

To: Economic and Development Services Committee

From: Warren Munro, HBA, MCIP, RPP, Commissioner,  
Economic and Development Services Department

Report Number: ED-23-154

Date of Report: September 6, 2023

Date of Meeting: September 11, 2023

Subject: Application for a Sign Variance: Pattison Outdoor Advertising  
on behalf of Bryston Holdings Limited Regarding Signage at  
1220 Simcoe Street North

Ward: Ward 2

File: SV-2023-01

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## 1.0 Purpose

The purpose of this Report is to seek Council's direction on the sign variance application submitted by Pattison Outdoor Advertising ("Pattison") to permit the alteration of the southeast face of an existing non-accessory roof sign at 1220 Simcoe Street North to a read-o-graph [electronic light emitting diode ("L.E.D.") digital display].

The proposed read-o-graph is for static messages only that transition every 8 to 10 seconds from one static message to another static message. There will be no flashing, motion, video, animation or audio related to the sign.

The owner of the subject site, Bryston Holdings Limited, authorized Pattison to make the appropriate applications to alter the sign structure.

The Delegation By-law 29-2009, as amended ("Delegation By-law"), grants the Commissioner of Economic and Development Services or Director of Planning Services the authority to approve variances to the Sign By-law 72-96. The Commissioner may forward controversial applications or applications proposed to be denied for Council's consideration at their discretion. This application is considered controversial necessitating this staff report since roof signs are not permitted under Sign By-law 72-96, as amended.

Attachment 1 is a map showing the location of the subject site and the existing zoning in the area.

Attachment 2 is a copy of the details of the proposed sign.

Attachment 3 is a copy of a photo of the existing sign.

Attachment 4 is a copy of a letter from Pattison dated May 17, 2023 provided in support of the application.

## **2.0 Recommendation**

That the Economic and Development Services Committee recommend to City Council that pursuant to Report ED-23-154 dated September 6, 2023, the Commissioner of Economic and Development Services or Director of Planning Services be authorized to approve the sign variance application submitted by Pattison Outdoor Advertising (File: SV-2023-01) to permit the alteration of the southeast face of the existing non-accessory roof sign at 1220 Simcoe Street North to provide a read-o-graph as a display surface.

## **3.0 Executive Summary**

Not applicable

## **4.0 Input From Other Sources**

The following have been consulted in the preparation of this Report:

- Commissioner, Safety and Facilities Services
- City Solicitor
- Regional Municipality of Durham Works Department

## **5.0 Analysis**

### **5.1 Background**

The owner has an existing non-accessory roof sign with two display surfaces. This sign was approved by the City in 1996 prior to the passing of Sign By-law 72-96, as amended. One side faces northeast and the other side faces southeast (see Attachment 2). Each face has the dimensions of 6.1 metres (20 ft.) in width and 3.05 metres (10 ft.) in height and an individual sign area (display surface) of 18.6 square metres (200 sq. ft.).

Pattison has submitted an application (File: SV-2023-01) for a variance to Sign By-law 72-96, as amended, to permit the alteration of the southeast face of the roof sign at 1220 Simcoe Street North to include a new electronic L.E.D. sign (read-o-graph).

Pattison advises:

- The request would be to convert the southeast face of the existing sign to an electronic L.E.D. digital display and leave the other side as is, i.e. a static sign. The size, height and area of the existing structure would remain at its current size: 6.1 metres (20 ft.) by 3.05 metres (10 ft.).
- During the course of time, the industry has witnessed advances in technology that have affected how a message is displayed on billboards. The industry has graduated from the concept of paper and paste to display messages, to the vertical louvers known as tri-vision signs, to now using electronic L.E.D. static message digital displays. The

industry is currently growing this electronic medium on a national basis. Pattison has approached the City of Oshawa to convert the southeast face of the existing roof sign from a traditional paper and paste board to an electronic L.E.D. digital display.

- The board will contain no video, animation, flashing or audio.
- The board will contain a series of static images which will be viewed for a minimum 8 seconds per image.
- The board is equipped with an ambient light sensor which controls the levels of illumination as per the surrounding environment. During nighttime hours the illumination is reduced and during daytime hours the illumination is intensified by way of the sensor.
- The board will incorporate SiteLine technology into the sign face. SiteLine technology employs a mechanical baffle (or louver) system to eliminate all projection of light from the L.E.D.s toward the neighbouring residential use to the west and south of the sign face. The baffle is a reliable and permanent baffle, not the result of any programming or settings. Media Resources, Pattison's lighting consultant, has analyzed the SiteLine technology and attests to the effectiveness of this light restriction technology.
- All of Pattison's electronic L.E.D. digital displays are equipped with a camera to monitor all activities on the board daily.

Additional details of the proposed alteration are included in Attachment 4.

## **5.2 Sign By-law**

The City's Sign By-law 72-96, as amended, prohibits "ROOF SIGNS" in all zones. A roof sign is defined as any sign located entirely on or above the roof of a building or located entirely on top of or above the parapet of a building. The existing sign is a non-accessory roof sign.

"NON-ACCESSORY SIGN" means a sign in which the copy does not relate to the lawful use of the lot upon which the sign is located.

A "READ-O-GRAPH" means a sign indicating an electronic message via illuminated, moving and changing light patterns which contain words, numbers, graphics, pictures, symbols, images or emblems. A read-o-graph is not permitted on roof signs since roof signs themselves are prohibited. Read-o-graph signs are permitted on pylon signs, ground signs and fascia signs.

Sign By-law 72-96 requires that no person shall erect, display, demolish, or structurally alter or repair any sign except in compliance with the provisions of this By-law.

