



November 30, 2018

City of Toronto Sign Bylaw Unit
100 Queen Street W., Floor 1 E
Toronto, Ontario
M5H 2N2

RE: Sign Bylaw Variance – 159 Dynamic Drive

Mr. Nathan Jankowski,

By way of this letter, I am making application for a variance to the City's Sign By-law on the property known as 159 Dynamic Drive.

This application is seeking to modify the existing Third Party static ground sign with two (2) 6.096 m x 3.048m faces (10'x20') to an electronic ground sign, containing two like size rectangular shaped sign faces aligned in a back-to-back configuration, each measuring 6.096 metres horizontally by 3.048 metres vertically (10' x 20').

The variances that pertain to this application are:

- (i) The signs proximity within 250 metres of an Open Space Sign District, whereas the proposed sign is 94.80 metres from the property line of the Open Space Sign District.
- (ii) The signs proximity to another Third Party sign requires 150 metres separation, whereas the proposed modified sign is 121.92 metres from another Third Party sign located to the south on the same side of the street.
- (iii) The sign does not meet the required rear yard setback of 7.5 metres. The existing sign is being replaced with the new sign in the same location with a 3 metre setback which is the required side yard setback requirement.

Why should these variances be granted?

(1) Belong to a sign class permitted in the sign district where the premises is located.

The proposed sign is a Third Party sign class because it advertises, promoted, or directs attention to businesses, goods, services, matters, or activities that are not available or related to the premises where the sign is located. 159 Dynamic Drive is designated as an Employment Sign District and Third Party Electronic Ground signs are permitted in Employment Sign Districts.

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(2) In the case of a Third Party sign, the electronic sign type is permitted in the sign district, where the premises is located.

The proposed sign defined as a Third Party Electronic Ground Sign, is a sign type permitted in an Employment Sign District.

(3) Be compatible with the development of the premises and surrounding area.

The subject premises is an Employment Sign District and is surrounded by other Employment Sign Districts to the south, east and west. The use of this property is a Sports complex and is consistent with the employment and industrial uses of the area, which also have existing Third Party advertising signs on the premises. The image below shows other Third Party sign locations in the immediate area.



The proposed sign on this property would be identical in height and size to the other existing Third Party sign structures in the surrounding area. No building or structure in the area would be overshadowed or offended by the presence of the proposed sign. The proposed sign replaces a sign, which has been in existence since 2003. The new sign shall simply be an improved more modern sign with a digital method of display. Modern digital signs are found at all large sporting venues, both on the interior and exteriors. Please see two examples provided below as references in the City of Toronto.

- 1) New Digital Sign installed at Leaside Memorial Gardens on lands owned by the City of Toronto.





2) BMO – Digital Sign on lands owned by The City of Toronto



The proposed sign is located 94.80 metres as opposed to the required 250 metres to an Open Space Sign District. The Open space has been used as a private recreational practice driving range for golfing enthusiasts for the last 15 years or greater. See photo below.



The digital sign will have no impact on people at the driving range, as the sign will not be visible to people at the range as they face away while hitting golf balls at the tee locations. See photo below.



Sign Variance Committee consideration on October 30, 2018

SB28.2

ACTION

Adopted

Ward: 25

Application for Three Variances Respecting One Third Party Electronic Ground Sign - 1129 Leslie Street

