

Area-Specific Amendments to the Sign By-law: Six locations within the Bala Subdivision, the Oakville Subdivision and the Kingston Subdivision

Date: May 9, 2022

To: Planning and Housing Committee

From: Chief Building Official and Executive Director, Toronto Building

Wards: 3 - Etobicoke-Lakeshore; 10 - Spadina-Fort York; 16 - Don Valley East, 17 - Don Valley North

SUMMARY

Toronto's Sign By-law is a harmonized, City-wide set of regulations governing signs which was adopted in 2010. The Sign By-law contains a process for any member of the public to apply to City Council to amend the Sign By-law in order to implement significant changes to the sign regulations for a specific property or area. Applications are commonly made requesting amendments to the Sign By-law to allow signs that are prohibited, to remove permissions for signs in an area, or to modify the administrative requirements of the Sign By-law. The Chief Building Official ("CBO") brings applications to amend the Sign By-law together on an annual basis for City Council consideration, so that City Council can more easily assess the overall and cumulative impact of these applications on the city's built environment, and the Sign By-law itself.

This report responds to an application for multiple amendments to the Sign By-law made by Allvision Canada (the "Applicant") on behalf of Metrolinx, concerning specific portions of railway corridors owned or managed by Metrolinx, specifically the "Bala Subdivision", the "Oakville Subdivision", and the "Kingston Subdivision".

The Applicant proposes that City Council amend the Sign By-law in multiple ways:

- To exempt a specific portion of the Bala Subdivision (municipally known as 3300 Leslie Street) directly adjacent to Highway 401, from an area-specific restriction that prohibits any third party signs from being erected in this location;
- To establish regulations for a sign with two rectangular sign faces, each with a vertical dimension of 4.27 metres and horizontal dimension of 14.63 metres, sign face area of approximately 62.47 square metres each (three times larger than permitted by the Sign By-law); a height of 22.86 metres (more than twice as high as permitted in the Sign By-law); for the two sign faces to be built in a "v-shaped"

configuration, which is typically prohibited by the Sign By-law; built within 60 metres of a Commercial Residential ("CR") Sign District; and, located within 250 metres and facing properties within CR, Institutional ("I"), Open Space ("OS") and Residential ("R") Sign Districts, which is also prohibited by the Sign By-law. ("The Proposed Sign"); and,

- To establish five new area specific prohibitions on the display of third party signs within a 100 metre radius of specific portions of rail corridors known as the "Bala Subdivision", the "Oakville Subdivision", and the "Kingston Subdivision".

The proposed amendment would also modify permitting regulations in the Sign By-law so that a permit for the Proposed Sign would be contingent on the removal of five existing signs that are located between 0.6 and 18.5 km away from the Proposed Sign, within the Bala Subdivision, the Oakville Subdivision and the Kingston Subdivision. In conjunction with these removals, the proposed amendment would introduce five new area specific restrictions that are not only unrelated to the Proposed Sign, but are also largely redundant and will result in unnecessary restrictions in the Sign By-law.

Toronto Building, in consultation with City Planning and Transportation Services, conducted a thorough review of the application, and has concluded that the Applicant's rationale is not consistent with the objectives of the Sign By-law. For the reasons set out in this report, the CBO does not support amending the Sign By-law for these locations throughout the city.

RECOMMENDATIONS

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

1. City Council refuse the application to amend the Sign By-law to add an area-specific amendment to Schedule 'B' of Chapter 694, Signage Master Plans and Area-Specific Amendments, to exclude a specific portion of the area defined as the Bala Subdivision from the existing area-specific prohibition on the erection or display of any third party signs contained at section 694- 24A(17); establish regulations applicable to these premises to allow for, and regulate, in addition to the signage otherwise permitted by the Sign By-law, a third party electronic ground sign, and to further amend 694- 24A to establish one new area-specific prohibition on the display of third party signs in another portion of the Bala Subdivision; two new area-specific prohibitions on the display of third party signs in portions of the Oakville Subdivision; and two new area-specific prohibitions in the Kingston Subdivision.

FINANCIAL IMPACT

There are no current or known future year financial impacts arising from the recommendations contained in this report.

DECISION HISTORY

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

These amendments attempt to minimize the adverse impact of electronic signs by establishing separation distances between electronic signs and sensitive land uses, and reducing the maximum brightness at night. Third party electronic signs are now permitted in Employment, Utility and Commercial Sign Districts, but are specifically not permitted within 400 metres of any portion of Highway 401 within Toronto.

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

PG 5.2 - Sign By-law Enforcement: Potential Amendments to the City of Toronto Act, 2006:

City Council requested the Province of Ontario to allow the City to have the authority to govern all signs in the City by amending Subsection 110(1) of the City of Toronto Act, 2006; and requested, if such amendments were made by the Province that, prior to enacting any changes to City By-laws utilizing the authority to regulate signs lawfully erected prior to the enactment of the Sign By-law, the Chief Building Official and Executive Director, Toronto Building, to establish a working group, composed of industry representatives and other affected stakeholders to meet in public to provide advice to the Chief Building Official and Executive Director, Toronto Building about potential amendments to the Sign By-law utilizing this new municipal authority.

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG3.2>)

Policy and Finance Committee (Clause 3, Report 7) - Policy on Donations to the City for Community Benefits

At its meeting on September 25, 26, 27 and 28, 2006, City Council adopted the “Policy on Donations to the City for Community Benefits”. This is a City-wide policy that identifies suitable circumstances for requesting or accepting donations, and applicable approval requirements. The Policy states that:

1.2 In the case of an applicant seeking an approval, permit or license from the City or its agencies, boards or commissions, beyond matters permitted or required as part of the decision making process, voluntary donations from the applicant or their representative may only be requested or accepted at arm’s length from the decision making process:

1.2.1. Applicants seeking an approval, permit or licence shall not concurrently offer or make voluntary donations to the City or an agency, board or commission for community benefits;

1.2.2. *Voluntary donations for community benefits shall not be solicited or accepted, for any purpose or community beneficiary, from applicants with a concurrent application for an approval, permit or license.*

<https://www.toronto.ca/legdocs/2006/agendas/council/cc060925/pof7rpt/cl003.pdf>

CC 1.3 - Housing Now

At its meeting of December 4, 5 and 13, 2018, City Council approved the Housing Now Initiative, which has the current objective of bringing forward 17 City-owned sites for the development of approximately 12,500 new residential units with approximately 4,500 of those units for affordable rental housing. 251 Esther Shiner Boulevard, (approximately 200 metres northeast of the Proposed Sign) was identified as one of the 11 properties for redevelopment.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.CC1.3>

COMMENTS

Annual Reporting

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

The Sign By-law allows for applications by members of the public to amend the Sign By-law 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 Sign By-law amendment process was not intended to be used to expand permissions for a permitted sign type that could potentially obtain approvals through the Sign Variance process.

