

Application for One Variance, Subject to Four Conditions, Respecting One Third Party Electronic Ground Sign - 3493 Kingston Road

Date: May 1, 2026

To: Sign Variance Committee

From: Project Director, Business Transformation, Toronto Building

Wards: Scarborough Southwest (Ward 20)

SUMMARY

JOLT Charge Inc (the "Applicant") has submitted a sign variance application requesting one variance 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 property municipally known as 3493 Kingston Road (the "Subject Premises").

The Proposed Sign would have a maximum height of 2.65 meters from grade, feature two rectangular sign faces in a back-to-back configuration, oriented northeast and southwest, perpendicular to Kingston Road. Each sign face would measure approximately 0.95 metres by 1.65 metres, resulting in a sign face area not exceeding 1.55 square metres. Further details of the Proposed Sign are provided in Attachment 1.

The portion of the Subject Premises where the Proposed Sign would be placed is designated Commercial Residential ("CR") Sign District, which allows third party signs, however, does not expressly permit signs of electronic ground sign type. A variance is required to permit the erection and display of electronic ground sign type in the CR Sign District.

The Sign By-law contains eight criteria to be used in evaluating variance applications for 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 established criteria. The Sign Variance Committee (the "SVC") is required to conduct an evaluation and determine that party seeking the proposed variances meets all the mandatory criteria, on the basis of the information presented by the parties before the SVC.

Following a review of the Applicant's submissions and additional research conducted by staff, the CBO is of the opinion that there is 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 one variance, subject to four conditions, as described in Attachment 1 of this report.

RECOMMENDATIONS

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

1. The Sign Variance Committee grant the requested variance to section 694-25.B(1), subject to four 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

SB18.2 - Supplementary Report: Application for One Variance, Subject to Three Conditions, Respecting One Third Party Electronic Ground Sign - 3493 Kingston Road

At its September 12, 2025 meeting, the Sign Variance Committee considered an application seeking one variance from the regulations contained in the Sign By-law required to allow the issuance of a permit for the erection and display of one third party electronic ground sign at 3493 Kingston Road and refused to grant the requested variance, subject to three conditions, as required to allow for the issuance of a permit respecting the erection and display of one third party electronic ground sign at the premises municipally known as 3493 Kingston Road.

(<https://secure.toronto.ca/council/agenda-item.do?item=2025.SB18.2>)

ISSUE BACKGROUND

Required Variances and Conditions

Table 1: Summary of Requested Variances

Section	Requirement	Proposal
694-25.B(1)	A CR-Commercial Residential Sign District may contain a third party sign, District may contain a third party sign provided that it is one of the listed wall sign and topiary wall sign types	The Proposed Sign would be a third party electronic ground sign, which is a sign type not listed as a permitted sign type in CR-Sign Districts.

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

- 1) The sign shall operate with a reduced brightness of 150 NITS between sunset and sunrise.
- 2) The Proposed Sign shall conform in all respects to the specifications set out in the Proposed Sign Description in this Attachment, including but not limited to the number of sign faces, configuration, orientation of sign faces, copy displayed, maximum height, maximum sign face area, and location.
- 3) Two coniferous trees shall be planted on the northeast frontage of the Subject Premises between the existing first party ground signs and the Proposed Sign, which shall sufficiently block the sign faces from being visible simultaneously from any generally travelled portion of Kingston Road to the satisfaction of the CBO.
- 4) The sign structure of the Proposed Sign shall not be attached, affixed, combined with, or otherwise associated with, an electric vehicle charging station prior to all applicable approvals having been obtained for the erection, installation, display or utilization of the “electric vehicle charging station” being presented to the CBO; and that no permits for the erection and display of the Proposed Sign, or the modification of the Proposed Sign, shall be issued until such time as sufficient information is provided to the CBO demonstrating that all applicable approvals for the electric vehicle charging station have been obtained.

