

Application for Two Variances, Each Subject to Five Conditions, Respecting One Third Party Electronic Ground Sign - 3474 Kingston Road

Date: September 3, 2026

To: Sign Variance Committee

From: Manager, City-Wide Priorities (A)

Wards: Scarborough Southwest (Ward 20)

SUMMARY

PATTINSON Outdoor Advertising LP (the "Applicant") has submitted a sign variance application for two variances required to allow the Chief Building Official (the "CBO") to issue a sign permit for one third party electronic ground sign with three sign faces, displaying both electronic static copy and static copy (the "Proposed Sign"), on the property municipally known as 3474 Kingston Road (the "Subject Premises"). Each of the proposed variances would be subject to five conditions.

The Proposed Sign would have a maximum height of 7.50 metres and would include one sign face displaying third party electronic static copy measuring 2.88 metres by 5.76 metres, with a sign face area of approximately 16.60 square metres, and two sign faces displaying first party static copy measuring 1.41 metres by 2.40 metres, with a sign face area of approximately 3.40 square metres. Further details of the Proposed Sign are provided in Attachment 1.

The Subject Premises is designated Commercial Residential ("CR") Sign District, which allows third party signs, however, does not expressly permit signs of electronic ground sign type. Accordingly, a variance is required to permit a sign type not permitted in the CR Sign District. A second variance is required to allow the Proposed Sign to be placed less than 100 metres of a third party electronic ground sign at 3493 Kingston Road.

The Sign By-law provides that a variance may only be granted where it has been established that the Proposed Sign satisfies all eight mandatory criteria set out in §694-30A. The Sign Variance Committee (the "SVC") is required to conduct an evaluation and determine whether the party seeking the variances has demonstrated that all of the required criteria have been met, based on the information presented by the parties.

Following a review of the Applicant's submissions and additional information provided by City staff, the CBO determined that there is not sufficient evidence to conclude that all the required criteria in §694-30A of the Sign By-law have been established with

respect to the two required variances, each subject to five conditions, as described further in Attachment 1.

RECOMMENDATIONS

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

1. The Sign Variance Committee refuse to grant the requested variances to section 694-22.D and 694-25.B(1), each subject to five 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

SB23.3 - Application for One Variance, Subject to Four Conditions, Respecting One Third Party Electronic Ground Sign - 3493 Kingston Road

(<https://secure.toronto.ca/council/agenda-item.do?item=2026.SB23.3>)

At its May 15, 2026 meeting, the Sign Variance Committee considered an application seeking one variance from the regulations contained in the Sign By-law 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, and made the decision to grant the requested variance, subject to four conditions.

ISSUE BACKGROUND

Required Variance and Conditions

Table 1: Summary of Requested Variances

Section	Requirement	Proposal
694-22.D	A third party sign shall not be erected within 100.0 metres of any other lawful third party sign whether or not erected.	The Proposed Sign would be placed approximately 65.0 metres east of a lawful third party sign at 3493 Kingston Road.
694-25.B(1)	A CR-Commercial Residential Sign District may contain a third party sign, provided 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 the requested variances are granted, the Proposed Sign will be subject to the following conditions:

- Condition 1: Any and all existing first party ground signs located on the Subject Premises shall be removed and all associated permits revoked, prior to the erection or display of the Proposed Sign;
- Condition 2: The Proposed Sign shall operate with a reduced brightness of 150 NITS between sunset and sunrise;
- Condition 3: Light shielding technology must be installed on the Proposed Sign, which shall prevent light projection on nearby residential properties to the satisfaction of the CBO;
- Condition 4: The display of sign copy within Sign Face A of the Proposed Sign as noted below in Condition 5 shall be synchronized with the display of sign copy within the third party electronic ground sign located at 3493 Kingston Road, so that both the Proposed Sign, and the third party electronic ground sign located at 3493 Kingston Road transition between sign copy simultaneously;
- Condition 5: The Proposed Sign shall conform to the specifications set out in the Proposed Sign Description in Attachment 1, 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.

