



## STAFF REPORT ACTION REQUIRED

### Amendments to Chapter 694 of the City of Toronto Municipal Code Respecting a Comprehensive Consolidation and Upgrade Program for Third Party Ground Signs Located on Certain Rail Lands within the City of Toronto

<b>Date:</b>	September 21, 2011
<b>To:</b>	Planning and Growth Management Committee
<b>From:</b>	Chief Building Official and Executive Director, Toronto Building
<b>Ward(s):</b>	All
<b>Reference Number:</b>	P:\2011\Cluster B\BLD\PG11013

#### SUMMARY

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This report reviews and makes recommendations on a request by Blair Murdoch of Allvision Canada, on behalf of the Canadian National Railway Company (CN Rail), to obtain amendments to Chapter 694, Signs, General, of the City of Toronto Municipal Code. The request is to amend Chapter 694 to: a) permit the replacement of, at select locations along the premises consisting of "utility corridors" which are owned by CN Rail ("CN Rail Corridors"), existing third party ground signs displaying static copy with new third party ground signs displaying electronic static copy; b) further remove additional third party ground signs displaying static copy, and c) prevent the erection and display of any future third party signs in and around the CN Rail Corridors at the portions of the premises where the existing third party ground signs are proposed to be removed.

This report recommends approval of the requested amendments to Chapter 694, Signs, General, of the City of Toronto Municipal Code, as the application reflects the higher order Council objectives established in the City's recently approved sign regulation and revenue strategy by aspiring to manage the impact and contribution of signage to the visual character of the City's public realm, appropriate to the goals expressed in the Official Plan.

## RECOMMENDATIONS

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

1. Schedule 'B' - Signage Master Plans and Area Specific Amendments, of Chapter 694, Signs, General, of the City of Toronto Municipal Code, be amended to introduce an area specific amendment to regulate the display of third party signs with respect to the area commonly known as the "Weston Subdivision" substantially in accordance with the draft by-law set out in Appendix A to this report;
2. Schedule 'B' - Signage Master Plans and Area Specific Amendments, of Chapter 694, Signs, General, of the City of Toronto Municipal Code, be amended to introduce an area specific amendment to regulate the display of third party signs with respect to the area commonly known as the "Bala Subdivision" substantially in accordance with the draft by-law set out in Appendix A to this report;
3. Schedule 'B' - Signage Master Plans and Area Specific Amendments, of Chapter 694, Signs, General, of the City of Toronto Municipal Code, be amended to introduce an area specific amendment to regulate the display of third party signs with respect to the area commonly known as the "Kingston Subdivision" substantially in accordance with the draft by-law set out in Appendix A to this report;
4. Schedule 'B' - Signage Master Plans and Area Specific Amendments, of Chapter 694, Signs, General, of the City of Toronto Municipal Code, be amended to introduce an area specific amendment to regulate the display of third party signs with respect to the area commonly known as the "Newmarket Subdivision" substantially in accordance with the draft by-law set out in Appendix A to this report;
5. Schedule 'B' - Signage Master Plans and Area Specific Amendments, of Chapter 694, Signs, General, of the City of Toronto Municipal Code, be amended to introduce an area specific amendment to regulate the display of third party signs with respect to the area commonly known as the "Oakville Subdivision" substantially in accordance with the draft by-law set out in Appendix A to this report; and
6. The City Solicitor be authorized to prepare the necessary Bills for introduction in Council to implement the above recommendations, subject to such stylistic and technical changes to the draft bills as may be required.

## **FINANCIAL IMPACT**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

New Sign Regulation and Revenue Strategy

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-24387.pdf>)

New Sign Regulation and Revenue Strategy – Appendix 'C' – Report: Toronto New Sign By-law Project (September 2009, Martin Rendl Associates)

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-24743.pdf>)

New Sign Regulation and Revenue Strategy: Additional Considerations

(<http://www.toronto.ca/legdocs/mmis/2009/cc/bgrd/backgroundfile-25449.pdf>)

## **ISSUE BACKGROUND**

Chapter 694, Signs, General, was introduced to create a single by-law to regulate permanent signs within the City, to replace the inconsistent standards for signage established by the various sign by-laws of the seven pre-amalgamation area municipalities.

