



**STAFF REPORT
ACTION REQUIRED**
with Confidential Attachment

Supplemental Report – Proposed Signage Master Plans for 18 Specified Locations within Various Wards Concerning the Display of 19 Third Party Wall Signs – Titan Outdoor

Date:	May 1, 2013
To:	Planning and Growth Management Committee
From:	Chief Building Official and Executive Director, Toronto Building City Solicitor, Legal Services
Ward(s):	14, 18, 19, 20, 22, 27, 28
Reason for Confidential Information:	This report contains advice or communications that are subject to solicitor-client privilege and pertain to litigation or potential litigation.
Reference Number:	P:\2013\Cluster B\BLD\Chief Building Official Head Office\PG13006

SUMMARY

Item PG15.2 first came before the Planning and Growth Management Committee at its meeting on June 11, 2012. It was deferred with a direction that staff provide notification to area residents affected by the proposed Signage Master Plans. Notification was sent on August 23, 2012 for the original 19 locations and then on April 18, 2013 for the substitute locations referenced below.

In the time since the initial deferral, minor encroachment issues arose with the proposed conversion of wall signs from painted murals to vinyl. The time required to resolve the encroachments resulted in subsequent deferrals.

Consultation with Titan Outdoor Canada Company ("Titan Outdoor") has been completed and the recommendations in this report include a revised list of locations which would be the subject of Signage Master Plans, compared to that previously considered by the Committee at the June 11, 2012 meeting. The 18 specified locations which would be subject to the Signage Master Plans differ slightly from the 19 specified locations included in Item PG15.2. The locations that Titan Outdoor no longer wishes to pursue, because they are no longer viable, are as follows:

- 335 King Street West (Ward 20);
- 276 Queen Street West (Ward 20);
- 24 Spadina Avenue (Ward 20); and

- 1220 Eglinton Avenue West (Ward 21).

The following location previously proposed one third party wall sign has been modified to allow for an additional third party wall sign:

- 344 Bloor Street West (Ward 20)

New locations being put forward for Signage Master Plans are as follows:

- 77 Rankin Crescent (Ward 18);
- 341 Bloor Street West (Ward 20); and
- 720 King Street West (Ward 20).

This joint report should be considered in conjunction with the earlier report from the Chief Building Official dated May 18, 2012 and the earlier report of the City Solicitor dated May 28, 2012. The adoption of these Signage Master Plans will resolve the outstanding litigation with Titan Outdoor and allow for improved enforcement of Chapter 694. Legal advice from the City Solicitor concerning the Signage Master Plans is contained within Confidential Attachment 1.

RECOMMENDATIONS

The Chief Building Official and Executive Director, Toronto Building and the City Solicitor recommend that:

1. City Council approve amendments to Schedule B, Signage Master Plans and Area Specific Amendments, Chapter 694, Signs, General, of the City of Toronto Municipal Code to add a Signage Master Plan for each of the following locations substantially in accordance with the draft by-law set out in Appendix A to this report:

- (1) 2299 Dundas Street West & a portion of 2333 Dundas Street West;
- (2) 77 Rankin Crescent;
- (3) 464 Bathurst Street & a portion of 452 Bathurst Street;
- (4) 254 Adelaide Street West & a portion of 260 Adelaide Street West;
- (5) 92 Avenue Road & a portion of 90 Avenue Road;
- (6) 341 Bloor Street West
- (7) 344 Bloor Street West (two third party sign locations);
- (8) 359 Davenport Road;
- (9) 720 King Street West;
- (10) 455 Spadina Avenue;
- (11) 20 Eglinton Avenue East & a portion of 10 Eglinton Avenue East;
- (12) 161 Eglinton Avenue East & a portion of 173 Eglinton Avenue East;
- (13) 2160 Yonge Street & a portion of 2156 Yonge Street;
- (14) 165 Avenue Road;
- (15) 387 Bloor Street East;

- (16) 481 Church Street;
 - (17) 518 Church Street & a portion of 516 Church Street; and
 - (18) 76 Lombard Street & a portion of 87 Richmond Street East.
2. City Council authorize the City Solicitor to prepare the necessary bills for introduction in Council to implement the above recommendations, subject to such stylistic and technical changes as may be required; and
 3. City Council direct that Confidential Attachment 1 remain confidential as it contains advice that is subject to solicitor-client privilege and pertains to litigation or potential litigation.

