

August 30th, 2022

LETTER OF AUTHORIZATION

To whom it may concern,

2507664 Ontario Inc. hereby authorizes Pattison Outdoor Advertising and its agents to apply for all necessary municipal building and other regulatory permits and approvals, which may be required to build a digital billboard on its land at 821 Kipling Avenue in Toronto, ON.

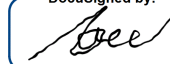
Please contact them directly regarding any questions or concerns, as follows:

Pattison Outdoor Advertising
2700 Matheson Boulevard East, Suite 500
Mississauga, ON L4W 4V9

Attn: Nathan Jankowski
Position: Manager, Permits & Legislation
Phone: 416-473-3366
Email: njankowski@pattisonoutdoor.com

Nina Ghassemi
Leasing Representative
905-282-5215
nghassemi@pattisonoutdoor.com

Sincerely,

DocuSigned by:

F7EE9CB7AA004CA
Tam Nguyen
(647) 966-3265



July 20th, 2022

Attn: Ted Van Vliet, Manager, Sign By-law Unit
City of Toronto Sign Bylaw Unit
100 Queen Street W., Floor 1 E
Toronto, Ontario
M5H 2N2

RE: Rationale for Sign Bylaw Variance – 821 Kipling Avenue, Etobicoke

Please accept this letter as the rationale portion of our application for 1 variance from the Sign By-law, respecting a new sign being proposed at 821 Kipling Avenue (the “Subject Premises”) in Etobicoke. This property is designated as an Employment (E) Sign District, which may contain a third party electronic ground sign.

Our application is seeking the approval of this variance, in order to permit a new double-sided third party electronic ground sign, which would display electronic static copy. The sign would have two sign faces in a back-to-back configuration, each measuring 6.10 metres horizontally by 3.05 metres vertically (approximately 10' x 20'), with a height of 10 metres (the “Proposed Sign”). The sign faces will be oriented north and south, to be viewed by traffic travelling along Kipling Avenue.

Required Variance:

1. **694-25C(2)(g)(i)** – An E – Employment Sign District may contain a third party electronic ground sign, provided the sign be located a minimum of 500 metres from any other third party electronic sign located on the same street (the Proposed Sign would be located approximately 486.7 metres from a third party electronic sign, located further north on Kipling Avenue).

We are also proposing two **Conditions of Approval**: that an existing third party roof sign with static copy and two sign faces, located at the subject premises, be removed prior to the issuance of a Sign Permit for the Proposed Sign; and that the existing sign’s permit be revoked. Removing this roof sign will ensure no new signage is added to the property, and not result in additional sign clutter.

The Subject Property is designated as an **Employment Industrial Zone – E 1.0** zone under the Harmonized Zoning By-law, and the required minimum front yard setback is 3.0 metres. The 3.2-metre setback of the Proposed Sign would meet the required Zoning setback from the front-yard lot line.

As the Proposed Sign is located in an E Sign District, which permits third party electronic ground signs, and is compliant with nearly all applicable requirements, we are confident that the requested variance can be granted and that the nine criteria required for approval have been achieved. Including the Conditions of Approval will remove a prohibited sign type and ensure no additional signage is added to the property or the surrounding area.

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Figure 1: Sign District Designations for the Subject Property and Surrounding Area



The only variance required for the Proposed Sign is related to its proximity to an existing third party electronic sign, which is located approximately 486.7 metres to the north (see Figure 1 above). The Sign By-law requires 500 metres of separation, and we fall only 13.3 metres short of this distance. The Proposed Sign would achieve about 97.4% of the required setback, representing a very minor variance.

Figure 2: The Proposed Sign location relative to the existing electronic sign to the north



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As can be seen in Figure 2 above and Figure 3 below, there are many physical barriers in place along Kipling Avenue between these two signs – including trees, other signs and one- and two-storey buildings – so the sign copy of both signs will not be visible and/or readable at the same time. This is what the regulation is intended to achieve, which would be maintained if the requested variance is granted.

Figure 3: Looking south from the existing Electronic Sign towards the Proposed Sign



The Proposed Sign will also be about 16% smaller than the existing Electronic Sign, with a more streamlined supporting structure with less depth between the two sign faces. This should help it blend in to the streetscape and further ensure that the two signs can co-exist with 486.7 metres of separation.

Establishing that each of the nine criteria outlined in 694-30(A) are met:

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

The Proposed Sign is a third party electronic ground sign, which advertises, promotes, or directs attention to businesses, 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 in an E Sign District. As third party signs are permitted in E Sign Districts, we believe this criteria has been met.

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(2) In the case of a third-party sign, be of a sign type that is permitted in the sign district, where the premises are 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) Be compatible with the development of the premises and surrounding area.

