

Application by Outfront Media for One Third Party Electronic Ground Sign Near Eglinton Avenue East and Leslie Street (0 North York Row)

Date:	March 16, 2016
Ward:	Don Valley West (26)
File No.:	TP-15-00004
IBMS File No.:	15-176084

SUMMARY

This report reviews and makes recommendations respecting an application made by Outfront Media (the "Applicant") for one third party electronic ground sign. The proposed sign is located on the south side of Eglinton Avenue East, approximately 170 metres east of Leslie Street, within a Canadian Pacific rail corridor (see Figure 1). The proposed sign is intended to be located west of a bridge embankment supporting the rail corridor. The sign is proposed to face eastbound traffic along Eglinton Avenue East and contain one sign face.

Seven variances from the regulations contained in the Sign By-law were required to allow the issuance of a permit for the erection and display of that proposed sign. The initially requested variances are described in Figure 2, below.

FIGURE 1: LOCATION MAP

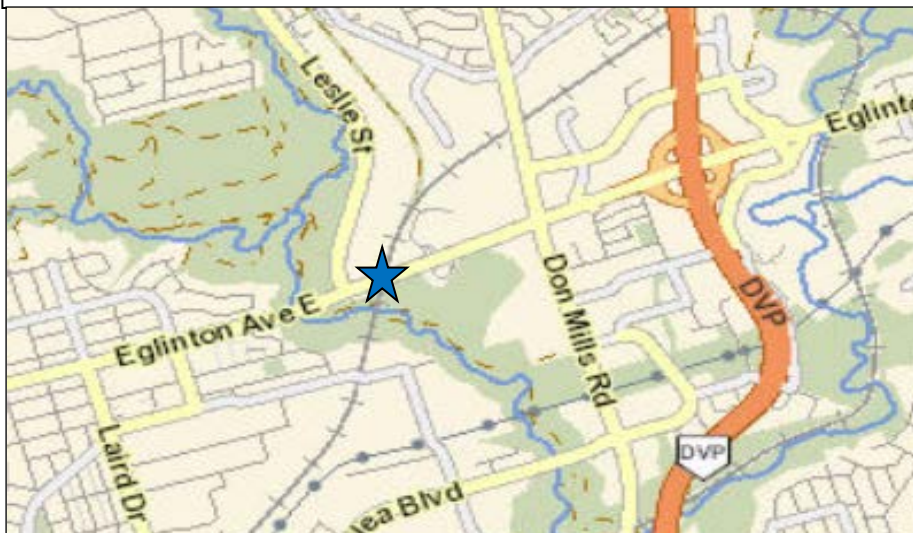


Figure 2: Summary of Initially Requested Variances

Section	Requirement	Proposal	Notes
694-22D	A third party sign shall not be erected within 100 metres of another third party sign.	The proposed third party electronic ground sign is approximately 25 metres to an existing third party ground sign to the east and approximately 74 metres to an existing third party ground sign to the north, on the same premise.	Application amended and now contemplates the removal of two existing third party ground signs on the premise. This variance is no longer being requested.
694-22E	A third party electronic ground sign shall not be erected within 150 metres of any other third party sign.	The proposed third party electronic ground sign is approximately 25 metres to an existing third party ground sign to the east and approximately 74 metres to an existing third party ground sign to the north, on the same premise.	Application amended and now contemplates the removal of two existing third party ground signs on the premise. This variance is no longer being requested.
694-24A(5)	A third party sign shall not be erected or displayed within 400 metres of any limit of Eglinton Avenue East from the easterly limit of Brentcliffe Road to the westerly limit of Victoria Park Avenue.	The proposed third party electronic ground sign is wholly located within the limits of Eglinton Avenue East.	Variance still required.
694-25D(3)(a)	The sign face area of a third party electronic ground sign shall not exceed 20 square metres.	The sign face area of the proposed third party electronic ground sign is 62.43 square metres.	Application amended and now contemplates a sign face area of 32.54 square metres. Variance still required.
694-25D(3)(e)	A third party electronic ground sign shall not be erected within 60 metres of any premises located in an R, RA, CR, I or OS sign district,	The proposed third party electronic ground sign is to be approximately 27 metres to an OS sign district to the south and approximately 5 metres to a CR sign district to the north.	Variance still required.
694-25D(3)(f)	Where a third party electronic ground sign is located within 250 metres of an R, RA, CR, I or OS sign district, the sign cannot face any premise in the R, RA, CR, I or OS sign district.	The proposed third party electronic ground sign faces a premise designated CR that is approximately 70 metres away; and, faces a premise that is designated OS that is approximately 75 metres away.	Variance still required.
694-25D(3)(h)	There shall be no more than one third party ground sign or third party electronic ground sign erected on the premises.	The proposed third party electronic ground sign would be the third ground sign erected on the premises.	Application amended and now contemplates the removal of two existing third party ground signs on the premise. This variance is no longer being requested.

Subsequent to the submission of the application and circulation to the community, the proposal was revised by the Applicant and the number of variances being sought were reduced (see "Notes" column in Figure 2, above). The sign face area of the proposed third party electronic ground sign is now to be 32.54 square metres (3.05 metres vertically by 10.67 metres horizontally) and the two existing third party ground signs located within the rail corridor spanning Eglinton Avenue East are proposed to be removed. This revised application now seeks only four variances as the variances to §§ 694-22D, 694-22E and 694-25D(3)(h) are no longer required.

Upon review of the Applicant's revised submission, the Chief Building Official (the "CBO") submits that all four variances required for the proposed sign should be refused on the basis that not all nine of the established criteria have been met. The CBO is of the opinion that the Applicant has failed to meet six of the nine criteria required to be established. The CBO recommends refusal of the four variances required for the proposed sign, on the basis that the sign is not compatible with the development of the premises and surrounding area; does not support the Official Plan objectives for the subject premise and the surrounding area; will adversely affect adjacent premises; may adversely affect public safety; will alter the character of the premise or the surrounding area; and, is contrary to the public interest.

RECOMMENDATIONS

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

1. The Sign Variance Committee refuse to grant the four variances requested to §§ 694-24A(5), 694-25D(3)(a), 694-25D(3)(e) & 694-25D(3)(f) required to allow the issuance of a permit for the erection and display of one third party electronic ground sign described in Attachment 1 to this report.

COMMENTS

ELECTRONIC SIGNS

At its July 2015 meeting, City Council considered PG5.13 and adopted a number of general amendments relating to the regulation of electronic and illuminated signs in the city. That report was the culmination of several years of research and public consultation. The amendments resulted in electronic signs being permitted in more areas of the city but with expanded separation distances to sensitive land uses, maintaining the separation distances from highways and expressways, and a reduction to the maximum permitted night-time brightness. Prior to these amendments, signs displaying electronic sign copy were only permitted in the Dundas Square and Gardiner Gateway Special Sign Districts.