"ALTER" means to make any change to a sign, including the addition, deletion or rearrangement of parts, but excluding the changing of copy on a changeable copy sign or the replacement of display matter in an existing structural frame or the replacement of

identical parts for maintenance purposes. Alteration and altering shall have corresponding meanings.

The existing sign board, catwalk and light would be removed by Pattison and a new L.E.D. sign would be installed. This is a structural alteration not permitted by Sign By-law 72-96, as amended.

### **5.3 Delegation By-law**

The Delegation By-law 29-2009, as amended, grants the Commissioner of Economic and Development Services and Director of Planning Services the authority to approve variances to Sign By-law 72-96, as amended. The Commissioner may forward controversial applications or applications proposed to be denied for Council's consideration at their discretion.

This application is considered to be controversial since non-accessory roof signs are not permitted by Sign By-law 72-96, as amended. In addition, permitting the alteration to allow a sign will extend the life of the sign.

### **5.4 Basis for Recommendation**

This Department has no objection to the approval of the subject application.

The general basis for this recommendation is as follows:

- (a) The roof sign will use a permanent baffle to eliminate all projection of light from the L.E.D.s toward the neighbouring residential use to the west and south of the sign face.
- (b) A read-o-graph (electric L.E.D. digital sign) represents more contemporary technology for sign messaging.
- (c) The size of the roof sign is not changing.
- (d) Any concerns regarding safety and that the messaging (e.g. brightness, frequency of message changes, motion in messages) could be a distraction to drivers can be addressed through appropriate conditions of approval to the satisfaction of City staff.

### **6.0 Financial Implications**

There are no financial implications associated with the Recommendation in this Report.

## **7.0 Relationship to the Oshawa Strategic Plan**

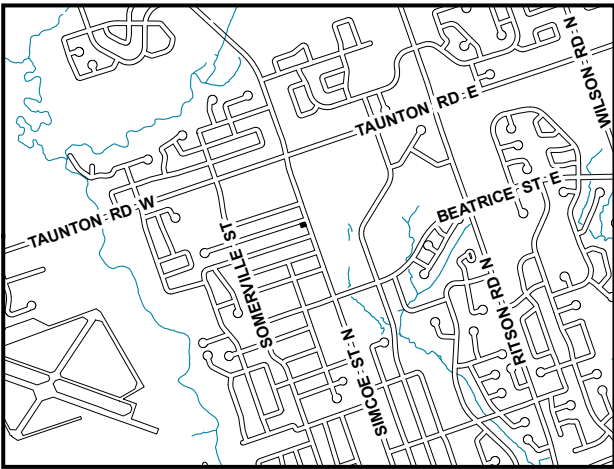
The Recommendation in this Report advances the Accountable Leadership goal of the Oshawa Strategic Plan.



Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,  
Planning Services



Warren Munro, HBA, MCIP, RPP, Commissioner,  
Economic and Development Services Department



