

Application for Four Variances each subject to Three Conditions, Respecting One Third Party Electronic Ground Sign

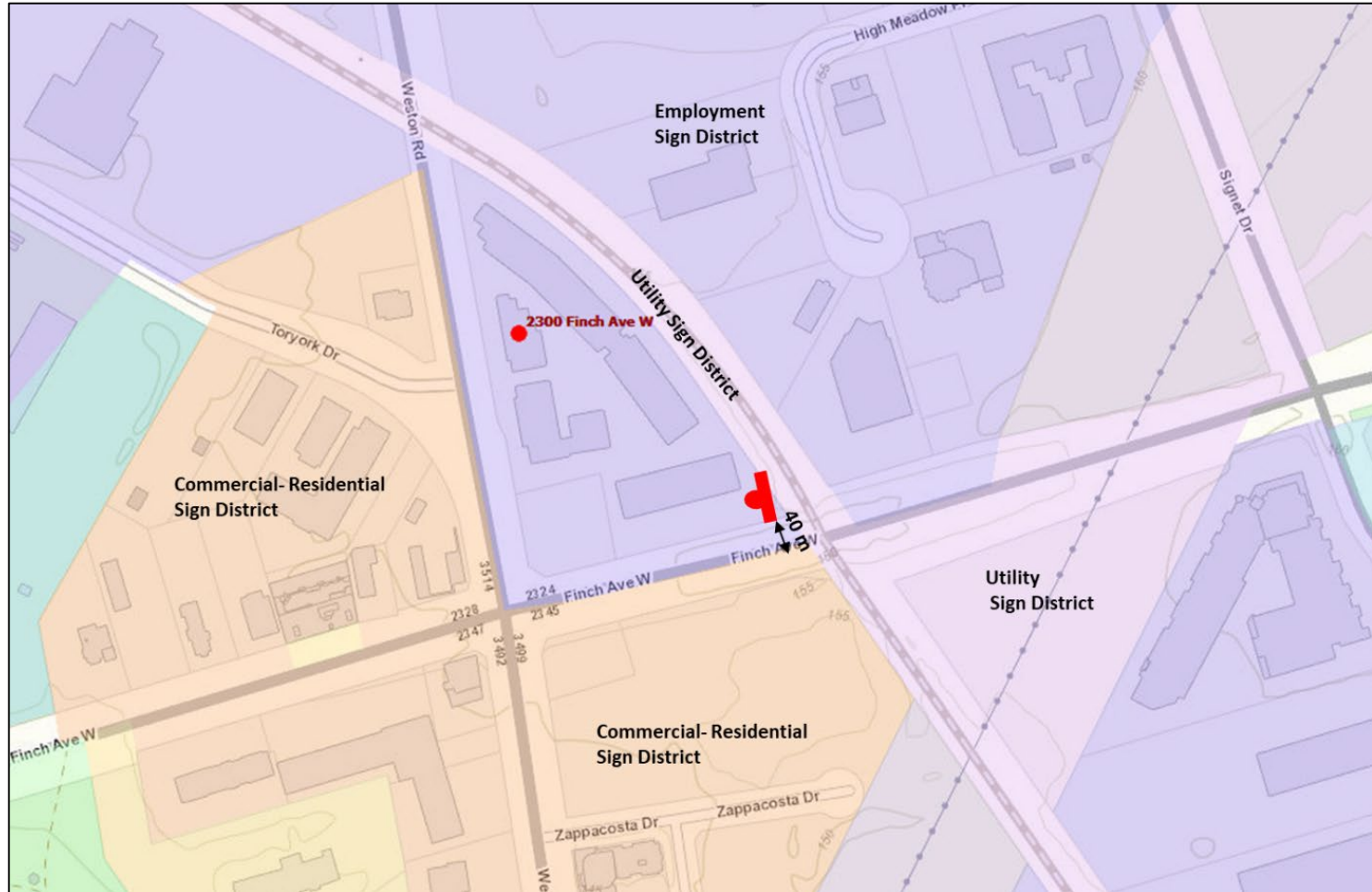
2300 Finch Avenue West

September 8, 2023

Proposed Sign Description

Sign Type	Electronic Ground Sign
Sign Copy Type	Electronic Static Copy
# of Sign Faces	One sign face
Sign Location	2300 Finch Avenue West, on the north side of Finch Avenue
Face Orientation	East along Finch Avenue West
Sign Face Dimensions (width x length)	6.10 metres x 3.05 metres
Sign Face Area / height	18.6 square metres / 10.0 metres

