

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

**Date:** May 25, 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**

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This report is a supplement to the May 9, 2022, report from the Chief Building Official and Executive Director, Toronto Building, ("CBO") with respect to area-specific amendments to the Sign Bylaw for six locations within the Bala Subdivision, the Oakville Subdivision and the Kingston Subdivision. The application for these area specific amendments was made by Allvision Canada (the "Applicant") concerning specific portions of railway corridors owned or managed by Metrolinx, specifically the "Bala Subdivision", the "Oakville Subdivision", and the "Kingston Subdivision"

The proposed amendment was described in the CBO's report dated May 9, 2022, ("the Original Report") which described a proposal for one third party electronic sign; located within the Bala Subdivision directly adjacent to Highway 401 (described in the Original Report as "the Proposed Sign"). As part of the application, a request was made to modify the 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, and revocation of all associated permits. The proposed amendment also sought to establish five area-specific prohibitions located between 0.6 and 18.5 km away from the Proposed Sign, within the Bala Subdivision, the Oakville Subdivision and the Kingston Subdivision.

The proposed amendment was contingent on the five existing signs being erected as of the date of scheduled Planning and Housing Committee meeting. A May 24, 2022, investigation by staff has identified that one of these five signs, located east of Sherbourne Street and north of Lakeshore Boulevard, which was proposed to be removed as part of the application described in the Original Report, has been removed prior to Council consideration of this item.

This report is to provide the details around the sign that has been removed, as well as to provide an amended version of the proposed amendment to the Sign Bylaw in Appendix 1 to this report. For the reasons set out in this report and in the Original Report, the CBO does not support amending the Sign By-law for these locations throughout the city.

## **RECOMMENDATIONS**

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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 the revised 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**

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

## **DECISION HISTORY**

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There are no decisions to report in addition to the decision history listed in the Original Report.

## **COMMENTS**

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### **Sign Removal - East of Lower Sherbourne St. and North of Lake Shore Blvd. E:**

The Original Report details the five third party signs that the applicant has proposed to remove as a condition of approving the Proposed Sign; one of those signs was located on the east side of Lower Sherbourne Street, north of Lake Shore Boulevard (described as "Sign 3" in the Original Report).

The Applicant's submission materials, provided an image of Sign 3 (See Figure 1); Staff investigation has determined that the photo provided by the applicant was a Google Streetview photo from September 2015 (See Figure 2)

Figure 1 - Photo of Sign 3 provided by Applicant



Figure 2 - Google Streetview photo dated September 2015



As noted in the Original Report, a review of Google Streetview images indicated that Sign 3 did not appear to have been displaying any advertisements since at least August or September 2018 (See Figure 3), and did not appear to be displaying any sign copy in September 2021 (Figure 4).

