

Application for Three Variances, Respecting One Third Party Electronic Ground Sign - 590 Wilson Avenue

Date: October 20, 2023
To: Sign Variance Committee
From: Manager, Citywide Priorities, Toronto Building
Wards: York Centre (Ward 6)

SUMMARY

DUE To Construction (the "Applicant") has been authorized by the owner of the property municipally known as 590 Wilson Avenue, in North York (the "Subject Premises") to apply for three variances, required to allow for a permit to be issued to erect and display a double-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 two sign faces in a back-to-back configuration, each face measuring 5.80 metres horizontally by 2.91 metres vertically, with a height of 7.62 metres. The Proposed Sign is described further in Attachment 1.

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

1) **§ 694-24.A(14)** – 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 401 contained within the municipal boundaries of the City.

Proposed New Requirement: The Proposed Sign would be located approximately 260 metres from Highway 401 access ramp.

2) **§ 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. **Proposed New Requirement:** The Proposed Sign would be

located approximately 200 metres from the CR sign district and it would be facing such district.

3) **§ 694-25.C(2)(g)[1]** – An Employment "E" Sign District may contain a third party electronic ground sign, provided the sign be located a minimum of 500 metres from any other third party electronic sign located on the same street. **Proposed New Requirement:** The Proposed Sign would be located approximately 390 metres from an existing third party electronic sign, located further west on Wilson Avenue.

Following a review of the Applicant's submissions and additional information obtained by the City of Toronto staff investigation, the CBO has determined that there is not sufficient basis to conclude that the nine required criteria in §694-30A of the Sign By-law have been established with respect to the variances, as described further in Attachment 1 to this report. As such, the CBO recommends that the variance application for the Proposed Sign be refused.

RECOMMENDATIONS

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

1. The Sign Variance Committee refuse the requested variances to sections 694-24.A(14), 694-25.C(2)(f) and 694-25.C(2)(g)[1], as required to allow for the issuance of a permit respecting the erection and display of the Proposed Sign at the property municipally known as 590 Wilson Avenue, 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

PH3.17 - Update Downsview: Draft Secondary Plan and Draft Community Development Plan Priorities - Status Report

On April 27, 2023, the Planning and Housing Committee considered the Update Downsview Status Report, including the draft Secondary Plan, Urban Design Guidelines outline and Community Development Plan priorities. City Council adopted this item on May 10, 2023, with amendments.

(<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH3.17>)

CC28.10 - Local Planning Appeal Tribunal Appeal of Official Plan Amendment 231 - Appeal 134 by Parc Downsview Park and Canada Lands Company Ltd - Request for Direction

In February 2021, City Council adopted Site and Area-Specific Policy 596 ("SASP 596") for a portion of the Downsview Area Secondary Plan area which requires, among other matters, an update to the Secondary Plan.

(<https://secure.toronto.ca/council/agenda-item.do?item=2021.CC28.10>)

PG 5.13 - Electronic and Illuminated Sign Study and Recommendations for Amendments to Chapter 694:

The amendments approved by City Council in 2015 sought to reduce the impact of electronic signs by increasing the minimum separation required between electronic signs and sensitive land uses and reducing the maximum permitted brightness levels at night. Third party electronic signs are now permitted in Employment, Utility and Commercial Sign Districts, but are not a permitted sign type in CR Sign Districts, where there are residential uses.

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG5.13>)

ISSUE BACKGROUND

Required Variances

Table 1: Summary of Requested Variances

Section	Requirement	Proposal
694-24.A(14)	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 401 contained within the municipal boundaries of the City.	The Proposed Sign would be located approximately 260 metres from Highway 401 access ramp.
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 would be located approximately 200 metres from the CR sign district, and it would be facing such district.

Section	Requirement	Proposal
694- 25.C(2)(g)[1]	An Employment "E" Sign District may contain a third party electronic ground sign, provided the sign be located a minimum of 500 metres from any other third party electronic sign located on the same street.	The Proposed Sign would be located approximately 390 metres from a third party electronic sign located on the same street.

Sign Attributes and Site Context

The Proposed Sign is a third-party electronic ground sign, displaying electronic static copy, located at 590 Wilson Avenue. The Proposed Sign has two sign faces in a back-to-back configuration, oriented easterly and westerly, to be viewed by vehicles travelling both directions along Wilson Avenue.

The Subject Premises is currently designated as being an Employment (E) Sign District, see SignView Map in Figure 4. The property is located in Ward 6 - York Centre, on the north side of Wilson Avenue and is within the boundaries of the Downsview Airport and Bombardier Aerospace Campus, where there is currently an airport facility used by Bombardier.

