



Application for Three Variances, Each Subject to Conditions, Respecting One Third Party Electronic Ground Sign – 1416 Warden Avenue

Date: May 19, 2022
To: Sign Variance Committee
From: Manager, Sign By-law Unit, Toronto Building
Wards: Scarborough Centre (Ward 21)

SUMMARY

Metrolinx (the "Applicant") has made an application for three variances (the "Subject Premises") each subject to five conditions, for a permit to be issued to allow the erection and display of one third party electronic ground sign displaying electronic static copy (the "Proposed Sign") to be located on the premises known as 1416 Warden Avenue (the "Subject Premises").

The Subject Premises is within a Utility ("U") Sign District, which allows third party electronic ground signs. The Proposed Sign will have a height of 10 metres from the grade, and will contain two rectangular sign faces in a back to back configuration and northerly – southerly direction. Both sign faces are measuring 5.8 metres horizontally by 2.90 metres vertically, with a sign face area of 16.85 square metres. The Proposed Sign is described further in Attachment 1.

The Proposed Sign would require three Variances to Chapter 694, each subject to five conditions, to allow the Chief Building Official ("CBO") to issue the sign permit. The requirements of Chapter 694 which have been requested to be varied, and the proposed varied requirements are summarized below:

1. **§ 694-25D(3)(f)** - A Utility "U" Sign District may contain a third party electronic ground sign, provided where a sign is located within 250 metres of an R, RA, CR, I, or OS sign district, the sign cannot face any premise in the R, RA, CR, I or OS sign, be varied to allow the Proposed Sign to be located: approximately 90 metres to a Residential Sign District, approximately 110 metres to a Commercial Residential Sign District, approximately 90 metres from an Institutional Sign District, and, approximately 14.75 metres form an Open Space Sign District, while facing them, subject to Conditions 1 -5 below.
2. **§ 694-25D(3)(g)** - A Utility "U" Sign District may contain a third party electronic ground sign, provided sign be located a minimum of 500 metres from any other

third party electronic sign located on a street which forms an intersection with the street on which the sign is located, be varied to allow the Proposed Sign to be approximately 295 metres to another proposed electronic ground sign by the applicant, in Warden Avenue which makes an intersection with Ellesmere Road, subject to Conditions 1 -5 below.

3. **§ 694-25D(3)(e)** - A Utility "U" Sign District may contain a third party electronic ground sign, provided the 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 districts, be varied to allow the Proposed Sign to be closer than 60 metres to an Open-Space sign district, subject to Conditions 1 -5 below.

If granted, each of the three requested variances, would be subject to the following conditions:

- 1) The existing third party ground sign containing two sign faces displaying static copy, located within the Belleville Subdivision as defined, south of Ellesmere Road, and approximately 165.0 metres to the southeast of the Proposed Sign, be removed and all associated permits revoked.
- 2) The existing third party ground sign containing one sign face displaying static copy, located within the Belleville Subdivision as defined, south of Ellesmere Road, west of Warden Avenue and approximately 85.0 metres to the southwest of the Proposed Sign be removed and all associated permits revoked.
- 3) The existing third party ground sign containing two sign faces displaying static copy, located on the premises municipally known as 1416 Warden Avenue be removed and all associated permits revoked.
- 4) That the maximum brightness of the Proposed Sign not exceed 150 NITS between sunset and sunrise;
- 5) That any third party electronic ground sign which is located no closer than 295.0 metres to the Proposed Sign, and on a street which forms an intersection with the street on which the sign is located, is located on Ellesmere Road.

Following a review of the Applicant's submissions and additional information provided by the Sign By-law Unit staff, the CBO has determined that there is a sufficient basis to conclude that the nine required criteria in §694-30A of the Sign By-law have been established with respect to the three variances, subject to the noted conditions as described further in Appendix 1 to this report.

RECOMMENDATIONS

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

1. The Sign Variance Committee **grant** the requested variances to sections 694-25D(3)(f) and 694-25D(3)(g) each subject to one condition, as required to allow for the issuance of a permit respecting the erection and display of the Proposed Sign , as further 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

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

ISSUE BACKGROUND

Table 1- Summary of Requested Variances:

Section	Requirement	Requested Variance
694-25D(3)(f)	A Utility "U" Sign District may contain a third party electronic ground sign, provided where a sign is located within 250 metres of an R, RA, CR, I, or OS sign district, the sign cannot face any premise in the R, RA, CR, I or OS sign.	The Proposed Sign would be allowed to be located less than 250 metres from a Residential, Commercial Residential, Institutional and Open Space sign district while facing them.
694-25D(3)(g)	A Utility "U" Sign District may contain a third party electronic ground sign, provided sign be located a minimum of 500 metres from any other third party electronic sign located on a street which forms an intersection with the street on which the sign is located.	The Proposed Sign would be allowed to be closer than 500 metres to another proposed electronic ground sign by the applicant, in Warden Avenue which makes an intersection with Ellesmere Road.
694-25D(3)(e)	A Utility "U" Sign District may contain a third party electronic ground sign, provided the 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 districts.	The Proposed Sign would be allowed to be closer than 60 metres to an "OS"- Open-Space sign district.

