



STAFF REPORT ACTION REQUIRED

Area-Specific Amendments to the City's Sign By-law - 2 Strachan Avenue

Date:	August 23, 2016
To:	Planning and Growth Management Committee
From:	Chief Building Official & Executive Director, Toronto Building
Ward:	19 – Trinity-Spadina
Reference Number:	P:\2016\Cluster B\BLD\Chief Building Official Head Office\PG16007

SUMMARY

This is a supplementary report to the May 2016 report from the Chief Building Official and Executive Director, Toronto Building, related to a proposed amendment to the site-specific provisions of the Sign By-law in order to permit a new double-sided third party electronic ground sign at 2 Strachan Avenue. At the July 2016 City Council meeting, Council referred the May 2016 report back to the Planning and Growth Management Committee for further consideration.

Staff have reconsidered the application and do not support the requested Sign By-law amendment as the proposed sign will adversely impact nearby residential properties, the Fort York neighbourhood and Liberty Village. In addition, the proposed sign does not meet the overall goals or objectives of City Council as expressed through the Sign By-Law. Should Council adopt the requested amendments, a sign containing two electronic sign faces approximately three times that of the existing electronic sign faces will be displayed with illumination levels twice that of what currently exists on this property. Consistent with the previous staff report, this report recommends that City Council refuse this application.

RECOMMENDATIONS

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

1. That City Council refuse the application to amend Section 2K of Schedule 'B' of the Sign By-law to implement a new area-specific amendment for a portion of the premises municipally known as 2 Strachan Avenue, in order to provide for a third

party electronic ground sign in addition to the signage currently permitted by Section 2K of Schedule 'B', as described in Attachment 1 of this report, and Attachment 4 of the May 20, 2016 report from the Chief Building Official and Executive Director, Toronto Building.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

At the July 12, 13, 14 and 15, 2016 City Council meeting, Council referred Recommendation 3 of the report related to an application for a site-specific amendment for a third party ground sign displaying electronic sign copy located at 2 Strachan Avenue back to the Planning and Growth Management Committee for further consideration.

Item PG13.6: Requests for Area-Specific Amendments to the City's Sign By-law – 2016 Annual Report

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG13.6>

ISSUE BACKGROUND

At the July 2015 City Council meeting, Council considered Item PG5.13 and adopted a number of amendments to the Sign By-law relating to the display of electronic and illuminated signs. That report was the result of several years of research by City staff and outside consultants as well as public consultation between City staff with industry stakeholders. The amendments adopted by City Council allowed electronic signs in more areas of the city, including areas designated for employment and utilities, with increased separation from sensitive land uses. The amendments also included a 40% reduction in maximum brightness levels for all signs. Third party signs are not permitted to be illuminated between 11:00 p.m. and 7:00 a.m. The required setback from highways and expressways was maintained at 400 metres while the required setback from sensitive areas was increased to 250 metres from 30 metres, when compared to non-electronic signs. Prior to these amendments, electronic signs were only permitted in the Dundas Square and the Gardiner Gateway Special Sign Districts.

At the July 12, 13, 14 and 15, 2016, City Council Meeting, Council referred Recommendation 3 of the report related to the application for site-specific amendments to allow a third party ground sign displaying electronic sign copy located at 2 Strachan Avenue back to the Planning and Growth Management Committee for further consideration.

COMMENTS

Staff do not support the amendment application by Cieslok Media, as the proposed sign:

- Is in an Open Space Sign District, where third party signs are not permitted and would negatively impact on open space uses;
- Is in the historic Fort York site-specific restriction, where third party signs are not permitted, with potentially greater impact on the historic Fort York site;
- Would be 14 metres from the F.G. Gardiner Expressway; whereas 400 metres is required;
- Would increase the impact on nearby high-rise residential buildings;
- Is located approximately 300 metres from other electronic signs; whereas 500 metres is required; and
- Would be operating at illumination levels higher than what the current sign is operating at, providing a greater impact on nearby sensitive land uses.

