

Application for Four Variances, Each Subject to Four Conditions, Respecting One Third Party Electronic Ground Sign - 150 The Queensway

Date: March 24, 2021
To: Sign Variance Committee
From: Manager, Sign By-law Unit, Toronto Building
Wards: Etobicoke-Lakeshore (Ward 03)

SUMMARY

Pattison Outdoor (the "Applicant") has submitted an application for four variances, each subject to four conditions, required to allow for a permit to be issued for one single-sided third party electronic ground sign, displaying electronic static copy (the "Proposed Sign") to be erected and displayed on property municipally known as 150 The Queensway (the "Subject Premises").

The Proposed Sign will have a height of 9.14 metres, and will contain one rectangular sign face, with a sign face area of 18.61 square metres. The sign face will be oriented in a southwesterly direction at an approximately 45-degree angle to The Queensway and directed toward the eastbound traffic on The Queensway. The Proposed Sign is described further in Attachment 1.

Four variances to Chapter 694, each subject to four conditions, are required to allow the Chief Building Official ("CBO") to issue the sign permit for the Proposed Sign. The requested variances are as below:

- 1) Section 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 the Humber River to the easterly limit of Dufferin Street, whereas the Proposed Sign would be located approximately 365 metres from the F.G. Gardiner Expressway.
- 2) Section 694-25(C)(2)(e) – A third party electronic ground sign is permitted, 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 whereas the Proposed Sign would be approximately 2.5 metres from a CR Sign District, and 28 metres from an R Sign District.

- 3) Section 694-25(C)(2)(g)(1) - A third party electronic ground sign is permitted, provided the sign shall be located a minimum of 500 metres from any other third party electronic sign located on: [1] the same street; or [2] on a street which forms an intersection with the street on which the sign is located, whereas the Proposed Sign would be located within 270 metres from another third party electronic sign located on the same street on which the Proposed Sign would be located.
- 4) 694-25(C)(2)(f) A third party electronic ground sign is permitted, provided where it is located within 250 metres of an R, RA, CR, I or OS Sign District, the sign cannot face any premises in the R, RA, CR, I or OS Sign District, whereas the Proposed Sign would be facing a CR Sign District 58 metres away.

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

- a) Any and all existing third party signs located at 150 The Queensway shall be removed and all associated permits revoked prior to the construction the Proposed Sign;
- b) In addition to the requirements of 694-18.E(5), the illumination of the Proposed Sign shall not exceed 150 nits during the period between sunset and sunrise;
- c) The Proposed Sign shall contain sufficient physical barriers on the sign face to minimize the visibility of the sign copy from the R Sign Districts to the north and north-west on Stephen Drive to the satisfaction of the Chief Building Official acting reasonably; and,
- d) The Proposed Sign's sign face shall be:
 - orientated in a south-westerly direction; and
 - be oriented so that a projection of the centre line of the sign face shall form an approximate 45-degree angle to the frontage of 150 The Queensway; and,
 - shall face The Queensway.

Following a review of the Applicant's submissions and the results of research and investigation by the staff of the Sign By-law Unit, The CBO has determined that the Applicant has provided sufficient information to determine that subject to the four conditions, all nine of the criteria established in §694-30A of the Sign By-law have been met with respect to the requested variances. Therefore, the CBO recommends that the Sign Variance Committee grant all of the requested variances, each subject to the four required conditions.

RECOMMENDATIONS

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

1. The Sign Variance Committee grant the requested variances to sections 694-24(A)(1), 694-25(C)(2)(e), 694-25(C)(2)(g)(1), and 694-25(C)(2)(f), each subject to four conditions, as required to allow for the issuance of a permit for the erection and display of one third party electronic ground sign at 150 the Queensway, as described in Attachment 1 to this report.

FINANCIAL IMPACT

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

DECISION HISTORY

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

ISSUE BACKGROUND

Required Variances

Table 1: Summary of Requested Variances

Section	Requirement	Proposal
694-24A (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.	The Proposed Sign will be located, in whole or in part, approximately 365.00 metres from the limits of the F.G. Gardiner Expressway from Highway 427 to the Humber River.
694-25(C)(2)(e)	A third party electronic ground sign is permitted, 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 will be located approximately 2.5 metres from a CR Sign District, and 28 metres from an R Sign District.

