

Application for Four Variances, Subject to Two Conditions, Respecting One Third Party Electronic Ground Sign - 2290 Markham Rd

Date: August 11, 2022

To: Sign Variance Committee

From: Project Director, Business Transformation, Toronto Building

Wards: Scarborough North (Ward 23)

SUMMARY

OUTFRONT Media Canada (the "Applicant") has been authorized by the owner of the property municipally known as 2290 Markham Road, in Scarborough (the "Subject Premises") to apply for four variances, subject to two conditions, required to allow the Chief Building Official ("CBO") to issue a sign permit to erect and display a single-faced third party electronic ground sign, displaying electronic static copy on the premises (the "Proposed Sign").

The Subject Premises is designated as an Employment ("E") Sign District, which allows third party electronic ground signs. The Proposed Sign will have a maximum height of 12 metres from the grade, and will contain one rectangular sign face measuring 8.69 metres horizontally by 2.30 metres vertically, with a sign face area of 19.99 square metres. The Proposed Sign is described further in Attachment 1.

The requirements in Chapter 694 which have been requested to be varied, and the proposed varied requirements are summarized below:

1) **§ 694-25.C(2)(b)** – An Employment "E" Sign District may contain a third party electronic ground sign, provided the height shall not exceed 10.0 metres. **Proposed New Requirement:** The Proposed Sign height will be approximately 12.0 metres;

2) **§ 694-25.C(2)(e)** – An Employment "E" Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within 60.0 metres of any premises located, in whole or in part, in an R, RA, CR, I or OS sign district. **Proposed New Requirement:** The Proposed Sign will be erected within 60.0 metres of premises located in an Open Space (OS) sign district;

3) **§ 694-25.C(2)(f)** – An Employment "E" Sign District may contain a third party electronic ground sign, provided where it is located within 250 metres of an R, RA, CR, I or OS Sign District, the sign cannot face any premises in the R, RA, CR, I or OS Sign District. **Proposed New Requirement:** The Proposed Sign faces into Open Space (OS) Sign Districts located approximately 6 metres to the north and 20 metres to the east.

4) **§ 694-25.C(2)(h)** - An Employment "E" Sign District may contain a third party electronic ground sign, provided there shall be no more than one ground sign or electronic ground sign erected on the premises. **Proposed New Requirement:** The Proposed Sign will be erected on a premises containing one first party ground sign.

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

Condition 1: The Proposed Sign shall operate the digital display at a reduced level of illumination of 150 NITS during the period between sunset and sunrise.

Condition 2: The existing third party sign shall be removed prior to the issuance of the sign permit for the Proposed Sign, and all associated permits shall be revoked.

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 694-25.C(2)(b), 694-25.C(2)(e), 694-25.C(2)(f) and 694-25.C(2)(h), subject to two 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

Required Variances

Table 1: Summary of Requested Variances

Section	Requirement	Proposal
694- 25.C(2)(b)	An Employment "E" Sign District may contain a third party electronic ground sign, provided the height shall not exceed 10.0 metres.	The Proposed Sign height will be approximately 12.0 metres.
694- 25.C(2)(e)	An Employment "E" Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within 60.0 metres of any premises located, in whole or in part, in an R, RA, CR, I or OS sign district.	The Proposed Sign will be erected within 60.0 metres of premises located in an Open Space (OS) sign district.
694-25.C(2)(f)	An Employment "E" 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	The Proposed Sign faces premises in the Open Space (OS) Sign District located approximately 6 metres to the north and 20 metres to the east.
694-25.C(2)(h)	An Employment "E" Sign District may contain a third party electronic ground sign, provided there shall be no more than one ground sign or electronic ground sign erected on the premises.	The Proposed Sign will be erected on a premises containing one first party ground sign.

Sign Attributes and Site Context

The Proposed Sign is an electronic ground sign with one sign face and displaying electronic static copy located at 2290 Markham Road. Although the subject premises municipal address is on Markham Road, the sign will be facing Finch Avenue East, and will be located near the northerly limit of the Subject Premises.

Staff have confirmed that the Subject Premises is designated as being entirely in an Employment (E) Sign District, located to the southwest of the intersection of Markham Road and Finch Avenue East in Ward 23- Scarborough North, see SignView Map in Figure 3. The surrounding Open Space (OS) Sign Districts belong to separate properties containing a portion of Finch Avenue East and a City Wide Open Space.