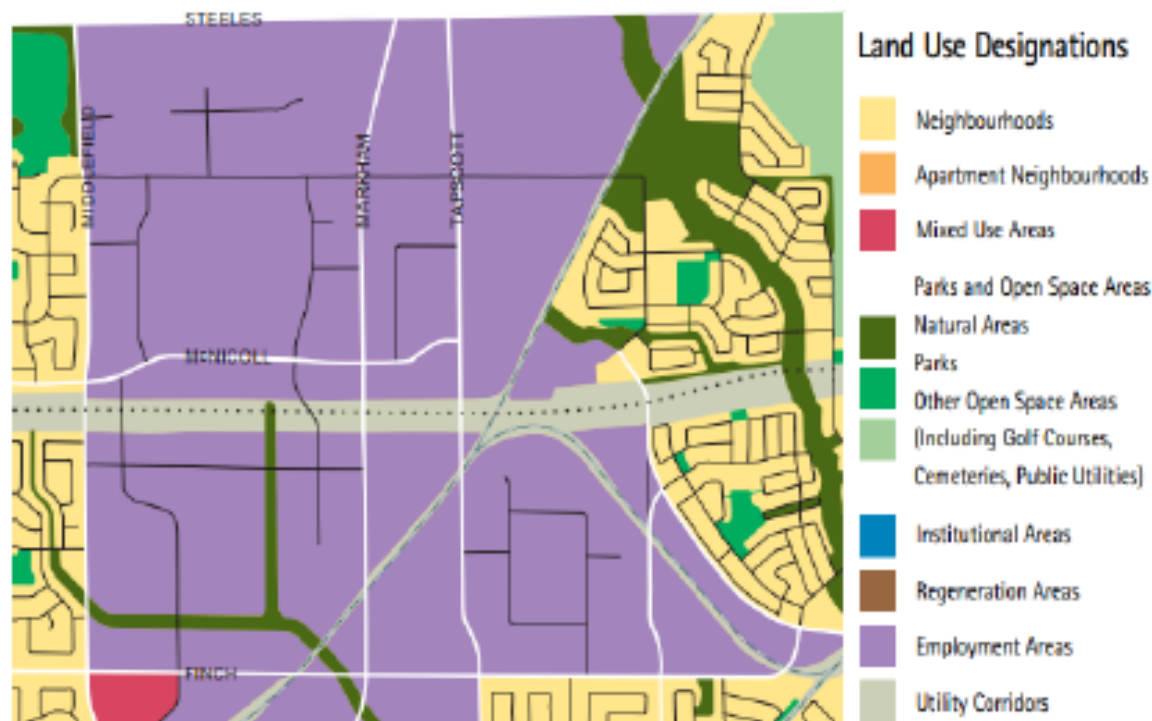
As additional support for consideration, please see the section of a staff report lifted from the item above. Although this is another location, it confirms that signs with a digital method of display do not have a negative impact on traditional OS land uses.

While the properties to the north and south are designated as E Sign Districts, nearly the entire west side of Leslie Street between Lawrence Avenue East and Eglinton Avenue East is designated as an Open Space (OS) Sign District, which contains Wilket Creek Park and, further to the west, Sunnybrook Park.

While there are general concerns about electronic signs located in close proximity to OS Sign Districts, and the potential impacts to these areas, the Applicant has undertaken a Natural Heritage Evaluation by WSP Canada Group Ltd., the results of which conclude that the Proposed Sign will not have any adverse impacts on the adjacent OS Sign Districts.

(4) Support the Official Plan objectives for the subject premises and surrounding area.

The subject premises is designated as an Employment Area in the Official Plan and which is a permitted zone for Third Party Electronic Ground signs in the Sign By-law. Please see the attached map confirming that the immediate and surrounding areas are Employment designated.





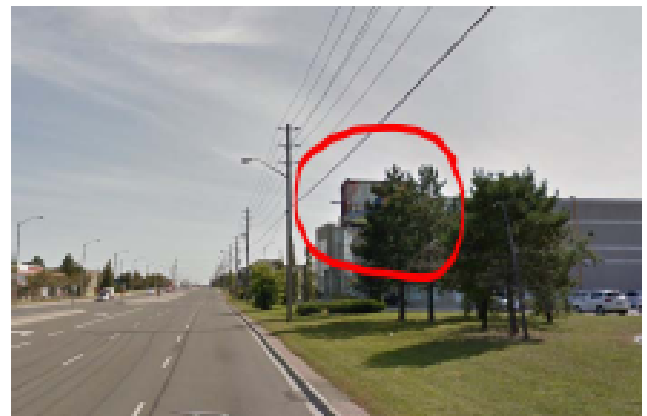
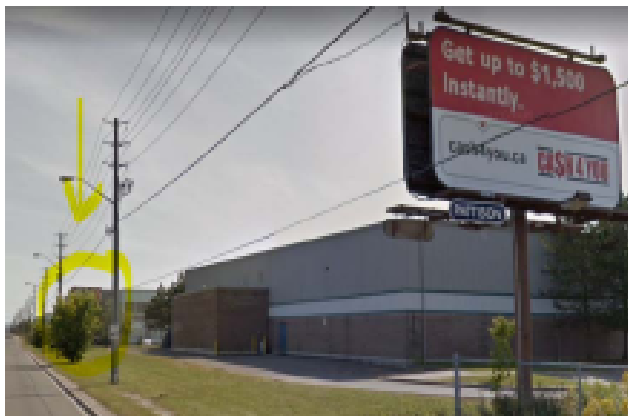
In accordance with the City's Official Plan Employment Areas are *places of business and economic activity*. Uses that support this function consist of: offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

