



STAFF REPORT ACTION REQUIRED

Proposed Area Specific Amendments to Chapter 694, Signs, General, with Respect to Third-Party Ground Signs located on the Premises Municipally Known as 114 Church Street, 20 Lombard Street, 133 Queen Street East, and 11 Centre Avenue

Date:	April 26, 2012
To:	Planning and Growth Management Committee
From:	Chief Building Official & Executive Director, Toronto Building
Wards:	Ward 27 & Ward 28 (Toronto Centre-Rosedale)
Reference Number:	P:\2012\Cluster B\BLD\ PG12007

SUMMARY

This report reviews and makes recommendations on a request by Sid Catalano of Pattison Outdoor Advertising LP, ("The Applicant") to legalize ten existing four-sided ground signs ("pedestal signs") and erect one new pedestal sign on properties located at 11 Centre Avenue; 133 Queen Street East; 114 Church Street; and, 20 Lombard Street.

This report recommends refusal of the requested amendments to Chapter 694 as the third-party ground signs at each of the locations are:

- not permitted in the sign district;
- contravene numerous provisions of Chapter 694;
- contribute as an additional distraction to drivers, pedestrians and cyclists; and,
- do not enhance the character of the area at which they are proposed.

RECOMMENDATIONS

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

1. Council refuse the request to amend Chapter 694 to allow for the display of one illuminated third-party ground sign, containing four sign faces, each face 1.22 metres wide by 1.83 metres long, at the north-easterly corner of the premises municipally known as 133 Queen Street East;

2. Council refuse the request to amend Chapter 694 to allow for three third-party ground signs, each containing four sign faces, each face 1.22 metres wide by 1.83 metres long and at a height of 4.26 metres, one to be located at the approximate mid-point of the northerly property line of the premises, one at the south-westerly corner of the premises and one located at the at the south-easterly corner of the premises municipally known as 114 Church Street;
3. Council refuse the request to amend Chapter 694 to allow for three third-party ground signs, each containing four sign faces, each face 1.22 metres wide by 1.83 metres long and at a height of 4.26 metres, two of which are to be located along the northerly property line and one along the southerly property line at the premises municipally known as 20 Lombard Street; and,
4. Council refuse the request to amend Chapter 694 to allow for four third-party ground signs, each containing four sign faces, each face 1.22 metres wide by 1.83 metres long and at a height of 4.26 metres, each at the north-easterly, north-westerly, south-easterly and south-westerly corners of the parking lot at the premises municipally known as 11 Centre Avenue.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

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>)

ISSUE BACKGROUND

As part of the regulations contained in Chapter 694, there is the ability for individuals to obtain site-specific amendments to properties. These amendments are intended to set out specific regulations for the location, arrangement, type and design of signs for a specific location or area.

Each of 114 Church Street, 133 Queen Street East and 20 Lombard Street are designated as a CR-Commercial Residential Sign District; and, 11 Centre Avenue is designated as a CHNPS-SSD – City Hall Nathan Phillips Square Special Sign District. As third-party ground signs are not permitted in a CR-Commercial Residential Sign District, or the

CHNPS-SSD – City Hall Nathan Phillips Square Special Sign District, such signs could only be permitted by the adoption of site-specific amendments to Chapter 694.

The specific form of third-party ground signs which are the subject of the current application, have become known as "pedestal signs". In the City of Toronto, these "pedestal signs" have been erected in two different forms, the "Old-Format Pedestal Sign" (Figure 2) and the "New-Format Pedestal Sign" (Figure 1). However, both Old-Format Pedestal Signs and New-Format Pedestal Signs possess similar attributes, including the following:

- Primarily located in conjunction with a surface-level commercial parking lots;
- Pedestrian oriented in size and scale;
- Contain four sign faces, each sign face measuring 1.22 metres in width by 1.83 metres in length;
- Erected at a height of approximately 4.26 metres;
- Sign faces illuminated from behind (back-lit) and from above (down-lit); and,
- Containing secondary or incidental sign faces above each of the four main sign faces.

