



Application for Seven Variances, Each Subject to Three Conditions, Respecting One Third Party Electronic Ground Sign – 270 Evans Ave

Date: November 13, 2020

To: Sign Variance Committee

From: Manager, Sign By-Law Unit, Toronto Building

Wards: Etobicoke-Lakeshore (Ward 03)

SUMMARY

Norm Girdhar on behalf of Branded Cities (the "Applicant") has been authorized by the owner of the property municipally known as 270 Evans Ave, to apply for seven variances, each subject to three conditions, required to allow for a permit to be issued for one third party electronic ground sign with two sign faces, displaying electronic static copy (the "Proposed Sign") at 270 Evans Ave.

The Proposed Sign will be located along the north-west frontage of 270 Evans Ave, facing the Gardiner Expressway, in a westerly and north-easterly direction. It will have a height of 19.2 metres, and will contain two sign faces, each measuring 14.63 metres horizontally by 4.27 metres vertically, with a sign face area of 62.47 square metres with a "v-shaped" configuration. The interior angle of two sign faces will be less than 25 degrees. The Proposed Sign is described further in Attachment 1.

Seven variances to Chapter 694, each subject to three conditions, are required to allow the Chief Building Official ("CBO") to issue the sign permit for the Proposed Sign. The requirements in Chapter 694 which have been requested to vary, are as below:

- 1) **§ 694-24.A(1)-** A third party sign shall not be erected or displayed or caused to be erected or displayed in whole or in part within 400 metres of any limit of the F.G. Gardiner Expressway from Highway 427 to the Humber River, transferred from the Province by Order in Council 534/97- The Proposed Sign is located in an area where third party sign shall not be erected or displayed (specifically approximately 55 meters south of the southern limit of the portion of F.G. Gardiner Expressway between Highway 427 and the Humber River).
- 2) **§ 694-25.C(2)(a)-** An Employment "E" Sign District may contain an electronic ground sign provided the sign face area shall not exceed 20.0 square metres- The Proposed Sign has a sign face area of 62.47 square meters on each which is approximately three times the permitted sign face area on each sign face.

- 3) **§ 694-25.C(2)(b)**- An Employment Sign District may contain an electronic ground sign provided the height shall not exceed 10.0 meters- The Proposed Sign has a height of 19.2 meters which is approximately twice the permitted height.
- 4) **§ 694-25.C(2)(e)**- An Employment Sign District may contain an electronic ground sign 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 located within 27 meters of OS - Open Space Sign district which is less than the maximum permitted clearance.
- 5) **§ 694-25.C(2)(f)**- An Employment Sign District may contain an electronic ground sign provided where a 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 Sign is facing CR sign district located in 180 meters of the North West side of the Premises.
- 6) **§ 694-5.C(2)(g)[1]**- An Employment Sign District may contain an electronic ground sign provided the sign be located a minimum of 500 metres from any other third party electronic sign located on the same street- The Proposed Sign is located within approximately 360 meters of an existing third party electronic ground sign at 16 Arnold St.
- 7) **694-25C(2)(k)** – An (E) Employment Sign District may contain a third party electronic ground sign, provided where there are two sign faces, the sign faces shall be back-to-back- the Proposed Sign has a “v-shaped” configuration.

Each of the seven requested variances, are sought to have the following three conditions:

1. Any and all existing third party signs located at the property municipally known as 270 Evans Ave shall be removed and all associated permits revoked, prior to the erection or display of the Proposed Sign;
2. The sign face bottom shall be no less than 4.5 metres for all sign faces and,
3. The orientation of the two sign faces to be in a generally North Westerly and South Easterly direction as follows, with an internal angle of the two sign faces no more than 90 degrees.
 - i. Have a maximum bisecting line no greater than 4.27 meters;
 - ii. Have a maximum center line of no greater than 14.63 meters;
 - iii. Have a maximum sign face area of no greater than 62.47 square meters;
 - iv. May display static, or electronic static copy, but not both;

The Applicant has also included in its application an alternative proposal (Proposed Sign#2) identical to the Proposed Sign, but for the orientation of the sign faces being back-to-back rather than v-shaped configuration; and therefore, requiring only six of the above noted variances to allow for a permit to be issued for a third party electronic

ground sign with two sign faces, displaying electronic static copy in a back-to-back configuration at 270 Evans Ave.

Following a review of the Applicant's submissions and the results of research and investigation by Sign By-law Unit staff, the CBO has determined that the Applicant has not provided sufficient information to determine that either the Proposed Sign or the alternative proposal, Proposed Sign #2, meet all nine of the criteria established in §694-30A of the Sign By-law. Specifically, the information provided has not established that the Proposed Sign or Proposed Sign #2: are compatible with the development of the premises and surrounding area; support Official Plan objectives for the subject premises and surrounding area; do not adversely affect adjacent premises; do not adversely affect public safety, including traffic and pedestrian safety; and, are not contrary to the public interest.

Therefore, the CBO does not support the Sign Variance Committee granting either the seven requested variances for the Proposed Sign nor the alternative application, for six variances with respect to Proposed Sign #2.

RECOMMENDATIONS

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

1. The Sign Variance Committee **refuse** to grant any of the seven requested variances to sections 694-24.A(1), 694-25.C(2)(a), 694-25.C(2)(b), 694-25.C(2)(e), § 694-25.C(2)(f), § 694-25.C(2)(g)[1] and § 694-25.C(2)(k) required to allow for the issuance of a permit respecting the erection and display of the Proposed Sign at the property municipally known as 270 Evans Ave as described in Attachment 1 as well as
2. The Sign Variance Committee **refuse** to grant any of the six requested variances to sections 694-24.A(1), 694-25.C(2)(a), 694-25.C(2)(b), 694-25.C(2)(e), 694-25.C(2)(f), and 694-25.C(2)(g)[1] required to allow for the issuance of a permit respecting the erection and display of Proposed Sign #2 at the property municipally known as 270 Evans Ave as described in Attachment 1.

FINANCIAL IMPACT

There are no current or known future year financial impacts arising from the recommendations contained in this report.

DECISION HISTORY

This proposal has not been previously considered by the Sign Variance Committee.

ISSUE BACKGROUND

Required Variances

Table 1: Summary of Requested Variances for Proposed Sign

Sign By-Law Reference	Requirement	Proposal
§ 694-24.A(1)	A third party sign shall not be erected or displayed or caused to be erected or displayed in whole or in part within 400 metres of any limit of the F.G. Gardiner Expressway from Highway 427 to the Humber River, transferred from the Province by Order in Council 534/97;	The Proposed Sign is located in an area where third party sign shall not be erected or displayed (specifically approximately 55 meters south of the southern limit of the portion of F.G. Gardiner Expressway between Highway 427 and the Humber River).
§ 694-25.C(2)(a)	An Employment Sign District may contain an electronic ground sign provided the sign face area shall not exceed 20.0 square metres;	The Proposed Sign has a sign face area of 62.47 square meters which is approximately three times the permitted sign face area.
§ 694-25.C(2)(b)	An Employment Sign District may contain an electronic ground sign provided the height shall not exceed 10.0 meters;	The Proposed Sign has a height of 19.2 meters which is approximately twice the permitted height.
§ 694-25.C(2)(e)	An Employment Sign District may contain an electronic ground sign 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 located within 27 meters of OS - Open Space Sign district which is less than the maximum permitted clearance.
§ 694-25.C(2)(f)	An Employment Sign District may contain an electronic ground sign provided where a 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 Sign is facing CR sign district located in 180 meters of the north-west side of the Premises.
§ 694-5.C(2)(g)[1]	An Employment Sign District may contain an electronic ground sign provided the sign be located a minimum of 500 metres from any other third party electronic sign located on the same street;	The Proposed Sign is located within approximately 360 meters of an existing third party electronic ground sign at 16 Arnold St which is less than the permitted clearance on the same street.

§ 694-25.C(2)(k)	An Employment Sign District may contain an electronic ground sign provided where the sign has two faces, the sign faces shall be back to back	The Proposed Sign has a v-shaped configuration.
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Table 2: Summary of Requested Variances for Proposed Sign#2

Sign By-Law Reference	Requirement	Proposal
§ 694-24.A(1)	A third party sign shall not be erected or displayed or caused to be erected or displayed in whole or in part within 400 metres of any limit of the F.G. Gardiner Expressway from Highway 427 to the Humber River, transferred from the Province by Order in Council 534/97;	The Proposed Sign is located in an area where third party sign shall not be erected or displayed (specifically approximately 55 meters south of the southern limit of the portion of F.G. Gardiner Expressway between Highway 427 and the Humber River).
§ 694-25.C(2)(a)	An Employment Sign District may contain an electronic ground sign provided the sign face area shall not exceed 20.0 square metres;	The Proposed Sign has a sign face area of 62.47 square meters which is approximately three times the permitted sign face area.
§ 694-25.C(2)(b)	An Employment Sign District may contain an electronic ground sign provided the height shall not exceed 10.0 meters;	The Proposed Sign has a height of 19.2 meters which is approximately twice the permitted height.
§ 694-25.C(2)(e)	An Employment Sign District may contain an electronic ground sign 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 located within 27 meters of OS - Open Space Sign district which is less than the maximum permitted clearance.
§ 694-25.C(2)(f)	An Employment Sign District may contain an electronic ground sign provided where a 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 Sign is facing CR sign district located in 180 meters of the north-west side of the Premises.
§ 694-5.C(2)(g)[1]	An Employment Sign District may contain an electronic ground sign provided the sign be located a minimum of 500 metres from any other third party electronic sign located on the same street;	The Proposed Sign is located within approximately 360 meters of an existing third party electronic ground sign at 16 Arnold St which is less than the permitted clearance on the same street.

