

Application for Four Variances Respecting One Third Party Electronic Ground Sign

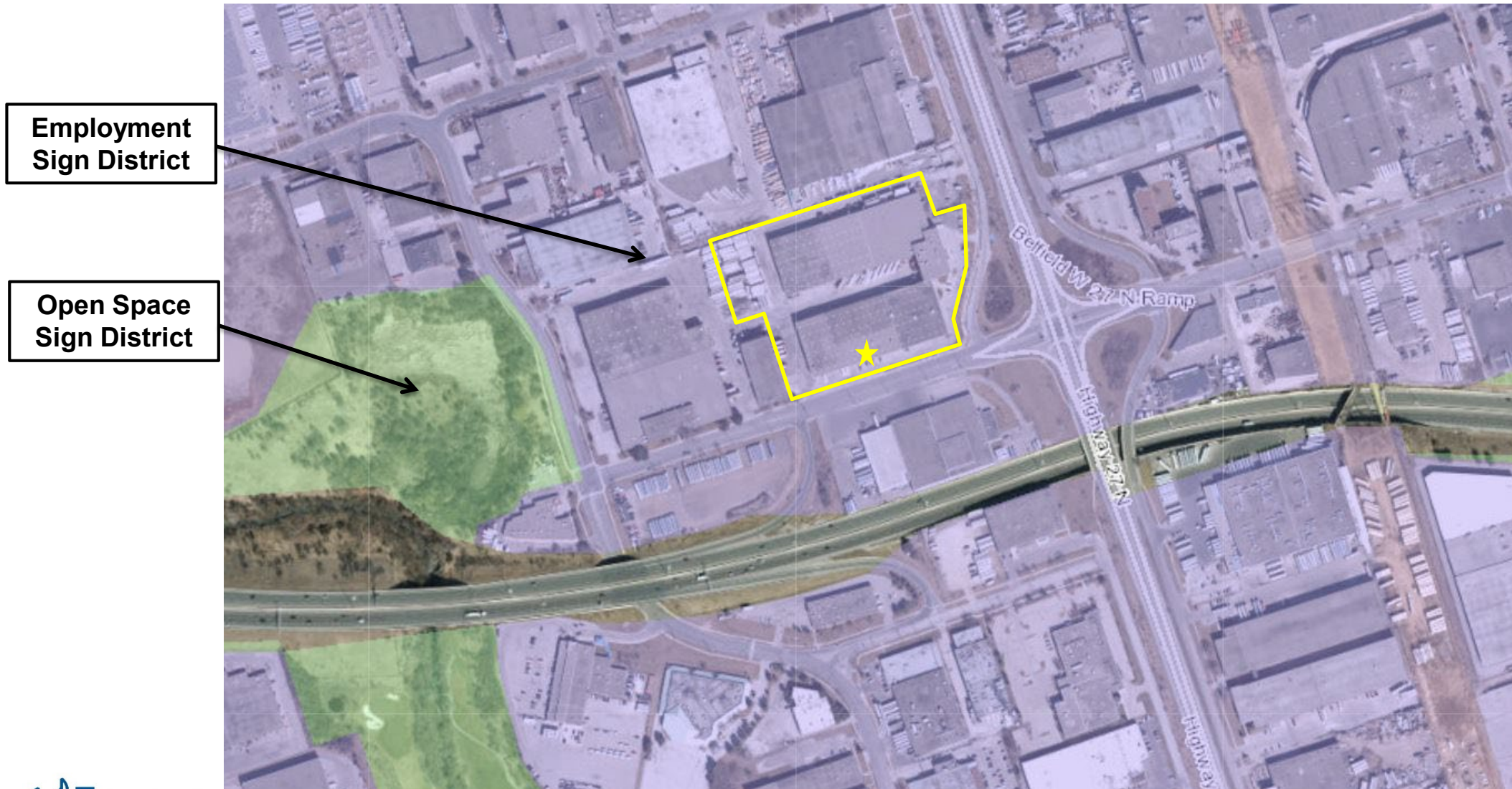
170 Brockport Drive

September 09, 2022

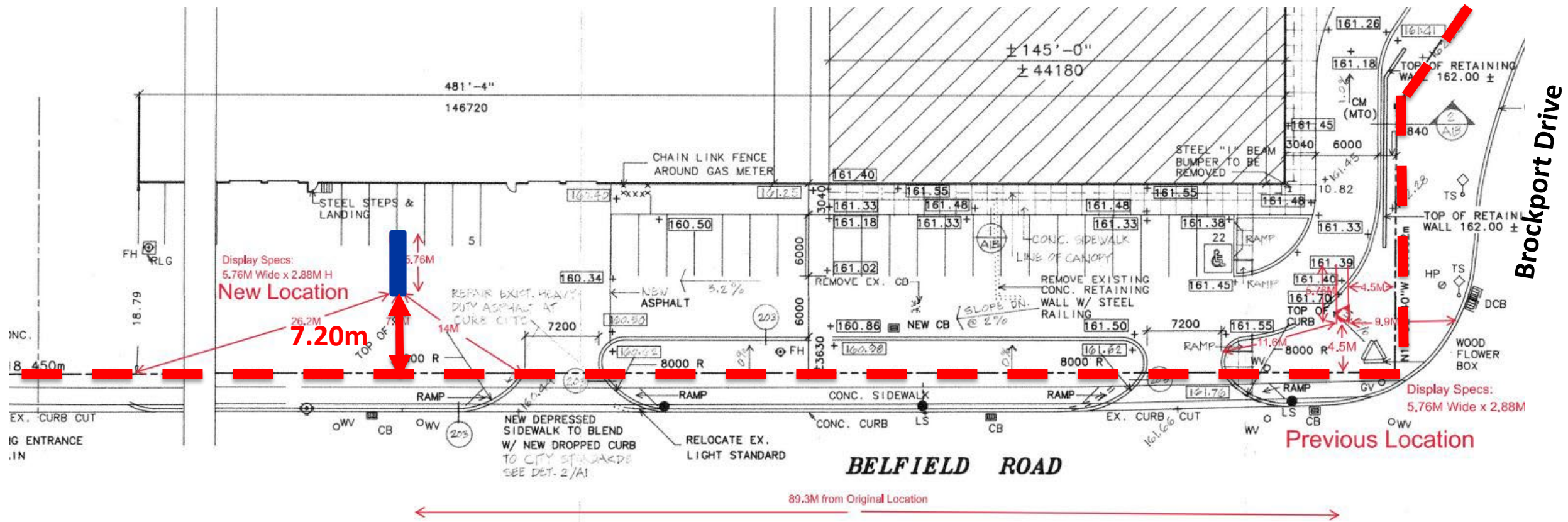
Proposed Sign Description

Sign Type	Electronic Ground Sign
Sign Copy Type	Electronic Static Copy
# of Sign Faces	Two sign faces in a “back to back” configuration
Sign Location	South frontage
Face Orientation	Westerly and Easterly
Sign Face Dimensions (width x length)	5.76 metres x 2.88 metres
Sign Face Area / height	16.59 square metres / 7.62 metres

