

Supplementary Report - Appeal Concerning a First Party Signage Master Plan for 164 Evans Avenue

Date: March 25, 2019

To: Sign Variance Committee

From: Supervisor, Tax, Variance & Permits, Sign By-law Unit, Toronto Building

Wards: Etobicoke-Lakeshore (3)

SUMMARY

This Supplementary Report provides corrections to, and replaces in its entirety, the previously submitted report dated March 14, 2019. This report addresses an appeal concerning a Signage Master Plan for a portion of 164 Evans Avenue, specifically the roof of the existing building on the premises, consisting of one first party roof sign. The Signage Master Plan consists of one variance, with conditions, with respect to one non-illuminated first party roof sign displaying static copy (the "Proposed Sign"). The Proposed Sign is to be located at the north-easterly corner of the roof, cantilevered beyond the perimeter of the roof of the newer two-storey addition at an existing brewery located at 164 Evans Avenue.

The Proposed Sign has two sign faces in a "v-shaped" configuration, directed towards traffic on the Gardiner Expressway. Each of the two sign faces measure 4.35 metres horizontally by 5.1 metres vertically, and will function to identify the brewery located at the subject property. The height will not exceed 15.4 metres.

Cool Brewery, through their agent Bousfields Inc., was the initial applicant. After conducting a review of this application, a decision was made to refuse the requested variance. Following this refusal, an appeal was filed by Cool Brewery through their counsel, Aird & Berlis.

Staff have determined that the Proposed Sign, which comprises the proposed Signage Master Plan, does not meet all nine of the criteria established in §694-30A of the Sign By-law, which are required for a variance approval to be granted. A determination has been made that the Proposed Sign:

- Is not compatible with the development of the premises and surrounding area;
- Does alter the character of the premises or surrounding area; and
- Is contrary to the public interest.

RECOMMENDATIONS

The Supervisor, Tax, Variance & Permits, Sign By-law Unit, Toronto Building, recommends that:

1. The Sign Variance Committee refuse the requested variance, subject to the specified conditions, to §694-26I required for the Signage Master Plan consisting of the Proposed Sign at the premises municipally known as 164 Evans Avenue, as described in Attachment 1 of this report.

FINANCIAL IMPACT

There is no financial impact resulting from the adoption of the recommendations in this report.

DECISION HISTORY

Item EY7.24: Sign Variance Report - 164 Evans Avenue
(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2007.EY7.24>)

At its June 2007 meeting, Etobicoke York Community Council considered EY7.24 and granted, with conditions, variances sought with respect to the sign by-law in effect at the time to allow for a sign permit to be issued for the erection and display of a "v-shaped" ground sign with two sign faces. A sign permit was never obtained, nor the necessary applications filed to comply with the transition provisions of Chapter 694 (the Sign By-law). As a result, in accordance with the decisions of City Council concerning transition between the predecessor sign by-laws of the City of Toronto, and the current Sign By-law, the decision of the Community Council to grant variances to a predecessor by-law have no effect with respect to permit issuance upon the Sign By-law's 2010 effective date.

In 2013, a building permit was issued for a two-storey addition to the existing brewery building located where the previously proposed ground sign was to be erected.

On December 21, 2018, a decision was made that refused to grant the requested variance for the Proposed Sign. The applicant appealed that decision on January 11, 2019.

ISSUE BACKGROUND

Sign Attributes

The Proposed Sign has two sign faces in a "v-shaped" configuration, cantilevered slightly beyond the perimeter walls of a newer two-storey addition at this brewery. Each sign face displays static copy with an area of 22.2 square metres. The height of the Proposed Sign is 15.4 metres from grade (see Figure 1 below for a rendering of the Proposed Sign).

Site Context and Sign District Designation

The subject property is located in Ward 3, at the north-east corner of Evans Avenue and Islington Avenue, and south of the Gardiner Expressway. It is designated as an E-Employment Sign District. The subject property contains a two-and-a-half-storey brewing facility with surface parking lots located along the western and southern property lines.

Figure 1: Rendering of the Proposed Sign from the Gardiner Expressway On-ramp



As shown in Figure 2 below, the subject property sits at the edge of an employment zone centred on the intersection of Islington Avenue and the Gardiner Expressway. To the immediate east is a large townhouse development which is designated as an R-Residential Sign District. Most of the properties east of the subject property and south of the Gardiner Expressway are designated as R Sign Districts, while most of the properties west of the subject property and south of the Gardiner Expressway are designated as E Sign Districts.

Figure 2: Map Excerpt Identifying the Sign Districts of the Premises and Surrounding Area



Required Variances

Table 1: Summary of Requested Variance for the Proposed Sign

Sign By-law Section	Requirement	Proposal
694-26I	An E-Employment Sign District may contain certain first party signs of the following sign types: an overhanging structure sign, a ground sign, a wall sign, an electronic wall sign, and an electronic ground sign.	The Proposed Sign is a first party roof sign, which is a sign type not permitted in an E-Employment Sign District.

COMMENTS

Criteria Established by §694-30A of The Sign By-law

The Sign By-law contains regulations on when an application for variances, must be in the form of a Signage Master Plan; §694-30B(2) requires that an applicant is required to make an application for variances for a Signage Master Plan where the application relating to three or more signs, certain sign types, or an area or premises which a Signage Master Plan has previously been approved. The proposed Signage Master Plan consists of only one sign, but must be considered as Signage Master Plan instead of a standard variance application, because the application for variance includes a roof sign. Additionally, §694-15B(2), prohibits roof signs, except a first party roof sign included in a Signage Master Plan consisting solely of first party signs, and roof signs in the Dundas Square Special Sign District.

Table 2: Relevant Provisions Concerning Signage Master Plans containing Roof Signs

Sign By-law Section	Requirement
694-15B (2)	A roof sign is expressly prohibited, except a first party roof sign included in a Signage Master Plan consisting solely of first party signs [...].
694-30B (2)	Where the application for variance relates to three or more signs, a roof sign, an electronic roof sign, a projected image sign, or an area or premises which a Signage Master Plan has previously been approved the applicant is required to make an application for variance for a Signage Master Plan [...]

The Sign By-law contains specific criteria used in evaluating variance and Signage Master Plan applications. Specifically, §694-30A states that a variance may only be granted where it has been determined that the proposed sign(s) in question meets each of the nine established criteria.

When a decision concerning a first party sign variance application or a Signage Master Plan application is appealed, the Sign Variance Committee is required to conduct an evaluation, and determine that the party seeking the variance demonstrates that the

proposed sign meets all nine criteria, on the basis of the information presented to the Sign Variance Committee.

It has been determined that sufficient information has not been provided to establish that the Proposed Sign, which is the subject matter of the proposed Signage Master Plan, meets all nine criteria. Specifically, the applicant has not demonstrated how the Proposed Sign is compatible with the development of the premises and surrounding area; how it would not alter the character of the premises and surrounding area; or, how it is not contrary to the public interest.

Applying the Established Criteria:

Section/Criteria Description: 694-30A(1) - The Proposed Sign belongs to a sign class permitted in the Sign District

As provided for in the submission materials, the Proposed Sign is a first party sign because it will identify the business at the premises. The premises is designated as an E Sign District, which allows for first party signs. As such, it appears that this criteria has been established.

Section/Criteria Description: 694-30A(2) - In the case of a third party sign, the Proposed Sign is of a sign type permitted in the Sign District

Signs can only belong to one sign class – either first party or third party. The Proposed Sign is classified as a first party sign because it will identify the business at the premises. As such, the Proposed Sign is not a third party sign and it appears that this criteria has been established.

Section/Criteria Description: 694-30A(3): The Proposed Sign is compatible with the development of the premises and surrounding area

Roof signs are prohibited because they are difficult to integrate into the overall design and architecture of a building. The result is buildings which appear higher than may otherwise be permitted, and structures that intrude into the skyline.

The applicant states in their submission materials that the Proposed Sign will "be designed in a manner that blends well with the existing rooftop as well as the exterior tank structures on the site." Staff disagree with this statement.

Figure 3 below shows a screen capture from Google Streetview in October 2018, with the existing sign structure located above the newer addition to the brewery. This image clearly demonstrates the difficulty of integrating a roof sign into the overall design and architecture of a building. Staff disagree with the applicant's suggestion that the Proposed Sign would "blend well" with the exterior tank structures.

