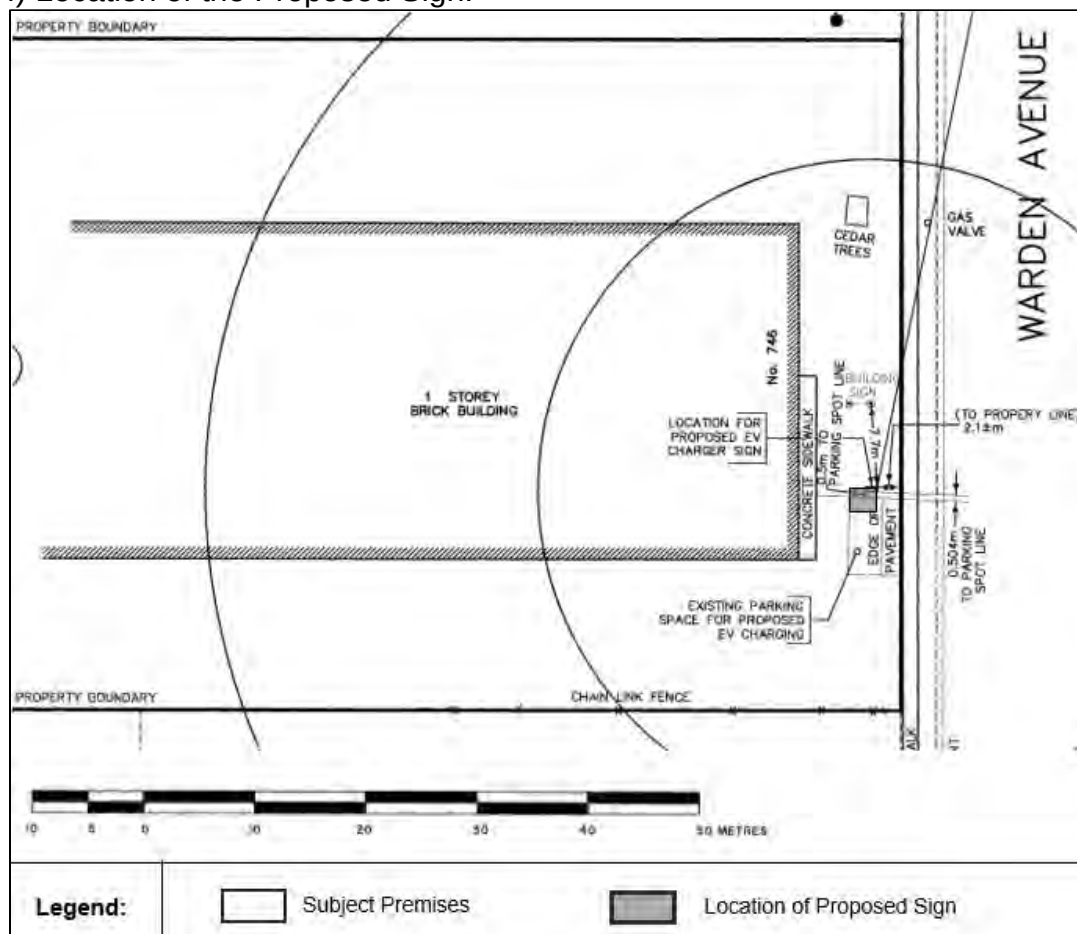


ATTACHMENT 1: DESCRIPTION OF THE PROPOSED SIGN, REQUESTED VARIANCES AND REQUIRED CONDITIONS

Proposed Sign Description:

One third party electronic ground sign described as follows:

- a) Contains two sign faces in a back-to-back configuration oriented as follows:
 - i) one facing in an approximate north-westerly direction; and,
 - ii) one facing in an approximate south-easterly direction;
- b) The sign face shall comply with the following:
 - i) Have a maximum bisecting line no greater than 1.65 metres;
 - ii) Have a maximum centre line of no greater than 0.93 metres;
 - iii) Have a maximum sign face area of no greater than 1.54 square metres;
 - iv) Display electronic static copy, only;
- c) The height shall not exceed 2.65 metres;
- e) Shall be located and oriented substantially in accordance with the diagram labeled "Location of Proposed Sign" indicated in subsection f) below;
- f) Location of the Proposed Sign:



Requested Variances:

- 1) The Requirement of § 694-25C(2)(d) that: An E – 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; be varied to allow the Proposed Sign to be erected within the required setback of a building from a street as regulated by the City's applicable Zoning By-law, while not being closer than 2.0 metres from the easterly property line, subject to both Condition 1 and Condition 2 below;
- 2) The Requirement of § 694-25C(2)(f) that: An E – Employment Sign District may contain a third-party electronic ground sign, provided where a sign is located within 250 metres of an R, RA, CR, I or OS sign district, the sign cannot face any premise in the R, RA, CR, I or OS sign district; be varied to allow the Proposed Sign to be located no closer than 65 metres of, and facing, a premises located in a RA sign district, no closer than 125 metres of, and facing, premises located in the I sign districts, and no closer than 190 metres of, and facing, premises located in the OS and R sign districts while not being able to be within 250 metres of, and facing, premises located in a CR sign district, subject to both Condition 1 and Condition 2 below;
- 3) The Requirement of § 694-25.C(2)(g)[1] that: An E – Employment Sign District may contain a third party electronic ground sign, provided the sign be located a minimum of 500 metres away from any other third party electronic sign located on the same street; be varied to allow the Proposed Sign to be located 350 metres away from one other third party electronic sign located at 757 Warden Avenue, while not being able to be within 500 metres away from any other third party electronic sign located on the same street, subject to both Condition 1 and Condition 2 below;
- 4) The Requirement of § 694-25.C(2)(h) that: An E – Employment 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; be varied to allow the Proposed Sign to be an additional sign erected on a premises containing already one first party ground sign, subject to both Condition 1 and Condition 2 below.

Required Conditions:

Condition 1) The Proposed Sign's sign faces shall each have a sign face area that shall not exceed 1.55 square metres.

Condition 2) The height of the Proposed Sign shall not exceed of 2.65 metres.

ATTACHMENT 2: APPLICANT'S SUBMISSION PACKAGE



Folder Number	Date (yyyy-mm-dd)
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Project Information

		Lot Number	Plan Number
PLEASE REFER TO ATTACHED RATIONALE			
If it is an application for a variance required for the modification or restoration of an existing sign, please provide the following:			
Existing Sign Dimensions N/A		Location N/A	
Please provide the reasons/justification for the request (Attach any supporting documentation or additional pages as required): PLEASE REFER TO ATTACHED RATIONALE			

Property Owner Information

		Last Name Luciano	
			Telephone Number 905 738 0754
Street Number 7077	Street Name Keele Street		Suite/Unit Number 102
City/Town Concord	Province ON	Postal Code L4K 0B6	Mobile Number
Fax Number			
Email adriano@concordian.ca			

Attachment Required

- Sign Variance Data Sheet - Copies of any supporting documents - All necessary plans and specifications required to verify the nature of the Sign By-law Variance(s) requested

Continue on next page

Applicant Information and Declaration

First Name I, ROBERT		Last Name BADER	
Company Name BADER GROUP INC.		Telephone Number (437) 234-5368	
Street Number of 38	Street Name ALBANI STREET	Suite/Unit Number	Mobile Number (437) 234-5368
City/Town TORONTO	Province ONTARIO	Postal Code M8V 1X2	Fax Number
Email robertbader1973@gmail.com			
Do hereby declare the following: • That I am ☐ the Property Owner as stated above ☐ the owner's authorized agent. ☒ an officer/employee of BADER GROUP INC, which is an authorized agent of the owner. ☐ an officer/employee of , which is the Property Owner's authorized agent. • That statements contained in this application are true and made with full knowledge of all relevant matters and of the circumstances connected with this application. • That the plans and specifications submitted are prepared for the sign variance(s) described and are submitted in compliance with copyright law • That the information included in this application and in the documents filed with this application is correct. Robert Bader Signature ROBERT BADER Print Name (First, Last) 2023-10-14 Date (yyyy-mm-dd)			

Continue on next page

Toronto Building collects personal information on this form under the legal authority of the City of Toronto Act, S.O. 2006, Chapter 11, Schedule A, 136(c) and the City of Toronto Municipal Code, Chapter 694, Signs, General and Chapter 771, Taxation, Third Party Sign Tax. The information will be used for processing applications and creating aggregate statistical reports, for enforcement of the City of Toronto Municipal Code Chapter 694, Signs, General, Chapter 771, Taxation, Third Party Sign Tax, and any other applicable sign by-law of the City of Toronto, and for contacting permit holder(s) or authorized agent(s). Questions about this collection can be directed to the Manager, Sign By-law Unit, Toronto Building, 100 Queen Street West, Ground Floor, East Tower, Toronto, Ontario, M5H 2N2 or by telephone at 416-392-4235.



Folder number	Request Date (yyyy-mm-dd)
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This data sheet forms part of an application for a Variance From Chapter 694 of the Toronto Municipal Code, Signs

Project Information

Street Number	Street Name	Lot Number	Plan Number
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Site and Building Data

Lot Area	Lot Frontage	Lot Depth 198
Number of Building(s) on the lot	Date of Construction of Building(s) if known (yyyy-mm-dd)	
Building Height(s) UNKNOWN	Number of Storeys ONE	Building(s) Gross Floor Area UNKNOWN
Building Uses(s) MULTI-UNIT INDUSTRIAL		

Site Context

Please describe the land uses, buildings and sign districts surrounding the proposal (use additional pages if necessary)	
North	PLEASE REFER TO ATTACHED RATIONALE
South	PLEASE REFER TO ATTACHED RATIONALE
East	PLEASE REFER TO ATTACHED RATIONALE
West	PLEASE REFER TO ATTACHED RATIONALE

Proposal

Please describe in detail what is being proposed (use additional pages if necessary) PLEASE REFER TO ATTACHED RATIONALE

Rationale

Decisions for all Sign Variance Applications are evaluated against criteria listed in Toronto Municipal Code Chapter 694-30 A. A Variance may be granted where it is demonstrated that the proposed sign(s):

- Belong to a sign class permitted in the sign district where the premises is located
- In the case of a third party sign, be of a sign type that is permitted in the sign district, where the premises is located
- Be compatible with the development of the premises and surrounding area
- Support the Official Plan objectives for the subject premises and surrounding area
- Not adversely affect adjacent premises
- Not adversely affect public safety, including traffic and pedestrian safety
- Not be a sign prohibited by Toronto Municipal Code Chapter 694-15B
- Not alter the character of the premises or surrounding area
- Not be, in the opinion of the decision maker, contrary to the public interest

Please describe in detail how the proposal satisfies each of the criteria listed above (use additional pages if necessary)

PLEASE REFER TO ATTACHED RATIONALE

SKETCH SHOWING PROPOSED 1.1m WIDE BY 2.7m HIGH EV CHARGER SIGN
No. 746 WARDEN AVENUE
CITY OF TORONTO (FORMERLY CITY OF SCARBOROUGH)
SCALE 1 : 500

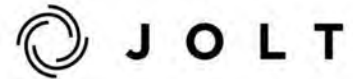


0 10 20 30 40 50 METRES

© COPYRIGHT SCHAFFER DZALDOV PURCELL LTD.