Section 694-25C (2)(g)(1)	A third party electronic ground sign is permitted, provided the sign shall be located a minimum of 500 metres from any other third party electronic sign located on: [1] the same street; or [2] on a street which forms an intersection with the street on which the sign is located.	The Proposed Sign will be located 268 metres from another third party electronic sign located on the same street on which the Proposed Sign will be located.
Section 694-25C (2)(f)	A third party electronic ground sign is permitted, provided where it is located within 250 metres of an R, RA, CR, I or OS Sign District, the sign cannot face any premises in the R, RA, CR, I or OS Sign District.	The Proposed Sign will be located facing an R Sign District approximately 28 metres away and a CR Sign District 58 metres away.

Sign Attributes and Site Context

The Subject Premises is designated as an Employment (E) Sign District, located in Ward Etobicoke-Lakeshore (Ward 03). There is an existing car dealership business located in the Subject Premises.

The Subject Premises is located near the edge of, but within, one of the 74 specific areas within the City, which City Council specifically determined all third party signs should be specifically prohibited. These 74 specific area restrictions were imposed by City Council on the determination that any third party signs in these locations were inconsistent and incompatible with the surrounding area, and would not contribute positively to the quality of Toronto's appearance and its visual character to enhance the image and attractiveness of Toronto for its residents, business community, and visitors, if erected and displayed in one of these locations.

The Subject Premises is located along the Queensway over 300 metres from the F.G. Gardiner Expressway and is separated from the F.G. Gardiner Expressway by several large industrial and commercial buildings.

The Proposed Sign will have a height of 9.14 metres, and will contain one rectangular sign face, with a sign face area of 18.61 square metres. The sign face will be oriented in a southwesterly direction at an approximately 45-degree angle to The Queensway and directed toward the eastbound traffic on The Queensway. The Proposed Sign is described further in Attachment 1

Surrounding premises:

North: Residential (R) Sign District, Detached Houses

South: Employment (E) Sign District, Shoppers Drug Mart, Sobeys, TD Bank and the Ontario Food Terminal

East: Commercial Residential (CR) Sign District, a detached house

West: Commercial Residential (CR) Sign District, and OS Open Space Sign District; CR Sign District contains a Kentucky Fried Chicken restaurant, Humber dry cleaners, a variety store, and Wok Terminal restaurant

COMMENTS

Applicant Information

The Applicant has represented it has been authorized by the owner of the property municipally known as 150 The Queensway, to apply for four variances, each subject to four conditions, required to allow for a permit to be issued for one third party electronic ground sign with one sign face, displaying electronic static copy at 150 The Queensway.

Figure 1: Sign District Map Excerpt – 150 The Queensway



Community Consultation

The CBO has adopted a practice of engaging in enhanced consultation process concerning variance applications for 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 of the proposal. The CBO also informed the public of an additional virtual Community Consultation.

The virtual Community Consultation meeting was held on the evening of March 11, 2021. Seven members of the public who provided comments on the application were invited to attend the consultation; one person attended.

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

The Sign By-law contains criteria used to evaluate variances which are applied for. Specifically, §694-30A states that a variance may only be granted where the Proposed Sign to which the variance(s) relate meets each of the nine established criteria.

The Sign Variance Committee is required to conduct an evaluation and determine that the party seeking the proposed variances meets all nine of the mandatory criteria, on the basis of the information presented by the Applicant. It is the CBO's opinion that the Applicant's submissions, and the results of research and investigation by Sign By-law Unit staff have provided sufficient information to establish that the Proposed Sign meets these nine criteria, and that the Sign Variance Committee should grant the requested variances, subject to the appropriate conditions, as required to allow the issuance of a Sign Permit to erect and display the Proposed Sign.

