

Attachment 2 – Applicant's Submission



Virginie Favreau
Specialist Real Estate

7530 Ogden Dale Road SE
Calgary, Alberta
T2C 4X9

March 4, 2022

BY EMAIL

Sign By-Law Unit
100 Queen Street West
Ground Floor, East Tower
Toronto, ON M5H 2N2

To Whom It May Concern:

Re: Variance applications for "Warden ave South of Ellesmere Road" and "Ellesmere Road east of Warden Ave" by Van Horne Outdoor Limited Partnership ("Van Horne").

This letter is provided by Canadian Pacific Railway ("CP") pursuant to your request in order to confirm certain rights and obligations of Van Horne. CP hereby confirms that Van Horne has the right to apply for applicable variances for signs at "Warden ave South of Ellesmere Road" and "Ellesmere Road east of Warden Ave", and CP owns and controls such lands and has the rights to maintain and erect on such lands. As such, CP hereby authorizes Van Horne and/or its officers, directors, consultants (including Christopher Bentler) to apply for any and all approvals and permits required to erect and maintain the signs and place advertising thereon. CP agrees to immediately notify the City of Toronto, in writing, of any changes regarding the above information.

Notwithstanding CP's acknowledgments and agreements in this letter, CP does not waive any rights or remedies that CP would otherwise have at law or in equity.

Please feel free to contact me with any questions.

Sincerely,



Application
Sign Variance

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

Street Number 1416	Street Name Warden Avenue	Lot Number	Plan Number
Describe the variance(s) being applied for: §694-25D(3)(e); §694-25D(3)(f)			
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): See attached			

Property Owner Information

First Name Virginie		Last Name Favreau	
Company Name (if applicable) Canadian Pacific Railway			Telephone Number
Street Number 7550	Street Name Ogden Dale Road SE	Suite/Unit Number	Mobile Number
City/Town Calgary	Province Alberta	Postal Code T2C 4X9	Fax Number
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



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
1416	Warden Avenue		

Site and Building Data

Lot Area	Lot Frontage	Lot Depth
Number of Building(s) on the lot	Date of Construction of Building(s) if known (yyyy-mm-dd)	
Building Height(s)	Number of Storeys	Building(s) Gross Floor Area
Building Uses(s)		

Site Context

Please describe the land uses, buildings and sign districts surrounding the proposal (use additional pages if necessary)	
North	See attached
South	See attached
East	See attached
West	See attached

Proposal

Please describe in detail what is being proposed (use additional pages if necessary) See attached

Applicant Information and Declaration

First Name I, <u>Christopher</u>		Last Name <u>Bentler</u>	
Company Name <u>Van Home Outdoor</u>			Telephone Number <u>(647) 808-4678</u>
Street Number of <u>2275</u>	Street Name <u>Upper Middle Road East</u>	Suite/Unit Number <u>101</u>	Mobile Number <u>(647) 808-4678</u>
City/Town <u>Oakville</u>	Province <u>Ontario</u>	Postal Code <u>L6H 0C3</u>	Fax Number
Email <u>cbentler@Allvision.com</u>			
Do hereby declare the following: • That I am ☐ the Property Owner as stated above ☐ the owner's authorized agent. ☒ an officer/employee of <u>Van Home Outdoor</u>, 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		<u>Christopher Bentler</u> _____ Print Name (First, Last)	<u>2022-03-04</u> _____ Date (yyyy-mm-dd)

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)

[See attached](#)

