

Application for Three Variances, Each Subject to Several Conditions, Respecting One Third Party Electronic Ground Sign - 3848-3998 Chesswood Drive

Date: September 20, 2021
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 several conditions, required to allow the Chief Building Official ("CBO") to issue a sign permit 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 would be located along the southern frontage of 3848-3998 Chesswood Drive, facing Sheppard Avenue West and directed south east and south west. The Applicant seeks the variances in relation to a Proposed Sign which would have a height of 9.14 metres, and two rectangular sign faces, each measuring 6.1 metres horizontally by 3.05 metres vertically in a "v-shaped" configuration with a maximum interior angle of 30 degrees. The Proposed Sign is described further in Attachment 1.

The requested variances to Chapter 694 requirements can be summarized as follows:

- 1) The requirement of **694-25(C)(2)(e)** that – "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", be varied to allow for the Proposed Sign's proposed location approximately 37 metres from an I Institutional Sign District to the south;
- 2) The requirement of **694-25(C)(2)(f)** that – "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" – be varied to allow for the Proposed Sign to face into an I Institutional Sign District within 250 metres, and;

- 3) The requirement of **694-25C(2)(k)** that – "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" – be varied to allow for the proposed "v-shaped" configuration, with a maximum interior angle of 30 degrees, of the Proposed Sign's two sign faces.

If granted, each of the three requested variances, would be subject to all of the following conditions:

- 1) Any and all existing third party signs located at the premises 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 premises 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 maximum interior angle of the v-shaped configuration shall not be more than 30 degrees.
- 4) The sign face bottom shall be no less than 6.0 metres for all sign faces;
- 5) In addition to the requirements of 694-18.E(5), the illumination of the Proposed Sign shall not exceed 150 nits during the period between sunset and sunrise;
- 6) The orientation of the two sign faces to be in a generally south-westerly and south-easterly direction; and,
- 7) The Sign to be located within the specific location within the premises municipally known as 3848-3998 Chesswood Drive illustrated with heavy lines as indicated on Schedules A and B to Attachment 1 to this report.

The Proposed Sign, is similar to a previous application heard by the Sign Variance Committee ("SVC") at its November 27, 2020, meeting (the "Refused Variance Application"). A number of concerns with the Refused Variance Application failing to meet the nine required criteria were raised by the CBO, and other interested parties. At the conclusion of the meeting, the SVC refused to grant the variances sought. The Proposed Sign would be taller and have larger sign faces than the sign proposed in the Refused Variance Application, but would be subject to additional and differing conditions.

Following a review of the Applicant's submissions and additional information provided by the Sign By-law Unit staff, the CBO has determined that there is a sufficient basis to conclude that the nine required criteria in §694-30A of the Sign By-law have been established with respect to the three variances, subject to the noted conditions as described further in Appendix 1 to this report.

RECOMMENDATIONS

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

1. The Sign Variance Committee grant the requested variances to sections 694-25(C)(2)(e), 694-25(C)(2)(f) and 694-25C(2)(k), each subject to seven 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

SB 9.1 - Application for Three Variances, Each Subject to Four Conditions, Respecting One Third Party Electronic Ground Sign - 3848-3998 Chesswood Drive

On November 27, 2020, the Sign Variance Committee ("SVC") refused to grant three variances, each subject to four conditions, required to permit to be issued for an electronic ground sign at the Subject Property (the "Refused Variance Application"). The CBO reported to the SVC that in the CBO's opinion that the Applicant's submissions did not provided sufficient information to establish that the Refused Variance Application met all nine of the required criteria. Several concerns were raised by the CBO, and other interested parties with respect to the Refused Variance Application, not meeting all nine of the required criteria; while the applicant in the Refused Variance Application, who is also the Applicant in the present matter, submitted that the Refused Variance Application met all nine criteria. The SVC made the decision not to grant the requested variances.

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.SB9.1>)

ISSUE BACKGROUND

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 would be located approximately 37 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 would face into an I Institutional Sign District within 250 metres of the Subject Property.
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 would have a “v-shaped” configuration with maximum internal angle of 30 degrees.

Sign Attributes and Site Context:

3848-3998 Chesswood Drive is designated as an Employment - E Sign District, located in Ward 6 - York Centre. As can be noted in Figure 1, 3848-3998 Chesswood Drive is an irregularly shaped premises with boundaries that could be described as having a panhandle shape, while bearing a Chesswood Drive address, the primary frontage of the premises is with respect to the southern boundary, which faces Sheppard Avenue West (although as of the date of this report there is no access for motorized vehicles to the premises from Sheppard Avenue West.) There are three buildings located within 3848-3998 Chesswood Drive, containing employment, commercial and retail uses (See Figure 3).

Figure 1 - GIS Map Excerpt - 3848-3998 Chesswood Drive:



Surrounding premises:

As can be noted in Figure 2, the premises near to 3848-3998 Chesswood Drive are designated as E- Sign Districts, a U-Sign District, and I-Sign Districts,

North: Employment E Sign District, Chesswood Arena
East: Employment E Sign District, Montecassino Hotel and Event Centre
West: Utility U Sign District, Railway Corridor
South: Institutional I Sign District, Downsview Park and Trail

Figure 2 - Sign District Map Excerpt - 3848-3998 Chesswood Drive:



The Proposed Sign would be located along the south frontage of 3848-3998 Chesswood Drive, facing Sheppard Avenue West in a southeasterly and southwesterly direction. The requested variances are subject to a specific condition requiring the Proposed Sign to be in a specific location within 3848-3998 Chesswood Drive as to ensure that the Proposed Sign would not interfere with the operations of other buildings and structures on the premises.

The Proposed Sign would have a height of 9.14 metres, and would contain two sign faces, each measuring 6.1 metres horizontally by 3.05 metres vertically, with a sign face area of 18.6 square metres in a “v-shaped” configuration with a maximum internal angle of 30 degrees. The Proposed Sign is described further in Attachment 1.

In comparison to the subject matter of the previous Refused Variance Application: the Proposed Sign is taller, with larger sign faces than the sign described in the Refused Variance Application, but is subject to additional conditions respecting the location of the sign within the premises municipally known as 3848-3998 Chesswood Drive (specifically requiring the sign to be located approximately 50 metres to the west of the location specified in the Refused Variance Application).

COMMENTS

Applicant Information

Pattison Outdoor has been authorized by the owner of the property municipally known as 3848-3998 Chesswood Drive, to apply for three variances, each subject to seven

conditions, required to allow for a permit to be issued for one third party electronic ground sign with two sign faces, each displaying electronic static copy at 3848-3998 Chesswood Drive.

Application Background

As stated above, an application for a similar sign to the Proposed Sign was refused by the Sign Variance Committee at their November 27, 2020 meeting. The CBO raised numerous concerns with the subject matter of the previous application – including, but not limited to, the concern that sign in the previous sign application strongly resembled a roof sign (a prohibited sign type); also several interested parties (who represented themselves to be tenants in a building on the premises) raised concerns that the subject matter of the previous application would block access to loading spaces and parking spaces around the building.

In response to the previous Sign Variance Committee decision, the Applicant has submitted the current application, which differs in several respects from the Refused Variance Application. In the current application, the Proposed Sign would be located approximately 50 metres to the west of the loading area access which was a point of concern for some and 3 metres to the south of the building along the south frontage of 3848-3998 Chesswood Drive and would face Sheppard Avenue West in a southeasterly and southwesterly direction. The Proposed Sign would be taller than the sign in the Refused Variance Application, and would have a height of 9.14 metres, with two rectangular sign faces, each measuring 6.1 metres horizontally by 3.05 metres vertically, with a sign face area of 18.6 square metres in a “v-shaped” configuration with a maximum internal angel of 30 degrees.

Figure 3 - Location of Refused Variance Application vs. location of the Proposed Sign:



Community Consultation

The CBO has adopted a practice of an enhanced consultation process for variance applications containing 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. In addition, the CBO informs residents about a Community Consultation meeting. A virtual Community Consultation was scheduled for September 23, 2021. The notice of the application notice was mailed to the owners of properties within 250m of 3848-3998 Chesswood Drive.

As of the date of this report, no members of the public have contacted the Sign By-law Unit with comments regarding the Proposed Sign.

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 SVC 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 parties before the SVC. The CBO has determined that, in the CBO's opinion the information submitted by the Applicant and Sign By-law Unit staff, provides a sufficient basis to conclude that the nine required criteria established in §694-30A of the Sign By-law have been met.

Applying the Established Criteria:

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 permits third party sign class. The CBO has confirmed that as per information contained in the Applicant's submission, the Proposed Sign would be considered a third party sign, as it would 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.

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 that the Proposed Sign would be an electronic ground sign which is a permitted sign type in E Sign Districts.

Therefore, the CBO is of the opinion that this criteria has been established.

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 an E Sign District which permits third party electronic ground signs at a size and height consistent with the Proposed Sign. Staff confirmed that the Subject Property is surrounded by E Sign District to the immediate north and east, by U Sign District to the immediate west and by I Sign District to the south across Sheppard Avenue W. (See Figure 2).

The property at 3848-3998 Chesswood Drive contains a one-storey building with employment and commercial uses and has a third party roof sign displaying static copy which will be removed as a condition of approval of the Proposed Sign.

The Applicant states that, after hearing concerns from tenants in the Sign Variance Committee meeting held on November 27, 2020, they moved the proposal further to the west, out of the parking area, and away from loading doors which tenants frequently use. The Applicant has also stated that the location of Proposed Sign has been reviewed and is acceptable to the tenants of 3848-3998 Chesswood Drive.

