

Sign Variance - 529-531 Danforth Ave

Date:	February 19, 2010
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 30 – Toronto-Danforth
Reference Number:	2010TE061 10 120178 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 M & F Investments 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 three-storey building with a newly designed illuminated roof sign containing a horizontally rotating scroll attribute at 529-531 Danforth Ave.

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 containing a horizontally rotating scroll attribute, located on top of a three-storey building at 529-531 Danforth Avenue.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property is located west of Carlaw Avenue on the south side of Danforth Avenue in an MCR zone. The property contains a three-storey 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 “V-Shape” roof sign with a newly designed illuminated “V-Shape” roof sign containing a horizontally rotating scroll attribute for third party advertising purposes at 529–531 Danforth Avenue.

The signs 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 on a two-storey commercial building located in an MCR zone.	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, 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 297-10F (1)	The sign is 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 297-10D(16)(b)	The sign would be located on top of a three storey high building.	A third party roof sign located above second storey of the building or 10.0m above grade 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 the attributes of the signs, 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 horizontally rotating scroll attribute at 529-531 Danforth Avenue, which is not permitted under the current by-law.

The variances are required because the proposed replacement third party sign is not permitted in an MCR zone, the sign would be located on top of a three storey high building and more than 10.0m above grade which is not permitted. Also, the sign would not meet the 60.0m separation distance requirement from other third party signs located in the vicinity. The By-law does not permit a third party illuminated roof sign that contains a horizontally rotating scroll copy attribute.

Staff can advise that roof signs under the new sign by-law which was 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 a roof sign, 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.

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Sign Details

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