



STAFF REPORT ACTION REQUIRED

Chapter 694 - Area-Specific Amendment Applications Concerning Electronic Signs

Date:	October 19, 2015
To:	Planning and Growth Management Committee
From:	Chief Building Official & Executive Director, Toronto Building
Wards:	Ward 5 – Etobicoke-Lakeshore Ward 19 – Trinity-Spadina Ward 20 – Trinity-Spadina Ward 35 – Scarborough Southwest
Reference Number:	PG15012

SUMMARY

Applications for area-specific amendments to the Sign By-law are reported to City Council through the Planning and Growth Management Committee ("PGM") on an annual basis. In 2015, those applications were reported to PGM at its May 14, 2015 meeting. Five applications for proposed signs displaying electronic copy were considered.

In view of the pending report with recommendations for Sign By-law amendments relating to the display of electronic signs, PGM referred the May 14, 2015 report back to staff pending a decision by City Council on the larger issue of electronic and illuminated signs across the city.

At the July 2015 meeting, City Council considered PG5.13 and adopted a number of general amendments relating to the display of electronic and illuminated signs in the city. That report was the culmination of several years of research and public consultation. The amendments resulted in electronic signs being permitted in more areas of the city but with expanded separation distances to sensitive land uses and a reduction to the maximum permitted night-time brightness. In addition, further restrictions were placed on the size and height of third party advertising signs in Commercial Residential Districts to reduce the impact of signs on residential occupants.

All of the applications reviewed in this report are for third party advertising signs and require amendments to the Sign By-law because they propose to amend the general provisions or propose signs which are prohibited within the Sign District.

Of the five applications before PGM in May, one has been withdrawn by the applicant (871 Islington Avenue). Of the remaining four, this report recommends refusal of the amendments sought in three applications: 2787 Eglinton Avenue East, 750 Spadina Avenue and 33 Wickman Road. In each case, the amendments requested are not in keeping with the goals and objectives of City Council as expressed through the Sign By-Law.

Amendments associated with the application for 9 Hanna Avenue are recommended for approval. Although it does not comply with the By-Law provisions, staff believe that the proposal, including the removal of one additional sign, represents an improvement over the signs which currently exist in that location.

Figure 1- Locations of Site-Specific Amendment Applications



RECOMMENDATIONS

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

1. City Council refuse the application to amend Schedule B, Signage Master Plans and Area-Specific Amendments, of Chapter 694, Signs, General, by deleting the

- existing section 2.D. of Schedule B, in full and replacing it with the area-specific amendment to allow, in addition to the first party signs otherwise permitted on the premises municipally known as 2787 Eglinton Avenue East, one third party ground sign as described in Attachment 2 to this report;
2. City Council approve the application to amend Schedule B, Signage Master Plans and Area-Specific Amendments, of Chapter 694, Signs, General, to add the area-specific amendment for the premises municipally known as 9 Hanna Avenue as described in Attachment 3 to this report;
 3. City Council refuse the application to amend Schedule B, Signage Master Plans and Area-Specific Amendments, of Chapter 694, Signs, General, the area-specific amendment for the premises municipally known as 750 Spadina Avenue, to allow, in addition to the signage otherwise permitted, one third party roof sign as described in Attachment 4 to this report;
 4. City Council refuse the application to amend Schedule B, Signage Master Plans and Area-Specific Amendments, of Chapter 694, Signs, General, to add the area-specific amendment for the premises municipally known as 33 Wickman Road to allow, in addition to the signage otherwise permitted, one third party ground sign containing electronic static copy as described in Attachment 5 to this report;
 5. City Council refuse the application to amend Schedule B, Signage Master Plans and Area-Specific Amendments, of Chapter 694, Signs, General, to add the area-specific amendment for the premises municipally known as 871 Islington Avenue to allow, in addition to the signage otherwise permitted, one third party ground sign as described in Attachment 3 to the April 30, 2015 report of the Chief Building Official and Executive Director, Toronto Building; and,
 6. City Council authorize the City Solicitor to prepare the necessary Bills for introduction in Council to implement the above recommendation(s), subject to such stylistic and technical changes to the draft by-law(s) as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Amendments to Chapter 694, Signs, General, with Respect to 2787 Eglinton Avenue East (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG9.8>)