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 3493 Kingston Road near the northwesterly frontage of the Subject Premises. It would consist of two rectangular sign faces in a back-to-back configuration, each with a centre line measuring 0.93 metres (horizontal dimension) and bisecting line measuring 1.65 metres (vertical dimension), with a sign face area not exceeding 1.54 square metres. The sign faces would be oriented approximately northeast and southwest, targeting commuters on Kingston Road travelling in both directions. The Proposed Sign is described further in Attachment 1.

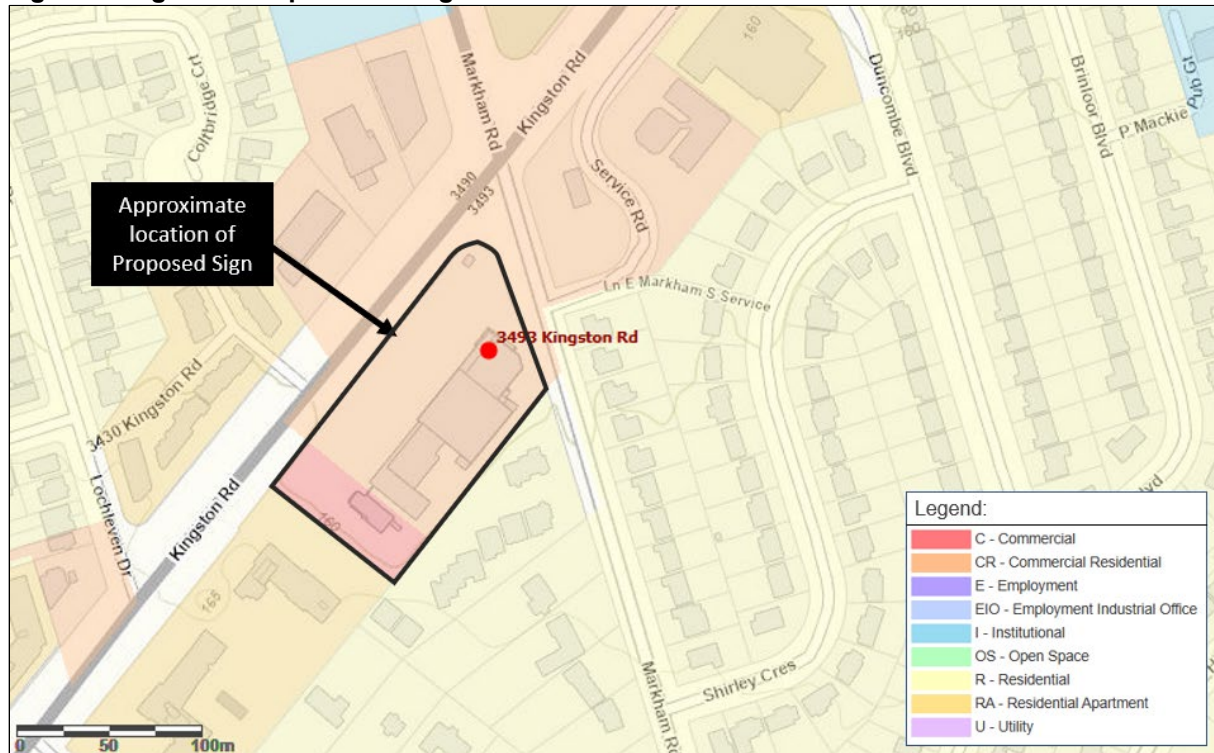
Figure 1: Render of Proposed Sign (from Submissions)



The Subject Premises operates as a retail plaza, featuring three low-rise buildings with various commercial uses. There are also three static copy first party ground signs identifying the businesses operating on the Subject Premises (the "Existing Signs").

The Subject Premises is located east of Kingston Road and west of Markham Road, in Ward 20 - Scarborough Southwest. Staff have confirmed that the Subject Premises falls into two different Sign Districts: Commercial ("C") and Commercial Residential ("CR"). The Proposed Sign would be in the portion of the Subject Premises designated as a CR Sign District, see SignView Map in Figure 2.