Since third party electronic ground signs are permitted in Utility ("U") Sign Districts, the Applicant could seek approvals from the Sign Variance Committee for not meeting the minimum setbacks to sensitive land uses in the surrounding area, and to address the area-specific prohibition surrounding Highway 401. Variances could also be sought for the Proposed Sign to have a sign face area larger than permitted in a U Sign District, and a greater height than permitted.

It is only because the applicant has combined the amendment for the Proposed Sign with a request for five unrelated area-specific restrictions that this application is proceeding as an amendment.

Applicant's Amendment Proposal

The Applicant is proposing multiple area-specific amendments to the Sign By-law:

Part A: To exempt a portion of the Bala Subdivision, approximately 10 metres from the limit of Highway 401 ("Proposed Location"), from City Council's prohibition on third party signs within 400 metres of the limits of Highway 401 within the City; and to establish new regulations to allow the display of the Proposed Sign within 60 metres of a CR Sign District, and located within 250 metres and facing properties in CR, I, OS and R Sign Districts. The Proposed Sign would have two sign faces in a "v-shaped" configuration, with a sign face area and height in excess of what is normally allowed within the City of Toronto for signs of this type. The application also proposes to amend the permitting requirements of the City to require that, prior to any sign permit being issued for the Proposed Sign, five existing third party ground signs displaying static copy in five unrelated locations throughout the city be removed and all associated permits be revoked.

Part B: In conjunction with the sign removals mentioned above, the Applicant also proposes that new area-specific restrictions be introduced in order to prevent the construction of new third party signs at or within 100 metres of the locations where these existing signs are proposed to be removed.

Part A: Proposed New Electronic Ground Sign

Site Context - 3300 Leslie Street:

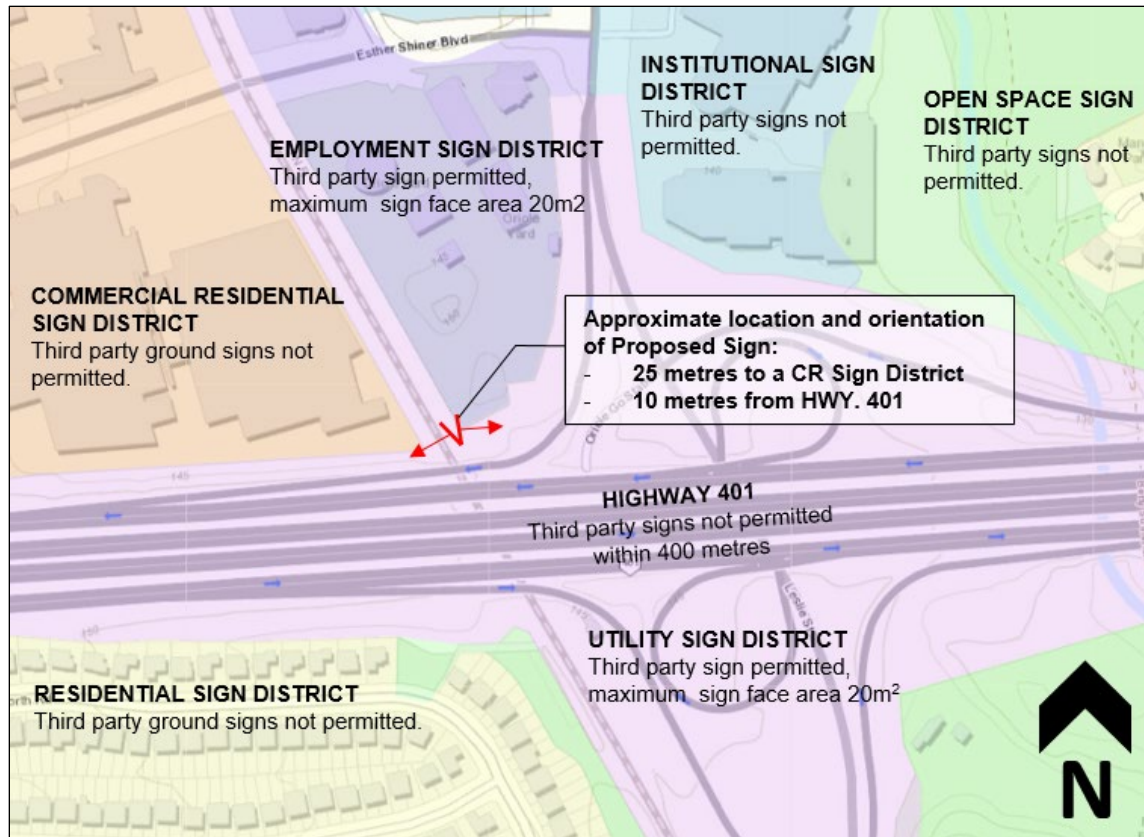
The property at 3300 Leslie Street is designated as a U Sign District, in Ward 17 - Don Valley North. The Proposed Sign will be located at the Oriole GO Station immediately north of Highway 401 and west of Leslie Street (see Figure 1). The Proposed Sign will be located near the southbound lanes of Leslie Street and the westbound Highway 401 on-ramp. The Proposed Sign is located east of the railway tracks, approximately 10 metres north of Highway 401.

There are currently no third party electronic signs located in the surrounding area.

The property at 3300 Leslie Street is located within 400 metres of the Highway 401, and is one of 74 specific areas throughout the city where City Council has determined that third party signs should not be permitted. These 74 area specific restrictions were imposed by City Council on the determination that third party signs in these locations are inconsistent and incompatible with the surrounding area, and would not contribute positively to the quality of Toronto's appearance.

The area-specific amendment requested by the Applicant would not only allow a third party sign in a location that City Council has determined is not suitable for third party signage; it would also allow for a third party sign that is not consistent with the regulations for a U Sign District because of the larger sign face area, height, due to the fact that it is located within 60 metres of CR sign district, and located within 250 metres and facing properties in CR, I, OS and R Sign Districts.

