



December 7<sup>th</sup>, 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 – 3985 Keele Street, North York**

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Please accept this letter as the rationale portion of our application for 4 variances from the Sign By-law, respecting a new sign being proposed at 3985 Keele Street (the “Subject Premises”) in North York. 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 these variances, in order to permit a new single-sided third-party electronic ground sign, displaying electronic static copy. The sign would have one sign face measuring 6.10 metres horizontally by 3.05 metres vertically (approximately 10’ x 20’), with a height of 7.65 metres (the “Proposed Sign”). The single sign face will be directed south-west, to be viewed by vehicular traffic travelling north-bound along Keele Street.

Required Variances:

1. **694-25C(2)(d)** – An E – Employment Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within any required setback of a building from a street as regulated by the City’s Zoning By-law (this portion of the property is still regulated under Former North York Zoning By-law 7625, which requires a setback of 9.0 metres, where the Proposed Sign will have a setback of 3.0 metres);
2. **694-25C(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 an R, RA, CR, I or OS Sign District (the Proposed Sign will be approximately 32.3 metres from an I Sign District), and;
3. **694-25C(2)(f)** – An E – Employment Sign District may contain a third party electronic ground sign, provided the sign shall not be erected within 250 metres of an R, RA, CR, I or OS Sign District (the Proposed Sign will be approximately 101 metres from an OS Sign District and 32.3 metres from an I Sign District), and;
4. **694-25C(2)(h)** – An E – Employment Sign District may contain a third party electronic ground sign, provided there shall be no more than one ground sign or electronic ground sign on the premises (The Proposed Sign would be the second ground sign on the premises);

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We are also proposing one **Condition of Approval**: that an existing third party ground sign with static copy and two sign faces, be removed prior to the issuance of a Sign Permit for the Proposed Sign. By removing this sign, it will ensure no new signage is added and not result in additional sign clutter.

The Subject Property is designated as an **Industrial Zone - M2 MOF(H)** zone under the former North York Zoning By-law 7625, and the required minimum front yard setback is 9.0 metres. We are seeking a variance to locate the Proposed Sign at a 3.0-metre setback from the front-yard lot line along Keele Street, to ensure clear visibility due to the mature tree line in place along this frontage.

As can be seen in Figure 1 below, there are several mature trees lining the Keele Street frontage, and locating the Proposed Sign at a 9.0-metre setback to the property line would create too significant of an obstruction for the sign to be visible to the intended audience.

**Figure 1: Looking North towards the Proposed Sign location from Keele Street**



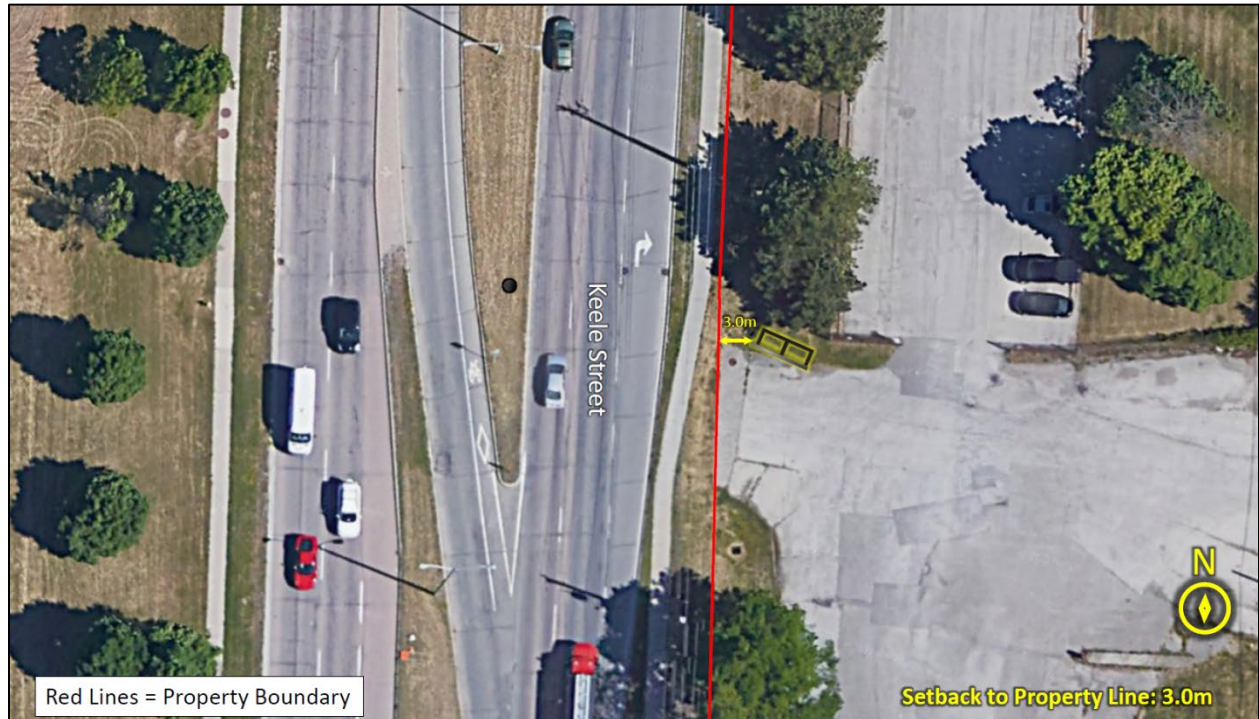
While it would be possible to comply with the required 9.0-metre setback from the front yard line, strict application of this provision would adversely affect the visibility of this sign. By granting the requested variance, the Proposed Sign will be more clearly visible to the intended north-bound traffic, and not result in driver's glancing too far into the property in order to view the content displayed.

