

Sign Variance - 91 Dundas St E

Date:	February 26, 2010
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	2010TE048 10 120043 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.

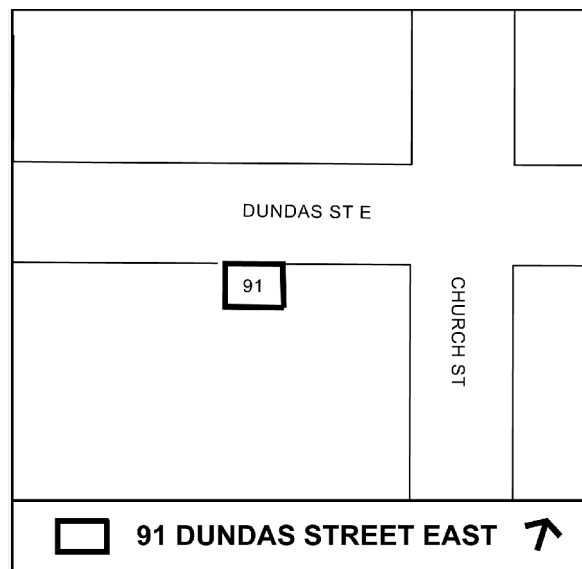
This report reviews and makes recommendations on a request by Timothy May of CBS Outdoor Canada, on behalf of Edward Avanesy for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, for third party advertising purposes, replacement of an existing legal non-conforming illuminated roof sign with a newly designed illuminated tri-vision roof sign at 91 Dundas Street East.

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 tri-vision roof



sign at 91 Dundas Street East.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property is located east of Yonge Street on the south side of Dundas Street East in a CR 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 tri-vision roof sign at 91 Dundas Street East. The proposed tri-vision sign is 6.38m wide and 3.29m high with an area of 20.99m².

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 tri-vision roof sign on a two-storey building at 91 Dundas Street East in CR zone.	A third party roof sign located on a building in a CR zone is not permitted.
2. Chapter 297-10.B.(2)	To install, for third party advertising purposes, an illuminated tri-vision roof sign on top of two storey building at 91 Dundas Street East.	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.

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 is to replace the existing illuminated roof sign with a newly designed illuminated tri-vision roof sign at 91 Dundas Street East, which is not permitted under the current by-law.

The variances are required because the proposed replacement third party tri-vision roof sign is not permitted a CR zone. The replacement or addition of sign attributes are not permitted under the current by-law. The sign would not meet the 60.0m separation distance requirement from other third party signs located in the vicinity.

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 tri-vision sign, 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

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SIGNATURE

Jim Laughlin, Deputy Chief Building Official and Director, Toronto Building
Toronto and East York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Elevations
Attachment 4: Elevations

Attachment 1: Site Plan



Site Plan

91 Dundas Street East

Applicant's Submitted Drawing

Not to Scale 

File # 10_120043

Attachment 2: Elevations

Pictures – 91 Dundas St. East

Existing 3rd Party Roof Sign:

- Existing 2 face, back-to-back 3rd Party Roof Sign, each face 10'x20', upward illuminated, static paper copy display
- One sign face facing east, the other facing west
- Sign/Building on South Side of Dundas St. East

Proposal:

- Conversion of existing 3rd party roof sign, from a static paper copy display to trivision display format
- Size, illumination and configuration will remain unchanged



Elevations

Applicant's Submitted Drawing

Not to Scale
02/19/10

91 Dundas Street East

File # 03_120043

Attachment 3: Elevations

Pictures (East Facing View) – 91 Dundas St. East



Elevations

Applicant's Submitted Drawing

Not to Scale
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91 Dundas Street East

File # 03_120043

Attachment 4: Elevations

Pictures (West Facing View) – 91 Dundas St. East



Elevations

Applicant's Submitted Drawing

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91 Dundas Street East

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