

Application for Three Variances, Respecting One Third Party Electronic Ground Sign on portion of premises North of Sheppard Avenue West, and Immediately Easterly Adjacent to 2300 Sheppard Avenue West

Date: August 22, 2024

To: Sign Variance Committee

From: Project Director, Business Transformation and Citywide Priorities, Toronto Building

Wards: Humber River - Black Creek (7)

SUMMARY

Van Horne Outdoor LP (the "Applicant") has made an application for three variances required to allow the erection and display of one single-sided third party electronic ground sign displaying electronic static copy (the "Proposed Sign") to be located on the portion of a specific Utility Sign District ("U Sign District"), which is, immediately to the north of Sheppard Avenue West, and immediately east of the premises municipally known as 2300 Sheppard Avenue West (the "Proposed Location").

The Proposed Location is a portion of premises which currently function as a rail corridor that is commonly known as the MacTier Subdivision. This portion of the premises is designated as an U Sign District, which permits third party electronic ground signs. The Proposed Sign would have a height of 10 metres, and would contain one rectangular sign face, with a centre line of 6.10 metres and a bisecting line of 3.05 metres for a maximum a sign face area of 18.60 square metres. The Proposed Sign will be orientated so that the sign face faces west and shall be located in a specific location within the premises, and is described further in Attachment 1 to this report. The Proposed Sign would require three variances to Chapter 694, to allow the Chief Building Official ("CBO") to issue the sign permit.

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

Existing Requirement 1: § 694-22E - A third party electronic sign shall not be erected within 150.0 metres of any other lawful third party sign whether or not erected.

Proposed New Requirement: The Proposed Sign will be erected 140.00 metres from an existing third party sign located at 2256 Sheppard Avenue West.

Existing Requirement 2: § 694-25D (3)(e) - A Utility Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within 60.00 metres of any premises located, in whole or in part, in an R, RA, CR, I or OS Sign District.

Proposed New Requirement: The Proposed Sign will be located within 35.0 metres to the North of a premises located in a CR Sign District.

Existing Requirement 3: § 694-25D (3)(f) - A Utility Sign District may contain a third party electronic ground sign, provided where a sign is located within 250.00 metres of an R, RA, CR, I, or OS Sign District, the sign cannot face any premise in the R, RA, CR, I or OS Sign District.

Proposed New Requirement: The Proposed Sign will be located within 180.00 metres of, and face, the R Sign District to the south of the Proposed Location; and will be located within 180.00 metres of, and face, the CR sign district located to the west of the Proposed Location.

The Applicant has made an application seeking that each of the required variances would be subject to the following conditions:

- 1) The maximum brightness of the Proposed Sign not to exceed 150 NITS at dusk to 11:00 PM; and
- 2) The Proposed Sign's sign face be orientated facing westerly and in such a manner so that the centre line of the sign face, if projected to the street line separating the premises from Sheppard Avenue West, would possess an internal angle with the street line separating the premises from Sheppard Avenue West of no less than 105° and no greater than 115°; and,
- 3) The Proposed Sign be located within the Proposed Location that is substantially in accordance with the specific location within the Proposed Location indicated as the location of the Proposed Sign as noted in Diagram 1: Location of Proposed Sign, as attached as Appendix 1 to this report.

After reviewing the Applicant's submissions and the additional information provided by City staff, the CBO determined that there is not sufficient evidence to conclude that the eight required criteria in §694-30A of the Sign By-law have been established with respect to the three variances, subject to the three specific conditions as described further in Appendix 1 to this report.

RECOMMENDATIONS

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

1. The Sign Variance Committee grant the requested variances to sections 694-22E, 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 this report.

FINANCIAL IMPACT

There are no current or known financial implications associated with the recommendations contained in this report.

DECISION HISTORY

PH11.6 - Improvements to the Sign By-law Amendment and Sign Variance Process

At the meeting of April 18, 2024, City Council adopted amendments to Toronto Municipal Code Chapter 694, Signs, General, to modify the provisions concerning the processing of applications for amendments to, and variances from the provisions the Sign By-law, and delegate authority to the Chief Building Official and Executive Director, Toronto Building to implement amendments to sign district designations contained in Schedule A, Maps, and related matters. Specifically, the criteria listed in section 694-30A were amended deleting the criteria listed at Subsection 694-30A(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") and renumbering section 694-30A accordingly.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.PH11.6>

SB2.1 - Application for Three Variances, Respecting One Third Party Electronic Ground Sign On portion of premises North of Sheppard Avenue West, and Immediately Easterly Adjacent to 2300 Sheppard Avenue West

