

Application for Two Variances, Each Subject to Four Conditions, Respecting One Third Party Electronic Ground Sign – Belleville Subdivision, North of Ellesmere Road, East of 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 two variances (the "Subject Premises"), subject to four conditions, required 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 a specific portion of the premises defined by the Sign By-law as the Belleville Subdivision, north of Ellesmere Road and east of Warden Avenue (the "Proposed Location"), as further described in Attachment 1.

The Proposed Location is a portion of the Belleville Subdivision, an area which functions as a railway corridor, and is a Utility ("U") Sign District, which allows third party electronic ground signs. The Proposed Sign would have a height of 10 metres from the grade, and would contain one rectangular sign face, facing to the east and measuring 5.79 metres horizontally by 2.90 metres vertically, with a sign face area of 16.79 square metres. The Proposed Sign is described further in Attachment 1.

The Proposed Sign would require two Variances to Chapter 694, subject to four 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 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 district, be varied to allow for the Proposed Sign to be located approximately 30 metres from an Institutional ("I") and 75 metres from an Open Space ("OS") sign districts while facing them, subject to Conditions 1, 2, 3 and 4 below;
- 2) **§ 694-25D(3)(g)** - A Utility 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 for the Proposed Sign to be located closer than 500 metres to another electronic ground sign proposed by the applicant, on Warden Avenue which makes an intersection with Ellesmere Road, subject to Conditions 1, 2, 3 and 4 below;

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

- 1) The existing third party ground sign containing one sign face displaying static copy, located within the Belleville Subdivision as defined, north of Ellesmere Road, and approximately 5.0 metres to the northeast of the Proposed Location, 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, and approximately 70.0 metres to the southwest of the Proposed Location, be removed and all associated permits revoked.–
- 3) That the maximum brightness of the Proposed Sign not exceed 150 NITS between sunset and sunrise;
- 4) That the third party electronic ground sign 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 Warden Avenue

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 two 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 694-18E(5), 694- 25D(3)(f) and 694-25D(3)(g) each subject to conditions, 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 to be able to be located within a Utility "U" Sign District and shall face an Institutional ("I") sign district located within 30 metres of the Proposed Sign and shall also face an Open Space ("OS") sign district within 75.0 metres.
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 to be able to be located no closer than 295.0 metres of another third party electronic sign located on a street which forms an intersection with the street on which the sign is located.

Sign Attributes and Site Context:

The Proposed Location is designated as a Utility ("U") Sign District, located in Ward 21 – Scarborough Centre. The Proposed Sign would consist of only one sign face fronting to East direction to catch the attention of vehicles driving east to west of Ellesmere Road. The Proposed Sign's location is immediately east of railway and north of Ellesmere Road (See Figure 1)

Surrounding premises:

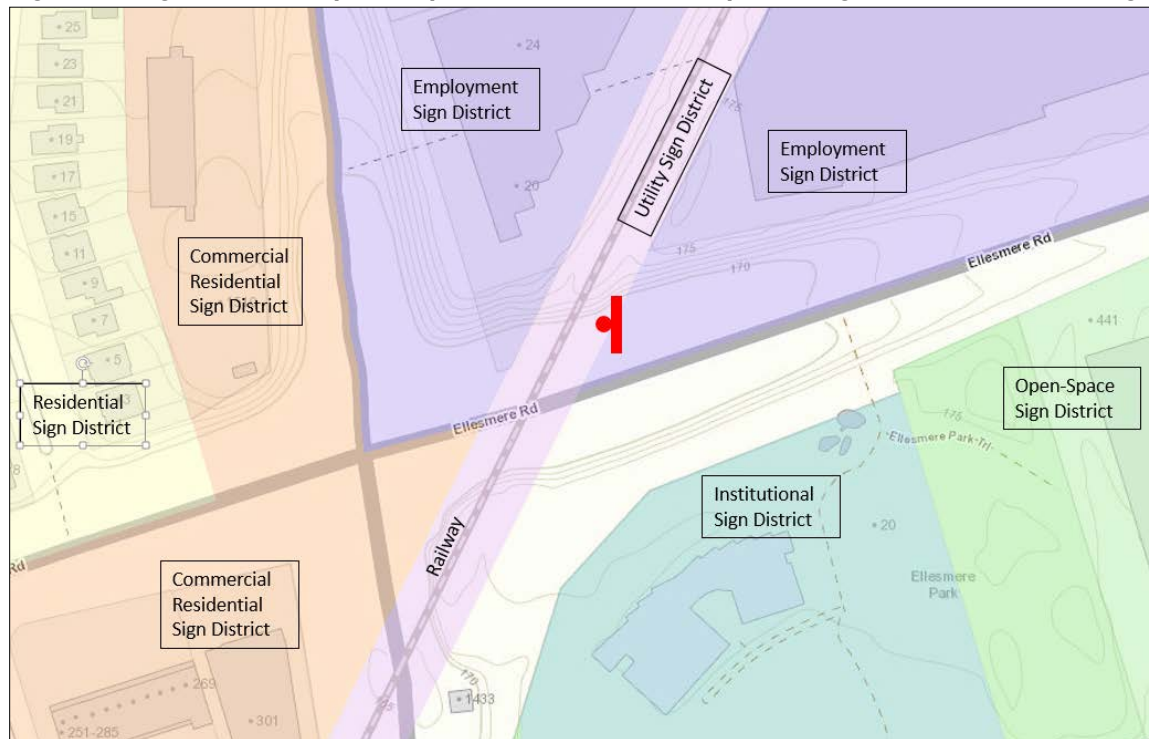
North: Employment E Sign District, Employment uses;

East: Employment E Sign District, Employment uses;

West: Employment E Sign District, Commercial Residential Sign District;

South: Ellesmere Road, Institutional & Open Space Sign Districts, Community Centre.

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 one sign face, displaying electronic static copy (the "Proposed Sign") near the intersection of Ellesmere Road and Warden Avenue, immediately west of railway corridor (the "Proposed Location"), both variances would be subject to four conditions as previously noted in this report.

Application Background

The Proposed Sign would have a height of 10 metres, and one rectangular sign face, measuring 5.79 metres horizontally by 2.90 metres vertically, with a sign face area of 18.61 square metres. The sign face direction would be to the east. 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.

Third Party Electronic Ground Sign – Belleville Subdivision, E/O Warden, N/O Ellesmere – Two Variances

The CBO also held and informed the public of a virtual Community Consultation meeting. The Community Consultation meeting was scheduled for the evening of 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 SVC 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 SVC. The CBO has determined that, in the CBO's opinion the information submitted by the Applicant and Sign By-law Unit staff, provides a 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 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 materials, as attached as Appendix 2 (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.

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 Proposed Sign contains a single sign face which would face to the east. The properties to the east of the Proposed Sign on the north side of Ellesmere Road are Employment ("E") Sign District containing a Home Depot and related parking areas.

Approximately 85.0 metres to the west of the Proposed Sign is a Commercial Residential ("CR") Sign District and approximately 143.0 metres away is a Residential ("R") Sign District. The Proposed Sign will be facing away from these Sign Districts and meets the required 60 metres separation distance in the Sign By-law.

To the south of the Proposed Sign is Ellesmere Road, as well as properties within Open Space ("OS") and Institutional ("I") Sign Districts. The road right of way on Ellesmere Road is more than 70 metres wide where the Proposed Sign is to be located and has a tree line running along the southern portion. Due to the orientation of the Proposed Sign towards the east, as well as the tree line running along the south of Ellesmere Road, the Proposed Sign is unlikely to be visible from the OS and I Sign Districts to the south.

In addition, the land uses in the OS and I Sign Districts to the south, which consist of a community centre and other recreation facilities, are oriented away from Ellesmere Road (and the Proposed Sign), with building entrances and access from Canadian Road. As such, the Proposed Sign will have little, if any relationship with the land uses in the OS and I Sign Districts to the south. Further, the requested condition with respect to the maximum illumination of 150 NITS will mitigate any impacts that the Proposed Sign may have on these areas.