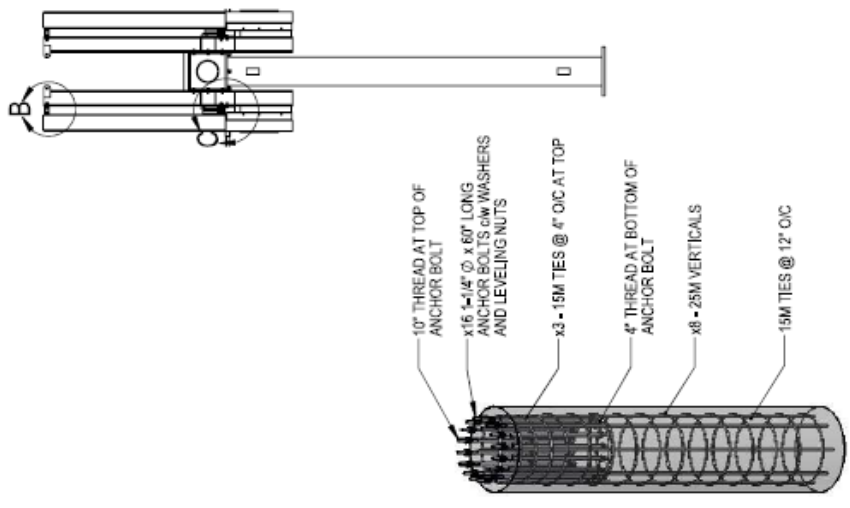
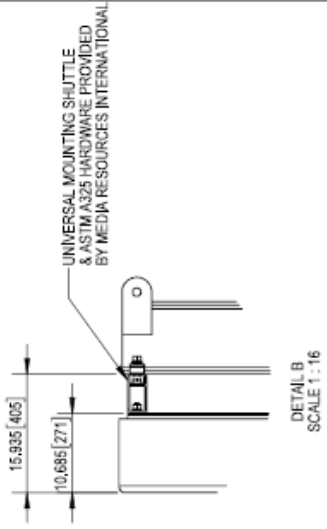
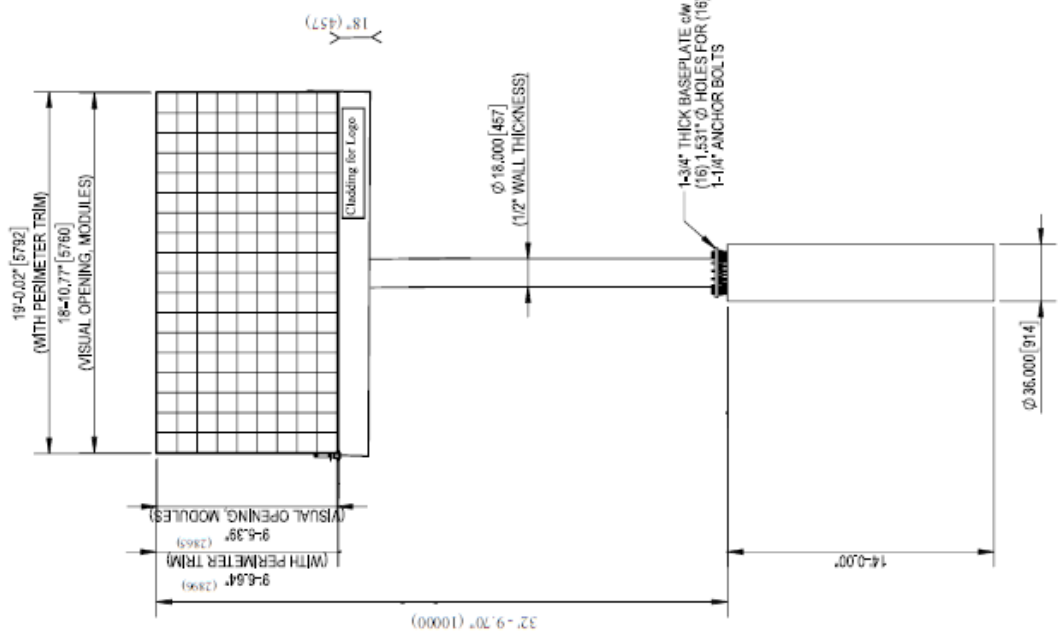
Sign Data Sheet

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	0.60	10.00	Yes	Yes
					1.00				
					1.00				
					1.00				
					1.00				
					1.00				
					1.00				
					1.00				
					1.00				

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



MEDIA RESOURCES INTERNATIONAL
 1387 CORNWALL ROAD OAKVILLE ONTARIO
 TEL: 1.800.667.4554 FAX: 1.905.337.9531

10' x 20' DIGITAL BILLBOARD
DOUBLE FACE, CENTER MOUNT

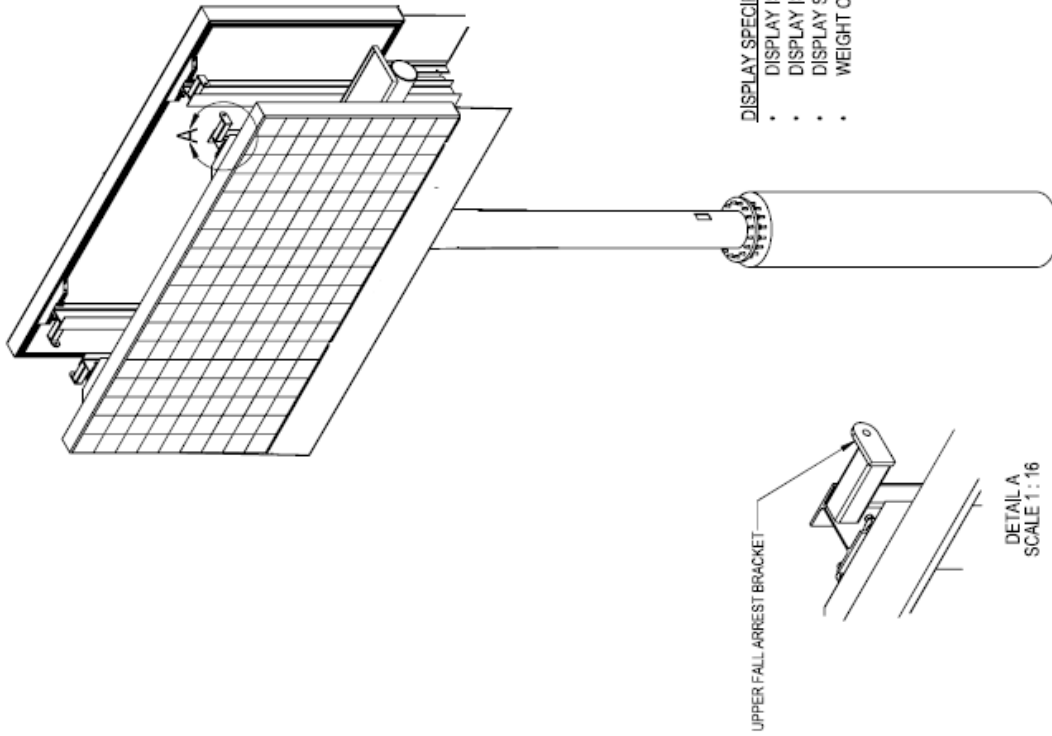
mediaresources ... solutions for the sign industry		DATE	12/22/22
PROJECT	10' x 20' DIGITAL BILLBOARD	DATE	12/22/22
CLIENT	MR. & MRS. J. J. J.	DATE	12/22/22
DESIGNER	MR. & MRS. J. J. J.	DATE	12/22/22
CONTRACTOR	MR. & MRS. J. J. J.	DATE	12/22/22
NOTES:	1. MATERIAL - 1" THICK 2. FINISH 3. COATING		

THIS DRAWING AND THE INFORMATION CONTAINED THEREIN IS THE CONFIDENTIAL PROPRIETARY INFORMATION OF MEDIA RESOURCES INTERNATIONAL AND MAY NOT BE USED OR REPRODUCED WITHOUT APPROVAL OF MEDIA RESOURCES INTERNATIONAL. ALL RIGHTS RESERVED.