In 2022, the City received a variance application respecting a third party electronic ground sign to be located on the portion of a specific Utility Sign District, immediately to the north of Sheppard Avenue West, and immediately east of the premises municipally known as 2300 Sheppard Avenue West. At the meeting of May 5, 2023, the Sign Variance Committee decided to grant the three requested variances, subject to the three conditions. However, the decision was rendered null as Ward 7 Councillor submitted a request for consideration as permitted by §694-30.S.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.SB2.1>

Third Party Electronic Ground Sign Rail Corridor - N/S of Sheppard, E Weston Rd –
Three Variances, Three Conditions

ISSUE BACKGROUND

Table 1- Summary of Requested Variances:

Section	Requirement	Requested Variances
§ 694-22E	A third party electronic sign shall not be erected within 150.00 metres of any other lawful third party sign whether or not erected;	The Proposed Sign will be erected 140.00 meters west of an existing third party sign on 2256 Sheppard Avenue West
§ 694-25D(3)(e)	The sign shall not be erected within 60.00 metres of any premises located, in whole or in part, in an R, RA, CR, I or OS Sign District;	The Proposed Sign will be located 35.00 meters north of a premises designated as CR Sign District.
§ 694-25D(3)(f)	Where a sign is located within 250.00 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 will be located within 180.00 metres, and face the R Sign District to the south; and will be located within 180.00 metres, and face the CR located to the west.

Sign Attributes and Site Context:

The Proposed Location is a portion of the rail corridor which is designated as a Utility Sign District ("U Sign District"), and while not defined as such in a manner similar to other rail corridors in Chapter 694, commonly referred to as the MacTier Subdivision.

The Proposed Sign will be immediately north of Sheppard Avenue West and immediately east of the premises municipally known as 2300 Sheppard Avenue West in Ward 7 – Humber River - Black Creek. (See Figure 1 below)

The Proposed Sign would consist of one sign face which will display electronic static copy and be oriented toward traffic traveling east along Sheppard Avenue West. The Proposed Sign will face properties located in Employment ("E") and Commercial Residential ("CR") Sign Districts to the west and south respectively. The E Sign District on the west, north of Sheppard Avenue West is utilized by Tim Horton's, Toronto Truck Driving School and Metro Motors (a Car Dealer). The CR Sign District on the west and south of Sheppard Avenue West is utilized by a retail plaza including Mucho Burrito Fresh Mexican Grill, Starbucks, the Sunset Grill and more. Further west of Abraham Welsh Road, on the south side of Sheppard Avenue West, is a new townhouse development. (See Figure 2 below)

Figure 1- Location of the Proposed Sign and the Surrounding Area on Sign District Map



Surrounding premises:

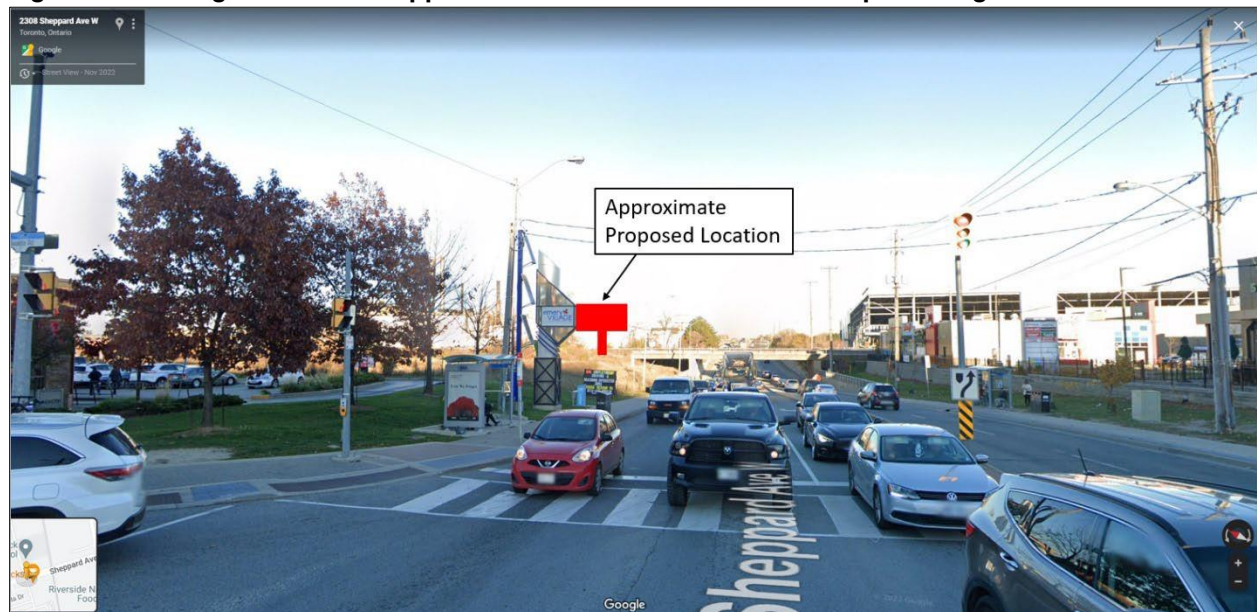
North: Utility Sign District (rail corridor known as MacTier subdivision), Employment Sign District (Employment/Industrial Uses)