Supplementary Report: Amendments to Chapter 694, Signs, General, with Respect to 2787 Eglinton Avenue East (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG10.4>)

Application for Four Variances Respecting a Proposed Third Party Sign – 33 Wickman Road, within a Canadian Pacific Railway Corridor Perpendicular to the F.G. Gardiner Expressway

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.SB10.5>)

Five Applications for Area-Specific Amendments to Chapter 694 to Provide for Electronic Signs

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.7>)

Area-Specific Amendment to Chapter 694 Concerning an Illuminated Third Party Ground Sign with Mechanical Copy - 2751-2753 Eglinton Avenue East

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.9>)

Electronic and Illuminated Sign Study and Recommendations for Amendments to Chapter 694

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

ISSUE BACKGROUND

The Sign By-law and Electronic Signs:

In July 2015, City Council adopted recommendations contained in PG5.13 – the Electronic and Illuminated Sign Study. This study was carried out in response to requests from City Council and PGM for recommendations related to the regulation of illuminated and electronic signs.

The report and recommendations adopted by City Council are attached to this report as an appendix. Some of the amendments include:

- Allowing signs displaying electronic static copy in Employment, Commercial and Utility Sign Districts;
- Requiring greater separation between sensitive land uses, including residential districts, so that signs cannot face properties in those districts where they are within 250 metres;
- Reducing the size and height of all third party signs permitted in Commercial Residential Sign Districts; and,
- Reducing the maximum night-time brightness of illuminated and electronic signs by 40 per cent between sunset and sunrise.

COMMENTS

Application: 2787 Eglinton Avenue East

Astral Media Outdoor submitted an application to request that City Council replace the existing amendment previously granted, with an amendment to allow the installation of a third party ground sign containing electronic static copy described in Table 1 of Appendix 1 and shown in Figure 2 below.

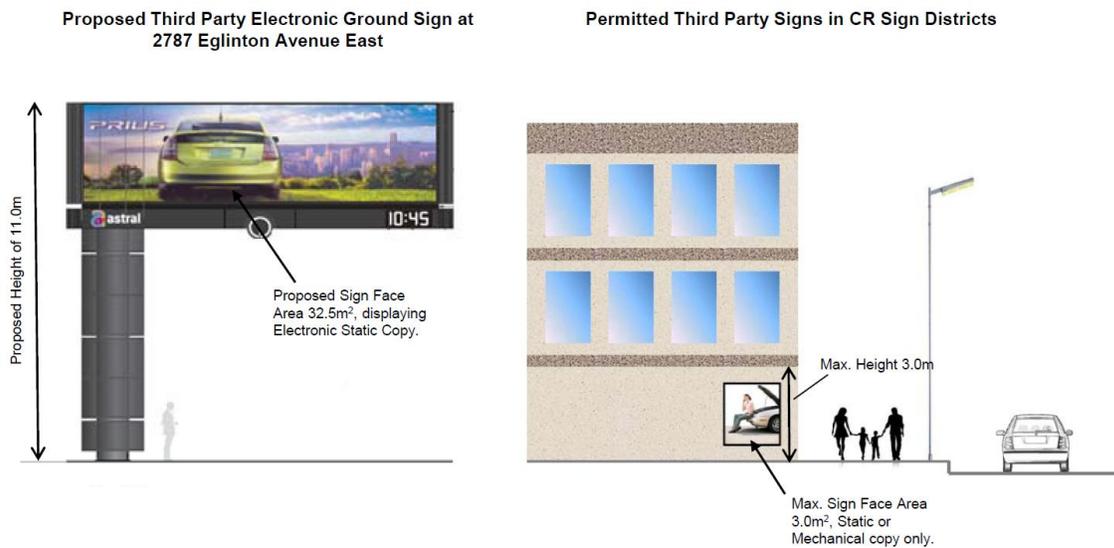
Staff Position:

Staff do not support the request for an area-specific amendment because it is not in keeping with the goals or objectives of City Council as expressed through the Sign By-Law. The proposed sign contravenes many of the performance standards that apply to signs permitted in a Commercial Residential Sign District. Approval of this application will further undermine Council's goal of preventing additional ground signs in this Sign District where alternative sign types, such as wall signs, are supported.

