

Application for One Variance, Subject to Seven Conditions, Respecting One Third Party Electronic Ground Sign - 4711 Steeles Avenue East

Date: March 10, 2025

To: Sign Variance Committee

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

Wards: Scarborough-Agincourt (Ward 22)

SUMMARY

PATTINSON Outdoor Advertising Limited Partnership (the "Applicant") has applied for one variance, subject to seven conditions, required to allow the Chief Building Official ("CBO") to issue a sign permit to erect and display a double-faced third party electronic ground sign, displaying electronic static copy (the "Proposed Sign"), on the premises municipally known as 4711 Steeles Avenue East, in Scarborough (the "Subject Premises").

The Subject Premises is designated as a Commercial ("C") Sign District, which allows third party signs, however, does not expressly permit electronic ground signs sign type. The Proposed Sign would have a maximum height of 10.0 metres from the grade, and would contain two rectangular sign faces, each with a maximum width of 5.91 metres; a maximum length of 3.03 metres, and with a sign face area not exceeding 17.91 square metres. The Proposed Sign is described further in Attachment 1.

Following a review of the Applicant's submissions and additional information provided by staff, the CBO has determined that there is sufficient information to conclude that the eight required criteria in §694-30A of the Sign By-law have been established with respect to the one variance, subject to all of the noted conditions, as described further in Attachment 1 of this report.

RECOMMENDATIONS

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

1. The Sign Variance Committee approve the requested variances to section 694-15.A, each subject to seven conditions, as required to allow for the issuance of a permit

respecting the erection and display of the Proposed Sign, as further described in Attachment 1 to this report.

FINANCIAL IMPACT

There are no current or known future year financial impacts arising from the recommendations contained in this report.

DECISION HISTORY

PG15.5 - Steeles-Redlea Regeneration Area Study - Final Report - Official Plan Amendment and Urban Design Guidelines

At the meeting of November 8, 2016, City Council adopted Official Plan Amendment 321, for the lands bounded by Steeles Avenue East, Kennedy Road, Midland Avenue and Passmore Avenue. The Steeles-Redlea Urban Design Guideline was also updated to, among other matters, reflect the revised development proposal at 4665 Steeles and to provide more direction on issues such as on-site open space, mid-block pedestrian connections, tower locations, and building design.

<https://secure.toronto.ca/council/agenda-item.do?item=2016.PG15.5>

PH5.3 - Our Plan Toronto: Recommendations on Seventy Employment Area Conversion Requests and Chapter 7 Site and Area Specific Policy Review

At the meeting of July 19, 2023, City Council adopted with amendments Official Plan Amendment 653, converting, among other matters, the lands known in 2022 as 4711, 4723, 4733, 4751 Steeles Avenue East, from General Employment Areas and Core Employment Areas to Regeneration Areas by removing the lands from Official Plan Map 2, Urban Structure; re-designating the lands from General Employment Areas to Regeneration Areas; and adding Site and Area Specific Policy 853 to Chapter 7.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH5.3>

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 of the Sign By-law, revise the criteria required to grant a variance from the provisions of Chapter 694, 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.

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

ISSUE BACKGROUND

Required Variances

Table 1: Summary of Requested Variance

Section	Requirement	Proposal
694- 15.A	Anything not expressly permitted by Chapter 694 is prohibited.	Third party electronic ground signs are not expressly permitted in C-Sign Districts.

If granted, the variance would be subject to all of the following conditions:

- **Condition 1:** The sign shall not be erected within 60.0 metres of any premises located, in whole or in part, in an R, RA, CR, I or OS sign district.
- **Condition 2:** The sign shall not face any premise in the R, RA, CR or I sign district located within 250 metres, nor any premise in the OS sign district located within 200 metres.
- **Condition 3:** The sign shall be located a minimum of 500 metres from any other third-party electronic sign located on the same street, or on a street which forms an intersection with the street on which the sign is located.
- **Condition 4:** Light shielding technology shall be installed on the Proposed Sign;
- **Condition 5:** The sign shall operate with a reduced brightness of 150 NITS between sunset and sunrise.
- **Condition 6:** There shall be no more than one ground sign or electronic ground sign erected on the premises.
- **Condition 7:** The sign shall be located, oriented and designed substantially in accordance with the diagrams labeled "Drawings of the Proposed Sign" in Attachment 2 to this report.

