

Sign Variance - 358 Bathurst St

Date:	February 24, 2010
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	2010TE057 10 120174 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 Buu Vuong 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 with a newly designed illuminated roof sign at 358 Bathurst 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 permit, for third party advertising purposes, replacement of an existing legal non-conforming illuminated roof sign with a newly designed illuminated roof sign at



358 Bathurst Street.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property is located north of Dundas Street West on the west side of Bathurst Street in an MCR zone. The property contains a two-storey building with a restaurant 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 with an area of 17.83m² and containing a horizontally rotating scroll attribute, on top of a two-storey building at 358 Bathurst Street.

The sign do 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 MCR zone is not permitted.
2. Chapter 297-10.B.(2)	To install, for third party advertising purposes, an illuminated 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 297-10F (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.
4. Chapter 297-10E	The sign would be located less than 20m from a lot in R zone.	A third party roof sign located less than 20m from a lot in R zone is not permitted.

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 does not permit the replacement of a sign's attributes, so as not to prolong the life span of the sign. In this instance, the proposal to replace the existing illuminated roof sign with a newly designed illuminated roof sign containing a horizontally rotating scroll attribute at 358 Bathurst Street 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
Tel. No. 416-392-7209
Fax No. 416-392-7536
E-mail: ngirdhar@toronto.ca

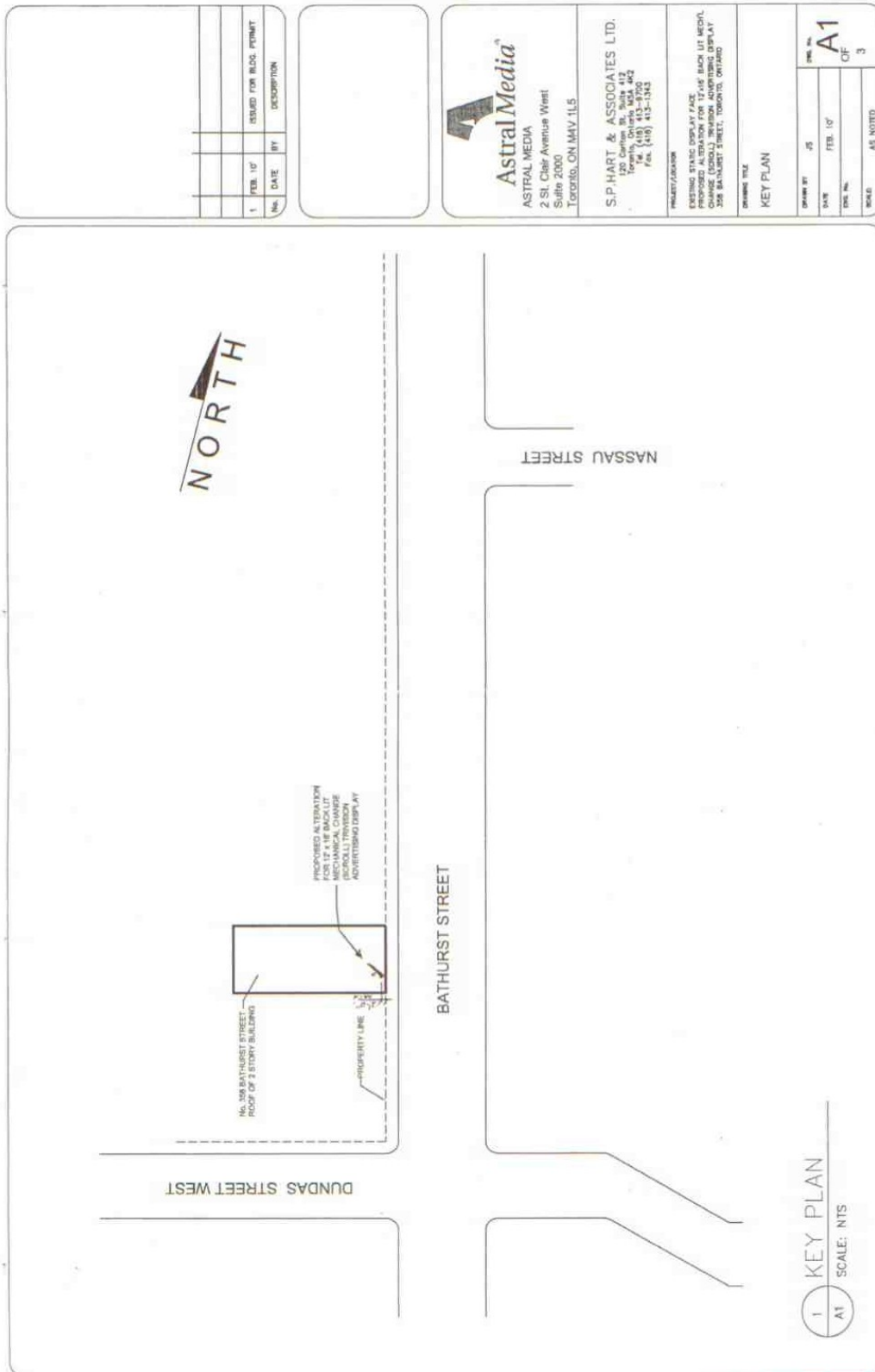
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: East Elevation
Attachment 3: Elevations
Attachment 4: Photo

