



May 30, 2022

Nancy Martins
Secretariat
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Re: Planning and Housing Committee Reports - Items: PH34.16 and PH35.17

Dear Nancy,

Allvision has been operating electronic signs on behalf of Metrolinx since 2011, in the City of Toronto and the Greater Toronto Area. The proposed two sign locations are an extension of a GTA-wide Provincial Sign Program previously approved by the Ontario Ministry of Transportation and City of Toronto along Highways 401 and 427, all of which are fully operational with no issues.

I am writing to request that additional information, submitted by me today, be provided to members of the Planning and Housing Committee and made part of the formal record for this meeting. There is valuable information in these materials that the Committee members should understand when formulating their decision on these two items; therefore, I attach the following as part of this letter:

1. Letter from Metrolinx confirming they are beneficiaries of sign revenues and free space on the signs for important transit updates;
2. Legal opinion from Goodman's stating that the November 6, 2019 Minister's Order is a valid and lawful form of a Provincial approval;
3. Copy of my presentation to be delivered during my deputation at the Planning and Housing Committee.

The following are highlights and unique characteristics of these two sign applications:

- Will be located on provincially owned and/or operated land (Metrolinx) for Go Transit with proceeds from sign revenue going directly to help support transit investment.
- The proposed signs are consistent in zoning, size, setback, function, and height to the other Third-Party Electronic Ground Signs already approved as part of this sign program.
- The proposed signs are the same size, or smaller, than 32 other signs approved by City of Toronto along the Gardiner Expressway and Highways 401 & 427.
- No residences, parklands, or other sensitive land uses will be impacted.
-





- MTO studied the proposed signs for years and determined that there is no risk to highway traffic safety, which is indexed by our Ministerial Order approving the signs.
- A total of 16 traditional paste-and-paper billboards are to be removed as a condition of approval, resulting in 20% more square footage of signage removed vs. installed, which also increases the amount of Third-Party Sign Tax the City of Toronto receives by 167%.
- Located in areas with no direct visibility from any residential properties due to the direction, positioning, technology and distance of the signs, and will far exceed municipal guidelines.
- Will exceed the Sign by-law requirements as it relates to lighting levels and adhere to the hours of operation guidelines of the City of Toronto.
- Proposed signs will:
 - Have a 5-year permit;
 - Be turned off everyday from 11pm-7am;
 - Operate at 150 nits in the evening time (50% less than required in the bylaw).

As a result of the aforementioned characteristics and benefits of these two proposed signs, we ask Planning and Housing Committee and Council to support these two sign applications.

Thank you for your consideration,

Sincerely,

Christopher Bentler
President, Development
Allvision Development ULC





His Worship, Mayor John Tory
Toronto City Hall
100 Queens St W.
Toronto, ON M5H 2N2

May 23, 2022

Re: Report - Items: PH34.16 + PH34.17

Dear Mayor Tory,

We are writing today to convey our support for the digital billboard signage applications (Item#PH34.16 + PH34.17) at the Planning and Housing Committee on May 31, 2022, and then by City Council.

Metrolinx received authority from the Ministry of Transportation on November 6, 2019 to install a number of digital signs along the highway network in the Greater Toronto Area, of which includes the locations specified in the above application, as submitted on our behalf by our partner Allvision.

The Metrolinx Digital Signage Program consists of a network of digital billboards across the Greater Toronto Area with the objective to deliver valuable messaging and communication to the communities we serve and also to generate critical Non-Fare revenue to Metrolinx.

Non-Fare Revenue is a key contributor to enable Metrolinx to deliver public transit services for residents and communities in the GTA minimizing the need for additional subsidy from the Province of Ontario.

We look for your support of these approvals at City Council. If you have any questions or concerns, please feel free to reach out to myself at 647-294-9865 (rick.radovski@metrolinx.com).

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Radovski".

Rick Radovski

Vice-President, Non-Fare Sales & Account Management
Metrolinx | 10 Bay Street, 16th Floor Toronto | Ontario | M5J 1E6
Tel: (416) 202-5730 **Cell:** (647) 294-9865
Email: rick.radovski@metrolinx.com

Cc: Deputy Mayor / Chair of Planning and Housing Committee Ana Baila

10 Bay Street Toronto, Ontario, Canada M5J 2R8	10, rue Bay Toronto, Ontario, Canada M5J 2R8	416.874.5900 metrolinx.com
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Bay Adelaide Centre
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Toronto, Ontario M5H 2S7
Telephone: 416.979.2211
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Direct Line: 416.597.4130
mwilson@goodmans.ca

By E-mail

December 22, 2021

All Vision Development ULC
2275 Upper Middle Road East
Suite 101
Oakville, Ontario
L6H 0C3

Attention: Chris Bentler, President Development

Dear Mr. Bentler:

Re: Province of Ontario Sign Approvals

We are writing in response to your inquiry regarding the provincial approvals required for a proposed sign location within the City of Toronto. We understand that the proposed sign locations are (a) West of Highway 427, north of QEW (43.622013, -79.555262) and (b) North of Highway 401, west of Leslie Street (43.76707, -79.36576).