For these reasons, staff are of the opinion that the requested amendment is contrary to the goals and objectives of the Sign By-Law. As a result of this further consideration, staff continue to support their recommendation that Council refuse the request.

Proposed and Existing Signs at 2 Strachan Avenue

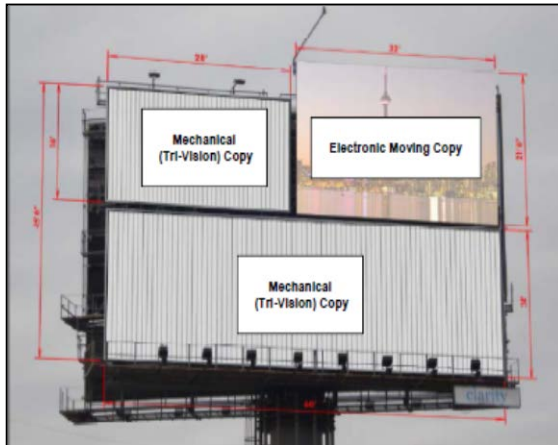
The requested site-specific amendment seeks to provide for a third party electronic ground sign containing two sign faces, each with a sign face area of 167.23 square metres displaying electronic static copy. (The By-law defines "electronic static copy" as an electronic image that changes every ten seconds with a maximum one second between images.) The proposed sign is located less than 14 metres from the F.G. Gardiner Expressway and will have sign faces oriented in a V-shaped configuration. This configuration will allow observers in different locations to view the multiple faces at the same time. A back-to-back configuration, as required by the Sign By-law, ensures that only one sign face may be visible at any one time.

The existing sign contains a variety of methods of copy displayed on each of its two sides. The existing displays include mechanical (tri-vision) copy, electronic static copy and electronic moving copy, as defined by the Sign By-law. There are 64 square metres of electronic static sign copy on the west side of the existing sign and 65 square metres of electronic moving copy on the east side. Like the proposed sign, the existing sign is also in a V-shaped configuration. Both the current and the new sign are 28.5 metres in height. See Figure 1 for illustrations of the existing and proposed signs for this property.

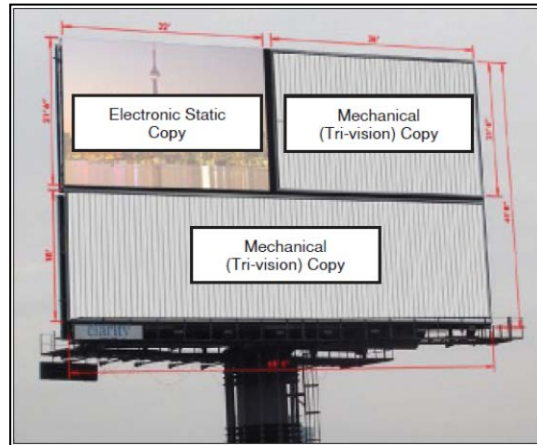
If adopted by Council, the applicant is proposing to replace the existing third party ground sign on this property with this proposed sign.

Figure 1 – Illustrations of the Existing and Proposed Sign Faces at 2 Strachan Avenue

Existing Sign – East Elevation



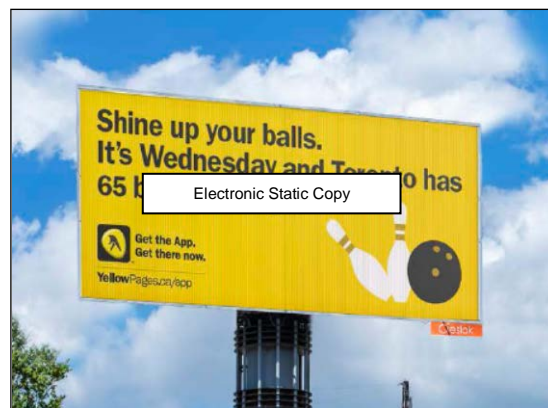
Existing Sign – West Elevation



Proposed Sign – East Elevation



Proposed Sign – West Elevation



Comparison of Proposed Sign to other Electronic Signs

If approved by Council, the proposed sign at 2 Strachan Avenue will be the largest third party electronic sign in the area and the largest in the city outside of the Dundas Square Special Sign District. The proposed sign will also have the largest electronic sign face of any sign in the immediate area, including signs located in the nearby Gardiner Gateway Special Sign District, where such large electronic third party signs are permitted.

