

**Sign Variance - 10 Lower Spadina 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 20 – Trinity-Spadina
<b>Reference Number:</b>	2010TE097 10 120608 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 Leslie Abro of Abcon Outdoor Inc, on behalf of Trans Globe Property Management Services Ltd. for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, for third party advertising purposes, an illuminated fascia sign on the north elevation of the building and two fascia signs as an art form on the east and south elevations of the building at 10 Lower Jarvis 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, an illuminated fascia sign on the north elevation of the building and two fascia signs as



an art form on the east and south elevations of the building at 10 Lower Spadina Avenue.

### Financial Impact

The recommendations in this report have no financial impact.

### ISSUE BACKGROUND

The property is located south of Gardiner Expressway on the Westside of Spadina Avenue in a CR zone. The property contains an eight-storey commercial building. The applicant is seeking permission to install, for third party advertising purposes, an illuminated fascia sign on the north elevation of the building and two fascia signs as an art form on the east and south elevations of the building at 10 Lower Jarvis Street.

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 (e)	The proposed fascia signs on the north, east and south elevation of the building would be located 26.2m high above grade, above the penthouse slab and above the seventh storey of the building.	A fascia sign located above the second storey of the building or more than 10.0m high above grade is not permitted.
2. Chapter 297- 10D (g)	The proposed illuminated third party Fascia sign located on the north Elevation has an area of 274.12m <sup>2</sup> . The proposed fascia signs on the east and south elevation, each would have an area 362.6m <sup>2</sup> .	The 274.12m <sup>2</sup> sign area for the sign on the north elevation would exceed by 249.12m <sup>2</sup> , the maximum 25.0m <sup>2</sup> sign area permitted.
3. Chapter 297-10F (1)	The sign is located less than 60.0m from other third party signs proposed on the building.	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 297-10F(2)	The area of each of the three proposed third party fascia signs on this building would be in excess of 70.0m <sup>2</sup> and they would be located less than 300m from each other.	A third party sign having an area of 70.0m <sup>2</sup> or more must be separated by at least 300m

		from other similar size third party signs located in the vicinity.
5. Chapter 297-10E (6)	The proposed signs are made of self-adhesive perforated vinyl and that would be applied directly over the glass façade of the building.	A fascia sign obstructing or interfering with the door or window of a building is not permitted.
6. Chapter 297-11 B	The sign would be located less than 45m from the Gardiner Expressway.	The Municipal Code requires that all third party illuminated sign must set back at least 45.0m from the Gardiner Expressway property line.

## COMMENTS

The first variance is required because the proposed third party sign fascia sign on the north elevation would be located 26.2m high above grade, above the penthouse slab and above the seventh storey of the building where as sign located more than 10.0m above grade is not permitted.

With respect to the second variance the proposed sign on the north elevation is more than ten times large and the signs on the south and east elevations are more than fourteen times larger than the permitted size for a fascia sign.

With regards to the third and fourth variances, the signs do not meet the required separation distance for third party signs or for large format signs.

The fifth variance is required because the illuminated fascia sign on the west elevation of the building covers all windows on the 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> floors of the building. The signs on the south and east elevations of the building would cover all windows of 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> floors level of the building. The signs would be constructed of “one way fabric” mounted in sections and that you would be able to “see through” from inside of the building to the outside. The pattern of windows is part of basic architectural integrity of a building and involves a two-way relationship - being able to see inside as well as to see out. It is staff’s opinion that covering of that many windows of the building would compromise the architectural integrity of the building.

Also the building on which the signs would be installed is very close to the Gardiner Expressway and the large format signs on the north and east elevation of the building may cause some distraction to the motorists on the road. For the reasons listed here in this report, staff can not justify recommending approval this application.

