

**Amendments to Chapter 694, Signs, General, with
Respect to the Gardiner Gateway Special Sign District**

Date:	June 3, 2014
To:	Planning and Growth Management Committee
From:	Chief Building Official and Executive Director, Toronto Building
Wards:	14 – Parkdale-High Park & 19 – Trinity-Spadina
Reference Number:	PG14003

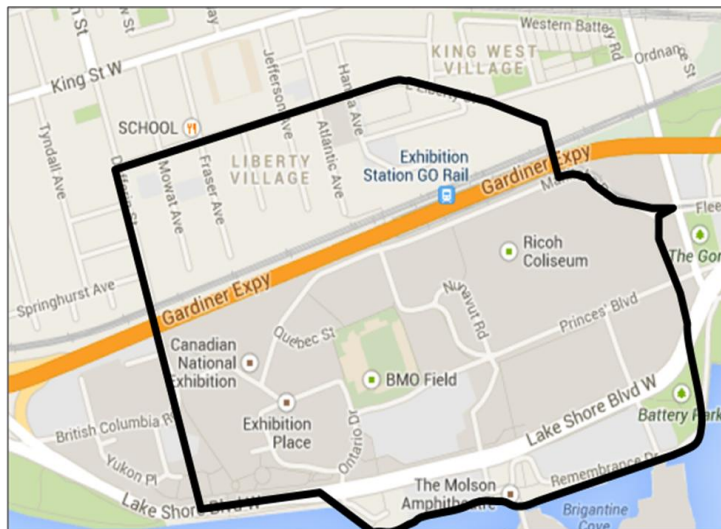
SUMMARY

This report reviews and recommends changes to regulations that apply to the Gardiner Gateway Special Sign District ("GG-SSD") as defined by Chapter 694 of the Municipal Code, Signs, General ("Chapter 694"). The proposed changes include reducing the area of the GG-SSD, updating the sign district designations of properties within the GG-SSD, as well as modifying the regulations to reduce the impact of large-format third party signs displaying electronic sign copy on sensitive land uses within or near the GG-SSD.

The Planning and Growth Management Committee, at its April 10, 2014 meeting, directed staff to report back on amendments to Chapter 694 required to eliminate the GG-SSD. In response to this direction, staff conducted two public consultation sessions inviting area residents, business and property owners, elected officials, and other stakeholders to participate.

Based on the consultation, staff are recommending amendments that would address many of the impacts

Figure 1: Key Map – Gardiner Gateway Special Sign District



signs in the area have on nearby sensitive land uses through modifications to the regulations and boundaries of the GG-SSD instead of its complete elimination. As well, maintaining the GG-SSD will allow for the modification or replacement of existing signs into more modern signs which have fewer impacts on surrounding land uses.

RECOMMENDATIONS

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

1. City Council adopt the proposed changes respecting the boundaries, illumination requirements, time-of-day operating requirements, and separation distance requirements for third party electronic signs located in the Gardiner Gateway Special Sign District, as outlined in the Draft Bylaw contained in Appendix 1 to this report;
2. City Council amend Chapter 694, Signs, General, to establish each of the premises described in Appendix 2 to this report as an OS-Open Space Sign District, C-Commercial, E-Employment and R-Residential by replacing Sign District Maps Ward 19: Trinity-Spadina and Ward 14: Parkdale-High Park of Schedule A, Maps, with maps substantially similar to the maps attached as Appendix 3 to this report; and,
3. The City Solicitor be authorized to prepare the necessary Bills for introduction in Council to implement the above recommendations, subject to such stylistic and technical changes to the draft by-laws as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Request to Eliminate the Gardiner Gateway Special Sign District
(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG32.11>)

ISSUE BACKGROUND

The GG-SSD was established when Chapter 694 was enacted in 2010, as a Special Sign District where the numerous large-format third party advertising signs, several with electronic static or electronic moving sign copy, were identified as a distinguishing feature that set the area apart from other areas of the city. Through consultation during the development of Chapter 694, the area was identified as a 'gateway' to the downtown area.

