Application by Pattison Outdoor for One Third Party Electronic Ground Sign at 82 Queen Elizabeth Boulevard

<table>
<thead>
<tr>
<th>Date:</th>
<th>June 20, 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward:</td>
<td>Etobicoke-Lakeshore (05)</td>
</tr>
<tr>
<td>File No.:</td>
<td>TP-16-00009</td>
</tr>
<tr>
<td>IBMS File No.:</td>
<td>16-159357</td>
</tr>
</tbody>
</table>

**SUMMARY**

This report reviews and makes recommendations respecting an application made by Pattison Outdoor (the "Applicant") for one third party electronic ground sign. The proposed sign is intended to replace an existing third party ground sign with two sign faces, each displaying mechanical (tri-vision) copy. The existing ground sign is located at the premises municipally known as 82 Queen Elizabeth Boulevard, along the north side of the F.G. Gardiner Expressway.

The Applicant seeks to erect and display one third party electronic ground sign, containing one sign face displaying electronic static copy, 14.63 metres in horizontal width by 4.27 metres in vertical length, oriented in a south-easterly direction and intended to attract the attention of westbound vehicular traffic along the F.G. Gardiner Expressway. The height of the sign is proposed to be 12.80 metres.

Four variances from the regulations contained in the Sign By-law are required to allow the issuance of a permit for the erection and display of this proposed sign.

Consistent with a staff report and recommendations respecting an identical application that was heard by the Sign Variance Committee on March 26, 2015 (Item SB2.4), and consistent with the staff position respecting similar application for electronic signs along the Gardiner Expressway in South Etobicoke, staff submits that all four variances required for the proposed sign should be refused on the basis that not all nine of the established criteria have been met. Staff are of the opinion that the Applicant has failed to meet four of the nine criteria required to be established, namely on the basis that the sign: is not compatible with the development of the premises and surrounding area; may adversely affect adjacent premises; will alter the character of the premise or the surrounding area; and, is contrary to the public interest.
RECOMMENDATIONS

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

1. The Sign Variance Committee refuse to grant the four variances requested to §§ 694-24A(1), 694-25C(2)(a), 694-25C(2)(b) & 694-25C(2)(f) required to allow the issuance of a permit for the erection and display of one third party electronic ground sign described in Attachment 1 to this report.

REQUIRED VARIANCES

Table 1: Summary of Requested Variances

<table>
<thead>
<tr>
<th>Section</th>
<th>Requirement</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-24A(1)</td>
<td>A third party sign shall not be erected or displayed within 400 metres of any limit of the F.G. Gardiner Expressway from Highway 427 to the Humber River.</td>
<td>The proposed third party electronic ground sign is to be approximately 32 metres from the F.G. Gardiner Expressway.</td>
</tr>
<tr>
<td>694-25C(2)(a)</td>
<td>A third party electronic ground sign is permitted provided the sign face area shall not exceed 20 square metres.</td>
<td>The proposed third party electronic ground sign is to contain one sign face with a sign face area of 62.47 square metres.</td>
</tr>
<tr>
<td>694-25C(2)(b)</td>
<td>A third party electronic ground sign is permitted provided the height shall not exceed 10.0 metres.</td>
<td>The proposed third party electronic ground sign is to be at a height of 10.97 metres.</td>
</tr>
<tr>
<td>694-25C(2)(f)</td>
<td>A third party electronic ground sign is permitted provided, where located within 250 metres of an R, RA, CR, I or OS sign district, it shall not face any premises within said district.</td>
<td>The proposed third party electronic ground sign faces an R-Residential sign district approximately 110 metres to the south and south-east; and, an OS sign district approximately 190 metres to the south.</td>
</tr>
</tbody>
</table>

COMMENTS

ELECTRONIC SIGNS

At its July 2015 meeting, City Council considered PG5.13 and adopted a number of general amendments relating to the regulation of electronic and illuminated signs in the city. That report was the culmination of several years of research and public consultation. The amendments resulted in electronic signs being permitted in more areas of the city but with expanded separation distances to sensitive land uses, maintaining the separation distances from highways and expressways, and a reduction to the maximum permitted night-time brightness. Prior to these amendments, signs displaying electronic sign copy were only permitted in the Dundas Square and Gardiner Gateway Special Sign Districts.

