

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 22, 2024**

Item 3, Report No. 20 of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 22, 2024.

#### **3. APPEAL TO SIGN VARIANCE APPLICATION SV 23-002**

The Committee of the Whole recommends:

1. That Sign Variance Application SV 23-002 be approved upon the following conditions above and beyond any other requirements by City departments:
  1. That a frame around the digital sign board, as per the example included and circulated as Communication C8., permanently displays the words "Welcome to Maple Heritage District";
  2. That intermittently throughout the day, but no less than 10% of the entire day, the sign will display historical images of Maple from files with City Archives, and the balance of the 20% of display time be allocated to general City use;
  3. That the back side of the digital sign be covered with some type of application, i.e.: film wrap with images of greenery/forest, to improve the look for the residents of Simcoe Street who face the back of the sign, and the image must be approved by staff and the local councillor; and
  4. That should the above 3 conditions not be achieved, then the sign request be refused;
2. That the report of the Deputy City Manager, Planning and Growth Management, dated May 14, 2024, be received;
3. That the comments of Jocelyn Wigley and Justin Dempsey, OUTEDGE Media Canada LP, Horner Avenue, Toronto, on behalf of the applicant, and Communication C7., presentation material, dated May 14, 2024, be received; and
4. That the comments of Ben Pucci, Director of Building Standards and Chief Building Official, on behalf of the City of Vaughan, be received.

#### **Recommendations**

1. THAT Council uphold Notice of Decision as informed by the recommendation of the Sign Variance Committee to REFUSE sign variance application SV 23-002.

## Committee of the Whole (2) Report

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**DATE:** Tuesday, May 14, 2024

**WARD(S):** 1

**TITLE:** APPEAL TO SIGN VARIANCE APPLICATION SV 23-002

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To present for Council to uphold Notice of Decision as informed by the recommendation of the Sign Variance Committee to REFUSE sign variance application SV 23-002.

**Report Highlights**

- Applicant is proposing a single sided digital billboard sign which is:
  - not located within the limits of Employment Areas,
  - not setback minimum 5.0 metres from all street lines,
  - located within 100 metres of a building containing Residential dwelling units,
  - located within 100 metres of lands Zoned Residential, and
  - located within 100 metres of the Maple Heritage Conservation District Plan Area shown on Schedule “D”.

**Recommendations**

1. THAT Council uphold Notice of Decision as informed by the recommendation of the Sign Variance Committee to REFUSE sign variance application SV 23-002.

**Background**

The applicant is requesting to install a one (1) single-sided digital billboard sign at 0 Station Street which is:

1. not located within the limits of Employment Areas,
2. not setback minimum 5.0 metres from all street lines,

3. located within 100 metres of a building containing Residential dwelling units,
4. located within 100 metres of lands Zoned Residential, and
5. located within 100 metres of the Maple Heritage Conservation District Plan Area shown on Schedule “D”.

The proposed billboard sign location is on the north side of Major Mackenzie Drive, west side of Metrolinx railway corridor and east side of Simcoe Street. The site is currently zoned Utility Zone (U).

According to Section 15.1 of Sign by-law 140-2018, as amended, billboard signs in Vacant Industrial and Commercial Zoned Lands and Utility Corridors shall:

- be located within the limits of the Employment Areas as shown in Schedule “E”;
- be set back a minimum of 5.0 metres from all street lines;
- not exceed a maximum sign area of 20 square metres for any single sign face;
- not exceed 8.0 metres in height measured from the finished grade level at the base of the supporting structure;
- be setback a minimum of 5.0 metres from any common lot boundary with an adjacent lot;
- not be located closer than 1.0 metre to any driveway;
- be setback a minimum of 600 metres from any other billboard sign located on the same side of the street;
- not be permitted within 100 metres from a building containing Residential dwelling units;
- not be permitted within 100 metres from lands Zoned Residential;
- not be located within, and be setback 100 metres from, Special Sign Districts as shown on Schedules “A”, “B”, “C” and “D”; and
- not be placed within 400 metres of any 400 series highway.

### **Previous Reports/Authority**

None

### **Analysis and Options**

The summary table below outlines the variances requested for Sign Variance Application SV 23-002.

<b>Summary Analysis of Variances Requested</b>				
<b>No.</b>	<b>Issue</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Variance</b>
1.	Location within Employment Areas per Schedule “E”	Within Employment Areas	Not within Employment Areas	640 m from nearest Employment Area to the north

2.	Minimum setback to a street line	5.0 m	3.0 m	Achieves 60% of the requirement
3.	Distance to Residential Dwelling Units	100 m	40 m	Achieves 40% of the requirement
4.	Distance to lands zoned Residential	100 m	1 m	Achieves 1% of the requirement
5.	Setback from Special Sign Districts	100 m	3 m	Achieves 3% of the requirement

The applicant appeared before the Sign Variance Committee on January 18, 2024. The Sign Variance Committee is comprised of staff from Building Standards, By-law & Compliance, Licensing & Permit Services, Cultural Heritage and Urban Design Sections of Development Planning. The Sign Variance Committee reviewed the application and recommended that Sign Variance Application SV 23-002 be REFUSED.

**Financial Impact**

None

**Broader Regional Impacts/Considerations**

Region of York Engineering approval is not required for the proposed sign.

**Conclusion**

The Sign Variance Committee and Director Building Standards do not support this application. The proposed variances are not considered minor variances.

Section 21.4 of the Sign By-law states that the Committee (i.e. the Sign Variance Committee) shall consider all applications respecting minor variances to the Sign By-law and make recommendations to the Director of Building Standards, or in his or her absence, the Director of By-law and Compliance, Licensing and Permit Services, on the disposition of the applications.

Section 21.5 states that the power and authority to grant or refuse a Sign variance application is hereby delegated to the Director of Building Standards, and in his or her absence, the Director of By-law and Compliance, Licensing and Permit Services.

If Council, however, finds merit in the application, a permit issued by the Building Standards Department is required.

**For more information**, please contact Jutta Court, Coordinator – Programs and Projects, ext. 8343.

### **Attachments**

1. Property and Proposed Billboard Sign Location Maps
2. Submission Site Plan
3. Sign Variance Application and Rationale
4. Sign Variance Committee Minutes
5. Notice of Decision
6. Sign Variance Appeal Letter