Given the proposed sign locations are each within 400 meters of a King's Highway, the locations are subject to the *Public Transportation and Highway Improvement Act* (the "**Act**"). Typically, section 34(2) the *Act* would prohibit a person from undertaking specified activities (including displaying a sign) within 400 meters of a King's Highway without a permit from the Minister of Transportation. The requirement to obtain a permit arises from section 34(2) of the *Act*.

However, subsection 34(5) of the *Act* provides the Minister of Transportation the power to order that section 34(2) of the *Act* does "not apply within the limits of any local municipality or such parts thereof as the Minister specifies". In this case, the proposed sign locations are the subject of an order the Minister issued pursuant to section 34(5) on November 6, 2019 (the "**Minister's Order**").

Given the Minister's Order, section 34(2) does not apply to the proposed sign locations and, accordingly, no permit under the *Act* is required for the proposed locations. The Minister's Order serves as the only lawful and valid provincial approval required to construct and maintain signs at the proposed locations identified above.

Goodmans^{LLP}

We trust this information is of assistance.

Yours truly,

Goodmans LLP

A handwritten signature in black ink that reads "Michael Wilson". The signature is written in a cursive style with a large initial 'M' and a long, sweeping underline.

Michael Wilson

7227719

Are you an essential worker?

If no, please
stay home!



If yes, please ride and
thank you for the work
you do.



Visit ontario.ca/coronavirus

Ontario 

ALLVISION

ALLVISION

PLANNING AND HOUSING COMMITTEE
ITEMS PH34.16 & PH34.17



An Extension of an Existing Provincial Sign Program

Allvision has been operating electronic signs on behalf of Metrolinx since 2011, in Toronto and the GTA, and the proposed signs are an expansion of a GTA-wide Provincial Sign Program already approved by the Ontario Ministry of Transportation and City of Toronto along Highways 401 and 427, all of which are fully operational with no issues.

The proposed signs are consistent in zoning, size, setback, function, and height to the other Third-Party Electronic Ground Signs already approved as part of this sign program.

Hwy 427 Location

- West side of Highway 427 north of North Queen Street
- Sign Bylaw designation is Utility Corridor which allows for Electronic Ground Signs
- Official Plan designation is Core Employment (highest-order employment designation for business activities)
- Sign will be located on industrial rail lands fronting Highway 427, a large-format retail centre, a hydro corridor, and low-rise industrial uses