East: Employment Sign District (Employment/Industrial Uses);

West: Employment Sign District (Employment/Commercial Uses)

South: Utility Sign District, (rail corridor known as MacTier subdivision; Employment Sign District (Employment/Industrial Uses).

Figure 2- Looking east from Sheppard Avenue West towards the Proposed Sign



COMMENTS

Applicant Information:

Van Horne Outdoor LP submits that has been authorized, by the owner of the Proposed Location, to apply, on their behalf, for three variances, subject to three conditions, required to allow building one single-sided third party electronic ground sign displaying electronic static copy as further described in Appendix 1,

Application Background:

The Proposed Sign would be erected within the railway corridor, on portions of the area municipally known as the MacTier Subdivision, located on the north side of Sheppard Avenue West approximately 490 meters east of Weston Road. The Proposed Sign would have a maximum height of 10.0 metres from the grade, and would contain one rectangular sign face, with a bisecting line not exceeding 3.05 metres (vertical measurement) and a centre line not exceeding 6.10 metres (horizontal dimension), with a sign face area of not more than 18.60 square metres. The Proposed Sign is described further in Attachment 1.

In 2022, an application was made by the Applicant to the City of Toronto. The application, which was subject to three conditions, requested three variances to permit the installation of a third-party electronic ground sign. This sign was to be situated in a specific Utility Sign District, immediately to the north of Sheppard Avenue West and east of the property known as 2300 Sheppard Avenue West. The matter was reviewed by the CBO, which formed the opinion that, subject to the three conditions imposed, it had been established that the Proposed Sign met all required criteria for approval and was supportive of the Sign Variance Committee granting the requested variances.

During the meeting on May 5, 2023, the Sign Variance Committee decided to grant the three variances requested, contingent on the three conditions. Following this, the Councillor of Ward 7 submitted a request for consideration, as permitted by §694-30.S of Chapter 694, which resulted in the annulment of the Sign Variance Committee's decision. Upon receipt of such a petition from the Councillor, the CBO is required to report to the community council for the area containing the premises where the Proposed Sign would be located at its next available meeting. The community council would then hear and consider the application for variance and make recommendations to the City Council for final decision.

However, after the request for consideration was submitted, and before the CBO's report to the relevant community council for a hearing on the variance application, the Applicant withdrew the application for variances entirely. As a result of the Applicant's complete withdrawal of the previous application, the previous matter was discontinued, and no longer required to be considered by the community council and City Council.

Subsequently, the Applicant opted to submit a new application, with the objective of presenting the proposal once more to the Sign Variance Committee for consideration.

The current application bears a strong resemblance to the proposal that was under consideration in 2023. The CBO has reviewed the proposal and maintains that it fulfills all required criteria for approval stated in §694-30.A of the Sign By-law. Further details will be provided in this report.

Community Consultation:

The CBO has adopted a practice of engaging in enhanced consultation process concerning variance applications for electronic signs. Notice required by the City's Sign By-law was provided to premises within a 250-metre radius of the Proposed Location. The CBO also informed the virtual Community Consultation. The virtual Community Consultation meeting was held on the evening of May 14, 2024. No one attended the Community Consultation meeting.

As of the writing of this report, the City has received three emails from the public expressing opposition to the construction of the Proposed Sign. One of the correspondences indicated that the Proposed Sign's may impact the development of the neighboring property. Additionally, the received feedback raised concerns with respect to the overall dimensions of the Proposed Sign and illumination impacts on the surrounding area.

Criteria Established by §694-30A of The Sign By-law

The Sign By-law contains eight criteria which are the mandatory criteria to be used for evaluating a variance application. Specifically, §694-30A states that an application for variance may only be granted where it is established that the Proposed Sign meet each of the eight established criteria. The Sign Variance Committee is required to conduct an evaluation and determine that party seeking the proposed variances meets all eight of the mandatory criteria, on the basis of the information presented by the parties before the SVC.

The CBO has determined that, in their opinion the information submitted by the Applicant and City staff, provides a sufficient basis to conclude that all of the eight required criteria established in §694-30A of the Sign By-law have been met.

