

Proposed Amendment to Chapter 694, Signs, General, With Respect to a Roof Sign at 291 Lake Shore Boulevard East

Date:	April 25, 2012
To:	Planning and Growth Management Committee
From:	Chief Building Official and Executive Director, Toronto Building
Ward:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	P:\2012\Cluster B\BLD\Chief Building Official Head Office\Pg12006

SUMMARY

This report recommends that Council approve a request by Michael Fox of Great Gulf (Downtown Properties) Limited to amend Chapter 694, Signs, General, of the City of Toronto Municipal Code, to display advertising copy on an existing roof-top sign structure located at 291 Lakeshore Boulevard East. The advertising copy is intended to be used in conjunction with the sales and marketing of a new residential condominium development to be located on the subject and on the abutting premises. The new residential condominium development is to be constructed by the Applicant acting as Licensee to the property owner, Waterfront Toronto.

The proposed roof sign:

- Would be illuminated;
- Would contain three sign faces:
 - One facing north-easterly, being 9.00 metres wide by 6.00 metres long;
 - One facing northerly, being 4.27 metres wide by 7.03 metres long; and,
 - One facing north-westerly, being 8.00 metres wide by 5.00 metres long;
- Would display static copy; and
- Would be at an overall height from grade of approximately 21.21 metres.

This report recommends that the Sign By-law amendment application be approved subject to a time limitation which would coincide with the commencement of the Pan/Parapan Games in 2015. Further, this amendment will result in the elimination of a large format roof sign from the Gardiner Expressway corridor.

RECOMMENDATIONS

The Chief Building Official and Executive Director, Toronto Building recommends that:

1. City Council approve the request to amend Schedule 'B' - Signage Master Plans and Area Specific Amendments, of Chapter 694, Signs, General, of the City of Toronto Municipal Code, to allow for one first party roof sign at the premises municipally known as 291 Lake Shore Boulevard East substantially in accordance with the administrative design features as set out in Attachment 1 to this report; and
2. The City Solicitor be authorized to prepare the necessary Bill for introduction in Council to implement the above recommendation subject to such stylistic and technical changes to the draft bills as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION BACKGROUND

New Sign Regulation and Revenue Strategy

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-24387.pdf>)

New Sign Regulation and Revenue Strategy: Additional Considerations

(<http://www.toronto.ca/legdocs/mmis/2009/cc/bgrd/backgroundfile-25449.pdf>)

Amendments to Chapter 694, Signs, General with respect to Signs for New Developments

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG8.4>)

ISSUE BACKGROUND

Chapter 694 and Roof Signs

Chapter 694, Signs, General (the "City-wide Sign By-law"), provides for individuals to apply for site-specific amendments to the by-law. The amendments function as site-specific provisions to the by-law and set out site or area specific regulations for the location, arrangement, type and design of signs. An applicant must apply for an amendment to Chapter 694 when proposing a sign that is prohibited by the Chapter.

The by-law [§694-15B(2)] prohibits roof signs. As such, the roof sign proposed by the applicant for 291 Lakeshore Boulevard East requires a site specific amendment to the by-law. Chapter 694 does not permit roof signs in order to avoid the negative visual impacts this type of sign creates.

Council recently enacted By-law No. 1382-2011 which introduced provisions to Chapter 694 for signage associated with the sales and marketing of new developments. These amendments do not allow for roof signs to be used for advertising new developments.

The purpose of the proposed amendment is to establish signage permissions for the site to allow the re-installation of a sign on an existing structure where permission for a sign had previously been granted. Approval of this subject proposal will permit the alteration of a historical non-conforming sign to allow a use more consistent with the City's current signage regime through the eventual elimination of the non-conforming sign. The sign has been inconsistent with the current signage vision of the City and of the pre-amalgamation municipalities for several decades.

COMMENTS

Character of the Immediate Area:

The subject property municipally known as 291 Lake Shore Boulevard East is located at the south-westerly corner of the intersection of Small Street and Lake Shore Boulevard East. It is a rectangular shaped parcel of land that is a *through* lot, fronting both Lake Shore Boulevard East and Small Street. The Gardiner Expressway passes by in an easterly-westerly direction to the immediate north of the subject premises perpendicular to the building. Both the building and sign structure located on the premises predate the construction of the Gardiner Expressway. Attachment 2 contains a Sign District Map excerpt of the subject property and the surroundings.

The property lies within the area now commonly known as East Bayfront (see Figure 1) which is bounded by Lower Jarvis Street, Lake Shore Boulevard East, Parliament Street and Lake Ontario. East Bayfront is under the control and ownership of Waterfront Toronto.

