

Application for Four Variances Respecting One Third Party Electronic Ground Sign – 170 Brockport Drive

Date: March 9, 2022

To: Sign Variance Committee

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

Wards: Etobicoke North (Ward 01)

SUMMARY

Due to Construction Media (the "Applicant") has stated that they have been authorized by the owner of the property municipally known as 170 Brockport Drive (the "Subject Premises"), to apply for four variances required to allow for a permit to be issued for one third party electronic ground sign with two sign faces, displaying electronic static copy (the "Proposed Sign") at 170 Brockport Drive.

The Proposed Sign would be located along the south frontage of the Subject Premises, facing Belfield Road, in a westerly and easterly direction. It is proposed to have a maximum height of 7.62 metres, and two rectangular sign faces, in a "back to back" configuration, each with a maximum horizontal measurement of 5.79 metres (centre line) and maximum vertical measurement of 2.91 metres (bisecting line), with a maximum sign face area of 16.85 square metres. The Proposed Sign is described further in Attachment 1.

Four variances to Chapter 694 would be required to allow the Chief Building Official ("CBO") to issue the sign permit for the Proposed Sign. The requirements of Chapter 694 which have been requested to be varied, and the proposed varied requirements are summarized below:

1) **§ 694-24.A (10)** - 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 Highway 27 from Highway 401 to Steeles Avenue, transferred from the Province by Order in Council 535/97; **Proposed New Requirement:** The Proposed Sign would be erected or displayed or caused to be erected or displayed in whole or in part within 22.0 metres of any limit of Highway 27, specifically the Highway 27 off-ramp onto Belfield Road.

2) **§ 694-24.A (16)** - 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 any

portion of Highway 409 contained within the municipal boundaries of the City.
Proposed New Requirement: The Proposed Sign would be erected or displayed or caused to be erected or displayed in whole or in part within 130 metres of the northern limit of Highway 409.

3) **§ 694-25.C (2)(c)** - An Employment Sign District may contain an electronic ground sign provided the sign shall not be erected within 30.0 metres of the intersection of a major street with any other street. **Proposed New Requirement:** The Proposed Sign would be erected or displayed or caused to be erected or displayed in whole or in part within 11.2 metres from the intersection of Belfield Road and Brockport Drive.

4) **§ 694-25.C(2)(d)** - An Employment Sign District may contain an electronic ground sign provided the sign shall not be erected within any required setback of a building from a street as regulated by the City's applicable Zoning By-law; (which for the Subject Premises would be 4.5 metres). **Proposed New Requirement:** The Proposed Sign would be erected with a 3.9 metres setback with respect to the front yard of the Subject Premises; and with 3.15 metres setback respecting the side yard of the Subject Premises.

Following a review of the Applicant's submissions and the results of additional research and investigation by Sign By-law Unit staff, the CBO has determined that insufficient information has been provided to establish that the Proposed Sign meets all nine of the criteria established in §694- 30A of the Sign By-law.

Specifically, the information provided has not established that the Proposed Sign is compatible with the development of the premises and surrounding area; supports the Official Plan objectives for the premises and surrounding area; does not alter the character of the premises and surrounding area; does not adversely affect adjacent premises; does not adversely affect public safety, including traffic and pedestrian safety; and, is not contrary to the public interest.

Therefore, the CBO does not support the Sign Variance Committee granting the four requested variances for the Proposed Sign

RECOMMENDATIONS

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

The Sign Variance Committee refuse to grant any of the four requested variances to sections 694-24.A(10), 694-24.A(16), 694- 25.C(2)(c), § 694-25.C(2)(d) required to allow for the issuance of a permit respecting the erection and display of the Proposed Sign at the property municipally known as 170 Brockport Drive as described in Attachment 1 of this report.

FINANCIAL IMPACT

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

DECISION HISTORY

There have been no previous decisions by the Sign Variance Committee or Council directly related to this application.

ISSUE BACKGROUND

Required Variances

Table 1: Summary of Requested Variances for Proposed Sign

Sign By-Law Reference	Requirement	Proposal
1) § 694-24.A(10)-	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 Highway 27 from Highway 401 to Steeles Avenue, transferred from the Province by Order in Council 535/97;	The Proposed Sign is located approximately 22.0 metres from any limit of Highway 27.
§ 694-24.A(16)	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 any portion of Highway 409 contained within the municipal boundaries of the City;	The Proposed Sign would be located within 130 metres of the northern limit of Highway 409.
§ 694-25.C(2)(c)	An Employment Sign District may contain an electronic ground sign provided the sign shall not be erected within 30.0 metres of the intersection of a major street with any other street;	The Proposed Sign is located approximately 11.1 metres of the intersection of Belfield Road and Brockport Drive.

