

# TORONTO STAFF REPORT

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April 20, 2006

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Subject: City initiated repeal of By-law No. 13409, The University Avenue By-law and amending By-laws 13861, 14098, 14124, 15203, 15986, 16367, 17192, 19647, 19950, 19978, 20196, 20272, 20814, 21003, 22107, 22164, 22522, 22798, 48-79, 78-84, 270-81, 697-82, 312-83, 273-84, 598-85, 191-87, 1-88, 195-88, 801-88, respecting land fronting or abutting a portion of University Avenue  
06-128152 SPS 00 TM  
Ward 20, Trinity-Spadina  
Ward 27, Toronto Centre-Rosedale

## Purpose:

To review and make recommendations to repeal By-law No. 13409, The University Avenue By-law and amending bylaws 13861, 14098, 14124, 15203, 15986, 16367, 17192, 19647, 19950, 19978, 20196, 20272, 20814, 21003, 22107, 22164, 22522, 22798, 48-79, 78-84, 270-81, 697-82, 312-83, 273-84, 598-85, 191-87, 1-88, 195-88, 801-88, respecting land fronting or abutting a portion of University Avenue. Also, to amend Chapter 297, Signs, of the former City of Toronto Municipal Code to add restrictive exceptions as set out in Attachment 3 as a part of Section 11-B. The amendments to the Sign By-law will maintain and enhance University Avenue as a boulevard of distinction and dignity.

## Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

## Recommendations:

It is recommended that City Council:

- (1) repeal By-law No. 13409, The University Avenue By-law, including amending By-laws 13861, 14098, 14124, 15203, 15986, 16367, 17192, 19647, 19950, 19978, 20196, 20272, 20814, 21003, 22107, 22164, 22522, 22798, 48-79, 78-84, 270-81, 697-82, 312-83, 273-84, 598-85, 191-87, 1-88, 195-88 and 801-88 be approved respecting lands fronting or abutting University Avenue; and

- (2) Chapter 297, Signs, of the former City of Toronto Municipal Code be amended by adding restrictive exceptions for University Avenue for the area from Front Street to College Street as set out in Attachment 3.

Background:

Council originally passed The University Avenue By-law in 1931 under the statutory authority of the University Avenue Extension Act of 1928 (the “1928 Act”). The 1928 Act authorised the City to extend University Avenue from its (then) terminus at Queen Street West to Fleet Street and to regulate building materials and signs for front and flanking walls of any building on either side of University Avenue.

The original By-law No. 13409 contained the following provisions:

- created an Advisory Committee;
- restricted building heights to 53.34 m on a lot with one street frontage, 60.96 m on a lot with two street frontages and 76.20 m on a lot with three or more street frontages;
- imposed angular planes;
- required the base and front walls of buildings to be of grey or buff stone;
- required buildings to be built to the street line;
- prohibited projections;
- required the general scale of architectural treatment of all buildings to conform to one another;
- restricted signage; and
- restricted uses to the following: office buildings, government buildings, retail, hotels, theatres, clubs, institutional and educational buildings

There have been 19 amendments and a number of site specific amendments over the years to the original by-law. The objective of The University Avenue By-law was to maintain and enhance University Avenue as a boulevard of distinction and dignity and to maintain a sense of unity on the avenue. The current by-law contains the following provisions:

- for the area between Queen and College Street, the by-law requires that the exterior front and flanking walls be constructed of a light grey, buff or similar colour compatible with existing buildings on University Avenue;
- the By-law requires that the general scale of architectural treatment of all buildings shall be such that the buildings conform to each other;
- limits signage to a non-illuminated sign for identification purposes, either carved in stone or metal panel, not to exceed 0.56 m<sup>2</sup> in area; and
- signs related to the occupancy of the building are allowed provided they are located less than 15 feet above the sidewalk.

Comments:

Since adoption, the University Avenue By-law has guided development and over the years it has achieved its purpose in maintaining and enhancing University Avenue as a boulevard of distinction and dignity and has helped in maintaining a sense of unity on the avenue. There have been 19 amendments and a number of site specific exemptions to the By-law No. 13409. Many of these amendments have been necessary due to the change in architectural materials since 1931 and the construction of building of glass and steel, not masonry. In addition, many of the provisions of the By-law related to height and massing are in the former City of Toronto Zoning By-law 438-86. The University Avenue By-law can be repealed without sacrificing its originally intended purpose.

