

Application for Three Variances, Each Subject to Four Conditions, Respecting One Third Party Electronic Ground Sign - 2568 St. Clair Ave. W.

Date: July 28, 2021
To: Sign Variance Committee
From: Manager, Sign By-Law Unit, Toronto Building
Wards: York South-Weston (Ward 05)

SUMMARY

Outfront Media has stated that they have been authorized by the owner, 1369182 Ontario Inc. (the "Applicant") of the property municipally known as 2568 St. Clair Avenue West (the "Premises"), to represent them in applying for three variances (each to be subject to four conditions) required to allow for a permit to be issued for one third party electronic ground sign with two sign faces (the "Proposed Sign") on the Premises.

The Proposed Sign will have a height of 7.98 meters, and would contain two sign faces, displaying electronic static copy, in a v-shape configuration, each sign face measuring 2.30 meters vertically by 8.69 meters horizontally. The Proposed Sign would be located along the southerly property frontage of the Premises, would have a setback of 0.5 meters from the St. Clair Avenue Street line and will be oriented in a south-easterly and south-westerly direction along St. Clair Avenue West. The Proposed Sign is further described in Attachment 1.

Three variances to Chapter 694 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) **§ 694-25C(2)(e)** - The Proposed Sign is located approximately 27.8 meters from a Residential (R) Sign District, whereas third party electronic ground signs are not permitted to be erected within 60 meters of Residential Sign District;
- 2) **§ 694-25C(2)(f)** - The Proposed Sign faces both a Residential and a Commercial Residential Sign District to the west of the Premises and faces a Residential, Commercial Residential and Open Space Sign District to the east of the Premises, whereas a third party electronic sign cannot face any premise with an R, RA, CR, I or OS sign district within 250 metres of the sign; and,

- 3) **§ 694-25C(2)(k)** – The Proposed Sign faces have a V-shape configuration, whereas third party electronic signs are required to have a back to back configuration.

Each of the three requested variances would be subject to the following four conditions:

1. 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;
2. The Proposed Sign shall contain sufficient physical barriers on the sign face to minimize, to the satisfaction of the Chief Building Official acting reasonably, the visibility of the sign copy from the R Sign Districts to the north and north-west of the Proposed Sign located on Palestine Street, Batavia Avenue, and Mariposa Avenue; and,
3. The Proposed Sign's sign faces shall have an interior angle of not less than 45 degrees; and,
4. The Proposed Sign's sign faces shall be orientated in a south-westerly and south-easterly direction, so that the sign faces face approximately the direction of the travelled portion of St. Clair Avenue West.

Following a review of the Applicant's submissions, the results of research and investigation by the staff of the Sign By-law Unit and feedback received from the local community, the CBO has determined that insufficient information has been established to determine that the proposal meets all nine of the criteria established in §694-30A of the Sign By-law. Specifically, there is insufficient information to establish that the Proposed Sign: is compatible with the development of the premises and surrounding area; will not alter the character of the premises and surrounding area and, is not contrary to the public interest.

Therefore, the CBO does not support the Sign Variance Committee granting the three requested variances (each subject to four conditions) for the Proposed Sign.

RECOMMENDATIONS

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

1. The Sign Variance Committee **refuse** to grant the requested variances to sections 694-25C(2)(e), 694-25C(2)(f) and 694-25C(2)(k), each subject to the four specified conditions, as required, to allow for the issuance of a permit for the erection and display of one third party electronic ground sign at the property municipally known as 2568 St. Clair Avenue West, as described in Attachment 1 to this report.

FINANCIAL IMPACT

There are no current or known future year financial impacts arising from the recommendations contained 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

By-Law Section	Requirement	Proposal
§ 694-25(C)(2)(e)	An Employment Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within 60 metres of any premises located, in whole or in part, in an R, RA, CR, I, or OS Sign District	The Proposed Sign would be located approximately 27.8 meters of Residential Sign District.
§ 694-25(C)(2)(f)	An Employment Sign District may contain a third party electronic ground sign, provided where the sign is located within 250 metres of an R, RA, CR, I, or OS Sign District, the sign cannot face any premises in that district	The Proposed Sign would face onto Residential and Commercial Residential Sign District to the west and faces onto Residential, Commercial Residential and Open Space Sign District to the east of the 2568 St. Clair Avenue West.
§ 694-25C(2)(k)	An 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 is would have a “v-shaped” configuration.