In addition, the 3.0-metre setback for the Proposed Sign is in line with the setback requirements in the Harmonized Zoning By-law, and with the larger portion of this property which is already designated under the new Zoning By-law which requires a setback of 3.0 metres. There are no sensitive land uses on the other side of Keele Street that would be more affected by this reduced setback, nor any entrances or exits where visibility would be reduced. Therefore, we believe this requested variance meets the established criteria for approval.

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Figure 2: Aerial Image showing the Proposed Sign at a 3.0-metre setback



***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.

**(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.

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

The Sign District designation for 3985 Keele Street is E – Employment, and its located at the south-east corner of Keele Street and The Pond Road. This property is owned by Suncor Energy, and the large parcel spans an area of 1.59 million square feet (nearly 148,000 m<sup>2</sup>).

To the north, these properties are all designated as E Sign Districts for a stretch of nearly 800 metres; to the south, these properties are all designated E Sign Districts and U – Utility Sign Districts for a stretch of nearly 1,800 metres, and to the west, these properties are all designated exclusively E Sign Districts for a stretch of nearly 2,000 metres.

The area of Toronto bounded by Steeles Avenue West, Keele Street, Finch Avenue West and Dufferin Street is comprised entirely of E and U Sign Districts, which are the only two Sign Districts in Toronto that allow Third Party Electronic Ground Signs. We believe this establishes the Proposed Sign’s compatibility with the premises and the surrounding area.

Across Keele Street to the west is a large parcel of vacant land owned by York University, which is designated as an Institutional Sign District. The nearest R – Residential Sign District is located on Assiniboine Road, which is more than 500 metres from the Proposed Sign – this is twice the required separation set out in the Sign By-law of 250 metres.

**Figure 3: Looking north-east from Assiniboine Road, more than 500 metres from the Proposed Sign**



There is an OS – Open Space Sign District approximately 100 metres north-west of the Proposed Sign, however because the Proposed Sign has only a single sign face directed south-west, none of the sign copy displayed will be visible to this property, nor will any light from the sign reach this property. The south-east corner of this OS Sign District is a heavily treed area with no public walking paths or spaces, which will not be impacted by the back of the sign structure being visible from it.

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Due to the site-specific conditions and orientation of the sign face, we believe the Proposed Sign will have virtually no impact on this OS Sign District, and the variance for proximity to an OS Sign District can be granted as the Proposed Sign is compatible with this property.

As for the Institutional Sign District located approximately 50 metres to the west, this vacant parcel does not contain any Institutional uses that could be impacted by the Proposed Sign. It currently contains an emergency exit tunnel, and the York University Busway along the western frontage. There is also a tree line along the Keele Street frontage that forms a natural barrier between this property and the Proposed Sign. For these reasons, we believe there will be no impacts on this property.

**Figure 4: Aerial view showing the OS Sign District and Proposed Sign orientation**



Granting the variance for the proposed setback of 3.0 metres would not bring the Proposed Sign significantly closer to any residential uses or public open spaces, and it would comply with the required separation distances from residential uses, other third-party signs, visibility zones and intersections, as set out in the Sign By-law. Therefore, we believe this criteria has been established.

We are also seeking a variance for having more than one ground sign or electronic ground sign on the premises. We believe this variance can be granted for several reasons. First, the Subject Property is a very large parcel with frontage along Keele Street of 258.4 metres. The Sign By-law allows for multiple ground signs along the same frontage, but only on large properties where the spacing allows for sign clutter to be appropriately managed.