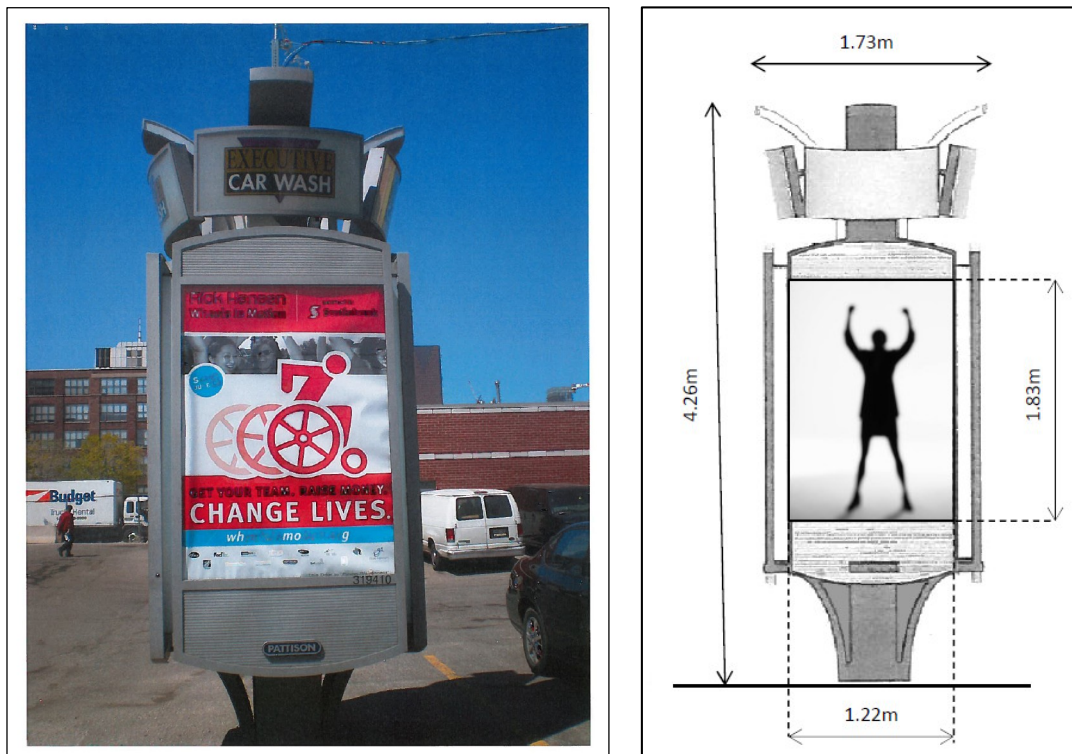


Figure 1 - New-Format Pedestal Sign (Photo and Rendering)



Figure 2 - Old-Format Pedestal Sign (Photo)

Prior to April 2, 1996, the former City of Toronto permitted some properties to display "Pedestal Signs". However, the former City of Toronto Council amended its signage regulations (Chapter 297 of the Municipal Code of the Former City of Toronto) to prohibit third party ground signs, including "Pedestal Signs" on various types of properties. This amendment applied to 114 Church Street, 133 Queen Street East and 20 Lombard Street.

The premises at 11 Centre Avenue was subject to City of Toronto By-law No.265-86 and No. 16825 (the "Civic Square By-Law"). Although an application for a Sign Permit to erect and display two third-party ground signs was made in 1989, due to the applicable signage regulations the application for a permit was refused. Subsequent to the permit refusal in 1989, four third-party ground signs were erected and displayed without the required permits.

A sign permit was issued in 1995 (Permit No. 95-016311) to permit the erection and display of a single third-party ground sign at 133 Queen Street East, near the north-east corner of the property. However, Permit No. 95-016311 specified an Old-Format Pedestal Sign, which has since been removed. Two (2) New-Format Pedestal Signs have been erected and are currently displayed without the required permits.