Sign Attributes and Site Context

2568 St. Clair Avenue West is designated as an E Sign District, located in Ward 5 - York South-Weston. There is a one storey building located at 2568 St. Clair Avenue West, containing an automobile garage, (See Figure 1).

Surrounding Premises:

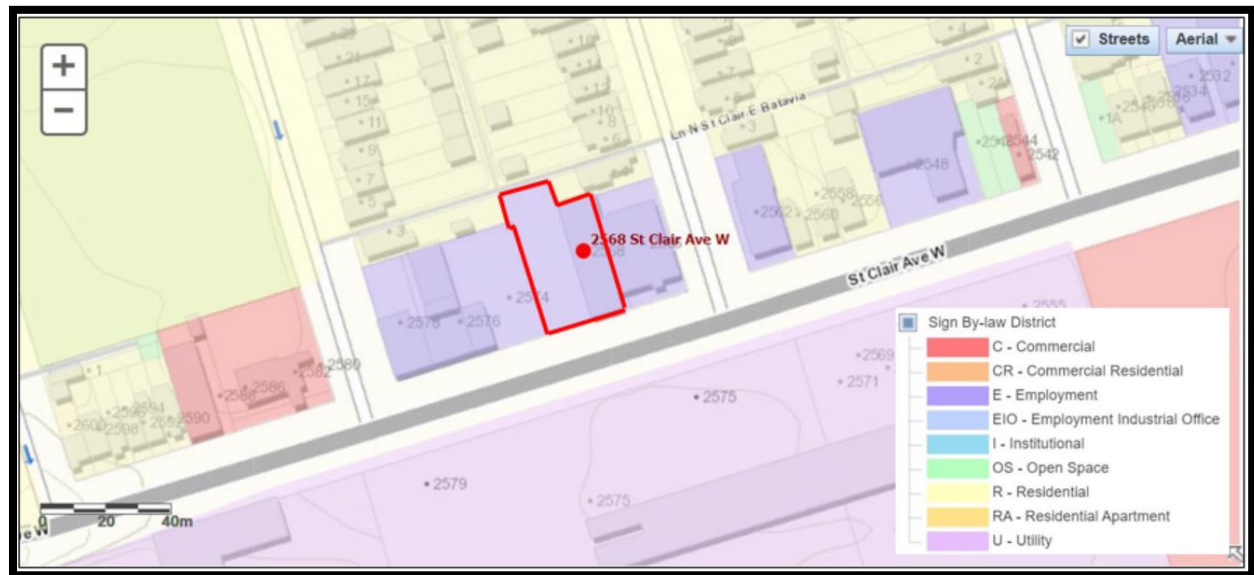
North: Residential – R Sign District, Residential Dwellings

East: Employment - E Sign District, Commercial Retail (Pharmacy, Spa, Dry cleaner, and Industrial – Auto Repair Shop)

West: Employment - E Sign District, Commercial Retail (DHL Post Office, New Generation Pizza, Industrial - Auto Repair Shop, Dr. Rooter)

South: Utility District – U Sign District, Commercial Retail Plaza (Tim Horton's, Walmart, TD Bank, Subway, Dollarama, etc.)

Figure 1- Sign District Map Excerpt - 2568 St. Clair Ave. W.



COMMENTS

Applicant Information

Outfront Media represents that they have been authorized by the owner of the property municipally known 2568 St. Clair Avenue West, 1369182 Ontario Inc., to represent them in the current application for three variances (each subject to four conditions) required to allow for a permit to be issued for Proposed Sign (a third party electronic ground sign with two sign faces) on the Premises.

Application Background

The Proposed Sign will be located along the south frontage of 2568 St. Clair Avenue West facing St. Clair Ave. W. and directed east and west. It will have a height of 7.98 metres, and will contain two sign faces, each measuring 2.30 meters vertically by 8.69 meters horizontally, with a sign face area of 19.99 square metres in a “v-shaped” configuration. The interior angle of two sign faces will be 45 degrees. The Proposed Sign is described further in Attachment 1 to this report.