Figure 1: Sign District Map showing proposed location of Sign and Surrounding Premises



Area Compatibility:

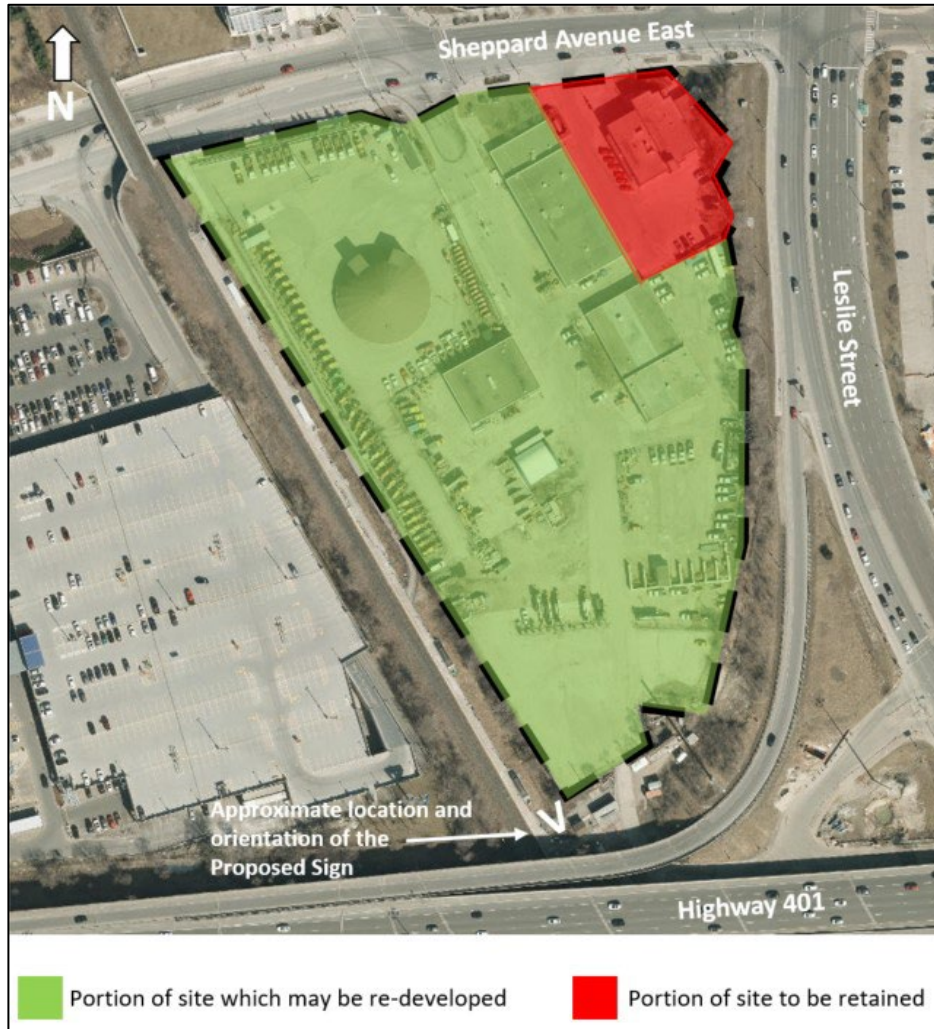
The property is located near the intersection of Highway 401 & the Bala Subdivision rail corridor, to the west of Leslie Street. The larger surrounding area is predominantly comprised of residential and retail and the immediate area is related to rail and highway transportation.

There is an OS and an R Sign District containing low-rise residential dwellings an open space approximately 160 metres to the south of the Proposed Sign, a CR Sign District approximately 30 metres to the west of the Proposed Sign, and an RA Sign District containing a high-rise residential mixed-use development approximately 350 metres to the west of the Proposed Sign. North York General Hospital is located in an I Sign District approximately 220 metres northeast of the site on the east side of Leslie Street. On the east side of Leslie Street and south of Highway 401 approximately 380 metres away from the sign, there is an OS Sign District containing a large natural open space associated with the Don River.

The Applicant's Submission states that mixed use intensification occurring closest to the subject site will be limited to land uses of a 'non-sensitive nature' and "will be developed predominantly for non-residential employment and service commercial which may, among other considerations, be complementary to North York General Hospital".

In December 2018 City Council approved the 'Housing Now' initiative in order to accelerate the development of affordable housing and mixed-income, mixed-use, and transit-oriented communities on an initial 11 City-owned properties. One of these properties is located at 251 Esther Shiner Boulevard, to the northeast of the Proposed Sign.

Figure 2: Housing Now redevelopment at 251 Esther Shiner Boulevard and the Proposed Sign



The site is currently known as Oriole Yard and is occupied by Fire Services, Fleet Services, Transportation Services and Parks, Forestry & Recreation. The site currently contains five buildings, as well as outdoor space for equipment and material storage in addition to City vehicle parking spaces. The fire station, located within the site, was newly built in 2007 and is expected to remain in its current location. With the exception of the fire station, all of the other facilities will be relocated. Approximately 7.7 acres of lands will be redeveloped after deducting approximately 0.8 acres of land for the existing fire station parcel (See Figure 2).

City Planning has confirmed that a site redevelopment study was adopted by CreateTO on May 11, 2021 for 251 Esther Shiner Boulevard. This proposed 'Housing Now' project is planned to be a mixed-income and mixed-use development adjacent to North York General Hospital, TTC's Leslie Station and the Oriole Go Station.

As such, and despite the Applicant's Submission package, the area surrounding the Proposed Sign will not be limited to uses of a 'non-sensitive nature' and will eventually contain a mixed-use development which may be adversely impacted by the Proposed Sign.

Approximately 375 metres to the west of the Proposed Sign, there is an RA Sign District containing several residential towers. As can be seen from the Applicant's rendering of the Proposed Sign (see Figure 3), several of the residential towers will have an unobstructed view of the western face of the Proposed Sign.

