



**STAFF REPORT  
ACTION REQUIRED**

**Application to Consider – Appeal – Signage Master Plan  
– 380 Front Street East**

|                          |   |
|--------------------------|---|
| <b>Date:</b>             | August 10, 2016   |
| <b>To:</b>               | Toronto and East York Community Council                       |
| <b>From:</b>             | Director and Deputy Chief Building Official, Toronto Building |
| <b>Wards:</b>            | Ward 28 – Toronto Centre-Rosedale                             |
| <b>Reference Number:</b> | TE16011   |

**SUMMARY**

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On March 22, 2016, the Sign Variance Committee heard Item SB8.4 and granted, with conditions, six variances from the Sign By-law required to erect and display three illuminated first party wall signs on the first and second storeys of a purpose-built media tower-type addition to the building located on the premises municipally known as 380 Front Street East.

The Sign Variance Committee adopted the staff recommendations.

Councillor McConnell filed an application to consider.

This report also includes, as attachments, the reports of staff, and all other materials which were submitted to the Sign Variance Committee for the March 22, 2016 meeting.

**RECOMMENDATIONS**

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**The Manager, Sign By-law Unit, Toronto Building, recommends that:**

1. City Council grant the six variances to §§ 694-20A, 694-21D(5)(a) and 694-21D(5)(d), with conditions, required to allow the issuance of permits for the erection and display of three illuminated wall signs required to implement the Signage Master Plan for the portions of the premises municipally known as 380 Front Street East, as described in Attachment 1 to this report.

## **Financial Impact**

There are no financial impacts associated with this report.

## **DECISION HISTORY**

Consideration of Sign Variance Applications by City Council

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.TE12.98>)

Sign Variance Process

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE32.42>)

Appeal – Signage Master Plan – 380 Front Street East

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.SB8.4>)

## **COMMENTS**

A decision of the Sign Variance Committee to grant a variance or to grant a variance with conditions is final and binding 21 days after the date of the decision unless, pursuant to §694-30S, an application to consider is filed by the ward councillor. If an application to consider is made, the application for a variance is required to be considered in accordance with the established criteria by the respective Community Council for recommendation to City Council.

Councillor McConnell, the ward councillor for the area, filed an application to consider pursuant to §694-30S on March 29, 2016.

The Applicant's appeal of the Chief Building Official's decision to grant the requested variances, with conditions, for the proposed first party wall signs at 380 Front Street East was heard by the Sign Variance Committee at its meeting on March 22, 2016. Staff recommended that variances be granted, with conditions.

The Sign Variance Committee adopted the recommendations of staff and granted the six variances requested to §§ 694-20A, 694-21D(5)(a) and 694-21D(5)(d), required to allow the issuance of a permit for the erection and display of the proposed signs, on condition that: the proposed signs are not to be illuminated between the hours of 9:00 p.m. and 7:00 a.m.; no signs are to be erected above the second storey; and, the proposed signs at the first and second storey level are to be designed substantially in accordance with the signs indicated in Figure A below.

**FIGURE A: Signs on Media Tower-type Addition**



Originally, the Appellant had requested 19 variances be granted to allow for the display of seven illuminated first party wall signs covering the entirety of the Media Tower, which extends past the roofline of the four storey addition, as described in Table 1 (the "Proposed Signage Master Plan"). During the previous proceedings, the Appellant provided an alternative proposal, and requested that 16 variances be granted, with certain conditions, to allow for the display of six illuminated first party wall signs on portions of the Media Tower.