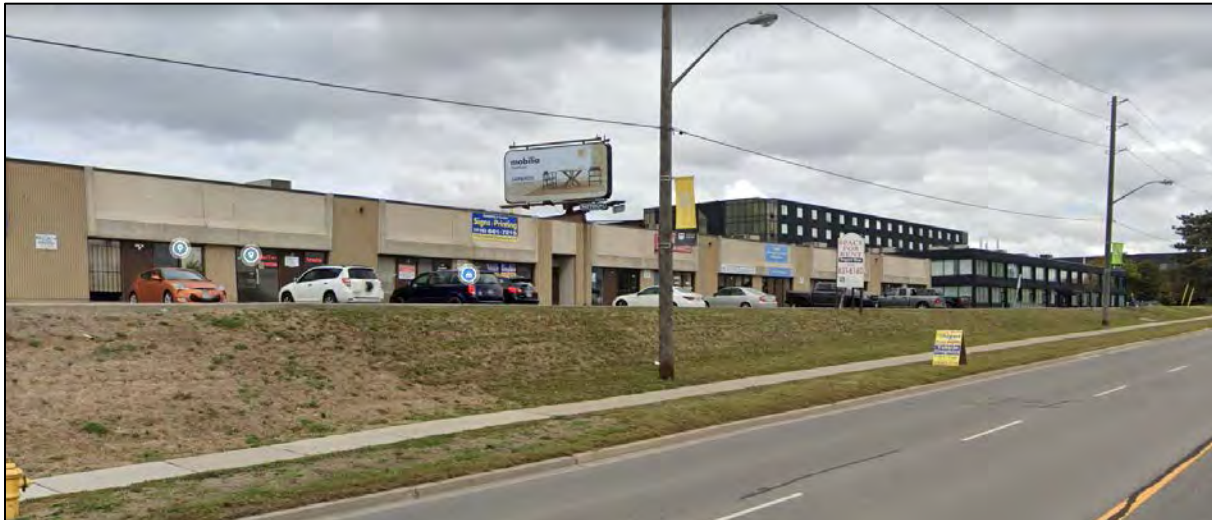
The Proposed Sign would be 3.0 metres away from the building, which should be a sufficient distance from the building to help reduce the similarities between the Proposed Sign and a roof sign, which is a prohibited sign type in the Sign By-Law.

Figure 1 - Location of Proposed Sign 3.0 Metres away from the building:



The surrounding area to the north and east are designated as E Sign District and contain one to four-storey buildings with entertainment, commercial and employment uses. Staff have confirmed that there are no sensitive land uses on the premises to the north of Sheppard Avenue West that are likely to be impacted by the Proposed Sign.

Figure 2 - Google Street View - Sheppard Avenue West looking northeast:



Subject to the removal of the existing roof sign as a condition of approval and the location of Proposed Sign, staff agree that the Proposed Sign should be compatible with the development of properties to the north and east of 3848-3998 Chesswood Drive (See Figure 5).

The property immediately to the west of the Subject Property is designated as a Utility-U Sign District and is currently used as a railway corridor.

Figure 3- Google Street View - Sheppard Avenue West looking northwest:



The Sign By-Law permits third party electronic ground signs similar to the size and height of the Proposed Sign in a U Sign District (See Figure 6). As such, staff agree that the Proposed Sign would be compatible with properties to the west of 3848-3998 Chesswood Drive.

The area directly south of the Subject Premises is designated as Core Employment in the City of Toronto Official Plan (See Figure 9) which would permit primarily employment and industrial uses as well as smaller scale ancillary uses including retail shops and restaurants.

The City of Toronto's Downsview Area Secondary Plan further defines the area using seven smaller districts in order to focus future planning (See Figure 7).

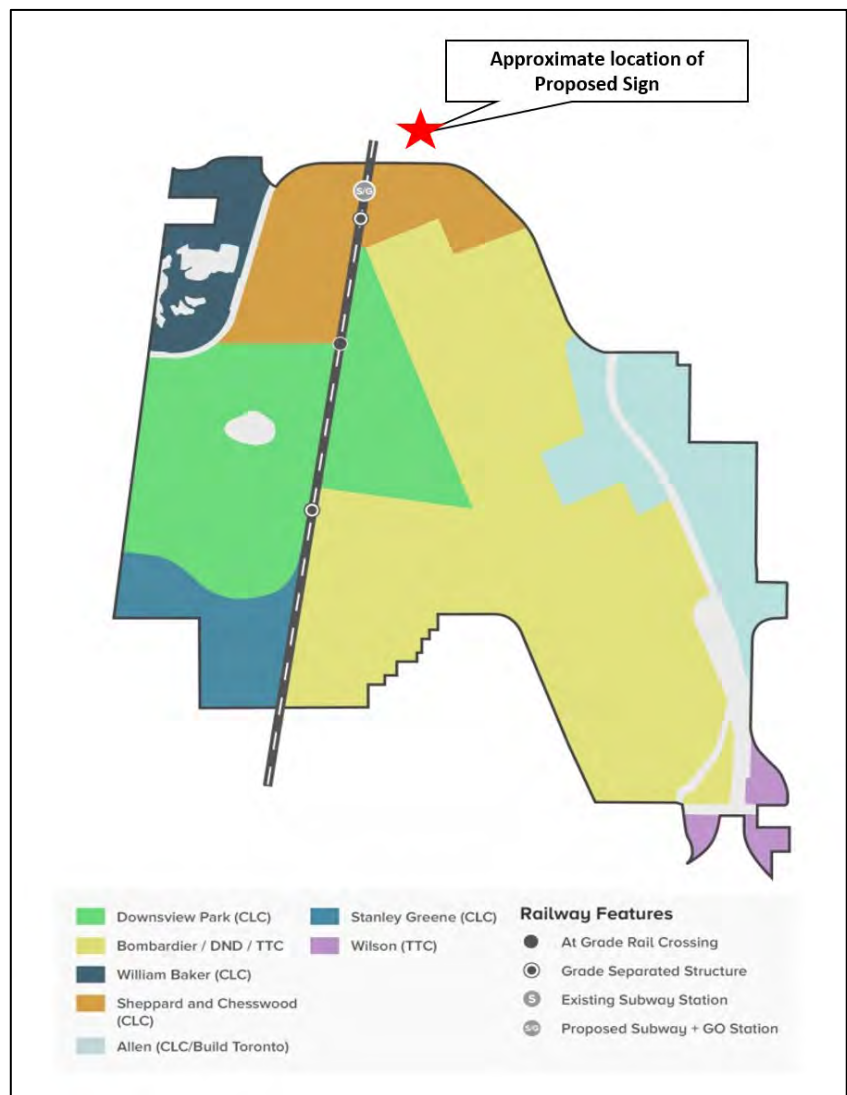
The Sheppard district is at the north end of Downsview Park. The main feature of the Sheppard neighbourhood is the new TTC/GO station, at the north end of the district. This TTC/GO Station will be approximately 150m from the proposed sign.

A park space is permitted directly adjacent to the new TTC/GO Transit hub entrances and is intended to reinforce the importance of this site as a 'front-door' to the National Urban Park for transit users. If approved, the requested variances would have the condition that the Proposed Sign would not have a brightness exceeding 150 NITS between sunset and sunrise. The reduced brightness and distance of the Proposed Sign to the TTC/GO station and accompanying park space should limit or eliminate any impact that the Proposed Sign may have on the park space.

The Chesswood neighbourhood is also at the northern end of Downsview Park on the east side of the Metrolinx line. The land use designation is entirely employment and will include aerospace related uses, research, business, and educational uses.

The current land uses to the south include an indoor Farmers Market, which is more than 400 metres from the Proposed Sign and the Centennial College campus, more than 600 metres away from the Proposed Sign.

Figure 4 - Map of Districts within the Downsview Area Secondary Plan and The Proposed Sign:



Immediately to the south of the Proposed Sign, the land is currently undeveloped with the exception of the Downsview TTC/GO Station (See Figure 8). Staff have confirmed that there are currently no development applications on file with the City for the property immediately south of the Proposed Sign

As such, staff agree that the Proposed Sign would be compatible with the development of the property to south of 3848-3998 Chesswood Drive.

Figure 8- Google Street View – 3848-3998 Chesswood Drive looking south:



It is the opinion of staff that, based on the review of all available information that the Proposed Sign is compatible with the development of the premises and the surrounding area, therefore the CBO is of the opinion that this criteria has been established.

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

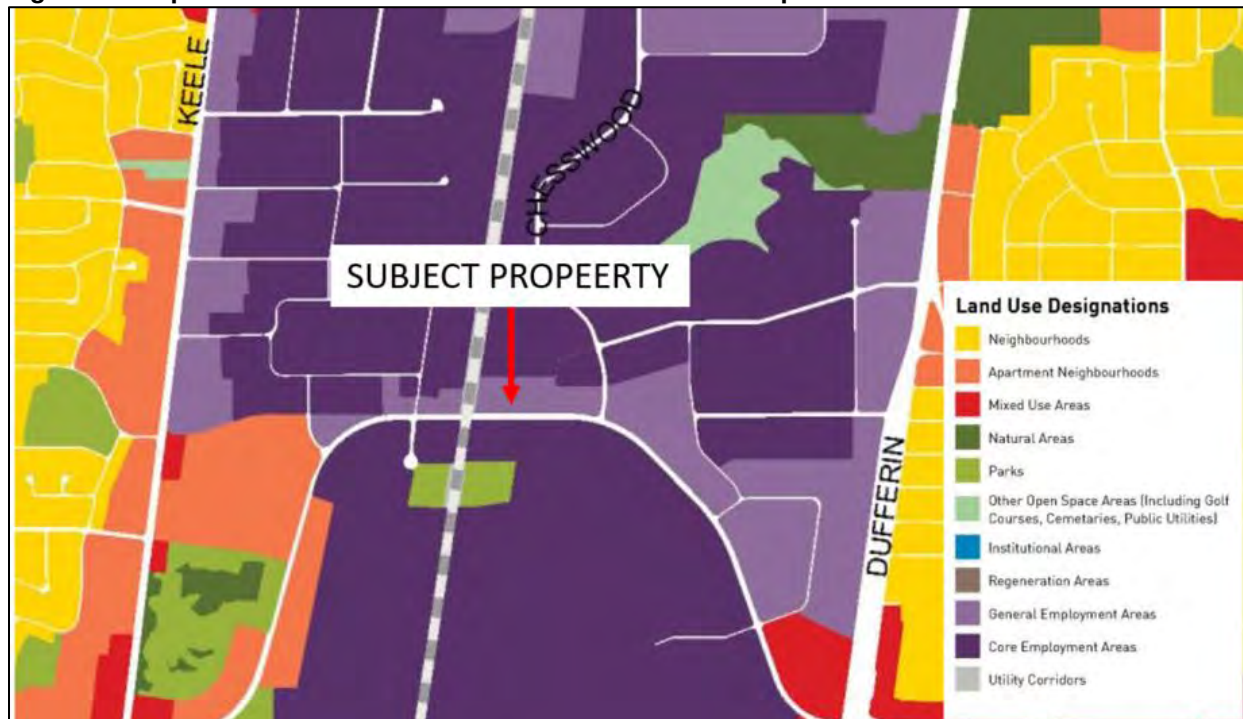
The property at 3848-3998 Chesswood Drive is designated as a General Employment Area within the Official Plan. Employment Areas are places of business and economic activity, and include a wide array of uses such as manufacturing, warehousing, distribution, research and development facilities, utilities, 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 would 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."