Requested Amendment:

A Sign By-law amendment granted in February 2012 allows for a third party roof sign with two back-to-back faces displaying electronic static copy and not exceeding 12 square metres in area per face. This sign was never installed.

Figure 2 - Proposed Third Party Sign at 2787 Eglinton Avenue East vs. Current Permission for Third Party Signs in Commercial Residential Sign District

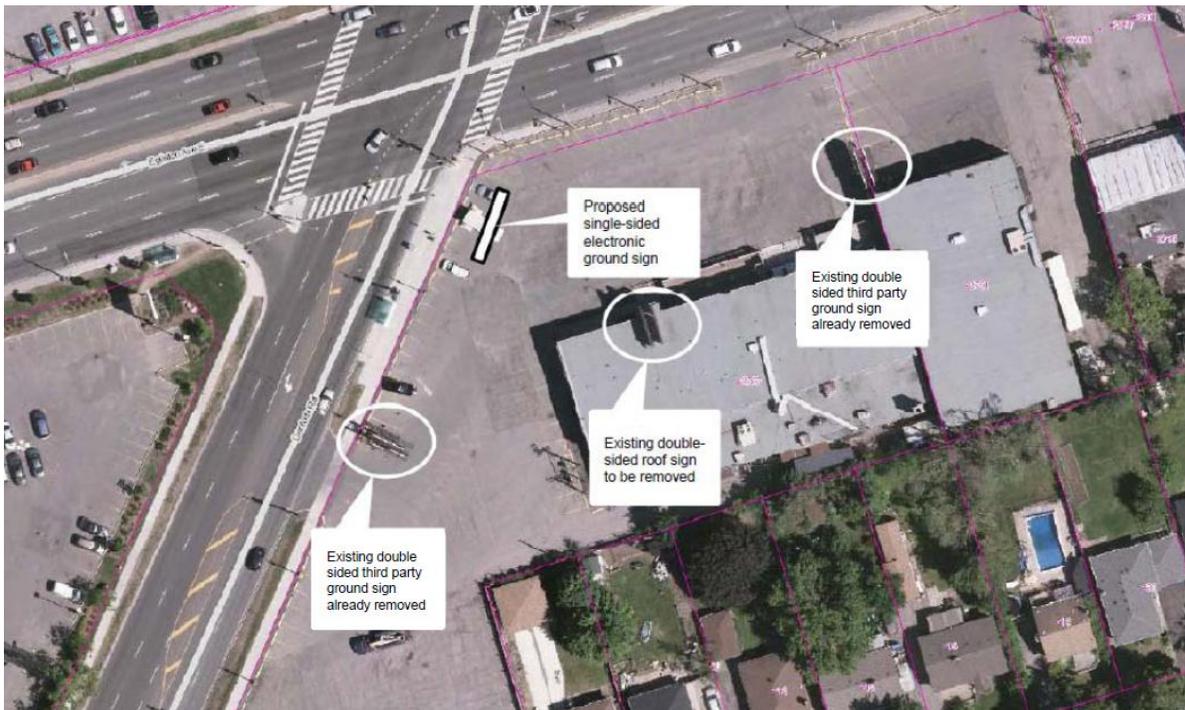


Additionally, the applicant proposed the removal (and revocation of permits) for three existing signs at this location as described below, as a condition of approval and before a new permit is issued:

- One third party ground sign, operated by Pattison Outdoor, located on the west portion of the property adjacent to Danforth Road;
- One third party ground sign, operated by Pattison Outdoor, located on the north-east portion of the property adjacent to Eglinton Avenue East; and,
- One third party roof sign containing two sign faces with electronic static copy (not yet installed).

As of October 25, 2015, staff have confirmed that the two ground signs operated by Pattison Outdoor have been removed. The City has documented the removal and has begun the process of cancelling the permits.

Figure 3 - Existing and Proposed Signs at 2787 Eglinton Avenue East



Character of the Immediate Area:

The property is located in Ward 35 (Scarborough Southwest), at the south-east corner of Eglinton Avenue East and Danforth Road. There is a two-storey commercial building and a parking lot on the property.

