

Application for Four Variances, Each Subject to One Condition, Respecting One Third Party Electronic Ground Sign - 1601 Eglinton Avenue East

Date: January 15, 2025

To: Sign Variance Committee

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

Wards: Don Valley East (Ward 16)

SUMMARY

Permit World (the "Applicant") has applied for four variances 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 1601 Eglinton Avenue East, in Ward 16 - Don Valley East (the "Subject Premises").

The Subject Premises is designated as Utility ("U") sign district, which generally allows for third party electronic ground signs. However, it is also situated within an area subject to a site-specific area restriction under which City Council specifically determined that no third party sign shall be erected or displayed.

The Proposed Sign would have a maximum height of 19.49 metres and would contain two rectangular sign faces displayed in a back-to-back configuration, each measuring 7.62 metres by 2.62 metres, with sign face area of 19.96 square metres. The Proposed Sign is described further in Attachment 1.

Following a review of the Applicant's submissions and additional City staff research, the CBO has determined that there is not a sufficient basis to conclude that the eight required criteria in §694-30A of the Sign By-law have been established with respect to the four variances, each subject to one condition, as described further in Attachment 1 to this report.

RECOMMENDATIONS

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

1. The Sign Variance Committee refuse to grant the requested variances to sections 694-24.A(5), 694-25.D(3)(b), 694-25.D(3)(e) and 694-25.D(3)(f), each subject to one condition, as required to allow for the issuance of a permit for the erection and display of the Proposed Sign, as further described in Attachment 1.

FINANCIAL IMPACT

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

DECISION HISTORY

There have been no previous decisions by the Sign Variance Committee or Council directly related to this application.

ISSUE BACKGROUND

Required Variances and Proposed Condition

Table 1: Summary of Requested Variances

Section	Requirement	Requested Variance
694- 24A(5)	A third party sign shall not be erected or displayed or cause to be erected or displayed in whole or in part within 400 metres of any limit of Eglinton Avenue East from the easterly limit of Brentcliffe Road to the westerly limit of Victoria Park Avenue.	The Proposed Sign would be located 2.37 metres of the limit of Eglinton Avenue East between Brentcliffe Road and Victoria Park Avenue.
694- 25.D(3)(b)	A U-Utility Sign district may contain a third party electronic ground sign provided the height shall not exceed 10.0 metres.	The height of the proposed Sign would be 19.02 metres.
694- 25.D(3)(e)	A U-Utility Sign district may contain a third party electronic ground sign provided the sign shall not be erected within 60.0 metres of any premises located, in whole or in part, in an R, RA, CR, I or OS sign district.	The Proposed Sign would be located 0.2 metres of premises in the OS sign district and 40 metres of premises in the RA sign district.

Section	Requirement	Requested Variance
694- 25.D(3)(f)	A U-Utility Sign district may contain a third party electronic ground sign provided that where a sign is located within 250 metres of an R, RA, CR, I, or OS sign district, the sign cannot face any premise in the R, RA, CR, I or OS sign district.	The Proposed Sign located within 250 metres and facing premises in the OS sign district 0.2 metres to the east, 56 metres to the west and 58 metres to the north; premises in the RA sign district 40 metres to the northwest and 57 metres to the west; premises in the R sign district 140 metres to the northeast; and premises in the I sign district 175 metres to the east.

If the requested variances are granted, the Proposed Sign will be subject to the following condition:

- Condition 1: Light shielding technology must be installed on the Proposed Sign, which shall prevent light projection on nearby properties to the satisfaction of the Chief Building Official.

Sign Attributes and Site Context

The Proposed Sign would be placed within the railway corridor, on the area municipally known as the Bala Subdivision, immediately to the south of Eglinton Avenue East. It would consist of two rectangular sign faces in a back-to-back configuration, oriented approximately east and west to be viewed by vehicular traffic traveling on both directions along Eglinton Avenue East. Each sign face would display electronic static copy, have a bisecting line not exceeding 7.62 metres (horizontal measurement), a centre line not exceeding 2.62 metres (vertical dimension), totalizing a sign face area of not more than 19.96 square metres. The Proposed Sign is described further in Attachment 1.