Figure 2: SignView Map - 3493 Kingston Road



Surrounding premises:

North: CR Sign District, one-storey commercial building

East: CR Sign District, one-storey auto service centre

South: R (Residential) Sign District, low-rise single-family dwellings

West: RA (Residential Apartment) Sign District, eight-storey residential building

The Subject Premises is surrounded by other CR Sign Districts to the north and east. These properties mainly serve commercial purposes, consistent with the uses expected in CR Sign Districts. The properties to the south are designated as R Sign Districts and feature low-rise single-family houses. The property to the southwest is designated as an RA Sign District where an eight-storey residential building is located.

Figure 3: Aerial View - Adjacent Properties Uses



While CR Sign District regulations permit third party wall signs, electronic ground signs are not expressly permitted. Consequently, there are no district-specific regulations for third party electronic ground signs, like the Proposed Sign. Permitted third party signs in CR Sign Districts fall under one of the following sign types, as defined: wall sign and topiary wall sign. These permitted third party signs are limited to one sign face, with a maximum sign face area of 3.0 square meters and a maximum height of 3.0 meters. CR Sign Districts further restrict these third party signs from facing a street and from being positioned less than 30 metres of an intersection. The Proposed Sign would comply with these provisions in terms of sign face area, height, and setback from the intersection.

The Applicant's Submissions indicate that the Proposed Sign would be affixed to a structure that also features an electric vehicle charging station (the "EV charging station"). As Chapter 694 exclusively regulates signs, this report focuses solely on the components associated to the Proposed Sign. All aspects related to the EV charging station, including relevant laws and regulations, are excluded from the scope of this report.

COMMENTS

Applicant Information

The Applicant has stated they have been authorized by E-lar Inc. (the "Owner") to apply for one variance, subject to three 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 at the Subject Premises.

Community Consultation

The CBO has adopted a practice of engaging in an enhanced consultation process concerning variance applications for electronic signs. Notice of the application required by the City's Sign By-law was served to premises within a 250-metre radius of the Subject Premises. Additionally, the Applicant is required to post a notice in a publicly visible location on the Subject Premises where the sign is proposed to be erected, for a minimum of 30 days prior to the Sign Variance's Committee's consideration.

Additionally, the CBO informed the public of a virtual Community Consultation, scheduled for the evening of April 16, 2026 to provide more information regarding the proposal and collect feedback of area residents and interested parties. At the date of this report, no comments or concerns have been received from the public.

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

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

According to the Applicant's submissions (Attachment 2 to this report), the Proposed Sign is located in a CR Sign District, and signs belonging to the third party class are permitted in such district (Attachment 2, pp. 13).

Based on the Applicant's description of the Proposed Sign and identified designation of the Subject Premises, the CBO is satisfied that this criterion has been established.

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

The Applicant identifies the Subject Premises as a commercial shopping plaza with no on-site residential uses (Attachment 2, pp. 8, 17, 20). Surrounding uses are described as a mix of commercial plazas, banquet hall, auto service centre, community centre, and residential uses located to the south and west, with residential areas stated to be screened by buildings, distance, fencing, trees, and sign orientation (Attachment 2, pp. 8, 17–19, 24). Sensitive sign districts, including R and RA Sign Districts, are acknowledged, however minimal impacts are demonstrated through light-shed analysis, proposed reduced illumination levels (150 nits), sign face orientation, and separation distances (Attachment 2, pp. 20, 24–25). The Applicant submits that the Proposed Sign is compatible with the commercial nature of the Subject Premises, and its modest scale is designed to integrate with the public realm and streetscape (Attachment 2, pp. 14, 20).

Based on the Applicant's description of the surrounding context, which appears accurate and comprehensive, the stated purpose of the Proposed Sign, along with the

mitigation measures secured through Conditions 1 and 2, the CBO is of the opinion that sufficient evidence was provided to support the conclusion that Proposed Sign is consistent with the development of the Subject Premises and surrounding area. As such, this criterion is established.