Sign Attributes and Site Context

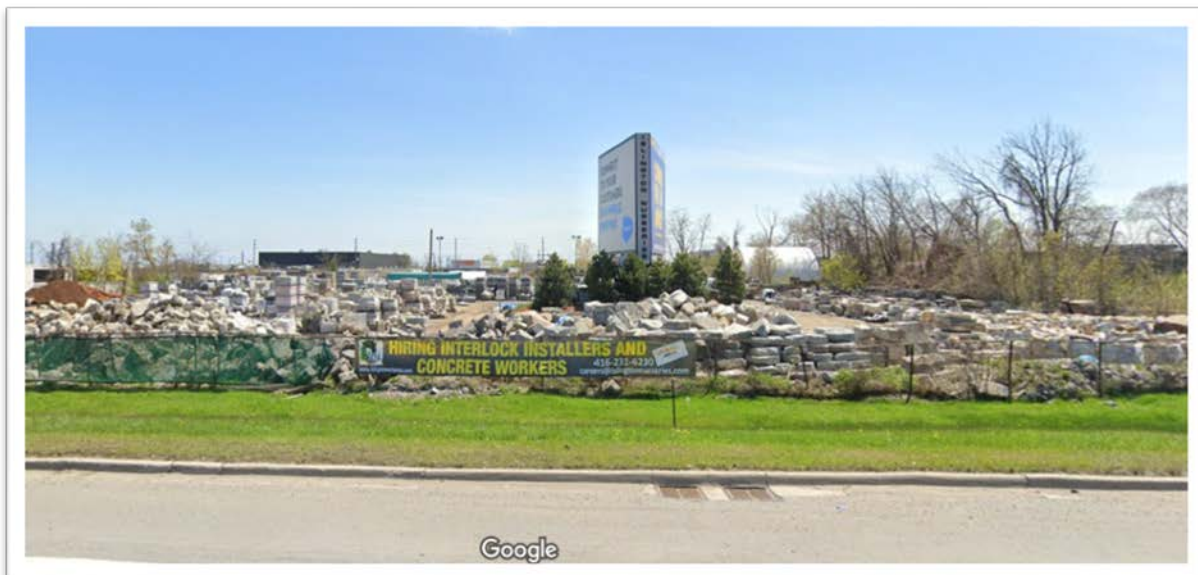
The property at 270 Evans Ave is designated as an Employment ("E") Sign District, located in Ward 3 - Etobicoke-Lakeshore. There are four low-rise commercial buildings located at 270 Evans Ave, as per GIS map excerpt in Figure 1. The current zoning of 270 Evans Ave is designated as Employment – Industrial category and is occupied by "Islington Nurseries" which is a garden centre and landscaping supply depot, as illustrated in Figure 2.

Generally the property at 270 Evans Ave is surrounded by one/two storey office buildings and warehouses. Immediately to the North is F.G. Gardiner Expressway and to the immediate West is Lakeshore Asylum Cemetery.

Figure 1: GIS Map Excerpt - 270 Evans Ave



Figure 2: Looking South from Gardiner Expressway to 270 Evans Ave



Surrounding premises:

North: Employment E Sign District, Gardiner Expressway and employment uses

East: Employment E Sign District, employment and commercial uses

West: Open Space OS Sign District, vacant land

South: Employment E Sign District, employment, commercial and retail uses

Figure 3: Sign District Map - 270 Evans Ave



COMMENTS

Applicant Information

Norm Girdhar on behalf of Branded Cities (the "Applicant") has been authorized by the owner of the property municipally known as 270 Evans Ave, to apply for seven variances, each subject to three conditions, required to allow for a permit to be issued for one third party electronic ground sign with two sign faces, displaying electronic static copy (the "Proposed Sign") at 270 Evans Ave.

Application Background

The Proposed Sign will be located along the north-west frontage of 270 Evans Ave, facing the Gardiner Expressway, in a westerly and north-easterly direction. It will have a height of 19.2 metres, and will contain two sign faces, each measuring 14.63 metres horizontally by 4.27 metres vertically, with a sign face area of 62.47 square metres with a "v-shaped" configuration. The interior angle of two sign faces will be less than 25 degrees. The Proposed Sign is described further in Attachment 1.

The Applicant has also included in its application an alternative proposal (Proposed Sign#2) identical to the Proposed Sign, but for the orientation of the sign faces being back-to-back rather than v-shaped configuration; and therefore, requiring only six of the above noted variances to allow for a permit to be issued for a third party electronic ground sign with two sign faces, displaying electronic static copy in a back-to-back configuration at 270 Evans Ave.

Community Consultation

The CBO has adopted a practice of engaging in enhanced consultation process concerning variance applications concerning electronic signs. Notice required by the City's Sign By-law was provided to premises within a 250 metre radius of the location of the Proposed Sign, advising about the proposal, the CBO also held and informed the public of an additional virtual Community Consultation meeting.

The Community Consultation meeting was held on the evening of Tuesday Oct 13, 2020. No one attended the community consultation meeting, and as of the date of this report, no comments or concerns have been received from the public.

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

The Sign By-law contains criteria to be used in evaluating an application for variance(s). Specifically, §694-30A states that an application for variance(s) may only be granted where it is established that the Proposed Sign(s) meet each of the nine established criteria.

The Sign Variance Committee is required to conduct an evaluation and determine that the Applicant seeking the proposed variances meets all nine of the mandatory criteria, on the basis of the presented information.

Applying the Established Criteria

Section 694-30A(1): The Proposed Sign belongs to a sign class permitted in the Sign District where the premises is located

Based on the review of the Sign Unit staff, the property at 270 Evans Ave can be confirmed as being designated as an E Sign District, and that E Sign Districts permit signs belonging to the third party sign class.

The CBO has confirmed that as per the information contained in the Applicant's submission, both the Proposed Sign and Proposed Sign#2 can be confirmed to belong to the third party sign class, because they would advertise, promote, or direct attention to businesses, goods, services, matters, or activities that would not be available at, or related to, the premises where the sign would be located. Therefore, the CBO is of the opinion that this criteria has been established.

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

Based on the review of the Sign Unit staff, the property at 270 Evans Ave can be confirmed as being in an E Sign District. The Applicant's submission contains sufficient information (in the description and diagrams provided) to confirm the Proposed Sign and Proposed Sign #2 both belong to the electronic ground sign type.

Electronic ground signs are a sign type that is permitted in E Sign Districts. Therefore, the CBO is of the opinion that this criteria has been established.

Section 694-30A(3): *The Proposed Sign will be compatible with the development of the premises and surrounding area*

The property at 270 Evans Ave is designated as E Sign District, which permits electronic ground signs. It is surrounded by properties in the E Sign District to the north, south and east. These areas of the City were specifically set out in the Sign By-law to contain third party electronic ground signs and contain largely commercial and employment uses. To the west, there is Open Space Sign District which is currently a vacant land.

There is an existing third party ground sign located at 270 Evans Ave, which is not consistent with the current Sign By-law and required variances from the previous sign by-law (Etobicoke Municipal Code Chapter 215) to be displayed. The Applicant has proposed to remove the existing sign in upon approval of the Proposed Sign or Proposed Sign #2.

Although the Applicant states in their rationale that the Proposed Sign and Proposed Sign #2 have the same size and height as any other electronic signs to the north, east or west of the property, the Applicant did not provide any other detailed information about the location and size and height of these electronic signs.

The only electronic sign that staff identified in close proximity of 270 Evans Ave, is a third party sign at 16 Arnold St which is approximately 350m away from the Proposed Sign and Proposed Sign #2, and was approved by the Etobicoke York Community Council in March 2010. It appears that the height of the sign at 16 Arnold St. is 14.94 meters which is approximately 4.26 meters less than the Proposed Sign and Proposed Sign #2.

Additionally, based on staff's investigation, the existing sign on the property municipally known as 270 Evans Ave was approved by Etobicoke York Community Council in 2008, before the City of Toronto set out the regulations of the current Sign By-Law in 2010. Although the Proposed Sign and Proposed Sign #2 are smaller than the existing sign, they all exceed the maximum permitted face area and permitted height in the Sign By-Law. Therefore, staff are of the opinion that the Proposed Sign and Proposed Sign #2 are not compatible with the low-rise building at 270 Evans Ave and surrounding properties.

Moreover, the Proposed Sign and Proposed Sign #2 are located within approximately 60 meters of the F.G. Gardiner Expressway which is not permitted by 694-24A(1) of the Sign By-law. The provisions in the Sign By-law restricting third party signs from within 400 metres of the F.G. Gardiner Expressway were put in place to be consistent with the Provincial Ministry of Transportation's Corridor Management Policy. When the 2015 amendments were made to the Sign By-law concerning electronic signs, those restrictions were neither removed nor amended.