Figure 3: Proposed Sign looking west along Highway 401 (rendering provided by applicant, sign highlighted by staff)

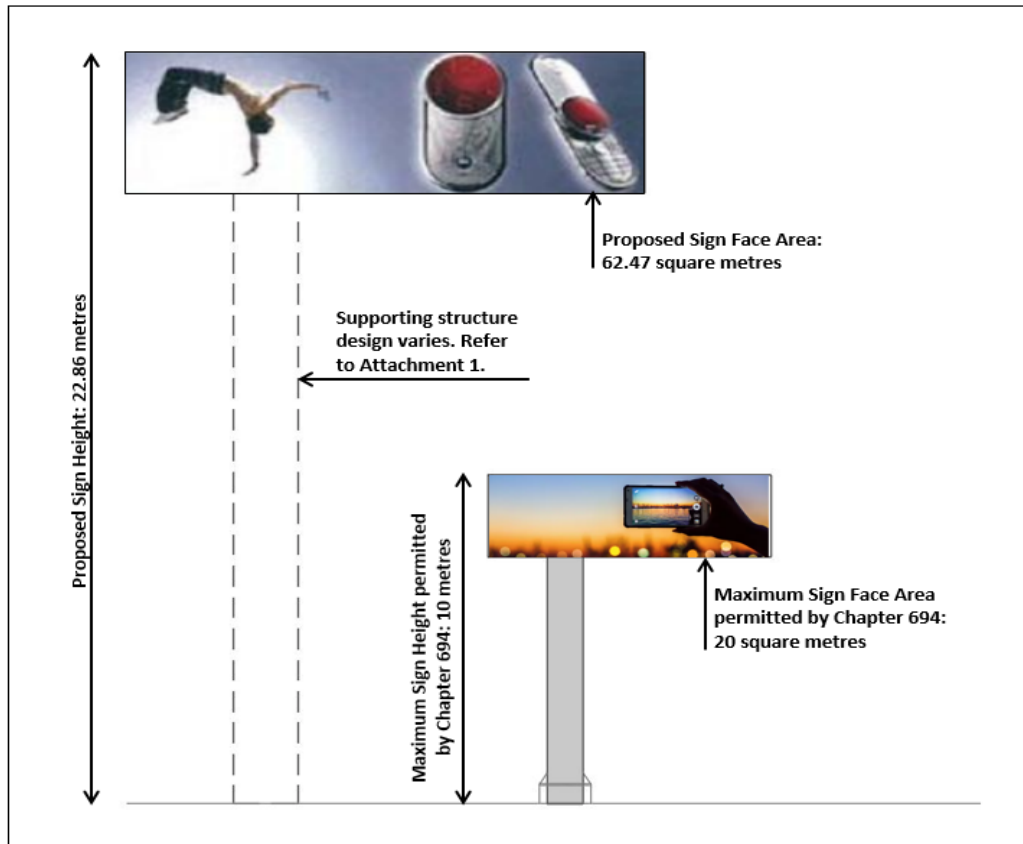


The Proposed Sign measures 4.27 metres vertically by 14.63 metres horizontally, has two sign faces with sign face area of approximately 62.47 square metres each, overall height of 22.86 metres and a “v-shaped” configuration. It exceeds the maximum permitted sign face area by more than 3 times; and more than twice the maximum permitted height (see Figure 4). The Applicant's Submission Package does not specifically address how a sign well in excess of the permitted attributes, such as the Proposed Sign, will be compatible with the property at 3300 Leslie Street or the surrounding area.

As previously stated, the area within 400 metres of Highway 401 is one of 74 specific areas throughout the city where City Council has determined that third party signs should not be permitted. These 74 area specific restrictions were imposed by City

Council on the determination that third party signs in these locations are inconsistent and incompatible with the surrounding area, and would not contribute positively to the quality of Toronto's appearance.

Figure 4: Proposed Sign Size in comparison with Sign By-law requirements



The 74 area-specific prohibitions enacted by Council are not only due to traffic concerns, but reflect a variety of other matters, including but not limited to concerns about the relationship between such large purpose built structures and encouraging development in the surrounding area to its highest and best use.

When amendments were made to the Sign By-law in 2015 to expand the permissions for electronic signs throughout the city, the area-specific restrictions applicable to third party signs, including the restriction on third party signs along Highway 401, were neither removed nor amended.

The area-specific prohibition applicable to the Proposed Location, which is a direct and complete prohibition on any third party signs within any premises within 400 metres of any limit of Highway 401, is consistent with the Ministry of Transportation ("MTO") Corridor Management Policy which requires a 400-metre separation between provincial highways and third party signs in most areas throughout the province.

The Applicant's Submission Package states that although the Toronto Sign By-law contains restrictions that do not allow third party signs along the King's Highways, the Minister of Transportation has granted approval for this location through a Minister's Order issued in November 2019 ("the Minister's Order").

It is important to note that the Minister's Order does not approve the Proposed Sign; The Minister's Order only exempts the location identified as 43.76707, -79.36576 North of Highway 401, west of Leslie Street, from the application of subsections 34(5) and 38(4) of the Public Transportation and Highway Improvement Act (the "PTHIA"). An approval of the Proposed Sign would generally be in the form of a permit issued by the MTO.

The Minister's Order suggests that Metrolinx work with the MTO on a monitoring program to determine if there are any adverse impacts from the placement of the signs, as well as a review after one year from installation to determine if any changes should be made.

Although the Applicant's Submission Materials identify that other electronic ground signs similar in height, size, and setback to highways that were constructed in the City of Toronto between 2019-2020, their submission materials do not make any mention of, or provide any details of a one-year review. The Applicant has also not provided results from any monitoring program(s) around the impacts of these previously approved signs, or provided any comments on a monitoring program for the Proposed Sign.

It should also be noted that the area-specific restrictions in the Sign By-law are completely independent of the MTO requirements for signs located adjacent to highways. The Minister's Order exempting the Proposed Sign from the MTO Corridor Management Policy, has no relationship to City Council's direction that no third party signs should be constructed within 74 separate locations within the City, either within 400 metres of any limit of Highway 401, or any of the other areas where City Council has determined that third party signs should be prohibited.

Finally, although the Applicant's submission provides comments on the impacts of the Proposed Sign on several surrounding properties, there are no details on how the Proposed Sign, significantly larger and taller than permitted by the Sign By-law and only 10 metres from Highway 401, will not adversely affect this high-volume Provincial Highway, which has 16 lanes of travel and several on/off ramps for Leslie Street at this location.

Modification to Permitting Requirements:

As mentioned above, the Applicant has proposed the removal of five third party ground signs displaying static copy as part of their application, as well as new area-specific restrictions that would prevent any new third party signs from being constructed in areas where removals are proposed.

The signs proposed to be removed are all located in Utility Sign Districts where third party ground signs are permitted by the Sign By-law. These signs generally comply with the copy display, size and height requirements for third party ground signs in Utility Sign Districts. Staff also have no record of receiving any complaints from the public about the impacts on surrounding areas of any of these signs.