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: Additional Considerations

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

Proposed Signage Master Plans Concerning the Display of Third Party Wall Signs at 19 Locations within Multiple Wards - Titan Outdoor

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG15.2>)

ISSUE BACKGROUND

Chapter 297, Signs, of the former City of Toronto Municipal Code (the former City of Toronto Sign By-law) contained expanded permissions - most notably pertaining to size and separation distance requirements - for non-illuminated third party signs that were painted directly on the face of a wall (described as mural signs under Chapter 297), as compared to the conventional form of third party wall signs where the sign structure is affixed to the walls of buildings (described as fascia signs under Chapter 297).

Chapter 694, Signs, General, of the City of Toronto Municipal Code, does not draw a distinction based on the manner of copy display between these two forms of wall signs. Under Chapter 694, a sign painted on a wall would be subject to the same regulations as a sign installed on a wall.

Titan Outdoor holds permits authorizing mural signs issued under Chapter 297 for each of the 19 third party wall signs recommended for approval by way of Signage Master Plans. Titan Outdoor now wishes to obtain approval to display third party wall signs at these locations under Chapter 694.

To introduce a Signage Master Plan, Chapter 694 requires the matter to proceed by way of an amendment to Chapter 694.

COMMENTS

Overview of the Proposed Titan Outdoor Signage Master Plans

Titan Outdoor currently holds permits issued pursuant to Chapter 297 to display third party wall signs at approximately 66 sign locations across the city. The majority of these permits allow a painted mural sign as opposed to using vinyl or another substrate for copy display.

Titan Outdoor proposes to change the method of copy display at the 19 sign locations listed in Table 1 to rely exclusively on vinyl copy as opposed to painted murals.

Titan Outdoor will in turn remove its wall signs displayed at the remaining sign locations and has agreed to the revocation of the related permits.

Table 1 – Sign Locations Proposed as Part of This Signage Master Plan (Revised from PG15.2)

Sign Location No.	Primary Municipal Address	Ward	Sign Type
1	2299 Dundas Street West	14	Wall Sign
2	77 Rankin Crescent	18	Wall Sign
3	464 Bathurst Street	19	Wall Sign
4	254 Adelaide Street West	20	Wall Sign
5	92 Avenue Road	20	Wall Sign
6	341 Bloor Street West	20	Wall Sign
7	344 Bloor Street West (East Wall)	20	Wall Sign
8	344 Bloor Street West (West Wall)	20	Wall Sign
9	359 Davenport Road	20	Wall Sign
10	720 King Street West	20	Wall Sign
11	455 Spadina Avenue	20	Wall Sign
12	20 Eglinton Avenue East	22	Wall Sign
13	161 Eglinton Avenue East	22	Wall Sign
14	2160 Yonge Street	22	Wall Sign
15	165 Avenue Road	27	Wall Sign
16	387 Bloor Street East	27	Wall Sign
17	481 Church Street	27	Wall Sign
18	518 Church Street	27	Wall Sign
19	76 Lombard Street	28	Wall Sign

Benefits of Proposed Titan Outdoor Signage Master Plan

As previously noted, the current inventory of Titan Outdoor's wall signs were erected pursuant to permits obtained prior to the enactment of Chapter 694. In staff's view, the reduction in the total inventory from approximately 66 to the proposed 19 sign locations is in keeping with the goals of Chapter 694. Further, there is a benefit to having Titan Outdoor's entire inventory of wall signs which were formerly painted murals, regulated under Chapter 694. Those benefits include time limited permits and restrictions on illumination (including time-of-day illumination restrictions).

Sign Location Review for Proposed Signage Master Plans

Table 2 below provides a summary and review of the 19 sign locations recommended to be a part of the Signage Master Plans for the 18 specified locations. Photographs, maps, and a summary for each specified location which will be subject to a Signage Master Plan can be found in Appendix B to this report.

Table 2 - Summary of Signs Proposed as Part of the 18 Proposed Signage Master Plans (Revised from PG15.2)