Figure 3: Google Streetview "Screen Capture", Looking South



The applicant states that "[t]here does not appear to be any other first party roof signs approved in the area under the current Sign By-law". This statement confirms staff's review of signage in the area, and that there are very few roof signs in the broader surrounding area, all of which pre-date the Sign By-law.

Finally, first party signs are intended to function as an accessory to the business or use on the premises where the sign is located. In an E Sign District, ground signs are permitted and wall signs are permitted at the first storey. This allows the sign to be visible and to identify the business on the premises, while ensuring that it is not a visually dominant feature of the building. The Proposed Sign, however, would be directed towards the Gardiner Expressway, and will not be visible to traffic travelling along Evans Avenue (at the entrance to the premises) or Islington Avenue.

Section/Criteria Description: §694-30A(4) - The Proposed Sign supports Official Plan objectives for the property and surrounding area

The Official Plan designates the premises as an *Employment Area*. The policies for *Employment Areas* are provided in the applicant's submission materials. These policies speak to supporting businesses and providing flexibility to allow for businesses to succeed. The Proposed Sign identifies the brewery business, which is a use permitted in *Employment Areas*. As the Proposed Sign is intended to identify the business located at the premises, the Proposed Sign supports Official Plan objectives for the property and surrounding area, and it appears that this criteria has been established.

Section/Criteria Description: 694-30A(5) - The Proposed Sign does not adversely affect adjacent premises

The subject property is located in an E Sign District, and the properties to the north, south and west are also designated as E Sign Districts. The applicant's materials

confirm that the Proposed Sign will display static copy and will not be illuminated. As such, it appears that this criteria has been established.

Section/Criteria Description: 694-30A(6) - The Proposed Sign does not adversely affect public safety, including traffic and pedestrian safety.

The submission materials provide that:

The Proposed Sign will be secured to the existing roof structure, well back from the public right-of-way and from travelled portions on the site itself. Furthermore, the content displayed on the proposed sign will be static and will not pose a distraction to drivers on the abutting streets...

Based on a review, staff do not foresee any potential issues pertaining to traffic and pedestrian safety, provided the Proposed Sign is professionally designed and installed in accordance with the provisions of the Ontario Building Code, where required.

Section/Criteria Description: 694-30A(7) - The Proposed Sign is not a sign prohibited by §694-15B

The Proposed Sign is not prohibited by §694-15B, as the roof sign is proposed as part of a Signage Master Plan containing only first party signs.

Section/Criteria Description: 694-30A(8) - The Proposed Sign does not alter the character of the premises or surrounding area

The applicant has confirmed that "[t]here does not appear to be any other first party roof signs approved in the area under the current Sign By-law". By introducing a sign type which is not permitted, at the scale and magnitude proposed (aggregate sign face area of almost 50 square metres; at a height of 15.40 metres), the character of the surrounding area would be altered. As such, the applicant has not provided sufficient information to establish this criteria has been met.

Section/Criteria Description: 694-30A(9): The Proposed Sign is not contrary to the public interest

The regulations contained in the Sign By-law are based on several higher-order objectives including the Beautiful City principal, which seeks to establish a beautiful, comfortable, safe and attractive City. Roof signs are not permitted in any Sign District because they conflict with the objectives of the Sign By-law.

The Proposed Sign is out of scale with the surroundings because it is both visually and physically dominant due of its height, size and sign type. Staff have determined that, because the Proposed Sign conflicts with the higher-order objectives of the Sign By-law, it is contrary to the public interest.

CONTACT

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

SIGNATURE

Robert Bader
Supervisor, Tax, Variance & Permits, Sign By-law Unit

ATTACHMENTS

Attachment 1: Description of the Proposed Signage Master Plan
Attachment 2: Application Package and Addendum

ATTACHMENT 1: DESCRIPTION OF THE PROPOSED SIGNAGE MASTER PLAN

Signage Master Plan Description:

The Signage Master Plan will address signage on the roof of the building currently located on the premises municipally known as 164 Evans Avenue, and consisting of one sign, requiring a single variance, with conditions, as described below:

DESCRIPTION OF SIGN

The Proposed Sign is a first party non-illuminated roof sign to be located on the roof of the building currently on the premises municipally known as 164 Evans Avenue, described as follows:

1. Containing two sign faces, oriented in a "v-shaped" configuration, with one facing north-east and the other facing north-west;
2. Each sign face will display static copy, identifying the brewery business at the subject property;
3. Each sign face having a horizontal measurement not to exceed 4.35 metres;
4. Each sign face having a vertical measurement not to exceed 5.1 metres;
5. Each face with a sign face area not to exceed 22.2 square metres; and
6. At a height not to exceed 15.4 metres;

Required Variance:

1. The requirement contained at §694-21I which states that an E-Employment Sign District may contain the following first party signs, provided each of the signs comply with specific provisions: an overhanging structure sign; a ground sign providing direction erected at a point of vehicular ingress and egress to a premises; a ground sign other than a sign providing direction; a wall sign displaying the logo or corporate symbol of a business located on the premises; a wall sign other than a sign displaying a logo or corporate symbol; an electronic wall sign; and, an electronic ground sign, be varied to allow for a permit to be issued for the erection and display of the Proposed Sign, subject to all of the fourteen conditions listed below:

CONDITIONS:

1. The Proposed Sign is not illuminated;
2. The Proposed Sign shall contain two sign faces;
3. The Proposed Sign shall contain one sign face which faces in a north-east direction;
4. The Proposed Sign shall contain one sign face which faces in a north-west direction;
5. The Proposed Sign only contains sign faces which are rectangular in shape;
6. The Proposed Sign contains no sign face with a bisecting line that exceeds 5.1 metres;
7. The Proposed Sign contains no sign face with a centre line that exceeds 4.35 metres;
8. The Proposed Sign contains no sign face with a sign face area which exceeds 22.2 square metres;
9. The Proposed Sign does not have a height that exceeds 15.4 metres;
10. The Proposed Sign only displays static copy;
11. The Proposed Sign only displays sign copy which consists of the name, logo,

corporate symbol, insignia, motto, or image of a business located on the premises, or a product produced or sold by a business located on the premises;

12. The Proposed Sign is erected on and entirely supported by the roof of portion of the building for which a building permit was issued in 2013;

13. The Proposed Sign has no portion of the sign which projects further than 1.0 metre past the perimeter of the portion of the building for which a building permit was issued in 2013; and

14. The two sign faces shall be separated by an interior angle of not more than 135 degrees.

ATTACHMENT 2: APPLICANT'S SUBMISSION PACKAGE AND ADDENDUM



Application Signage Master Plan

Folder No.	Date (yyyy-mm-dd)
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Project Information

Street No.	Street Name	Lot No.	Plan No.
164	EVANS AVENUE	Part of Lot 48	339 or 389

Description of Proposal:

First party roof sign

If this is an application for the modification or restoration of existing signs, please provide the following for each sign:

Existing Sign Dimensions	Locations
N/A	N/A

Please provide the reasons/justification for the request (Attach any supporting documentation or additional pages as required):

SEE ATTACHED DOCUMENT

Property Owner Information

First Name		Last Name	
Bob		Crecouzos	
Company Name (if applicable)			Telephone No.
2074039 Ontario Inc.			(416) 255-7100
Street No.	Street Name	Suite/Unit No.	Mobile No.
164	Evans Avenue		
City/Town	Province	Postal Code	Fax No.
Toronto	ON	M8Z 1J4	
E-mail Address			
bobby@coolbear.com			

Attachment Sheet

- Copies of any supporting documents
- All necessary plans and specifications required to describe the sign(s) within the Signage Master Plan

Continue on next page

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Application
Signage Master Plan

Applicant Information and Declaration

First Name I, MICHAEL		Last Name BISSETT	
Company Name BOUSFIELDS INC.			Telephone No. (416) 947-9744
Street No. of 3	Street Name CHURCH STREET	Suite/Unit No. 200	Mobile No.
City/Town TORONTO	Province ONTARIO	Postal Code M5E 1M2	Fax No. (416) 947-0781
E-mail Address mbissett@bousfields.ca			
Do hereby declare the following: • That I am ☐ the Property Owner as stated above ☐ the owner's authorized agent. ☐ an officer/employee of _____, which is an authorized agent of the owner. ☐ an officer/employee of _____, which is the Property Owner's authorized agent. • That statements contained in this application are true and made with full knowledge of all relevant matters and of the circumstances connected with this application. • That the plans and specifications submitted are prepared for the sign variance(s) described and are submitted in compliance with copyright law • That the information included in this application and in the documents filed with this application is correct.			
 Signature		MICHAEL BISSETT Print Name	2018-01-01 Date (yyyy-mm-dd)