Section 41 of the Planning Act enables Council to deal with, among other things, the following aspects of proposed development on University Avenue (or any other lands subject to site plan control): the massing and conceptual design of the proposed building, the relationship of the proposed building to adjacent buildings, to streets, and to exterior areas to which members of the public have vehicular and pedestrian access, internal walkways, stairs and escalators, loading and parking facilities, external lighting, landscaping and garbage storage space. Currently the legislation specifically does not control signs, colour, texture and type of building materials and construction and architectural details.

Staff of Heritage Preservation Services have advised that they have no objection in repealing The University Avenue By-law. The City's Inventory of Heritage Properties currently lists 11 properties fronting or flanking onto University Avenue. Planning staff will continue to consult Heritage Preservation Services for all future development proposals on University Avenue to determine the impact of the proposal on the architectural heritage of the area. In addition, at the request of Preservation Services, Planning staff will work to identify funding for an appropriate heritage study.

The area on University Avenue from Front Street to Elm Street is zoned CR (mixed-use) and from Elm Street to College Street is zoned Q (institutional). In the CR Zone the sign provision of the Municipal Code permits a wide variety of signage including illuminated fascia signs for third party advertising purposes. These permissions are proposed to be restricted on University Avenue to protect its character as a grand boulevard. Within the 'Q' Zoning the same restrictions will apply with one additional restriction which is the prohibition of signs at the top floor of buildings. This additional restriction in the 'Q' Zone is critical to protect the institutional character of University from Elm to College and views to and from Queens's Park. It is appropriate that Chapter 297, Signs, of the former City of Toronto Municipal Code be amended by adding new restrictive exceptions modelled on the University Avenue By-law, for University Avenue from Front Street to College Street as set out in Attachment 3.

Conclusions:

Staff recommends that By-law No. 13409, The University Avenue By-law, including amending By-laws 13861, 14098, 14124, 15203, 15986, 16367, 17192, 19647, 19950, 19978, 20196, 20272, 20814, 21003, 22107, 22164, 22522, 22798, 48-79, 78-84, 270-81, 697-82, 312-83, 273-84, 598-85, 191-87, 1-88, 195-88, 801-88 be repealed.

Staff further recommends that Chapter 297, Signs, of the former City of Toronto Municipal Code be amended to accommodate new restrictive exceptions in Section 11-B as set out in Attachment 3 to limit signage along University Avenue from Front Street to College Street.

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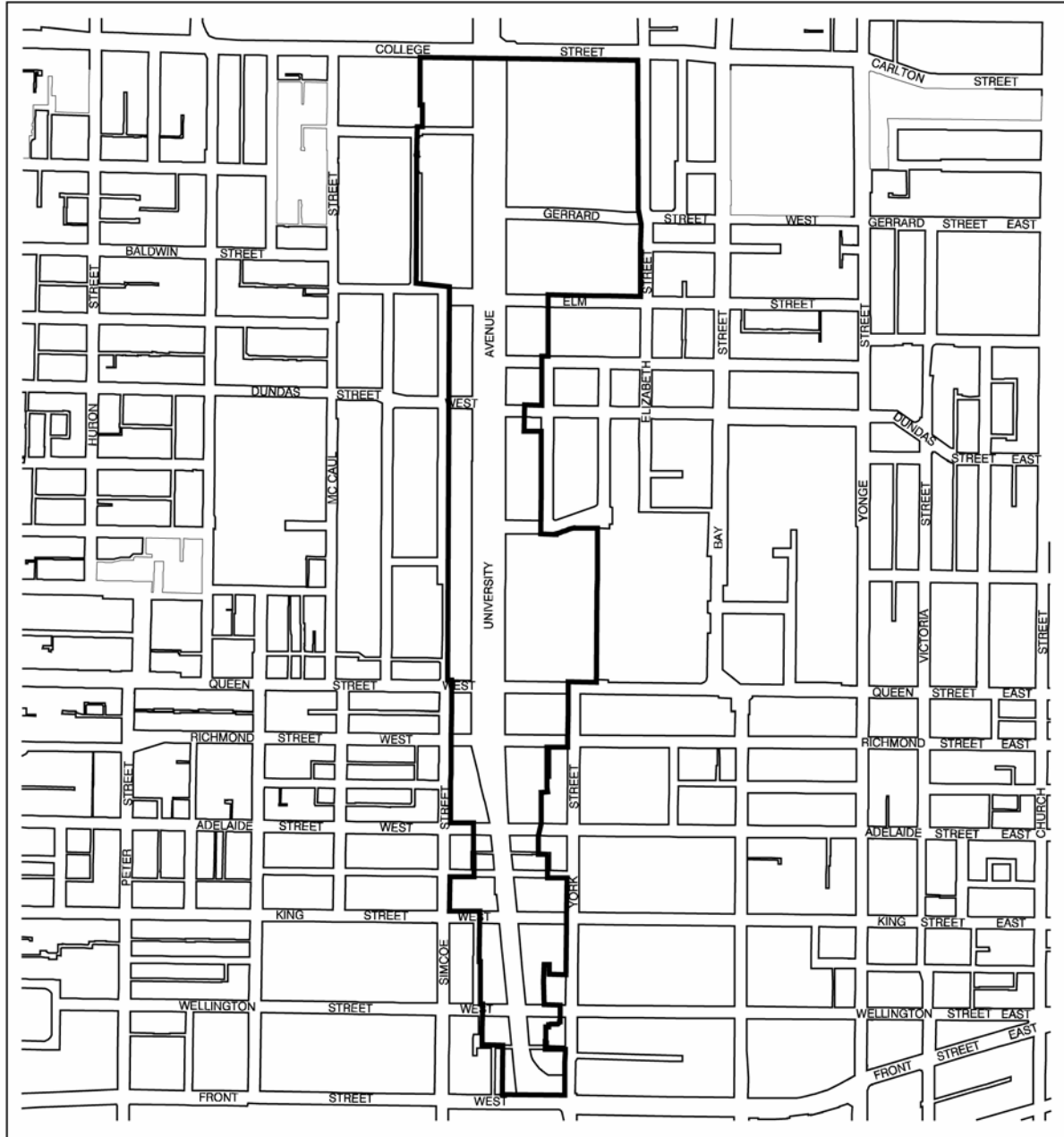
Gary Wright  
Director, Community Planning, Toronto and East York District