As part of the new sign regulations contained in Chapter 694, the City has introduced the ability for individuals to obtain site-specific amendments to properties. These amendments are intended to set out specific regulations for the location, arrangement, type and design of signs for a specific location or area. Site specific amendments to Chapter 694 are required because, although third party ground signs are permitted in the U-Utility sign district, numerous changes to the provisions of Chapter 694 are being requested by the applicant, including:

- Modifying the illumination provisions of §694-18C to, instead of requiring the proposed third party ground signs to only be illuminated (or "turned on") between the hours of 7:00 a.m. and 11:00 p.m., allowing the proposed third party ground signs to be turned on between the hours of 6:00 a.m. and 12:00 a.m.;
- Modifying the expiration and renewal periods contained in §§ 694-9 and 694-10 to extend the period from five years to fifteen years for the proposed third party ground signs; after fifteen years, the proposed third party ground signs will be subject to the original five year expiration and renewal provisions;
- Introducing new site specific area restrictions in addition to the existing restrictions provided for in §694-24, by establishing new provisions to prevent the erection and display of third party signs on or within 100 metres of where existing third party ground signs are proposed to be removed; and

- Establishing new site specific regulations to provide for community messaging and to provide for the communication of emergency messaging, including AMBER alerts.

Staff in the City's Sign By-law Unit met with the applicant on several occasions since February 2011 in an attempt to collectively realize an approach that would respect the higher order objectives of the City's recently approved new sign regulation and revenue strategy. The strategy seeks to adhere to the City's public realm objectives and the policies of the Official Plan. It further seeks to address new technology in signs, environmental goals, issues respecting sign clutter and the promotion of energy efficiency.

## COMMENTS

### Signage Proposal:

Specifically, the application requests that Council amend Chapter 694 to provide permission for the erection and display of ten third party ground signs, each with one or two sign faces and each displaying electronic static copy, conditional on the removal of 40 existing third party ground signs, each containing one or two sign faces and each sign face displaying static (paste and paper) copy. The ten third party ground signs displaying electronic static copy will replace ten of the the removed third party ground signs and an additional 30 existing third party ground signs will be permanently removed from the CN Rail Corridors. The dimensions of the sign faces on the proposed third party ground signs displaying electronic static copy will be either 10.67 metres wide by 3.05 metres long (35' x 10') or 14.63 metres wide by 4.27 metres long (48' x 14'), replacing standard 6.10 metre by 3.05 metre (20' x 10') or 3.66 metres by 4.88 metres (12' x 16') sign faces. The signs scheduled to be removed are ground signs, containing one or two sign faces, each face displaying static (paste and paper) copy and each face 6.1 metres wide by 3.05 metres long or 3.66 metres wide by 4.88 metres long.

The City of Toronto has more third party signs per capita than any other Ontario municipality (based on available data), and possibly any other Canadian municipality. There is approximately one third party sign face for every 623 residents, totalling over 4000 third party sign faces; which averages to approximately 15.5 third party sign faces for every square kilometre of non-residential land. The goal of this consolidation exercise is to reduce the total amount of third party signs currently erected and displayed within the City and to mitigate and control the recognized "sign clutter" that exists in the public realm.

Table 1 lists the locations and attributes of the ten third party signs proposed by the applicant. Photo renderings of the proposed third party signs, *in situ*, are provided in Appendix B to this report.

<b>Table 1 – Proposed Third Party Ground Signs with Electronic Static Copy</b>							
<b>#</b>	<b>LOCATION WITHIN CN RAIL CORRIDOR</b>	<b>WARD</b>	<b>SIGN TYPE</b>	<b># OF SIGN FACES</b>	<b>METHOD OF COPY ON EACH FACE</b>	<b>AREA OF EACH SIGN FACE (m<sup>2</sup>)</b>	<b>HEIGHT OF SIGN (m)</b>
1	Kipling Avenue; 150 metres north of Belfield Road; east side; facing north	2	Ground Sign	One	Electronic Static Copy	32.52	10
2	Lawrence Avenue West; east of Weston Road; south side; facing west	11	Ground Sign	One	Electronic Static Copy	32.52	10
3	York Mills Road; 350 metres east of Leslie Street; south side; facing west and facing east	25	Ground Sign	Two	Electronic Static Copy	32.52	20
4	Leslie Street; 550 metres south of Hwy. 401; east side; facing north and facing south	34	Ground Sign	Two	Electronic Static Copy	32.52	15
5	Victoria Park Avenue; 200 metres north of Gerrard Street East; east side; facing south-westerly	36	Ground Sign	One	Electronic Static Copy	32.52	10
6	Eglinton Avenue East; 150 metres east of Bellamy Road North; north side; facing east and facing west	38	Ground Sign	Two	Electronic Static Copy	32.52	10
7	Steeles Avenue West; 200 metres west of Alness Street; south side; facing east and facing west	8	Ground Sign	Two	Electronic Static Copy	32.52	10
8	Gardiner Expressway; 200 metres east of Atlantic Avenue; north side; facing east and facing west	19	Ground Sign	Two	Electronic Static Copy	63.43	20
9	Gardiner Expressway; 425 metres east of Atlantic Avenue; north side; facing east and facing west	19	Ground Sign	Two	Electronic Static Copy	63.43	20
10	Gardiner Expressway; 325 metres east of Atlantic Avenue; north side; facing east and facing west	19	Ground Sign	Two	Electronic Static Copy	63.43	20