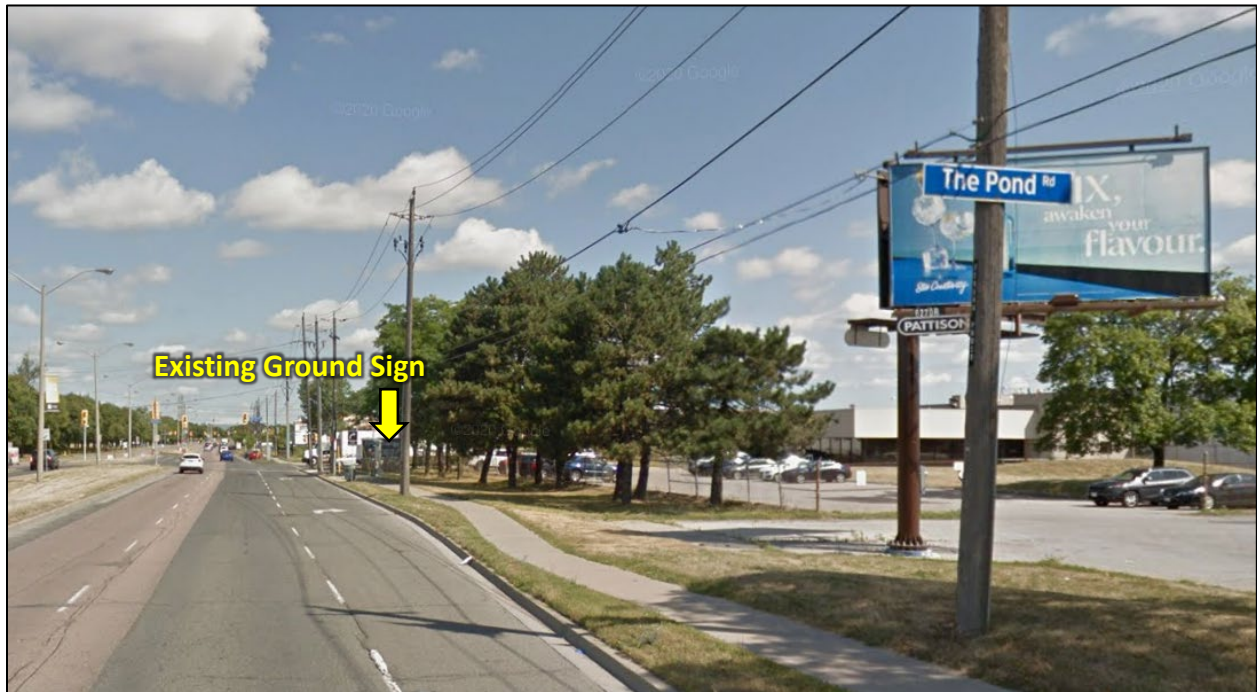
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The Sign By-law permits two ground signs along the same frontage where the property has a minimum of 200 metres of spacing along the frontage. In these instances, the ground signs must be spaced at least 100 metres apart. While the Proposed Sign would be located 64.5 metres south of a small existing ground sign for “Frew Energy”, there is a heavy, mature tree line along this frontage that blocks visibility of both signs along the same viewpoint. Because both signs cannot be seen at the same time, we believe the intent of this Sign By-law provision is maintained.

Second, the Proposed Sign is only single-sided, and directed south-west for north-bound traffic. Any vehicles or pedestrians travelling south will have no visibility of the content displayed on the Proposed Sign. Finally, there is transit infrastructure in place about 16.7 metres south of the existing ground sign, which further obstructs visibility of this sign to traffic travelling north-bound. With the transit infrastructure and large trees located between these two signs, we do not foresee any significant issues arising by granting this variance (See Figure 5 below).

