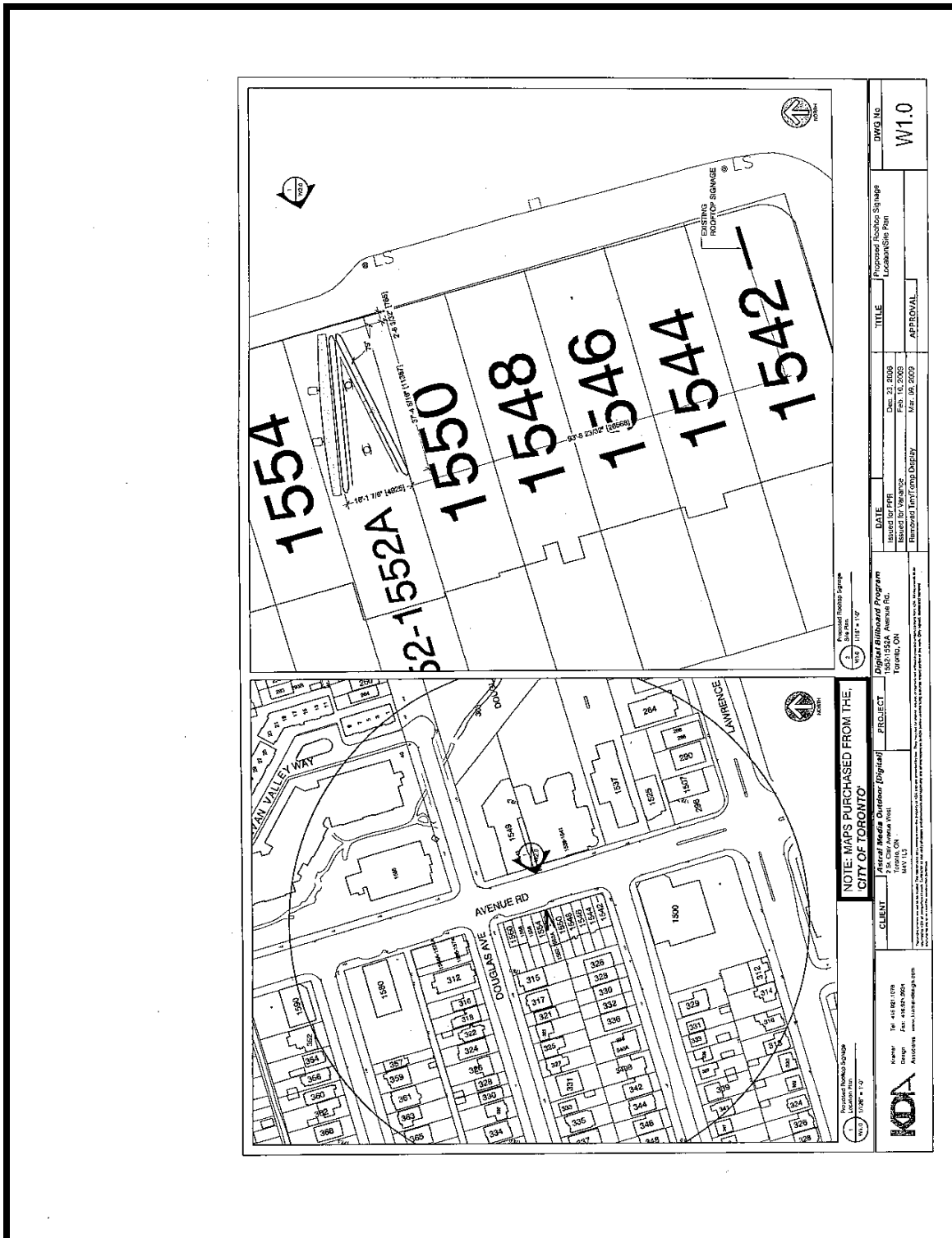
- Attachment 1 - Zoning Map
- Attachment 2 - Aerial View
- Attachment 3 - Survey of the Property
- Attachment 4 - Site Plan
- Attachment 5 - Photo of existing signs
- Attachment 6 - Photo of proposed sign
- Attachment 7 - Details of the proposed Sign
- Attachment 8 - Applicant's Letter
- Attachment 9 - Applicant's Letter

Attachment 1 – Zoning Map



Attachment 3 – Survey of the Property

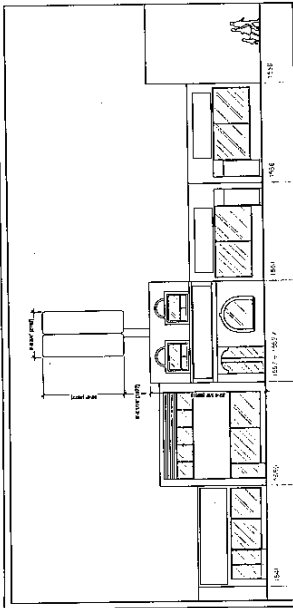
Staff report for action on Sign Variance – 1552 Avenue Rd.




