

**Sign Variance Request
1310 Don Mills Road**

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|--------------------------|---|
| Date: | March 4, 2010 |
| To: | Chairman and Members, North York Community Council |
| From: | Director of Building and Deputy Chief Building Official |
| Wards: | Ward 34 – Don Valley East |
| Reference Number: | File No. 2010NY020 Folder No. 10 120095 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, 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).

RECOMMENDATIONS

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 1310 Don Mills 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.

Financial Impact

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

COMMENTS

The property is located on the west side of Don Mills Road, north of Lawrence Avenue East, in an Industrial (MC(H)) zone. There is an existing one storey building on the property.

Surrounding land uses are as follows:

North are industrial buildings.

South are industrial buildings

East across Don Mills Road are residential dwellings.

West are industrial buildings

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 3.65m x 4.87 m (12' x 16') and a sign face area of 17.83sq.m (192 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 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 Requirements | Applicant's Proposal | Required Variance(s) |
|--------------------------------------|---|--|
| 2.9.6 Animated signs are prohibited. | To replace an existing static third party roof sign with an animated third party roof sign. | To permit a third party animated roof sign, where an animated sign is not permitted. |

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 an EIO - Employment Industrial Office sign which permits ground, wall and overhanging signs. Roof signs are prohibited.

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.

Where this chapter permits the illumination of a sign, the following requirements shall be met: The sign shall not be up-lit, shall not project onto any adjacent premises located in an R, RA CR, I or OS sign district; the illumination shall not increase the light levels within 10.0 metres of all points of the sign face by more than 6.5 lux above the ambient lighting level; and the illumination shall not exceed 5,000 nits during the period between sunrise and sunset; and the illumination shall not exceed 500 nits during the period between sunset and sunrise.

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 shall 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 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 animated roof sign with a vertical backlit mechanical copy.</p> | <p>To allow a third party animated roof sign with a vertical backlit mechanical copy, where a roof sign is prohibited.</p> |

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.

CONTACT

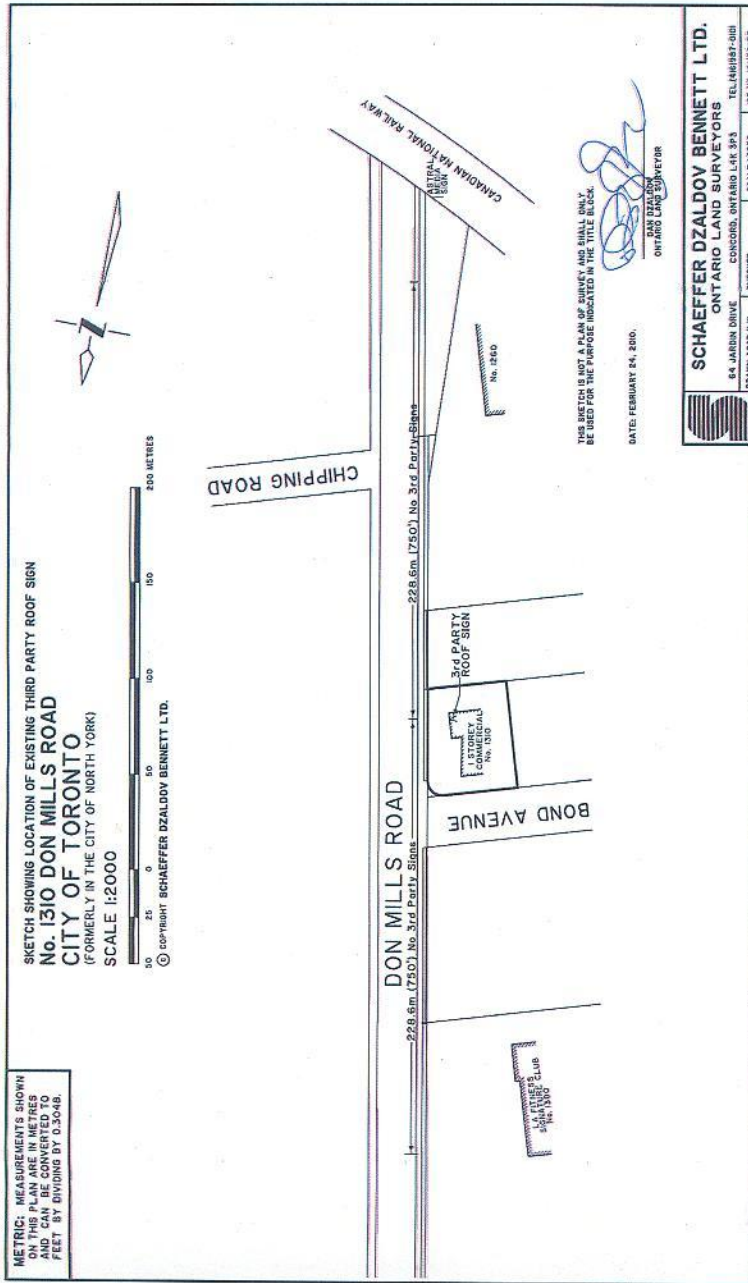
Diane Damiano, Manager Plan Review Tel: 416-395-7561; Fax: 416-395-7589;
E-mail: damiano@toronto.ca