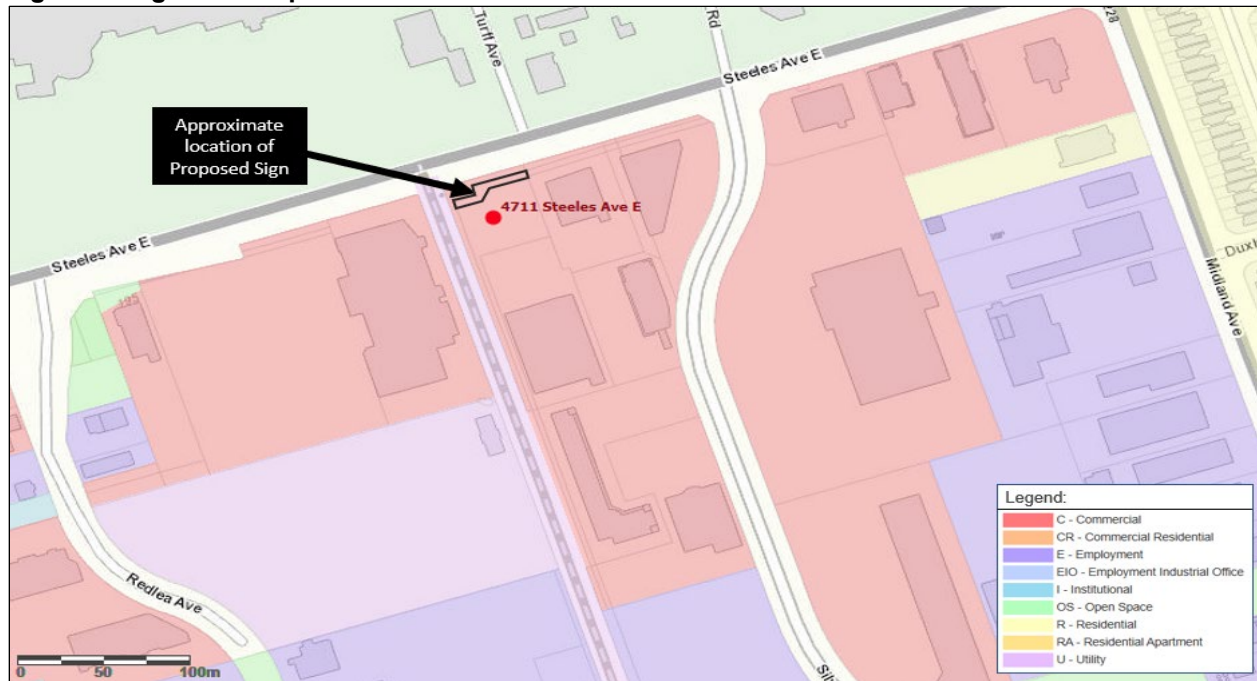
Sign Attributes and Site Context

The Proposed Sign is an electronic ground sign with two sign faces displaying electronic static copy. The Proposed Sign would be located at the property municipally known as 4711 Steeles Avenue East, on the north frontage, near the northwesterly limit of the Subject Premises. The sign faces would be oriented in a "V-shaped" configuration to be viewed by vehicular traffic travelling along Steeles Avenue East in both directions.

Submissions indicate that the Subject Premises is a vacant parcel adjacent to a Metrolinx-owned railway corridor, specifically the Milliken GO Station. It is designated as

being entirely in the Commercial ("C") Sign District, located to the south of Steeles Avenue East, in Ward 22 - Scarborough-Agincourt, see SignView Map in Figure 1.

Figure 1: SignView Map - 4711 Steeles Avenue East



Surrounding premises:

North: Steeles Avenue East, City of Markham.

East: Commercial ("C") Sign District, low-rise commercial buildings.

South: Commercial ("C") Sign District, low-rise commercial buildings.

West: Utility ("U") Sign District, Milliken GO Station.

COMMENTS

Applicant Information

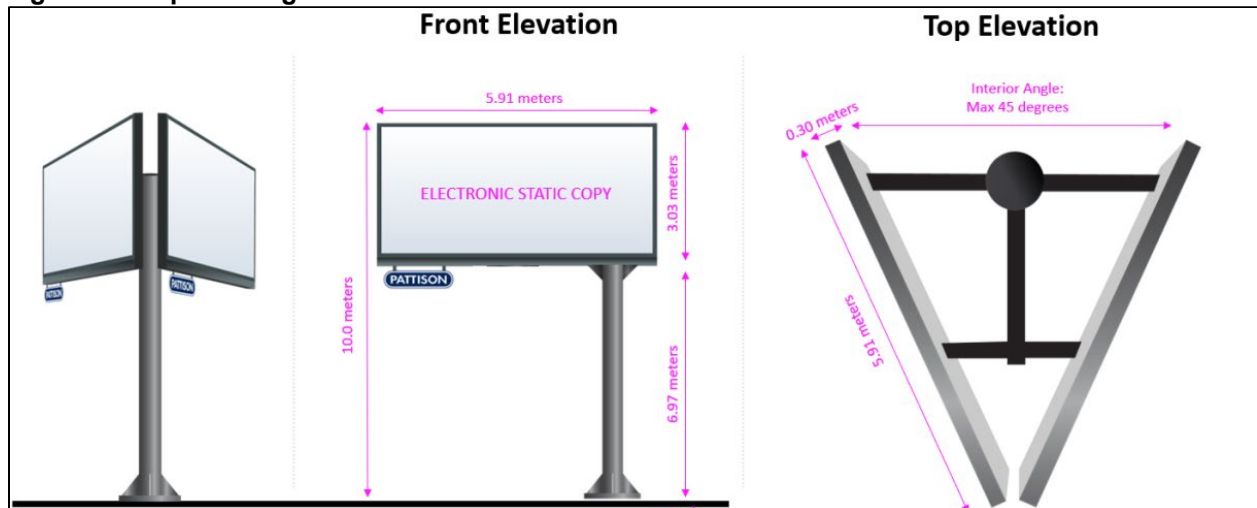
Pattinson has stated that they have been authorized by the owner of the property municipally known as 4711 Steeles Avenue East to apply for one variance, subject to seven conditions, required to allow for a permit to be issued for one third party electronic ground sign with two sign faces, displaying electronic static copy, as further described in Attachment 1.

Application Background

The Proposed Sign would be located along Steeles Avenue East, on the north frontage of the Subject Premises, with two faces facing in easterly and westerly directions, to be viewed by commuters travelling along Steeles Avenue East in both directions.

