

**REPORT FOR ACTION****Application for Three Variances, Each Subject to Four Conditions, Respecting One Third Party Electronic Ground Sign - 3848-3998 Chesswood Drive**

Date: November 12, 2020
To: Sign Variance Committee
From: Manager, Sign By-law Unit, Toronto Building
Wards: York Centre (Ward 06)

SUMMARY

Pattison Outdoor (the "Applicant") has been authorized by the owner of the property municipally known as 3848-3998 Chesswood Drive, to apply for three variances, each subject to four conditions, required for a permit to be issued for one third party electronic ground sign with two sign faces, each displaying electronic static copy (the "Proposed Sign") at 3848-3998 Chesswood Drive.

The Proposed Sign will be located along the south frontage of 3848-3998 Chesswood Drive, facing Sheppard Ave West and directed south east and south west. It will have a height of 7.65 metres, and will contain two sign faces, each measuring 5.80 metres horizontally by 2.90 metres vertically, with a sign face area of 16.82 square metres in a "v-shaped" configuration. The interior angle of two sign faces will be less than 90 degrees. The Proposed Sign is described further in Attachment 1.

Three variances to Chapter 694, each subject to four conditions, are required to allow the Chief Building Official ("CBO") to issue the sign permit for the Proposed Sign. The requirements in Chapter 694 that are requested to be varied, are:

- 1) **694-25(C)(2)E** – An Employment "E" Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within 60 metres of any premises located, in whole or in part, in an R, RA, CR, I, or OS Sign District – The Proposed Sign is located approximately 45 metres from an I Institutional Sign District to the south;
- 2) **694-25(C)(2)(f)** – An E Sign District may contain a third party electronic ground sign, provided where the sign is located within 250 metres of an R, RA, CR, I, or OS Sign District, the sign cannot face any premises in that

district – The Proposed Sign faces into an I Institutional Sign District within 250 metres, and;

- 3) **694-25C(2)(k)** – An E Sign District may contain a third party electronic ground sign, provided where there are two sign faces, the sign faces shall be back-to-back - the Proposed Sign has a “v-shaped” configuration.

If granted, each of the three requested variances, would have the following four conditions:

- 1) Any and all existing third party signs located at the property municipally known as 3848-3998 Chesswood Drive shall be removed and all associated permits revoked, prior to the erection or display of the Proposed Sign;
- 2) Any and all existing first party ground signs located at the south frontage of the property municipally known as 3848-3998 Chesswood Drive shall be removed and all associated permits revoked, prior to the erection or display of the Proposed Sign;
- 3) The sign face bottom shall be no less than 4.5 metres for all sign faces; and,
- 4) The orientation of the two sign faces to be in a generally south-westerly and south-easterly direction as follows, with an internal angle of the two sign faces no more than 90 degrees.
 - i. have a maximum bisecting line of no greater than 2.90
 - ii. have a maximum centre line of no greater than 5.80
 - iii. have a maximum sign face area of no greater than 16.82 square metres;
 - iv. may display static, or electronic static sign copy, but not both;

Following a review of the Applicant's submissions and the results of research and investigation by the staff of the Sign By-law Unit, the CBO has determined that the Applicant has not provided sufficient information to determine that the proposal meets all nine of the criteria established in §694-30A of the Sign By-law. Specifically, the information provided has not established that the Proposed Sign is compatible with the development of the premises and surrounding area, and that the Proposed Sign is not contrary to the public interest.

RECOMMENDATIONS

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

1. The Sign Variance Committee refuse the requested variances to sections 694-25(C)(2)E, 694-25(C)(2)(f) and 694-25C(2)(k), each subject to four conditions, as required to allow for the issuance of a permit for the erection and display of one third

party electronic ground sign at the property municipally known as 3848-3998 Chesswood Drive, as described in Attachment 1 to this report.

FINANCIAL IMPACT

There are no current or known future year financial impacts arising from the recommendations contained in this report.

DECISION HISTORY

This item has not been previously considered by the Sign Variance Committee.

ISSUE BACKGROUND

Required Variances

Table 1: Summary of Requested Variances

Section	Requirement	Proposal
694-25(C)(2)E	An Employment Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within 60 metres of any premises located, in whole or in part, in an R, RA, CR, I, or OS Sign District	The Proposed Sign is located approximately 45 metres from an I Institutional Sign District to the south
694-25(C)(2)(f)	An Employment Sign District may contain a third party electronic ground sign, provided where the sign is located within 250 metres of an R, RA, CR, I, or OS Sign District, the sign cannot face any premises in that district	The Proposed Sign faces into an I Institutional Sign District within 250 metres
694-25C(2)(k)	An Employment Sign District may contain a third party electronic ground sign, provided where there are two sign faces, the sign faces shall be back-to-back	The Proposed Sign has a “v-shaped” configuration

Sign Attributes and Site Context

The property at 3848-3998 Chesswood is designated as an E Sign District, located in Ward 6 - York Centre. There are three buildings located at 3848-3998 Chesswood Drive, containing strip malls, union halls and small retail businesses, as illustrated in Figure 1.

Figure 1: GIS Map Excerpt - 3848-3998 CHESWOOD DR



Surrounding premises:

North: Employment E Sign District, employment, commercial and retail uses

East: Employment E Sign District, employment, commercial and retail uses

West: Employment E Sign District, employment, commercial and retail uses

South: Institutional I Sign District, Open space vacant land

Figure 2: Sign District Map Excerpt - 3848-3998 CHESWOOD DR



COMMENTS

Applicant Information

Pattison Outdoor (the "Applicant") has been authorized by the owner of the property municipally known as 3848-3998 Chesswood Drive, to apply for three variances, each subject to four conditions, required for a permit to be issued for one third party electronic ground sign with two sign faces, each displaying electronic static copy (the "Proposed Sign") at 3848-3998 Chesswood Drive.

Application Background

The Proposed Sign will be located along the south frontage of 3848-3998 Chesswood Drive, facing Sheppard Ave West and directed south east and south west. It will have a height of 7.65 metres, and will contain two sign faces, each measuring 5.80 metres horizontally by 2.90 metres vertically, with a sign face area of 16.82 square metres in a "v-shaped" configuration. The interior angle of two sign faces will be less than 90 degrees. The Proposed Sign is described further in Attachment 1.

Community Consultation

The CBO has adopted a practice of engaging in enhanced consultation process concerning variance applications concerning electronic signs. Notice required by the City's Sign By-law was provided to premises within a 250 metre radius of the location of the Proposed Sign, advising about the proposal, the CBO also held and informed the public of an additional virtual Community Consultation meeting.

A virtual public consultation was held on Oct 13, 2020 and application notice was mailed to the owners of properties within 250m of 3848-3998 Chesswood Drive. As of the date of this report, one member of the public has contacted the Sign By-law Unit and raised concerns with respect to the impact of the proposal in their business.

Criteria Established by §694-30A of The Sign By-law

The Sign By-law contains criteria used to evaluate variance applications for Proposed Signs. Specifically, §694-30A states that a variance may only be granted where the Proposed Sign meets each of the nine established criteria.

The Sign Variance Committee is required to conduct an evaluation and determine that the party seeking the proposed variances meets all nine of the mandatory criteria, on the basis of the information presented by the Applicant. Based on research and investigation conducted by Sign Unit staff, it is the CBO's opinion that the Applicant's submissions have not provided sufficient information to establish that the Proposed Sign meets all nine criteria. Specifically, the Applicant did not demonstrate how the Proposed

Sign is compatible with the development of the premises and surrounding area and how it is not contrary to the public interest.

Applying the Established Criteria

Section 694-30A (1): The Proposed Sign belongs to a sign class permitted in the Sign District.

Based on a review by Sign Unit staff, 3848-3998 Chesswood Drive can be confirmed as being designated as an E Sign District and that E Sign Districts permit signs belonging to the third party sign class. The CBO has confirmed that as per information contained in the Applicant's submission, the Proposed Sign is a third party sign, as it will advertise, promote, or direct attention to businesses, goods, services, matters, or activities that would not be available at, or related to, the premises where the sign would be located. Therefore, the CBO is of the opinion that this criteria has been established.

Section 694-30A (2): In the case of a third party sign, the Proposed Sign is of a sign type permitted in the Sign District...