Sign District Designation



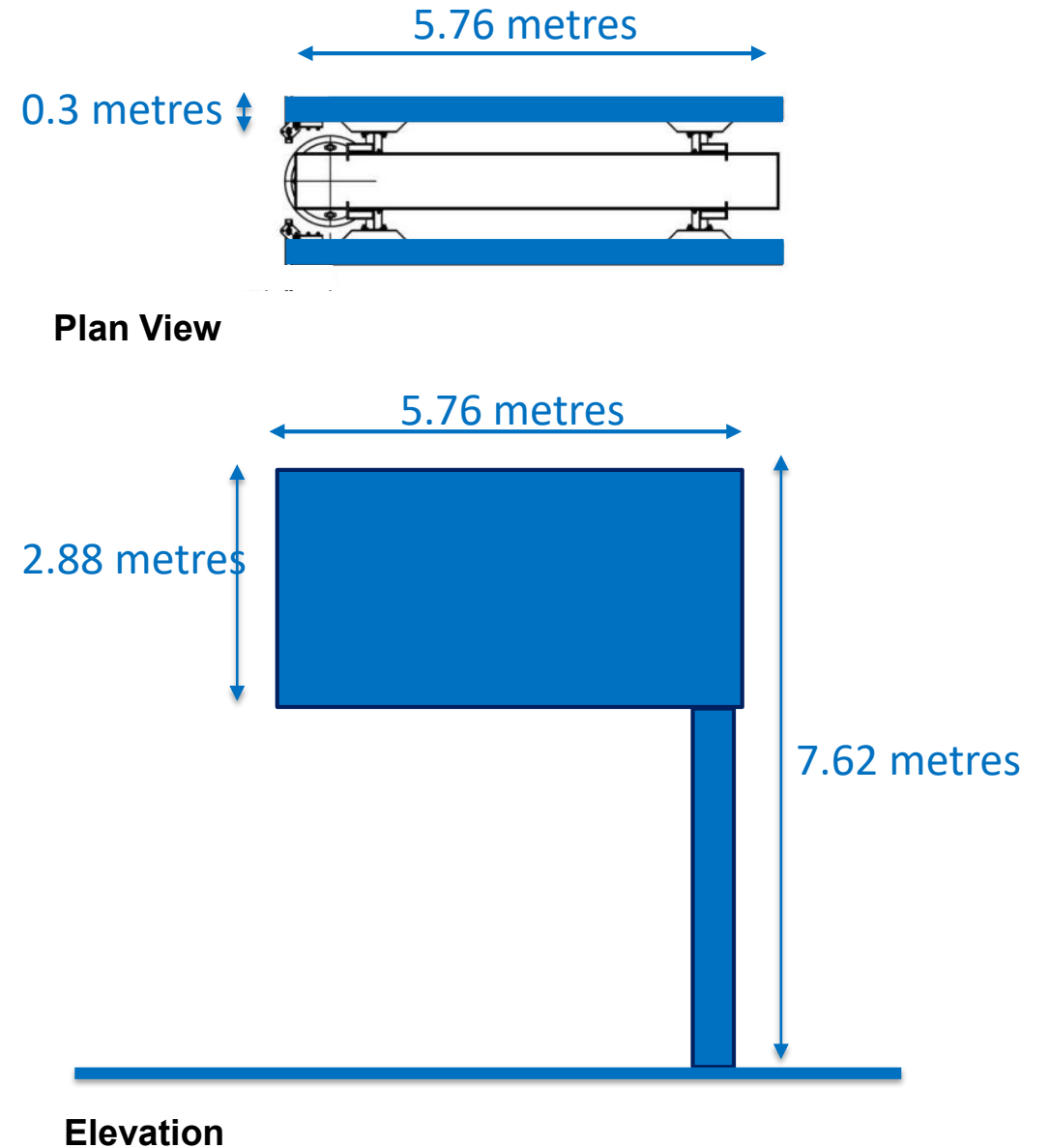
Sign Location



Proposed Sign Description



Rendering



Requested Variances – Proposed Sign

Sign By-Law Reference	Requirement	Proposal
§ 694-24.A(10)	A third party sign shall not be erected or displayed or caused to be erected or displayed in whole or in part within 400 metres of any limit of Highway 27 from Highway 401 to Steeles Avenue, transferred from the Province by Order in Council 535/97;	The Proposed Sign is located approximately 111.30 metres from any limit of Highway 27.
§ 694-24.A(16)	A third party sign shall not be erected or displayed or caused to be erected or displayed in whole or in part within 400 metres of any limit of any portion of Highway 409 contained within the municipal boundaries of the City;	The Proposed Sign would be located within 82 metres of the northern limit of Highway 409.

Sign Variance Criteria – Established Criteria

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

- Third party signs are permitted in Employment Sign District.

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

- Electronic ground signs are permitted in Employment Sign District.

Sign Variance Criteria – Established Criteria

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

- 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*
- In order to further satisfy this criteria, the CBO recommends two conditions:
 - **Condition 1:** The sign face bottom shall be no less than 4.25 metres from the ground for all sign faces; and,
 - **Condition 2:** Prior to the issuance of a sign permit, the applicant provide evidence to the satisfaction of the Chief Building Official, that the Proposed Sign will not interfere with or occupy any parking spaces required by the City's applicable Zoning By-law

Sign Variance Criteria – Established Criteria

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

- There are no sensitive land uses near 170 Brockport Dr.
- The land uses and built form of the buildings located on the adjacent premises are similar to 170 Brockport Dr.
- The proposed sign is located more than 30m from the intersection of Brockport Road and Bellfield Drive