The Applicant also states 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.

Figure 9 - Map 16 Land Use Plan - Toronto Official Plan Excerpt:



Staff agree that these points raised by the applicant also support Policy Statement 2.2.4 2 b) c) and j) in Chapter 2 of the Official Plan which states that:

Employment Areas will be used exclusively for business and economic activities in order to: ... b) protect and preserve Employment Areas for current and future business and economic activities; c) provide for and contribute to a broad range of stable employment opportunities; j) continue to contribute to Toronto's diverse economic base

The property at 3848-3998 Chesswood Drive is located within the Downsview Area Secondary Plan Area. As stated above, the lands in Downsview Park have been divided into seven different neighbourhoods to help guide future development. The neighbourhoods directly south of the Proposed Sign are planned to contain primarily employment and industrial uses as well as some ancillary uses.

The Proposed Sign would also be more than two kilometres away from the neighbourhoods identified in the Secondary Plan to contain residential development (Stanley Greene, William Baker and Allen Districts). The applicant states that at these distances, and based on a sign face area of 18.6 square metres and a height of 9.14 metres, as well as the condition that the brightness of the sign not exceed 150 NITS between sunset and sunrise, any impacts that the Proposed Sign may have on the

parkland uses or residential development at Downsview Park, would be minimal. These measures also support Official Plan Policies 7 (i) and 7 (k) for Employment Districts which state:

7. Development will contribute to the creation of competitive, attractive, highly functional Employment Areas by: ... (i) mitigating the potential adverse effects of noise, vibration, air quality and/or odour on major facilities and/or other businesses as determined by noise, vibration, air quality and/or odour studies; ... and (k) providing a buffer and/or mitigating adverse effects, where appropriate, to Neighbourhoods, Apartment Neighbourhoods and Mixed Use Areas.

Staff agree that Proposed Sign should not interfere with the park uses, or the residential neighborhoods located in this area, because of the considerable separation distance between the Proposed Sign and the residential uses further south in Downsview Park.

The Zoning By-Law remains the primary way in which the City implement's its Official Plan. The Zoning By-Law governs the built form of the city in a way that is consistent with the Official Plan objectives for properties throughout the city. Staff have confirmed that the Proposed Sign meets the setback requirement of three metres from the side and rear-yard property lines required by the City's Zoning By-law.

Compliance with the applicable Zoning By-Law indicates that the Proposed Sign would support Official Plan objectives for the premises, particularly objectives that are intended to guide built form and the mitigation of impacts through separation distances from adjacent properties or land uses.

The Applicant's submission materials in addition to staff investigation provide sufficient information to confirm that the Proposed Sign supports several of the Official Plan and Secondary Plan objectives for 2848-3998 Chesswood Drive and the surrounding area. As such, the CBO is of the opinion that this criteria has been established.

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

The property at 3848-3998 Chesswood Drive and the properties to the north and east, and west are designated as an E Sign District and U Sign District respectively, both of which permit third party electronic ground signs.

Although Downsview Park, located south of the Subject Property, is currently designated as an I Sign District, the land uses contemplated by the Official Plan and Secondary Plan for the area immediately to the south of the Proposed Sign include primarily employment and industrial uses with some ancillary uses. The uses planned for the area should not be adversely affected by the Proposed Sign.

The Proposed Sign would also be over two kilometres away from the existing residential developments to the south. Current plans for Downsview Park call for three new residential neighborhoods in the Stanley Greene, William Baker and Allen Districts (See Figure 7). 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 from the Proposed Sign location.

At these distances, based on a sign face area of 18.6 square metres and height of 9.14 metres, as well as the condition that the Proposed Sign's brightness not exceed 150 NITS between sunset and sunrise, the Proposed Sign would have minimal, to no impact on the parkland uses or residential development at Downsview Park.

The Proposed Sign would 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, Residential or Residential Apartment Sign Districts.

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

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

The City's Sign By-law regulations are designed to ensure that there are no adverse impacts on public safety for signs which meet the requirements; these regulations are designed to work in conjunction with other regulations which would also apply to signs. The current criteria is intended to ensure that variances are not granted where they would result in signs that would have adverse impacts on public safety.

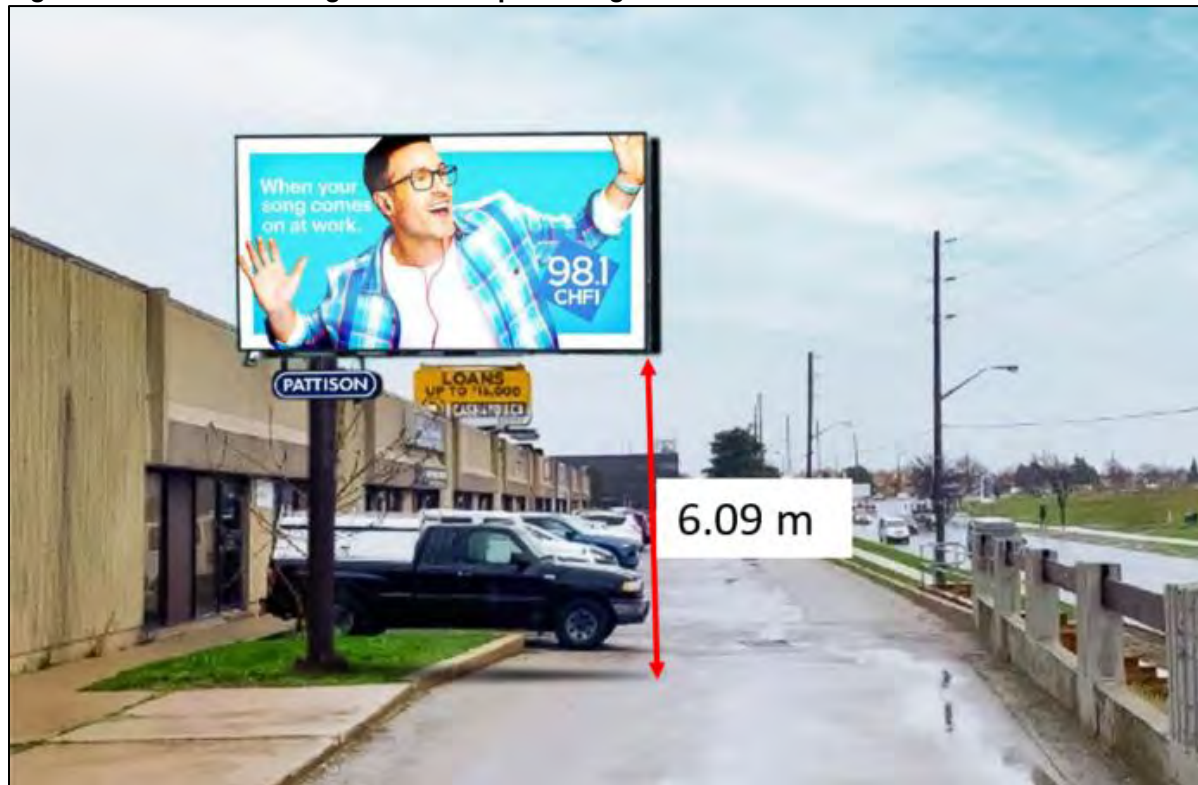
The Applicant's materials, as well as investigations by Sign Unit staff indicate that the Proposed Sign does not appear to raise any foreseeable adverse safety outcomes. The Sign Unit staff have reviewed the Proposed Sign in their opinion the variances to the sign with respect to location and sign face orientation do not raise an foreseeable adverse safety outcome with respect to Sign By-law regulations no adverse impacts on public 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. As of the date of this report there is no access for motorized vehicles to the premises from Sheppard Avenue West; as a result, the Proposed Sign would not be located in any visibility zones. The Proposed Sign would also meet the required 30 metre setback from any street intersections. As a result of these circumstances, staff do not foresee any potential adverse effects on traffic or pedestrian safety.

The support pole for the Proposed Sign would be located in a landscaped area which has concrete curb around the perimeter (See Figure 4) and would not obstruct any pedestrian pathways. Additionally, the portion of the Proposed Sign that would overhang the vehicular travelled portion of the private lane and would have a clearance height of more than 6.0 metres from grade to the bottom of Proposed Sign (See Figure 10), due to the condition respecting the minimum height of the sign face bottom. The clearance height exceeds the minimum of 4.25 metres which is a requirement in Ontario

Building Code and ensure that vehicles can pass safely underneath the Proposed Sign without obstruction.

