



REPORT FOR ACTION

Area-Specific Amendment to the Sign Bylaw: 923 Oxford Street

Date: May 10, 2019
To: Planning and Housing Committee
From: Chief Building Official and Executive Director, Toronto Building
Wards: 3 – Etobicoke-Lakeshore

SUMMARY

The City received an application to amend the Sign Bylaw to enable 923 Oxford Street to contain a third party electronic ground sign with one sign face directed west.

The Sign Bylaw is a harmonized, City-wide set of regulations governing signs, adopted in 2010. Under the Sign Bylaw, City Council considers applications from the public where significant changes are requested. The Chief Building Official (CBO) brings forward all of the applications to amend the Sign Bylaw on an annual basis, so that City Council can consider the overall and cumulative impact of these applications on the City's built environment, and the Sign Bylaw itself.

This report is in response to an application for an amendment that would result in a third party electronic ground sign almost four metres higher and with a sign face area more than three times larger than permitted by the Sign Bylaw. The proposed sign would be approximately 31 metres from the Gardiner Expressway, whereas a setback of 400 metres is required. The proposed amendment would also result in a sign that does not comply with the 150-metre separation distance to other third party signs, or the 500-metre separation distance to other third party electronic signs.

A third party electronic ground sign is a permitted sign type at 923 Oxford Street. The proposed amendment seeks to modify the applicable sign permit term by extending the initial permit from five to ten years. The application also seeks to modify the illumination provisions so that the sign could be illuminated 24 hours per day. The Sign Bylaw requires that a sign in this location be shut off between 11:00 p.m. and 7:00 a.m.

Toronto Building, in consultation with Transportation Services, City Planning and Economic Development and Culture, conducted a thorough review of the application, and does not believe that the applicant's rationale is consistent with the objectives of the Sign Bylaw.

Toronto Building does not recommend approval of this amendment as the proposed sign is significantly larger (approximately three times larger) than what is permitted by the Sign Bylaw, and if approved, would contribute to sign clutter in the area along this portion of the Gardiner Expressway where large third party signs are not permitted. The Sign Bylaw also requires that third party signs not be located within 400 metres of the Gardiner Expressway, whereas a distance of 31 metres is being proposed.

RECOMMENDATIONS

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

1. City Council refuse the application to amend the Sign Bylaw to add an area-specific amendment to Schedule 'B' of Chapter 694, Signage Master Plans and Area-Specific Amendments, to replace the existing Sign Bylaw regulations concerning third party signs applicable to the premises municipally known as 923 Oxford Street with regulations to allow for, and regulate, a single third party electronic ground sign, as described in Attachment 1 of this report.

FINANCIAL IMPACT

The recommendation in this report has no financial impact.

DECISION HISTORY

There have been no previous decisions regarding this proposal. However, electronic signs have been the subject of considerable research and public consultation by the City of Toronto. The Sign Bylaw was amended in 2015 to expand the areas where electronic signs are permitted, while minimizing the impact of electronic signs on sensitive uses, including residential.

PG 5.13 - Electronic and Illuminated Sign Study and Recommendations for Amendments to Chapter 694:

The amendments approved by Council in 2015 sought to reduce the impact of electronic signs by increasing the minimum separation required between electronic signs and sensitive land uses, and reducing the maximum permitted brightness levels at night. Third party electronic signs are now permitted in Employment, Utility and Commercial Sign Districts, but are not a permitted sign type in CR Sign Districts, where there are residential uses.

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG5.13>)

COMMENTS

Annual Reporting

Area-specific amendment applications are considered together annually by City Council. This practice allows for the applications made throughout the year to be reviewed and considered in a more comprehensive manner.

The Sign Bylaw allows for applications by members of the public to amend the Sign Bylaw to implement significant changes for an area. Examples of those changes include: developing a comprehensive plan for all signage on a premises, implementing a prohibition on signs in an area, altering a premises' sign district designation, or changes to administrative provisions, such as permitting requirements.

Because third party electronic ground signs are permitted in E Sign Districts, the applicant could seek approvals from the Sign Variance Committee for not meeting the minimum setbacks to other third party signs, sensitive land uses in the surrounding area, and to the Gardiner Expressway. Variances could also be sought for the proposed sign to have a sign face area more than three times larger than permitted in an E Sign District, at a greater height than permitted.

It is only due to the request to modify the initial sign permit term from five to ten years that this application is proceeding as an amendment.

