

Sign Variance - 2 Strachan Avenue (200 Manitoba Drive)

Date:	March 6, 2010
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	2010TE100 10 113649 ZSV 00 ZR

SUMMARY

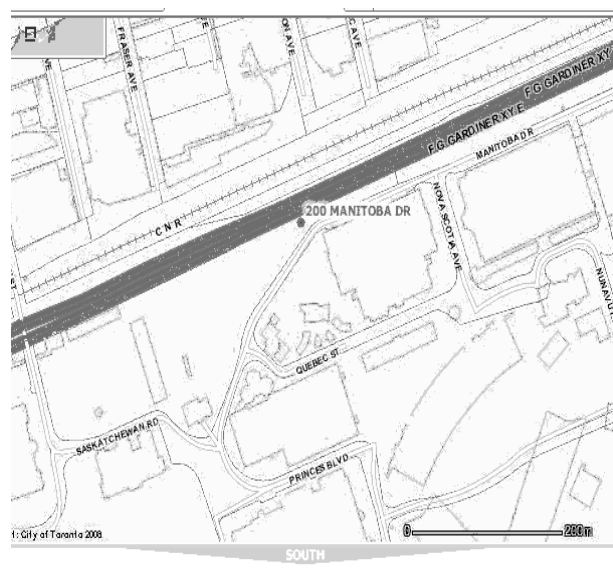
This report reviews and makes recommendations on a request by Steve Wolowich of Astral Media Outdoor, L.P., on behalf of The City of Toronto, Exhibition Place for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, for identification and third party advertising purposes, the replacement of an existing illuminated ground sign containing both first and third party advertising, with a newly designed ground sign with both static and electronic static copy also containing first and third party advertising at the property within the Exhibition grounds having a convenience address of 200 Manitoba Drive.

Staff recommends refusal of the application. The variance is not minor 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 recommend to City Council to refuse the request for a variance to permit, the replacement of an existing illuminated ground sign containing both first and third party advertising, with a newly designed



ground sign with both static and electronic static copy also containing first and third party advertising at the property within the Exhibition grounds having a convenience address of 200 Manitoba Drive.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The property in question has a convenience address of 200 Manitoba Dr. and contains a number of buildings and parking related to Exhibition Place and is zoned G in zoning by-law 438-86. The property is found on the Toronto Inventory of Heritage properties. The applicant is proposing to replace an existing first and third party ground sign located at the most north-easterly portion of 200 Manitoba Dr. located within the Exhibition grounds (approximately 330 metres east of the Dufferin Street Gate and 14m south of the Gardner Expressway). The existing sign is a “V-Shaped” 3-sided ground sign which has numerous components on each side, including a top logo panel (displaying the Direct Energy Centre logo), the name panel (displaying the Exhibition Place name), the pixel readograph centre (displaying messages and changing from time to time); and at the bottom the advertising panels (display advertising third party messages on the tri-vision panels).

The City Council at their meeting of April 29 and 30, 2009 adopted recommendation of the Executive Committee and approved of The Board of Governors of Exhibition Place entering into an agreement with Astral Media to manage the existing sign. The approval includes provisions for a replacement sign as is being proposed under the current variance application. (Attachment 1)

The proposed sign would be a “V-Shaped” 3-sided ground sign with an electronic static copy sign on each of the larger sides having an area 78.94 square metres on each side. These two sign faces would consist of electronic static copy with the image changing periodically similar to the tri-vision portion of the existing sign. The third and smaller side of the sign which faces south towards the Exhibition Place grounds, would be a front lite banner display and have an area of 41.45 square metres. The two faces of the sign which form the “V” will be used for third party advertising while the face of the sign positioned south would be used for first party advertising purposes. Above the main electronic boards there will be two first party advertising faces positioned east and west to be visible from the Gardner Expressway. Each of the faces of the double sided sign will have an area of approximately 34.12 square metres. The overall height of the sign would be 24.5m to the top of the first party panels and 17.8m to the top of the main panels containing electronic static copy.