Table 2 of this report provides the list of the numerous third party ground signs which are required to be removed as a condition of the proposed third party ground signs displaying electronic static copy. The proposed third party sign removals are directly associated with the proposed third party ground sign requests, and provided for on a ratio of four removals to each new third party ground sign proposed. The intent was to balance the effect of the removal of existing third party signs to the Ward with the effect on the Ward arising from the installation of the new third party ground signs displaying electronic static copy. Appendix C to this report provides existing photographs of the extensive list of proposed sign removals.

<b>Table 2 – Proposed Third Party Sign Removals</b>						
<b>#</b>	<b>LOCATION WITHIN CN RAIL CORRIDOR</b>	<b>WARD</b>	<b>SIGN TYPE</b>	<b># OF SIGN FACES</b>	<b>METHOD OF COPY ON EACH FACE</b>	<b>AREA OF EACH SIGN FACE (m)</b>
1	Albion Road (1950); east of Hwy. 427; north side; facing east and facing west	1	Ground Sign	2	Static Copy	18.6
2	Kipling Avenue; 150 metres north of Belfield Road; east side; facing north	2	Ground Sign	1	Static Copy	18.6
3	Kipling Avenue; 175 metres north of Belfield Road; west side; facing north and facing south	2	Ground Sign	2	Static Copy	18.6
4	Kipling Avenue; 175 metres north of Belfield Road; east side; facing north and facing south	2	Ground Sign	2	Static Copy	18.6
5	Lawrence Avenue West; east of Weston Road; south side; facing west	11	Ground Sign	1	Static Copy	18.6
6	Royal York Road; north of Cavell Avenue; west side; facing south	6	Ground Sign	1	Static Copy	18.6
7	Royal York Road; north of Cavell Avenue; east side; facing south	6	Ground Sign	1	Static Copy	18.6
8	Royal York Road; south of Judson Street; west side; facing north	6	Ground Sign	1	Static Copy	18.6
9	York Mills Road; 350 metres east of Leslie Street; south side; facing west and facing east	25	Ground Sign	2	Static Copy	18.6
10	Danforth Avenue; 10 metres east of Medford Avenue; north side; facing west	35	Ground Sign	1	Static Copy	18.6
11	Danforth Avenue; opposite Medford Avenue; south side; facing west	35	Ground Sign	1	Static Copy	18.6
12	Woodbine Avenue; 155 metres north of Gerrard Street East; west side; facing north and facing south	32	Ground Sign	2	Static Copy	18.6
13	Leslie Street; 300 metres south of Hwy. 401; east side; facing north	34	Ground Sign	1	Static Copy	18.6
14	Leslie Street; 300 metres south of Hwy. 401; east side; facing south	34	Ground Sign	1	Static Copy	18.6
15	Leslie Street; 250 metres south of Hwy. 401; west side; facing north	25	Ground Sign	1	Static Copy	18.6
16	Lawrence Avenue West; 250 metres west of Caledonia Road; south side; facing east and facing west	15	Ground Sign	2	Static Copy	18.6
17	Victoria Park Avenue; 200 metres north of Gerrard Street East; east side; facing southwest	36	Ground Sign	1	Static Copy	18.6
18	Victoria Park Avenue; 200 metres north of Gerrard Street East; east side; facing southwest	36	Ground Sign	1	Static Copy	18.6
19	Brimley Road; 190 metres north of Skagway Avenue; west side; facing south	36	Ground Sign	1	Static Copy	18.6
20	Main Street; 225 metres north of Gerrard Street East; east side; facing north and facing south	32	Ground Sign	2	Static Copy	18.6
21	Eglinton Avenue East; 150 metres east of Bellamy Road North; north side; facing east	38	Ground Sign	1	Static Copy	18.6
22	Eglinton Ave. East; 2nd east of Bellamy Road; north side; facing east	38	Ground Sign	1	Static Copy	18.6
23	Eglinton Ave. East; 3rd east of Bellamy Road; north side; facing east and facing west	38	Ground Sign	2	Static Copy	18.6
24	Woodbine Avenue; 155 metres north of Gerrard Street East; east side; facing north and facing south	32	Ground Sign	2	Static Copy	18.6
25	Steeles Avenue West; 200 metres west of Alness Street; south side; facing east and facing west	8	Ground Sign	2	Static Copy	18.6
26	Steeles Avenue West; 1.5 Kilometres east of Keele Street; south side; facing west	8	Ground Sign	1	Static Copy	18.6
27	Finch Avenue West; 300 metres west of Chesswood Drive; north side; facing east and facing west	8	Ground Sign	2	Static Copy	18.6
28	Kipling Avenue; north of New Toronto Street; west side; facing south	6	Ground Sign	2	Static Copy	18.6
29	Gardiner Expressway; 200 metres east of Atlantic Avenue; north side; facing east and facing west	19	Ground Sign	2	Static Copy	17.84

