

Sign Variance – 149-151 Dupont St

Date:	February 17, 2010
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	2010TE041 09 178557 ZSV 00 ZR

SUMMARY

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

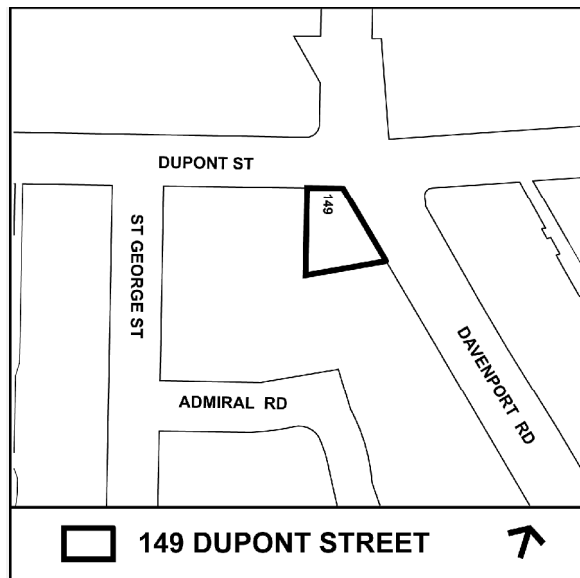
This report reviews and makes recommendations on a request by Leroy Cassanova with Astral Media Outdoor Inc., on behalf of High Point Investments for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to maintain, for third party advertising purposes, an illuminated fascia sign located at the second floor level on the northeast corner of the east elevation of the building at 149-151 Dupont Street.

Staff recommends refusal of this application. The variances are 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 variances to maintain, for third party advertising purposes, an illuminated fascia sign located at the second floor level on the



northeast corner of the east elevation of the building at 149-151 Dupont Street.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property is located on the southwest corner of Dupont Street and Davenport Road in an MCR zone. The property contains a two-storey building with retail uses at grade level. The applicant is requesting permission to maintain, for third party advertising purposes, an illuminated fascia sign located at the second floor level on the northeast corner of the east elevation of the building at 149-151 Dupont Street. The sign is 3.66m wide and 4.88m high with an area of 17.86m².

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

Sign By-law Section and Requirements	Applicant's Proposal	Required Variance
1. Chapter 297-10D(5)	The proposed third party illuminated fascia sign would face a street.	A third party fascia sign facing a street is not permitted.
2. Chapter 297-10F	The proposed third party illuminated fascia sign would be located less than 60.0m from other third party sign located in the vicinity.	A required separation distance of 60.0m from other third party signs in the vicinity is not provided.

COMMENTS

The property is located on the southwest corner of Dupont Street and Davenport Road, which is a one of the major intersection in this part of the city seeing much vehicular traffic. The third party illuminated fascia sign was installed without obtaining a sign permit from the city. The first variance is required because the third party illuminated fascia sign is located on the northeast corner of the east elevation of the building. Being at the corner, the sign faces Davenport Road and it is directed at westbound traffic on Dupont Street. A third party fascia sign located in an MCR zone which faces a street is not permitted under the current By-law. The intent of the By-law is to protect first party signs from competing with the third party signs on the same building face in order to ensure that all businesses located in the building have the opportunity to display their signs on the walls of their respective unit frontage in the building.

With regards to the second variance, a separation distance of 60.0m between the third party signs is regulated in order to prevent sign clutter in the area. In this case, a third party “V” shape ground sign is located at the south end of this property. It is staff’s opinion that permitting a third party illuminated fascia sign within a short distance from

other third party sign is not appropriate. The fascia sign contributes to the sign clutter at this location. This application contradicts the City's clear objective to prohibit this type of signage under the current by-law. It is staff's opinion that permitting an illuminated fascia sign for third party advertising purposes by way of a minor variance application would undercut the clear intent of the City's policy and it would undermine the integrity and the spirit of the Municipal Code.

Staff can advise that the third party fascia sign as outlined in this application would not be permitted with the need for variances in the sign district to be established under the new sign by-law which will come into force on April 6, 2010.