The Subject Premises is designated as Utility ("U") sign district, where third party electronic ground signs of comparable size and height are generally permitted. However, the Proposed Sign requires a variance because it falls within one of the 84 site-specific areas where City Council has prohibited the erection or display of any third-party signs. These site-specific area restrictions set out in the Sign By-law were enacted based on Council's determination that third party signage in these locations would be inconsistent and incompatible with the surrounding area and would not contribute positively to the quality of Toronto's appearance. The Proposed Sign, situated approximately 2.0 metres from the south limit of Eglinton Avenue East, would be placed within the restricted corridor established by §694-24A(5) of the Sign By-law, which prohibits third party signs within 400 metres of any limit of Eglinton Avenue East between Brentcliffe Road and Victoria Park Avenue.

Figure 1: Approximate Location of Proposed Sign



Additional variances are sought to permit the Proposed Sign to be placed with a reduced separation from sensitive sign districts. The Proposed Sign would be located approximately 0.2 metres west of an OS Sign District and 40 metres from a RA Sign District, failing to meet the minimum 60-metre separation required by the Sign By-law. Furthermore, the Proposed Sign would be within 250 metres of premises in the OS, RA, R, and I, with sign faces oriented toward these areas. Section 694-25D(3)(f) stipulates a minimum separation of 250 metres for signs facing these districts, a requirement intended to preserve compatibility with and mitigate impacts on sensitive land uses expected on these areas. One last variance is required to allow the Proposed Sign to be almost twice as tall as what would be permitted under the Sign By-law.

In support of the application, the Applicant referenced two existing third party signs located approximately 847 metres and 933 metres east of the Proposed Sign's location, asserting that these signs are also placed within the corridor restricted by §694-24A(5). Staff review confirmed that these signs display static copy and were permitted in 1997 and 1999 under the former North York Sign By-law, predating the current regulatory framework. While existing built form may be used to some extent to assess in determining the character of an area, pre-authorized signs not aligning with the current regulatory framework hold limited relevance. Moreover, precedent is not listed as a criterion in Section 694-30A for granting or refusing a variance; each variance application is assessed individually based on its specific context.