### **Prepared by**

Jutta Court, Coordinator – Programs and Projects, ext. 8343

Elvio Valente, Manager of Zoning Services and Zoning Administrator, ext. 8374

Ben Pucci, Director of Building Standards and Chief Building Official, ext. 8872

Property and Proposed Billboard Sign Location Maps

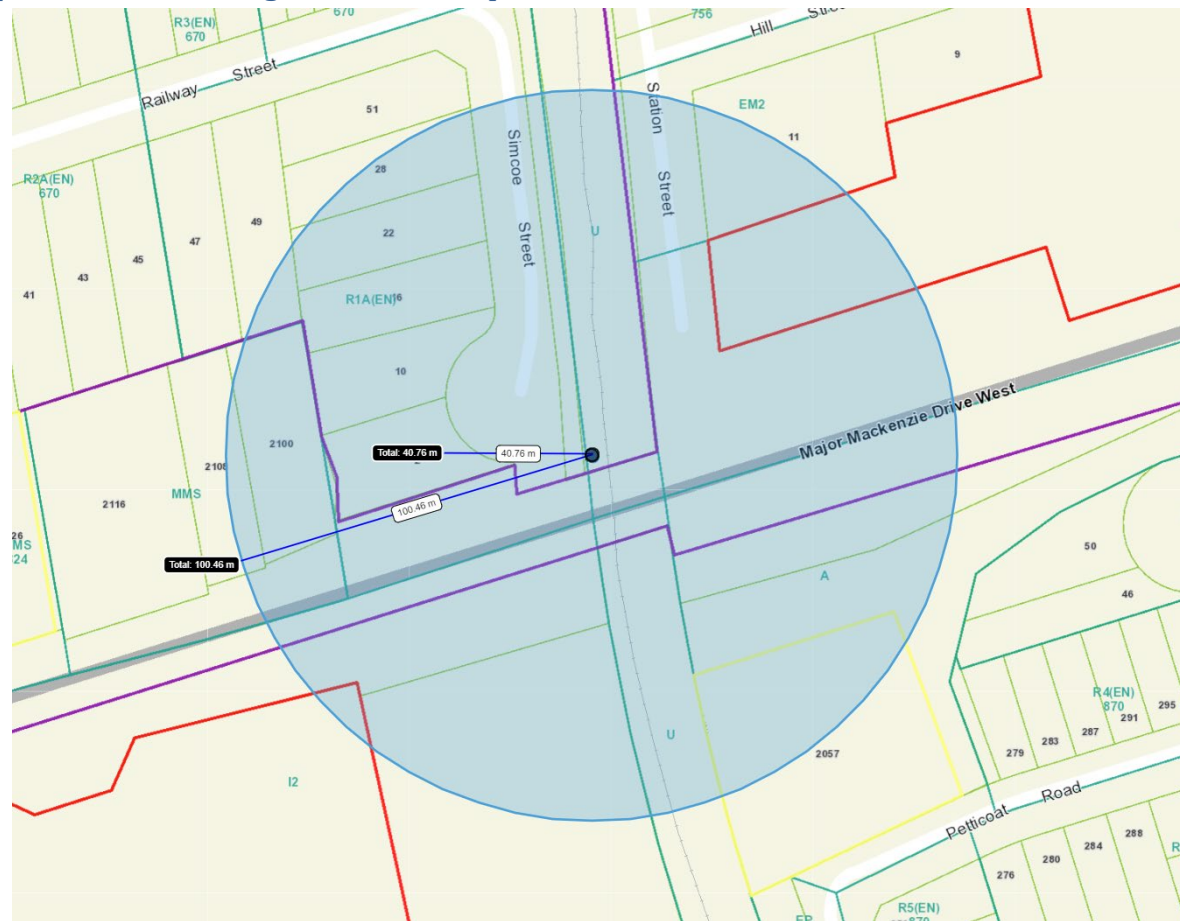


Figure 1 Base map from Vaughan Maps indicating location of proposed billboard sign..

Ten (10) residential properties and/or residential dwelling units affected within 100 m of proposed billboard sign location.

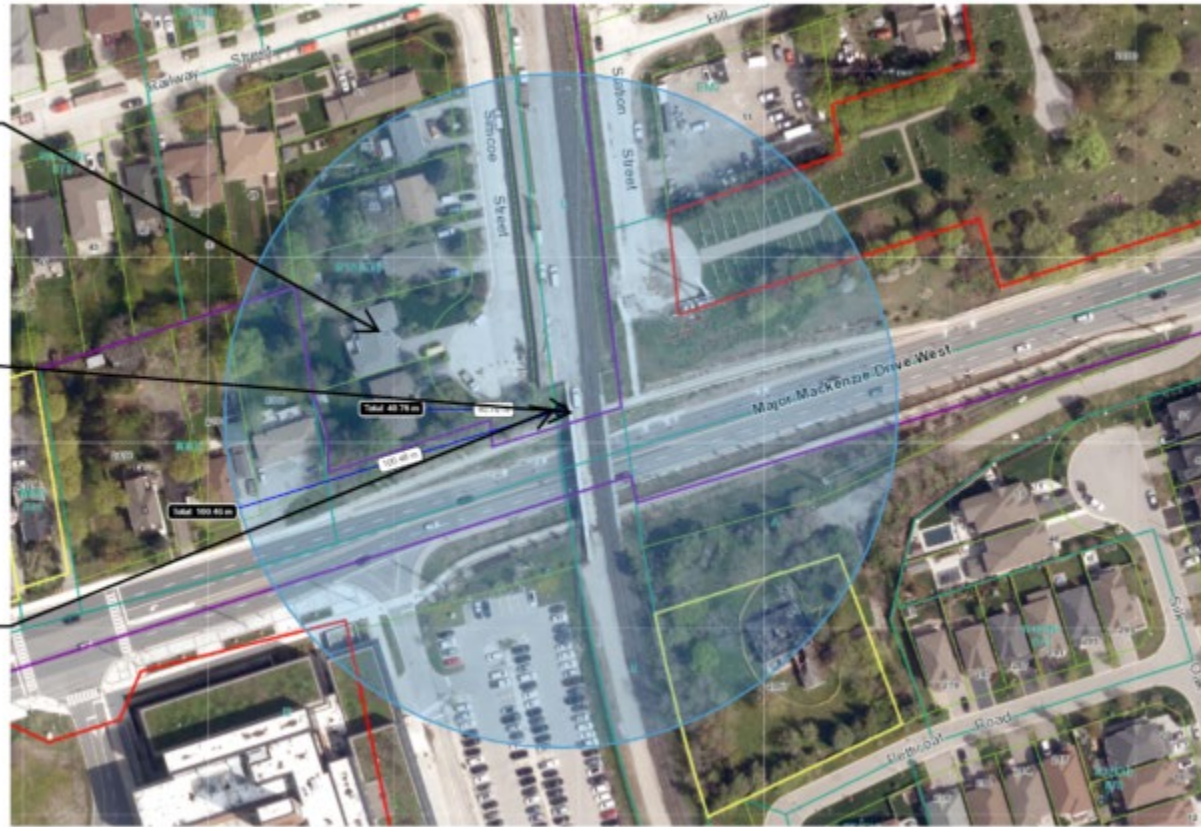
- Seven (7) properties zoned R1A(EN) – First Density Residential Zone
- Two (2) properties zoned MMS – Main Street Mixed-Use – Maple Zone
- One (1) property zoned A – Agriculture Zone



Proposed  
Billboard 40 m to  
nearest building  
containing  
residential  
dwelling units.

Proposed  
Billboard 1 m to  
lands Zoned  
Residential

Proposed  
Billboard 3 m to  
lands within  
Maple Heritage  
Conservation  
District Plan  
Area.