Figure 10 - Clearance Height of the Proposed Sign:



With electronic signs that change from one message to the next, shorter message durations may result in drivers being more likely to observe a change in the message being displayed, which may result in a higher likelihood that a driver would glance at it for a longer duration. The Proposed Sign would comply with the Sign By-law provisions for a message duration of 10 seconds between changes in copy, this regulation is intended to perform many functions, including reducing the potential for driver distraction, to a reasonable level.

It is also the opinion of Sign By-law staff that the deviation from the requirement for the sign faces to be in a back-to-back configuration in the specific conditions of this Proposed Sign, should also not adversely affect public safety in the context of increased driver distraction. This is due mainly to the interior angle (30 Degrees maximum) of the two sign faces being shallow enough to still have only one sign face visible to drivers approaching from the east or west at a time.

It is the opinion of staff that, based on the review of the available information that the Proposed Sign, and requested variances, do not raise a reasonable level of concern around public safety. Therefore, it is the CBO's opinion that with respect to the Proposed Sign, the variances requested and conditions imposed are sufficient to ensure that there are no adverse safety impacts arising from the Proposed Sign. Therefore, CBO is of the opinion that this criteria has been established.

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

According to staff review, the Applicant's submission materials contain sufficient information to confirm that the Proposed Sign would not be a sign that is prohibited as described in §694-15B. Based on this review, the CBO is of the opinion that this criteria has been established.

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

There is an existing illuminated roof sign at the Subject Property which would be removed as a condition of approval of the requested variances. The existing roof sign which has been in place since 1999, is very similar in shape and size to that of the Proposed Sign. The Applicant has discussed that, as a third party sign has been part of the subject premises and surrounding area for many years it contributes to the character of the area.

The CBO is of the position that the character of the area is reflected primarily by the specific regulations concerning the signage enacted by City Council for the area. The height, sign face area, copy type and number of sign faces on the Proposed Sign are in keeping with the requirements for third party electronic ground signs in E Sign Districts.

Also, as mentioned earlier, 3848-3998 Chesswood Drive is designated as an E Sign District, and is also surrounded by other E Sign Districts to the north and east, and U Sign District to the west; all of these sign districts permit third party electronic ground signs at a size and height that is consistent with the Proposed Sign. None of the properties in the surrounding E Sign Districts and U Sign District contain uses whose character would be altered by the presence of the Proposed Sign.

Although Downsview Park, located south of the Subject Property, is currently designated as an I Sign District, The land use permissions in the Official Plan and Secondary Plan for the area immediately to the south of the Proposed Sign only contemplate employment and industrial uses with some ancillary uses, which are similar to the uses permitted in Employment-E and Utility-U Sign Districts where third party electronic signs are permitted. As such the character for the planned uses for these properties should not be altered by the Proposed Sign.

The Proposed Sign will be located approximately 150 metres from a park serving the Downsview TTC/GO station, however with the condition of the reduced brightness (150 NITS between sunset and sunrise), the Proposed Sign should not alter the character of the park. As well, the Proposed Sign will be more two kilometres from a residential development to the south. As a result, the Proposed Sign would have little if any relationship with or alter the character of the residential neighborhoods located further to the south.

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

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

The Applicant's submission materials state that, the 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 would be no adverse impacts on any of the adjacent premises. Given the existing and planned uses for the properties in the I Sign District (as described in the Official Plan and Secondary Plan), staff agree that the variances requested are minor and should not impact or alter the planned use of the properties in the I Sign District.

The Proposed Sign would be 3.0 meters away from the building and would not resemble a roof sign (a prohibited sign type). The condition that the existing third party roof sign at 3848-3998 Chesswood Drive be removed will also address the issue of sign clutter that the regulations in the Sign By-law have been designed to mitigate.

Also, granting the variance for v-shaped configuration should not create any adverse impacts on 3848-3998 Chesswood Drive or the surrounding properties when compared to the back to back configuration which is permitted in the Sign By-Law. The v-shaped configuration will not increase the visible area of the sign or result in the Proposed Sign having an appearance that would be significantly different than a sign with a back-to-back configuration. As such, staff do not believe the requested variance for the v-shaped configuration is contrary to the public interest.

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

CONCLUSION

The Applicant's submission materials and the Sign By-law Unit staff's research and investigation have provided sufficient information for the CBO to establish that all nine criteria required to grant an approval for the requested variances has been met. As such, the CBO is supportive of the Sign Variance Committee granting the requested variances, subject to the specified conditions.

CONTACT

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SIGNATURE

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

ATTACHMENTS:

Attachment 1 – Description of Sign, Required Variances and Conditions

Attachment 2 – Applicant's Submission Package

Attachment 1 – Description of Sign, Required Variances and Conditions

Sign Description:

One third party electronic ground sign described as follows:

- a) having a maximum height of 9.14 metres;
- b) may be illuminated;
- c) located no closer than 9 metres from the southern property line;
- d) contains two sign faces in an approximate south-east and south-west orientation,
- e) the two sign faces shall be orientated in a “v-shaped” configuration; and,
- e) each sign face shall comply with the following:
 - i. have a maximum bisecting line of no greater than 3.05 metres;
 - ii. have a maximum centre line of no greater than 6.1 metres;
 - iii. have a maximum sign face area of no greater than 18.6 square metres;
 - iv. may display static, or electronic static sign copy, but not both;

Required Variances:

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.

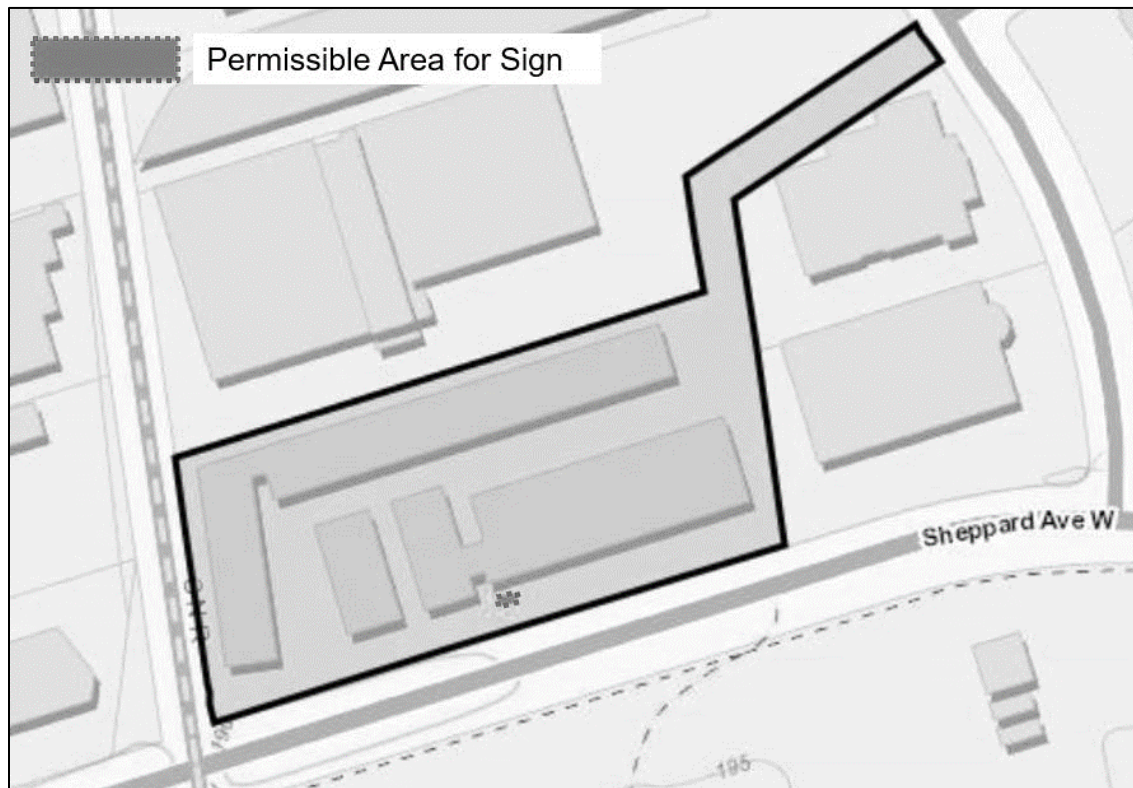
Conditions:

- 1) Any and all existing third party signs located at the premises 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;

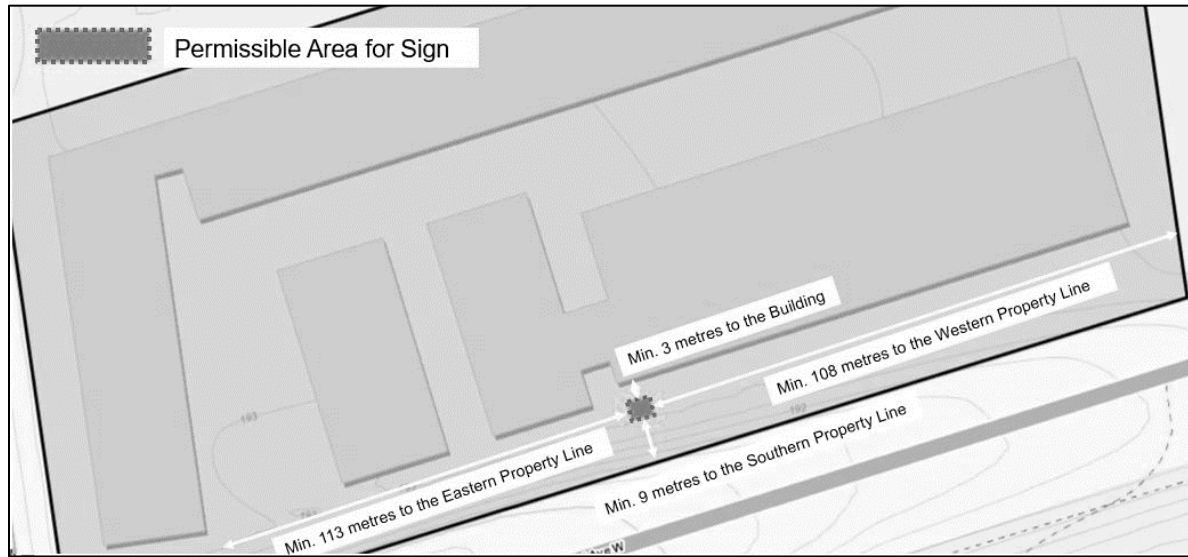
- 2) Any and all existing first party ground signs located at the south frontage of the premises municipally known as 3848-3998 Chesswood Drive shall be removed and all associated permits revoked, prior to the erection or display of the Proposed Sign;
- 3) The maximum interior angle of the v-shaped configuration shall not be more than 30 degrees.
- 4) The sign face bottom shall be no less than 6.0 metres for all sign faces;
- 5) In addition to the requirements of 694-18.E(5), the illumination of the Proposed Sign shall not exceed 150 nits during the period between sunset and sunrise;
- 6) The orientation of the two sign faces to be in a generally south-westerly and south-easterly direction; and,

The Sign to be located within the specific location within the premises municipally known as 3848-3998 Chesswood Drive illustrated with heavy lines as Schedules A and B below.