Figure 1: East Bayfront and Subject Site

Currently, there are other large format third party billboard signs in proximity to the subject sign proposed, for example:

1. Immediately to the rear of the subject property, on the same block, is a third party ground sign. The sign contains two sign faces, each displaying static copy and each approximately 100 square metres in sign face area. The sign is operated by Clear Channel Outdoor and is intended to attract attention to vehicles travelling along the Gardiner Expressway (see Figure 2);

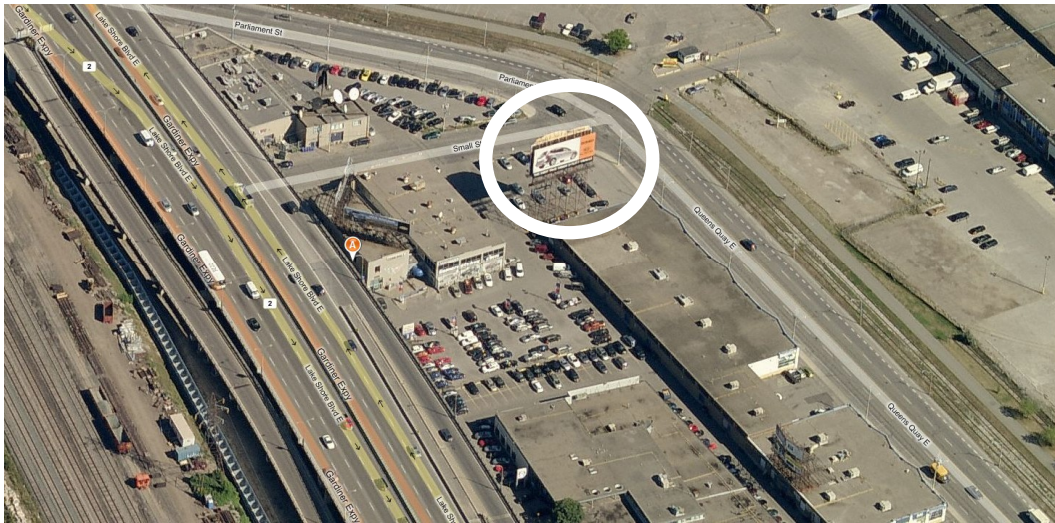


Figure 2: Clear Channel Outdoor Sign South of Subject Sign

2. On the north side of the Gardiner Expressway, approximately 230 metres to the north east, the property municipally known as 31 Parliament Street contains a third party roof sign. It contains two sign faces, each displaying static copy and each approximately 112 square metres in sign face area. The sign is operated by Pattison Outdoor and is also intended to attract attention to vehicles travelling along the Gardiner Expressway (See Figure 3); and



Figure 3: Clear Channel Outdoor Sign Northeast of Subject Sign

3. Further east of this sign is another third party ground sign located on a remnant parcel of land designated as an E-Employment sign district. This sign too contains two sign faces, each with static copy and each approximately 100 square metres in sign face area. The sign is operated by Clear Channel Outdoor and is intended to attract attention to vehicles travelling along the Gardiner Expressway (See Figure 4).

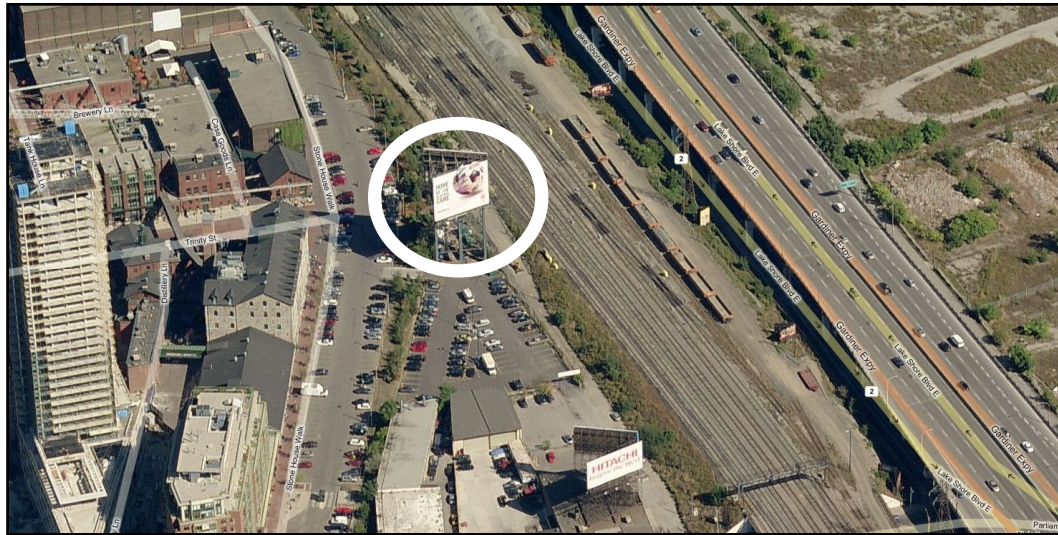


Figure 4: Clear Channel Outdoor Sign East of Subject Sign

Signage History:

The roof-top sign structure was erected at the same time that the building was constructed, in and around 1945. An aerial photograph from 1947 obtained from the City of Toronto Archives and provided as Attachment 3 to this report, shows a roof-top sign structure in place.

