

**Sign Variance - 140 Spadina Ave**

<b>Date:</b>	February 19, 2010
<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>	2010TE073 10 120190 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.

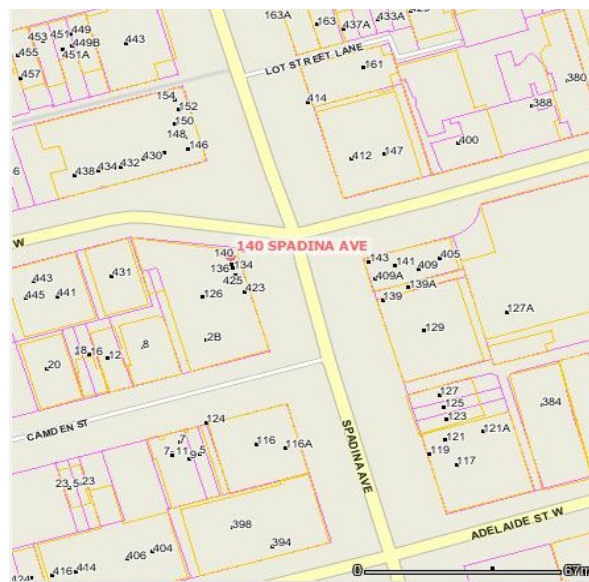
This report reviews and makes recommendations on a request by Steve Wolowich of Astral Media Outdoor, L.P., on behalf of APS Holdings Ltd., Saltzman Family Holdings Ltd. for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, for third party advertising purposes, replacement of an existing legal non-conforming illuminated roof sign located on top of a two-storey listed historic building with a newly designed illuminated roof sign at 140 Spadina Avenue.

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 permit, for third party advertising purposes, replacement of an existing legal non-conforming illuminated roof sign with a newly



designed illuminated roof sign located on top of a two-storey listed historic building at 140 Spadina Avenue.

### Financial Impact

The recommendations in this report have no financial impact.

### ISSUE BACKGROUND

The property is located on the southwest corner of Spadia Avenue and Richmond Street West in an RA zone. The property contains a two-storey listed historic building with retail uses at grade level. The applicant is seeking permission to replace, for third party advertising purposes, an existing legal non-conforming illuminated roof sign with a newly designed illuminated roof sign containing a horizontally rotating scroll attribute for third party advertising, at 140 Spadina Avenue.

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 (16)	To install, for third party advertising purposes, a roof sign.	A third party roof sign located on a building in an RA zone is not permitted.
2. Chapter 297-10.B.(2)	To install, for third party advertising purposes, a "V-Shaped" roof sign containing a horizontally rotating scroll attribute.	Unless specifically permitted by other provisions of this chapter, signs that rotate or which contain tri-vision panels, animated copy, changeable copy or electronic message display copy are not permitted.
3. Chapter 297-10E (6)	The roof sign may obstruct a widow of the adjoining building to the south.	A sign obstructing a window of a building is not permitted.
4. Chapter 297-10F (1)	The sign may be located less than 60.0m from other third party signs located in the vicinity.	A third party sign is required to have a separation distance of minimum 60.0m from other third party sign in the vicinity.

### COMMENTS

At its meeting of April 24, 1995, City Council passed By-law 1995-0229 to amend Chapter 297 of the Municipal Code to prohibit roof signs in all mixed-use CR, MCR and RA zone districts in the former City of Toronto. The prohibition resulted from a study of

signage along the City's "Main Streets" which detailed the unattractive appearance of roof signs within the mixed-use zone districts and from adjacent residential districts as well as the negative effect on skyline views. The By-law was even restricted to replace the signs attributes, so as not to prolong their life span. In this instance, the proposal to replace the existing illuminated roof sign with a newly designed illuminated roof sign containing a vertical backlit mechanical scrollable display copies at 140 Spadina Avenue, is not permitted under the current by-law.

The variances are required because the proposed replacement third party sign is not permitted on a listed historic building and also the sign is not permitted in an RA zone. A variance is also required because the particular attribute which would see the copy scrolling horizontally, is one that is not specifically meet the definition of a tri-vision sign in the current sign by-law and thus not permitted. The sign may interfere with windows of the adjoining building to the south and the sign would not meet the 60.0m separation distance requirement of 60.0m from other third party signs located in the vicinity and are also variances required to be addressed.

Staff can advise that roof signs under the new sign by-law recently approved by Council are a specifically prohibited sign type and accordingly any approval under the new sign by-law would require a site specific amendment and could not be approved under the variance process.