Schedule A:



Schedule B:



Attachment 2 – Applicant's Submission Package

DocuSign Envelope ID: BB699DB4-D23D-48DB-8BA4-AFBADFF2EEDD

AUTHORIZATION

Owner's Authorization

With Respect to the land's owned by: **WEST SHEPPARD MEWS DEVELOPMENTS LTD**

(Owner's Name)

Known as: **3862 Chesswood Drive**. (PT BLK C, D PL 9019 NORTH YORK PARTS 6, 7, 8, 9, 12, 13 & 14, 64R2703; S/T & T/W TB291677; S/T NY213941; S/T NY603494; TORONTO (NYORK), CITY OF TORONTO)

(Legal Description / Municipal Address of Lands)

Declare that I/We, the registered owner(s) of the lands described in the application, have been examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I/We have knowledge of these facts, and I/We hereby authorize:

Marcia Marciniak

(Name of Agent)

Pattison Outdoor Advertising

(Name of Company)

To act on my behalf in this matter.

I/We further consent to the city or representative therefore, inspecting the subject lands and structures.

Date: 7/15/2020

Signed: Jay Brown
DocuSigned by: JCF-268426111C425



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 the attached Sign Variance Rational and supporting documentation			

Property Owner Information

First Name Jay		Last Name Brown (authorized agent of owner)	
Company Name (if applicable) West Sheppard Mews Development Ltf.			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			

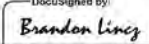
Attachment Required

- 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, Brandon		Last Name Lincz	
Company Name Pattison Outdoor Advertising			Telephone Number (905) 282-6935
Street Number of 2700	Street Name Matheson Blvd East	Suite/Unit Number 500	Mobile Number (416) 357-9018
City/Town Mississauga	Province ON	Postal Code L4W 4V9	Fax Number (905) 281-9694
Email blincz@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.			
 DocuSigned by: Brandon Lincz Signature 9F7EBDE44439...		Brandon Lincz Print Name (First, Last) 2021-5-3 Date (yyyy-mm-dd)	

Continue on next page

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

Lot Area 264,674 square feet	Lot Frontage 737.72 feet	Lot Depth 329.52 feet
Number of Building(s) on the lot 4	Date of Construction of Building(s) if known (yyyy-mm-dd)	
Building Height(s)	Number of Storeys 1	Building(s) Gross Floor Area
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 vertically (or 10'x20'). 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 faces displaying static sign copy, located at the Subject Premises, 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.

See Attached Sign Variance Rationale for more information.

Continue on next page

14-0043 2016-12

1 of 2

Data Sheet
Sign Variance

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

Vladimir Dosen Surveying Inc.

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

office: 416-466-0440

email: vladdosen@rogers.com

May 27, 2020

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

Re: 3848-3998 Chesswood Dr
Borough of North York
(Municipality of Metropolitan Toronto)

The attached sketch dated May 27, 2020 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.

Existing billboards:

- 1) Distances to existing static and digital billboards as shown on the attached sketch (2 billboards)
- 2) 45 meters distance To Sheppard Ave W

Distances to existing billboards:

- 1) Existing Billboard 380m
- 2) Existing Billbord 240m



Sign Data Sheet

Date (yyyy-mm-dd)	Folder No.
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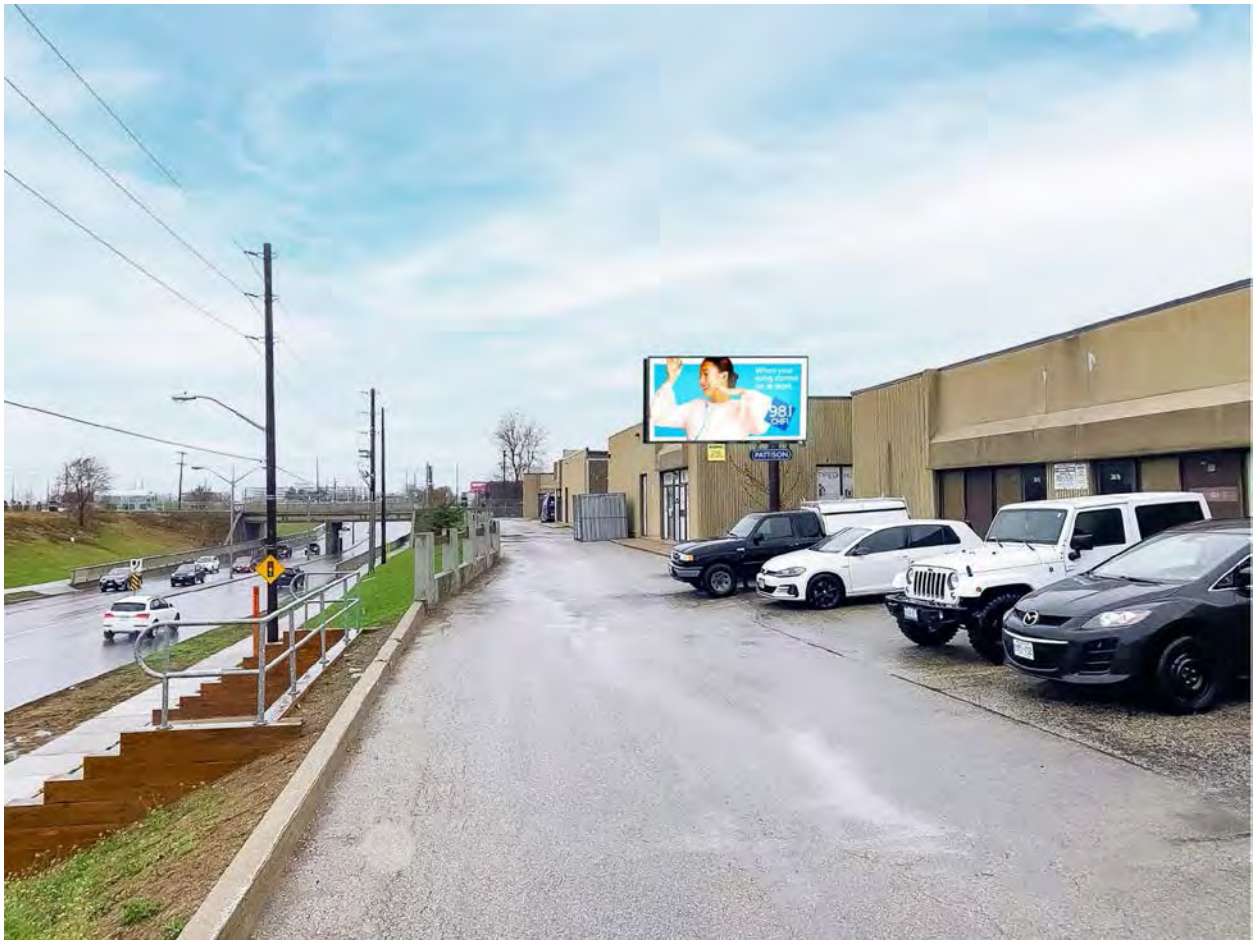
Sign Information