**Item: ED-23-154  
Attachment 1**

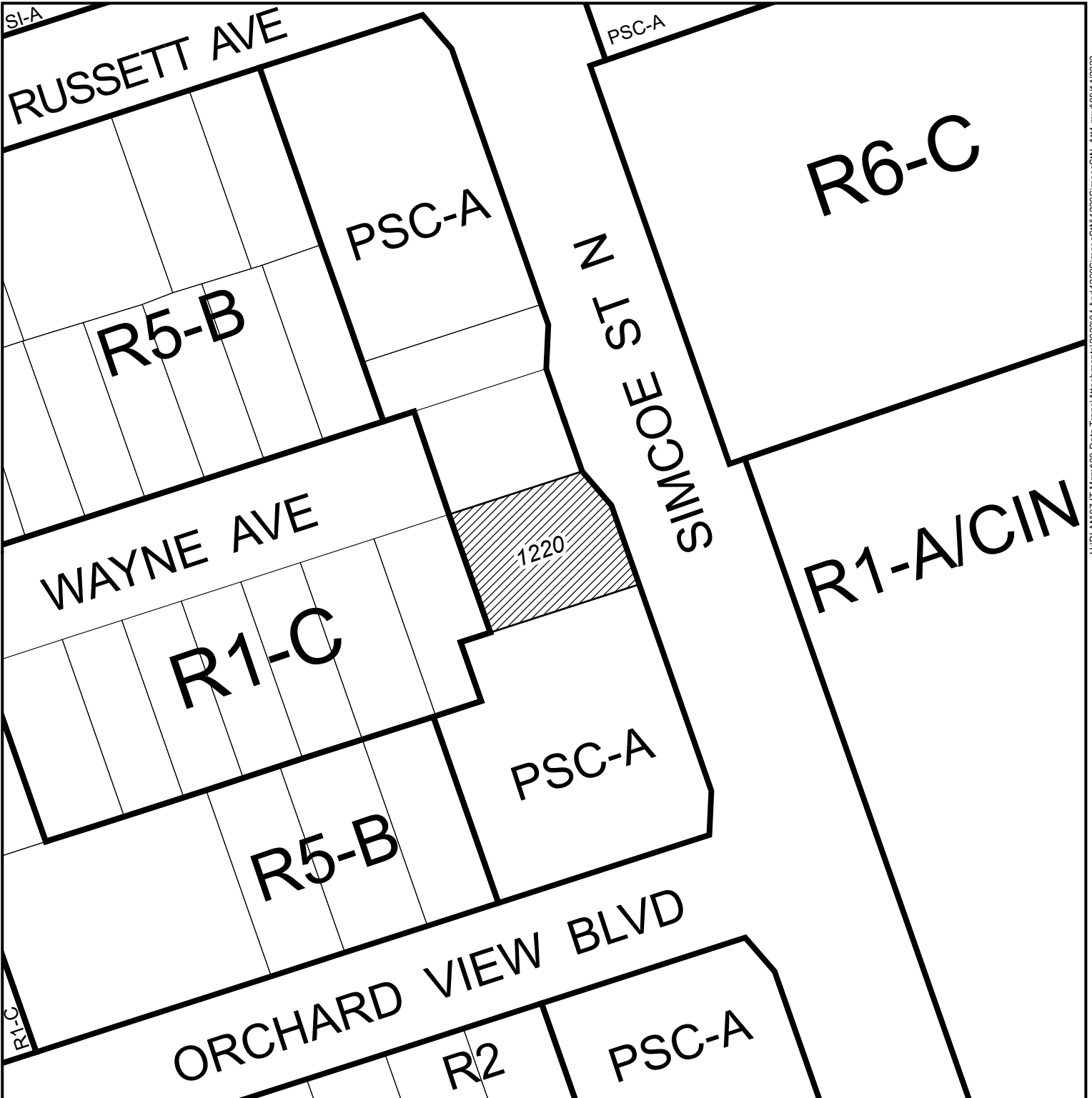
Economic and Development Services

**Subject:** Application for a Sign Variance: Pattison Outdoor Advertising on behalf of Bryston Holdings Limited Regarding Signage at 1220 Simcoe Street North

**Ward:** Ward 2  
**File:** SV-2023-01



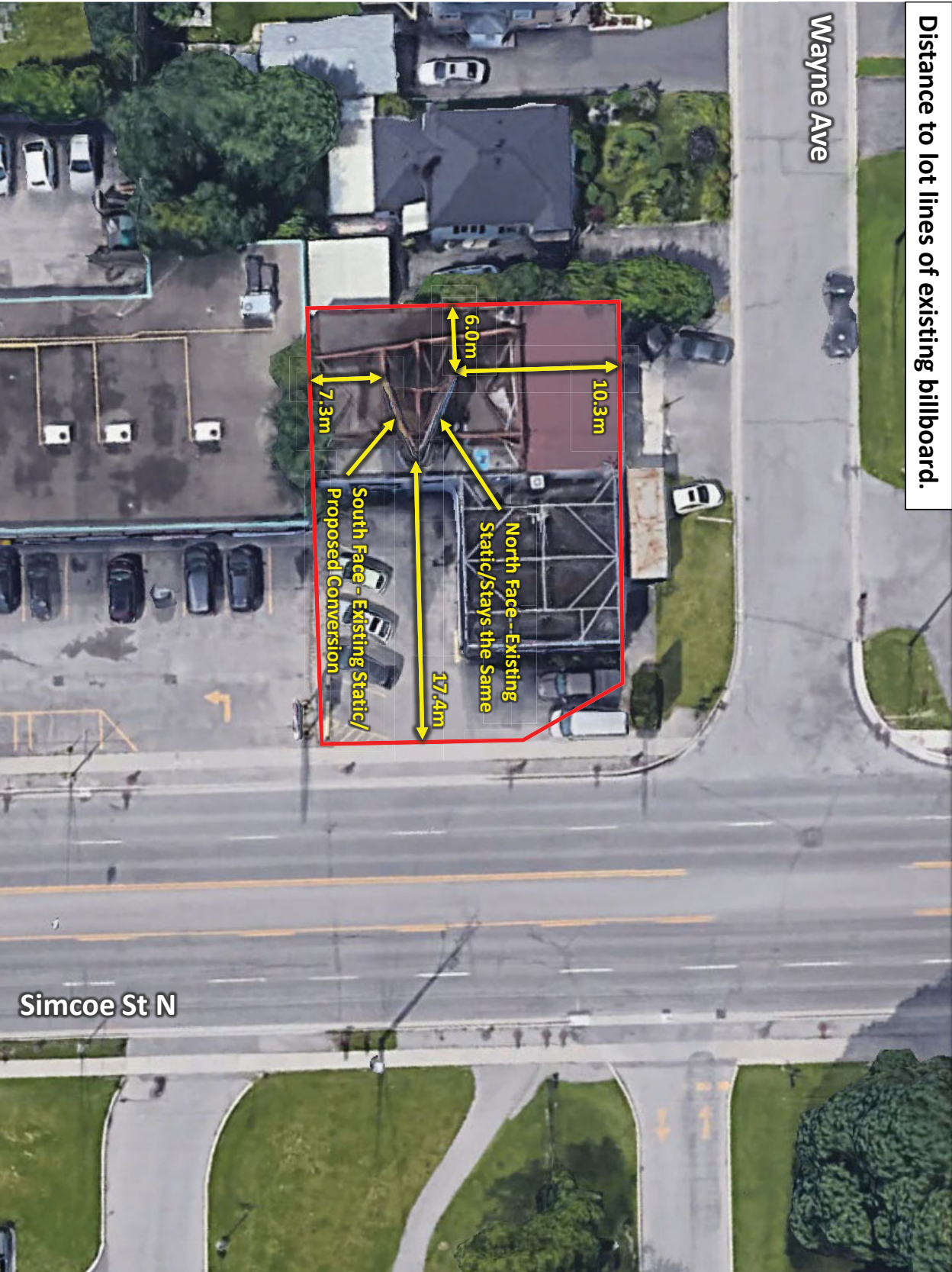
Subject Site 



Title: Aerial Photo of Existing Sign  
Subject: Application for a Sign Variance: Pattison Outdoor Advertising on behalf of Bryston Holdings Limited Regarding Signage at 1220 Simcoe Street North  
Ward: Ward 2  
File: V-2023-01