The Proposed Sign would contain two rectangular sign faces in a “V-shaped” configuration, displaying electronic static copy. Each face would feature a maximum center line of 5.91 metres (horizontal measurement of the sign face); a maximum bisecting line of 3.03 metres (vertical measurement of the sign face), and sign face area not exceeding 17.91 square metres. The Proposed Sign is described further in Attachment 1.

Figure 2: Proposed Sign Details



The Subject Premises is designated as a C Sign District, where third-party signs are permitted, but are limited to wall signs, topiary wall signs, and electronic wall signs. The third-party electronic wall signs permitted in C Sign Districts may have a maximum area of 20 square meters and a height of 15 meters for electronic wall signs.

While the provisions for C Sign Districts allow for third-party electronic wall signs, the Applicant is proposing an electronic ground sign, which is not explicitly permitted. As a result, there are no specific performance standards for third-party electronic ground signs in C Sign Districts in the Sign By-law. Since the Sign By-law was amended removing the sign type from the criteria for granting a Sign Variance, Applicants must provide additional evidence and analysis to demonstrate the compatibility of the proposal with the existing and planned development of the area.

According to the submissions, the existing uses indicate that the Subject Premises and the surrounding properties, although designated as a C Sign District, exhibit characteristics consistent with E-Employment or U-Utility Sign Districts. Both of these districts are suitable for third-party electronic ground signs. Therefore, the Applicant is proposing that the attributes of the Proposed Sign generally align with the performance standards set out for third-party electronic ground signs in an E or U Sign District.

Community Consultation

The CBO has adopted a practice of engaging in enhanced consultation process concerning variance applications for electronic signs. Notice required by the City's Sign By-law was provided to premises within a 250-metre radius of the location of the Proposed Sign, advising of the proposal.

The CBO also informed the public of an additional virtual Community Consultation. The virtual Community Consultation session was held on the evening of October 22, 2024. No one attended the Community Consultation session, and as of the date of this report, the City has received one letter of objection raising concerns regarding traffic safety and impacts on adjacent properties.

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

The Sign By-law contains criteria to be used in evaluating variance application for Proposed Signs. Specifically, §694-30A states that an application for variance may only be granted where it is established that the Proposed Sign meet each of the 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 the CBO's opinion the information submitted by the Applicant and staff, provide a sufficient basis to conclude that 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 staff review, the Subject Premises can be confirmed as being designated as an C Sign District, and that C Sign Districts permit the third party sign class. The CBO has confirmed that, as per information contained in the Applicant's submission, the Proposed Sign belongs to the third party sign class because it would advertise, promote, or direct attention to businesses, goods, services, matters, or activities that would not be available at, or related to, the premises where the sign would be located.

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

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

As mentioned previously, the Subject Premises is designated C Sign District, which permits third party electronic sign types, however third party electronic ground signs, such as the Proposed Sign, are not expressly permitted.

The Subject Premises is a vacant parcel adjacent to a Metrolinx-owned railway corridor, specifically the Milliken GO Station. The adjacent property to the west (14 metres from the Proposed Sign) is a rail corridor, designated as a U Sign District and is also owned by Metrolinx (the two parcels are connected).

The neighboring properties to the east and south, also designated C Sign Districts, contain mostly commercial uses, including Scotiabank, Planet Fitness, an aquarium store, multiple restaurants, and parking lots that serve these establishments. The Applicant asserts that such uses are consistent with E Sign Districts, as those often include businesses and services that drive economic activity in the area.

According to the submissions, the existing uses demonstrate that the Subject Premises and surrounding area, although currently being designated as a C Sign District, are consistent with uses and development styles found in E-Employment or U-Utility Sign Districts, both of which are suitable for third-party electronic ground signs, and as a result the Proposed Sign would be in keeping with the character of the area.