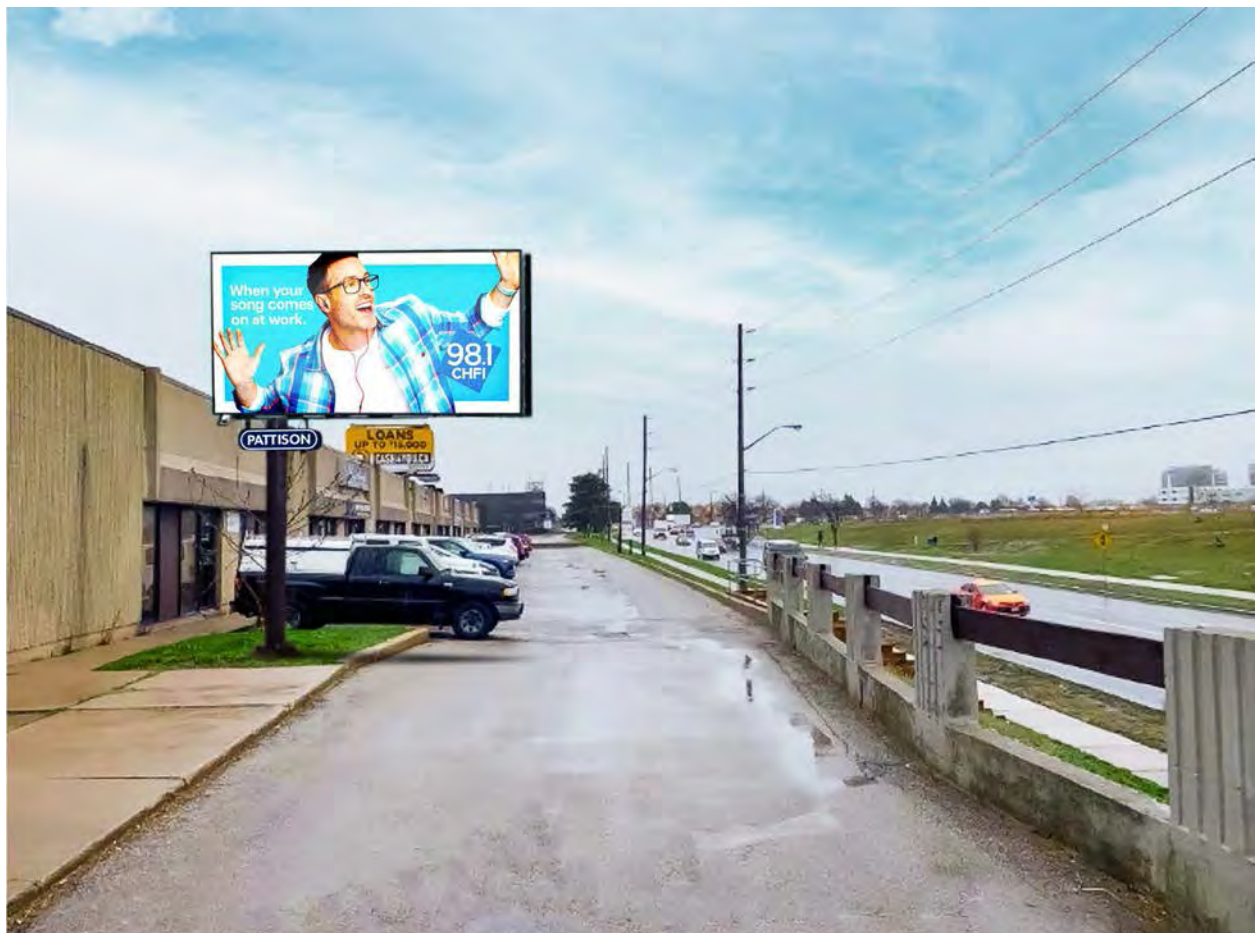
Sign No. *	Sign Type	Method of Copy/ Display	Sign Face Dimensions (maximum)			Sign Depth (metres)	Sign Height (metres)	Illumination (Yes/No)	Professional Design Required (Yes/No)
			Length (metres)	Width (metres)	Area (m ²)				
1	Ground Sign	Electronic Static Copy	3.05	6.10	18.60	0.50	9.14	Yes	Yes
2	Ground Sign	Electronic Static Copy	3.05	6.10	18.60	0.50	9.14	Yes	Yes

* Please ensure that the sign numbers listed in this sheet are indicated on all sign plans