There are currently two 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, two existing third party ground signs be required to be removed. These two signs (as of the date of this report) are described below and in Figure 2:

1. The third party ground sign containing one sign face displaying static copy, located within the Belleville Subdivision as defined, north of Ellesmere Road, and approximately 5.0 metres to the northeast of the Proposed Location, be removed and all associated permits revoked; and,
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, and approximately 70.0 metres to the southwest of the Proposed Location, be removed and all associated permits revoked.

It is the CBO's opinion 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 Proposed Sign. As such, the removal of these signs and corresponding reduction in sign clutter, will enhance the Proposed Sign's compatibility with the surrounding area.

Figure 2: Location of the sign removals in relation to location of the Proposed Sign, provided in Applicant's Submission Materials



Also with respect to sign clutter in the area, this concern is further addressed with respect to the variance (and condition) allowing the Proposed Sign to be no closer than 295.0 metres of another third party electronic sign located on a street (Warden Avenue) which forms an intersection with the street on which the sign is located (Ellesmere Road), rather than 500.0 metres. The relationship between the Proposed Sign and Warden Avenue is of the nature that the 295.0 metre distance between signs is suitable for the development of the premises and surrounding area.

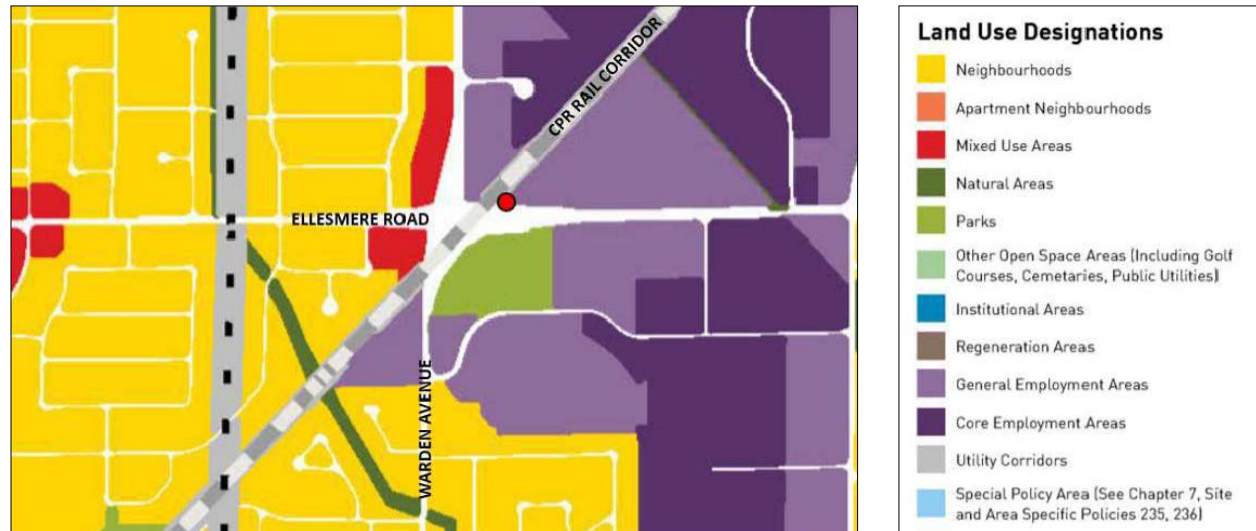
As such, it is the opinion of staff that, based on the review of all available information that the Proposed Sign, subject to the four requested conditions, would be compatible with the development of the premises and the surrounding area, therefore the CBO is of the opinion that this criteria has been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

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

The Applicant's Submission states that The Proposed Location is designated as a Utility Corridors in the Toronto Official Plan (Section 4.4), which states that such areas “play a vital role in the City as corridors for the transmission of energy, communications and the movement of people and goods”.

