

Application for Five Variances, Each Subject to Three Conditions, Respecting One Third Party Electronic Ground Sign - 825 Milner Avenue

Date: June 8, 2026

To: Sign Variance Committee

From: Project Director, Business Transformation, Toronto Building

Wards: Scarborough–Rouge Park (Ward 25)

SUMMARY

Pattison Outdoor Advertising (the "Applicant") has applied for five variances required to allow the Chief Building Official ("CBO") to issue a sign permit to erect and display a single-faced third party electronic ground sign, displaying electronic static copy (the "Proposed Sign"), on the premises municipally known as 825 Milner Avenue, in Ward 25 – Scarborough Rouge Park (the "Subject Premises").

The Proposed Sign would have a maximum height of 10.0 metres and would contain one rectangular sign face measuring 5.76 metres by 2.88 metres, with sign face area of 16.59 square metres. The Proposed Sign is described further in Attachment 1.

The Subject Premises is designated as Employment ("E") sign district, which allows for third party electronic ground signs. However, variances are necessary due to the Proposed Sign's location, its proximity to sensitive sign districts and its distance from an existing third party sign.

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 whether 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.

Following a review of the Applicant's submissions and additional City staff research, the CBO has determined that, in the opinion of the CBO, there is sufficient basis to conclude that the eight required criteria in §694-30A of the Sign By-law have been established with respect to the five variances, each subject to three conditions, 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 approve the requested variances to sections 694- 24.A (14), 694-25.C (2)(c), 694- 25.C(2)(e), 694-25.C(2)(f) and 694-25.C(2)(g)[1], each subject to three conditions, 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 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

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- 24.A (14)	A third party sign shall not be erected or displayed or caused to be erected or displayed in whole or in part within 400 metres of any limit of any portion of Highway 401 contained within the municipal boundaries of the City	The Proposed Sign would be located approximately 205 metres of the northern limit of Highway 401.
694-25.C (2)(c)	An E Sign District may contain an electronic ground sign provided the sign shall not be erected within 30.0 metres of the intersection of a major street with any other street	The Proposed Sign would be located 25.0 metres from the intersection of Milner Avenue and Morningside Avenue.

Section	Requirement	Requested Variance
694- 25.C(2)(e)	An E-Employment 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 approximately 56.0 metres from the of premises located in a CR Sign District.
694-25.C(2)(f)	An E-Employment sign district may contain a third party electronic ground sign, provided where a sign is located within 250 metres of an R, RA, CR, I, or OS sign district, the sign cannot face any premise in the R, RA, CR, I or OS sign district.	The Proposed Sign would be less than 250 metres of, and facing, premises within the CR Sign District 56 metres to the north, within the I Sign District 153 metres to the northwest and within the R Sign District 174 metres to the west.
694- 25.C(2)(g)[1]	An E-Employment Sign District may contain an electronic ground sign provided the sign be located a minimum of 500 metres from any other third party electronic sign located on the same street.	The Proposed Sign would be erected approximately 175 metres to the south of an existing third party electronic ground sign that is located at 1176 Morningside Avenue.

If the requested variances are granted, the Proposed Sign would be subject to the following conditions:

- 1) 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.
- 2) The existing trees and associated landscaping located along the north and east frontage of the Subject Premises shall be retained and maintained in healthy conditions to secure that screening provided in the year of 2026 between the Proposed Sign and the existing third party sign located to the north the Premises is not diminished.
- 3) The Proposed Sign shall operate with a reduced brightness of 150 NITS between sunset and sunrise.

Sign Attributes and Site Context

The Proposed Sign would be placed at the premises municipally known as 825 Milner Avenue, on the east frontage of the Subject Premises. It would consist of one rectangular sign face, oriented approximately north, to be viewed by vehicular traffic

traveling south on Morningside Avenue. The sign face would display electronic static copy, have a centre line not exceeding 5.76 metres (horizontal dimension), a bisecting line not exceeding 2.88 metres (vertical dimension), totalizing a sign face area of not more than 16.59 square metres. The Proposed Sign is described in Attachment 1.

Figure 1: Approximate Location of Proposed Sign (from Submissions)



The Subject Premises is designated as E sign district, where third party electronic ground signs of comparable size and height are usually permitted. It is also designated General Employment in the Toronto Official Plan, consistent with existing commercial and employment uses in the surrounding area and aligned with the sign district designation.