Sign Attributes and Site Context:

The Proposed Premises is designated as a Utility ("U") Sign District, located in Ward 21 – Scarborough Centre. The Proposed Sign would consist of two sign faces in a back to back configuration. The sign faces are in north – south direction aiming to catch the attention of vehicles driving northbound and southbound of Warden Avenue. The Proposed Sign's is located west of Warden Avenue and south of Ellesmere Road – east side of the railway corridor- (Figure 1)

Surrounding premises:

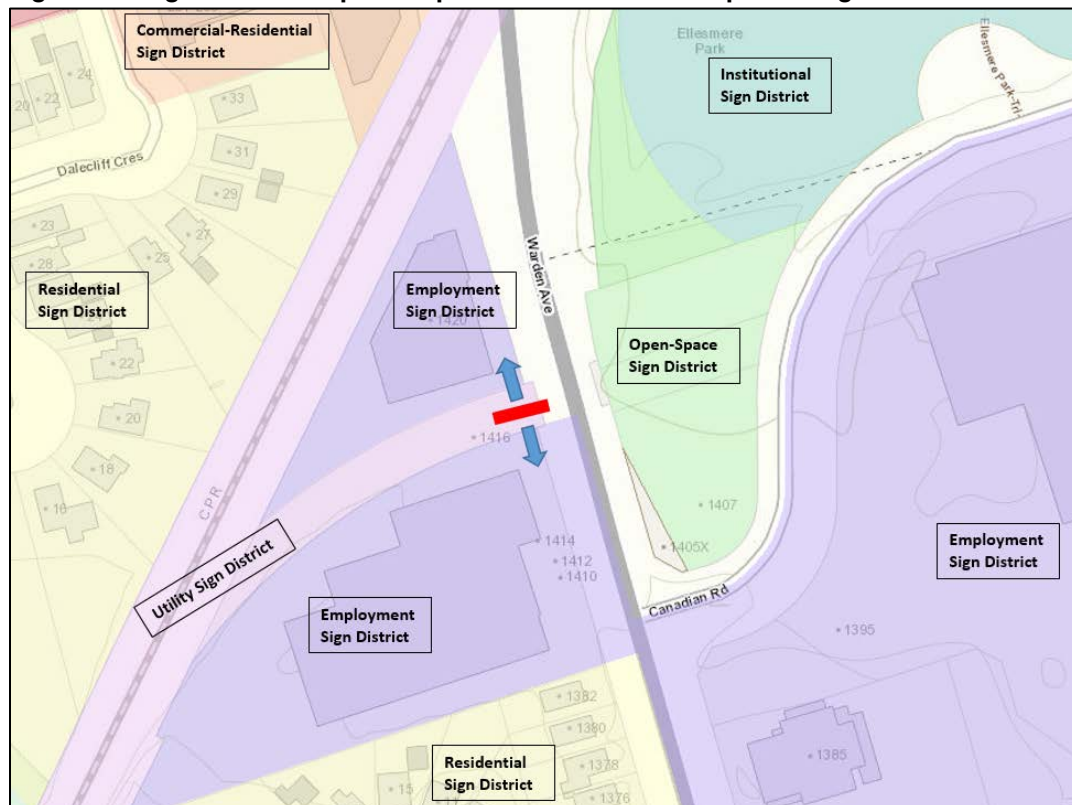
North: Employment, Residential and Commercial –Residential Sign District;

East: Open-Space, Employment and Institutional Sign Districts;

West: Utility and Residential Sign Districts;

South: Employment and Residential Sign Districts.

Figure 1 – Sign District Map Excerpt –Location of the Proposed Sign and the Surrounding Area



COMMENTS

Applicant Information

The Applicant has been authorized to apply for two 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 1416 Warden Avenue (the "Proposed Premises"), both variances would be subject to one condition.

One Third Party Electronic Ground Sign- 1416 Warden Ave. – Three Variances

Application Background

The Proposed Sign would have a height of 10 metres, and two rectangular sign faces, each measuring 5.79 metres horizontally by 2.9 metres vertically, with a sign face area of 16.79 square metres. The sign faces are in a back to back configuration and they face north and south. 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 scheduled for May 16, 2022.