<b>Table 2 – Proposed Third Party Sign Removals</b>						
<b>#</b>	<b>LOCATION WITHIN CN RAIL CORRIDOR</b>	<b>WARD</b>	<b>SIGN TYPE</b>	<b># OF SIGN FACES</b>	<b>METHOD OF COPY ON EACH FACE</b>	<b>AREA OF EACH SIGN FACE (m)</b>
30	The Queensway; east of Parkside Drive; south side; facing northeast	14	Ground Sign	1	Static Copy	18.6
31	Kipling Avenue, south of Towns Road; east side; facing north	6	Ground Sign	2	Static Copy	18.6
32	Dufferin Street; north of Hopewell Avenue; east side; facing north and facing south	15	Ground Sign	2	Static Copy	18.6
33	Gardiner Expressway; 425 metres east of Atlantic Avenue; north side; facing east and facing west	19	Ground Sign	2	Static Copy	18.6
34	Rogers Road; east of Blackthorne Avenue; north side; facing west	17	Ground Sign	1	Static Copy	18.6
35	Rogers Road; west of Caledonia Road; north side; facing east	17	Ground Sign	1	Static Copy	18.6
36	King Street West; 60 metres east of Atlantic Avenue; south side; facing east	19	Ground Sign	1	Static Copy	18.6
37	Gardiner Expressway; 325 metres east of Atlantic Avenue; north side; facing east and facing west	19	Ground Sign	2	Static Copy	17.84
38	Gardiner Expressway; 200 metres west of Strachan Avenue; north side; facing east and facing west	19	Ground Sign	2	Static Copy	18.6
39	Dundas Street East; west of Logan Avenue; south side; facing east	30	Ground Sign	1	Static Copy	18.6
40	Greenwood Avenue; north of Walpole Avenue; east side; facing south	30	Ground Sign	1	Static Copy	18.6

Additional Signage:

Appendix D identifies additional existing third party ground signs within the CN Rail Corridors which are not proposed to be removed through this proposal. Each of the existing third party ground signs within the CN Rail Corridors are conventional third party ground signs, similar to the third party ground signs which are proposed to be removed (containing one or two sign faces; 6.10 metres by 3.05 metres or 3.66 metres by 4.88 metres; and, displaying static copy).

Current Provisions:

Third party signs are usually the largest signs in the community. These signs are often located in highly visible locations in high traffic areas to maximize the exposure of the sign’s advertising to passing traffic and pedestrians. This reflects the fact that outdoor advertising is primarily sold to advertisers based on the number of drivers or persons passing or otherwise viewing the sign on an hourly or daily basis.