Details of the item is available at the following hyperlink:

Item PG5.13: Electronic and Illuminated Sign Study and Recommendations for Amendments to Chapter 694 (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG5.13>)

COMMUNITY CONSULTATION

In the report contained in the above-noted item, staff stated that the applications for electronic signs would be subject to an enhanced consultation process. As such, the notice provisions, advising all persons of this application was spread to businesses and households within a 250 metre radius of the location of the proposed sign and a Community Consultation Session was scheduled on the evening of Monday March 14, 2016, at the Thorncliffe Branch of the Toronto Public Library. The local Ward Councillor's staff attended, as well as City staff and the Applicant. From the local community, 12 people were in attendance. The general

consensus was that the proposed sign was at an inappropriate location as it was too close to neighbouring parks and residences.

SIGN ATTRIBUTES AND CONTEXT

The proposed sign is an illuminated ground sign with a single sign face displaying electronic static copy. It's proposed to be sidled up against bridge embankment carrying a CP Rail railway line across Eglinton Avenue East, on the south side of Eglinton Avenue East, just east of Leslie Street; within the limit of lands regulated by the Toronto and Region Conservation Authority ("TRCA"). Any works within these regulated lands, including the erection and display of a sign, requires prior permission from the TRCA. Figure 3 (below) depicts a photo rendering of the sign *in situ*.

Figure 3: Photo Rendering – Proposed Third Party Electronic Ground Sign



The area surrounding the proposed sign is largely pastoral and bucolic (see Figure 4, below). To the immediate south is the west branch of the Don River within E.T. Seton Park. The park contains various recreational trails in the river valley that form part of the City's recreational trail network. The trails are well used by hikers, dog-walkers, mountain bikers and natural environment enthusiasts and are highly valued as an important part of the recreational trail network. To the east, on the south side of Eglinton Avenue East, is the Ontario Science Centre, built into the natural ravine system; and, on the north side of Eglinton Avenue East, the corporate offices of Celestica (formerly IBM), a computer/electronic engineering and manufacturing firm. To the north is the site of the former Four Seasons Hotel (Inn on the Park), since demolished and replaced with an automotive dealership, Toyota/Lexus on the Park. Beyond the dealership is a group of residential condominium towers. To the west is Leslie Street, the western branch of the Don River and more of the recreational trail network

within Serena Gundy Park and Wilket Creek Park, forming parts of the larger Sunnybrook Park.

With the current construction of the Eglinton Crosstown transit route, the expectation is that there will be a surface level transit stop at Eglinton Avenue East and Leslie Street, known as Sunnybrook Park. The transit route is to be accommodated between the east and westbound traffic lanes along Eglinton Avenue East, with platforms proposed to be constructed to the east of Leslie Street.

Figure 4: "Bird's Eye" View of the Surrounding Context; Looking East



Nine Established Criteria in §694-30A

The Sign By-law contains specific criteria to be used in evaluating an application for a variance. Specifically, §694-30A states that an application for a variance may only be granted where it is established that the proposed sign meets each of the nine established criteria. The CBO is of the opinion, that while some of the criteria have been established, there is not a sufficient basis to determine that all nine of the mandatory criteria have been established. Specifically, the CBO believes that there is an insufficient basis to conclude that the proposed sign will be compatible with the development of the premises and surrounding area as required by 694-30A(3); that there is an insufficient basis to conclude that the proposed sign supports the Official Plan objectives for the surrounding area as required by 694-30A(4); that there is an insufficient basis to conclude that the proposed sign will not adversely affect adjacent premises as required by 694-30A(5); that there is an insufficient basis to conclude that the proposed sign will not adversely affect public safety as required by 694-30A(6); that there is an insufficient basis to conclude that the proposed sign will not alter the character of the premise or the surrounding area as required by 694-30A(8); and, that there is an insufficient basis to conclude that the proposed sign is not contrary to the public interest as required by 694-30A(9). Furthermore, there is information that supports the staff position that these six criteria have not been met.

A detailed overview of the CBO's opinion on whether each of the nine criteria have been established, and the rationale for this opinion follows below.

Section/Criteria Description	Has Criteria Been Established?
694-30A(1): The proposed sign belongs to a sign class permitted in the sign district.	YES, staff are of the opinion that this criteria has been established.
<p>Rationale: The proposed sign is classified as a third party sign class because it advertises, promotes, or directs attention to businesses, goods, services, matters, or activities that are not available at or related to the premises where the sign is located. The premises is designated as a U-Utility sign district. As such, the criteria has been established because third party signs are permitted in the U-Utility sign district.</p>	

Section/Criteria Description	Has Criteria Been Established?
694-30A(2): In the case of a third party sign, the proposed sign is of a sign type permitted in the sign district.	YES, staff are of the opinion that this criteria has been established.
<p>Rationale: The proposed sign is defined as a third party electronic ground sign which is a sign type permitted in the U-Utility sign district. This criteria has been established.</p>	