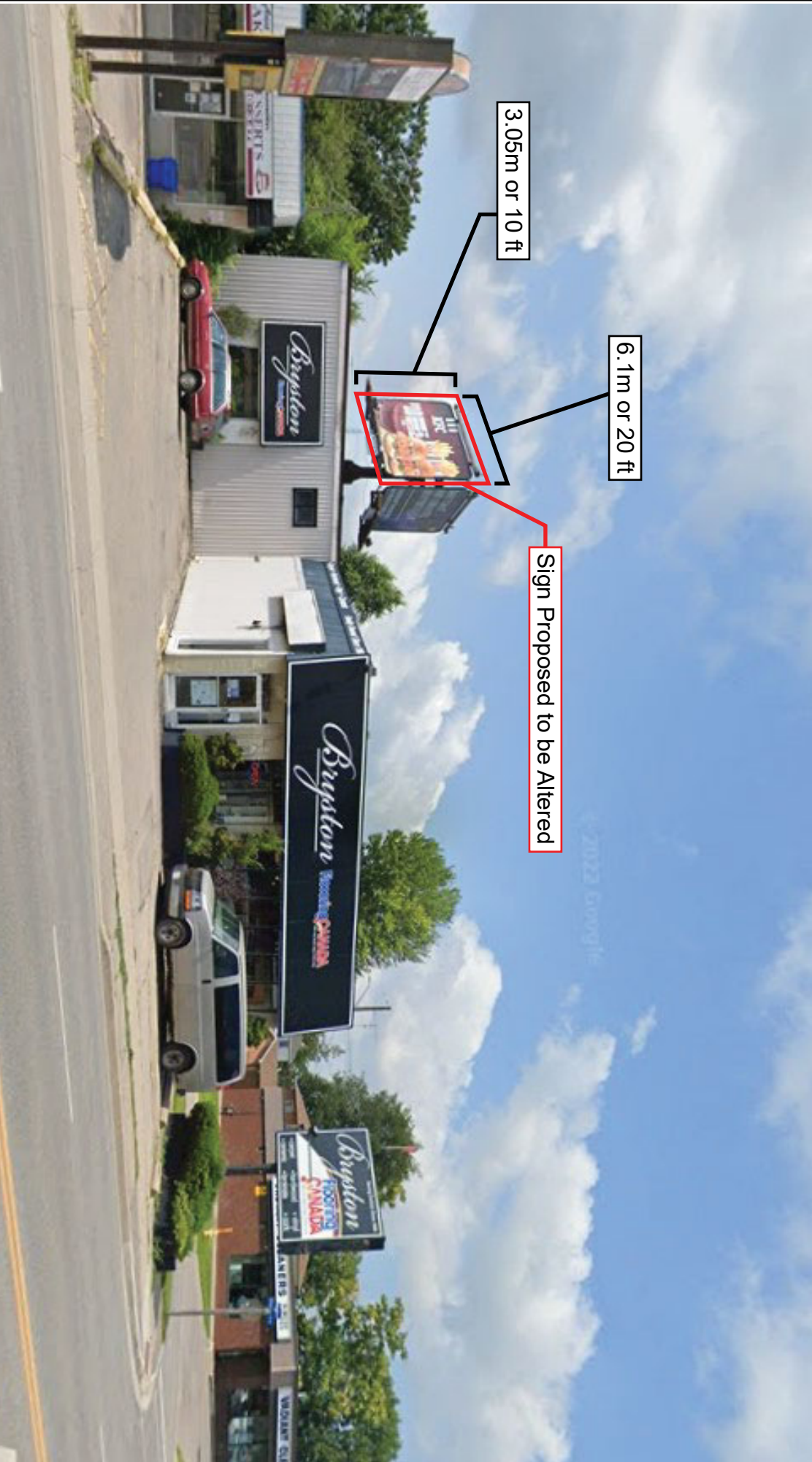
Distance to lot lines of existing billboard.



**Item: ED-23-154**  
**Attachment 3**

**Title:** Photo of Existing Sign  
**Subject:** Application for a Sign Variance: Pattison Outdoor Advertising on behalf of Bryston Holdings Limited Regarding Signage at 1220 Simcoe Street North  
**Ward:** Ward 2  
**File:** V-2023-01

City of Oshawa  
Economic and Development Services







May 17<sup>th</sup>, 2023

Attn: Warren Munro  
Commissioner Development Services  
City of Oshawa  
50 Centre Street South  
Oshawa ON L1H 3Z7