Sign Attributes and Site Context

The Proposed Sign would consist of a combination of third party electronic static copy on one sign face, with a bisecting line not exceeding 2.88 metres and centre line not exceeding 5.76 metres, with a sign face area of 16.60 square metres; and first party static copy on two sign faces displayed in a back-to-back configuration, each with

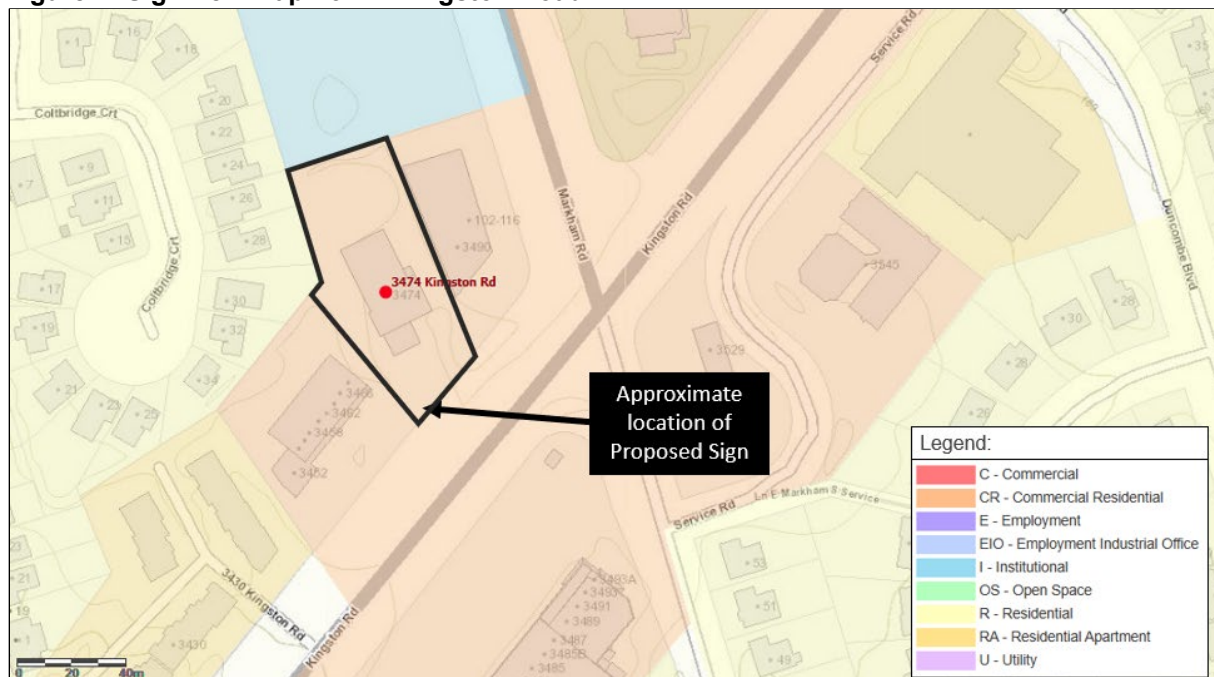
maximum dimensions of 1.41 metres for the bisecting line and 2.40 metres for the centre line, with a sign face area of 3.38 square metres.

Figure 1: Rendering of the Proposed Sign (from Submissions)



Staff have confirmed that the Subject Premises is currently designated as being a CR Sign District, located north of Kingston Road and west of Markham Road, in Ward 20 - Scarborough Southwest, see SignView Map in Figure 2.