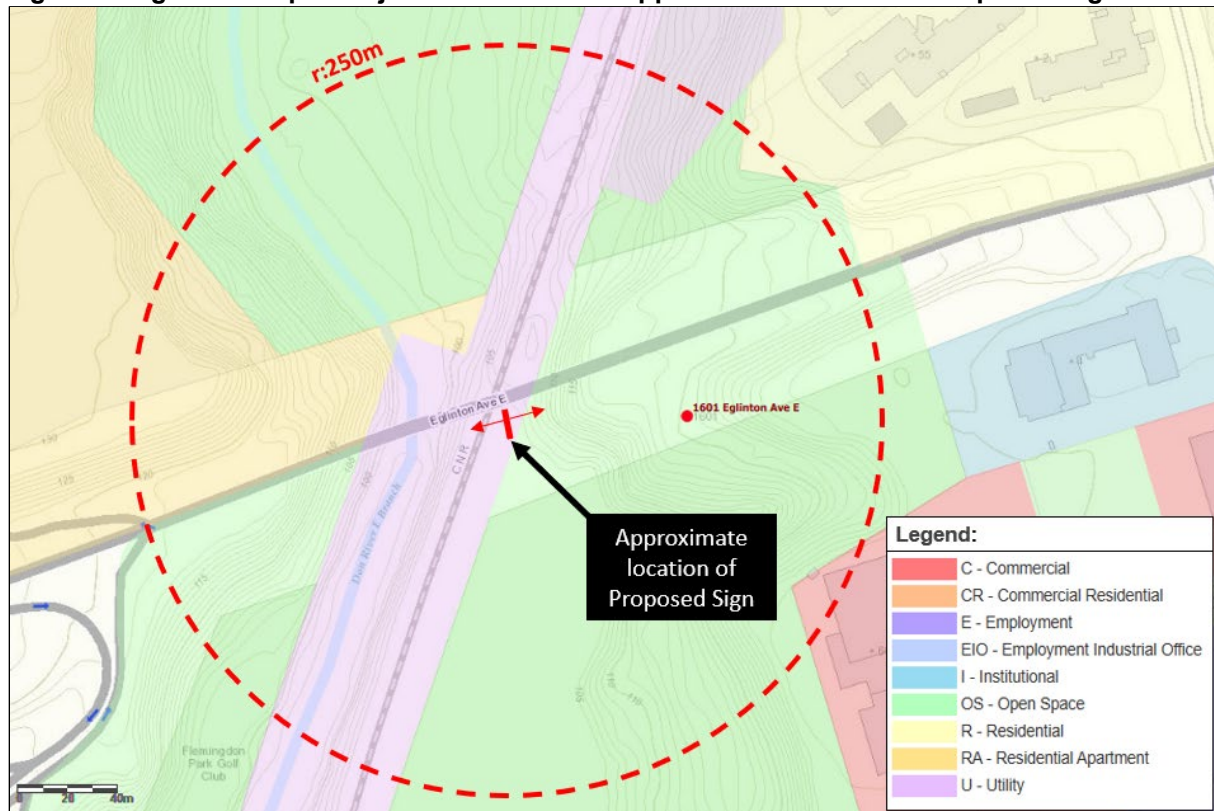
The Applicant also claims that the Proposed Sign will not negatively impact nearby sensitive sign districts in terms of privacy, noise, air quality, or public safety, nor will it result in physical encroachment or intensification of land use beyond current zoning permissions. They argue that shielding technology (SITE LINE) would limit visibility to an 80° cone along Eglinton Avenue East and that nearby residential buildings fall outside this cone. They also assert that due to elevation, distance and presence of mature vegetation, the impacts on residential land uses would be reduced.

The Applicant contends that the increased height is necessary to clear the adjacent bridge within the Metrolinx-owned railway corridor and contends that this height would

prevent visibility from OS sign districts to the south. According to the submissions, the Proposed Sign's sign faces are oriented to avoid sensitive uses and direct illumination toward vehicular traffic along Eglinton Avenue East.

This last claim, rather than supporting the proposal, reinforces a significant visual and functional relationship of the Proposed Sign with Eglinton Avenue East, which directly contradicts the existing restriction prohibiting third-party signage along this corridor. Allowing the erection and display of the Proposed Sign in this location would undermine Council's intent for the area and conflict with municipal interests for both the immediate vicinity and the city as a whole.

Figure 2: SignView Map - Subject Premises with Approximate location of Proposed Sign



Surrounding premises:

North: Open Space ("OS") Sign District, Charles Sauriol Conservation Area Park

South: Open Space ("OS") Sign District, Charles Sauriol Conservation Area Park

East: Open Space ("OS") Sign District, Charles Sauriol Conservation Area Park

West: Open Space ("OS") Sign District, Flemingdon Park Golf Club

COMMENTS

Applicant Information

The Applicant has stated that they have been authorized by Metrolinx (the "Owner" of the Subject Premises) to apply for four variances required to allow for a permit to be

issued for a third party electronic ground sign, with two sign faces, displaying electronic static copy, as further described in Attachment 1.