Figure 1: GIS Map Excerpt – 590 Wilson Avenue



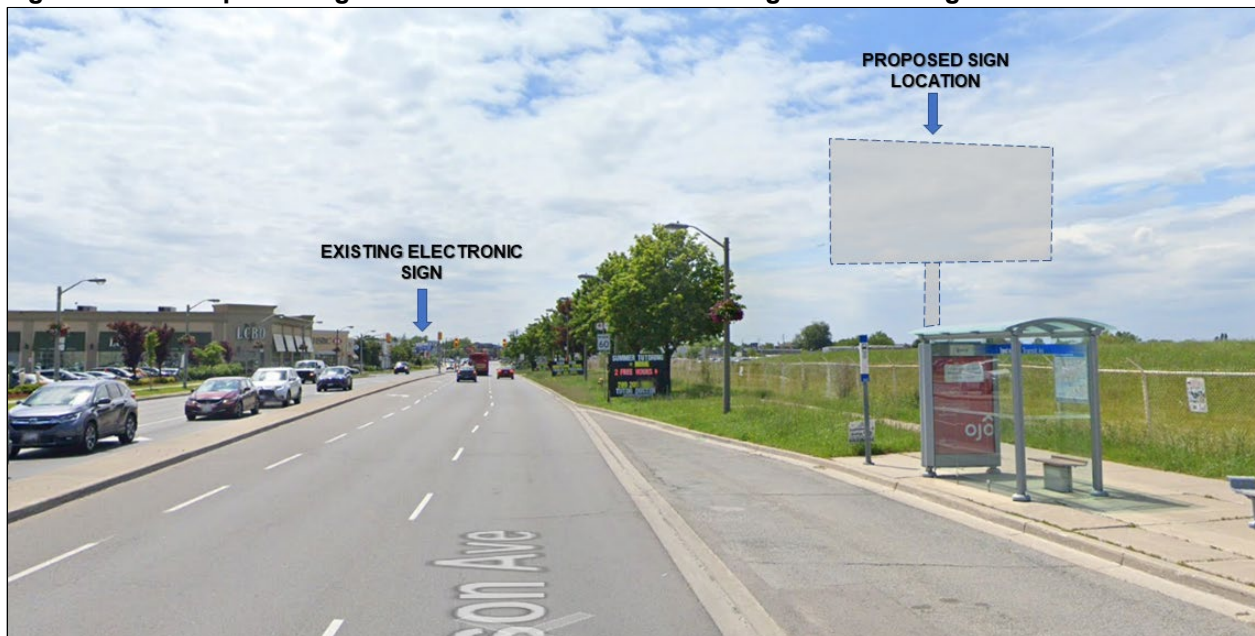
In 2018, Bombardier announced that their operations would be leaving the area. Since then, the City has been working in collaboration with the current landowners on a study for the redevelopment and repurposing of the lands. On May 10, 2023 Council adopted with amendments, the Update Downsview Status Report, including the draft Secondary Plan, Urban Design Guidelines outline and Community Development Plan priorities.

Currently, the portion of land where the Proposed Sign is to be erected is an open field without any buildings or natural features (see Figure 2).

Figure 2: Looking Northwest from Wilson Avenue to the Subject Premises



Figure 3: The Proposed Sign location and location of existing electronic sign to the west



Approximately 390 metres to the north of the premises there is an existing third party electronic sign, which causes the one of the variances required for the Proposed Sign. The Sign By-law requires a minimum 500 metres of separation between third party

electronic signs located on the same street, and the Proposed Sign is 110 metres short of the required distance.

The Subject Premises is also located approximately 260 meters from the Highway 401 on-ramp at Allen Road and 400 meters from the northern boundary of the highway's traveled portion. This prompted a second variance, as the Sign By-Law prohibits third-party signs within 400 meters of Highway 401.

Surrounding premises:

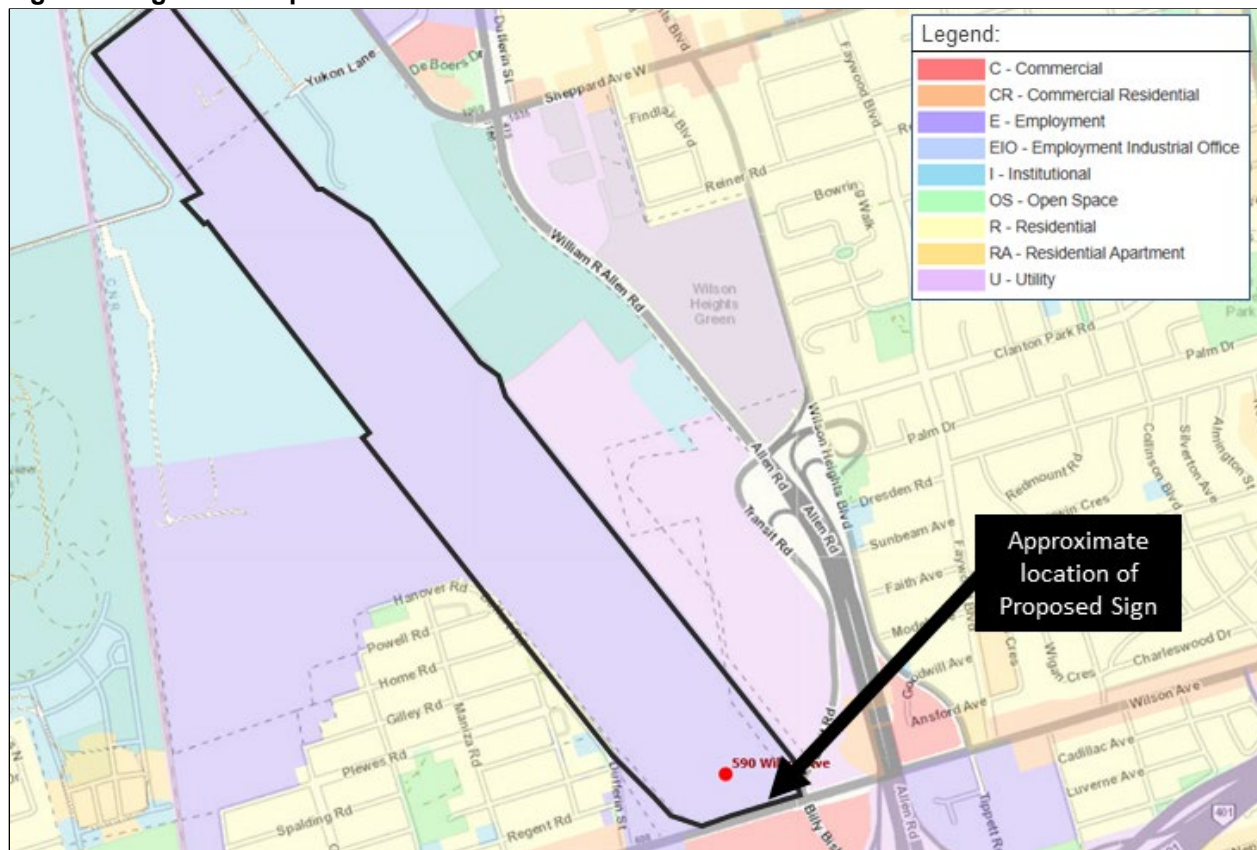
North: Institutional (I) Sign District, airplane runway within the premises and vacant lands.

South: Commercial (C) Sign District, commercial retail plaza, with stores, bank and coffee shops.

East: Utility (U) Sign District, transit parking lot and Wilson TTC Station passenger pick-up and drop-off.

West: Employment (E), Residential (R) and Institutional (I) Sign Districts, access road, parking lot for vehicle storage and car dealership, residential area, Downsview Park Sports Centre.

Figure 4: SignView Map - 590 Wilson Avenue



COMMENTS

Applicant Information

Due to Construction has stated that they have been authorized by the owner of the property municipally known as 590 Avenue to apply for three 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, as further described in Attachment 1.

Application Background

The Proposed Sign would be located on the south frontage of the property, perpendicular to Wilson Avenue, facing to the easterly-westerly directions.

The Proposed Sign would have a maximum height of 7.62 metres from the grade, and contain two rectangular sign faces, in a back-to-back configuration, each measuring 5.80 metres horizontally by 2.91 metres vertically, with sign face area of 16.90 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 October 11th, 2023, despite some interest in the consultation from one community member, nobody attended this session.

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 staff, provide 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 City of Toronto 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 can be confirmed to belong 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 criterion 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 staff, 590 Wilson Avenue 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 and belongs to the electronic ground sign type. Electronic ground signs are permitted in E Sign Districts according to 694-25(C)(2).

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

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

The property at 590 Wilson Avenue is located in an E Sign District, which permits electronic ground signs at a height and size consistent with the Proposed Sign. The Subject Premises is located within the boundaries of the Downsview Airport and Bombardier Aerospace Campus, where there is currently an airport facility used by Bombardier.