This application clearly contradicts the City's prohibition of roof signs and its clear objective to prohibit this type of signage under the current by-law. It is staff's opinion that permitting an illuminated, scrolling type displayable copies, for third party advertising purposes, by way of a minor variance application would undercut the clear intent of City policy and would undermine the integrity and the spirit of the Municipal Code.

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

**CONTACT**

Norm Girdhar, Assistant Planner

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Fax No. 416-392-7536

E-mail: ngirdhar@toronto.ca

**SIGNATURE**

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

**ATTACHMENTS**

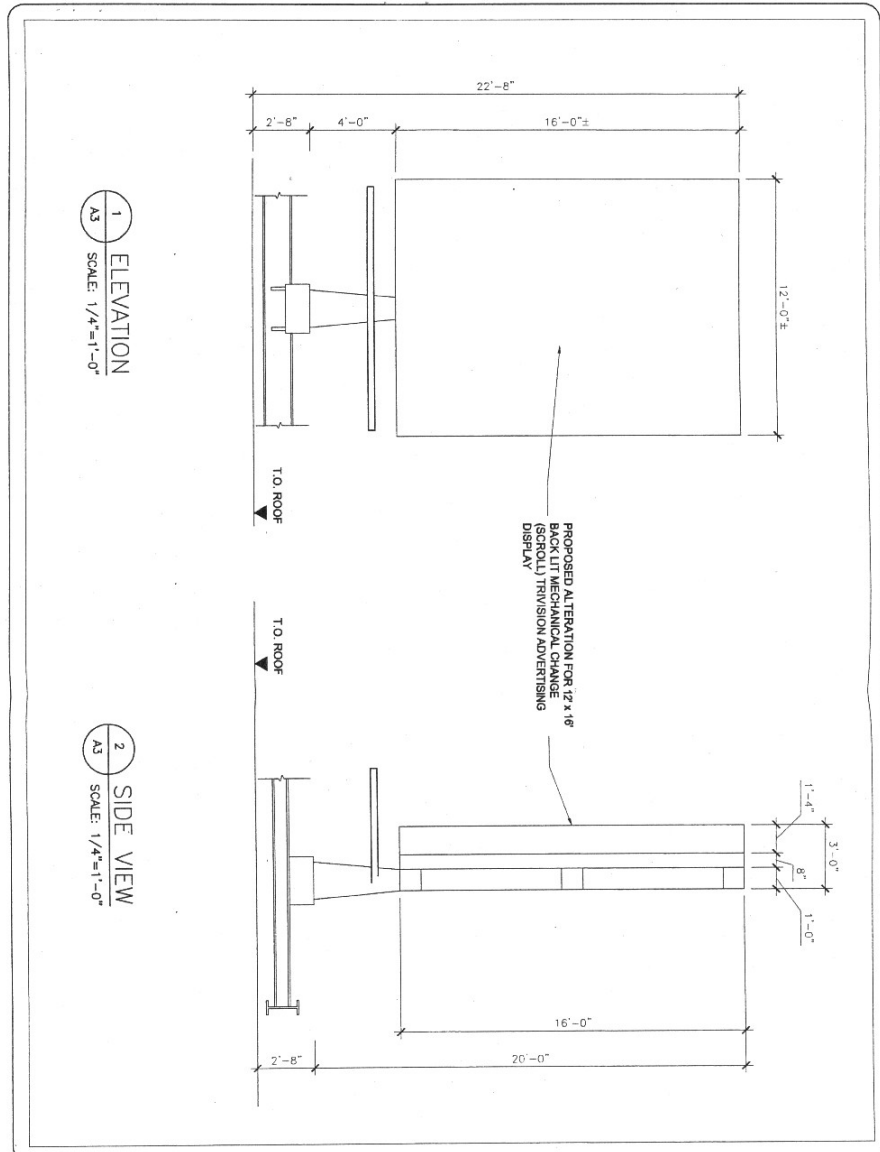
Attachment 1: Site Plan

Attachment 2: Sign Details

Attachment 3: Sign Details



## Attachment 2: Sign Details



No.	REV. 11/17	BY	DATE	DESCRIPTION

ISSUED FOR BIDDING  
 A3

DATE: 11/17/17  
 DRAWING NO.: AS-10320