Continue on next page

The personal information on this form is collected under the City of Toronto Act, 2006, s. 136(c) and Chapter 694, Signs, General, of the City of Toronto Municipal Code. The information collected will be used for processing applications and creating aggregate statistical reports, for enforcement of the City of Toronto Municipal Code Chapter 694, Signs, General, Chapter 771, Taxation, Third Party Sign Tax, and any other applicable sign by-law of the City of Toronto, and for contacting permit holder(s) or authorized agent(s). Questions about this collection may be referred to the Manager, Sign By-law Unit, Toronto Building, 100 Queen Street West, Ground Floor, East Tower, Toronto, M5H 2N2 416-392-4235
14-0091 2013-08

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Data Sheet

Signage Master Plan

Folder no.	Request Date (yyyy-mm-dd)
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This data sheet forms part of an application for a Signage Master Plan under Chapter 694 of the Toronto Municipal Code, Signs

Project Information

Street No. 164	Street Name EVANS AVENUE	Lot No. Part of Block X	Plan No. 1290
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Site and Building Data

Lot Area	Lot Frontage 73 m (Evans)	Lot Depth 75 m
No. of Building(s) on the lot 1	Date of Construction of Building(s) if known (yyyy-mm-dd)	
Building Height(s) 12.3 metres	No. of Storeys 2	Building(s) Gross Floor Area 3,103sm
Building Uses(s) Brewery and accessory retail		

Site Context

Please describe the land uses, buildings and sign districts surrounding the proposal (use additional pages if necessary)
North Industrial Building - Employment District
South Industrial Building - Employment District
East Residential Townhouses - Residential District
West Office/Institutional building - Employment District

Proposal

Please describe in detail what is being proposed (use additional pages if necessary) See attached signage master plan report

Continue on next page

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Data Sheet

Signage Master Plan

Criteria

The Signage Master Plan will be evaluated against criteria listed in Toronto Municipal Code Chapter 694-30A. Variances required for a Signage Master Plan may be approved, where it is established that the proposed signs:

- Belong to a sign class permitted in the sign district where the premises is located
- In the case of a third party sign(s), be of a sign type that is permitted in the sign district, where the premises is located
- Be compatible with the development of the premises and surrounding area
- Support the Official Plan objectives for the subject premises and surrounding area
- Not adversely affect adjacent premises
- Not adversely affect public safety
- Not be a sign prohibited by 694-15B
- Not alter the character of the premises or surrounding area
- Not be, in the opinion of the decision maker, contrary to the public interest

Please provide a rationale to support this proposal, including references to the City of Toronto Official Plan and/or any other Area Plans or studies that have been completed (use additional pages if necessary.)

See attached

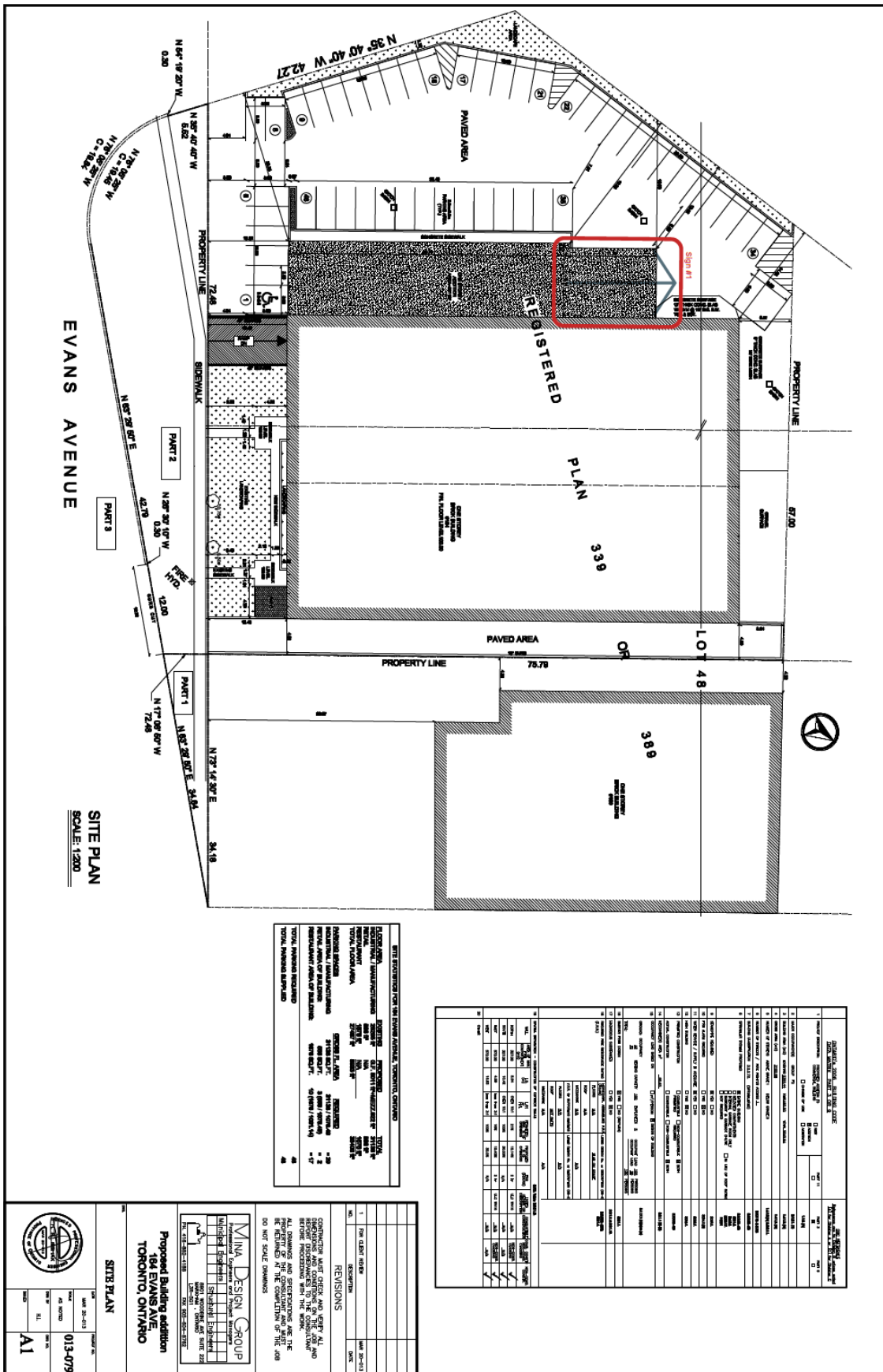
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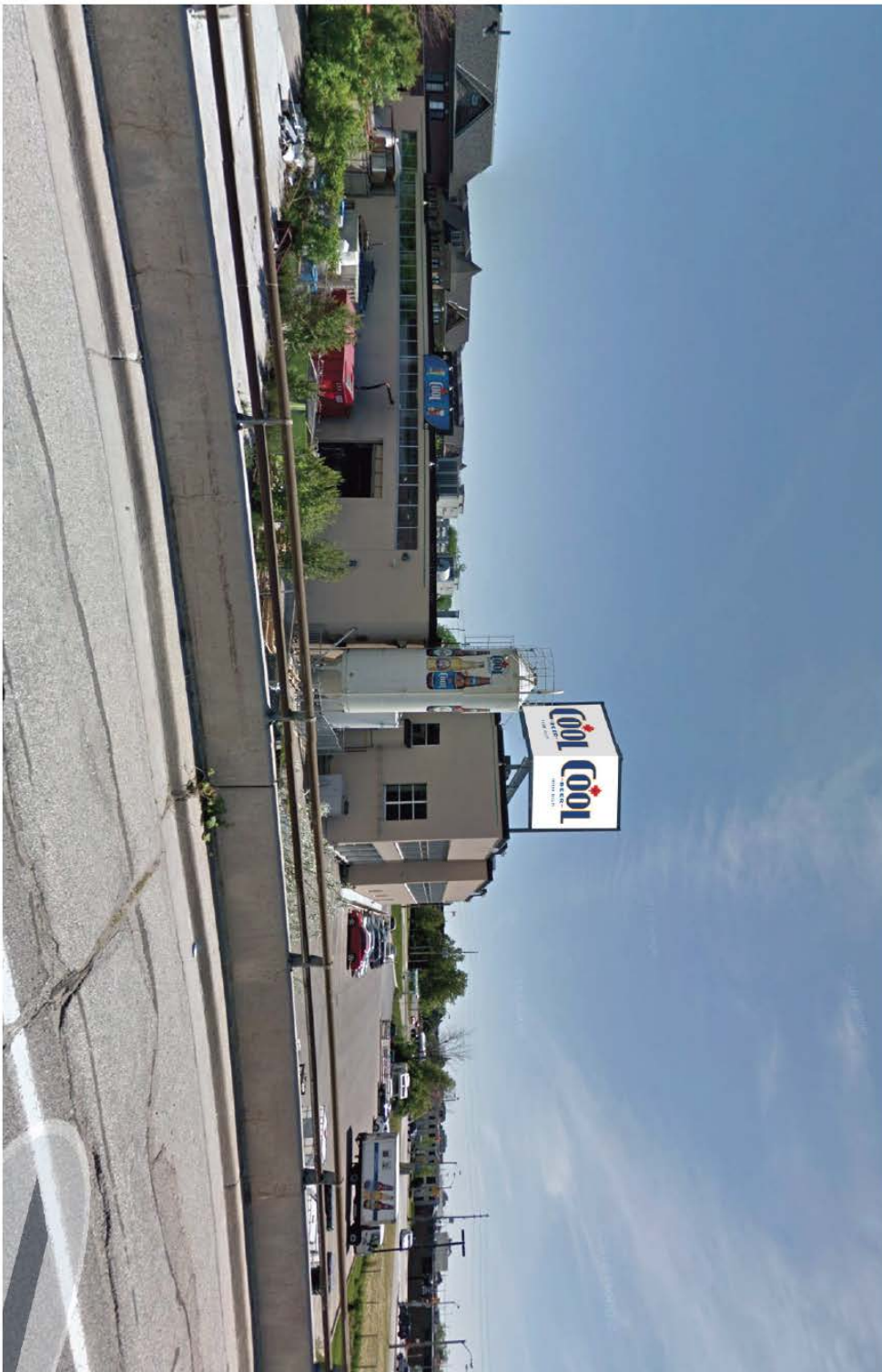
2 of 3