Table 1 contains a list of the locations where existing third party ground signs are proposed to be removed.

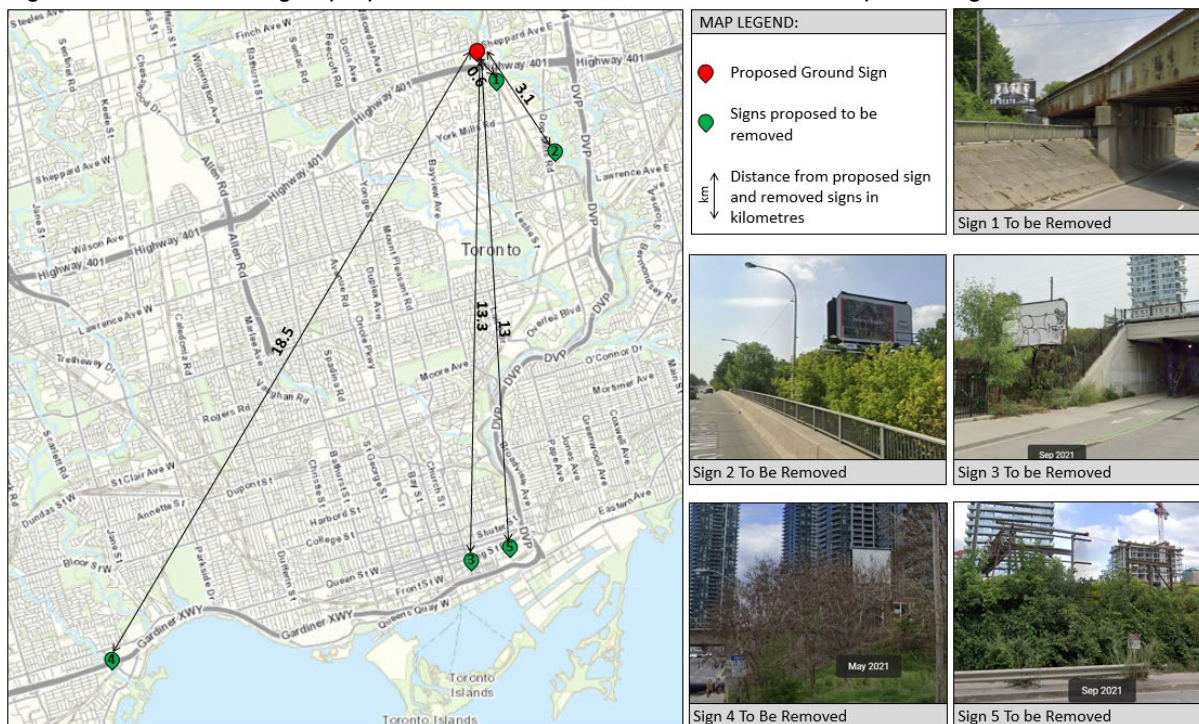
Table 1: Signs proposed to be removed in conjunction with the approval of application

Sign Number	Location of Ground signs to be removed	Ward	# Sign Faces
1	West of Leslie St. and North of Bannantyne Drive	16	1
2	West of Don Mills Rd. and South of Chipping Rd.	16	2
3	East side of Lower Sherbourne St. and North of Lake Shore Blvd. E.	10	1
4	West side of Park Lawn Rd. and South of Gardiner Expressway	3	2
5	North side of Lake Shore Blvd. E. and West of Cherry St.	10	2

The proposed removals will eliminate approximately 149 square metres of advertising space (sign face area) throughout the city (8 static sign faces with an area of approximately 18.6 square metres each), whereas the Proposed Sign has a sign face area of approximately 125 square metres of electronic static sign copy. As such, these sign removals will not result in a significant reduction of advertising space in the city.

As can be seen from the Map in Figure 5, none of the signs proposed to be removed are located in proximity to Highway 401 or the Proposed Sign; the closest sign is almost 600 metres away from the Proposed Sign and four of the signs are located in completely different parts of the city. As such, none of the signs proposed to be removed have any meaningful relationship to the location of the Proposed Sign.

Figure 5: Location of Signs proposed to be removed in relation to the Proposed Sign



In addition to the five sign locations having no meaningful relationship to the Proposed Sign, staff investigation has found that three of the five signs proposed to be removed do not appear to be actively displaying sign copy (See Figure 5):

- Sign 3 - A review of Google Street View images indicate that this sign does not appear to have been displaying any advertisements since at least September 2018.
- Sign 4 - A review of Google Street View images indicate that this sign does not appear to have been displaying any advertisement since at least September 2018.
- Sign 5 - A review of Google Street View images indicate that this sign does not appear to have been displaying any sign copy since at least September 2021.

Due to their location between 0.6 and 18.5 km away from the Proposed Sign, the proposed sign removals would do nothing to reduce sign clutter, the potential impacts of the Proposed Sign on any adjacent properties, or on the intersection of Highway 401 and Leslie Street where the Proposed Sign is to be located.

Impact of 2017 Legislative Amendment to City of Toronto Act, 2006

In the past, Applicants have made proposals for amendments to the Sign By-law, which included the voluntary removal of existing signs as a condition for additional signage permissions to be granted elsewhere in the City. City Council would review such proposals, and where they were deemed appropriate, approved complex and multi-faceted amendments to the Sign By-law required to grant additional sign permissions as well as have existing signs removed.

On May 5, 6 and 7, 2015, City Council requested the Province of Ontario to allow the City to have the authority to govern all signs in the City by amending Subsection 110(1) of the City of Toronto Act, 2006. This would allow City Council to address previously authorized signs that did not comply with the Sign By-law, in a holistic and appropriate fashion.

In response to this request, the Province of Ontario enacted the Modernizing Ontario's Municipal Legislation Act, 2017, which among other things amended Subsection 110(1) of the City of Toronto Act, 2006. The effect of this legislative change provides the City with the authority to pass By-laws that can regulate lawfully existing signs, including requiring compliance with standards not previously applicable to the signs, or the removal of non-compliant or signs.

As a result, applications proposing the removal of existing signs that may be contributing to sign clutter or are otherwise non-compliant with the Sign By-law are no longer necessary for the City to have them removed; the City has the authority to simply pass a By-law to remove these signs.