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List of Attachments

Attachment 1: Area Under Review (By-law 13409)  
Attachment 2: Lands Subject to the Provisions of By-law 13409  
Attachment 3: Restrictive Exceptions

**Attachment 1: Area Under Review (By-law 13409)**



**Area Under Review (By-Law 13409)**

File # 06\_128152



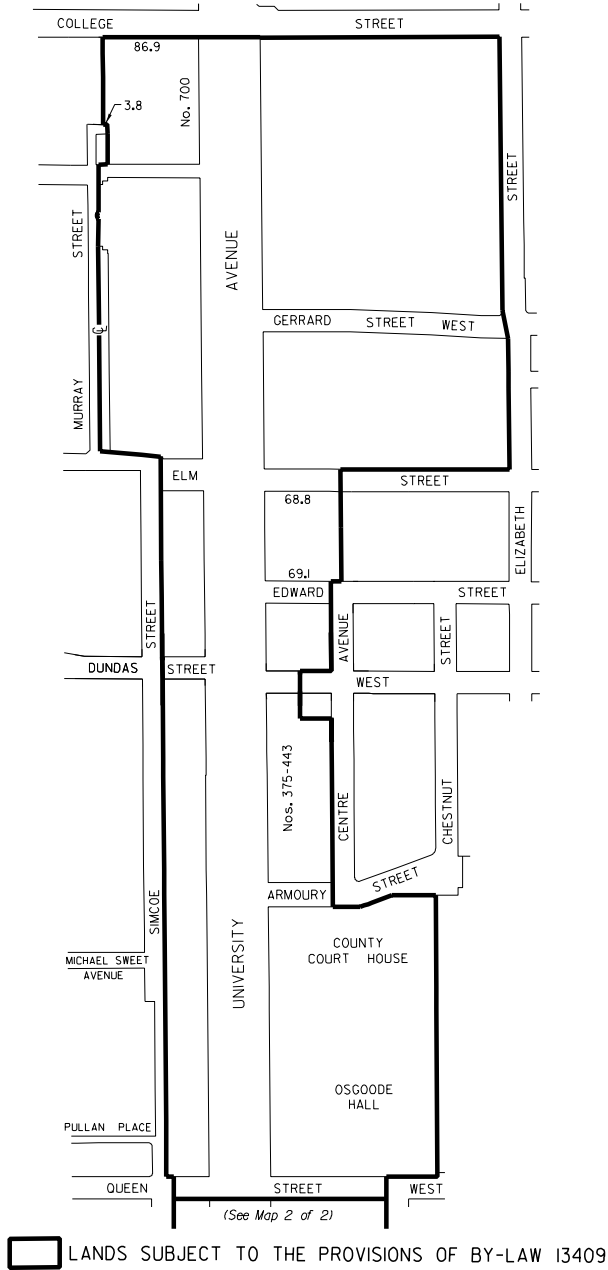
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### Attachment 2: Lands Subject to the Provisions of By-law 13409

