

REPORT FOR ACTION

Applications for Area-Specific Amendments to the City's Sign By-law: 750 Spadina Avenue, 150 Sherway Drive, 153 Dufferin Street, 700 Lawrence Avenue West, 2263-2287 Yonge Street and 2 Strachan Avenue

Date: May 16, 2017

To: Planning and Growth Management Committee

From: Chief Building Official and Executive Director, Toronto Building

Wards: 5 – Etobicoke-Lakeshore, 14 – Parkdale-High Park, 15 – Eglinton-

Lawrence, 19 - Trinity-Spadina, 20 - Trinity-Spadina, 22 - St. Paul's

SUMMARY

The purpose of this report is to provide recommendations to City Council on six applications received by Toronto Building in 2016, to amend Toronto Municipal Code Chapter 694 (Sign By-law). City Council approval is required as the applicants are requesting By-law amendments that would allow for a prohibited sign type, extended sign permit expiry date, or for a sign that is not permitted in the sign district where it is proposed. The Sign Variance Committee does not have the authority to grant these types of variances. Two of the applications are resubmissions of applications previously refused by City Council.

The report considers the overall impact of approving the six applications on the goals of the Sign By-law and the city as a whole. Five of the six applications include electronic signs with static copy which are generally in areas where these signs are not permitted. Static copy refers to sign copy that is fixed and does not move. The report further describes the Chief Building Official's review of each application, identifying how each application conflicts with the existing Sign By-law.

The Chief Building Official and Executive Director, Toronto Building recommends that City Council refuse all of the amendment applications contained in this report, as the signs resulting from the proposed amendments would be inconsistent with the regulations, goal and objectives of the Sign By-law. There are no distinguishing characteristics of any of the applications which would support a recommendation to change the existing Sign By-law requirements to allow these particular signs.

RECOMMENDATIONS

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

- 1. City Council refuse the application to amend the Sign By-law to allow for, in addition to the signage otherwise permitted by the Sign By-law, one electronic third party ground sign at 750 Spadina Avenue (Bloor JCC), as described in Attachment 2;
- 2. City Council refuse the application to amend the Sign By-law to allow for, in addition to the signage otherwise permitted by the Sign By-law, one electronic third party ground sign at 150 Sherway Drive (Trillium Health Centre), as described in Attachment 3;
- 3. City Council refuse the application to amend the Sign By-law to allow for, in addition to the signage otherwise permitted by the Sign By-law, one third party ground sign at 153 Dufferin Street, as described in Attachment 4;
- 4. City Council refuse the application to amend the Sign By-law to allow for, in addition to the signage otherwise permitted by the Sign By-law, one electronic third party ground sign and one electronic third party wall sign at 700 Lawrence Avenue West (Lawrence Square), as described in Attachment 5;
- 5. City Council refuse the application to amend the Sign By-law to allow for, in addition to the signage otherwise permitted by the Sign By-law, one electronic third party ground sign and one electronic third party wall sign at 2263-2287 Yonge Street (E-Condos), as described in Attachment 6; and;
- 6. City Council refuse the application to amend Section 2K of Schedule 'B' of the Sign By-law to implement a new area-specific amendment to Chapter 694, Signs, General, of the City of Toronto Municipal Code at 2 Strachan Avenue (Exhibition Place), to display a third party electronic ground sign in addition to the signage currently permitted by Section 2K of Schedule 'B', as described in Attachment 7,

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

PG8.8 - Chapter 694 Area-Specific Amendment Applications Concerning Electronic Signs: At its December 9, 2015 meeting, Cty Council adopted the recommendations of both staff and the Planning and Growth Management Committee ("PGMC") and specifically refused the requested amendment to the Sign By-law for the proposed third party electronic roof sign at 750 Spadina Avenue (Bloor JCC). http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2015.PG8.8

PG14.8 - Area-Specific Amendments to the City's Sign By-law - 2 Strachan Avenue: Following a referral back to PGMC, at its October 5, 2016 meeting, City Council refused the requested amendment to the Sign By-law for the proposed third party electronic ground sign at 2 Strachan Avenue (Exhibition Place).