SIGNATURE

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

ATTACHMENTS

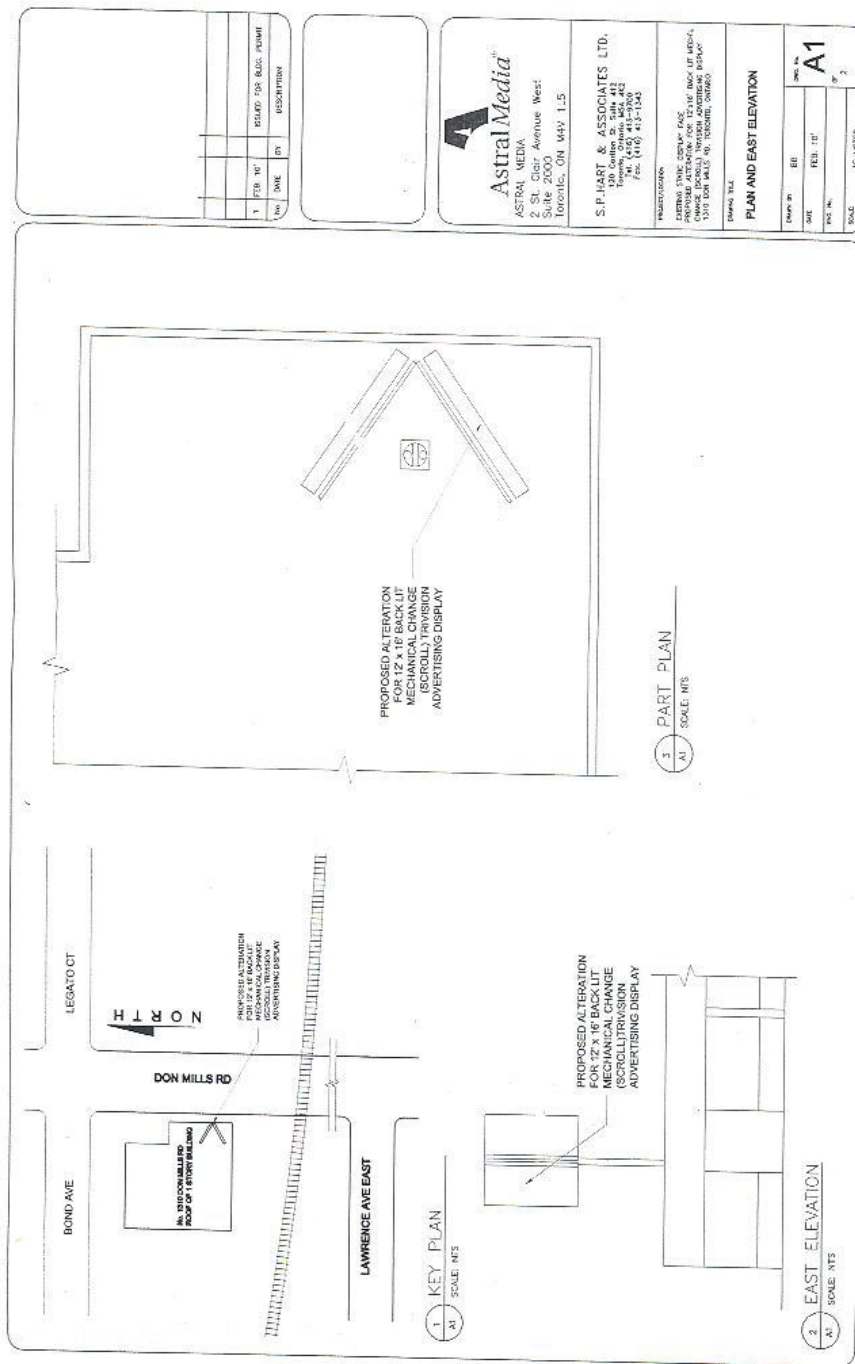
- Attachment 1 – Survey of the Property
- Attachment 2 – Site Plan
- Attachment 3 – Zoning Map
- Attachment 4 – Details of the proposed Sign
- Attachment 5 – Photo of Proposed Sign Elevation
- Attachment 6 – Sign District Map (New sign by-law)
- Attachment 7 – Applicant/Owner Letter