Based on the review of the Sign Unit staff, 3848-3998 Chesswood Drive can be confirmed as being designated as an E Sign District. The Applicant's submission contains sufficient information to confirm the Proposed Sign is an electronic ground sign. Electronic ground signs are a sign type that is permitted in E Sign Districts. Therefore, the CBO is of the opinion that this criteria has been established.

Section 694-30A (3): The Proposed Sign is compatible with the development of the premises and surrounding area

The property at 3848-3998 Chesswood Drive is designated as E Sign District, which permits electronic ground signs at a size and height consistent with the Proposed Sign. The property at 3848-3998 Chesswood Drive is surrounded by an E Sign District to the north, east and west; these areas of the City are specifically set out in the Sign By-law to contain third party electronic ground signs and contain largely commercial and employment uses.

The building at 3848-3998 Chesswood Drive directly adjacent to the Proposed Sign is a one-storey building, and contains a third party roof sign displaying static copy with a sign face area of 18.6 square metres on each side. The Applicant has proposed to remove the existing roof sign as a condition of approval of the Proposed Sign.

Based on Sign By-law Unit investigation, 3848-3998 Chesswood Drive and many of the buildings in the vicinity are low rise buildings. As a result, the Proposed Sign will be displayed at a height and a size that would make the electronic portion a visually dominant component of the landscape. Signage in an E Sign District should complement the scale and nature of existing and planned uses. The Proposed Sign is

not integrated into the overall design and architecture of a building and will result in a structure that intrudes into the skyline, as illustrated in Figure 3.

Figure 3 – Before and After Image of the Subject Premises and the Proposed Sign



The first party wall and ground signs on the property at 3848-3998 Chesswood Drive that display static copy appear to be of a size and magnitude that is more consistent with the development of the premises and surrounding area, as illustrated in Figure 4.

Figure 4 – Looking west at the existing sign



The Applicant's submission materials also fail to demonstrate how the requested variance for a "v-shaped" rather than a back-to-back configuration for the Proposed Sign will be compatible with the development of the premises and surrounding.

The Applicant has not provided sufficient information how the Proposed Sign is compatible with the overall design and development of 3848-3998 Chesswood Drive and the surrounding area, therefore the CBO has determined that this criteria has not been established.

Section 694-30A (4): *The Proposed Sign supports Official Plan objectives for the subject premises and surrounding area*

The property at 3848-3998 Chesswood Drive is designated as an 'Employment Area' within the Official Plan. Employment Areas are places of business and economic activity, and include a wide array of uses such as manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets, restaurants and small-scale stores and services that serve these businesses and workers.

The Applicant's submission states that the Proposed Sign will help support the Official Plan objectives for a healthy and vibrant Employment Area by providing a medium for both local and national businesses to promote themselves and advertise their goods and services, contributing to future economic growth.

The Official Plan states that "diverse employment areas can adapt to changing economic trends, and are poised to capture new business opportunities." Adapting to the changes and improvements in technology which have been achieved by the sign industry since the inception of the Sign By-law in 2009 (such as the emergence of electronic copy as opposed to traditional static or mechanical copy), and considering the needs of local and national business to promote their products and services, is also in line with the overall objectives set out in the Official Plan.

The property at 3848-3998 Chesswood Drive is located within the Downsview Area Secondary Plan Area. This area is centrally located in the City, and presents a unique opportunity to develop a significant national urban park, as well as new residential neighborhoods and employment areas that are well-served by public transit which complements the Government of Canada's planned national urban park.

In the mid-1990s, the federal government announced its intention to close the Canadian Forces Base Downsview, and establish a national urban park on these lands. The Proposed Sign will not interfere with any of the national urban park uses, or the residential neighborhoods located in this area, because of the considerable separation between the Proposed Sign and the residential uses further south in Downsview Park.

The Proposed Sign is more than 600 metres from the nearest park space, and more than two kilometres away from the residential development at Downsview Park. At these distances, and based on a sign face area of 16.6 square metres and a height of 7.65 metres, any impact that the Proposed Sign may have on the parkland uses or residential development at Downsview Park, would be minimal.

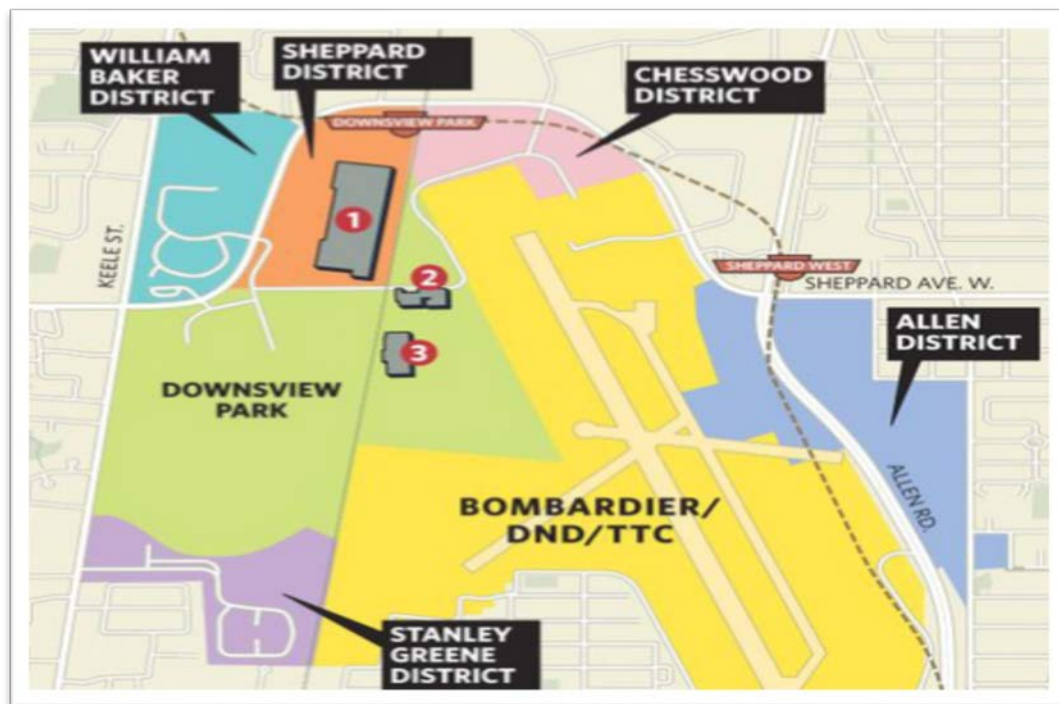
The Applicant's materials establish sufficient information to confirm that the Proposed Sign supports the Official Plan objectives for the property and surrounding area, therefore the CBO is of the opinion that this criteria has been established.

Section 694-30A (5): *The Proposed Sign does not adversely affect adjacent premises*

The property at 3848-3998 Chesswood Drive is designated as an E Sign District, as are the adjacent properties to the north, east and west. E Sign Districts are specifically set out in the Sign By-law to allow third party electronic ground signs. Based on a staff review of the properties surrounding 3848-3998 Chesswood Drive, none of them contain uses that will be adversely affected by the presence of the Proposed Sign.

To the south is Downsview Park, which is designated as an Institutional ("I") Sign District. The Proposed Sign is more than 600 metres from the nearest park space, and over two kilometres away from a residential development to the south. Current plans for Downsview Park call for three new residential neighborhoods in the Stanley Greene, William Baker and Allen Districts. As illustrated in Figure 5, all of these Districts are a significantly distanced from the Proposed Sign. The closest neighbourhood to the Proposed Sign would be the William Baker District, which is more than 600 metres west of the Proposed Sign location. At these distances, based on a sign face area of 16.6 square metres and height of 7.65 metres, the Proposed Sign will have minimal impacts on the parkland uses or residential development at Downsview Park.

Figure 5 – Map of Districts within Downsview Park



The Proposed Sign also meets the setback requirement of three metres from the side and rear-yard property lines in the Zoning By-law. It will be a significant distance away, and will not be visible from any park or residential uses contained within the I Sign District to the south. It will also not be located within the minimum setback from an intersection or within a visibility zone, and is not located near any Open Space, Commercial Residential, or Residential / Residential Apartment Sign Districts.

As result, the Proposed Sign should not adversely affect any adjacent premises, therefore the CBO is of the opinion that this criteria has been established.