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG14.8

COMMENTS

Sign Variance vs. Sign Amendment

When an applicant is proposing a sign that differs from the provisions of the Sign Bylaw, they may apply for a variance. The Sign Variance Committee primarily reviews and makes determinations on third party signs (signs used for advertising, e.g. billboards). The Sign Variance Committee must consider these applications in the context of the criteria established by the Sign By-law in order to maintain City Council's objectives.

Decisions on variances for first party signs (business identification signs) are made by the Chief Building Official, and appeals are considered by the Sign Variance Committee.

When an applicant is proposing a prohibited sign type, an extended sign permit expiry date, or where a class of sign (first party or third party) is not permitted in the sign district where it is proposed, a Sign By-law amendment is necessary to permit the proposed sign. In these cases, City Council can approve an amendment to the Sign By-law to permit the proposed sign. Amendments need to be considered against the key Sign By-law objectives, and whether the application will diminish or support city Council's goals.

In December 2013, the Chief Building Official reported to the Planning and Growth Management Committee that Sign By-Law amendment applications would be brought together for consideration by Council once per year. This practice allows for the applications made throughout the year to be reviewed and considered in a holistic manner and assessed by Council as to their overall impact on the City.

The Sign By-law amendment process does not prohibit someone from re-applying for a sign (or very similar sign) which City Council has previously refused, under certain conditions. Two of the applications discussed in this report (2 Strachan Avenue and 750 Spadina Avenue) are similar, or identical, to previous applications. In the case of 2 Strachan Avenue, the proposed sign is smaller than in the previous application. The

previous application for the sign at 750 Spadina Avenue was made more than one year ago, and can now be re-considered. The recommendations to refuse these By-law amendments are consistent with previous Council decisions.

By-Law Objectives: Electronic and Third Party Signs

Each of the applications are for By-law amendments to allow electronic third party signs. Electronic signs have been the subject of considerable research and public consultation by the City of Toronto. Amendments to the By-law adopted in 2015 expanded the areas in which electronic signs are permitted. However, these amendments minimized potential negative impacts on residents' quality of life and surrounding uses. This was achieved by expanding separation distances to sensitive land uses and reducing maximum permitted night-time brightness.

By-law Objectives: Minimize Impact on Character of Immediate Area

Each application was considered to have a negative impact on the character of the immediate area in which it was proposed. In addition, when considered as a group, the total impact on the city would be significant. In some cases, applicants have requested that the third party sign permit expiration provisions found in §694-10B of the Sign Bylaw be extended from five years to 15 years, for the initial term. This provision was included to account for changes which may occur over time in the area surrounding a third party sign. Extending the term by ten years is not supported as growth and development in the immediate surrounding area over that time frame may make the sign less compatible.

By-law Objectives: Other Attributes

To develop the recommendations to City Council, staff compared the proposed attributes of the sign to the existing requirements contained in the Sign By-Law. These included: sign face area; height, setback from intersection; distance to third party signs, whether the proposed sign faces a street or sensitive land use; number of sign faces and method of copy display.

Public Consultations: What We Heard

In conformance with the Sign By-law requirements, all residents and property owners within 250 metres of the subject property where an electronic sign is proposed, and within 120 metres for the static sign proposal, were notified. In addition, community consultation sessions, recommended as part of the Electronic and Illuminated Sign Study, were conducted in order to obtain public feedback for each of the applications for electronic signs.

There was limited or no public attendance at some of the community consultations. However, in the feedback received, the communities potentially affected by the

proposed signs expressed concerns about the possible negative impacts on the public realm, distraction to drivers and adjacent properties (e.g. parks, schools and residences).

Sign By-law Amendment Applications

The following provides an overview of the seven applications received for consideration in 2017, by Toronto City Council. A brief summary of each application is provided, with a discussion of the existing By-law provisions, the amendment requested by the applicants and the key points emerging from the review.