Sign District Designation



Sign Location

Looking West along Finch Avenue West towards the Proposed Sign:



Requested Variances – Proposed Sign

Section	Requirement	Requested Variances
§ 694-25C(2)(g)(i)	An Employment Sign District may contain a third-party electronic ground sign, provided the sign be located a minimum of 500.0 metres from any other third-party electronic sign located on the same street.	The Proposed Sign to be erected no closer than approximately 490.0 metres from an existing third-party electronic ground sign located at the premises 1111 Arrow Road.
§ 694-25C(2)(d)	An Employment Sign District may contain a third-party electronic ground sign, provided the sign shall not be erected within any required setback of a building from a street as regulated by the City's applicable Zoning By-law.	The Proposed Sign to have a setback of 3.0 metres, rather than the setback of 9.0 metres required by the applicable Zoning By-law
§ 694-25C(2)(e)	An Employment 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 would be located no closer than 40.0 metres north of a premises in a CR Sign District to the south.
§ 694-25C(2)(f)	An Employment Sign District may contain a third-party electronic ground sign, provided where a sign is located within 250.0 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 facing a CR Sign District located no closer than 40.0 metres to the Proposed Sign

Sign Variance Criteria – Recommendation and Conditions

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

The Sign Variance Committee **grant** the requested variances to sections 694-22E, 694-25D (3)(e) and 694-25D (3)(f) each subject to three conditions, as required to allow for the issuance of a permit respecting the erection and display of the Proposed Sign, as further described in Appendix 1 to the report dated August 23, 2023 from the Manager, Citywide Priorities, Toronto Building.

Sign Variance Criteria – Recommendation and Conditions

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

If granted, staff recommend that each of the three requested variances should be subject to the following three conditions:

- 1) That the Proposed Sign be operated at a maximum brightness level of 150 nits between sunrise and sunset;
- 2) That a physical barrier be installed and maintained along the southern edge of the sign face, which shall sufficiently block illumination from the sign to the satisfaction of the Chief Building Official; and,
- 3) The Proposed Sign shall face in an easterly direction and be located within the area noted in the diagram titled 'Diagram 1: Location of Proposed Sign' in Attachment 1 to the report dated August 23, 2023 from the Manager, Citywide Priorities, Toronto Building.

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 an 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 Districts.

Sign Variance Criteria – Established Criteria

694-30A(3) - The Proposed Sign will be compatible with the development of the premises and surrounding area.

- The sign face area of 18.6 square metres with a maximum height of 10 metres complies with requirements applicable to Employment Sign Districts.
- The sign will face west towards Utility (and Employment) Sign District, which permits signs of the same type, class, size, and height as the Employment Sign District.
- The Proposed Sign should have no impact on the place of worship (the only non-employment use) in the E Sign District to the east due to the rail corridor, the existing industrial buildings, and several trees which will block the view of the Proposed Sign
- The Proposed Sign has little or no impact on the CR Sign District to the west due to its orientation (to the east, as well as intervening buildings along Finch Avenue West

Sign Variance Criteria – Established Criteria

694-30A(3) - The Proposed Sign will be compatible with the development of the premises and surrounding area.

- The Proposed Sign faces a CR Sign District south of it with a new residential development
- The Proposed Sign would not be compatible with the development without the conditions of approval, which should reduce or eliminate the impact of the Proposed Sign on the residential buildings. The conditions include:
 - a physical barrier,
 - restricted illumination levels, and
 - specified location and orientation of the Proposed Sign