There are four low-rise commercial buildings located at 2290 Markham Road, as per GIS map in Figure 1. The Subject Premises is occupied by three restaurants (Nice's Eatery, Zaitoun and Mc Donald's) and a retail plaza with restaurants and medical services.

Figure 1: GIS Map Excerpt – 2290 Markham Road



The Subject Premises currently has a first party ground sign, containing two sign faces and displaying static copy, located in Markham Road frontage and facing northerly-southerly directions, and a third party ground sign, with two sign faces displaying static copy, which is proposed to be removed if the variances are granted for the Proposed Sign.

Figure 2: Looking Southeast from Finch Avenue to the Subject Premises



Surrounding premises:

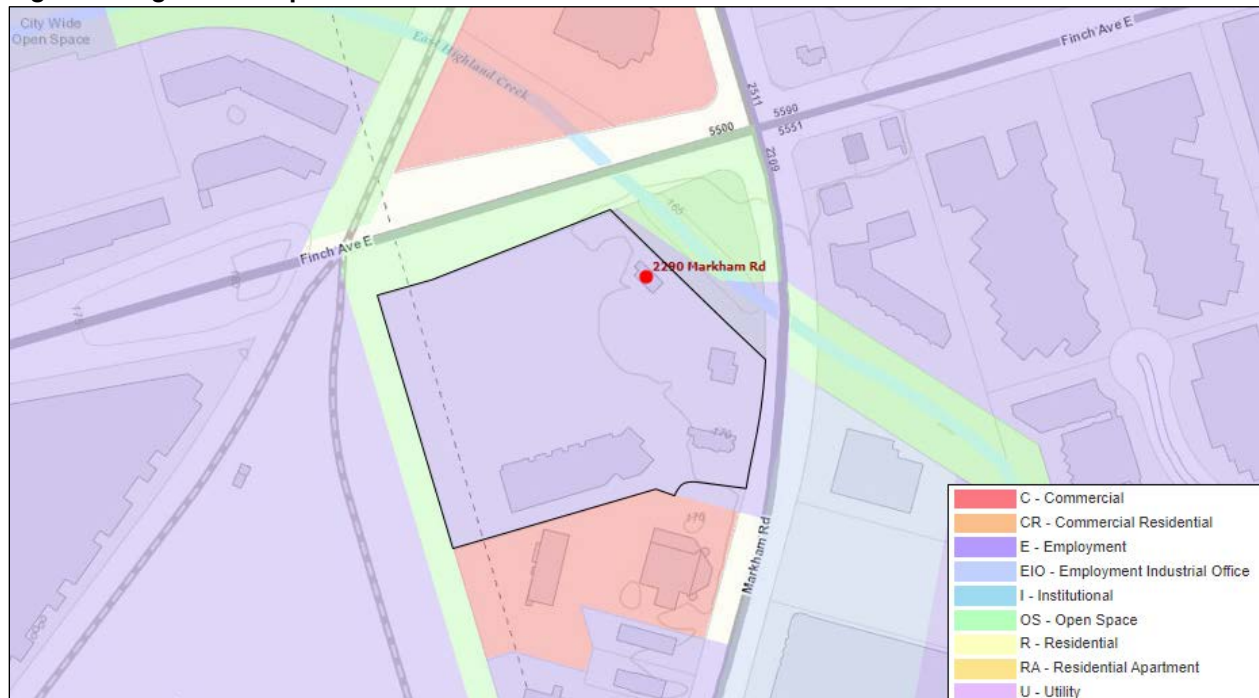
North: Open Space (OS) Sign District and Commercial (C) Sign District, Finch Avenue East, and a vehicle dealership.

South: Employment (E) Sign District, restaurants and a retail plaza within the property and a car dealership in the adjacent property.

East: Open Space (OS) Sign District with a ravine and natural vegetation and Markham Road.

West: Open Space (OS) Sign District and Employment (E) Sign District, Canadian Pacific railway.

Figure 3: SignView Map - 2290 Markham Road



COMMENTS

Applicant Information

Outfront Media Canada has stated that they have been authorized by the owner of the property municipally known as 2290 Markham Road, to apply for four variances, subject to two conditions, required to allow for a permit to be issued for one third party electronic ground sign with one sign face, displaying electronic static copy, as further described in Attachment 1.