Significant concerns were raised in the May 20, 2016 staff report about the size of the proposed electronic sign faces, as each sign face is almost three times that of the existing electronic sign faces. In addition, the electronic sign faces will operate at illumination levels twice that of the existing electronic sign face. This change is significant when compared to what is permitted in an Open Space Sign District, and when compared to other electronic signs in the city. Table 1 illustrates the sizes of the five largest electronic signs in the city compared to this proposed sign.

Table 1 - Comparison of the 5 Largest Electronic Signs in the City

Ranking by Size	Location	Sign Size
1	Atrium on Bay Media Tower – Northwest Corner of Yonge and Dundas (Electronic Screen at Top of Sign)*	541.7 m ²
2	Eaton Centre Media Tower (Approved; Under Construction)*	376.3m ²
3	2 Strachan – Proposed Sign	167.2 m²
4	BMO Field – Scoreboard Sign**	158.4 m ²
5	9 Hanna Avenue (Approved by Council in late 2015)**	146.0 m ²

* = located in Dundas Square Special Sign District

** = located in Gardiner Gateway Special Sign District

Impact of Existing and Proposed Signs on the Immediate Area and Past Enforcement Action

As noted above, the proposed sign has a sign face area approximately three times that of any other sign at Exhibition Place and will be located closer to residential buildings than four of the five other signs on this property. Furthermore, the illumination levels proposed for this sign are twice that of the existing sign. Figure 2 shows the location of several signs at Exhibition Place in relation to residential buildings located to the north, in Liberty Village. Table 2 describes each of the existing signs at Exhibition Place, including past enforcement action for these signs.

Figure 2 – Signs at Exhibition Place Visible to Nearby Residential Buildings



LEGEND

- 1. Subject Sign at 2 Strachan Avenue near the Princes' Gates
- 2. BMO Field Ground Sign
- 3. BMO Field Scoreboard Sign
- 4. Ricoh Coliseum Roof Sign – East Facing
- 5. Ricoh Coliseum Roof Sign – West Facing
- 6. Astral Media Sign near Dufferin Gates

Table 2 – Signs Located at Exhibition Place and Number of Investigations

Sign No. Corresponding to Figure 1	Sign Description	Sign Face Area (Electronic Sign Faces Only)	Approximate Distance to Nearest Residential Building	Number of Investigations Due to Complaints (Since Feb. 2013)
1	Existing Sign at 2 Strachan (West Face)*	64.0 m ²	160 m	6
2	BMO Field Ground Sign (North-West Face)	116.1 m ²	245 m	9
3	BMO Field Scoreboard Sign	158.4 m ²	340 m	2
4	Ricoh Coliseum Sign (East Face)	90.1 m ²	147 m	1
5	Ricoh Coliseum Sign (West Face)	90.1 m ²	165 m	0
6	Astral Media Sign Near Dufferin Gates	62.5 m ²	366 m	0

** To date the City has not received complaints regarding the east facing side of this sign*

It should be noted that the existing electronic signs at Exhibition Place do not comply with the requirements of the new Sign By-law, as adopted by Council in July 2015. Since the approval of these signs, the community has changed with the construction of new commercial and residential buildings near Exhibition Place. Staff expect that the proposed sign will have a significant negative impact on nearby residential buildings, existing open spaces and the historic Fort York and area.

Since 2013, staff have received more complaints with respect to the various signs at Exhibition Place than anywhere else in the city. The complaints received have resulted in 17 investigations by the Sign By-law Unit. All of these investigations have led to enforcement action against one sign operator. The enforcement action included a Prohibition Order from the Ontario Court of Justice for repeatedly operating their sign at an illumination level greater than what is permitted by the Sign By-law.

