

## **Sign at 2387 Weston Road – Status Report**

<b>Date:</b>	January 24, 2008
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Manager, Municipal Licensing & Standards, Etobicoke York District
<b>Wards:</b>	Ward 11 – York South-Weston
<b>Reference Number:</b>	ML&S File No. 08-100558 SIN 00 IR

### **SUMMARY**

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This report provides a status update on the illuminated fascia sign installed on the front elevation of the building at 2387 Weston Road.

### **FINANCIAL IMPLICATIONS**

There are no financial implications.

### **ISSUE BACKGROUND**

In consideration of a report submitted jointly by the Planning Division and Toronto Building Division (<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-2420.pdf>), the Etobicoke York Community Council approved, during its meeting on March 27, 2007, the application for a variance to permit an illuminated fascia sign on the west front elevation of 2387 Weston Road, subject to the conditions that the intensity of the illumination be at the 20 gray level and the scrolling of the sign display and message be permitted in a slow loop manner, and the District Manager of Municipal Licensing and Standards was directed to monitor the situation for compliance and to report back to the Etobicoke York Community Council within six months.

### **COMMENTS**

The property is a 2-storey studio building located on Weston Road where St. Philips Road ends, which is along the regular bus route for TTC Bus Number 73. The sign is an illuminated pixel LED sign installed above the front entrance (Attachment 1).

Being animated and flashing electronic advertisements and messages continually round the clock, it is in violation of section 14.3 of the former City of York Sign By-law Number 3369-79 (this being the subject of the previous sign variance application). It should be noted that motorists going northbound on Weston Road exiting St. Philips Road will invariably have to run into this illuminated fascia sign before turning left at the traffic light (Attachment 2).

In an e-mail dated August 28, 2007, Toronto Transit Commission raised the concern that this sign is too bright, and requested an investigation into the lawfulness of this sign and the possibility of it being removed.

A formal objection letter from Toronto Transit Commission dated December 21, 2007 was received on January 2, 2008, complaining that the subject sign, being displayed as a video screen, is creating a strobe-light effect at night, which causes distraction and disorientation to bus drivers, and impairs their ability to safely operate their buses. Apparently the sign has become a safety concern to bus drivers and the District Manager of Municipal Licensing and Standards was requested to bring this forward to the Etobicoke York Community Council for consideration when reviewing the conditional sign variance permit (Attachment 3).

In addition to the complaint received from Toronto Transit Commission, Municipal Licensing and Standards has also received another complaint from a local resident.

The sign variance permit was issued on condition that the light intensity of the sign illumination to be limited to a 20 gray level maximum and the scrolling of the sign display and message to be in a slow loop manner. The Toronto Building Division has been unable to obtain from the permit holder documentary proof about the illumination intensity of the sign. However, inspection revealed that the sign does occasionally display very bright images which may indeed distract motorists particularly at night, and this is aggravated by the changing images (being changed at a rate of approximately 1 to 3 seconds) which are by no means displayed in a slow loop manner.

In addition, most of the advertisements on the sign do not relate to the business on site and as such, the sign displays third party advertising that turns it into a third party sign, which is not permitted.

It should be noted that, pursuant to subsection 8(10) the Building Code Act, 1992, S.O. 1992, c. 23, Toronto Building Division has the authority to revoke the sign permit if it was issued on false or incorrect information, or the conditions of the permit have not been met. Upon revocation of the permit, the applicant, being the property owner, will be required to remove the sign or apply for another variance to maintain a third party sign. The latter will require approval from the Etobicoke York Community Council.

## **CONTACT**

Chip Au, Supervisor  
Municipal Licensing and Standards  
Etobicoke York District  
Telephone: (416) 394-2533  
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E-mail: [cau2@toronto.ca](mailto:cau2@toronto.ca)