Staff recommends refusal of this application. The variance is major and not within the general intent and purpose of the Municipal Code.

CONTACT

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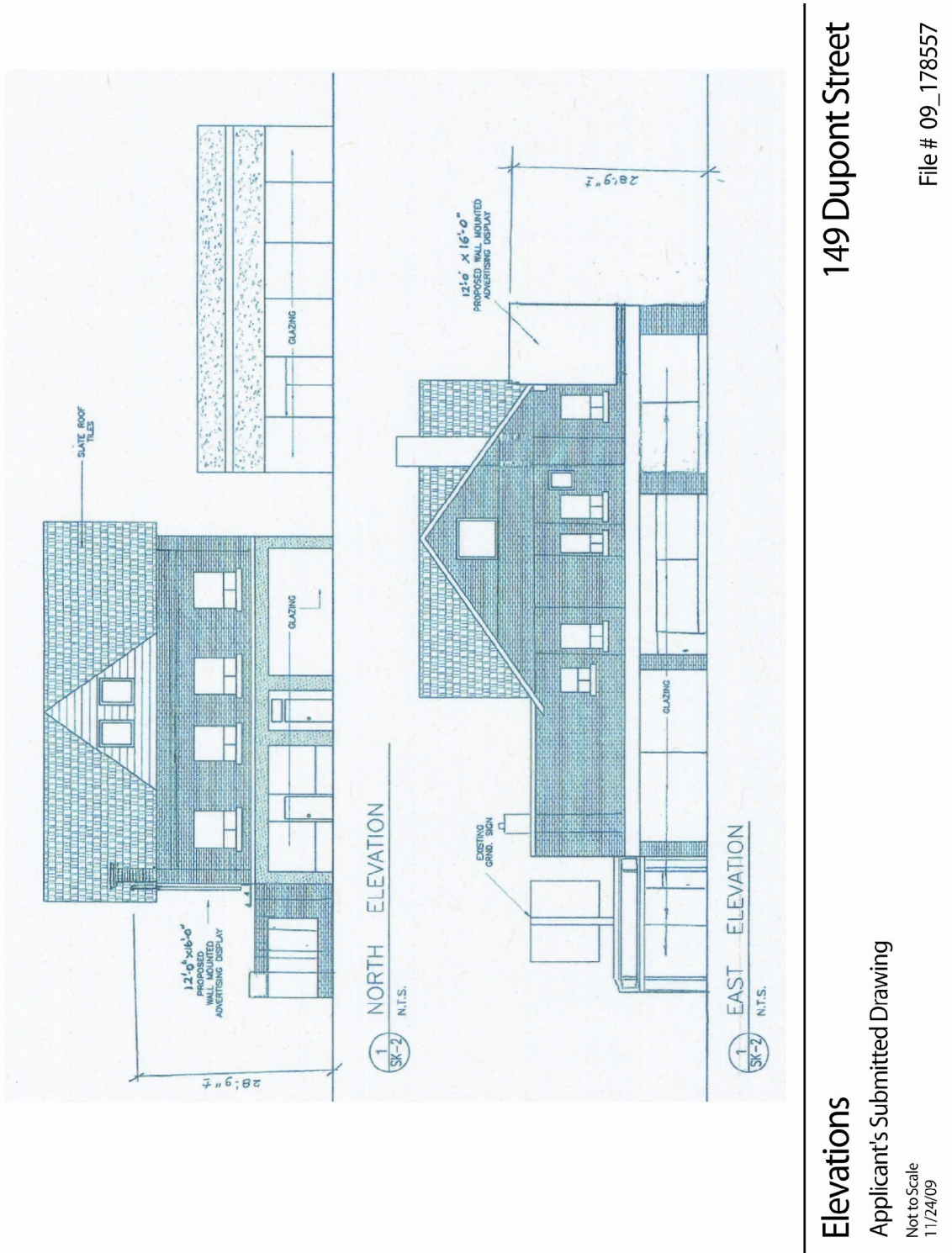
SIGNATURE

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

ATTACHMENTS

Attachment 1: Elevations
Attachment 2: Site Plan

Attachment 1:



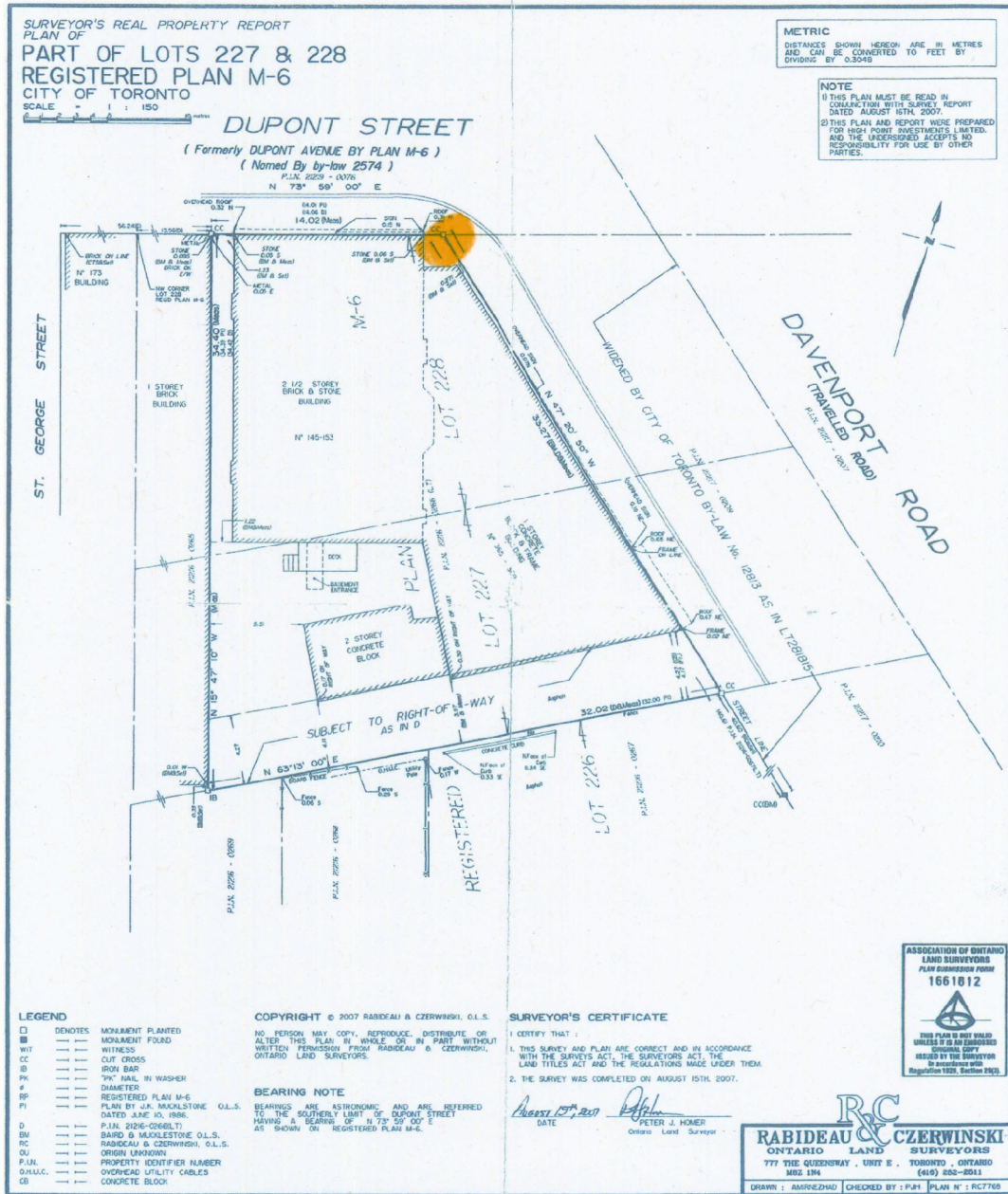
149 Dupont Street

File # 09_178557

Elevations
Applicant's Submitted Drawing

Not to Scale
11/24/09

Attachment 2:



Site Plan

149 Dupont Street

Applicant's Submitted Drawing

Not to Scale
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