Properties on the south-west and north-west corners of the intersection are currently used for large-scale retail. On the north side of Eglinton, there is a neighbourhood of residential townhomes. To the south is a neighbourhood of residential homes.

The property is located in a Commercial Residential Sign District. South of the property is a Residential Sign District.

Staff Review of Proposed Amendment:

Third party ground signs and signs with electronic copy are not permitted in Commercial Residential Sign Districts. In addition, the proposed sign is significantly larger and higher than permitted. It is also closer to a Residential Sign District and an intersection than is permitted.

APPLICATION: 9 Hanna Avenue

Outfront Media submitted an application to request an amendment to allow the installation of a third party ground sign displaying electronic static copy at 9 Hanna Avenue, as described in Table 2 of Attachment 1 and Figure 4 below.

Staff Position:

Staff believe that the proposed sign represents an improvement over the sign being replaced, which is illuminated all night. In addition, the applicant proposes to remove another adjacent sign which is very close to a neighbouring condominium and is also illuminated all night. As a result, this report recommends approval of the proposed sign, provided that it is illuminated in accordance with the recent amendments to the Sign By-Law, has additional shielding provided to reduce the impact on adjacent residential occupants and a five-year permit term instead of the ten-year initial term requested by the applicant.

Requested Amendment:

This application proposes the removal (and revocation of permits) for an existing sign located to the east of the proposed sign on the subject premises as a condition of approval and before any new permit is issued. The application also seeks to extend the typical permit term of five years to ten years for the initial term.

The premises is located within the Gardiner Gateway Special Sign District, and is designated as Institutional. Third party signs are permitted in that District where large illuminated and electronic signs are common.

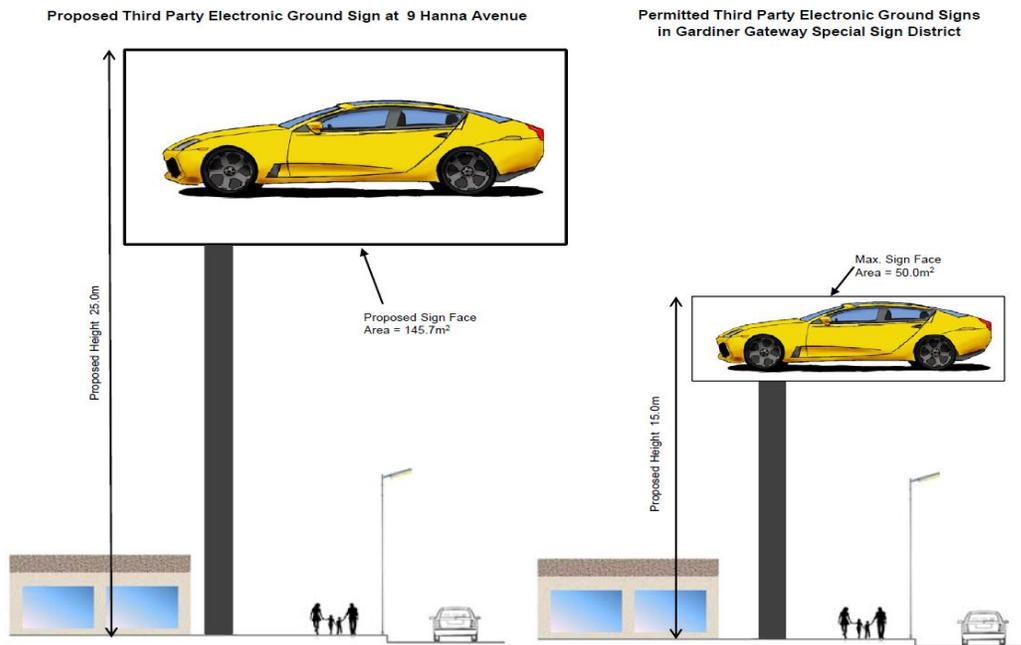
Character of the Immediate Area:

The subject property is located in Ward 19, bordered to the south by a railway corridor, the F.G. Gardiner Expressway and Exhibition Place. The proposed sign is intended to be viewed from vehicles travelling westbound on the expressway.