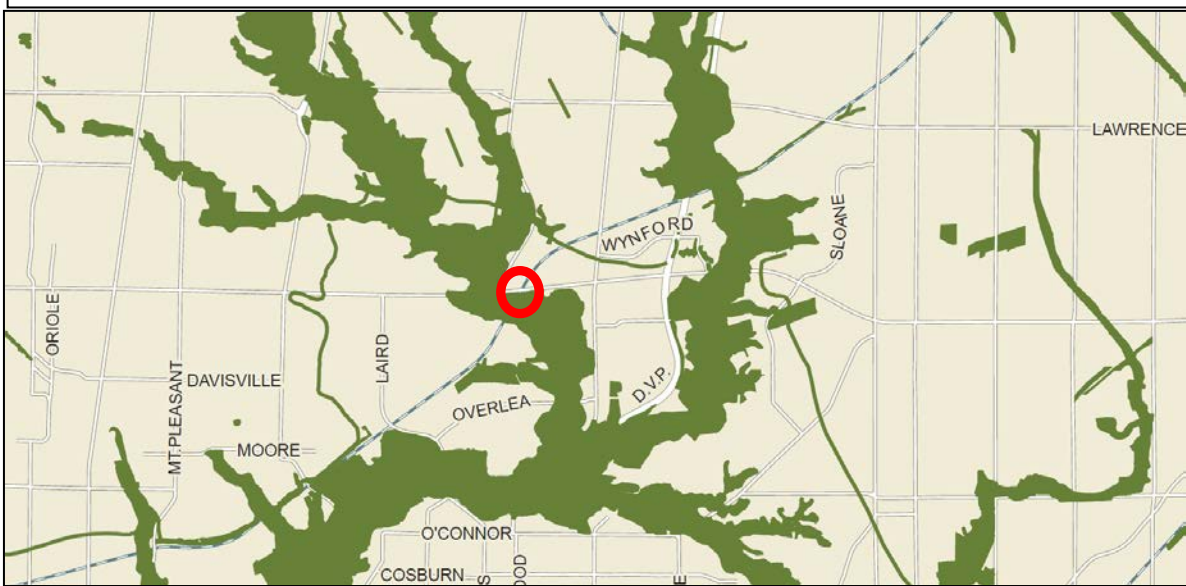
Section/Criteria Description	Has Criteria Been Established?
694-30A(3): The proposed sign is compatible with the development of the premises and surrounding area.	NO, staff are of the opinion, that this criteria <u>has not</u> been established.
<p>Rationale: The Applicant states that the proposed sign is compatible with the development of the premises and the surrounding area because railway corridors provide an economic benefit by transporting goods and material and because third party signs also provide an economic benefit by promoting goods and services. The Applicant further states that light emitted from the sign through the display of advertising messages will not trespass residential uses. Staff do not agree with the Applicant's statements. The use of land for transporting goods is not the same as the use of land for advertising goods. Transporting and advertising are not similar methods in delivering similar purposes and therefore no compatibility is implied or conferred by the statement. What is incompatible, however, is the proximity of the proposed sign to sensitive land uses. The location of the proposed sign is surrounded on three sides (north, west and south) by parks, open space, valley lands, water courses, riparian zones and natural heritage features, as well as lands designated for commercial/residential uses. Certainly the placement of an electronic third party sign is not compatible with the surrounding area as the proposed sign could be viewed from these sensitive areas and, as the proposed sign operates, it may negatively impact these sensitive areas by upsetting natural daily and seasonal growth, mating and food cycles of both flora and fauna.</p> <p>Through the extensive consultation and research conducted in establishing the new regulatory provisions respecting electronic signs, it was found that people do not want these types of signs near where they live. The proposed sign is to be located approximately 70 metres from lands designated CR-Commercial Residential, placing it near where people live.</p> <p>As such, staff is concerned that the proposed sign is not compatible with the development of the premises and surrounding area, and it is the opinion of staff that the Applicant has not provided enough information to convince that this criteria has been established.</p>	

Section/Criteria Description	Has Criteria Been Established?
§694-30A(4): The proposed sign supports the Official Plan objectives for the subject premises and surrounding area.	NO, staff are of the opinion that this criteria <u>has not</u> been established.

Rationale:

The Official Plan designates the subject premise as a *Utility Corridor*. *Utility Corridors* are used for the transmission of energy, communication and the movement of people and goods and also serve important functions as parkland, sport fields, pedestrian and cycling trails and transit facilities. One of the policies states that the protection, enhancement or restoration of the natural heritage system within *Utility Corridors* will be pursued wherever possible. As shown in the map excerpt below, the location of the proposed sign lies within the natural heritage system. Locating a third party electronic ground sign within the natural heritage system is not consistent with protection, enhancement or restoration, as outlined in the Official Plan. Additional policies in the Official Plan, with respect to the natural environment, state that development is generally not permitted in the natural heritage system and that where a development is proposed in or near the natural heritage system it must be evaluated to assess the impacts on the natural heritage system and identify measures to mitigate negative impact on and/or improve the natural heritage system. The Applicant has not provided an impact study with the Application. It is the opinion of staff that the proposed sign does not support the Official Plan objectives and that Applicant has not provided enough information to convince that this criteria has been established.

Figure 5: Official Plan Map 9 – Natural Heritage System (Excerpt)



Section/Criteria Description	Has Criteria Been Established?
694-30A(5): The proposed sign does not adversely affect adjacent premises.	NO, staff are of the opinion that this criteria <u>has not</u> been established.
<p>Rationale: The premises immediately adjacent to the proposed sign are parks. The Applicant states that the sign will not adversely affect adjacent premises because it "will be visible and oriented almost entirely to vehicular traffic only travelling eastbound along Eglinton Avenue." It is staff's opinion that the proposed sign will adversely affect adjacent premises because the proposed sign contains electronic static copy and faces sensitive lands.</p> <p>Staff believe that the Applicant has not provided enough information to convince that this criteria has been established. Staff also believe that this criteria has not been established.</p>	

Section/Criteria Description	Has Criteria Been Established?
694-30A(6): The proposed sign does not adversely affect public safety.	NO, staff are of the opinion that this criteria <u>has not</u> been established.
<p>Rationale: The proposed sign will be located approximately 1 metre from the curb defining the eastbound lanes of the travelled portion of Eglinton Avenue East. With a sign face area that is more than one-and-a-half times the size of what is otherwise permitted, at a location that is so close to the outermost travel lane of the two eastbound lanes, utilizing a method of copy display that transitions between advertising images every ten seconds, it is staff's belief that there is a significant potential for driver distraction. The Applicant states that "[t]hrough the City of Toronto's own traffic studies recently conducted, no correlation exists between the proposed type of sign display and public safety." What the studies conducted by the City's Transportation Services did reveal was that these types of signs do cause a distraction to drivers. Distracted driving increase the likelihood of a crash or a near crash event.</p> <p>Staff believe that the Applicant has not provided enough information to convince that this criteria has been established. Staff also believe that this criteria has not been established.</p>	

Section/Criteria Description	Has Criteria Been Established?
694-30A(7): The proposed sign is not a sign prohibited by §694-15B	YES, staff are of the opinion that this criteria has been established.
<p>Rationale: Prohibited signs are described in §694-15B, and the proposed sign is not a sign prohibited by this section. This criteria has been established.</p>	

Section/Criteria Description	Has Criteria Been Established?
694-30A(8): The proposed sign does not alter the character of the premises or surrounding area.	NO, staff are of the opinion, that this criteria, <u>has not</u> been established.
<p>Rationale:</p> <p>The Applicant states that the proposed sign will "improve the character of the area by providing new visual commercial vibrancy." It is the opinion of staff that new visual commercial vibrancy is not consistent with the pastoral and bucolic atmosphere of the surrounding area. The area-specific restriction contained in the Sign By-law that does not permit a third party sign within 400 metres along Eglinton Avenue East between Brentcliffe and Victoria Park was done expressly to protect and maintain the open space lands surrounding the location of the proposed sign.</p> <p>As such, staff is concerned that the proposed sign may alter the character of the premises or surrounding area and it is in the opinion of staff that the Applicant has not provided enough information to establish that the proposed sign satisfies this criteria.</p>	