| Table 1: Requested Variances for "Proposed Signage Master Plan" |   |   |
|---|---|---|
| Section   | Requirement   | Proposal  |
| 694-20A   | First party signs may advertise, promote, or direct attention to goods available at the premises where the sign is located provided the portion of the sign copy which advertises, promotes, or directs attention to goods available at the premises does not exceed 30 percent of the total area of the sign copy. | 1. Sign A is to have 100 percent of the total area of the sign copy dedicated to advertising or promoting goods available at the premises, rather than the mandated 30 percent.                               |
|   |   | 2. Sign B is to have 100 percent of the total area of the sign copy dedicated to advertising or promoting goods available at the premises, rather than the mandated 30 percent                                |
|   |   | 3. Sign C is to have 100 percent of the total area of the sign copy dedicated to advertising or promoting goods available at the premises, rather than the mandated 30 percent                                |
|   |   | 4. Sign D is to have 100 percent of the total area of the sign copy dedicated to advertising or promoting goods available at the premises, rather than the mandated 30 percent                                |
|   |   | 5. Sign E is to have 100 percent of the total area of the sign copy dedicated to advertising or promoting goods available at the premises, rather than the mandated 30 percent                                |
|   |   | 6. Sign F is to have 100 percent of the total area of the sign copy dedicated to advertising or promoting goods available at the premises, rather than the mandated 30 percent                                |
|   |   | 7. Sign G is to have 100 percent of the total area of the sign copy dedicated to advertising or promoting goods available at the premises, rather than the mandated 30 percent                                |
| 694-21D(5)(a)   | A wall sign is permitted in a CR sign district provided the sign is not erected above the second storey.  | 8. Sign C is to be erected above the second storey of the purpose-built feature wall where the sign is to be erected, specifically on the 3 <sup>rd</sup> floor of the building.                              |
|   |   | 9. Sign D is to be erected above the second storey of the purpose-built feature wall where the sign is to be erected, specifically on the 3 <sup>rd</sup> floor of the building.                              |
|   |   | 10. Sign E is to be erected above the second storey of the purpose-built feature wall where the sign is to be erected, specifically on the 4 <sup>th</sup> floor of the building.                             |
|   |   | 11. Sign F is to be erected above the second storey of the purpose-built feature wall where the sign is to be erected, specifically on portions of the 4 <sup>th</sup> floor of the building.                 |
|   |   | 12. Sign G is to be erected above the second storey of the purpose-built feature wall where the sign is to be erected, specifically above the fourth floor and extending above the roof line of the building. |
| 694-21D(5)(d)   | A wall sign is permitted in a CR sign district provided the total sign face area of all wall signs erected at the second storey shall not exceed 10 percent of the area of the wall at the second storey on which the signs are erected.  | 13. Sign A is to occupy 100 percent of the storey of the purpose-built feature wall where the sign is to be erected, rather than the mandated 10 percent of this storey of the Media Tower                    |
|   |   | 14. Sign B is to occupy 100 percent of the storey of the purpose-built feature wall where the sign is to be erected, rather than the mandated 10 percent of this storey of the Media Tower                    |
|   |   | 15. Sign C is to occupy 100 percent of the storey of the purpose-built feature wall where the sign is to be erected, rather than the mandated 10 percent of this storey of the Media Tower                    |
|   |   | 16. Sign D is to occupy 100 percent of the storey of the purpose-built feature wall where the sign is to be erected, rather than the mandated 10 percent of this storey of the Media Tower                    |
|   |   | 17. Sign E is to occupy 100 percent of the storey of the purpose-built feature wall where the sign is to be erected, rather than the mandated 10 percent of this storey of the Media Tower                    |
|   |   | 18. Sign F is to occupy 100 percent of the storey of the purpose-built feature wall where the sign is to be erected, rather than the mandated 10 percent of this storey of the Media Tower                    |
|   |   | 19. Sign G is to occupy 100 percent of the storey of the purpose-built feature wall where the sign is to be erected, rather than the mandated 10 percent of this storey of the Media Tower                    |

Staff felt that neither the Proposed Signage Master Plan nor the alternative met all of the established criteria provided for in §694-30A of the Sign By-law. A review of the planning framework applicable to the subject premises and the surrounding area identified a variety of planned buildings and uses in the area that envision a significant change in the built form and character of the area. It was the opinion of staff that it had not been established that the Proposed Signage Master Plan (and the similar alternative) were compatible with the development of, and would support the Official Plan objectives for, the premises and surrounding area. Staff was also of the opinion that it had not been established that either the Proposed Signage Master Plan or the alternative would not alter the character of the premises and surrounding area or would not have a negative impact on adjacent properties.