Community Consultation

The CBO has adopted a practice of engaging in enhanced consultation process concerning variance applications for electronic signs. Notice required by the City's Sign By-law was provided to premises within a 250-metre radius of the Proposed Location. The Applicant was also instructed to post a notice of the application in a publicly visible location on the premises where the sign is proposed to be erected, for a minimum of 30 days prior to the Sign Variance's Committee's consideration, in compliance with the Sign By-law requirements. Additionally, the CBO offered a virtual Community Consultation scheduled for the evening of January 15, 2026.

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

The Sign By-law contains criteria to be used in evaluating variance applications 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 the 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.

It is the CBO's opinion that the information submitted by the Applicant does not 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

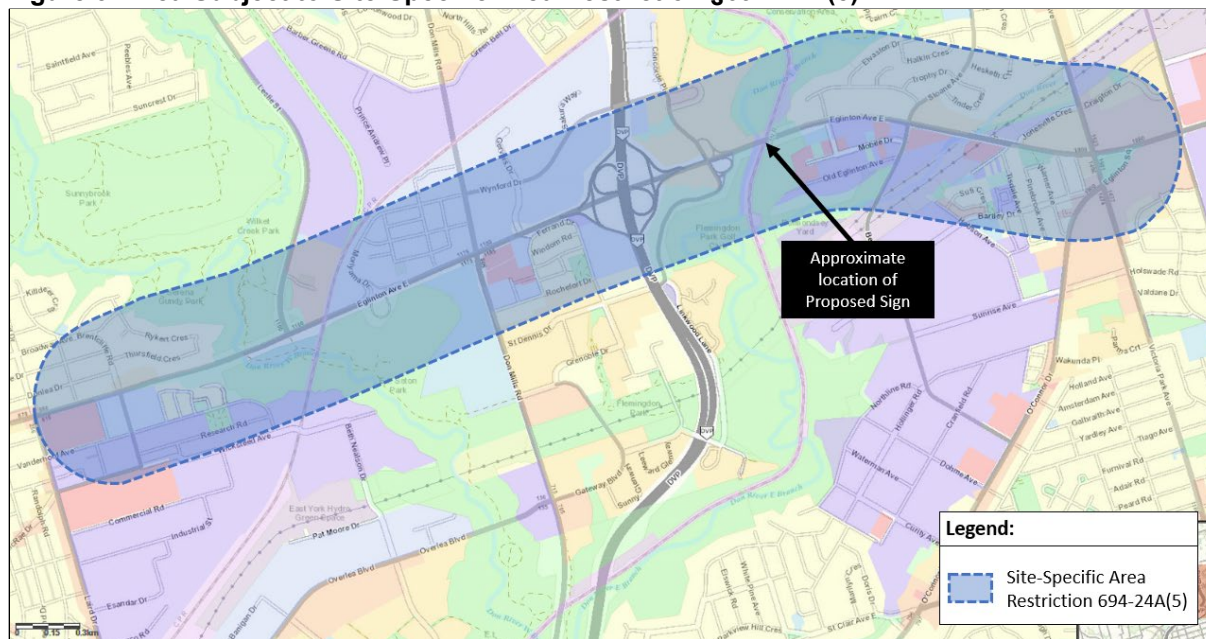
Section 694-30A(1): The Proposed Sign belongs to a sign class permitted in the Sign District where the premises is located

Based on the review of staff, the Subject Premises can be confirmed as being designated as a U Sign District, which permits signs belonging to the third party sign class. The CBO has confirmed that as per the information contained in the Applicant's submission, the Proposed Sign is a third party sign, as it will 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

While the Subject Premises is within a U sign district, where similar signs are generally permitted, the Proposed Sign cannot be permitted at this location due to the site-specific area restriction established under §694-24A(5).

Figure 3: Area Subject to Site-Specific Area Restriction §694-24A(5)



Unlike utility infrastructure, electronic advertising does not align with the functional or visual objectives of the broader area. The Proposed Sign would be situated within a railway corridor and, while it may not directly conflict with the land use on the Subject Premises, most surrounding properties - designated OS, I, R and RA - do not allow third party signs and impose separation requirements for third party electronic ground signs. The Proposed Sign does not comply with these separation standards, raising concerns regarding compatibility with the existing surrounding context. Adjacent premises to the south, east, and west are designated OS Sign Districts and contain a park and a golf course, both considered sensitive uses due to their recreational and community functions.