Section/Criteria Description	Has Criteria Been Established?
694-30 A(9): The proposed sign is not contrary to the public interest	NO, staff are of the opinion that this criteria <u>has not</u> been established.
<p>Rationale:</p> <p>The proposed sign is contrary to the public interest. The people that work and live in the area surrounding the proposed sign are a valuable determiner in assessing the public interest. At the Pre-hearing Community Consultation Session held on the evening of March 14, 2016, in advance of the Hearing of the application before the Sign Variance Committee, 12 people spoke out against, primarily, the inappropriateness of the location of the proposed sign, largely because of its proximity to parkland and residences. Additionally communications have been received sharing a variety of concerns, including but not limited to: the size of the sign; the negative visual impact the sign will create; the negative impact on the surrounding parkland; and, how the sign will detract from the visual beauty of the surrounding area.</p> <p>The Applicant suggests that the proposed sign is not contrary to the public interest because: some existing third party signs are proposed to be removed, thereby reducing sign clutter; a new modern sign will have an improved visual esthetic; the local economy will be improved such that a modern sign will appeal to small business that may wish to advertise on the proposed sign; and, the proposed sign has the ability to display community and charitable messages.</p> <p>Although a reduction in sign clutter is an objective the City strives to achieve, the existing signs proposed to be removed are largely obscured by the foliage of the trees and shrubs growing around them and their set back a significant distance from the travelled portion of Eglinton Avenue East. Furthermore, concerns over the unsuitable commercialization in the immediate area brought on by the proposed sign and the conflict of the proposed sign with the existing land uses surrounding it weigh more heavily in the public interest test than a modern sign capable of supporting local business interests. Opportunities for outdoor advertising on existing sign structures remain and continue should any local business seek it, or should any community group or charitable organization seek it too.</p>	

CONCLUSION

Based on the rationale and materials submitted by the Applicant, a review of municipal policy and regulation, and the results of the Pre-Hearing Community Consultation Session, it is staff's position that the Applicant has not provided enough information to establish that the proposed sign meets all nine of the established criteria for the variances to be granted. Although, information exists to support that some of the criteria have been established, staff are of the opinion that there is not a sufficient basis to establish the proposed sign is compatible with the development of the premises and surrounding area; supports the Official Plan objectives for the subject premise and the surrounding area; will not adversely affect adjacent premises; will not adversely affect public safety; will not alter the character of the premise or the surrounding area; and, is not contrary to the public interest. There is information to support the conclusion that the proposed sign is, in fact, *not compatible* with the development of the premises and surrounding area; *does not support* the Official Plan objectives for the subject premise and the surrounding area; *will adversely* affect adjacent premises; *may adversely* affect public safety; *will alter* the character of the premise or the surrounding area; and, *is contrary* to the public interest.

As such, it is recommended that the Sign Variance Committee refuse to grant the four variances from the Sign By-law required for the proposed sign.

CONTACT

Robert Bader
Supervisor, Sign By-law Unit
Tel: (416) 392-4113
E-mail: rbader@toronto.ca

SIGNATURE

Ted Van Vliet
Manager, Sign By-law Unit

ATTACHMENTS

1. Description of Sign and Required Variance
2. Applicant's Submission Package

ATTACHMENT 1: DESCRIPTION OF SIGN AND REQUIRED VARIANCES

Description of Sign:

One third party electronic ground sign to be located at the premises municipally known as 0 North York Row containing:

(a) One sign face described as follows:

1. in the shape of a rectangle;
2. having an area of 32.54 square metres;
3. having a horizontal measurement of 10.67 metres;
4. having a vertical measurement of 3.05 metres;
5. having a height of 10.0 metres;
6. displaying electronic static copy;
7. illuminated; and
8. oriented in an easterly direction.

Required Variances:

1. The requirement contained at §694-24A(5) which states that a third party sign shall not be erected or displayed within 400 metres of any limit of Eglinton Avenue East from the easterly limit of Brentcliffe Road to the westerly limit of Victoria Park Avenue. The proposed sign is to be located within 100 metres of this portion of Eglinton Avenue East;
2. The requirement contained at §694-25C(3)(a) which states that an electronic ground sign is permitted in a U-Utility sign district, provided the sign face area shall not exceed 20.0 square metres. The proposed sign is to have a sign face area of 32.54 square metres;
3. The requirement contained at §694-25(3)(e) which states that an electronic ground sign is permitted in a U-Utility sign district, provided the sign shall not be erected within 60.0 metres of any premises located in whole or in part, in an R, RA, CR, I or OS Sign District. The proposed sign is to be erected approximately 27 metres to an OS sign district to the south and approximately 5 metres to a CR sign district to the north; and
4. The requirement contained at §694-25(3)(e) which states that an electronic ground sign is permitted in a U-Utility sign district, provided where the sign is located within 250 metres of an R, RA, CR, I or OS sign district, the sign does not face any premises in the R, RA, CR, I or OS sign district. The proposed sign faces a premise designated CR that is approximately 70 metres away; and, faces a premise that is designated OS that is approximately 75 metres away.

ATTACHMENT 2: APPLICANT'S SUBMISSION PACKAGE



Application
Sign Variance

Folder No.	Date (yyyy-mm-dd)
	2015-06-02

Project Information

Street No.	Street Name	Lot No.	Plan No.
	C.P Rail Eglinton Ave e/o Leslie St s/s	PART OF LOT 10	CONCESSION 3, YORK

Describe the variance(s) being applied for:
SEE ATTACHED

If it is an application for a variance required for the modification or restoration of an existing sign, please provide the following:

Existing Sign Dimensions	Location

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

Property Owner Information

First Name		Last Name	
Company Name (if applicable)			Telephone No.
CANADIAN PACIFIC RAILWAY			(416) 635-0221
Street No.	Street Name	Suite/Unit No.	Mobile No.
1290	CENTRAL PARKWAY WEST		
City/Town	Province	Postal Code	Fax No.
MISSISSAUGA	ONTARIO	L5C 4R3	(905) 803-3228
E-mail Address			

Attachment Required


- Sign Variance Data Sheet
- Copies of any supporting documents
- All necessary plans and specifications required to verify the nature of the Sign By-law Variance(s) requested

Continue on next page



Application
Sign Variance

Applicant Information and Declaration

First Name I. ROY		Last Name DZEKO	
Company Name OUTFRONT Media			Telephone No. (416) 521-6441
Street No. of 377	Street Name Homer Avenue	Suite/Unit No.	Mobile No.
City/Town Toronto	Province Ontario	Postal Code M8W 1Z6	Fax No. (416) 255-2063
E-mail Address roy.dzeko@oufrontmedia.ca			
<p>Do hereby declare the following:</p> <ul style="list-style-type: none"> • That I am <input type="checkbox"/> the Property Owner as stated above <input type="checkbox"/> the owner's authorized agent. <input type="checkbox"/> an officer/employee of _____, which is an authorized agent of the owner. <input type="checkbox"/> 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		Roy Dzeko Print Name	June 15 / 2015 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.