§ 694-25.C(2)(d)	An Employment Sign District may contain an electronic ground sign provided The sign shall not be erected within any required setback of a building from a street as regulated by the City's applicable Zoning By-law;	According to the Former City of Etobicoke Zoning Code, 170 Brockport Drive is located in an Industrial Zone (I.C2). Based on Etobicoke Zoning Code Chapter 304-36 B(1) and D(4), the minimum required front and side yard setbacks is 4.5m, whereas the front yard setback of the Proposed Sign is 3.9 metres and the side yard setback is approximately 3.15 metres.
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Sign Attributes and Site Context

170 Brockport Drive is designated as an Employment - E Sign District and is located in Ward 1 – Etobicoke North. There is one U-shaped low-rise building located at the Subject Premises, as per GIS map in Figure 1. The building on the Subject Premises contains employment, office and retail uses.

Figure 1: GIS Map Excerpt – 170 Brockport Drive



Further to the east of the Subject Premises, on the opposite side of Highway 27, there is a 5-storey hotel as well as one and two-storey office and warehouse buildings. To the north are one and two storey buildings and warehouses, containing commercial and employment uses. Immediately to the south is Belfield

Road and a low-rise industrial building. To the west of the Subject Premises are office buildings and warehouses.

170 Brockport Drive is located in two of the 74 specific areas within the City, where City Council has determined that third party signs should be specifically prohibited. These seventy-four area-specific restrictions were imposed by City Council based on the determination that third party signs in these locations are inconsistent and incompatible with the surrounding area, and would not contribute positively to the quality of Toronto's appearance.

It is rare, but not unprecedented, that the borders of more than one of these specified areas where third party signs are specifically prohibited, would overlap to implement multiple prohibitions on a premises containing third party signs. These overlapping "multiple prohibitions" can occur where a premises is in close proximity to multiple roadways which form a part of an area specific restriction. The Subject Premises, 170 Brockport Drive, belongs to a relatively small group of properties in the City where multiple area-specific restrictions prohibiting third-party signs are in place.

The Subject Premises is located approximately 22 metres to the northeast of the Highway 27 off-ramp at Belfield Road, there is a parcel of land between the traveled portion of Highway 27 and 170 Brockport Drive which covered by vegetation. 170 Brockport Drive is also located 130 metres to the north of Highway 409 but is separated from the Highway by a large industrial and manufacturing building as well as Belfield Road.

Figure 2: Looking West from Brockport Drive to 170 Brockport Drive & Belfield



Figure 3: Looking North from Belfield Road to 170 Brockport Drive



Surrounding premises:

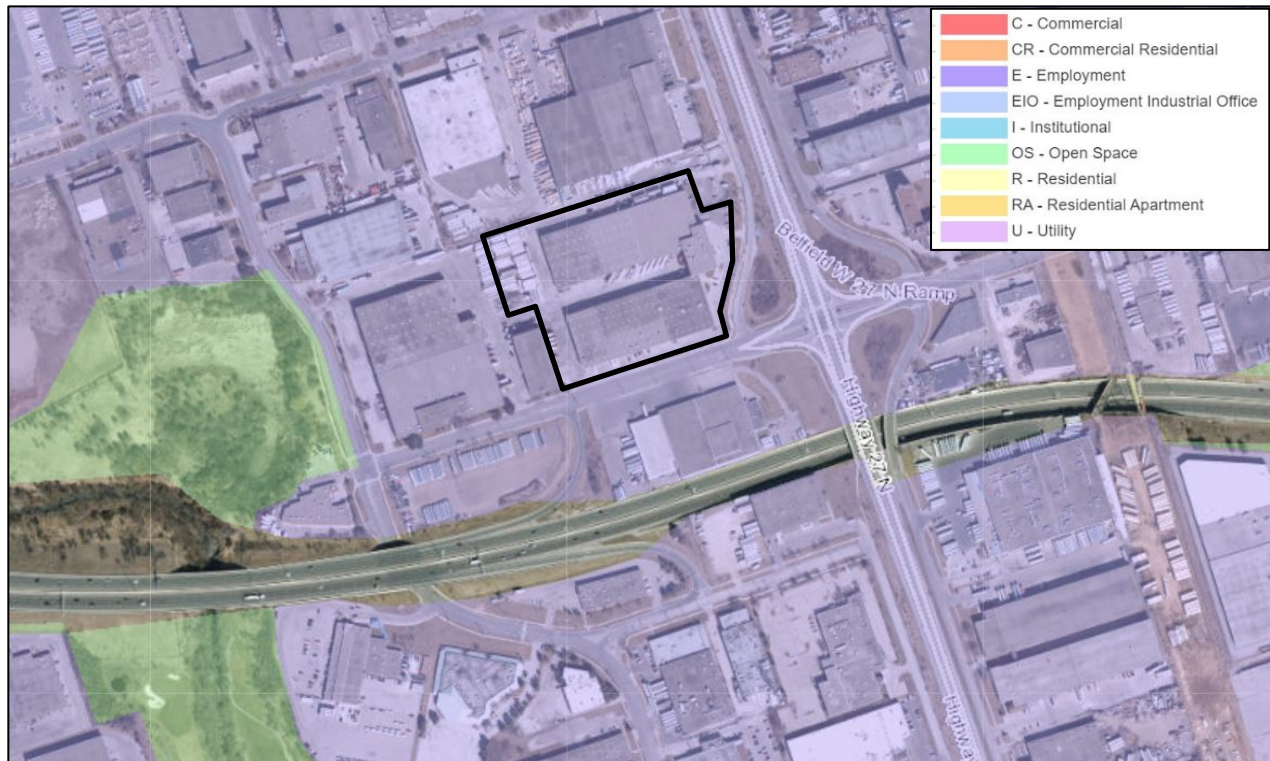
North: Employment E Sign District, industrial and office uses

East: Employment E Sign District, Hotel and office uses

West: Employment E Sign District, warehouse and offices

South: Employment E Sign District, warehouse and manufacturing facilities

Figure 4: Sign District Map – 170 Brockport Drive



COMMENTS

Applicant Information

Due to Construction Media (the "Applicant") has stated that they have been authorized by the owner of the property municipally known as 170 Brockport Drive (the "Subject Premises"), to apply for four variances required to allow for a permit to be issued for one third party electronic ground sign with two sign faces, displaying electronic static copy (the "Proposed Sign") at 170 Brockport Drive.

Application Background

The Proposed Sign would be located along the south frontage of the Subject Premises, facing Belfield Road, in a westerly and easterly direction. It is proposed to have a maximum height of 7.62 metres, and two rectangular sign faces, in a "back to back" configuration, each with a maximum centre line of 5.79 metres and maximum bisecting line of 2.91 metres, with a maximum sign face area of 16.85 square metres. The Proposed Sign is described further in Attachment 1.

Community Consultation

The CBO has adopted a practice of engaging in enhanced consultation processes concerning variance applications proposing electronic signs. Notice required by the City's Sign By-law was provided to premises within a 250 metre radius of the Subject Premises, advising about the proposal.

The CBO also held and informed the public of a virtual Community Consultation meeting. The Community Consultation meeting was held on the evening of March 08, 2022. No one attended the community consultation meeting, and as of the date of this report, no comments or concerns have been received from the public.

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

The Sign By-law contains criteria 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 Applicant seeking the proposed variances meets all nine of the mandatory criteria, on the basis of the presented information.

Applying the Established Criteria

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

Based on the review by the Sign Unit staff, the property at 170 Brockport Drive can be confirmed as being designated as an Employment "E" Sign District which permit signs belonging to the third party sign class.

The CBO has confirmed that as per the information contained in the Applicant's submission, the Proposed Sign is a third party sign, 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

Based on the review of the Sign By-law Unit staff, the property at 170 Brockport Drive 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 will be compatible with the development of the premises and surrounding area

The Subject Premises is designated as an E Sign District, which permits electronic ground signs. It is surrounded by properties to the north, south, west and east, all of which are in the E Sign District. E Sign Districts allow for and regulate third party electronic ground signs, along with other forms of first and third party signs. E Sign Districts largely contain commercial and employment uses.