The requested Sign By-law amendments would permit:

- One new third party electronic roof sign at 750 Spadina Avenue (Bloor JCC)
- One new third party electronic ground sign at 150 Sherway Drive (Trillium Health Centre)
- One new third party electronic ground sign at 153 Dufferin Street
- One new third party electronic ground sign and one new third party wall sign at 700 Lawrence Avenue West (Lawrence Square)
- One new third party electronic ground sign and one new third party wall sign at 2263-2287 Yonge Street (E-Condos)
- One existing third party ground sign at 2 Strachan Avenue (Exhibition Place)

1. 750 Spadina Avenue

Summary

The property is located in an area designated as a "Commercial Residential" (CR) District in the Sign By-law, at the intersection of Bloor Street West and Spadina Avenue/Road. The property contains a three-storey building known as the Miles Nadal Jewish Community Centre, or the "Bloor JCC" (see Figure 1 below).

The properties around the Bloor JCC are also designated CR Sign Districts. There are three places of worship and the University of Toronto's St. George campus surrounding the property, as well as several mixed-use residential buildings.

Existing By-law Provisions

The Sign By-law does not permit third party electronic signs in a Commercial Residential (CR) Sign District and prohibits third party roof signs throughout the city. Third party roof signs are prohibited because they are difficult to integrate into the overall design and architecture of a building. They result in buildings which appear higher than may otherwise be permitted and buildings that intrude into the skyline.

Third party wall signs are permitted in a CR Sign District.

Requested Amendment

The Sign By-law amendment application is required to:

 Allow the installation of a third party roof sign displaying electronic static copy.

The proposed sign would:

- Extend a maximum of 4.6 metres above the roof;
- Contain one sign face displaying electronic static sign copy;
- Have a sign face area of 32.6m²
 (10.67 metres horizontally by 3.05 metres vertically); and,
- Have a setback of 2.5 metres from the property line, in line with the east-facing building façade.

The application also seeks to extend the permit term from five years permitted by the Sign By-law to an initial term of 15 years.

Figure 2 - Comparison of Proposed Sign to Permitted Sign in CR Sign District

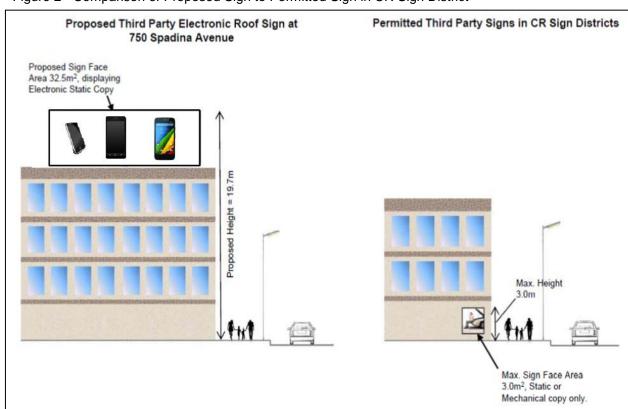




Figure 1 - Key Map: 750 Spadina Avenue

750 Spadina Avenue

Comments on the Application:

This application is identical to the one that was before City Council in December 2015. The attributes of the proposal which led to City Council's decision at that time have not changed.

The proposed sign is significantly larger, higher and closer to an intersection than would otherwise be allowed for a permitted sign type in a CR Sign District. The proposed sign also faces a street, which is not allowed for third party signs in CR Sign Districts.

In addition to being a prohibited sign type, the proposed sign does not meet the other requirements for an otherwise permitted sign in a CR Sign District. Attachment 1, Table 1 details the differences between an otherwise permitted (static or mechanical copy) third party sign and the proposed electronic static copy sign.

Recommendation: Staff do not support the proposed sign at this location.

2. 150 Sherway Drive (Trillium Health Centre)

Summary

The property is located near the intersection of The West Mall and The Queensway. It is the site of the former Queensway General Hospital, now known as the Queensway Health Centre (see Figure 3 below).

To the west of the property is the Etobicoke Creek, Toronto and Region Conservation Authority lands and the Toronto-Mississauga border. To the east is Sherway Gardens, a large shopping centre. To the north is a hydro corridor, The Queensway and additional hydro lands, employment lands and a branch of the Canadian Pacific Railway. To the south, there are commercial and office facilities, a large open space and the Queen Elizabeth Highway.

Existing By-law Provisions

The property is designated as an I-Institutional Sign District, where third party signs are not permitted. Uses in Institutional Sign Districts include places of worship, schools, hospitals, community centres and nursing homes.