Figure 3: Aerial View - Adjacent Properties Uses

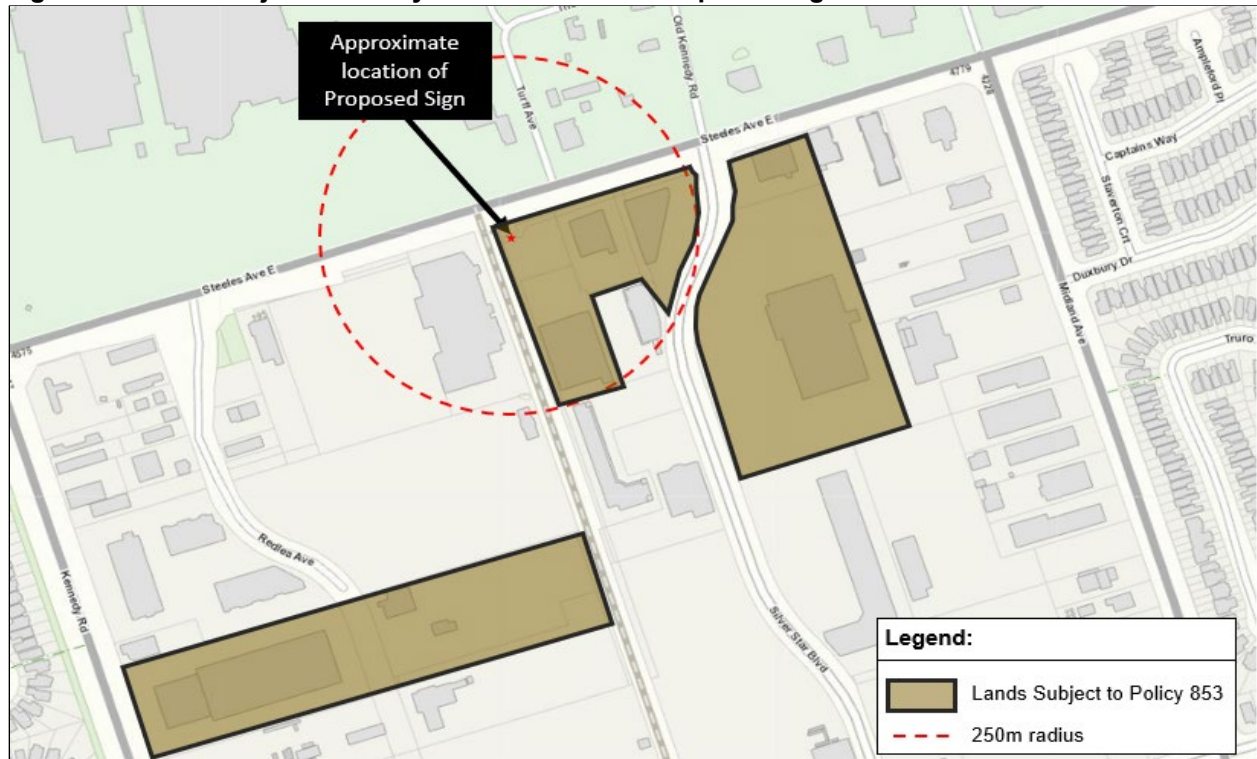


The Applicant indicated that there is one sensitive land use within 250 metres of the Proposed Sign. The land uses, located in OS-Open Space Sign Districts around 205 metres west of the Proposed Sign, do not contain any “typical” Open Space uses, such as public parks or walking trails. Instead, these properties include a medical centre and vacant lands. Both of these OS Sign Districts are designated as Employment Areas in the Zoning By-law and Official Plan.

According to the Applicant, while there is an R Sign District located 255 metres to the south-east of the Proposed Sign, it does not contain any residential uses. The premises contains a daycare centre and it is also designated as an Employment Area in the Zoning By-law and the Official Plan. Even though the uses in those lands may not be impacted by the Proposed Sign, the Applicant is proposing that the sign faces of the Proposed Sign are displayed in a “V-shaped” configuration to mitigate any impacts the sign may have. The “V-shaped” arrangement would direct the sign copy away from these Sign Districts, and towards the intended audience for vehicles along Steeles Avenue East. The Applicant also stated that the “V-shaped” configuration allows the Proposed Sign to fit within the limited spacing of the property boundaries while still achieving a reasonable setback to the street line. The parcel to the immediate north, also owned by Metrolinx, creates a setback of the Proposed Sign from the boundary of Steeles Avenue East of 6.5 metres.

Staff research found that at the meeting of July 19, 2023, City Council adopted Official Plan Amendment 653 (OPA 653). This amendment introduced a Site and Area Specific Policy (SASP) 853, which re-designated the properties located at 4711, 4723, 4733, and 4751 Steeles Avenue East from General Employment Areas and Core Employment Areas to Regeneration Areas. Toronto Building staff, in consultation with staff from City Planning and Economic Development, confirmed that the OPA 653, enacted as By-law 822-2023, requires approval from the Ministry of Municipal Affairs and Housing. As of the date of this report, the Ministry has yet to issue their decision, justifying why the Official Plan has not been updated to reflect the amendment.

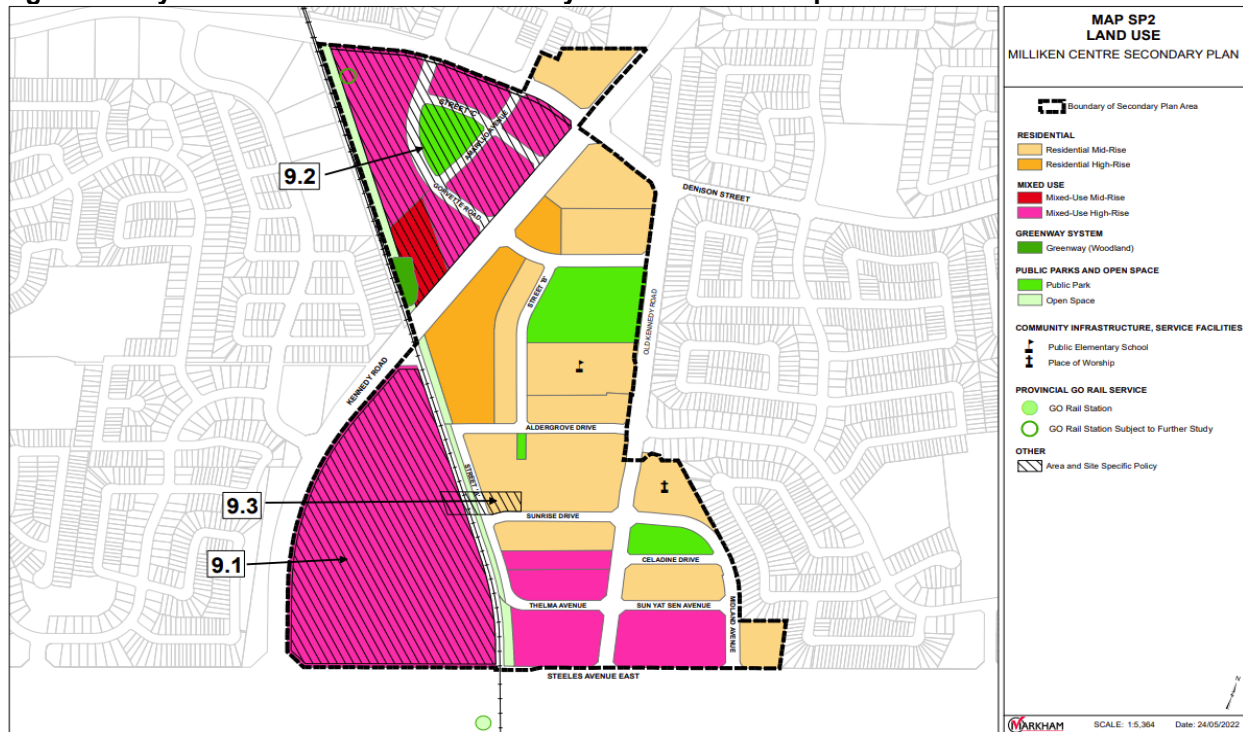
Figure 4: Lands Subject to Policy 853 in relation to Proposed Sign's Location