In 1980 an application was made to the former City of Toronto's Department of Buildings, by Urban Outdoor Inc., to *install a back-lit sign face on an existing sign structure*. The application was circulated to the Metro Roads and Traffic Department. Metro Roads and Traffic responded that the May 1, 1980 application was approved by the Metro Transportation Committee on May 5, 1980 and appears to have obtained approval from Metro Council on May 23, 1980. The report suggested that the sign be accepted as a legal non-conforming use and that the Commissioner of Roads and Traffic recommended that permission be granted to continue the use of the existing sign structure and sign thereon. Approved permit drawings describe one back-lit sign face, facing westerly, on an existing v-shaped steel structure, 12' by 60' in sign face area, located at the uppermost portion of the existing structure.

The current proposal by the applicant contemplates three sign faces, which is not consistent with the previous permission. As two of the sign faces have been removed for some time, it is the position of staff that replacing the faces would be a substantial

alteration to the sign and, as such, new approvals and permissions are required to be obtained, under the authority of Chapter 694.

Current Provisions for Signs:

Signs associated with the sales, marketing and promotion of new developments are an important part of the advertising of residential and commercial developments. Although these signs are often quite large, they tend to be displayed for a limited time, concurrent with the time that is required to sell and construct the respective development. As such, staff, working closely with BILD (the Building Industry and Land Development Association), brought forward amendments to Chapter 694 recognizing the industry's need to advertise and promote new developments through signage. The amendments, adopted by City Council on October 24, 2011 and effective on January 1, 2012, contain time-limited provisions because of the generally temporary nature of signage for this specific purpose. As such, and because the purpose of this amendment is similar in nature to signs associated with sales, marketing and promotion of new developments, a time-limited approval would be appropriate.

Transportation Services:

The Traffic Safety Section of Transportation Services was consulted with respect to the proposed amendment and the following comments were received from the General Manager:

The proposed sign is to be closer to the eastbound lanes of the Gardiner Expressway than any other sign in the immediate vicinity and approximately mid-way between the Jarvis street on-ramp and the ramps to Lake Shore Boulevard and the Don Valley Parkway. This particular segment of the eastbound Gardiner Expressway carries approximately 56,000 vehicles daily. Throughout this segment, there is considerable amount of lane changes as motorists direct themselves to either eastbound Lake Shore Boulevard or northbound Don Valley Parkway. In addition, motorists entering the eastbound Gardiner Expressway often complete lane changes throughout this segment to align themselves with their desired destination.

Any sign on the structure at this location, at eye level and in such close proximity to the travelled portion of the roadway, would appear enormous and would be directly in the line-of-sight for all eastbound motorists, making it an unavoidable distraction to motorists.

For these reasons, Transportation Services would not support the approval of an amendment to permit [permanent] signage on the structure at 291 Lake Shore Boulevard East.

Subsequent to the comments provided by Transportation Services, a number of meetings were held with Transportation Services, the Applicant and Waterfront Toronto. As an

outcome of the meetings, each of the three proposed sign faces of the proposed roof sign were significantly reduced in sign face area from what was originally proposed. As well, the Applicant requested that the percentage of text and the percentage of images on the sign faces be regulated, and conceded to a time-limited approval.

Following the revisions to the original proposal, and provided for as draft regulations in Attachment 1 to this report, staff can support the revised proposal as:

- The existing roof sign will permanently be removed from the landscape; and
- The distraction to motorists travelling along the F. G. Gardiner Expressway would be mitigated through a reduction of the sign face area and control of the sign copy being displayed of each of the three proposed sign faces on the existing roof-top sign structure.

Plans and Renderings:

In support of the amendment application, to provide for three new sign faces on an existing roof-top sign structure for the purposes of sales and marketing of new developments within the East Bayfront area of the Toronto waterfront, the Applicant has provided covering letters along with plans, renderings and photographs describing the proposed sign in the context of the immediate area, provided in Attachment 4 to this report.

CONCLUSION

Approval of the amendment to permit the proposed sign in accordance with the provisions outlined in the report is recommended as it will resolve permanently the status of the existing roof-top sign structure on the building on the property at 291 Lake Shore Boulevard East. It will support the sales and marketing of a new development to be located within the new East Bayfront community of the revitalized Toronto waterfront, for a limited time period; the proposed time-limited permission is commensurate with the commencement of the 2015 Pan/Parapan American Games; and, it will see the eventual elimination of a large format roof sign from the Gardiner Expressway corridor.

CONTACT

Robert Bader
Supervisor, Variance, Tax & Permits
Sign By-law Unit, Toronto Building
Tel: (416) 392-4113
E-mail: rbader@toronto.ca

SIGNATURE

Ann Borooah
Chief Building Official and Executive Director
Toronto Building

ATTACHMENTS

1. Administrative Design – Sign By-law Amendment for 291 Lake Shore Boulevard East
2. Excerpt – Sign District Map
3. Aerial Photograph – Circa 1947 (Source: City of Toronto Archives)
4. Applicant's Submitted Plans and Renderings