B MRI 10x20 CM DF Permit

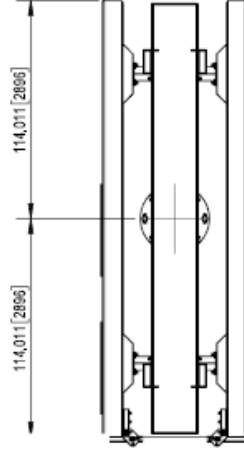
Scale: 1:75

Page: 1 of 2



DISPLAY SPECIFICATIONS

- DISPLAY IS ALL ALUMINUM CONSTRUCTION
- DISPLAY IS FRONT AND REAR ACCESSIBLE
- DISPLAY SHIPS IN ONE SECTION
- WEIGHT OF EACH LED DISPLAY APPROX. 2800 lbs



NOTES:

1. SIGN MOUNTING TO STRUCTURE USING 5/8" Ø BOLTS, A563 NUTS & F436 WASHERS
2. FASTENERS TORQUED TO 75 LB-FT, MAXIMUM 100 LB-FT

mediaresources ...solutions for the sign industry.		MEDIA RESOURCES INTERNATIONAL 1387 CORNWALL ROAD OAKVILLE ONTARIO TEL: 1.800.667.4554 FAX: 1.905.337.9531	
CUSTOMER: BRT 10' x 16" RGB OF LED DISPLAY		10' x 20' DIGITAL BILLBOARD DOUBLE FACE, CENTER MOUNT	
DATE: 12/22/22 DRAWN BY: 12/22/22 CHECKED BY: 12/22/22 DESIGNED BY: 12/22/22		B MRI 10x20 CM DF Permit SCALE: 1:55	
1. MATERIAL: *THICK 2. FINISH: 3. COATING:		THIS DRAWING AND THE INFORMATION CONTAINED THEREIN, IS THE CONFIDENTIAL PROPRIETARY INFORMATION OF MEDIA RESOURCES INTERNATIONAL AND MAY NOT BE USED OR REPRODUCED WITHOUT APPROVAL OF MEDIA RESOURCES INTERNATIONAL. ALL RIGHTS RESERVED.	

March 4, 2022

File #: 21-228

Delivered by email: signbylawunit@toronto.ca
Nikoo.Shabestari@toronto.ca

Sign By-Law Unit
100 Queen Street West
Ground Floor, East Tower
Toronto, ON M5H 2N2

ATTENTION: NIKOO SHABESTARI, SIGN BUILDING CODE EXAMINER INSPECTOR
RE: SIGN VARIANCE APPLICATION – CP RAIL CORRIDOR – 1416 WARDEN AVENUE

Dear Nikoo,

On behalf of our client, Van Horne Outdoor, in support of a signage proposal at the property contained within a railway siding owned by Canadian Pacific Railway, on the west side of Warden Avenue and south of Ellesmere Road, we are pleased to submit an application requesting minor variances to the City's Sign By-law. We anticipate that our application will be presented to the Sign Variance Committee at your earliest opportunity, concurrent with another sign variance application at the property located on the north side of Ellesmere Road, east of Warden Avenue.

The Canadian Pacific Railway (CPR) is a historic Canadian Class 1 railway incorporated in 1881. Headquartered in Calgary, Alberta, it owns approximately 20,100 kilometres (12,500 mi) of track in seven provinces of Canada and into the United States, stretching from Montreal to Vancouver, and as far north as Edmonton. The railway was first built between eastern Canada and British Columbia between 1881 and 1885; it was Canada's first transcontinental railway. Primarily a freight railway, the CPR was instrumental in the settlement and development of Western Canada.

Allvision, was formed in the early 2000's to assist public property owners with the development and management of outdoor advertising assets in Canada, with particular emphasis on transportation agencies (i.e. railway properties). Its recent focus has been dedicated to digital outdoor advertising in Ontario, Quebec, and British Columbia.

Van Horne Outdoor ("VHO") is an out-of-home media company formed through a partnership between CPR and Allvision, where the two have entered into a multi-year venture to develop strategic outdoor advertising infrastructure along CPR's rights-of-way, with a focus on updating CPR's current billboard inventory located on the railway's right-of-way.

PROPOSED SIGN

The sign that is the subject of this application is an illuminated third party electronic ground sign containing two sign faces, with each face displaying electronic static copy and facing north and south, capturing both northbound and southbound vehicular traffic along Warden Avenue. The sign is proposed to be located within an abandoned railway siding, owned by CPR, on the west side of Warden Avenue approximately 225 metres south of Ellesmere Road. The proposed signs' attribute are as follows:

- Containing two sign faces, each 3.05 metres in length by 6.10 metres in width (10' x 20');
- On the west side of Warden Avenue, facing northerly and southerly along Warden Avenue;
- Located within an abandoned railway siding;
- At a height of 10 metres;
- Displaying electronic static copy;
- Not be up-lit;
- Not be illuminated (operational) between the hours of 11:00 p.m. and 7:00 a.m.;
- Not exceed more than 5000 nits during the daytime; and
- Not exceed more than *150 nits at dusk*; comprising a *50% reduction of light output*, as currently required by By-law regulation.