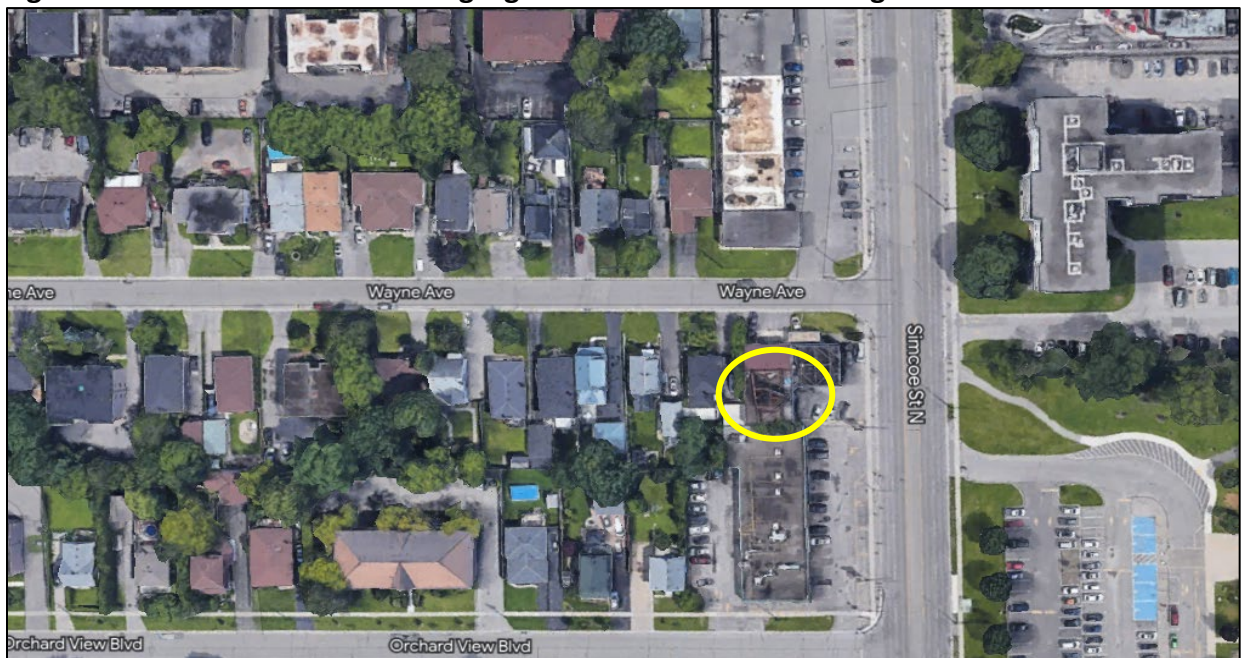
**RE: Minor Variance to the City’s Sign By-law Respecting 1220 Simcoe Street North**

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Please accept this letter as part of our application to convert the south side of an existing billboard located at 1220 Simcoe Street North (the “Subject Property”), to include one new electronic / read-o-graph sign face containing electronic static copy. The existing sign is located on the roof of a one-storey building, and has been in place since 1996. It includes two sign faces in a v-shaped configuration, set back approximately 22 metres from Simcoe Street North. Each sign face is approximately 18.6 square metres in size (the “Proposed Sign”).

We are confident that the requested variances can be granted to convert the south sign face with a new electronic/read-o-graph display, and that it will not alter the essential character of the area, not adversely affect adjacent properties, or adversely affect public safety.

**Figure 1: Aerial View of the Existing Sign Location and Surrounding Area**





The Subject Property is located at the south-west corner of Simcoe Street North and Wayne Avenue, and the surrounding area mainly contains commercial, retail and employment uses. This includes the Subject Property, which is flooring retailer.

**Figure 2: Street View of the Existing Sign and Subject Property**



Immediately to the North and South are commercial businesses with a variety of uses, ranging from quick-service restaurants, laundry cleaners, optical store, bakery, loan provider, among others. None of the uses at these properties or in the surrounding area would be adversely affected if the required variances are granted.

The existing roof sign has been in place since 1996, and are not aware of any complaints about the existing roof sign from the community, or from City of Oshawa Staff during the 27 years it has been in place.

We believe converting to an electronic display will provide additional opportunities for local and national businesses to connect with their customers, and provide important information on products and services that they offer. Increasing the available opportunities helps to support current and future economic growth, and is in line with Oshawa's *Plan for Success*.



Further north of the Subject Property along Taunton Road East, approval was granted to convert a similar sign face by City Council in 2017. This has led to significant demand from new and established local businesses launching campaigns to target their desired audience, such as Durham Children’s Aid Society, Durham College, Durham Region Health Department and the Oshawa Folk Art Council, as well as new National clients like Amazon, FreshCo, Johnson & Johnson and Rogers Media, among others.

Part of Oshawa’s long-term Financial Strategy is to build and diversify its economy, and to ensure flexible and timely approvals to advance sound and sustainable development opportunities. Granting the required variances will also help support the City’s plan for helping the economy recover from the impacts of COVID-19.

Additionally, the flexibility of displaying sign copy electronically provides the City of Oshawa with another medium to promote ongoing initiatives and community events, such as how to access health and social services, in addition to highlighting community outreach programs, which is in line with Oshawa’s *Economic Diversification Strategy*.

Another benefit to converting the south-facing sign face is that it will support a healthier environment by using an electronic display, which allows for the messages to be changed remotely. Combating climate change and reducing waste also helps achieve one of the City’s *Strategic Goals of Environmental Responsibility*, as set out in the Official Plan.

Approving our request will not contravene any of the City’s higher-level goals with respect to *Wise Land Use*, such as protecting the Lake Ontario waterfront, or protecting valuable agricultural lands (the Subject Property is not located near either area of Oshawa).

The new sign face will comply with most of the requirements outlined in the Sign By-law, specifically within Section 4, including:

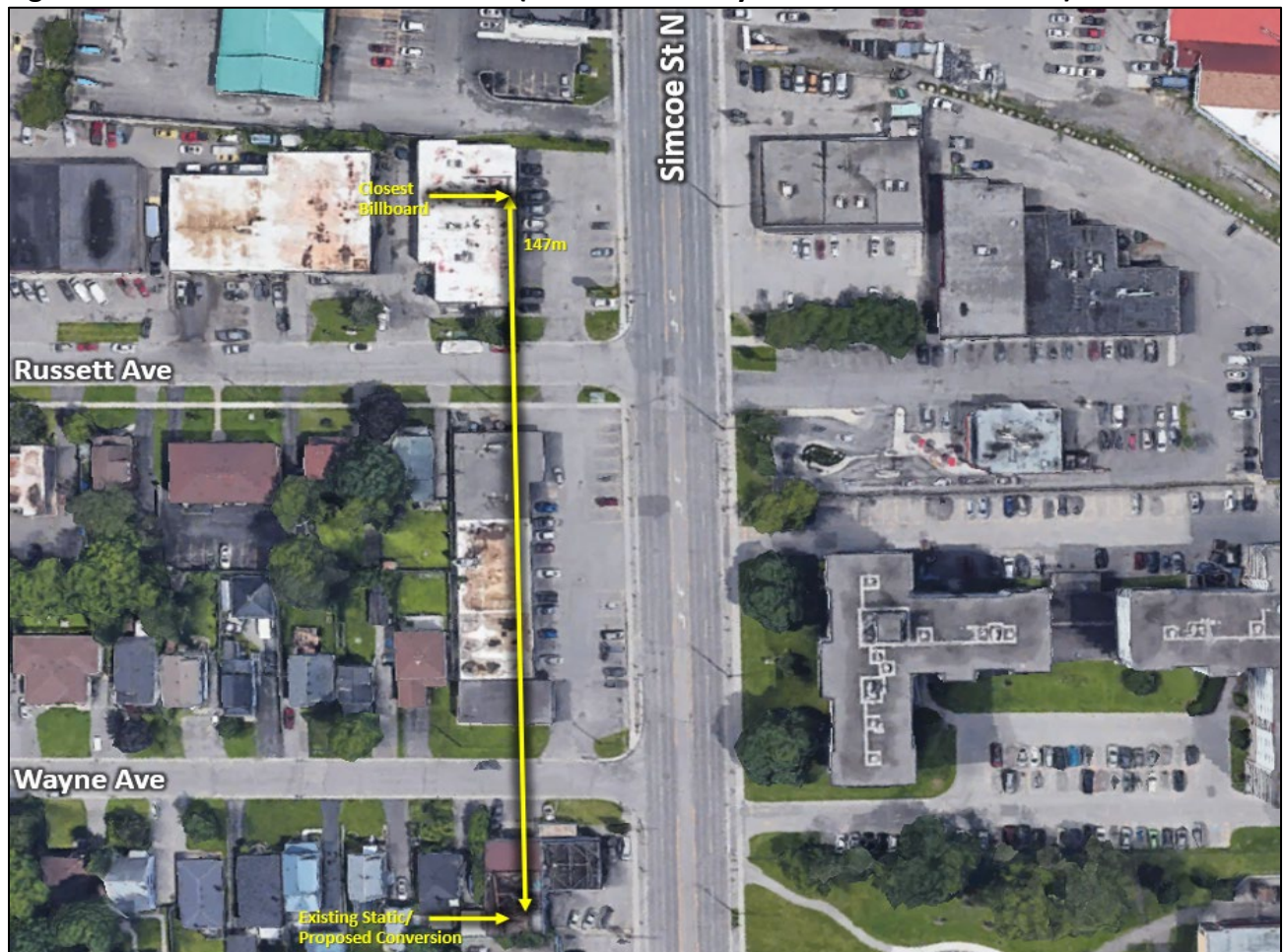
<b>4.8.3</b>	Not more than one BILLBOARD SIGN may be erected on a LOT	There is only one billboard (the existing sign) on the premises
<b>4.8.5</b>	No BILLBOARD SIGN shall be erected closer to a STREET LINE than the minimum required setback for a building under the CITY’S ZONING BY-LAW, as amended, for the applicable ZONE	The Sign is located above the existing building, and therefore will meet the required setback from any Lot Lines as outlined in the Zoning By-law
<b>4.8.6</b>	No BILLBOARD SIGN shall exceed a maximum SIGN AREA of 22.0m <sup>2</sup>	Each sign face is 18.6m <sup>2</sup>

# PATTISON

4.8.7	No BILLBOARD SIGN shall exceed a maximum SIGN HEIGHT of 10m	The existing sign height is 9.44m from grade, and will not change with new sign face conversion
4.8.10	Every BILLBOARD SIGN may be ILLUMINATED	The existing sign would be internally illuminated, with automatic dimming technology

The location is zoned as Planned Strip Commercial (PSC-A), and while billboards are not currently permitted in this zone, the existing sign has been in place since 1996. There are other roof-top billboards located along Simcoe Street, outside of the Airport Zone, which have existed for similar periods of time. This helps establish that both roof-top and ground billboards have existing throughout Oshawa for many decades, and form a part of the streetscape.

