

**Sign Variance - 141 Spadina Ave**

<b>Date:</b>	May 14, 2009
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Toronto Building, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	P:\2009\Cluster B\BLD\Toronto and East York\2009TE038 09 107971 ZSV 00 ZR

**SUMMARY**

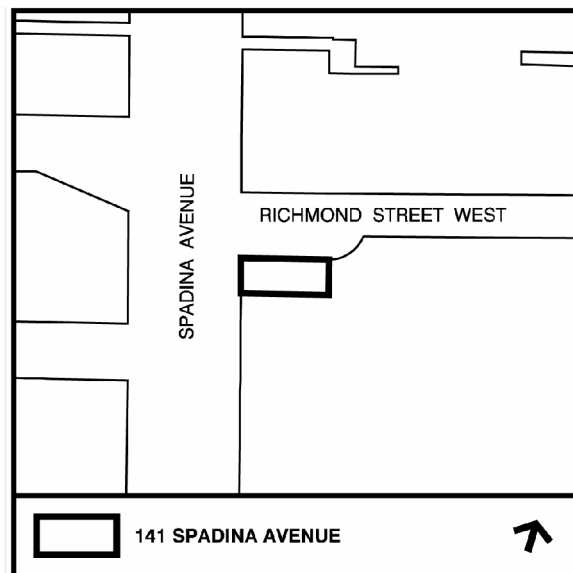
This staff report is about a matter for which Community Council has delegated authority from City Council to make a final decision.

This report reviews and makes recommendations on a request by Adam Kelly of Kramer Design Associates on behalf of Astral Media for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, replacement of an existing third party “V” shaped illuminated roof sign with a larger size “V” shape roof sign containing an LED animated image board, for third party advertising purposes, at 141 Spadina Avenue. Staff recommends refusal of this application. The variance is major and not within the general intent and purpose of the Municipal Code.

**RECOMMENDATIONS**

**The Toronto Building Division recommends that:**

1. Toronto and East York Community Council refuse the request for a variance to permit, for third party advertising purposes, replacement of an existing roof sign with an illuminated larger size “V” shape roof sign containing an LED animated image board, for third party advertising purposes, at 141 Spadina Avenue.



## Financial Impact

The recommendations in this report have no financial impact.

## ISSUE BACKGROUND

The property is located on the southeast corner of Spadina Avenue and Richmond Street West in an RA zone. The property contains a two-storey commercial building with a restaurant at the grade level. The applicant is seeking permission to remove two existing third party roof signs and to install an illuminated large size, two face roof sign containing two LED animated / changeable panel boards. The LED animated sign face directed towards the south bound traffic on Spadina Avenue is 11.58m wide and 4.09m high with an area of 47.36m<sup>2</sup> and the LED animated sign face directed onto the west bound traffic on Richmond Street West is 7.01m wide and 4.09m high with an area of 28.67. The aggregate area of the proposed third party roof sign is 76.03m<sup>2</sup>. The proposed roof sign would extend 6.22m high above the parapet wall of the building and approximately 14m above the grade level.

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

<b>Sign By-law Section and Requirements</b>	<b>Applicant's Proposal</b>	<b>Required Variance</b>
1. Chapter 297-10D (8)	The proposed roof sign would contain an LED image board for animated copy.	A sign containing an animated copy is not permitted.
2. Chapter 297-10D (16)	To install an illuminated "V" shape roof sign containing an LED animated image board for third party advertising purposes.	A roof sign in an RA zone is not permitted.
3. Chapter 297-10D (8)	The proposed roof sign would have an area of 76.06m <sup>2</sup> .	The 76.06m <sup>2</sup> sign area would exceed by 51.06m <sup>2</sup> , the maximum 25.0m <sup>2</sup> sign area permitted

## COMMENTS

The proposed sign will consist of a full LED screen with the ability to electronically change its copy at specific intervals. The applicant has advised that the copy being displayed on the video screen will not have motion and will change at the same rate as a tri-vision sign. Toronto Building has reviewed the proposal against the provisions of Chapter 297 and has made a determination that the proposed sign will contain animated copy as defined in the by-law. Variance number one noted above reflects this deficiency to the by-law as any sign containing an LED animated image copy is not permitted in CR, MCR and RA zone districts.