Application Background

The Proposed Sign would be located along the north frontage of the property, on Finch Avenue East, facing in a northerly direction. The requested variances are subject to two conditions which would require that the digital display to operate at a reduced level of

illumination of 150 NITS during the period between sunset and sunrise, and that the existing third party sign is removed prior to the issuance of the sign permit for the Proposed Sign, and all associated permits are revoked.

The Proposed Sign will have a maximum height of 12.0 metres from the grade, and will contain one rectangular sign face measuring 8.69 metres horizontally by 2.30 metres vertically, with a sign face area of 19.99 square metres. The Proposed Sign is described further in Attachment 1.

Community Consultation

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

The CBO also informed the public of an additional virtual Community Consultation. The virtual Community Consultation meeting was held on the evening of July 27th, 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 to be used in evaluating variance application for Proposed Signs. Specifically, §694-30A states that an application for variance may only be granted where it is established that the Proposed Sign meet each of the nine established criteria.

The Sign Variance Committee is required to conduct an evaluation and determine that 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

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 of the Sign Unit staff, the Subject Premises can be confirmed as being designated as an E Sign District, and that E Sign Districts permit third party sign class. The CBO has confirmed that as per information contained in the Applicant's submission, the Proposed Sign belongs to the third party sign class, because 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.

Section 694-30A(2): In the case of a third party sign, the Proposed Sign is of a sign type permitted in the Sign District

Based on the review of the Sign Unit staff, 2290 Markham Road can be confirmed as being designated as an E Sign District. The Applicant's submission contains sufficient information (in the description and diagrams provided) to confirm the Proposed Sign is a third party sign electronic ground sign type. Third party electronic ground signs are permitted in E Sign Districts according to 694-25(C)(2).

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

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

The Property at 2290 Markham Road is located in an E Sign District, which permits electronic ground signs at a size consistent with the Proposed Sign. The Subject Premises is occupied by three buildings used as quick service restaurants and a fourth building used as a retail plaza, containing restaurants and medical services. The Subject Premises is surrounded by other E Sign Districts to the south and by OS Sign Districts to the north, east and west. Areas designated as E Sign Districts within the City contain largely commercial and employment uses, and were specifically set out in the Sign By-law to contain third party electronic ground signs. Based on Sign By-law Unit investigation, many of the buildings in the general vicinity are consistent with the Subject Premises and contain low-rise buildings with light industrial and commercial uses.

The Proposed Sign will face an OS Sign District located approximately 6 metres to the north and 20 metres to the east from the Proposed Sign. The OS area located east of the Proposed Sign contains a ravine below road level. Although the Sign By-law does not allow for electronic ground signs located within 60 metres of an OS Sign District, and when located within 250 metres of OS Sign District the Sign By-law does not allow the sign to face any premises on such district, the applicant has provided Natural Heritage Impact Study prepared by WSP ("The Environmental Report") with the supporting materials demonstrating that the Proposed Sign will not have impacts in the OS Sign District, as it will occur in an area that has low ecological sensitivity and concern for potential effects.

The applicant also provided as part of the application supporting documents an email from Toronto Conservation Authority which has no objection to the Proposed Sign. TRCA confirms in this email that, although the Subject Premises is partially within a TRCA Regulated Area of the Highland Creek Watershed, the Proposed Sign is located outside of the Regulated Area, and that the Proposed Sign will not expand nor increase

the density of the building(s) on the Subject Premises and will not impact any existing natural heritage features.

No other properties within 250 metres of the Proposed Sign have been identified as containing sensitive land uses that would be incompatible with the Proposed Sign.

For these reasons, the CBO is of the opinion that this criteria has been established and that the Proposed Sign is compatible with the development of the premises and surrounding area.

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

The Premises is designated as a General Employment Areas in the Official Plan. Employment Areas are places of business and economic activity, and include a wide array of uses such as manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets, restaurants and small-scale stores and services that serve these businesses and workers.

By providing local businesses the opportunity to promote their goods and services, the Proposed Sign can assist businesses in advertising products and services to commuters, residents and visitors on this area. In addition, the Proposed Sign will not block any visibility to the existing businesses on site.

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

The Proposed Sign is in close proximity to a ravine, an area designated as Natural Areas in the Official Plan. The Official Plan states that Natural Areas should be maintained primarily in a natural state, allowing for some uses that are designed to have only minimal adverse impacts on natural features and functions. The area does not appear to serve any type of recreational or conservation use, which could be affected by the Proposed Sign.