The Subject Premises is surrounded by E, I and R Sign Districts to the west, a C Sign District to the south, an I Sign District to the north and a U Sign District to the east (see Figure 4). Due to the size of the Subject Premises, not all of the sign districts mentioned above will be in close proximity to the Proposed Sign; only the E, U, C and CR sign districts will be located within 250 metres of the location of the Proposed Sign.

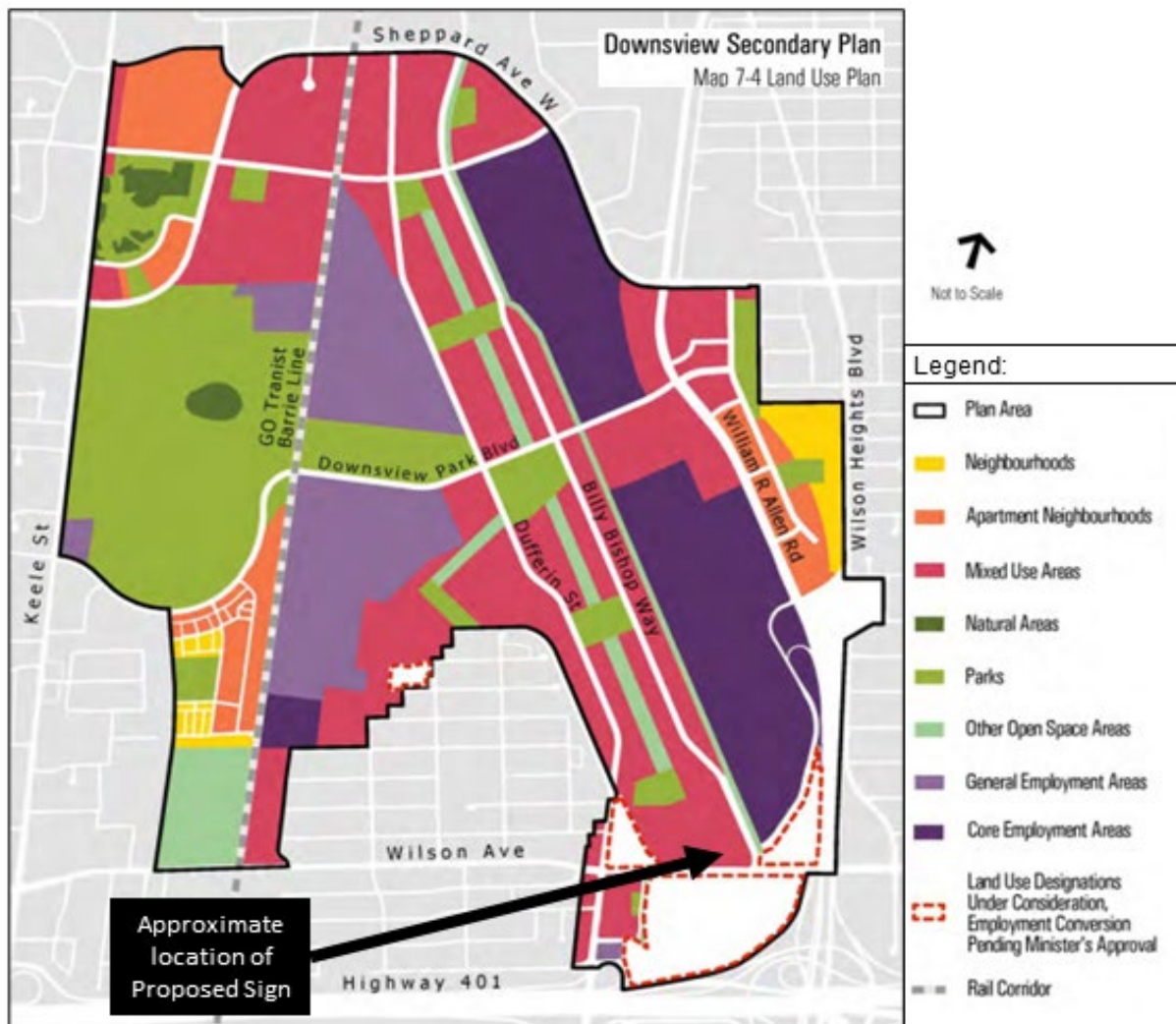
Areas designated as E and U sign districts within the City were specifically set out in the Sign By-law to contain third party electronic ground signs and generally contain industrial uses or are lands serving as transportation/utility corridors. Areas designated as C sign districts also allow for third party electronic signs and are typically comprised by commercial buildings. Based on City staff investigation, many of the buildings in the general vicinity are consistent with the uses expected in these Sign District

designations: low-rise buildings with light industrial and commercial uses. The area identified as CR Sign District is currently occupied by the Wilson Subway Station; no residential uses were identified in the area nor within 500 metres of the Proposed Sign's location.