The second variance noted in the table is with respect to a roof sign not being permitted in the mixed-use areas. In 1995, City Council adopted By-law 1995-0229 to amend Chapter 297 of the Municipal Code to prohibit roof signs in mixed-use districts in the former City of Toronto. Roof signs were prohibited along the city's "main streets" because of the negative effects of roof signs on skyline views, their unattractive appearance within these mixed-use areas and their intrusiveness when viewed from the adjacent residential districts. This variance is in direct conflict with by-law provisions prohibiting roof signs on "main streets".

The third variance is with respect to the overall size of the proposed sign. The aggregate area of copy proposed is 76.06m<sup>2</sup> while, in this instance, the by-law restricts the overall area of copy to 25m<sup>2</sup>.

This application was circulated to Transportation Services and they have no objection to the application as submitted.

A search of Toronto Building records reveals that a permit was issued in 1988 for a third party roof sign at the same location as is being proposed under the current application. The approved plans under that sign permit illustrate the approved sign to have three faces containing copy. Each face was to have dimensions of 3.6m x 4.8m (12' x 16') and the aggregate area of copy of all three faces was 53.5m<sup>2</sup> (576 sq.ft.). Although there was a permit issued in 1988 for a third party roof sign, since that time City Council has prohibited roof signs in this zone and does not permit animated copy. Furthermore, the aggregate area of the proposed sign exceeds the by-law by 51.06m<sup>2</sup> and would exceed the size of the previously permitted sign by 22.56m<sup>2</sup>.

In this instance, the proposal is for a very large roof sign that contains an LED animated image copy, which is not permitted by the current by-law.

The city wide Sign By-law team is in the process of analysing these types of signs and they are developing standards which would regulate these types of attributes in signs, such as intensity of illumination levels, frequency of copy change, setbacks, separation distance between signs and their appropriate location. Granting approval of this application prior to the adoption of the new city wide Sign By-law may result in Toronto and East York Community Council permitting a type of roof sign which may not be in compliance with the signage standards eventually approved in the new Sign By-law.

Staff recommends refusal of this application. The requested variance is significant and not within the general intent and purpose of the sign provisions of the Municipal Code.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

