

Sign Variance - 1140 Dupont St

Date:	February 19, 2010
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 18 – Davenport
Reference Number:	2010TE059 10 120176 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 1140 Dupont Street Ltd. 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 containing a horizontally rotating scroll copy attribute located on top of a one-storey building at 1140 Dupont 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 “V- shape” illuminated roof sign with a newly designed illuminated “V-shape” tri-vision roof sign containing a



horizontally rotating scroll copy attribute located on top of a one-storey building at 1140 Dupont Street.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property is located east of Dufferin Street, on the north side of Dupont Street in an I1 D2 zone. The property contains a one-storey industrial use building. 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 third party roof sign containing a horizontally rotating scroll copy attribute located on top of a one-storey building at 1140 Dupont Street.

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.B.(2)	To replace an existing legal non-conforming illuminated ground sign located at the southeast portion of the property with a newly designed illuminated ground sign containing a horizontally rotating scroll copy attribute	The proposed sign contains an attribute that is a rotating scroll in the I1 zone is not specifically permitted.
2. Chapter 297-10.B.(2)	To install, for third party advertising purposes, a "V-Shape" roof sign containing a horizontally rotating scroll copy attribute. The sign would also display an electronic display showing time of the day at the base of the sign.	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 297-10E and 10H	The sign would be located less than 20.0m from a lot in R zone.	An illuminated roof 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.

5. Chapter 297-11 DD	Height of the proposed sign of 12m	The by-law permits a height of 10m
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COMMENTS

The variances are required because the proposed illuminated third party roof sign containing a horizontally rotating scroll copy attribute is not specifically permitted in an I1 zone. The proposed third party roof sign would be located less than the required minimum distance of 20.0m and it also it would not meet the required 60.0m separation distance from other third party signs located in the vicinity. In addition the sign will be less than 40m from an R district and have a height greater than 10m. Staff can not justify recommending approval of this application by way of a minor variance application.

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.

The number and nature of the requested variances could not be considered minor 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

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

ATTACHMENTS

Attachment 1: Sign Details

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