Data Sheet
Sign Variance

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

Project Information

Street No.	Street Name CANADIAN PACIFIC RAILWAY	Lot No. PART OF LOT 10	Plan No. CONSESSION 3
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Site and Building Data

Lot Area	Lot Frontage	Lot Depth
No. of Building(s) on the lot	Date of Construction of Building(s) if known (yyyy-mm-dd)	
Building Height(s)	No. of Storeys	Building(s) Gross Floor Area
Building Uses(s)		

Site Context

Please describe the land uses, buildings and sign districts surrounding the proposal (use additional pages if necessary)

North COMMERCIAL RESIDENTIAL SIGN DISTRICT

South INSTITUTIONAL SIGN DISTRICT

East OPEN SPACE SIGN DISTRICT

West INSTITUTIONAL SIGN DISTRICT

Proposal

Please describe in detail what is being proposed (use additional pages if necessary)

1. BUILD A THIRD PARTY GROUND SIGN TO CONTAIN TWO (2) "ELECTRONIC STATIC COPY" SIGN FACES
2. 5% OF TIME ON THE SIGN TO BE GIVEN TO COMMUNITY GROUPS , NON FOR PROFIT GROUPS AT NO CHARGE . THE SIGN WILL ALSO FEATURE AMBER ALERTS AND EMERGENCY MESSAGING .
3. SIGN TO BE ILLUMINATED UNDER ALL THE ILLUMINATION PROVISIONS OF 694-10
4. SIGN TO HAVE A FIVE (5) YEAR PERMIT TO BE REVIEWED AS PER 694-10.

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14-0043 2013-07

Rationale

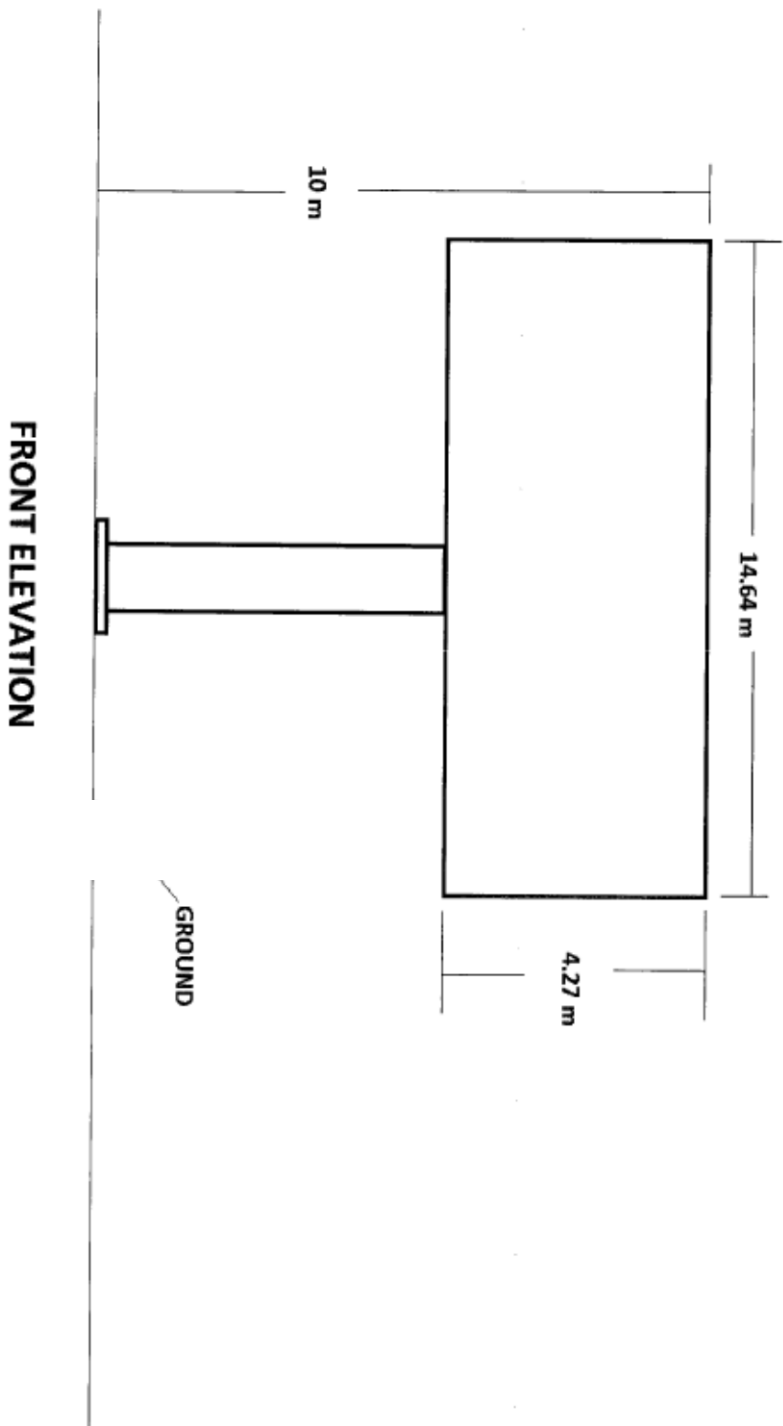
Decisions for all Sign Variance Applications are evaluated against criteria listed in Toronto Municipal Code Chapter 694-30 A. A Variance may be granted where it is demonstrated that the proposed sign(s):