- The building located at 170 Brockport Drive is occupied by various commercial and industrial tenants. There is both a one and two-story building on this property.
- To the West of the Subject Premises are buildings containing industrial and commercial uses.
- To the North is Brockport Home Systems & Design Studio by Great Gulf which is a two-storey building.

- To the East of the Subject Premises and between Brockport Drive and Highway 27 is a parcel of land consisting of trees and other vegetation.
- To the South is a Premium Beer Company which is a two-storey storage and moving facility.

The Applicant states in their rationale and Sign By-law Unit staff can confirm that the size and height of Proposed Sign meets these standard requirements for electronic ground signs, where these signs would be permitted in an E Sign District. However, as noted in this report, the Proposed Sign does not meet several of the other requirements for electronic ground signs, where these signs would be permitted in an E Sign District.

Staff investigation has determined that there are no third party signs located at 170 Brockport Drive, which is consistent with the two area-specific restrictions of the Sign By-law. Also, there would be no third party signs within a 150 metres radius and no electronic third party within the 500 metres radius of the Proposed Sign, which is also consistent with the requirements of the current Sign By-law.

The Proposed Sign would be located approximately 22 metres from the off-ramp of Highway 27 onto Belfield Road and 95 meters from the western limit of the travelled portion of Highway 27. The Proposed Sign will also be approximately 135 metres from the northern limit of Highway 409.

The area-specific restrictions in 694-24A (10) and (16) of the Sign By-Law prohibit third-party signs from being located within 400 metres of Highway 27 or Highway 409. The Proposed Sign would be located within these two areas of the City where, where City Council has enacted regulations on the basis that third party signs are incompatible with the area surrounding and would not contribute positively to the quality of the appearance of this area or enhance the image of the area, or Toronto as a whole.

The Ontario Ministry of Transportation ("MTO") has also enacted policies concerning signs located adjacent to highways (based on requirements in Section 34(2)(c) of the Public Transportation and Highway Improvement Act); these policies are premised primarily on the issue of visibility of signs from the travelled portions of the highways.

It is important to note that the area-specific restrictions in the Sign By-law are completely independent of the MTO requirements for signs located adjacent to highways.

The Applicant states that the Proposed Sign will not be visible to northbound or southbound traffic on Highway 27 due to the land between Brockport Drive and Highway 27 being covered by trees and dense vegetation. The Applicant also states that the Proposed Sign is not angled toward Highway 27, and that drivers would be required to turn their heads 90 degrees to in order to view the sign.

The Applicant has attached an email to their submission package from MTO, which indicates that no MTO permit will be required for the Proposed Sign since it will not be visible from Highway 409. The Applicant has stated, and Sign By-law Unit staff have confirmed, that there is a large manufacturing building located between the Proposed Sign and Highway 409.

Despite not requiring an MTO permit for the Proposed Sign, the MTO has noted the applicant is required to obtain a municipal approval for the Proposed Sign. In addition, MTO offered no comments as to whether the Proposed Sign is consistent with the development of 170 Brockport Drive or other premises within 400 metres of Highway 409.

As stated above, the area-specific restrictions in 694-24A (10) and (16) of the Sign By-Law are due to a determination made by City Council that third party signs are incompatible with the area surrounding Highways 27 and 409, and would not contribute positively to the quality of the appearance of this area or enhance the image of the area, and Toronto as a whole. When amendments were made to the Sign By-Law in 2015 concerning electronic signs, these restrictions were neither removed nor amended and the areas within 400 metres of Highway 27 and Highway 409 remain two of the areas where the erection or display of third party signs is prohibited by the Sign By-Law.

The Applicant's submission materials make no specific reference as to how the Proposed Sign with the reduced separation distances from Highway 27 and Highway 409, and as a result, being located in two areas of the city that prohibit third party sign, is compatible with Council's goal for the development of the premises and surrounding area.

As such, the CBO is of the opinion that the Proposed Sign is not compatible with the Sign By-law or Council's goals for the development of the premises and surrounding area, and that the Applicant has failed to provide sufficient information to demonstrate that this criterion has been established.

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

170 Brockport Drive is designated as a Employment Area in the Official Plan, specifically a Core Employment Area. Employment Areas are places of business and economic activity. The Applicant states that Proposed Sign will assist local businesses in advertising products and services to commuters travelling along Belfield Road and to residents and visitors to this area.