The Proposed Sign would be located approximately 260 metres from the on-ramp of Highway 401 from Allen Road and 400 meters from the northern limit of the travelled portion of Highway 401. The area-specific restriction in 694-24A (14) of the Sign By-Law prohibits third-party signs from being located within 400 metres Highway 401, which is consistent with the Provincial Ministry of Transportation's Corridor Management Policy.

Staff have confirmed that the Proposed Sign should not be visible from Highway 401, and the Applicant has provided an email from the MTO stating that an MTO permit will not be required since the Proposed Sign would not be visible from Highway 401. Given that the Proposed Sign will not be visible from the Highway, staff is confident that it will not be contrary to the Council's vision for the area.

Figure 5: Draft of Secondary Plan - Land Use Plan (590 Wilson Avenue)



As previously stated, and supported by the applicant's submission materials, Bombardier announced its intention to cease operations in the area in 2024. The city is currently working with the current landowners on a study for the development of the Downsview area, where the Subject Premises are located. In May 2023, City Council adopted a report outlining guidelines for the area's development, including the Draft Secondary Plan and Draft Community Development Plan Priorities. According to the Land Use Plan presented as Map 7-4 of the Downsview Secondary Plan Draft Plan (see Figure 5), the designated use of the area will change from employment to mixed use.

The Applicant states in their submission materials that third-party sign permits are issued for a period of five years only, and that the city would be able to reassess the changes that may have occurred to the area when the sign permit expires. It is important to note that it is only sign permits that expire after five years, and that the requested variances, if granted, could permit the Proposed Sign for an extended period, and allow for the issuance of multiple sign permits for the Proposed Sign in the future.

The Applicants statements do not eliminate the potential conflict between the Proposed Sign and the future status of the subject premises. Furthermore, these various statements indicate that the Proposed Sign may be incompatible with the future development of the subject premises. The criteria requires that the Proposed Sign be compatible with the current and future development of the Subject Premises and surrounding area. The information provided does not indicate compatibility; rather, it recognizes a potential incompatibility.

Consultations with City Planning and Economic Development by Toronto Building staff confirmed that the Proposed Sign does not contravene any near-future development plans for the Subject Premises.

Although the Proposed Sign may not conflict with any near-future development of the Subject Premises, future development of the site is uncertain, and may contain sensitive land uses in the future. Based on the Downsview Secondary Draft Plan's mixed-use designation of the area where the Proposed Sign is to be located, the Proposed Sign may conflict with the future development of the premises.

Although the Applicant has indicated that the development of the land where the Proposed Sign would be located will not commence until at least 2028, the Applicant's reference to the five-year sign permit term acknowledges the potential incompatibility of the Proposed Sign and the future development of the Subject Premises. The Applicant suggests that any incompatibility of the Proposed Sign and the development of the Subject Premises could be minimized through various efforts, including undertaking development of the subject premises on a timeline consistent with the permit term for the Proposed Sign.

The Applicant's statement that third-party sign permits are issued for a period of five years only does not eliminate the potential conflict between the Proposed Sign and the mixed-use designation of the area of the Subject Premises where the sign is to be located. As stated above, it is important to note that sign variances, if granted, could allow for issuance of sign permits for the Proposed Sign despite the five-year time period on sign permits.

As a result, given the future potential development of the Subject Premises, the CBO is of the opinion that the applicant's submissions are not sufficient to demonstrate this criterion has been established.