**AstralMedia**

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

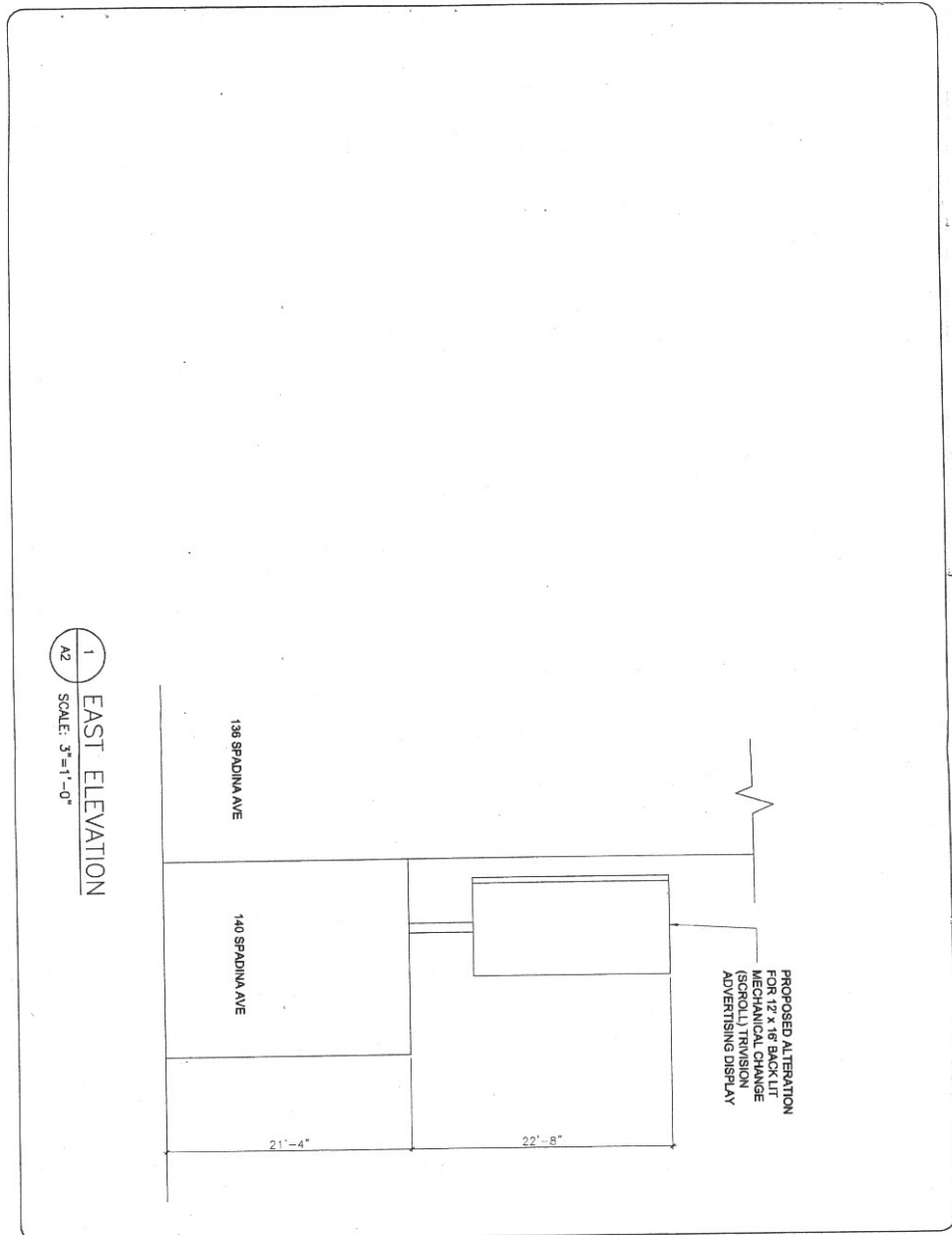
**S.P. HART & ASSOCIATES LTD.**

120 Denison St. Suite 412  
 Toronto, ON M5G 1S7  
 Tel: (416) 415-5700  
 Fax: (416) 515-1500

PRODUCT/CLIENT: EXISTING SIGN DISPLAY FACE  
 CONTRACTOR: S.P. HART & ASSOCIATES LTD.  
 ENGINEER: S.P. HART & ASSOCIATES LTD.  
 PROJECT: 140 SPADINA AVE. TELEVISION ADVERTISING DISPLAY  
 140 SPADINA AVE. TORONTO, ONTARIO

DRAWING TITLE: ADVERTISING DISPLAY ELEVATIONS

### Attachment 3: Site Details



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

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

**S.P. HART & ASSOCIATES LTD.**  
120 Carlton St. Suite 412  
Toronto, ON M5A 3K2  
Tel: (416) 413-3700  
Fax: (416) 413-1543

**PROPOSAL/LOCATION**  
EXISTING STATE SIGNAGE FOR THE  
PROPOSED ALTERATION TO THE  
CHANGE (SCROLL TRAVELING) BACKLIT SIGNAGE  
140 SPADINA AVE. TORONTO, ONTARIO

**PLAN AND WEST ELEVATION**

DATE	BY	SCALE
FEB. 10'		AS NOTED

DATE: FEB. 10' 3 OF A2