This property is located in "Liberty Village", a dense, residential condominium community. The proposed sign would be located near a building currently used by the Toronto Police Service.

The lands north of 9 Hanna Avenue have been re-developed and contain a mix of uses including residential, office and retail.

Figure 4 - Proposed Third Party Electronic Ground Sign at 9 Hanna vs. Permitted Third Party Electronic Ground Signs in the Gardiner Gateway Special Sign District



Community Consultation:

At the request of the local Ward Councillor, the applicant held a public consultation meeting to review the proposed sign. Approximately nine people attended from the community. The general opinion expressed by attendees was that any new approvals should result in a discernible improvement over the current status. The applicant also agreed to provide additional shielding of the sign face to further reduce the impact of the electronic display on nearby residential buildings.

Staff Review of Proposed Amendment:

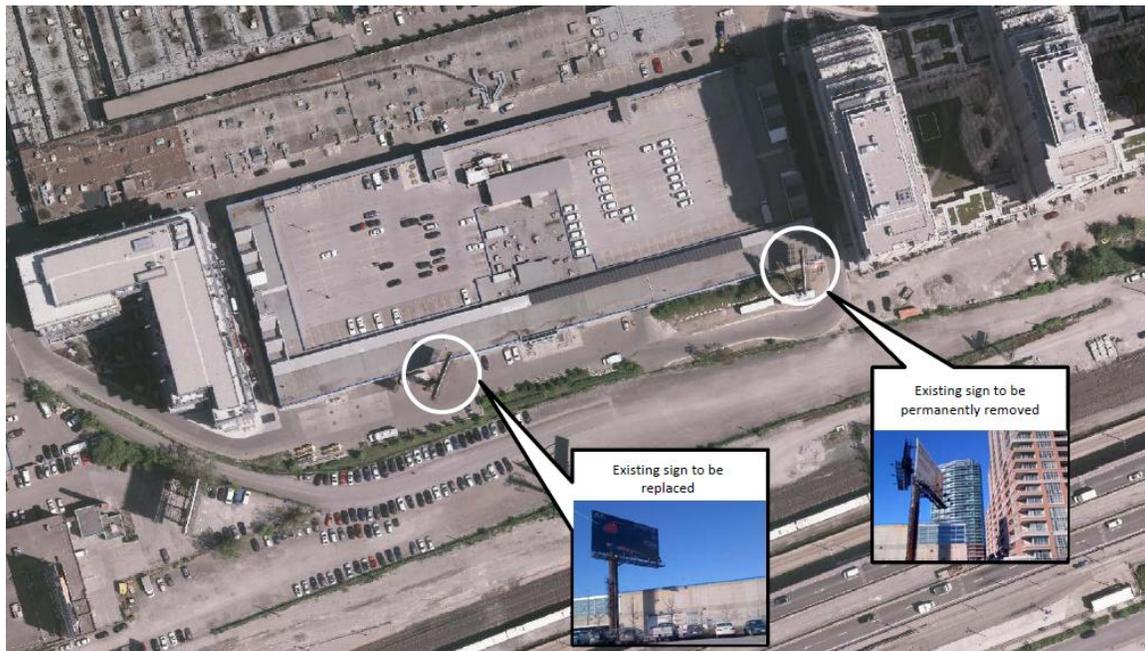
The proposed sign is significantly larger and higher than permitted by the Sign By-law but is the same size and height as the sign proposed to be replaced. The applicant also

proposes an electronic sign which is only permitted where it replaces another electronic sign. The existing sign is not an electronic sign.

Although the existing sign that would be replaced does not display electronic copy, the brightness of the proposed sign is expected to be less than the existing sign, will be shut off between 11:00 p.m. and 7:00 a.m. and would be approximately 150 metres from adjacent residential uses. It is the opinion of staff that the proposed sign represents an improvement over the sign currently in place.

The additional third party ground sign proposed to be removed is located very close to the condominium building constructed on the neighbouring property. Residents with west-facing units are impacted by the proximity of the existing sign which is illuminated all night. The removal of an additional sign in the immediate area represents a reduction in the total sign face area on the property.