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 Subject Premises can be confirmed as being designated as an E Sign District, and that E Sign Districts permit third party signs. The CBO has confirmed that as per information contained in the Applicant's submission, the Proposed Sign belongs to the third party sign class, as it will 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

The Applicant's submission contains sufficient information (in the description and diagrams provided) to confirm the Proposed Sign is a third party sign, and belongs to the electronic ground sign type. Electronic ground signs are permitted in E Sign Districts according to 694-25(C)(2). Therefore, the CBO is of the opinion that this criteria has been established.

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

The Subject Premises is an E Sign District, which permits electronic ground signs at a size and height consistent with the Proposed Sign. The Subject Premises is surrounded by: R Sign Districts to the north; CR Sign Districts to the east and west; and an E Sign District to the south.

E Sign Districts are areas of the City which have been specifically set out in the Sign By-law to contain third party electronic ground signs, and contain largely commercial and employment uses. CR and R Sign Districts, located to the east, west and north, are not designated to contain third party electronic ground signs.

The building on the Subject Premises is a one-storey building, which includes an existing third party ground sign with two sign faces directed to the east and the west along The Queensway. The existing sign faces each display static copy and measure 6.10 metres horizontally by 3.05 metres vertically. The Applicant has proposed to remove the existing ground sign as a condition of approval.

The applicant's submission package states that many of the buildings along The Queensway are consistent with the Subject Premises, in that they are similar in height (one or two storeys) with light industrial, employment and / or commercial uses (i.e. Shoppers Drug Mart, Sobeys, TD Bank and the Ontario Food Terminal). Signage within the immediate area of the Subject Premises, although predominantly first party, is of similar size and scale.

The applicant states that at a height of 9.14 metres, no building or structure along The Queensway would be overshadowed by the presence of the Proposed Sign. Also, with respect to the Proposed Sign and the building on the Subject Premises, the Applicant's submission package demonstrates that many of the ground signs in the surrounding area are taller than the one-storey buildings which are located in close proximity.

The Proposed Sign will be located within 400 metres of the F.G. Gardiner Expressway, however 694-24.A.(1) of the Sign By-law states that, a third party sign shall not be erected or displayed within 400 metres of any limit of any portion of F.G. Gardiner Expressway from Highway 427 to the Humber River. This prohibition on third party signs being erected in the area described in 694-24.A.(1) is a specific determination by City Council that third party signs are incompatible with the surrounding area, and would not contribute positively to, or enhance the image of the area.

The Proposed Sign will be located near the outer edges of this area, 365 metres north of the F.G Gardiner Expressway. Based on Sign Unit staff review of the Proposed Sign and due to the fact that the Proposed Sign will have only one sign face facing south-west, it will not be visible to westbound traffic on the F.G. Gardiner Expressway.

Although the sign face will have limited visibility to east bound traffic along the F.G. Gardiner Expressway; the locations on the F.G. Gardiner Expressway where the sign face will be visible are more than 400 metres away from the Proposed Sign. There are also a number of large buildings located between the Proposed Sign and the F.G. Gardiner Expressway, further reducing any relationship between the Proposed Sign and the F.G. Gardiner Expressway.

Similar to the Existing Sign, The Proposed Sign is facing a CR Commercial Residential Sign District approximately 60 meters to the west of the Subject Premises. As the Proposed Sign will only have one sign face, facing southwest, the properties in the CR sign district to the east should not be affected by the Proposed Sign.

The Proposed Sign will be in a similar location to the Existing Sign at 150 The Queensway, and will be of a similar height and size. As a result, the placement of the Proposed Sign within 60 metres of R and CR Sign Districts should be compatible with the current development of the premises and surrounding area as there has been a third party ground sign on the Subject Premises for many years.

As well, the Proposed Sign will be partially obscured from properties to the north by trees, and, as a result of the requested condition that the sign be angled at 45 degrees to the Queensway, will have a significantly reduced profile (when compared to the existing sign) to properties west of the Subject Premises, see Figure 2 below.

Figure 2: Profile of Existing Sign (left photo) and Proposed Sign (right photo)



There are several mixed use buildings approximately 100 metres to the west of the Proposed Sign within a CR Sign District which appear to have residential units on the

second floor. Based on staff investigation, those buildings do not appear to have any windows facing east towards the Proposed Sign. As such, the Proposed Sign should not impact these residential units in the CR sign district.