Applying the Established Criteria

Section 694-30A(1): The Proposed Sign belongs to a sign class permitted in the Sign District where the premises is located

Based on the examination of City staff, the Proposed Location can be confirmed as being designated as a U-Sign District which permits third party signs. As per Applicant's submission materials, the CBO has confirmed that the Proposed Sign would be classified as a third party sign as it would advertise, promote, or direct attention to businesses, goods, services, matters, or activities that would not be available at, or related to the Proposed Location, where the Proposed Sign is sought to be installed.

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

Section 694-30A(2): The Proposed Sign is compatible with the development of the premises and surrounding area

As per the examination of City staff, the Proposed Sign is a third party electronic ground sign which is a permitted class and type in U-Sign District. U-Sign Districts permit a maximum sign face area of 20 square metres with maximum height of 10 metres for electronic ground signs. The Proposed Sign has a sign face area of 18.6 square metres with a maximum height of 10 metres which would comply with these requirements applicable to U-Sign Districts in Chapter 694.

The Proposed Sign will face west toward premises designated as E-Sign District which permit signs of the same type, class, size and height as the U-Sign District.

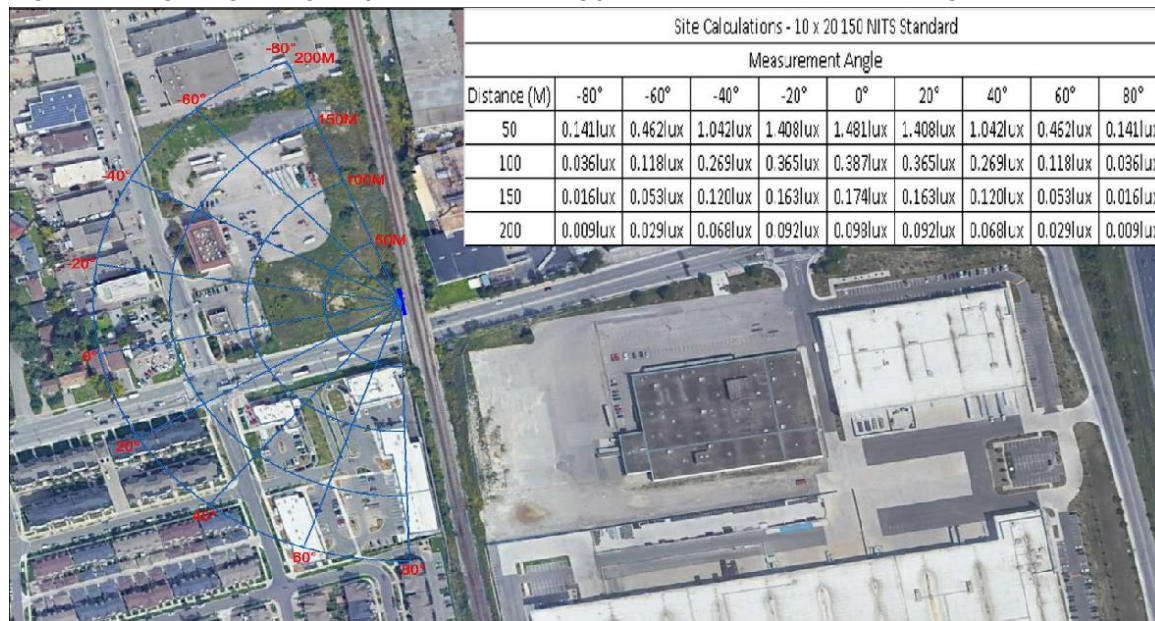
Staff investigation has determined that the property at 2300 Sheppard Avenue West has large portions of the property which remain undeveloped. During the consultation period, new information indicating that the landowner will undertake redevelopment of the area was received by email. Yet, as the date of this report no application for such redevelopment has been received by the City.

At present, there is a commercial office building on the premises (fronting onto Rivalda Road). The property frontage along Sheppard Avenue West has been used to display a first party ground sign – the sign structure along this frontage as well as the Rivalda frontage were issued permits in 1998, however neither sign is currently displaying any sign copy. These existing ground signs, although not currently displaying any sign copy, are likely to prevent the property at 2300 Sheppard Avenue West from displaying any third party ground signs on the premises without first obtaining a variance from the Sign By-law. The Proposed Sign does not impact the first party signage rights for the property at 2300 Sheppard Avenue West.

Approximately 180 metres to the west of the Proposed Sign, on the north side of Sheppard Avenue, is an R Sign District, containing residential dwellings. The view to the Proposed Sign from the residential dwellings will be almost entirely obstructed by trees, buildings and at least three existing first party ground signs located between the Proposed Sign and the residential dwellings.