Addresses	Sign Orientation	Sign Dimensions <i>horizontal x vertical</i> (metres)	Sign Height (metres)	Sign Face Area (m ²)	Comments	Page # in Appendix B
Ward 14						
2299 Dundas Street West (and a 0.3m portion along the southerly lot line of the premises municipally known as 2333 Dundas Street West)	North	9.10 x 9.10	14.90	82.81	<p>Proposed sign is the same size as the existing permission</p> <p>Proposed height is 0.27m higher than the existing permission</p> <p>Although located less than the 30m separation distance in Chapter 694, the R-Residential sign district to the west will be shielded from the impacts of the sign due to adjacent buildings and the angle of the sign to the residential buildings</p>	1
Ward 18						
77 Rankin Crescent	East	10.67 x 9.14	26.67	97.52	<p>Proposed sign slightly larger than the existing permission (2.39 m²)</p> <p>Proposed height is 11.67m higher than the existing permission</p> <p>The proposed sign is not within 30m proximity to any lands designated R-Residential, RA-Residential Apartment or OS-Open Space sign districts</p>	3
Ward 19						
464 Bathurst Street (and a 0.3m portion along the northerly lot line of the premises municipally known as 452 Bathurst Street)	South	14.60 x 6.10	7.90	89.06	<p>Proposed sign is 117.58 m² smaller than the existing permission</p> <p>Proposed height is 0.3m lower than the existing permission</p> <p>Residential land uses located within 30m will be shielded from the sign due to the placement of existing buildings on the lot and the sign orientation</p>	5

Addresses	Sign Orientation	Sign Dimensions <i>horizontal x vertical</i> (metres)	Sign Height (metres)	Sign Face Area (m ²)	Comments	Page # in Appendix B
Ward 20						
254 Adelaide Street West (and a 0.3m portion along the easterly lot line of the premises municipally known as 260 Adelaide Street West)	West	11.60 x 6.10	9.14	70.76	Proposed sign is 32.07 m ² smaller than the existing permission Proposed height is the same as the existing permission Sign location is not in proximity to any R-Residential or OS-Open Space sign districts	7
92 Avenue Road (and a 0.3m portion along the northerly lot line of the premises municipally known as 90 Avenue Road)	South	6.10 x 6.10	9.8	37.21	Proposed sign face area is 14.63 m ² smaller than the existing permission Proposed height is 1.7m lower than the existing permission The R-Residential sign district to the west is more than 30m away from the proposed sign and will be shielded from the potential impacts due to adjacent buildings	9
341 Bloor Street West	West	8.23 x 13.72	30.00	112.92	Proposed sign face area is 136.98 m ² smaller than the existing permission Proposed sign height is 8.6m lower than the existing permission The visibility of the proposed sign will be obscured from any nearby R-Residential and OS-Open space designated premises	11
344 Bloor Street West (East Wall)	East	7.92 x 7.62	21.40	60.35	Proposed sign face area is 45.49 m ² smaller than the existing permission Proposed height is 1.46m lower than the existing permission The proposed sign is not located within the required 30m separation distances from R-Residential or OS-Open Space sign districts	13

Addresses	Sign Orientation	Sign Dimensions <i>horizontal x vertical</i> (metres)	Sign Height (metres)	Sign Face Area (m ²)	Comments	Page # in Appendix B
344 Bloor Street West (West Wall)	West	6.10 x 9.14	19.00	55.75	<p>Proposed sign is 174.71 m² smaller than the existing permission</p> <p>Proposed height is 1.63m higher than the existing permission</p> <p>The proposed sign is not located within the required 30m separation distances from R-Residential or OS-Open Space sign districts</p>	15
359 Davenport Road	North	4.27 x 8.23	10.25	35.14	<p>Proposed sign is 18.86 m² smaller than the existing permission</p> <p>Proposed height is 1.75m lower than the existing permission</p> <p>The R-Residential sign district to the west will be shielded from any potential impacts of the sign due to the orientation of the sign and angle of the sign to the residential buildings</p>	17
720 King Street West	West	9.14 x 6.10	16.60	55.75	<p>Proposed sign face area is 8.93 m² smaller than the existing permission</p> <p>Proposed height is 5.63m higher than the existing permission</p> <p>The visibility of the proposed sign will be obscured from any nearby R-Residential designated premises and is not within proximity to any OS-Open Space sign district</p>	19
455 Spadina Avenue	North	6.10 x 9.14	11.06	55.75	<p>Proposed sign face area is the same as the existing permission</p> <p>Proposed height is 0.21m lower than the existing permission</p> <p>The proposed sign is not located within the required 30m separation distances from R-Residential or OS-Open Space sign districts</p>	21