*Figure 2, Residential Properties within 100 m of Proposed Sign and Maple Heritage Conservation District.*



# ATTACHMENT 2

PLAN OF SURVEY OF  
**PART OF LOT 21  
 CONCESSION 3**  
 AND  
**PART OF SIMCOE STREET  
 REGISTERED PLAN 72**  
 GEOGRAPHIC TOWNSHIP OF VAUGHAN  
 NOW IN THE  
**CITY OF VAUGHAN**  
 REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 100

QUIDO PAPA SURVEYING  
 A DIVISION OF J.D. BARNES LIMITED  
 © COPYRIGHT 2023  
 METRIC DISTANCES/COORDINATES SHOWN ON THIS PLAN ARE IN METRES  
 AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**SURVEY REPORT**

DESCRIPTION  
 PART OF LOT 21, CONCESSION 3  
 PART OF SIMCOE STREET, REGISTERED PLAN 72  
 REGIONAL MUNICIPALITY OF YORK

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY  
 SUBJECT TO EASEMENT OVER PART 1, PLAN 65R-39420  
 SET OUT IN INSTRUMENT No. YR8621

ZONING COMPLIANCE  
 NO CONFLICTION WITH RESPECT TO MUNICIPAL ZONING  
 NO OBJECTION HAS BEEN MADE IN CONNECTION WITH REPORT.

ADDITIONAL REMARKS  
 - MONUMENTS SHOWN AS "M" ARE BENCH MONUMENTS AND  
 ARE NOT TO BE DISTURBED OR MOVED.  
 - PROPOSED SIGN LOCATION IS 1.24 METRES AWAY FROM THE  
 NEAREST INTERSECTION OF MAJOR MACKENZIE DRIVE WEST AND  
 ONTARIO STREET.  
 - THERE ARE NO OTHER STATIC BILLBOARDS WITHIN A 150 METRE  
 RADIAL DISTANCE FROM THE PROPOSED SIGN  
 LOCATION.

**NOTES**

THIS PLAN HAS BEEN PREPARED FOR "OUTRINT MEDIA" AND  
 QUIDO PAPA SURVEYING, A DIVISION OF J.D. BARNES LTD. IS NOT  
 LIABLE FOR USE OF THIS PLAN BY ANY PARTY OF PARTIES.  
 FOR FUTURE TRANSACTIONS OR FOR ANY UNRELATED PURPOSES.  
 THIS PLAN REFLECTS CONDITIONS AT THE TIME OF SURVEY. UPDATING  
 MAY BE REQUIRED TO ISSUE ADDITIONAL COPIES SUBSEQUENT  
 TO DATE OF THE SURVEYOR'S REPORT.

**GEODETIC**

ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM AND  
 ARE DERIVED FROM THE CITY OF VAUGHAN BENCHMARK NO. 26-4 HAVING  
 A PUBLISHED ELEVATION OF 243.106 METRES. (GVD28-78 ADJUSTMENT).

**NOTES**

BEARING ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS (SCPs)  
 SCP 105980123 AND SCP 105980092, UTM ZONE 17, NAD83 (CRS) (2010.0).  
 DISTANCES ARE SHOWN AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY  
 THE COMBINED SCALE FACTOR OF 0.999744.  
 FOR BEARING COMPARISONS, A ROTATION OF 0°12'35" COUNTER-CLOCKWISE WAS  
 APPLIED TO BEARINGS ON

**INTEGRATION DATA**

POINT ID	EASTING	NORTHING
SCP 105980123	619 638.07	4 856 915.88
SCP 105980092	620 068.69	4 856 409.75

COORDINATES CANNOT BE USED TO RE-ESTABLISH  
 CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

THE RESULTANT OF BETWEEN SCP 105980123 AND SCP 105980092 IS  
 644.69 M@123.00°.

**LEGEND**

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SB	DENOTES	STANDARD IRON BAR
SSB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
PB	DENOTES	PLASTIC BAR
CC	DENOTES	CONCRETE CURB
OC	DENOTES	OUT CROSS
CP	DENOTES	CONCRETE PIN
OU	DENOTES	ORIGIN UNKNOWN
WT	DENOTES	WITNESS
MU	DENOTES	MEASURED
Z22	DENOTES	SCHAEFFER OZALDO BENNETT LTD., O.L.S.
LOT	DENOTES	CALLON DEIT INC., O.L.S.
1443	DENOTES	B.S. SIMONS, O.L.S.
DMS	DENOTES	DEARDEN AND STANTON LTD., O.L.S.
MS	DENOTES	MARGARET MURPHY MONAGHAN LIMITED, O.L.S.
P1	DENOTES	PLAN 65R-39420
BS	DENOTES	BOTTOM OF SLOPE
CS	DENOTES	CENTRELINE OF TREES
CU	DENOTES	CENTRELINE OF DITCH
CO	DENOTES	CENTRE OF THE
DA	DENOTES	DAMNER
OC	DENOTES	OVERHEAD CABLES
PA	DENOTES	INTERLOCK PAVERS
MF	DENOTES	METAL FENCE
TS	DENOTES	TOP OF SLOPE
N.E.S.W	DENOTES	NORTH, EAST, SOUTH, WEST

**TOPO LEGEND**

▲	DENOTES	HYDRO POLE
BM	DENOTES	BENCH MARK
CB	DENOTES	CATCH BASIN
HP	DENOTES	MAN HOLE
LS	DENOTES	CATCH BASIN
MH	DENOTES	SHRUB
SHR	DENOTES	LIGHT STANDARD
TYP	DENOTES	TV PAD

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON FEBRUARY 28, 2023.

MARCH 7, 2023  
 DATE

*[Signature]*  
 ONTARIO LAND SURVEYOR

PLAN UPDATED MARCH 30, 2023 AS FOLLOWS  
 - SHOW PROPOSED LOCATION OF SIGN  
 - SHOW DISTANCES TO PROPERTY, STREET AND ZONING LIMITS.  
 - SHOW DISTANCE TO NEAREST INTERSECTION IN SURVEY REPORT.  
 - REPORT OF ANY STATIC BILLBOARDS WITHIN A 150 METRE  
 RADIOUS OF THE PROPOSED SIGN IN SURVEY REPORT.

PLAN UPDATED MARCH 31, 2023 AS FOLLOWS  
 - SHOW CITY OF VAUGHAN UTILITY ZONING LIMITS.

ASSOCIATION OF ONTARIO  
 LAND SURVEYORS  
 PLAN SUBMISSION FORM  
**V-46899**

QUIDO PAPA SURVEYING  
 A Division of J.D. Barnes Limited

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THIS PLAN IS NOT VALID UNLESS IT IS AN UNREVOKED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1022, SURVEYORS ACT, 1997.

DRAWN BY: MV CHECKED BY: VA REFERENCE NO.: 22-18-444-00







# APPLICATION FOR A SIGN VARIANCE

ATTACHMENT 3

The undersigned hereby applies to the Sign Variance Committee of the Corporation of the City of Vaughan under the Municipal Act for relief as described in this application from City of Vaughan Sign By-law 203-92 as amended.