However, staff determined that the particulars of the signs, variances and associated conditions contained in the Approved Signage Master Plan (see Table 2, below), would result in a collection of signs that could be determined to have met all of the nine established criteria in §694-30A. A decision granting the variances required for the Approved Signage Master Plan was made on November 19, 2015. The decision was appealed on December 11, 2015.

| <b>Section</b> | <b>Requirement</b>  | <b>Proposed Variances</b>   |
|----------------|---|---|
| 694-20A        | First party signs may advertise, promote, or direct attention to goods available at the premises where the sign is located provided the portion of the sign copy which advertises, promotes, or directs attention to goods available at the premises does not exceed 30 percent of the total area of the sign copy. | 1. Sign A is to have 100 percent of the total area of the sign copy dedicated to advertising or promoting goods available at the premises, rather than the mandated 30 percent.           |
|                |   | 2. Sign B is to have 100 percent of the total area of the sign copy dedicated to advertising or promoting goods available at the premises, rather than the mandated 30 percent            |
|                |   | 3. Sign C is to have 100 percent of the total area of the sign copy dedicated to advertising or promoting goods available at the premises, rather than the mandated 30 percent            |
| 694-21D(5)(d)  | A wall sign is permitted in a CR sign district provided the total sign face area of all wall signs erected at the second storey shall not exceed 10 percent of the area of the wall at the second storey on which the signs are erected.  | 4. Sign A is to occupy 100 percent of the storey of the purpose-built feature wall where the sign is to be erected, rather than the mandated 10 percent of this storey of the Media Tower |
|                |   | 5. Sign B is to occupy 100 percent of the storey of the purpose-built feature wall where the sign is to be erected, rather than the mandated 10 percent of this storey of the Media Tower |
|                |   | 6. Sign C is to occupy 100 percent of the storey of the purpose-built feature wall where the sign is to be erected, rather than the mandated 10 percent of this storey of the Media Tower |

## Site Context and Sign District Designation

380 Front Street East is located in Ward 28 (Toronto Centre-Rosedale), on the north side of Front Street East and west of Cherry Street. The subject premises contains an automobile dealership and showroom with a newly built three and four storey addition.

To the north, on the north side of Eastern Avenue are two and three storey commercial buildings with a variety of uses, including office and professional services, auto repair and leasing and personal services. On the east side of Cherry Street is a new branch of the YMCA and a new George Brown College student residence. South of the subject premises is a temporary paved parking lot, most recently used as a temporary expansion of the Pan Am Athletes Village. The building to the immediate west of the property previously contained an automotive dealership and showroom, however the building appears to be vacant.

**Figure B: Key Map – 380 Front Street East**



As shown in Figure B, the subject premises is designated as a CR-Commercial Residential sign district. The area to the north of the subject premises is designated as an E-Employment sign district, while properties to the immediate east, south and west are designated as CR-Commercial Residential sign districts.

## Sign Attributes

The Proposed Signage Master Plan includes the erection and display of seven illuminated wall signs displaying static copy on seven sections of a purpose-built media tower-type structure. The signs contained in the Proposed Signage Master Plan were erected at the first, second, third and fourth storey levels of the building, with a portion of the media tower and one of the proposed signs being erected above the roof line. Each sign contains branding images intended to advertise specific car models associated with the business on the premises, and is designed to occupy 100 percent of the area of the wall of the media tower where each sign is located.

An alternative plan was submitted by the applicant for the erection and display of six illuminated wall signs displaying static copy on six sections of the media tower structure. The alternative plan indicated that the building on the premises consists of three storeys as opposed to four as indicated in the original application. The signs contained in the alternative plan are erected at the first, second, and third storey levels of the building. The

sign erected above the roof line was removed from the application. The sign copy was modified to depict portions of automobiles related to goods available on the premises, however reference to specific automotive brands or models was removed. The signs occupied 100 percent of the area of the wall of the media tower where each sign is located.

The Approved Signage Master Plan includes the erection and display of three illuminated wall signs displaying static copy on three sections of the media tower structure, erected at the first and second storey levels of the building. The proposed signs depict portions of automobiles which are related to goods available on the premises, but reference to specific automotive brands or models has been removed. The conditions attached to the Approved Signage Master Plan restrict signage from being erected above the second storey of the building, and restrict the signs from being illuminated between the hours of 9:00 p.m. and 7:00 a.m.