The Sign District designation for 821 Kipling Avenue is **E – Employment**, and the subject property is located on the east side of Kipling Avenue, about 40 metres north of Norseman Street.

All of the properties within the immediate area to the north, south and east are also designated as E Sign Districts for a stretch of at least 750 metres; to the west, there is a very large property designated as a U – Utility Sign District. The E and U Sign Districts in proximity to the subject property do not contain any sensitive uses, and are compatible with the proposed sign type.

The Sign By-law requires that any third party electronic ground sign be located at least 60 metres away from R, RA, CR, I or OS Sign Districts, and that it can't face into any premises in any of those districts within 250 metres. The Proposed Sign exceeds all of these requirements – with the nearest OS Sign District more than 550 metres away, and the nearest Residential uses over 1 kilometre away.

This stretch of Kipling Avenue has included third party ground and roof signs for decades, including one existing third party electronic sign located 486.7 metres to the north. Third party signs have been present and will continue to be a fixture in this area going forward.

The subject property has also contained a third party roof sign since approximately 2005, and removing the existing roof sign as a condition of approval helps to establish compatibility with the premises and surrounding area by removing a prohibited sign type and introducing a permitted sign type at the subject property. For these reasons, we believe this criteria has been established.

(4) Support the Official Plan objectives for the Subject Premises and surrounding area.

The Subject Premises is designated as a *Core Employment Area* in the Official Plan (see Figure 4 below). Employment Areas are places of business and economic activity, and Core Employment Areas in particular are typically located within the interiors of Employment Areas, where businesses and services would benefit from visibility and transit access to draw the broader public.

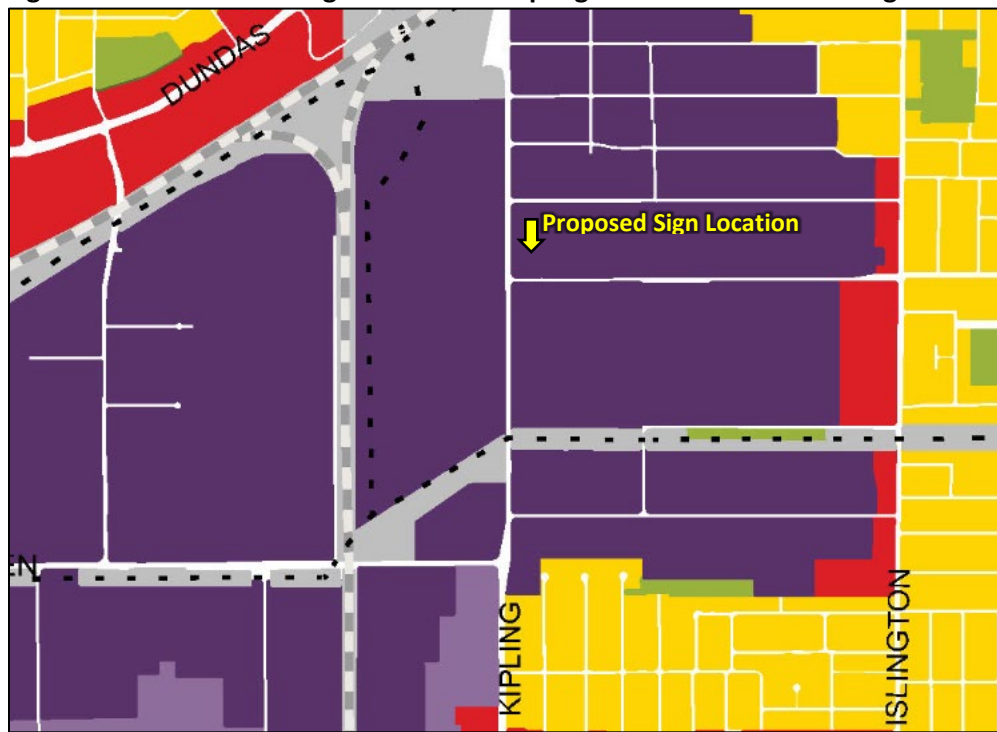
As the Proposed Sign will be promoting businesses and services to the public, the *General Employment Area* designation is an ideal fit for the Proposed Sign, and there are no Official Plan objectives that would be compromised or contradicted by approving a variance to allow the Proposed Sign to be located at 486.7 metres from another third party electronic sign, rather than 500 metres away.



The Harmonized Zoning By-law is applicable to the subject property, as per the City's zoning map (see Figure 4 below). The Zoning By-law also designates the subject property as an Employment Area – which is in line with the Official Plan and Sign By-law designations.

The Proposed Sign will not only meet the setback requirements from the street line (front yard) of 3.0 metres, it will also meet the required setback from the adjacent property, and the property behind it to the east. The Proposed Sign's level of compliance with all three designations and applicable regulations, establish that it will support the Official Plan objectives for the property and surrounding area.