The Proposed Sign will be located approximately 270 metres from another third party electronic sign located at the Ontario Food Terminal, which is located on the same street as the Subject Premises. However, the electronic sign at the Ontario Food Terminal is oriented towards the F.G. Gardiner Expressway and not the Queensway. There are also several buildings in between the Proposed Sign and the sign at the Food Terminal. As a result, these two signs are not visible at the same time when looking along The Queensway or the F.G. Gardner Expressway.

The Sign By-law unit has received several communications from nearby residents expressing concern about the Proposed Sign, and stating that the Proposed Sign is not compatible with the nearby residential area to the north and the parkland and open space areas to the east of the Subject Premises.

Based on staff review of the Premises and surrounding area, staff believe that the concerns raised by these communications have been addressed through The Applicant's submission materials and the requested conditions, and that the Proposed Sign is be compatible with the Subject Premises and surrounding area. The reasons for this are as follow:

- The Proposed Sign will only have one sign face, facing southwest. As a result, the parkland and open space areas to the east should not be affected by the Proposed Sign as the sign face will not be visible to these areas.
- In order to be compatible with the residential uses to the north and also as a condition of approval, The Applicant will install sufficient physical barriers on the sign face, which in the opinion of the CBO minimize visibility (currently the Applicant is proposing to utilize a product described as "SiteLine technology" in their application materials) of the single sign face from adjacent properties, and direct the sign face south-west at an approximate 45-degree angle to The Queensway.
- The variances will be subject to a condition requiring the installation of a permanent physical element on the sign face ("SiteLine technology") to prevent visibility of the sign face at certain angles, so there is no opportunity for this measure to malfunction.
- Based on a lighting analysis completed by Shehab Rustom of Media Resources Inc. and provided by the Applicant (See attachment 4), the orientation of the Proposed Sign, subject to the requested conditions, should eliminate any visibility of the sign copy from the Residential Sign Districts to the north and northwest of the Subject Premises.

Based on the above, it is CBO's position that the Applicant has demonstrated that the Proposed Sign, with the requested conditions, will be compatible with the development of the premises and surrounding area, and that this criterion has been established.

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

The Subject Premises is designated as a Mixed Use Area in the Official Plan. The Applicant's submission package states that these areas are intended to achieve a multitude of planning objectives by combining a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, parks and open spaces. This is the case with the Subject Premises and surrounding area, which has a variety of employment, industrial and commercial uses located along the Queensway (see Figure 3).

The CBO agrees that this supports Policy Statement 4.5 1 in Chapter 4 of the Official Plan which states that:

"Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities."

The Applicant also states that The Official Plan identifies climate change as one of the biggest challenges facing our planet, and that City Council has committed to addressing this challenge in order to provide a sustainable future for all Torontonians. The proposed sign supports the Official Plan's objectives regarding climate change by removing two existing sign faces which require considerable maintenance and materials (ie. changes to sign copy), and replaces them with one single-sided electronic ground sign powered by renewable energy via Bullfrog Power.

The CBO agrees that this supports Policy Statement 3.4 1 c) i., iii and iv. in Chapter 3 of the Official Plan which states that:

"to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly, based on: ...c) addressing environmental stresses caused by the consumption of natural resources, by reducing: i. the amount of solid waste requiring disposal in landfill and by promoting programs for reducing, reusing, recycling and composting, ... iii. energy consumption and greenhouse gas emissions; and iv. reliance on carbon-based fuels for energy"

The Zoning By-law is the primary way in which the City implement's its Official Plan; it governs the built form in a way that is consistent with the Official Plan objectives for properties throughout the city.

Staff investigation has determined that the Proposed Sign complies with the required Zoning By-law setbacks between the sign and the street line, which is also a requirement of the Sign By-law.

The Sign By-law Unit has received several communications from nearby residents expressing concern about the Proposed Sign and stating that the Proposed Sign does not support the Official Plan objectives for the area as it is primarily a residential area as well as the proximity of the Proposed Sign to the nearby parkland.