Figure 5 - Proposed Sign Removal and Replacement at 9 Hanna Avenue



The applicant proposed to operate the sign at 400 nits between sunset and sunrise. At the time of the application, that represented a reduction from the By-Law requirement. As a result of the amendments approved by City Council in July 2015, that provision was reduced to 300 nits. It is recommended that the maximum brightness level for the proposed sign be reduced to 300 nits between sunset and sunrise, in accordance with the recently-adopted amendments.

Staff are not in support of the applicant's request to extend the five-year permit term to ten years.

APPLICATION: 750 Spadina Avenue

The United Jewish Appeal Federation of Greater Toronto submitted an application to request an amendment to allow the installation of one third party roof sign containing electronic static copy as described in Table 3 of Attachment 1 and shown in Figure 6 below.

Staff Position:

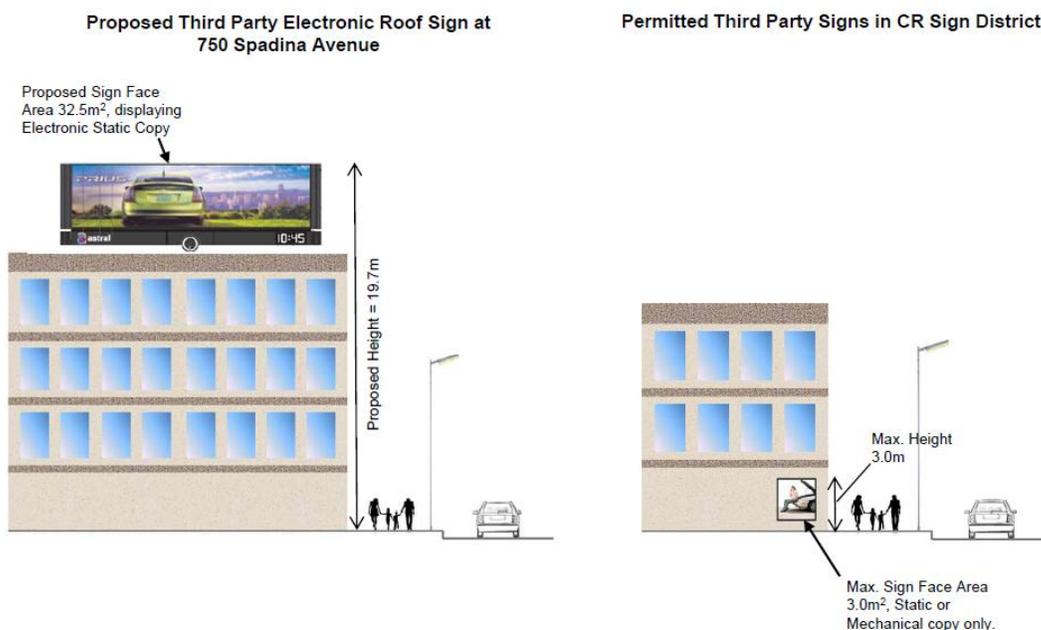
Staff do not support the proposed amendment application. It would add a third party roof sign with electronic copy, which is expressly prohibited and contrary to the goals and objectives of City Council as expressed through the Sign By-Law. The proposed sign is significantly larger and closer to an intersection than permitted, and it faces both a street and a Residential Sign District. In addition, extending the initial permit term to 15 years is contrary to the goals and objectives of the Sign By-law.

Requested Amendment:

The requested amendment would allow the display of a third party sign displaying electronic static sign copy at 750 Spadina Avenue.

Additionally, the application seeks to modify regulations to extend the permit term from five years to an initial term of fifteen years. Subsequent permits would be subject to a five-year term.

Figure 6 - Proposed Third Party Electronic Roof Sign at 750 Spadina Avenue vs. Permission for Third Party Signs in Commercial Residential Sign Districts



Character of the Immediate Area:

The property is located in a Commercial Residential Sign District in Ward 20 (Trinity-Spadina), at the corner of the intersection of Bloor Street West and Spadina Avenue/Road. The premises contains a three-storey community-use space and is known as the "Miles Nadal Jewish Community Centre".