Data Sheet
Signage Master Plan

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VIEW LOOKING SOUTH FROM ON-RAMP TO
GARDINER EXPRESSWAY



April 11, 2018

Project No: 1807

Sign By-Law Unit
City Hall, 100 Queen Street West
Ground Floor, East Tower
Toronto, Ontario M5H 2N2

**Re: Signage Master Plan Application
164 Evans Avenue, Toronto Ontario**

1.0 Introduction and Background

We are the planning consultants for Cool Brewery, the Owner of the property municipally known as 164 Evans Avenue in the City of Toronto (the "subject site"). On behalf of our client we are pleased to submit an application for a Signage Master Plan to permit two signs on the roof of the existing building.

The subject site is located at the northeast corner of Evans Avenue and Islington Avenue, south of the Gardiner Expressway (see Figure 1, Air Photo). The site is approximately 5,748.8 square metres in size, and has frontages on the Islington Avenue on-ramp to the QEW to the west, Evans Avenue to the south and Cormier Heights to the east.



Figure 1 Site Context Aerial

3 Church St., #200, Toronto, ON M5E 1M2 T 416-947-9744 F 416-947-0781 www.bousfields.ca

The site is currently occupied by a 2 1/2-storey commercial brewery facility, which contains production equipment and office space. The building is positioned in the northeast quadrant of the subject site with surface parking lots located along the western and southern property lines. A curb cut on the north side of Evans Avenue provides vehicular and loading access to the subject site. An approximate 4.8 wide landscape strip is provided along the eastern property line, creating a buffer between the easterly wall of the building and the adjacent townhomes to the east.

A sign variance for a ground sign was granted by Etobicoke York Community Council in 2007. The approved sign was never built and therefore lapsed. However, the approval did grant a 16.55 metre high ground sign in approximately the same location as the proposed roof sign. The face of the sign had dimensions of 8.2 metres by 4.6 metres, which is comparable to the proposed sign which would have dimensions of approximately 8.6 metres by 5.0 metres. The primary difference would be that the 2007 sign had two faces (one facing east and one facing west), whereas the proposed roof sign has an angled face toward the northwest and northeast. (See Figure 2 – 2007 Sign and Proposed Sign). Enclosed are the documents pertaining to the 2007 approval for information purposes.



2.0 Site Context

The subject site is located at the edge of an employment area, with industrial and office uses to the north, south and west. The property is located adjacent to the eastbound QEW on-ramp at Islington Avenue (See Figure 3 - Site and Surrounding Context).

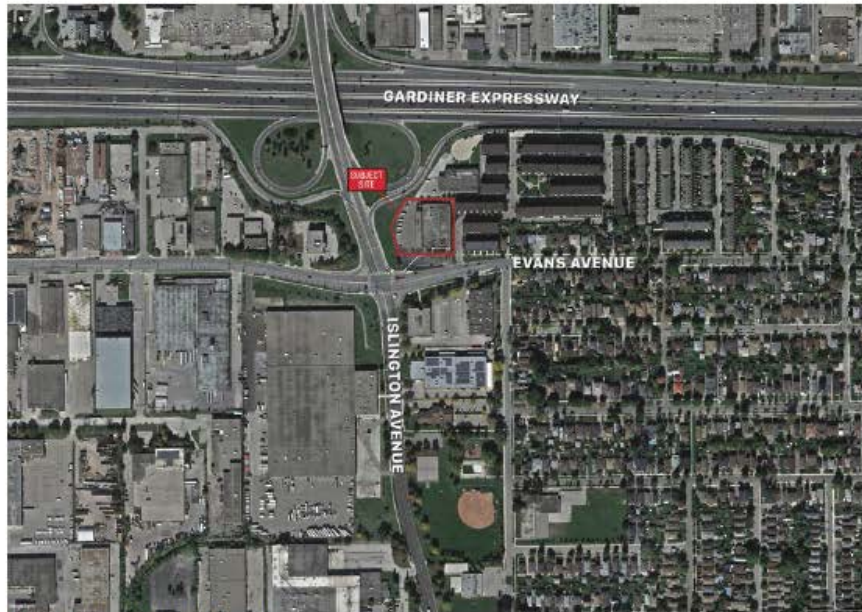


Figure 3 Site and Context Aerial

To the immediate east of the site is Cormier Heights, an approximately 12 metre wide private street extending into the adjacent townhouse development. The townhouses area arranged in a north-south orientation with flanking walls and limited secondary fenestration facing the subject site.

3.0 Proposal

To permit a first party roof sign, which is proposed to be located above the second storey level of the existing commercial building in order to promote the existing Cool Brewery business. As per the Toronto Municipal Code, Chapter 694, a *roof sign* is considered a *sign located entirely on or above the roof of a building or located entirely on the top of or above the parapet wall of a building.*

The sign will be located in the same location on the northwest corner of the building, in the location of the existing structure on the buildings roof. There will be two signs each facing a different direction as indicated in the enclosed plans.

- The total Sign Area for this sign will be approximately 5 metres by 8.6 metres.
- The height will be 15.4 metres at the highest point of the sign structure from grade.

The proposed sign is to contain *static copy*, which is defined as *sign copy that is fixed and does not move in any manner* by the Toronto Municipal Code, Chapter 694. The proposed signs will not be illuminated and will be located on the northwest corner of the building, providing an ample separation distance between the proposed signs and the residential properties to the east.

4.0 Policy and Regulatory Context

Toronto Official Plan

Within the City of Toronto Official Plan, the subject site is designated *Employment Areas* on Map 2 (Urban Structure) and on Map 15 (Land Use) (see Figures 4 and 5). Lands to the north, west and south have also been designated *Employment Areas*. Lands to the east are designated *Neighbourhoods*.