The signs which are currently located at 114 Church Street and 20 Lombard Street were erected at the time of previous applications and did not comply with the requirements of

the Sign Bylaw which applied to these premises at the time. The Applicant sought to obtain variances to allow the issuance of sign permits for the replacement of Old-Format Pedestal Signs with New-format Pedestal Signs. At its meeting of February 9, 2010 Toronto East York Community Council refused the requests for variances put forth with respect to 114 Church Street and 20 Lombard Street (at the time identified as 44 Victoria Street). As a result of the decision to not grant the variances required for the signs, no sign permits were applied for.

Based on this history, it is the position of staff that all of the existing signs at each of the subject premises are signs that are currently displayed without required permission. As a result, the Sign By-law Unit has commenced enforcement action and issued Notices of Violation under Chapter 694 on these signs.

COMMENTS

Signage Proposal:

The Applicant requests:

- On behalf of David Klein (Group Portfolio Inc.) with respect to 11 Centre Avenue, a site-specific amendment to permit four existing signs to continue to be erected and displayed;
- On behalf of Max Kay (141 Queen Street East) with respect to 133 Queen Street East, a site-specific amendment to permit one existing sign to continue to be erected and displayed;
- On behalf of Jeff Shumacher (Church Richmond Holdings Ltd.) with respect to 114 Church Street, a site-specific amendment to permit three existing signs to continue to be erected and displayed.
- On behalf of David Klein (Metropolitan Parking Toronto Inc.) with respect to 20 Lombard Street, a site-specific amendment to permit three existing signs to continue to be erected and displayed.

In total, the Applicant requests that Council amend Chapter 694 to provide permission for 11 illuminated third-party ground signs on these four premises, each with four sign faces, and each displaying static copy. Each sign face is 1.22 metres wide by 1.83 metres in length, or 2.23 square metres (m²) in sign face area for a total of 8.92 square metres of sign face area per structure.

The proposed signs are not consistent with numerous provisions contained in Chapter 694 respecting third-party signs, including:

- The separation requirements to other third-party signs;
- The maximum number of ground signs permitted on each frontage of a premises;
- The maximum number of sign faces permitted on a third-party ground sign; and

- The minimum distance requirements that a sign must be to respective property lines and/or street intersections.

Third-party ground signs in CR-Commercial Residential Sign Districts are not permitted. The general regulations for third-party signs contained in Chapter 694, Signs, General, require a minimum of 100 metres between any two third-party signs. All of the proposed signs at each of the premises described in this report would be less than 100 metres from existing third-party signs as well as from each other.

It should also be noted that in sign districts where third-party ground signs are allowed, they are only permitted a maximum of two sign faces. Each of the third-party ground signs in this proposal would have four sign faces. Also, any additional ground signs, particularly signs containing four sign faces, contribute to the sign clutter which already exists at these locations.

Of particular note is the application at 11 Centre Avenue which is located in the City-Hall Nathan Phillips Square Special Sign District. This sign district does not permit any third-party signs to be erected and is generally intended to be free of advertising. More specifically, the by-law states that illuminated pedestal signs for third-party advertising are not permitted, which is what is being proposed by the Applicant.