**Figure 5: Looking North towards the existing ground sign at the Subject Property**



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

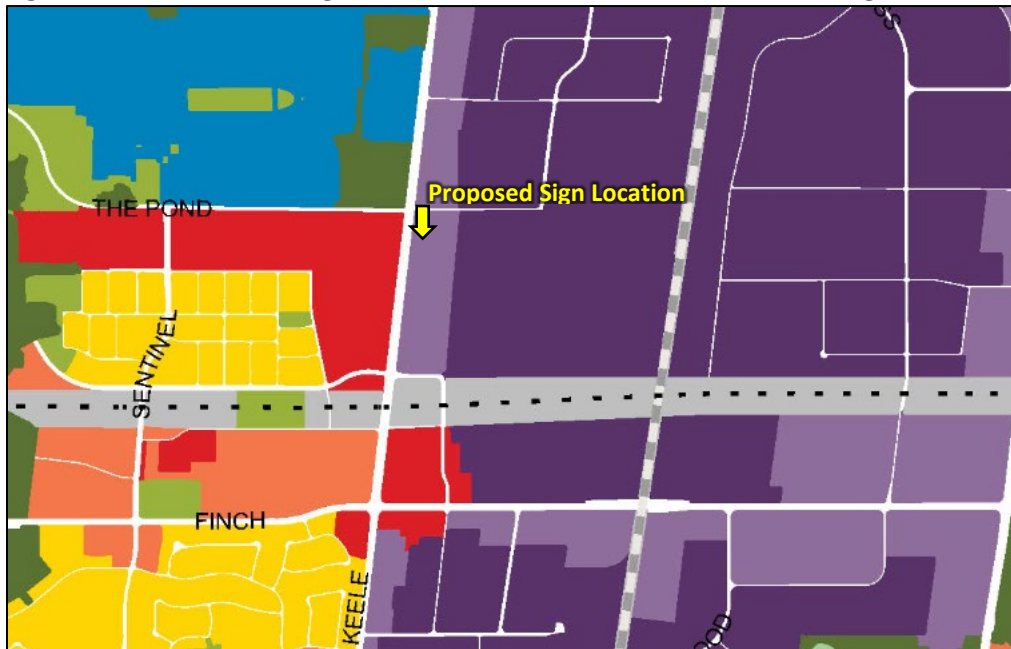
The Subject Premises is designated as a *General Employment Area* in the Official Plan (see Figure 6 below). Employment Areas are places of business and economic activity, and General Employment Areas in particular are typically located on major roads, where businesses and services would benefit from visibility and transit access to draw the broader public.

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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 3-metre setback for the Proposed Sign.

**Figure 6: Official Plan Designation of 3985 Keele Street and Surrounding Area**



The Zoning By-law (569-2013) is only applicable to a portion of the Subject Premises, as per the City's zoning map (see Figure 7 below). The former North York Zoning By-law No. 7625 governs the portion of the Subject Premises where the Proposed Sign will be located.

The Subject Property is designated as an **Industrial Zone - M2 MOF(H)** zone under the former North York Zoning By-law 7625, and the required front yard setback is 9.0 metres. We are seeking a variance to locate the Proposed Sign at a 3.0-metre setback from the front-yard lot line along Keele Street, to ensure clear visibility due to the mature tree line in place along this frontage.

Section 33(6)(a) of the former North York Zoning By-law regarding setbacks specifies a 9.0-metre front yard setback requirement, which appears to be intended for larger building structures. Signage, on the other hand, would ideally be located closer to the street, in order to allow for clear visibility and to avoid obstructions with buildings and / or natural barriers (like the tree line along the Keele Street frontage of the Subject Premises) at the premises or in the surrounding area.

As can be seen in Figure 1 above, there are several mature trees lining the Keele Street frontage, and locating the Proposed Sign at a 9.0-metre setback to the property line would create too significant of an

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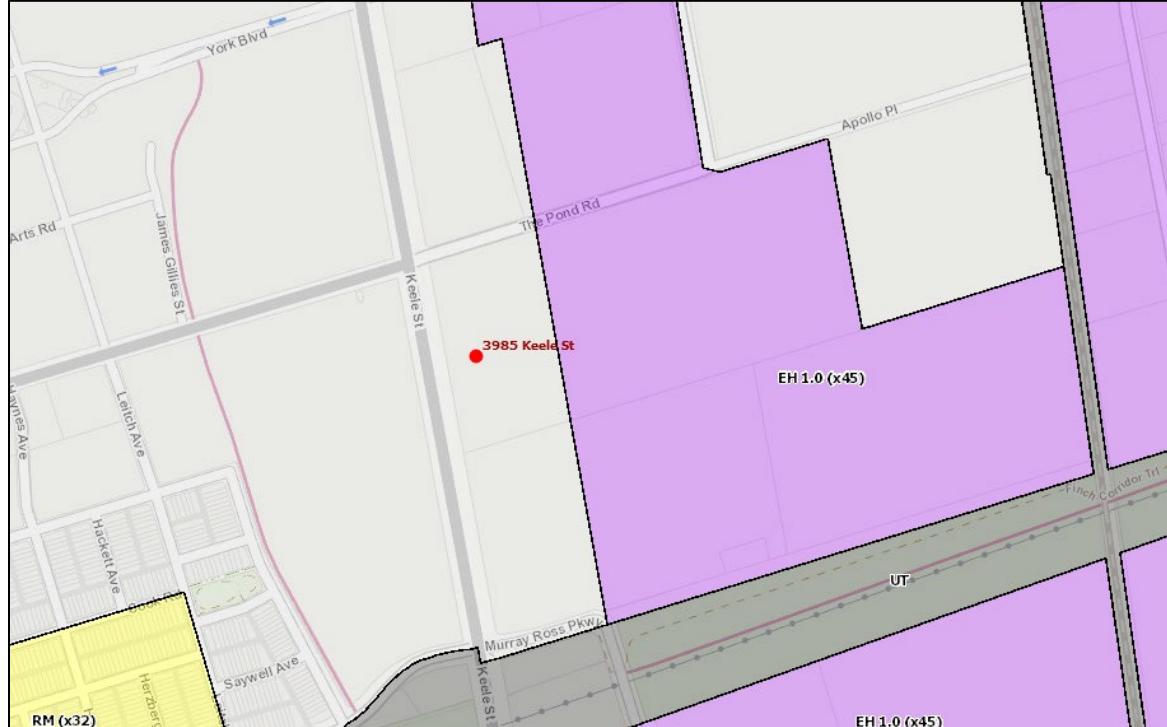
obstruction for the sign to be visible to the intended audience. As a result, a 3.0-metre front yard setback for our Proposed Sign would ensure that it is placed in a safe area while maintaining a consistent streetscape along Keele Street, which provides support that this criteria has been established.