Figure 4: Official Plan Designation of 821 Kipling Avenue and Surrounding Area



It's also worth noting that the subject property is not listed on the City's *Inventory of Heritage Properties* or designated under the *Ontario Heritage Act*.

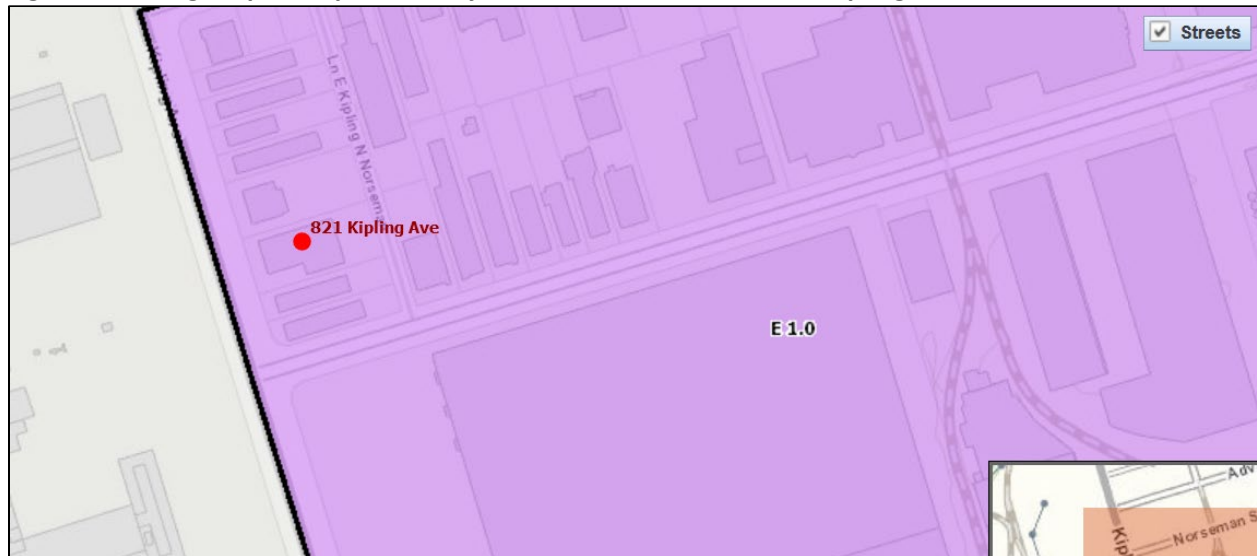
The reduced environmental footprint created by the Proposed Sign, which eliminates the travel to and from the site to change the sign copy on the existing sign, and the disposal of these materials, further support our position that this criteria has been achieved.

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Figure 5: Zoning Map Excerpt from City of Toronto Website for 821 Kipling Avenue



(5) Not adversely affect adjacent premises.

The properties adjacent to the subject property include E Sign Districts to the north, south and east, which are permitted to contain this type of sign, and have uses that would not be adversely affected by the Proposed Sign. Across Kipling Avenue to the west is a very large Utility (U) Sign District, which includes A.W. Manby Transmission Station. At each of the adjacent properties, there are no uses in place that would be adversely affected by the Proposed Sign.

The Proposed Sign will comply with the size and height requirements outlined in the Sign By-law, and also would be consistent with the existing third party sign that has been in place since 2005. It also meets the required setback to an intersection, and is not located within 60 metres or facing any premises within 250 metres of any residential uses or R, RA, OS, I, or CR Sign Districts.

Based on the lack of any sensitive land uses, and the Core Employment and E Sign District designation of the premises and surrounding areas, and the fact that the Proposed Sign will comply with all operating requirements for illumination and all but one requirement for this sign type, Pattison is confident that the Proposed Sign will not have any adverse effects on adjacent premises, and that this criteria has been achieved.

(6) Not adversely affect public safety.

We strongly believe that the Proposed Sign will not adversely affect public safety. Although a variance is being sought to permit the sign within the required setback from another third party electronic sign, the Proposed Sign is only 13.3 metres away from meeting every requirement in the Sign By-law.

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Also, as seen in Figure 2 above, there are ample physical obstructions in between these two signs in the form of trees, buildings and other signage, which ensure it will not interfere with or obstruct the visibility of vehicular traffic along Kipling Avenue. These obstructions also ensure the sign copy will not be visible on both signs at once – the goal this requirement is intended to achieve.

The Proposed Sign meets the required setback from a controlled intersection, and is located outside of the visibility zone to allow for clear view of oncoming traffic for visitors exiting the property.