The west facing side of the existing sign at 2 Strachan has received six complaints since 2013. All of these complaints related to excessive illumination of the electronic sign face beyond what is permitted by the Sign By-law. It should be noted that the existing sign is subject to limitations on its hours of operation and its illumination levels. The only sign to receive more complaints than the sign at 2 Strachan Avenue is the BMO Field third party ground sign. The BMO sign is located further away from the nearest residential building than the proposed sign. It also has a sign face area slightly smaller than the proposed sign.

Therefore, due to the negative impact of the existing signs, past enforcement action on existing signs and changes in the community since the approval of the existing signs,

staff believe that the proposed sign will have an increased negative impact to sensitive land uses in the area.

Additional Conflict with Sign By-law Regulations

In addition to being an electronic sign in a sign district which does not permit electronic signs, the proposed sign does not comply with many of the provisions of the Sign By-law, particularly concerning location, height, distance from highways, as well as provisions respecting sign face area and configuration. Table 3 provides a summary of how the proposed sign does not comply with the Sign By-law regulations respecting electronic ground signs.

Table 3 – Proposed Sign Measured Against Third Party Electronic Ground Sign Provisions

Proposed Sign Measured Against Third Party Electronic Ground Sign Provisions			
Item	Required	Proposed	Comments
Distance to Highway	400 metres	<14 metres	Located 386 metres closer to the highway than permitted
Area Specific-Restriction	No third party signs permitted in Fort York Historic District	Proposed sign within an area-specific restriction	No third party signs are permitted in this specific location
Distance to Other Third Party Signs	150 metres	Compliant	In-line with requirements
Distance to Other Third Party Electronic Signs	500 metres	<ul style="list-style-type: none"> ±300 metres to third party electronic roof sign at Ricoh Coliseum ±325 metres to third party electronic ground sign north of the Gardiner 	Located 200 metres closer to other third party electronic roof signs and 175 metres closer to other third party electronic ground signs than permitted
Maximum Sign Face Area	20 square metres	167.23 square metres	Almost 8.5 times the permitted size
Height of Sign	10.0 metres	28.5 metres	Almost 3 times the permitted height
Distance from Sensitive Land Uses	60 metres	<ul style="list-style-type: none"> 0 metres to "OS" 30 metres to adjacent "OS" 	Located within an OS-Open Space sign district, and 30 metres closer than permitted to adjacent "OS"
Facing Sensitive Land Uses	250 metres	<ul style="list-style-type: none"> 0 metres to "OS" 30 metres to adjacent "OS" 120 metres to "I" 	Sign faces sensitive land uses (not permitted)
Sign Face Orientation	Back-to-back	"V-shaped"	Not in-line with required configuration

Permit Expiration

If Council adopts the requested amendment, the proposed sign would, like the current existing sign, be granted a sign permit that would expire on December 31, 2025. This permit will not be subject to the renewal provisions of the Sign By-law and therefore will remain in place until 2025.

CONCLUSION

Staff have reconsidered this request for amendments to the Sign By-law to permit the proposed sign at 2 Strachan Avenue. Due to the size and illumination levels of the proposed sign, the number of non-conforming electronic signs at Exhibition Place, past enforcement history of signs at Exhibition Place, and a negative impact on nearby historic Fort York and residential buildings, staff do not support the approval of the requested Sign By-law amendment.

CONTACT

Robert Bader
Supervisor, Variance, Tax & Permits
Sign By-law Unit, Toronto Building
Tel: (416) 392-4113
E-mail: rbader@toronto.ca

Ted Van Vliet
Manager, Sign By-law Unit
Toronto Building
Tel: 416-392-4235
E-mail: tvavli@toronto.ca

SIGNATURE

Will Johnston, P. Eng
Chief Building Official and Executive Director (Acting)
Toronto Building

ATTACHMENTS

1. Draft of Proposed Area-Specific Amendment – 2 Strachan Avenue