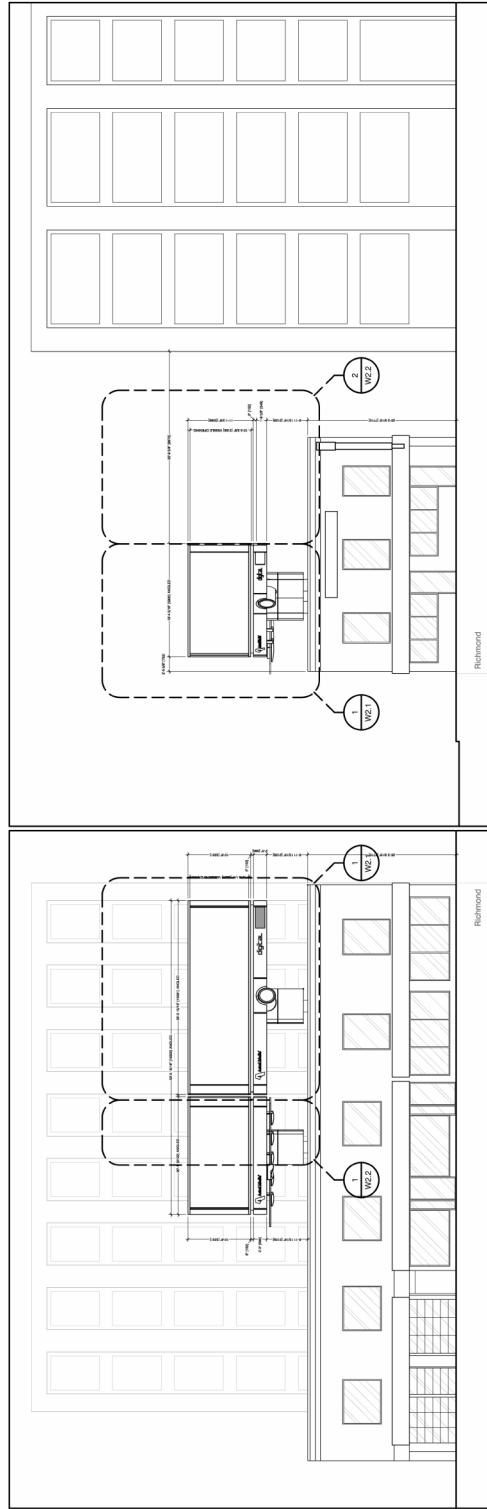
Attachment 1: Elevation

Attachment 2: Elevation

Attachment 3: Plan and Perspective

Attachment 4: Plan and Perspective

**Attachment 1: Elevations**



**North Elevation**

**West Elevation**

**Elevations**

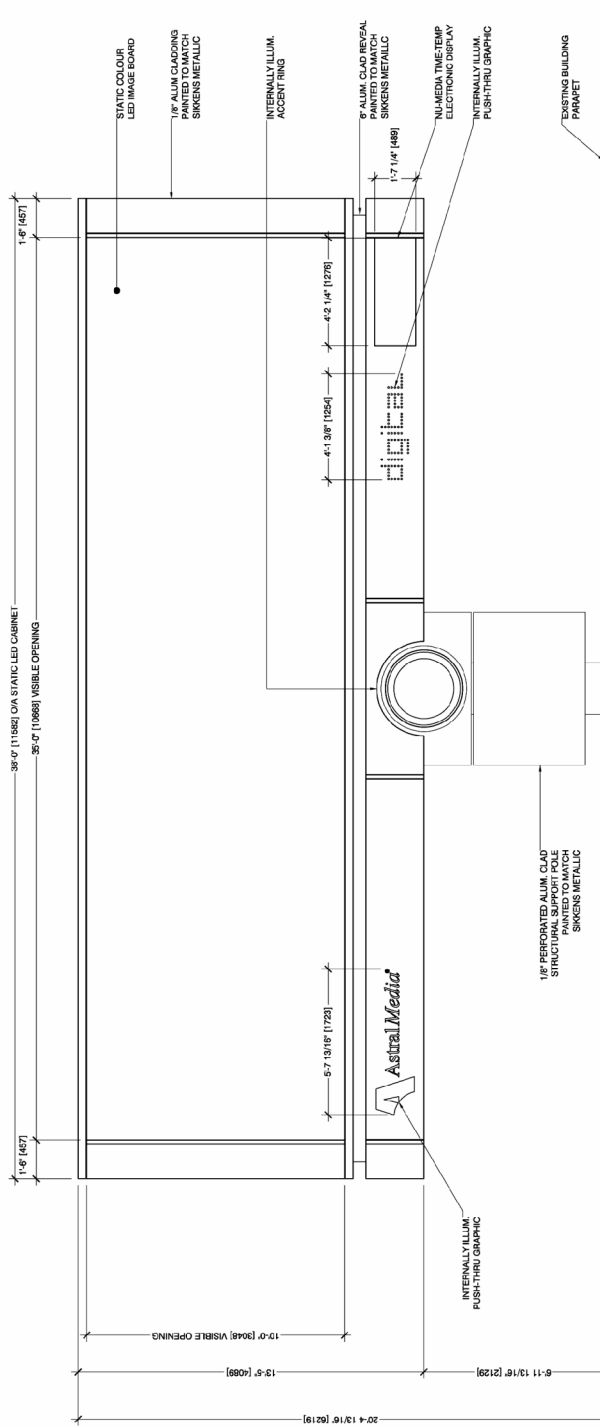
Applicant's Submitted Drawing

Not to Scale  
04/08/2009

**141 Spadina Avenue**

File # 09\_107971

## Attachment 2: Elevation



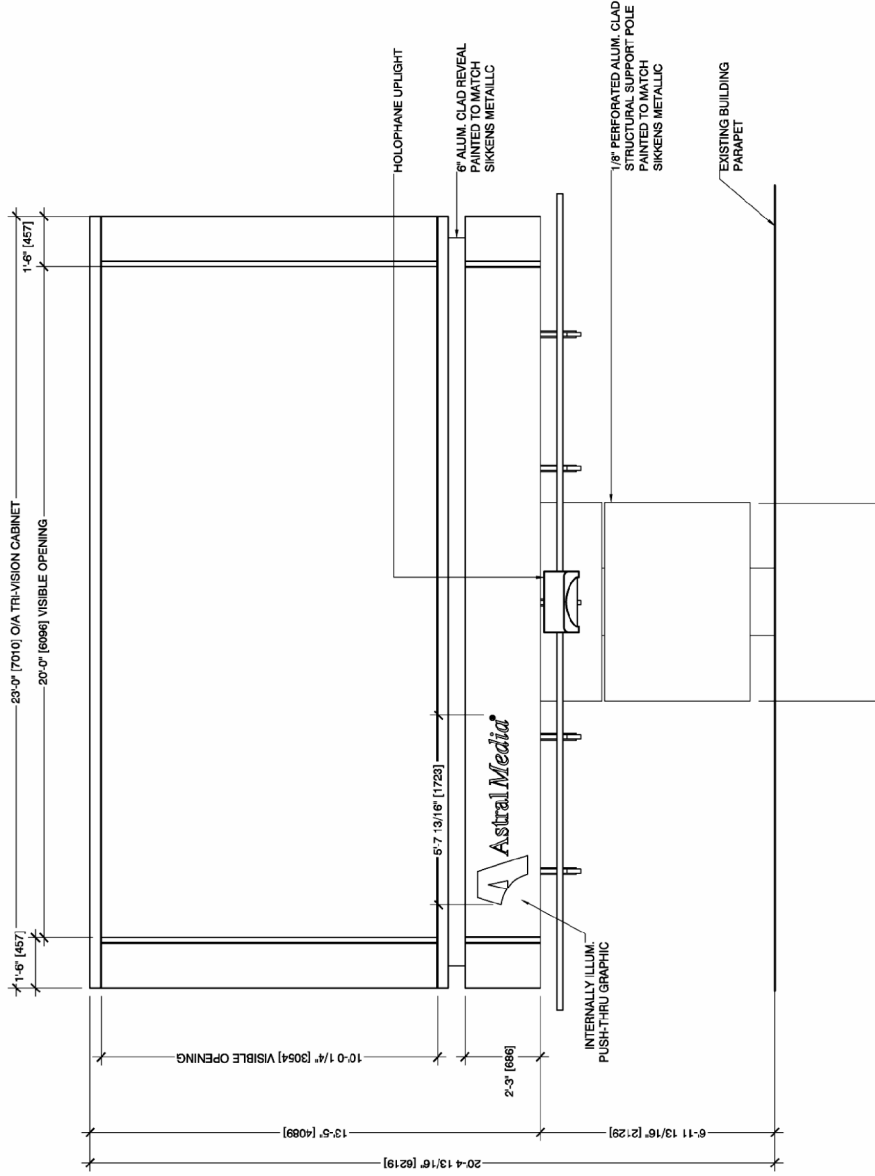
141 Spadina Avenue

Elevations  
Applicant's Submitted Drawing

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Not to Scale  
04/08/2009

Attachment 3: Plan and Perspective



141 Spadina Avenue

Plan & Perspective

Applicant's Submitted Drawing

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File # 09\_107971

**Attachment 4: Plan and Perspective**



**Plan & Perspective**

Applicant's Submitted Drawing

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04/08/2009

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