The Subject Property is also located just outside of and adjacent to the *York University Secondary Plan*, first approved in 1991. There are plans for rapid-transit improvements in this area, including new stations. None of these transit-related projects would be negatively impacted by the Proposed Sign. Removing the illuminated sign face that is currently visible from the natural area to the north-west further supports the *Secondary Plan* goal of protecting the natural spaces within the surrounding area.

Another key aspect of the *Secondary Plan* is that Heritage resources located in or near this area be conserved and protected, however neither the Subject Property or the adjacent I Sign District are 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 is achieved.

**Figure 7: Zoning Map Excerpt from City of Toronto Website for 3985 Keele Street**



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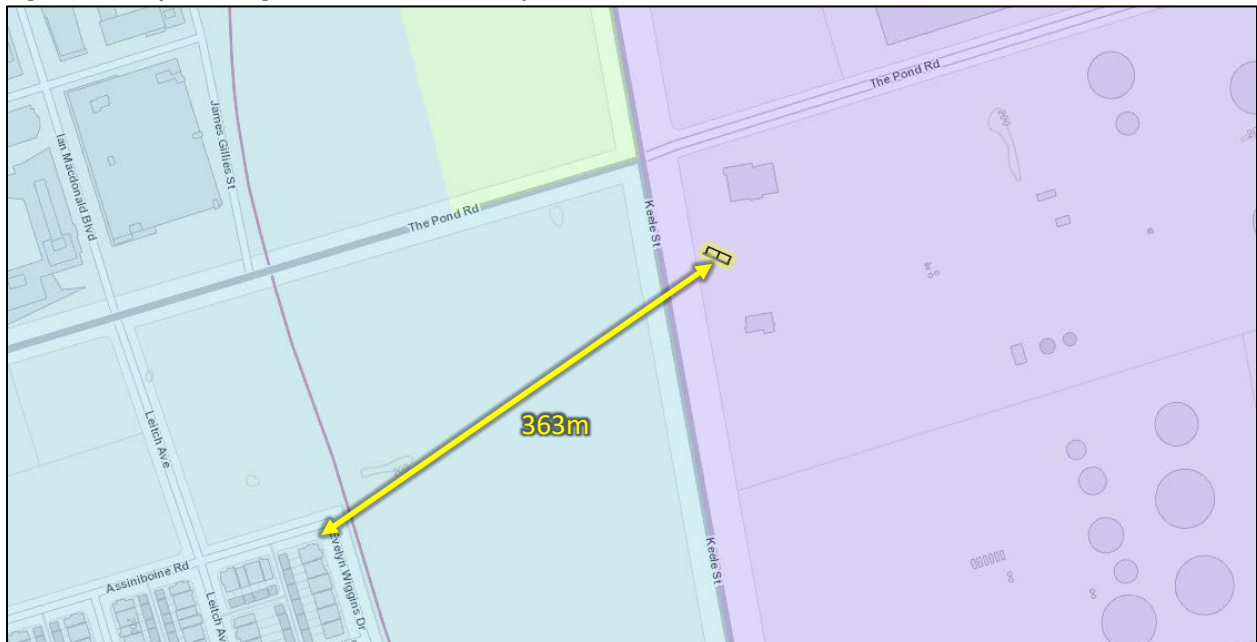
**(5) Not adversely affect adjacent premises.**

The lands adjacent to the Subject Property include E Sign Districts to the north, south and west, which are permitted to contain similar signs, and have uses that would not be adversely affected by the Proposed Sign. Across Keele Street to the west is an Institutional Sign District owned by York University, that currently contains a vacant parcel with a transit stop along the north frontage, and busway that runs south towards Finch Avenue West along the west frontage. At each of the adjacent properties, there is nothing in place that could be adversely affected by the Proposed Sign.