Figure 2: SignView Map - 3474 Kingston Road



Surrounding premises:

North: I (Institutional) Sign District, place of worship, parking lot

East: CR Sign District, one-storey commercial building

South: CR Sign District, low-rise retail plaza

West: CR Sign District, two-storey commercial building

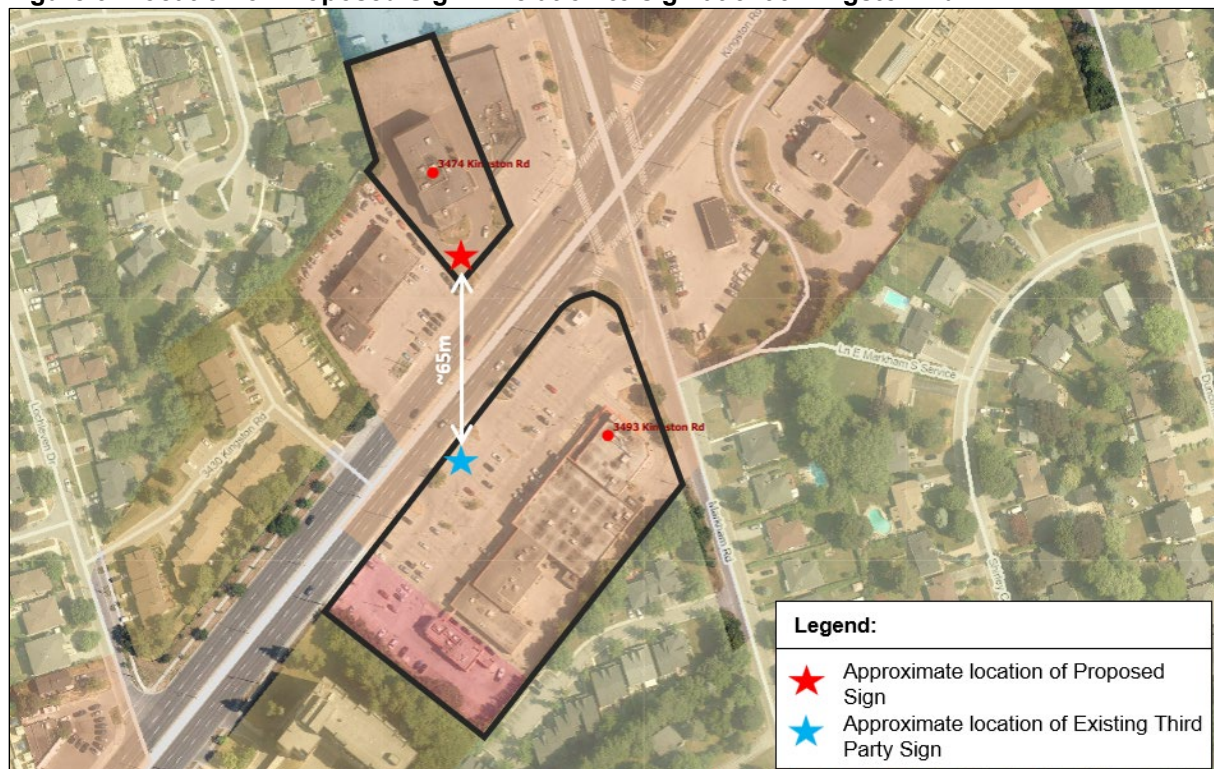
The Proposed Sign would be located on the south frontage of the property, perpendicular to Kingston Road. The Subject Premises contains a two-storey building used as a banquet hall. There is also one first party ground sign, containing two sign faces and displaying static copy (the "Existing First Party Sign"), which is proposed to be removed as a condition (Condition 1) should the variances be granted. As part of the proposal, a portion of the Proposed Sign would be made available to identify the business on the Subject Premises.

Staff notes that under the Sign By-law, permitted third party signs in CR Sign Districts are limited to wall signs and topiary wall signs. These signs are restricted to a single sign face, with a maximum area of 3.0 square metres and a maximum height of 3.0 metres. The intent of these regulations is to encourage pedestrian-oriented signage that contribute to the public realm and complements active ground-floor uses. The Proposed Sign would exceed the sign face area by more than six times and the height by more than 2.5 times of what is permitted for third party signage in CR Sign Districts.