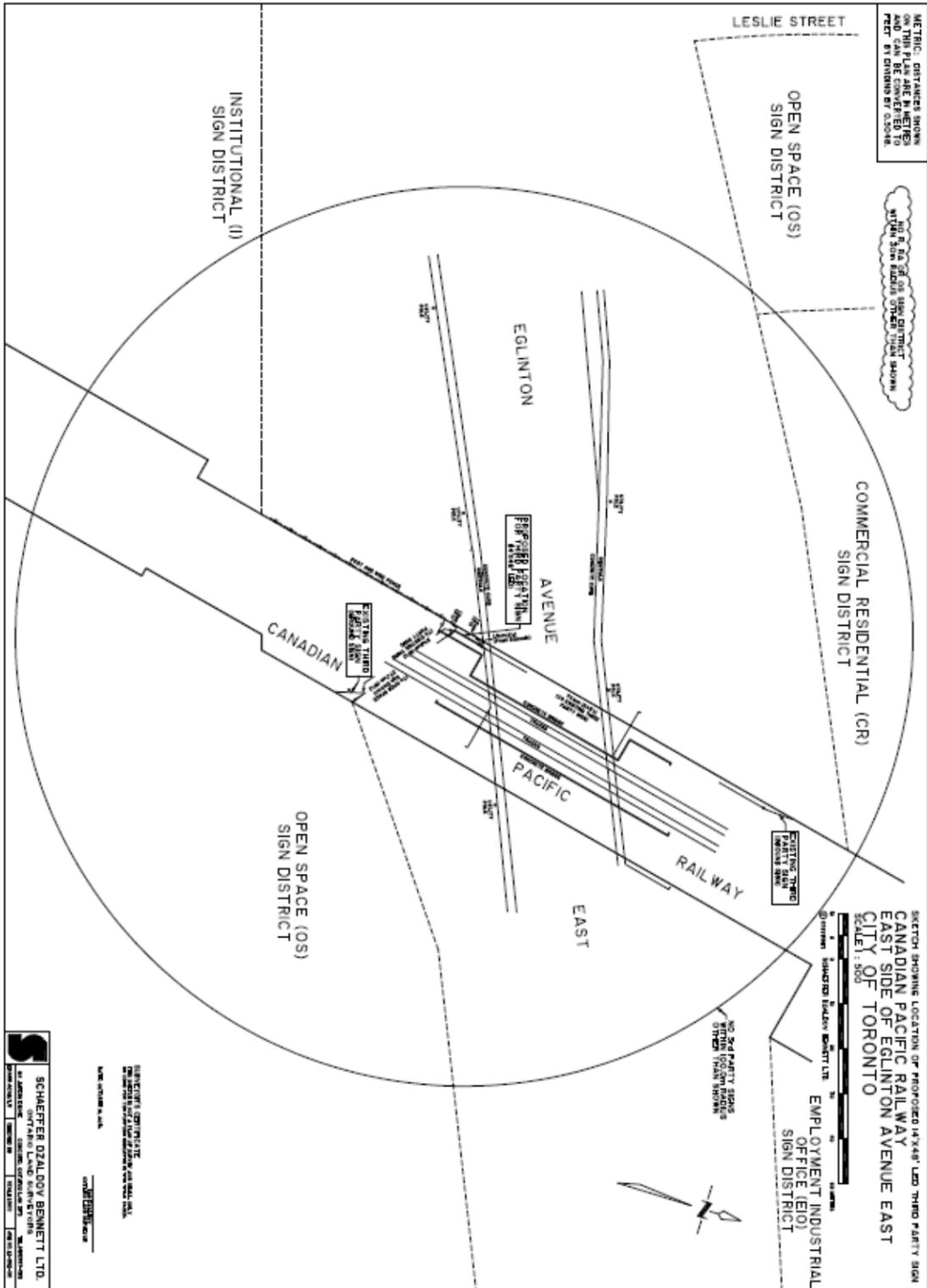
- Belong to a sign class permitted in the sign district where the premises is located
- In the case of a third party sign, be of a sign type that is permitted in the sign district, where the premises is located
- Be compatible with the development of the premises and surrounding area
- Support the Official 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 Toronto Municipal Code Chapter 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 describe in detail how the proposal satisfies each of the criteria listed above (use additional pages if necessary)