Details of the item is available at the following hyperlink:

COMMUNITY CONSULTATION
In the report contained in the above-noted item, staff stated that the applications for electronic signs would be subject to an enhanced consultation process. As such, the notice provisions, advising all persons of this application was spread to businesses and households within a 250 metre radius of the location of the proposed sign and a Community Consultation Session was scheduled and held on the evening of Monday June 13, 2016, at the Etobicoke Civic Centre. No one attended.

SIGN HISTORY
Originally, permission for the existing ground sign was granted through the Building Department of the former City of Etobicoke in 1997 under Building Permit #: B84679, in and around the time the Provincial government downloaded the portion of the F.G. Gardiner Expressway between Highway 427 and the Humber River to the City. On February 15, 2011, two variances were sought and one was granted by the Sign Variance Committee to provide for one third party ground sign, containing two sign faces, each 18.60 metres in sign face area and each displaying mechanical (tri-vision) copy (See Item SB2.5). The sign was erected and displayed, pursuant to Permit #: 11-157328, which was issued in April 2011 (See Figure 1, below). Effectively, the method of copy display on each of the two sign faces was changed from static to mechanical (tri-vision).

Subsequent to that, an application was made to the Sign Variance Committee seeking four variances from the Sign By-law, to provide for one third party electronic ground sign similar in all respects to this current application. At its meeting of March 26, 2015, the Sign Variance Committee granted three of the four variances, refusing to grant the variance required to provide for a sign face area 62.47 square metres where the Sign By-law provides for only 20 square metres (See Item SB.2.4).

Figure 1: Existing Third Party Ground Sign – Approved February 2011
This current application again seeks that the Sign Variance Committee grant a variance to the maximum permitted sign face area to provide for a sign face almost three-and-a-half times what the Sign By-law would otherwise provide. Because of the enactment of the aforementioned provisions respecting electronic signs, additional variances are required.

**SITE CONTEXT**
The existing single storey industrial building at 82 Queen Elizabeth Boulevard is located at the north-westerly corner of Queen Elizabeth Boulevard and Canmotor Avenue in an E-Employment sign district. The subject property is located within Ward 5 in the former Etobicoke, generally between The Queensway to the north and the F.G. Gardiner Expressway to the south. Major roads west of the property include Islington Avenue and Kipling Avenue beyond. Similar properties with similar industrial and commercial/retail uses operate in the immediate vicinity, save for a significant low-rise residential community located between Islington Avenue and Royal York Road, on the south side of the F.G. Gardiner Expressway. The subject property has a single storey industrial warehouse building with a retail/wholesale business operating out of it. Parking for the business is provided beside the easterly street-flanking property line and at the rear of the building.

An aerial view of the subject property is provided as Figure 3 to this report. The entire area, stretching to the north, east and west is located in an E-Employment sign district. To the south, lies the F.G. Gardiner Expressway, with an established residential community beyond.
Nine Established Criteria in §694-30A

The Sign By-law contains specific criteria to be used in evaluating an application for a variance. Specifically, §694-30A states that an application for a variance may only be granted where it is established that the proposed sign meets each of the nine established criteria. Staff are of the opinion, that while some of the criteria have been established, there is not a sufficient basis to determine that all nine of the mandatory criteria have been established. Specifically, staff believe that there is an insufficient basis to conclude that the proposed sign: will be compatible with the development of the premises and surrounding area as required by 694-30A(3); that there is an insufficient basis to conclude that the proposed sign will not adversely affect adjacent premises as required by 694-30A(5); that there is an insufficient basis to conclude that the proposed sign will not alter the character of the premise or the surrounding area as required by 694-30A(8); and, that there is an insufficient basis to conclude that the proposed sign is not contrary to the public interest as required by 694-30A(9). Furthermore, there is information that supports the staff position that these four criteria have not been met.

A detailed overview of staff’s opinion on whether each of the nine criteria have been established, and the rationale for this opinion follows below.
<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30A(1): The proposed sign belongs to a sign class permitted in the sign district</td>
<td>YES, staff are of the opinion that this criteria has been established</td>
</tr>
</tbody>
</table>

**Rationale:**
The proposed sign is classified as a third party sign class because it advertises, promotes, or directs attention to businesses, goods, services, matters, or activities that are not available at or related to the premises where the sign is located. The premises is designated as an E-Employment sign district. As such, the criteria has been established because third party signs are permitted in the E-Employment sign district.