Amendments adopted by City Council in 2015 expanded opportunities to locate electronic signs in some sign districts across the city. City Council did not allow electronic signs on or near Institutional,

Figure 3 - Key Map: 150 Sherway Drive



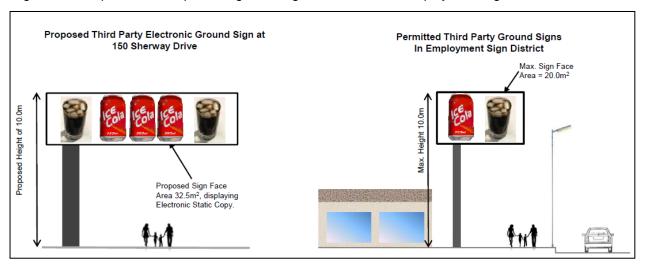
Open Space or Residential Sign Districts.

Requested Amendment:

The Sign By-law amendment application is required to:

Allow for third party ground sign displaying electronic static copy in an Institutional (I)
 Sign District (See Table 2 in Attachment 1).

Figure 4 - Comparison of Proposed Sign to a Sign Permitted in an Employment Sign District



Comments on the Application:

The proposed sign could adversely impact sensitive land uses (e.g., open space and mixed use) surrounding the property. The property also contains a hospital, a sensitive land use. The proposal is not consistent with the objectives of the Sign By-law, which are in place to protect sensitive land uses from the impacts of electronic signs.

Recommendation: Staff do not support the proposed sign at this location.

3. 153 DUFFERIN STREET

Summary

The property is located in the Gardiner Gateway Special Sign District ("GG-SSD") which allows electronic signs. It is surrounded by the F.G. Gardiner Expressway, Exhibition Place and a rail corridor. The proposed ground sign would have one sign face, facing east along the F.G. Gardiner Expressway (see Figure 5 below).

The applicant has applied for a Sign By-law amendment which would allow a larger than permitted third party ground sign displaying electronic static copy. The proposed sign would have a single sign face, facing east along the F.G. Gardiner Expressway.

There is an existing double-sided third party roof sign displaying static copy which the applicant would remove.

Existing By-law Provisions

The Gardiner Gateway Special Sign

District (GG-SSD) allows electronic third party signs. In addition to size limits on new electronic signs, the Sign By-law provides greater allowance for sign size, where an existing electronic sign is upgraded.

A new electronic static sign face area is permitted to be 20.0m² in the GG-SSD. If an existing sign is upgraded, it is permitted to be 50.0m². A new ground sign is permitted to be ten metres in height, whereas an

Proposed Ground Sign

153 Dufferin Street

Figure 5 - Key Map: 153 Dufferin Street

upgraded sign is permitted to be 15.0 metres tall.

Requested Amendment:

The application seeks permission for a third party ground sign displaying electronic static copy which would have:

- A sign face area of 145.67m²; and,
- A height of 22.86 metres.

The applicant is also applying to extend the permit term from five years permitted by the Sign By-law to an initial term of 15 years.

Specific details and attributes of the proposed sign can be found in Table 3 of Attachment 1

Comments on the Application:

This proposal is for a new electronic ground sign and includes the removal of an existing third party roof sign.

The sign exceeds both the allowable area and height requirements for upgraded and new signs.

The height and size of the proposed sign is likely to impact adjacent properties and roadways, as the surrounding buildings are generally low-rise buildings. The height of the proposed sign makes it incompatible with the built-form of the surrounding area. The

proposed sign is also significantly closer than permitted to another third party electronic sign.

Staff do not support extending the five-year permit term. Liberty Village continues to redevelop, including the intensification of residential land uses. It is important that the City has the opportunity to reconsider whether this sign is still appropriate in five years.

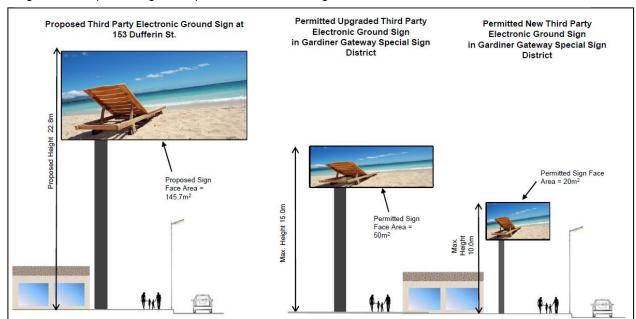


Figure 6 - Proposed Sign Compared to Electronic Signs Permitted in the GG-SSD

Recommendation: Staff do not support the proposed sign at this location.