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, §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 party seeking the proposed variances meets all nine of the mandatory criteria, on the basis of the information presented by the parties before the Sign Variance Committee.

The CBO has determined that based on the information submitted by the Applicant and investigations by Sign By-law Unit staff, there is sufficient basis to conclude that the nine required criteria established in §694-30A of the Sign By-law have been met.

Applying the Established Criteria:

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

Based on a review by Sign Unit staff, the location of the Proposed Sign can be confirmed as being designated as a Utility ("U") Sign District, which permits signs belonging to the third party sign class.

The CBO has confirmed that as per information contained in the Applicant's Submission, the Proposed Sign would be considered 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 would be located.

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Therefore, the CBO is of the opinion that this criteria has been established.

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 by Sign Unit staff of the location of the Proposed Sign it can be confirmed as being designated as a U Sign District. The Applicant's submission contains sufficient information (in the description and diagrams provided) to confirm the Proposed Sign is both a third party sign, and a permitted sign type, electronic ground sign. Electronic ground signs are a sign type that is permitted in U Sign Districts.

Therefore, the CBO is of the opinion that this criteria has been established.

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

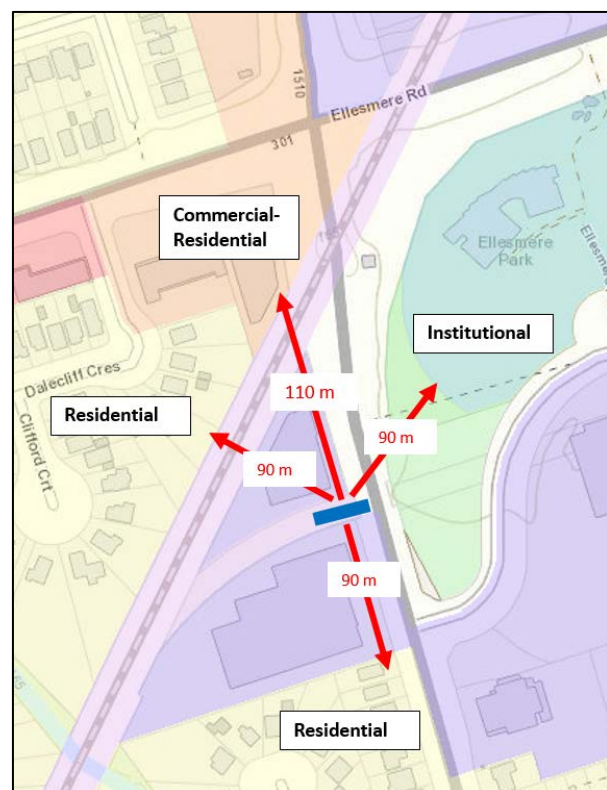
The property at 1416 Warden Avenue is designated as a Utility Sign District which permits third party electronic ground signs at a height and sign face area consistent with the Proposed Sign.

The Proposed Sign contains two sign faces which are directed to the north and south. The properties to the north and south of the Proposed Sign contain one storey manufacture /retail buildings and are within Employment Sign District.

Further to the south, there is a low-rise residential area approximately 90 metres away. Based on the placement of the industrial buildings to the south of the Proposed Sign, which is generally in between the Proposed Sign and the residential buildings, the relationship between the Proposed Sign should be minimal on these residential buildings. This is supported the results of a lighting study that has been submitted by the Applicant (See Attachment 2 to this report).

There are low-rise residential buildings approximately 90 metres to the north-west of the Proposed Sign. The visibility of the Proposed Sign from this residential area will be almost entirely blocked by the industrial buildings to the north, the rail line running north-east of the Proposed Sign as well as a tree-line running along the rail corridor.

Figure 2: Location of the Proposed Sign in relation to surrounding land uses



Approximately 110 metres to the north of the Proposed Sign, north of railway corridor, there is a Commercial Residential ("CR") Sign District containing one or two storey buildings. The Proposed Sign will have little, if any relationship to the CR Sign District due to the industrial buildings to the north of the Proposed Sign, as well as the rail line running north-east of the Proposed Sign and the tree-line running along the rail corridor.

To the east and north-east, there are Open-Space ("OS") and Institutional ("I") Sign Districts. The OS Sign District does not contain any parkland or other sensitive land uses and has a number of mature trees which, in addition to Warden Avenue, will serve as a barrier between the Proposed Sign and the I Sign District further to the north-east. It should also be noted that a large portion of this OS Sign District has been designated as Employment in the Official Plan. As a result, the Proposed Sign should not impact these properties. This is supported by the results of a lighting study that has been submitted by the Applicant.