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

The Applicant submits that the Subject Premises and surrounding lands are designated Mixed Use Areas under the Official Plan and states that no Secondary Plans or Area-Specific Policies apply (Attachment 2, pp. 20–21). The submissions outline several Official Plan policies and state that the Proposed Sign supports Mixed Use Areas objectives by enhancing economic vitality associated with adjacent commercial businesses, integrating with the surrounding built form, and aligning with the area's commercial functions (Attachment 2, pp. 21–23). The Applicant further asserts that appropriate separation from sensitive land uses would be maintained and that proposed reduced illumination levels would limit potential impacts on adjacent Neighbourhood areas, consistent with Official Plan policies (Attachment 2, pp. 20, 25).

The Applicant also acknowledges that the Proposed Sign would be located within an existing parking space, which would not otherwise be permitted. Supporting documentation was submitted to ensure that the revised parking arrangement proposed complies with applicable zoning requirements (Attachment 2, pp. 23–24).

Based on the information provided in the Applicant's submissions, including the identified Official Plan policies, proposed mitigation measures, and documentation related to zoning compliance, the Proposed Sign is presented as supporting the commercial function of the Mixed Use Area without conflicting with planned land use direction. As such, the CBO is satisfied that, subject to the conditions, this criterion has been established.

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

The Applicant identifies the presence of adjacent and nearby sensitive uses, including R, RA and CR Sign Districts within a 250-metre radius of the Proposed Sign (Attachment 2, pp. 8, 17–19, 24–25). While the Proposed Sign includes two illuminated sign faces displaying electronic static copy, to address illumination concerns, a detailed light-shed analysis was submitted demonstrating that, operating at a reduced brightness of 150 nits, horizontal light dispersion dissipates to “full-moon equivalent” negligible levels well before reaching any sensitive land uses (Attachment 2, pp. 12, 20, 24–26, Image #12).

Staff agree that, based on the details provided in the submissions and subject to Conditions 1 and 2 securing separation, maximum illumination levels, orientation and the scale of the Proposed Sign, the negative impacts of the Proposed Sign on the nearby residences should be minimal.

As a result, the CBO is satisfied that this criterion has been met.

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 intended to mitigate public safety impacts by ensuring that signs meeting prescribed standards do not create visual or physical hazards. The Applicant states that the Proposed Sign is not located within a visibility zone and is positioned so as not to obstruct vehicular sightlines entering or exiting the site (Attachment 2, pp. 26–27). The Proposed Sign is identified as a ground-mounted structure set back approximately 1.0 metre from the front property line, non-conforming to the 3.0-metre setback required for buildings under the Zoning By-law (Attachment 2, pp. 26–27). The Applicant contends that this setback is consistent with other existing first party ground signs on the Subject Premises and would not create traffic safety concerns (Attachment 2, pp. 26–27).

The Applicant submits that the Proposed Sign is located over 140 metres from the nearest signalized intersection, exceeding the minimum 30-metre separation distance typically required (Attachment 2, pp. 17, 27). Operational controls are proposed, including a maximum brightness of 150 nits during nighttime hours, a minimum 10-second dwell time, instantaneous message changes, and the absence of flashing, animation, or movement, in compliance with the Sign By-law regulations intended to minimize potential driver distraction (Attachment 2, pp. 12, 26–27, 36).

Condition 4 requires that the Proposed Sign structure not be attached or combined with any EV charging components until all applicable approvals for the EV charging station have been obtained. This requirement ensures that the Proposed Sign's structure will not incorporate unapproved electrical or operational elements that could create uncertainty or safety risks in the public realm.

Based on the Applicant's submissions regarding sightlines, the Proposed Sign should not create any hazards or interfere with the safe movement of traffic and pedestrians. As a result, 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

The rationale explicitly states that the Proposed Sign is not a prohibited sign under §694-15B of Chapter 694 (Attachment 2, pp. 27–28). Based on the descriptive material and drawings provided, the Proposed Sign is not proposed on a tree or fence, is not a roof sign, is not erected on a parked vehicle or trailer, and is not located on a bridge (Attachment 2, pp. 12, 27). The submission further confirms that the displays are electronic static copy only, with no animation, flashing, sound, odour, discharge, or interactive features (Attachment 2, pp. 12, 26–27, 36). The sign is also described as not interfering with fire exits, utilities, parking functionality, or required building features, with zoning confirmation provided through a Zoning Applicable Law Certificate (Attachment 2, pp. 27–28).