**Application of Criteria Established by §694-30A of Chapter 694**

The Sign By-law contains specific criteria to be used in evaluating an application for a variance. Specifically, §694-30A states that an application for variances to implement a Signage Master Plan may only be granted where it is established that all of the signs which are the subject of the Signage Master Plan, evaluated collectively, meet all nine of the established criteria.

| <b>Section/Criteria Description</b>   | <b>Has Criteria Been Established?</b>   |
|---|---|
| 694-30A(1): The signs contained in the Proposed Signage Master Plan belong to a sign class permitted in the sign district   | <b>YES - Staff are of the opinion that this criteria has been established</b> |
| <p><b>Rationale:</b><br/>           The subject premises is designated as a CR-Commercial Residential sign district. The Proposed Signage Master Plan includes seven first party signs. The signs contained in the Proposed Signage Master Plan are of a sign class permitted in a CR-Commercial Residential sign district.</p> |   |

| <b>Section/Criteria Description</b>   | <b>Has Criteria Been Established?</b>   |
|---|---|
| 694-30A(2): If a third party sign, signs contained in the Proposed Signage Master Plan are of a sign type permitted in the sign district  | <b>YES - Staff are of the opinion that this criteria has been established</b> |
| <p><b>Rationale:</b><br/>           The subject premises is designated as a CR-Commercial Residential sign district. The Proposed Signage Master Plan includes seven first party wall signs. The criteria contained in §694-30A(2) is not applicable to the Proposed Signage Master Plan.</p> |   |

| Section/Criteria Description  | Has Criteria Been Established?  |
|---|---|
| 694-30A(3): The signs contained in the Proposed Signage Master Plan are compatible with the development of the premises and surrounding area  | <b>NO - Staff are of the opinion, that this criteria, <u>has not</u> been established</b> |
| <p><b>Rationale:</b></p> <p>The area surrounding the subject premises has historically been composed of employment type and light industrial uses. In the context of the existing development on adjacent properties, it was the opinion of staff that the Proposed Signage Master Plan did not present issues of compatibility.</p> <p>Following a more detailed review of the planning framework applicable to the subject premises, it was determined that the property is located within the boundaries of the West Don Lands Precinct Plan:</p> <p><a href="http://www1.toronto.ca/city_of_toronto/waterfront_secretariat/files/pdf/wdl_precinct_plan.pdf">http://www1.toronto.ca/city_of_toronto/waterfront_secretariat/files/pdf/wdl_precinct_plan.pdf</a></p> <p>The Precinct Plan provides guidelines for the implementation of public infrastructure (e.g. streets, parks, community facilities, etc.) as well as the built form of new development. The subject premises is part of the Front Street Neighbourhood, as provided for in the Precinct Plan, a new mixed-use area with an emphasis on urban living. This neighbourhood is to be similar in scale and texture to the St. Lawrence neighbourhood, and is to contain a mix of shops, restaurants, offices and residences. Residential development is planned to the south of the site, as well as with the expected future development of the car dealership to the west. A public space is also planned at the southwest corner of Trinity and Front Street. This portion of Front Street is to be the primary entrance to the West Don lands and will form the primary retail core of the community.</p> <p>Generally CR-Commercial Residential sign districts are composed of a mix of uses consistent with those contemplated by the Precinct Plan for this portion of Front Street East. In these areas wall signs are most commonly located on the ground floor of a building, and connected to the main commercial occupancy and use of a building. This corresponds to the side of the building that is most visible to the public and those passing by on the street. Where a wall sign is permitted above the ground floor, the Sign By-law generally restricts the maximum area of such additional wall signs and the location on the upper floors where the sign can be erected.</p> <p>It was the opinion of staff that the signs contained in the Proposed Signage Master Plan are of a number and height that is not compatible with a CR-Commercial Residential sign district, and the planned residential and commercial development on adjacent properties contemplated by the Precinct Plan. Furthermore the signs contained in the Proposed Signage Master Plan are to be used exclusively for advertising purposes (i.e. more akin to third party signs) and may present further issues of compatibility as the area continues to evolve.</p> |   |