The Proposed Sign will also meet the Zoning By-law setback requirement of 3.0 metres from the front-yard lot line, and be set back a distance comparable to other ground signs in the area. There are properties both north and south of the subject property which have ground signs located at 3.0 metres or less from the street line, so the Proposed Sign will be compatible with existing signage.

Regarding the display of electronic static copy on the Proposed Sign, 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 the Transportation Services analysis was that they were unable to identify any statistically significant effect on collisions where electronic signs had been installed.

The copy on electronic signs changes from one message to the next, and 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 the sign copy.

Also, the Proposed Sign will transition between messages instantaneously, and will not include any visual effects between one message and the next, such as flashing, blinking or movement, to further minimize any potential distraction.

The Proposed Sign will also be professionally designed, engineered and installed in accordance with the Ontario Building Code requirements. As such, we do not believe that any issues related to public safety are foreseeable, and that this criteria has been established.

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

The Proposed Sign, being a third party electronic ground sign displaying static copy, is not a prohibited sign under the Toronto Municipal Code Chapter 694-15B. Therefore, this criteria has been established.

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

We believe that the character of the premises and surrounding area is, in part, established by existing third party signs. There are currently seven third party signs located along the 2.1-kilometre stretch of Kipling Avenue between The Queensway and Dundas Street West, including at the subject property which contains a third party roof sign approved prior to 2005.

All of these signs contain sign faces measuring less than 20 square metres, which is similar to the Proposed Sign at 18.6 square metres. Third party signs have had a presence along this stretch of Kipling Avenue for several decades, and the predominantly employment and industrial uses within the surrounding area are further supported by the advertising opportunities that these signs provide.

With the built form of the Proposed Sign being consistent with the requirements for this E Sign District, and the Subject Property containing a third party ground sign since 2005, we do not believe that the character of the premises and surrounding area would be altered by the Proposed Sign.

In addition, removing the existing roof sign as a condition of approval eliminates a prohibited sign type in favor of one that has been deemed suitable for this location, and also helps control sign clutter which achieves one of the goals of the Sign By-law. These factors support our position that this criteria has been established.

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

We are confident that the Proposed Sign is not contrary to the public interest. The public interest is in part established by the Sign By-law (as well as the Official Plan and Zoning By-law), and the Proposed Sign complies with all but one of the requirements for third party electronic ground signs in an E Sign District, as well as the setback requirements outlined in the Zoning By-law and Official Plan.

It is in line with the requirements for size (20.0m² permitted; 18.6m² proposed), height (10m permitted; 10.0 m proposed), setback from an intersection (30m permitted; approximately 41m proposed), number of ground signs per property (only one), required configuration (back-to-back), setback to any and all sensitive land uses and R, RA, CR, OS and I Sign Districts, and method of copy displayed (electronic static copy is permitted, and electronic static copy is proposed).

The Proposed Sign will also comply with all of the illumination provisions, the requirements for transition and message duration for electronic static copy, as well as the five-year renewal of the Sign Permit and the requirement to be powered by renewable energy (via Bullfrog Power).

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While a variance is required for the setback from another third party electronic sign, the Proposed Sign is only 13.3 metres away from complying with this, and all other applicable requirements. The level of compliance with the Sign By-law and other applicable requirements demonstrate that the single variance can be approved without the Proposed Sign being contrary to the public interest.

In addition, the surrounding area consists exclusively of industrial, employment and/or commercial uses, and is not occupied with residential dwellings or public open spaces. Thus, the sign will not adversely affect the adjacent properties and will not alter the essential character of the area.

Lastly, the Condition of Approval of removing the existing roof sign with two sign faces, ensures that no additional signage will be introduced at the property, and contributes towards the Official Plan and Sign By-law objectives of minimizing sign clutter.

For these reasons, we believe that all nine of the required criteria have been established by the Proposed Sign, and we kindly request your support for this application. Thank you for your time and consideration, and please contact me with any questions or concerns.

Sincerely,

Nathan Jankowski

Nathan Jankowski
Manager, Permits & Legislation
Pattison Outdoor Advertising LP



SCHAEFFER DZALDOV BENNETT LTD.
Ontario Land Surveyors

Ophir N. Dzalldov,

B. Sc., O.L.S., O.L.I.P.

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Tom Kristjanson,

B. Sc., O.L.S., O.L.I.P.

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Justyna Ziemlewska

M. Sc., O.L.S., O.L.I.P.

W. M. Fenton,

O.L.S., O.L.I.P. Ret.