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

- The Proposed Sign is not prohibited by §694-15B

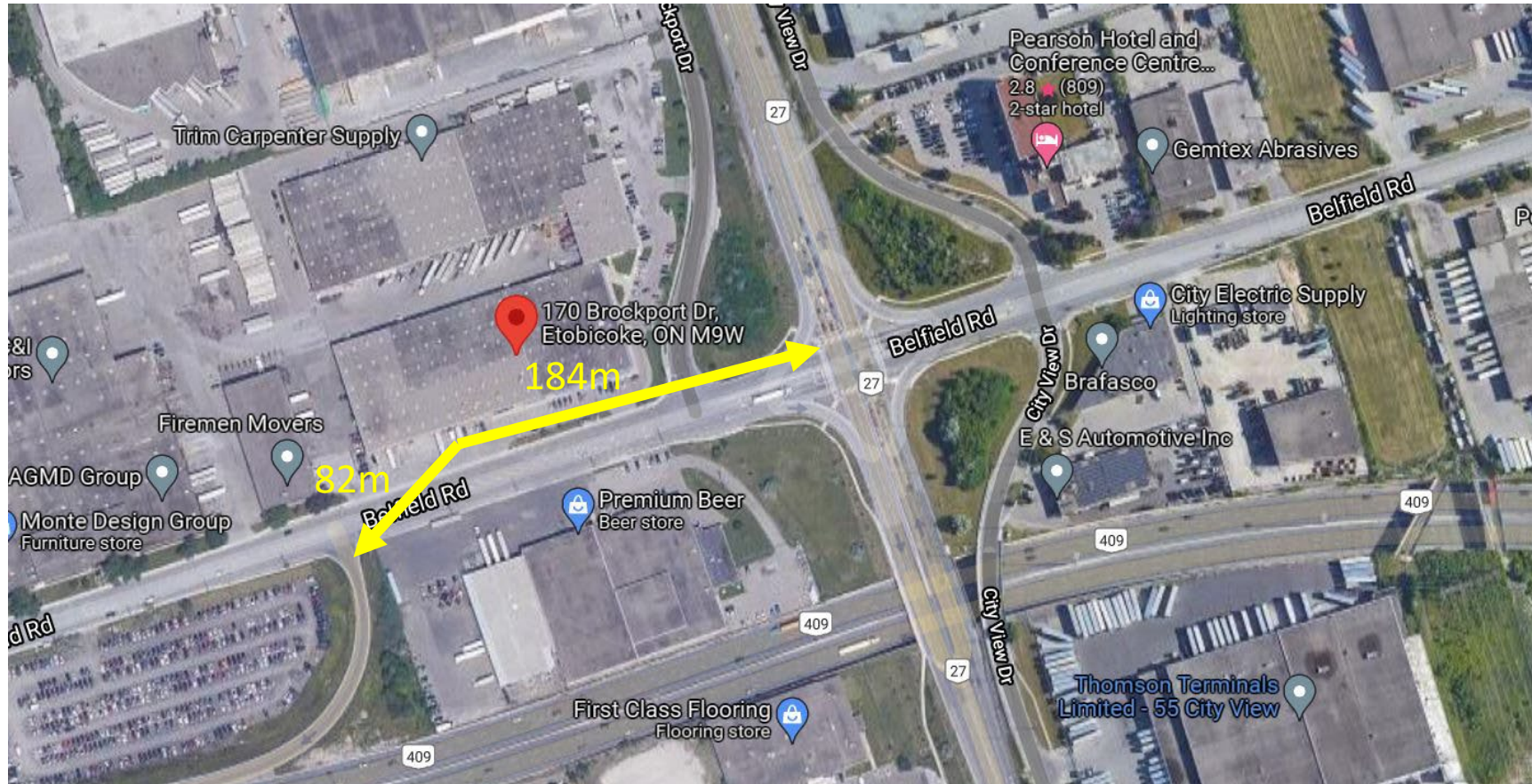
Sign Variance Criteria – Criteria Not Established

694-30A(3): The Proposed Sign is not compatible with the development of the premises and surrounding area:

- The Proposed Sign would be located within two area-specific restrictions which prohibit third party signs to be erected within 400 metres of any limit of Highway 27 & 409.
- The Distance from off-ramp of Highway 27 is 111.30 metres (184m from the travelled portion)
- The Distance from off-ramp leading from Belfield Road to Highway 409 is 82 metres (approx.)
- No materials have been provided as to how the Proposed Sign at this location is unique or how the Proposed Sign at this location would be consistent with the development of the Subject Premises and surrounding area.
- No comment was provided by MTO as to whether the Proposed Sign is consistent with the development of 170 Brockport Drive or other premises within 400 metres of Highway 409

Sign Variance Criteria – Criteria Not Established

694-30A(3): The Proposed Sign is not compatible with the development of the premises and surrounding area