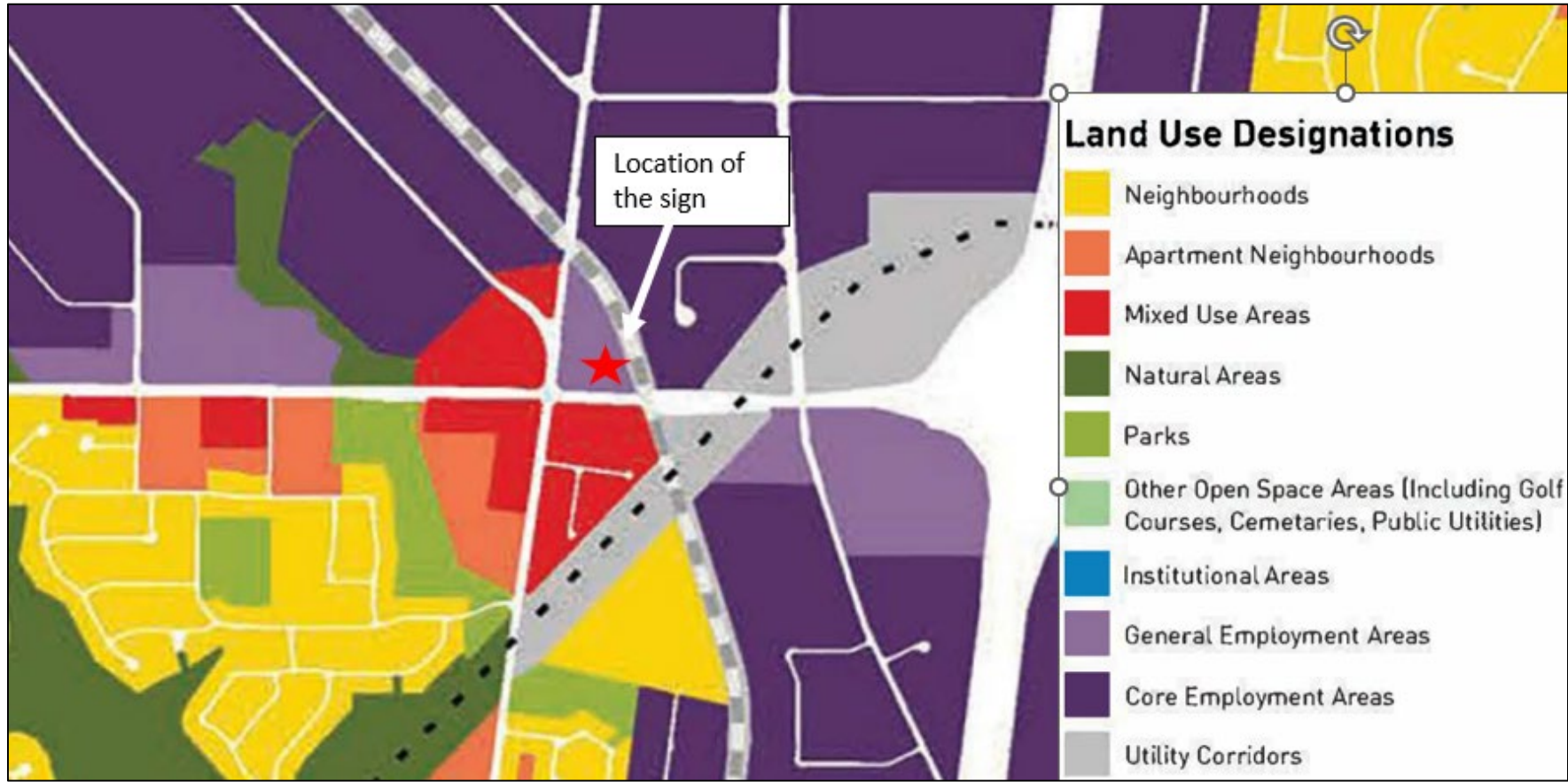
Sign Variance Criteria – Established Criteria

694-30A(3) - The Proposed Sign will be compatible with the development of the premises and surrounding area.

- The Applicant has also requested a variance to allow the Proposed Sign to be 10 metres closer than the minimum separation
 - The Proposed Sign and the existing sign face each other and could impact the premises in the overlapping display zones
 - The impact would be limited by the reduced illumination level and other factors of the Proposed Sign
- Based on the Applicant's submission and staff investigation, the CBO is satisfied that the Proposed Sign, with the three specified conditions, would be compatible with the development of the premises and surrounding area and that this criterion has been met

Sign Variance Criteria – Established Criteria

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



Sign Variance Criteria – Established Criteria

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

- The property is a General Employment Area in the Official Plan
- The Proposed Sign would support the Official Plan objectives by providing a medium for business promotion and advertising
- The CBO agrees that Proposed Sign supports Policy Statement 2.2.4 2 b) in 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*

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 Proposed Sign and the physical barriers would reduce or eliminate the impacts on the mixed use properties and supports Policy 7(k) in section 4.6 of the Official Plan which states that:
7. Development will contribute to the creation of competitive, attractive, highly functional Employment Areas by ... k) providing a buffer and/or mitigating adverse effects, where appropriate, to Neighbourhoods, Apartment Neighbourhoods and Mixed Use Areas
- The Applicant's submission and staff investigation confirm that the Proposed Sign supports the Official Plan objectives, therefore the CBO is of the opinion that this criterion has been established