Richard A. Preiss,

B. Sc., O.L.S., O.L.I.P. Ret.

Fred Schaeffer,

B. Sc., P. Eng., O.L.S. Ret.

**SURVEY RECORDS
SINCE 1850s of:**

ANTON KIKAS
BENNETT & NORGROVE
BENNETT YOUNG
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W.M. FENTON
YATES & YATES

August 26, 2022

City of Toronto
2 Civic Centre Court
3rd Floor
Toronto, Ontario
M9C 5A3

Attention: Mr. Ted Van Vliet

Re: 821 Kipling Avenue
City of Toronto – Our Job No. 22-176-00

The attached sketch dated August 26, 2022 was prepared by my office based on Registry records and field verification and is correct as of the date shown. This sketch is prepared to illustrate the locations as they relate to the regulations outlined in Chapter 694, Signs, General, of the City of Toronto Municipal Code.

If further information is required, please contact the undersigned.

Yours truly,

SCHAEFFER DZALDOV BENNETT LTD.

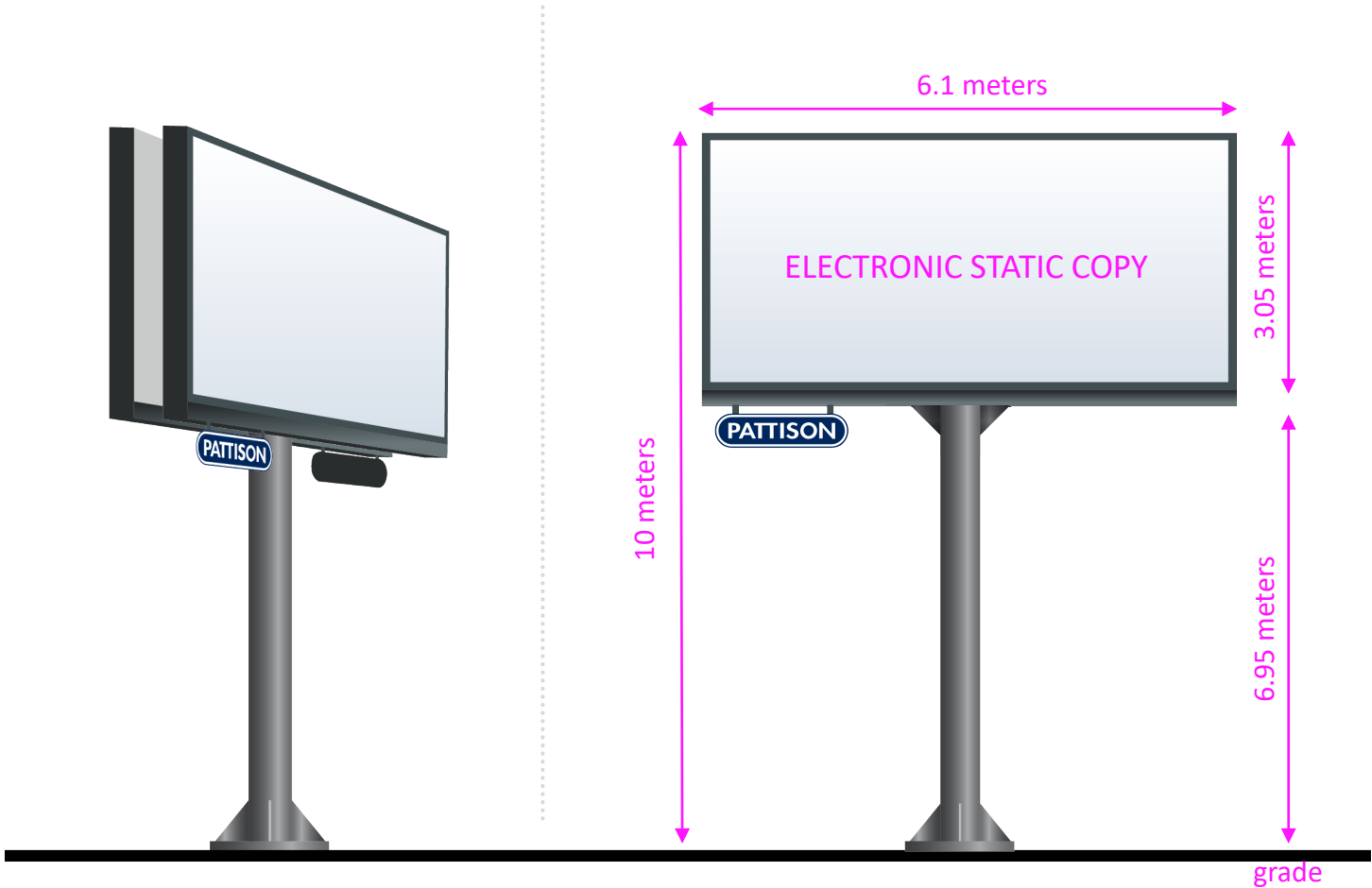
Dan Dzalldov, B.Sc., O.L.S., O.L.I.P.
DD/dr