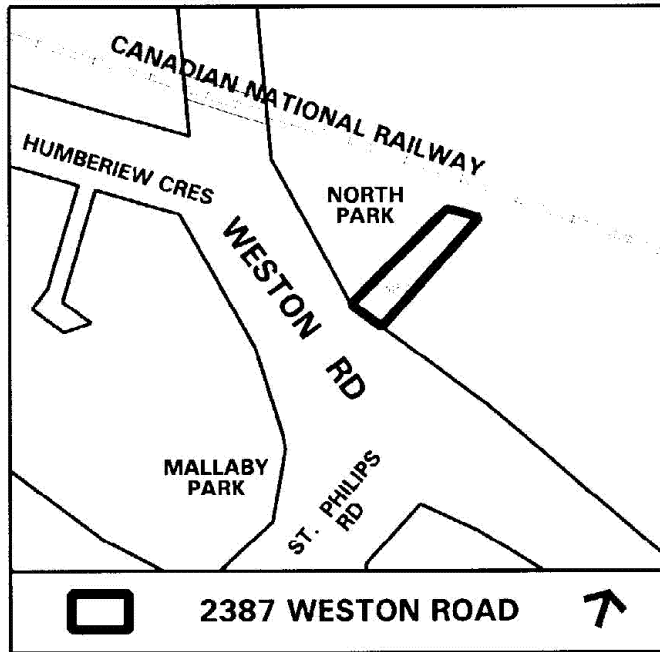
## **SIGNATURE**

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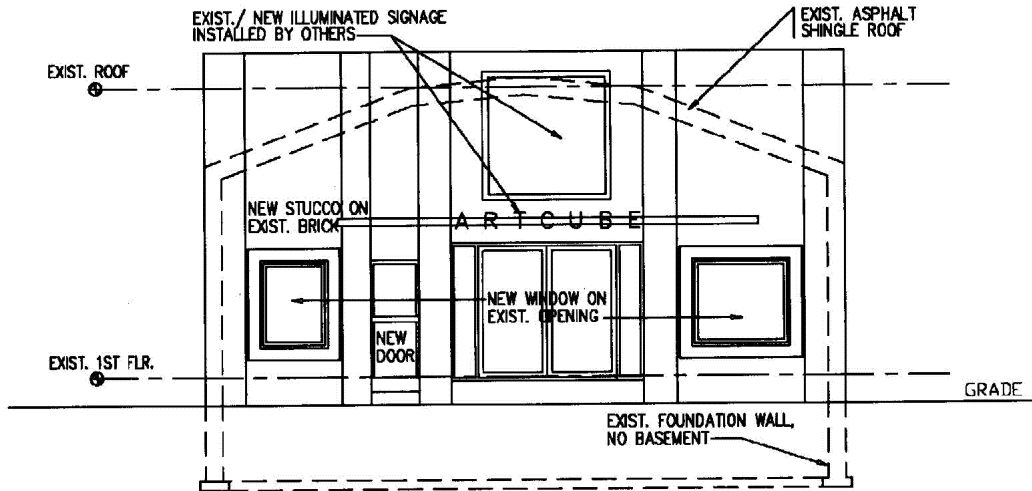
Curtis Sealock, District Manager  
Municipal Licensing and Standards  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Drawings showing Sign Location  
Attachment 2: Photographs of the Sign  
Attachment 3: Letter from Toronto Transit Commission

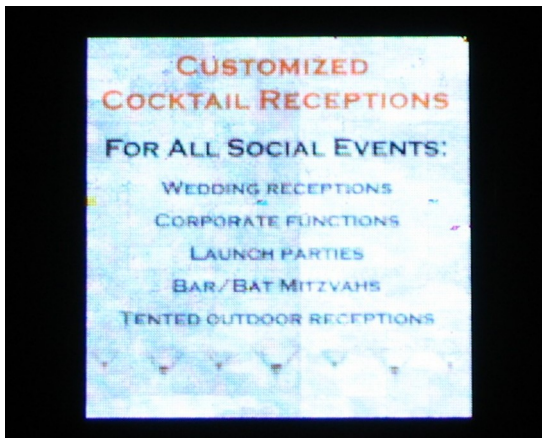


Location Plan



FRONT Elevation

**Attachment 1: Drawings showing location of the Sign**



**Attachment 2: Photos of the Sign taken at the St Philips and Weston intersection**



**TORONTO TRANSIT COMMISSION**



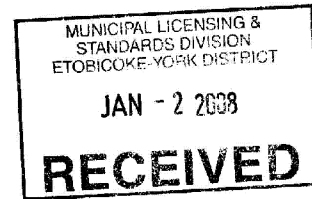
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GARY WEBSTER  
CHIEF GENERAL MANAGER  
VINCENT RODO  
GENERAL SECRETARY

December 21, 2007

Mr. Curtis Sealock  
Municipal Licensing and Standards  
District Manager - Investigation Services  
Etobicoke York District  
4th Floor, 2 Civic Centre Ct.  
Etobicoke, Ontario  
M9C 5A3



Dear Mr. Sealock:

Re: Request to Remove Signage at Weston Road and St. Phillips Road

Further to phone and e-mail communications (copy attached) between you and my staff, our operators have advised of safety concerns regarding a bright LED video sign on a commercial building at the intersection of Weston Road and St. Phillips Road. The video screen creates a strobe-light effect at night which our operators find distracting and disorientating, which impairs their ability to safely operate their buses.

We understand that an initial permit has been issued for this sign but that the permitting process requires a re-assessment of what impacts, if any, a permitted sign is having within the first year of the permit being issued. This is then submitted to council for a final decision on whether a permit is then re-issued. With the sign in question, it is our understanding that the aforementioned re-assessment is yet to be complete and that there is still an opportunity to provide comments for review by council.

Because this sign causes a distraction that impairs the ability of operators to perform their assigned duties safely, we are requesting that it be removed. We would appreciate inclusion of request in your re-assessment that will be submitted to council.

Thank you for your attention to this matter.

Sincerely,

Mitch Stambler  
Manager, Service Planning

11-38-63

Attachment: E-mail Communication to Curtis Sealock



1900 Yonge Street, Toronto, Canada, M4S 1Y2 Telephone 416-393-4000 Web Site: www.ttc.ca

**Attachment 3: Letter from Toronto Transit Commission**