Figure 4 Urban Structure Map

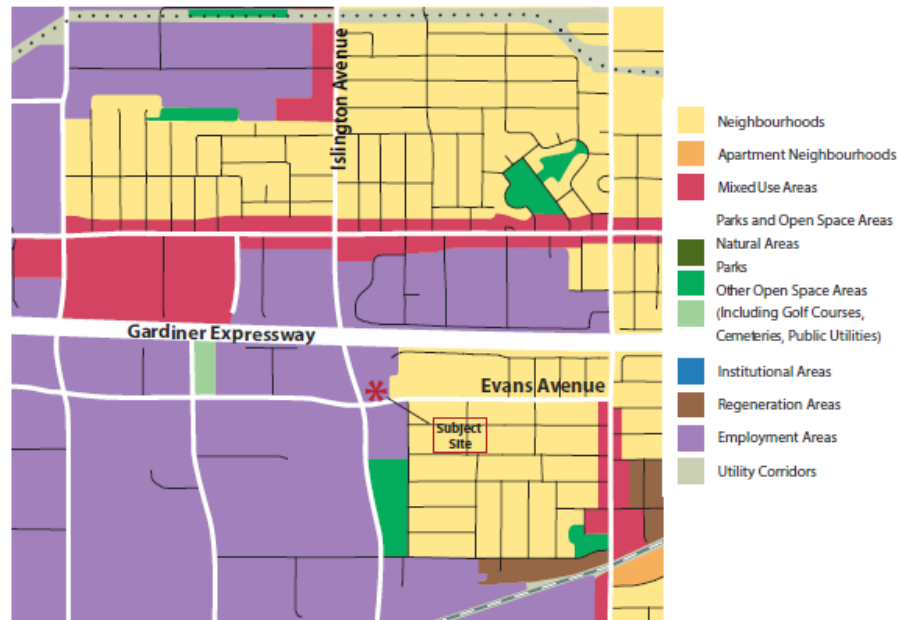


Figure 5 Land Use Map

The site is also designated Core Employment, through OPA 231, which remains partially under appeal before the Local Planning Appeal Tribunal (LPAT) (See Figure 6 - OPA 231 Map 40)

The proposed sign would be located facing toward the Employment Areas designated lands to the west and north.

The preamble to Policy 2.2.4 provides that:

"In the Employment Districts, the needs of business will take priority in city-building decisions."

Policy 2.2.1(4) provides that Employment Districts will be protected and promoted exclusively for economic activity in order to grow the City's tax base, expand existing employment, and sustain well-paid and stable employment opportunities.

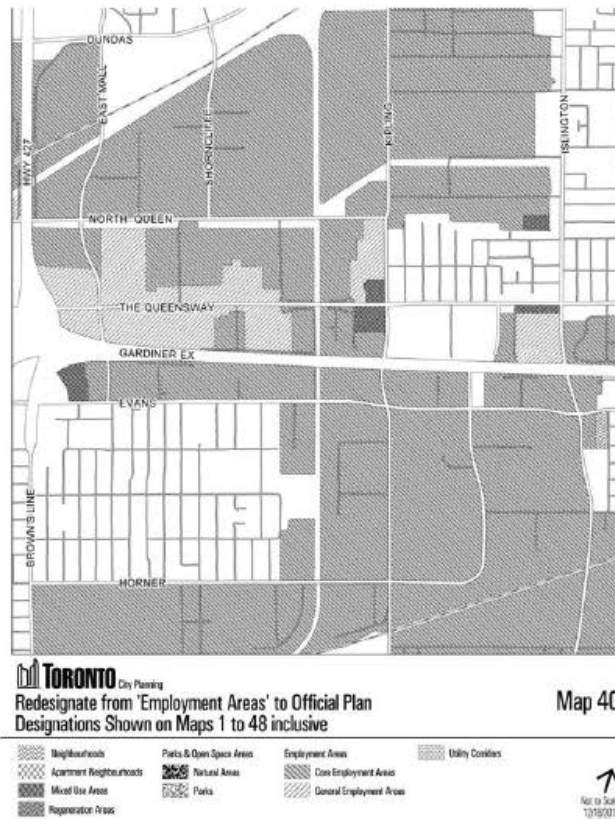


Figure 6 OPA 231 Map 40

The preamble to Policy 4.6 provides that:

"Employment Areas are the hothouses where we grow our enterprises and jobs.

Businesses increasingly require flexibility in order to compete effectively in the global economy. This need for flexibility extends to a firm's lands and buildings, and to what is available to support that business activity in the immediate area. A broad and inclusive approach to employment uses in Employment Areas is needed for the City's economic future..."

The policies of 4.6 permit a range of industrial, office and other employment uses within the area and that development in the area should contribute to the creation of a competitive, attractive, highly functional Employment Area.

All of the foregoing policies support and promote existing businesses within the employment areas, such as the subject Cool Brewery use.

With respect to built form, Policy 3.1.2(3) provides that new development will be massed and its exterior facades will be designed to fit harmoniously into its existing and/or planned context and will limit its impacts on neighbouring streets and properties by: incorporating exterior design elements, their form, scale, proportion, pattern and materials to influence the character, scale and appearance of the development.

In this instance, the proposed signage will face towards the northwest and northeast and be designed in a manner which blends well with the existing rooftop as well as the exterior tank structures on the site. The proposed signage will fit harmoniously within its existing context of employment uses, and will not face toward the existing flankage walls of the residential townhomes, which are located between 50 and 100 metres to the east (See Figure 7 - separation from residential homes)



Figure 7 Distance from Proposed Sign

Etobicoke Zoning Code

The in-force Zoning By-law applying to the site is the City of Etobicoke Zoning Code, as amended, of the former City of Etobicoke. The new City-wide Zoning By-law 569-2013 was enacted by City Council on May 9, 2013, however, it is subject to numerous appeals to the Ontario Municipal Board and is therefore not yet in force.

The subject site is zoned Institutional (I.C1), which permits a wide range of institutional and public uses, including, colleges, schools, medical centres and recreational facilities. Residential uses are limited to one-family dwelling.

There is no height or density restriction, except for business, professional and administrative offices which has a density limit of 0.6 times the area of the lot and maximum height of 5 storeys.

The proposed sign will be on the roof of a two storey industrial building and would be compliant with the zoning bylaw. The structure itself has been constructed as a feature of the building and the proposed sign would utilize that architectural feature for support.

Toronto Municipal Code, Chapter 694

Section 695-15(B)(2) provides that roof signs are prohibited, with the exception of first party roof signs included in a Signage Master Plan consisting solely of first party signs. In accordance with this section, the proposed sign will be a first party sign supported a Signage Master Plan.

The Sign By-law contains specific criteria to be used in evaluating an application for variances or a Signage Master Plan. Specifically, 694-30A states that an application for a variance or Signage Master Plan may only be granted where it is established that the proposed signs meet each of the nine established criteria.

In our opinion, the proposed sign is generally in keeping with the applicable criteria set out in the Toronto Municipal Code, Chapter 694-30A, as set out below.

- Belong to a sign class permitted in the sign district where the premises is located

The proposed signage will be a first party sign identifying the business on the Premises. The Premises is designated as an E-Employment District and as such, the criteria is met because first party signs are permitted in the E-Employment Sign District (see regulation 694-4(A)).

- In the case of a third party sign(s), be of a sign type that is permitted in the sign district, where the premises is located

Third party signage is not proposed for the subject site. The proposed signs are first party signs as they identify the existing business on the Premises.

- Be compatible with the development of the premises and surrounding area

The proposed sign would be located on the northwest side of the building, facing toward the Islington on-ramp and the industrial property (Nadege) to the north at 855 Oxford Street. The Nadege building at 855 Oxford Street has a centrally located roof sign facing north.

The sign would be compatible with its surroundings as it would form a first party sign feature of the rooftop in the context of surrounding industrial uses. The sign would not be facing toward the adjacent three storey office/institutional to the west and would also be approximately 100 metres away from the flankage walls of townhouses to the east. The sign would be static and would not be illuminated such that there would be no impacts on the adjacent residential area.