Figure 3 - Google Streetview photo of Sign 3 dated August 2018



Figure 4 - Google Streetview Photo of Sign 3 dated September 2021

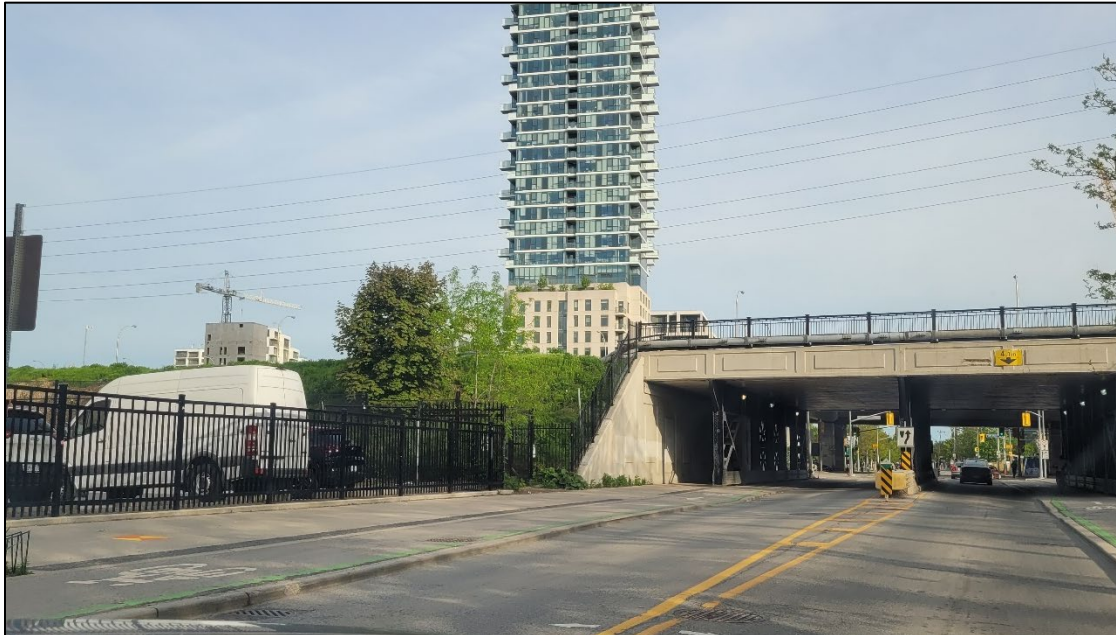


Finally, as stated above, a staff investigation on May 24, 2022 found that Sign 3 had been removed (see Figure 5).

As Sign 3 has been removed, any sign permit authorizing the sign is no longer valid and the sign cannot be replaced as it is located within a currently existing area specific restriction. As noted in the Original Report, the Applicant's proposed area specific restriction tied specifically to the location of Sign 3 was largely redundant due to the

overlap with currently existing area specific restriction prohibiting any third-party signs within 400 meters of the northern limit of the F.G. Gardiner Expressway.

Figure 5 - Photo of location of Sign 3 taken May 24, 2022



City staff were not notified of the removal of Sign 3 nor provided with any reasons as to why the sign would be removed prior to the application being considered by City Council.

The removal of Sign 3 now requires a modification to the proposed area specific amendment, as the application brought forward listed the removal of Sign 3 as a requirement for the approval of the Proposed Sign. The wording of the proposed amendment was contingent on the five existing signs being erected as of the date of scheduled Planning and Housing Committee meeting, and so a revised site specific amendment, reflecting the last date staff can confirm the erection of the sign can be found in Attachment 1 to this report.

### **Remaining signs to be removed:**

The remaining 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.

The proposed removals will now eliminate approximately 130.2 square metres of advertising space (sign face area) throughout the city (7 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.

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

Table 1: List of Remaining 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
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

It should be noted that Signs 4 and 5 do not appear to have been displaying any sign copy since at least May 2021 and at least September 2021 respectively (See Figure 6). As of May 24, 2022, staff investigation has confirmed that both faces of Signs 4 and 5, with a total sign face area of approximately 74.4 square metres, are not displaying any sign copy - this means that approximately 57% of the advertising area proposed to be removed by the applicant as part of the approval for the Proposed Sign is not actively displaying any sign copy.

Figure 6: Location of Remaining Signs proposed to be removed in relation to the Proposed Sign



As can be seen from the Map in Figure 6, none of the four remaining 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 three of the signs are located in completely different parts of the city. As such, none of the remaining signs

proposed to be removed have any meaningful relationship to the location of the Proposed Sign.

It remains staff position that the proposed sign removals will 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.

### Third Party Signs in the Surrounding Area:

Based on staff investigations, a number of third party signs along the portion of the Kingston Subdivision where Sign 3 was located appear to be in the process of being taken out of operation: as stated above, Sign 5 has not displayed any sign copy since at least September 2021; as well, the two third party ground signs immediately south of where Sign 3 was located, and a large third party sign at the base of Lower Jarvis Street have also not been displaying any sign copy since at least September 2021. (See Figures 7 and 8)

Figure 7 - Google Streetview image of Sign structures immediately south of the location of Sign 3



As stated in the Original Report, 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 pass a by-law to remove these signs.

Due to the number of signs along this portion of the Kingston Subdivision that appear to be in the process of being taken out of operation, Council may want to explore a more comprehensive option to regulate or remove these signs and sign structures as opposed to relying on sign removals tied to other approvals.

Figure 8 - Google Streetview image of a Sign structure at Lake Shore Blvd and Lower Jarvis Street



## Conclusion

The premature removal of Sign 3 described in this report does not alter the position of the CBO stated in the Original Report. As such, it remains the position of the CBO that the current regulations for the properties discussed in this report and the Original Report are appropriate, and should not be modified as requested by the Applicant.

## CONTACT

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## SIGNATURE

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



## **ATTACHMENTS**

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