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 297-9C & 297-11II	The proposed illuminated ground sign is to be used for the purpose of both first and third party advertising.	Illuminated ground signs used for the purpose of third party advertising are not permitted.
2. Chapter 297-9B 297-11II	The proposed sign will contain electronic static copy, which is considered animated and changeable copy under Chapter 297 of the City of Toronto Municipal Code.	A sign containing animated and/or changeable copy is not permitted.
3. Chapter 297-11B	The proposed ground sign will have a cumulative area of 270 square metres.	Ground signs are limited to an area not exceeding 25 square metres.
4. Chapter 297-11B	The proposed ground sign would have an overall height OF 24.5metres.	Ground signs are restricted to a maximum height of 9 metres.
5. By-law 211-79	The proposed replacement sign will be 14 metres south of the Frederick G. Gardiner Expressway.	The by-law requires all signs to be separated a minimum distance of 45 metres from the Frederick G. Gardiner Expressway.

COMMENTS

This property is zoned G and under the current by-law third party illuminated ground signs are not permitted. As noted there presently exists an illuminated third party ground sign and under the current proposal the existing sign will be replaced with a new upgraded and more modern design of sign containing electronic static copy.

The second variance is required because the current sign regulations do not permit animated or changeable copy in this location. The proposed copy is electronic static copy which consists of electronic static images changing at a specified time period. Under the current sign by-law this type of copy is considered animated as it falls within the defined term of animation under Chapter 297 of the Municipal Code and therefore would not be permitted. At present the existing sign does not contain this type of copy and this copy would be a new component of the sign which is not permitted.

Variances three and four above are required because the proposed sign has a larger copy area and overall height than permitted by the current by-law. The proposed sign would have a height of 24.5metres. The proposed main panels facing the Gardner Expressway would have an area of approximately 80 square metres and above that panel would be

channel letters identifying “Exhibition Place”. The overall copy area would be 270 square metres while the by-law would only permit 25 square metres.

The fifth variance requested is with respect to the former Metro by-law 211-79 which requires all ground signs to maintain a distance of 45m from the Gardner Expressway. In this case, the new sign would maintain a setback of approximately 14metres from the Gardner Expressway and requires the above noted variance. Any approvals from the provision of this by-law would require approval by City Council and accordingly Community Council does not have delegated authority to approve this request.

Staff have reviewed the current proposal against the provisions of the new sign by-law approved by Council this year and coming into full force and affect on April 6, 2010. Under the terms of this new by-law these lands are located within the Gardner Gateway special sign district. In this district ground signs containing electronic static copy are a permitted sign type, subject to complying with a number of provisions. Under the new by-law electronic static copy is a defined term and staff can further advise that the sign copy of the larger, main panels of the proposed sign would meet this definition. The provisions of this section that appear not to comply are as follows:

- Maximum sign face area of 50 square metres
- Maximum height of 15metres
- The sign shall be erected only on premises where an existing lawful ground sign was erected and displayed containing either similar copy of full motion copy.

In addition there are new restrictions on all signs that contain illumination, including electronic static copy, such as being proposed in this application. The restrictions in the new by-law are as follows:

- The sign shall not be up-lit
- The light shall not project onto any adjacent premises located in an R, RA, CR, I, or OS sign district
- The illumination shall not increase the light levels within 10.0 metres of all points of the sign face by more than 6.5 lux above the ambient lighting level
- The illumination shall not exceed 5,000 nits during the period between sunrise and sunset; and
- The illumination shall not exceed 500 nits during the period between sunset and sunrise.

There is no indication from the application submitted whether this proposal would meet these by-law provisions.

Staff has consulted with Transportation Services who have concerns with this sign being so close to the Gardner and recommend refusal of the application. This recommendation is based on the sign is within the viewing distance of The Gardner Expressway and as a result would be considered a distraction to drivers travelling along the expressway.

Although this is a replacement sign and somewhat smaller in overall size, approval of these variances are considered major, and do not meet the general intent and purpose of

the by-law. Furthermore, any approval under the current by-law would permit a sign to be installed, which would not be subject to the illumination restrictions under the new by-law and possibly resulting in the lighting from the sign causing more distraction for drivers and creating a safety hazard on this busy expressway.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Council Decision RE: Outdoor Billboard Sign

Attachment 2: Site Plan

Attachment 3: Sign Details

Attachment 4: South Elevation

Attachment 5: Existing Sign Photo

Attachment 6: Proposed Sign Image

Attachment 1: Council Decision RE: Outdoor Billboard Sign

EX31.26	ACTION	Adopted		
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Agreement for Operation of Outdoor Billboard Sign - Astral Media Outdoor L.P.