The Proposed Sign will comply with the size and height requirements outlined in the Sign By-law, which are consistent with the existing third party ground sign that has been in place since 2018. It also meets the required setback to an intersection, and is not located within 250 metres of any residential uses or R, RA, or CR Sign Districts.

While there are I Sign Districts further to the west that have been developed to contain residential uses, the nearest one on Assiniboine Road is more than 363 metres away, which significantly exceeds the 250-metre separation requirement set out in the Sign By-law (see Figure 8 below). There are also natural barriers in place between these two properties, as can be seen in Figure 3 above.

**Figure 8: Proposed Sign Meets Setback Requirements from Residential Uses**



Accounting for all of these factors combined, Pattison is confident that the Proposed Sign will not have any adverse effects on adjacent premises, and that this criteria has been achieved.

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**(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 the front-yard property line, a proposed 3.0-metre setback will ensure the Proposed Sign will not interfere with or obstruct the visibility of vehicular traffic along Keele Street.

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

There are no safety concerns related to the variance to allow a setback of 3.0 metres from the front-yard lot line. This setback would be consistent with the new Harmonized Zoning By-law pertaining to Employment Sign Districts (and which would apply to other sections of this property), and match the setback of other ground signs in the surrounding area. North of Pond Road, there are multiple strip plazas or commercial properties with ground signs located at less than 9.0 metres on the east side, as well as ground signs for York University that are closer to Keele Street than 9.0 metres on the west side.

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 percent 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 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 potential distraction.

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The proposed sign will also be professionally designed, engineered and installed in accordance with 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.

**(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 multiple third party signs located along Keele Street between Sheppard Avenue and Steeles Avenue East, including the Subject Property which contains a third party ground sign approved under the current Sign By-law.

All of these signs contain sign faces measuring approximately 18.6 square metres, which is in line with Proposed Sign at 18.6 square metres. Although the maximum permitted height in an E Sign District, we have strategically proposed a height of 7.65 metres, which will help keep the sign more compatible with the City's focus on making this area more cyclist and pedestrian-friendly.

Third party signs have had a presence along this stretch of Keele Street for several decades, and the commercial, employment and industrial uses within the Keele and Finch 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 2018 which complies with the current Sign By-law provisions, we believe the character of the premises and surrounding area would not be altered by the Proposed Sign.

In addition, by removing the existing sign as a condition of approval, the total number of sign faces would be reduced from two down to one. This helps minimize sign clutter and contributes to one of the goals of the Sign By-law, and supports 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, and the Proposed Sign complies with the majority of the requirements for third party electronic ground signs in an E Sign District.

It is in line with the requirements for size (20.0m<sup>2</sup> permitted; 18.6m<sup>2</sup> proposed), height (10m permitted; 7.65m proposed), setback from an intersection (30m permitted; approximately 81.2m proposed),

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number of signs per property (only one), required configuration 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).

While a variance is required for the setback from the front yard of 9.0 metres, granting the variance to allow the proposed setback of 3.0 metres allows the Proposed Sign to be placed within the grassy area (seemingly intended for signage), and away from the traveled portion of the tenant's operating and parking area, which largely provides a benefit to the public.

There is also a section of the *Secondary Plan* that suggests "accessory commercial uses should have buildings that are built at, or close to, the street line," which supports our proposed setback of 3.0 metres to the street line.

In addition, the surrounding area consists of light 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.

The variance for permitted a second ground sign on the premises is not contrary to the public interest because the Sign By-law permits two ground signs along the same frontage where the property has a minimum of 200 metres of spacing along the frontage. In these instances, the ground signs must be spaced at least 100 metres apart.

While the Proposed Sign would be located 64.5 metres south of a small existing ground sign for "Frew Energy", there is a heavy, mature tree line along this frontage that blocks visibility of both signs along the same viewpoint. Because both signs cannot be seen at the same time, we believe the intent of this Sign By-law provision is maintained.

In addition, the Proposed Sign is only single-sided, and directed south-west for north-bound traffic. Any vehicles or pedestrians travelling south will have no visibility of the content displayed on the Proposed Sign. Finally, there is a Bus Shelter in place about 16.7 metres south of the existing ground sign, which further obstructs visibility of this sign to traffic travelling north-bound. With the Bus Shelter and large trees located between these two signs, we do not foresee any issues that could be considered contrary to the public interest arising by granting this variance.