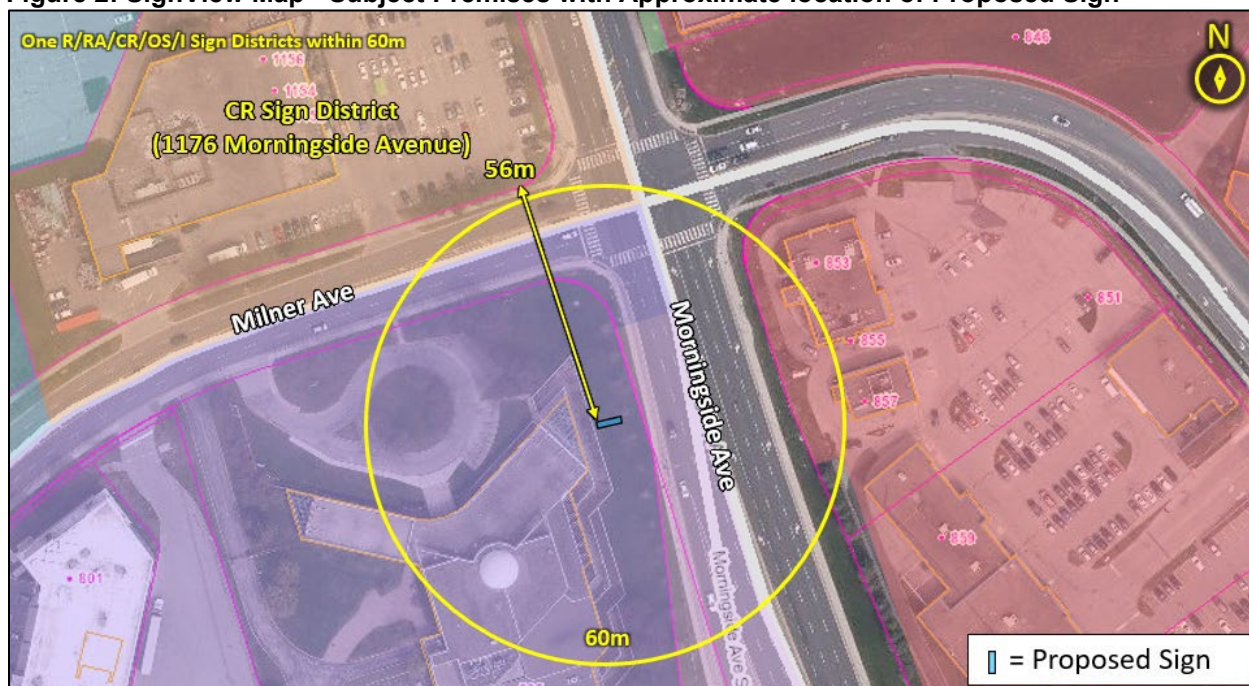
While third party electronic ground signs are typically permitted in E Sign Districts, the Proposed Sign would be located 205 metres from the limit of a portion of Highway 401, within an area governed by a site-specific area restriction prohibiting the erection of third party signs within 400 meters of this highway. A variance is being sought to allow the erection of the Proposed Sign within this restricted area.

The Proposed Sign would also be located approximately 25 metres from the intersection of Morningside Avenue and Milner Avenue. This does not meet the minimum separation distance of 30 metres prescribed under Chapter 694 for intersections involving major streets, triggering the second variance.

The proposal also does not comply with prescribed distances from sign districts deemed sensitive. The Proposed Sign would be located approximately 56 metres from a premises in the Commercial Residential ("CR") Sign District, whereas a minimum separation of 60 metres is required. Beyond this, the Proposed Sign would not conform with regulations intended to maintain compatibility with, and avoid impacts on, sensitive land uses. Specifically, §694-25C(2)(f) requires a minimum separation distance of 250 metres where sign faces are oriented toward lands within Residential ("R"), Residential Apartment ("RA"), CR, Institutional ("I"), or Open Space ("OS") Sign Districts. The Proposed Sign, facing premises within the above mentioned CR Sign District, would

also be facing premises within the R and I Sign Districts approximately 174 metres and 153 metres away, respectively.

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



An additional variance is necessary to allow the Proposed Sign to be placed approximately 175 metres to the south of an existing third party electronic ground sign (the "Existing Third Party Sign"), contrary to the 500-metre minimum separation required under Chapter 694 (see Figure 3).

Figure 3: Location of Proposed Sign in relation existing signs



Surrounding premises:

North: CR sign district, commercial uses including a grocery store, pharmacy, restaurants and retail with no residential dwellings.