Donations to the City of Toronto for Community Benefits:

The City's Donations to the City of Toronto for Community Benefits Policy sets out City Council's approach to ensure that voluntary donations from a party seeking an approval, permit or license from the City may only be requested or accepted at arm's length from the decision making process, to ensure that City decisions occur within an ethical framework that preserves the integrity of municipal decision making processes.

The Donations to the City of Toronto for Community Benefits Policy addresses both donations made to the City and its agencies, boards and commissions, and donations requested or encouraged by Councillors or staff which are directed to other organizations, or community agencies.

As part of their Submission Materials, The Applicant has included the following:

- That Metrolinx will be the recipient of net advertising sign revenues for re-investment in public transportation initiatives;
- That 15% of advertising time on each digital screen shall be provided for non-commercial advertising to Metrolinx and the community at large;
- In addition to the non-commercial advertising outlined above, local and provincial authorities shall have access to the screens for emergency messaging, such as pandemics, natural disasters, and amber alerts;
- For a period of 6 months following the installation of the proposed sign, the applicant shall provide 25% of available space for economic recovery initiatives related to Covid-19.

It is staff's position that City Council should not consider this information in making its decision. Neither the Sign By-law nor any other City policy explicitly allow a benefit provided by an applicant to the City, a local community or other organization to be a factor that staff or City Council should consider in deciding whether to approve or deny an application.

Moreover, if the City directly benefits from any of the above arrangements such that the arrangement could be considered a donation to the City, various sections of the Donations to the City of Toronto for Community Benefits Policy either do not allow a donation, or require that the donation be considered separate from the approval process.

Comments from other City Divisions:

With respect to possible concerns about the compatibility with the development of the premises and surrounding area, staff from City Planning were consulted. As the application seeks to allow the Proposed Sign to be located within the area designated as Mixed Use Areas on the Toronto Official Plan, and where there are currently

proposed new developments which may be impacted by the Proposed Sign, City Planning does not support the application.

Regarding possible concerns about traffic safety, Transportation Services was consulted throughout the development of the Sign By-law and is in agreement with the regulations in the Sign By-law governing signs located within 400 metres of any limit of any portion of Highway 401 contained within the municipal boundaries of the City. As the application seeks to allow the Proposed Sign to be located well within the required 400-metre separation distance from the Highway 401, Transportation Services does not support the application as it is not in keeping with the requirements in the Sign By-law for this area.

Part B: Proposed Area-Specific Restrictions

As mentioned above, the Applicant's requested amendment contains the proposed removal of five third party ground signs displaying static copy as a condition of permitting the Proposed Sign, as well as the enactment of five new area specific restrictions that would prevent any new third party signs from being constructed in areas where removals are proposed.

The new area specific restrictions, proposed within 100 metres of the locations where these five existing signs are to be removed, will prevent the construction of new third party signs in districts where the Sign By-law currently allows for third party ground signs, including some private properties, as illustrated in Figures 6 - 10 below

Table 2: Location of Proposed Area-Specific Restrictions

Location Number	Location of Proposed Area Specific Restrictions	Ward
1	West of Leslie St. and North of Bannantyne Drive	16
2	West of Don Mills Rd. and South of Chipping Rd.	16
3	East side of Lower Sherbourne St. and North of Lake Shore Blvd. E.	10
4	West side of Park Lawn Rd. and South of Gardiner Expressway	3
5	North side of Lake Shore Blvd. E. and West of Cherry St.	10

It is staff's position that these five proposed area specific restrictions do not reflect a balanced approach to the issue of ensuring that third party signs are permitted or prohibited where appropriate to their surroundings and will generally be a duplication of restrictions that are already found in the Sign By-law.

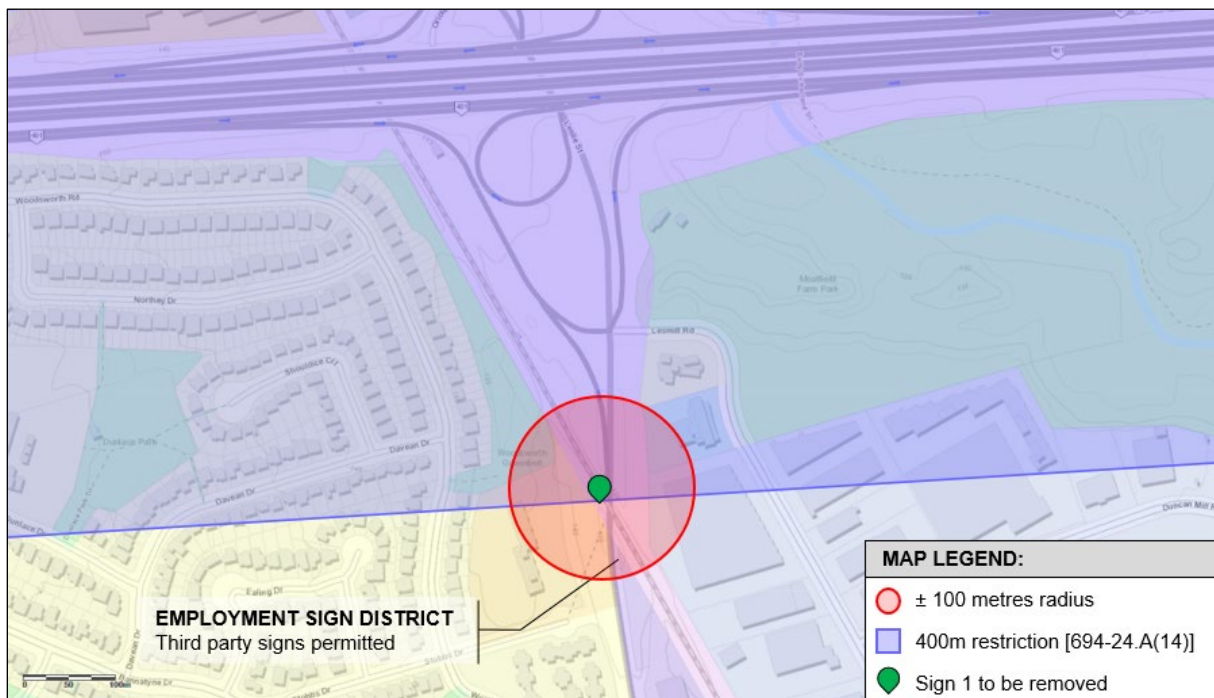
Location 1 - Proposed area-specific restriction west of Leslie Street and north of Bannantyne Drive

Location 1 is to the west of Leslie Street and north of Bannantyne Drive and currently contains a third party ground sign displaying static copy. The sign has been in place since at least 2005, and is located within 400 metres of Highway 401, a location that is currently subject to an area-specific restriction for third party signs. Location 1 has little connection to the Proposed Sign location as it is almost 600 metres away.