Development such as the erection of a third party billboard sign will not undermine the stability of the *Employment Area uses*, rather will have particular regard for the viability and continuation of such existing use carried on the subject property. Therefore, the introduction of an accessory use (billboard structure) would not compromise or go contrary to those Official Plan objectives as it relates to Employment Area in the Official Plan

(5) Not adversely affect adjacent premises.

The new sign, which replaces the existing sign, shall use an electronic digital method of display. This type of display has no adverse or negative effect during the day when ambient light levels are bright. A digital method of display can have a negative impact when located in close proximity to a residential zone with a residential use. Being that no residential zones or use are found in this area, and being that the sign will be operated in conformity with the illumination levels and hours of operation under the sign by-law, and being that most of the adjacent premises also have and enjoy Third Party signs, it is our opinion that the new sign which replaces the existing sign will have no adverse effect on adjacent premises.

Regarding variance (ii). Although the new sign does not meet the required spacing to another existing static Third Party sign located to the south, many years ago trees were planted and have formed a natural visual barrier to the sign to the south. The resulting obstruction of the sign to the south, completely eliminates having two signs in the same line of sight which is the key objective in the spacing requirement. See the images below which confirm the natural barrier effect, which remains constant 365 days of the year because of the type of plant species, does not lose its foliage.





(6) Not adversely affect public safety.

The proposed sign, containing electronic static copy only, will not adversely affect public safety. The proposed sign location is beyond the required distance from a controlled intersection and faces no visibility triangle concerns. All operational requirements for electronic signs as defined in the City's Sign By-law will also be maintained by this proposal. The existing sign has been in place since the year 2003 and has had no incident that might affect public nor will a new more modern sign that uses a different method of displaying the image.

Regarding variance the sign setback iii). The by-law requires a 7.5 metre rear yard setback. The existing sign was built at a 3 metre setback, and the new sign which shall replace the existing sign shall be located in the same position on the property. The 3 metre setback is the required setback for a side yard which for all practical purposes is the most appropriate setback the sign is located on the side of the property based upon the orientation and use of the building. Based upon the layout of the building the sign is not located at the rear of the property.

Because the property has a 159 Dynamic address with an entrance off of Dynamic Drive, the opposite side of the property which fronts onto Markham Road is technically being described as the rear of the property. But the actual layout and use of the building does not match this as the main entrance of the building and the main parking area with a second entrance is located at the north end of the building with the back of the building (where the garbage bins are stored as example) being located at the south end. Thus, the rear yard setback would be more appropriately be applied at the south end of the building and not on the Markham Road side of the property which would be more appropriately described as the "side yard". It is our position that a sign with a smaller setback from the road is more visible and easier to see, which can reduce distraction. A sign which is setback further from the road causes drivers to momentarily look further away from the road. It is our position that the existing 3 metre setback is the appropriate setback for a sign of this size and that a greater setback will make the sign harder to see.





(7) Not be a sign prohibited by Toronto Municipal Code Chapter 694-15B.

This is not a prohibited sign under 694-15B.

(8) Not alter the character of the premises or surrounding area.

As stated throughout this submission we are proposing to replace an existing sign. We are not introducing a new sign to the premises or surrounding area. We are simply replacing the existing sign with a like size display which will use a digital method of display vs. a traditional static paper posted display. The new sign that is a permitted sign type at this location will conform to size, height, zoning, setbacks from lot lines and intersections, setbacks from residential, hours of operation, illumination levels, and all general operating procedures for digital signs. This premises and the surrounding area have been deemed appropriate for Third Party advertising signage under previous sign by-laws and are generally acceptable under the current sign by-law. Many advertising signs exist in the immediate area (see the attached image below).