- Support the Official Plan objectives for the subject premises and surrounding area

Employment area policies noted above speak to supporting businesses and providing flexibility to allow for businesses to succeed. Specifically stating that "This need for flexibility extends to a firm's lands and buildings, and to what is available to support that business activity in the immediate area." In this instance the business is promoting itself with the use of a ground sign.

With respect to built form and urban design, the proposed sign would be facing north, toward the Islington on-ramp and would become part of the overall structural design of the industrial building, rather than a free-standing ground sign that would be less attractive.

- Not adversely affect adjacent premises

The proposed sign will be static and will not be illuminated. It will be approximately 100 metres away from the flankage walls of the townhomes to the east, which are separated by an intervening industrial property. The proposed sign does not pose any negative impacts to the residents of the townhomes to the east.

The proposed sign will not interfere with the surrounding employment uses and will serve to promote the existing business, thereby further contributing to the health of the employment area.

- Not adversely affect public safety

The proposed signage will be secured to the existing roof structure, well back from the public rights of way and from travelled portions of the site itself. Furthermore, the content displayed on the proposed signage will be static, and will not pose as a distraction to drivers on the abutting streets, primarily those traveling on Islington Avenue or the Gardener Expressway.

The subject site is set back from and at a lower grade than the ramp to the Gardiner, therefore limiting its visibility from the highway.

- Not be a sign prohibited by 694-15B

According to the Toronto Municipal Code, Article III, Section 694-15B, a first party roof sign is permitted if included in a Signage Master Plan, consisting solely of first party signs. Signage on the subject site will consist exclusively of first party signs, as outlined in Section 4.0 of this letter above.

- Not alter the character of the premises or surrounding area

The proposed sign will not alter the character of the building or surrounding area. The sign is located at the northwest corner of the building, located in proximity to existing industrial structures, including large tank. It will serve to promote the existing business with static and non-illuminated content that will not be out-of-keeping or distracting in its context.

- Not be, in the opinion of the decision maker, contrary to the public interest

The proposed signage will identify the business location on the subject site and assist in supporting and contributing to the economic health of the existing business, and thus the health of the employment area. This will be accomplished in a manner that is compatible and safe. In my opinion the proposed sign will not be contrary to the public interest.

Conclusion

Based on the foregoing analysis, it is our opinion that the proposed sign for 'Cool Beer Brewing Company' is compatible with its surroundings and satisfies the criteria set out in the Toronto Municipal Code, Chapter 694-30A.

Enclosures

In support of the application, please enclosed are the following:

- Signage Master Plan Application Form
- Site Survey
- 2007 Sign Variance Materials
- Elevation Plans
- Site Plan
- Sign Dimensions Plan
- Site Photos



We trust the foregoing is satisfactory. However, if you have any questions or require additional information, please do not hesitate to contact myself or Claire Ricker (cricker@bousfields.ca) at our office.

Yours very truly,
Bousfields Inc.

A handwritten signature in blue ink, appearing to read 'Michael Bissett', followed by a long horizontal line extending to the right.

Michael Bissett, MCIP, RPP



December 6, 2018

Project No: 1807

Toronto Building, Sign By-Law Unit
City Hall, 100 Queen Street West
Ground Floor, East Tower
Toronto, Ontario
M5H 2N2

Attn: Brody Paul, Sign Building Code Examiner

**Re: Signage Master Plan Application
164 Evans Avenue, Toronto Ontario**

Dear Mr. Paul,

As you are aware, we are the planning consultants for Cool Brewery, the Owner of the property municipally known as 164 Evans Avenue in the City of Toronto (the "subject site"). An application for a Signage Master Plan to permit a first party roof sign on the existing building was filed in April 2018.

We are pleased to provide this addendum letter as a response to the comments made by Staff regarding the Signage Master Plan application. Staff comments, and their corresponding responses have been grouped into the following categories; compatibility, impacts, character and By-law compatibility.

Staff Comments

(1) Compatibility with Surrounding Area:

(a) According to City records, the existing roof sign at 855 Oxford Street does not appear to have been lawfully erected. Are there examples of other comparable lawfully erected first party roof signs in the surrounding area?

There does not appear to be any other first party roof signs approved in the area under the current sign by-law.

However, in terms of context, I have reviewed the Employment Sign District along this stretch of the Gardiner to understand how the proposed sign might fit within other sites of a similar context on an interchange. I note that a first party roof sign approved in 2001 (under the former sign bylaw) for the Cineplex Odeon theatre on the north side of the Gardiner Expressway, at 1025 The Queensway (also within an Employment Sign District under Chapter 694 of the Municipal

Code). This sign was described as a one logo sign 2.9 metres above the roof with a display area of 18.75 square metres, facing south onto the Gardiner Expressway with a general identification fascia sign made up of individual letters below this sign on the wall of the building.

I also note that there is a roof sign for Canadream located at 24 The East Mall, at the interchange of 427 and The Gardiner. I cannot speak to the legality of this site, other than to point it out as part of the context along The Gardiner at an interchange.

Both the Cineplex and Canadream roof signs are located at the edge of the buildings facing The Gardiner and are of a similar size to that proposed at 164 Evans, which is also at an interchange with The Gardiner and faces the Gardiner at the edge of the building. In each case the elevated roof sign provides for visibility to advertise the business as the grade increases up the ramps to the Gardiner.

Photos of the Cineplex and Canadream signs are provided in Attachment A.

(b) The subject premises, as well as properties to the north, south and west are designated as an Employment sign district, which does not permit roof signs. Comment on the compatibility of the proposed sign with Employment sign district regulations.

In our opinion, the proposed roof sign is compatible with the Employment (E) Sign District regulations. The proposed sign belongs to the permitted sign class, is compatible with the definition of a first party sign, and has been included within a Signage Master Plan.

According to the Toronto Municipal Code, Article III, Section 694-4(A), a first party sign is permitted within the Employment (E) Sign Districts, which is defined as “a sign which identifies, advertises, promotes, or directs attention to a business, service, or activity available at the premises where the sign is located”. Under Section 694-15, a roof sign is prohibited with the exception of first party roof signs that are included in a Signage Master Plan consisting solely of first party signs (see Section 694-15(B)(2)).

With respect to the sign's content, the proposal complies with Section 694-20(A)(A), which states that the portion of the sign copy which advertises, promotes, or directs attention to goods available at the premises does not exceed 30 per cent of the sign face area. The sign copy includes the words “Cool Brewery” and the actual goods available are not over 30 per cent of the copy.

Furthermore, Section 694-30(A) of the Toronto Municipal Code includes nine (9) criteria for granting variances from the provisions of this chapter. As outlined in our Application Letter (dated April 11, 2018), the proposed sign is generally in keeping with the applicable criteria for granting application variances.

If there is anything more in particular to assist in your review I would be happy to provide further analysis as requested.

- (c) *How/why is the proposed roof sign compatible with other industrial uses in the area, as noted in your submission?*

As noted in our Application Letter (dated April 11, 2018), the roof sign would be promoting the existing 'Cool Brewery' business currently occupying the subject site. The sign is promoting an industrial activity, in particular a production facility. In the area south of Evans Avenue, west of Islington Avenue, there are several production and storage facilities that are related to a singular use.

The location of the site is at the north edge of the Employment District area which abuts The Gardiner. The sign is at the far north extent of the building and will not face internally to the industrial and other employment uses internal to this Employment District area. As such, the sign is visible to the travelling public coming off of the Gardiner south on Islington and serves to promote the business at the entry to the Employment District. The sign will not provide any visual distraction or impacts from an urban design standpoint in relation to the internal industrial area.

- (d) *While the proposed sign is to be non-illuminated, given its size and height it would appear to be directly visible to residents of the town-house development to the northeast, which is designated as a Residential sign district. Comment as to the compatibility of the proposed sign with adjacent residential uses.*

The adjacent townhouses were redesignated to residential through a conversion of employment lands in 2006. At that time, Planning Staff recommended that the application for townhouses be refused based on the premise that they may destabilize the adjacent industrial uses (including Cool Brewery to the west). Notwithstanding staff's position, Council adopted the OPA and Rezoning to permit these townhouses.

Given the understanding of the potential for conflict between operating industrial uses and residential townhomes, the site plan included a road and flankage walls with secondary windows facing the industrial uses to the west. By virtue of the orientation and design of these townhouses, there would be very limited views to the proposed sign.