Based on staff review of the Official Plan and applicable Zoning By-law, staff believe that the concerns raised by these communications do not appear to reflect the Official Plan objectives or Zoning By-law requirements and for the subject premises and surrounding area or the attributes of the Proposed Sign. The reasons for this are as follow:

- The Subject Premises is designated as a Mixed-Use area in the Official Plan and is zoned IC.1 (Class 1 Industrial Zone) under the applicable Zoning By-law. As a result of these designations, the Subject Premises does not permit residential uses, with the exception of a residence for an officer or caretaker of a Place of Worship.
- Although the area to the north of the Subject Premises is a residential area in the Official Plan and the Zoning By-law, and contains residential uses; the Proposed Sign is not located on a residential property and, due to the design features of the sign and conditions requested as part of the variances, should not be visible to the residential properties to the north.
- The area to the south of the Subject Premises, where the Proposed Sign will be facing is designated as Employment-Industrial under both the Official Plan and the applicable Zoning By-law, which does not permit residential uses.

Figure 3 – Official Plan Map showing the Subject Premises and surrounding designations



- The property to the east of the Subject Premises, which currently contains a park is designated as Employment by the Official Plan and is designated as Utility and Transportation by the Zoning By-law. While the parkland use is permitted in the Zoning By-law, the Proposed Sign will be facing away from the park and any illumination from the Proposed Sign will not be visible to the properties east of the Subject Premises.
- The properties to the west of the Proposed Sign are designated as Mixed-Use by the Official Plan and Commercial Residential by the applicable Zoning By-law. These properties are permitted to contain residential uses as well as a wide variety of commercial and retail uses.
- Staff investigation found that with the exception of four properties approximately 100 metres to the west of the Proposed Sign, which appear to have second floor residential units, there are no other properties with residential units for almost 350 metres to the west of the Subject Premises along the Queensway.

As such, the Applicant's materials provide sufficient information to confirm that the Proposed Sign supports the Official Plan objectives for the Subject Premises and surrounding area, and therefore the CBO is of the opinion that this criteria has been established.

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

The Proposed Sign will be single-sided, directed south-west, and has been designed in order to eliminate visibility of sign copy from the CR and OS Sign Districts to the east of the Subject Premises, as well as from the R Sign Districts to the north, north-west and north-east of the Proposed Sign. This is proposed to be achieved through the conditions that: the existing sign be removed; that the brightness of the Proposed Sign not exceed 150 NITS; that the sign be oriented to the south-west at a 45 degree angle to The Queensway; and, that the Proposed Sign n be constructed with blocking louvres installed on the sign face.

Removing the Existing Sign, which is double sided and is illuminated 24 hours per day, and installing a single-sided electronic ground sign directed southwest will eliminate visibility of any sign copy or lighting from the CR and OS Sign Districts to the east of the Subject Premises.

To further ensure that no light from the Proposed Sign will adversely affect the premises to the west and northwest, The Applicant has proposed a condition of approval to reduce the maximum brightness between sunset and sunrise to 150 nits, which is 50% of the maximum set out in the Sign By-law; this is in addition to the condition of installing suitable physical barriers to minimize the visibility of the Proposed Sign. The Proposed Sign will also be turned off between 11:00 p.m. and 7:00 a.m. – as all signs of

this type are required under the standard provisions of the Sign By-law.

A study describing the impacts of this reduced brightness and the use of blocking louvers on the Proposed Sign has been prepared by Shehab Rustom of Media Resources Inc and can be found in Attachment 4 to this report (also see Figure 4).