South: E sign district, employment and office use, including the Subject Premises fronting Milner Avenue within a commercial/employment corridor, Highway 401 corridor
East: E sign district, office, industrial, and service-oriented uses
West: R and I sign districts, including residential neighbourhoods and an institutional use (church)

COMMENTS

Applicant Information

The Applicant has stated that they have been authorized by Tata Communications (Canada) Ltd. (the "Owner" of the Subject Premises) to apply for five variances required to allow for a permit to be issued for a third party electronic ground sign, with one 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 informed the public of a virtual Community Consultation, scheduled for the evening of May 21, 2026. At the date of this report, one request for further information about the application was received however no comments or concerns have been received from the public.

Applying 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 belongs to the third party sign class, as it is intended to advertise, promote, or direct attention to businesses, goods, services, matters, or activities that are neither available at nor related to the premises on which the sign is proposed. They have also indicated that the Subject Premises are designated within an E Sign District, where third party signs are permitted (Attachment 2, p. 17).

Accordingly, the CBO is satisfied that this criterion has been met.

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

The Applicant submits that the Proposed Sign is permitted within the E Sign District and aligns with the employment and commercial uses set out in the applicable zoning and Official Plan designations. They indicate that the existing uses on the Subject Premises and in the surrounding area are predominantly commercial and employment-oriented (Attachment 2, p. 19).

The Applicant has indicated that, although the property to the north is mapped as a CR Sign District, as well as Mixed Use in the Official Plan and zoned CR under the Zoning By-law, the specific zoning permissions applicable to the site significantly limit its development potential. In particular, the assigned residential (R) permission value of 0.0 precludes residential uses, restricting the property to commercial and employment-related activities (Attachment 2, p. 13). The Applicant also notes there are no existing sensitive residential uses on the property, nor is there any reasonable expectation of such uses in the future, unless the zoning framework is amended (Attachment 2, p. 14).

The submissions acknowledge sensitive land uses within 250 metres, but state that existing mature vegetation, intervening buildings, and site conditions limit visibility of the Proposed Sign from these areas (Attachment 2, p. 19).

The Applicant also notes that the presence of the Existing Third Party Sign reinforces that the Proposed Sign is consistent with the existing and planned development pattern and supports the appropriateness of such signage in the area (Attachment 2, p. 19).

Based on the Applicant's description of the surrounding context, which appears accurate and comprehensive, the CBO is satisfied that the Proposed Sign, subject to Condition #2 listed above, is consistent with the development of the Subject Premises and surrounding area, and therefore this criterion is established.

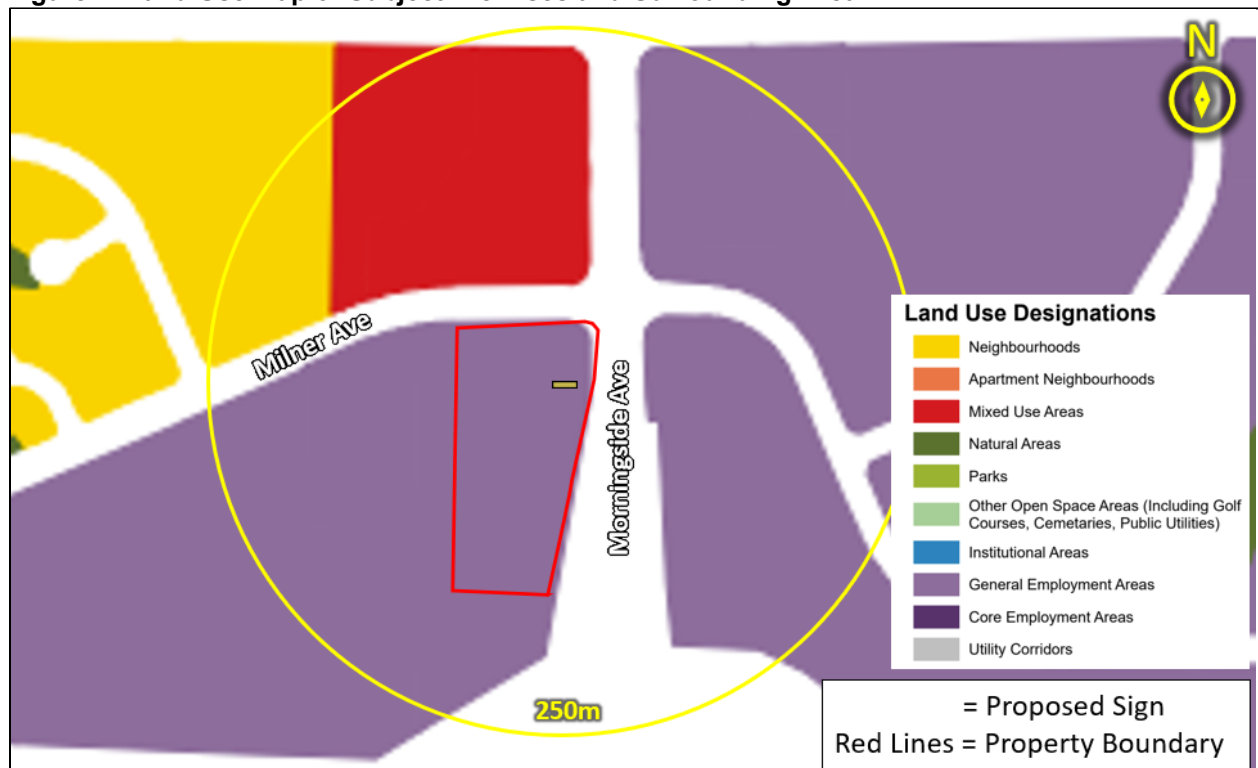
Section 694-30A(3): The Proposed Sign supports Official Plan objectives for the subject premises and surrounding area