The Proposed Sign will also face a CR Sign District on the south side of Sheppard Avenue West. The closest premises along the south side of Sheppard Avenue West is a retail plaza which does not appear to contain any sensitive land uses. Approximately 155 metres to the west of the Proposed Sign, also on the south side of Sheppard Avenue West in the CR Sign District, is a townhouse development. It should be noted that the view of the Proposed Sign from this townhouse development will be partially obscured by the retail plaza referred to above.

Figure 3 – Lighting Analysis provided in the Applicant's Submission Package



With respect to the condition of approval that the sign not exceed a maximum brightness of 150 NITS and according to a lighting analysis prepared as part of the Applicant's Submission, the nearest residential dwelling unit on the south side of Sheppard Avenue West (the street line of which, forms an angle with the centre line of the Proposed Sign's sign face if projected to the street line, of approximately 105-115o) will have an approximate lux value of 0.146 lux. According to the illumination study provided by the Applicant; this lux value is roughly equivalent to the light from a 60 watt incandescent light bulb at 13 metres away (See Figure 3 above). The amount of light visible from these town houses will be further reduced by a number of buildings and other visual obstructions between the Proposed Sign and the townhouse development.

With respect to the distance between the Proposed Sign and other third party signs, the Proposed Sign will be erected 140.0 meters west of an existing third party sign on 2256 Sheppard Avenue West. This is below the mandatory minimum separation of 150.0 metres required by Chapter 694, for the Proposed Sign. It is the CBO's opinion that due to the distance and high foliage, there would be limited relationship between these two signs (see Figure 4 below).

Figure 4 – Existing third party sign 140 metres away from the Proposed Sign – Sheppard Avenue West looking east



Given the Sign Districts where the Proposed Sign is located and will be facing, due to the specific conditions; the physical obstructions between the Proposed Sign, the nearby third party sign and the nearby residential properties; and, the condition of the maximum brightness level of the Proposed Sign, staff are satisfied that the proposed sign will be compatible with the development of the premises and surrounding area.

As such, and subject to the proposed condition that the brightness of the Proposed Sign does not exceed 150 NITS, the CBO is of the opinion that this criterion has been established.

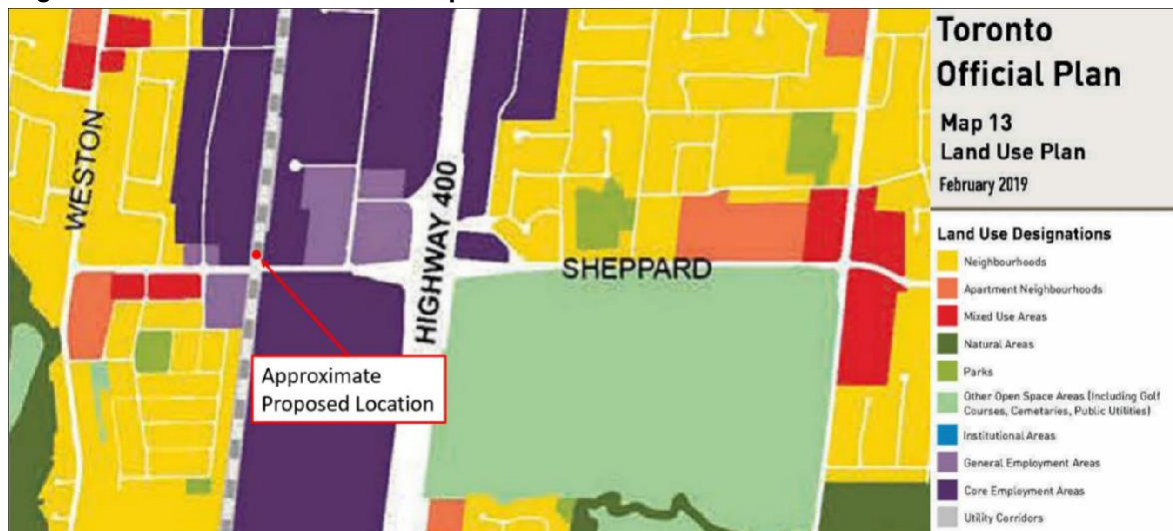
Section 694-30A (3): The Proposed Sign supports Official Plan objectives for the subject premises and surrounding area

The Applicant's Submission states that the Proposed Sign's location is designated as a Utility Corridor in the Toronto Official Plan (Section 4.4), and states that such areas "play a vital role in the City as corridors for the transmission of energy, communications and the movement of people and goods".