| Section/Criteria Description  | Has Criteria Been Established?  |
|---|---|
| 694-30A(4): The signs contained in the Proposed Signage Master Plan supports the Official Plan objectives for the property and surrounding area   | <b>NO - Staff are of the opinion that this criteria has <u>not</u> been established</b> |
| <p><b>Rationale:</b><br/>           In adopting the Central Waterfront Secondary Plan, Toronto City Council outlined a Precinct Planning process intended to further articulate the policies of the Plan for specific areas of the waterfront. These Precinct Plans are intended to outline development principles and guidelines at a level of detail not possible within the broader Secondary Plan. The principles contained in the West Don Lands Precinct Plan provide the context to move from Official Plan policies to Zoning By-law provisions.</p> <p>The Precinct Plan envisions this portion of Front Street as a mixed-use community composed of retail, offices and residences. It was the opinion of staff that the signs contained in the Proposed Signage Master Plan, are not compatible with the planned uses in the area and the vision provided in the Precinct Plan. Consequently it is the opinion of staff that the Proposed Signage Master Plan does not support Official Plan objectives for the property and surrounding area.</p> |   |

| Section/Criteria Description  | Has Criteria Been Established?   |
|---|--|
| 694-30 A(5): The signs contained in the Proposed Signage Master Plan <b><u>Do Not</u></b> adversely affect adjacent premises?   | <b>NO - Staff are of the opinion, that this criteria, <u>has not</u> been established.</b> |
| <p><b>Rationale:</b><br/>           The Proposed Signage Master Plan contemplates five illuminated signs that are erected above the second storey of the main building, and the media tower. Illuminated signs at such a height have the potential to negatively impact adjacent properties.</p> <p>The possibility that the Proposed Signage Master Plan will have a potential adverse impact on adjacent properties, particularly due to the evolving character of the area cannot be eliminated.</p> |  |

| Section/Criteria Description  | Has Criteria Been Established?   |
|---|--|
| 694-30 A(6): The Signs contained in the Proposed Signage Master Plan <b><u>Do Not</u></b> adversely affect public safety  | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b><br/>           The signs contained in the Proposed Signage Master Plan are to display static copy, are erected on a wall that does not face a street and are of a size that is consistent with the overall façade of the building. It is the opinion of staff that the Proposed Signage Master Plan will not adversely affect public safety.</p> |  |

| Section/Criteria Description  | Has Criteria Been Established?   |
|---|--|
| 694-30A(7): The signs contained in the Proposed Signage Master Plan <b>Are Not</b> a sign prohibited by §694-15B  | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b><br/>The Proposed Signage Master Plan contains seven first party wall signs. First party wall signs are not prohibited by §694-15B.</p> |  |

| Section/Criteria Description  | Has Criteria Been Established?   |
|---|--|
| 694-30A(8): The signs contained in the Proposed Signage Master Plan <b>Do Not</b> alter the character of the premises or surrounding area   | <b>NO - Staff are of the opinion, that this criteria, <u>has not</u> been established.</b> |
| <p><b>Rationale:</b><br/>The West Don Lands Precinct Plan envisions the area becoming a vibrant mixed-use precinct. In addition to the existing automobile sales use on the premises, this portion of Front Street is to contain a range of office, retail and residential uses, utilizing a pedestrian-friendly street network that enhances the public realm.</p> <p>It is the opinion of staff that signage in the area should complement the scale and nature of uses of existing and planned uses. Staff believe that the display of commercial products over an extended area of the building, compounded by the height at which the signs contained in the Proposed Signage Master Plan are to be displayed, is not consistent with the proposed mixed use neighbourhood contemplated by the Precinct Plan. As such it is the opinion of staff that the Proposed Signage Master Plan will alter the character of the premises or surrounding area.</p> |  |

| Section/Criteria Description   | Has Criteria Been Established?   |
|--|--|
| 694-30 A(9): The signs contained in the Proposed Signage Master Plan <b>Are not</b> contrary to the public interest  | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b><br/>A notice of the application was posted on the premises for 30 days, and staff did not receive any comments or letters of opposition from adjacent property owners. It is the opinion of staff that the Signs contained in the Proposed Signage Master Plan are not contrary to the public interest.</p> |  |