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

**CONTACT**

Norm Girdhar, Assistant Planner  
Tel. No. 416-392-7209  
Fax No. 416-392-7536  
E-mail: ngirdhar@toronto.ca

**SIGNATURE**

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

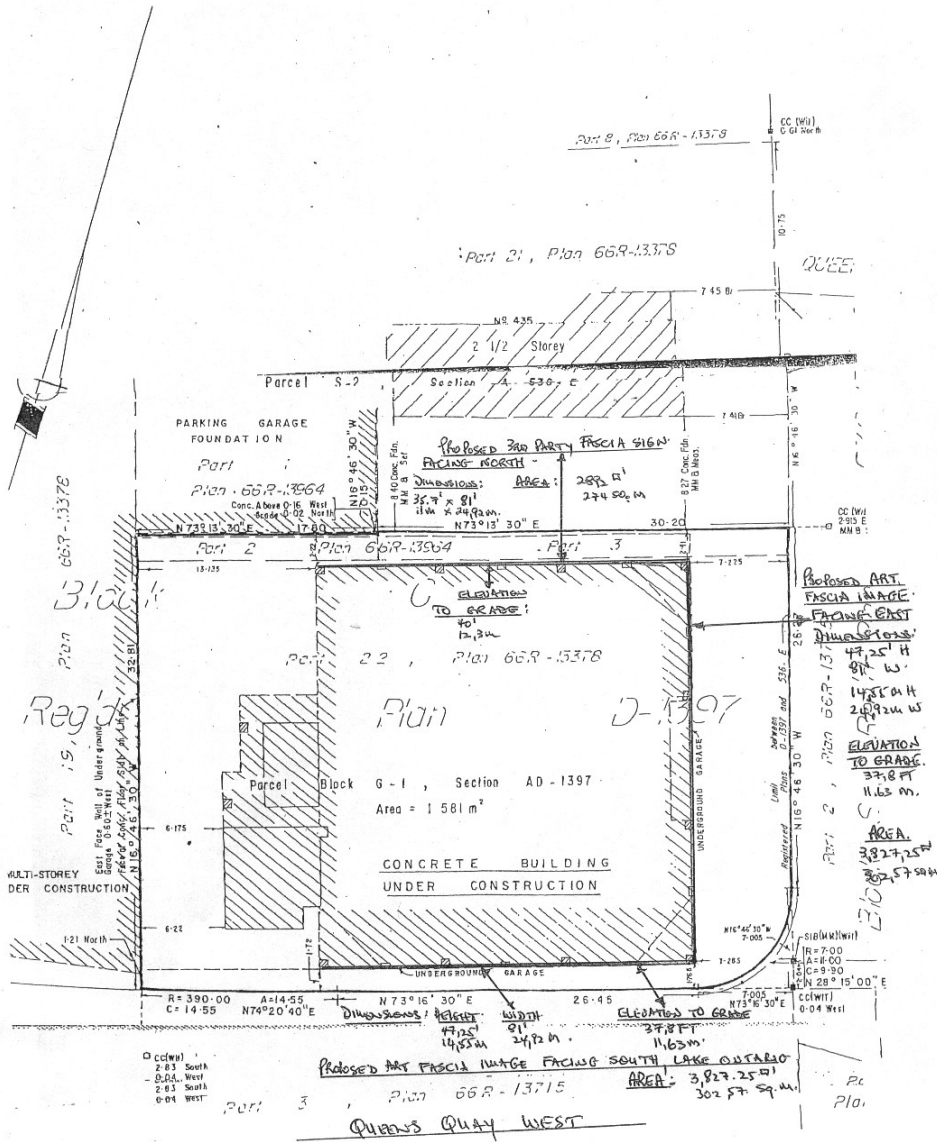
**ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevation  
Attachment 3: Elevation

# Attachment 1: Site Plan

PLAN SHOWING BUILDING LOCATION SURVEY OF  
**PART OF BLOCK G**  
**REGISTERED PLAN D-1397**  
**CITY OF TORONTO**  
 MUNICIPALITY OF METROPOLITAN TORONTO

SCALE 1:250 METRES  
 McCONNELL MAUGHAN LIMITED, O.L.S.  
 986



Attachment 2: Elevation



**Attachment 3: Elevation**