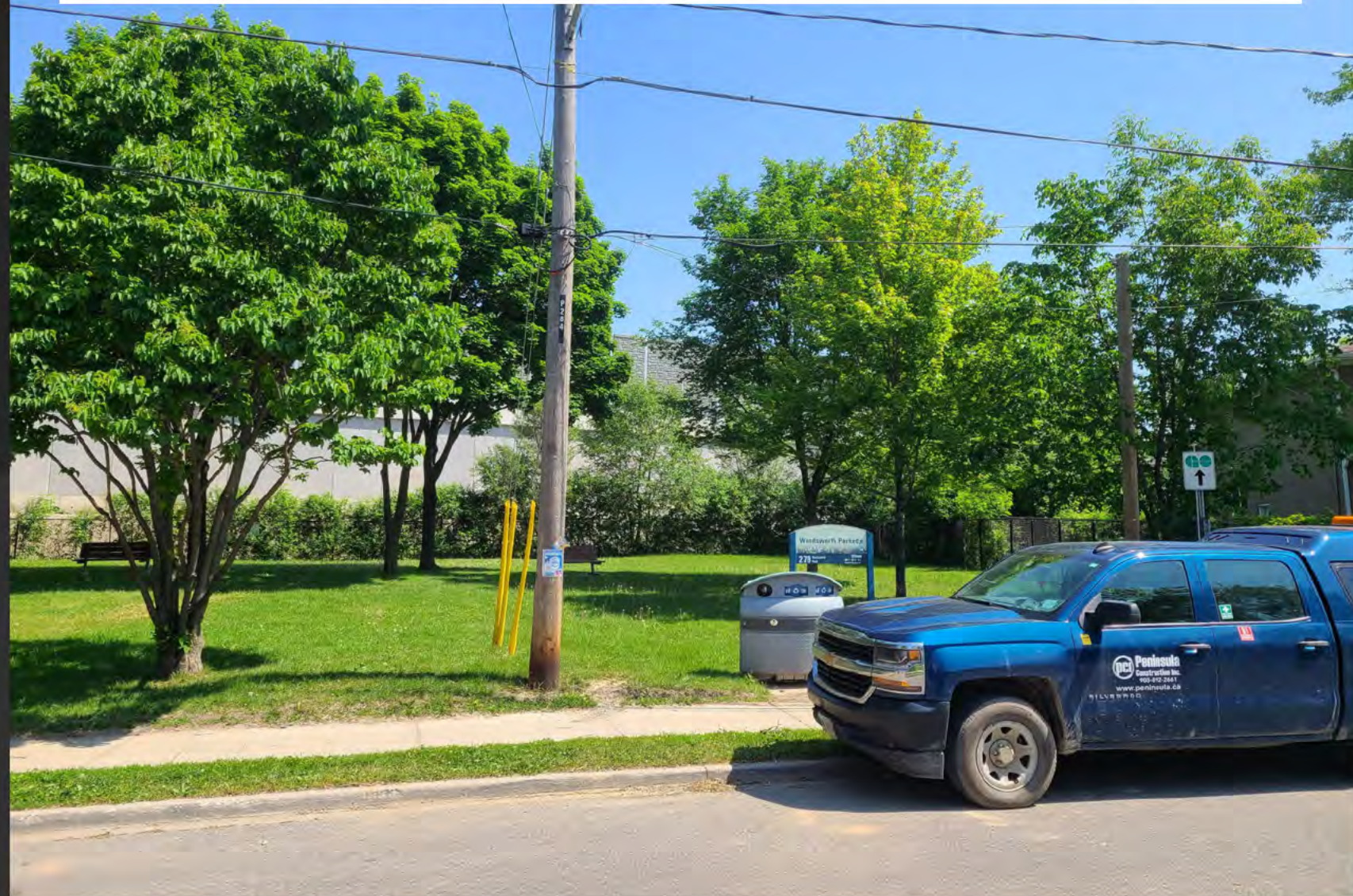
Hwy 401 Location

- North side of Highway 401 west of Leslie Street (Oriole GO Station)
- Lands are designated Utility Corridor which allows for Electronic Ground Signs
- Sign will be located on industrial rail lands fronting Highway 401, a City of Toronto maintenance yard, and an Ikea shopping facility
- Condos behind sign are 50% further away from the sign than required by the bylaw
- Proposed condos to the north will not see a south-facing sign



View from Woodsworth Road Looking North to Sign

Sign will not be visible from neighborhood to South due to the highway and sound barrier wall being higher than our sign