4. 700 LAWRENCE AVENUE WEST (LAWRENCE SQUARE)

Summary

The applicant is seeking Sign By-law amendments to change the signage at Lawrence Square, a two-storey shopping mall, located at the north-west corner of Lawrence Avenue West and the W.R. Allen Expressway. The amendments would allow the replacement of one existing ground sign with a third party electronic ground sign containing three digital faces and the installation of a third party electronic wall sign (see Figure 7 below).

An existing third party roof sign on the property is unlawful and is currently being prosecuted by the City.

Existing By-law Provisions

The proposed signs contravene a number of the performance standards that apply to: signs permitted in a Commercial Residential Sign District, including:

- Proximity to the W.R. Allen Expressway
- Proximity to an intersection
- The sign is facing a street
- Proximity residential and open space sign districts
- Proximity to other third party signs
- The display of electronic sign copy
- The size and height of the proposed signs
- The number of sign faces proposed

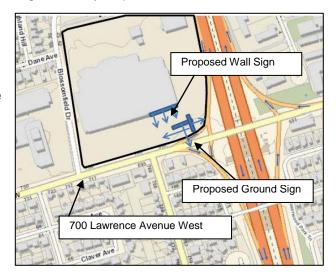
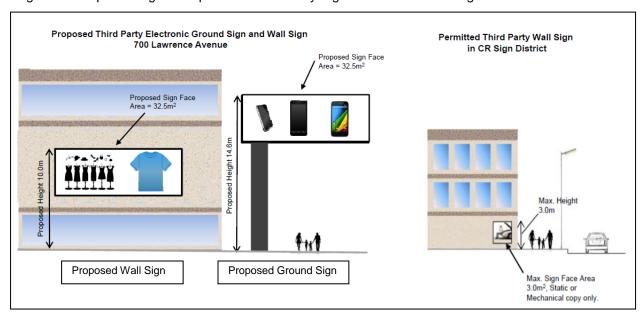


Figure 7 - Key Map: 700 Lawrence Avenue West

Requested Amendments

The applicant is proposing a number of Sign By-law amendments which would allow for the installation of the third party electronic ground sign in the parking lot and the third party electronic wall sign (See Table 4 in Attachment 1).

Figure 8 - Proposed Signs compared to Third Party Signs Permitted in CR Sign Districts



Comments on the Application

The proposed ground sign, which incorporates both first and third party sign copy is significantly larger and higher than the sign by law permits for first party signs, and exceeds the number of permitted sign faces. CR Sign Districts only allow small scale

third party wall signs displaying static or mechanical sign copy; third party ground signs, and electronic sign copy are not permitted.

The proposed ground sign is not compatible with the surrounding area due to its proximity to the W.R. Allen Expressway, the intersection of the Allen and Lawrence Avenue West, and neighbouring sensitive land uses. If approved, the ground sign will only be 2.0 metres away from the W.R. Allen Expressway and the proposed wall sign will only be 60 metres away from the W.R. Allen Expressway. The Sign By-law requires a minimum of 100 metres.

The wall sign, with a proposed sign face area of 32.5m², is more than ten times larger than the maximum 3.0 m² permitted by the Sign By-law for a third party wall sign. The proposed wall sign also faces a street and is too close to the Allen Expressway and neighbouring sensitive land uses.

Recommendation: Staff do not support the proposed sign at this location.

5. 2263-2287 Yonge Street (E-Condos)

Summary

A Sign By-law amendment has been applied for which would allow two signs at 2263-2287 Yonge Street, in addition to any business identification signs that could be displayed on the property as-of-right (see Figure 9 below).

The two proposed signs (a third party electronic ground sign and third party electronic wall sign) would be incorporated in the "E-Condos" development of two residential towers with additional retail and

Figure 9 - Key Map: 2263 Yonge Street

office uses currently underway at the north-east corner of Yonge and Eglinton Avenue East.