**Application of Criteria to Approved Signage Master Plan**

| <b>Section/Criteria Description</b>   | <b>Has Criteria Been Established?</b>  |
|---|--|
| 694-30A(1): The signs contained in the Approved Signage Master Plan belong to a sign class permitted in the sign district   | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b><br/>           The signs contained in the Approved Signage Master Plan are first party signs. The subject premises is designated as a CR-Commercial Residential sign district. First party signs are permitted in a CR-Commercial Residential sign district.</p> |  |

| <b>Section/Criteria Description</b>  | <b>Has Criteria Been Established?</b>  |
|--|--|
| 694-30A(2): If a third party sign, signs contained in the Approved Signage Master Plan are of a sign type permitted in the sign district   | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b><br/>           The subject premises is designated as a CR-Commercial Residential sign district. The Approved Signage Master Plan includes seven first party wall signs. The criteria contained in §694-30A(2) is not applicable to the Approved Signage Master Plan .</p> |  |

| <b>Section/Criteria Description</b>   | <b>Has Criteria Been Established?</b>  |
|---|--|
| 694-30A(3): The signs contained in the Approved Signage Master Plan are compatible with the development of the premises and surrounding area  | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b><br/>           New development should consider the existing as well as planned built form of the area. While it was the opinion of staff that the signs contained in the Proposed Signage Master Plan were compatible with the existing built form on the premises and surrounding area, the Proposed Signage Master Plan was inconsistent with the planned character identified in the West Don Lands Precinct Plan.</p> <p>It was the opinion of staff that the number and height of the signs contained in the Proposed Signage Master Plan would not be compatible with future residential and commercial development on adjacent properties. The conditions imposed by staff as part of the Approved Signage Master Plan limit the height of the signs and restrict the hours of illumination help to minimize potential issues of incompatibility as the surrounding area continues to evolve. As such it is the opinion of staff that the Approved Signage Master Plan is compatible with the development of the premises and surrounding area.</p> |  |

| Section/Criteria Description   | Has Criteria Been Established?   |
|--|--|
| 694-30A(4): The signs contained in the Approved Signage Master Plan supports the Official Plan objectives for the property and surrounding area  | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b></p> <p>The Precinct Plan envisions this portion of Front Street as a mixed-use community composed of retail, offices and residences. Generally this includes retail uses at grade and residential and office uses on upper storeys. CR-Commercial Residential sign districts often encompass mixed uses areas, and generally limit signage to business identification signs located at the first and second storey wall where the business is located. Signs in these areas are generally designed to attract pedestrians and identify the business on the premises. In a CR-Commercial Residential sign district, a subsidiary portion of a wall sign is permitted may display copy for the purpose of advertising or promoting goods or services available at the premises.</p> <p>It was the opinion of staff that the signs contained in the Proposed Signage Master Plan, are of a scale and magnitude that is inconsistent with the planned uses in the area. The conditions attached to the Approved Signage Master Plan reduce the number and height of the signs helping to ensure the signs are of a scale that is more appropriate for a mixed-use area. The conditions attached to the approval also remove reference to reference to specific automotive brands or models helping to distinguish the signs from traditional third party signs. As such it is the opinion of staff that the Approved Signage Master plan supports the vision of the Precinct Plan, and consequently Official Plan objectives for the property and surrounding area.</p> |  |

| Section/Criteria Description  | Has Criteria Been Established?   |
|---|--|
| 694-30 A(5): The signs contained in the Approved Signage Master Plan <b><u>Do Not</u></b> adversely affect adjacent premises?   | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b></p> <p>The Proposed Signage Master Plan contemplates five illuminated signs that are erected above the second storey of the main building, and the media tower. Illuminated signs at such a height have the potential to negatively impact adjacent properties.</p> <p>The Approved Signage Master Plan reduces the height and overall number of signs, and restricts the hours of illumination in effort to ensure the signs are compatible with the changing nature of area. It is the opinion of staff that the Approved Signage Master Plan will not have an adverse impact on the planned uses contemplated in the Precinct Plan.</p> |  |