Section 694-30A (6): *The Proposed Sign does not adversely affect public safety, including traffic and pedestrian safety*

Compliance with the City's regulations are designed to ensure that there are no adverse impacts on public safety, these regulations are designed to work in conjunction with the regulations applicable to signs. The Applicant's materials, as well as investigations by Sign Unit staff indicate that the Proposed Sign does not appear to raise any foreseeable adverse safety outcomes.

The Proposed Sign is to have a minimum clearance of 4.50 metres from grade to the bottom of the sign faces (this measurement is defined as "Sign Face Bottom" in the Sign By-law) This 4.50 meter Sign Face Bottom measurement will help to ensure that pedestrians and vehicles can pass safely underneath the Proposed Sign without issue and that views around the sign are not obstructed. This exceeds the minimum clearance requirement of 2.60 metres set out in the Ontario Building Code.

Although there are concerns about driver distraction and impacts on vehicle and pedestrian safety, the Sign By-law has regulations (e.g. minimum setbacks from intersections and street lines, and visibility zones) to address the potential for adverse safety impacts for signs, including signs displaying electronic static copy.

The Proposed Sign will meet the required 30 metre setback from any street intersections and will be located approximately 250 metre from Downsview Park Subway Station. As a result of these circumstances, staff do not foresee any potential adverse effects on traffic or pedestrian safety.

The Sign By-law also has requirements for signs not to be within a "Visibility Zone" – defined as the area within three metres of the outermost points of a vehicular ingress or egress of a property where it intersects with a street. The Proposed Sign will not be located in any visibility zones.

It is the opinion of staff that, based on the review of all available information that the Proposed Sign, and required variances, do not raise any concerns around public safety. Therefore, it is the CBO's opinion that the existing Sign by-law requirements concerning issues (including but not limited to, distance from visibility zones and intersections) are sufficient to ensure that there are no adverse safety impacts arising from the Proposed Sign.

Based on the Applicant's materials, and the investigation and review of staff, the CBO is of the opinion that this criteria has been established.

Section 694-30A (7): *The Proposed Sign is not a sign prohibited by §694-15B*

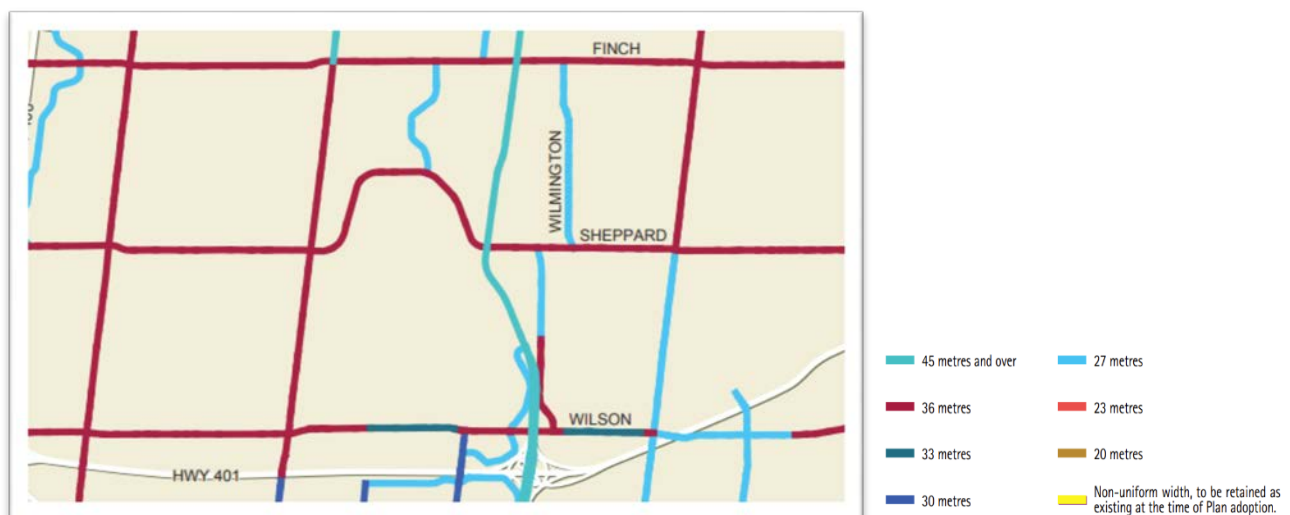
According to staff review, the Applicant's documents and drawings contains sufficient information to confirm that the Proposed Sign does not meet the description of any of the signs which are specifically prohibited by §694-15B. Based on this review, the CBO is of the opinion that this criteria has been established.

Section 694-30A (8): *The Proposed Sign does not alter the character of the premises or surrounding area*

The property at 3848-3998 Chesswood Drive is in an E Sign District, and permits electronic ground signs at a size and height consistent with the Proposed Sign. It is also surrounded by other E Sign Districts to the north, east and West. E Sign Districts were specifically set out in the Sign By-law to allow third party electronic ground signs. As well, none of the properties in the surrounding E Sign Districts contain uses that are likely to be adversely affected by the presence of the Proposed Sign.

To the south is Downsview Park, which is designated as an I Sign District. Sheppard Avenue West, located between the Proposed Sign and I district is large in scale, with 36 metre right-of-way widths, and would act as separation in between, as illustrated in Figure 6. There is also a green space, currently being used as vacant land, near a TTC station, which minimize the impact of the Proposed Sign.

Figure 6– Map 3 Toronto Official Plan – Right-of-Way Widths Associated with Existing Major Streets



The Proposed Sign is more than 600 metres from the nearest park space, and over two kilometres from a residential development to the south. As a result, the Proposed Sign

will not conflict with, or have little if any relationship with Downsview Park or the residential neighborhoods located further to the south.

The Proposed Sign is generally in keeping with the regulatory provisions respecting third party electronic ground signs in E Sign Districts. It is the expectation that such signs are consistent with the character of the surrounding area.

The Applicant's submission materials provide sufficient information to confirm that the Proposed Sign will not alter the character of the premises or surrounding area, therefore the CBO is of the opinion that this criteria has been established.

Section 694-30A(9): *The Proposed Sign is not contrary to the public interest*

The Applicant's submission materials state that, the two variances required for being setback less than 60 metres from an I Sign District, and for facing into an I Sign District within 250 metres are minor for the Proposed Sign and that there will be no adverse impacts on any of the adjacent premises.

The northern portion of the I Sign District to the south does not contain any residential or park uses that could be impacted by the Proposed Sign, nor are there plans in place to develop this portion to contain any of these uses. In addition, Sheppard Avenue West is large in scale and helps to reduce the impact of the Proposed Sign.

The Proposed Sign would be built at a height and a size that would make the electronic portion a visually dominant component of the landscape. Signage in an E Sign District should complement the scale and nature of existing and planned uses. Due to its height, size and display of electronic copy, the Proposed Sign is difficult to integrate into the overall design and architecture of the building(s) at 3848-3998 Chesswood Drive and the result will be a structure that intrudes into the skyline.

Furthermore, the Applicant's submission materials did not explain how the requested variance for a "v-shaped" sign rather than a back-to-back sign face configuration will meet the nine criteria and is not contrary to the public interest.

A virtual public consultation has been held on Oct 13, 2020 and application notice has been mailed to the owners of properties within 250m of 3848-3998 Chesswood Drive. One member of the public contacted Sign By-law Unit and raised concerns with respect to the impact of the proposal in their business.

It is the CBO's opinion that the Applicant's materials has not provided sufficient information to confirm that the Proposed Sign will not be contrary to the public interest, and that this criteria has not been established.

CONCLUSION

The Applicant's materials has not provided sufficient information for the CBO to establish that all nine criteria required to grant an approval for the three requested variances have been met. As such, the CBO is **not** supportive of the Sign Variance Committee granting the requested variances, subject to the specified conditions.