PLOT SIZE: 30X30 OCTOBER 16, 2023

JOLT Charge Inc
66 Wellington Street West,
5300, Td Bank Tower,
Toronto, Ontario, Canada, M5K 1E6



Ted Van Vliet
Project Director, Express Services, Toronto Building
Toronto City Hall
Ground Floor, East Tower
100 Queen Street West
Toronto, ON M5H 2N2

October 16, 2023

Re: Jolt/SolarBank Free Public EV Charging Station Network

Dear Ted,

Please kindly note that JOLT Charge Inc. authorizes Bader Group Inc. and its Principal, Robert Bader, as well as D'Onofrio Holdings Inc. and its President, Guy D'Onofrio, to act as Applicant and/or Agent in respect of any Sign Permit Applications (including any necessary approvals – Sign Variance and/or Sign By-law Amendment, as the case may be) related to the various private properties included in this project.

Regards,


Ryan McKeown (Oct 16, 2023 16:27 EDT)

Ryan McKeown
Vice President - Real Estate, Government Relations and Deployment

JOLT Authorization - Bader-DOnofrio.docx

Final Audit Report

2023-10-16

Created:	2023-10-16
By:	Anthony Duen (anthony.duen@gmail.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAfBij7V38l6sV-n-s5lfUSjk6G37078vG

"JOLT Authorization - Bader-DOnofrio.docx" History

-  Document created by Anthony Duen (anthony.duen@gmail.com)
2023-10-16 - 8:26:16 PM GMT
-  Document emailed to Ryan McKeown (ryan.mckeown@joltcharge.com) for signature
2023-10-16 - 8:26:19 PM GMT
-  Email viewed by Ryan McKeown (ryan.mckeown@joltcharge.com)
2023-10-16 - 8:27:26 PM GMT
-  Document e-signed by Ryan McKeown (ryan.mckeown@joltcharge.com)
Signature Date: 2023-10-16 - 8:27:51 PM GMT - Time Source: server
-  Agreement completed.
2023-10-16 - 8:27:51 PM GMT



Purpose-driven EV Charging

Free, Fast, Clean EV charging network

About JOLT

JOLT is a free, fast EV (Electric Vehicle) charging network expanding globally. With the rapidly surging demand and sales of EVs, we are quickly moving closer to a zero-emissions future—but EV demand is still outweighing the rate of public charging infrastructure provision.

As a leading EV charge point operator and BlackRock's exclusive e-mobility charging infrastructure investment initiative, our mission is to make electric transport more accessible to drivers through zero-cost and fast charging in urban areas. Using innovative tech, enabled by our partnerships with local governments and business partners, we're creating a functional and sustainable charging network that runs off renewable energy, contributing to a zero-emission future in Canada and across the world..

Move freely with JOLT.

The Opportunity

We partner with multiple governments and business entities around the world to deliver free charging at sites close to EV users. Our partnerships are based on long-term relationships where our partners receive access fees for partnership locations and advertising space on our units. We are rapidly expanding and looking for more partnerships and locations in Canada, and would welcome the opportunity to speak with you about prospective partnerships.

JOLT EV Charge Benefits



45 km of free DC fast charging per day, saving EV owners over \$900 per year



Zero cost to cities and landowners. JOLT will build, operate and maintain the chargers at no cost



17-22 minutes of average charging time



25 - 50kW DC Fast chargers



CCS2 and CHAdeMO connector types



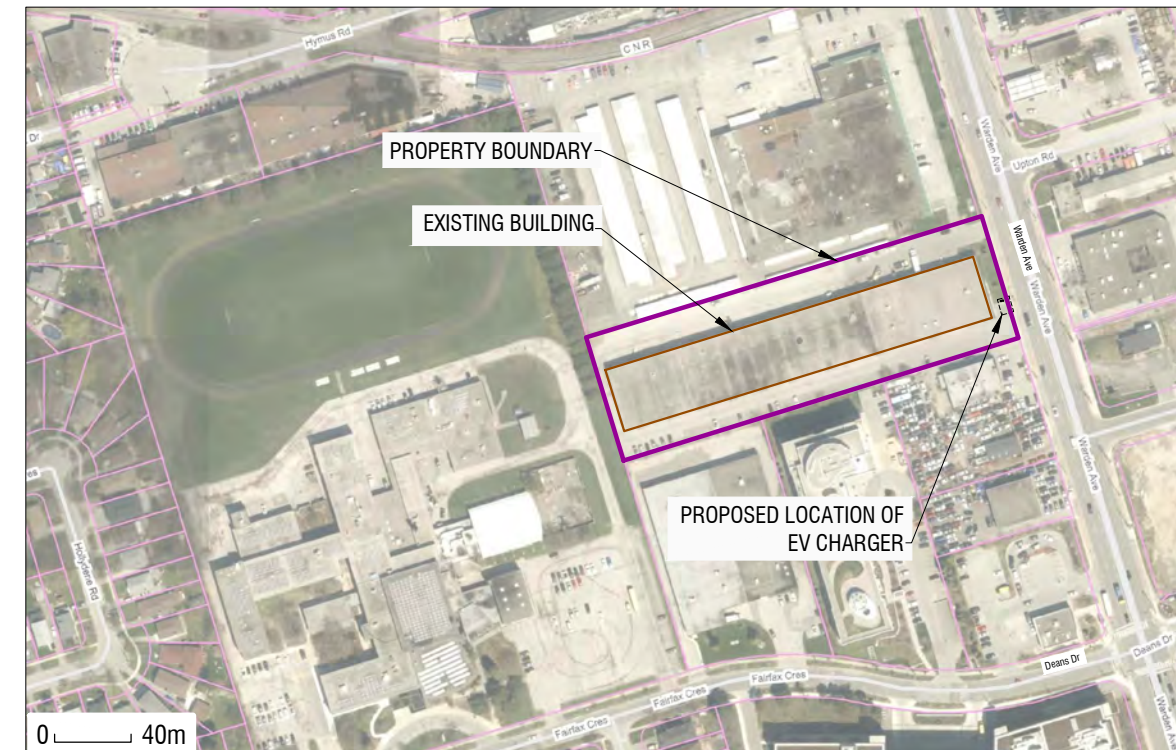
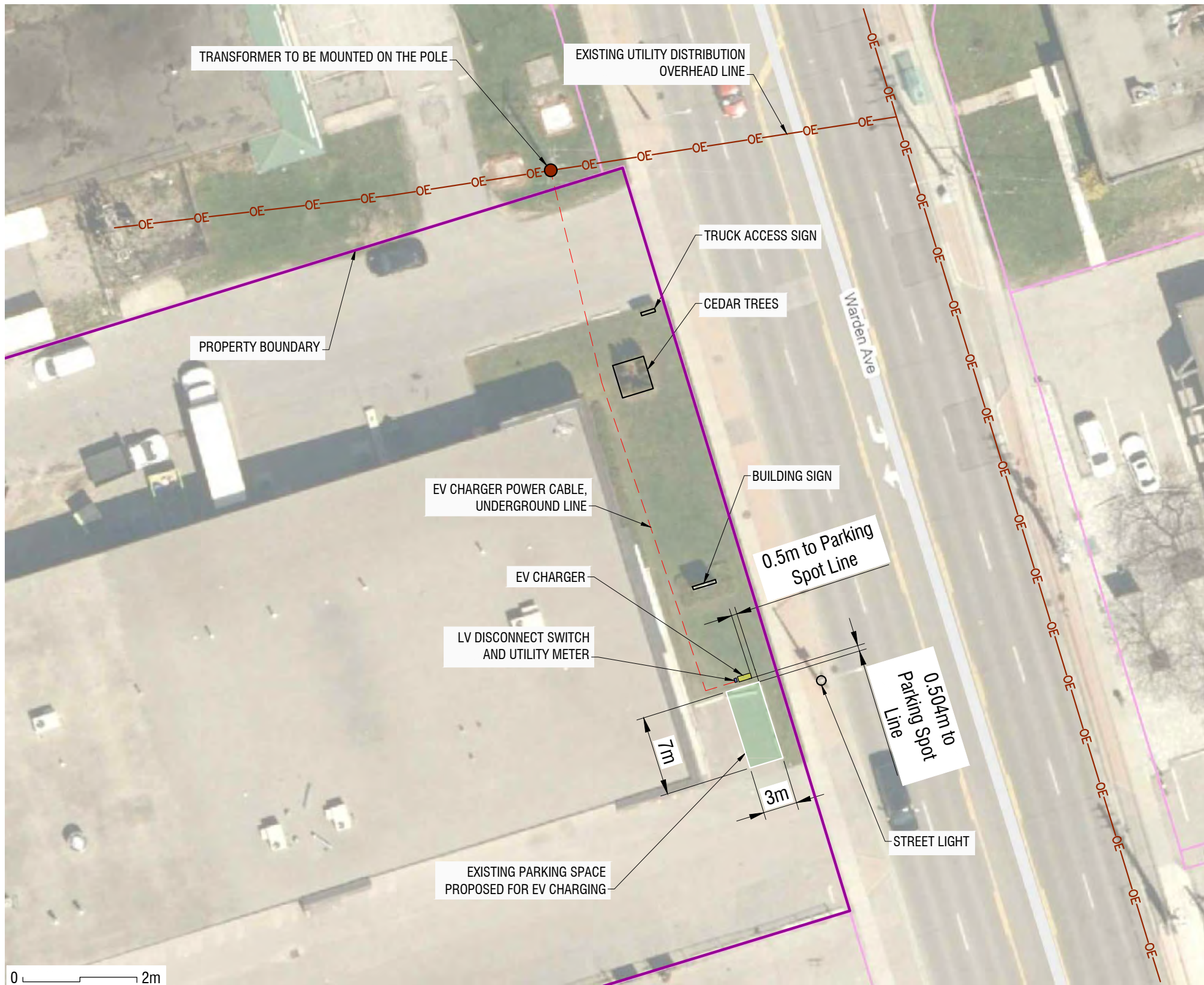
Integrates with existing parking policies and systems

Any questions?

If there are any questions about JOLT or our EV chargers in general, please contact us: Shahi.abdul@joltcharge.com

JOLT welcomes the opportunity to meet you or a representative to discuss our differentiated business model in more detail.