Additionally, in sign districts where third party electronic ground signs are permitted, the Sign By-law requires that the sign shall not face any premises in the R, RA, CR, OS and I sign districts within 250 metres. The Proposed Sign, situated in a CR Sign District, would face R, RA and I Sign Districts located within this distance, raising concerns regarding compatibility with, and impacts on, nearby sensitive land uses.

The Proposed Sign would be located approximately 65 metres from an existing third party electronic ground sign at 3493 Kingston Road (the "Existing Third Party Sign"), whereas the Sign By-law requires a minimum separation distance of 100 metres between third party signs.

Figure 3: Location of Proposed Sign in relation to sign at 3493 Kingston Rd



The Applicant submits that the Subject Premises contains a commercial banquet hall and no residential uses. The surrounding area is described as a predominantly commercial corridor containing commercial plazas, service-commercial uses, and automotive-related businesses, with no active residential development applications within approximately 200 metres of the Proposed Sign (Attachment 2, pp. 4, 20-22, 28).

The Applicant submits that the Subject Premises and surrounding CR-zoned properties exhibit characteristics comparable to Employment Areas because the applicable zoning permits no residential uses and the corridor is characterized by surface parking areas, auto-oriented site layouts, and low-rise commercial buildings typical of arterial commercial corridors (Attachment 2, pp. 24, 27-28, 30-31). On this basis, the Applicant submits that a third party electronic ground sign comparable to signage permitted in Employment Sign Districts would be compatible with the area activities (Attachment 2, pp. 24, 26). They also submit that, while the Subject Premises and surrounding lands are designated Mixed Use Areas in the Official Plan, this segment of Kingston Road functions similarly to a commercial employment corridor (Attachment 2, pp. 20, 24-27).

Staff notes that the uses cited in the submission, such as restaurants, pharmacies, medical offices, grocery stores, and personal services constitute community-serving uses expected within CR sign districts and in Mixed Use Areas along Avenues, such as Kingston Road. Also relevant to note that the Subject Premises and surrounding lands are consistently designated and regulated under the Official Plan, Zoning By-law, and Sign By-law.

The Applicant contends that the scale and function of the Proposed Sign are consistent with nearby signage, referencing existing static copy first party signs of similar scale in the vicinity (Attachment 2, pp. 28-30). In the opinion of staff, these comparisons hold little relevance, as they reflect different regulatory frameworks for different sign types and sign classes. Submissions also indicate the Scarborough Village Community Centre first party sign as a nearby ground sign featuring an electronic display (Attachment 2, pp. 26-30, Figure 16). Staff notes that first party ground signs in CR Sign Districts may include electronically changeable readograph copy without being classified as electronic ground signs, whereas electronic ground signs, belonging to either first party or third party class, are not permitted in CR Sign Districts.

The Applicant also submits that there are five third party sign structures containing a total of twelve sign faces within approximately 1.5 kilometres of the Subject Premises, and identifies third party electronic ground signs located at 1260 Kennedy Road and 3639 Dufferin Street as comparable examples (Attachment 2, pp. 25, 34-35, Figure 17).

Staff investigation confirms that several of the signs identified by the Applicant, including the sign at 1260 Kennedy Road, predate the current Sign By-law. Staff further notes that the property at 3639 Dufferin Street is located within an Employment Sign District and therefore subject to distinct performance standards. While existing signage in an area can be used, to some extent, to assess the character of an area and the compatibility of a proposed sign, staff note that precedent is not a criterion listed in Section 694-30A for granting or refusing a variance. The character of an area and the compatibility of a new sign must be considered not only with respect to what was previously erected under different regulatory regimes, but also with respect to how a

proposed sign would relate to the area of in the context of the specific by-law requirements imposed under the current signage framework.

COMMENTS

Applicant Information

The Applicant has stated they have been authorized by 2647547 Ontario Inc. (the "Owner") to apply for two variances, subject to five conditions, required to allow for a permit to be issued for one third party electronic ground sign with three sign faces, displaying electronic static copy and static copy at the Subject Premises.