Community Consultation

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 has adopted a practice of engaging in enhanced consultation process concerning variance applications concerning electronic signs. The CBO also held, and informed the public of an additional virtual Community Consultation meeting.

As of the date of this report, 27 members of the public have contacted the Sign By-law Unit, all of which have expressed concern and opposition to the Proposed Sign based on its potential impacts on the area.

Two virtual public consultations were held, the first consultation was on May 17, 2021 and the second was on July 7th, 2021. Ten people attended the May 17th virtual public consultation and seven people attended the July 7th virtual consultation.

There was general opposition to the Proposed Sign among those in attendance at the May 17, 2021 consultation. Based on feedback received from the May 17, 2021 consultation session, the Applicant modified the application for variance, specifically reducing the illumination of the Proposed Sign to 150 NITS and, increased the interior angle of the proposed sign faces from 20 degrees to 45 degrees. Due to the application being modified after the May 17, 2021 consultation session, the revised application was presented to the community at the July 7th, 2021 consultation session.

Although, the revised variance application addressed some of the concerns raised, which was acknowledged by some participants, there was still general opposition to the Proposed Sign among those in attendance at the July 7th, 2021 consultation.

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

The Sign By-law contains criteria used to evaluate variance applications for Proposed Signs. Specifically, section 694-30A states that a variance may only be granted where the Proposed Sign meets each of the nine established criteria.

The Sign Variance Committee is required to conduct an evaluation and determine that the proposal all nine of the mandatory criteria, on the basis of the information presented by the Applicant, or other parties to the hearing. It is the CBO's opinion that the Applicant's submissions provided insufficient information to establish that the Proposed Sign meets all nine criteria. It is the CBO's opinion that even after reviewing the supplementing information determined by the research and investigation conducted by Sign By-law Unit staff, there remains insufficient information to establish that the Proposed Sign meets all nine criteria.

Applying the Established Criteria:

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

The property at 2568 St. Clair Avenue West has been confirmed as being located in an Employment (E) Sign District, and E Sign Districts permit signs belonging to the third party sign class.

Sign By-law Unit staff have confirmed that the Proposed Sign is a third party sign, as it 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 will 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.

Based on the review of the Sign By-law Unit staff, the property at 2568 St Clair Avenue West 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 belongs 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 is compatible with the development of the premises and surrounding area.

Based on the review of the Sign By-law Unit staff, 2568 St Clair Avenue West can be confirmed as being in an E Sign District, and is surrounded by E districts to the immediate east and west which are mainly utilized for commercial, retail and light industrial uses.

2568 St. Clair Avenue West is currently occupied by a single-storey automobile garage. The surrounding area is mainly comprised of buildings utilized for commercial, retail and light industrial uses.

As part of the Applicant's Submission, a planning report was prepared by WSP, a planning and engineering firm (The "WSP Planning Report"). The WSP Planning Report provided an analysis of the compatibility of the Proposed Sign and the Premises and surrounding area.

With respect to the compatibility of the Proposed Sign with the Subject Premises, the WSP Planning Report states that the Proposed Sign is compatible with the development and structure standards set out in the City's applicable Zoning By-law 1169 - 2011 for new development in the MCR S16(440) Zone. Section 2(8)(a) of the By-law states that

“any building or structure must be set back:

- a) a maximum of 3 metres from the front lot line;*
- b) a minimum of 75% of the main wall of the building facing a front lot line must be located at or between the front lot line and the maximum setback;*
- c) a minimum of 7.5 metres from the rear lot line; and*
- d) a minimum of 1.5 metres from the rear lot line if the rear lot line abuts a lane;”*

The Applicant relies on the fact that the Proposed Sign complies with the applicable zoning regulations as support for the position that the Proposed Sign would be compatible with the development of the surrounding area.

The CBO has confirmed that the Proposed Sign would meet the zoning requirements for 2568 St Clair Avenue West and agrees that it provides some support for the compatibility of the sign with the premises and surrounding area.