There are three places of worship to the west and the east of the property. The University of Toronto's St. George campus is located east of the property, along with a high-rise student and seniors' residential housing complex. To the south is a new 20-storey mixed-use residential condominium building and a high-rise residential building that is primarily used as student housing. The proposed sign conflicts with existing uses in the area.

Roof Signs:

The Sign By-law expressly prohibits third party roof signs because they are often difficult to integrate into the overall design and architecture of a building. They result in buildings which appear higher and intrude into the skyline.

Staff Review of Proposed Regulations:

Roof signs are expressly prohibited and electronic signs are not permitted in Commercial Residential Sign Districts. Further, the proposal marks a significant departure from many other By-Law provisions for third party signs in this Sign District. The proposed sign would be significantly larger and higher than permitted, would be minimally set back from an intersection and would face both a Residential Sign District and a street. Attachment 1 includes a full comparison of the proposed sign to the Sign By-Law provisions.

Figure 7 - Proposed Third Party Electronic Roof Sign at 750 Spadina Avenue



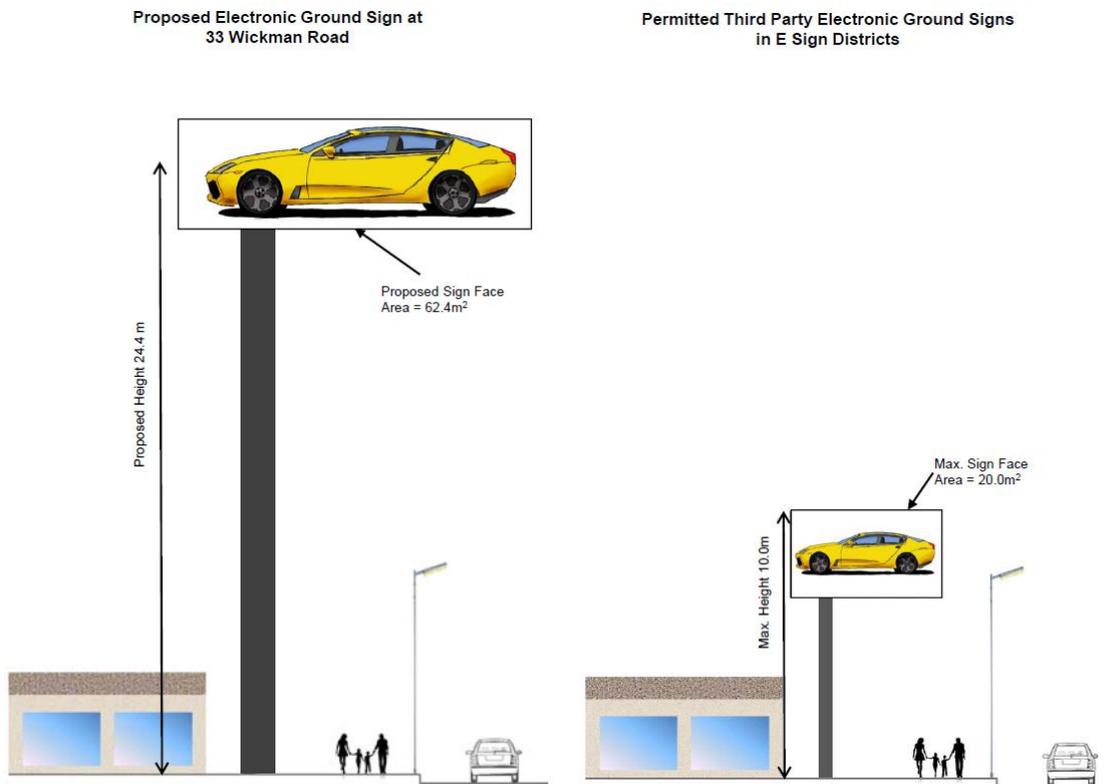
APPLICATION: 33 Wickman Road

The Canadian Pacific Railway Company submitted an application to request an amendment to allow the installation of a third party ground sign with electronic static copy at 33 Wickman Road as described in Table 4 of Attachment 1 and shown in Figure 8 below.

