

**Sign Variance - 133 Queen St E**

<b>Date:</b>	March 2, 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 28 – Toronto Centre-Rosedale
<b>Reference Number:</b>	2010TE074 10 120191 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 Fania and Max Klaczkowski, 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 ground sign with a newly designed illuminated tri-vision ground sign at 133 Queen 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 ground sign with a



newly designed illuminated tri-vision ground sign at 133 Queen Street East.

### Financial Impact

The recommendations in this report have no financial impact.

### ISSUE BACKGROUND

The property is located on the southwest corner of Queen Street East and Jarvis Street in a CR zone. The property contains a public parking lot. The applicant is seeking permission to replace, for third party advertising purposes, an existing legal non-conforming illuminated ground sign located at the northwest corner of the property with a newly designed illuminated tri-vision ground at 133 Queen Street East.

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 297-10 D (8)	To replace an existing illuminated third party ground sign with ground sign containing third party advertising located on a lot in the CR zone.	A third party ground sign is not permitted in a CR District
2. Chapter 297-10.B.(2)	To replace an existing illuminated third party ground sign with an illuminated tri-vision third party ground sign located on a lot in the CR zone.	Unless specifically permitted by other provisions of this chapter, signs that rotate or which contain tri-vision panels are not permitted.
3. Chapter 297-10F	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 2, 1996, the former City of Toronto Council passed By-law No. 1996-0172 to amend Chapter 297 of the Municipal Code to prohibit third party ground signs and pedestal signs in CR and MCR districts. The regulations were aimed at reducing proliferation of third party signs in the mixed-use zone districts.

Third party illuminated tri-vision ground signs are not permitted on this site within the CR zoning. In zones where third party ground signs are permitted, the By-law requires a minimum separation distance of 60m from other third party signs located in the vicinity. The proposed third party ground signs would not meet that requirement, because there is a one more third party sign located on this property. Also, the Municipal Code does not allow replacement of sign attributes such as from a paper copy to a tri-vision system.

Staff can advise that the third party ground signs under the new sign by-law recently approved by Council are not permitted in this sign district and accordingly any approval under the new sign by-law would require a variance.

This application clearly contradicts the City's prohibition of ground 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 type sign, for third party advertising purposes would undermine the clear intent of City policy and would not maintain the integrity and the spirit of the Municipal Code. It is staff's opinion that the proposed signs would diminish the objectives for quality urban design in this area.

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

## **CONTACT**

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## **SIGNATURE**

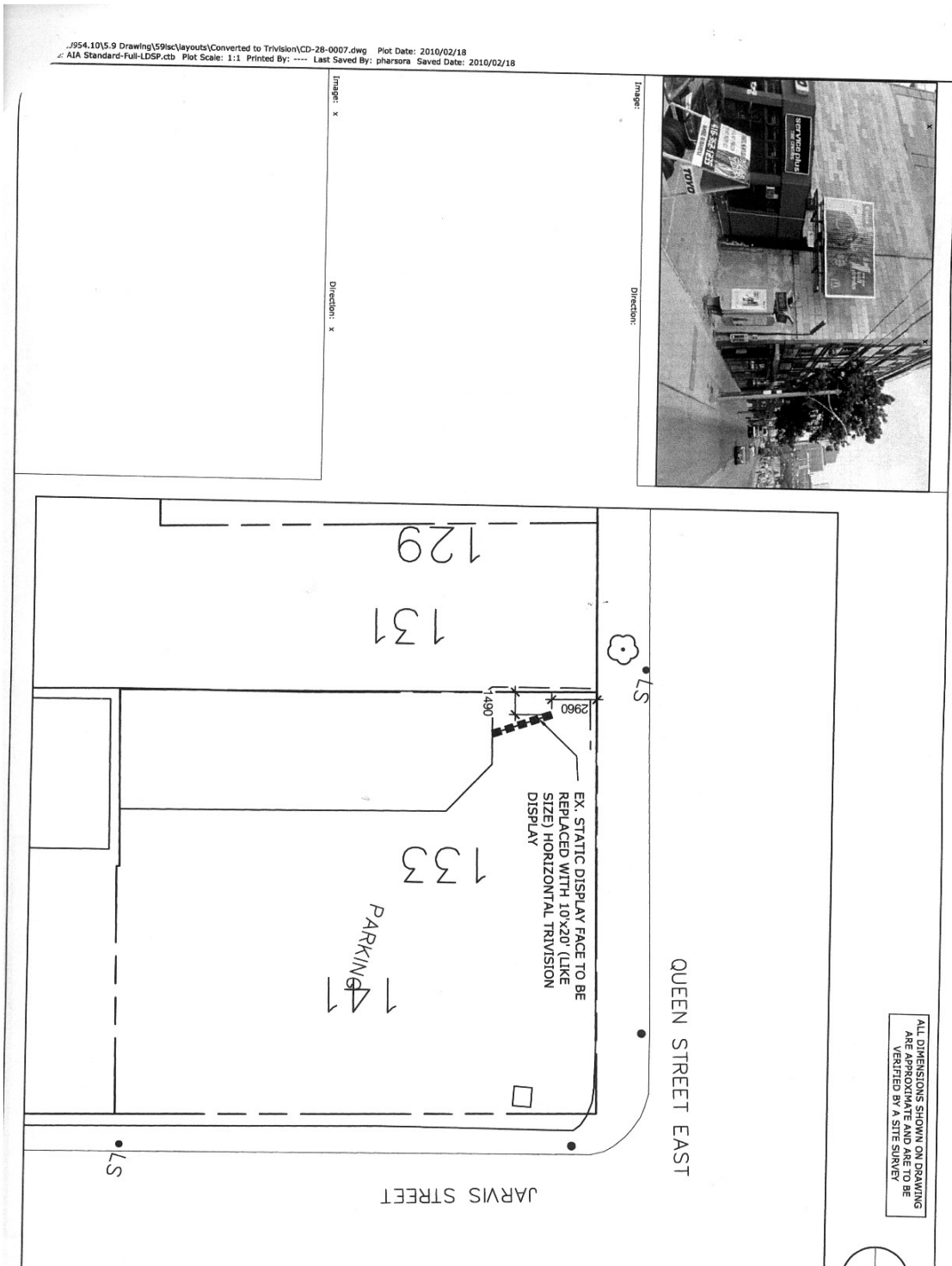
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Jim Laughlin, Deputy Chief Building Official and Director, Toronto Building  
Toronto and East York District

## **ATTACHMENTS**

Attachment 1: Site Plan and Photo  
Attachment 2: Sign Details

# Attachment 1: Site Plan and Photo



## Attachment 2: Sign Details