1 LOCATION
 SCALE: 1:4000 @ 11" x 17" B-size
 DATA SOURCE: Toronto Maps, <https://map.toronto.ca/torontomaps/>



2 STREET VIEW
 SCALE: N.T.S.

3 SITE PLAN
 SCALE: 1:800 @ 11" x 17" B-size



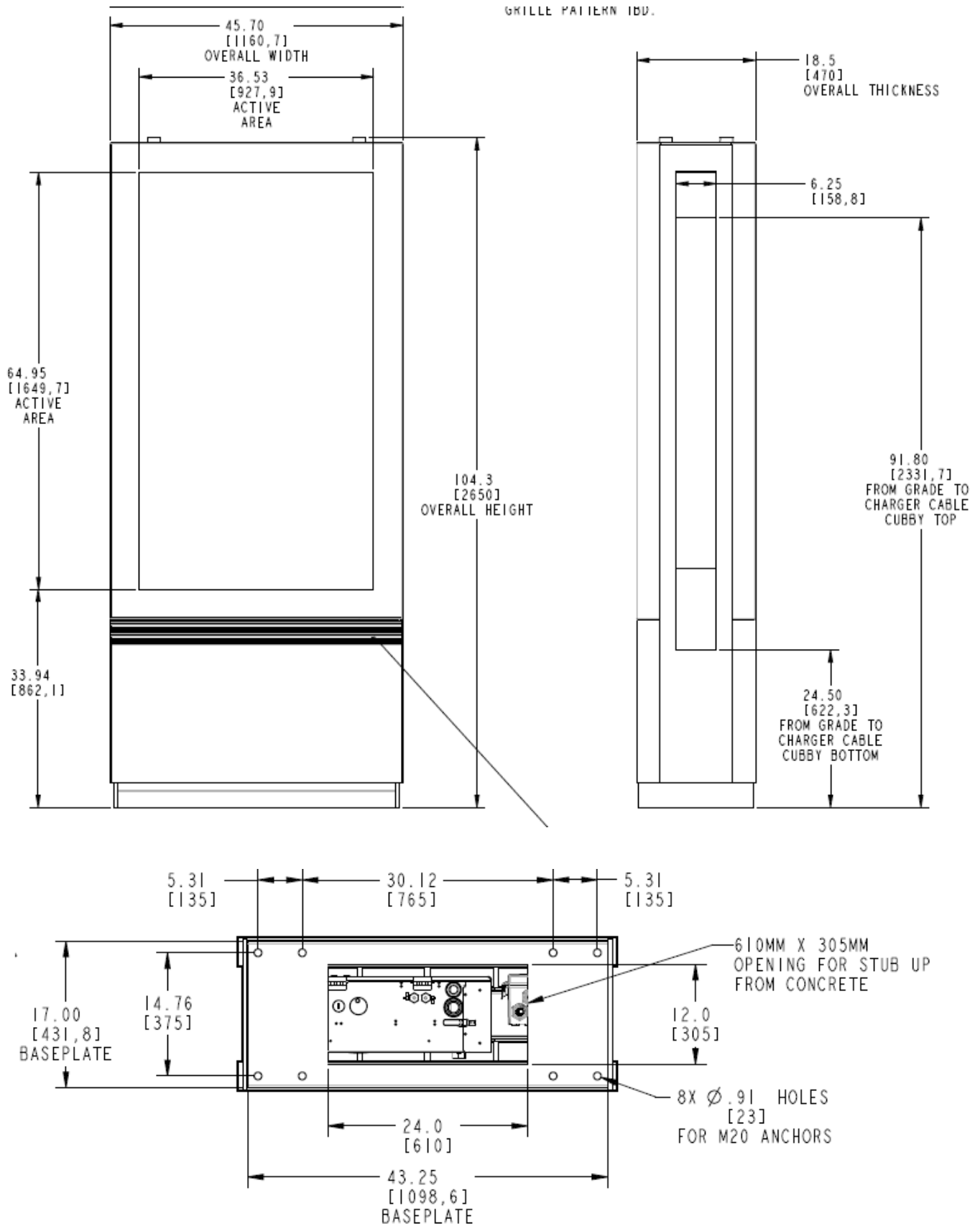
ONT032 - EV CHARGER - SITE PLAN 746 Warden Ave. Scarborough, ON M1L 4A2

GPS: 43.717692, -79.283615
 DATE: May 17, 2023
 REVISION: 00



Unit 803, 505 Consumers Rd.,
 North York, ON, Canada M2J 4V8
 CSE: SUNN
www.solarbankcorp.com

Dimensional Drawings





SCHAEFFER DZALDOV PURCELL LTD.
Ontario Land Surveyors

Ontario Land Surveyors

OPHIR N. DZALDOV

DAN DZALDOV

TOM KRISTJANSON

SOFIA LOSYEV

ROBB MCKIBBON

MURRAY PURCELL

KEVIN THOM

JUSTYNA ZIEMLEWSKA

October 23, 2023

City of Toronto
2 Civic Centre Court
3rd Floor
Toronto, Ontario
M9C 5A3

W. M. FENTON, Ret.

RICHARD PREISS, Ret.

FRED SCHAEFFER, Ret.

Attention: Mr. Ted Van Vliet

Re: 746 Warden Avenue
City of Toronto – Our Job No. 23-379-00

**SURVEY RECORDS
SINCE 1850s of:**

ANTON KIKAS
BENNETT & NORGROVE
BENNETT YOUNG
BROWNE CAVELL & JACKSON
D.J. NORGROVE
DAVID ANSHUETZ

The attached sketch dated October 16, 2023, was prepared by my office based on Registry records and field verification and is correct as of the date shown. This sketch is prepared to illustrate the locations as they relate to the regulations outlined in Chapter 694, Signs, General, of the City of Toronto Municipal Code.

If further information is required, please contact the undersigned.

Yours truly,

H.C.J. WHEELER
H.G. ROSE
H.H. GIBSON
H. KOESTER
J.K. YOUNG

SCHAEFFER DZALDOV PURCELL LTD.

J.T. RANSOM
JOHN C. MOORE
LLOYD & PURCELL
MILLESSE & BURTON
OPHIR N. DZALDOV
P.J. MCGUINNESS

Dan Dzaldiv, B.Sc., O.L.S., O.L.I.P.
DD/dr

RICHARD A. PREISS
REID J. WILSON
R.G. MCKIBBON
ROBERT BASIL LEE
ROBERT J. KINGSTON

Robert Bader

Submitted by: Robert Badder

SCHAEFFER DZALDOV BENNETT
SCHAEFFER & REINTHALER
WILDMAN HADFIELD STEWART
WILSON & BUNNELL
W.M. FENTON
YATES & YATES

I hereby certify the accuracy of the attached Sketch submitted herewith

Tree Protection By-law Declaration

Part 1 – General Information

When to Submit this Tree Declaration Form

This Declaration Form is required to be submitted to Toronto Building with every building permit application to construct or demolish and with every application made to the Committee of Adjustment.

To minimize impact to trees, it is recommended that owners or their representatives discuss their construction proposals with a qualified arborist **at the design stage of a project**.

What is the Purpose of this Declaration Form?

The purpose of this Declaration Form is:

1. To educate building permit applicants and Committee of Adjustment applicants about steps that must be taken under [Chapter 813, Trees](#), and [Chapter 658, Ravine and Natural Feature Protection](#), of the City of Toronto Municipal Code to protect trees during the course of construction and to ensure that the required permits to injure or destroy trees protected under the by-laws are obtained where applicable.
2. To provide notice to the City of Toronto's Urban Forestry of proposed work on private property that might impact trees protected under Chapter 813, Trees, and Chapter 658, Ravine and Natural Feature Protection, of the City of Toronto Municipal Code.

This form is NOT an application for a permit to injure or destroy a protected tree. It is intended to clarify when such a permit is required.

Relationship to the Building Permit

The issuance of a building permit by Toronto Building for proposed construction or demolition does NOT constitute the permission required to injure or remove a protected tree and does not in any way authorize the injury or removal of a protected tree. The building permit is separate and distinct from any permits required and issued by the City's Urban Forestry to injure or remove a protected tree.

What Constitutes a Protected Tree?

1. Trees of all sizes located within area protected under [Chapter 658](#), Ravine and Natural Feature Protection, constitute protected trees ("Protected Ravine and Natural Feature Trees"). The protected areas are defined in [maps](#) found in Chapter 658.

Refer to these maps when answering the questions in Part 2 regarding the impact to Protected Trees.

2. Trees of all sizes located on the City's road allowance constitute protected trees under Article II of [Chapter 813, Trees](#) ("Protected City-Owned Trees").
3. Under Article III of Chapter 813, Trees, the following trees on private property outside the Ravine and Natural Feature protection areas constitute protected trees ("Protected Private Trees"):
 - i. Trees with a diameter of 30 cm or more measured at 1.4 m above the ground; and
 - ii. Replacement trees regardless of their diameter.

Tree Protection By-law Declaration

When is Permit Required from Urban Forestry?

Where construction activity is proposed, a permit to injure or remove a tree is required where any of the following occur:

- i) Construction activity within a [Tree Protection Zone](#) of a Protected Tree
- ii) A Protected Tree will be removed as a result of construction activity and/or
- iii) Proposed construction activity will result in the placement of fill or changes to grade within the Tree Protection Zone or within ravine and natural feature protected area.

"Construction activity" includes but is not limited to: building, construction, demolition work, excavation, trenching and boring, any utility installation work, placement of fill or surface treatment, storage of construction materials or equipment, storage of soil, construction waste or debris, landscaping and movement of vehicles and equipment.

Refer to these definitions when answering questions in Part 2 regarding the impact to Protected Trees.

What are Tree Protection Zones?

Tree Protection Zones This chart shows <u>minimum</u> required distances for determining a tree protection zone (e.g. for a 40 cm diameter tree, all construction activity must be kept at least 2.4 m away from Protected City-owned and Protected Private trees, and 4.8 m away from Protected Ravine and Natural Feature trees). Tree protection distances are to be measured from the outside edge of the tree base. Note: Urban Forestry may require a larger Tree Protection Zone for some trees, depending on site conditions.	Trunk Diameter (DBH)*	Minimum Protection Distances Required	
		City-owned and Private Trees	Ravine and Natural Feature Trees
	< 10 cm	1.2 m	1.2 m
	10-29 cm	1.8 m	3.6 m
	30-40 cm	2.4 m	4.8 m
	41-50 cm	3.0 m	6.0 m
	51-60 cm	3.6 m	7.2 m
	61-70 cm	4.2 m	8.4 m
	71-80 cm	4.8 m	9.6 m
	81-90 cm	5.4 m	10.8 m
	91-100 cm	6.0 m	12.0 m
	* diameter measured at 1.4 m above the ground. To measure a tree's DBH, measure the circumference of the trunk at 1.4 m above ground level and divide the number by π (3.1416).		

Refer to the above table when answering the questions in Part 2 regarding the impact to Protected Trees.

What are the Standards for Tree Protection Barriers?

Tree protection barriers must be installed in accordance with the City of Toronto's [Tree Protection Policy and Specifications for Construction Near Trees](#).