<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30A(2): In the case of a third party sign, the proposed sign is of a sign type permitted in the sign district</td>
<td>YES, staff are of the opinion that this criteria has been established</td>
</tr>
</tbody>
</table>

**Rationale:**
The proposed sign is defined as a third party electronic ground sign which is a sign type permitted in the E-Employment sign district. This criteria has been established.

<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30A(3): The proposed sign is compatible with the development of the premises and surrounding area</td>
<td>NO, staff are of the opinion, that this criteria has not been established</td>
</tr>
</tbody>
</table>

**Rationale:**
The rationale submitted by the Applicant to support the granting of variances references established criteria that was replaced by Toronto City Council in 2013. The Applicant has failed to provide a rationale that would support the criteria that the proposed sign is compatible with the premises and surrounding area. Notwithstanding that, there is no difference between this current application and the application that was heard by the Sign Variance Committee in 2015. Staff are still of the opinion that this criteria has not been established.

The proposed sign is incompatible with the surrounding area, in part, because of its proximity to sensitive land uses, namely residential. Through the extensive consultation and research conducted in establishing the new regulatory provisions respecting electronic signs, it was found that people do not want these types of signs near where they live. The proposed sign is to be located approximately 110 metres, to the south and south-east, from lands designated R-Residential, placing it near where people live.

Although the proposed sign would replace an existing third party ground sign, it is proposed to have a sign face area more than three times the size of the existing sign. The proposed sign is also to display electronic static copy, a method of copy display that presents potential issues of impact and visual character that are not present with the existing sign (i.e., impact of the sign on the look, character and quality of the area).

As such, staff is concerned that the proposed sign is not compatible with the development of the premises and surrounding area, and it is the opinion of staff that the Applicant has failed to provide any information to convince that this criteria has been established.
<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>§694-30A(4): The proposed sign supports the Official Plan objectives for the subject premises and surrounding area</td>
<td>YES, staff are of the opinion that this criteria has been established</td>
</tr>
</tbody>
</table>

**Rationale:**
The subject premise is designated as an *Employment Area* in the Official Plan. *Employment Areas* are places of business and economic activity. It would appear that there are no Official Plan objectives that would compromise or contradict the current proposed sign.

<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30A(5): The proposed sign does not adversely affect adjacent premises</td>
<td>NO, staff are of the opinion that this criteria has not been established</td>
</tr>
</tbody>
</table>

**Rationale:**
As with the previous 2015 application, the Applicant states that the proposal is only a change in the attributes of the sign and therefore there is no adverse affect on adjacent premises. Staff believe that the Applicant has not provided enough information to convince that this criteria has been established. Staff also believe that this criteria has not been established.

Although statistical evidence has not demonstrated that digital signs lead to an increase in motor vehicle accidents, a recent public opinion poll conducted by the City of Toronto identified them as a cause of distraction to drivers.

Signs displaying electronic copy are generally the most visually intense and dominant features in places where they are located; due to its size, height and method of copy display, it is likely that the proposed sign will have an adverse impact on the F.G. Gardiner Expressway, and would be more visible then the existing sign.

<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30A(6): The proposed sign does not adversely affect public safety</td>
<td>YES, staff are of the opinion that this criteria has been established</td>
</tr>
</tbody>
</table>

**Rationale:**
Although there are concerns about driver distraction, the City has found there is not conclusive evidence that signs displaying electronic static copy are related to automobile collisions.

<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30A(7): The proposed sign is not a sign prohibited by §694-15B</td>
<td>YES, staff are of the opinion that this criteria has been established</td>
</tr>
</tbody>
</table>

**Rationale:**
Prohibited signs are described at §694-15B, and the proposed sign is not a sign prohibited by this section. This criteria has been established.
<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30A(8): The proposed sign does not alter the character of the premises or surrounding area</td>
<td>NO, staff are of the opinion, that this criteria, has not been established</td>
</tr>
</tbody>
</table>

**Rationale:**
The Applicant states that the character of the area was not altered when the method of copy was replaced with mechanical (tri-vision), back in 2011 and further states that the change in copy to electronic static "will be in keeping with the current array of ground signs containing electronic static copy spatially distributed along the Gardiner."

While digital signs provide better image quality, they also result in greater sign brightness and a higher kinetic intensity than other non-digital methods of copy display.