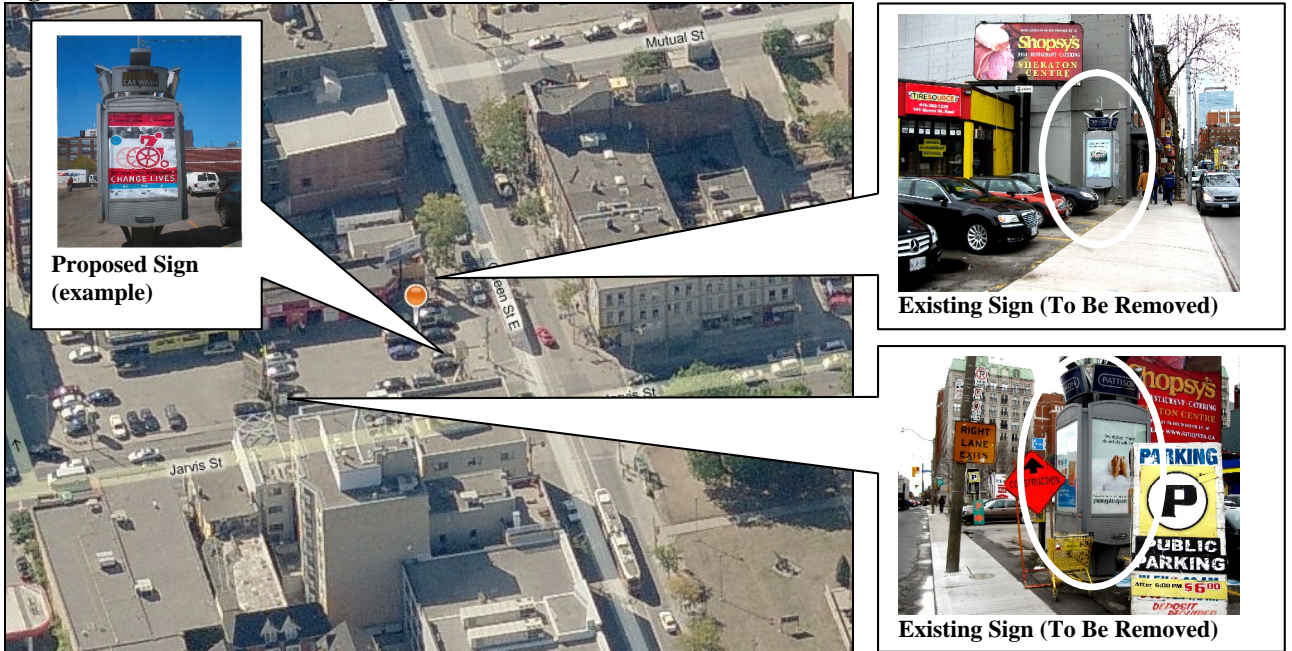
133 Queen Street East

The property municipally known as 133 Queen Street East is located at the south-west corner of the intersection of Queen Street East and Jarvis Street. There is a one-storey building on the west side of the property which operates as an auto-repair facility called "City Auto Services." The remainder of the property is a surface-level commercial parking lot.

The Applicant's proposal is to remove two existing ground signs currently being displayed without the necessary permits, and erect one third-party ground sign in the north-easterly corner of the property, set back 0.6 metres from the easterly property line.

Presently, there is one third-party ground sign in the north-west corner of the property, almost directly above an existing pedestal sign which is intended to be removed by the Applicant. There is also one third-party ground sign displayed on the property immediately south approximately three metres away from the other existing pedestal sign also intended to be removed by the Applicant. It should also be noted that there are multiple first-party signs being displayed on the building and in the parking lot which contributes further to the sign clutter on the premises.

Figure 3 - Overhead view of 133 Queen Street East



The intersection of Queen Street East and Jarvis Street is a well-used pedestrian and vehicular oriented area, with considerable traffic on any given day. The proposed sign is to be located closer to the intersection and may contribute to driver, cyclist and pedestrian distraction.

114 Church Street:

The property municipally known as 114 Church Street consists of a surface-level commercial parking lot at the north-west corner of Church Street and Lombard Street, which extends northward into the property municipally known as 59 Richmond Street East.

There is a residential apartment building immediately west of the parking lot across a laneway, with windows on the building only seven metres away from one of the illuminated ground signs. This could result in light shining into the residential units of this building.

These are well-used pedestrian and vehicular-oriented areas, with considerable traffic on any given day. The three signs proposed to be retained may contribute to driver, cyclist and pedestrian distraction.

The pedestal sign along with north frontage, at 59 Richmond Street East, is in close proximity to an existing third-party ground sign, located approximately 18 metres to the east. It is also near several first-party ground signs directing traffic to the entrance to the parking lot both to the east and to the west of the sign. Permitting the existing four-sided ground signs to remain contributes to the sign clutter which exists at this location.