APPLICATION NUMBER: SV- <u>002 SV</u>			Office Use Only	
PERMIT TYPE SV			APPLICATION DATE :	
AREA CODE		BUILDING TYPE Fixed Sign (500)	WORK TYPE Sign Variance Application (205)	
PERMIT PAYMENTS				
DATE:		PAYMENT TYPE: .1190	RECEIPT:	FEE PAID \$

Please type or print in block letters

<b>Property Location</b>				
Street No.		Street Name <u>0 Station Street</u>		Unit No.
<del>Major Mackenzie Drive 630 m W/O Peter Ave NS</del>				
Lot No. <u>Pt of Lot</u> 21	Block No.	Registered Plan/YCC No. <u>72</u>	Draft Plan No.	Concession No. 3

<b>Owner of Property</b>				
Last Name:		First Name		Name of Company or Partnership
				Metrolinx
Street No. 10	Street Name Bay Street		Apt./Unit	City/Town Toronto
		Province ON	Postal Code M5J 2W3	
Phone Nos. Bus 416-202-0848		E- Mail Address Andrea.Sayers@metrolinx.com		
		Fax		

<b>Applicant (Must be the Name of the Person submitting the Application.)</b>				
Last Name:		First Name		
Erskine		Michele		
Street No. 377	Street Name Horner Ave.		Apt./Unit	City/Town Toronto
		Province ON	Postal Code M8W 1Z6	
Phone Nos. Bus 416-521-6410		E- Mail Address jocelyn.wigley@outfront.com		
		Fax		

<b>Application Details</b>	
1) What is the purpose of the Application? To Permit the installation of <u>a single sided 8'x29' static electronic billboard</u> To Permit the maintenance of: _____	
2) Why is it not possible to comply with the Sign By-law? <u>The proposed sign does not meet the required 100 meter setback to residential zoning.</u> _____ _____	
3) Please attach necessary plans to indicate all existing signs for the property and new signs proposed by this Application.	

I, Michele Erskine (print name) \_\_\_\_\_ certify that

- The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
- I have authority to bind the corporation or partnership (if applicable).

April 6, 2023 Date  
[Signature] Signature of applicant

Personal information on this form is collected under the legal authority of the Municipal Act. This information will be used to process the Permit Application. As a public record, information contained on this application and the documents required to issue a sign permit may be disclosed to any individual under the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, c. M.56. Questions about this collection should be directed to the Building Standards Department at (905) 832-8510.

Date: October 5, 2020

March 31, 2023

Corporation of the City of Vaughan  
Sign Variance Committee

**Re: Third Party Advertising Sign Application, Major Mackenzie Drive 650m West of Peter Rupert on the Metrolinx Railway Utility Corridor**

OUTFRONT Media Canada (OFM) is applying for 3 variances to the Vaughan's Sign Variance Committee for the installation of an electronic LED third party sign located at on the Metrolinx Railway Corridor on Major Mackenzie Drive 650M W/O Peter Rupert Ave on the North side. The variances include:

*Variance 1: S15.1(a) Billboard sign shall be located within the Limited of the Employment Areas as Shown in Schedule E of the By-Law.*

*Variance 2: S15.1 (b) Billboard Sign shall be setback a minimum of 5 meters from all street lines; and*

*Variance 3: S15.1 (h) Billboard Sign shall not be permitted within 100 meters from the building containing residential dwelling units or land zoned residential.*

The proposed structure will be 8 meters in height and will contain 1 face measuring 2.23 meters vertically and 8.68 meters horizontally for a total sign face area of 19.35 square meters compatible with Vaughan's Sign By-Law. The display will face East and oriented perpendicular to Major Mackenzie Drive.

**Image #1: A Mockup of the Proposed Electronic Third-Party Sign Face**



As per Vaughan's Official Plan 3.7.2, one of the goals is to reduce carbon emissions, ensure clean air, pure water, healthy soil and support climate stability. The proposed sign is consistent with the Official Plan goal to reduce carbon dioxide emissions and encourage energy efficient development, reducing



demand for vehicle trips. Climate Change is one of the biggest challenges we face globally and as a city. Sustainability and promoting green initiatives is a goal that impacts everyone. The proposed sign itself supports the sustainability goals as the sign will be powered by renewable energy provided by Bullfrog Power. Using the local integrated energy solution company conserves energy, maximizes carbon reductions while providing high quality power coming from renewable sources.

Additionally, the proposed sign display reduces OFM's carbon footprint as there is no need to drive to the site. The sign is monitored and operated in house at OFM's office and there is no physical production of materials required to post on the sign, thus no waste produced to operate the sign on an ongoing basis.

Promoting Metrolinx on its property can increase the economic activity of the Crown Agency of the Government of Ontario and can continue to improve coordination and integration of transportation in the City of Vaughan. The proposed sign can help assist in strengthening the Railway corridor's operational maintenance needs and can encourage residents and visitors to take public transportation rather than personal vehicles. This ultimately results in decreased carbon emissions and improves air quality, leading to a greener City.

Additionally, the economic benefits of the proposed sign can result in further economic generation for the City of Vaughan. With advertising, many of the sales generated from these billboard signs in the City of Vaughan are largely sold to local businesses in the area, this creates competitive and functional commercial areas that will increase fiscal activity. Advertisements sold to larger businesses such as McDonalds and Tim Hortons will also increase economic activity as many have franchises in Vaughan which would generate more sales to those franchisee owners. Ultimately, the sign supports the objective to promote economic growth and long-term health of industrial, manufacturing and warehousing sectors by advertising those goods and services to residents and visitors in the area.

### **The Proposed Sign Is Compatible with Zoning Where The Premises Is Located:**

As per the Sign By-law Section 15 confirms that billboards are permitted on Utility corridors.

The proposed sign face area is less than the 20 square meter surface area allowance required under the City Sign By-Law. The structure in its entirety will contain one face compatible with the City Sign By-Law. As such, the proposed size type and format is appropriate for the sign district where the premise is situated.

### **The Proposed Sign Structure Will Not Encumber The Public Right Of Way**

The proposed sign structure will be setback from the street by 3 meters rather than the 5 meters required by the Sign By-law. The reasoning behind the deficiency is due to the visibility of the sign from the roadway and its presences amongst heavy vegetation. If the sign is setback an additional 2 meters the visibility of the display will be obstructed by trees and will not be properly viewed for the intended traffic heading west along Major Mackenzie Drive. It is OFM's belief that having a deficiency of 2 meters

from the Roadway will not encumber the Public Right-of-Way and the height of 8 meters compatible with the Sign By-law will ensure that public access is impeded for safety purposes.

## **The Proposed Face's Illumination Will Not Negatively Impact The Residential Zone adjacent to The Proposed Sign:**

It is OFM's belief that the application will require 1 variance under Section 15.1(h) in which the proposed electronic billboard is within 100 meters of a residential zone. The distance from the proposed sign to the edge of the residential zone on the North side of Major Mackenzie is approximately 1 meter resulting in a deficiency of 99 meters. However, the closest dwelling in the residential zone is 48 meters away.