SEE ATTACHED

SIGN LOCATION : C.P RAIL EGLINGTON AVENUE EAST OF LESLIE







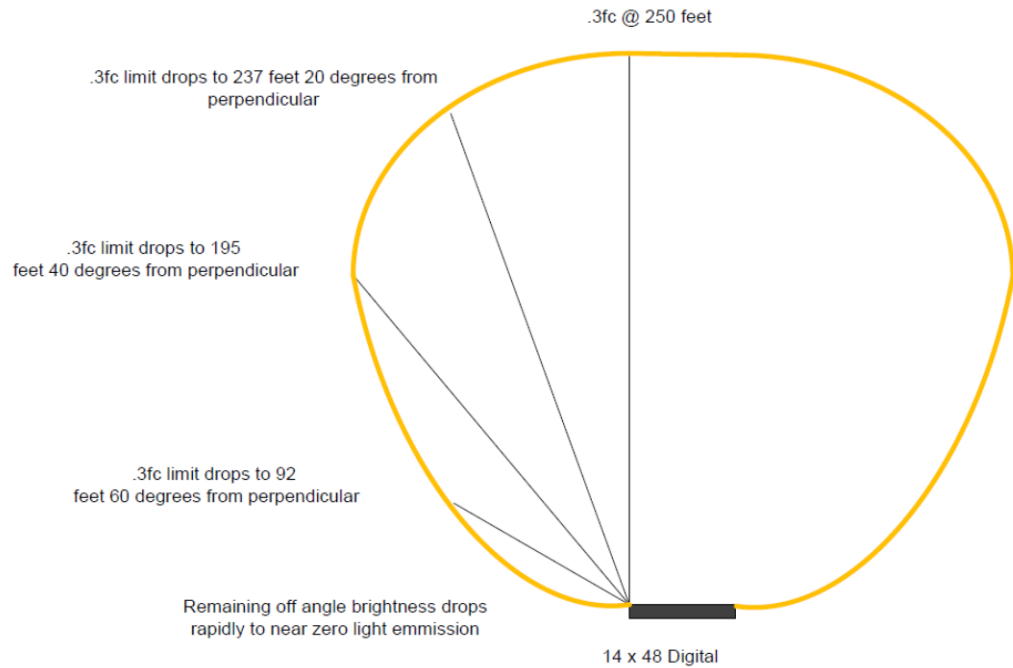
OUTFRONT
media

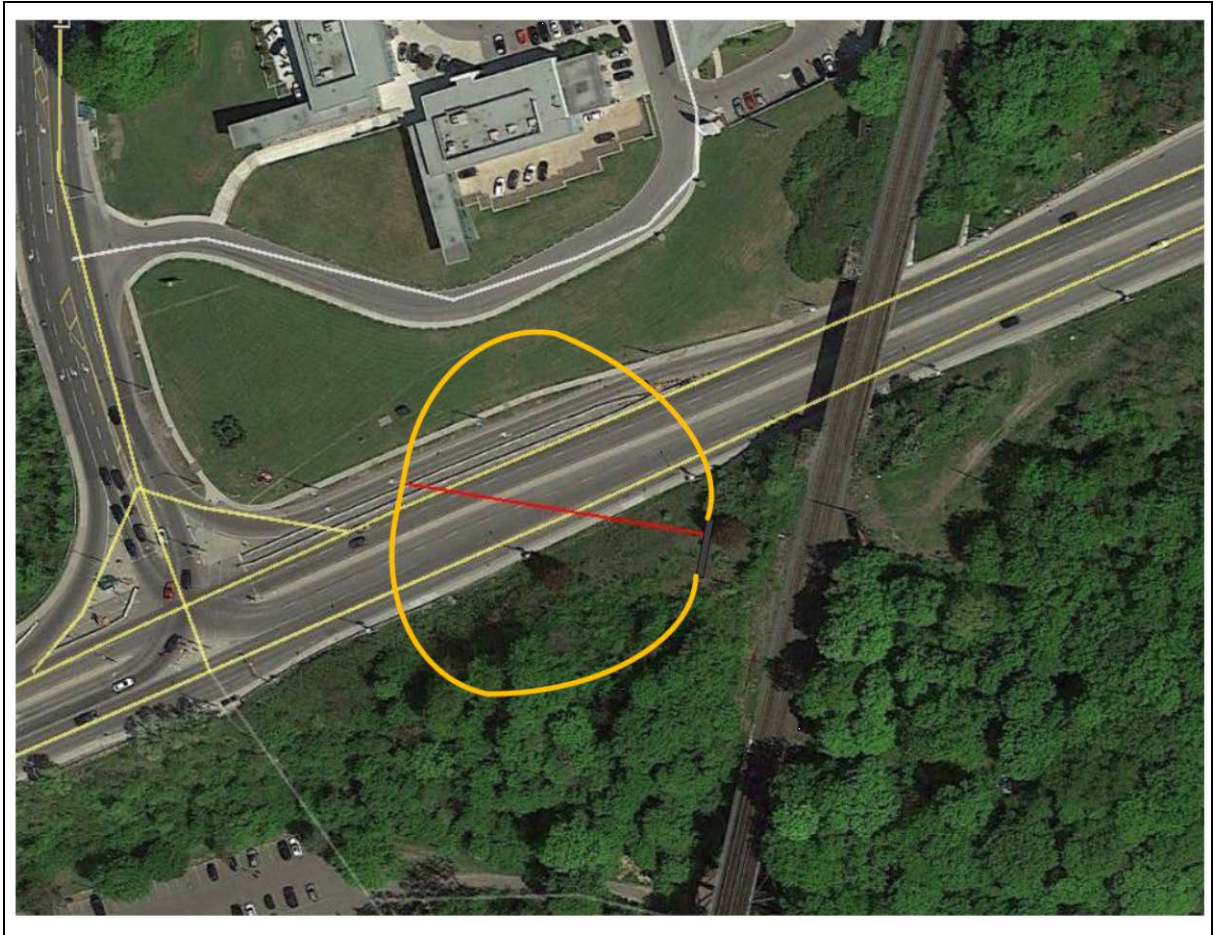
Proposed 10'x35' Single sided ground sign to contain
"electronic static copy" on C.P Utility Sign District

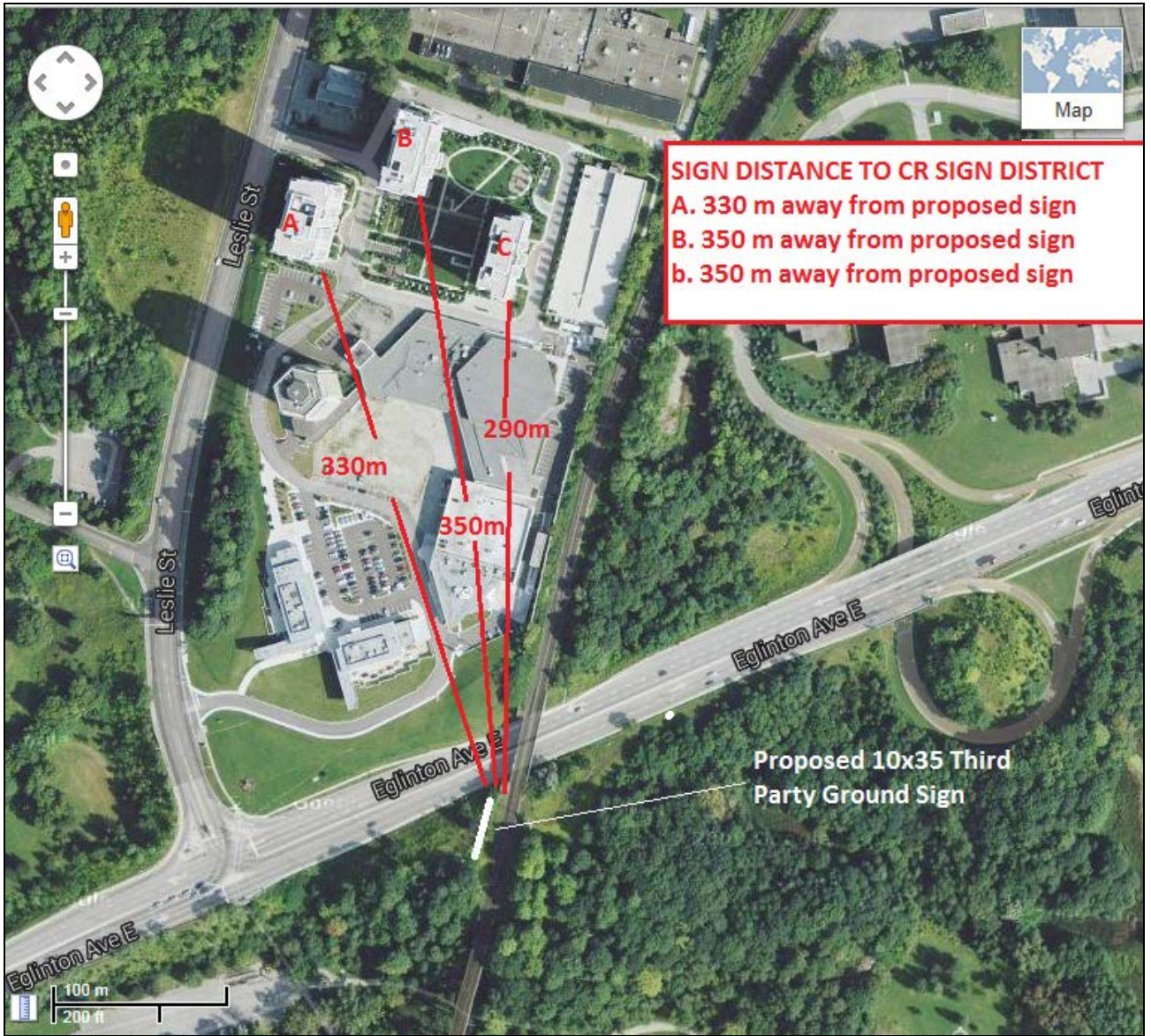
Per OAAA Lighting Guidelines, a 14 x 48 digital display will not increase the ambient lighting by more than .3 foot candles at 250 feet. In order to increase the ambient light the full .3fc, the display would need to emit a full white frame (copy) at night time brightness settings.