In addition, this application proposes the removal of not less than five conventional (10' x 20') and illuminated sign faces currently existing and operating on three sign structures within CPR's railway corridor, in and around the subject intersection of Warden Avenue and Ellesmere Road. These sign faces all contain paste-and-paper (static copy) display and are not subject to the Sign By-law's illumination provisions, including, up-lighting, time-of-day operation, and maximum levels of illumination. These three existing structures are also not subject to the expiration and renewal provisions of the Sign By-law.

If the variances subject to this request are granted, the five existing sign faces on the three existing sign structures will be removed indefinitely to support both the enhancement and beautification of the immediate area as well as responding to the critical policy direction of reducing "sign clutter".

Again, concurrent with this sign variance application, if the variances related to the proposed sign on Ellesmere Road are granted there would be a wholesale removal of not less than eight sign faces on five sign structures.

REQUESTED VARIANCES

The following variances are required to allow for the proposed electronic ground sign:

1. A variance to the provision contained at §694-25D(3)(e) which requires that the sign shall not be erected within 60.0 metres of any premises located, in whole or in part, in an

“R”, “RA”, “CR”, “T” or “OS” sign district, whereas the proposed sign is 28.2 metres to an “OS” sign district located to the east; and

2. A variance to the provision contained at §694-25D(3)(f) which requires that, where facing a sensitive land use (“R”, “RA”, “CR”, “T”, or “OS”), the sign shall not be within 250 metres of such sensitive land use, whereas the proposed sign is approximately 90 metres and facing an “R” sign district to the south, and 28.2 metres and facing an “OS” Sign District to the east.

SITE AND NEIGHBOURHOOD CONTEXT

Two railway overpasses cross both Warden Avenue and Ellesmere Road along CPR’s Belleville Subdivision, which stretches from Union Station to Smith Falls, Ontario. The subject property is an abandoned railway siding, designated as a U-Utility Sign District, and containing one of the five aforementioned existing billboard structures. The abandoned railway siding is located just south of the intersection of Warden Avenue and Ellesmere Road.