The Applicant's Submission also states that more specifically, Policy 4.4.1 of the Official Plan states that “Utility Corridors are hydro and rail corridors primarily used for the movement and transmission of energy, information, people and goods.” And that the Proposed Sign is consistent with the purpose and intent of this designation and related policies.

Figure 3: Land Use Map of Proposed Location and surrounding area- provided in Applicant's Submission Materials



Staff agree that the Proposed Sign will not impact or hinder the use of the utility corridor where it is located, and that the Proposed Sign will allow the rail corridor to continue to provide for the movement of people and goods.

With respect to the surrounding area, the Applicant's Submission states that the Subject Premises is surrounded to the north, east and west by lands designated as General Employment Areas and Core Employment Areas (section 4.6), which “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 Employment Areas.

The Applicant's Submission also states that the Official Plan policies serve to protect and enhance the planned function of these areas by, among other things, prohibiting sensitive land uses within and adjacent to Employment Areas. The Proposed Sign is therefore compatible with, and will not detract from, the planned function of the surrounding Core Employment Areas and Employment Areas.

The CBO agrees that the Proposed Sign supports Policy Statement 2.2.4 2b) 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

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 Third Party Electronic Ground Sign – Belleville Subdivision, E/O Warden, N/O Ellesmere – Two Variances

reduction of impacts on surrounding properties.

Staff investigation found that the portion of the Belleville Subdivision where the Proposed Sign is located is zoned as 'Utility' in the City of Toronto Zoning By-law 569-2013. There are no requirements for building setbacks in Utility Zones, only separation distances for certain land uses (Open Storage, Sewage Treatment Plants or Public Works Yards) from Residential or Apartment Residential zones. As such, the Proposed Sign meets the zoning requirements for this portion of the Belleville Subdivision.

As well, staff investigation found that the properties to the immediate east and west of the Proposed Sign (on the north side of Ellesmere Road) are 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). These properties are zoned MC (Industrial Commercial) and MDC (Industrial District Commercial), both of which permit 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 and would be consistent with the permissions for these zones.

The Applicant's Submission materials in addition to staff investigation provide sufficient information to confirm that the Proposed Sign supports several of the Official Plan objectives for the Proposed Location and the surrounding area, particularly as expressed through the zoning regulations for the Subject Premises and surrounding areas. 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 Subject Premises 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 would contain one sign face which would be directed to the east. The properties to the east of the Proposed Sign contain one storey retail buildings and are within an E Sign District.

East of the Proposed Location on the north side of Ellesmere Road, which are likely to be the most impacted by the Proposed Sign, are employment areas containing no sensitive land uses. They are also areas where third party electronic ground signs similar in size and height to the Proposed Sign would be permitted. As a result, there should be few if any impacts on these premises.

To the west of the Proposed Sign are a number of sensitive land uses containing low-rise residential dwellings, in an R Sign District. However, the Proposed Sign is a single face sign which faces to the east, in addition to the distance of the sign from Warden Avenue As such, the Proposed Sign should have minimal impact on these properties.

South of the Proposed Location, on the opposite of Ellesmere Road, are OS and I Sign Districts which contain community centre and other recreation uses. The

Applicant's Submission states that the Proposed Sign is not intended to be viewed from within the park or the community centre. This statement is supported by the proposed single sign face being largely screened from the uses in the OS and I Sign Districts by both the steep topography and the landscaping which separates the park and community centre from Ellesmere Avenue, as well as the railway corridor (see Figure 4).

The potential impact(s) of the Proposed Sign on the OS and I Sign Districts will be further reduced by the maximum brightness of 150 NITS that the applicant has requested as a condition of approval.

Figure 4 – Photo provided in Applicant's Submissions showing Steep topography combined with heavy landscaping along Ellesmere Road



As a result, after the review of the Applicant's Submission and Staff investigation, it is the CBO's opinion that 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 would be located entirely outside this prohibited zone.

The Proposed Sign would 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 would 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 southwest of the Proposed Sign to be located on the west side of Warden Avenue, south of Ellesmere Road, facing north and south. 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 south and south west of the Subject Premises that follows both Warden Avenue and Ellesmere Road, the Proposed Sign and the second (proposed) electronic sign would 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.