City Planning indicated that the conversion of the area to Regeneration Areas could contemplate mixed-use development, including residential, commercial, and other non-residential uses, subject to further study. They also informed that, although 4711 Steeles Avenue East is currently designated General Employment Areas in the Official Plan, the lands to the west across the railway is designated Mixed Use Area and could contain residential use in the future.

According to City Planning comments, along with the Mixed Use Areas to the west, the lands north across Steeles Avenue East are designated Mixed Use High Rise in the City of Markham Official Plan, and are further subject to the Milliken Centre Secondary Plan, which was adopted by Markham City Council on July 17, 2024 and forwarded to the Ministry of Municipal Affairs and Housing for approval. Staff investigation revealed that there is a development application for a high-rise mixed use building under review at 4438 Steeles Avenue East. This property is located on the north side of Steeles Avenue and on the east side of the tracks, at the adjacent municipality.

Figure 5: City of Markham Milliken Secondary Plan Land Use Map



Although, the Applicant's submissions did not specifically address the potential impact of the sign on lands in the Town of Markham, the Applicant indicated that the Proposed Sign, if located on Metrolinx property in the Town of Markham, would be exempt from sign permit requirements and could be constructed there. The Applicant also stated that the orientation of the westernmost sign face, combined with the brightness condition, would ensure that the Proposed Sign does not impact the mixed-use areas to the west. Staff agree with the Applicant's assessment, indicating that the Proposed Sign, with the requested conditions, aligns with the current uses of the area.

Additionally, Staff believe that, should the Ministry approve Toronto OPA 653 and the use of the lands change, any potential conflicts would be addressed by the imposed conditions for maintaining a minimum separation from sensitive sign districts.

The CBO is of the opinion that, subject to the requested conditions, the Applicant's submissions were sufficient to demonstrate that the Proposed Sign would be compatible with the existing and future uses of the Subject Premises and surrounding area. As a result, the CBO is of the opinion that, subject to the seven conditions, this criterion has been established.

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

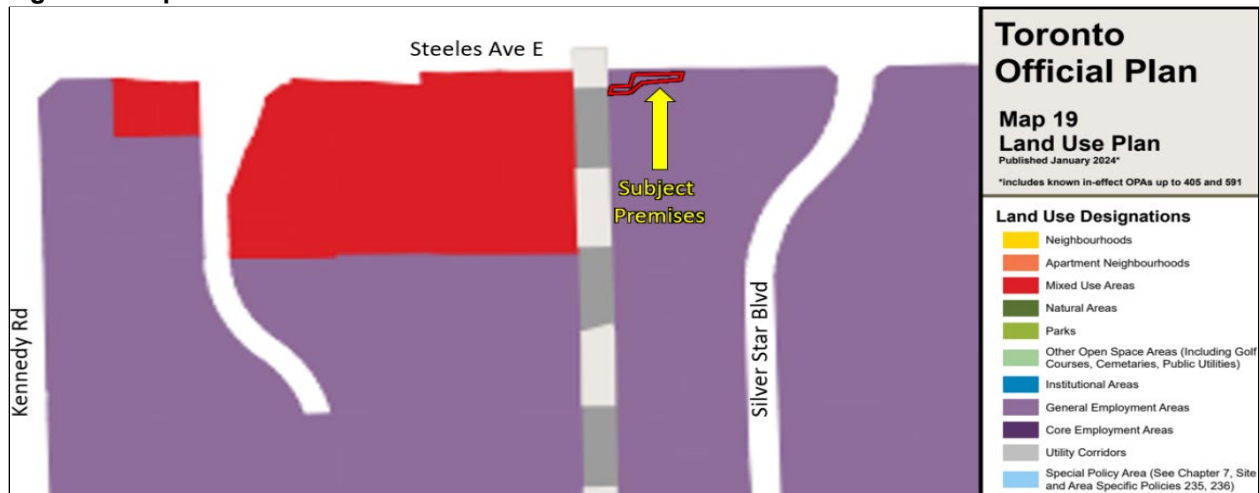
The Subject Premises is designated as a general Employment Areas in the Official Plan. Employment Areas are places of business and economic activity and include a wide array of uses such as manufacturing, warehousing, distribution, research and

development facilities, utilities, media facilities, parks, hotels, retail outlets, restaurants and small-scale stores and services that serve these businesses and workers. According to the Applicant's submissions, General Employment Areas are typically located on major roads, where businesses and services would benefit from visibility and transit access to draw the broader public.