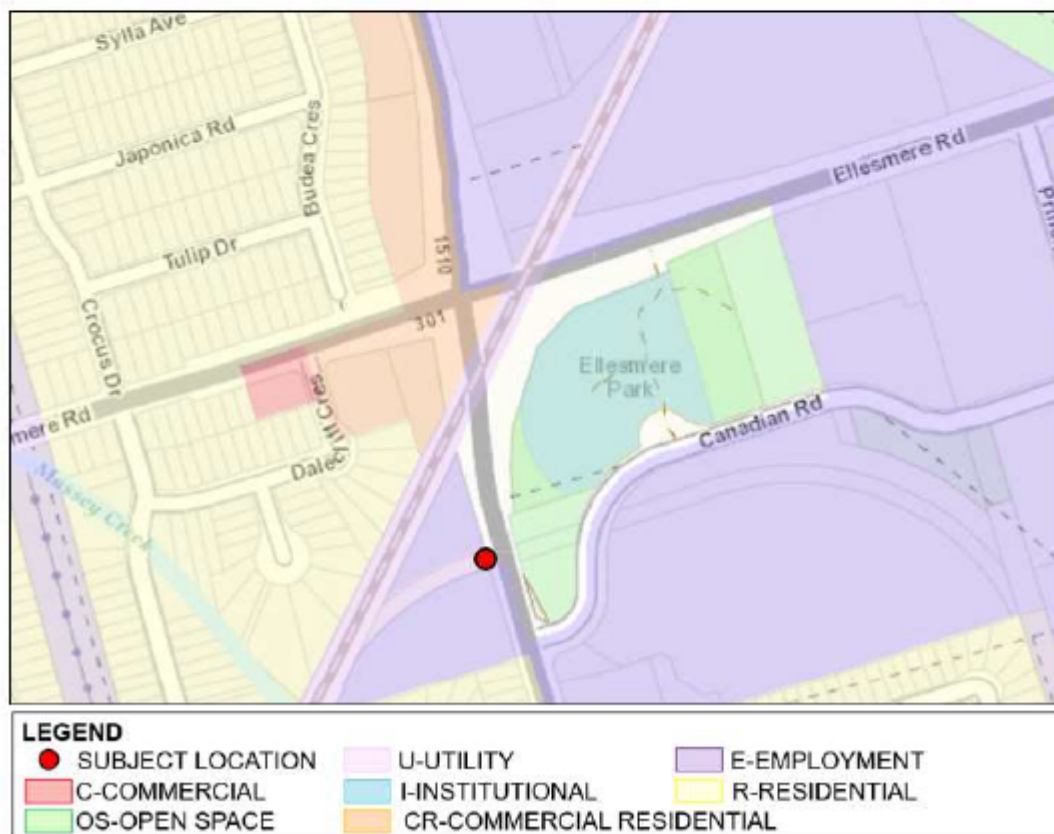


FIGURE 1: SIGN DISTRICT MAP EXCERPT – SUBJECT LOCATION AND SURROUNDING CONTEXT

The intersection of Warden Avenue and Ellesmere Road contains some relatively steep topography, caused by the infrastructure of the established railway located above the roadway, and requiring the removal of substantial fill to mitigate the railway overpass (see Figure 2). A varied mixture of land uses spreads across each of the four quadrants. At the north/west, the quadrant is fronted by a “CR” Sign District, where the initial property is dominated by a tall radio and cellular transmission tower and a large-scale retail warehouse with a great deal of surface-level parking. Further north is a single-storey plaza containing commercial retail and industrial uses, also with substantial surface-level parking. Behind the “CR” Sign District fronting Warden Avenue is an established low-rise residential neighbourhood. The proposed sign is shielded and not visible to this quadrant of the intersection due in large part to the railway bridge overpass infrastructure and the steep topography. The north/east quadrant of the intersection is designated as an “E” Sign District. A large-format retail warehouse and multi-tenanted industrial buildings dominate the quadrant, each with significant surface-level parking. There are no sensitive land uses in this quadrant of the intersection that are impacted by the display and operation of the proposed sign. The south/east quadrant contains further “E”-designated Sign District (most notably another large-format retail warehouse) surrounding Ellesmere Park and Community Centre, a small City-operated multi-functional active recreational use. The steep topography, railway bridge infrastructure and intensive landscaping greatly contributes to mitigating the visual impacts of the proposed sign on the park and community centre and supports this sign proposal. The south/west quadrant of the intersection contains a mixture of “R”, “C”, “E” and “CR” Sign District designations with, much like the north/west quadrant, a multi-tenanted retail plaza fronting the intersection and an established low-rise residential neighbourhood lying behind the commercial uses. To the north and south the proposed sign faces immediately into “E”-designated Sign Districts.



FIGURE 2: IMAGES DEPICTING THE STEEP TOPOGRAPHY OF THE WARDEN & ELLESMERE INTERSECTION; CLOCKWISE FROM TOP LEFT – NORTH/WEST QUADRANT, NORTH/EAST QUADRANT, SOUTH/WEST QUADRANT, SOUTH/EAST QUADRANT

ESTABLISHED CRITERIA

§694-30A of the Sign By-law states that an application for a variance from the By-law provisions may only be granted where it is established that the proposed sign meets all nine of the criteria. In support of a favourable decision respecting this application (and the proposed sign in the concurrent sign variance application), we provide the following response to each of the criteria:

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

Sign class designations are provided at §694-4 of the Sign By-law. There are two designated classes of sign: first party signs and third party signs. The proposed sign is designated as a third party sign. Third party signs are defined as:

A sign which advertises, promotes, or directs attention to businesses, goods, services, matters, or activities that are not available at or related to the premises where the sign is located.

The proposed sign will operate in accordance with the definition for third party signs. The proposed sign will identify, advertise, promote, or direct attention to businesses, goods, services, matters or activities that are not available or related to the CPR railway siding where it is proposed to be located.

The Sign District where the proposed sign is to be located is designated U-Utility. Third party signs are permitted in U-Utility Sign Districts.

(2) 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.

The proposed sign is designated as a third party sign, to be located within a CPR railway siding which is designated as a U-Utility Sign District. The sign type proposed is an electronic ground sign. Third party electronic ground signs are permitted in U-Utility Sign Districts.

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

The subject property (premises) is an abandoned railway siding designated as a U-Utility Sign District, which permits third party electronic ground signs – the proposed sign in this application is of a class, type, size, height, and method of copy display that is permitted by By-law regulation. Currently, five billboard structures, containing and displaying eight billboard faces, are located within the railway corridor in and around the intersection of Warden Avenue and Ellesmere Road. The existence of these billboards reveals that the proposed sign is compatible with the development of the premises and surrounding area. Notwithstanding the presence of these existing billboards, conforming to the matter of compatibility, they are intended to be removed as part of this application and the concurrent application, in order to improve conditions relating to pedestrianism and traffic safety and in order to both enhance and beautify the immediate area.

The proposed sign, as a double-sided sign, facing north and south, is neither directed nor visible to any sensitive land uses to the north, north-west, south, and south-west. Additionally, the proposed sign does not face into the intersection whereas some of the existing billboards which are intended to be removed, do face into the intersection. Furthermore, in consideration of the illumination provisions contained in the Sign By-law, and the request contained in this application to reduce the daily evening illumination to *50% of what is required*, it is determined that the proposed sign is compatible with the development of the premises and surrounding area.

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

The subject site is designated *Utility Corridors* in the Toronto Official Plan (Section 4.4), which states that such areas “play a vital role in the City as corridors for the transmission of energy, communications and the movement of people and goods.” More specifically, Policy 4.4.1 states that “Utility Corridors are hydro and rail corridors primarily used for the movement and transmission of energy, information, people and goods.” The proposed sign is consistent with the purpose and intent of this designation and related policies.