Sign Variance Criteria – Established Criteria

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

- The property is in an E Sign District and surrounded by U and E Sign Districts
- The Proposed Sign will have one sign face facing westbound traffic and should not harm the premises west of the property
- The Applicant requests variances to allow a 3 metre setback instead of 9 metres; the setback requirement for the property is unique compared to other premises along Finch Avenue West:
 - The CR Sign District to the west has a 3 metre setback requirement
 - The premises to the immediate west had a minor variance for a 6.4 metre setback
 - The premises to the east have no specific setback criteria

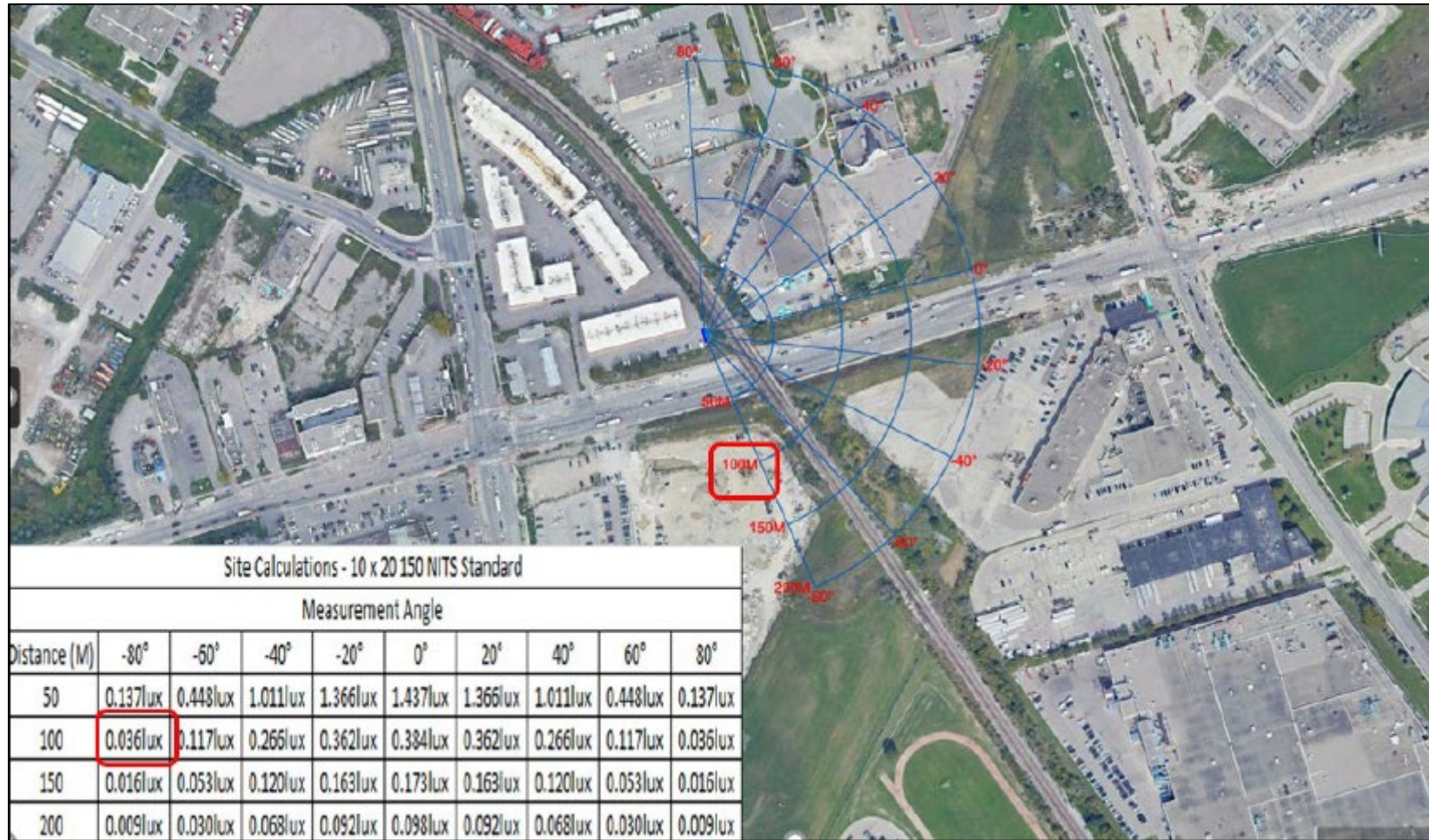
Sign Variance Criteria – Established Criteria