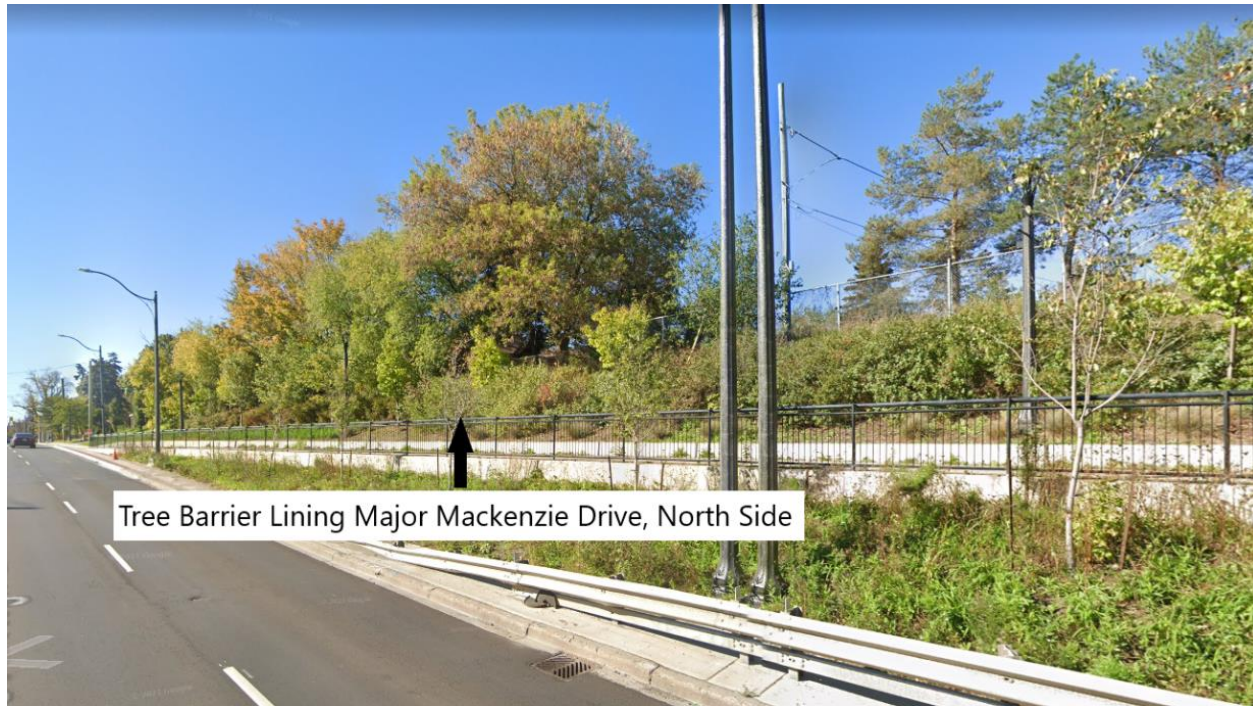
The sign's display face will be oriented East, the opposite direction of the residential zoning and consequently, the sign will not face into any residences. Not only will the display face not be able to be seen from the residences to the West, but the residential zoning is surrounded by heavy vegetation serving as a natural barrier that would block the physical structure. Image #2, 3 and 4 visually demonstrates the natural barrier the vegetation and trees act as outlined in the red rectangles. The sign is intended for traffic heading West along Major Mackenzie Drive and OFM has carefully chosen the direction to ensure there is no negative impact on the residential dwellings.

**Image #2:** A Picture of the edge of the Residential Zone Lined with Trees, Aerial View

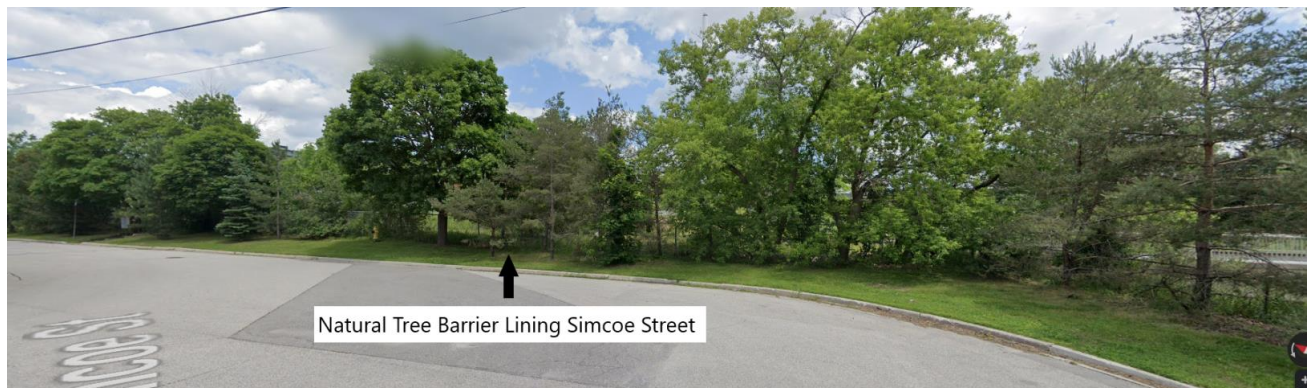




**Image #3:** A Picture of the Tree Barrier Lining Major Mackenzie Drive, Street View

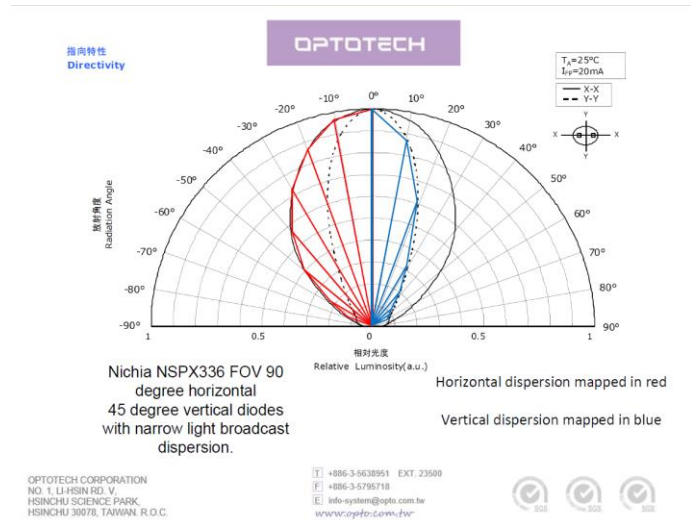


**Image #4:** A Picture of the Tree Barrier from Simcoe Street, adjacent to the Proposed Billboard, Street View



In addition to the heavy vegetation barrier outlined above, for your review, OFM has included diagrams, directly from our electronic sign manufacturer Optotech, which illustrates how light is horizontally dispersed from the proposed digital face to be installed. The perimeter of the red polygon shapes that are shown in the diagrams below, demonstrate that the distance of light dispersed decreases dramatically when measuring light distance travelled laterally (when looked at from the side edges of the digital face, examples: 30 degrees, 60 degrees, 90 degrees) compared to light distance travelled measured when looking at the display face dead-on (0 degrees). Light is not dispersed equally in a perfect radial circle, rather, the cone of light emitted looks more like an oval shaped tear drop – it is directional (reference Image #5).