Submitted by: Nathan Jankowski – Pattison Outdoor

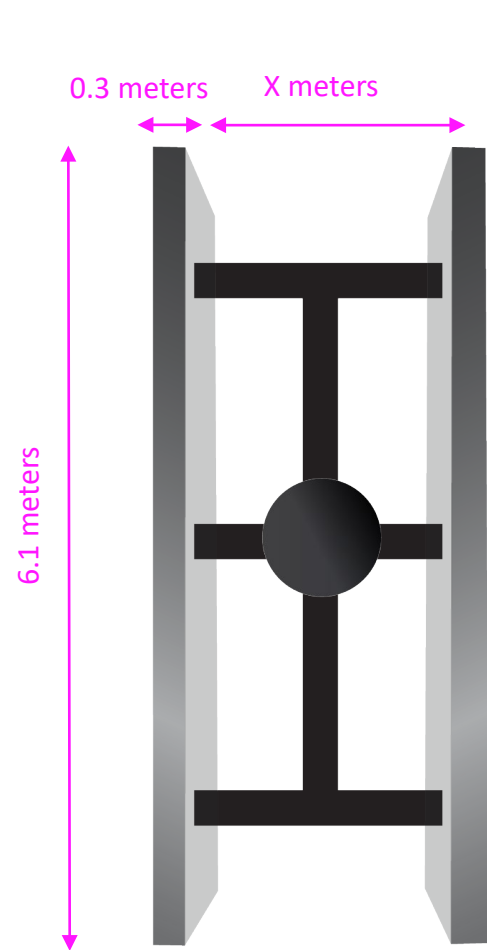
I hereby certify the accuracy of the attached Sketch submitted herewith

Elevation Drawings of the Proposed Sign (821 Kipling Ave.)