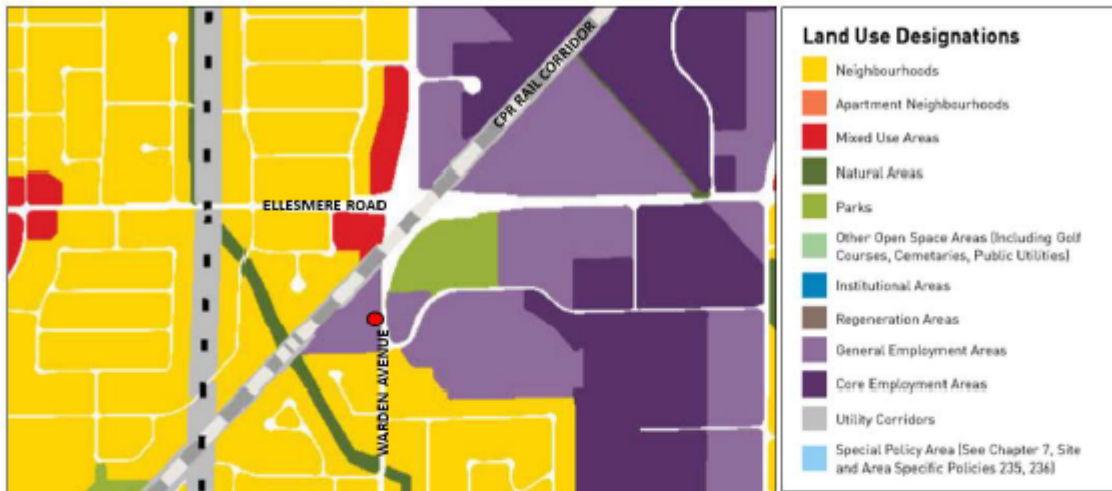


FIGURE 3: OFFICIAL PLAN MAP EXCERPT – SUBJECT LOCATION AND SURROUNDING LAND USE DESIGNATIONS

The subject site is immediately surrounded to the north and south by lands designated as *General Employment Areas*, with both *General Employment Areas* and *Core Employment Areas* located to the northeast, east and southeast. These areas “are places of business and economic activities” within the City. Permitted uses include “all types of manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, utilities, waste management systems, industrial trade schools, media, information technology and services, and vertical agriculture.” In addition, restaurants and all types of retail and service uses, including automobile dealerships, are permitted in *General Employment Areas*.

In effect, the Official Plan policies serve to protect and enhance the planned function of these areas by, among other things, prohibiting sensitive land uses within and adjacent to employment areas. The proposed sign is therefore compatible with, and will not detract from, the planned function of the surrounding *General Employment Areas* and *Core Employment Areas*.

While the west side of Warden Avenue is generally dominated by low-rise residential uses, designated *Neighbourhoods* (Section 4.1), through a combination of the proposed signs’ attributes and configuration (focused on and directed towards vehicular traffic along Warden Avenue), distance, grading profiles (e.g. grade-separated road crossings, railway bridge infrastructure, and embankments), the proposed sign will have no impact whatsoever on these residential areas.

(5) *Not adversely affect adjacent premises.*

Figure 1 identifies the Sign District designations for the subject property and the adjacent and surrounding properties. As a double-faced sign, facing north and south, the only potential adverse affect may be considered on the property located in the south/east quadrant of the intersection – containing both employment uses and Ellesmere Park and Community Centre – a small City-operated multi-functional active recreational use. The proposed sign is wholly

focused and directed towards vehicular traffic travelling northbound and southbound along Warden Avenue. The proposed sign is not intended to be viewed from within the park or the community centre. This intent is supported by the proposed sign screened from any potential sensitive park uses by both the steep topography (as previously described) and the intense landscaping that assists in separating the park and community centre from the railway corridor and the intersection (see Figure 4, below).



FIGURE 4: ILLUSTRATION – STEEP TOPOGRAPHY COMBINED WITH HEAVY AND DENSE LANDSCAPING MITIGATE VIEWS FROM THE PROPOSED SIGN

A light analysis, prepared by Media Resources Inc. (“MRI”), was performed at the subject site, to address some minor concerns by City staff. The light analysis has been included as submission materials in this sign variance application. The light analysis was undertaken to ensure that there would be no adverse effects from the proposed sign on the R-Residential Sign District located approximately 80 metres to the south (see Figure 1). The light analysis revealed the following:

- [MRI] commits to the effectiveness of...light restriction technology when deployed at Ellesmere Road and Warden Avenue.
- [MRI has] calculated the expected illuminance impact to surrounding areas of concern, [namely the R-Residential Sign District to the south].
- If approved and constructed, [MRI] can provide on-site lighting measurements to confirm correct installation and light restriction performance.

- For reference, 150NITS is approximately half the brightness of a typical [laptop] computer [screen].
- In terms of illuminance at the nearest residential property line approximately 90m away, there will be a lux value of 0.38lux.
- This is equivalent...a 60W incandescent lightbulb at 13M away.
- In other words, this digital billboard will have at maximum a similar light impact as a neighborhood porch light.

It is for these reasons the proposed sign will not adversely affect adjacent premises.

(6) Not adversely affect public safety, including traffic and pedestrian safety.



Separately, this application proposes the removal of five third party sign faces on three third party sign structures (see Figure 5, above), and the concurrent sign variance application contemplates the removal of an additional three third party sign faces on two third party sign structures. Many of these sign faces are directed immediately into the intersection of Warden Avenue and Ellesmere Road. The proposed sign, containing two sign faces and facing north and south, is far enough away from the intersection that it does not interfere with any traffic signal

infrastructure. On that basis, it poses no public safety concern. There is no cycling infrastructure on either Warden Avenue or Ellesmere Road, each four-lane and six-lane high-volume arterial roads, respectively. Further, due to the lack of nearby residential uses, the area is not characteristically pedestrianized. In that manner, the proposed sign will not adversely affect pedestrian safety.

Comprehensively, this application and the concurrent sign variance application, if approved, will serve to improve public safety, by virtue of the removal of signs near and facing into the signalized intersection.