Staff conducted a review of the area surrounding 82 Queen Elizabeth Boulevard and while there are few other third party signs in the area, they appear to display static copy and have a sign face area that is consistent with the provisions of Chapter 694. It is the opinion of staff that the Applicant has not provided sufficient rational to demonstrate how the proposed sign will not alter the character of the premises or surrounding area.

<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30 A(9): The proposed sign is not contrary to the public interest</td>
<td>NO, staff are of the opinion that this criteria has not been established</td>
</tr>
</tbody>
</table>

**Rationale:**
The Applicant asserts that the public interest is met because the sign is existing and there no history of it "having impacted vehicular traffic." The Applicant additionally states that if the proposal had been for a roof sign, it may be contrary to the public interest.

It is the opinion of staff that the proposed sign is contrary to the public interest.

The people that live in the area surrounding the proposed sign are a valuable determiner in assessing the public interest. At the time of the preparation of this report, staff received communications from local residents sharing a variety of concerns, including but not limited to: the size of the sign; the negative visual impact the sign will create; the volume of such spectacular advertising devices in the City; and, the quantity of variances being sought.

At its meeting on February 9th, 2015, the Sign Variance Committee heard and refused an application to permit a similar sign displaying electronic static copy at 486 Evans Avenue.

Although there are some differences between the two proposed signs, the differences are not sufficient for staff to conclude that this current proposed sign would not be contrary to the public interest as expressed by the decision of the Committee.

Additionally, it was just over one year ago that the Committee refused to grant the variance sought in respect of an identical proposal, for size of sign face.

It is the opinion of staff that the Applicant has not established that the proposed sign is not contrary to the public interest.
CONCLUSION

Based on the rationale and materials submitted by the Applicant, a review of municipal policy and regulation, and, a review of similar applications, it is staff’s position that the Applicant has not provided enough information to establish that the proposed sign meets all nine of the established criteria for the variances to be granted. Although, information exists to support that some of the criteria have been established, staff are of the opinion that there is not a sufficient basis to establish the proposed sign is compatible with the development of the premises and surrounding area; will not adversely affect adjacent premises; will not alter the character of the premise or the surrounding area; and, is not contrary to the public interest.

There is information to support the conclusion that the proposed sign is, in fact, not compatible with the development of the premises and surrounding area; may adversely affect adjacent premises; will alter the character of the premise or the surrounding area; and, is contrary to the public interest.

As such, it is recommended that the Sign Variance Committee refuse to grant the four variances from the Sign By-law required for the proposed sign.

CONTACT

Robert Bader
Supervisor, Sign By-law Unit
Tel: (416) 392-4113
E-mail: rbader@toronto.ca

SIGNATURE

____________________________________
Ted Van Vliet
Manager, Sign By-law Unit

ATTACHMENTS

1. Description of Sign and Required Variance
2. Applicant's Submission Package
ATTACHMENT 1: DESCRIPTION OF SIGN AND REQUIRED VARIANCES

Description of Sign:

One third party electronic ground sign to be located at the premises municipally known as 82 Queen Elizabeth Boulevard containing:

(a) One sign face described as follows:

1. In the shape of a rectangle;
2. Having an area of 62.47 square metres;
3. Having a horizontal measurement of 14.63 metres;
4. Having a vertical measurement of 4.27 metres;
5. Having a height of 10.97 metres;
6. Displaying electronic static copy;
7. Illuminated; and
8. Oriented in a south-easterly direction.

Required Variances:

1. The requirement contained at §694-24A(1) which states that a third party sign shall not be erected or displayed within 400 metres of any limit of the F.G. Gardiner Expressway from Highway 427 to the Humber River;

2. The requirement contained at §694-25C(2)(a) which states that an electronic ground sign is permitted in an E-Employment sign district, provided the sign face area shall not exceed 20.0 square metres. The proposed sign is to have a sign face area of 62.47 square metres;

3. The requirement contained at §694-25C(2)(b) which states that an electronic ground sign is permitted in an E-Employment sign district, provided the sign shall not exceed a height of 10 metres. The proposed sign is to have a height of 10.97 metres; and