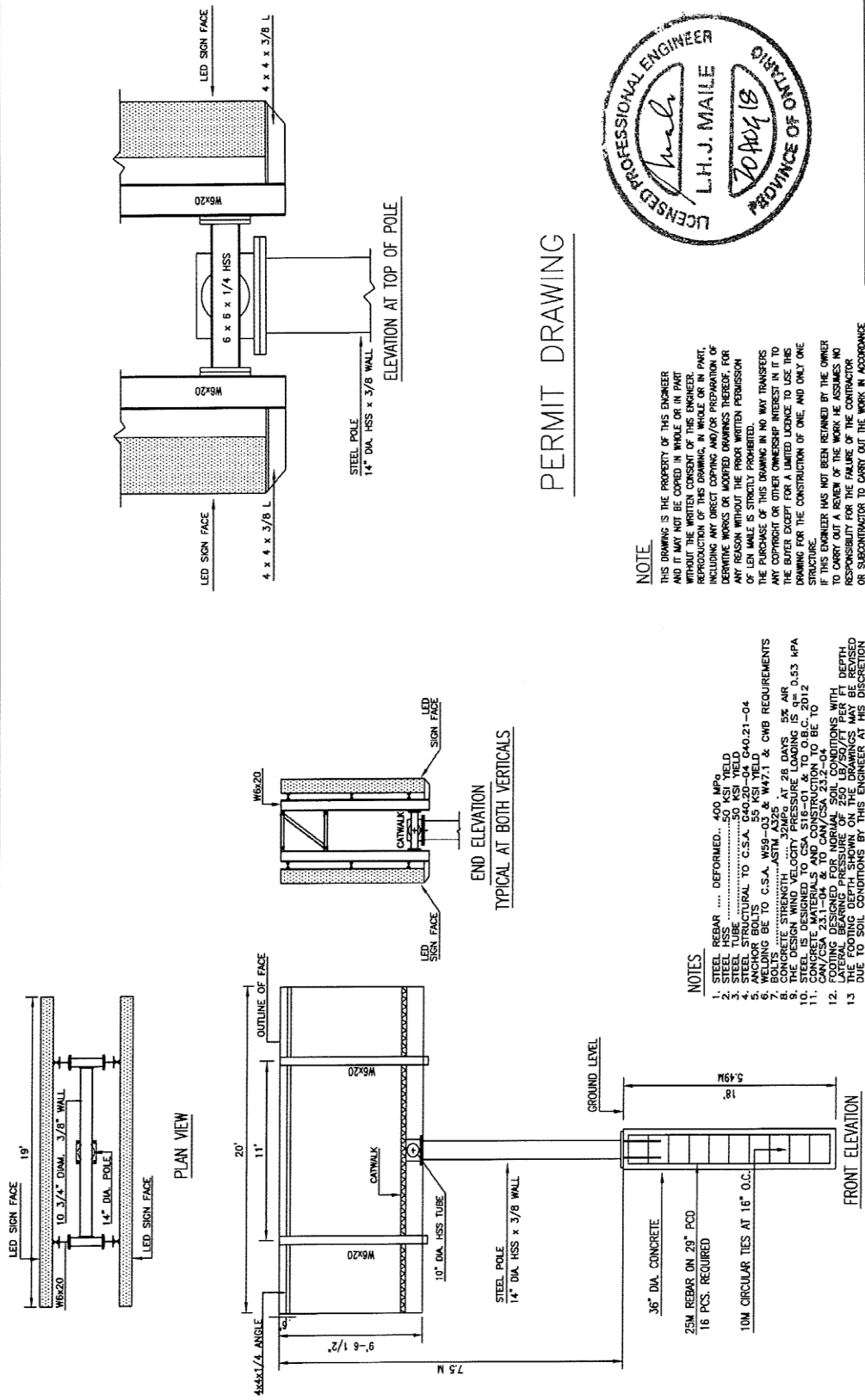


The new sign shall not alter the character of the premises or surrounding area.