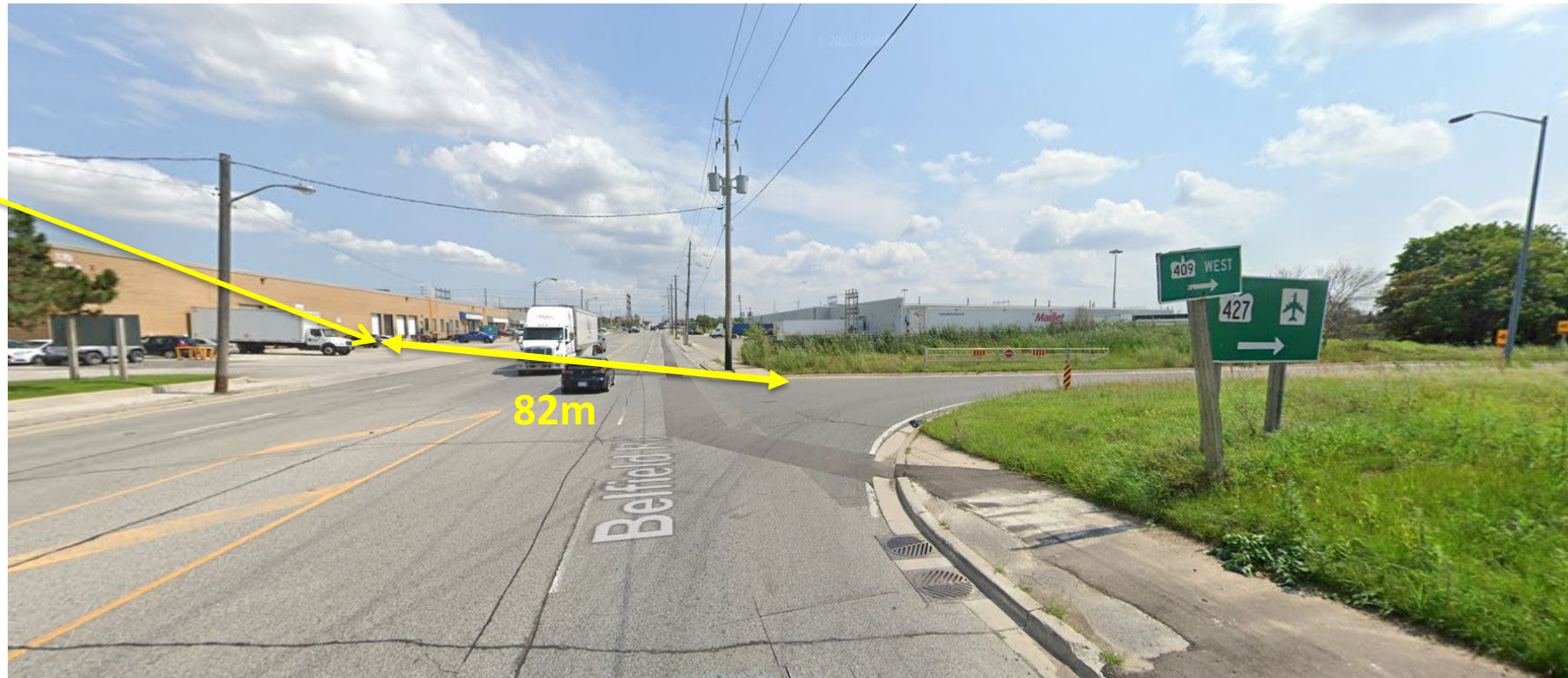


Distance between Proposed Sign & western limit of
travelled portion of Highway 27 & off-ramp to Highway 409

Sign Variance Criteria – Criteria Not Established

694-30A(6) - The Proposed Sign will adversely affect public safety, including traffic and pedestrian safety

Approximate
Location of
Proposed
Sign



Distance between Proposed Sign and off-ramp leading from Belfield Road to Highway 409

Sign Variance Criteria – Criteria Not Established

694-30A(6) - The Proposed Sign will adversely affect public safety, including traffic and pedestrian safety:

- Proposed Sign is not in the visibility zone.
- Proposed sign is not within the City's Zoning By-law setbacks.
- CBO recommend a condition for the clearance height to be 4.25 metres, pedestrians and vehicle could pass safely.
- Drivers distraction and other safety issues may be caused by electronic signs.
- The Applicant has not provided any studies or documentation to support the position that the Proposed Sign in this location will not have any adverse impacts on public safety.
- There isn't any updated review and approval from MTO.