Community Consultation

Notice required by the Sign By-law was served 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 SVC consideration, in compliance with the Sign By-law requirements.

The CBO has adopted a practice of engaging in enhanced consultation process concerning variance applications for electronic signs. A virtual community consultation was offered on the evening of November 4, 2025, to provide further information on the proposal and gather feedback from area residents and other interested parties.

As of the date of this report, three written submissions were received expressing concerns about the proposal (Attachment 3), raising concerns regarding the size and illumination of the Proposed Sign, visual clutter, potential light pollution affecting nearby residential properties, potential traffic safety risks from glare and distraction, and compatibility with the surrounding residential character. These concerns relate to the listed criteria and formed part of the overall review. The written submissions also raised concerns regarding possible impacts on property values, which were not considered relevant to the mandatory criteria established by §694-30A of Chapter 694.

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

The Applicant submits that the Subject Premises is located within a CR Sign District (Attachment 2, pp. 17, 20). The Proposed Sign is described as a third party electronic ground sign, containing a combination of third party electronic static copy and first party static copy (Attachment 2, pp. 4, 17). The submissions note that signs belonging to the third party sign class are permitted in CR Sign Districts (Attachment 2, pp. 25, 42).

Based on the information provided, the CBO has concluded 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 submits that the Subject Premises and portions of Kingston Road function similarly to a commercial employment corridor Area due to the predominance of commercial and service-oriented uses, and because the zoning permits no residential uses (Attachment 2, p. 27). On this basis, the Applicant submits that a third party electronic ground sign comparable to signage permitted in Employment Sign Districts would be compatible with the area (Attachment 2, pp. 24, 26).

The Applicant's submission identifies sensitive uses within 250 metres, including lands in R and RA Sign Districts. To mitigate potential impacts, the Applicant proposes conditions (Conditions 2 and 3) requiring the Proposed Sign to operate at a reduced nighttime brightness and feature low-powered LED light-shielding technology (Attachment 2, pp. 20, 24, 32).

Staff acknowledges that the adjacent properties along Kingston Road are predominantly commercial in nature. However, as outlined elsewhere in this report, the existing pattern of development generally reflects the planned function and character of the area. While the proposed conditions may reduce impacts associated with the Proposed Sign on nearby residential properties, the information provided offers limited evidence demonstrating that a sign type that is not permitted within the CR Sign District, substantially exceeds the scale of third party signage contemplated for that district, and is proposed within an established mixed-use corridor adjacent to sensitive sign districts would be compatible with the existing development pattern and planning context of the Subject Premises and surrounding area.

Staff's concerns are reinforced by public feedback noting a general incompatibility of the Proposed Sign with the surrounding residential character (Attachment 3).

The CBO is not satisfied that sufficient information has been provided to establish that the Proposed Sign is compatible with the development of the Subject Premises and surrounding area. Therefore, of the opinion this criterion has not been established.

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

The Applicant identifies the Official Plan designation of the Subject Premises and surrounding lands as Mixed Use Areas (Attachment 2, pp. 26–27, Figure 13), however, characterizes the area as consistent with Employment Areas, citing features such as large setbacks, surface parking areas, multi-tenant plazas, auto-oriented uses, and the absence of residential or other sensitive uses on the property (Attachment 2, p. 24).

The submissions state that the Proposed Sign supports Official Plan objectives by reinforcing commercial visibility, supporting economic activity along a major arterial corridor, and aligning with the predominantly non-residential character of this portion of

Kingston Road (Attachment 2, pp. 26–28). The Applicant asserts that nearby lands with visibility of the Proposed Sign are also within Mixed Use Areas and that any impacts on nearby Neighbourhood-designated lands are mitigated by the conditions of approval proposed (Attachment 2, pp. 28–29).