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

Sign By-law prohibitions, as contained at §694-15B, are outlined as follows:

- i. A sign erected on a tree or a fence;
- ii. A roof sign, except a first party roof sign included in a Signage Master Plan consisting solely of first party signs, or a roof sign located in the Dundas Square Special Sign District;
- iii. A sign erected on a parked vehicle or trailer where the primary purpose of the vehicle or trailer is the display of the sign;
- iv. A sign erected on a vehicular, railway or pedestrian bridge;
- v. A sign which obstructs or interferes in any way with the use of any fire escape, fire exit, door, flue, air intake, exhaust, or required parking space or window, but shall not include a window sign permitted by this chapter;
- vi. A sign which interferes with any electrical or telephone wires or associated supports;
- vii. A sign emitting sound or odour;
- viii. A sign discharging any gas, liquid, or solid;
- ix. A sign containing interactive copy;
- x. An electronic roof sign, except a first party electronic roof sign included in a Signage Master Plan consisting solely of first party signs, or an electronic roof sign located in the Dundas Square Special Sign District.

It is confirmed that the proposed sign subject to this application is not descriptive of the signs identified on the list of prohibitions. The proposed sign is not prohibited.

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

The premises and surrounding area is characterized by railway and bridge infrastructure (with steep topography and substantial landscaping) encompassed by employment and industrial uses. There is a preponderance of billboards (eight third party sign faces on five third party sign structures) within the CPR railway corridor, which contributes to establishing the surrounding area's character. Furthermore, there are 9 additional existing roof and ground billboard structures within a 500-metre radius of the proposed sign which also contributes to establishing this character. The proposed sign is consistent with the predominant character and function of other *Utility Corridor* uses, and those industrial and related uses of the immediate surrounding *Core Employment Areas* and *General Employment Areas*, as designated in the Official Plan.

§694-19 of the Sign By-law likewise designates this premises as a U-Utility Sign District. The sign class and sign type being proposed is recognized and permitted in the U-Utility Sign District and the method of copy display, electronic static copy, is found in such a district throughout the city.

The proposed sign is therefore compatible with and will not alter the character of the premises or surrounding area.

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

There have been significant advances made in digital signage technology since the establishment of a new signage regime for the City, in 2009. The Sign By-law has responded, most recently by incorporating legislative changes that were considered through a comprehensive illuminated and electronic sign review which included:

- A Planning and Design Review of the impact of electronic and illuminated signs on surrounding land uses and methods used in other municipalities to address that;
- A Traffic Safety Study which examined the potential safety implications of electronic signs;
- Public and Stakeholder Consultations; and
- A Public Opinion Poll on electronic and illuminated signs.

The legislative changes to the Sign By-law included, in part:

- Expanding the areas where electronic signs can be located;
- Requiring an amendment to the Sign By-law where such signs are not otherwise permitted;
- Reducing the permitted brightness of these sign types by 40%; and
- Recognizing electronic signs as a separate sign type (not just a method in which sign copy is displayed).

The substance of the review revealed that people are concerned with such signs located where they live, particularly such a sign type's "impact on residential dwelling units in upper storeys of mixed-use buildings."

To be sure, the proposed sign is not located where people live and with the limited viewing angle provided by the topography and railway bridge infrastructure to the north, and being surrounded by non-sensitive industrial uses, there is no impact whatsoever on residential dwelling units in upper storeys of mixed-use buildings. The proposed sign cannot be seen from any residential dwelling units.

In addition, this application and the concurrent sign variance application contemplates the removal of a significant number of existing billboards. This contemplation improves public and traffic safety at the intersection of Warden Avenue and Ellesmere Road, particularly where a



number of these existing sign faces are directed into the intersection; a noble consideration since these existing billboards are neither subject to the illumination provisions nor the expiration provisions of the Sign By-law.

It is for this reason that the proposed sign is not contrary to the public interest.

We trust that this is in accordance with your expectations, and we again look forward to your favourable consideration of this request. If you have any questions, please contact the undersigned.

Yours Truly,

A handwritten signature in black ink, appearing to read "Chris Bentler".

Christopher Bentler
Executive Vice President
Van Horne Outdoor

Re: Use of digital display at Ellesmere Road and Warden Avenue

To whom it may concern,

Media Resources Inc. has been engaged by All Vision to review and assess the lighting impact of the proposed digital billboard installation at Ellesmere Road and Warden Avenue. This document will describe the lighting impacts of our VISIONiQ digital billboards in this specific application, and further commit a maximum luminance value of the display as observed from the nearby light-sensitive areas.

Background on Media Resources Digital Display Ambient-Aware Brightness Controls

During dusk, dawn, or cloudy days, the operation of the digital display according to ambient light readings is the ideal way to maintain a glare-free, light-trespass free image. Media Resources digital billboards are all equipped with factory-mounted dual photocell sensors that are redundant and capable of reading ambient brightness even if one unit suffers a hardware failure. The ambient brightness to output brightness response curves have been carefully developed into a standard to provide good readability on the display while keeping in line with the brightness of the overall visual context.



Figure 1. Media Resources standard - dual ambient brightness measuring photocells for hardware redundancy



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During night-time, brightness control becomes critical as the digital billboards must be operated at a small percentage of its maximum brightness in order to avoid glare or light trespass. Media Resources endeavors to have the most comprehensive system of safeties and traceability for night-time brightness management. The proposed digital billboards are well equipped with modern brightness controls. Besides the redundant photocells above, a number of secondary fail-safes are also implemented including a communications watchdog (automatic reduction to night-time brightness in the event of a communication loss), and fallback to a location/season aware time-based schedule in the event of catastrophic photocell system failure. With these safety features in place, it becomes extremely unlikely for the digital billboard to operate at high brightness levels at night.