The Applicant discusses several economic benefits that can be realized by the property owner should the Proposed Sign be approved, some of these benefits which the applicant states is to provide a medium for local and national businesses and help to grow the economy. The Applicant has not provided any substantial

evidence to support these statements.

The Applicant states that the Official Plan identifies that "diverse employment areas can adapt to changing economic trends and are poised to capture new business opportunities". The Applicant states that in order to facilitate growth, consideration should be given to the benefits of providing opportunities for property owners to erect third party signs for creating a new revenue stream of earnings, under circumstances like the exact ones we are experiencing today.

The applicant concludes by stating that they believe that the Official Plan objectives for Employment Areas are supported and this criterion has been met as the Proposed Sign will help to create a growth in revenues for both local businesses and the property owner and will provided associated economic benefits.

The CBO agrees that the operation of a third party sign is a commercial activity and that it does not conflict with the Policy Statement 2.2.4 2 b) in Chapter 2 of the Official Plan which states that:

Employment Areas will be used exclusively for business and economic activities in order to: ... b) protect and preserve Employment Areas for current and future business and economic activities

Despite the above, the Zoning By-Law remains the primary way in which the City implement's its Official Plan. The Zoning By-Law governs the built form of the city in a way that is consistent with the Official Plan objectives for properties throughout the city.

Figure 3: Official Plan Map – 170 Brockport Drive



Although it is possible to not meet the Zoning By-law requirements for a property and still support the Official Plan objectives for that property (e.g. there is a similar requirement for minor variances in the Planning Act), The Applicant has not provided any information in their rationale as to how the reduced setbacks of the Proposed Sign will support the Official Plan objectives for the Subject Premises.

The Proposed Sign is located within the setbacks required by the City's applicable Zoning By-Law. Non-compliance with the applicable Zoning By-Law could be an indicator that the Proposed Sign does not support the Official Plan objectives for the premises, particularly objectives that are intended to guide built form and the mitigation of impacts through separation distances from adjacent properties or land uses.

After reviewing the Applicant's Submission materials, Sign By-law Unit staff are not able to determine that the Proposed Sign supports the Official Plan objectives for the premises and surrounding area. As a result, the CBO is of the opinion that this criterion has not been established.

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

In their application materials, the Applicant states that the land uses and built form of one and two storey buildings located on the adjacent premises is similar to that of 170 Brockport Drive and that there are no sensitive land uses on the adjacent premises or surrounding area which could be impacted by the Proposed Sign.

The Applicant states in their submission package, and staff can confirm that there are no Residential Sign Districts near 170 Brockport Drive. The Applicant also states that based on the description and current layout of adjacent properties and developed lands, the Proposed Sign is compatible with this area and does not have a negative impact on surrounding area.

The Applicant also states that while the Proposed Sign is within 400 metres of Highway 409, the Proposed Sign is not visible from the Highway due to:

- The separation distance from Highway 409,
- The height of the industrial building located between the Proposed Sign and Highway 409,
- The height of the Proposed Sign will be 7.62 metres.
- And the retaining wall along the Highway 409 off ramp.

The Applicant has confirmed that the Proposed Sign will operate within the requirements of the Sign By-law with respect to illumination and time-of-day operating requirements. The applicant states that Proposed Sign will reduce its brightness as per regulations between sunset and sunrise and use photo-cell technology to ensure brightness changes with the seasonal adjustments to daylight

hours.

The Applicant also states that the Proposed Sign will be monitored by a 24/7 video camera which will ensure that any malfunctions that may occur to the display will be identified and dealt with in a timely manner. In addition the Proposed Sign can also be completely turned off remotely if necessary - this is also a requirement of the Sign By-law in the event that signs displaying electronic static and electronic moving copy malfunction.

While the Applicant has stated that the Proposed Sign will meet a number of Sign By-law requirements to minimize the impacts of the sign, the Applicant has not provided any information as to how the Proposed Sign may affect the off-ramp from Highway 27 onto Belfield Road, which is only 22 metres away from the Proposed Sign; or, the intersection of Brockport Drive and Belfield Road, which is only 11.1 metres away from the Proposed Sign. The Sign By-law requires a minimum separation distance of 30 metres from the intersection of Belfield Road and Brockport Drive and, as previously stated, prohibits third party signs within 400 metres of Highway 27.

Based on the Applicant's submission materials and a staff review of the Proposed Sign, the Subject Premises and surrounding area, The CBO is of the opinion that the Applicant has not provided sufficient information for this criterion has been established.