The CBO agrees that this is consistent with 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

Figure 6: Map 19 Land Use Plan – 4711 Steeles Ave East



The Applicant states that while the Subject Premises is currently designated as a C Sign District, it displays characteristics more aligned with an E or U Sign Districts, in keeping with the General Employment designation in the Official Plan. The Subject Premises is a vacant parcel connected to a rail corridor to the west where the Milliken GO Station is located. This rail corridor is designated in the Official Plan as a Utility Corridor and as U Sign District in Chapter 694.

According to the Applicant's submissions, the commercial properties to the east and south are consistent with the General Employment land use designation in the Official Plan and are also consistent with E and U Sign Districts, both of which permit third party electronic ground signs.

Although the CBO agrees that the current use of the Subject Premises aligns with the uses expected in E and U Sign Districts, the lands to the west are currently designated as Mixed Use Areas in the Official Plan. Consultations with City Planning Division indicated that the lands to the west are also subject to SASP 395 in the Official Plan, which gives permissions for residential uses, subject to further study. As a result, there could be potential conflict between the Proposed Sign and the future uses of the area. The Applicant asserts that there are no existing residential uses in these areas, and that the Proposed Sign face orientation, along with brightness condition would mitigate any potential impacts on these lands.

Staff research found that there is an amendment (OPA 653) adopted by City Council which re-designated the properties located at 4711, 4723, 4733, and 4751 Steeles Avenue East from General Employment Areas and Core Employment Areas to Regeneration Areas. This amendment is still subject to Provincial approval, however if adopted, the lands could permit mixed-use development, including residential, commercial, and other non-residential uses. Despite this, staff believe that, should the Province approve OPA 653, the requested condition to maintain minimum separations between the Proposed Sign and sensitive land uses, would address potential conflicts with future land uses.

The CBO is of the opinion that submissions indicate that the Proposed Sign, subject to all the noted conditions, provides some support to the Official Plan objectives. As such, this criterion has been established.

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

The Subject Premises is located in a C Sign District, which permits third-party electronic wall signs but does not allow for electronic ground signs. According to the submissions, the Subject Premises has Official Plan and Zoning designations typically associated with Employment Areas and exhibits characteristics consistent with E and U Sign Districts. As third party electronic ground signs are permitted in E or U Sign Districts, the Proposed Sign would be suitable for the Subject Premises and the surrounding area.

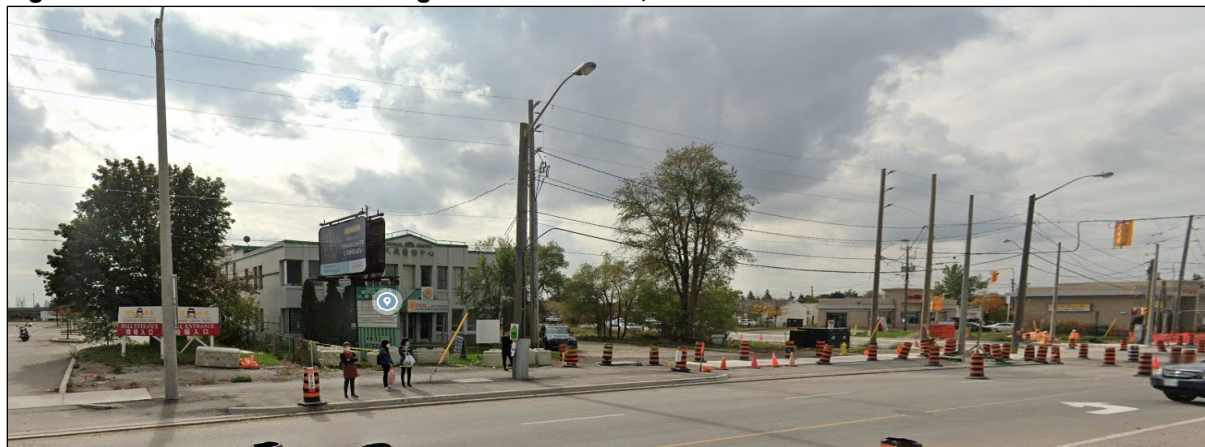
In compliance with 694-30 of the Sign By-law, notices concerning the Proposed Sign have been served to the Ward Councillor and the surrounding community. During the consultation period, written feedback received from the community expressed that the Proposed Sign would not be compatible with the surrounding area, specifically the properties at 4711, 4723, 4733 and 4751 Steeles Avenue East, which are occupied by commercial land uses. The feedback stated that a digital billboard would conflict with the broader vision for the area and negatively affect existing tenants' ability to market their businesses due to reduced frontage and exposure caused by the underpass and lane expansion.

Staff have reviewed permissions for signs in adjacent properties and determined that the Proposed Sign would not infringe the signage rights for first-party signs for the neighbouring properties. As no specific signs or sign permit applications were identified, staff were not able to make a detailed assessment of potential impacts that the Proposed Sign may have on signage for adjacent properties.

Properties in OS Sign Districts, located approximately 205 metres west of the Proposed Sign, contain a medical centre (at 4631 Steeles Ave E) and vacant space (at 4611 Steeles Ave E and 4621 Steeles Ave E). Both of these OS Sign Districts are designated as Employment Areas in the Zoning By-law and Official Plan. The Applicant also identified that the nearest R Sign District is located 255 metres to the southeast of the Proposed Sign, which exceeds the 250-metre separation required for electronic signs facing such districts. The properties in this R Sign District house a child daycare centre

(at 4220 Steeles Ave E) and is also designated as an Employment Area in the Zoning By-law and the Official Plan.