City Council Decision

City Council on April 29 and 30, 2009, adopted the following:

1. City Council approve of The Board of Governors of Exhibition Place entering into an agreement with Astral on the terms and conditions outlined in the report and the Confidential Attachment I and such other terms and conditions as may be satisfactory to the Chief Executive Officer of the Board and the City Solicitor;
2. Option B, contained in the Confidential Attachment come into effect if it conforms with the upcoming City-wide sign policies under the new by-law.
3. City Council direct that the confidential information in Attachment 1 not be released publicly in order to protect the competitive position and the future economic interests of Exhibition Place.
4. City Council authorize and direct the appropriate Exhibition Place and City officials to take the necessary action to give effect thereto.

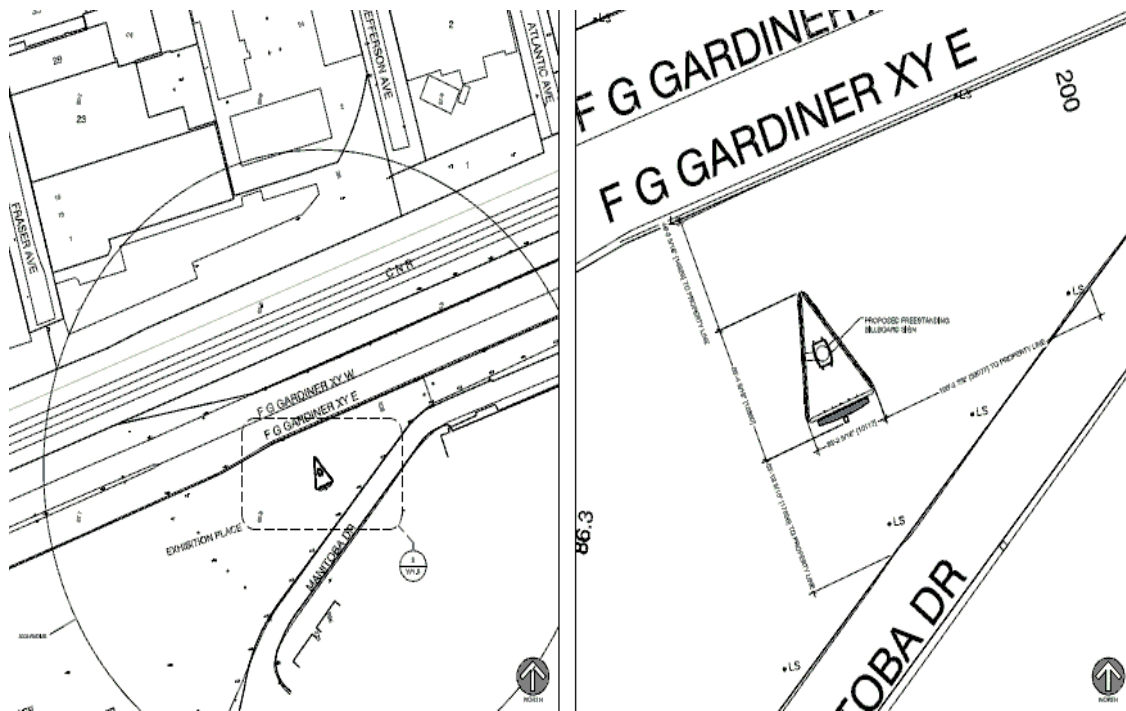
Confidential Attachment 1 to the report (March 4, 2009) from the Chief Executive Officer, Exhibition Place, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality or local board.