Section 694-30A(6): The Proposed Sign will 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 and other safety issues that may be caused by electronic signs, the Sign By-law contains regulations to address and mitigate these concerns. 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 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 170 Brockport Drive.

The Applicant also states that Proposed Sign comply with the Sign By-law provisions for message duration of 10 seconds between changes in copy and the sign will be designed and engineered and installed based on Ontario Building Code

requirements.

The Proposed Sign will not meet the required 30 metre setback from any street intersections. The Applicant states that although the Proposed Sign is within 30 meters of the intersection of Belfield Road and Brockport Drive, it will not affect public safety as: the intersection is a T-intersection; is not controlled by traffic lights; there are no stop signs for westbound or eastbound traffic travelling along Belfield Road that approaches this intersection; and, the speed limit is 50 km/hr on both Brockport Drive and Belfield Road.

The Applicant has not provided any studies or documentation to support this position.

The Applicant also believes there is a "very low count of traffic" travelling along Brockport Drive as this road acts as mainly an access road for commercial developments and is only (approximately) 500 metres in length and then becomes a turn-around as the roadway ends. The Proposed Sign will also be perpendicular to Belfield Road and not to Brockport Drive and is setback over 11 metres of intersection. As a result it is the Applicant's opinion that there will be no obstructions to vehicular traffic due to the placement of the Proposed Sign.

The Applicant has not provided any studies or other documentation to support these statements.

As such, it is CBO's position that the Applicant has not provided sufficient information to demonstrate that the Proposed Sign will not adversely affect public safety, including traffic and pedestrian safety. Therefore, it is CBO's position that this criteria has not been established.

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

According to staff review, the Applicant's documents and drawings contains sufficient information to confirm that Proposed Sign does not meet the description of any of the signs which are specifically prohibited by §694-15B. As such, the CBO is of the opinion that this criteria has been established.

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

The Subject Premises is an E Sign District, subject to two separate area specific restrictions which apply to the Subject Premises and the surrounding area to prohibit the erection or display of any third party signs. Other E Sign Districts have provisions which would regulate and allow for various third party signs, including but not limited to electronic ground signs at a size and height consistent with the Proposed Sign. The Proposed Sign would not be consistent with the character of

the Subject Premises, as established by City Council enacting multiple prohibitions as well as the surrounding areas where there are other E Sign Districts to the north, south and east and west.

The Applicant makes reference to the number of third party signs already displayed in the surrounding area. There are third-party signs located along Belfield Road. One of them located approximately 275 metres and the other one located approximately 410 metres to the east of Proposed Sign. As a result, it is applicant's opinion that the Proposed Sign will not be introducing any sign type that is not currently found in the surrounding area.

Sign By-law Unit staff have reviewed the signs referred to in the Applicant's Submission and it appears as though all of these signs have been in place since at least 2007, and pre-date the requirements of the current Sign By-law.

The Proposed Sign; however, if the variances were granted to allow for a permit to be issued, it would introduce a new Sign Type, an electronic ground sign, to the surrounding area, which will be located within two areas of the city subject to prohibitions for third party signs. The Proposed Sign will also be located within the required Zoning setbacks for buildings and structures on the Subject Premises and will be approximately one-third of the required distance from the intersection of Belfield Road and Brockport Drive.

The Applicant has not provided any information regarding how this new sign type will not alter the character of the premises and surrounding area which is subject to these two area-specific restrictions, Zoning By-law requirements and setback requirements from the intersection of Belfield Road and Brockport Drive.

After reviewing the Applicant's Submission materials, Sign By-law Unit staff are not able to determine that the Proposed Sign will not alter the character of the Subject Premises and surrounding area. As such, the CBO is of the opinion 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 notes that the Proposed Sign would comply with many of the general provisions set out in the Sign By-law in terms of size, height, message duration (min.10 seconds) and transition (no video, flashing, blinking) and with the illumination and time-of-day regulations, for such signs where permitted. The Applicant notes that they will also comply with the requirements of the Sign By-law concerning the use of renewable energy and plan to enter into an agreement renewable energy supplier. The Applicant has not provided an explanation as to why the fact that Proposed Sign would comply with Sign By-law requirements applicable to all third party signs, is relevant to this criteria.