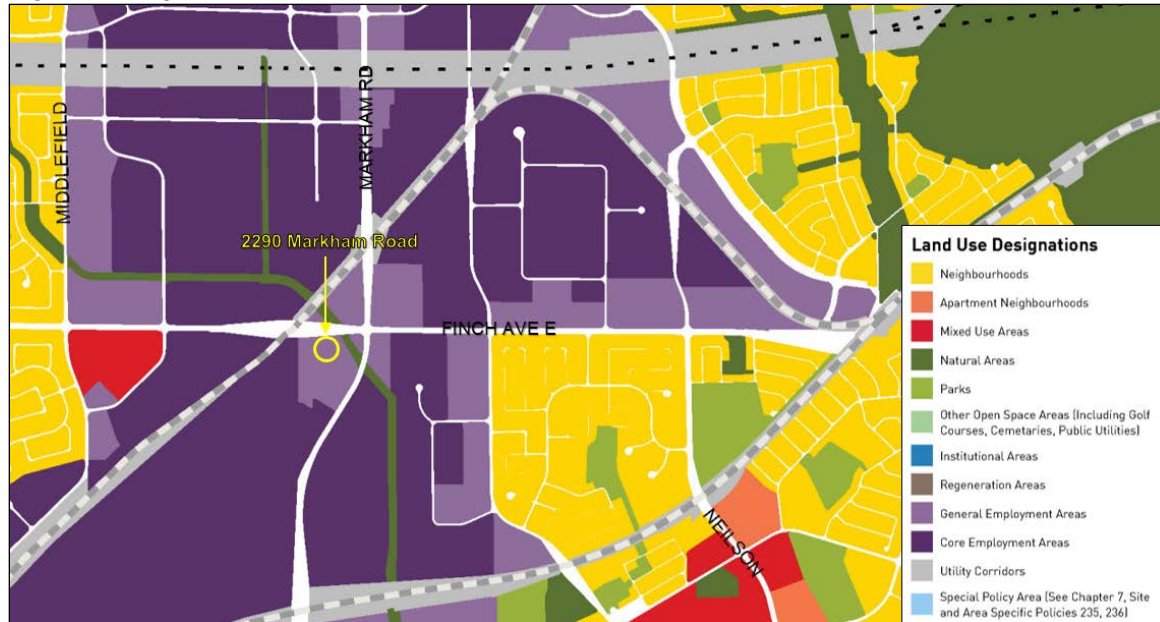
Policy Statement 3.4.13 in Chapter 2 of the Official Plan states that:

All proposed development in or near the natural heritage system will be evaluated to assess the development's impacts on the natural heritage system and identify measures to mitigate negative impact on and/or improve the natural heritage system, taking into account the consequences for: a) terrestrial natural habitat features and functions including wetlands and wildlife habitat; b) known watercourses and hydrologic functions and features; c) significant physical features and land forms; d) riparian zones;

e) buffer areas and functions; f) vegetation communities and species of concern; and g) aquatic features and functions including the shoreline of Lake Ontario.

The environmental study provided with the applicant's submission shows that the ravine will not be negatively affected by the Proposed Sign. In addition, the condition of a maximum brightness of 150 NITS between sunset and sunrise will further reduce any impacts that the Proposed Sign may have on the nearby natural area.

Figure 4: Map 19 Land Use Plan – 2290 Markham Road



The Zoning By-Law is the primary way in which the City implements its Official Plan; it governs the built form of the city in a way that is consistent with the Official Plan objectives for properties throughout the city.

Based on staff investigation, the Subject Premises is designated as an Employment Industrial Zone Category. The permitted uses in an E zone include a wide variety of industrial and commercial uses, consistent with what is generally found in Employment Sign Districts. As well, based on the requirements of Zoning By-law 569-2013, the Proposed Sign meets the yard setbacks for buildings and structures for the E zone.

The Applicant's submission materials in addition to staff investigation provide sufficient information to confirm that the Proposed Sign supports the Official Plan objectives for 2290 Markham Road and the surrounding area. As such, the CBO is of the opinion that this criteria has been established.

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

The land uses and built form of the adjacent premises is similar to that of the Premises and there does not appear to be any sensitive land uses on the adjacent premises nor in the surrounding area. Staff have confirmed that the Subject Property is surrounded by

E Sign Districts to the immediate south, and by OS Sign Districts to the north, east and west (see Figure 3).