Figure 3: Location of the sign removals in relation to location of the Proposed Sign, provided in Applicant's Submission Materials



There are currently a number of third party ground signs in the surrounding area. In order to comply with the Sign By-law requirement for a 150 metre separation distance between electronic third party signs and non-electronic third party signs as well as to eliminate sign clutter, the Applicant has requested that as a condition of approval, three existing third party ground signs be required to be removed. These signs are described below (as of the date of this report) and in Figure 3:

1. One existing third party ground sign containing two sign faces displaying static copy located on the railway corridor, south of Ellesmere Road and immediately east of Warden Avenue. This sign is approximately 165 metres from the Proposed Sign.

2. One existing third party ground sign containing one sign face displaying static copy, located on the railway corridor, south of Ellesmere Road and west of Warden Avenue. This sign is approximately 85 metres from the Proposed Sign
3. One existing third party ground sign containing two sign faces displaying static copy. This sign is at approximately the same location as the Proposed Sign.

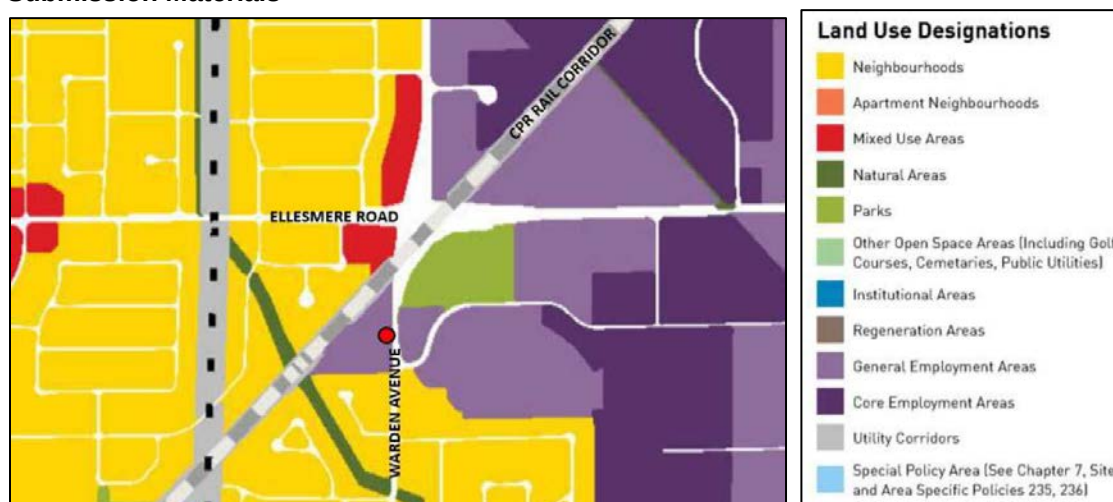
Staff agree that due to the visibility of these sign locations from the location of the Proposed Sign as well as their proximity to the Proposed Sign, that the locations of these sign removals have a strong relationship to the location of the Proposed Sign. Staff also agree that the removal of these signs and corresponding reduction in sign clutter, will increase the compatibility of the Proposed Sign with the surrounding area.

As such, it is the opinion of staff that, based on the review of all available information that the Proposed Sign, subject to the requested conditions, is compatible with the development of the premises and the surrounding area, therefore the CBO is of the opinion that this criteria has been established.

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

The Proposed Sign is located in, and is surrounded by properties designated as General Employment Areas in the Official Plan. These areas “are places of business and economic activities” within the City. Permitted uses include “all types of manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, utilities, waste management systems, industrial trade schools, media, information technology and services, and vertical agriculture.” In addition, restaurants and all types of retail and service uses, including automobile dealerships, are permitted in General Employment Areas.

Figure 4: Land Use Map of Proposed Location and surrounding area- provided in Applicant's Submission Materials



The Applicant's Submission states that the Official Plan policies serve to protect and enhance the planned function of these areas by, among other things, prohibiting One Third Party Electronic Ground Sign- 1416 Warden Ave. – Three Variances

sensitive land uses within and adjacent to Employment Areas. They state that the Proposed Sign is therefore compatible with, and will not take away from, the planned function of the surrounding Employment Areas.

Furthermore, also the Applicant's Submission states that while the west side of Warden Avenue is generally dominated by low-rise residential uses, designated "Neighborhoods" (section 4.1), through a combination of the proposed signs' attributes and configuration (single faced/ facing east), distance, grading profiles (e.g. grade-separated road crossing, railway bridge infrastructure, and embankments), the Proposed Sign will have no impact whatsoever on these residential areas.