Although the Applicant asserts that impacts on nearby sensitive sign districts would be minimal, impact mitigation is only one of eight mandatory criteria under §694-30A that must be satisfied for a variance to be granted. It remains unclear how permitting a sign that exceeds the maximum allowable height, located in proximity to multiple sensitive sign districts, and falls within a corridor where Council explicitly prohibited any third party signage could be considered compatible with the Subject Premises, the surrounding area, and the overall objectives of the Sign By-law.

Figure 4: Aerial View - Existing Uses in the Surrounding Area



Staff concludes that the erection and display of the Proposed Sign would not be in line with the envisioned development of the area. Accordingly, it is the opinion of the Chief Building Official that this criterion has not been satisfied.

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

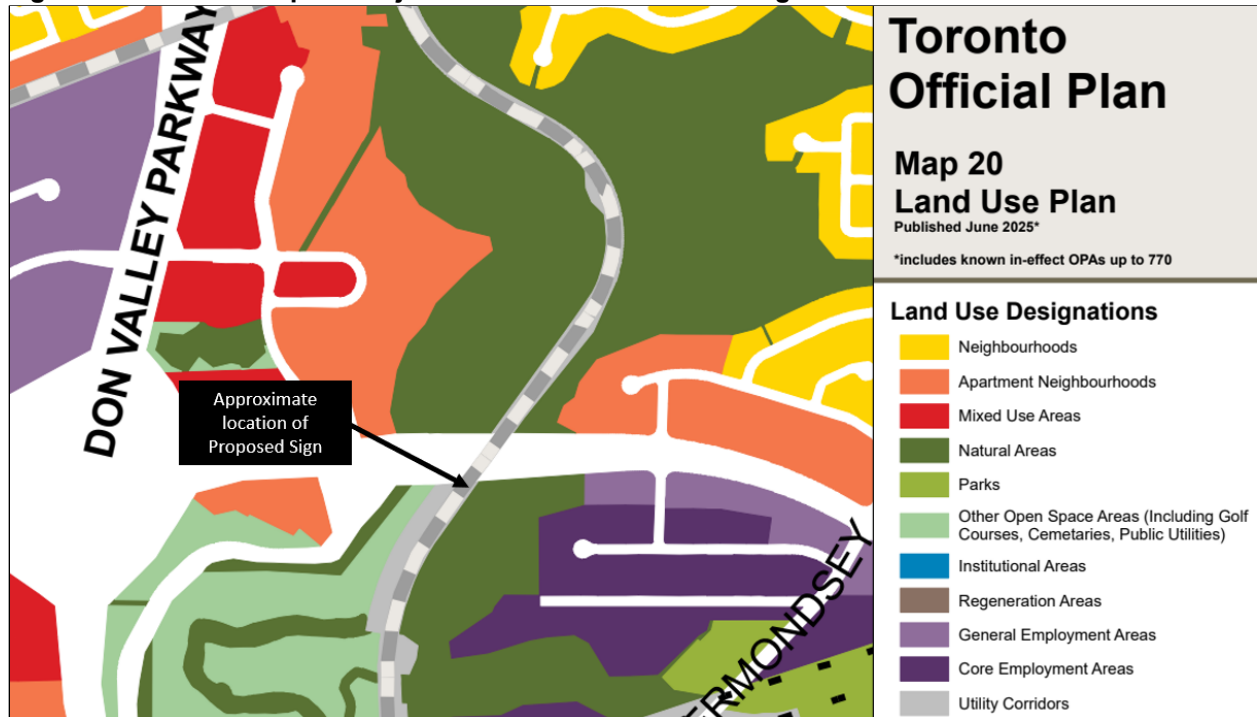
The designated land use for the Subject Premises, as per the Toronto Official Plan, is Utility Corridor (refer to Figure 6). Utility Corridors mainly consist of rail and hydro rights-of-way. The Applicant's submission states that "Utility Corridors are hydro and rail corridors primarily used for the 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 would not impact or hinder the use of the utility corridor where it is located.