Staff notes that the commercial uses identified in the area can also be intended for Mixed Use Areas. The City's policies 2.2.3.7, 4.5.2.a) and f) emphasize the importance of maintaining a balanced of high quality commercial, residential, institutional and open space uses that serve the local community, while fostering a safe, vibrant, and pedestrian-oriented public realm. Third party signage is a commercial activity that may provide advertising opportunities; however, no specific evidence is provided in the submissions demonstrating how the Proposed Sign would contribute to local community objectives beyond those already supported through permitted first party signage.

Policy 2.3.1.3 highlights that developments in Mixed Use areas that are adjacent or close to Neighbourhoods should be compatible with those Neighbourhoods. The Applicant asserts that any impacts on Neighbourhood-designated lands are mitigated by the conditions on reduced brightness and shielding technology. Beyond impact mitigation, no evidence was provided to demonstrate how the proposal would be compatible with the objectives associated with the nearby Neighbourhoods-designated lands.

As a result, staff finds that the submissions do not provide sufficient evidence to ensure that the Proposed Sign aligns with the broader objectives of the Official Plan for Mixed Use and Neighbourhood lands, and this criterion has not been met.

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

The Applicant identifies the presence of sensitive uses within 250 metres of the Proposed Sign, including lands within RA and R Sign Districts, and an I Sign District containing a parking lot and a place of worship (Attachment 2, pp. 22–24, 28–29). A detailed light impact study was provided by the Applicant, demonstrating that light levels received at nearby sensitive premises would be equivalent to, or less than a 60-watt incandescent bulb placed 200 metres away, which they indicate as virtually non-existent (Attachment 2, pp. 22–24). The submission further indicates that the Proposed Sign is not located adjacent to, nor directly visible from, the Institutional lands to the north due to existing built-form screening (Attachment 2, pp. 22, 29) and that the southwest sign face, facing RA properties contains non-illuminated first party static copy only (Attachment 2, pp. 4, 17, 22).

To further support the conclusion that adverse effects are negligible, the Applicant proposes as conditions mitigation measures limiting the brightness of the Proposed Sign to 150 NITS between sunset and sunrise, which is half of what would be permitted by the Sign By-law, and using low-powered LED light-shielding technology to reduce light spill (Attachment 2, pp. 22–29).

Staff agree that, based on the details provided in the submissions, and subject to Conditions 2, 3 and 5 concerning size, height, orientation, reduced brightness and

shielding technology, the illumination impacts of the Proposed Sign on the nearby sensitive land uses should be minimal. Therefore, in the CBO's view this criterion has been met.

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

The Sign By-law contains regulations intended to mitigate public safety impacts by ensuring that signs do not create visual or physical hazards. The Applicant states that the Proposed Sign would be located outside a visibility zone and positioned so as not to obstruct sightlines (Attachment 2, pp. 32, 48). They further submit that the Proposed Sign maintains a 3.0-metre setback from the street line and a 3.0-metre setback from the westerly property line, consistent with applicable by-law standards (Attachment 2, pp. 32, 48). According to the Applicant's submissions, the Proposed Sign would be located approximately 60 metres from the nearest intersection, exceeding the 30-metre requirement, and the electronic display would comply with Sign By-law requirements respecting message duration and transitions (Attachment 2, pp. 32-33, 48). They further indicate that the Proposed Sign will be professionally designed, engineered, and installed in accordance with applicable building requirements (Attachment 2, pp. 33, 49).

The submission supporting materials include a Traffic Safety Study evaluating the relationship between the Proposed Sign and the Existing Third Party Sign located on the opposite side of Kingston Road. This study acknowledges that the separation distance is less than that recommended by the Sign By-law and Transportation Association of Canada ("TAC") guidelines and assesses the potential for simultaneous driver exposure to both displays. It concludes that opportunities for cumulative distraction are limited due to the smaller size and lower mounting height of the existing display, its location across a divided roadway, its viewing angle, and frequent obstruction by opposing traffic. The Applicant also proposes as a condition of approval (Condition 4) to synchronize the transition of the display of the Proposed Sign and the Existing Third Party Sign to reduce repeated shifts in drivers' attention (Attachment 2, pp. 54-57).