Figure 7: View of the Surrounding Premises - 4631, 4611 and 4621 Steeles Ave E



Although the lands within the R and OS Signs Districts do not appear to contain any residential use, the Applicant informed that the Proposed Sign has been designed with a "V-shaped" configuration to help mitigate or eliminate any lighting impacts by directing the sign copy towards the intended audience at Steeles Avenue East and away from these lands.

Figure 8: Light Study Diagram - Westernmost facing Sign Face (from submissions)

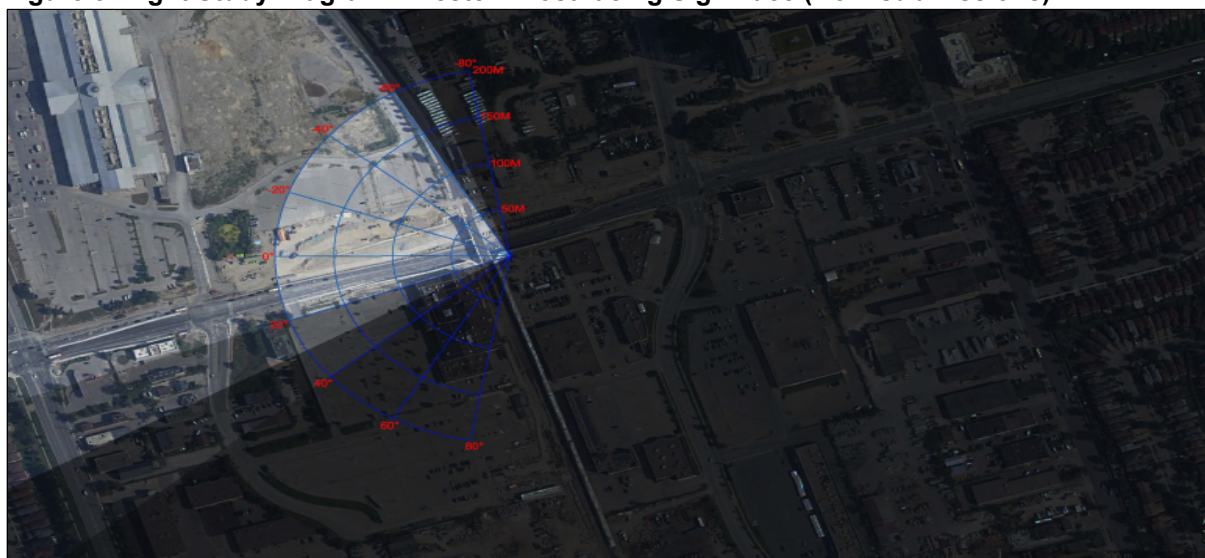


Figure 6. Site satellite photo overlay of distances and angles from proposed digital billboard site, corresponding to calculated illuminance figures in lux provided in Table 1.

Site Calculations - 10 x 20 150 NITS Right-Blocking									
Measurement Angle									
Distance (M)	-80°	-60°	-40°	-20°	0°	20°	40°	60°	80°
50	0.144lux	0.473lux	1.067lux	1.441lux	1.516lux	1.291lux	0.021lux	0.009lux	0.003lux
100	0.036lux	0.119lux	0.271lux	0.367lux	0.390lux	0.339lux	0.005lux	0.002lux	0.001lux
150	0.016lux	0.053lux	0.121lux	0.164lux	0.175lux	0.152lux	0.002lux	0.001lux	0.000lux
200	0.009lux	0.030lux	0.068lux	0.092lux	0.099lux	0.086lux	0.001lux	0.000lux	0.000lux

The properties to the north, across Steeles Avenue East, are under a different municipality's jurisdiction. According to staff research, the area is designated as Mixed

Use High Rise in the City of Markham's Official Plan, and one development application for a high-rise mixed use building was identified at 4438 Steeles Avenue East. This property is located on the north side of Steeles Avenue and on the east side of the tracks. The information provided in the submissions was not sufficient to address impacts concerning the lands to the north, however the Applicant stated that the Proposed Sign could be constructed on Metrolinx lands in the Town of Markham without the need for a sign permit.

Given that the lands to the west are designated as mixed use areas, and according to staff's assessment could contain residential uses, the Applicant has proposed, as conditions of variances being granted for the Proposed Sign, to use shielding technology and operate at a reduced brightness and provided a light impact study illustrating the extent of impacts on the lands to the west (see Figure 8).

Given the conditions requested by the Applicant, as well as the design and orientation of the Proposed Sign, the CBO believes that this criterion has been established

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

Toronto's Sign By-law regulations are designed to ensure that there are no adverse impacts on public safety for signs which meet its requirements. This current criterion is intended to ensure that variances are not granted where they would result in signs that would have adverse impacts on public safety.

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

While the Proposed Sign is located in proximity to sidewalks and roadways, it is the CBO's opinion that it would not be situated in proximity to sidewalks, roadways, or driveways in a manner that could create impact on pedestrian or traffic safety. In addition, the Proposed Sign will comply with the requirements set out in the Ontario Building Code.

Regarding potential 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 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. The Proposed Sign also meets the setback requirements for buildings and structures outlined in the City's Zoning By-law.

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.