Front Elevation



Top Elevation





Kipling Station
passenger Pick-Up

M Kipling

Kipling GO

Bering Ave

Chauncey Ave

Cardigan Rd

Tim Hortons

Advance Rd

Norsem
Midd

McDonald's

Mascot Brewery
Brewery

DesignRepublic
Furniture store

★ TORQUE BARBELL

Proposed Digital Billboard

Kipling Ave

Value Village

Islington Ave

McDonald's

port Ave

Purolator

Goodrich Rd
Jutland Rd

Solmaz Foods

Holy Angels Roman
Catholic Church

P&W Intermodal
And MTMX Logistics

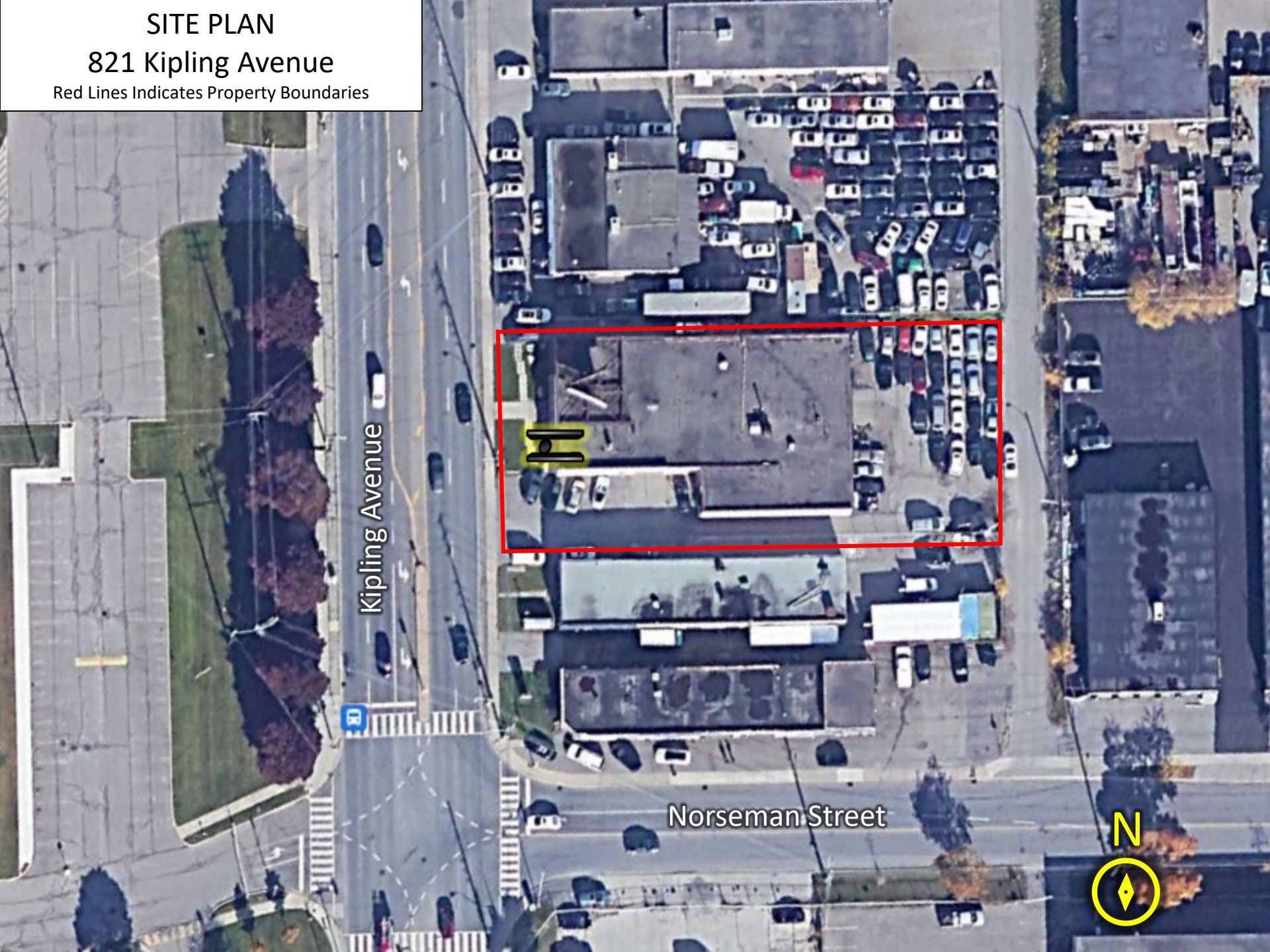
Royal Meats BarBeque



SITE PLAN

821 Kipling Avenue

Red Lines Indicates Property Boundaries



SITE PLAN
821 Kipling Avenue

Kipling Avenue

16m

3.0m

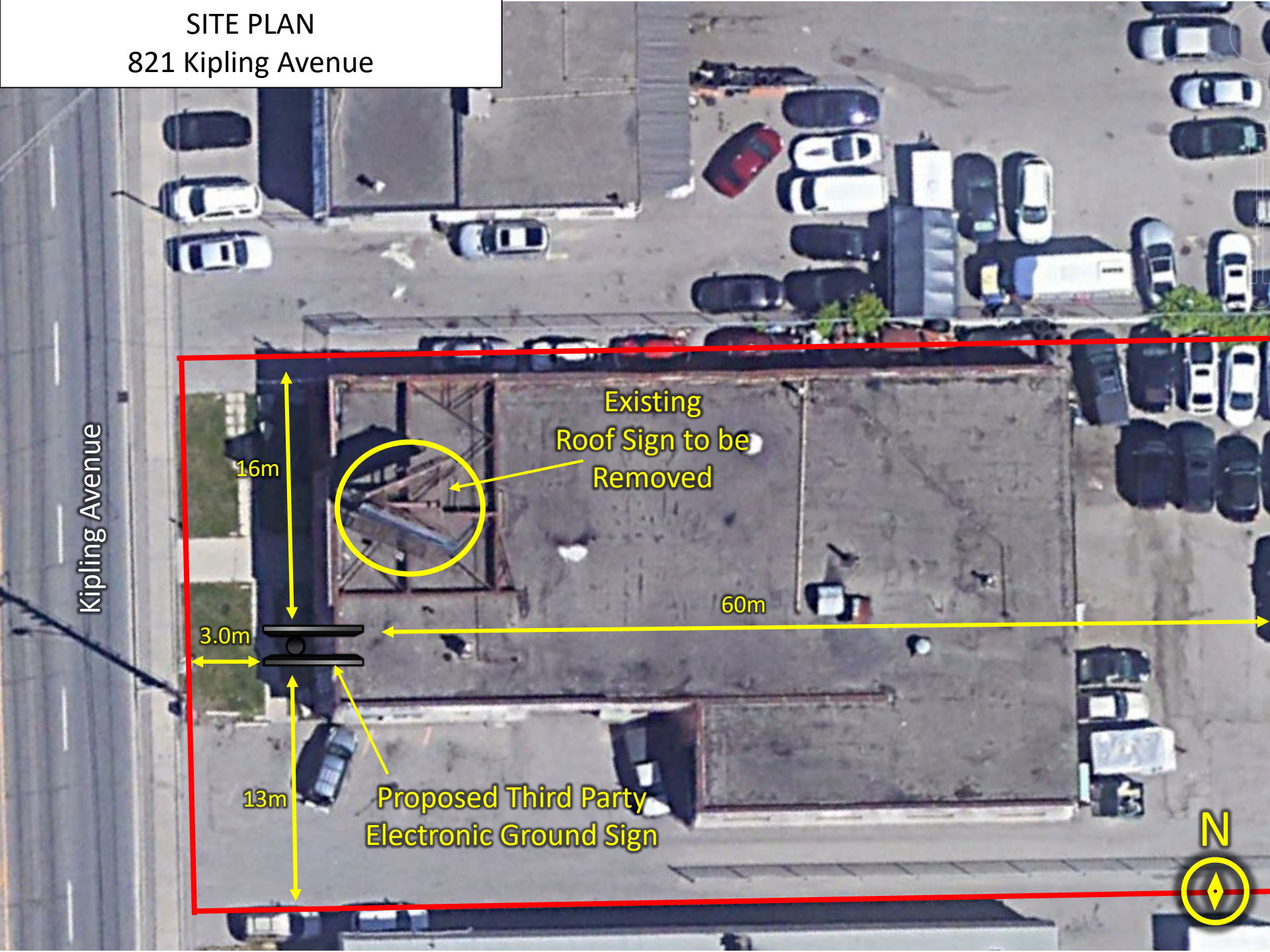
13m

Existing
Roof Sign to be
Removed

60m

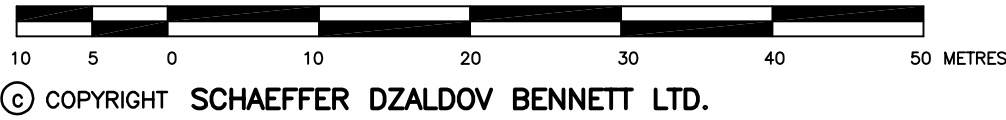
Proposed Third Party
Electronic Ground Sign

N



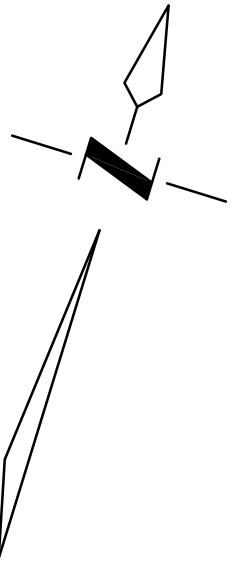
METRIC: MEASUREMENTS SHOWN
ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO
FEET BY DIVIDING BY 0.3048.

SKETCH SHOWING PROPOSED THIRD PARTY GROUND SIGN
No. 821 KIPLING AVENUE
CITY OF TORONTO
SCALE 1:500



NO INTERSECTION WITHIN 30m
NO R/RA/CR/I/OS SIGN DISTRICT WITHIN 60m RADIUS
NO R/RA/CR/I/OS SIGN DISTRICT WITHIN 250m RADIUS
NO STATIC BILLBOARDS WITHIN 150m RADIUS