The Applicant's Submission also says that, Policy 4.4.1 of the Official Plan states that "Utility Corridors are hydro and rail corridors primarily used for the movement and transmission of energy, information, people and goods." and that the Proposed Sign is consistent with the purpose and intent of this designation and related policies.

Staff agree that the Proposed Sign will not impact or hinder the use of the utility corridor where it is located, and that the Proposed Sign will allow the rail corridor to continue to provide for the movement of people and goods.

Figure 5 - Land Use Plan at the Proposed Location



With respect to the surrounding area, the Proposed Sign is surrounded in all directions by lands designated as General Employment Areas and Core Employment Areas (section 4.6), which “are places of business and economic activities “within the city.

Permitted uses include “all types of manufacturing, processing, warehousing, wholesaling distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, utilities, waste management systems, industrial trade schools, media, information technology and services, and vertical agriculture.” In addition, restaurants and all types of retail and service uses, including automobile dealerships, are permitted in Employment Areas.

The Applicant's Submission also states that the Official Plan policies serve to protect and enhance the planned function of these areas by, among other things, prohibiting sensitive land uses within and adjacent to Employment Areas. Due to the specific conditions on illumination, location and orientation, as well as the number of obstructions between the Proposed Sign and the nearby residential developments (e.g. sensitive areas) the Proposed Sign should not detract from, the planned function of the surrounding Core Employment Areas and Employment Areas.

The Applicant's submission materials in addition to staff examination provide enough information to confirm that the Proposed Sign supports the objectives of the Official Plan for the premises and surrounding area. Therefore, the CBO is of the opinion that this criterion has been established.

Section 694-30A(4): The Proposed Sign does not adversely affect adjacent premises

The Proposed Sign is located in a railway corridor stretching from south to north which is designated as a U Sign District. The Proposed Sign is located on the north side of Sheppard Avenue West on the western side of railway. The premises immediately north of Sheppard Avenue West, as well as the premises immediately to the southwest are

designated as E Sign District which permits the same class, type, size and height as the Proposed Sign. The premise immediately to the west of the railway, south of Sheppard Avenue West, is designated as CR Sign District which is currently occupied by a retail plaza which does not appear to contain any sensitive land uses.

Also, as previously stated, the property at 2300 Sheppard Avenue West contains two existing ground signs; although they are not currently displaying any sign copy, the existing signs would prevent the property at 2300 Sheppard Avenue West from displaying any third party ground signs on the premises without obtaining a variance from the Sign By-law.

The Proposed Sign will be single-sided, facing toward traffic travelling west on Sheppard Avenue West and may affect residential properties located west of Rivalda Road and Abraham Welsh Road.

A light analysis has been conducted by Media Resources Inc., and provided as part of the Applicant's Submission package, which investigates any adverse effects that the Proposed Sign may have on the nearby residential area. The results revealed that illuminance at the nearest residential premises approximately 160.0 metres away from the Proposed Location would be 0.146 lux, equivalent to less than a 60W incandescent lightbulb at 13 metres away.

Figure 6 - Residential developments on the west side of Rivalda Road and Abraham Welsh Road.



Furthermore, operation hours would be limited to 7:00 AM to 11:00 PM as this is a general provision of the Sign By-law that applies to all third party signs. Due to the specific condition to reduce the maximum illumination level of the Proposed Sign to 150 NITS, the Proposed Sign will operate at a maximum illumination which is 50% of what is currently permitted in the Sign By-Law, from dusk to 11:00 PM. As such, the Proposed Sign would have minimal or no impact on residential premises 160 metres away from the Proposed Location.

Based on the information provided in the Applicant's Submission materials and staff investigation, there is sufficient evidence to confirm that the Proposed Sign should have no adverse effects on adjacent premises, therefore the CBO is of the opinion that this criterion has been established.

Section 694-30A(5): The Proposed Sign does not adversely affect public safety, including traffic and pedestrian safety

The City's Sign By-law regulations are designed to ensure that there are no adverse impacts on public safety for signs which meet the requirements. These regulations are designed to work in conjunction with other regulations which would also apply to signs. The current criteria is intended to ensure that variances are not granted where they would result in signs that would have adverse impacts on public safety.

The Sign By-law has requirements for signs not to be within a "Visibility Zone" – defined as the area within three metres of the outermost points of a vehicular ingress or egress of a property where it intersects with a street. The Proposed Sign is proposed to be entirely outside this prohibited zone for signs.

The Proposed Sign will also be professionally designed and installed in accordance with Ontario Building Code requirements. As such, staff do not believe that any issues related to public safety are foreseeable with the construction of the Proposed Sign.