With respect to the compatibility of the Proposed Sign with properties to the south, the WSP Planning Report states that The Proposed Sign will be located directly north of a large retail Smart Centre plaza, which was allowed through an Official Plan and Zoning By-law amendment and, constructed in 2019. The WSP Report continues to say that based on the review of the Official Plan amendment and Zoning By-law amendment for the property, there are no current or future plans for the construction of residential dwellings.

The CBO has confirmed that there currently no planning applications for the development of residential or other sensitive uses to the south of the property. The continuation of the commercial developments to the south of the Proposed Sign, where it will be the most visible, provides some support for the position that the Proposed Sign would be compatible with the development of the surrounding area.

With respect to the compatibility of the Proposed Sign with properties to the north, The Planning Report identifies that to the north of 2568 St. Clair Avenue West is a residential neighbourhood comprised of 1-2 storey single-detached dwellings. These dwellings are zoned Residential in the City of Toronto Zoning By-law 569-2013. They are also located in Residential Sign District as per the City's Sign By-law.

Between this neighbourhood and 2568 St. Clair Avenue West there is a fence and a dense tree line that would act to reduce light trespass from the Proposed Sign. The Proposed Sign will be in a V-shape formation, facing south-easterly and south-westerly along St. Clair Avenue West, which should angle the light away from the residential neighbourhood to the north. Light shielding technology has also been proposed as a condition of the requested variances in order to further prevent light from spilling backward to the north.

Staff agree that the v-shaped formation, the use of light shielding technology and the orientation of the sign faces should reduce the impact of the Proposed Sign on these residential properties to the north and provides some support for the position that the Proposed Sign is compatible with the surrounding area.

With respect to the compatibility of the Proposed Sign with properties to the east, the WSP Planning Report identifies that the land uses to the east of the 2568 St. Clair Avenue West include a dry cleaner, a pharmacy and an auto parts garage. Further east of the 2568 St. Clair Avenue West is a Residential Sign District with residential single-detached units that are approximately 75 metres away from the Proposed Sign, one of which has windows facing towards the Proposed Sign and may have some light exposure to the third floor (attic) of the dwelling unit.

The Applicant's submission identifies, and staff have confirmed that the residential dwelling units to the east are surrounded by vegetation (i.e. large trees) that is likely to mitigate light emitted from the Proposed Sign from entering windows. In addition, the condition of a maximum brightness of 150 NITS should result in very little light being visible from this property.

The Applicant's submission also identifies that 125 metres to the east of the Proposed Sign there is also an OS-Open Space Sign District. Historically, these properties have been used as a storage yard, however they have been vacant for the past decade and have not been utilized as actual park space or an environmental sensitive land use. Staff have confirmed that the properties are currently vacant and do not contain any sensitive land uses.

With respect to the compatibility of the Proposed Sign with properties to the west, the WSP Planning Report identifies that to the immediate west of the Subject Site is an UPS store, an auto parts store, a pizzeria, and a plumbing store. Further west of 2568 St. Clair Avenue West is a gasoline station and residential dwelling units. These dwelling units are located approximately 120 metres (394 feet) from the Proposed Sign.

The WSP Planning Report states that the Proposed Sign is compatible with the buildings and uses to the west as it is complimentary to the existing commercial and light industrial character, and can coexist with the residential buildings without causing any adverse impacts. The Applicants submission states that there should be no light exposure to the residential dwelling units to the west of the Proposed Sign due to the distance from the Proposed Sign, and gas bar canopy that inhibit light trespass.

The Proposed Sign generated a significant amount of concern from members of the community. Written feedback received from members of the community and from those who attended the virtual consultation sessions expressed that the Proposed Sign will not be compatible with the development of surrounding area and will impact the surrounding properties.

Although some community members acknowledged, based on the modifications to the application, that the Applicant had been able to somewhat address the impacts that the light from the Proposed Sign may have on properties to the north, there were still a number of concerns about the sign's structure being visible from residential buildings located north of the Subject Property.

There were also a number of concerns about the impact that the Proposed Sign may have on the built form and public realm along St. Clair Avenue West. Some community members also expressed concerns about the potential negative impact of the Proposed

Sign on the value of their property, as well as how it may impact redevelopment of properties along St. Clair Avenue West.