Furthermore, the Proposed Sign and Proposed Sign #2 are facing a CR Commercial Residential Sign district (35 Zorra St) which is approximately 185 meters to the north-west side the property municipally known as 270 Evans Ave. Without providing any relevant study and analysis, the Applicant claims in their rationale that the Proposed Sign and Proposed Sign #2 are the least intrusive considering the vehicular traffic on F.G. Gardiner Expressway and the existing electronic sign to the west of the property municipally known as 270 Evans Ave. The Applicant also did not provide any further commentary explaining how the Proposed Sign and Proposed Sign #2 are compatible with the proposed residential apartment buildings at 35 Zorra St.

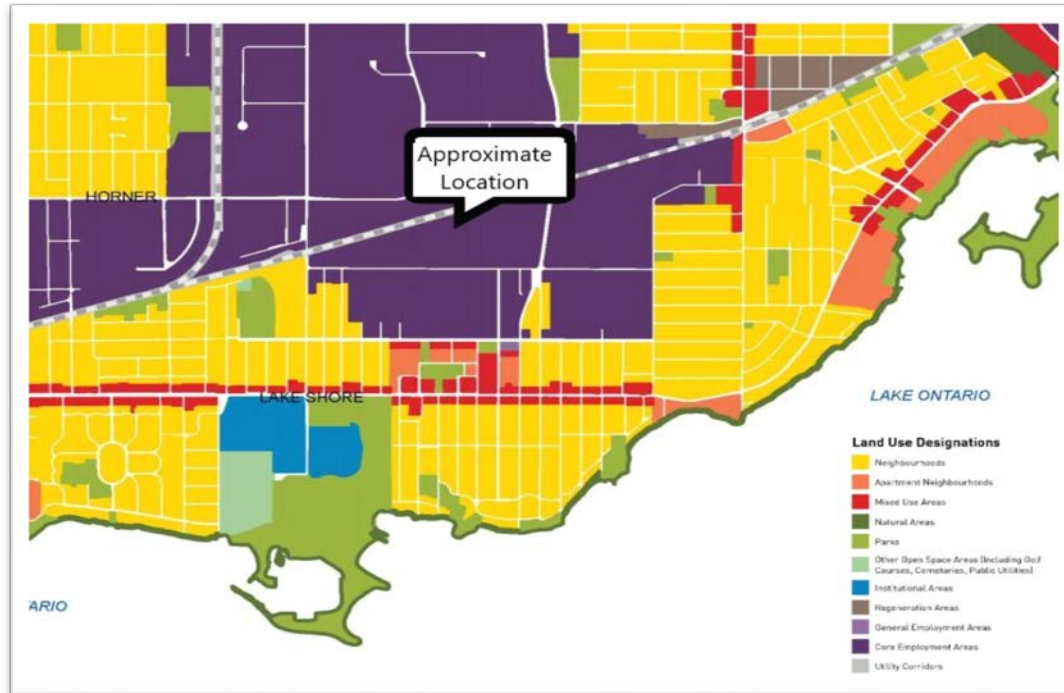
As such, it is CBO's position that the Proposed Sign and Proposed Sign #2 are not compatible with the development of the premises and surrounding area, and that the Applicant has failed to provide sufficient information to demonstrate that this criterion has been established.

Section 694-30A(4): The Proposed Sign will support Official Plan objectives for the subject premises and surrounding area

The Applicant's submission states that 270 Evans Ave has been designated as an Employment Area in City of Toronto Official Plan, and the Proposed Sign and Proposed Sign #2 would not compromise or contradict the Official Plan objectives. According to staff investigation, the property municipally known as 270 Evans Ave is designated Core Employment Areas in Map 15 Land Use Plan as illustrated in Figure 4. The Applicant has not identified any objectives in particular, nor provided any detailed basis as to how the Proposed Sign or Proposes Sign #2 would support these objectives.

As such, it is CBO's position that, Applicant has failed to provide sufficient information to demonstrate that this criterion has been established, and as a result, that the Proposed Sign and Proposed Sign #2 will not support the Official Plan objectives for the premises and surrounding area.

Figure 4: Official Plan Map - 270 Evans Ave



Section 694-30A(5): *The Proposed Sign will not adversely affect adjacent premises*

The property at 270 Evans Ave is designated as an E Sign District, as are the properties to the east and south. To the north is the F.G. Gardiner Expressway and to the immediate west, vacant land with Open Space designation.

In their application materials, The Applicant states that the Proposed Sign and Proposed Sign #2 face area and height are in-line with other third party electronic ground signs. However, the applicant did not address the potential effects on the F.G. Gardiner Express Way, Lakeshore Asylum Cemetery or the Commercial Residential use at 35 Zorra St.

Signs with electronic copy can be visually intense and dominant in places where they are located. Due to its size, height and method of copy display, it is likely that the Proposed Sign and Proposed Sign #2 will have an adverse impact on users of the F.G. Gardiner Expressway, Lakeshore Asylum Cemetery and Commercial Residential use at 35 Zorra St.

Furthermore, the Proposed Sign and Proposed Sign #2 will face a future high-rise residential apartment to the north-west of 270 Evans Ave. This impact is likely to be intensified by the height and sign face area of the Proposed Sign and Proposed Sign #2.

No study and analysis has been submitted by the Applicant to address these matters, as a result, it is CBO's position that the Proposed Sign and Proposed Sign #2 will

adversely affect adjacent premises and that the Applicant has failed to provide any information to convince that this criteria has been established.

Section 694-30A(6): The Proposed Sign will not adversely affect public safety, including traffic and pedestrian safety

According to the Applicant's submissions, the existing sign has been on the premises for years. The applicant also states that the Proposed Sign and Proposed Sign #2 are 49 square metres smaller than the existing sign and will be designed and installed in accordance with the requirements of the Ontario Building Code to ensure the pedestrian safety.

The Proposed Sign and Proposed Sign#2 are different than the existing sign at 270 Evans Ave in height, area and sign copy. As a result, the impact(s) will be different and further study and analysis is required to see whether the Proposed Sign or Proposed Sign #2 would adversely affect public safety, including traffic and pedestrian safety.

No study and analysis has been submitted by the Applicant to address these matters. As a result, it is CBO's position that the Proposed Sign and Proposed Sign #2 will adversely affect public safety, including traffic and pedestrian safety and that the Applicant has failed to provide any information to demonstrate that this criteria has been established.

Section 694-30A(7): The Proposed Sign will not be a sign prohibited by §694-15B

According to staff review, the Applicant's documents and drawings contains sufficient information to confirm that neither Proposed Sign and Proposed Sign #2 meet the description of any of the signs which are not specifically prohibited by §694-15B. As such, the CBO is of the opinion that this criteria has been established.

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

Although the Applicant discussed in their rationale that the Proposed Sign and Proposed Sign #2 are 49 square metre smaller than the existing sign, staff have concerns regarding the size and height and location of the Proposed Sign and Proposed Sign #2. The Proposed Sign and Proposed Sign #2 face areas are approximately three times larger than the permitted sign face area in E Sign District and the Proposed Sign and Proposed Sign #2 are almost twice the maximum permitted height for signs in E Sign Districts.

The Sign By-Law also restricts third party signs within 400 meters of the F.G. Gardiner Express Way. Staff have confirmed that, there is no other electronic ground signs in the area immediately surrounding the Proposed Sign and Proposed Sign #2 that have been approved after the current Sign By-Law was enacted in 2010. The only similar electronic

ground sign in the immediate area is located at 16 Arnold St and was approved by Etobicoke York Community Council in 2008.

The Applicant has not provided any additional comments describing how the Proposed Sign or Proposed Sign #2 will not alter the character of the area, therefore the CBO is of the opinion that this criteria has not been established.

Section 694-30A(9): *The Proposed Sign will not be, in the opinion of the decision maker, contrary to the public interest*

After extensive public and industry consultation, the Sign By-law requirements for E Sign Districts were amended in 2015 to permit electronic ground signs, however not at the size or height of the Proposed Sign and Proposed Sign #2. Also, the required 400m separation distance between third party signs and the F.G. Gardiner Expressway has been in the Sign By-law since 2010 without amendment.

The Proposed Sign and Proposed Sign #2, both represent a significant departure from the existing sign, which was permitted at 270 Evans Avenue by Etobicoke Community Council in 2009, as well as what is permitted for E Employment Sign Districts by the Sign By-law. The rational provided by the Applicant states that the Proposed Sign and Proposed Sign #2 bring enhancement and consistency to the 270 Evans Ave and surrounding area, but did not expand on how the Proposed Sign or Proposed Sign #2 do this.

As well, the rational provided by the applicant does not explain how being granted seven variances to the Sign By-law would not be contrary to the public interest. As a result, the CBO is of the opinion that this criteria has not been established.

Conclusion

The Applicant's materials has not provided sufficient information for the CBO to establish that all nine criteria required to grant an approval for the seven requested variances for Proposed Sign, and six requested variance for the Proposed Sign #2 have been met. As such, the CBO is not supportive of the Sign Variance Committee granting the requested variances for both Proposed Sign and Proposed Sign #2, subject to the specified conditions.