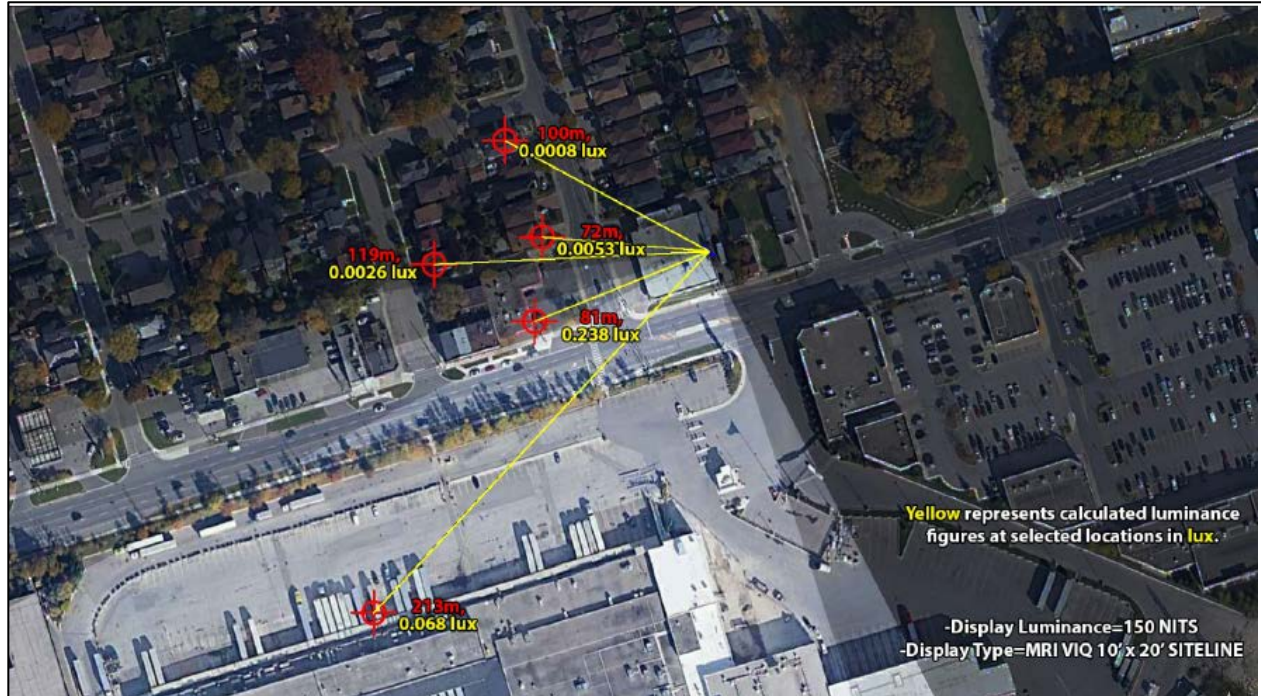
As a result, of the orientation of the Proposed Sign and the requested conditions, the Proposed Sign should have no adverse effects on properties in the CR and R Sign Districts to the north and west of the Subject Premises.

The Proposed Sign will be located 365 metres north of the F.G Gardiner Expressway. Based on Sign Unit staff review of the Proposed Sign and due to the fact that the Proposed Sign will have only one sign face facing south-west, it will not be visible to traffic along the westbound lanes of the F.G. Gardiner Expressway, which are closest to the sign.

Although the Proposed Sign will have limited visibility to east bound traffic along the F.G. Gardiner Expressway, where the Proposed Sign will be visible to traffic is at locations more than 400 metres away. There are also a number of buildings located between the Proposed Sign and the F.G. Gardiner Expressway, further reducing any adverse effects the sign may have on the F.G. Gardiner Expressway.

The Applicant's materials and staff investigation provided sufficient information to confirm that the Proposed Sign, with the requested conditions, will not adversely affect the adjacent premises, therefore the CBO is of the opinion that this criteria has been established.

Figure 4 – Overhead view of the Proposed Sign and the lighting impacts on surrounding properties (diagram provided by applicant)



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

Compliance with the City's regulations are designed to ensure that there are no adverse impacts on public safety, these regulations are designed to work in conjunction with the specific regulations applicable to signs.

Although there are concerns about driver distraction that may be caused by electronic signs, the Sign By-law's regulations addressing these concerns, and other safety issues. Some of the Sign By-law regulations concerning safety issues govern the distance of electronic signs from: other electronic signs; intersections of major streets; street lines of major streets and highways; and, visibility zones.