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

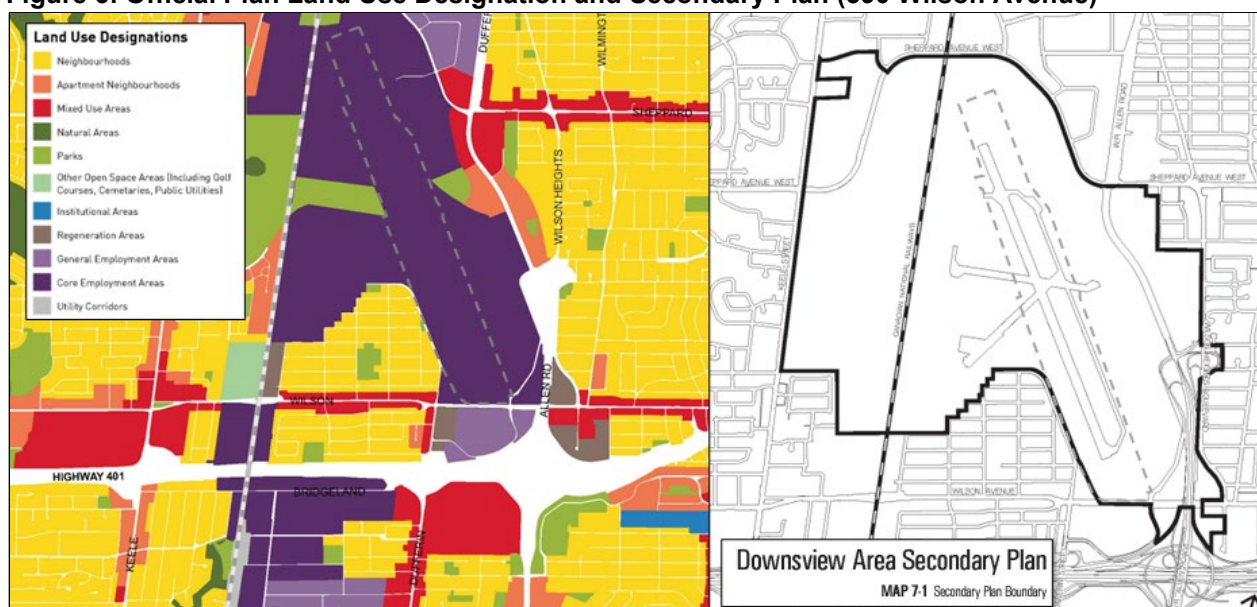
The Subject Premises is currently designated as a Core Employment Areas in the Official Plan. Employment Areas are places of business and economic activity and include a wide array of uses such as manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities,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

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 Zoning By-Law is the primary way in which the City implement's its Official Plan. The Zoning By-Law governs the built form of the city in a way that is consistent with the Official Plan objectives for properties throughout the city. Non-compliance with the applicable Zoning By-Law could be an indicator that the Proposed Sign does not support the Official Plan objectives for the premises, particularly objectives that are intended to guide built form and the mitigation of impacts through separation distances from adjacent properties or land uses.

Figure 6: Official Plan Land Use Designation and Secondary Plan (590 Wilson Avenue)



Based on staff's investigation, the Subject Premises is within a designated Airport Hazard Area Zone Category and the Proposed Sign complies with zoning regulations in terms of required setbacks.

The Subject Premises is regulated by the Downsview Secondary Plan (see Figure 5). The Draft Secondary Plan and Draft Community Development Plan Priorities, adopted by the City Council in May 2023, provide guidelines for post-Bombardier development. The Proposed Sign would be situated in the Mixed Use Area according to the proposed Land Use Plan for Downsview.

While the Proposed Sign may not conflict with near-term development, uncertainty surrounds future site development, which may include sensitive land uses.

After reviewing the Applicant's submission materials, the Update Downsview: Draft Secondary Plan and Draft Community Development Plan Priorities report and the Official Plan policies, staff do not believe that Applicant has provided sufficient information to demonstrate that the Proposed Sign supports the Official Plan objectives for 590 Wilson Avenue and the surrounding area, particularly given the potential development of the Subject Premises over the long term.

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

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

The land use and built form of the Subject Premises is consistent with the E Sign District designation where it is located: low-rise buildings with light industrial and commercial uses. Staff identified that within 250 metres of the location of the Proposed Sign there are E, U, C and CR Sign Districts (see Figure 4). The E and U Sign Districts within the city are specifically designated for industrial uses or lands serving as rail and hydro rights-of-way. These districts are permitted in the Sign By-law to accommodate third-party electronic ground signs like the Proposed Sign.

Areas designated as C sign districts which are typically comprised of commercial and/or office buildings, permit the erection and display of third party electronic (wall) signs. The land identified as CR Sign District is currently occupied by the Wilson Subway Station, which does not contain, and is not currently planned to contain any residential or other sensitive land uses.

The property at 590 Wilson Avenue contains the Downsview Airport and Bombardier Aerospace Campus, and there is currently an airport facility used by Bombardier. Although there are adjacent properties designated as I and R Sign Districts on the west side of the property, due to the size of the Subject Premises, these Sign Districts will not be in proximity to the Proposed Sign. As such, the Proposed Sign should have no adverse impacts on these properties.

The Sign By-law requires that any third party electronic ground sign be located at least 60 metres away from R, RA, CR, I or OS Sign Districts, and that it can't face into any

premises in any of those districts within 250 metres. The applicant informed and staff confirmed that the nearest Residential Sign District is over 500 metres away from the Proposed Sign. Within 500 metres of the Proposed Sign there are no Residential, Institutional, or Open Space uses, which would be considered of sensitive nature.