Faliure to Comply with the By-laws

A failure to comply with [Chapter 813](#) and/or [Chapter 658](#) may result in enforcement action including but not limited to the issuance of an Order to Comply and prosecution. Further, contravention inspection fees are applied to each Protected Tree that has been injured, removed or destroyed without a permit from Urban Forestry. If contravention inspection fees are not paid within 90 days of the issuance of an Order to Comply, Urban Forestry will collect the contravention inspection fees by adding them to the tax roll for the property as per section 441-9 of [Chapter 441, Fees](#), of the City of Toronto Municipal Code. Further, if convicted of an offence under these by-laws, you may be liable for: 1) a minimum fine of \$500.00 per tree to a maximum fine of \$100,000.00, and 2) a special fine of \$100,000.00

Tree Protection By-law Declaration

Part 2 – Project Information

The Proposed Construction's Impact on Protected Trees

Property Address (Street Number, Street Name)	746 WARDEN AVENUE
Date Application to Construct or Demolish Filed with Toronto Building	
Work Description INSTALLATION AND OPERATION OF ONE (1) FREE-STANDING PUBLIC EV CHARGING STATION IN EXISTING SURFACE PARKING LOT OF FITNESS CENTRE	

Property Owner Information

☐ Private Individual	☐ Corporation / Partnership (for corporation/partnership representative please insert business contact information)		
First Name ADRIANO	Last Name LUCIANO		
☐ Check this box if first Name and Last name do not apply to you because you have either a registered Birth Certificate or Change of Name Certificate bearing a Single Name. Provide your Single Name.			
Single name CONCORDIAN REALTY MANAGEMENT			
Street Number 7077	Street Name KEELE STREET		Suite/Unit Number
City/Town TORONTO	Postal Code L4K 0B6	Province ONTARIO	
Telephone Number (905) 7380754		Mobile Number	
Email			

Impact to Protected Trees

1. Will the proposed construction activity occur within the Tree Protection Zone of a:	
- Protected Ravine and Natural Feature Tree?	☐ Yes ☒ No
- Protected City-Owned Tree?	☐ Yes ☒ No
- Protected Private Tree?	☐ Yes ☒ No
2. Will the proposed construction activity require removal of a:	
- Protected Ravine and Natural Feature Tree?	☐ Yes ☒ No
- Protected City-Owned Tree?	☐ Yes ☒ No
- Protected Private Tree?	☐ Yes ☒ No
3. Will any proposed construction activity result in placement of fill or changes to grade within a Ravine/Natural Feature Protected Area or within a Tree Protection Zone of a:	

Tree Protection By-law Declaration

- Protected Ravine and Natural Feature Tree?	☐ Yes ☒ No
- Protected City-Owned Tree?	☐ Yes ☒ No
- Protected Private Tree?	☐ Yes ☒ No
4. If you answered "YES" to any of the above questions, then you are required to submit an application to Urban Forestry to injure or destroy Protected Trees under the related tree protection bylaw: - o Article II of Chapter 813, Trees in the case of Protected Private Trees - o Article III of Chapter 813, Trees in the case of Protected City-Owned Trees; or - o Chapter 658, Ravine and Natural Feature Protection in the case of Protected Ravine and Natural Feature Tree	
Have you already submitted an application to Urban Forestry to injure or destroy a Protected Tree? ☐ Yes ☒ No If yes, on what date was the application submitted? Date:	
5. Will an application to the Committee of Adjustment be made or has an application to the Committee of Adjustment been made? ☐ Yes ☒ No If yes, have you obtained Urban Forestry clearance in connection with the Committee of Adjustment application? ☐ Yes ☐ No If yes, on what date did you receive Urban Forestry clearance? Date:	

Part 3 - Declarations of the owner
I, (property owner's name) ADRIANO LUCIANO
declare the following:
I am the owner of the property referred to above.
I have read and I understand the information regarding the protection of Protected Trees set out in this Declaration Form and in Chapters 813, Trees, and Chapter 658, Ravine and Natural Feature Protection;
I understand that as the owner of the subject property, I am responsible for all construction activity on the property;
I understand that it is unlawful to injure or destroy a Protected Tree without a permit from Urban Forestry;
The information provided in Part 2 of this Declaration Form is true and accurate; and

Tree Protection By-law Declaration

Where the answers to the questions in Part 2 indicate that a permit is required from Urban Forestry to injure or destroy a Protected Tree, I will make the necessary permit applications.	
Property Owner's Signature: (where a corporation, I have the power to bind the corporation)	Date 2023-11-02

Parks, Forestry and Recreation collects personal information on this form under the legal authority of the Toronto Municipal Code, Chapter 658, Ravine and Natural Feature Protection and Chapter 813, Trees, Article II, Trees on City Streets and Article III, Private Tree Protection. The information is used to process your application and notify you of meetings related to your application. Questions about this collection can be directed to the Manager of Tree Protection and Plan Review, Parks Forestry and Recreation, 18 Dyas Road, Toronto, Ontario, M3B 1V5, or by telephone at 416-392-0724.



BADER GROUP INC.

Robert Bader
(437) 234-5368
robert@badergroup.ca
38 Albani Street, Toronto, Ontario, M8V 1X2
www.badergroup.ca

November 27, 2023

Delivered by email: signbylawunit@toronto.ca
Nikoo.Shabestari@toronto.ca

Sign By-Law Unit, Toronto Building
Toronto City Hall
100 Queen Street West
Ground Floor, East Tower
Toronto, ON M5H 2N2

ATTENTION: NIKOO SHABESTARI, SIGN BUILDING CODE EXAMINER INSPECTOR
RE: SIGN VARIANCE APPLICATION – 746 WARDEN AVENUE

Dear Nikoo,

On behalf of JOLT Canada and SolarBank Corp., in support of a comprehensive city-wide request seeking approvals for the installation of fast, free, and clean electric vehicle (“EV”) charging stations, we are pleased to submit this application requesting minor variances to the City’s Sign By-law. We anticipate that our application will be presented to the Sign Variance Committee at your earliest opportunity.

JOLT is a company founded in Australia and operating in Oceania, Europe and North America. The company aims to provide free, reliable, ultra-fast charging in major Canadian urban centers for EV drivers in the coming years. JOLT contributes to accelerating the transition to widespread e-mobility, achieving climate goals, and reducing air and noise pollution in cities.

SolarBank is a renewable energy solutions provider, operating primarily in North America. The company has established itself as a trusted developer, engineer, builder, asset operator and manager in the clean and renewable energy space. With a focus on grid-connected solar photovoltaic electricity generation plants, the firms’ capabilities span the entire value chain from site origination, development, financing, EPC, O&M, and asset management. SolarBank’s customers include commercial and industrial corporations, institutions, community solar subscribers, municipalities and electric utilities.

PROPOSED SIGN

The sign that is the subject of this application is defined by the Sign By-law as an illuminated third party electronic ground sign containing two sign faces, with each face

displaying electronic static copy (see Figure 1). However, the primary purpose of this apparatus is an EV charging station, designed to provide the public with fast, free, and clean energy for electric vehicles. With millions of EVs forecast to be on Canadian roads in the years to come,¹ there is a need for more than 200,000 public EV charging stations to be installed by 2030, a ratio of one charger for every 24 EVs.² Currently, there are only 7,000 publicly-accessible EV charging sites across Canada (only 1,300 of which are located in Toronto).³ This request is submitted to develop, in part, the critical infrastructure to meet this demand, helping to drive the adoption of EVs and support the reduction of greenhouse gas emissions.



FIGURE 1: FREE-STANDING JOLT ELECTRIC VEHICLE (EV) CHARGING STATION (THIRD PARTY GROUND SIGN) WITH INTEGRATED ELECTRONIC SIGN FACE DISPLAYING ELECTRONIC STATIC SIGN COPY

The delivery of this vital service is offset through third party advertising, and it is for this reason that this application is before the Sign Variance Committee.

Further to the Sign By-law, the subject signs' attributes are as follows:

- Containing two sign faces, each 1.65 metres in length by 0.93 metres in width (5.4' x 3.05') for an aggregate sign face area of 3.06 square metres (individual sign face area = 1.53 square metres);
- Located on the west side of Warden Avenue, facing northerly and southerly along Warden Avenue;

¹ 2021 vehicle registration statistics cite 95,896 plug-in electric vehicles of the total 26.2 million motor vehicles registered in Canada (<https://www.statcan.gc.ca/en/topics-start/automotive>)

² Accessed November 20, 2023 (<https://www.canada.ca/en/natural-resources-canada/news/2022/08/minister-wilkinson-releases-report-on-public-charging-needs-for-electric-vehicles-in-canada.html>)

³ Ibid

- Located approximately equidistant between St. Clair Avenue East to the south and Eglinton Avenue East to the north;
- At a height not exceeding 2.65 metres (8.7');
- Displaying electronic static copy;
- Not up-lit;
- Not illuminated (operational) between the hours of 11:00 p.m. and 7:00 a.m.; and
- Not exceeding more than 5000 nits during the daytime.

REQUESTED VARIANCES

Further to your Examiner's Notice dated November 6, 2023, the following variances are required to allow for the proposed electronic ground sign:

1. A variance to the provision contained at §694-25C(2)(d) which requires that 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, in this case 3.0 metres from the streetline along Warden Avenue; whereas the subject sign is located approximately 2.0 metres from the streetline;
2. A variance to the provision contained at §694-25C(2)(f) which requires that, where facing a sensitive land use ("R", "RA", "CR", "I", or "OS"), the sign shall not be within 250 metres of such sensitive land use; whereas the subject sign is approximately 65 metres and "*facing*" an "RA" sign district to the southwest, and approximately 200 metres and facing an "OS" and an "R" sign district to the southeast, respectively; and
3. A variance to the provision contained at §694-25C(2)(h) which requires that there shall be no more than one ground sign or electronic ground sign erected on the premises; whereas the subject sign would constitute a second ground sign, as a third party sign class, in addition to an existing ground sign, as a first party sign class.