There are no other third party signs within 500 metres of this existing sign and much of the area to the north of this sign is already subject to an area specific restriction which prohibits third party signs.

In addition, much of the area to the south and southwest of Location 1 is designated as an RA Sign District which does not permit third party signs either within the RA Sign District or within at least 30 metres of it. To the southeast is an Employment Industrial Office ("EIO") Sign District which also does not permit third party signs. (See Figure 6)

Figure 6: Sign District Map showing location of Sign 1 to be removed and proposed area-specific restriction



It is staff's position that the proposed area-specific restriction to the west of Leslie Street and to the north of Bannantyne Drive is largely redundant given the current restrictions in the Sign By-law.

Location 2 - Proposed area-specific restriction west of Don Mills Road and south of Chipping Road

Location 2 is west of Don Mills Road and south of Chipping Road and currently contains one ground sign displaying static copy. Location 2 has no obvious connection to the Proposed Sign location as it is approximately 3.1 kilometres away.

There are no other third party signs within 250 m of this existing sign and much of the area surrounding this location is in an R Sign District which does not permit third party signs either within the R Sign District or within at least 30 metres of it (See Figure 7).

It is staff's position that this proposed sign removal will not contribute in any meaningful way to the reduction of sign clutter in the area and that the proposed area-specific restriction to the west of Don Mills Road and south of Chipping Road is largely redundant given the current restrictions in the Sign By-law.

Figure 7: Sign District Map showing location of Sign 2 to be removed and proposed area-specific restriction



Location 3 - Proposed area-specific restriction east of Lower Sherbourne St. and north of Lake Shore Boulevard East

Location 3 is located approximately 80 metres north of the F.G. Gardiner Expressway, and would capture two other third party ground signs, both erected before the current Sign By-law came in to force in 2010. Location 3 has no obvious connection to the Proposed Sign as it is approximately 13.3 kilometres away.

The proposed area-specific restriction for the area east of Lower Sherbourne St. and north of Lake Shore Boulevard East is located entirely within 400 metres of the F.G.

Gardiner Expressway which is already subject to an area-specific restriction for third party signs.

The provisions of the Sign By-law also prohibit third party signs to be erected or displayed within 100 metres of any other lawful third party sign. Therefore, the proposed area-specific restriction for new third party signs will not significantly contribute to a reduction of sign clutter in the area, as the two other third party signs in the immediate area already require a 100 metre separation distance to other third party signs around them. (See Figure 8).

Figure 8: Sign District Map showing location of Sign 3 to be removed and proposed area-specific restriction



It is staff's position that the proposed area-specific restriction for the area east of Lower Sherbourne St. and north of Lake Shore Boulevard East is redundant given both the area-specific restriction along the F.G. Gardiner Expressway and the separation distances between third party signs already in the Sign By-law.

Location 4 - Proposed area-specific restriction west of Park Lawn Rd. and south of the F.G. Gardiner Expressway

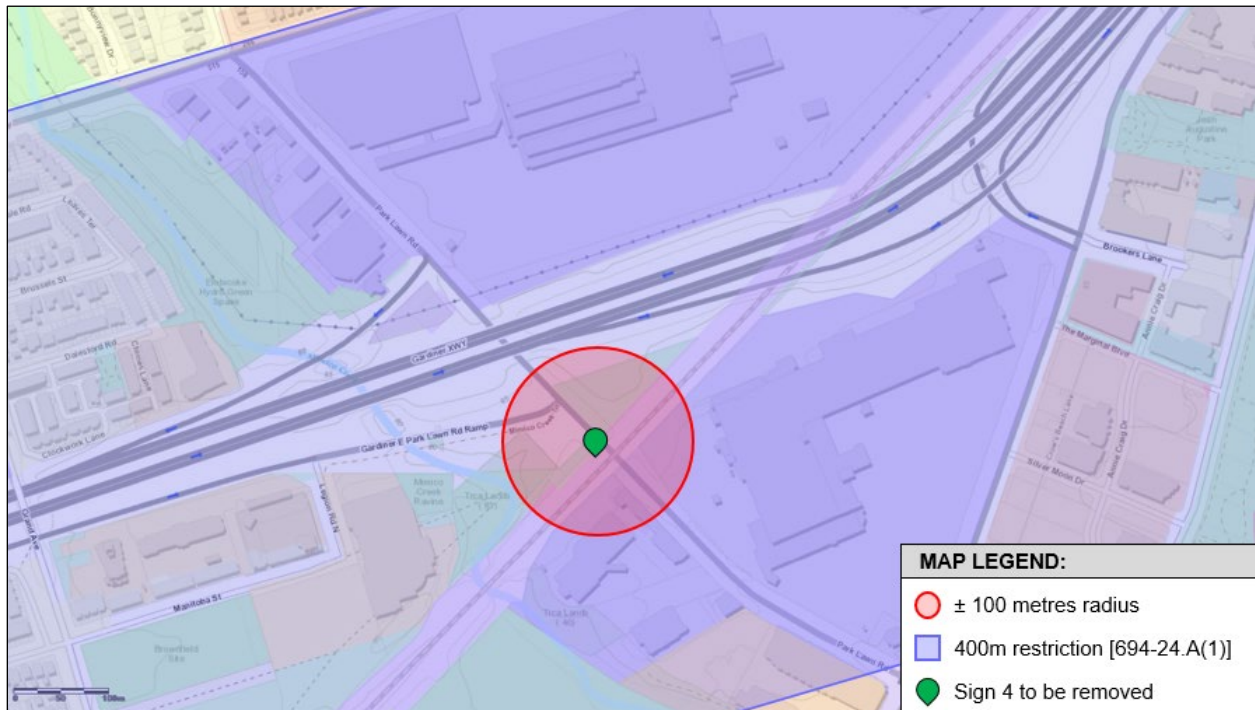
Location 4 is west of Park Lawn Road and south of the F.G. Gardiner Expressway. It currently contains a third party ground sign, with two sign faces displaying static sign copy. Location 4 has no obvious connection to the Proposed Sign location as it is approximately 18.5 kilometres away.