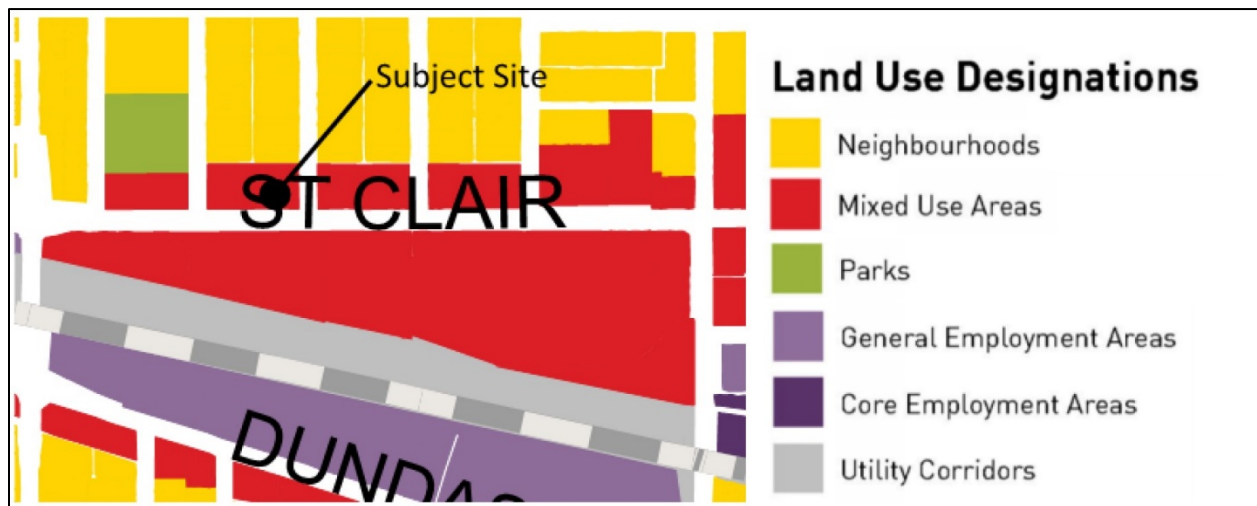
The amount of feedback received from the community has raised significant and compelling concerns with the Proposed Sign being compatible with the premises and surrounding area. As a result, the CBO is of the opinion that the Applicant's submissions are not sufficient to demonstrate this criterion has been established.

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

The WSP Planning Report identifies that in 2011, the City of Toronto enacted Official Plan Amendment (OPA) 144 to implement the St. Clair Avenue West Avenue Study for the segment west of Keele Street/Weston Road to Scarlett Road, which includes 2568 St. Clair Avenue West. The Study was appealed to the Ontario Municipal Board (OMB). An OMB decision dated August 16, 2016 ordered that OPA 144 come into effect for all lands to the west of Runnymede Road, which includes 2568 St. Clair Avenue West.

Staff have confirmed that the Avenue policies of OPA 144 (By-law 1169-2011) are in force for the lands west of Runnymede Road which re-designated 2568 St. Clair Avenue West from *Neighbourhoods* to *Mixed Use Area*, (See Figure 2).

Figure 2: Official Plan Map for area surrounding 2568 St. Clair Ave. W.



The WSP Planning Report states that the Proposed Sign supports the commercial uses that are permitted within Mixed-Use Areas. Mixed-Use Areas are comprised of a broad range of commercial, residential and institutional uses in single use or mixed-use buildings (Policy 4.5.1). The objective of this designation is to combine a broad range of uses into order for residents to be able to live, work and shop in the same area. However, the Applicant did not directly address this objective with respect to the Proposed Sign.

With respect to the Proposed Sign supporting the Official Plan objectives for 2568 St. Clair Avenue West and surrounding area, the WSP Planning Report in the Applicant's submission states that one of the objectives of Mixed-Use Areas includes providing an

attractive, comfortable and safe pedestrian environment (Policy 4.5.2(f)) and providing good site access and circulation (Policy 4.5.2(g)).

The Applicants submission materials state and staff are satisfied that the Proposed Sign will not interfere with the pedestrian environment of St. Clair Avenue West, and pedestrians should continue to feel comfortable and safe if the Proposed Sign is constructed. Also, the Proposed Sign should not interfere with traffic access and circulation at 2568 St. Clair Avenue West, and it is not located within the Visibility Zone.