(9) Not be, in the opinion of the decision maker, contrary to the public interest.

In Pattison's opinion, the proposed billboard is not contrary to the public interest. The subject premises is within a transient area that contains many existing third party ground signs north, south and west. This is an area where advertising in the public realm is typical, and where signs bring commercial vibrancy to the streetscape. Signage is so ingrained in our collective minds that most of the time we go about our daily activities without even knowing they are there. They direct us, remind us and sometimes even inspire us to make decisions each day. For local small businesses, they are a priceless way to establish an identity and gain new customers.

This particular sign will also generate income for a major sports facility, which will assist in the maintenance and upkeep of the complex that will benefit the patrons.

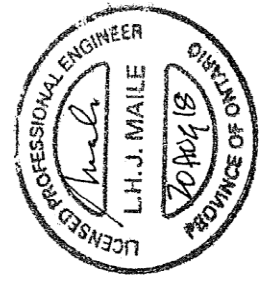


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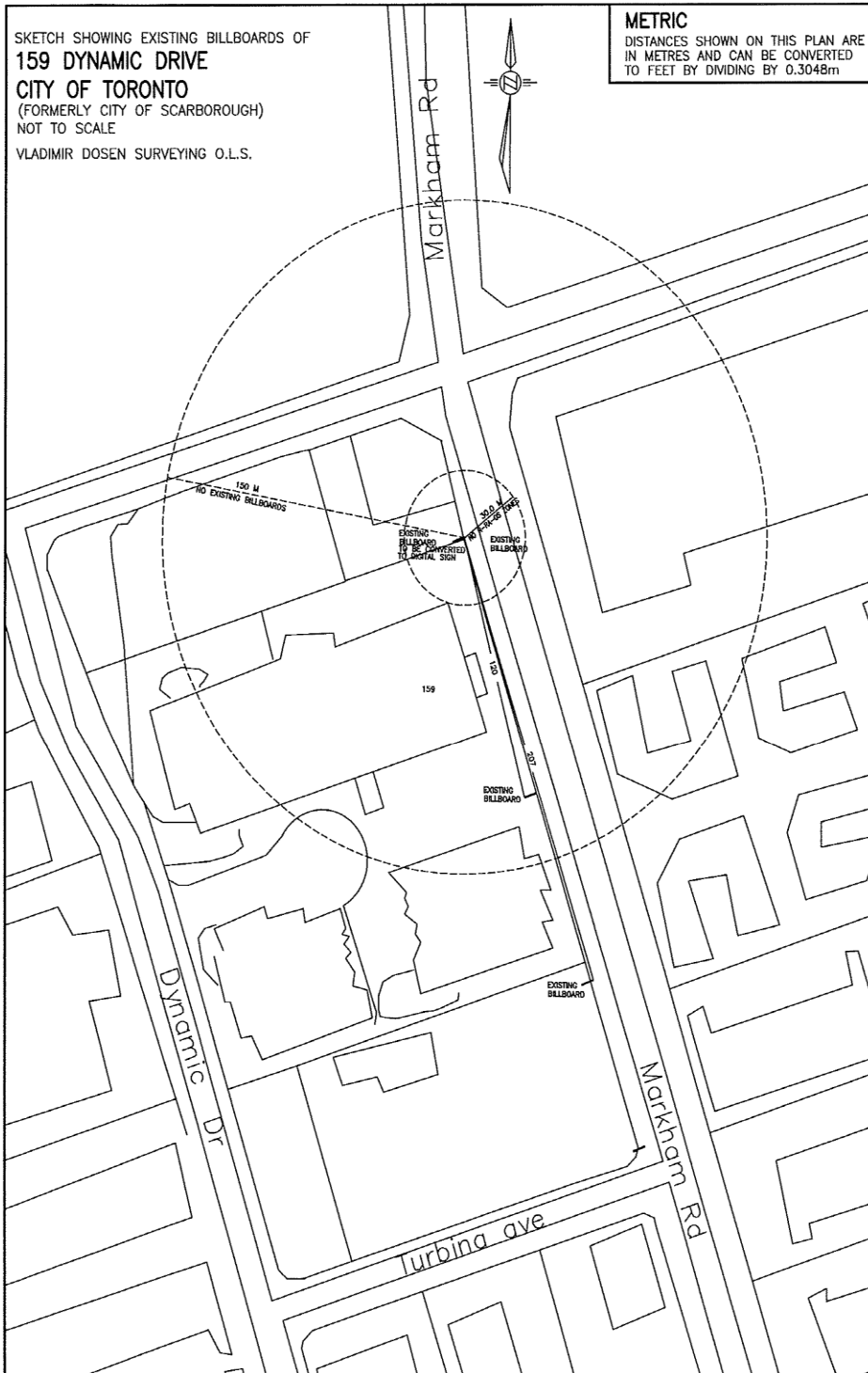
PERMIT DRAWING