170 Brockport Drive is subject to two Area-Specific Restrictions enacted by City Council establishing that third party signs are prohibited on the premises:

- The restriction on signs being located on premises within 400 metres of Highway 27; and,
- The restriction on signs being located on premises within 400 metres of Highway 409;

The Applicant's submission material state that the MTO has no objection to the Proposed Sign in relation to Highway 409. Staff have reviewed the Proposed Sign and agree that since the Proposed Sign is unlikely to be visible from Highway 409, there is little relationship between Highway 409 and the Proposed Sign.

Despite this, the Applicant has provided little evidence as to how the Proposed Sign would contribute positively to the quality of the area's appearance, or enhance the image and attractiveness of Toronto. The Applicant has also not provided any evidence to how granting a variance to City Council's prohibition on third party signs within in 400 metres of Highway 409 and Highway 27 would not be contrary to the public interest.

After reviewing the Applicant's Submission materials, Sign By-law Unit staff did not have sufficient information to determine that the Proposed Sign will not be contrary to the public interest, particularly with respect to two Area-Specific Restrictions prohibiting third party signs within 400 metres of Highway 27 and Highway 409.

As a result, the CBO is of the opinion that this criterion has not been established.

Conclusion

The Applicant's materials has not provided sufficient information for the CBO to establish that all nine criteria required to grant an approval for the four requested variances for Proposed Sign.

It is the opinion of the CBO that insufficient evidence has been presented to establish that the Proposed Sign: is compatible with the development of the premises and surrounding area; supports the Official Plan objectives for the premises and surrounding area; will not adversely affect adjacent premises; will not adversely affect public safety, including traffic and pedestrian safety; will not alter the character of the premises and surrounding area; and, that the Proposed Sign is not contrary to the public interest.

As such, the CBO is not supportive of the Sign Variance Committee granting the four requested variances for the Proposed Sign.

CONTACT

Raha Rakhshanfar
Sign Building Code Examiner / Inspector, Sign By-law Unit
E-mail: Raha.Rakhshanfar@Toronto.ca; Tel: 416-392-7209

SIGNATURE

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

ATTACHMENTS

Attachment 1 – Description of the Sign and Required Variances

Attachment 2 – Applicant's Submission Package

ATTACHMENT 1: DESCRIPTION OF THE SIGN AND REQUIRED VARIANCES

Proposed Sign Description:

One third party electronic ground sign described as follows:

- a) Contains two sign faces in an easterly and westerly orientation,
- b) Contains two sign faces in a back to back configuration;
- c) Each sign face shall comply with the following:
 - i) Have a maximum bisecting line no greater than 2.95 meters;
 - ii) Have a maximum center line of no greater than 5.8 meters;
 - iii) Have a maximum sign face area of no greater than 16.85 square meters; and,
 - iv) Shall display only electronic static copy;
- d) Have a maximum height of no greater than 7.65 meters;
- e) Shall be located no closer than 3.9 metres from the southern property line of the premises;
- f) Shall be located no closer than 3.15 metres from the eastern property line of the premises;

Required Variances:

1) The Requirement of **§ 694-24.A(10)** that: 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 Highway 27 from Highway 401 to Steeles Avenue, transferred from the Province by Order in Council 535/97; be varied so that the Proposed Sign may be located approximately 22 metres of a limit of Highway 27 from Highway 401 to Steeles Avenue, transferred from the Province by Order in Council 535/97;.

2) The Requirement of **§ 694-24.A(16)** that: 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 any portion of Highway 409 contained within the municipal boundaries of the City be varied so that The Proposed Sign may be located within 130 meters of the northern limit of Highway 409 contained within the municipal boundaries of the City;

3) The Requirement of **§ 694-25.C(2)(c)** that: An Employment Sign District may contain an electronic ground sign provided the sign shall not be erected within 30.0 metres of the intersection of a major street with any other street be varied so that The Proposed Sign may be located approximately 11.2 metres of the intersection of Belfield Road and Brockport Drive.

4) The Requirement of **§ 694-25.C(2)(d)** that: An Employment Sign District may contain an electronic ground sign provided the sign shall not be erected within any required setback of a building from a street as regulated by the City's applicable Zoning By-law be varied so that Proposed Sign may be located within any required setback but no closer than southern property line of the premises 3.9 metres and no closer than 3.15 metres from the eastern property line of the premises.

ATTACHMENT 2: APPLICANT'S SUBMISSION PACKAGE