CONTACT

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SIGNATURE

Ted Van Vliet
Manager, Sign By-law Unit, Toronto Building

ATTACHMENTS

Attachment 1 – Description of Signs and Required Variances and Conditions
Attachment 2 – Sign District View Mapping of the Premises and surrounding Area
Attachment 3 – Applicant's Submission Package

ATTACHMENT 1: DESCRIPTION OF SIGNS AND REQUIRED VARIANCES

Proposed Sign Description:

One third party electronic ground sign described as follows:

- a) Contains two sign faces in an approximate North Westerly and South Easterly orientation, placed in a "v-shapped" configuration;
- b) Each sign face shall comply with the following:
 - i) Have a maximum bisecting line no greater than 4.27 meters;
 - ii) Have a maximum center line of no greater than 14.63 meters;
 - iii) Have a maximum sign face area of no greater than 62.47 square meters;
 - iv) May display static, or electronic static copy, but not both;
- c) Having a height of 19.2 meters;
- d) Located no closer than 27 meters and 32 meters from the northern and western property lines respectively; according to the submitted survey drawing;
- e) May be illuminated;

Required Variances:

270 Evans Ave. One Third Party Electronic Ground Sign – Seven
Variances

- 1) **§ 694-24.A(1)**- A third party sign shall not be erected or displayed or caused to be erected or displayed in whole or in part within 400 metres of any limit of the F.G. Gardiner Expressway from Highway 427 to the Humber River, transferred from the Province by Order in Council 534/97- The Proposed Sign is located in an area where third party sign shall not be erected or displayed (specifically approximately 55 meters south of the southern limit of the portion of F.G. Gardiner Expressway between Highway 427 and the Humber River).
- 2) **§ 694-25.C(2)(a)**- An Employment "E" Sign District may contain an electronic ground sign provided the sign face area shall not exceed 20.0 square metres- The Proposed Sign has a sign face area of 62.47 square meters which is approximately three times the permitted sign face area.
- 3) **§ 694-25.C(2)(b)**- An Employment Sign District may contain an electronic ground sign provided the height shall not exceed 10.0 meters- The Proposed Sign has a height of 19.2 meters which is approximately twice the permitted height.
- 4) **§ 694-25.C(2)(e)**- An Employment Sign District may contain an electronic ground sign 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 located within 27 meters of OS - Open Space Sign district which is less than the maximum permitted clearance.
- 5) **§ 694-25.C(2)(f)**- An Employment Sign District may contain an electronic ground sign provided where a 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 Sign is facing CR sign district located in 180 meters of the North West side of the Premises.
- 6) **§ 694-5.C(2)(g)[1]**- An Employment Sign District may contain an electronic ground sign provided the sign be located a minimum of 500 metres from any other third party electronic sign located on the same street- The Proposed Sign is located within approximately 360 meters of an existing third party electronic ground sign at 16 Arnold St.
- 7) **694-25C(2)(k)** – An (E) Employment Sign District may contain a third party electronic ground sign, provided where there are two sign faces, the sign faces shall be back-to-back- the Proposed Sign has a “v-shaped” configuration.

Conditions:

- 1) Each of the seven requested variances, are sought to have the following four conditions:
- 2) Any and all existing third party signs located at the property municipally known as 270 Evans Ave shall be removed and all associated permits revoked, prior to the erection or display of the Proposed Sign;
- 3) The sign face bottom shall be no less than 4.5 metres for all sign faces and,

- 4) The orientation of the two sign faces to be in a generally North Westerly and South Easterly direction as follows, with an internal angle of the two sign faces no more than 90 degrees.
 - i) Have a maximum bisecting line no greater than 4.27 meters;
 - ii) Have a maximum center line of no greater than 14.63 meters;
 - iii) Have a maximum sign face area of no greater than 62.47 square meters;
 - iv) May display static, or electronic static copy, but not both;

Proposed Sign #2 Description:

One third party electronic ground sign described as follows:

- 1) Contains two sign faces in an approximate North Westerly and South Easterly orientation, placed in a "back-back" configuration;
- 2) Each sign face shall comply with the following:
 - i. Have a maximum bisecting line no greater than 4.27 meters;
 - ii. Have a maximum center line of no greater than 14.63 meters;
 - iii. Have a maximum sign face area of no greater than 62.47 square meters;
 - iv. May display static, or electronic static copy, but not both;
- 3) Having a height of 19.2 meters;
- 4) Located no closer than 27 meters and 32 meters from the northern and western property lines respectively; according to the submitted survey drawing;
- 5) May be illuminated;

Required Variances:

- 1) **§ 694-24.A(1)-** A third party sign shall not be erected or displayed or caused to be erected or displayed in whole or in part within 400 metres of any limit of the F.G. Gardiner Expressway from Highway 427 to the Humber River, transferred from the Province by Order in Council 534/97- The Proposed Sign is located in an area where third party sign shall not be erected or displayed (specifically approximately 55 meters south of the southern limit of the portion of F.G. Gardiner Expressway between Highway 427 and the Humber River).
- 2) **§ 694-25.C(2)(a)-** An Employment "E" Sign District may contain an electronic ground sign provided the sign face area shall not exceed 20.0 square metres- The Proposed Sign has a sign face area of 62.47 square meters which is approximately three times the permitted sign face area.
- 3) **§ 694-25.C(2)(b)-** An Employment Sign District may contain an electronic ground sign provided the height shall not exceed 10.0 meters- The Proposed Sign has a height of 19.2 meters which is approximately twice the permitted height.
- 4) **§ 694-25.C(2)(e)-** An Employment Sign District may contain an electronic ground sign 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

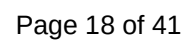
Sign is located within 27 meters of OS - Open Space Sign district which is less than the maximum permitted clearance.

- 5) **§ 694-25.C(2)(f)**- An Employment Sign District may contain an electronic ground sign provided where a 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 Sign is facing CR sign district located in 180 meters of the North West side of the Premises.
- 6) **§ 694-5.C(2)(g)[1]**- An Employment Sign District may contain an electronic ground sign provided the sign be located a minimum of 500 metres from any other third party electronic sign located on the same street- The Proposed Sign is located within approximately 360 meters of an existing third party electronic ground sign at 16 Arnold St.

Conditions:

- a) Each of the six requested variances, are sought to have the following four conditions:
- b) Any and all existing third party signs located at the property municipally known as 270 Evans Ave shall be removed and all associated permits revoked, prior to the erection or display of the Proposed Sign;
- c) The sign face bottom shall be no less than 4.5 metres for all sign faces and,
- d) The orientation of the two sign faces to be in a generally North Westerly and South Easterly direction as follows, with an internal angle of the two sign faces no more than zero degrees.
 - i. Have a maximum bisecting line no greater than 4.27 meters;
 - ii. Have a maximum center line of no greater than 14.63 meters;
 - iii. Have a maximum sign face area of no greater than 62.47 square meters;
 - iv. May display static, or electronic static copy, but not both;

270 Evans Ave. One Third Party Electronic Ground Sign – Seven Variances



Attachment 3 – Applicant's Submission Package



Sign Variance Application

For Enquiries Dial 311
From Outside the City of Toronto (416) 392-CITY (2489)

Request Date	Folder No.
3 Day 3 Month 2020 Year	RSN:4690712

Sign Location

Street No. 270	Street Name EVANS AVENUE TORONTO, ON M8Z 3A5	Lot No. LOT # 53	Plan No. ORIGINAL PLAN # 339
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Describe the variance being applied for:

MODIFICATION OF AN EXISTING THIRD PARTY GROUND SIGN LOCATED ON THE PREMISES BY REPLACING IT WITH A SMALLER SIZE ELECTRONIC STATIC COPY FOR THIF

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

Existing sign dimension 9.14m high and 12.19m wide with an area of 111.43	Location: Located on the premises at 270 Evans Ave., within
--	--

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

PLEASE SEE ATTACHMENT

Property Owner Information

Last Name BADALI		First Name JOHN	
Company Name (if applicable) 434825 ONTARIO LIMITED		Area Code and Telephone No. (416) 231-2504	
Street No. & Name 270 EVANS AVENUE		Apt./Unit No. Area Code and Mobile / Pager No.	
City TORONTO	Province ON	Postal Code M8Z 3A5	Area Code and Fax No.
E-mail address			

Attachments 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

Applicant's Declaration and Information

Last Name GIRDHAR		First Name NORM	
Company Name (if applicable) BRANDED CITIES		Area Code and Telephone No. (416) 727-8088	
Street No. and Name 20 FOXMERE ROAD		Apt./Unit No. Area Code and Mobile / Pager No.	
City BRAMPTON	Province ON	Postal Code L7A 1S4	Area Code and Fax No.
E-mail address norm.girdhar@gmail.com			

do hereby declare the following:

- That I am
- ☐ the Property Owner as stated above
 - ☒ an officer/employee of BRANDED CITIES which is an authorized agent of the owner.
 - ☐ the owner's authorized agent
 - ☐ 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.
 - 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.