Applicant's Amendment Proposal

The applicant is seeking an area-specific amendment to the Sign Bylaw to establish regulations to allow for a third party electronic ground sign with one sign face directed west. It would display electronic static copy and have a sign face area of approximately 62.5 square metres, more than three times what is permitted in an E Sign District, with a height not to exceed 13.72 metres. This height is comparable to a four-storey building.

The proposed sign would be within 31 metres of the Gardiner Expressway.

Figure 1 - Rendering of Proposed Sign



Contrary to provisions contained in the Sign Bylaw for third party electronic ground signs in Employment (E) Sign Districts, the applicant has requested that the proposed sign be illuminated 24 hours per day.

The proposed amendment would also modify the sign permit duration of five years, applicable to all third party sign permits, to an initial duration of ten years.

Site Context - 923 Oxford Street

The property at 923 Oxford Street is located in Ward 3, and contains a one-storey building on the south side of Oxford Street, which is currently being used as a plumbing services facility, on the south side of the Gardiner Expressway. It is in an E Sign District that contains employment and industrial uses.

There is an Open Space (OS) Sign District approximately 120 metres west of the subject property, and a commercial plaza approximately 240 metres north-west of the proposed sign which is designated as a CR Sign District (see Figure 2).

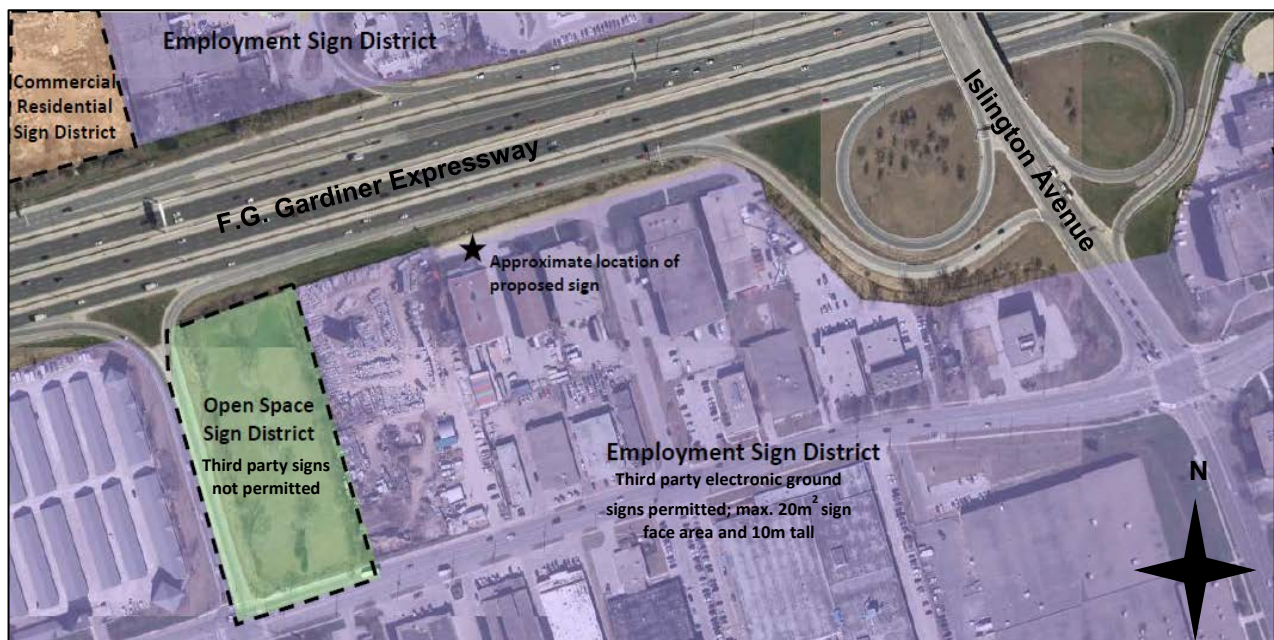
There are no existing third party signs located at the subject property, but there is a third party ground sign at the property to the west, approximately 85 metres away.

The area-specific amendment requested by the applicant would allow a sign that is not consistent with the regulations for an E Sign District because of the large sign face area, height, hours of operation and setbacks from other third party signs, sensitive land uses and the Gardiner Expressway.

Area Compatibility

The applicant provided materials in their submission to demonstrate that approving an area-specific amendment to the Sign Bylaw will allow for a third party electronic ground sign which will be similar to other third party electronic ground signs in the surrounding area, and therefore be compatible. The applicant compares the proposed sign and existing signs in the surrounding area to those within the Gardiner Gateway Special Sign District (GG-SSD), which is specifically intended to contain large third party electronic ground signs.