The WSP Planning report identifies that new buildings in Mixed-Use Areas should be located and massed as to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or stepping down heights, particularly towards lower scale Neighbourhoods (Policy 4.5.2(c)). The Applicants submission materials state that the Proposed Sign is located and massed appropriately in order to provide a transition between its designation as a Mixed-Use Area and the area to the north's designation as a Neighbourhood.

Staff have confirmed that the Proposed Sign does not exceed the maximum permitted height allowed in the Sign By-law and complies with the zoning regulations set out in the City's applicable Zoning By-law 1169 – 2011. Staff agree that the existing fence and dense tree line, and proposed measures such as, a V-shape formation and light shielding technology, should reduce any impacts from the Proposed Sign and help provide an appropriate transition to the residential neighbourhood to the north of the Subject Site.

After reviewing the Applicant's submission materials, The WSP report and the Official Plan policies for 2568 St. Clair Avenue West, staff agree that the Proposed Sign supports several Official Plan objectives for the Subject Site and surrounding area and therefore satisfies provision 694-30A (4) of the City's Sign By-law. As such, the CBO is of the opinion that this criterion has been established.

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

Based on the visual impact assessment completed in the WSP Planning Report, there is a partial visual impact to a 3-storey residential dwelling unit to the east of the Subject Site at 2556 St. Clair Avenue West. This dwelling unit has a window on its 3rd storey attic that faces the Proposed Sign and therefore will result in some light exposure.

The Applicant addresses the potential adverse effect on the residential unit at 2556 St. Clair Avenue West, by noting that it is surrounded by vegetation buffers which will mitigate light trespass from the Proposed Sign. Other measures such as: the proposed 45-degree angle of the sign faces, which direct the illumination from the Proposed Sign away from the property at 2556 St Clair West, and reducing the brightness of the Proposed Sign to 150 NITS will also mitigate the light impacts.

The Applicant relies on the presence of a fence, dense tree line and measures such as, a proposed V-shape formation (with the 45-degree angle) and light shielding technology to reduce impacts from the Proposed Sign on the residential neighbourhood to the north

of the Subject Site. All other properties sited to the east and west of 2556 and 2588 St. Clair Avenue West are shielded by the existing taller buildings. In support of this position the Applicant notes that the residential land uses to the west of 2568 St. Clair West is shielded by a 2-storey building at 2588 St. Clair Avenue West and the gas station canopy located at the corner of Mariposa Ave.

The CBO has reviewed the Applicant's submission materials and the area surrounding the Proposed Sign and agrees that the orientation of the sign faces, the interior angle of the sign faces, the reduced brightness and the use of light shielding technology will be sufficient to address any adverse impacts that the Proposed Sign may have on the surrounding area.

Based on staff review and investigation and the Applicant's submission materials, staff are of the opinion that sufficient information has been provided 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 criterion has been established.

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 and will comply with the Sign By-law requirements around sign face area, height and image transitions and duration. As a result, 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. There will be no other third-party electronic signs within 500 metres of the Proposed Sign.

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 requested conditions, should not have any adverse impacts on public safety, including traffic and pedestrian safety. Therefore the CBO is of the opinion that this criterion 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 criterion has been established.

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

The Applicant alleges that the Proposed Sign does not alter the character of 2568 St. Clair Avenue West or surrounding area. The WSP Planning Report, notes the surrounding area is comprised of a mix of uses, including commercial, light industrial, and residential. Within these multiple uses there are a variety of structures present, and there are different development approaches and styles.

The WSP Planning Report also states that St. Clair Avenue West is acknowledged by the Official Plan as an area expected to be transformed based on its Avenue Study which designates 2568 St. Clair Avenue West and surrounding area as a Mixed-Use Area. As such, the character of the 2568 St. Clair Avenue West and surrounding area is currently evolving however is grounded in the Official Plan's vision of the area being comprised of mixed uses. The evolving character of the area permits and encourages commercial uses, as highlighted in the newly constructed, adjacent Smart Centre retail plaza. The Proposed Sign is a part of this commercial component of the area's character and therefore does not alter the character of 2568 St. Clair Avenue West or surrounding area.