SITE AND SURROUNDING CONTEXT

Characteristically, the subject site has a relatively narrow frontage (61.2 metres) and a significant depth (197.8 metres) in comparison to surrounding properties. The subject site has been improved with a single-storey industrial building containing a variety of industrial uses (see Figure 2). The subject site is designated E-Employment, further to Chapter 694 (see Figure 3) and is immediately surrounded by properties with the following sign district designations and land uses:

ORIENTATION	MUNICIPAL ADDRESS	SIGN DISTRICT DESIGNATION	LAND USE
NORTH	750 Warden Avenue	E-Employment	Self-storage Facility / Personal Service Shop
EAST	747 & 749 Warden Avenue	E-Employment	Youth Support Services / Tradespersons' Hall
SOUTH	736-740 Warden Avenue	E-Employment	Used Car Dealership / Mechanic's Garage
WEST	40 Fairfax Crescent	I-Institutional	High School



FIGURE 2: 3-D AERIAL OF SUBJECT SITE (OUTLINED IN RED); VIEW FROM THE SOUTHEAST

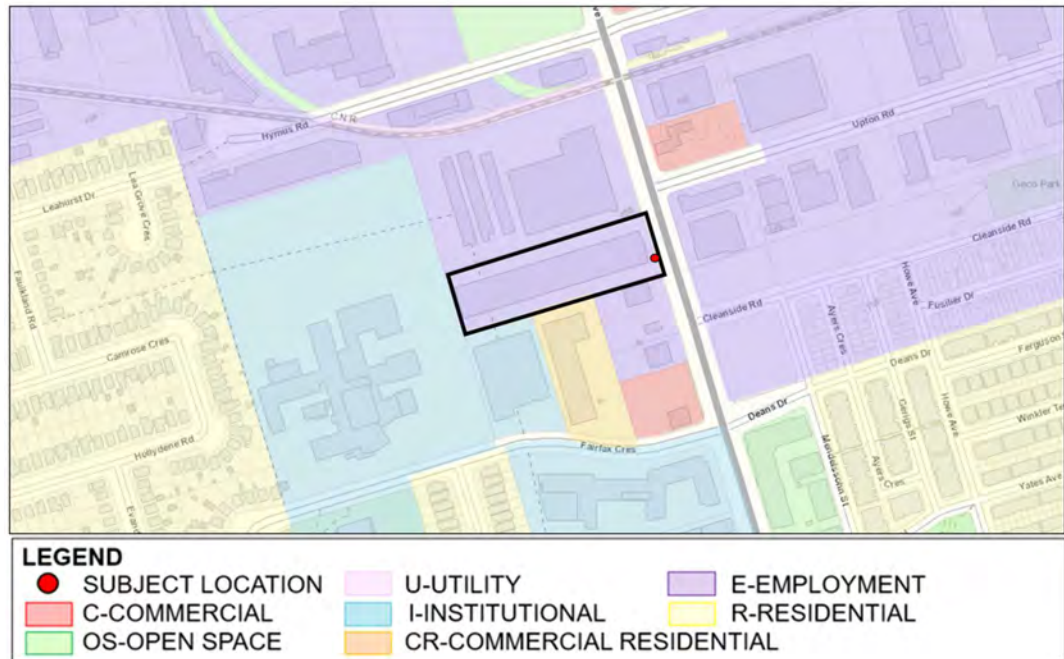


FIGURE 3: SIGN DISTRICT MAP EXCERPT (SUBJECT SITE OUTLINED IN BLACK)

ENVIRONMENTAL POLICY CONTEXT

As set out below, the proposed city-wide request seeking approvals for the installation of fast, free, and clean EV charging stations accompanied by third party signs is supportive of numerous policy directions set out in the Provincial Policy Statement (the “PPS”), the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) and the City of

Toronto Official Plan (the “Official Plan”), all of which support energy conservation and efficiency, improved air quality and reduced greenhouse gas emissions through green infrastructure such as EV charging stations, among other measures.

Provincial Policy Statement

The PPS provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3(5) of the *Planning Act*, all decisions that affect a planning matter are required to be consistent with the PPS.

With respect to energy conservation, air quality and climate change, Policy 1.8.1 directs planning authorities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns that promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure, among other measures.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan is the Ontario government’s initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life.

The guiding principles set out in Section 1.2.1 – Guiding Principles, provide that the successful realization of this vision for the Greater Golden Horseshoe centres on effective collaboration amongst the Province, other levels of government, First Nations and Métis communities, residents, private and non-profit sectors across all industries, and other stakeholders.

One of the key guiding principles is to integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure that are adaptive to the impacts of a changing climate and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

Policy 3.2.1 provides that planning for new or expanded infrastructure will occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental planning and financial planning, and will be supported by relevant studies that shall consider the impacts of a changing climate, among other matters. Municipalities will assess infrastructure risks and vulnerabilities, including those caused by the impacts of a changing climate, and identify actions and investments to address these challenges, which could be identified as part of municipal asset management planning.

As outlined in Section 4.1, the Growth Plan recognizes and supports the role of municipal policy in providing leadership and innovation in developing a culture of conservation and addressing climate change. As the Greater Golden Horseshoe grows, so will the overall demand for water, energy, air, and land. The ongoing availability of these natural resources is essential for the sustainability of all communities.

With respect to implementation, upper- and single-tier municipalities are directed to undertake integrated planning to manage forecasted growth, which will mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability, among other matters.

Policy 4.2.10(1) provides that upper- and single-tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas emissions and address climate change adaptation goals, aligned with other provincial plans and policies for environmental protection, that will include and assessment of infrastructure risks and vulnerabilities and identifying actions and investments to address these challenges, among other measures.

In planning to reduce greenhouse gas emissions and address the impacts of a changing climate, municipalities are encouraged to:

- a) develop strategies to reduce greenhouse gas emissions and improve resilience through the identification of vulnerabilities to climate change, land use planning, planning for infrastructure, including transit and energy, green infrastructure, and low impact development, and the Growth Plan's conservation objectives;
- b) develop greenhouse gas inventories for transportation, buildings, waste management and municipal operations; and
- c) establish municipal interim and long-term greenhouse gas emission reduction targets that support provincial targets and reflect consideration of the goal of low-carbon communities and monitor and report on progress made towards the achievement of these targets.

The City of Toronto Official Plan

The sidebar to Section 1.1 of the Official Plan speaks to Climate Change, Clean Air and Sustainable Energy Action Plan, noting that climate change is one of the biggest challenges facing our planet. Toronto is committed to addressing this challenge through leadership and providing a sustainable future for all Torontonians. The City's Climate Change Action Plan (2007) outlines the City's response to climate change and poor air quality. Actions on climate change include reducing harmful emissions and building a clean, resilient City.

Section 1.1 goes on to note that the Official Plan's vision is about creating an attractive and safe city that evokes pride, passion and a sense of belonging; a city where people of all ages and abilities can enjoy a good quality of life; and city with infrastructure and socio-economic systems that are resilient to disruptions and climate change, among other matters.

As outlined in the sidebar to Section 3.4, climate change is the biggest challenge facing our planet. In October 2019, Council voted unanimously to declare a climate emergency and accelerate efforts to mitigate and adapt to climate change. Council also endorsed a net zero greenhouse gas emissions target that is in line with keeping global average temperature rise below 1.5 degrees Celsius and set the goal for Toronto of becoming net

zero before 2050. The declaration reinforces the City's climate action outlined in Transform TO: Climate Action for a Healthy, Equitable and Prosperous Toronto, Toronto's climate action strategy to reduce local greenhouse gas emissions. The Toronto Green Standard plays an important role in reducing greenhouse gas emissions for new development by requiring and incenting sustainable performance measures through the development review process, including a Council approved 'stepped path' to require near zero emissions for new construction by 2030.

FEDERAL AND PROVINCIAL ELECTRIC VEHICLE INITIATIVES

The economic importance of supporting electric vehicles has been the subject of a recent major announcement. The recently announced federal and provincial announcement with Stellantis-LG Energy Solutions (LGES) and the Volkswagen Group and its subsidiary PowerCo SE to establish Volkswagen's first overseas electric vehicle battery cell manufacturing plant in St. Thomas Ontario are indicative of the potential economic benefits of investing in green energy technologies. As part of the agreement, both levels of government have offered up to \$13 billion in performance incentives. The support by upper levels of government in these technologies does require municipal support as well. This could be implemented through the approval of proposed EV charging stations with accompanying third party signs.

ESTABLISHED CRITERIA

§694-30A of the Sign By-law states that an application for a variance from the By-law provisions may only be granted where it is established that the proposed sign meets all nine of the criteria. In support of a favourable decision respecting this application, we provide the following response to each of the criteria:

(1) Belong to a sign class permitted in the sign district where the premises is located.

Sign class designations are provided at §694-4 of the Sign By-law. There are two designated classes of sign: first party signs and third party signs. The proposed sign is designated as a third party sign. Third party signs are defined as:

A sign which advertises, promotes, or directs attention to businesses, goods, services, matters, or activities that are not available at or related to the premises where the sign is located.

The proposed sign will operate in accordance with the definition for third party signs. The proposed sign will identify, advertise, promote, or direct attention to businesses, goods, services, matters or activities that are not available or related to the subject site municipally known as 746 Warden Avenue.

The Sign District where the proposed sign is to be located is designated E-Employment. Third party signs are permitted in E-Employment Sign Districts.

(2) In the case of a third party sign, be of a sign type that is permitted in the sign district, where the premises is located.

The proposed sign is designated as a third party sign, to be located within the front yard of the subject site which is designated as an E-Employment Sign District. The sign type proposed is an electronic ground sign. Third party electronic ground signs are permitted in E-Employment Sign Districts.

(3) Be compatible with the development of the premises and surrounding area.

The subject site (premises) has been developed with a single-storey industrial building and is designated as an E-Employment Sign District. The E-Employment Sign District permits third party electronic ground signs – the proposed sign in this application is of a class, type, size, height, and method of copy display that is well within the limits of the By-law regulations. This proposed third party electronic ground sign possesses attributes that are not akin to the conventional third party electronic ground signs that are installed and operated by the outdoor advertising industry. The By-law regulations respecting electronic third party ground signs have been written expressly for a conventional outdoor advertising product. The sign proposed in this application is roughly 1/4 of the maximum permitted height (2.65 metres whereas the Sign By-law provides for 10 metres) and only 7.6% of the maximum permitted sign face area (1.53 square metres whereas the Sign By-law provides for 20 square metres). The attributes of the proposed sign that is the subject of this application ensures that there are no visual impacts either at the subject premises or in the surrounding area. The minor variances being sought are wholly diminutive:

- 2.0 metre front yard setback in lieu of a required 3.0 metres;
- Either 65 metres or 200 metres to sensitive land uses, where 250 metres is required; and
- The subject site containing a second ground sign, albeit of a different sign class and uncompetitive with the installation and operation of the existing first party ground sign.



FIGURE 4: SUBJECT SITE (746 WARDEN AVENUE) W/ EXISTING GROUND SIGN (TENANT DIRECTORY) LOCATED IN THE FRONT YARD

The front yard setback of the existing first party ground sign itself, at approximately 2.5 metres, does not comply with the front yard setback regulations, and the Warden Avenue Right-of-Way provides a generous sidewalk and boulevard so that the proposed sign possesses a setback from the travelled portion of the road which is greater than 6.0 metres. In addition, the proposed setback of the third party sign would not obstruct the pedestrian clearway or interfere with the existing landscaping within the boulevard.

The nearest sensitive land use is located to the southwest of the proposed sign at the property municipally known as 60 Fairfax Crescent. The proposed sign is distanced approximately 65 metres to the property line of 60 Fairfax Crescent and approximately 87 metres to the building, which is a 7-storey “L-shaped” residential condominium. The proposed sign fronts on to Warden Avenue and visibility to the residential dwellings in the condominium building is completely shielded by the existing industrial building at the subject site, which is at a height of approximate 4.9 metres (16’), whereas the proposed sign is only 2.65 metres in height.

The other sensitive land uses (designated “OS” and “R”, respectively) are each located at the properties municipally known as 725 Warden Avenue and 33 Deans Drive, each forming part of the same residential townhouse development. As compared to other, conventional billboards, the scale and magnitude of the proposed sign (again, 1/4 the height of what is permitted and only 3/40 of the maximum permitted sign face area) ensures that it is not visible to the residential dwellings contained within the townhouse development, as is visually illustrated in Figure 5, below.



FIGURE 5: VISUAL ILLUSTRATION OF PROPOSED SIGN AS VIEWED FROM 725 WARDEN AVENUE

(4) Support the Official Plan objectives for the subject premises and surrounding area.

