

**Sign Variance - 242 Danforth 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 29 – Toronto-Danforth
<b>Reference Number:</b>	2010TE068 10 120185 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 Brillinger 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 ground sign with a newly designed illuminated ground sign containing a horizontally rotating scroll attribute, on a property at 242 Danforth 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 ground sign with a



newly designed illuminated ground sign containing a horizontally rotating scroll copy attribute, on a property at 242 Danforth Avenue.

### Financial Impact

The recommendations in this report have no financial impact.

### ISSUE BACKGROUND

The property is located on the northeast corner of Danforth Avenue and Playter Blvd. in a MCR zone. The applicant is seeking permission to replace, for third party advertising purposes, an existing legal non-conforming illuminated ground sign located at the southeast corner of the property with a newly designed illuminated ground sign containing a horizontally rotating scroll copy attribute, on a property at 242 Danforth 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(8)	To install an illuminated ground sign containing third party advertising in the CR zone.	The proposed ground sign containing third party advertising is not permitted.
2. Chapter 297-10.B.(2)	To install an illuminated ground sign containing a horizontally rotating scroll copy attribute	The proposed sign contains an attribute that is a rotating scroll which is not specifically permitted.
3. Chapter 297-10 E	The sign may be located less than 20m from a lot in R zone.	An illuminated third party ground sign located less than 20.0m from a lot in R zone is not permitted.
4. 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 ground signs containing a horizontally rotating scroll copy attribute, 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. Also, the Municipal Code does not allow replacement of sign attributes such as is the proposal under this application; from a paper copy to a horizontally rotating scroll copy attribute.

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: Sign Details