The Applicant submits that the Subject Premises is designated General Employment, which are areas in the City intended to accommodate business activity, employment uses, and economic growth. They assert that the Proposed Sign enhances business visibility, communication, and wayfinding along a major arterial corridor, thereby contributing to the economic vitality and functionality of the area (Attachment 2, p.20).

The Applicant's Submissions also indicate that surrounding lands are predominantly designated General Employment or function in a strictly commercial manner (Attachment 2, p. 20). While the submissions recognize that the adjacent lands to the north are designated Mixed Use in the Official Plan, and zoned CR under the Zoning By-law, categories that would typically allow a mix of residential and non-residential uses, they assert that specific zoning provisions applicable to the site do not permit residential uses, limiting the site to commercial and employment-related activities (Attachment 2, p. 13).

Based on this context, the Applicant asserts that no sensitive residential uses currently exist nor would they be permitted on the adjacent property, unless amendments to the zoning regulations are approved by Council (Attachment 2, p. 14).

Figure 4: Land Use Map of Subject Premises and Surrounding Area



The Applicant further notes that nearby Neighbourhood designated areas are physically separated and due to the face orientation would not have visibility of the Proposed Sign (Attachment 2, p. 20). As such, the Applicant concludes that the Proposed Sign is consistent with Official Plan objectives by supporting commercial activity while maintaining appropriate separation and compatibility with non-employment uses (Attachment 2, p. 21).

Based on the Applicant's submissions, the Proposed Sign appears to align with the economic-activity functions of General Employment Areas without conflicting with planned land-use direction in either the Official Plan or the City's Zoning By-law. As such, the CBO is satisfied that this criterion has been established.

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

The Applicant submits that surrounding properties are predominantly commercial and employment in nature and are compatible with the sign's function. They note that nearby commercial lands do not contain residential uses and would not be negatively impacted. For more sensitive uses, including a church and residential areas, the applicant states that there will be no visibility of the sign due to distance, orientation, intervening buildings, and mature vegetation. (Attachment 2, p. 21)

Submissions confirm that the Proposed Sign would be illuminated (Attachment 2, p. 7). The Applicant provides a light impact assessment conducted by Media Resources Inc., and the findings show the Proposed Signs illumination, operating at 150 NITS is characterized as negligible, with light spill significantly below accepted thresholds (Attachment 2, pp. 31–36). This assessment is based on a brightness level that is approximately half of the maximum permitted under the Sign By-law. Accordingly, a condition 3 has been introduced, requiring that the Proposed Sign to operate at a reduced nighttime brightness of 150 nits, to secure the performance standard demonstrated in the submitted analysis.

Based on the Applicant's description of the context surrounding the Proposed Sign and the lack of relationship between the Proposed Sign and the sensitive lands, and subject to Condition 3, the CBO is satisfied that no adverse impacts should be minimal. As such, 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 acknowledges that the Proposed Sign is located approximately 25.0 metres from the intersection, below the minimum 30.0 metre requirement (Attachment 2, p. 20). The Applicant notes that the location of the nearest traffic control signal at approximately 29.0 metres and the southbound stop line at approximately 62.0 metres from the Proposed Sign, indicating that these distances demonstrate that the Proposed Sign is not closely aligned with active traffic control elements and is unlikely to interfere with driver recognition or decision-making (Attachment 2, pp. 20–21).