The Applicant proposes to construct the sign faces in a "V-shaped" arrangement, which deviates from the typical Sign By-law's back-to-back requirement for electronic ground signs with two sign faces. The submissions from the Applicant indicate that the angle between the two sign faces will be maintained at less than 45 degrees. Based on previous applications for similar signs, staff agree that this design will minimize the possibility that drivers will see both sign faces at the same time, thereby addressing any potential issues associated with the Proposed Sign's layout - as a condition of approval, the Proposed Sign is to be designed and oriented as indicated in the Applicant's submissions.

Therefore, based on the review of the available information in addition to staff's investigation with respect to the Proposed Sign, the requested variance along with the conditions do not raise a reasonable basis for any concern around public safety arising from the Proposed Sign. As such, the CBO is of the opinion that this criterion has been established.

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

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

The Subject Premises is designated as a C Sign District, and is a vacant parcel owned by Metrolinx and adjacent to a railway corridor, namely the Milliken GO Station. The rail corridor is designated as a U Sign District. The neighboring properties to the east and south, are also designated as C Sign Districts, predominantly containing commercial uses.

The OS Sign Districts, located around 205 metres west of the Proposed Sign, are designated as Employment Areas in the Zoning By-law and Official Plan, and do not contain typical Open Space uses. The R Sign District, located 255 metres southeast of the Proposed Sign, does not contain any residential uses and is also designated as an Employment Area in the Zoning By-law and the Official Plan.

Figure 9: View of the Surrounding Premises - New rail overpass



While provisions for C Sign Districts allow for third-party electronic signs, specific provisions for third-party electronic ground signs, such as the Proposed Sign, are absent. According to the Applicant's submissions, the existing uses and land use designation suggest that the Subject Premises and surrounding properties exhibit characteristics that align with an E or U Sign Districts, both suitable for third-party electronic ground signs. Consequently, the Proposed Sign, generally following the performance standards set out for a third-party electronic ground sign in an E or U Sign District, would be in keeping with the current character of the area.

Staff feel that the conditions requested, which specify that the Proposed Sign is the only ground sign or electronic ground sign on the Subject Premises and prohibit the sign from being erected within 500 metres of any other third-party sign, in addition to the separation requirement in the Sign By-law between third-party signs for any electronic ground sign), would address concerns of clutter. Furthermore, regarding potential changes proposed by OPA 653, the conditions requiring a minimum separation between the Proposed Sign and R, RA, CR, I, or OS sign districts would address any concerns regarding incompatibility of that the Proposed Sign with its surroundings.

Although, the Applicant's submissions did not specifically address the potential impact of the sign on lands to the north, the Applicant indicated that the Proposed Sign, if located on Metrolinx property in the Town of Markham, would be exempt from sign permit requirements and could be constructed there.

As such, it is the CBO's opinion that, subject to the requested conditions, 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 the provisions set out in the Sign By-law for third party electronic signs in terms of 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), and with the illumination and time-of-day regulations.

The Applicant states that due to the similarity between the land use and Official Plan designation of Subject Premises and the character of E or U Sign Districts, the Proposed Sign was designed to be largely in keeping with the regulations for third party

electronic ground signs in these districts. The Proposed Sign would comply with the following Sign By-law requirements for third party electronic ground signs permitted in E or U Sign Districts: maximum height, maximum sign face area, setbacks from the property and from an intersection. The Proposed Sign would not comply with such regulations in terms of configuration and separation distance from sensitive sign districts.

The Proposed Sign would be facing an OS Sign District approximately 205 metres to the southwest, whereas the Sign By-law would require 250 metres for third party electronic ground signs in E or U Sign Districts. The Applicant provided sufficient evidence to demonstrate that the OS Sign Districts would not contain any use considered of sensitive nature that could be affected by the Proposed Sign. They have also indicated that the Sign District designation may not be in keeping with the land uses contemplated in the Official Plan and the Zoning By-law for the lands.

With respect to the proposed "V-shaped" configuration, as opposed to the back-to-back configuration typically required by the Sign By-law for electronic ground signs displaying two sign faces, the submissions indicate that such configuration would contribute to reducing potential impacts of the Proposed Sign on the adjacent premises to the east and west. The condition of approval that the Proposed Sign shall be designed strictly in accordance with the Applicant's submissions, which indicate a maximum interior angle between the two signs faces of 45 degrees, would minimize the possibility of drivers seeing both sign faces simultaneously, thereby addressing any potential concerns on public safety.

While the Applicant's submissions did not specifically address the Proposed Signs impact on lands in the Town of Markham, they noted that the Proposed Sign, if located on Metrolinx property on the north side of Steeles Avenue, would be exempt from sign permit requirements. The Applicant also indicated that the orientation and brightness conditions of the westernmost sign face would prevent impacts on the mixed-use areas to the west.

As such, it is the CBO's opinion that the Applicant's materials, supplemented by staff's research, provides sufficient information to confirm that the Proposed Sign will not be contrary to the public interest, and that this criterion has been established.

CONCLUSION

The Applicant's submitted materials, along with additional information obtained by investigation by staff, have provided sufficient information for the CBO determine that the Proposed Sign, subject to seven conditions, has met all required criteria for approval of the requested variance. As such, the CBO is supportive of the Sign Variance Committee granting the requested variance subject to the seven requested conditions.

CONTACT

Fernanda Patza, Policy Development Officer, City Wide Priorities, Toronto Building
Email: Fernanda.Patza@toronto.ca; Tel: 416-392-6987

SIGNATURE

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

ATTACHMENTS

Attachment 1 – Description of Signs, Requested Variances and Required Conditions
Attachment 2 – Applicant's Submission Package
Attachment 3 – Letter of Objection