Existing By-law Provisions

The property is located in a Commercial Residential (CR) Sign District which does not permit third party electronic ground signs or electronic wall signs.

Proposed Wall Sign(s)

Proposed Ground Sign

2263-2287 Yonge Street

Requested Amendments

A number of specific amendments would be required to address performance issues, in addition to amendments to permit third party electronic and ground signs at this location, including:

- Sign face area
- Sign height
- Street facing
- Setback from intersection
- Distance to other third party signs
- Distance to sensitive land uses/facing sensitive land uses
- (see Table 5 in Attachment 1)

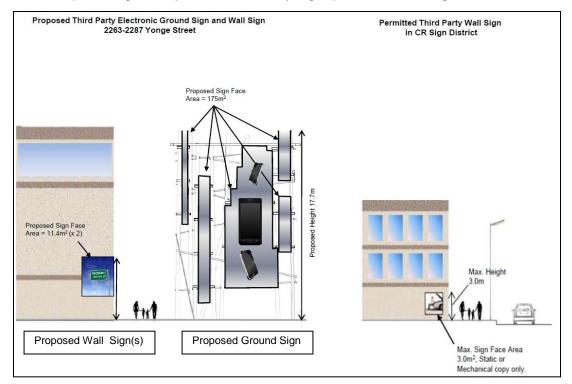
Comments on the Application

The proposed third party electronic signs are not permitted in a CR Sign District and contravene many of the performance standards in the Sign By-law. Approval of this application will further undermine Council's goal of preventing third party electronic signs from being located in areas where people live.

Currently there are two large electronic third party wall signs, having a total of four faces, on the building located at the north-west corner of Yonge Street and Eglinton Avenue. Adding two large third party electronic signs to this location would have the effect of creating a new special sign district. The Sign Bylaw has already established these districts in the City. As such, staff do not support the proposed signs.

The proposed wall sign is more than seven times the size permitted by the Sign By-law, and has two sign faces, where only one is permitted. Both of these sign faces would face a street. They would also be too close to the existing third party electronic wall signs at the north-west corner of the intersection.

Figure 10 - Proposed Signs compared to Third Party Signs permitted in CR Sign Districts



The proposed third party ground sign ("Art Lattice Wall" shown in Figure 10) is larger than what the Sign By-law permits in a CR Sign District, and will be approximately 70 metres from an existing electronic third party sign, where 500 metres would be required. This proposed sign would also be located too close to the intersection of Yonge Street and Eglinton Avenue (by approximately 3.0 metres).

The Sign By-law Unit consulted with City Planning about the proposed art lattice wall, and confirmed that public art was not secured for the E-Condos development.

Recommendation: Staff do not support the proposed sign at this location.

6. 2 Strachan Avenue (Exhibition Place)

Summary:

If adopted, this Sign By-law application would amend the existing site-specific provisions regulating this portion of 2 Strachan Avenue. The existing sign has been in place since 1999. The proposed sign is on a small parcel of land in an Open Space (OS) Sign District, on the east side of the Exhibition Place grounds. The premises is adjacent to (but not within) the Gardiner Gateway Special Sign District (GG-SSD), where large-format electronic signs are more common (see Figure 11 below).

A similar application for one third party ground sign at 2 Strachan Avenue was previously been considered by City Council last year and ultimately refused.

Existing By-law Provisions

Third party electronic signs are not permitted in this Open Space Sign District, or in close proximity to residential buildings. Open space uses include parks, playing fields, community centres and natural areas.

The Sign By-law contains restrictions on third party signs in the area surrounding historic Fort York, including the subject premises.

Requested Amendments

The application seeks permission for a third party ground sign displaying electronic static copy, to replace the existing third party sign in the same location. The two proposed sign faces are 145.7 square metres each; which is approximately 20 square metres less than the previous application, which was refused by City Council. This current proposal

Figure 11 - Key Map: 2 Strachan Avenue



also seeks maximum dusk-to-dawn illumination levels of 150 nits, compared to the Sign By-law requirements of 300 nits. The area-specific amendment currently regulating the existing sign expires in 2025, at which time the sign is to be removed. The specific details and sign attributes can be found in Table 6 of Attachment 1 (also see Figure 12 below).