Currently, signage is an identifying feature of the area where legally existing third party ground signs containing any electronic static or electronic moving sign copy may be converted or replaced with a sign containing electronic static copy. This authority is intended to allow for the improvement or replacement of existing signs, while also responding to the changing nature of the area as any sign that takes advantage of the conversion regulations would be subject to the regulations of Chapter 694, including a five-year sign permit and a review of the surrounding land uses.

With the continued re-development of Liberty Village, there has been a significant increase in residential uses in and around the GG-SSD. As the location of these residential uses are in close proximity to the existing large-format third party signs, some area residents have complained that brightness levels have a negative impact on their lives, particularly at night.

At its April 2014 meeting, the Planning and Growth Management Committee directed staff to report back with amendments to Chapter 694 required for the elimination of the GG-SSD.

In preparation for the report back to Planning and Growth Management, two consultation sessions were held to give residents and other stakeholders an opportunity to provide feedback on the elimination of the GG-SSD.

Staff prepared invitations to the initial public consultation session and sent out approximately 3,800 letters via Canada Post and personally delivered invitations to condominium buildings in Liberty Village. In addition, notice of these meetings was posted on bulletin boards throughout the community to try and provide maximum awareness of the consultations to area residents and interested parties.

The two consultation sessions were held in the Liberty Village area on the evenings of May 5th and May 14th, 2014. Approximately 25 people attended the sessions, mostly local business operators, land owners and sign owners.

COMMENTS

Currently, third party signs containing electronic static copy are permitted in the GG-SSD subject to the following requirements:

- The sign must be a ground sign;
- The maximum sign face area shall not exceed 50.0 square metres;
- The maximum height shall not exceed 15.0 metres;
- The new sign must replace an existing sign that displayed electronic static or electronic moving sign copy; and
- The new sign must have the same number of faces as the sign it is replacing.

Changes to regulations in Chapter 694 cannot be applied retroactively; therefore, any sign which lawfully existed prior to the enactment of Chapter 694, or an amendment to Chapter 694 coming into effect, are permitted to remain until such a time as they are removed, or substantially altered.

There are currently 25 third party signs in the subject area, only four of which have had permits issued under Chapter 694. As a result, 21 signs (approximately 85%) can remain in place indefinitely unless the sign is replaced or substantially altered. The remaining four signs (approximately 15%) are subject to the regulations under Chapter 694. One of the four signs was granted an amendment which included 15-year permission. The remainder are valid for five years.

Throughout the public consultation meetings, those in attendance suggested that only a small number of signs, mainly located on the south side of the Gardiner Expressway, have had a negative impact on the residential properties in the GG-SSD. All of the signs south of the Gardiner Expressway that are in the GG-SSD pre-date Chapter 694 and can remain in place indefinitely unless they are modified.

Staff heard very few comments about the impact that signs on the north side of the Gardiner Expressway have on adjacent residential properties. These signs face south-east or south-west, generally away from residential buildings and other sensitive land uses and four of the existing signs displaying electronic static sign copy have been constructed in accordance with the requirements in Chapter 694.

The GG-SSD also contains a portion of Ontario Place and other properties directly abutting the shoreline of Lake Ontario. These areas are largely parklands and/or recreational uses, where third party signs displaying electronic static or electronic moving sign copy have not existed in the past, and generally would not be compatible with the surrounding properties.

After reviewing plans for the area around the GG-SSD, and the feedback provided by the public consultation sessions, it is proposed that the GG-SSD be partially eliminated and that the boundaries be modified to exclude the portions adjacent to Ontario Place and the shoreline of Lake Ontario as well as properties to the north that do not currently contain any third party signs with electronic static or electronic moving sign copy.

As well, it is proposed that the regulations be modified to restrict the hours of operation and illumination for signs in specific portions of the GG-SSD, and that the Sign District designations of properties within the GG-SSD be updated to reflect the current uses.

Should Council choose to completely eliminate the GG-SSD, staff suggest that they be asked to report back in 2015 with appropriate regulations and a possible phasing-out of the GG-SSD. This approach would allow for sign owners and businesses to plan for any changes to regulations that may be adopted.