Additionally, the Media Resources Network Operations Centre can monitor brightness and recall brightness history for traceability. See Figure 2 and Figure 3 below on our internal control system for configuring brightness and recalling brightness history.

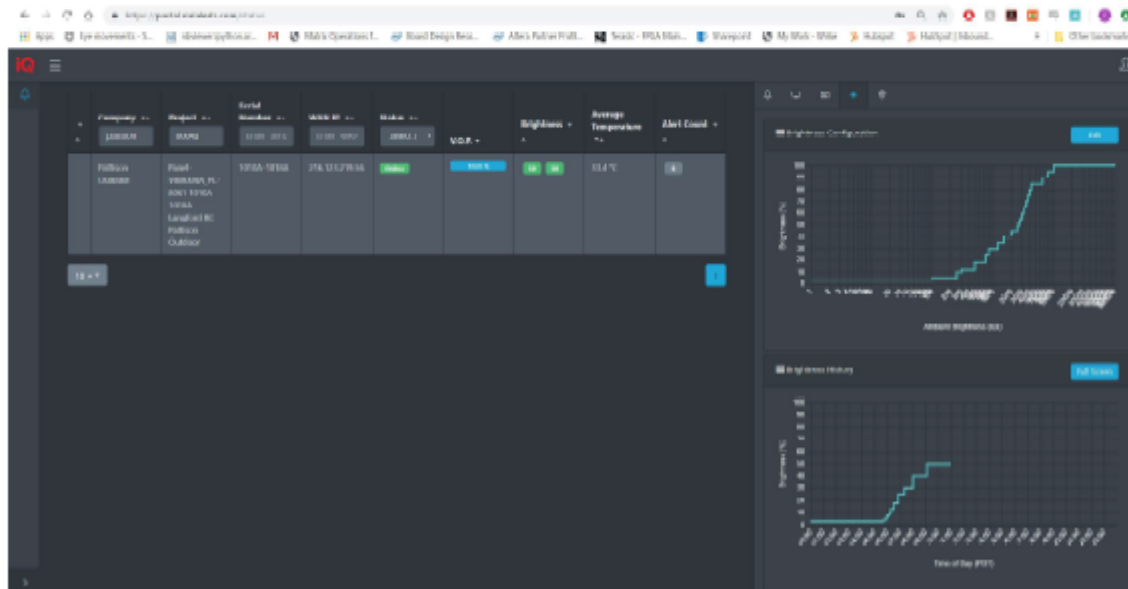


Figure 2. Media Resources web portal showing brightness configuration and history of the current day



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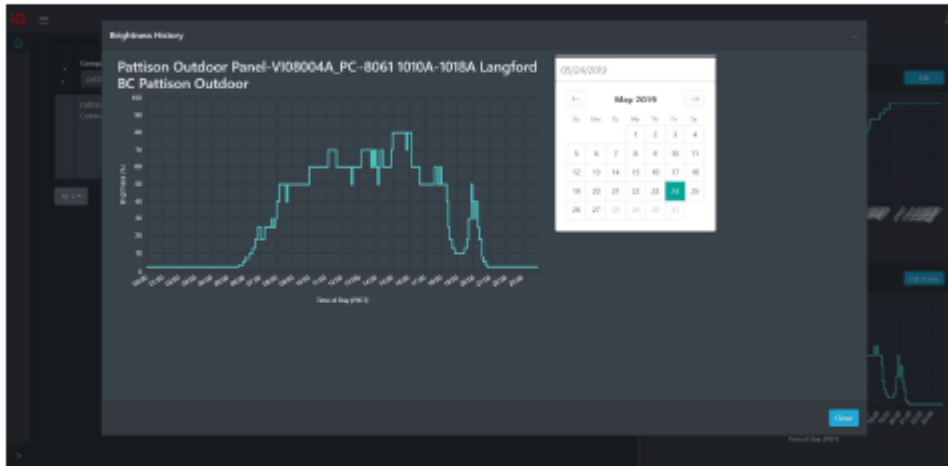


Figure 3. Media Resources web portal showing brightness history of any selected previous date. Brightness history data is logged indefinitely on Media Resources servers.

Media Resources commits to the effectiveness of this light restriction technology when deployed at Ellesmere Road and Warden Avenue. We have calculated the expected illuminance impact to surrounding areas of concern, shown in Figure 6, along with a table showing lux values at various distances and angles from the face of the display. Media Resources guarantees that the display will operate within 20% of illuminance impact calculated below. If approved and constructed, we can provide on-site lighting measurements to confirm correct installation and light restriction performance.



Figure 6. Site satellite photo overlay of distances and angles from proposed digital billboard site.



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For reference, 150NITS is approximately half the brightness of a typical computer monitor. In terms of illuminance at the nearest residential property line approximately 90M away, there will be a lux value of 0.30lux. This is equivalent to the illuminance from the moonlight of a full moon, or a 60W incandescent lightbulb at 13M away. In other words, this digital billboard will have at maximum a similar light impact as a neighborhood porch light or the natural light from the moon.

We are always committed to the responsible application of LED digital technology and are happy to engage with regulatory stakeholders at any time. Please feel free to contact us if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to be 'Cheng Qian', written over a horizontal line.

Cheng Qian
Chief Product Architect
Media Resources Inc.
(905) 586-1064
cqian@mediaresources.com