Addresses	Sign Orientation	Sign Dimensions <i>horizontal x vertical</i> (metres)	Sign Height (metres)	Sign Face Area (m ²)	Comments	Page # in Appendix B
Ward 22						
20 Eglinton Avenue East (and a 0.3m portion along the easterly lot line of the premises municipally known as 10 Eglinton Avenue East)	West	14.63 x 4.26	15.63	62.32	<p>Proposed sign face area is 186.1 m² smaller than the existing permission</p> <p>Proposed height is 0.27m lower than the existing permission</p> <p>The proposed sign will not be visible from properties located within the required 30m separation distances from any R-Residential sign district and appears to comply with the separation distances from other residential properties from where the sign may be visible</p>	23
161 Eglinton Avenue East (and a 0.3m portion along the westerly lot line of the premises municipally known as 173 Eglinton Avenue East)	East	14.60 x 7.30	27.23	106.58	<p>Proposed sign face area is 32.2 m² larger than the existing permission</p> <p>Proposed height is 13.23m higher than the existing permission</p> <p>The proposed sign will not be visible from properties located in the R-Residential sign district immediately to the south. The sign location to complies with the separation distances from other residential properties from where the sign may be visible</p>	25
2160 Yonge Street (and a 0.3m portion along the northerly lot line of the premises municipally known as 2156 Yonge Street)	South	12.19 x 5.49	12.50	66.92	<p>Proposed sign face area and height is the same as the existing permission</p> <p>The sign location meets the required separation distances from R-Residential and OS-Open Space sign districts and is separated from residential uses by a rail corridor to the west.</p>	27

Addresses	Sign Orientation	Sign Dimensions <i>horizontal x vertical</i> (metres)	Sign Height (metres)	Sign Face Area (m ²)	Comments	Page # in Appendix B
Ward 27						
165 Avenue Road	South	6.10 x 9.14	9.92	55.75	<p>Proposed sign face area is the same as the existing permission</p> <p>Proposed height is 5.08m lower than the existing permission</p> <p>The proposed sign is not located within the required 30m separation distances from R-Residential or OS-Open Space sign districts</p>	29
387 Bloor Street East	East	9.10 x 9.10	20.88	82.82	<p>Proposed sign face area is 75.07 m² smaller than the existing permission</p> <p>Proposed sign height is 0.61m lower than the existing permission</p> <p>The proposed sign is not located within the required 30m separation distances from Residential or Open Space Sign Districts</p>	31
481 Church Street	South	8.53 x 4.26	10.37	36.34	<p>Proposed sign face area is 10.4 m² smaller than the past permission</p> <p>Proposed sign height is similar to the existing permission</p> <p>The R-Residential sign district to the east will be shielded from the potential visible impacts of the sign due to adjacent buildings and the angle of the sign to the residential buildings</p>	33

Addresses	Sign Orientation	Sign Dimensions <i>horizontal x vertical</i> (metres)	Sign Height (metres)	Sign Face Area (m ²)	Comments	Page # in Appendix B
518 Church Street (and a 0.3m portion along the northerly lot line of the premises municipally known as 516 Church Street)	South	9.14 x 6.10	8.71	55.75	<p>Proposed sign face area is 36.2 m² smaller than the existing permission</p> <p>Proposed height is 1.96m lower than the existing permission</p> <p>The sign is not located within the required 30m separation distances from R-Residential or OS-Open Space sign districts and is further separated from nearby residential uses by a laneway to the west.</p>	35
Ward 28						
76 Lombard Street (and a 0.3m portion along the westerly lot line of the premises municipally known as 87 Richmond Street East)	East	12.19 x 7.62	11.08	92.90	<p>Proposed sign face area is the same as the existing permission</p> <p>Proposed height is 2.48m higher than the existing permission</p> <p>The proposed sign is not located within the required 30m separation distances from R-Residential or OS-Open Space sign districts</p>	37

CONCLUSIONS

Adopting the revised Signage Master Plans detailed in this report is anticipated to result in:

- Reducing the number of third party wall signs displayed across the City;
- Resolving the outstanding litigation with Titan Outdoor; and
- Having the proposed 19 locations contribute to the goals and objectives of Chapter 694 much more than they otherwise would if the signs remained as painted murals

As a result, staff recommend approval of the requested amendment to Chapter 694 to introduce Signage Master Plans for the 19 locations described in this report.

CONTACT

John Heggie
Director and Deputy Chief Building Official
Scarborough District, Toronto Building
Tel: (416) 392-7982
E-mail: jheggie@toronto.ca

Naomi Brown
Solicitor, Legal Services
Tel: (416) 392-0121
Fax: (416) 392-1199
Email: nbrown@toronto.ca

SIGNATURE

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

Anna Kinastowski
City Solicitor

ATTACHMENTS

Attachment 1 – Confidential Attachment (with Confidential Appendix)

Attachment 2 – Appendix A – Draft By-law – Amendments to Schedule 'B', Signage Master Plans and Area Specific Amendments, of Chapter 694, Signs, General, of the City of Toronto Municipal Code

Attachment 3 – Appendix B - Review of the Proposed Sign Locations to be Included in the Revised Signage Master Plans