Figure 5: Aerial View - Adjacent Properties Uses



The property at 2290 Markham Road contains a four single-storey buildings with commercial uses. To the west and south of the Proposed Sign are predominantly one storey buildings with commercial and/or industrial uses. None of the adjacent properties contain Residential or Institutional uses, or other uses which would be considered to be of a sensitive nature. As such, the Proposed Sign should have no adverse impacts on these properties.

The Proposed Sign will be placed in proximity to OS Sign Districts, located approximately 6 metres to the north and 20 metres to the east of the Proposed Sign. The Sign By-law requires that third party electronic ground signs shall be located at a minimum of 60 metres distant from an OS Sign District.

The Proposed Sign will also be facing premises located in the OS Sign District. Although the Sign-By-law requires electronic ground signs located within 250 metres of an OS Sign District not to be facing such premises, the electronic display will be facing predominantly the north OS Sign District, which according to the applicant and confirmed by staff, appears to be comprised by a grassy hill. The Proposed Sign's electronic display will not be facing directly onto the most critical area to the east, where the ravine and natural vegetation is situated. Moreover, the Environmental Report advises that the impacts of the sign on the OS Sign District will be negligible, as it occurs in an area that has low ecological sensitivity and concern for potential effects.

The Applicant's submission materials also state that in order to ensure the light generated by the sign is not emitted into the OS Sign District, the Proposed Sign face

will operate at a reduced level of illumination of 150 nits between sunrise and sunset, which is 50% less of the permitted NIT level. The applicant has also confirmed that the proposed sign will only be operated between the hours of 7 a.m. and 11 p.m. in conformance with Sign By-law requirements.

As a result, it is in the opinion of staff that the Proposed Sign will have no adverse effects on the adjacent premises. The Applicant's submission materials and staff investigation have provided sufficient information to confirm that the Proposed Sign will not adversely affect the adjacent premises, therefore the CBO is of the opinion that this criteria has been established.

Section 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.

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 is proposed to be entirely outside this prohibited zone for signs.

The Proposed Sign is not located in proximity to sidewalks or driveways that could create impact on pedestrian or traffic safety. In addition, the Proposed Sign has a minimum clearance of 9.20 metres from grade to the bottom of the sign face. This clearance exceeds the minimum clearance requirement of 4.25 meters set out in the Ontario Building Code.

Although there are concerns about driver 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.

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, the Proposed Sign does 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.

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

According to staff review, the Applicant's documents and drawings contains sufficient information to confirm that Proposed Sign meets the description of any of the signs which are not 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 does not alter the character of the premises or surrounding area

As mentioned earlier, the Premises is an E Sign District, which permits electronic ground signs at a size consistent with the Proposed Sign. The Premises currently contains double-sided first party ground sign and a double-sided third party ground sign displaying static copy, both approved and erected prior to the current Sign By-law coming into force in 2010. The Proposed Sign will not be introducing a new sign class to the premises or surrounding area, and as a result, will not alter the character of the premises and surrounding area in this respect.

Figure 6: Looking from the intersection of Markham Road and Finch Avenue East to the Subject Premises



Regarding possible clutter due to the existence of the first party ground sign on the premises, staff have verified that the existing first party sign and the existing third party sign are located along different street frontages and have little relationship with one

another. The existing first party and third party signs on the Subject Premises are located more than 130 metres apart and have little relationship with one another. The separation between the existing first party sign and the Proposed Sign will be approximately 15 metres greater than the separation distance between the existing signs.

In addition, there are currently no third party signs located within 100 metre radius, nor third-party electronic ground signs within 500 metres of the Proposed Sign, which is consistent with the requirements of the Sign By-law.

Due to the fact that the signs are oriented along different streets, the separation between signs, the different sign classes, and the fact that there are one third-party and one first party signs in the premises at this moment, staff's opinion is that the Proposed Sign will not alter the character of the premises or surrounding area.

Based on staff investigation and the Applicant's materials, it is staff's opinion that the Proposed Sign will not alter the character of the premises or surrounding area, therefore the CBO is of the opinion that this criteria has been established.

Section: 694-30A(9): The Proposed Sign is not 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 Employment Sign Districts in terms of: 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.

With respect to the requested variance to the Section 694-25C (2)(b) the Proposed Sign would be allowed to be erected at a height of approximately 12.00 metres.