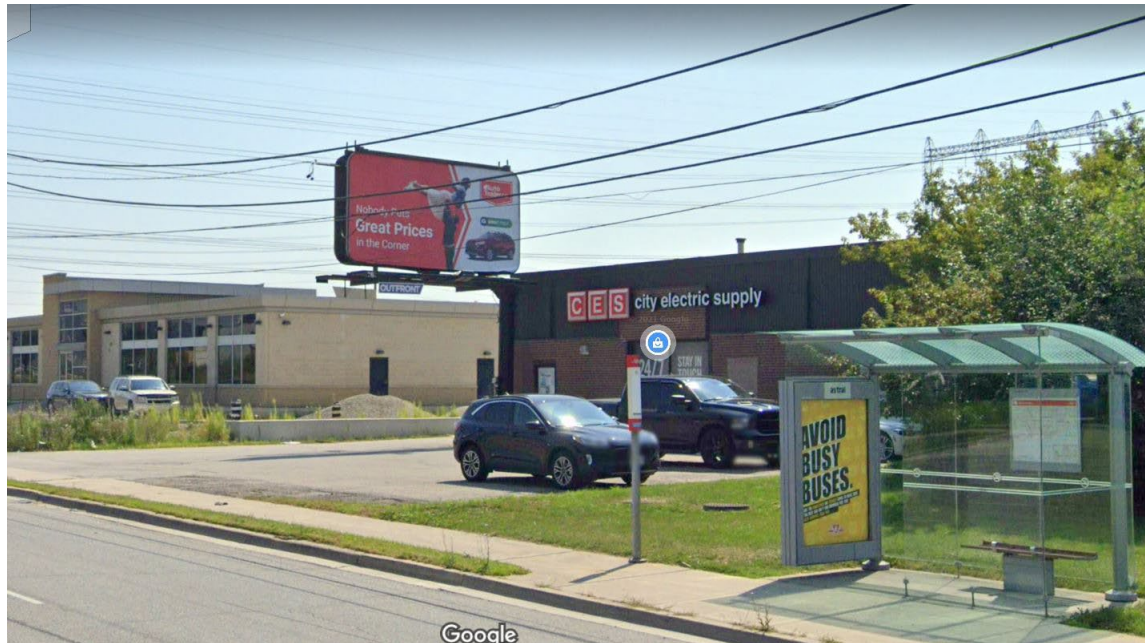
Sign Variance Criteria – Criteria Not Established

694-30A(8) - The Proposed Sign does alter the character of the premises or surrounding area:

- The Proposed Sign is located within two separate area specific restrictions which prohibit the erection or display of any third party signs. (within 400m limit of Highway 27 & Highway 409)
- No information provided regarding how this new sign type will not alter the character of the premises and surrounding area which is subject to two area-specific restrictions.
- The Applicant's Submission materials make reference to other third party signs in the area, however these signs are not electronic ground signs and have been in place since at least 2007, pre-dating the requirements of the current Sign Bylaw.

Sign Variance Criteria – Criteria Not Established

694-30A(8) - The Proposed Sign does alter the character of the premises or surrounding area



Google Street view – Third Party Ground sign displaying static copy located at Belfield Road, 364m away from Proposed sign



Google Street view – Third Party Ground sign displaying static copy located at Belfield Road, 500m away from Proposed sign

Sign Variance Criteria – Criteria Not Established

694-30A(9): The Proposed Sign is contrary to the public interest:

- The Applicant notes that they will also comply with the requirements of the Sign By-law concerning the use of renewable energy and image transitions on the Proposed Sign
 - The Applicant has not provided an explanation as to why the fact that Proposed Sign would comply with Sign By-law requirements applicable to all third party signs is relevant to this criteria.
- 170 Brockport Drive is subject to two Area-Specific Restrictions enacted by City Council establishing that third party signs are prohibited on the premises.
 - The Applicant has provided little evidence as to how the Proposed Sign would contribute positively to the quality of the area's appearance, or enhance the image and attractiveness of Toronto
 - The Applicant has also not provided any evidence to how granting a variance to the prohibition on third party signs within 400 metres of Highway 409 and Highway 27 would not be contrary to the public interest.

Conclusion and CBO Recommendation

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

- The Sign Variance Committee **refuse** the requested variances to the Sign By-Law, as required to allow the Applicant to obtain a permit for the erection and display of one third party electronic ground sign at the property municipally known as 170 Brockport Drive.

QUESTIONS?