- NOTES**
1. STEEL REBAR ... DEFORMED, 400 MPa
 2. STEEL HSS ... 50 KSI YIELD
 3. STEEL TUBES ... 50 KSI YIELD
 4. STEEL STRUCTURAL TO C.S.A. 508-01 & 508-02
 5. ANCHOR BOLTS ... 50 KSI YIELD
 6. WELDING BE TO C.S.A. W59-03 & W47.1 & CMB REQUIREMENTS
 7. CONCRETE STRENGTH ... 28 DAYS 5% AIR
 8. THE DESIGN WIND VELOCITY PRESSURE LOADING IS $q = 0.53$ KPA
 9. STEEL DESIGNED TO CSA S16-01 & TO O.B.C. 2012
 10. CONCRETE DESIGNED TO CSA S16-01 & TO O.B.C. 2012
 11. CAN/CSA 23.1-04 & TO CAN/CSA 23.2-04
 12. FOOTING DESIGNED FOR NORMAL SOIL CONDITIONS WITH DEPTH OF 1.8M
 13. THE FOOTING DEPTH SHOWN ON THE DRAWINGS MAY BE REVISED DUE TO SOIL CONDITIONS BY THIS ENGINEER AT HIS DISCRETION
 14. ALL SPECIFICATIONS ARE TO BE THE LATEST ISSUE

SKETCH SHOWING EXISTING BILLBOARDS OF
159 DYNAMIC DRIVE
CITY OF TORONTO
(FORMERLY CITY OF SCARBOROUGH)
NOT TO SCALE
VLADIMIR DOSEN SURVEYING O.L.S.

METRIC

DISTANCES SHOWN ON THIS PLAN ARE
IN METRES AND CAN BE CONVERTED
TO FEET BY DIVIDING BY 0.3048m



NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS
PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION
OF V.D. DOSEN O.L.S.

NOTE

THIS IS NOT A PLAN OF SURVEY
AND SHALL NOT BE USED FOR
MORTGAGE OR TRANSACTION
PURPOSES.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

THE FIELD WORK WAS COMPLETED ON THE
30th DAY OF JULY 2018.

AUG 20, 2018

DATE

VLADIMIR DOSEN, B.Sc.
ONTARIO LAND SURVEYOR

**VLADIMIR DOSEN SURVEYING
ONTARIO LAND SURVEYORS**

555 DAVISVILLE AVENUE
TORONTO, ONTARIO M4S 1J2

PHONE: (416) 527-0408 EMAIL: vladdosen@rogers.com

DRAWN BY: VD

CHECKED BY: VD

CAD FILE: 2018 DYNAMIC DRIVE SK

FILE: 18-110

JOB No : 18289

Vladimir Dosen Surveying Inc.

address: 555 Davisville Ave. Toronto, ON M4S 1J2

office: 416-466-0440

email: vladdosen@rogers.com

September 26, 2018

City of Toronto
100 Queen Street West
1st Floor, East Tower
Toronto, Ontario
M5N 2H2

Re: 159 Dynamic Drive
City Of Toronto
(Formerly City of Scarborough)

The attached sketch dated August 20, 2018 was prepared by my office based on Registry records and field verification and is correct as of the date shown. This sketch is prepared to illustrate the locations as they relate to the regulations outlined in Chapter 694, Signs, General, of the City of Toronto Municipal Code.