4. The requirement contained at §694-25C(2)(f) which states that an electronic ground sign is permitted in an E-Employment sign district, provided where the sign is located within 250 metres of an R, RA, CR, I or OS sign district, the sign does not face any premises in the R, RA, CR, I or OS sign district. The proposed sign faces a premise designated R that is approximately 110 metres away; and, faces a premise that is designated OS that is approximately 190 metres away.
May 11, 2016

Mr. Robert Bader
City of Toronto Sign Bylaw Unit
100 Queen St
Toronto, Ont
M5H 2N2

RE: Sign Bylaw Variance – 82 Queen Elizabeth Blvd

I am writing to make a further application for a minor variance to the City’s Sign Bylaw respecting 82 Queen Elizabeth Blvd. The property is located north of the Gardiner Expressway and at the northwest corner of Queen Elizabeth Blvd and Canning Avenue.

The applicant is seeking to change the attributes of the existing billboard sign from mechanical copy (tri-vision) to LED electronic static copy and at the same time increasing the size of the billboard from its current size 10 feet by 20 feet back to back (2 faces) to a single face 14 feet by 48 feet containing electronic copy LED.

The location of the sign shall remain the same, however the existing height of the sign will increase by six feet. This is due to the nature of the overall dimensions of the electronic sign.

The local ward councillor is aware and supportive of this application to increase the size and change in attribute. He is aware of a number of past approvals of similar size by the respective Community Councils, Planning and Growth Management Committee and Toronto City Council itself, running along the stretch of the Gardiner from the Exhibition grounds to Hwy 427. In addition, this proposed sign is in conformity and more importantly, will be no larger than the existing inventory, and will be a single face only, whereas all others are back to back structures.

HISTORY:

An application was before your Sign Variance Committee, requesting a similar request that is to increase the size of the sign and change the attribute to electronic static copy.
The variance we are seeking is that the existing sign is within 400 metres of the Gardiner Expressway, size and height and height of sign.

At this time rather than duplicate my rationale as to why this variance be granted, I have included a copy of the previous application which sets out the rationale for seeking approval.

We believe the variance sought in this instance based on the nine listed criteria above is within the general intent and spirit of the City’s new Sign bylaw. We look forward to discussing the matter further before the City’s Sign Variance Committee.

Yours truly,

Sid Catalano
Pattison Outdoor Advertising LP

C.C. Councillor John Di Ciano, Ward 5, Etobicoke-Lakeshore
**Project Information**

- **Street No.**: 82
- **Street Name**: Queen Elizabeth Blvd
- **Lot No.**
- **Plan No.**

Describe the variance(s) being applied for:

**TO REPLACE EXISTING 10 X 20 BACK TO BACK GROUND SIGN WITH ONE(S) SINGLE FACE 14 X 48 LED DIGITAL GROUND SIGNS THIRD PARTY.**

If it is an application for a variance required for the modification or restoration of an existing sign, please provide the following:

- **Existing Sign Dimensions**: 10 x 20 ft (2 Faces)
- **Location**: Current sign location adjacent to the building

Please provide the reasons/justification for the request (Attach any supporting documentation or additional pages as required):

**SEE ATTACHED LETTER**

**Property Owner Information**

- **First Name**
- **Last Name**
- **Company Name (if applicable)**: 2034035 Ontax Inc LTD
- **Telephone No.**: 416-543-6868
- **Street No.**: 2805
- **Street Name**: Bankside Drive
- **Suite/Unit No.**
- **City/Town**: Mississauga
- **Province**: ON
- **Postal Code**: L5M 6E1
- **Fax No.**

**Attachment Required**

- Sign Variance Data Sheet
- Copies of any supporting documents
- All necessary plans and specifications required to verify the nature of the Sign By-law Variance(s) requested

**Continue on next page**
**Application Sign Variance**

**Applicant Information and Declaration**

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>SI D</td>
<td>CATALANO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Telephone No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pattison Outdoor Advertising LP</td>
<td>905-282-6846</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street No.</th>
<th>Street Name</th>
<th>Suite/Unit No.</th>
<th>Mobile No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2100</td>
<td>Matheson Glvo E</td>
<td>500</td>
<td>416-839-5911</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City/Town</th>
<th>Province</th>
<th>Postal Code</th>
<th>Fax No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississauga</td>
<td>Ontario</td>
<td>L4W 4V9</td>
<td>905-282-9298</td>
</tr>
</tbody>
</table>

E-mail Address: scatalano@pattisonoutdoor.com

Do hereby declare the following:

- That I am □ the Property Owner as stated above.
  - The owner's authorized agent.
  - An officer/employee of __________________, which is an authorized agent of the owner.
  - An officer/employee of __________________, which is the Property Owner's authorized agent.