Staff agree that the location of the Proposed Sign, as well as the condition of a maximum brightness of 150 NITS between sunset and sunrise will support policy 7(k) in section 4.6 of the Official Plan which states that

7. Development will contribute to the creation of competitive, attractive, highly functional Employment Areas by ... k) providing a buffer and/or mitigating adverse effects, where appropriate, to Neighbourhoods, Apartment Neighbourhoods and Mixed Use Areas

Further support for policy 7(k) is achieved by the requested condition that brightness of the Proposed Sign be limited to 150 NITS between sunset and sunrise which will further reduce or eliminate the impacts that the illumination of the Proposed Sign may have on adjacent properties.

The Zoning By-law is the main tool that municipalities use to implement their Official Plan. The Zoning By-Law governs the land uses and built form of the city in a way that conforms to the Official Plan objectives for properties throughout the city, including the reduction of impacts on surrounding properties.

The property at 1416 Warden Avenue is subject to former city of Scarborough Zoning By-law number 24982, which regulated third party signs (referred to in By-law 24982 as "non-accessory" signs). The Subject Premises is zoned M (Industrial) which permits third-party signs provided that they are not roof signs and are not located within 400 metres of Highway 401. The Proposed Sign is not a roof sign and is more than 400 metres away from Highway 401.

Based on the requirements of the Sign By-law and the former City of Scarborough Zoning By-law, the Proposed Sign is also required to be setback from the street line by 3.0 metres. The Proposed Sign will have a setback of 3.0 metres from the street line as required by the Zoning By-Law.

The Applicant's submission materials in addition to staff investigation provide sufficient information to confirm that the Proposed Sign supports the Official Plan and objectives for 1416 Warden Avenue and the surrounding area. As such, the CBO is of the opinion that this criteria has been established.

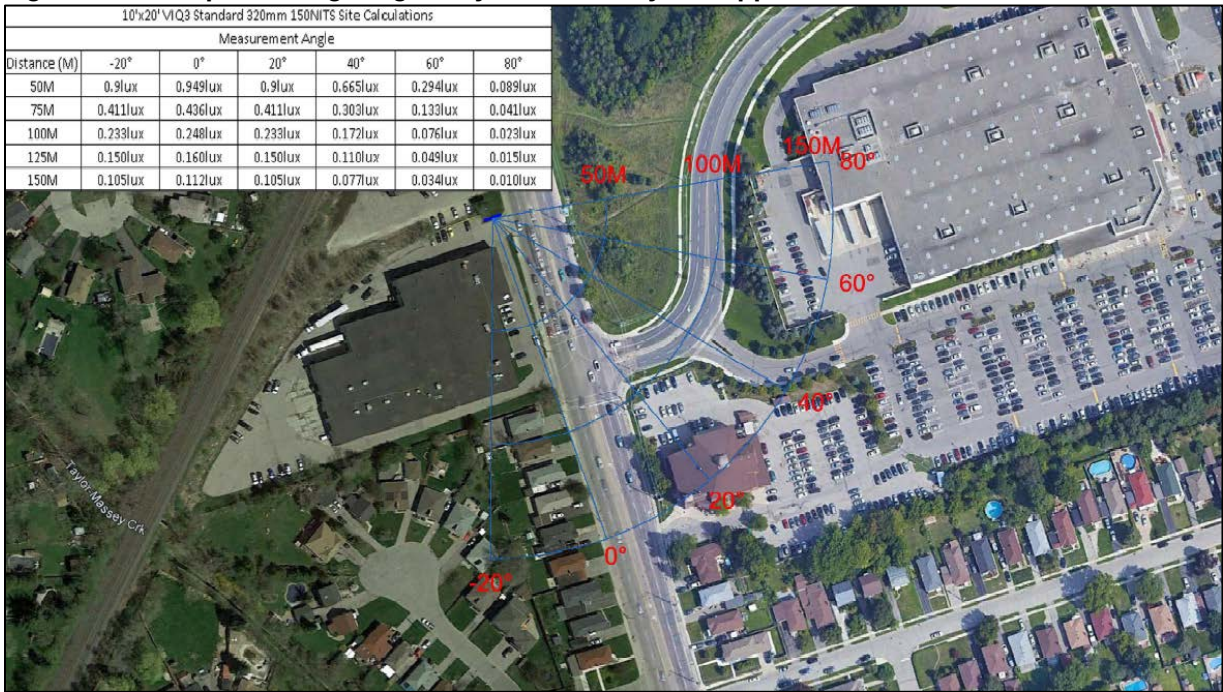
694-30A (5): The Proposed Sign does not adversely affect adjacent premises

The property at 1416 Warden Avenue is designated as a Utility Sign District which permits third party electronic ground signs at a height and sign face area consistent with the Proposed Sign.