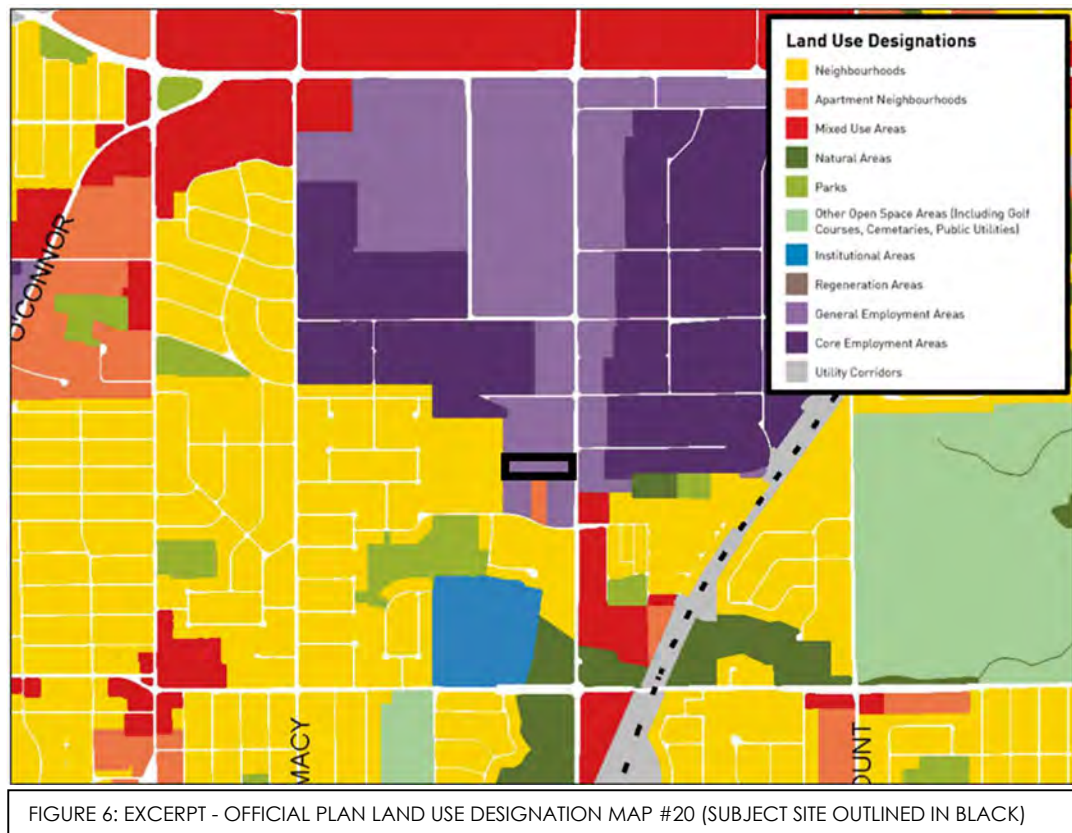
Chapter One – Making Choices, of the City’s Official Plan articulates a vision for the future and outlines the principles for a successful city upon which it is based. This vision is about creating an attractive and safe city that evokes pride, passion and a sense of belonging – a city where people of all ages and abilities can enjoy a good quality of life.

The Official Plan envisions, in part, a city with: a strong and competitive economy with a vital downtown that creates and sustains well-paid, stable, safe and fulfilling employment opportunities for all Torontonians; a healthy natural environment including clean air, soil, energy and water; and infrastructure and socio-economic systems that are resilient to disruptions and climate change.

The primary purpose of this application is wholly consistent with the Official Plan vision whereby participating in the widespread adoption of EV’s creates:

- An attractive and safe city;
- A good quality of life;
- A healthy natural environment including clean air, soil, energy and water; and
- Infrastructure that is not only resilient to disruptions and climate change, but actually seeks to combat climate change.

Land Use Plan Map #20 designates the subject site as a *General Employment Area* (see Figure 6). Section 4.6 of the Official Plan states that these areas are “places of business and economic activities vital to Toronto’s economy and future economic prospects.” More specifically, Policy 4.6.1 provides “transportation facilities, vehicle repair and services” as permitted uses. As such, an EV charging station is consistent with the purpose and intent of this Official Plan designation and its related policies.



Lands to the north, south and east are designated as *General Employment Areas* and *Core Employment Areas*. This land use designation is consistent with the land use designation for the subject site.

In effect, this Official Plan designation serves to protect and enhance the planned function of the subject site and the surrounding area by, among other things, prohibiting sensitive land uses within and adjacent to designated employment areas. The proposed sign is therefore compatible with, and will not detract from, the planned function of the surrounding *Core Employment Areas* and *General Employment Areas*.

As outlined in Policy 5.3.2(1), implementation plans, strategies and guidelines will be adopted to advance the vision, objectives and policies of the Official Plan. The following key sustainability, green infrastructure and climate change mitigation strategies and guidelines have been identified:

- Predominately, the ***Electric Vehicle Strategy***, where:
 - Access to charging is essential for EV uptake;
 - Public EV charging is important to support increased adoption;
 - The provision of public EV charging infrastructure – either directly or by supporting others to do so – is an area in which the City can substantially support the transition to EVs and is a strong focus of City efforts related to EVs; and

- ...early experience with the EV Station Fund – funded by Natural Resources Canada – has reinforced the substantial need for more extensive charging infrastructure throughout Toronto...[and] recognizing that the scale of public EV charging infrastructure required is beyond the capacity of the City to provide on its own...⁴
- The **Net Zero Strategy**, adopted to ambitiously reduce community-wide greenhouse gas (GHG) emissions in Toronto to net zero by 2040 – 10 years earlier than initially proposed. The City’s 2040 target is one of the most ambitious in North America.
- The **Energy Strategy** and the **Air Quality Strategy**, where energy consumption is reduced and air quality is improved through the installation of an electric vehicle charging station and the use of EVs;
- The **Green Design Guidelines**, intended to promote a high standard of environmental performance, where again, conformity is achieved through the installation and public use of an electric vehicle charging station;

It is for these reasons the proposed sign supports Official Plan objectives for the subject premises and surrounding area.

(5) Not adversely affect adjacent premises.

Where visible from the proposed sign, the adjacent premises contain no sensitive land uses (residential, institutional, parks and open space). The adjacent premises are all designated as E-Employment Sign Districts save and except for the premises immediately adjacent to the west at 40 Fairfax Crescent (designated I-Institutional and operating as a High School) and the premises immediately adjacent to the south at 60 Fairfax Crescent (improved with a mid-rise residential condominium building). These two adjacent properties have no visibility to the proposed sign.

As illustrated in Figure 7, the premises to the immediate north has been improved with a large industrial building, primarily containing a self-storage warehouse. The premises to the immediate south operates as a mechanic’s garage and used car dealership. The premises immediately adjacent to the east, across Warden Avenue, contain further industrial uses including a tradespersons’ hall and youth support services.

⁴ City of Toronto, *Update on Electric Vehicle Strategy Implementation*, June 22, 2022 (<https://www.toronto.ca/legdocs/mmis/2022/ie/bgrd/backgroundfile-227898.pdf>)

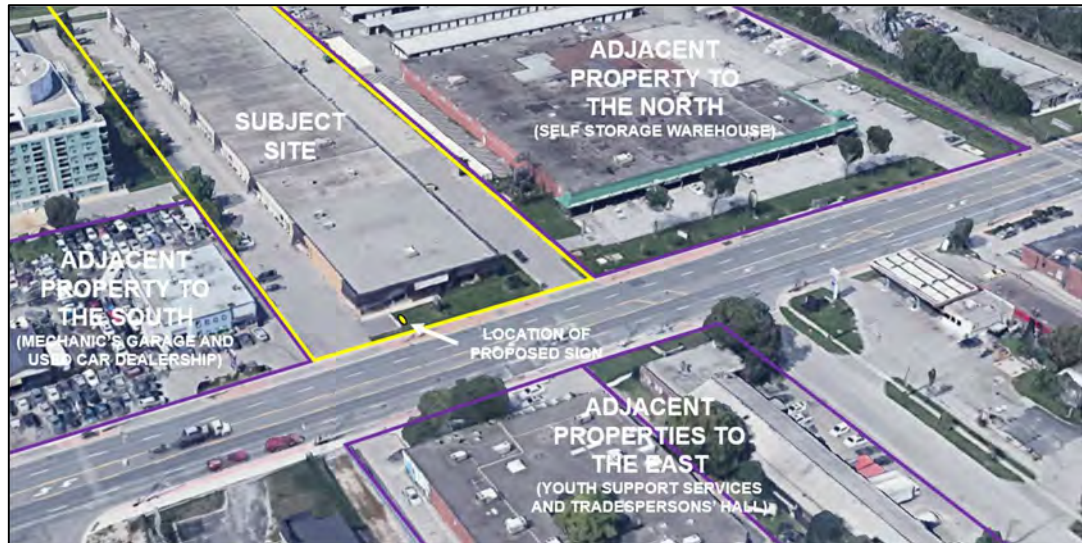


FIGURE 7: SUBJECT SITE (OUTLINED IN YELLOW) AND ADJACENT PROPERTIES (OUTLINED IN PURPLE)

Given the location, placement, size and scale of the proposed sign, it is considered to be generally compatible with and not adversely affecting adjacent premises.

(6) Not adversely affect public safety, including traffic and pedestrian safety.

The proposed sign is not located in a *Visibility Zone*, as defined by the Sign By-law. The proposed sign is approximately 180 metres from a signalized intersection (Warden Avenue & Fairfax Crescent/Deans Drive), which is a distance that is six times greater than what is required by Sign By-law regulation. There is no cycling infrastructure on Warden Avenue, a four-lane high-volume arterial road.

These facts indicate that the proposed sign poses no public safety concern. In that manner, the proposed sign will not adversely affect public safety.

As mentioned, the proposed sign is unique in scale and magnitude in comparison to other conventional outdoor digital billboards, which are permitted in E-Employment Sign Districts. The proposed sign is 1/4 the height of what is permitted and only 3/40 of the maximum permitted sign face area which is comparable to the digital advertising and marketing displays commonly installed at fast food restaurants and places of worship and commonly located within and adjacent to sensitive land uses including R-Residential and CR-Commercial Residential Sign Districts (see Figure 8).

The scale and impact of the proposed sign varies greatly too, as compared to the digital bus shelter advertising (see Figure 9), placed at up to 120 locations across Toronto, whereby digital bus shelter advertising:

- Has no restrictions on location;
- Can be placed in immediate proximity to the travelled portion of a street;
- Operates without any time-of-day restrictions; and
- Is greater in size (2.08 m²) than the proposed sign (1.53 m²).