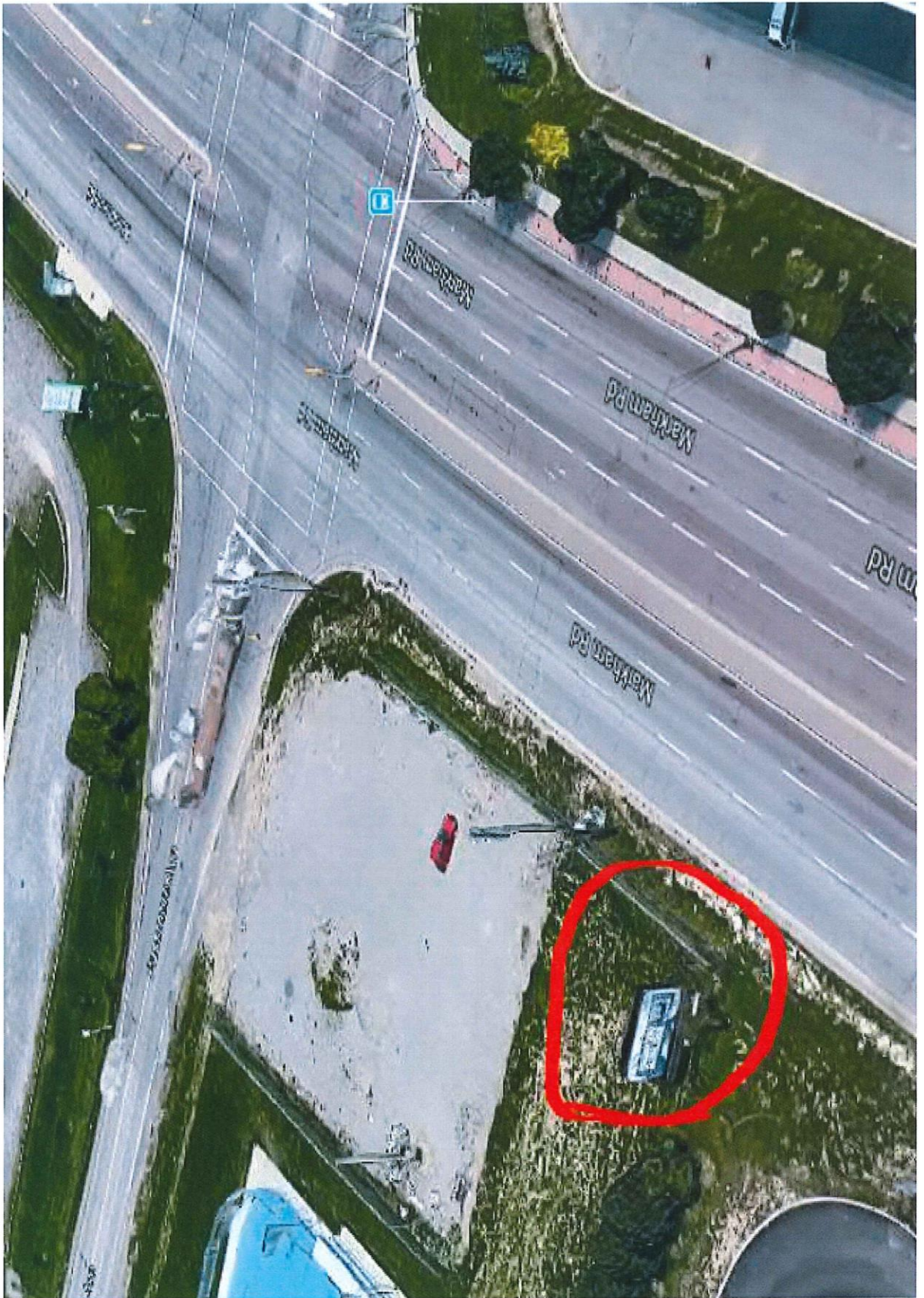
If further information is required, please contact the undersigned.

Yours truly,
VLADIMIR DOSEN SURVEYING INC.


Vladimir Dosen, O.L.S., O.L.I.P.


Submitted by: Stephen Mazur, Pattison Outdoor Signs
I hereby certify the accuracy of the attached Sketch submitted herewith.