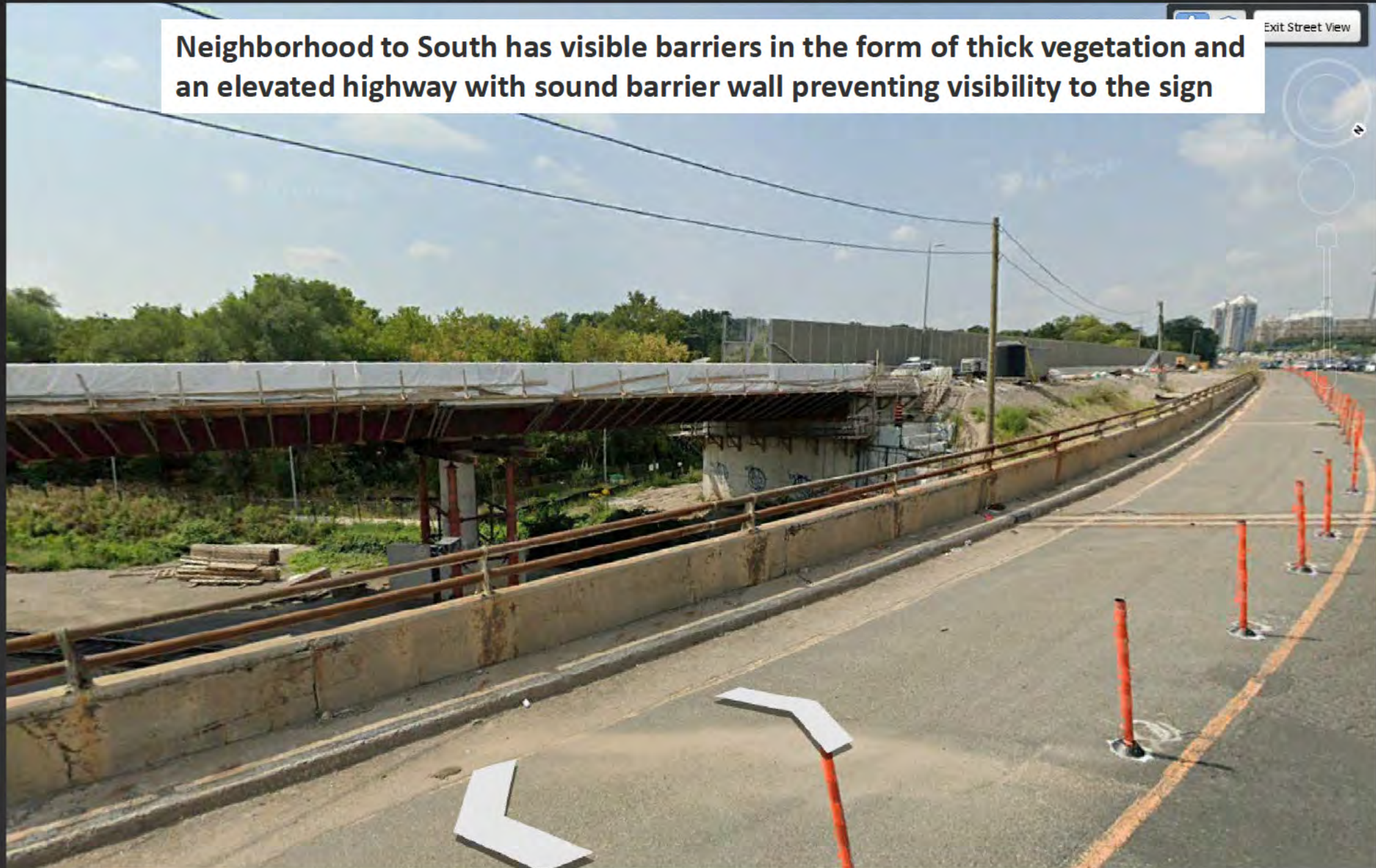
View from Woodsworth Road Looking North to Sign

Sign will not be visible from neighborhood to South due to the highway and sound barrier wall being higher than our sign



View from Hwy 401/Leslie Ramp Looking South

Neighborhood to South has visible barriers in the form of thick vegetation and an elevated highway with sound barrier wall preventing visibility to the sign





Community Based Signs

- Metrolinx is the recipient of revenues for re-investment in public transportation initiatives in the City of Toronto
- A minimum of 1/6 of the time will be provided to the Province of Ontario to display traffic safety messages / other Government approved messages
- Additional space will be provided for non-commercial messaging which may include COVID-19, natural disasters, AMBER Alerts, and Silver Alerts
- 25% of the available space will be provided to various local businesses for COVID-19 economic recovery for 6 months following the installation of the sign



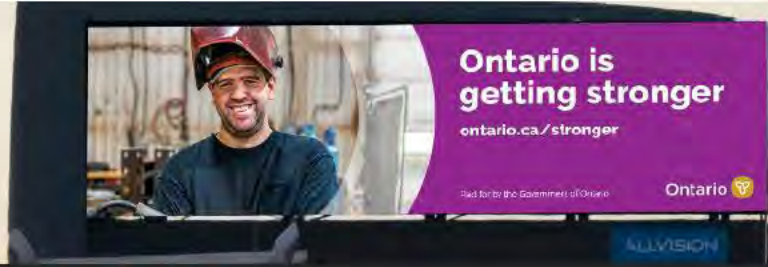
Community Based Signs

- Removal of 16 existing paste-and-paper billboards as a condition of this approval (which would otherwise be in place forever)
- This will result in 20% more square footage of signage removed vs. installed
- City of Toronto will generate more in sign tax revenue which is reinvested into public art initiatives
 - 16 removals currently generate \$33,720 annually in sign tax revenue
 - New electronic ground signs generate \$90,160 in sign tax revenue
 - **Net increase of 167%**



NO NEGATIVE IMPACTS

- Proposed signs are the same size, or smaller, than **32** other signs approved by City of Toronto along the Gardiner Expressway and Highways 401 & 427
- No residences, parklands, or other sensitive land uses will be impacted
- MTO studied the proposed signs for years and determined that there is no risk to highway traffic safety, which is indexed by our Ministerial Order approving the signs
- Proposed signs will:
 - Have a 5-year permit
 - Be turned off everyday from 11pm-7am
 - Operate at 150 nits in the evening time (**50% less** than required in the bylaw)