FIGURE 8: COLLAGE OF SIMILAR DIGITAL ADVERTISING SIGNS ADJACENT TO RESIDENTIAL LAND USES

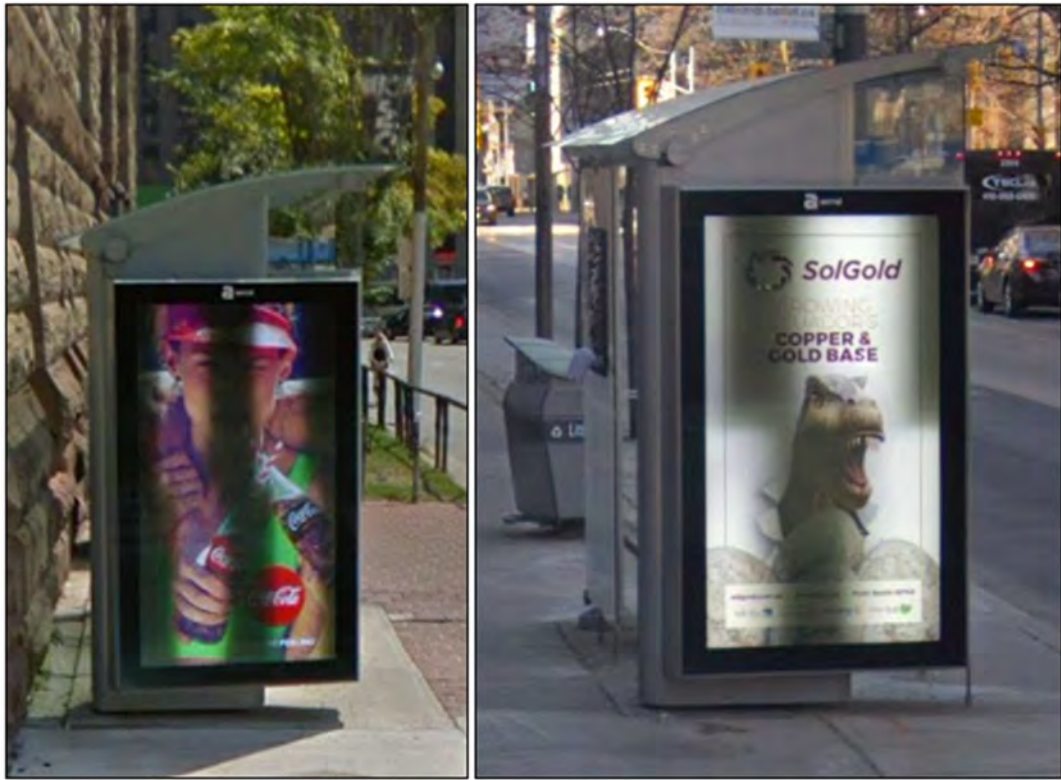


FIGURE 9: EXAMPLES OF DIGITAL BUS SHELTER ADVERTISING

(7) Not be a sign prohibited by Toronto Municipal Code Chapter 694-15B.

Sign By-law prohibitions, as contained at §694-15B, are outlined as follows:

- i. A sign erected on a tree or a fence;
- ii. A roof sign, except a first party roof sign included in a Signage Master Plan consisting solely of first party signs, or a roof sign located in the Dundas Square Special Sign District;
- iii. A sign erected on a parked vehicle or trailer where the primary purpose of the vehicle or trailer is the display of the sign;
- iv. A sign erected on a vehicular, railway or pedestrian bridge;
- v. A sign which obstructs or interferes in any way with the use of any fire escape, fire exit, door, flue, air intake, exhaust, or required parking space or window, but shall not include a window sign permitted by this chapter;
- vi. A sign which interferes with any electrical or telephone wires or associated supports;
- vii. A sign emitting sound or odour;
- viii. A sign discharging any gas, liquid, or solid;
- ix. A sign containing interactive copy;
- x. An electronic roof sign, except a first party electronic roof sign included in a Signage Master Plan consisting solely of first party signs, or an electronic roof sign located in the Dundas Square Special Sign District.

It is confirmed that the proposed sign subject to this application is not descriptive of the signs identified on the list of prohibitions. The proposed sign is not prohibited.

(8) Not alter the character of the premises or surrounding area.

The premises and surrounding area consists largely of employment and industrial uses. The proposed sign is consistent with the predominant character and function of the industrial and related uses of the immediate surrounding *Core Employment Areas* and *General Employment Areas*, as designated in the Official Plan.

§694-19 of the Sign By-law likewise designates this premises as an E-Employment Sign District. The sign class and sign type being proposed is recognized and permitted in the E-Employment Sign District and the method of copy display, electronic static copy, is found in such a district throughout the city.

The proposed sign is therefore compatible with and will not alter the character of the premises or surrounding area.

(9) Not be, in the opinion of the decision maker, contrary to the public interest.

There have been significant advances made in digital signage technology since the establishment of a new signage regime for the City, in 2009. The Sign By-law has responded, most recently by incorporating legislative changes that were considered through a comprehensive illuminated and electronic sign review which included:

- A Planning and Design Review of the impact of electronic and illuminated signs on surrounding land uses and methods used in other municipalities to address that;
- A Traffic Safety Study which examined the potential safety implications of electronic signs;
- Public and Stakeholder Consultations; and
- A Public Opinion Poll on electronic and illuminated signs.

The legislative changes to the Sign By-law included, in part:

- Expanding the areas where electronic signs can be located;
- Requiring an amendment to the Sign By-law where such signs are not otherwise permitted;
- Reducing the permitted brightness of these sign types by 40%; and
- Recognizing electronic signs as a separate sign type (not just a method in which sign copy is displayed).

The substance of the review revealed that people are concerned with such signs located where they live, particularly such a sign type's "impact on residential dwelling units in upper storeys of mixed-use buildings."

To be sure, the subject sign is located in an E-Employment Sign District and not a CR-Commercial Residential Sign District. The Sign By-law was amended to provide for digital third party signs in E-Employment Sign Districts.

It is for this reason that the proposed sign is not contrary to the public interest.

This application should also be considered in the context of another, greater public interest; one that aligns with a diverse and comprehensive set of Provincial and City-initiated policies, objectives, strategies, and targeted plans; the public interest surrounding one of the most pressing challenges facing Toronto today, which is climate change.

- Motor vehicles are the largest source of local air pollution, which we all know has adverse effects on human health.
- Of Toronto's Greenhouse Gas emissions ("GHG"), 38% is attributable to on-road transportation (80% of which is attributable to personal vehicles).
- The City of Toronto has set an ambitious target of getting to net zero greenhouse gas emissions by 2040.
- One of the goals of the Council-adopted TransformTO plan is that by 2030, 20% of all the vehicles on city roads are electric (current estimates are 0.96% or just over 10,000 vehicles).⁵

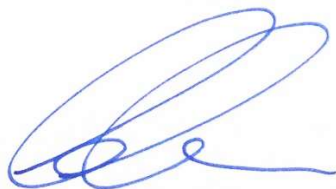
⁵ City of Toronto, *Electric Vehicle Strategy*, December 11, 2019, Pg. 8
(<https://www.toronto.ca/legdocs/mmis/2020/ie/bgrd/backgroundfile-141238.pdf>)

- The City's EV Strategy supports the transition to EVs through a number of actions designed to increase charging availability and create economic opportunities.
- The City is aware that a major limitation in the uptake of EVs is access to charging and as such, a critical focus of the City's EV-related work includes providing funding and ***undertaking planning and policy development to support additional deployment of public EV charging infrastructure*** (emphasis added).⁶
 - It is also important to apply an equity lens to the EV Strategy to ensure that, in developing and implementing policies, programs, and incentives to encourage and support the transition to EVs, these measures do not have an adverse impact on equity, including equitable access to mobility.⁷
- In order to meet the targets for EV uptake it will require a massive increase in public EV infrastructure from what is currently available. The provision of public EV charging infrastructure – either directly or by supporting others to do so – is an area in which the City can substantially support the transition to EVs and is a strong focus of City efforts related to EVs.⁸

Viewed simply, approval of this request contributes to the targets and goals of the various policies, strategies, plans and objectives, contained in Provincial legislation and adopted by City Council, to combat climate change. The City is neither responsible, nor is it required to provide oversight or management through the implementation of the network project which is founded in this request.

We trust that this is in accordance with your expectations, and we again look forward to your favourable consideration of this request. If you have any questions, please contact the undersigned.

Regards,
Bader Group Inc.



Robert Bader
 (437) 234-5368
 robertbader1973@gmail.com

⁶ City of Toronto, *Update on Electric Vehicle Strategy Implementation*, June 22, 2022, Pg. 1 (<https://www.toronto.ca/legdocs/mmis/2022/ie/bgrd/backgroundfile-227898.pdf>)

⁷ Ibid, Pg. 3

⁸ Ibid, Pg. 13

From: [robert.bader](#)
To: [Nikoo Shabestari](#)
Cc: [Mila Simon](#); [Ted Van Vliet](#); [Fernanda Patza](#); [Greg Crompton](#)
Subject: [External Sender] Re: Comprehensive Feedback on Third party Electronic Ground Sign at 746 Warden Avenue 23-163197 PPR
Date: February 23, 2024 3:59:05 PM
Attachments: [image001.png](#)
[image002.png](#)
[image \(1\).png](#)

Good afternoon Nikoo and Happy Friday,

Here's hoping and trusting that you'll be enjoying this winter weekend.

Our consulting team has managed to connect and prepare a response to your comprehensive feedback (City staff feedback in "purple"; our response in italicized "red").

I've diligently gathered all comments and concerns from Sign Review Team members, including the sign unit, to provide you with comprehensive feedback on the proposal.

As previously mentioned, the Sign Review Team is not supportive of this proposal for a third-party electronic ground sign at 746 Warden Avenue. The team believes the proposal falls short of meeting the Sign By-law criteria for the following reasons:

Which members of the Team - SRT - specifically? The Team consists of members from the Sign By-law Unit, Transportation Services, Urban Design, Municipal Licensing & Standards and Heritage Planning

(4) Support the Official Plan objectives for the subject premises and surrounding area: The rationale lacks clarification on how the sign aligns with the required setbacks of the City's applicable Zoning By-law as part of official plan objectives. The information provided primarily focuses on the EV charging station, which is not the subject of this application. Furthermore, the rationale has not demonstrated why the sign needs to be less than 3.0m from the property line, despite the survey indicating sufficient space to meet this requirement.

The Official Plan is a high-level policy instrument, designed and applied with a broad lens, leaving specificities and other fine-grain planning matters to be dealt with by other policy tools (i.e. the ZB/L, or in this case, the Sign By-law). The Official Plan describes policies on how land in the city should be used. For 746 Warden Avenue, specifically, the Official Plan designation is "General Employment Areas". Chapter 694 designates the subject property as an E-Employment Sign District, which permits third party electronic signs. The authority to establish the City's Official Plan is conferred to it by the Province. The intention of the Official Plan (and the criteria respecting signs) is not to apply the performance standards of the ZB/L. If this were the case, the criteria would accordingly be written as such. It is not. The applicable and relevant test in this case is that the proposed sign (a public, fast, clean and free EV charging station) "supports the OP objectives for the subject premises and surrounding area" - which it does, further to the rationale filed in support of our application:

- *Pages 4 & 5 of our rationale:*

As set out below, the proposed city-wide request seeking approvals for the installation of fast, free, and clean EV charging stations accompanied by third party signs is supportive of numerous policy directions set out in the Provincial Policy Statement (the "PPS"), the Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") and the City of Toronto Official Plan (the "Official Plan"), all of which support energy conservation and efficiency, improved air quality and reduced greenhouse gas emissions through green infrastructure such as EV charging stations, among other measures.