The sign faces away from Highway 401 and is not visible from the highway or its ramps, as confirmed by the Ministry of Transportation (MTO). As such, an MTO permit for the proposed sign would not be required. (Attachment 2, p.24) The applicant also highlighted that the land use of the Subject Premises and surrounding area is commercially oriented, and unlikely to change in the near term unless zoning amendments are made. (Attachment 2, pp. 23-23)

The City of Toronto's area restriction is intended to protect 400-series highway corridors by prohibiting or limiting third-party signage when they do not align with surrounding land use, to minimize driver distraction, and prevent the concentration of third party signs in high-visibility, safety-sensitive areas. Staff found the relationship between the proposed sign and the Highway to be minimal and agreed that the Proposed Sign reflects the existing conditions of a long-established commercial uses on the Subject Premises and surrounding area and do not anticipate any changes in land use or redevelopment in the foreseeable future.

The applicant also evaluated measured site distances and design features in relation to traffic safety considerations, concluding that although the proposed sign is located closer to the intersection than permitted, it remains sufficiently removed from key driver decision-making areas (Attachment 2, p. 12), does not interfere with visibility or traffic-control devices, and incorporates design elements that should minimize distraction, preserving the intent of the required intersection setback (Attachment 2, pp. 20–21).

Based on the Applicant's submissions regarding sightlines, setbacks, illumination and configuration, and subject to Condition # 1 listed above, the Proposed Sign should not create any hazards or interfere with the safe movement of traffic and pedestrians. Furthermore, the application was circulated internally to the City's Transportation Services Division and no concerns were raised. 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 Applicant states the Proposed Sign is a ground sign displaying third party electronic static copy, which is not a prohibited sign under the §694-15B of the Sign By-law. (Attachment 2, p. 22)

Staff reviewed the Applicant's drawings, specifications, and rationale and found no indication that the Proposed Sign exhibits any attributes associated with sign types prohibited under §694-15B. Based on the submissions, the CBO concludes that this criterion is satisfied.

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

A variance is required to permit the Proposed Sign to be located 175 metres from an existing third party electronic ground sign on the same street, below the 500-metre minimum required under Chapter 694. This requirement is intended to prevent multiple sign faces from being visible simultaneously, thereby limiting visual clutter and potential driver distraction.

The Applicant submits that, despite not meeting the required separation distance, the Proposed Sign will not result in visual conflict with the nearby third-party electronic ground sign, as intervening built form and mature street trees along Morningside Avenue fully obstruct views between the two signs. (Attachment 2, p. 22)

The Applicant further submits that the presence of the existing third party electronic ground sign demonstrates that electronic third-party signage is appropriate in the corridor and supports the conclusion that the Proposed Sign is consistent with the area's existing and evolving commercial character. (Attachment 2, p 18).

The Applicant further states that the area is predominantly defined by Employment zoning, E Sign District permissions, and General Employment Official Plan designations, where third party electronic ground signs are anticipated. They note that

nearby lands, including the CR Sign District to the north, function as a fully commercial area, reinforcing the existing non-residential character of the area. (Attachment 2, p. 22)

For nearby institutional and residential areas, the Applicant states that the sign will not be visible due to its north-facing orientation, intervening buildings, and mature vegetation. (Attachment 2, p. 22) They further indicate that any potential illumination would be well below the accepted negligible threshold. On this basis, the applicant concludes that the proposed sign will reinforce the existing employment and commercial character of the corridor rather than alter it.

Based on the context described by the Applicant and the demonstrated visual separations, as well as Conditions #2 and #3 listed above, the CBO is satisfied that this criterion has been established.

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

The Applicant states that the Proposed Sign will largely comply with the applicable performance standards, including permitted height, sign face area, number of faces, copy type, and required setbacks. The Applicant's submissions further indicate that the Proposed Sign will meet illumination limits, message duration and transition requirements, and will be subject to the mandatory five-year permit renewal cycle and renewable-energy power source commitments (Attachment 2, pp. 22-23)

The Applicant notes that the sign supports Official Plan objectives by enhancing business visibility and economic activity along a major arterial corridor, while avoiding impacts on sensitive land uses through lack of visibility and negligible illumination. (Attachment 2, p. 23)

Additionally, Condition 2 ensures that the existing tree cover and landscaping are preserved to maintain effective visual screening between the Proposed Sign and a nearby existing third party sign, thereby preventing increased visibility or cumulative visual impact over time.

Together, these measures contribute to the Proposed Sign not being contrary to the public interest by securing the characteristics that staff relied upon to assess safety, illumination, and visual impacts.

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

CONCLUSION

The Applicant's materials, supplemented by City Staff's research and investigation, have provided sufficient information for the CBO to conclude that all eight criteria required to grant an approval for the requested variances have been established.

As such, the CBO is supportive of the Sign Variance Committee granting the requested variances, subject to the noted conditions.

CONTACT

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SIGNATURE

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ATTACHMENTS

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