While community feedback presented concerns about traffic safety related to the busy intersection, based on the information provided, including the conditions proposed regarding operational controls and supporting traffic analysis, staff has identified no reasonable basis for concern related to traffic or pedestrian safety arising from the Proposed Sign.

As such, the CBO is of the opinion that, subject to Condition 4, this criterion has been established.

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

The Applicant identifies the Proposed Sign as a double-sided ground sign featuring third party electronic static copy and first party static copy (Attachment 2, pp. 4, 17). The rationale explicitly states that the Proposed Sign is not a prohibited sign under §694-15B of the Sign By-law (Attachment 2, pp. 30, 49).

Staff reviewed the documents and drawings submitted and found no indication that the Proposed Sign meets the description of the signs which are specifically prohibited. As such, the CBO concludes 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 submits area's built form and land use patterns are comparable to those found in Employment Areas (Attachment 2, pp. 24, 27-30, 46-47). The Applicant also notes that the Proposed Sign's electronic display area is smaller than that permitted for comparable sign types in E Sign Districts and submits that the sign is appropriate within the commercial, vehicle-oriented context of Kingston Road (Attachment 2, pp. 24, 33). To address concerns regarding visual clutter and improve integration with the site, the Applicant proposes as a condition of approval the removal of the existing first party ground sign and the incorporation of first party copy into the Proposed Sign (Attachment 2, pp. 20, 30, 47). The Applicant also submitted a Traffic Safety Study, which concludes that site-specific conditions limit the potential for simultaneous visibility of the Proposed Sign and the Existing Third Party Sign, notwithstanding the reduced separation distance between the two signs (Attachment 2, p. 56).

During the public consultation process, comments were received expressing concerns regarding the compatibility of the Proposed Sign with the surrounding area and the increase in sign size. Community members noted that the area contains both commercial and residential uses and questioned whether the scale of the Proposed Sign would contribute positively to the neighbourhood context (Attachment 3).

Staff acknowledges the measures intended to reduce visual clutter and illumination impacts. However, limited information has been provided regarding how a third party electronic ground sign of this scale, which substantially exceeds the dimensions contemplated for third party signs in a CR Sign District, would be in keeping with the established mixed-use character of the Subject Premises and surrounding area.

As a result, it is the CBO's opinion that this criterion has not been established.

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

The Applicant asserts that the Proposed Sign is not contrary to the public interest by aligning with the intent of the Sign By-law and the commercial planning framework applicable to the Subject Premises and surrounding area (Attachment 2, pp. 31–32, 50–51). They state that the proposal would not contribute to undue sign clutter, noting the removal of an existing first party ground sign as a condition of approval and the absence of a high concentration of third party signage in the immediate vicinity (Attachment 2, pp. 20, 29, 31). The report further indicates that the Proposed Sign would not negatively impact nearby uses due to negligible light spill, controlled hours of operation, and reduced brightness levels (Attachment 2, pp. 22–24, 30–32). The submission notes the absence of active development applications and asserts that the proposed Sign would not hinder future development given the commercial zoning and residential development restrictions (Attachment 2, pp. 25–26, 31).

Staff notes that the Applicant's public interest rationale relies largely on the same considerations advanced under the compatibility and Official Plan criteria, including the characterization of the area as predominantly commercial and comparable to an Employment Area. As discussed above, the information provided offers limited explanation regarding how a third party electronic ground sign that is not permitted in a CR Sign District, and that substantially exceeds the dimensions contemplated for third party signage in that district, would support the broader public interest objectives applicable to the established surrounding Mixed Use and Neighbourhood Areas.

It is the CBO's opinion that insufficient information has been provided to establish that the Proposed Sign would not be contrary to the public interest, and this criterion has not been met.

CONCLUSION

The Applicant's materials, even supplemented by staff's research and investigation, have not provided sufficient information for the CBO to establish that all eight criteria required to grant an approval for the two requested variances, subject to five conditions, have been met.

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

CONTACT

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SIGNATURE

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ATTACHMENTS

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