CONTACT

Farnaz Bigdeli, Acting Supervisor Variance Tax and Permits, Sign By-law Unit
E-mail: Farnaz.Bigdeli@Toronto.ca; Tel: 416-392-4113

SIGNATURE

Ted Van Vliet, Manager, Sign By-law Unit, Toronto Building

ATTACHMENTS

Attachment 1 – Description of Sign, Required Variances and Conditions
Attachment 2 – Sign District View Mapping of the Premises and surrounding Area
Attachment 3 – Applicant's Submission Package

Attachment 1: Description of Sign and Required Variance and Conditions

Sign Description:

One third party electronic ground sign described as follows:

- a) having a height of 7.65 metres;
- b) may be illuminated;
- c) located no closer than 45.00 metres from the Sheppard Ave Street line of the premises;
- d) contains two sign faces in an approximate south-east and south-west orientation, placed in a “v-shaped” configuration
- e) each sign face shall comply with the following:
 - i. have a maximum bisecting line of no greater than 2.90
 - ii. have a maximum centre line of no greater than 5.80
 - iii. have a maximum sign face area of no greater than 16.82 square metres;
 - iv. may display static, or electronic static sign copy, but not both;

Required Variance:

1. The requirement contained at §694-25(C)(2)E, which states that E Employment Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within 60 metres of any premises located, in whole or in part, in an R, RA, CR, I, or OS Sign District, be varied to allow the Proposed Sign to be erected approximately 45 metres from an I Institutional Sign District to the south.
2. The requirement contained at §694-25(C)(2)(f), which states that E Employment Sign District may contain a third party electronic ground sign, provided where the sign is located within 250 metres of an R, RA, CR, I, or OS Sign District, the sign cannot face any premises in that district, be varied to allow the Proposed Sign to face into an I Institutional Sign District within 250 metres.
3. The requirement contained at §694-25(C)(2)(k), which states that E Employment Sign District may contain a third party electronic ground sign, provided where there are two sign faces, the sign faces shall be back-to-back, be varied to allow a the Proposed Sign to have two sign faces in a “v-shaped” configuration subject to conditions 1, 2, 3 and 4 listed below.

Conditions:

Condition 1. Any and all existing third party signs located at the property municipally known as 3848-3998 Chesswood Drive shall be removed and all associated permits revoked, prior to the erection or display of the Proposed Sign;

Condition 2. Any and all existing first party ground signs located at the south frontage of the property municipally known as 3848-3998 Chesswood Drive shall be removed and all associated permits revoked, prior to the erection or display of the Proposed Sign;

Condition 3. The sign face bottom shall be no less than 4.5 metres for all sign faces and,

Condition 4. The orientation of the two sign faces to be in a generally south-westerly and south-easterly direction as follows, with an internal angle of the two sign faces no more than 90 degrees.

- v. have a maximum bisecting line of no greater than 2.90
- vi. have a maximum centre line of no greater than 5.80
- vii. have a maximum sign face area of no greater than 16.82 square metres;
- viii. may display static, or electronic static sign copy, but not both;

Attachment 2: Sign District View Mapping of the Premises and surrounding Area



Attachment 3 – Applicant's Submission Package



Application Sign Variance

Folder Number	Date (yyyy-mm-dd)
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Project Information

Street Number 3848-3998	Street Name Chesswood Drive	Lot Number PT BLK C, D PL 90	Plan Number
Describe the variance(s) being applied for: 694-25(C)(2)(e) / 694-25(C)(2)(f) / 694-25C(2)(k) / (iv) 694-22E Setback and facing I Sign District to the south; v-shape configuration; setback to another sign (to be removed)			
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		Location	
Please provide the reasons/justification for the request (Attach any supporting documentation or additional pages as required): Please see attached Sign Variance Rationale and supporting documentation			

Property Owner Information

First Name Jay		Last Name Brown (authorized agent of owner)	
Company Name (if applicable) West Sheppard Mews Developments Ltd.		Telephone Number (416) 487-5122	
Street Number 38	Street Name Berwick Avenue	Suite/Unit Number	Mobile Number
City/Town Toronto	Province On	Postal Code M5P 1H1	Fax Number (416) 631-9962
Email			

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

First Name I, Nicholas		Last Name Campney	
Company Name Pattison Outdoor Advertising			Telephone Number (905) 282-6853
Street Number of 2700	Street Name Matheson Boulevard East	Suite/Unit Number 500	Mobile Number (647) 808-6425
City/Town Mississauga	Province ON	Postal Code L4W 4V9	Fax Number
Email ncampney@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 copyright law - That the information included in this application and in the documents filed with this application is correct.			
 Signature		Nicholas Campney Print Name (First, Last)	2020-07-13 Date (yyyy-mm-dd)

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Toronto Building collects personal information on this form under the legal authority of the City of Toronto Act, S.O. 2006, Chapter 11, Schedule A, 136(c) and the City of Toronto Municipal Code, Chapter 694, Signs, General and Chapter 771, Taxation, Third Party Sign Tax. The information will be used for processing applications and creating aggregate statistical reports, for enforcement of the City of Toronto Municipal Code Chapter 694, Signs, General, Chapter 771, Taxation, Third Party Sign Tax, and any other applicable sign by-law of the City of Toronto, and for contacting permit holder(s) or authorized agent(s). Questions about this collection can be directed to the Manager, Sign By-law Unit, Toronto Building, 100 Queen Street West, Ground Floor, East Tower, Toronto, Ontario, M5H 2N2 or by telephone at 416-392-4235.



Data Sheet
Sign Variance

Folder number	Request Date (yyyy-mm-dd)
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This data sheet forms part of an application for a Variance From Chapter 694 of the Toronto Municipal Code, Signs

Project Information

Street Number	Street Name	Lot Number	Plan Number
3848-3998	Chesswood Drive	PT BLK C, D PL 9019 NO	

Site and Building Data

Lot Area	Lot Frontage	Lot Depth
264,674 square feet	737.72 feet	329.52 feet
Number of Building(s) on the lot	Date of Construction of Building(s) If known (yyyy-mm-dd)	
4		
Building Height(s)	Number of Storeys	Building(s) Gross Floor Area
	1	
Building Uses(s)		
Multi-tenant plaza with commercial and employment uses		

Site Context

Please describe the land uses, buildings and sign districts surrounding the proposal (use additional pages if necessary)
North Chesswood Arena / Golden Glide Hockey
South Downsview Park / Downsview GO Station
East Montecassino Event & Convention Centre
West Railway Corridor

Proposal

Please describe in detail what is being proposed (use additional pages if necessary)
Pattison Outdoor is seeking the required variances in order to obtain a Sign Permit for one third party electronic ground sign with two sign faces, directed east and west (the "Proposed Sign"), to be located along the south frontage of the property municipally known as 3848-3998 Chesswood Drive (the "Subject Premises"). Our application is seeking the variances required to erect the Proposed Sign, which will contain two (2) rectangular-shaped sign faces aligned in a "v-shaped" configuration with an interior angle of less than 25 degrees, each measuring 6.10 metres horizontally by 3.05 metres vertically (or 10' x 20'). Each of the sign faces will contain electronic static copy, and the Proposed Sign will not exceed a height of 9.14 metres (or approximately 30'). As a condition of approval, an existing third party roof sign with two sign faces displaying static sign copy, located at the Subject Premises (3848-3998 Chesswood Drive), shall be removed if the required variances are granted, and any associated sign permits shall be revoked prior to the issuance of a sign permit for the Proposed Sign.

Continue on next page

Rationale

Decisions for all Sign Variance Applications are evaluated against criteria listed in Toronto Municipal Code Chapter 694-30 A. A Variance may be granted where it is demonstrated that the proposed sign(s):

- Belong to a sign class permitted in the sign district where the premises is located
- In the case of a third party sign, be of a sign type that is permitted in the sign district, where the premises is located
- Be compatible with the development of the premises and surrounding area
- Support the Official Plan objectives for the subject premises and surrounding area
- Not adversely affect adjacent premises
- Not adversely affect public safety, including traffic and pedestrian safety
- Not be a sign prohibited by Toronto Municipal Code Chapter 694-15B
- Not alter the character of the premises or surrounding area
- Not be, in the opinion of the decision maker, contrary to the public interest

Please describe in detail how the proposal satisfies each of the criteria listed above
(use additional pages if necessary)

Please see attached Sign Variance rationale for information on how this proposal achieves each of the nine criteria required for a variance approval to be granted.