Attachment 1: Site Plan



Attachment 2: East Elevation



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


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

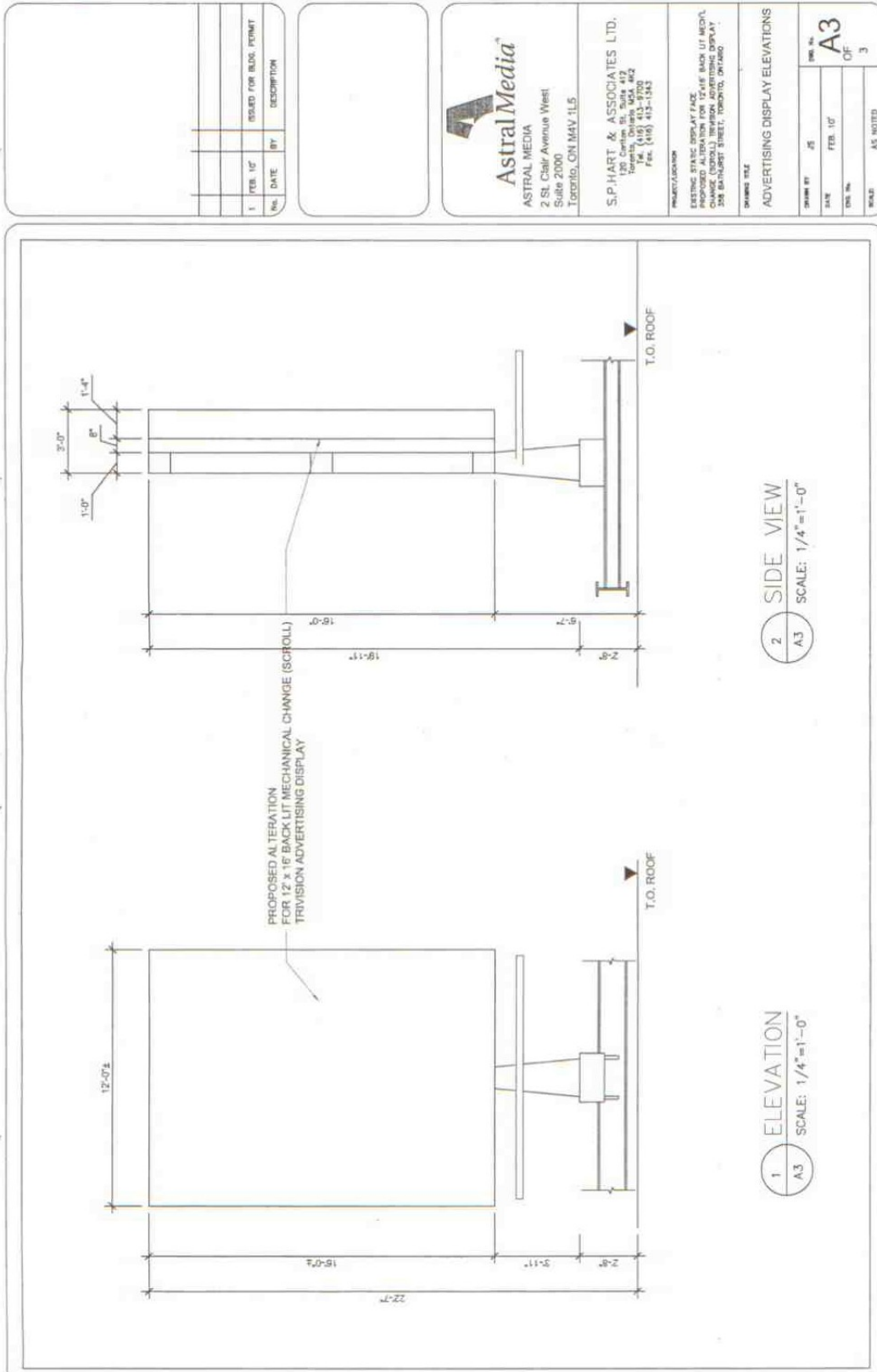
S.P. HART & ASSOCIATES LTD.
 120 Dundas St. W. Suite 412
 Toronto, Ontario M5G 1R2
 Tel: (416) 593-8777
 Fax: (416) 413-1123

PROJECT/LOCATION
 BEYOND STATION CROSS AT FACE
 PROPOSED ALTERNATION FOR 15' HIGH BACK LIT MEDICAL
 CHANGE SIGNAGE THROUGH ADVERTISING DISPLAY
 358 BATHURST STREET, TORONTO, ONTARIO

DRAWING TITLE
 PLAN AND WEST ELEVATION

DRAWN BY	J.S.
DATE	FEB. 10'
SCALE	AS NOTED
DATE	FEB. 10'
SCALE	AS NOTED
SHEET NO. A2 OF 3	

Attachment 3: Elevations



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

AstralMedia
 ASTRAL MEDIA
 2 St. Clair Avenue West
 Suite 2000
 Toronto, ON M4V 3L5

S.P. HART & ASSOCIATES LTD.
 ARCHITECTS
 400 Adelaide Street West
 Toronto, Ontario, M5A 1K2
 Tel: (416) 413-3700
 Fax: (416) 413-1513

PROJECT LOCATION
 EXISTING SIGN: 12' x 16' x 8"
 EXISTING SIGN: 12' x 16' x 8" BACKLIT MECH. CHANGE (SCROLL) TRIVISION ADVERTISING DISPLAY
 308 BATHURST STREET, TORONTO, ONTARIO.

OWNER TITLE
 ADVERTISING DISPLAY ELEVATIONS

DRAWN BY	JSE	DATE	FEB. 10'
DATE	FEB. 10'	REV. NO.	3
SCALE	AS NOTED	REV. NO.	3

Sheet No. **A3** OF 3

Attachment 4: Photo