**Figure 3: Distance to Nearest Billboard (147 metres away on Simcoe Street North)**



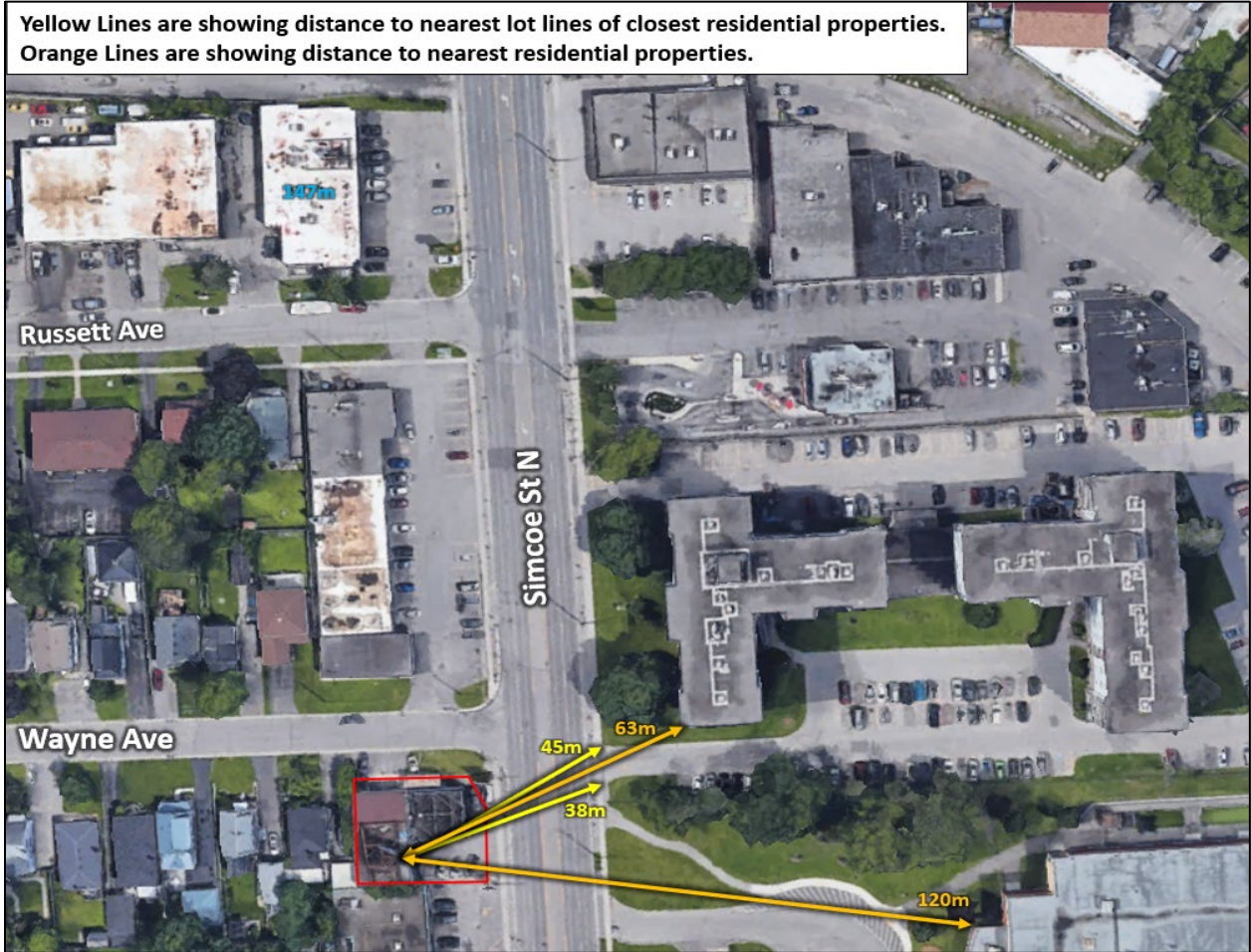
**PATTISON OUTDOOR ADVERTISING**



Finally, the Proposed Sign is approximately 147 metres from another existing billboard located to the North, whereas the required setback is 200 metres – achieving 75% of the required separation. There are several business-identification signs and buildings in place between these two signs, and we are confident that the proposed separation still provides ample spacing between the two signs, to ensure no drivers or pedestrians will be adversely affected.

The Sign By-law requires a setback from any lot zoned as residential (or occupied with a residential use) of 100 metres. The nearest property boundaries for a residential zones are located approximately 45 metres and 38 metres east of the existing sign. However, the actual residential use is located approximately 63 metres and 120 metres away (see Figure 3 below).

**Figure 4: Distance to Nearest Residential**





Our sign will also include an ambient light sensor which automatically adjusts the brightness levels based on the lighting levels in the surrounding environment. These methods further ensure the proposed sign will operate in strict accordance with the Sign By-law provision for illumination, and will not affect the nearby residential zone.

Like every one of our digital billboards, this sign will be equipped with a video camera which monitors the displays 24/7 by our National Operations Centre. This consistent supervision of the content displayed ensures that our team is able to remedy any issues immediately and often without having to travel to the site.

**Figure 5: Rendering of Existing Sign once converted to Electronic / Read-o-Graph**



Granting approval to convert the existing south sign face will not adversely affect public safety. The sign face would display one static (fixed) image, for a minimum of 8.0 seconds, with an instantaneous change to the next message. At no time will the sign display any distracting visual effects such as flashing, scrolling, or full-motion video.

As outlined in Figure 6 below, a Lighting Impact Study of the Proposed Sign was completed by optical engineers from Media Resources Inc. This image shows the amount of light that would reach the surrounding properties. As a general reference, 0.3 lux would be the equivalent of the