Modified Boundaries:

As mentioned above, the GG-SSD currently contains portions of Ontario Place and properties directly abutting Lake Ontario containing the Waterfront Trail. These areas of the GG-SSD are parkland and contain recreational uses and do not contain any third party signs displaying electronic static or electronic moving sign copy that would benefit from the regulations allowing upgrades to signs displaying electronic static or electronic moving sign copy that apply to the GG-SSD.

In February 2012, the Ontario government announced the partial closure of Ontario Place to move forward with revitalization, which will be carried out in phases. The first step is a large park and trail system scheduled to open in 2015. One of the key elements is that any development should respect and enhance the natural surroundings and protect sightlines to the waterfront.

It is proposed that the boundaries of the GG-SSD be modified to exclude properties along Lake Shore Boulevard West and Ontario Place as well as properties just south of East Liberty Street as shown in Figure 2.

Figure 2: Current Boundaries of GG-SSD (left) and Proposed Boundaries for GG-SSD (right)



The properties which would be excluded from the GG-SSD are proposed to be re-designated as OS-Open Space, E-Employment and C-Commercial in keeping with current land uses in the area and the future plans for Ontario Place. Although the properties to be re-designated as C-Commercial and E-Employment will still have the ability to display third-party signs, the signs could not display electronic static sign copy. As well, third party signs will no longer be permitted along the lake shore, as they are not a permitted sign class in OS-Open Space sign districts (see Figure 4 below).

Re-Designation of Properties within the GG-SSD

In addition to modifications to the regulations, this report proposes that several properties which were vacant properties within the GG-SSD be re-designated to reflect the current uses.

These locations include a series of properties that are directly north of the rail corridor which are proposed to be re-designated as 'U', as well as a formerly vacant property at the base of Hanna Avenue that has been redeveloped into a large condominium building proposed to be re-designated as 'R'. See properties outlined in Figure 3 below.