The LEDs are most intense directly perpendicular to their mounted position

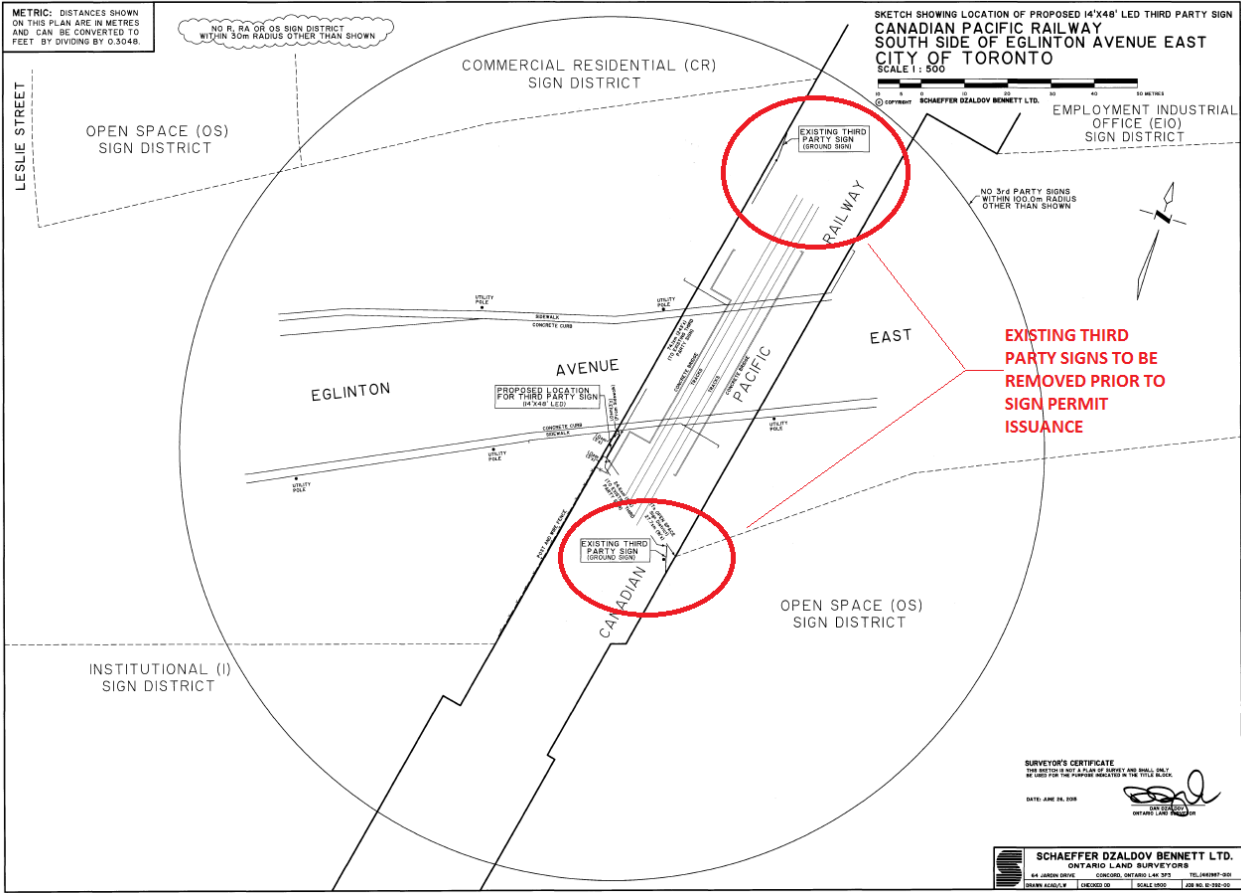
The ORANGE Boundary shows the distance that the .3fc measurement would be obtained with full white copy.











SIGN VARIANCE RATIONALE

C.P Rail Eglinton Ave e/o Leslie Street Ward 26

1. Belong to a sign class that is permitted in the sign district where the premises is located;

YES

The property is part of the C.P Railway system and is a U-UTILITY Sign District, where digital ground signs are permitted.

2. In the case of a Third Party Sign be of a type that is permitted in the sign district the premises is located;

YES

Digital Third Party Ground signs are permitted in U-UTILITY Sign District.

3. Be compatible with the development of the premises or surrounding area;

Yes

The new digital single sided third party sign to be located on the C.P Railway is compatible with the premises and the surrounding area. The railway corridor provides economic benefit through the essential transport of goods and materials. The advertising sign also provides economic benefit through essential promotion of goods and services in Canada. The railway overpass is located at a major vehicular roadway and is an ideal location for a digital sign. The nearest residential use is 280 meters away from the sign location and is a distance greater than the by-law requirement of 250 meters. No light trespass will result into a residential use at this location.

4. Support the OFFICIAL PLAN objectives for the subject premises and surrounding area.

YES

The subject premises are in a U-UTILITY Sign District and the surrounding area is mainly C.R and OS in the Land Use Designation and the Urban Schedule of the Official Plan. Utility Sign Districts and Commercial Residential areas are designed to support enterprise and business. The large modern automobile dealership located immediately adjacent to the proposed sign location, along with several other large and longstanding business facilities on this section of Eglinton Avenue East and nearby Leslie Street clearly demonstrate that this is an area which is very much appropriate for the type of sign proposed. This application supports the objectives of the Official Plan.

5. Not adversely affect adjacent properties;

YES the sign will not adversely affect.

The new modern sign type will be visible and orientated almost entirely to vehicular traffic only travelling Eastbound on Eglinton Avenue. Thus the sign will not adversely affect adjacent properties.

6. Not adversely affect public safety

YES the sign will not adversely affect public safety.

The proposed ground sign will contain electronic static copy only. Through the City of Toronto's own traffic studies recently conducted, no correlation exists between the proposed type of sign display and public safety. The sign can be used for the benefit of traffic safety messages, and amber alerts, and the sign can offer an improved public safety opportunity!

7. Not be a sign prohibited by 694-15B of Chapter 694

Yes the sign is not prohibited

The sign type is not a prohibited sign as per 694-15B of Chapter 694

8. Not alter the character of the premises or surrounding area;

YES it will not alter

The character of the premise is a rail corridor within a U-UTILITY Sign District. The proposed sign will be an improvement and will not alter the U-Utility Sign District, nor will it alter the typical land use that surrounds the U-Utility Sign District. The proposed application will improve the character of the area by providing new visual commercial vibrancy.

9. Not be, in the opinion of the Chief Building Official, contrary to the public interest.

YES Not contrary to the public interest

The sign application being made offers multiple benefits and is not contrary to public interest such as:

- Existing signs in the area and in the ward shall be removed which will reduce sign clutter.
- The new sign will replace existing signs on the corridor and will improve the public interest as it will be operated and conform to the new sign by-law 694-10. Examples of a sign that are in compliance with the new by-law are that the hours of operation of the new sign will be limited to 11pm till 7am. A renewable energy source will be required for the method of illumination.
- A new more modern sign will have an improved visual esthetic
- A modern sign will be more appealing to small business owners that wish to promote a product or service which will boost the local economy.
- Digital method of display allows for greater opportunity to display community and charitable messages.

Thank You