The proposed sign will be static, and will not contain illuminated text or images. As discussed in subsequent sections of this addendum, the proposal will not result in additional light, view or shadow impacts on the adjacent residential properties and not hinder the use of any exterior amenity areas.

Photos of the flankage walls of the adjacent townhomes are provided in Attachment B.

- (e) *There appears to be two existing signs already erected on the northerly elevation of the building and the adjacent processing tank. Comment on the compatibility of the proposed sign with the existing signs located on the northerly elevation of the building.*

There is a large storage tank located at the northwest corner of the building. This tank is used for production purposes, and has graphics (i.e. the 'Cool Beer' logo and related products) on the exterior. It is noted that the graphics are approximately less than half the size of the total tank, and are only placed on portions of the tank that face the Gardiner Expressway and the other industrial properties to the west. Similarly, a small roof sign exists on the northern building wall and contains similar graphics to the production tank.

In our opinion, the proposed sign is compatible with the existing signage as it serves only to promote the existing business with static and non-illuminated content. The proposed sign is complementary to the signage on the existing tanks. If there is any more specific information you require please do not hesitate to ask.

(2) Impacts on Surrounding Area:

- (a) *While the proposed sign is to be non-illuminated, given its size and height it would appear to be directly visible to residents of the town-house development to the northeast, which is designated as a Residential sign district. Comment on the impact, or lack thereof of the proposed sign on adjacent residential uses, and if there are any mitigating measures that can be used to minimize the visibility of the sign to these properties.*

Light and view impacts are generally addressed through a combination of spatial separation, orientation and mitigating measures between the subject site and adjacent uses. The proposed first party roof sign will be appropriately located and angled, as to not directly face the abutting residential properties, and will not be illuminated.

The proposed sign is positioned at the northwest corner of the subject site, providing a sufficient separation distance between the sign and the residential

properties to the east. The most easterly point of the sign is located approximately 41.93 metres away from the east building façade. The separation distance that has been provided will eliminate any potential shadowing or shadow impacts on the residential amenity areas to the east and northeast. In addition, the sign has been proposed to be angled, with the two panels facing northwest and northeast, and the sign will contain no illuminating features and will not result in any light impacts to the residential property owners.

Furthermore, as previously noted, there are no primary windows facing west within the townhouse blocks. The approval of the townhouses had contemplated this interface with an industrial area, as it was a conversion to residential from employment lands.

(3) Character Fit:

- (a) *Employment sign districts generally permit only smaller wall signs at only the first storey of the building, or ground signs with a maximum height of 7.5 metres, whereas the proposed roof sign is to be erected above the second storey of the building, at a height of more than 15 metres. Provide additional commentary as to how the proposed sign fits with the character of the premises and surrounding area, as established by the Employment sign district regulations.*

The property is located on the periphery of an Employment area, and is bound to the north by the Gardiner Expressway (and associated on/off ramps). The sign will not face internally to the employment district and will not be visible accept from the Islington interchange ramp entering the area. The intent of the bylaw is to ensure that roof signs do not detract from the character of the area from an urban design and aesthetic point of view. In this circumstance, given the location of the sign and its orientation, the proposal will not result in any impact on the employment district character.

A photograph of the building from Evans Avenue indicates how the sign will not be in any way overwhelming or impactful to the internal employment district. See Attachment C.

(4) City of Toronto Sign By-law Requirements:

- (a) *What does the Sign By-law permit versus what is being proposed?*
- (b) *What is the rationale for the design of the sign as proposed, as opposed to a sign that is consistent with By-law requirements?*

While the Sign By-law permits first party signs in the Employment Sign District, roof signs are not considered a permitted sign type. The By-law permits wall,

sign, and ground signs, among others, with a focus on keeping the sign within the general built form boundaries of the building. Notwithstanding the above, the By-law encourages first party signs within this District to advertise, promote, or direct attention to goods available at the premises where the sign is located.

As noted in our original letter, a variance from the former bylaw was approved for a ground sign that was of a similar size and location, but would have oriented one of the faces directly east toward the residential townhouses.

As a comparison to what would now be permitted on the site, it would appear that a wall sign up to 15 percent of the wall would be permitted on the first floor of the building, and an electronic ground sign would be permitted at the southwest corner of the site (up to 10 metres high and with a 20 square metre face). In comparison to a permitted electronic ground sign, it is my opinion that the proposed roof sign would be less impactful to the character of the employment district.

(c) How does the proposed sign satisfy overall Sign By-law objectives?

The proposed sign seeks to promote an existing business on the subject site in such a way that has limited to no light, view and shadow impacts on the residential dwellings to the north and northeast. As the subject site is located on the periphery of an employment district, an elevated sign is more suitable for clearly identifying the business from the Gardiner Expressway and other areas of the employment district.

Furthermore, the proposed roof sign supports the Official Plan objectives for Employment Areas, which speak to supporting businesses, and providing flexibility to allow for businesses to succeed. In particular, the Official Plan policies state that *"this need for flexibility extends to a firm's lands and buildings, and to what is available to support that business activity in the immediate area"*. With respect to the application, the proposed signage will identify the business location on the subject site and assist in supporting and contributing to the economic health of the existing business, and thus the health of the employment area.

Conclusion

Based on the foregoing, it continues to be our opinion that the proposed sign for 'Cool Beer Brewing Company' is compatible with the policy direction outlined for the Employment Sign District, has limited to no impacts on the residential properties to the north and northeast, enforces the industrial and employment character of the immediate surroundings and satisfies the criteria set out in the Toronto Municipal Code, Chapter 694-30A.

We trust the foregoing is satisfactory. However, if you have any questions or require additional information, please do not hesitate to contact myself or Claire Ricker (cricker@bousfields.ca) at our office.

Yours very truly,
Bousfields Inc.

A handwritten signature in blue ink, consisting of a stylized 'M' followed by a long horizontal stroke.

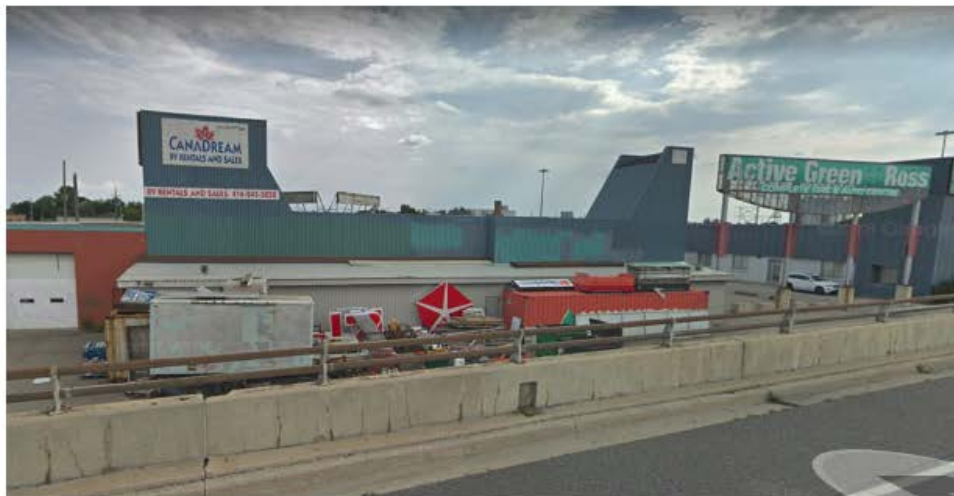
Michael Bissett, MCIP, RPP

Attachment A - Other Roof Signs

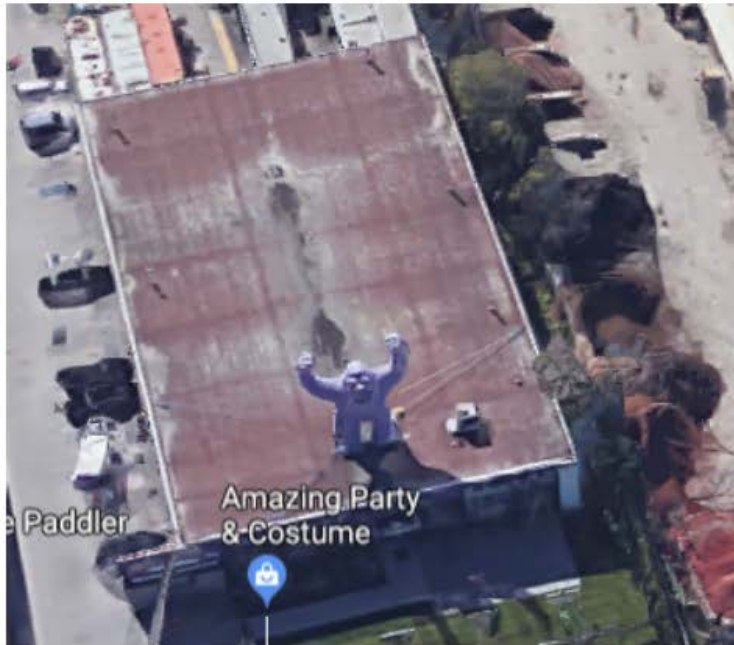
Cineplex (1025 The Queensway)