However, the area adjacent to lands are identified as Natural Areas. The Official Plan establishes that Natural Areas should be maintained in a natural state, permitting only compatible recreational, cultural, educational uses and essential infrastructure with minimal impact that restore and enhance natural features. The Applicant asserts that the height of the Proposed Sign will prevent visibility from the adjacent natural area and therefore mitigate potential impacts. They also reference an existing billboard at 1765 Eglinton Avenue East, located within a Utility Corridor and U Sign District bounded by Natural Areas and other Open Space areas, as a point of comparison. However, this example is not relevant, as the referenced sign was approved under a previous regulatory framework. Even if assessed under current regulations, it would be subject to

substantially different provisions, as it displays static copy, which would trigger different separation requirements.

While the Applicant asserts that the Proposed Sign will have no impact on adjacent natural areas, its presence as an electronic third party ground sign is fundamentally inconsistent with the Official Plan policies. The Proposed Sign does not constitute essential infrastructure, nor does it serve a recreational, cultural, or educational function. As a man-made structure, it would alter the natural state of the area, contrary to the policy objective of maintaining these lands primarily in a natural condition.

Figure 5: Land Use Map of Subject Premises and Surrounding Area



In light of the above, it is the CBO's opinion that the Proposed Sign would not support the Official Plan objectives for the surrounding area. As such, this criterion has not been established.

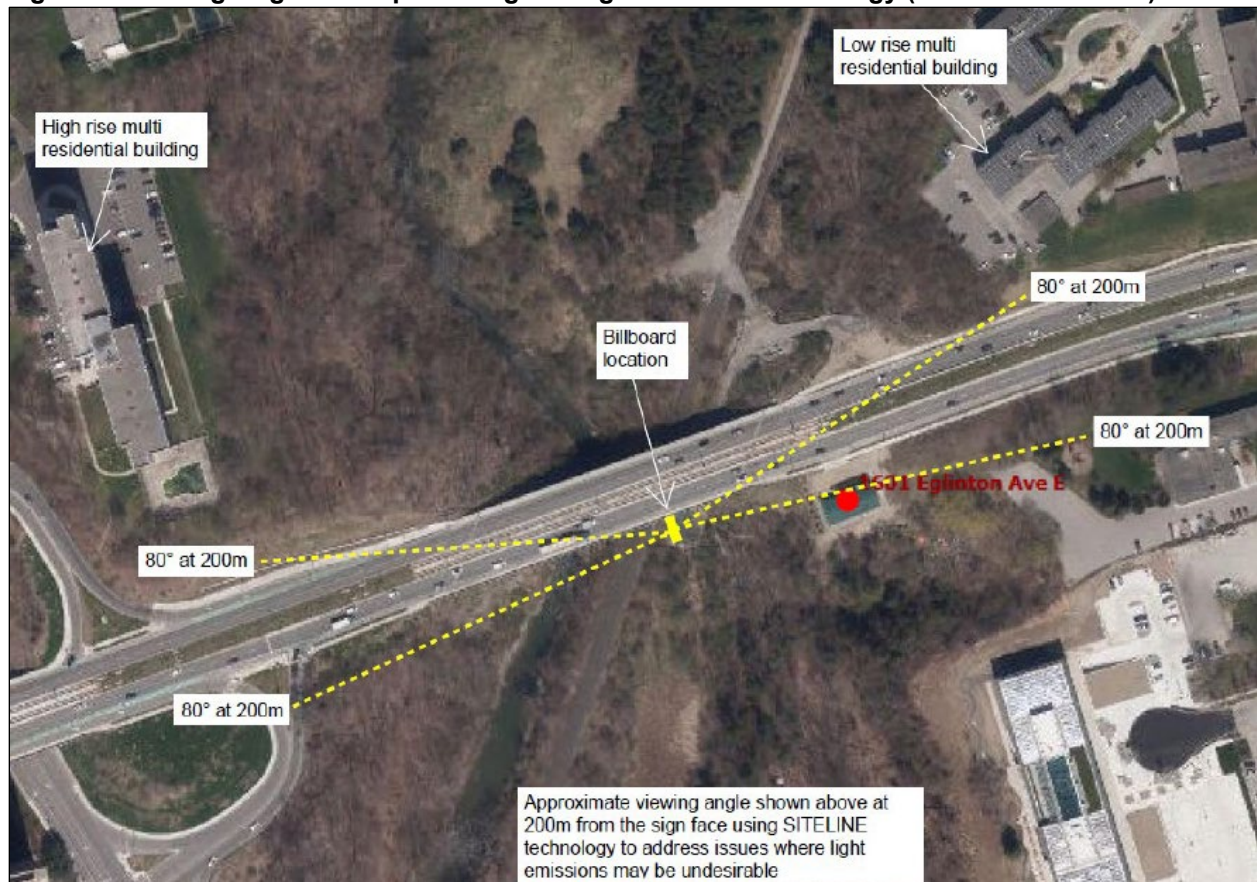
Section 694-30A(4): The Proposed Sign does not adversely affect adjacent premises

