



REPORT FOR ACTION

Area-Specific Amendment to the Sign Bylaw: 1589 The Queensway

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 1589 The Queensway to contain a third party electronic ground sign with one sign face, directed east.

The Sign Bylaw is a harmonized, City-wide set of regulations governing signs which was 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.

A third party electronic ground sign is a permitted sign type at 1589 The Queensway. The applicant is requesting an amendment that would result in a third party electronic ground sign more than eight 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 45 metres from the Gardiner Expressway, whereas a setback of 400 metres is required.

The proposed amendment seeks to modify the applicable sign permit term by extending the initial permit term 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 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 45 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 1589 The Queensway 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

In July, 2010, Maxximum Outdoor made an application to the Sign Variance Committee for a third party electronic ground sign with a sign face area of approximately 62.4 square metres and a height of 21 metres, within 17 metres of the Gardiner Expressway, at the south-west corner of 1589 The Queensway.

Citing concerns with the compatibility of the proposed sign with its surroundings, as well as its potential impact on the Gardiner Expressway and adjacent properties, the Sign Variance Committee refused four variances to the Sign Bylaw required to construct the proposed sign.

SB 2.1 - Application by Maxximum Outdoor Inc. for Four (4) Third Party Sign Variances with respect to the South-westerly Corner of 1581-1589 The Queensway - TP-10-00001 <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.SB2.1>

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. The application for amendment process was not intended to be used to expand permissions for a permitted sign type that could be obtained through the Sign Variance process.

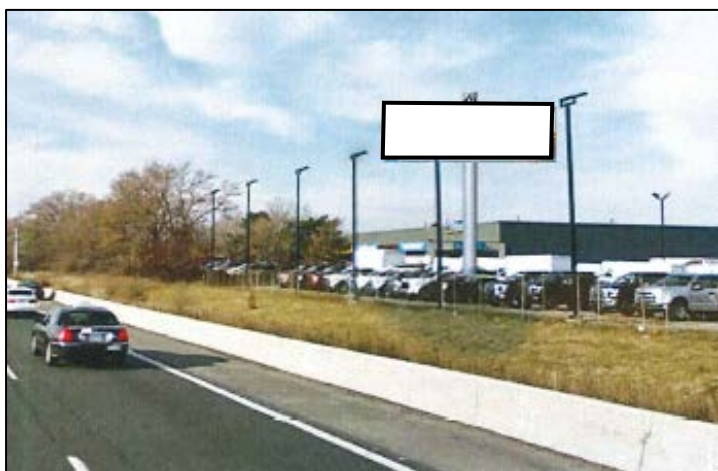
Because third party electronic ground signs are permitted in E Sign Districts, the Applicant could seek approvals from the Sign Variance Committee for not meeting the minimum setbacks to other third party signs, sensitive land uses in the surrounding area, and to the Gardiner Expressway. Variances could 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 east. It would display electronic static copy and have a sign face area of approximately 62.4 square metres, more than three times what is permitted in E Sign Districts, and with a height not to exceed 18.3 metres. This height is comparable to a six-storey

Figure 1 - Rendering of Proposed Sign



building. The proposed sign would also be located within 45 metres of the Gardiner Expressway.

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

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.

Site Context - 1589 The Queensway

The property at 1589 The Queensway is located in Ward 3 on the south side of The Queensway, approximately 200 metres east of The East Mall. There are currently multiple uses on the subject property, including an automotive dealership, a warehouse, a restaurant and a distribution facility.

The property is in an Employment (E) Sign District that contains contain employment, industrial and retail / service uses (see Figure 2).

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

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



There are no existing third party signs located at the subject property, but there are two large third party electronic ground signs to the east and west, both within 500 metres of the proposed sign, and three other third party signs within 400 metres of the proposed sign (see Figure 4).

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 3 - Comparison of the GG-SSD (top) and the Area around the Proposed Sign (below)
Gardiner Gateway Special Sign District:



Area Surrounding Proposed Sign:



The GG-SSD is more than 9.5 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-format third party electronic ground signs.

Figure 3 shows a comparison between the area around the proposed sign and the GG-SSD. The area around the subject property 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. All but one of the signs in the area surrounding the proposed sign were approved prior to the creation of the GG-SSD 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.

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. No feedback was received.

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



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 large-format third party ground 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 45 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 45 metres is being proposed.

It is the position of the CBO that the Employment (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

Will Johnston, P.Eng.
Chief Building Official and Executive Director
Toronto Building

ATTACHMENTS

1. Draft of Proposed Area-Specific Amendment – 1589 The Queensway