Norm Girdhar

Digitally signed by Norm Girdhar
DN: cn=Norm Girdhar, o=CA,
email=norm.girdhar@gmail.com, c=CA,
Date: 2018.11.08 14:46:10 -0500

NORM GIRDHAR

1.1R

Applicant's Signature

Print Name

Date

The personal information on this form is collected under the authority of ss. 8 and 110 of the City of Toronto Act, 2006, and Chapter 694, Signs, General, of the City of Toronto Municipal Code, and will be used specifically for the purpose of creating and maintaining a record available to the general public concerning signs and permit information, evaluation of applications made under Chapter 694, Signs, General, issuance, denial and revocation of permits under Chapter 694, Signs, General, processing applications for variances from and amendments to Chapter 694, Signs, General, creating aggregate statistical reports, enforcement of 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 contacting permit holder(s) or authorized agent(s). Questions about this collection may be referred to the Manager, Sign By-law Unit, at Toronto, Building, City Hall, 100 Queen St W, 12th Floor, East Tower, Toronto, ON, M5H 2N2, Telephone: 416-392-8000

December 24, 2010

Sign By-law Unit

Request Date	Folder No.
3 3 2020 Day Month Year	RSN:4690712

This data sheet forms part of an application for a Variance From Chapter 694 of the Toronto Municipal Code. Signs

Sign Location

Street No. 270	Street Name EVANS AVENUE TORONTO, ON M8Z 3A5	Lot No. LOT #53	Plan No. ORIGINAL PLAN #339
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Site and Building Data

Lot Area: 1.4#R	Lot Frontage: 87.59	Lot Depth: 185.39
Number of Buildings on the lot: 0	Date of Construction of Building(s) if known:	
Building Height(s):	Number of Storeys:	Building(s) Gross Floor Area:
Building Use(s): Just a Stone & Gravel Yard for Landscaping		

Site Context

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

North: GARDINER EXPRESSWAY (Highway Transportation Corridor)

South: LIGHT INDUSTRIAL / COMMERCIAL

East: LIGHT INDUSTRIAL / COMMERCIAL

West LIGHT INDUSTRIAL / COMMERCIAL

Proposal

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

THE MODIFIED SIGN FACES WOULD CONTAIN ELECTRONIC STATIC COPY FOR THIRD PARTY ADVERTISING PURPOSES BUT IT WOULD BE SMALLER IN SIZE AND EACH FACE WILL BE 4.27m LONG AND 14.63m WIDE WITH AN AREA OF 62.43m². THE NEW HEIGHT FROM GRADE TO THE TOP OF THE SIGN IS 19.20m. SEE ATTACHMENT

Rationale

Decisions for all Sign Variance Applications are evaluated against criteria listed in Toronto Municipal Code Chapter 694-30 A. The criteria are that the variance:

- is warranted based on physical circumstances applicable to the property or premises;
- is consistent with the architecture of the building or development of the property;
- is consistent with buildings and other features of properties or premises within 120 metres of the location of the proposed sign;
- will not alter the essential character of the area;
- will not adversely affect adjacent properties;
- will not adversely affect public safety;
- is, in the opinion of the decision maker, not contrary to the public interest;
- is of a sign class or a sign type that is permitted in the sign district where the premises is located; and,
- is not expressly prohibited by Subsection 664-193.

Please describe in detail how the proposal satisfies each of the criteria listed above (use additional pages if necessary):

SEE ATTACHED RATIONALE AND COVER LETTER

SEE ATTACHED RATIONALE AND COVER LETTER

SEE ATTACHED RATIONALE AND COVER LETTER

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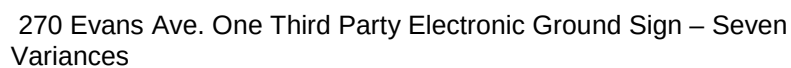
SEE ATTACHED RATIONALE AND COVER LETTER