A review of surrounding properties in the Planning Report also identifies that within a 250m radius of the Proposed Sign, the residential frontages account for 17% while all other frontages account for 73% (21% Commercial, 59% Employment, 3% Open Space). This further illustrates the composition of the surrounding area's land uses, with the majority being commercial and light industrial.

In summary, the Applicant's Submission Materials state that the installation of the Proposed Sign will not alter the character of the premises or surrounding area and therefore satisfies subsection 694-30A (8) of the City's Sign By-law.

While the Applicant's submission materials, including WSP Planning Report, attempted to address how the Proposed Sign would not alter the character of the premises and surrounding area; members of the community provided a significant amount of feedback expressing that the Applicant failed to establish that the Proposed Sign would not alter

the character of the premises and surrounding area. Specifically, members of the public noted that the Proposed Sign's structure would be visible from residential buildings located north of the Premises would alter the character of those residential properties. As well, a number of community members stated that the Proposed Sign is out of scale with the built form in the area, and would be more appropriate for advertising next to a highway as opposed to an avenue.

The Applicant's submission materials including the WSP Planning Report, addressed some aspects of this criteria. However, feedback received from the community regarding the potential of the Proposed Sign to alter the character of the premises and surrounding area is compelling, and has not been sufficiently addressed. As a result, it is CBO's position that this criterion 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

The Applicant's submission materials state that the Proposed Sign will support the commercial character of the surrounding area that is currently evolving and encouraged within the City's Official Plan. The surrounding area has a variety of structures present and is comprised of different development approaches which support the mixed-use character that is being encouraged. The Proposed Sign contributes to this character.

The Applicant also states that the Proposed Sign will contribute to the local economy by providing marketing for local business in the community and therefore support them.

The Applicant continues on to say that the Proposed Sign will have minimal visual impact to the surrounding area. Mitigation measures, such as the angle of the sign faces and the use of light shielding technology should help reduce the impacts of light exposure on surrounding residential dwelling units. The Proposed Sign is also not likely to adversely affect public safety, including traffic and pedestrian safety.

Despite the evidence provided by the Applicant, the Proposed Sign has raised a significant amount of concern from members of the community. It is important to note that despite staff review and analysis of the Applicant's submission materials, members of the community are in a unique position to provide additional feedback on any impacts or concerns regarding the Proposed Sign.

Written feedback and input received from members of the community and from those who attended the virtual consultation sessions expressed that the Proposed Sign is not compatible with the development of surrounding area and is likely to impact the surrounding properties.

Although some community members acknowledged that the Applicant had been able to address the impacts that the light from the Proposed Sign may have on surrounding properties, concerns about the sign's structure being visible from residential buildings located north of the Subject Property have not been fully addressed.

As well, concerns raised by members of the community regarding the impact that the Proposed Sign may have on the built form and public realm along St. Clair Avenue

West as well as how it may impact redevelopment of properties along St. Clair Avenue West have not been fully addressed.

Feedback received from the community regarding the suitability of the Proposed Sign with the surrounding area is compelling and has not been sufficiently addressed in the Applicant's submission materials or through the public consultation process. As a result, it is CBO's position that this criterion has not been established.

Conclusion

The Applicant's materials did not provide sufficient information to establish that all nine required criteria for the three requested variances with four conditions were met; specifically, the Applicant did not provide sufficient information to address the specific concerns raised in feedback received from the community. The CBO is of the opinion that members of the community feedback raised valid concerns with respect to the nine criteria required to grant the requested variances for the Proposed Sign, and that these concerns have not been sufficiently addressed by the Applicant.

It is the opinion of the CBO that insufficient evidence has been presented to establish that the Proposed Sign: will be compatible with the development of the premises and surrounding area; will not alter the character of the premises and surrounding area; and that the Proposed Sign would not be contrary to the public interest. As such, the CBO does not support of the Sign Variance Committee granting the requested variances, 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 Sign and Required Variance and Conditions

Attachment 2 - Applicant's Submission Package

Attachment 3 - Applicant's Amendment to their Submission Package