- That statements contained in this application are true and made with full knowledge of all relevant matters and of the circumstances connected with this application.
- That the plans and specifications submitted are prepared for the sign variance(s) described and are submitted in compliance with by-law.
- That the information included in this application and in the documents filed with this application is correct.

Signature: SI D CATALANO  
Print Name: SCATALEANO  
Date: May 11, 2016

The personal information on this form is collected under the City of Toronto Act, 2006, s. 136(e) and Chapter 694, Signs, General, of the City of Toronto Municipal Code. The information collected will be used for processing applications and issuing appropriate statutory attestations, for enforcement of the City of Toronto Municipal Code Chapter 694, Signs, General, Chapter 711, Taxation, Third Party Sign Tax, and any other applicable by-law of the City of Toronto, and for contacting permit holder(s) or authorized agent(s). Questions about the collection may be referred to the Manager, Sign By-law Unit, Toronto Building, 100 Queen Street West, Ground Floor, East Tower, Toronto, M5H 2N2 416-392-4335.
<table>
<thead>
<tr>
<th>Project Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Street No.</td>
<td>82</td>
</tr>
<tr>
<td>Street Name</td>
<td>QUEEN ELIZABETH BLVD</td>
</tr>
<tr>
<td>Lot No.</td>
<td></td>
</tr>
<tr>
<td>Property No.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site and Building Data</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td></td>
</tr>
<tr>
<td>Lot Frontage</td>
<td></td>
</tr>
<tr>
<td>Lot Depth</td>
<td></td>
</tr>
<tr>
<td>No. of Building(s) on the lot</td>
<td></td>
</tr>
<tr>
<td>Date of Construction of Building(s) if known (yyyy-mm-dd)</td>
<td></td>
</tr>
<tr>
<td>Building Height(s)</td>
<td>18 FT</td>
</tr>
<tr>
<td>No. of Storeys</td>
<td></td>
</tr>
<tr>
<td>Building(s) Gross Floor Area</td>
<td></td>
</tr>
<tr>
<td>Building Uses(s)</td>
<td>COMMERCIAL - LIGHT INDUSTRIAL</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site Context</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>COMMERCIAL</td>
</tr>
<tr>
<td>South</td>
<td>COMMERCIAL - INDUSTRIAL</td>
</tr>
<tr>
<td>East</td>
<td>COMMERCIAL - INDUSTRIAL</td>
</tr>
<tr>
<td>West</td>
<td>COMMERCIAL - INDUSTRIAL</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposal</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Please describe in detail what is being proposed (use additional pages if necessary)</td>
<td></td>
</tr>
</tbody>
</table>
January 28, 2015,

Mr. Robert Bader  
City of Toronto Signs Bylaw Unit  
100 Queen Street W, Floor 1E  
Toronto, Ontario  
M5H 2N2  

**RE: Sign Bylaw Variance - 82 Queen Elizabeth Blvd**

Mr. Bader:

By way of this letter, I am making application for a minor variance to the City’s Sign Bylaw respecting 82 Queen Elizabeth Blvd.

The property is located north of the Gardiner Expressway and at the northwest corner of Queen Elizabeth Blvd and Canssara Avenue. A sign permit for a third party ground sign at 82 Queen Elizabeth Blvd was issued on June 11, 1995 under Permit No. B84679. A subsequent permit was issued on April 20, 2011 allowing the existing sign to now contain mechanical attributes, where before the sign faces were static faces.

The applicant is seeking to change the attributes of the existing back to back third party ground billboard sign from mechanical copy (tri-visions) to LED electronic static copy. The location of the sign shall remain the same, however the existing height of the sign will increase by six feet. This is due to the nature of the overall dimensions of the electronic sign.

The proposed electronic sign will be a single face sign and not back to back therefore reducing the number of faces from 2 to 1 face. The dimensions of the proposed sign will be 14 feet by 48 feet. The existing fully permitted billboard sign is a legal non conforming ground sign when reviewed under the City’s new sign bylaw.