The Subject Premises does not contain building uses that would be directly affected by the Proposed Sign. However, the sign would be located approximately 0.2 metres from an OS Sign District and 40 metres from an RA Sign District, significantly below the minimum 60-metre separation required under §694-25 of the Sign By-law. In addition, the Proposed Sign would face multiple sensitive districts within 250 metres, contrary to the provisions of §694-25.D(3)(f). These separation requirements were established, among other things, to protect sensitive uses, including parks and residential areas, from visual intrusion and illumination impacts.

While the Applicant proposes SITELINE shielding technology to reduce illumination impacts, this measure does not address the visual prominence and scale of a 19-metre-high electronic structure situated in close proximity to sensitive lands. The physical presence and orientation of the Proposed Sign remain incompatible with the objectives of the separation provisions.

The Applicant indicates that the sign operator is willing to collaborate with City staff to monitor and adjust lighting levels post-installation to address unforeseen concerns. However, §694-30A requires that potential impacts be evaluated and compliance demonstrated prior to approval. Post-installation adjustments do not satisfy this requirement and would undermine the purpose of the variance process, which is to ensure that proposals meet all criteria before a permit is granted.

Figure 6: Viewing Angle of Proposed Sign using SITELINE Technology (from Submissions)



The Applicant further contends that the issuance of a Toronto Region Conservation Authority ("TRCA") permit supports the viability of the Proposed Sign. While TRCA approval is required for works within regulated areas, it addresses environmental and conservation considerations only. It does not exempt the proposal from compliance with the Sign By-law, nor does it align the proposal with the objectives of safeguarding sensitive land uses. It should be also noted that the area-specific restriction under §694-24.A(5), enacted by City Council, is independent of TRCA requirements and reflect municipal interests of prohibiting third party signs to preserve the visual character of the corridor.

As a result, it is the opinion of the Chief Building Official that, even subject to the condition, this criterion has not been satisfied.

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 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 Applicant's submissions have indicated that the Proposed Sign would be situated entirely outside this prohibited zone for signs, nor be situated in proximity to sidewalks, roadways, or driveways in a manner that could create impact on pedestrian or traffic safety.