Staff Position:

Staff do not support this amendment application. The proposed sign exceeds the maximum permitted height, size and the required separation distance from the Expressway and is contrary to the goals and objectives of City Council as expressed through the Sign By-Law. In addition, staff do not support extending the five-year permit term to ten years as it undermines the ability to re-consider the compatibility of a sign with surrounding neighborhoods every five years.

Figure 8 Proposed Third Party Electronic Ground Sign at 33 Wickman vs. Permitted Third Party Electronic Ground Signs in Employment Sign Districts



Requested Amendment:

The applicant is seeking an amendment to display a third party advertising sign displaying electronic static sign copy. This amendment application also proposes the removal (and revocation of permits) for five existing third party signs, described below, as a condition of approval and before any new permit is issued:

- One double-sided third party ground sign with four 10' x 20' sign faces at 33 Wickman Road;
- One double-sided roof sign with two 10' x 20' sign faces with static copy, located at 36 Queen Elizabeth Boulevard; and,
- Three sign structures on the north side of Bloor Street West, west of Islington Avenue: One single-sided 14' x 48' third party ground sign, one double-sided 10' x 20' third party ground sign, and one double-sided 10' x 20' third party ground sign located within a railway corridor.

As of October 23, 2015, staff have confirmed that the double-sided roof sign located at 36 Queen Elizabeth Boulevard has been removed. The City has documented the removal and has begun the process of cancelling the permits.

Additionally, the application seeks to extend the permit term from five years as permitted by the Sign By-law to an initial term of ten years.

Character of the Immediate Area:

This property is located within a railway corridor and is designated as an Employment Sign District. It is in Ward 5 (Etobicoke-Lakeshore) between The Queensway to the north and the F.G. Gardiner Expressway to the south, with Kipling Avenue to the east and The East Mall to the west. The buildings on adjacent properties contain industrial and commercial / retail uses.

The City's Urban Structure Plan establishes an *Avenues* classification for The Queensway, which is east of the premises on the opposite side of Kipling Avenue. That designation identifies corridors along major streets where re-urbanization is anticipated and encouraged. To date, there has been an incremental transformation and re-development taking place along that portion of The Queensway that is in keeping with the *Avenues* classification.

The immediate area is expected to remain an Employment Sign District in nature, primarily supporting businesses, economic activities and functions, permitting a variety of uses including office, manufacturing, warehousing and distribution.

Staff Review of Proposed Regulations:

The proposed sign would have two faces, each of which is more than three times larger than permitted by the Sign By-Law and at a height of more than double what is

permitted. It would also be located very close to the F. G. Gardiner Expressway. Attachment 1 includes a full comparison of the proposed sign to the Sign By-Law provisions.

This application is proceeding as an area-specific amendment rather than a Sign Variance Application because the requests by the applicant for an extended permit term and the proposed removal of existing signs are not within the decision-making jurisdiction of the Sign Variance Committee.

The applicant is also seeking to extend the permit term to ten years for its initial term, rather than the standard five years permitted by the By-Law. Staff do not support amending the standard regulation for the term of a sign permit. Growth and development are expected to proceed in the area and may render the proposed sign more unsuitable in its surroundings.

The proposed sign is larger and taller than permitted for third party signs within an Employment Sign District. This can increase the impact on adjacent properties and roadways. The surrounding buildings are generally low-rise one and two-storey buildings. The height of the proposed sign makes it less compatible with the built-form in the surrounding area.

Staff do not support the proposed sign, even with the condition that five existing third party signs be removed and the associated permits be revoked. While the removals provide a benefit in the reduction of sign clutter, the overall benefit towards the objectives of the Sign By-law are offset by the negative impact of the proposed sign.

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SIGNATURE

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Toronto Building

ATTACHMENTS

1. Application Proposals Compared to Sign By-Law Requirements
2. Draft of Proposed Area-Specific Amendment – 2787 Eglinton Avenue East
3. Draft of Proposed Area-Specific Amendment – 9 Hanna Avenue
4. Draft of Proposed Area-Specific Amendment – 750 Spadina Avenue
5. Draft of Proposed Area-Specific Amendment – 33 Wickman Road