In the City's attempt to regulate the degree to which third party signs become a prominent part of the community’s overall visual character, various measures have been enacted through the provisions contained in Chapter 694. Measures of particular relevance to the current application include:

- Third party signs are permitted to be erected and displayed in the U-Utility sign district; each of the ten third party signs are proposed to be erected and displayed within the U-Utility sign district;

- Third party signs in the U-Utility sign district shall be either ground signs or wall signs; each of the ten third party signs proposed are ground signs;
- Third party ground signs may contain no more than two sign faces; each of the ten third party ground signs proposed contain either one or two sign faces;
- The height of a third party ground sign shall not exceed 10.0 metres; five of the ten third party ground signs proposed exceed a height of 10.0 metres;
- The total sign face area of a third party ground sign shall not exceed 20 square metres; the sign face area on each sign face of the ten third party ground signs proposed is either 32.52 square metres or 62.43 square metres;
- Third party ground signs are permitted to display either static copy or mechanical (tri-vision) copy; each of the ten third party ground signs proposed display electronic static copy; and
- No third party sign shall be erected within 100 metres of another lawfully existing third party sign; in some instances, the proposed third party ground signs are to be erected and displayed within 100 metres of an existing lawfully erected third party sign.

#### Digital Display of Sign Copy:

Significant technical advances have recently been made in the quality of electronic display technology for third party signs. These advances have mirrored the changes seen in the displays used in televisions and computer monitors. The application of LED and LCD display technology to the sign face of a third party sign together with the use of digital images and digital content has allowed for the outdoor advertising industry to display higher definition images and high speed image changes on third party signs.

The display of the images are computer-controlled and can change in less than a second. As a result, a sign with a digital display can present the public potentially with thousands of images in the course of a day, depending only on the rate of copy change and the number of sign messages available for display. The increased frequency in the display of different advertising has inherent economic benefits for the sign owner.

These third party signs containing digital display have migrated into the City's external visual environment. Signs with digital displays provide ways to display sign copy in ways substantially different from signs of the past. They provide better image quality, greater brightness, and higher kinetic intensity when the sign copy and images are fully dynamic with motion and animation. As a result, signs with digital displays can be the most visually intense type of sign in a city.

The rise of digital sign displays raised public concern when they start to appear in the City. Public concerns about this type of sign focused on sign brightness, the potential for



distraction, the effect on public safety, and the compatibility of such visually intense and dynamic signage in the City.

The City's sign regulation and revenue strategy recognized the rise of digital sign displays, defined them as two separate methods of sign copy display, electronic static copy and electronic moving copy, and restricted this method of copy display to two specific areas of the City: the area in and around Dundas Square at Yonge Street and Dundas Street; and, from the westerly approach to the downtown core, along the F.G. Gardiner Expressway, in and around Exhibition Place – an area colloquially referred to as "Billboard Alley."

Through the consultation process conducted between the applicant and staff from the Sign By-law Unit, and through existing provisions respecting the maximum luminosity and the brilliance of the digital sign display; the luminosity and the brilliance of the digital sign display at dusk and dawn; avoiding sensitive land uses such as residential, parks and naturalized areas; a strong effort was made to mitigate the public concern and the visually intense impact of this type of technology.

As prescribed in Chapter 694, the electronic static copy or "advertising message" on the sign face of the proposed third party signs shall:

- Be displayed for a duration of not less than 10 seconds;
- Provide a transition of not more than 1 second; and
- During the transition, the sign and the advertising message shall not display any visible effects, including: action, motion, fading, dissolving, blinking, intermittent or flashing light or the illusion of such effects.

## Community and Emergency Messaging

The Applicant is requesting that additional conditions for the proposed signs display a minimum of 110 advertising messages for the purposes of community and emergency messaging per day. These 110 advertising messages are to be provided free of charge to community uses active within the City. Such community uses would include: events sponsored by charitable, cultural, community organizations, or BIA's; and, special events and functions, including special City-wide and Province-wide events. The advertising messages may also communicate to the public emergency messages such as AMBER Alerts. The amount of display time proposed equates to roughly 1.5% of the total advertising time available in an 18 hour day, as the proposed third party signs will be required to be turned off between the hours of 12:00 a.m. and 6:00 a.m.

### **CONTACT**

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### **SIGNATURE**

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V. Ann Borooah,  
Chief Building Official and Executive Director, Toronto Building

### **APPENDICES:**

- A. Draft By-law – Proposed Amendments to Chapter 694
- B. Photo Renderings – Proposed Third Party Ground Signs
- C. Existing Photographs – Proposed Third Party Sign Removals
- D. Additional Third Party Signs Located Within the CN Rail Utility Corridor