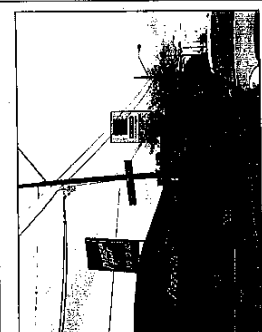
NOTE: MAPS PURCHASED FROM THE CITY OF TORONTO Actual Media Outdoor (Digital) 2, 36, City Avenue West Toronto, ON M4Y 1L3		CLIENT 1552-1552A, Avenue Rd. Toronto, ON	PROJECT Proposed Building Signage Location/Title Plan
DATE Issued for PPR: Dec. 21, 2009 Issued for VARIANCE: Feb. 12, 2010 Approved: Jun. 06, 2010	TITLE Proposed Building Signage Location/Title Plan	DWG No. W1.0	
APPROVAL		APPROVAL	

Attachment 5 – Photo of existing signs

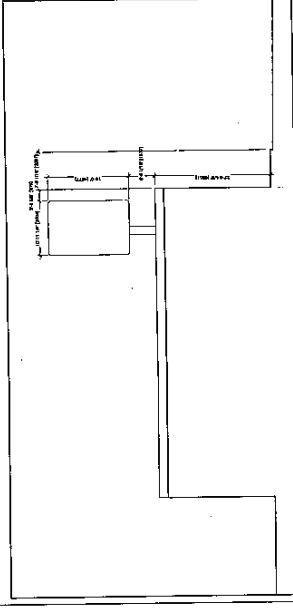
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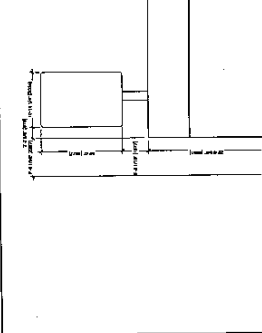
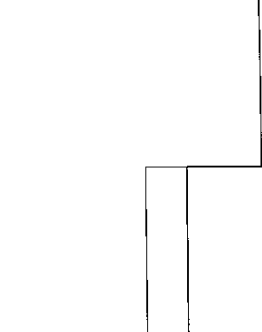
1
Elevation of Building
1/18" = 1' 0"