The Proposed Sign contains two sign faces which are directed to the north and south. The properties to the north and south of the Proposed Sign contain one storey manufacture /retail buildings and are within Employment Sign District.

As previously stated, there is a low-rise residential area approximately 90 metres to the south of the Proposed Sign. Based on the placement of the industrial buildings to the south of the Proposed Sign, which is generally in between the Proposed Sign and the residential buildings and as supported by the lighting study provided by the Applicant, the potential impacts of the Proposed Sign on these residential buildings should be minimal (see Figure 5).

Figure 5 – Excerpt from Lighting Study submitted by the Applicant



With respect to the residential buildings approximately 90 metres to the north-west of the Proposed Sign. The visibility of the Proposed Sign from this residential area will be almost entirely blocked by the industrial buildings to the north, the rail line running north-east of the Proposed Sign as well as a tree-line running along the rail corridor. As a result, there should be no impact from the Proposed Sign on these residential buildings.

North of railway corridor, there is a CR Sign District containing one or two storey buildings. The Proposed Sign will have little, if any visibility from this CR Sign District due to the industrial buildings to the north or the Proposed Sign, as well as the rail line running north-east of the Proposed Sign and the tree-line running along the rail corridor.

To the east and north-east, there are OS and I Sign Districts. The OS Sign District does not contain any parkland or other sensitive land uses and has a number of mature trees which will serve as a barrier between the Proposed Sign and the I Sign District further to the north-east. As a result, the Proposed Sign should have minimal impact these properties. This is also supported by the results of the lighting study provided by the Applicant.

As a result, after the review of the Applicants submission and Staff investigation, the Proposed Sign is not expected to have any adverse effects on the adjacent premises, therefore the CBO is of the opinion that this criteria has been established.

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

The City's Sign By-law regulations are designed to ensure that there are no adverse impacts on public safety for signs which meet the requirements. These regulations are designed to work in conjunction with other regulations which would also apply to signs. The current criteria is intended to ensure that variances are not granted where they would result in signs that would have adverse impacts on public safety.

Staff have reviewed the Proposed Sign, and the potential impacts of the requested variances, and have determined that requested variances subject to the proposed conditions, do not raise a reasonable basis for any concern around public safety arising from the Proposed Sign.

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 entirely outside this prohibited zone.

The Proposed Sign will be more than 6.5 metres from grade to the bottom of the sign faces. This clearance ensures that pedestrians and vehicles can pass safely around the Proposed Sign without interference and will prevent the sign faces from obstructing visibility around the sign. The Proposed Sign clearance also exceeds the minimum clearance requirement of 4.25 meters set out in the Ontario Building Code.

Although there are concerns about driver's distraction, the City has existing regulations to adequately address the potential for adverse safety (set back from intersections, distance from street lines, and pedestrian triangles) impacts for all signs, including signs displaying electronic static copy. The Proposed Sign meets the setback requirements outlined in Chapter 694 of the Toronto Municipal Code. The sign is located more than 30 metres away from the closest traffic controlled intersection and it does not obstruct any sight triangles for vehicular traffic.

There is currently a second electronic third party ground sign being proposed approximately 295 metres northeast of the Proposed Sign to be located on the rail corridor along the north side of Ellesmere Road facing east. The Sign By-law requires that there be a 500 metre separation distance for third party electronic signs on streets

that form an intersection with one another – this is required due to the potential driver distraction that may occur if two electronic signs with changing copy are visible at the same time.

Due to the orientation and distance between these two electronic signs, the elevated rail corridor crossing both Ellesmere Road and Warden Avenue and the tree line to the northeast of the Subject Premises that follows both Warden Avenue and Ellesmere Road, the Proposed Sign and the second (proposed) electronic sign will not be visible at the same time.

With electronic signs that change from one message to the next, shorter message durations may result in drivers being more likely to observe a change in the message being displayed, which may result in a higher likelihood that a driver would glance at it for a longer duration. The Proposed Sign would comply with the Sign By-law provisions for a message duration of 10 seconds between changes in copy, this regulation is intended to perform many functions, including reducing the potential for driver distraction, to a reasonable level.

It is the opinion of staff that, based on the review of the available information with respect to the Proposed Sign, that the requested variances do not raise a reasonable basis for any concern around public safety arising from the Proposed Sign. As such, the CBO is of the opinion that this criteria has been established.

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

According to Staff review, the Applicant's submission materials contain sufficient information to confirm that the Proposed Sign is not a sign that is prohibited as described in §694-15B.

As such, the CBO is of the opinion that this criteria has been established.

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

According to the Applicant's submission, the Proposed Sign is consistent with the predominant character and function of other Utility Corridor uses, and those industrial and related uses of the surrounding E Sign Districts.