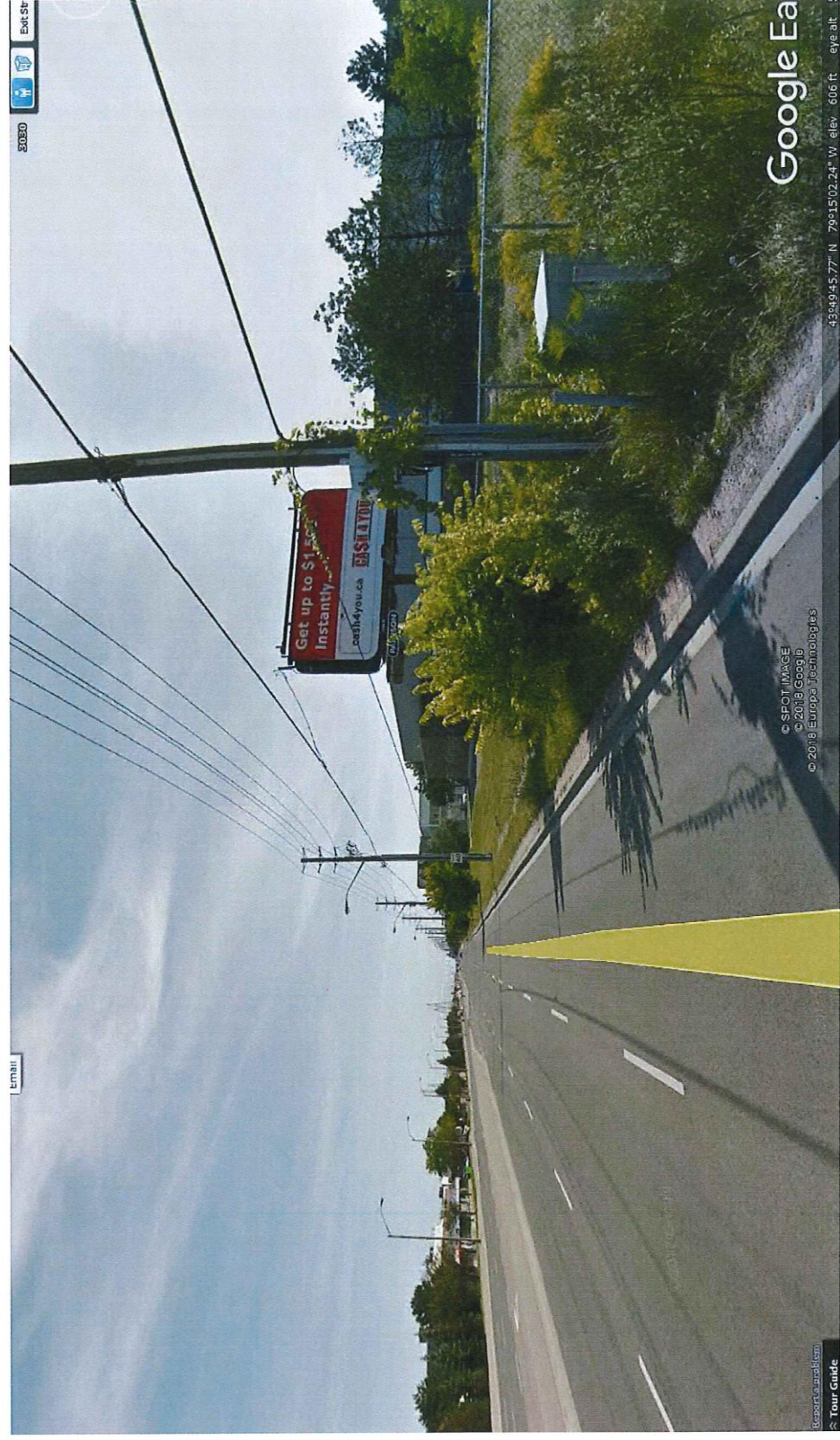
**VLADIMIR
DOSEN
SURVEYING**



159 Dynamic North Bound Markham Road side



159 DYNAMIC South Bound Markham Road Side



159 DYNAMIC ARIEL MARKHAM ROAD SIDE