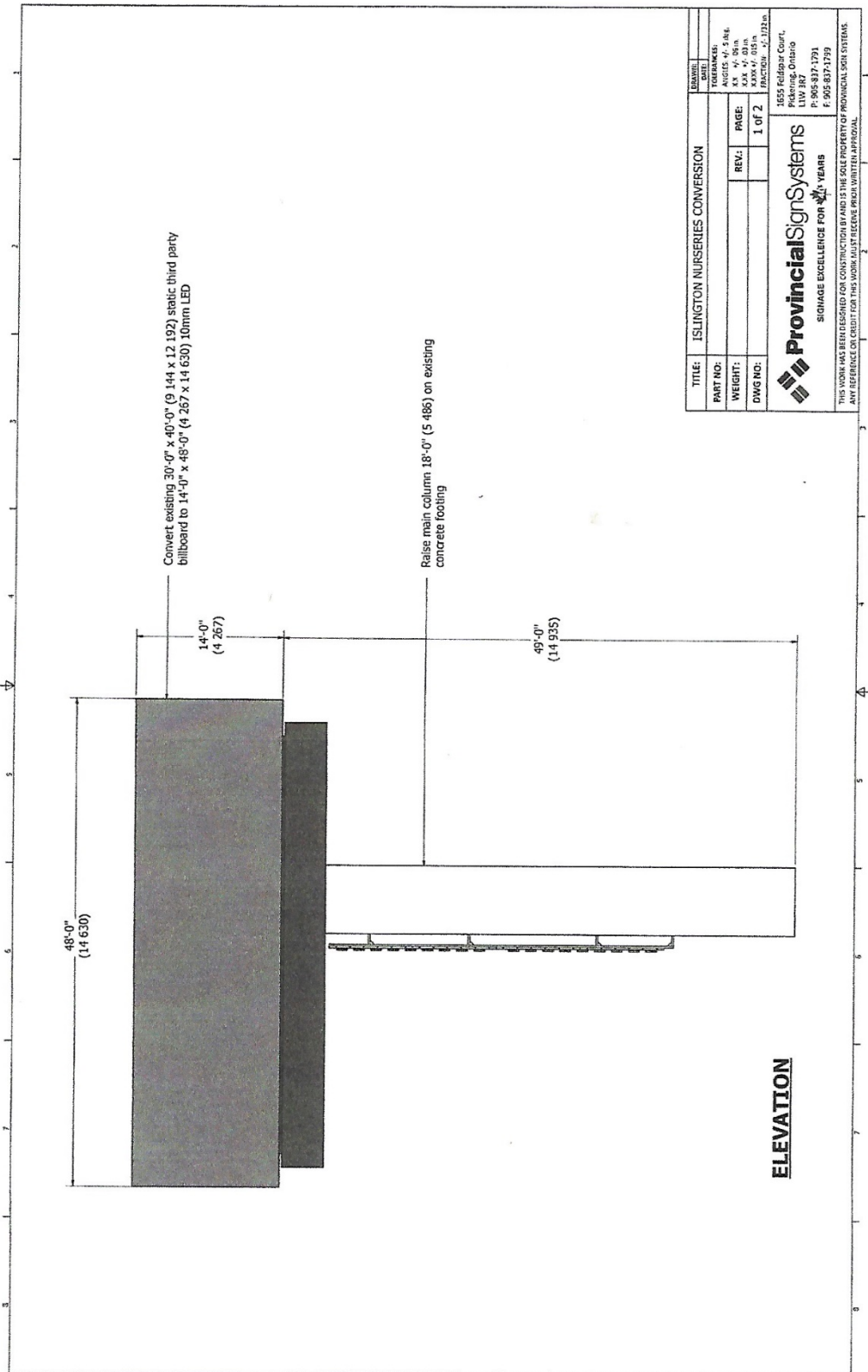
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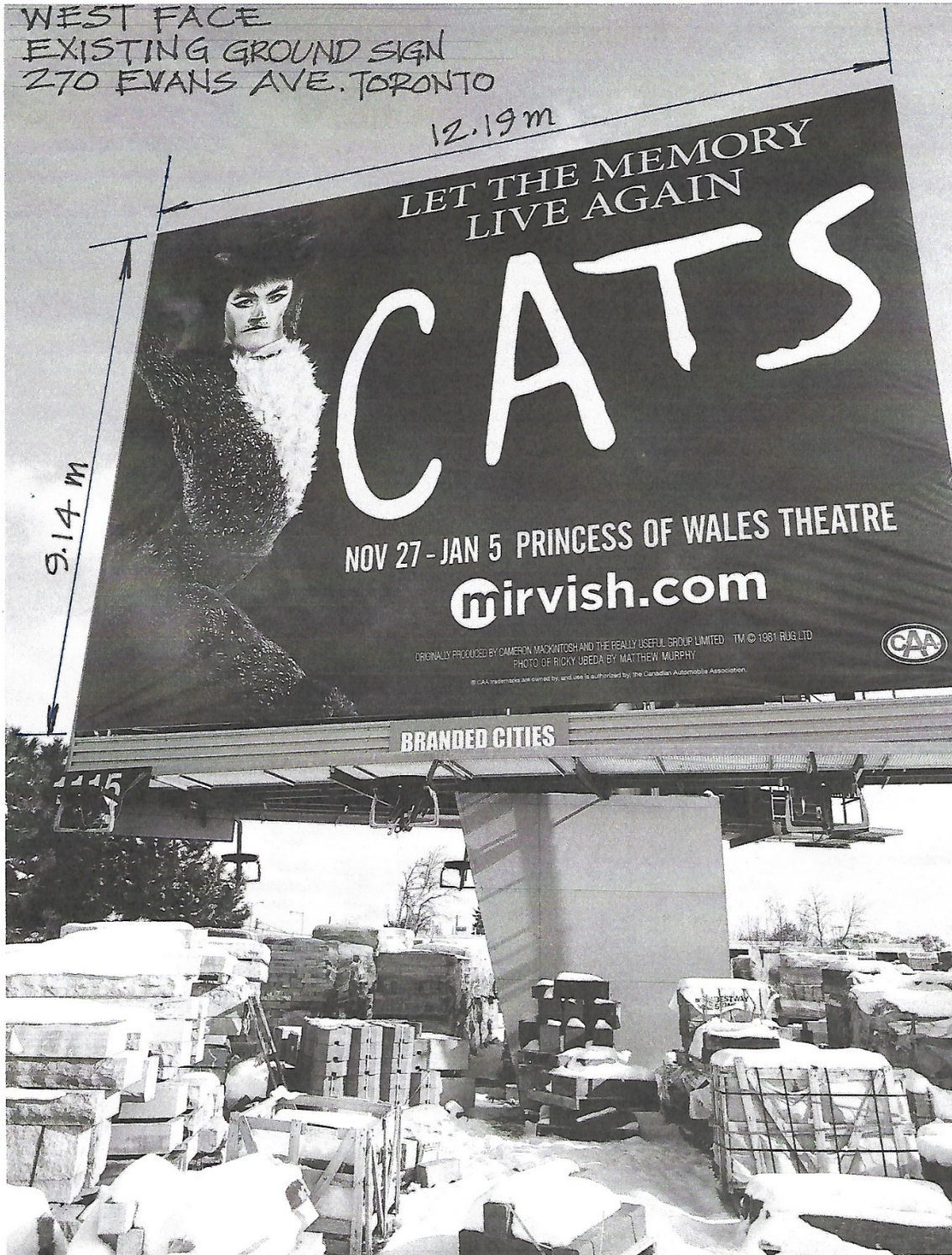
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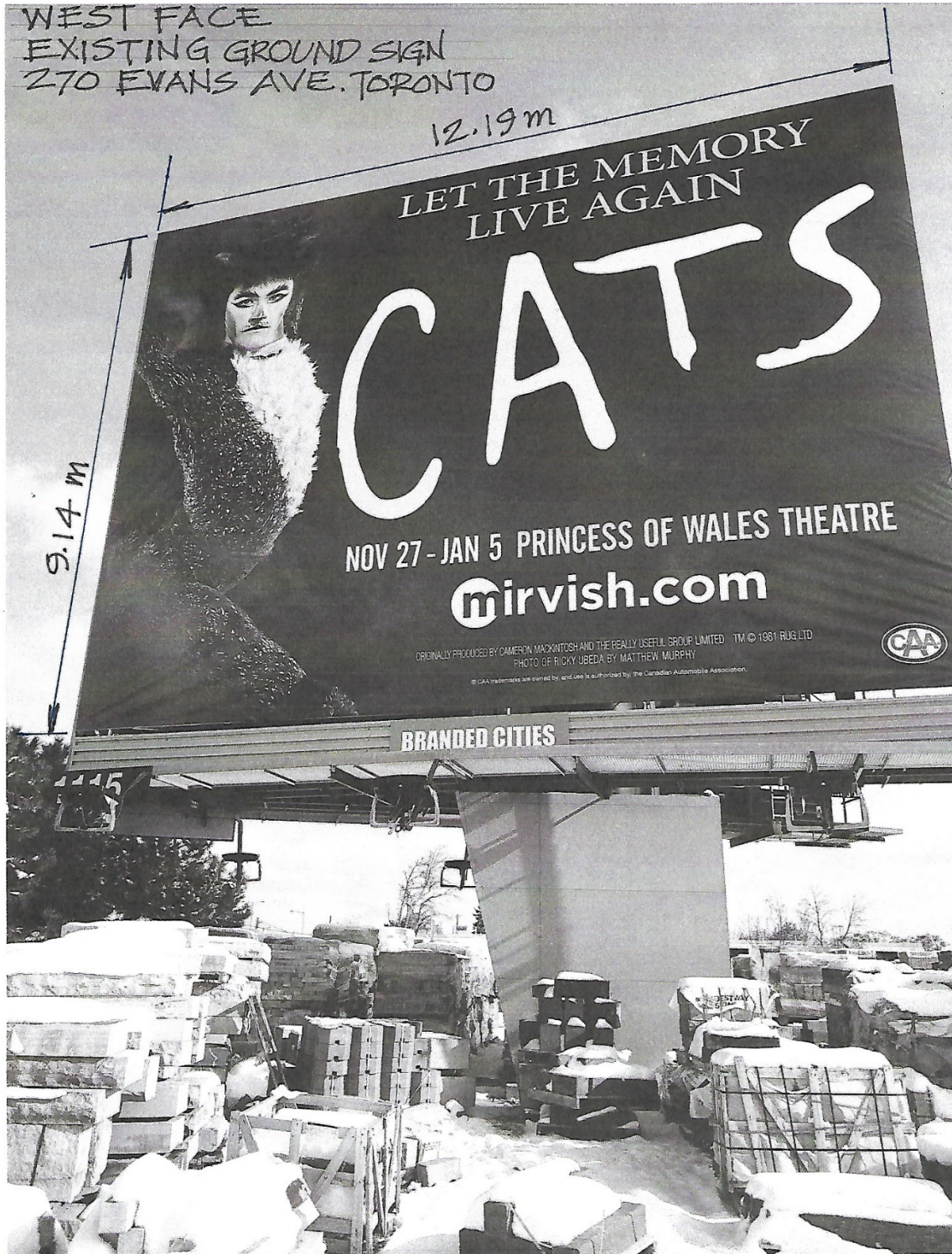
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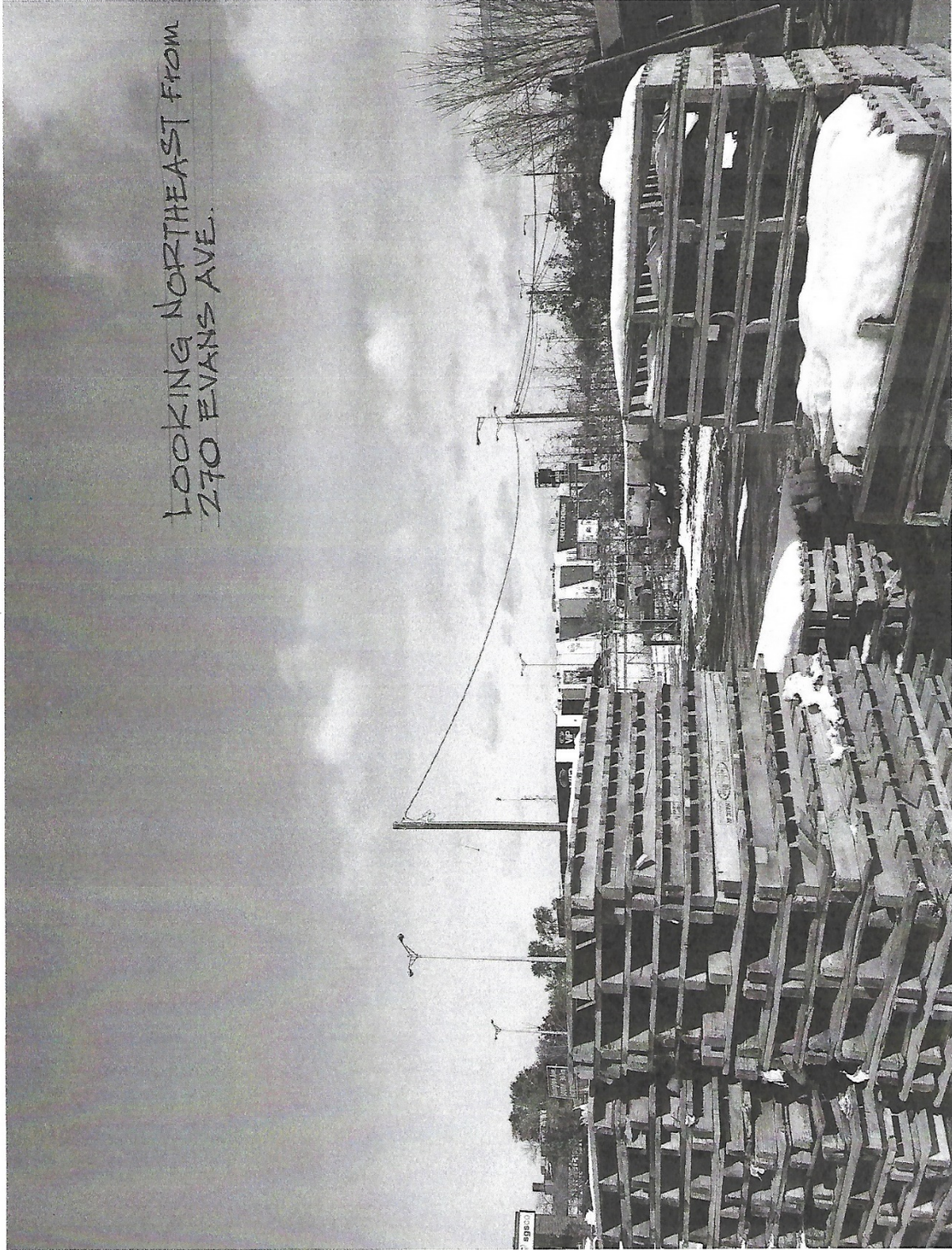