Figure 2 - Sign District Map Showing Proposed Sign Location and Surrounding Area



The GG-SSD is more than 7.5 kilometres from the subject property, and was established by City Council in 2009 through an extensive public consultation process during the development of the Sign Bylaw. The boundaries and location of the GG-SSD were revisited in 2015; however, no modifications were made to include the subject property or any of the surrounding properties that contain large third party electronic ground signs.

Figure 3 - Comparison of the GG-SSD (top) and the Area around the Proposed Sign (below)

Gardiner Gateway Special Sign District:



Area Surrounding Proposed Sign:



Figure 3 shows a comparison between the area around the proposed sign and the GG-SSD. The area around the proposed sign is described by the applicant as being similar to the GG-SSD. This area spans approximately 2.0 kilometres along the Gardiner Expressway, and contains five large-format electronic signs and one approved large-format electronic sign that has yet to be installed. The GG-SSD is an area which spans approximately 1.1 kilometres along the Gardiner Expressway and contains 11 large-format electronic signs.

Although the two areas both contain large-format third party electronic signs, the concentration of signs in the GG-SSD is approximately four times greater than that in the area surrounding the proposed sign.

All but one of the signs in the area surrounding 923 Oxford Street were approved before the GG-SSD was established in 2010. Adding another large-format electronic sign outside the GG-SSD is contrary to City Council's objective of confining this type of sign to the GG-SSD.

Where electronic ground signs are permitted by the Sign Bylaw, they are not permitted to face any Commercial Residential (CR) or OS Sign Districts located within 250 metres. The proposed sign face would be directed west towards traffic travelling along the Gardiner Expressway. The proposed sign would face an OS Sign District 120 metres away and a CR Sign District 240 metres away.

As noted by the applicant, the impact of the proposed sign on these sensitive land uses is likely to be limited. The CR Sign District does not contain any residential uses and the OS Sign District is not generally accessible to the public.

Figure 4 - Aerial Photo of Proposed Sign Location and distances to Nearby Third Party Signs (Distances are approximate)



As set out in the Sign Bylaw, notification of the proposed amendment was sent to all property owners within a 250-metre radius of the subject property, and a notice was posted at the property. The notice provides details of the proposed amendment and invites feedback by email, telephone or in person at a public meeting which was held on February 12, 2019 at the Etobicoke Civic Centre.

In response to the public notice, the Sign Bylaw Unit received an email from another sign owner in the area that raised the following points:

- The separation between third party signs is a key factor in reducing sign clutter;
- That the subject property is not located within a Special Sign District, and should not be given any special benefits afforded to signs in these areas; and
- There is nothing unique about the subject property that would warrant an amendment to the Sign Bylaw.

Comments from other City Divisions

Staff from City Planning and Economic Development and Culture reviewed the application and overall, were not in support. Both commented that the addition of the proposed sign would contribute to sign clutter in the area, due to the number of first party and third party signs already being displayed.

Transportation Services staff were consulted extensively through the development of the Sign Bylaw, and are in agreement with the regulations governing signs located in close proximity to intersections of major streets or certain highways. As the proposed sign would be located approximately 31 metres from the Gardiner Expressway, well within the required 400-metre separation distance required by the Sign Bylaw, Transportation Services does not support the application.

Conclusion

The applicant has not provided a basis for the CBO to recommend that City Council amend the Sign Bylaw to establish site-specific regulations to allow for a large-format third party electronic ground sign in close proximity to the Gardiner Expressway. There is also no basis provided by the applicant to justify extending the permit term to ten years, twice as long as is permitted by the Sign Bylaw.

The CBO does not recommend approval of this amendment as the proposed sign is significantly larger (approximately three times larger) than what is permitted by the Sign Bylaw, and if approved, would contribute to sign clutter in the area along this portion of the Gardiner Expressway where large third party signs are not permitted. The Sign Bylaw also requires that third party signs not be located within 400 metres of the Gardiner Expressway, whereas a distance of 31 metres is being proposed.

It is the position of the CBO that the E Sign District designation and current regulations for the subject property are appropriate, and should not be modified as requested by the applicant.

CONTACT

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SIGNATURE

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ATTACHMENTS

1. Draft of Proposed Area-Specific Amendment – 923 Oxford Street