Reviewing the Proposed Sign, the specific variances related to the Proposed Sign, in the context of the Proposed Location and conditions imposed – the Toronto Building Staff have determined that the existing and otherwise applicable Sign By-law regulations would suitably address any public safety concerns.

It is the opinion of the CBO, based on the Staff review respecting the Proposed Sign, that the requested variances, subject to the proposed conditions 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 Submissions, the Proposed Sign is not inconsistent with the predominant character and function of other uses in this area, and the industrial and related uses of the E Sign Districts to the east of the Proposed Sign.

As mentioned earlier, the Proposed Location is in a U Sign District, which permits electronic ground signs; the Proposed Sign is generally in keeping with the requirements for third party electronic ground signs in U Sign Districts, as well as the nearby 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.

Third party signs similar to the Proposed Sign are permitted in the Sign By-law in locations near the Proposed Location and in the surrounding area which contributes to establishing the character of the area. As a result, the Proposed Sign would not be introducing a new sign class to the Proposed Location 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 due to the maximum brightness of 150 NITS that the applicant has requested as a condition of approval, as well as the steep topography and the landscaping separating the OS and I Sign Districts from the Proposed Location.

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

694-30A (9): The Proposed Sign will not be, in the opinion of the decision maker, contrary to the public interest

The Proposed Sign would comply with the provisions set out in the Sign By-law for Third Party Electronic Ground Sign – Belleville Subdivision, E/O Warden, N/O Ellesmere – Two Variances

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 variances, each subject to 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 for the Proposed Signs' location being closer than 250 metres to both an OS and I Sign District while facing them.

Based on the Applicant's Submission and staff investigation, the impact of the Proposed Sign is likely to be minimal to these areas. As mentioned earlier, the steep topography of the area and the intense landscaping assist in separating the Proposed Sign and the community centre and the park. The potential impact(s) of the Proposed Sign on the OS and I Sign Districts would be further reduced by the maximum brightness of 150 NITS that the applicant has requested.

Also, and as previously stated, the land uses in the OS and I Sign Districts, which consist of a community centre and other recreation facilities, are oriented away from the Proposed Sign, with building entrances and access from Canadian Road, south of Ellesmere Road. As such, the Proposed Sign would have little, if any relationship to the land uses in the OS and I Sign Districts to the south.

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 intersection with the street on which the sign is located. The other electronic ground sign is proposed to be located to the south west of the Proposed Sign, along Warden Avenue.

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 south and southwest of the Subject Premises that follows both Warden Avenue and Ellesmere Road, the Proposed Sign and the second (proposed) electronic sign would not be visible at the same time and the two signs would have no relationship to one another.

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 would 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

Nikoo Shabestari, Sign Building Code Examiner Inspector, Sign By-law Unit
E-mail: Nikoo.Shabestari@toronto.ca; Tel: 416-338-1445

SIGNATURE

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

ATTACHMENTS:

Attachment 1 – Description of the Proposed Sign, Requested Variances and Conditions