Figure 4 - Overhead view 114 Church Street



20 Lombard Street:

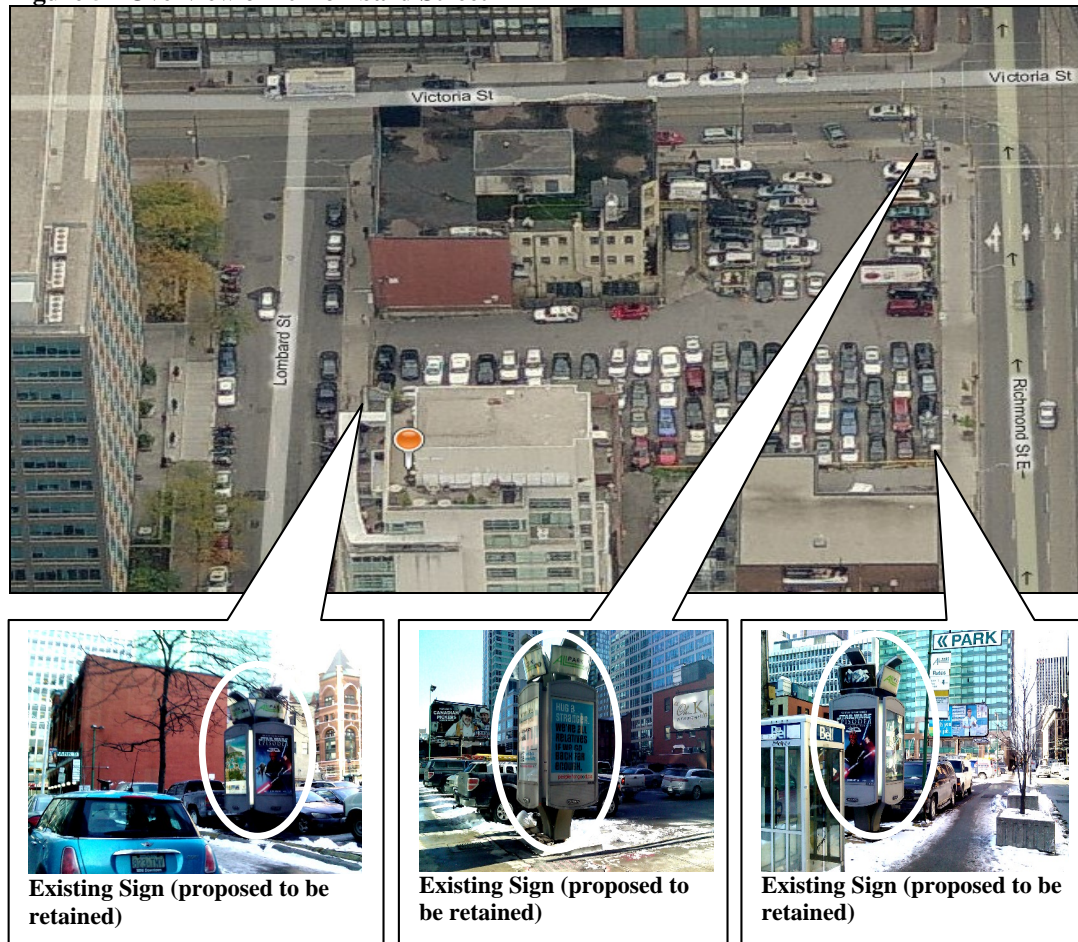
The property municipally known as 20 Lombard Street is a surface level commercial parking lot located at the south-east corner of Richmond Street East and Victoria Street, which also extends southward to Lombard Street. There are residential apartment buildings located at the west side of Victoria Street, the south side of Lombard Street, and the north side of Richmond Street East, as well as multiple commercial buildings surrounding the parking lot.

The Applicant has applied for amendments to continue to display three pedestal signs in the parking lot, which currently are currently being displayed without valid sign permits.

There are two third-party ground signs (1 single-sided and 1 double-sided) located in the north section of the parking lot. Two of the pedestal signs are located less than 25 metres

from these signs. The pedestal sign located at the Lombard Street frontage would also be less than the required 100 metres from existing third-party signs.