As mentioned earlier, the Premises is in a U Sign District, which permits electronic ground signs. The Premises is also surrounded by E Sign Districts to the north, west and south which also permit electronic ground signs.

The Proposed Sign is generally in keeping with the regulatory provisions respecting third party electronic ground signs in U and E Sign Districts. It is the expectation that such signs are consistent with the character of the surrounding area. The Proposed Sign is also at a scale and nature that is consistent with the surrounding built form.

There are also several third party signs on the Subject Premises and in the
One Third Party Electronic Ground Sign- 1416 Warden Ave. – Three Variances

surrounding area which also contributes to establishing the character of the area. As a result, the Proposed Sign will not be introducing a new sign class to the Subject Premises or surrounding area and should not alter the character of the premises and surrounding area.

In addition to the above, the Proposed Sign should have few impacts on, and as a result, not alter the character of the OS and I Sign Districts to the east due to the maximum brightness of 150 NITS that the applicant has requested as a condition of approval, as well as the Warden Avenue and a number of mature trees separating the OS and I Sign Districts from the Proposed Sign.

As such, it is the CBO's opinion that the Applicant's materials are sufficient to determine that the Proposed Sign will not alter the character of the premises and surrounding area, and that this criteria has been established.

694-30A (9): The Proposed Sign will not be, in the opinion of the decision maker, 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 Utility Sign Districts in terms of: height, size, setbacks from the property and from an intersection, as well as the requirement for use of renewable energy, message duration and transition (i.e. no distracting visual effects such as scrolling, flashing, blinking or full-motion video), and with the illumination and time-of-day regulations.

The Applicant has requested three variances, subject to five conditions to the Sign By-law in order to allow a permit to be issued for the construction of the Proposed Sign:

The first variance is to allow the Proposed Sign location to be located closer than 250 metres to an R, CR, OS and I Sign District(s) while facing them.

As previously stated, based on the placement of industrial buildings to the south of the Proposed Sign, the potential impacts of the Proposed Sign on the R Sign District to the south of the Proposed Sign should be minimal. As well, due to the industrial buildings to the north as well as the rail line running north-east of the Proposed Sign and the tree-line running along the rail corridor, there should be no impact from the Proposed Sign on R Sign Districts to the north of the Proposed Sign.

The Proposed Sign will have little, if any visibility from this CR Sign District due to the industrial buildings to the north of the Proposed Sign, as well as the rail line running north-east of the Proposed Sign and the tree-line running along the rail corridor.

The OS Sign District to the east of the Proposed Sign does not contain any parkland or other sensitive land uses and has a number of mature trees which will serve as a barrier between the Proposed Sign and the I Sign District further to the north-east. As a result, the Proposed Sign should have minimal impact these properties.

The second variance is with respect to the Proposed Sign's location being closer than 500 metres to another electronic ground sign located on a street which forms an

One Third Party Electronic Ground Sign- 1416 Warden Ave. – Three Variances

intersection with the street on which the sign is located. The other electronic ground sign is proposed to be located to the north east of the Proposed Sign, along Ellesmere Road.

Due to the orientation and distance between these two electronic signs, the elevated rail corridor crossing both Ellesmere Road and Warden Avenue and the tree line to the northeast of the Subject Premises that follows both Warden Avenue and Ellesmere Road, the Proposed Sign and the second (proposed) electronic sign will not be visible at the same time and the two signs will have no relationship to one another.

The third variance being requested is the Proposed Sign's location being closer than 60 metres to an OS Sign District.

Due to the orientation of the sign, as well as the maximum brightness of 150 NITS that the applicant has proposed as a condition of approval, the impact of the Proposed Sign on this OS Sign District should be minimal – this is supported by a lighting study submitted by the Applicant. As well, the OS Sign District does not contain any parkland or sensitive land uses that would be negatively impacted by the Proposed Sign.

Therefore, it is the CBO's opinion that the Applicant's materials and the Sign By-law Unit staff's research provided sufficient information to confirm 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 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 have been met. As such, the CBO is supportive 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, Requested Variances and Conditions