Confidential Attachment - The security of the property of the municipality or local board

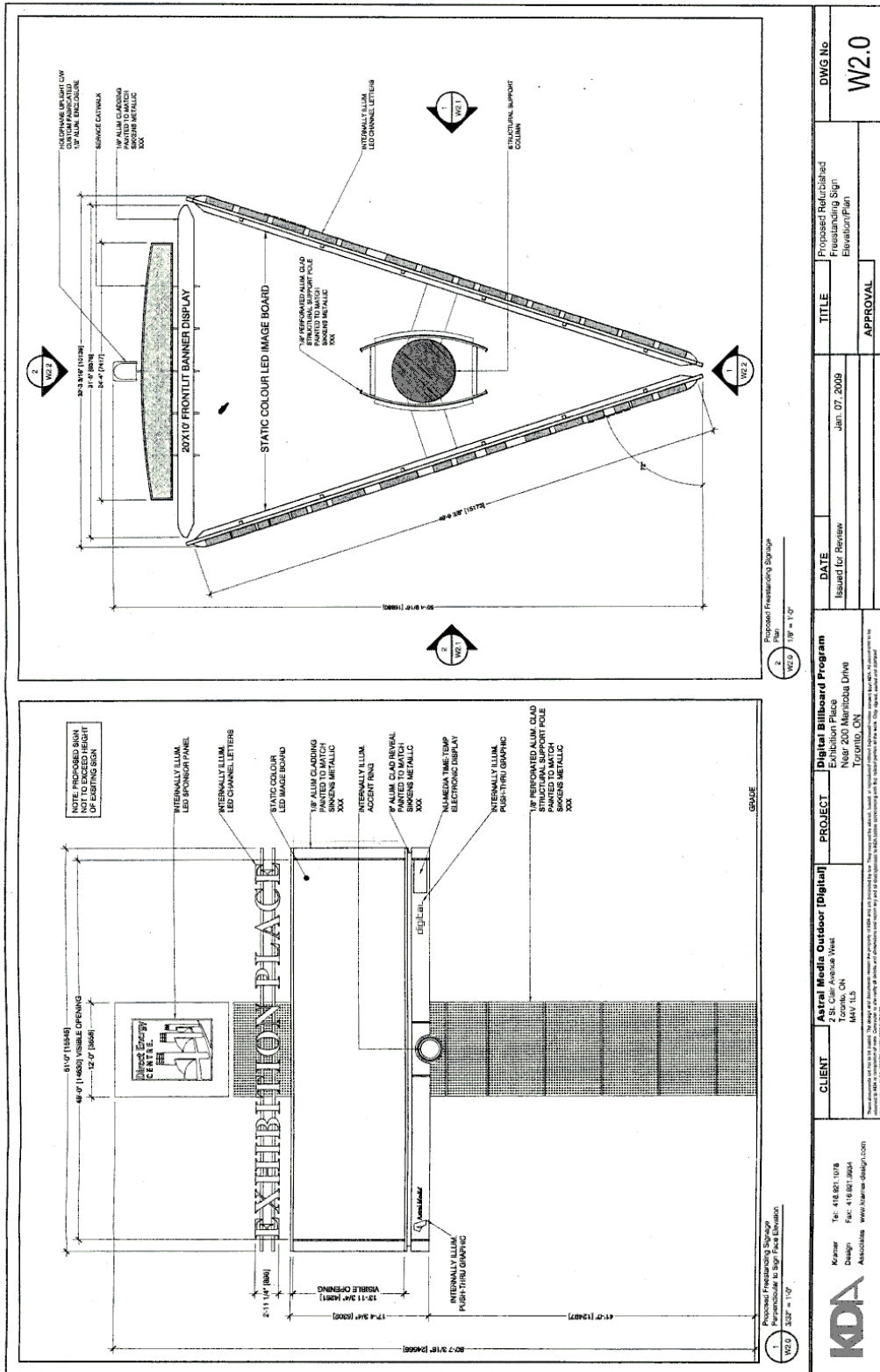
Background Information (Committee)

Agreement for Operation of Outdoor Billboard sign - Astral Media Outdoor L.P.
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgnd/backgroundfile-19996.pdf>)

Attachment 2: Site Plan



Attachment 3: Sign Details



Staff report for action – Sign Variance - 2 Strachan Ave

Attachment 5: Existing Sign Photo



Attachment 5: Proposed Sign Image