Figure 7: Aerial View - Adjacent Properties Uses



The Applicant has also provided with the supporting documents letters from NAV Canada and Bombardier confirming they have no objection to the Proposed Sign. Bombardier's letter also confirmed that they will be vacating the Subject premises early 2024.

The Proposed Sign would be located approximately 260 metres from the on-ramp of Highway 401 on Allen Road and around 400 meters from the northern limit of the travelled portion of Highway 401. Although the Sign By-law prohibits third party signs from being erected within 400 metres of any limits of the Highway 401, the Applicant has provided a letter from MTO informing that the Proposed Sign will not be visible from the Highway. Staff agree that the Proposed Sign should not be visible from or have any relationship to Highway 401.

Despite this, and as previously stated, the future development of the Subject Premises has been proposed to be mixed-use, which could contain residential or other sensitive land uses and although the Proposed Sign may not conflict with any near-term development of the Subject Premises, future development of the site is uncertain. Based on the Downsview Secondary Draft Plan's mixed-use designation of the area where the Proposed Sign is to be located, the Proposed Sign may adversely affect the potential future development of the premises.

As a result, staff believe that the Applicant's materials and staff investigation have not provided sufficient information to confirm that the Proposed Sign will not adversely affect the adjacent premises, particularly given the future development of the Subject Premises. As such, the CBO is of the opinion that this criterion has not 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 criterion 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 will be located 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 4.71 metres from grade to the bottom of the sign faces. 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 impacts for all signs, including signs displaying electronic static copy (e.g. set back from intersections, distance from street lines, and pedestrian triangles). 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 intersection controlled by traffic lights 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.

As mentioned before, the Proposed Sign would be located approximately 260 metres from the on-ramp of Highway 401 on Allen Road and 400 meters from the northern limit of the travelled portion of Highway 401. The Ontario Ministry of Transportation ("MTO") has enacted policies concerning signs located adjacent to highways (based on requirements in Section 34(2)(c) of the Public Transportation and Highway Improvement

Act); these policies are premised primarily on the issue of visibility of signs from the travelled portions of the highways. The Applicant has provided an email in their submission package from MTO, which indicates that no MTO permit will be required for the Proposed Sign since it will not be visible from Highway 401.

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 criterion 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 criterion has been established.

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

As already mentioned, the Proposed Sign is located in an E Sign District, which permits electronic ground signs at a height and size consistent with the Proposed Sign. In the immediate vicinity, the premises are designated as E, U and C Sign Districts, which are areas within the City that typically do not contain sensitive uses, such as residential, institutional, or open space areas that could be impacted by the Proposed Sign. Staff's research confirmed that there are no residential or any other sensitive land uses within 250 metres of the Proposed Sign's location.

Figure 8: Looking east from existing electronic sign at Kipling Avenue to the Subject Premises



Moreover, E and U Sign Districts were specifically set out in the Sign By-law to contain third party electronic ground signs such as the Proposed Sign. The Proposed Sign will not be introducing any sign type or class that is not currently permitted on the premises or surrounding area, and as a result, will not alter the character of the premises and surrounding area. It is important to note that the Subject Premises is in the process of being redeveloped, and that the land use designation in the Official Plan has been proposed to be changed from Employment to Mixed Use (through the proposed Downsview Secondary Plan).

Currently there is one existing third party electronic ground sign along Wilson Avenue, within 500 metres from the Proposed Sign's location. The presence of third party signs along this portion of Wilson Avenue is consistent with the Sign Bylaw provisions, as areas designated as E Sign Districts within the City were specifically set out in the Sign By-law to contain third party signs such as the Proposed Sign.

Regarding possible clutter due to the existence of another third party electronic ground sign less than 500 metres from the Proposed Sign's location which was approved through a sign variance and permitted under the current Sign By-law; staff have confirmed that there are several physical obstructions in between these two signs, such as trees and other first party and traffic signage. These obstructions ensure that the advertisement displayed on each of the signs will not be legible at the same time, and as such, staff are of the opinion that there should be little, if any relationship between these two signs.

Based on staff investigation and the Applicant's materials and keeping in mind the ongoing redevelopment of the Subject Premises, 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 criterion 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 Employment Sign Districts in terms of: height, size, configuration, 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), illumination and time-of-day regulations.