The contents of this sign variance application have been discussed with the local ward councillor. He does not see issue with the change from mechanical copy to electronic static copy and in fact is supportive.
In fact the ward councillor pointed out to a number of existing digital signs along the stretch of the Gardiner from the Exhibition grounds to Hwy 427 and is fully aware the proposed sign here is in conformity with all the existing signs in terms of size of sign faces and the fact they are electronic static copy.

The variance we are seeking is that the existing sign is within 400 metres of the Gardiner Expressway, size and height and height of sign

Why should this variance be granted?

A change in sign attributes from mechanical copy (tri-vision) to electronic static copy

(1) Is warranted based on physical circumstances applicable to the property or premises

Based on the site plan the existing sign and its component parts are located to the rear of the premises and are not visible to the viewing public, except for the sign faces. The physical circumstances, i.e., the foot print of the building in relation to the lot provide a suitable non offensive location for the existing billboard and the proposed changes to the existing billboard.

(2) Is consistent with the architecture of the building or development of the property

The property situated at the corner of Queen Elizabeth Blvd and Canmotor Avenue. There is a one storey light industrial building on the property situated in such a manner that there are generous setbacks to both the front and side yard lot lines. This in turn provides for good visibility for traffic flow. The simple architecture of the building is not offended by the presence of a billboard and vice versa, especially where the sign is situated.

(3) Is consistent with buildings and other features or premises within 120 metres of the location of the proposed sign

Many of the buildings in the general vicinity of the subject site are consistent to that of the subject site. They can be characterized as one storey light industrial/commercial buildings. With respect to signage on other buildings/properties in the surrounding area, most of them are ground signs with electronic static copy, with the exception of a couple of roof signs.

(4) Will not alter the essential character of the area

The existing sign at 82 Queen Elizabeth Blvd was erected in 1998, 22 years ago. The change in the sign attribute from static to tri-vision was made in 2011 and this change did not alter the character of the area. Furthermore, the proposed changes contained in this application are in
keeping with the current array of ground signs containing electronic static copy spatially distributed along the Gardiner.

(5) Will not adversely affect adjacent properties

The proposed change in attributes to the existing sign will not affect adjacent properties. In fact this property has undergone two changes since 1998. In 1998 a permit was approved to erect the existing ground sign and in 2011 a permit was approved to convert the existing faces from static to containing mechanical attributes. To date there has never been issue with the signage located at 82 Queen Elizabeth Blvd that I am aware of.

(6) Will not adversely affect public safety

The existing sign, whether it contained static in 1998 or mechanical copy in 2011 and now proposed electronic static copy in 2015 will not affect public safety. By virtue of the existing front and side yard setbacks, the sign does not interfere or obstruct the visibility of vehicular traffic, that being along Queen Elizabeth Blvd or Cannonor Avenue. Had the existing sign been located within the visibility triangle of the two intersecting street, then, there may be a visibility issue, but this is certainly not the case.

Again I reiterate in the 22 years the existing sign has been erected, there have been no concerns from staff or elected officials respecting the sign or any impacts it may have or had.

(7) Is, in the opinion of the decision maker, not contrary to the public interest

If this were a new sign and not existing, it may be contrary to the public interest in so far as the public perceives signs within proximity to the Gardiner Expressway have an impact on traffic. Again in the 22 years the existing sign has been here, there has not been evidence to indicate that the sign is contrary to public interest.

However what the public does find contrary to the public interest is the concept of roof signs, and then not sure to the degree this is an issue, as it depends what areas of the City of Toronto we are talking about.

The variance we are seeking is to an existing sign, which has had no history in having impacted vehicular traffic.
(6) Is of a sign class or a sign type that is permitted in the sign district where the premises is located

The property at 82 Queen Elizabeth Blvd for purposes of the new City Sign Bylaw is zoned E for Employment District which permits third party ground signs.

(9) Is not expressly prohibited by Subsection 694-15B

The existing sign or the alteration of the sign we are seeking is not expressly prohibited by Subsection 694-15B

We believe the variance sought in this instance based on the nine listed criteria above is within the general intent and spirit of the City’s new Sign bylaw. We look forward to discussing the matter further before the City’s Sign Variance Committee.

Yours truly,

[Signature]

Sid Catalano
Pattison Outdoor Advertising LP

C.C. Councillor Justin Di Ciano, Ward 5, Etobicoke-Lakeshore