October 8th, 2020

City of Toronto Sign By-law Unit
100 Queen Street West
First Floor, East Tower
Toronto, ON M5H 2N2

One Third Party Electronic Ground Sign – 3848-3998 Chesswood Drive

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RE: Application for Variance from the Sign By-law – 3848-3998 Chesswood Drive

Attn: Ted Van Vliet, Manager, Sign By-law Unit
Farnaz Bigdeli, Acting Supervisor, Variances & Permits, Sign By-law Unit

Please accept this rationale as part of our application for three variances from the Sign By-law, with two conditions of approval, which are required for Pattison Outdoor to obtain a Sign Permit for one third party electronic ground sign with two sign faces, directed east and west (the “Proposed Sign”), to be located along the south frontage of the property municipally known as 3848-3998 Chesswood Drive (the “Subject Premises”).

Our application is seeking the variances required to erect the Proposed Sign, which will contain two (2) rectangular-shaped sign faces aligned in a “v-shaped” configuration with an interior angle of less than 25 degrees, each measuring 5.8 metres horizontally by 2.9 metres vertically. Each of the sign faces will contain electronic static copy, and the Proposed Sign will not exceed a height of 7.65 metres, or approximately 25’ (reduced from our original request for a height of 9.14 metres).

The two variances required to allow a Sign Permit to be issued for the Proposed Sign are:

- 5) **694-25(C)(2)E** – An E Employment Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within 60 metres of any premises located, in whole or in part, in an R, RA, CR, I, or OS Sign District – The Proposed Sign is located approximately 45 metres from an I Institutional Sign District to the south;
- 6) **694-25(C)(2)(f)** – An E Employment Sign District may contain a third party electronic ground sign, provided where the sign is located within 250 metres of an R, RA, CR, I, or OS Sign District, the sign cannot face any premises in that district – The Proposed Sign faces into an I Institutional Sign District within 250 metres; and
- 7) **694-25C(2)(k)** – An E Employment Sign District may contain a third party electronic ground sign, provided where there are two sign faces, the sign faces shall be back-to-back (the Proposed Sign has a “v-shaped” configuration).

Conditions of Approval:

1. The existing third party roof sign with two sign faces displaying static sign copy, located at the Subject Premises (3848-3998 Chesswood Drive), shall be removed if the required variances are granted, and any associated sign permits shall be revoked prior to the issuance of a sign permit for the Proposed Sign, and;

2. The existing ground sign which states “Space For Rent, Sheppard Mews”, located along the Sheppard Ave West frontage of the property, shall be removed if the required variances are granted, and any associated sign permits shall be revoked prior to the issuance of a sign permit for the Proposed Sign.

Establishing the Nine Criteria Required for Approval

(1) The Proposed Sign will belong to a sign class permitted in the district where the premises is located

The Proposed Sign is a third party electronic ground sign, which advertises, promotes, or directs attention to business, goods, services, matters or activities which are not available at or related to the premises where the sign is located. The Subject Premises is located within an E Sign District, which permits third party electronic ground signs, so we believe this criteria has been met.

(2) In the case of a third party sign, the Proposed Sign will be of a sign type that is permitted in the sign district, where the premises is located

The Proposed Sign is a third party electronic ground sign, which is a sign type that is permitted in the E Sign District where the Subject Premises is located. Therefore, we believe this criteria has been met.

(3) The Proposed Sign will be compatible with the development of the premises and surrounding area

The Subject Premises has been designated as an E Sign District, and is surrounded to the north, east and west by other E Sign Districts. Across Sheppard Avenue West to the south is an I Sign District. The surrounding E Sign Districts contain one-, two- and four-storey buildings with employment, commercial and retail uses. Third party electronic ground signs have been deemed compatible with and are permitted within E Sign Districts in the Sign By-law.

The building on the subject premises contains a one-storey building, which includes an existing third party roof sign with static copy with a sign face area of 18.6 square metres on each side. By removing the existing roof sign as a condition of approval, and reducing the height of the Proposed Sign from 9.14 metres to 7.65 metres, the new sign will have a lower overall height from grade than the existing roof sign, and be more compatible with the built form of the one-storey building.

At this revised height of 7.65 metres, the Proposed Sign will not overshadow or seem out of context with the property or surrounding buildings, including the four-storey building immediately to the east.

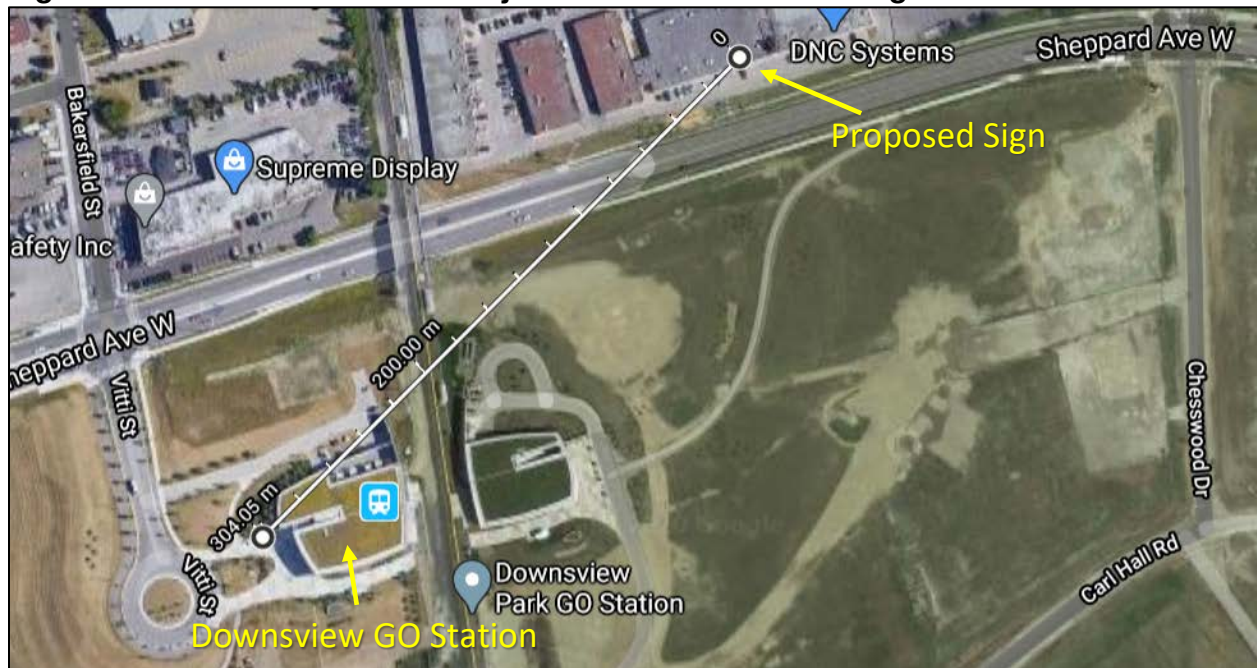
In an E Sign District, third party electronic ground signs are permitted to have a maximum sign face area of 20.0 square metres. The existing third party roof sign has a sign face area of 18.6 square metres on each side, however the electronic display for the Proposed Sign will have a smaller sign face area of only 16.6 square metres on each side. Approving the variances for the Proposed Sign with the conditions of

approval would reduce the existing sign face area for third party signs at this property by about 11%, and eliminate an additional ground sign from the Sheppard Avenue West frontage (see Figure 2).

The two required variances would allow the Proposed Sign to be located less than 60 metres from, and partially facing into, the I Sign District approximately 45 metres to the south. This property, commonly known as Downsview Park, spans across a massive parcel of land.

The Proposed Sign would only be visible from the northern-most portion of this large property, which is mostly vacant land with trees, grass and a walking path, and includes the Downsview GO Station located about 300 metres south-west of the Proposed Sign. This transit station has been built facing west, away from the Proposed Sign, with many trees and landscaping features further restricting visibility of the Proposed Sign from this building (See Figure 1 below). Beyond the Downsview GO Station is a large flea market and associated above-grade parking area approximately 420 metres away.

Figure 1 – Aerial View of the Subject Premises and the I Sign District to the south



This portion of the I Sign Districts does not contain any sensitive uses which could be affected by the Proposed Sign, which helps to establish its compatibility with the development of the premises and surrounding area.

The Subject Premises has contained a third party roof sign since 1999, and we believe removing this roof sign as a condition of approval in order to build a new third party electronic ground sign helps to achieve compatibility with the Subject Premises and surrounding area, because we are eliminating a prohibited sign type and building a sign that is permitted within and deemed compatible with this E Sign District.