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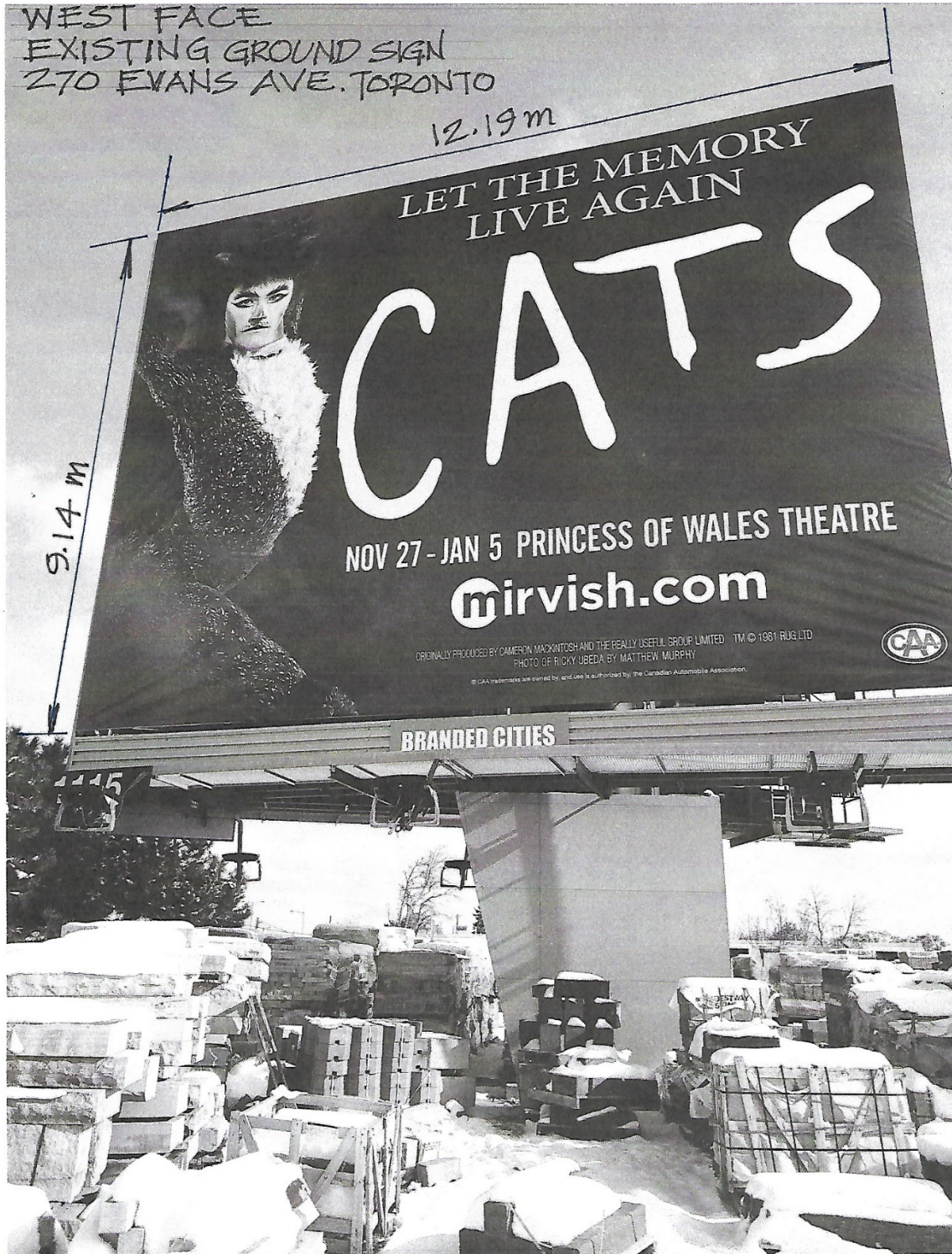
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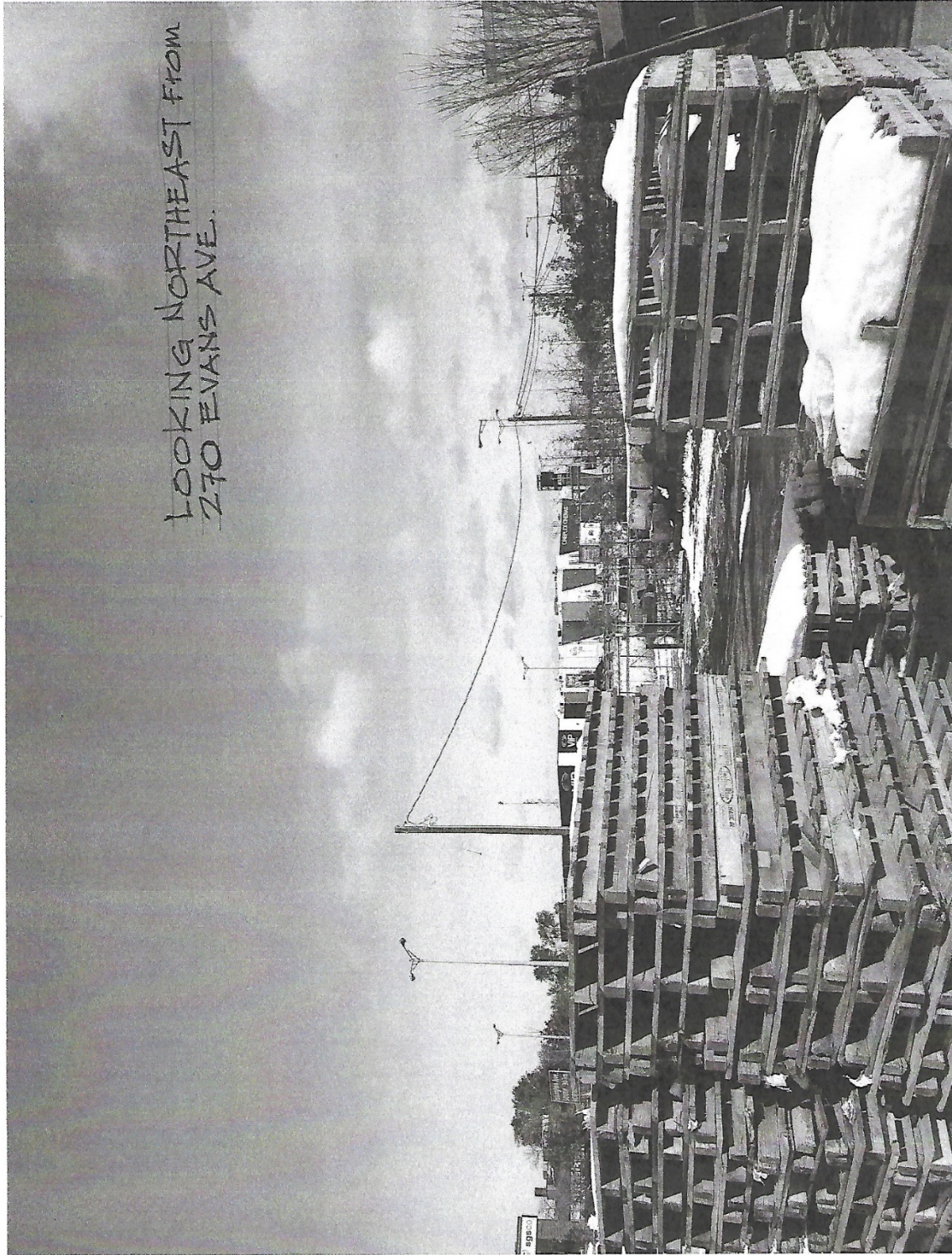