The current application is identical to the previous application with respect to sign location, distance from the F.G. Gardiner Expressway and height. The difference between the two applications is the sign face area: it has been reduced to 145.6 m², whereas the previous application was for a sign face area of 167.2 m².

Comments on the Application

At its October 5, 2016 meeting, City Council refused the requested amendment to the Sign By-law for the proposed third party electronic ground sign at 2 Strachan Avenue.

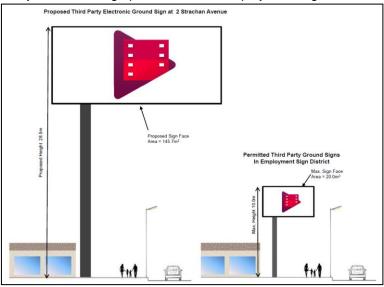
Staff do not support this current application for the same reasons that the previous application was not supported.

By increasing the electronic sign copy on the existing sign to 100 percent of the sign face area, the negative impact on surrounding residential uses would also increase. The proposed sign is also located within an area-specific restriction due to its proximity to Fort York and the Gardiner Expressway. For these reasons, this proposal is contrary to the goals and objectives of the Sign By-law.

Currently, the existing sign contains a mixture of static and electronic copy, with 29 percent of the west face and 24 percent of the east face displaying electronic copy. Both sides are proposed to be converted to 100 percent electronic copy, with a sign face area of 145.7m² on each side. Comparatively, the Sign By-law allows a maximum of 50m² in sign face area in the adjacent GG-SSD.

Amendments recently adopted by City Council for electronic third party signs reduced the restrictions that had previously existed, but also increased the protection of sensitive land uses (including open space and residential areas) from the impact of electronic signs. Consultation indicated that the public does not believe electronic signs should be located where people live. Residential development is ongoing in Liberty Village, which is increasing the residential density in proximity to the sign.

Figure 12 - Proposed Sign at 2 Strachan compared to a Third Party Electronic Sign permitted in an Employment Sign District



Through the Electronic and Illuminated Sign Study, it was established that a conventionally-sized (i.e. 10' x 20', or 18.6 m²) electronic sign would impact the area within approximately 250 metres of the sign. The impact would be significantly broadened since the proposed sign, with a sign face area of 145.7m², would be almost eight times larger than permitted by the Sign By-law in other areas.

The proposed sign is also located within 14 metres of the Gardiner Expressway, whereas the required setback is 400 metres, and is within the area surrounding historic Fort York. These restrictions were carried over from legacy Sign By-laws to help preserve specific areas in the city from unwanted signs. Large-format billboards and advertising devices are thought to be incompatible with historic Fort York and with the Gardiner Expressway, outside of the GG-SSD.

Despite the existing sign being limited to a maximum brightness of 500 nits between sunset and sunrise, staff have measured the brightness levels on the west side of the sign of between 94 nits and 190 nits. The proposed amendment would limit the maximum brightness of the sign to 150 nits which is below the maximum level currently limited by the By-law (300 nits). However, this is unlikely to reduce the brightness from current operating levels.

Currently, there are seven third party signs within the 500 metre separating distance required by the By-law. The signs are located to the south and west of the premises on the Exhibition Place grounds, portions of which are within the GG-SSD.

As of the date of this report, the Sign By-law Unit has received 12 emails from the public, all of whom are opposed to this proposed sign. The reasons cited were proximity to residential dwellings, the larger electronic sign face area, increased light pollution, the disruption of their view of historic Fort York, and that the sign would negatively impact the community and only benefit the advertisers.

Recommendation: Staff do not support the proposed sign at this location.

CONTACT

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SIGNATURE

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

ATTACHMENTS

- 1. Application Proposals Compared to Sign By-law Permissions
- 2. Draft of Proposed Area-Specific Amendment 750 Spadina Avenue
- 3. Draft of Proposed Area-Specific Amendment 150 Sherway Drive
- 4. Draft of Proposed Area-Specific Amendment 153 Dufferin Street
- 5. Draft of Proposed Area-Specific Amendment 700 Lawrence Avenue West
- 6. Draft of Proposed Area-Specific Amendment 2263-2287 Yonge Street
- 7. Draft of Proposed Area-Specific Amendment 2 Strachan Avenue