Figure 5 - Overview of 20 Lombard Street



These proposed third-party ground signs also have an impact on the surrounding residential buildings as:

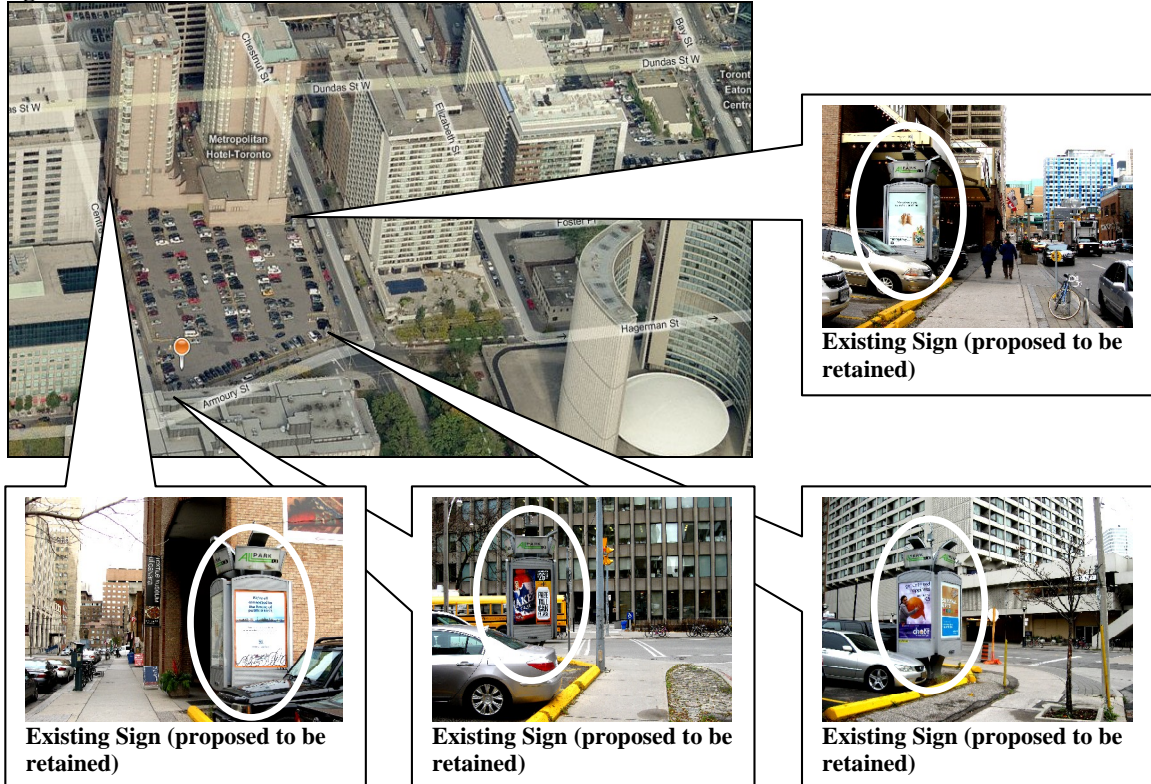
- One of the pedestal signs is displayed approximately 25 metres away from the building to the west of the parking lot;
- One of the pedestal signs is approximately 25 metres away from the building to the south; and,
- One of the pedestal signs is approximately 23 metres away from the building to the north, potentially causing a problem for residents whose windows face these signs.

There is also a concern that any additional signage in this area may contribute to driver, cyclist and pedestrian distraction.

11 Centre Avenue:

The property municipally known as 11 Centre Ave is a surface level commercial parking lot located on the north side of Armoury Street, between Centre Avenue and Chestnut Street. This parking lot is surrounded by commercial and residential buildings, and is located approximately 50 metres north-west of City Hall / Nathan Phillips Square. This property is located within the CHNPS (City Hall – Nathan Phillips Square) Special Sign District, which does not permit any third-party signs.

Figure 6 - Overview of 11 Centre Avenue



Granting an amendment to Chapter 694 to allow for the ongoing display of third-party signs in this Special Sign District is contrary to the intent of the Sign Bylaw, which is to keep the space free and clear of advertising.

Based on the above review of each of the locations and the proposed sign types, staff does not recommend the approval of the requested Sign By-Law Amendments.

CONTACT

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SIGNATURE

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