Although there are concerns about driver distraction, the City has existing regulations to adequately address the potential for adverse safety (set back from intersections, distance from street lines, and pedestrian triangles) impacts for all signs, including signs displaying electronic static copy. The Proposed Sign meets the setback requirements outlined in Chapter 694 of the Toronto Municipal Code. The sign is located more than 30 metres away from the closest traffic controlled intersection and it does not obstruct any sight triangles for vehicular traffic.

With electronic signs that change from one message to the next, shorter message durations may result in drivers being more likely to observe a change in the message being displayed, which may result in a higher likelihood that a driver would glance at it for a longer duration. The Proposed Sign would comply with the Sign By-law provisions for a message duration of 10 seconds between changes in copy, this regulation is intended to perform many functions, including reducing the potential for driver distraction, to a reasonable level.

City Staff have conducted a review of the Proposed Sign. Based on this review, the deviations from the mandatory requirements of the Sign By-law, proposed, in the context of the Proposed Sign, and the specific location within the Proposed Location, and the conditions imposed concerning orientation, City Staff are of the opinion that there is no reasonable basis for any concern regarding public safety arising from the Proposed Sign.

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

Section 694-30A(6): The Proposed Sign is not a sign prohibited by §694-15B

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

Although, the Proposed Sign may appear on preliminary examination to possibly be located on elements of the bridge, Staff have confirmed from a review of the Applicant's documents and drawings that it is not technically a sign on a bridge. The Proposed Sign is simply located in proximity to the bridge and adjacent to the supporting structure of the bridge. In CBO's view, based on the review of the available information, the Proposed Sign is not on the bridge for purposes of §694-15B.

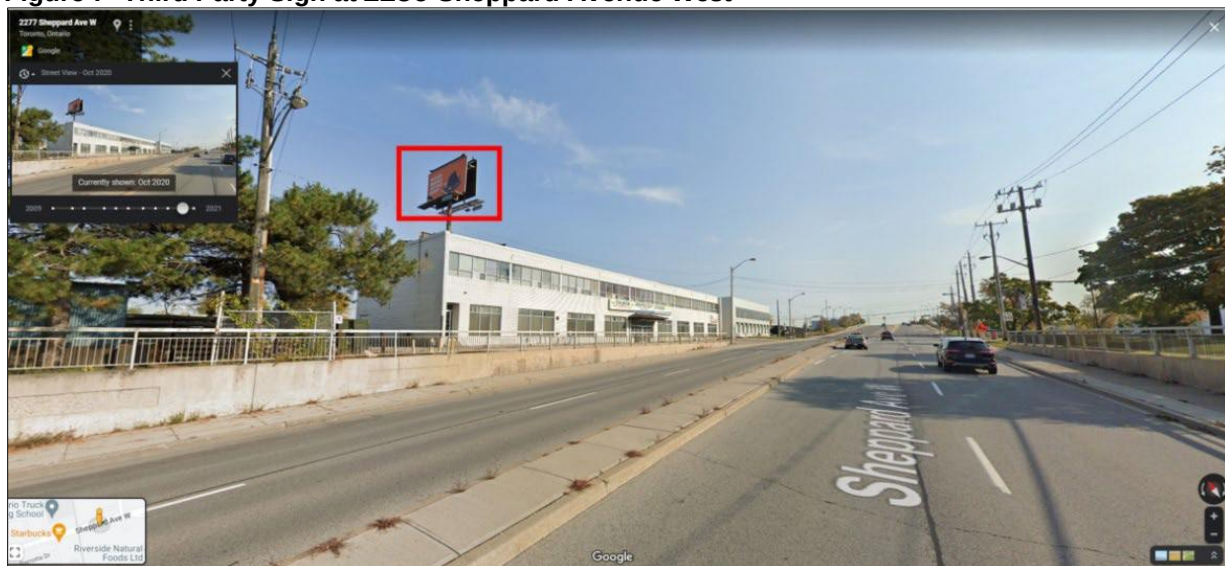
As such, the CBO is of the opinion that this criterion has been established.

Section 694-30A(7): The Proposed Sign does not alter the character of the premises or surrounding area

According to the Applicant's submitted materials and City staff investigation, the Proposed Sign is located in U Sign District which allows third party electronic ground signs. The U Sign District, which is mainly surrounded by E Sign Districts, also permits third party electronic ground signs.

The Proposed Sign is a third party electronic ground sign which is consistent with the predominant character and function of other uses in the area. There are also multiple third party signs located along Sheppard Avenue West in between Weston Road and Highway 400. This helps to demonstrate that the Proposed Sign will not be introducing a new sign class to the area (See Figure 7 below).