Staff reviewed the Applicant's submissions and found no indication that the Proposed Sign exhibits any attributes associated with sign types prohibited under §694-15B. Condition 4 requiring the structural independence of the Proposed Sign from any unapproved EV component ensures that, should any prohibited elements be present

within the EV structure, the Proposed Sign would be rendered prohibited and subject to enforcement action. Accordingly, the CBO is satisfied that, subject to Condition 4, 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 describes the Subject Premises and surrounding area as a predominantly commercial corridor within a CR Sign District, noting the absence of residential uses on site and emphasizing the commercial function of surrounding properties (Attachment 2, pp. 20, 26–29). The Applicant submits that the Proposed Sign is modest in scale (1.53 m² per face rather than a large-format billboard), comparable in size to transit shelter advertising present in the vicinity, and therefore consistent with the visual environment typical of the commercial corridor (Attachment 2, pp. 14–15, 17, 28).

In the submissions, the Applicant states that no digital third party signs are located within 500 metres of the Proposed Sign in compliance with the separation distance typically required between third-party electronic ground signs (Attachment 2, p. 27). It further notes that the Proposed Sign the placement, around 80 metres away from the main first-party pylon sign near the Kingston Road / Markham Road intersection, was selected to avoid sign clutter (Attachment 2, pp. 26, 29–33).

The Applicant submits that it is not uncommon for commercial properties, such as the Tim Horton's portion of property, to have frontages ranging from approximately 30 to 40 metres and to contain one first party sign. On the north side of Kingston Road there are three separate commercial properties with frontages ranging from approximately 30 to 60 metres, and the presence of one sign per property is not considered clutter under the Sign By-law. The greater separation distances proposed between the signs on the Subject Premises similarly should not result in visual clutter on such a wide site, with approximately 170 meters of frontage along Kingston Road. To further address potential clutter associated with simultaneous visibility of multiple sign faces, additional measures are proposed as condition of approval, including retention of mature trees, commitments to additional coniferous planting, and reduced illumination levels (Attachment 2, pp. 29–35).

Staff agree that, based on the details provided in the submissions and subject to Conditions 1 and 3 securing physical barriers, location and separation distances, maximum illumination levels, orientation and the scale of the Proposed Sign, the negative impacts of the Proposed Sign on the nearby residences should be minimal. As a result, the CBO is satisfied that this criterion has been met.

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

The Applicant submits that the Proposed Sign is modest in scale, comparable to digital transit-shelter displays, has been designed to be context-sensitive and integrated into a commercial environment (Attachment 2, pp. 20-25). It identifies measures intended to limit sign clutter, including retention of mature trees, additional coniferous landscaping, reduced scale and controlled illumination levels (Attachment 2, pp. 29–36). The submission demonstrates that the Proposed Sign would not negatively impact

surrounding uses due to its small display size, reduced illumination level, and orientation away from sensitive land uses (Attachment 2, pp. 24–26).

The Proposed Sign will comply with the provisions set out in the Sign By-law for third party electronic ground signs in terms of requirements for the use of renewable energy, message duration and transition, illumination and time-of-day regulations (Attachment 2, p. 36).

Condition 3 requires the planting of trees to mitigate cumulative visual effects associated with the Proposed Sign. Conditions 1, 2 and 4 ensure that the Proposed Sign will be constructed and operate within fully evaluated parameters, avoid unapproved structural or functional modifications, and maintain predictable and safe performance characteristics.

Based on the Applicant's submissions, and subject to all the noted conditions, the CBO is satisfied that the Proposed Sign will not be contrary to the public interest.

CONCLUSION

The Applicant's materials, supplemented by staff's research and investigation, have provided sufficient information for the CBO to establish that all eight criteria required to grant an approval for the requested variance, subject to four conditions, have been met.

As such, the CBO is supportive of the Sign Variance Committee granting the requested variance.

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SIGNATURE

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ATTACHMENTS

Attachment 1 – Description of Sign, Required Variance and Conditions
Attachment 2 – Applicant's Submission Package