There are no other third party signs within 200 metres of this existing sign and the proposed area-specific restriction of 100 metres surrounding this sign is located entirely

within 400 metres of the F.G. Gardiner Expressway, which is already subject to an area-specific restriction for third party signs. (See Figure 9).

It is staff's position that the proposed area-specific restriction for the area on the west side of Park Lawn Road, south of the F.G. Gardiner Expressway is redundant given the area-specific restrictions around the F.G. Gardiner Expressway already in the Sign By-law.

Figure 9: Sign District Map showing location of Sign 4 to be removed and proposed area-specific restriction



Location 5 - Proposed area-specific restriction on the north side of Lake Shore Blvd. E. and west of Cherry St.

Location 5 is on the north side of Lake Shore Boulevard E and the west side of Cherry Street approximately 20 metres south from the F.G. Gardiner Expressway, and in proximity to three other third-party ground signs, erected before the current Sign By-law came in to force in 2010. Location 5 has no obvious connection to the Proposed Sign location as it is approximately 13 kilometres away.

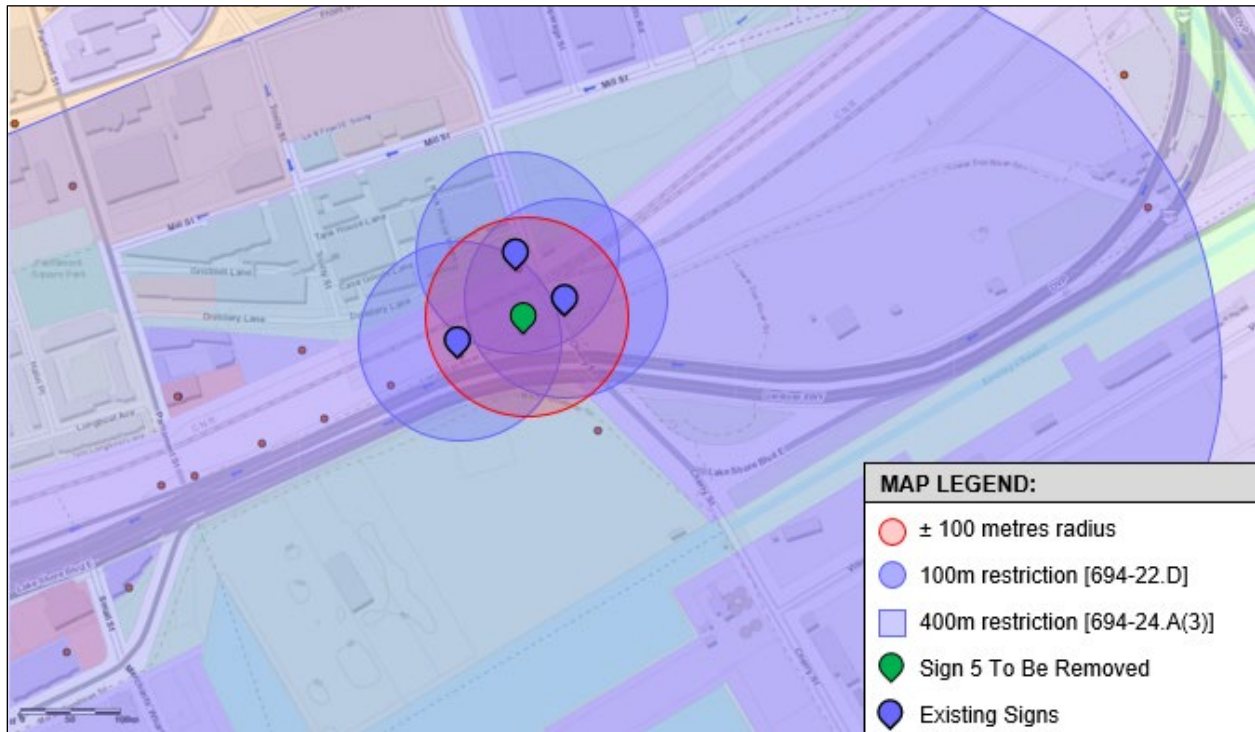
Location 5 and contains a ground sign with two sign faces displaying static copy which appears to have been in place since at least 1954.

The proposed area-specific restriction for Location 5 is located entirely within 400 metres of the F.G. Gardiner Expressway which is already subject to an area-specific restriction for third party signs.

The provisions of the Sign By-law also prohibit third party signs from being erected or displayed within 100 metres of any other lawful third party sign. Therefore, the proposed

area-specific restriction in this location will not reduce sign clutter in the area in any meaningful way, as the three other third party signs in the immediate area already require a 100 metre separation distance to other third party signs around them. (See Figure 10).

Figure 10: Sign District Map showing location of Sign 5 to be removed and proposed area-specific restriction



It is staff's position that the proposed area-specific restriction for the area on the north side of Lake Shore Boulevard E and the west side of Cherry Street is redundant given both the area-specific restriction along the F.G. Gardiner Expressway and the separation distances between third party signs already in the Sign By-law.

Conclusion

The Applicant has not provided a basis as to why City Council should amend the Sign By-law to exempt a specific portion of the Bala Subdivision from a Sign By-law prohibition on any third party signs being erected in this specific location; and to establish unique regulations which would allow a third party electronic ground sign with sign faces three times larger and more than twice as tall as electronic ground signs generally permitted in U Sign Districts throughout the City.

The Applicant has also not provided a basis to establish five new area specific prohibitions on the display of third party signs within specific portions of premises defined as the Bala Subdivision, The Oakville Subdivision and the Kingston Subdivision. The area-specific restrictions that have been proposed by the Applicant will only make a minimal contribution to the objective of the Sign By-law to reduce sign clutter. As well, these five proposed area-specific restrictions do not reflect a balanced approach to the

issue of ensuring that third party signs are either permitted or prohibited where appropriate with their surroundings and will, in almost every case, result in a duplication of restrictions that are already found in the Sign By-law.

As such, it is the position of the CBO that the current regulations for the properties discussed in this report are appropriate, and should not be modified as requested by the Applicant.

CONTACT

Ted Van Vliet, Manager; Sign By-law Unit, Toronto Building
Tel: (416) 392-4235; Email: Ted.VanVliet@toronto.ca

SIGNATURE

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

ATTACHMENTS

1 Draft of Proposed Area-Specific Amendment – Specified Portions of the Bala Subdivision, the Oakville Subdivision and the Kingston Subdivision.