Attachment 2 – Applicant's Submission

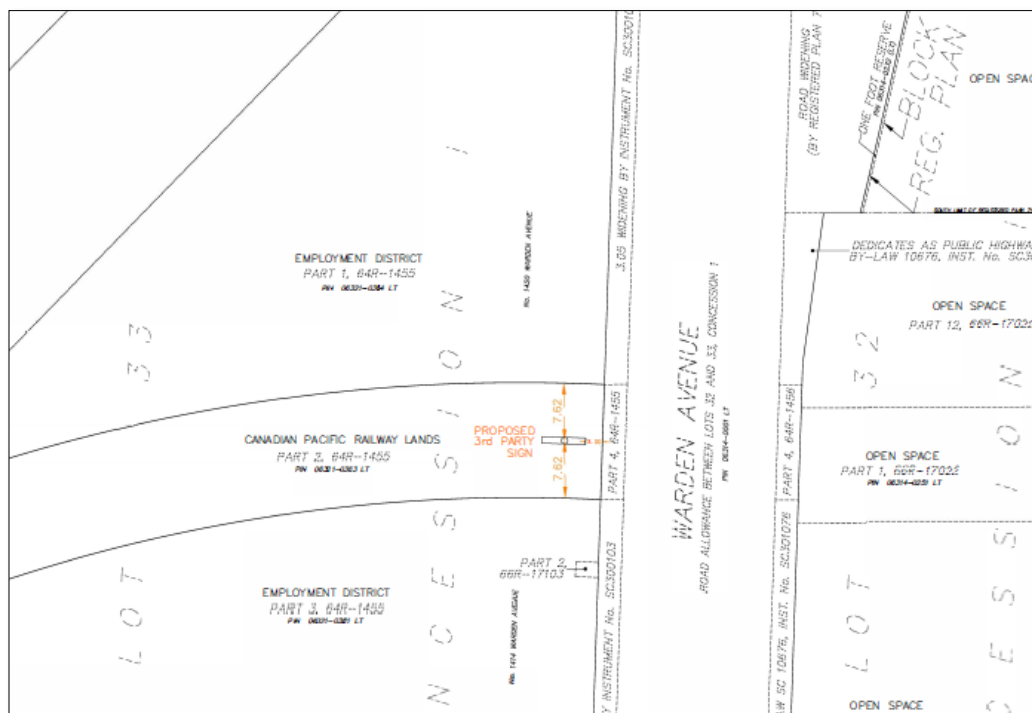
Attachment 1 – Description of Sign, Requested Variances and Conditions

Proposed Sign Description:

One third party electronic ground sign described as follows:

- a) Contains two sign faces oriented as follows:
 - i) One facing in a Northerly direction; and,
 - ii) One facing in a Southerly direction;
- 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 2.9 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;
 - iv) Display electronic static copy, only;
- c) Having a maximum height of 10.0 meters.
- d) Shall be located and oriented substantially in accordance with the diagram labeled "Location of Proposed Sign" indicated in subsection e) below

e) Location of the Proposed Sign:



Required Variances and Requested Conditions:

1. **§ 694-25D(3)(f)** - A Utility "U" Sign District may contain a third party electronic ground sign, provided where a sign is located within 250 metres of an R, RA, CR, I, or OS sign district, the sign cannot face any premise in the R, RA, CR, I or OS sign, be varied to allow the Proposed Sign to be located: approximately 90 metres to a Residential Sign District, approximately 110 metres to a Commercial Residential Sign District, approximately 90 metres from an Institutional Sign District, and, approximately 14.75 metres from an Open Space Sign District, while facing them.
2. **§ 694-25D(3)(g)** - A Utility "U" Sign District may contain a third party electronic ground sign, provided sign be located a minimum of 500 metres from any other third party electronic sign located on a street which forms an intersection with the street on which the sign is located, be varied to allow the Proposed Sign to be approximately 295 metres to another proposed electronic ground sign by the applicant, in Warden Avenue which makes an intersection with Ellesmere Road.
3. **§ 694-25D(3)(e)** - A Utility "U" Sign District may contain a third party electronic ground sign, provided the 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 districts, be varied to allow the Proposed Sign to be closer than 60 metres to an Open-Space sign district.

If granted, each of the three requested variances, would be subject to the following conditions:

- 1) The existing third party ground sign containing two sign faces displaying static copy, located within the Belleville Subdivision as defined, south of Ellesmere Road, and approximately 165.0 metres to the southeast of the Proposed Sign, be removed and all associated permits revoked.
- 2) The existing third party ground sign containing one sign face displaying static copy, located within the Belleville Subdivision as defined, south of Ellesmere Road, west of Warden Avenue and approximately 85.0 metres to the southwest of the Proposed Sign be removed and all associated permits revoked.
- 3) The existing third party ground sign containing two sign faces displaying static copy, located on the premises municipally known as 1416 Warden Avenue be removed and all associated permits revoked.
- 4) That the maximum brightness of the Proposed Sign not exceed 150 NITS between sunset and sunrise.
- 5) That any third party electronic ground sign which is located no closer than 295.0 metres to the Proposed Sign, and on a street which forms an intersection with the street on which the sign is located, is located on Ellesmere Road.

One Third Party Electronic Ground Sign- 1416 Warden Ave. – Three Variances