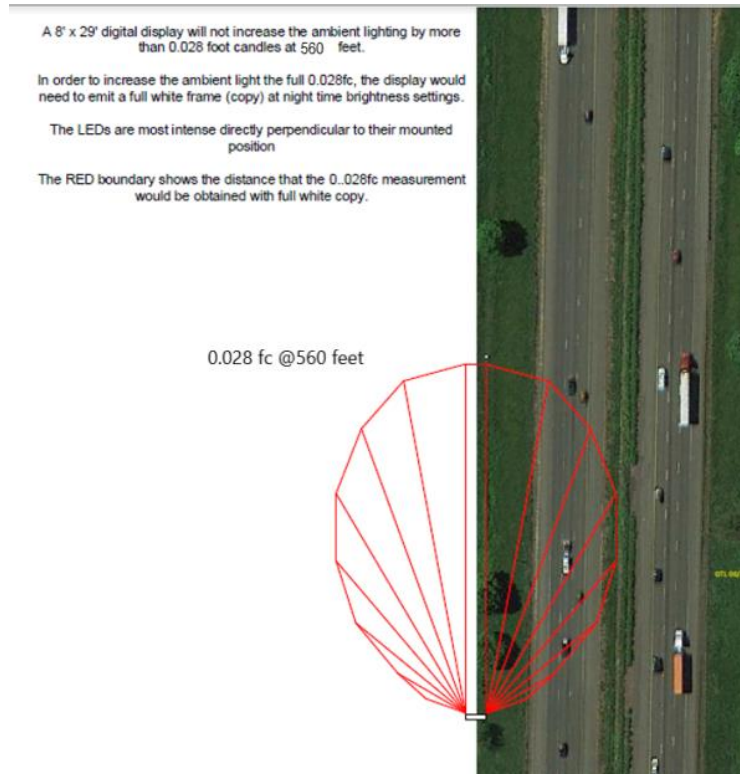
**Image #5:** The Red Polygon Represents How The Horizontal Dispersion Of Light Is Emitted From One Of Digital Sign Displays. The Dispersion Of Light Is “Directional”. It Is Not Emitted Equally In A Perfect Radial Circle Around The Board.



Our goal with this project, is to ensure and communicate that no portion of the residential zone to the Northwest is impacted by the light dispersed from the proposed electronic face. It is a common understanding that when the intensity of light emitted from a source reaches a measurement of 0.028 Foot Candles (or 0.3 Lux), that said light level equates to that emitted from a full moon, setting a threshold of when emitted light becomes negligible. If OFM were to operate the proposed display face at a light level of no more than 300 nits at night (in accordance with the Sign By-Law), the perimeter of dispersed light, where the intensity would equate to 0.28 Foot Candles (negligible levels), would look like what is shown in Image #13 below. When looking at the sign directly perpendicular to the additional face (0 degrees), the light would travel a distance of 560 ft before dissipating to a 0.028fc level of intensity.



**Image #6:** *The Red Polygon Represents The Perimeter/Distance At Which Emitted Light Would Become Negligible, When The Digital Billboard Is Operated At An Intensity Of 300 Nits.*

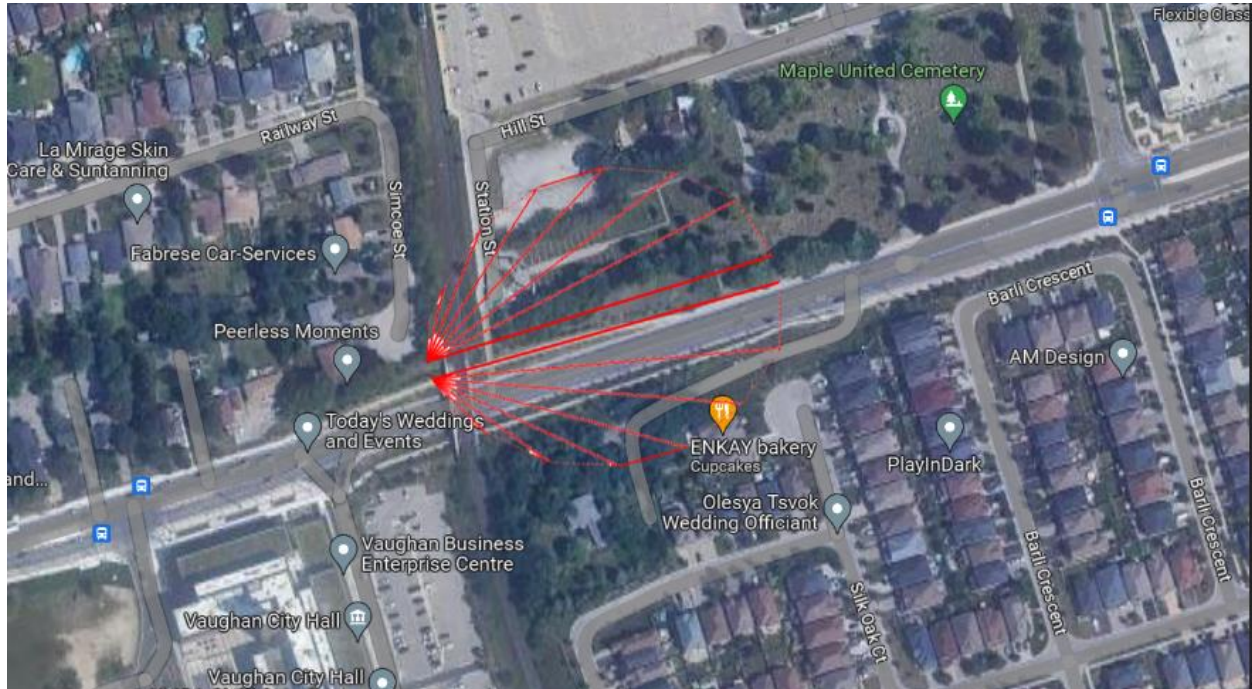


When we overlay this directly on to satellite imagery of the Major Mackenzie Railway Corridor location, illustrating the orientation/angling of our proposed face, we can observe that the longest distance of light travelled while operating at 300 nits will not breach the Residential Zone to the West or East of the proposed sign.

The dense tree line on Major Mackenzie Drive coupled with the light shed diagram confirms that the electronic static billboard will have no negative impact on any residential zone in the immediate area as light shed will not reach any residential dwellings.

In addition, the sign will be shut-off in compliance with the Sign By-Law, between the hours of 9pm and 7am to ensure there are no light emission issues during evening hours. We are also offering to significantly reduce the level of illumination emitted from the proposed Sign to at an illumination level of 150 nits between sunset and sunrise hours, which is 50% of what is allowable under the Sign By-Law. Again, this will ensure there are no risks of negative effects to neighboring properties.

**Image #7:** The Red Polygon, Representing The Horizontal Dispersion Of Light, Over Laid On Top Of the Major Mackenzie Railway Corridor Location. And Adjacent Properties, Illustrating That Light Shed Emitted From The Proposed Digital Billboard Will not Impact any Residential Dwelling in the Immediate Area.



### **The Proposed Sign is not Within the Employment Areas**

Although the proposed sign is not within the green indicated as Employment Areas in Schedule E of the Sign By-Law, we seek a variance.

The portion of Metrolinx land cannot be utilized for any other commercial use or contain a larger development due to the size of the land and space while adhering to the safety setback from the electrified track. Allowing the variance will allow condensed growth to take place on under-utilized and unfunctional land adjacent to railway corridors.