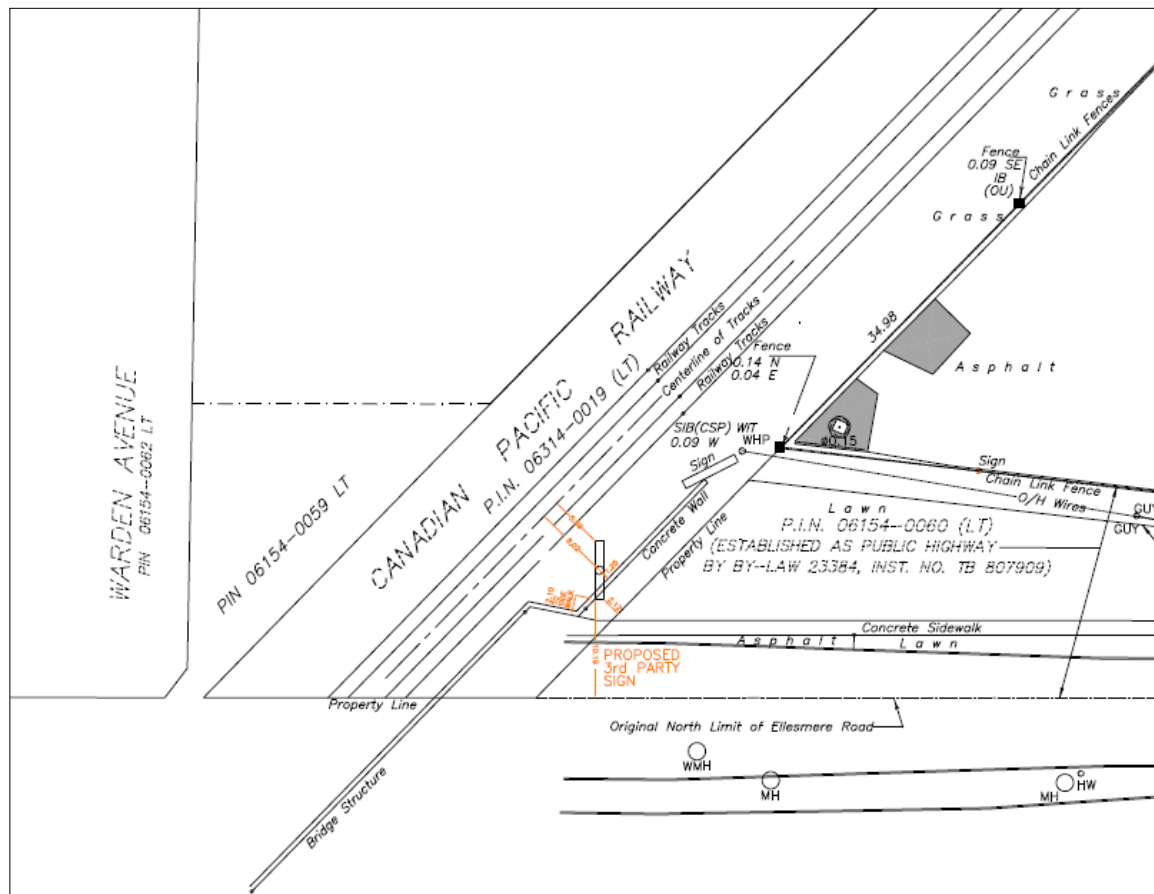
Attachment 2 – Applicant's Submission Package

Attachment 1 – Description of the Proposed Sign, Requested Variances and Conditions

Proposed Sign Description:

One third party electronic ground sign described as follows:

- a) Contains on sign face oriented in an easterly direction:
- c) The 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:



Third Party Electronic Ground Sign – Belleville Subdivision, E/O Warden, N/O Ellesmere – Two Variances

Requested Variances and Conditions:

- 1) **§ 694-25D(3)(f)** - A Utility 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 district, be varied to allow for the Proposed Sign to be located approximately 30 metres from an Institutional ("I") and 75 metres from an Open Space ("OS") sign districts while facing them, subject to Conditions 1, 2, 3 and 4 below;
- 2) **§ 694-25D(3)(g)** - A Utility 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 for the Proposed Sign to be located closer than 500 metres to another electronic ground sign proposed by the applicant, on Warden Avenue which makes an intersection with Ellesmere Road, subject to Conditions 1, 2, 3 and 4 below;

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

- 1) The existing third party ground sign containing one sign face displaying static copy, located within the Belleville Subdivision as defined, north of Ellesmere Road, and approximately 5.0 metres to the northeast of the Proposed Location, 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, and approximately 70.0 metres to the southwest of the Proposed Location, be removed and all associated permits revoked.
- 3) That the maximum brightness of the Proposed Sign not exceed 150 NITS between sunset and sunrise;
- 4) That the third party electronic ground sign 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 Warden Avenue