14-0037 2020-06

Please Use Additional Pages as required





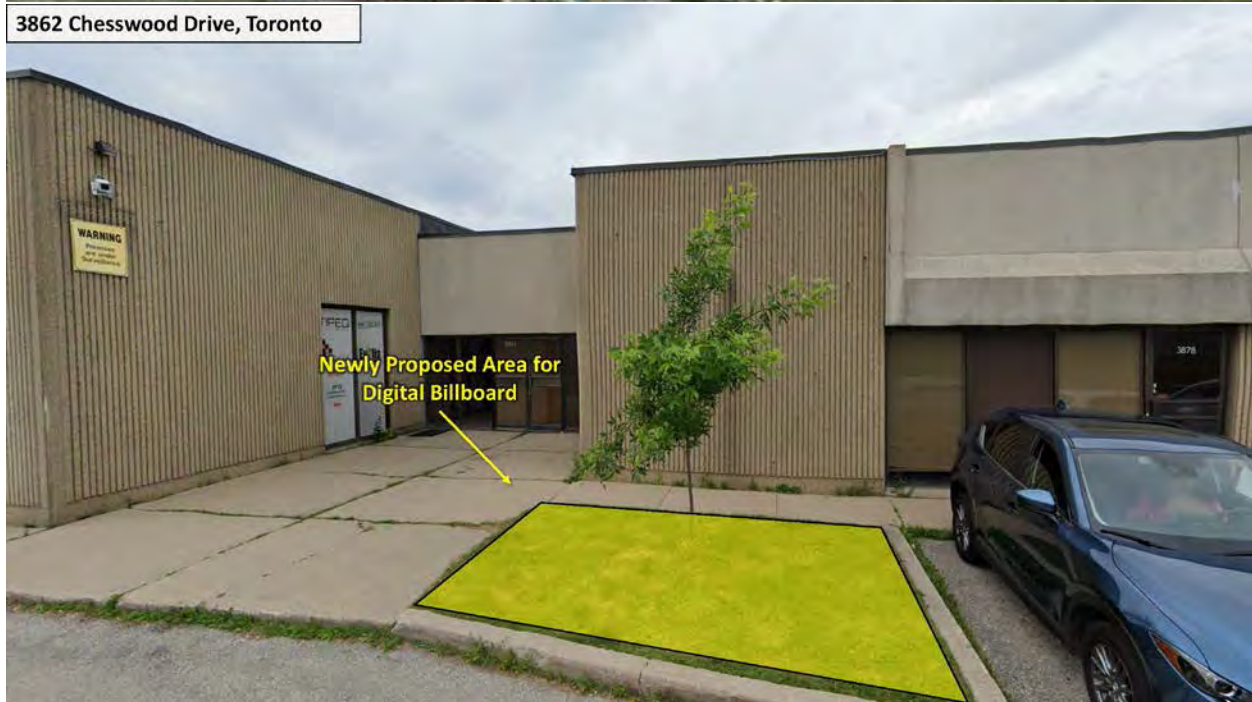
3862 Chesswood Drive, Toronto

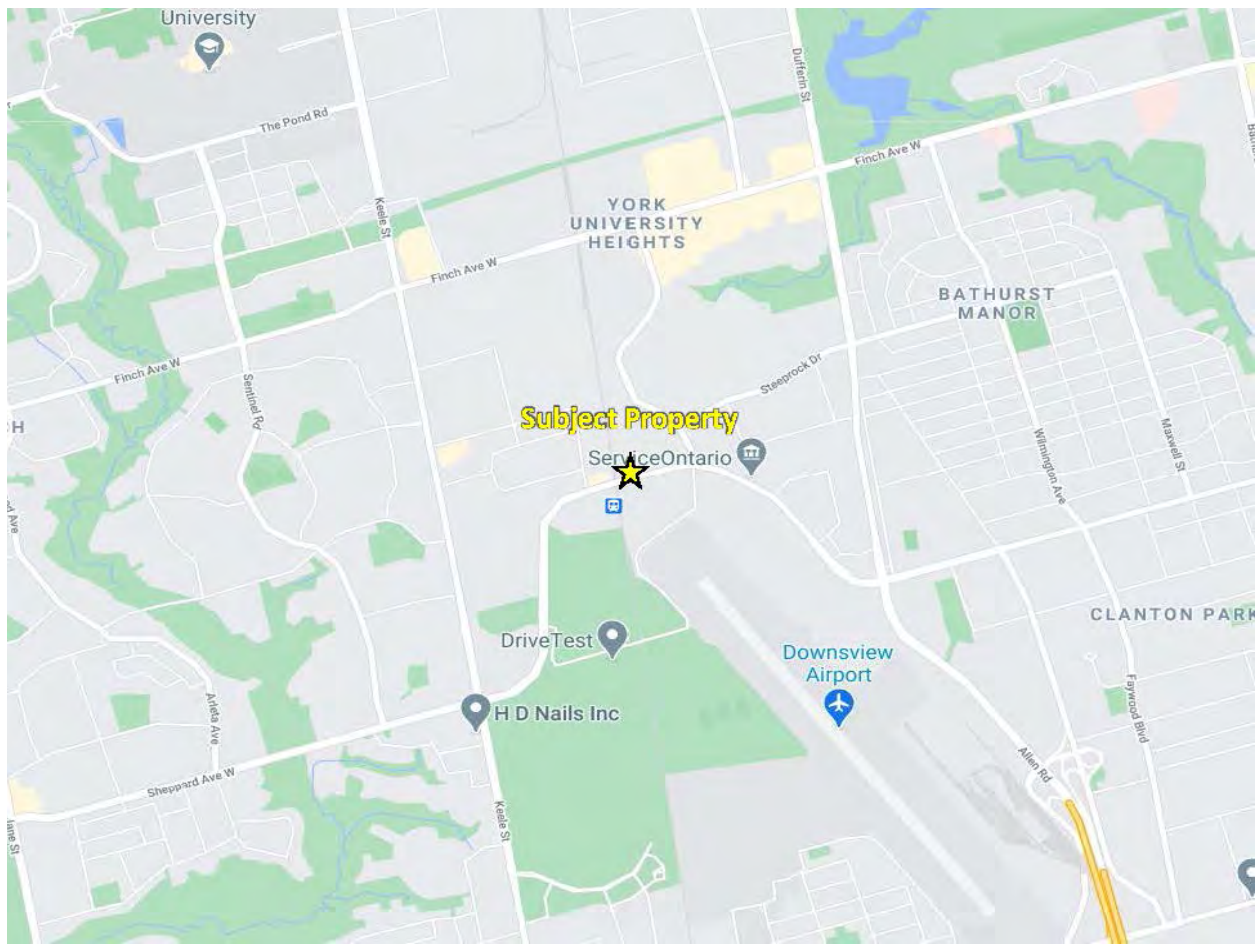


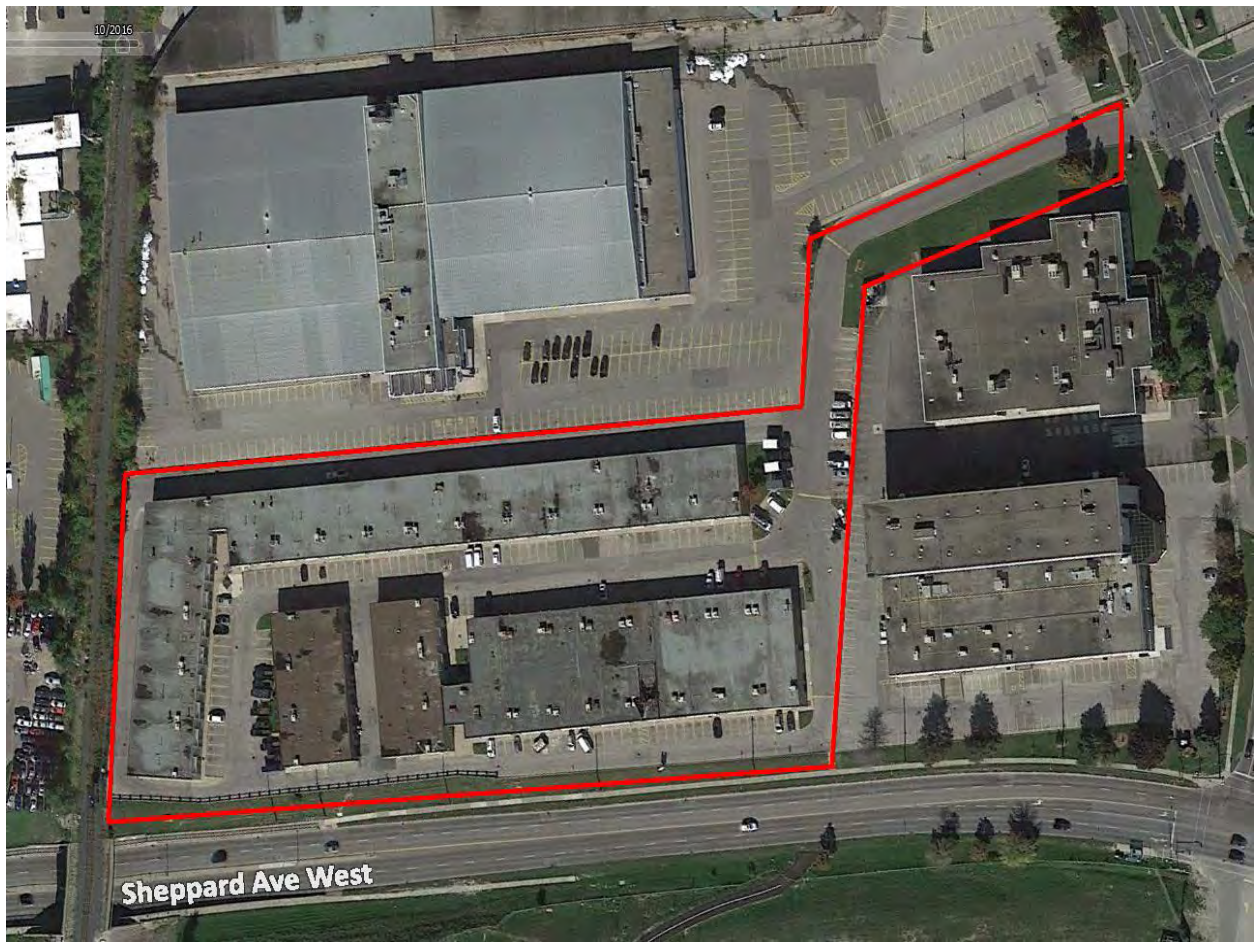
3862 Chesswood Drive, Toronto

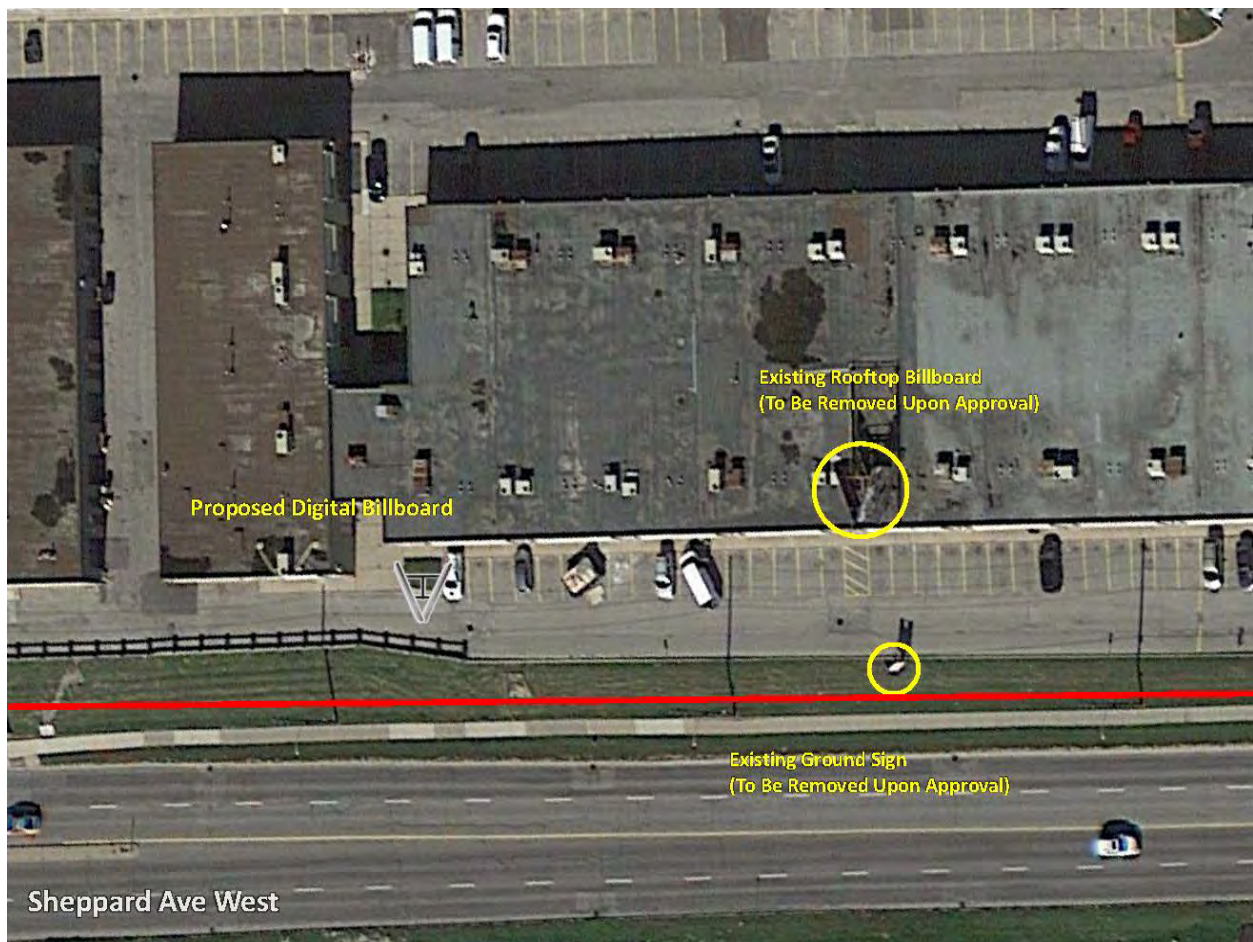


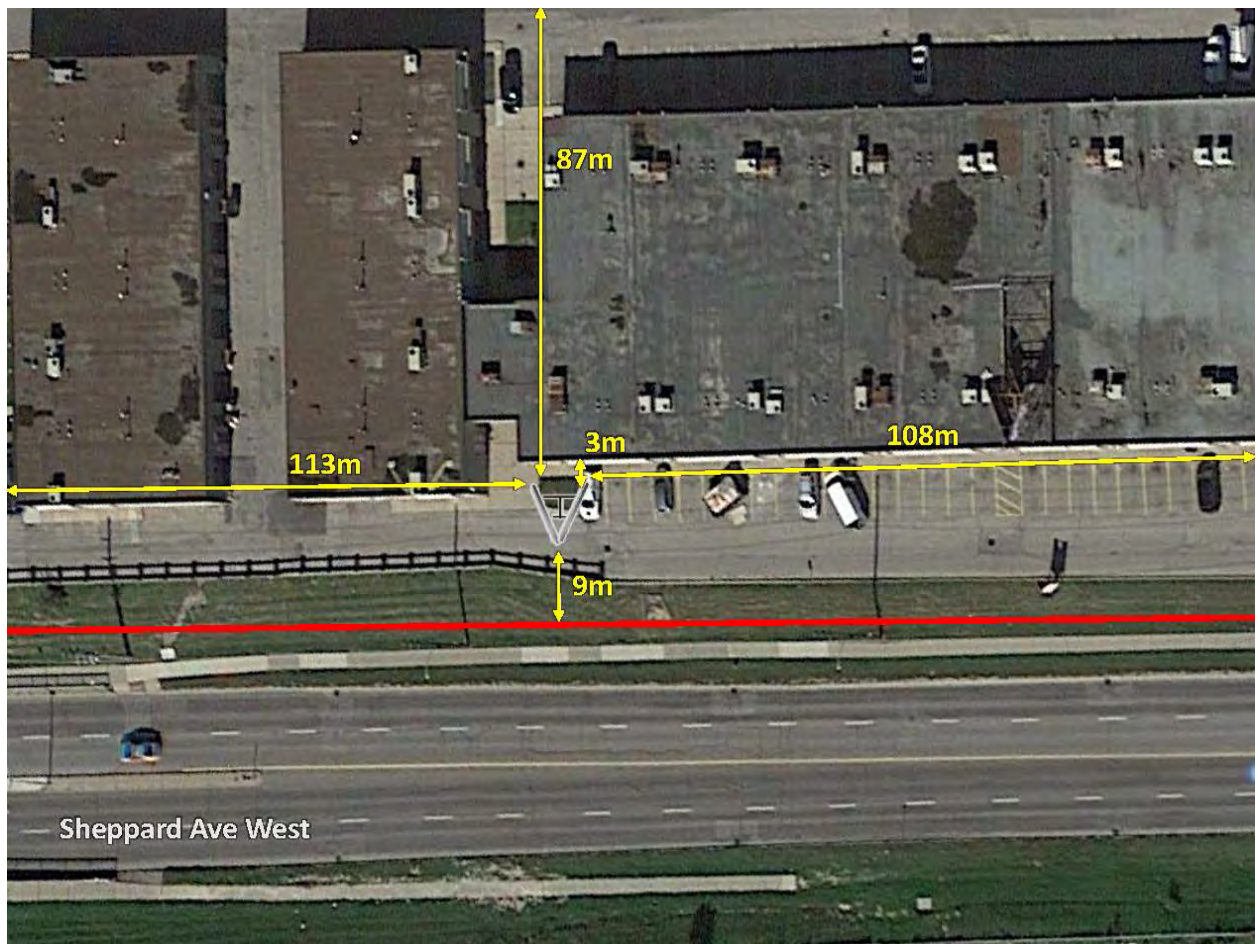
3862 Chesswood Drive, Toronto













March 31st, 2021

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

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

Attn: Ted Van Vliet, Manager, Sign By-law Unit

Please accept this rationale as part of our application for three variances from the Sign By-law, with three conditions of approval, 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 a maximum interior angle of 30 degrees, each measuring 6.1 metres horizontally by 3.05 metres vertically. Each of the sign faces will contain electronic static copy, and the Proposed Sign will not exceed a height of 9.14 metres.

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

- (i) **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 37 metres from an (I) Institutional Sign District to the south;
- (ii) **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 partially faces into an (I) Institutional Sign District within 250 metres; and
- (iii) **694-25(C)(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 with a maximum interior angle of 30 degrees).

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

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granted, and any associated sign permits shall be revoked prior to the issuance of a sign permit for the Proposed Sign;

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, and;
3. The maximum interior angle of the v-shaped configuration would be 30 degrees.

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 as per the Sign By-law.

The subject premises contains a one-storey building, which has an existing third party roof sign with static copy, and a sign face area of 18.6 square metres on each side. By removing this roof sign as a condition of approval, and locating the proposed sign 3.0 metres away from the building, the new sign will be more compatible with the built form of the one-storey building by not giving the appearance of the proposed sign resembling a roof sign.

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

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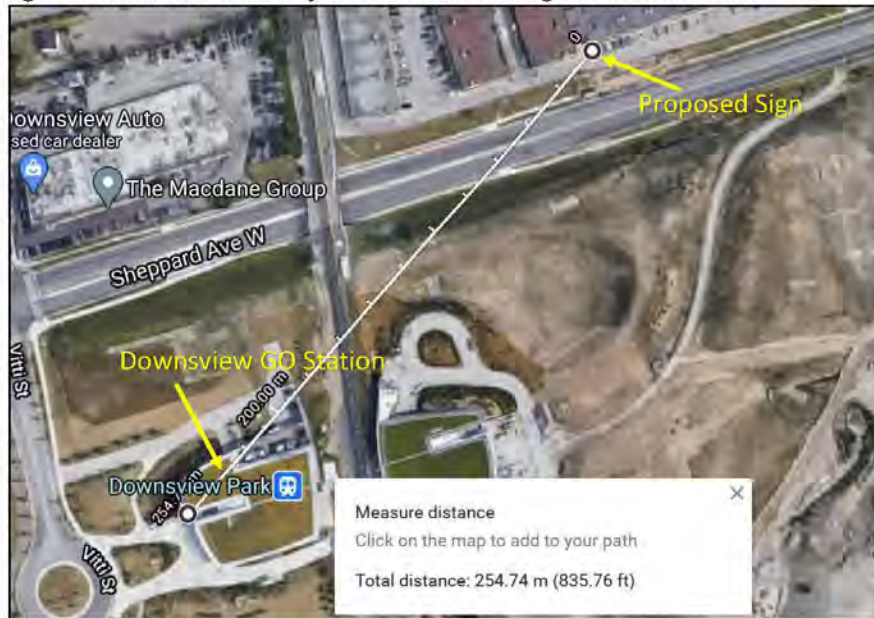
each side, and the electronic display for the proposed sign will have a sign face area of 18.6 square metres on each side (in line with the Sign By-law requirements).

Approving the variances and the conditions of approval would lead to the removal of a prohibited sign type (existing roof sign) and the introduction of a new electronic ground sign which is a permitted sign type. It would also eliminate an additional ground sign from the Sheppard Avenue West frontage (see Figure 2), which would lead to a reduction in sign clutter.

Two of the required variances would allow the Proposed Sign to be located less than 60 metres from, and partially facing into, the I Sign District approximately 37 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 260 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 380 metres away.

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



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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. We are also setting a maximum interior angle of 30 degrees in order to lessen any impacts of the configuration as a proposed condition of approval.

Figure 2 – Two Existing Signs to be Removed as Conditions of Approval



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

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which were in place on this railway property have since been removed and there are no other third party signs within the setbacks required by the Sign By-law (there are no other static third party signs within 150 metres, and no other electronic third party signs within 500 metres).

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.

This application was heard by the Sign Variance Committee previously, where the sign was proposed to be located in a hatched parking area near the centre of the property. At the SVC Meeting, two tenants and business owners voiced concerns over obstructing the parking area and nearby loading doors.

As a result, we have moved the location to a small vacant parcel of grass further west on the property, which does not interfere with any parking area / space, and is not near any loading doors. The property owner has held discussions with these two tenants, and they do not have any concerns with the new sign location (see Figure 3 below).

Figure 3 – New Location of the Proposed Sign (furthest left)



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