The Proposed Sign will meet the required 30 metre setback from any street intersections. As the Proposed Sign will comply with the other Sign By-law requirements around sign face area, height and image transitions, staff do not foresee any potential adverse effects on traffic or pedestrian safety.

The Sign By-law has requirements for signs not to be within a "Visibility Zone" – defined as the area within three metres of the outermost points of a vehicular ingress or egress of a property where it intersects with a street. The Proposed Sign will be located outside of any visibility zones at the Subject Premises.

The Sign By-law requires that third party electronic signs be a minimum of 500 metres apart from each other where they are located on the same street. This regulation serves a variety of purposes and is intended, in part, to reduce the potential for animation along the street and, as a result, the potential for driver distraction where multiple signs may be visible along the same street at the same time.

The Proposed Sign will be located approximately 270 metres from another third party electronic sign located at the Ontario Food Terminal. The Food Terminal building is located on the same street where the Proposed Sign will be located. As previously stated, the electronic sign located at the Ontario Food Terminal is oriented towards the F.G. Gardiner Expressway and not The Queensway. There are also several buildings in between the Proposed Sign and the sign at the Food Terminal. As a result, these two electronic signs are not visible at the same time when looking along The Queensway or the F.G. Gardner Expressway.

As such, the Sign By-law Unit Staff's review has determined that the Proposed Sign, subject to the specific conditions, does not raise a realistic possibility that there would be an adverse effect on public safety if this variance is granted.

Based on the staff investigation, the Proposed Sign, subject to the specific conditions, should not have any adverse impacts on public safety, including traffic and pedestrian safety. Therefore the CBO is of the opinion that this criteria has been established.

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

The Applicant's materials contain sufficient information to confirm that the Proposed Sign is not a sign that is prohibited by §694-15B of the Sign By-law, and therefore the CBO is of the opinion that this criteria has been established.

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

The Subject Premises is an E Sign District, which permits electronic ground signs at a size and height consistent with the Proposed Sign. The Subject Premises has another E Sign District to the south, CR and OS Sign Districts to the east and west, and R Sign Districts to the north.

The Subject Premises currently contains a double-sided third party ground sign, approved and constructed in 1996; there are also several other third party electronic ground signs in the surrounding area. As a result, the Proposed Sign will not be introducing a sign class or a sign type that is not currently permitted, or found in the surrounding area.

In addition to the existing third party sign located on the Subject Premises, there is a first party ground sign identifying the Ontario Food Terminal located directly south of the Subject Premises. The Proposed Sign has a similar sign face area and height as the existing third party sign on the Subject Premises, as well as a similar sign face area and height to the sign identifying the Ontario Food Terminal. As a result, the Proposed Sign will not be introducing ground signs of a height or size that is not currently found on the premises or in the surrounding area.

As mentioned previously, City Council has determined that all third party signs are incompatible, and do not contribute positively to, or enhance the quality of area within 400 metres of the F.G. Gardiner Expressway. The Proposed Sign will be located near the outer edges of this area, 365 metres north of the F.G Gardiner Expressway. There are also a number of buildings located to the south of the Proposed Sign, further reducing any relationship between the Proposed Sign and the F.G. Gardiner Expressway.

The Proposed Sign will also be in a similar location to the Existing Sign on the Subject Premises and would be similar in height with the same sign face area, only with a single sign face directed away from the residential areas to the north and northwest and the open space and parkland to the east. The height, sign face area, copy type and number of sign faces on the Proposed Sign are in keeping with the requirements for third party electronic ground signs in E Sign Districts. It is the expectation that such signs are consistent with the character of the surrounding area.

The Sign By-law Unit has received several communications from nearby residents expressing concern about the Proposed Sign and stating that the Proposed Sign would alter the character of the area. Based on a staff review these communications, the matters that have been raised in the communications appear to be more oriented towards the condition of the Subject Premises and surrounding area and not about the Proposed Sign.

The Staff review and analysis, and the Applicant's submission materials provide sufficient information to confirm that the Proposed Sign will not alter the character of the Subject Premises or surrounding area, therefore the CBO is of the opinion that this criteria has been established.