Although there are concerns about driver distraction, the City has existing regulations (set back from intersections, distance from street lines, and pedestrian triangles) to adequately address the potential for adverse safety impacts for all signs, including signs displaying electronic static copy. The Proposed Sign would be located more than 30 metres away from the closest traffic controlled intersection and it would 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.

Based on the review of the available information, including the requested deviations from the mandatory requirements of the Sign By-law, staff have determined that there is no reasonable basis for concern related to 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.

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 Applicant argues that the Proposed Sign is consistent with the character of the area, citing the presence of third party signs within the restricted corridor. However, staff investigations confirm that these existing signs, which are more than 800 metres away, predate the current Sign By-law. The absence of more recent third party signage in the immediate area reflects City Council's intent to preserve the character of this specific location by the absence of such signage. The Applicant's reliance on pre-existing signs as precedent is irrelevant, as those signs were authorized under previous regulations and do not justify altering the established policy direction.

Figure 7: The Existing Signs in relation to the Proposed Sign's Location



The Proposed Sign would introduce a sign type that does not currently exist in the area. Installing a large electronic third party ground sign in this restricted corridor would be a substantial departure from the established visual environment as well as significantly alter the intended character by introducing a commercial advertising element where none is permitted.

Furthermore, the Proposed Sign would not integrate with surrounding uses, which primarily consist of natural areas designated for recreational and community purposes and residential buildings. These uses are sensitive in nature and incompatible with large-scale electronic advertising structures. The sign's size, height, and illumination would contrast sharply with the open space area resulting in a visual intrusion rather than a complementary feature.

From staff's perspective, the Applicant has not demonstrated that the erection and display of the Proposed Sign in this restricted area would avoid visual clutter or align with the character envisioned by City Council for the Subject Premises and its surroundings. Accordingly, it is the opinion of the Chief Building Official that this criterion has not been satisfied.

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

Although the Subject Premises is located within a U Sign District where third party electronic ground signs are generally permitted, it also falls within a site-specific area restriction that prohibits the erection of any third party sign along this segment of Eglinton Avenue East.

The Proposed Sign introduces an electronic advertising structure that is incompatible with the functional and visual objectives of the surrounding area, which consists primarily of open space areas designated for recreational and community purposes, as well as nearby residential districts. These uses are sensitive in nature and generally inconsistent with large-scale electronic advertising structures.

While the Applicant asserts that illumination impacts on sensitive lands would be minimal, the submissions fail to demonstrate how permitting a sign that exceeds the maximum allowable height, located in proximity to multiple sensitive sign districts, and falls within a corridor where Council explicitly prohibited any third party signage could be considered compatible with the Subject Premises, the surrounding area, and the overall objectives of the Sign By-law.

Furthermore, the introduction of a sign type that does not currently exist in the area would significantly alter its character. The Applicant has not demonstrated that the erection and display of the Proposed Sign in this restricted area would avoid visual clutter or align with the character envisioned by City Council for the Subject Premises and its surroundings.

For these reasons, staff conclude that the Proposed Sign would undermine the objectives of the Sign By-law and City Council's policy direction for the area. In the opinion of the Chief Building Official, the Applicant has not established that the Proposed Sign would not be contrary to the public interest. Accordingly, this criterion has not been met.

CONCLUSION

The Applicant's materials, even supplemented by City Staff's research and investigation, have not provided sufficient information for the CBO to conclude that all eight criteria required to grant an approval for the requested variances have been established.

Specifically, the CBO is of the opinion that there was not sufficient information to establish that the Proposed Sign would be compatible with the development of the premises and surrounding area; would support Official Plan objectives for the premises and surrounding area; would not alter the character of the premises or surrounding area; and would not be contrary to the public interest.

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

CONTACT

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SIGNATURE

Ted Van Vliet
Project Director, Business Transformation and Citywide Priorities

ATTACHMENTS

Attachment 1 – Description of the Proposed Sign, Required Variances and Requested Condition
Attachment 2 – Applicant's Submission Package