| Section/Criteria Description   | Has Criteria Been Established?   |
|--|--|
| 694-30 A(6): The signs contained in the Approved Signage Master Plan <b><u>Do Not</u></b> adversely affect public safety   | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b><br/>The Signs contained in the Approved Signage Master Plan are to display static copy, are erected on a wall that does not face a street and are of a size that is consistent with the overall façade of the building. It is the opinion of staff that the Approved Signage Master Plan will not adversely affect public safety.</p> |  |

| Section/Criteria Description   | Has Criteria Been Established?   |
|--|--|
| 694-30A(7): The signs contained in the Approved Signage Master Plan <b><u>Are Not</u></b> signs prohibited by §694-15B   | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b><br/>The Sign By-law prohibits roof signs, except where included as part of a Signage Master Plan. The Proposed Signage Master Plan includes a wall sign erected above the roof of the building. While not erected on the roof of the building, the sign has a similar visual impact to a roof sign. The signs contained in the Proposed Signage Master Plan are also more akin to third party signs, which are generally restricted to specific areas of the city.</p> <p>While the signs contained in the Approved and Proposed Signage Master Plan are not prohibited by §694-15B, the signs contained in the Approved Signage Master Plan are more consistent with other first party identification signs, and are erected at a height that is more appropriate with the building on the premises and the planned built form on adjacent properties.</p> |  |

| Section/Criteria Description  | Has Criteria Been Established?   |
|---|--|
| 694-30A(8): The Signs contained in the Approved Signage Master Plan <b><u>Do not</u></b> alter the character of the premises or surrounding area  | <b>YES - Staff are of the opinion that this criteria has been established.</b> |
| <p><b>Rationale:</b><br/>The Precinct Plan envisions this area as a mixed-use community composed of retail, offices and residences. CR-Commercial Residential sign districts, which often encompass mixed-use area such as that contemplated by the Precinct Plan, generally limit signage to business identification signs located at the first and second storey wall where the business is located. Signs in these areas are typically used for identification purposes, and are of a scale that allows them to be visible to pedestrians passing by on the street.</p> <p>It was the opinion of staff that the signs contained in the Proposed Signage Master Plan, are of a scale and magnitude that is inconsistent with planned uses in the area, and the provisions of a CR-Commercial Residential sign district which provides for pedestrian scale signage.</p> |  |

The Approved Signage Master Plan, contains a fewer number of signs and ensures the signs are erected at a height that is consistent with the neighbourhood character envisioned by the Precinct Plan. Furthermore the restrictions on illumination help support the residential character of the area established by the Precinct Plan and avoid potential issues of incompatibility.

| Section/Criteria Description  | Has Criteria Been Established?   |
|---|--|
| 694-30 A(9): The signs contained in the Approved Signage Master Plan <b>Are Not</b> contrary to the public interest | <b>YES - Staff are of the opinion that this criteria has been established.</b> |

**Rationale:**  
 A notice of the application was posted on the premises for 30 days, and staff did not receive any comments or letters of opposition from adjacent property owners. It is the opinion of staff that the Signs contained in the Approved Signage Master Plan are not contrary to the public interest.

**CONCLUSION**

Based on the rationale and materials submitted, it is staff's opinion that it has not been established that either the Proposed Signage Master Plan, or the proponent's alternative meet all nine of the established criteria required to allow the necessary variances to be granted.

However, it is staff's opinion that the signs subject to the specific conditions imposed under the Approved Signage Master Plan would meet all nine of the established criteria for the variance to be granted. As such, it is recommended that the variances required to permit the erection and display of three illuminated first party wall signs on the media tower-like addition, required to implement the Approved Signage Master Plan, with the conditions imposed, should be granted.

**CONTACT**

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**SIGNATURE**

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Ted Van Vliet  
 Manager, Sign By-law

**ATTACHMENTS**

1. Description of Signs and Required Variances – Proposed Signage Master Plan
2. Description of Signs and Required Variances – Approved Signage Master Plan
3. Staff Report – Appeal – Signage Master Plan – 380 Front Street East
4. Sign Variance Committee Decision – Item SB8.4