- *Pages 10-12 of our rationale:*

Chapter One – Making Choices, of the City's Official Plan articulates a vision for the future and outlines the principles for a successful city upon which it is based. This vision is about creating an attractive and safe city that evokes pride, passion and a sense of belonging – a city where people of all ages and abilities can enjoy a good quality of life.

The Official Plan envisions, in part, a city with: a strong and competitive economy with a vital downtown that creates and sustains well-paid, stable, safe and fulfilling employment opportunities for all Torontonians; a healthy natural environment including clean air, soil, energy and water; and infrastructure and socio-economic systems that are resilient to disruptions and climate change.

The primary purpose of this application is wholly consistent with the Official Plan vision whereby participating in the widespread adoption of EV's creates:

- *An attractive and safe city;*
- *A good quality of life;*
- *A healthy natural environment including clean air, soil, energy and water; and*
- *Infrastructure that is not only resilient to disruptions and climate change, but actually seeks to combat climate change.*

Land Use Plan Map #20 designates the subject site as a General Employment Area (see Figure 6). Section 4.6 of the Official Plan states that these areas are "places of business and economic activities vital to Toronto's economy and future economic prospects." More specifically, Policy 4.6.1 provides "transportation facilities, vehicle repair and services" as permitted uses. As such, an EV charging station is consistent with the purpose and intent of this Official Plan designation and its related policies. Furthermore, the proposed EV station would support the viability of the overall employment area as it would serve a larger public interest.

Lands to the north, south and east are designated as General Employment Areas and Core Employment Areas. This land use designation is consistent with the land use designation for the subject site.

In effect, this Official Plan designation serves to protect and enhance the planned function of the subject site and the surrounding area by, among other things, prohibiting sensitive land uses within and adjacent to designated employment areas. The proposed sign is therefore compatible with, and will not detract from, the planned function of the surrounding Core Employment Areas and General Employment Areas.

We verily believe that staff have erroneously applied this criteria by requiring a justification based on a single and precise ZB/L performance standard and not the broader concept of generally permitted land uses and have not properly applied discretion in how Official Plan development criteria should be applied in this instance.

(8) Not alter the character of the premises or surrounding area: The presence of an existing first-party ground sign on the same property frontage, located less than 8 meters from the proposed sign, results in sign clutter. Even in cases where two signs are

permitted on the same frontage, as with first-party signs in certain districts, they must be located 100 meters apart.

Notwithstanding your belief that two signs, each of differing sign classes, results in "sign clutter" and therefore alters the character of the premises and surrounding area (see graphic representation below to assist us in responding to such a statement), we believe this to be a matter that is very much subject to interpretation. We disagree with your belief that a variance to §694-25C(2)(h) is required. The organizational structure of the Sign By-law provides for two classes of signs - first party and third party, where the provisions contained at §694-21 regulate first party signs based on the sign district and the sign type and, separately and distinctly, the provisions contained at §694-25 regulate third party signs based on sign district and sign type. To be clear, first party signs are not regulated by the provisions contained at §694-25 (just like third party signs are not regulated by the provisions contained at §694-21) and so we question the accuracy of your identification of this "variance". The provision contained at §694-25C(2)(h) must be read and applied within the context of its organizational location in the By-law, exclusively in respect of third party signs.

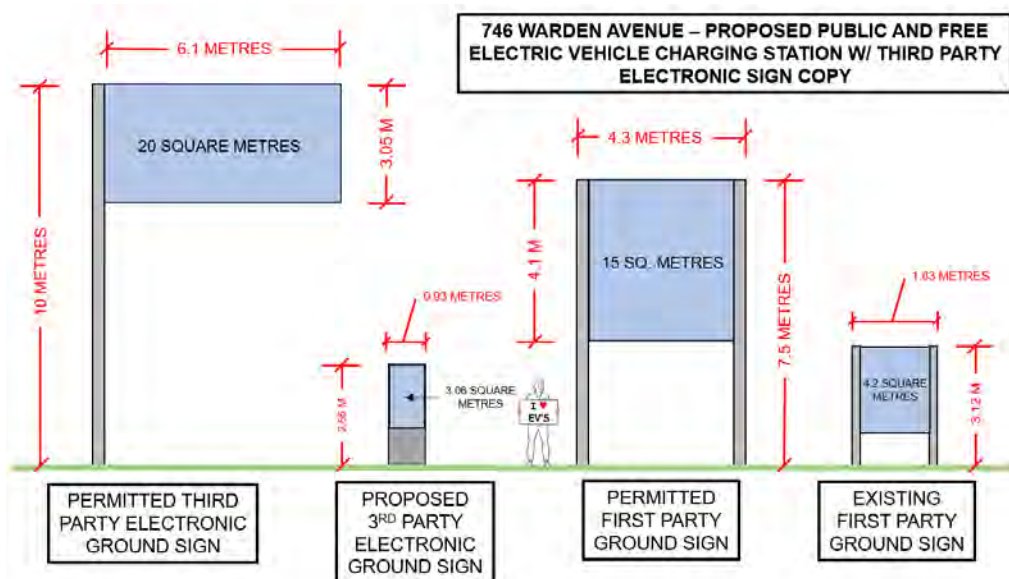
Likewise, the similar and comparable provision for first party ground signs in an E-Employment Sign District reads as follows:

A ground sign, other than a sign providing direction permitted by Subsection (2), [is permitted] provided:

(a) There shall be no more than one such sign erected at each frontage;

"Sign clutter" is managed in a similar way to third party signs; however, the distinguishing feature is that corner lots and/or through lots are recognized and considered.

§694-25C(2)(h) is a provision that was established to ensure that there can be only one third party sign on the subject property. §694-25C(2)(h) was not intended to control and regulate the quantity of first party signs on the subject property. In support of our position, since its establishment in 2010, and up to August 2021, there have been no less than 14 matters before the Sign Variance Committee where this issue was not erroneously identified. The Sign By-law regulations should be applied consistently.



(9) Not be, in the opinion of the decision maker, contrary to the public interest: While the rationale emphasizes the alignment of the EV charging station with various policies and plans related to climate change, the application pertains to a third-party electronic ground sign. The potential benefits of the EV charging station do not contribute to fulfilling the Sign By-law criteria for granting the variance.

Respectfully, our rationale provides a greater response to criteria #9 than your brief statement suggests. We feel that, although some emphasis is placed on our proposal achieving a myriad of policy goals that are most certainly in the public interest, the below rationale (pages 15 & 16), considered by SBU staff and the SRT in other, similar Sign Variance applications, clearly articulates our alignment with being in the public interest:

There have been significant advances made in digital signage technology since the establishment of a new signage regime for the City, in 2009. The Sign By-law has responded, most recently by incorporating legislative changes that were considered through a comprehensive illuminated and electronic sign review which included:

- A Planning and Design Review of the impact of electronic and illuminated signs on surrounding land uses and methods used in other municipalities to address that;
 - A Traffic Safety Study which examined the potential safety implications of electronic signs;
 - Public and Stakeholder Consultations; and
 - A Public Opinion Poll on electronic and illuminated signs.
- The legislative changes to the Sign By-law included, in part:
- Expanding the areas where electronic signs can be located;
 - Requiring an amendment to the Sign By-law where such signs are not otherwise permitted;
 - Reducing the permitted brightness of these sign types by 40%; and
 - Recognizing electronic signs as a separate sign type (not just a method in which sign copy is displayed).

The substance of the review revealed that people are concerned with such signs located where they live, particularly such a sign type's "impact on residential dwelling units in upper storeys of mixed-use buildings."

To be sure, the subject sign is located in an E-Employment Sign District and not a CR-Commercial Residential Sign District. The Sign By-law was amended to provide for digital third party signs in E-Employment Sign Districts.

It is for this reason that the proposed sign is not contrary to the public interest.

Additionally, please be noted as it stated earlier in PPR notice, there is a possibility of a new third-party electronic ground sign being approved shortly in close proximity to the proposed sign. This potential approval would introduce another variance to the list, further impacting the overall context of the situation.

We are now aware that approval was granted by the Sign Variance Committee to allow for a third party electronic ground sign at the property municipally known as 757 Warden Avenue (Item #: SB6.7 - <https://secure.toronto.ca/council/agenda-item.do?item=2024.SB6.7>) We understand that an additional minor variance will now be required for our proposed sign as our proposed sign no longer complies with §694-25C(2)(g)[1] in that it is within 500 metres (approximately 385 metres, to be sure) of the recently approved sign. We endeavour to update our rationale to identify this new information. We feel strongly that this new information does not harm our current request as again, based on the graphic illustration above, the scale, magnitude and impact of each of these two signs is unique and, at almost 400 metres between the two signs, they cannot be seen at the same time [what the §694-25C(2)(g) provision intended].

It is interesting to note that staff believed the proposed sign at 757 Warden Avenue met all of the nine criteria, including those three criteria that staff believes our proposal does not meet:

(4) Support the Official Plan objectives for the subject premises and surrounding area:

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 Subject Premises houses a single-level, multi-tenant light industrial/commercial building, aligning with the Sign District and the Official Plan's designation for the property. The neighboring areas are characterized by buildings of similar function and low-rise constructions.

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

(8) Not alter the character of the premises or surrounding area:

Historically, there have been several third party ground signs along Warden Avenue, between Eglinton Avenue East and Cleanside Road (see Figure 7 below). This portion of Warden Avenue is predominantly surrounded by low-rise buildings with commercial and/or industrial uses, making it an appropriate location for signs such as the Proposed Sign.

The Proposed Sign is consistent with the character and function of other uses in the area...

"E" Sign Districts within the city are permitted in the Sign By-law to accommodate third party electronic ground signs like the Proposed Sign.

(9) Not be, in the opinion of the decision maker, contrary to the public interest:

...the fact that this portion of Warden Avenue is largely comprised by employment areas, makes it an appropriate location for third party signs. Since the Proposed Sign would not cause any significant impacts on the surrounding and that it would not be introducing any sign type that is not already existing in the area, it is staff's opinion that the Proposed Sign will not be contrary to the public interest.

We believe that the above-quoted reasons for supporting the sign at 575 Warden Avenue, as outlined in the Staff Report dated January 10, 2024 are as applicable, if not more so, in the case for our proposed sign.

I'd like to highlight that the Sign Review Team evaluates this proposal, along with similar ones, as they would any regular third-party electronic ground signs. The fact that these signs - mostly not all of them – are on EV charger structures does not enhance the proposal's value. While the rationale letter for this proposal and two other locations emphasizes the benefits of the EV chargers as part of the proposal, which is not within the scope of our review.

Regards,
Robert Bader
(437) 234-5368