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Attachment #1

Survey of the Property



Attachment #2

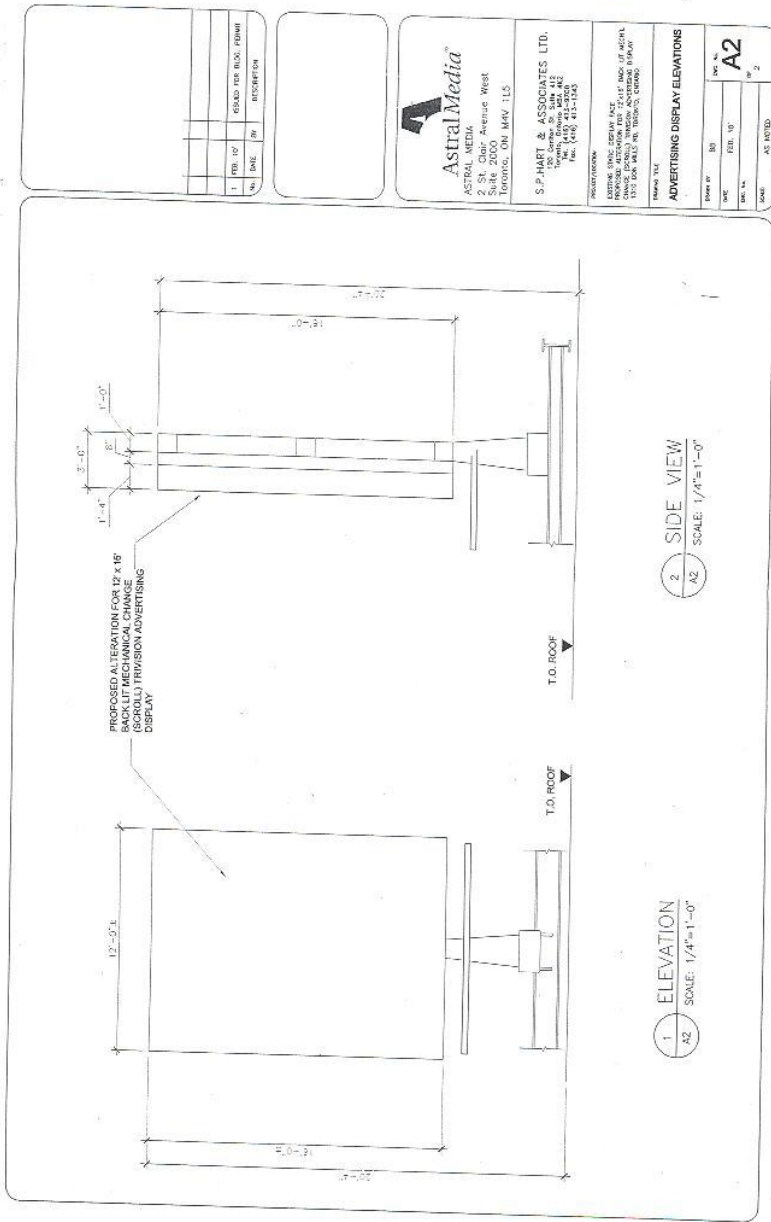
Site Plan



Attachment #3

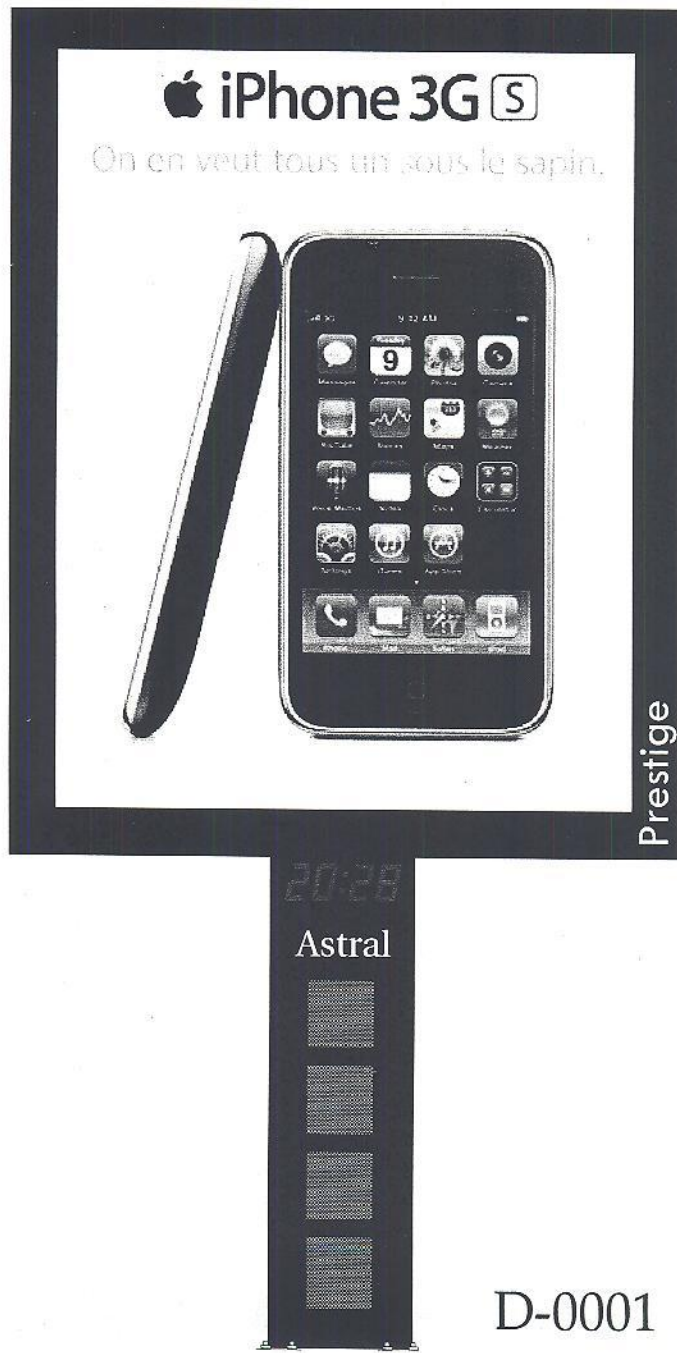
Zoning Map

Sign Variance – for action
1310 Don Mills Rd.



Attachment #4

Details of the proposed Sign



Attachment #5

Photo of Proposed Sign Elevation



Legend:

- Residential District
- Residential Apartment District
- Commercial District
- Commercial Residential District
- Employment Industrial District
- Employment Industrial Office District
- Institutional District
- Open Space District

Attachment #6 – Sign By-law District

Sign Variance – for action
 1310 Don Mills Rd.

Astral Media Outdoor, L.P.

2 St. Clair Avenue West
Suite 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

Applicant Letter