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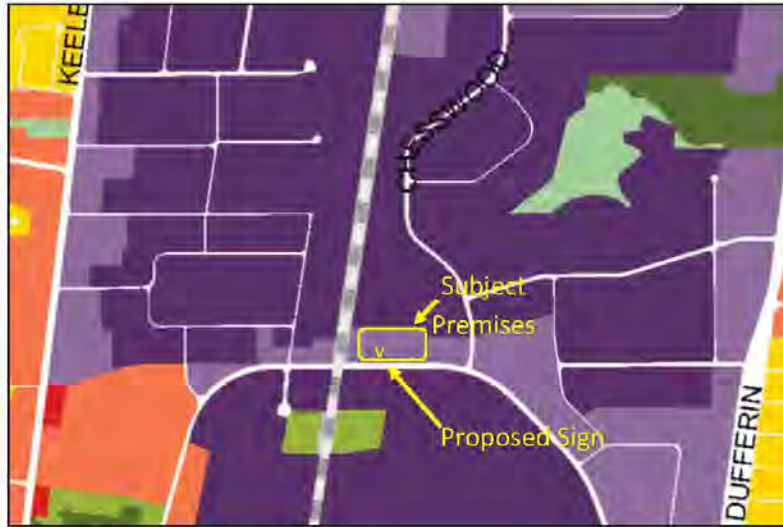
The Subject Premises is designated as an 'Employment Area' within the Official Plan. *Employment Areas* are places of business and economic activity, and include a wide array of uses such as manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, 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 *Zoning By-law* requires a minimum side-yard setback of 3.0 metres, and a minimum rear-yard setback of 7.5 metres. The revised location for the proposed sign will exceed both these requirements (it will be approximately 9 metres from the Sheppard Ave West side-yard line and approximately 120 metres from the U Sign District to the west).

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 4 – Official Plan Map of the Subject Premises and surrounding area



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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, 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.

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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, we do not anticipate the Proposed Sign will have any impacts on the parkland uses or residential development at Downsview Park.

Figure 5 – Sign District map of the Subject Premises and surrounding area



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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-yard line and 7.5 metres from the 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 to remove the existing roof sign is accepted).

Figure 6 – Map of Districts within Downsview Park



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As the Proposed Sign is a significant distance away from, and will not be visible from any 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. Curbed barriers are already present around this grassy area, which will protect any visitors to the Subject Premises, and the clearance from grade to the bottom of the sign required by the Ontario Building Code will be exceeded.

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. 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

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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 very similar in shape and size to that of the existing third party roof sign at the Subject Premises, which has been in place since 1999 (technically slightly smaller). As third party signs have been part of the subject premises and surrounding area for many years, we believe they partially contribute towards the character of the area.

Figure 7 – 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).

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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 U Sign District to the west or the I Sign District to the south.

Figure 8 – Looking west from the Subject Premises, along Sheppard Avenue West



All of the properties immediately north, east and west also 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 have any visibility of nor be impacted by the Proposed Sign.

Figure 9 – Looking south from the Subject Premises towards Downsview Park



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By removing the existing roof sign (which has been in place since 1999) and the additional ground sign as conditions of approval, moving the sign further away from the building and limiting the interior angle, and because the majority of the surrounding properties are also designated as E and U 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 most 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, CR 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. The proposed sign's level of compliance with the Sign By-law requirements establishes that it is not contrary to the public interest.

Figure 10 – Image of the Proposed Sign, located further west on the property



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The proposed conditions of approval include removal of the existing roof sign, and the additional "Space For Rent" ground sign from the Sheppard Avenue West frontage, will help reduce sign clutter and further supports our position that the proposed sign is not contrary to the public interest.

After hearing concerns from tenants about the previous location for the proposed sign, we have moved it further west, out of the parking area, and away from the loading doors they frequently use. They have agreed that this new location will not have impacts on their day-to-day use of the property.

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. The 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 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".

Nicholas Campney
Pattison Outdoor Advertising

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