Furthermore, this particular corridor of Major Mackenzie contains a variety of mixed-use premises, where many commercial elements front directly onto the street. Both office space and retail business have been present and in operation here for many years, establishing a commercial/employment utility to the local area (i.e. City Hall Offices, Walmart, Marshall's, Lowe's, etc.)

### **The Proposed Sign Will Not Adversely Affect Public Safety:**

We also confirm that the proposed digital billboard will meet all the requirements laid out in section 14(l) of By-Law 2010-694 with respect to operating standards (i.e no animation, audio, flashing effects, odors, 10 second minimum dwell times, etc.).

### **Not Contrary To Public Interest:**

The proposed sign will not have any negative social impacts. The third-party advertisements published on the proposed Sign will abide by the Canadian Code of Advertising Standards (<https://adstandards.ca/code/the-code-online/>). This will help to ensure that all messaging is appropriate and that the general public is not exposed to any offensive, explicit, or indecent forms of advertising.

Furthermore, the electricity required to operate the proposed sign shall be provided by and in conjunction with a distributor recognized and licensed by the Ontario Energy Boards and shall be governed by an agreement to purchase renewable energy (Distributor: Bullfrog Power). A copy of said renewable energy agreement for the proposed site is enclosed with OUTFRONT Media's application.

Regarding illumination, the proposed sign will only be operated between the hours of 7am and 11pm. The illumination of the proposed face shall not exceed illumination levels of 150 nits (whereas the By-Law allows for the maximum illumination of 300 nits) during the period between sunset and sunrise. In addition, the sign faces themselves are also monitored by camera 24 hours per day to ensure that in the case of display malfunction, any problems are recognized and repaired in short order.

We thank you for taking the time to evaluate our application and we would encourage you to contact us for further discussion should you have any questions regarding our variance application.



**Jocelyn Wigley**

Real Estate Manager

Email: [Jocelyn.Wigley@Outfront.com](mailto:Jocelyn.Wigley@Outfront.com)

Phone: 416-521-6410

Fax: 416-255-2063



**APPLICATIONS FOR CONSIDERATION**

**4.1 SUBJECT: NOTICE OF SIGN VARIANCE APPLICATION**  
**FILE NO: SV 23-002**  
**APPLICANT: Michele Erskine**  
**OWNER: Metrolink**  
**SIGN TYPE: Billboard Sign**  
**LOCATION: 0 Station Street**  
**CONC 3 Part of Lot 21**

**Description of Variance Requested:**

Applicant is proposing a single sided Billboard sign at 0 Station Street (Maple Go Station)

**Sign By-Law 140-2018 Requirements:**

**SECTION 2.0 DEFINITIONS**

“Billboard Sign” means a Third-Party Sign that displays advertising with images, copy those changes mechanically and/or displays information or images on a digital or electronic screen, but not include a Ground Sign as defined by this by-law.

**SECTION 15 – BILLBOARDS**

15.2 Developed industrial and commercial zoned lands “

i) Not be permitted on a lot that abuts a Residential Zone and not be located within 100 meters from a building containing Residential units or lands Zoned Residential.

**Variance Analysis:**

1. Variance to permit the proposed billboard sign to be erected on land not within the Employment Area per Schedule “E”.
2. Variance to permit billboard sign to be located within 5 meters from street lines. Proposed billboard sign is located 3 meters from a street line.
3. Variance to permit billboard to be located within 100 meters from residential zone. Proposed billboard sign is located approximately 1 meter from lands zoned Residential.
4. Variance to permit billboard sign to be located with 100 meters from a building containing Residential dwelling units. Proposed billboard sign is located approximately 86 metres from a residential dwelling unit.
5. Variance to permit billboards sign not setback 100 meters from Special Sign District as shown on Schedule “D”. Proposed billboard sign is located approximately 3 metres from Special Sign District as shown on Schedule “D”.

The applicant provided a presentation of the application.

MOVED by Nick Borcescu  
seconded by Ester Tadrous

**CARRIED**

That the Sign Variance Application SV 23 002 be **REFUSED**.



## ATTACHMENT 5

February 1, 2024

Andrea Sayers  
Metrolinx  
10 Bay Street  
Toronto, Ontario  
M5J 2W3  
Andrea.Sayers@metrolinx.com

### **NOTICE OF DECISION**

Re: Sign Variance Application 23 SV 002  
Owner: Metrolinx  
Location: 0 Station Street  
Part of Lot 21, Concession 3  
Ward 1

Dear Sir/Ms.

We have completed the review of your application for sign variance.

Request for minor variances are reviewed based on the merit of the application, and informed by the recommendations of the sign variance committee. Accordingly, we wish to advise you that your application has been **REFUSED**.

Furthermore, By-law 136-2017 provides that:

*“where an applicant wishes to appeal the refusal to their application, the applicant shall deliver a notice of appeal in writing to the City Clerk’s Department within 7 days of being served with the decision. Council shall review the appeal and make a final determination to uphold or vary the decision.”*

Therefore, a notice of appeal may be filed within the prescribed timeline to City Clerk’s Department. Please quote the sign variance application number in your notice of appeal.

Sincerely,

A handwritten signature in black ink, appearing to read 'BP'.

Ben Pucci, P.Eng.,  
Director of Building Standards Department, Chief Building Official

cc: Michele Erskine  
Jocelyn Wigley <jocelyn.wigley@outfront.com>



February 8<sup>th</sup>, 2024

## ATTACHMENT 6

Office of the City Clerk  
Vaughan City Hall  
2141 Major Mackenzie Dr.  
Vaughan, ON L6A 1T1

### **Re: Request To Appeal Sign Variance Application 23 SV002**

I am writing on behalf of OUTFRONT Media to formally appeal the January 18, 2024 Sign Variance Committee decision to refuse Sign Variance Application 23 SV 002, and kindly request for the Committee of the Whole to reconsider our application.

This application proposed the installation of a single sided, third-party electronic billboard adjacent to the Metrolinx Railway overpass at O Station Street. The display faces westward and is intended to reach only vehicular traffic travelling along Major Mackenzie Drive. Both its height, size and manner of operation complies with the City of Vaughan Sign By-Law.

The application's refusal was unexpected, given our thorough compliance with regulatory standards and our commitment to public benefit. The proposed sign structure is to be located on a Metrolinx property and operate via a partnership between Metrolinx and OUTFRONT Media. -Third party advertising will serve a revenue source for Metrolinx, directly supporting the enhancement of local transportation infrastructure. Moreover, Metrolinx will also have access to a portion of dedicated display time, which can be used to promote vital community messages.

In an effort to further support the community, Outfront Media has also offered the City of Vaughan an average of 20% of total sign display time for its exclusive use to promote various events, policies and programs at the City.