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

- The Proposed Sign's location would not adversely affect adjacent premises due to the unique shape of the property and the existing built form
- The premises south of Finch Avenue West are in a CR Sign District with a new residential development, however:
 - The Proposed Sign would not exceed 150 NITS and would only increase the light level by 0.036 lux for the residential buildings
 - The Proposed Sign would operate from 7:00 AM to 11:00 PM as per the Sign By-law
 - The Proposed Sign would be located on a rail overpass and have a reduced illumination level
- These factors should mitigate any impacts from the Proposed Sign on adjacent premises and on Finch Avenue West (see lighting analysis provided in Applicant's Submission)
- Based on the information provided by the Applicant, as well as Staff's investigation, the CBO is of the opinion that this criterion has been established

Sign Variance Criteria – Established Criteria

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



Sign Variance Criteria – Established Criteria

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

- The Sign By-law regulations aim to prevent adverse impacts on public safety for signs that meet the requirements.
- The Proposed Sign is located outside the prohibited zone for signs and will be professionally designed and installed according to Ontario Building Code requirements.
- There are existing regulations in place to address driver distraction, setback from intersections, distance from street lines, and pedestrian triangles, and the Proposed Sign meets these requirements.

Sign Variance Criteria – Established Criteria

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

- The message duration between changes in copy complies with the Sign By-law provisions, which aim to reduce the potential for driver distraction to a reasonable level.
- City staff conducted a review of the Proposed Sign and concluded that there is no reasonable basis for any concern regarding public safety arising from the sign.

Sign Variance Criteria – Established Criteria

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

- According to staff review, the Applicant's documents and drawings contains sufficient information to confirm that Proposed Sign does not meet the description of any of the signs which are specifically prohibited by §694-15B.

Sign Variance Criteria – Established Criteria

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

- The Proposed Sign is located in Utility Sign District, which permits third party electronic ground signs, and is consistent with the predominant character and function of other uses in the area.
- Multiple third party signs have been located along Finch Avenue West since at least 2009, as such the Proposed Sign will not introduce a new sign class to the area.
- The Proposed Sign would be slightly closer to another third party electronic sign but would not change the character of the property or surrounding area
- The Proposed Sign would not crowd the streetscape with its proximity to Finch Avenue West
- Based on the Applicant's Submission materials and staff investigation, the CBO

Sign Variance Criteria – Established Criteria

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

Third Party Sign at along Finch Ave west – 480m to the east of the Proposed Sign



Sign Variance Criteria – Established Criteria

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

Previously existing third party signs at the area (removed in 2019 and 2020)



Sign Variance Criteria – Established Criteria

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

- The Proposed Sign complies with many mandatory requirements of the Sign Bylaw for third party electronic ground signs in Employment Sign Districts
- The Proposed Sign would be located 490 metres east of an existing electronic third party sign along Finch Avenue West, which is slightly less than the minimum spacing requirement of 500 metres, but the conditions imposed should mitigate the potential impacts of having two electronic signs in close proximity
- The Proposed Sign would have a setback of 3.0 metres from the Finch Avenue West frontage, which is less than the required 9.0 metres, but the sign will be elevated on a rail overpass above the street level and the sidewalk, and the sign will also fit the unique relationship of structures to Finch Avenue West due to the built form of the surrounding area

Sign Variance Criteria – Established Criteria

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 be located in a position that would make multiple CR Sign Districts within its display zone, especially the CR Sign District 40 metres to the south, which will have land uses that could be sensitive to the illumination from the sign
- The Proposed Sign would have conditions to reduce the impacts on the CR Sign Districts and the public interest, such as orienting the sign face to the east, away from the CR Sign Districts to the west and southwest; limiting the maximum brightness of the sign to 150 NITS, which will lower the impact of the sign in the display zone; and installing a physical barrier on the sign to block any light that would go towards the southern part of the display zone including the CR Sign District to the south
- Based on the Applicant's Submission materials and staff investigation, the CBO is satisfied that this criterion has been established

Conclusion and CBO Recommendation

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

- The Sign Variance Committee **grant** the requested variances to the Sign By-Law, subject to the stated conditions, to allow the Applicant to obtain a permit for the erection and display of one third party electronic ground sign at 2300 Finch Avenue West

QUESTIONS