2
Elevation of Building
1/18" = 1' 0"



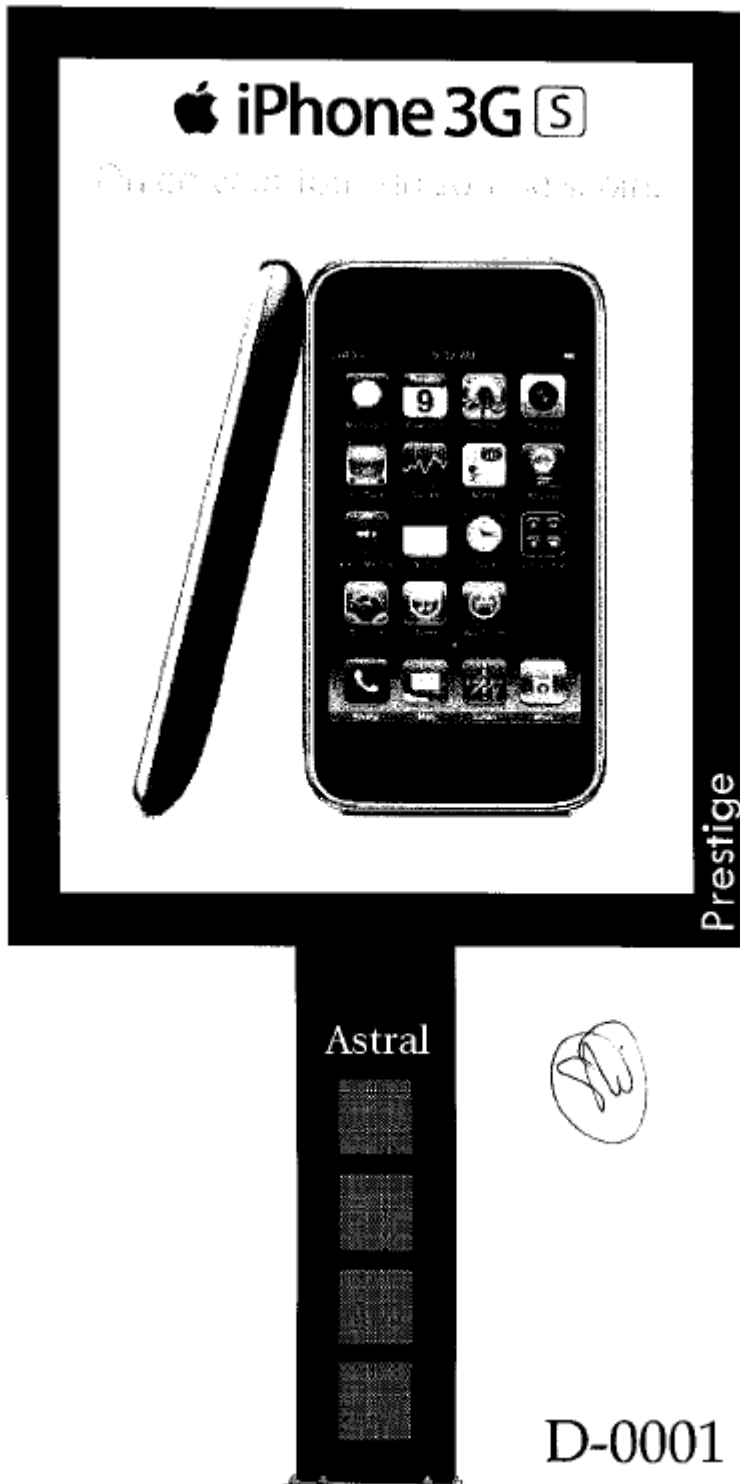
3
Elevation of Building
1/18" = 1' 0"

4
Elevation of Building
1/18" = 1' 0"

CLIENT Alford Media Outdoor (Digital) 1552 Avenue Rd. Troy, NY 12180	PROJECT Digital Business Program 1552 Avenue Rd. Troy, NY	DATE Requested PPR 12/20/09 Issued for Value 1/20/10 Returned for Final Display 2/10/10	TITLE Elevation Signage Building Elevations/Photos APPROVAL
IDA New York Tel: 516.291.0078 Fax: 516.291.0079 1000 Old Country Road Great Neck, NY 11021			DWG No. W2.0

Attachment 6 - Photo of proposed sign



Attachment 7 – Details of the proposed Sign

Attachment 8 – Applicant’s Letter



March 10, 2009

CITY OF TORONTO
North District Community Council

Re: Merit for approval letter for the proposed sign alteration to the existing legal non-conforming sign located at 1552 Avenue Road

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

The proposed sign alteration is required because the existing sign no longer meets the required spacing to any other roof sign on the same side of the street. As identified in our communications, subsequent to the installation of our sign at 1552 Avenue Road, a small roof sign has since been installed on a property to the south for the purpose of business identification ("Pizza Hut"). The installation of this Pizza Hut sign now renders our existing legal sign as a legal non-conforming sign location. Based upon such status the described sign alteration must now be granted via a sign variance approval.

All aspects of the current Sign By-law have been satisfied with exception to the spacing between these two signs and had the Pizza Hut sign not been installed, the proposed alteration would be permitted and approved as of right. Please see the attached Preliminary Project Review report. The report is based upon the information the applicant has supplied to staff and is intended to identify for the applicant, all items that may be deficient to the requirements of the sign by-law.

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 esthetical design, and current energy efficient technology will translate into a more pleasing, sellable sign location with an improved long term revenue opportunity. Should our request to alter and improve the sign be refused the current sign shall remain in its current configuration.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Wolowich".

Steve Wolowich
Director of Leasing, Ontario

Attachment 9 – Applicant’s Letter

Staff report for action on Sign Variance – 1552 Avenue Rd.

Astral Media Outdoor, L.P.
2 St. Clair Avenue West
Suite 2000
Toronto, Ontario
M4V 1L5

Tel : (416) 824-8884
Fax : (416) 824-8031



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