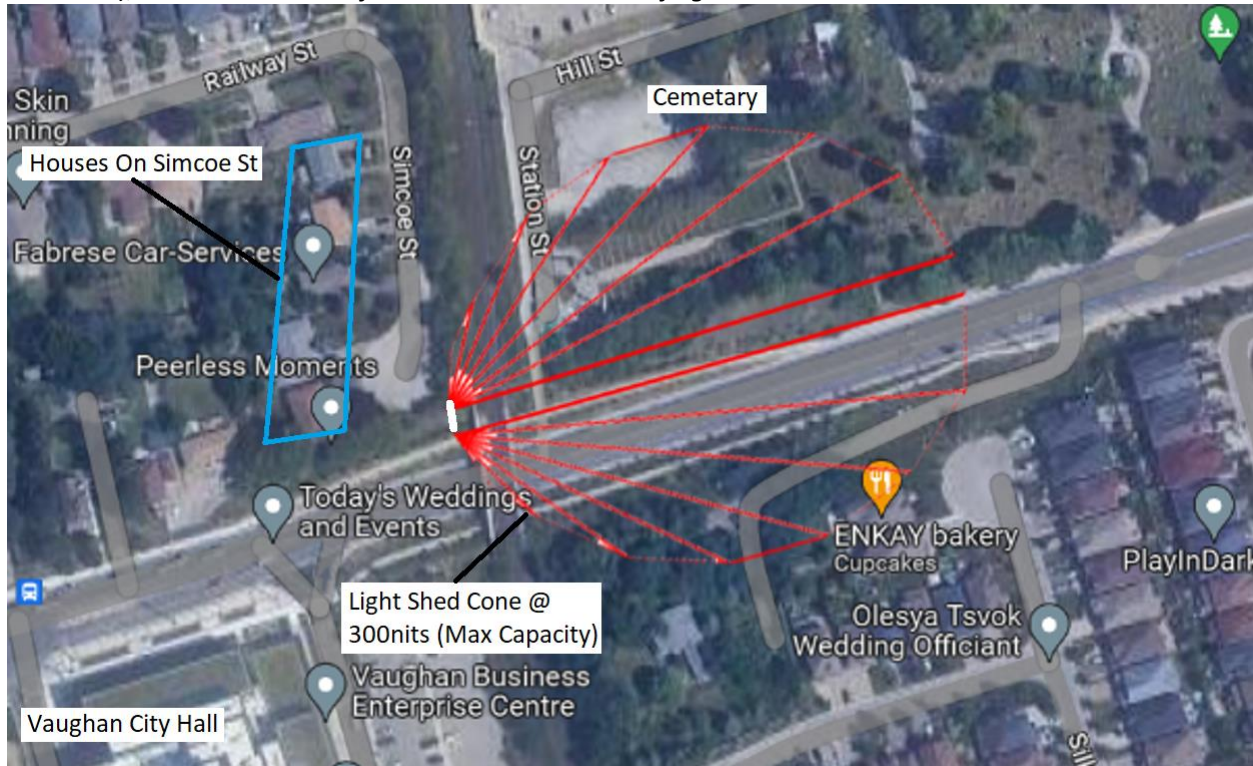
Within the Consolidated Comments for SV 23-002 Report from staff and during the Sign Variance Committee Meeting held on January 18<sup>th</sup>, 2024, there were a number of items noted, leading to the application refusal, which we would appreciate having the Committee of the Whole further deliberate.

#### **1) Variances for sign to be located with 100m from a residential zone and 100m from a building containing a residential dwelling.**

- In line with the by-law's intention, our design ensures no light trespass into residential areas. The billboard, facing eastward, only emits light directionally, so light would not impact the residential zone to the west.
- OUTFRONT will only be operating the sign between the hours of 7am and 9pm, complying with Sign By-law requirements, and minimizing any potential disturbance to area residents during nighttime hours.
- The proposed level of illumination was deliberately reduced to 150 nits, which is 50% of the maximum allowed under the Sign By-Law, substantially reducing the field of light emitted.
- OUTFRONT provided a detailed light shed study and diagram demonstrating the emitted cone of light, confirming no light encroachment into residential properties.
- OUTFRONT does not intend to remove any trees during sign installation. The heavy line of trees on City right-of-way flanking the Major Mackenzie corridor that provides a natural barrier to

light, ensuring a majority of the emitted light is maintained only within the Major Mackenzie roadway corridor. It should be noted, we do not rely on local vegetation to keep light trespass away from residential dwellings – but it is an added layer of protection.

**Image 1:** Photo showing light shed, directed Eastward, from single sign at Maximum allowable illumination of 300nits. Demonstrates light shed does not enter any residential dwelling in local vicinity. This application imposes an extra condition to further reduce light emitted to 150 nits (50% reduction), which would even further reduce the cone of light shed shown below.



## 2) Variance Regarding Setback Of Sign To Property Line and Comments Regarding Positioning:

- The proposed 3-meter setback from the street line, as opposed to the standard 5 meters, is due to the presence of existing tree foliage on the city right-of-way East of the sign, which would otherwise obstruct the sign's visibility. This decision was made with the commitment to preserve the existing natural landscape.
- OUTFRONT can confirm that the 3-meter setback does not block access to the adjacent sidewalk.
- The sign's elevated placement and location still allows adequate clearance for pedestrians and any city service operations, like sidewalk ploughs.
- OUTFRONT is aware of a planned pedestrian bridge overpass to be installed on the East side of the bridge. Building the proposed sign on the West side ensures we will not be interfering with those future construction plans. As such, sign positioning incorporates prudent planning procedures.

### 3) Variance To permit billboard sign not setback 100 meter from Special Sign District (Maple Heritage Conservation District).

- The sign's proximity to the Maple Heritage District has been carefully evaluated. The height and footprint of the billboard is significantly less than the other modern commercial buildings in the area (i.e. Walmart, Marshalls, PetSmart etc.) and pose no visual incongruity.
- The scale and design of the billboard are in line with the surrounding commercial architecture, posing no visible incongruity.
- The reduced operation intensity from 300 nits to 150 nits ensures minimal impact of the heritage lands (i.e the Maple United Cemetery).

**Image 2:** Area Map demonstrating Commercial Nature & Modern Building Architecture flanking the Major Mackenzie Roadway and the Maple United Cemetery.



**Image 3:** Streetview photos of adjacent Commercial and Modern Buildings flanking Major Mackenzie and the Maple United Cemetery





**Comments From Urban Planning Regarding Safety:**

On the matter of safety, raised by Urban Design staff, OUTFRONT reaffirms our sign's adherence to all operational and safety standards for vehicular traffic, specified in the City's Sign By-Law, mitigating any risk to driver distraction. The sign is greatly outside the 30m daylight site triangle or any local intersection, as required under the Sign By-Law and nowhere near any other stop lines, crosswalks, or other key driver decision points. This type of digital billboard is already a proven commodity within the City of Vaughan and the broader region, demonstrating both safety and efficacy.

**Image #4:** Aerial map showing large setback to closest intersections to proposed sign.



In conclusion, we believe our application to build and operate a digital billboard at the proposed location meets the intent of the City's Sign By-Law, is appropriate for the area, and aligns with character of area-built-forms. There will be no adverse effects on local residences or heritage sites, and the added municipal benefits further justify a favourable re-evaluation of OUTFRONT's application.

We appreciate the Committee of the Whole's consideration of our appeal and remain available for further information or discussion.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Jocelyn Wigley'.

**Jocelyn Wigley**  
**Manager, Real Estate**  
377 Horner Avenue  
Toronto, ON M8W 1Z6  
Phone: 1-416-521-6410  
Email: [Jocelyn.Wigley@Outfront.com](mailto:Jocelyn.Wigley@Outfront.com)