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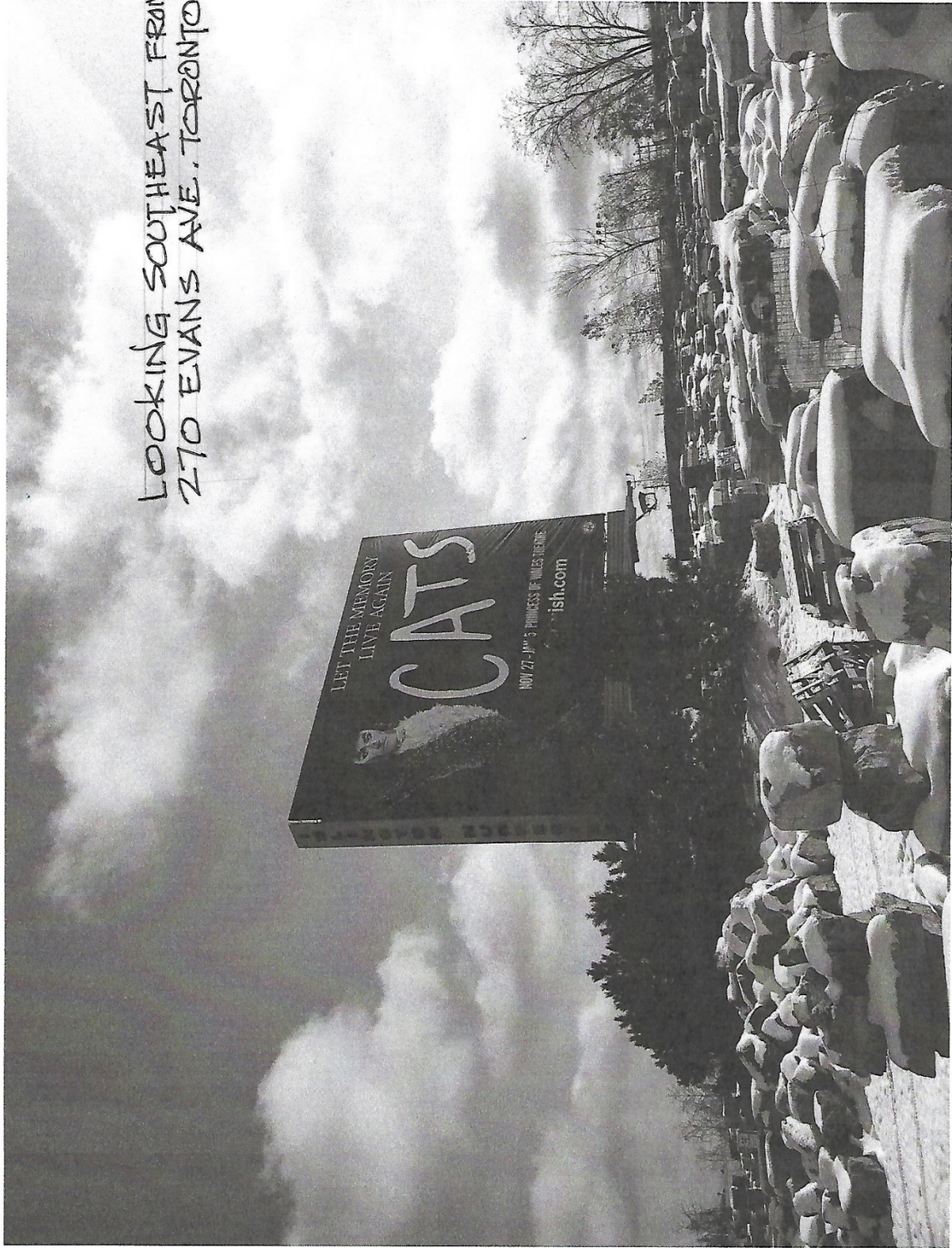


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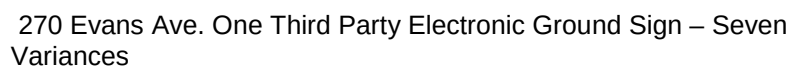


LOOKING SOUTHEAST FROM
270 EVANS AVE., TORONTO

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RATIONALE FOR APPROVAL

- 1. Belongs to a sign class permitted in the sign district where the premises is located*

The premises 270 Evans Avenue is located in an E-Employment Sign District and the proposed sign defined as a Third Party Ground Sign with an Electronic static copy, belongs to a sign class type that is permitted in an E-Employment Sign District.

- 2. In the case of third party, be of a sign type that is permitted in the sign district, where the premises is located*

The proposed sign defined as a Third Party Ground Sign with an Electronic static copy, is a sign type permitted in an E-Employment Sign District.

- 3. Be compatible with the development of the premises and surrounding area*

The subject premises is located within an E-Employment Sign District and it is surrounded by Employment Sign Districts to its north, south, east and west. The uses of this property is consistent with the employment and industrial uses of the area. An existing third party with back to back two face static ground sign is located on the premises.

The proposed third party with two face electronic static copy ground sign with a much smaller size of the sign face area than the sign face area of the existing static ground sign. The 62.43m² sign face area of the electronic static copy will be almost 49 m² less than the existing 111.42m² sign face area of the static ground sign to be removed

from the premises. The proposed sign will be inline with and identical in height and size with the other existing third party electronic ground signs located in the surrounding area. The proposed sign is simply a replacement of an existing Third party ground sign which have been there on the premises for more than nine years. In our opinion, the new sign would be simply an improvement and enhancement to the sign structure, premises and physical environment of the surrounding areas.

4. Supports the Official Plan objectives for the subject premises and surrounding area

The Premises and surrounding area are designated as an Employment Area in the Official Plan. Employment Areas are places of business and economic activity. The proposed sign would not contradict or compromise the objectives for Employment Areas as places of business and economic activity established under the Official Plan.

5. Not adversely affect adjacent premises

The subject Premises and the surrounding areas are are designated as an E-Employment Sign District, which allows third party electronic ground signs. The proposed height and the sign face area of the sign are in-line with the other Third party electronic ground signs located in the general surrounding area. Also, there are no sensitive land uses located in close proximity of this premises and therefore the proposed sign would not adversely affect adjacent properties.

6. Not adversely affect public safety, including traffic and pedestrian safety

The existing Third party ground sign has been there on the premises for past more than nine years. The proposed Sign Face Area of the

Third Party Electronic Ground Sign would be 49.0 m² less than the Sign Face Area of the Existing Static Ground Sign located on the premises. The sign is designed by the Professional Engineer by keeping the public safety, traffic and pedestrian safety in mind.

7. Not be a sign prohibited by Toronto Municipal Code Chapter 694-15b

This is not a prohibited sign under Ch. 694-15b of the Toronto Municipal.

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

As stated earlier that it is not a new sign on the property, we are simply proposing to replace an existing static ground sign with an electronic static copy ground sign at the same location on the premises. Also, the proposed electronic static copy sign face area will be 49.0 m² less than the existing sign face area of the ground sign. Moreover, the proposed ground sign having an electronic static copy is a permitted sign type at this location. Many other Third party advertising electronic ground sign of similar size and height are located in the general vicinity to the north, east and west of this premises. Therefore, modified new sign will not alter the character of the premises or surrounding area.

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

In our opinion, proposed modified ground sign with an electronic static copy is not contrary to the public interest, rather it would bring about more compatibility with other existing third party electronic ground signs located in the area. We believe that the modified new sign would bring about enhancement and consistency for the premises and the surrounding area properties.

Rationale for Variances Approval

270 EVANS AVENUE

Application No. 19 256930 ZPR 00 ZR

The premises municipally known as 270 Evans Avenue is located in an E-Employment Sign District, in Ward Etobicoke-Lakeshore (03) in the City of Toronto. The premises is occupied by "Islington Nurseries" a garden Centre, Landscaping and Gravel Yard Supply Depot.

1. With regards to the first variance, a ground sign containing an electronic static copy for third party advertising is permitted in an E-Employment Sign District. The proposal is to modify and replace the static copy face of the existing ground sign with a newly design electronic static copy face. The sign face area of the newly designed electronic static copy will be 64. 47 m², and whereas the sign face area of the existing static copy of the existing ground sign is 111.42 m² and that is a net reduction of 46.95m² of sign face area on each side of the sign face. The proposed sign face area of this sign is not bigger than any all other existing electronic ground signs located to the north, east, and west of this property.
2. The second variance occurred because the height of the revised / modified ground sign having an electronic static copy is higher than the permitted height of a ground sign in the E-Employment sign district. However, the proposed 19.21 metres height of the modified ground sign is designed to complement the esthetics and visual appearance of the sign and its surrounding streetscape. The proposed 19.21 m height of the modified sign just exceeds by only 2.20 m from the 17.2 m high existing third-party ground sign located on the premises. It is our opinion that a small increase in its height, the sign will not adversely impact the premises or the surrounding uses. The height of the proposed sign is not higher than any other electronic ground signs located to the north, east or west of this property.
3. The third variance is not required / applicable in this case, because there is no building structure erected on the premises. The premise is a supply

depot of a garden Centre, landscaping and gravel yard operated by "Islington Nurseries."

4. With respect to the fourth variance, a small cemetery is located to the west of this premises, however, the orientation of the sign is such that the sign would not be directly visible from the cemetery and in our opinion it would have the least impact on the cemetery.
5. The third variance occurred because the sign is visible from a premises located in CR Sign District, whereas the fact is that there are no residences located within direct sightline views of this sign and therefore in our views it would not have any adverse impact on any of the properties located within those CR zoned properties.

In support of our proposal we can say that our proposal is the least intrusive for the CR zoned properties in the area and as well for the vehicular traffic on the Gardiner Expressway, when we compare it with two existing large electronic ground signs already located to the west of this property at Royal York Road and the Gardiner Expressway (See attached Photograph).

6. With regards to sixth variance, although a third party sign containing an electronic static copy is located approximately 310 metres away from the proposed sign, however, there are several industrial buildings blocks their sightline views from each other and therefore it should not have any negative impact from the proposed electronic static copy ground sign at this location.
7. With regards to the seventh variance, although the "V" shave sign would be more appealing and desirable for this location, however we are more than willing to cooperate with the city, if the city staff feels otherwise. We are willing to go with back to back electronic sign face design.