Figure 7- Third Party Sign at 2256 Sheppard Avenue West



Third Party Electronic Ground Sign Rail Corridor - N/S of Sheppard, E Weston Rd –
Three Variances, Three Conditions

Prior to 2020, there were three third party ground signs on the western side of railway corridor, north and south of Sheppard Avenue West. These signs were removed in 2018 and 2019 and did not comply with the provisions of the current Sign By-law (See Figure 8 below). The Proposed Sign will be in close proximity to the previous sign locations.

Figure 8 - Third Party Ground Signs in Utility Sign District removed in 2018 and 2019



Based on staff investigation and Applicant's submitted materials, it is the CBO's opinion that the Proposed Sign is not introducing a sign class or sign type other than what would be available in the surrounding area. In light of this, it is the CBO's opinion, that the Proposed Sign would not alter the character of the premises (the Proposed Location) and surrounding area, therefore the CBO is of the opinion that this criterion has been established.

Section 694-30A(8): The Proposed Sign is not contrary to the public interest

The Proposed Sign will comply with many of the mandatory requirements of Chapter

694 that apply to all third party electronic ground signs, where permitted in U Sign Districts, specifically in terms of: the maximum height, maximum sign face area, configuration, setbacks from the property and from an intersection, as well as the requirement for use of renewable energy, message duration and transition (i.e. no distracting visual effects such as scrolling, flashing, blinking or full-motion video), illumination and time-of-day regulations.

In compliance with Chapter 694-30.F, notices concerning the current sign variance application have been served to the Councillor of the ward and the surrounding community. As of this report's date, staff has not received any objections from the Councillor regarding the new application. During the consultation period, members of the community raised some concerns about the Proposed Sign. Members of the community are in a unique position to provide feedback on any impacts or concerns regarding the Proposed Sign. Written feedback and input received expressed that the Proposed Sign would not be compatible with the development of surrounding area, specifically of the adjacent property at 2300 Sheppard Avenue West, and that it could impact the surrounding properties.

The property at 2300 Sheppard Avenue West, currently featuring a commercial office building and unused sign structures, remains largely undeveloped. Despite indications of potential redevelopment from the landowner, as the date of this report, no formal application has been received by the city. The property, which is in an E Sign District and permits third party ground signs, contains two existing first party ground signs. The existing sign structures, although not displaying any copy, would hinder the display of third-party signs without first obtaining a variance from the Sign By-law. The Proposed Sign would not impact the existing signage rights for the property at 2300 Sheppard Avenue West.

With respect to the requested variance to 694-22E, the Proposed Sign will be erected 140 meters west of an existing third party sign on 2256 Sheppard Avenue West. While this does not meet the minimum requirement for the spacing of third party electronic ground signs (although it is more than the minimum spacing required for a third party static ground sign), due to the high foliage, and the three specific conditions imposed there would be a limited relationship between these two signs.

With respect to requested variances to 694-25D (3)(e), the Proposed Sign will be located 35 meters north of a premises designated as a CR Sign District. The premise within 60 metres of the Proposed Sign is occupied with a retail plaza with no sensitive land uses. Again, due to the specific conditions concerning maximum illumination, there should be no impact on this premises.

With respect to requested variances to 694-25D(3)(f), the Proposed Sign will face the R and CR Sign Districts located less than 250 metres to the south and west. The light analysis in the Applicant's Submission Package indicates that the illumination from the Proposed Sign would appear no brighter than the light from a 60 watt incandescent light bulb at 13 metres away. Also, the condition that the illumination of the Proposed Sign be 150 NITs (50% of what is permitted by the Sign By-law) from dusk to 11:00 PM and

will not operate from 11:00 PM until 7:00 AM will further reduce any impacts that the Proposed Sign may have properties located in the nearby R and CR Sign Districts.

Given the above, it is the CBO's opinion that Applicant's submitted materials and City staff research had provided sufficient information to confirm that the Proposed Sign will not be contrary to the public interest and therefore, this criterion has been established.

CONCLUSION

The Applicant's submitted materials, when combined with the additional information obtained by research and investigation by staff, had provided sufficient information for the CBO to form the opinion that, subject to the three conditions imposed, it has been established that the Proposed Sign has met all required eight criteria for approval of the requested variances. As such, the CBO is supportive of the Sign Variance Committee granting the requested variances, each subject to all the specified conditions.

CONTACT

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SIGNATURE

Ted Van Vliet
Project Director, Business Transformation and Citywide Priorities
Toronto Building

ATTACHMENTS

Attachment 1 - The Proposed Sign, Requested Variances and Conditions
Attachment 2 - Applicant's Submission Package