The Proposed Sign will not appear to be more than 10 metres high when viewed from the street (Finch Avenue East), which is elevated in relation to the Subject Premises approximately 4.5 metres. Moreover, the Proposed Sign is at a scale and nature that is consistent with the surrounding land uses and built form.

With respect to the requested variances to the Section 694-25.C(2)(e) and 694-25C (2)(f), the Proposed Sign will be allowed to be located within 60.0 metres of the OS Sign District and facing a OS Sign District which is within 250.0 metres.

The sign display will be facing the OS Sign District located on the north of the property. The Environmental Report and the staff review has confirmed that the area is mostly comprised by a grassy hill and the Proposed Sign's electronic display will not be facing directly onto the most critical area to the east, where the ravine and natural vegetation are located. Furthermore, the Environmental Report validates that the impacts of the sign on the OS Sign District are negligible. TRCA also had no objection to the Proposed Sign.

Also, as a condition of approval, the Proposed Sign will also operate at a reduced level of illumination of 150 NITS between sunset and sunrise further reducing any impacts that the Proposed Sign may have on the OS Sign District.

As such, it is in the opinion of staff that the Proposed Sign will not have any negative impact on the adjacent premises.

Regarding the requested variance to the Section 694-25.C(2)(h), the Proposed Sign would be permitted to be erect on premises containing one first party ground sign, as opposed to the Sign By-law requirement allowing only one ground sign or electronic ground sign to be erected on the premises.

Due to the distance between these two signs and the fact that they are on different property frontages and are of different sign classes, staff are of the opinion that there is little relationship between these two signs. Also, due to the fact that there is an existing third-party sign on the premises, the Proposed Sign will not contribute to sign clutter in the area and will not alter the character of the premises. It should be noted that as a condition of approval, the existing third-party ground sign would be removed prior to the issuance of the sign permit for the Proposed Sign, and all associated permits shall be revoked.

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 materials and the Sign By-law 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 three requested variances have been met. As such, the CBO is supportive of the Sign Variance Committee granting the requested variances, subject to the specified condition.

CONTACT

Fernanda Patza, Sign Building Code Examiner Inspector, Sign By-law Unit
Email: Fernanda.Patza@toronto.ca; Tel: 416-392-6987

SIGNATURE

Ted Van Vliet
Project Director, Business Transformation, Toronto Building

ATTACHMENTS

Attachment 1 – Description of Signs and Required 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 one sign face, facing in an approximate Northerly direction; and,
- b) The sign face shall comply with the following:
 - i) Have a maximum bisecting line no greater than 2.30 meters;
 - ii) Have a maximum center line of no greater than 8.69 meters;
 - iii) Have a maximum sign face area of no greater than 19.99 square meters;
 - iv) Display electronic static copy, only;
- c) The maximum height of 12.0 meters.

Required Variances:

1) **§ 694-25.C(2)(b)** – An Employment "E" Sign District may contain a third party electronic ground sign, provided the height shall not exceed 10.0 metres. **Proposed New Requirement:** The Proposed Sign height will be approximately 12.0 metres;

2) **§ 694-25.C(2)(e)** – An Employment "E" Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within 60.0 metres of any premises located, in whole or in part, in an R, RA, CR, I or OS sign district. **Proposed New Requirement:** The Proposed Sign will be located within 60.0 metres of an Open Space (OS) sign district;

3) **§ 694-25.C(2)(f)** – An Employment "E" Sign District may contain a third party electronic ground sign, provided where it is located within 250 metres of an R, RA, CR, I or OS Sign District, the sign cannot face any premises in the R, RA, CR, I or OS Sign District. **Proposed New Requirement:** The Proposed Sign will face an Open Space (OS) sign district within 250.0 metres of its location;

4) **§ 694-25.C(2)(h)** - An Employment "E" Sign District may contain a third party electronic ground sign, provided there shall be no more than one ground sign or electronic ground sign erected on the premises. **Proposed New Requirement:** The Proposed Sign will be erected on a premises containing one first party ground sign.

The four requested variances would be subject to the following conditions:

Condition 1. The Proposed Sign shall operate the digital display facing an OS Sign District at a reduced level of illumination of 150 nits during the period between sunset and sunrise.

Condition 2: The existing third party sign shall be removed prior to the issuance of the sign permit for the Proposed Sign, and all associated permits shall be revoked.

ATTACHMENT 2 – APPLICANT'S SUBMISSION PACKAGE