

Sign Variance - 85 Eglinton Ave E

Date:	March 2, 2010
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	2010TE069 10 120186 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 97 Eglinton Holdings Ltd. c/o Madison Properties, 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 “V-Shape” illuminated ground sign located along with a newly designed illuminated “V-Shape” ground sign containing a horizontally rotating scroll copy attribute, on a property at 85 Eglinton Avenue 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 ground sign containing a horizontally rotating scroll copy attribute, on a property at 85 Eglinton Avenue East.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property is located on the southeast corner of Eglinton Avenue East and Dunfield Avenue in a CR zone. The applicant is seeking permission to replace, for third party advertising purposes, an existing legal non-conforming illuminated ground sign located along Eglinton Avenue East frontage of the property with a newly designed illuminated third party ground sign containing a horizontally rotating scroll copy attribute, on a property at 85 Eglinton Avenue 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.C.(2)(b)	To replace an existing illuminated third party ground sign with an illuminated ground sign containing a horizontally rotating scroll copy attribute, on a lot in the CR zone.	A third party ground sign located on a lot in the CR zone is not permitted.
2. Chapter 297-10.B.(2)	To replace an existing illuminated third party ground sign with an illuminated ground sign containing a horizontally rotating scroll copy attribute, 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, animated copy, changeable copy or electronic message display copy are not permitted.
3. Chapter 297-10 D(8)	The sign would set back 0.6m from the east property line.	The 0.6m sign set back from the property line would be 1.4m less than the required set back of 2.0m from the property line.
4. Chapter 297-10F	The sign would be located less than 60.0m from other third party signs located on this property.	A third party sign is required to have a minimum separation distance of 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, is 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. The proposed sign does not meet the required 2.0m set back from the property line. Also, the Municipal Code does not allow replacement of sign attributes such as 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.

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SIGNATURE

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Toronto and East York District

ATTACHMENTS

Attachment 1: Site Plan

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