Attachment No. 2

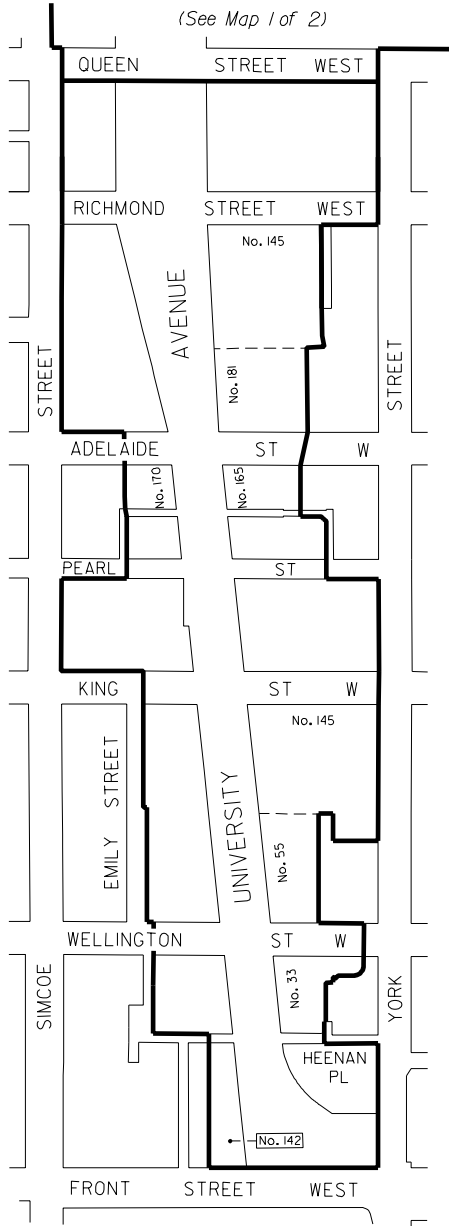
MAP 1 of 2



SURVEY AND MAPPING SERVICES  
TORONTO APRIL 2006  
SIGN06/11JJA1.DGN  
FILE# 2402.53-3  
MAP Nos. 50H-312,  
50H-313 DRAWN: VG

Attachment No. 2

MAP 2 of 2



SURVEY AND MAPPING SERVICES  
TORONTO APRIL 2006  
SIGN06/11JA2.DGN  
FILE: 2402\_53-3  
MAP Nos. 506-323 DRAWN: VG

### Attachment 3:

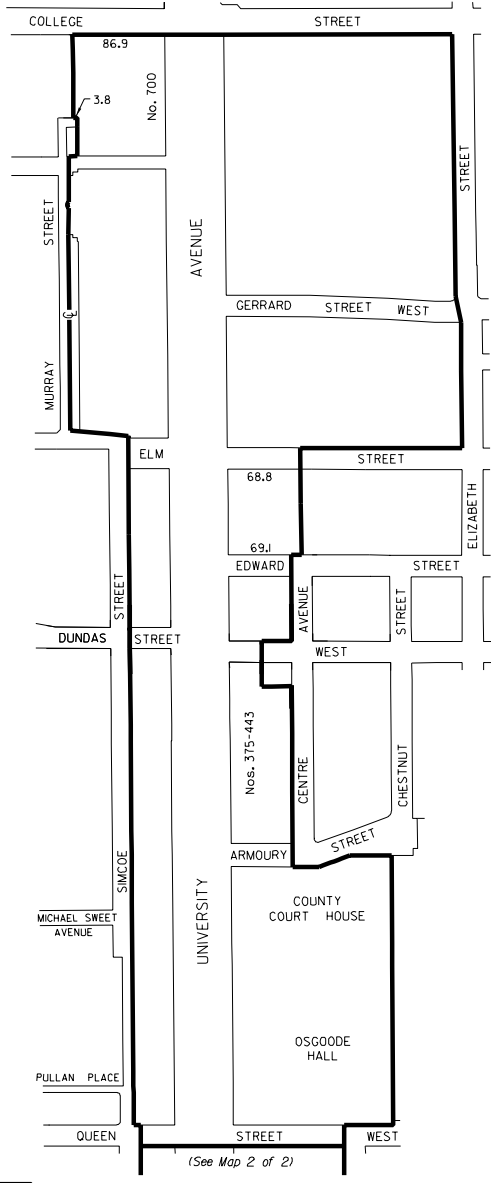
#### 11-JJ Restrictive Exceptions:

- A. The following exceptions shall prevail over Chapter 297-9 and Chapter 297-10, but only to the extent indicated. Unless otherwise indicated in the following exceptions, the signs permitted under this section shall also comply with the applicable provisions and general provisions in Chapter 297-9 and Chapter 297-10.
- B. No person shall, on any lot within the areas delineated by heavy lines on the maps 1 and 2 included in Schedule B at the end of this chapter, erect or display or cause to be erected or displayed:
- (1) A roof sign
  - (2) Signs for the purpose of third party advertising.
  - (3) Signs which rotate or which contain tri-vision panels, animated copy, changeable copy or electronic message display copy.
  - (4) Video Screen type sign.
  - (5) Box signs, for the purpose of building identification, located at the top floor or at the first floor level of the building.
  - (6) Signs extending above the top of a building.
  - (7) At the top floor level of the building, more than one building identification fascia sign located within the frontage of the lot, in the form of individual letters or corporate logo, indicating the nature of the non-residential occupancy or occupancies of the building except in the CR Zone portion of University Avenue, and provided the sign is:
    - (a) erected on a building having a height of more than 34 metres, measured from the level of the ground beneath or opposite the sign;
    - (b) located within the uppermost storey of the building or the parapet wall of the uppermost storey;
    - (c) not more than (3.0m) three metres in height; and
    - (e) not more than (25.0m<sup>2</sup>) twenty-five square metres in area.
  - (8) At the first floor level for the purpose of building identification, more than one illuminated or non-illuminated fascia sign, ground sign, a pedestal sign or a

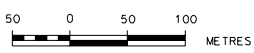
canopy sign within the frontage of the lot with an area of more than 2.5 square metres.

- (10) Business identification signs located more than 4.6m high from the grade or above first floor level of the building.
- (11) The aggregate area of the signs exceeds fifteen percent (15%) of the building face area of the first storey commercial unit.
- (12) Illuminated or non-illuminated boxed sign, fascia sign in the form of individual letters or back-lit canopy sign if not located on a wall that is part of the commercial unit that identifies a business within the building.

Attachment No. 3  
Chapter 297  
§297-11JJ  
MAP 1 of 2

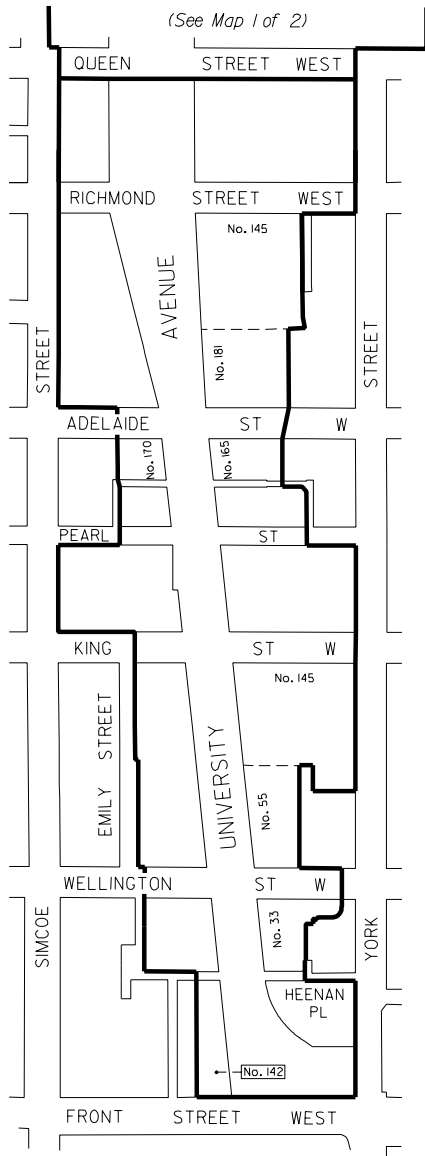


 LANDS SUBJECT TO RESTRICTIVE EXCEPTION 11JJ



SURVEY AND MAPPING SERVICES  
TORONTO APRIL 2006  
SIGN06/11JJ81.DGN  
FILE: 2402.53-3  
MAP Nos. 50H-312, 50H-313  
DRAWN: VG

Attachment No. 3  
Chapter 297  
§297-11JJ  
MAP 2 of 2



 LANDS SUBJECT TO RESTRICTIVE EXCEPTION 11JJ



SURVEY AND MAPPING SERVICES  
TORONTO APRIL 2006  
BLAD/11JJ82.DGN  
FILE: 2402.53-3  
MAP Nos. 506-323 DRAWN: VG