Canadream (24 The East Mall)



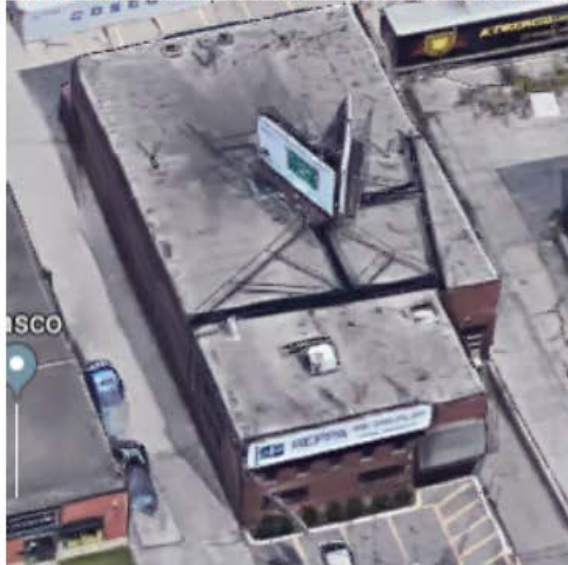
Amazing Party & Costume – 923 Oxford St (First Party)



871 Islington Avenue (Third Party)



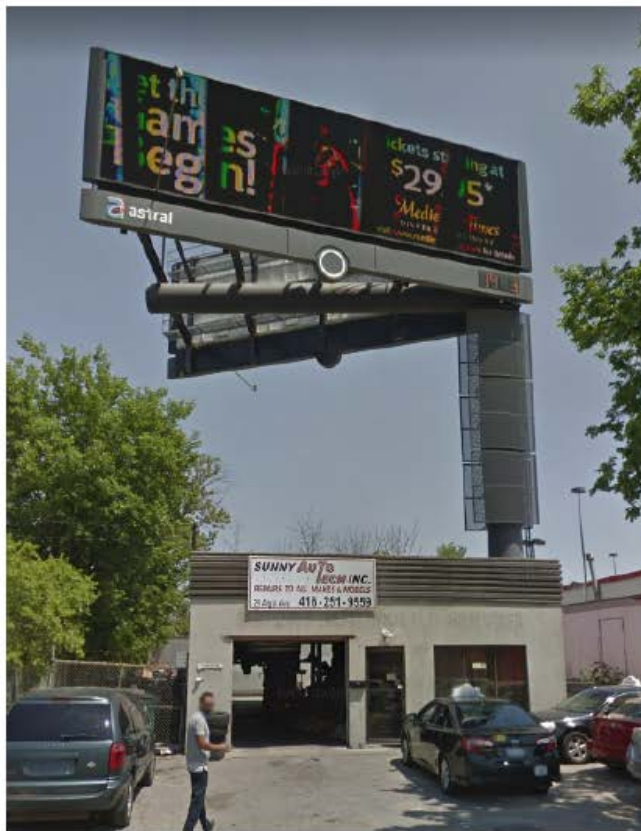
Reppa Flags & Souvenirs - 83 Queen Elizabeth Blvd (Third Party)



Fastenal Canada – 82 Queen Elizabeth Blvd (Third Party)



Sunny Auto Tech Inc – 29 Algie Avenue (Third Party)



Intact Service Centre – 64 Fordhouse Blvd (Third Party)



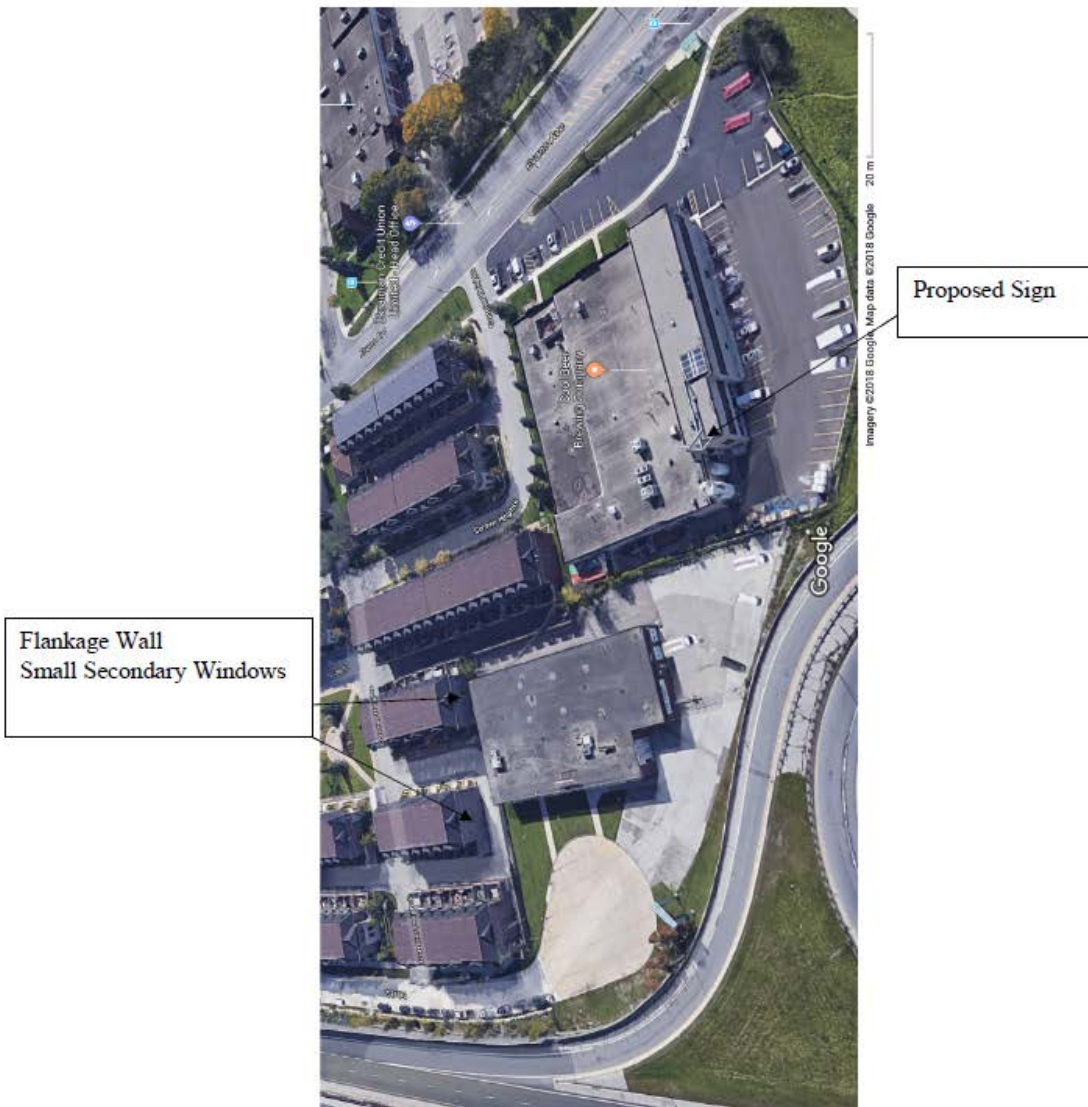
Public Storage - 36 Queen Elizabeth Blvd (Third Party)



16 Queen Elizabeth Blvd (Third Party)



Attachment B – Residential Flankage Interface



West facing secondary windows of townhouses to the east of the property



**Attachment C – Photo of Property from Evans Avenue Facing North
(proposed framework for sign in the background)**