We note that the existing roof sign is also configured in a “v-shaped” formation, and that a third party ground sign with static copy is permitted to have a “v-shaped” configuration in any E Sign District. As there are no residential uses that could be affected by orienting the Proposed Sign in a “v-shaped” configuration instead of a “back-to-back” orientation, we believe this variance can be granted.

This property has contained a third party sign with a “v-shaped” configuration for many years, and no complaints have been registered by displaying the sign copy in this manner.

Figure 2 – Before and After Image of the Subject Premises and the Proposed Sign



Third party signs have existed in the surrounding area for many years, both at the Subject Premises and to the west within a railway corridor approximately 170 metres away. The two third party ground signs which were in place on this railway property have since been removed and there are no other third party signs within the required setback.

We believe the two variances for allowing the Proposed Sign to be within 60 metres of, and facing premises located in an I Sign District within 250 metres, can be granted because this I Sign District does not contain any sensitive uses anywhere near the Proposed Sign.

For these reasons, we believe that the Proposed Sign is compatible with the development of the premises and surrounding area, and that this criteria has been met.

(4) The Proposed Sign will support the Official Plan objectives for the Subject Premises and surrounding area

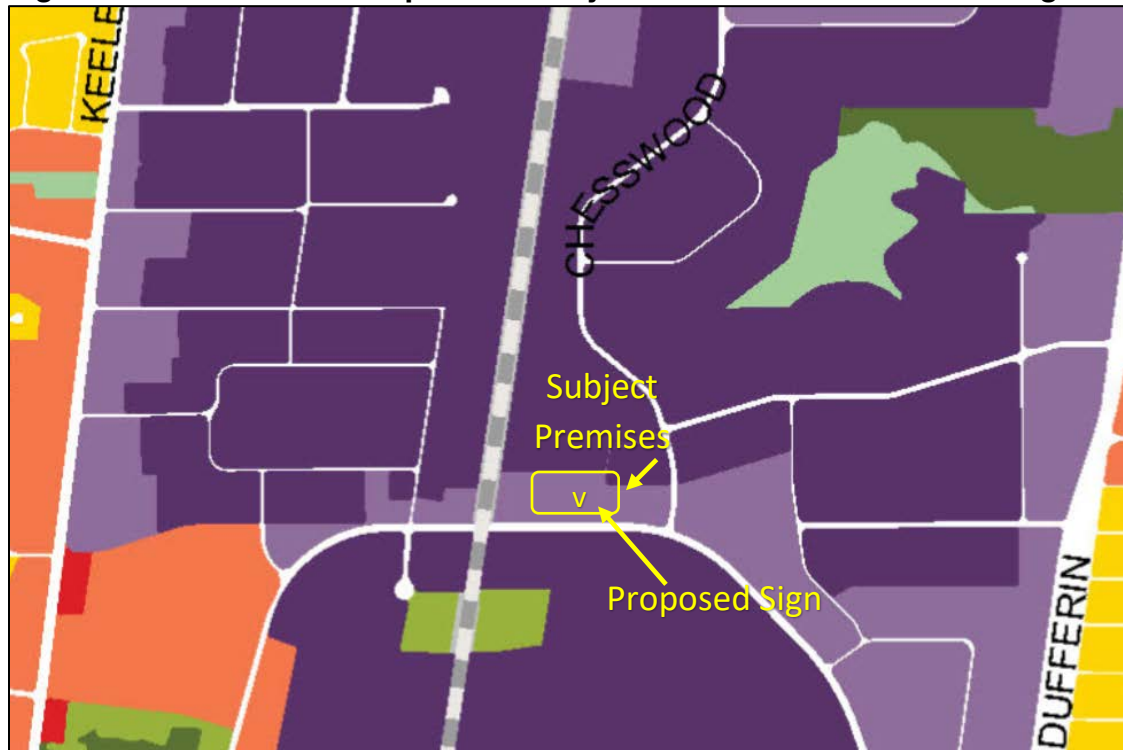
The Subject Premises is designated as an ‘*Employment Area*’ within the Official Plan. *Employment Areas* are places of business and economic activity, and include a wide array of uses such as manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets, restaurants and small-scale stores and services that serve these businesses and workers. Figure 3 below shows a segment of the Official Plan map of the Subject Premises and surrounding area (*Employment Areas* are shaded dark purple and light purple in the map below).

The Proposed Sign will help support the Official Plan objectives for a healthy and vibrant *Employment Area* by providing a medium for both local and national businesses

to promote themselves and advertise their goods and services, contributing to future economic growth. There are no residential or sensitive institutional uses in the surrounding area which could be impacted by the Proposed Sign.

The Official Plan states that “*diverse employment areas can adapt to changing economic trends, and are poised to capture new business opportunities.*” In order for *Employment Areas* to adapt and grow, we believe the City should recognize the significant benefits of allowing opportunities for property owners to replace existing third party signs with new third party electronic signs of similar height and size.

Figure 3 – Official Plan Map of the Subject Premises and surrounding area



Pattison is confident that adapting to the changes and improvements in technology which have been achieved by the sign industry since the inception of the Sign By-law in 2009 (such as the emergence of electronic copy as opposed to traditional static or mechanical copy), and considering the needs of local and national business to promote their products and services, is also in line with the overall objectives set out in the *Official Plan*.

The Proposed Sign also supports the *Official Plan* objectives by contributing to the viability and continuation of the existing uses carried out at the Subject Premises. We believe the introduction of the Proposed Sign as an ancillary use will not compromise or be contrary to the Official Plan objectives for this specific *Employment Area*.

The Subject Premises is located within the *Downsview Area* Secondary Plan Area. This area is centrally located in the City, and presents a unique opportunity to develop a significant national urban park, as well as new residential neighborhoods and employment areas that are well-served by public transit which complements the Government of Canada's planned National Urban Park.

In the mid-1990s, the federal government announced its intention to close the Canadian Forces Base Downsview, and establish a National Urban Park on these lands. The

Proposed Sign will not interfere with any of the National Urban Park uses, or the residential neighborhoods located in this area, because of the considerable separation between the Subject Premises and the residential uses further south in Downsview Park.

The Proposed Sign is more than 600 metres from the nearest park space, and more than 2 kilometres away from the residential development at Downsview Park. At these distances, and based on a sign face area of 16.6 square metres and a reduced height of 7.65 metres, we do not foresee the Proposed Sign having any impacts on the parkland uses or residential development at Downsview Park.

One of the major goals of the *Downsview Area Secondary Plan* is to encourage and support sustainable development and design, consistent with applicable City policy such as the City's Climate Change Action Plan and Energy Strategy, "Change is in the Air" and the Toronto Green Standard. We acknowledge that climate change is one of the greatest challenges facing our planet, and Pattison is committed to addressing this challenge in order to do our part to provide a sustainable future for all Torontonians.

This application supports the *Official Plan's* goals regarding climate change by removing an existing roof sign with static copy which requires considerable maintenance and materials, and replacing it with an electronic ground sign powered by renewable energy via an agreement with Bullfrog Power. The Proposed Sign will use "green" power, and contribute to a healthier environment.

One very important benefit to allowing third party electronic signs, compared to signs which display static copy, is that the messages can be changed remotely, and instantly. This eliminates the need for maintenance crews to access the site, the travel associated with regular changes to the copy, and the printing and disposal of paper / vinyl copy. This significantly reduces our environmental footprint, and helps the Proposed Sign further support the *Official Plan* objectives.

We believe that removing the existing double-sided roof sign from the Subject Premises and approving the requested variances to allow for a permit to be issued for a new electronic ground sign would result in the Subject Premises being more in line with the provisions for E Sign Districts, and with the objectives for *Employment Areas* and the *Downsview Area Secondary Plan* set out in the *Official Plan*. For these reasons, we believe that this criteria has been met.

(5) The Proposed Sign will not adversely affect adjacent premises

The Subject Premises is designated as an E Sign District, and so are the adjacent properties to the north, east and west. E Sign Districts were specifically set out in the Sign By-law to allow third party electronic ground signs, and none of the adjacent properties contain uses that could be adversely affected by the presence of the Proposed Sign.

To the south is Downsview Park, which is designated as an I Sign District. The Proposed Sign will not interfere with any of the urban park attributes or residential neighborhoods located much further south on this property, as the Proposed Sign is more than 600 metres from the nearest park space, and over 2 kilometres away from a residential development to the south. There is a large flea market and associated above-grade parking area south-west of the Proposed Sign, but we do not expect this use or visitors will be impacted by the Proposed Sign.