Figure 3 – Properties inside the GG-SSD proposed to be Re-Designated



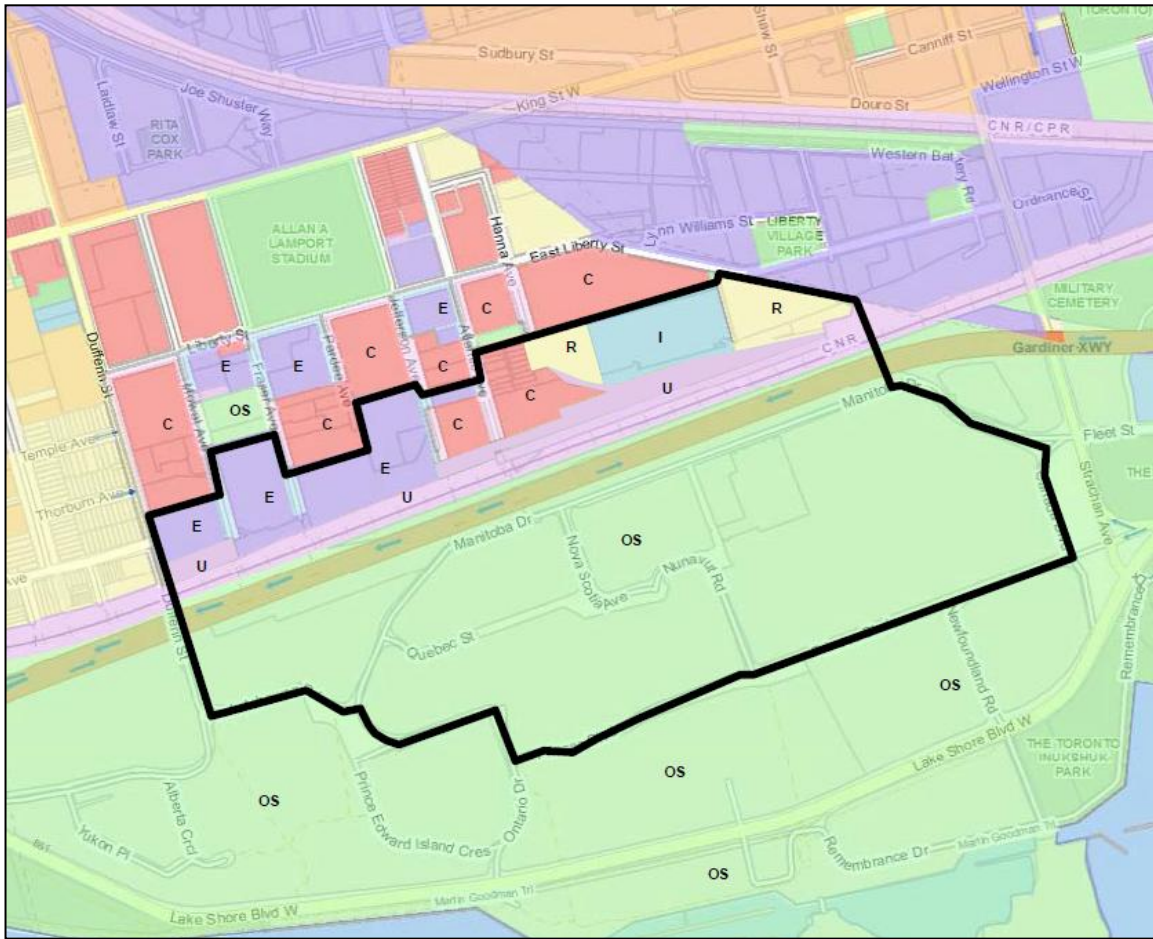
Modified Regulations

It is proposed that the conversion of existing ground signs containing electronic sign copy into new ground signs displaying electronic static sign copy continue to be permitted in areas where signs currently exist in accordance with the current regulations in Chapter 694.

Unlike the other areas in the city, where signs are restricted to operating only during business hours or between the hours of 7:00 a.m. and 11:00 p.m., signs in the GG-SSD are allowed to operate 24 hours per day. It is proposed that restrictions on the hours of operation and illumination be introduced to the areas of the GG-SSD containing signs that appear to have the greatest impact on nearby sensitive land uses.

For all signs located in properties designated with an R, I, or OS on Schedule A within the GG-SSD, it is proposed that the hours of illumination be reduced to 7:00 a.m. to 11:00 p.m. See Figure 4 below. This is consistent with the illumination requirements for signs in other areas of the city.

Figure 4: Proposed modified GG-SSD and Surrounding Properties



With sign copy changing as frequently as every ten seconds, it is proposed that a replacement sign displaying electronic static sign copy located within 250 metres of a property containing a sensitive land use could not face that property. This would include: R-Residential, RA-Residential Apartment, CR-Commercial Residential, I-Institutional, and OS-Open Space sign districts located outside of the GG-SSD.

Due to the size and height of signs that can display electronic static copy in the GG-SSD, this 250 metre 'facing' requirement would mitigate the potential impact on nearby properties.

It is also proposed that all signs displaying electronic static sign copy within the GG-SSD be required to provide shielding to prevent any light spill onto any sensitive land uses outside of the new GG-SSD. See Figure 3 above.

The requirement for shielding has been previously imposed as a condition of variances concerning signs displaying electronic static copy. Based on feedback received at the consultation, this appears to have been an effective way of mitigating the impacts of signs displaying electronic static sign copy on adjacent properties.

CONCLUSION

Due to the large number of existing signs in the district that would be allowed to remain in the district unless modified, eliminating the GG-SSD would result in little if any reduction in the impact that either illuminated signs or signs displaying electronic static or electronic moving sign copy currently have on surrounding residential and open space properties.

The proposed changes to the boundaries and regulations of the GG-SSD will allow the opportunity for existing signs to be modified and result in more modern and less intrusive signs.

Should City Council choose to completely eliminate the GG-SSD, staff suggest that they be asked to report back in 2015 with appropriate regulations and a possible phasing-out of the GG-SSD. This approach would allow for sign owners and businesses to plan for any changes to regulations that may be adopted.

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ATTACHMENTS

Appendix 1 – Draft Bylaw: Amendments to Chapter 694
Appendix 2 – List of Affected Premises
Appendix 3 – Schedule A Map – Ward 19: Trinity-Spadina