THIRD PARTY ELECTRONIC GROUND SIGN WITHIN
500m DISTANCE AS SHOWN

NO 3rd PARTY SIGNS WITHIN
100.0m RADIUS



UTILITY (U)
SIGN DISTRICT

KIPLING AVENUE

EMPLOYMENT (E)
SIGN DISTRICT

EMPLOYMENT (E)
SIGN DISTRICT

EMPLOYMENT (E)
SIGN DISTRICT

EMPLOYMENT (E)
SIGN DISTRICT

NORSEMAN STREET

EMPLOYMENT (E)
SIGN DISTRICT

No. 833
1 STOREY
CONCRETE BLOCK BUILDING

No. 831
1 STOREY
CONCRETE BLOCK BUILDING

No. 829
1 STOREY
CONCRETE BLOCK BUILDING

No. 827
1 STOREY
CONCRETE
BLOCK BUILDING

No. 821
REMOVAL
OF EXISTING
ROOFTOP
BILLBOARD
1 STOREY
CONCRETE
BLOCK BUILDING
60.0m
(FROM PROPERTY LINE)
PROPOSED
LOCATION OF NEW
THIRD PARTY
GROUND SIGN
(10.0ft High and
20.0ft Wide)
16.0m
(FROM PROPERTY LINE)
13.0m
(FROM PROPERTY LINE)
3.0m
(FROM PROPERTY LINE)

No. 817
1 STOREY
CONCRETE
BLOCK BUILDING

No. 815
1 STOREY
CONCRETE
BLOCK BUILDING

1 STOREY
CONCRETE
BLOCK BUILDING

1 STOREY
STUCCO
BUILDING

No. 236

SURVEYOR'S CERTIFICATE
THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL ONLY
BE USED FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.
DATE: AUGUST 26, 2022.

D. Dzaldov
DAN DZALDOV
ONTARIO LAND SURVEYOR



SCHAEFFER DZALDOV BENNETT LTD.
ONTARIO LAND SURVEYORS

64 JARDIN DRIVE CONCORD, ONTARIO L4K 3P3 TEL.(416)987-0101
DRAWN ACAD/LW CHECKED DD SCALE 1:500 JOB NO. 22-176-00