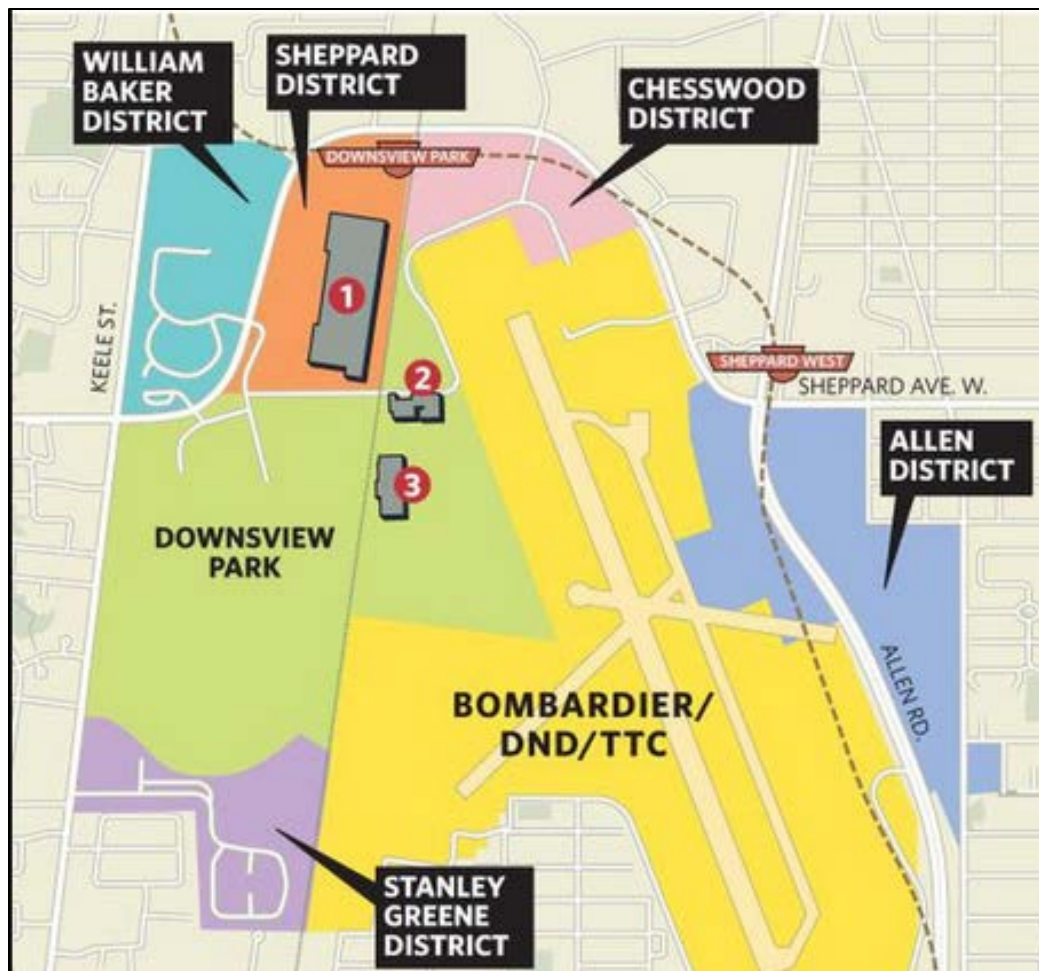
At these distances, based on a sign face area of 16.6 square metres and a reduced height of 7.65 metres, we do not anticipate the Proposed Sign will have any impacts on the parkland uses or residential development at Downsview Park.

Figure 4 – Sign District map of the Subject Premises and surrounding area



Current plans for Downsview Park call for three new residential neighborhoods in the Stanley Greene, William Baker and Allen Districts. All these Districts are considerably distanced from the Proposed Sign. The closest would be the William Baker District, which is more than 600 metres west of the Proposed Sign location. Most importantly, the Chesswood District (adjacent the Proposed Sign), and the Sheppard District further west, have been designated entirely for employment, education and institutional use. The Proposed Sign meets the setback requirement of 3 metres from the side and rear-yard property lines under the Zoning By-law. It will not be located within the minimum setback from an intersection or visibility zone, and is not located near any Open Space, Commercial Residential, or Residential / Residential Apartment Sign Districts. It will meet the minimum setback from other third party signs and third party electronic signs, if the condition of approval #1 is accepted (removing the existing roof sign).

Figure 4 – Map of Districts within Downsview Park



As the Proposed Sign is a significant distance away from, and will not be visible from any park or residential uses contained within the I Sign District to the south, we believe the Proposed Sign will not adversely affect any adjacent premises, and that this criteria has been established.

(6) The Proposed Sign will not adversely affect public safety

The Proposed Sign will not be located within a visibility zone, and it will comply with the required setback from an intersection set out in the Sign By-law. Curb barriers will be installed around the base of the sign to prevent any accidental contact by drivers visiting the Subject Premises.

As part of the *Electronic and Illuminated Sign Study* conducted by the City of Toronto in 2015, the Transportation Services division completed a review of electronic signs and their impacts on traffic safety, comprised mainly of two elements. The first element was a literature review of studies that had been completed on the topic; the second element was a statistical analysis of locations in Toronto where electronic signs have been installed, in an effort to determine whether there has been an increase in traffic collisions.

Transportation Services conducted a statistical analysis of collisions before and after electronic signs were installed using the methodology outlined in the *American Association of State Highway Traffic Officials Highway Safety Manual*, which included more than six years of data.

A total of 1,727 collisions at 11 separate locations along the Gardiner Expressway and Highway 27 were analyzed for this review. The results indicated there was a four per cent decrease in the number of collisions after the electronic signs were installed, which is considered to be statistically insignificant.

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The main conclusion of this study by Transportation Services was they were unable to identify any statistically significant effect on collisions where electronic signs had been installed.

With electronic signs that change from one message to the next, shorter message duration results in drivers being more likely to observe a change in the message being displayed, which can result in a higher likelihood that a driver will glance at it for a longer duration. In order to further reduce the potential for driver distraction, the Proposed Sign will comply with the Sign By-law provisions for a message duration of 10 seconds between changes in copy.

The Proposed Sign will change between messages instantaneously, and will not include any visual effects between one message and the next, such as flashing, blinking or movement, in a further effort to minimize driver distraction.

Recently, the Ministry of Transportation has granted special approvals for several large-format third party electronic ground signs at minimal setback from 400-series highways, which have also been reviewed and approved by multiple municipalities, including Toronto. With sign faces in excess of 62 square metres located in direct view of, and in close proximity to the travelled portion of these highways, we believe this contributes towards demonstrating that the impacts of electronic signs on traffic has been deemed to be negligible.

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 City's Sign By-law will also be maintained by this proposal. As such, we do not believe that any issues related to public safety are foreseeable, and that this criteria has been established.

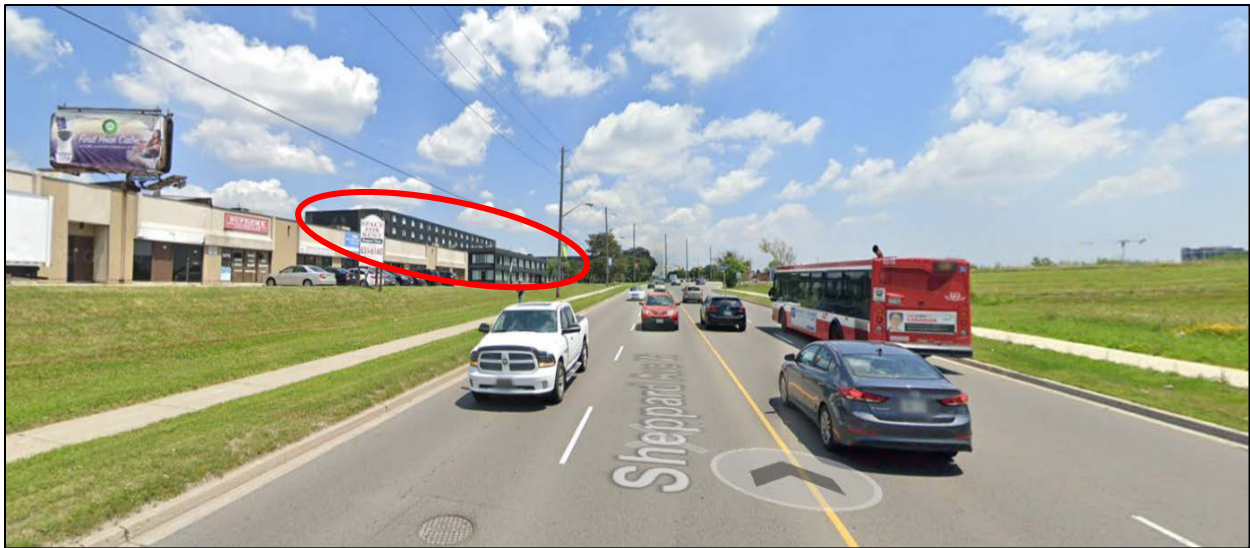
(7) The Proposed Sign will not be a sign prohibited by Toronto Municipal Code Chapter 694-15B

The Proposed Sign is not a prohibited sign listed under §694-15B of the Sign By-law, and therefore this criteria has been established.