NO NEGATIVE IMPACTS

- The adjacent Commercial Residential (CR) Sign Districts do not contain any residential dwellings – Ikea, Home Depot, Pets Mart, etc.
- The proposed residential development near the proposed Hwy 401 sign is over 200 metres to the north; our sign faces south meaning that the residences will not see any light nor sign copy emitted from the sign
- The proposed 16 sign removals is completely consistent with the previously approved Program and the City's desire to reduce sign clutter

Ministry of
Transportation

Office of the Minister

Ferguson Block, 3rd Floor
77 Wellesley St. West
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transportation

Ministère des
Transports

Bureau du ministre

Édifice Ferguson, 3^e étage
77, rue Wellesley Ouest
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transports



November 6, 2019

Phil Verster, CEO
Metrolinx
97 Front Street
Toronto, ON M5J 1E6

Dear Phil:

Attached you will find a **Minister's Order giving authority to Metrolinx to install digital signs along the highway network in the Greater Toronto Area** as noted by the locations in the attachment.

Note that this order provides an exemption to Metrolinx from **subsections 34(5) and 38(4) of the *Public Transportation and Highway Improvement Act, R.S.O. 1990, c. P. 50***. While our sign policy is currently being updated to provide opportunities for digital signs, I would ask that you consider the following as you move forward to installation to ensure maximum safety:

- Signs should be no less than 10 metres from the edge of the travelled portion of the highway

This Minister's Order shall apply to those parts of the municipalities listed below that are on a railroad property or within a railroad right of way and are within 100 meters of the limit of a King's highway, as designated or deemed in accordance with the *Public Transportation and Highway Improvement Act* from time to time ("King's Highway").

SCHEDULE "A"

Municipality	Exempted Railway Properties
Toronto	43.70663, -79.555 (South of Highway 401, west of Islington Avenue)
Toronto	43.72432, -79.47241 (South of Highway 401 east of Keele Street)
Toronto	43.77561, -79.27929 (South of Highway 401 east of Kennedy Road)
Toronto	43.622013, -79.555262 (West of Highway 427, north of QEW)
Toronto	43.76707, -79.36576 (North of Highway 401, west of Leslie Street)
Markham	43.8367, -79.42125 (South of Highway 407, east of Yonge Street)
Markham	43.84953, -79.31461 (North of Highway 407, east of Warden Avenue)
Vaughan	43.79592, -79.48706 (South of Highway 407, east of Keele Street)



Goodmans^{LLP}

Barristers & Solicitors

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333 Bay Street, Suite 3400
Toronto, Ontario M5H 2S7

Telephone: 416.979.2211
Facsimile: 416.979.1234
goodmans.ca

Direct Line: 416.597.4130
mwilson@goodmans.ca

By E-mail

December 22, 2021

All Vision Development ULC
2275 Upper Middle Road East
Suite 101
Oakville, Ontario
L6H 0C3

Attention: Chris Bentler, President Development

Dear Mr. Bentler:

Re: Province of Ontario Sign Approvals

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Given the Minister's Order, section 34(2) does not apply to the proposed sign locations and, accordingly, no permit under the *Act* is required for the proposed locations. The Minister's Order serves as the only lawful and valid provincial approval required to construct and maintain signs at the proposed locations identified above.



400 Metre Setback is a MTO Requirement & MTO Approved the Signs

The City of Toronto's 400 metre setback policy from Highways was derived to be consistent with the Ontario Ministry of Transportation's (MTO) setback policy for signs along Provincial Highways pursuant to an October 29, 2009 Staff Report to Planning & Growth Management Committee entitled "New Sign Regulation and Revenue Strategy for the City of Toronto"(page 29)

<https://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-24387.pdf>

The regulations proposed in the new Sign By-law are generally consistent with restrictions on third party signs found in the current by-laws and/or provincial policies.

Examples of restrictions for third party signs proposed in the new by-law include:

- Not permitted to be facing a street;
- Not permitted within 400 metres of any limit of Highways and portions of the Gardiner Expressway (consistent with Ministry of Transportation Policy);
- Not permitted within a Heritage Conservation District unless permitted by the Heritage Conservation District Plan; and,
- Not permitted on a listed or designated heritage building unless expressly allowed.

While removing the opportunity for Roof Signs and Ground Signs in commercial areas, the new regulations create new opportunities for Wall Signs in commercial areas of the former municipalities of Etobicoke and North York as this sign type is found to be more compatible with commercial uses and the form of development encouraged by the City.

The new Sign By-law will provide new permissions for Ground Signs in employment areas on developed property in the former municipalities of Etobicoke and North York. The proposed regulations also allow third party signs on roads that are not arterial roads in the former municipality of East York.





THANK YOU