SectionI: 694-30A(9): *The Proposed Sign is not contrary to the public interest*

The Proposed Sign will comply with the provisions set out in the Sign By-law for third party electronic ground signs in an Employment Sign Districts in terms of: height, size, setback from an intersection, as well as the requirement for use of renewable energy, message duration and transition (i.e. no visual effects such as scrolling, flashing, blinking or full-motion video), and with the illumination and time-of-day regulations.

Granting a variance to the Section 694-24A (1), permits the Proposed Sign to be facing

an R Sign District and a CR Sign District, both of which are less than 250 metres away from the Proposed Sign. This variance of the Proposed Sign from the Sign By-law's requirements is, in staff's opinion, not contrary to the public interest due to the conditions that have been requested by the Applicant which should ensure that the Sign face of the Proposed Sign will not be visible to either the CR or R Sign Districts in question.

Granting a variance to the Section 694-25(C)(2)(e), permits the Proposed Sign to be located 28 metres of an R Sign District and 2.5 metres from a CR Sign District, whereas the Sign By-law requires a separation distance of 60 metres. This variance of the Proposed Sign from the Sign By-law's requirements is, in staff's opinion, not contrary to the public interest as The Proposed Sign will be in a similar location to the Existing Sign at 150 The Queensway, and will be of a similar height and size. As a result, the placement of the Proposed Sign within 60 metres of R and CR Sign Districts should not represent a significant change to the character of the area as there has been a third party ground sign on the Subject Property for many years.

As well, the Proposed Sign will be partially obscured from residential properties to the north by trees, and, as a result of the requested condition that the sign be angled at 45 degrees to the Queensway, will have a significantly reduced profile (when compared to the existing sign) to residential properties west of the Subject Premises.

The conditions that have been requested by The Applicant should ensure that the sign copy on the Proposed Sign will not be visible to the R Sign District to the north or the CR Sign Districts to the east. As well, the Proposed Sign should not be visible to the residential dwelling units in the CR Sign District to the west of the Subject Premises as they appear to have no windows facing east.

Granting a variance to the Section 694-25C (2)(g), permits the Proposed Sign to be located on premises which are contained within an area which all third party signs are prohibited. However, based on the Sign By-law Unit staff investigation, it is in the opinion of staff that the Proposed Sign will have no relationship with the F.G. Gardiner Expressway and will not have any negative impacts on the premises located with 400 metres of the F.G. Gardiner Expressway which is the subject of the area based restriction. As such, it is the opinion of staff that the Proposed Sign is not contrary to the public interest being advanced by this area- specific restriction on third party signs.

Granting a variance to the Section 694-25C (2)(f), permits the Proposed Sign to be located within 280.0 metres of another third party electronic sign located south-east of the Proposed Sign along the Queensway; however, based on the staff investigation, this other sign is not visible from The Queensway, the Subject Premises, and is not within the same view as the Proposed Sign. Therefore, it is the CBO's opinion that the Proposed Sign would not be contrary to the public interest with respect to the potential for animation due to multiple signs along the street or sign clutter which this specific requirement advances.

It is the CBO's opinion that the Applicant's materials and the Sign By-law Unit staff's research and investigation provide sufficient information to demonstrate that the Proposed Sign will not be contrary to the public interest, and that this criteria has been established.

CONCLUSION

The Applicant's submission materials and the Sign By-law Unit staff's research and investigation have provided sufficient information for the CBO to establish that all nine criteria required to grant an approval for the requested variances has been met.

As such, the CBO is supportive of the Sign Variance Committee granting the requested variances, subject to the four specified conditions.

CONTACT

Afsoon Hamiativaghef
Sign Building Code Examiner / Inspector
Sign By-law Unit
E-mail: Afsoon.Hamiativaghef@Toronto.ca; Tel: 416-392-6987

SIGNATURE

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

ATTACHMENTS

Attachment 1 – Description of Sign, Required Variances and Conditions

Attachment 2 – Illustration of Sign View Mapping

Attachment 3 – Applicant's Submission Package

Attachment 4 – Lighting Analysis of the Proposed Sign at 150 The Queensway (Submitted by Applicant)