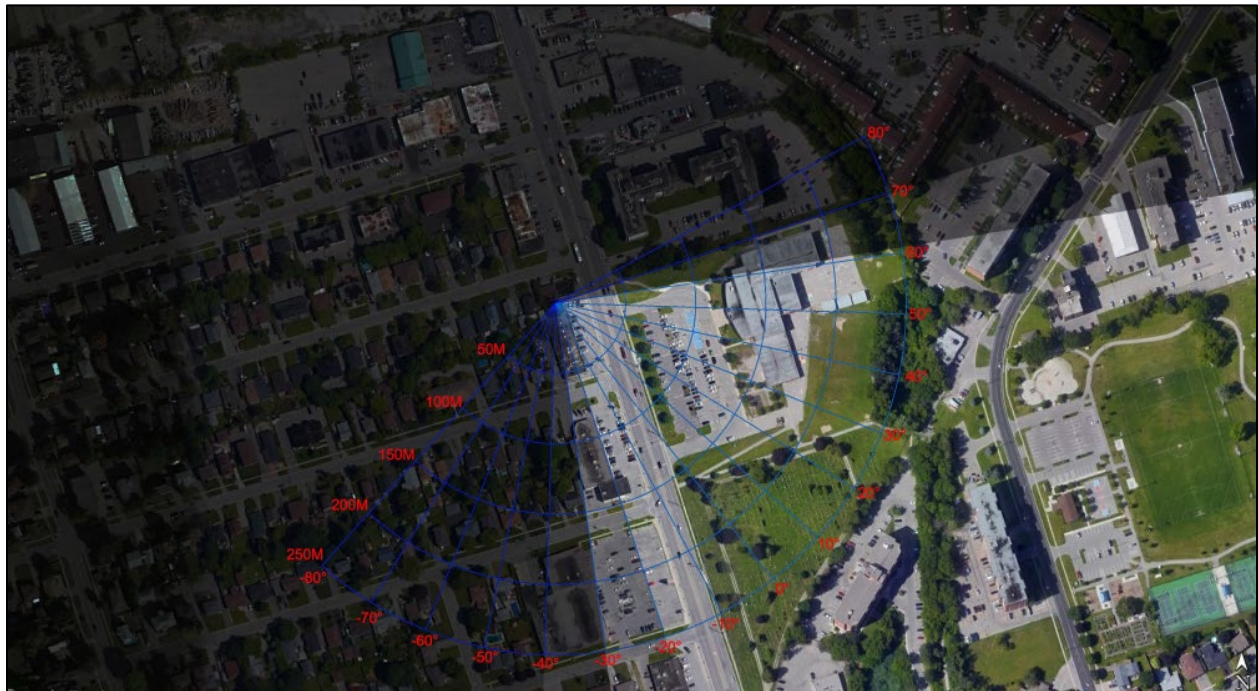


light cast by a full moon. Any increase in the amount of light spilling into a property which is less than 0.3 lux is considered to be negligible.

To provide further protection to the nearby residential uses, Pattison will incorporate SiteLine technology into the sign face, which will further act to prevent any light spill into nearby residential uses. SiteLine technology employs a patent-pending mechanical baffle (or louver) system, similar to luminaire baffles, to eliminate all projection of light from the Light Emitting Diodes (LEDs) towards a “protected region”. As a result, the protection is physical – reliable, permanent, and not the outcome of any programming or settings.

As can be seen in Figure 6 below, and in the Light Impact Study that accompanies our application materials, SiteLine will drastically reduce any light spill towards residents on Orchard View Boulevard, to levels which comply with the Sign By-law requirements. We are confident that this additional measure will minimize or eliminate any impacts on nearby residential uses, and further increase the compatibility of the Proposed Sign with the surrounding area.

**Figure 6: Aerial View of the Proposed Sign and the Light Spill Reaching Nearby Uses**





Site Calculations - 10 x 20 150 NITS Left-Blocking						
Measurement Angle						
	50M	100M	150M	200M	250M	300M
-80°	0.003lux	0.001lux	0.000lux	0.000lux	0.000lux	0.000lux
-70°	0.005lux	0.001lux	0.001lux	0.000lux	0.000lux	0.000lux
-60°	0.009lux	0.002lux	0.001lux	0.000lux	0.000lux	0.000lux
-50°	0.014lux	0.004lux	0.002lux	0.001lux	0.001lux	0.000lux
-40°	0.020lux	0.005lux	0.002lux	0.001lux	0.001lux	0.001lux
-30°	0.287lux	0.072lux	0.032lux	0.018lux	0.011lux	0.008lux
-20°	1.223lux	0.334lux	0.151lux	0.085lux	0.055lux	0.038lux
-10°	1.392lux	0.368lux	0.166lux	0.093lux	0.060lux	0.042lux
0°	1.437lux	0.384lux	0.173lux	0.098lux	0.063lux	0.044lux
10°	1.392lux	0.368lux	0.166lux	0.093lux	0.060lux	0.042lux
20°	1.366lux	0.362lux	0.163lux	0.092lux	0.059lux	0.041lux
30°	1.246lux	0.330lux	0.148lux	0.084lux	0.054lux	0.037lux
40°	1.011lux	0.266lux	0.120lux	0.068lux	0.043lux	0.030lux
50°	0.716lux	0.188lux	0.084lux	0.048lux	0.031lux	0.021lux
60°	0.448lux	0.117lux	0.053lux	0.030lux	0.019lux	0.013lux
70°	0.263lux	0.069lux	0.031lux	0.017lux	0.011lux	0.008lux
80°	0.137lux	0.036lux	0.016lux	0.009lux	0.006lux	0.004lux

A statistical analysis was conducted by the City of Toronto in 2015 by their Transportation Services division, to review the impacts of electronic signs on traffic safety. This study concluded that the number of collisions recorded before and after electronic signs were installed showed a *four per cent decrease* in the number of collisions *after* the electronic signs were installed, which is considered to be statistically insignificant.

The main conclusion of this study was that they were unable to identify any statistically significant increase in collisions where electronic signs had been installed.

Due to the location of the existing sign being on the roof of the building, it will not be located in other potentially concerning areas such as the visibility triangle, or anywhere on the property which could pose an obstruction to drivers or pedestrians.

The Proposed Sign will also be designed, engineered and installed in accordance with Ontario Building Code requirements. As well, all operational requirements for electronic signs as defined in the Oshawa’s Sign By-law will also be maintained by the new sign face. As such, we do not believe that any issues related to public safety are foreseeable.





As such, we believe the required variances can be granted for the Proposed Sign, to convert the south sign face to include electronic / read-o-graph copy. We thank you for your time and consideration of our application. If you require any additional information, please do not hesitate to contact us.

Sincerely,

**Marisa Goncalves**  
**Leasing Representative, Central Region**  
**Pattison Outdoor Advertising**

**Nathan Jankowski**  
**Manager, Legislation & Permits, Central Region**  
**Pattison Outdoor Advertising**