(8) The Proposed Sign will not alter the character of the premises or surrounding area

The Proposed Sign would be nearly identical in shape and size to that of the existing third party roof sign at the Subject Premises, which has been in place since 1999. As third party signs have been part of the subject premises and surrounding area for many years, we believe they contribute towards the character of the area.

Figure 5 – Looking east from the Subject Premises / Existing Sign



The Subject Premises is located on the north side of Sheppard Avenue West, and is surrounded to the north, east and west with other E Sign Districts. To the south is Downsview Park, which is designated as an I Sign District, and the nearest portion of this property consists mostly of vacant land. Immediately east of the Subject Premises is the Montecassino Hotel & Event Centre, which is primarily used to host private events and conventions (circled in red in Figure 5 above).

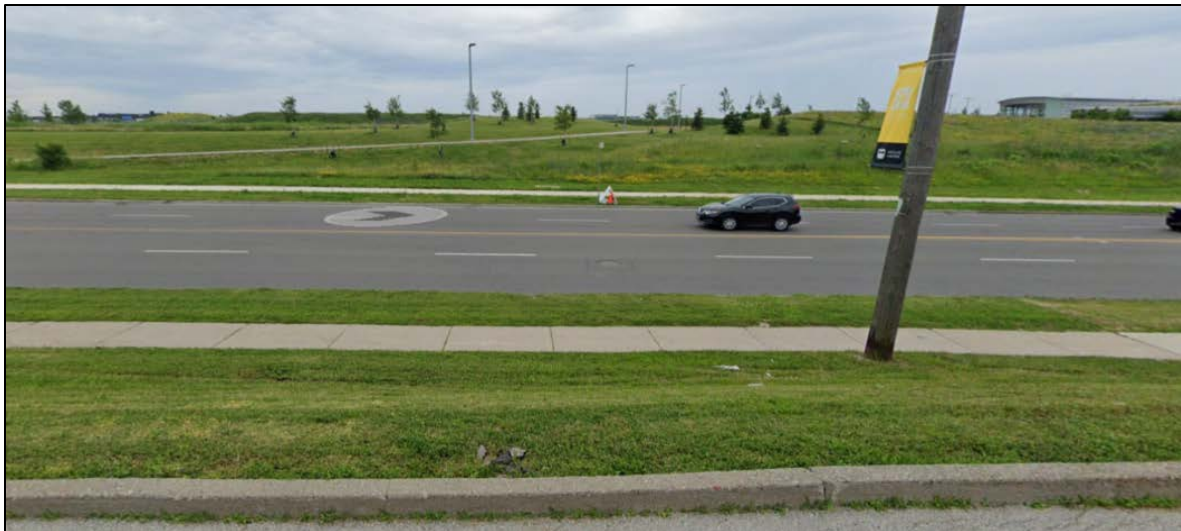
To the west is a railway corridor and more E Sign Districts (See Figure 6). We do not foresee the Proposed Sign will have any adverse impacts on the E Sign Districts to the north, east or west, or on the I Sign District to the south.

Figure 6 – Looking west from the Subject Premises, along Sheppard Avenue West



The properties to the north, east and west are also designated as E Sign Districts, which allow third party electronic ground signs. This further demonstrates that the Proposed Sign is in line with the character of Employment Zones and E Sign Districts. The nearest residential uses to the south are more than 2 kilometres away, and will not be impacted by the Proposed Sign.

Figure 7 – Looking south from the Subject Premises towards Downsview Park



By removing the existing roof sign, which has been in place since 1999, and additional ground sign as conditions of approval, and because the majority of the surrounding properties are also designated as E Sign Districts, we believe that the Proposed Sign will not alter the character of the premises or surrounding area, and that this criteria has been met.

(9) The Proposed Sign will not be, in the opinion of the decision maker, contrary to the public interest

The Proposed Sign will not be contrary to the public interest, as the Subject Premises is designated as an E Sign District and third party electronic ground signs are permitted by the Sign By-law. With the proposed conditions of approval, we are confident that the Proposed Sign meets each of the nine criteria required for the necessary variances to be granted.

The Proposed Sign will comply with many of the provisions set out in the Sign By-law for third party electronic ground signs in an E Sign District in terms of configuration, height, size, setback from an intersection, setback from R, RA and OS Sign Districts, setback to other static and electronic third party signs, as well as the requirement for use of renewable energy, message duration and transition (ie. no distracting visual effects such as scrolling, flashing, blinking or full-motion video), and with the illumination and time-of-day regulations contained within the Sign By-law.

Figure 8 – Image of the Proposed Sign with the existing roof and other ground sign removed



Granting the variance to allow the Proposed Sign to be closer than 150 metres to another lawful third party sign can be justified by the proposed condition of approval #1, that will ensure the existing third party roof sign at the Subject Premises will be removed, which will result in no lawful sign being located within 150 metres of the Proposed Sign.

By reducing the overall height from the existing roof sign, reducing the overall sign face area for third party signs at the property, and by removing the additional “Space For Rent” ground sign from the Sheppard Avenue West frontage, granting the variances required for the Proposed Sign will help reduce sign clutter and result in a smaller, shorter sign. This helps support our position that the Proposed Sign is not contrary to the public interest.

The two variances required for being setback less than 60 metres from, and for facing into an I Sign District within 250 metres, are suitable for the Proposed Sign because it will not adversely affect any of the adjacent premises, nor will it alter the character of the area. The northern portion of the I Sign District to the south does not contain any residential or park uses that could be impacted by the Proposed Sign, nor are there plans in place to develop this portion to contain any of these uses.

While Downsview Park does contain residential uses, they are more than 2 kilometres south of the Proposed Sign, and will not have any visibility of the structure or sign copy. There nearest parklands on this property are approximately 600 metres south-west of the Proposed Sign, and at this distance, the Proposed Sign will not have any negative impacts on users of this space. The Sign By-law requires 250 metres between electronic third party signs and residential or open space uses, and the Proposed Sign would be more than double this distance from either of these uses.

In addition, if a sign permit is issued for the Proposed Sign, it would have a five-year expiry, compared to the existing roof sign which could remain in place indefinitely. If any development occurs near the north boundary of Downsview Park that would render the

Proposed Sign incompatible, the permit may not be renewed and the sign would have to be removed.

Granting the variance for a “v-shaped” configuration will not impact the compatibility of the Proposed Sign with the subject premises, as this is one of only two standard configurations for third party signs, and otherwise permitted in E Sign Districts. There will be no additional impacts created by using a “v-shaped” configuration, therefore it will not be contrary to public interest.

In conformity with the Sign By-law requirements, all residents and property owners within 250 metres of the subject property were notified of this application, and have been provided an opportunity to share their comments with staff.

In conclusion, Pattison is confident that the requested variances for the Proposed Sign can be granted due to the site-specific conditions, and that the variances are in keeping with the general intent and purpose of the Sign By-law and the *Official Plan*. For these reasons, we believe the Proposed Sign is not contrary to the public interest, and that this criteria has been met. We thank you for your time and consideration of our variance application.

Yours Truly,

A handwritten signature in blue ink, appearing to read 'Nicholas Campney', with a stylized flourish extending from the end.

Nicholas Campney
Pattison Outdoor Advertising