Regarding the requested variance to the Section 694-24.A(14) the Proposed Sign would be erected less than 400 metres of a portion of Highway 401. The Applicant's submission material as state that the MTO has no objection to the Proposed Sign in relation to Highway 401. Staff have reviewed the Proposed Sign and agree that since the Proposed Sign is unlikely to be visible from Highway 401, there is little relationship between Highway 401 and the Proposed Sign.

With respect to the requested variance to the Section 694-25.C(2)(f) the Proposed Sign would be allowed to be erected within 250 metres of an CR sign district and facing the CR sign district. According to staff review, the area is currently occupied by the Wilson

Subway Station, and no residential use or any other use(s) considered of a sensitive nature were identified in the area.

In regard to the requested variance to the Section 694-25.C(2)(g)[1] the Proposed Sign would be allowed to be erected less than 500 metres from an existing other third party electronic sign located on the same street. Due to the distance and the fact that there are a number of physical obstructions in between the existing electronic ground sign and the Proposed Sign, staff are of the opinion that there will be little, if any relationship between these two signs, and that the Proposed Sign will not contribute to sign clutter in the area.

The Proposed Sign is set to be located in a Mixed Use Area, as per the proposed Land Use Plan for Downsview, as per Draft Secondary Plan and Draft Community Development Plan Priorities adopted by City Council in 2023. To address possible concerns regarding the impacts of the Proposed Sign in the proposed Mixed Use Areas, Toronto Building staff consulted City Planning and Economic Development and confirmed that the proposal does not contravene any near-future development plans, and that the area where the Proposed Sign would be located is unlikely to see any changes until at least 2028.

Despite the re-development of the land where the Proposed Sign would be located not commencing until at least 2028, the Applicant's reference to the five-year sign permit term acknowledges the potential incompatibility of the Proposed Sign and the longer term development of the Subject Premises.

The Applicant's statement that third-party sign permits are issued for a period of five years only and that construction could be organized around the Proposed Sign does not eliminate the potential conflict between the Proposed Sign and the future mixed-use designation of the area of the Subject Premises where the sign is to be located. As previously stated despite the five-year time period on sign permits; sign variances, if granted, could allow for the issuance of multiple future (five-year) sign permits allowing the Proposed Sign to be displayed for an extended period within the mixed-use development.

The Applicant has provided a supporting letter from Northcrest and endorsements from Ward 6 Councillor James Pasternak, MPP for York Centre Michael Kerzner, and Wilson Village BIA Chair Anthony Kyriakopoulos.

After reviewing the Applicant's Submission materials and given the ongoing redevelopment of the Subject Premises, City of Toronto staff is of the opinion that sufficient information has not been provided to determine that the Proposed Sign will not be contrary to the public interest. As a result, the CBO is of the opinion that this criterion has not been established.

CONCLUSION

The Applicant's materials and the City of Toronto staff's research and investigation have not provided sufficient information for the CBO to establish that all nine criteria required to grant an approval for the requested variances have been met. This is due almost exclusively to the uncertainty associated with the longer term development of the Subject Premises and the area surrounding the Proposed Sign.

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

CONTACT

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SIGNATURE

Ted Van Vliet
Manager, Citywide Priorities, Toronto Building

ATTACHMENTS

Attachment 1 – Description of Sign and Requested Variance and Condition
Attachment 2 – Applicant's Submission Package

ATTACHMENT 1: DESCRIPTION OF THE PROPOSED SIGN AND REQUESTED VARIANCES

Proposed Sign Description:

One third party electronic ground sign described as follows:

- a) Contains two sign faces, facing in an approximate Easterly and Westerly directions; and,
- b) The sign face shall comply with the following:
 - i) Have a maximum bisecting line no greater than 2.91 meters;
 - ii) Have a maximum center line of no greater than 5.80 meters;
 - iii) Have a maximum sign face area of no greater than 16.90 square meters;
 - iv) Display electronic static copy, only;
- c) The maximum height of 7.62 meters.

Required Variances:

1) **§ 694-24.A** – 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 401 contained within the municipal boundaries of the City. **Proposed New Requirement:** The Proposed Sign would be located approximately 260 metres from Highway 401 access ramp.

2) **§ 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. **Proposed New Requirement:** The Proposed Sign would be located approximately 200 metres from the CR sign district and it would be facing such district.

3) **§ 694-25.C(2)(g)[1]** – An Employment "E" Sign District may contain a third party electronic ground sign, provided the sign be located a minimum of 500 metres from any other third party electronic sign located on the same street. **Proposed New Requirement:** The Proposed Sign would be located approximately 390 metres from an existing third party electronic sign, located further west on Wilson Avenue.

ATTACHMENT 2 – APPLICANT'S SUBMISSION PACKAGE