The proposed Condition of Approval would ensure the removal of an existing double-sided third party ground sign from the property, which has twice as much sign face area as the Proposed Sign. While there would still be two ground signs on the premises, the amount of sign face area would essentially be reduced by 50% if the Proposed Sign is granted the requested variances.

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Lastly, the Condition of Approval of removing the existing ground sign with two sign faces, ensures a net reduction in signage at the property, and contributes towards the Official Plan and Sign By-law objectives of reducing sign clutter. A proposed maximum height of 7.65m also helps to maintain compatibility with the pedestrian- and cyclist-friendly future plans for this area.

With a planned mix of low- and mid-rise buildings contemplated for this area, the reduced height of the Proposed Sign will better fit within this context than utilizing the maximum height permitted in an E Sign District. The minimum height for buildings fronting on to Keele Street is 13.5 metres, for reference.

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,

*Nicholas Campney*

Nicholas Campney  
Director, Leasing & Transit, Central Region  
Pattison Outdoor Advertising LP

Location: 3985 Keele Street

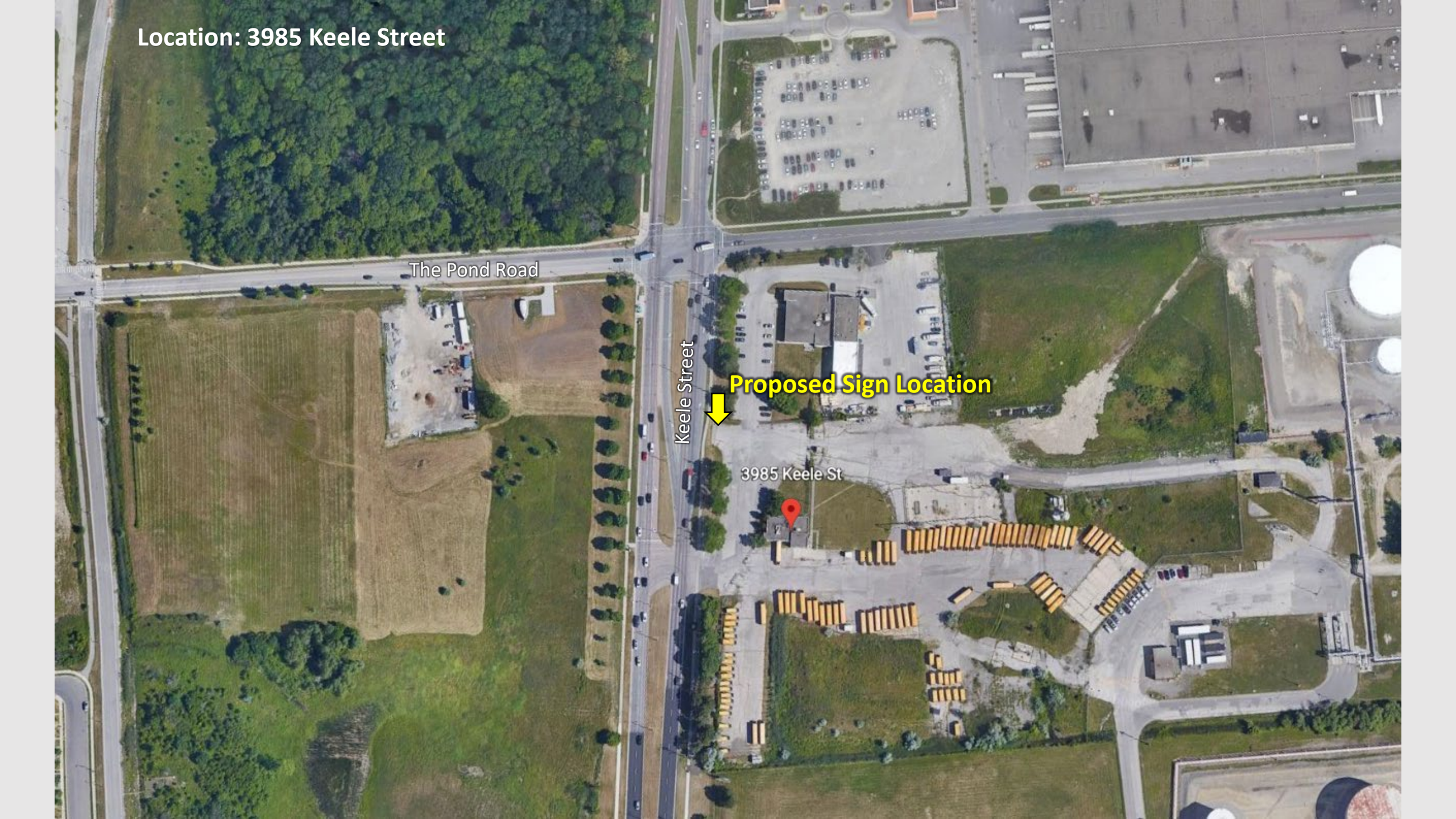
The Pond Road

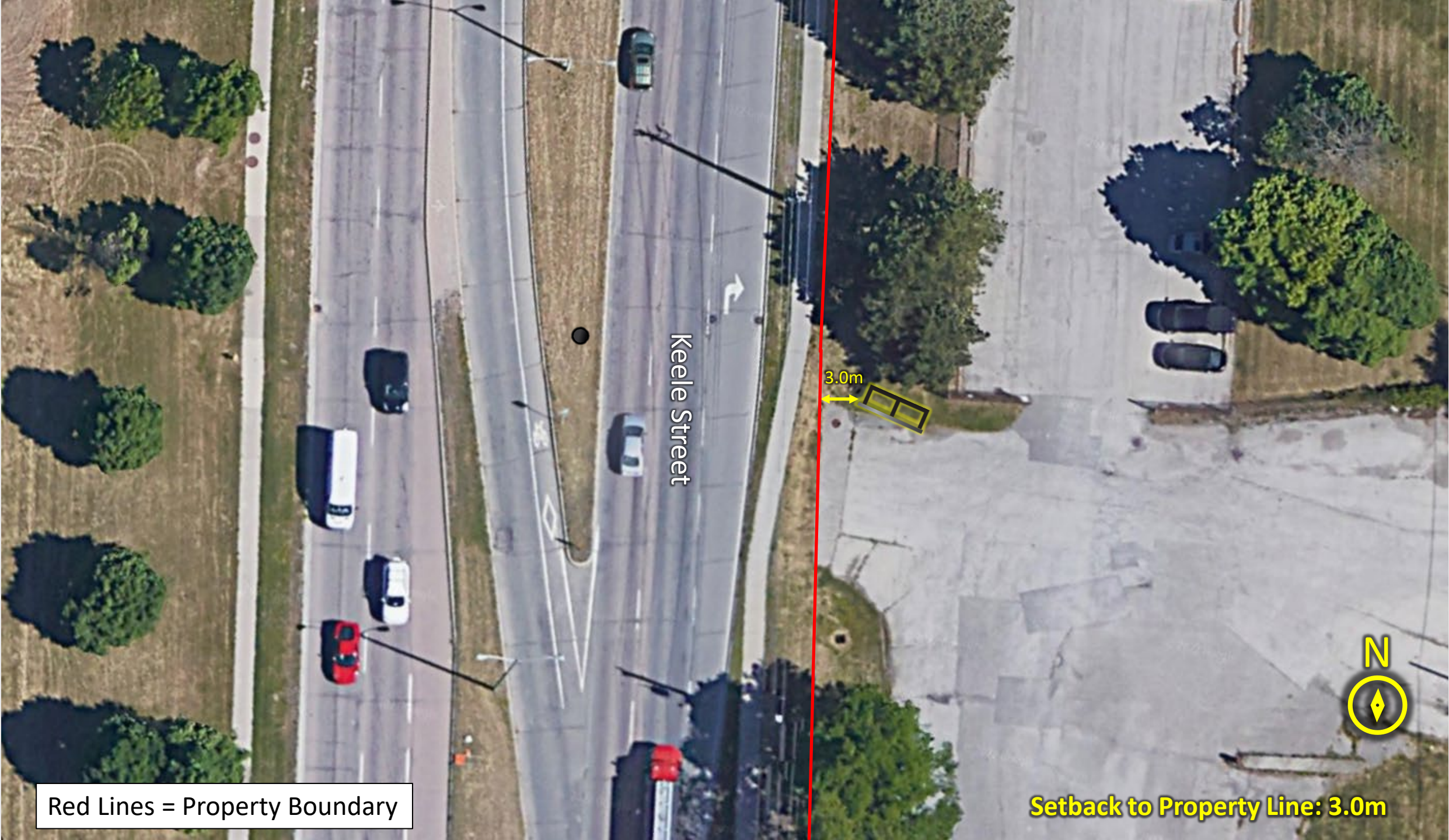
Keele Street



**Proposed Sign Location**

3985 Keele St





Keele Street

3.0m



Red Lines = Property Boundary

Setback to Property Line: 3.0m



The Pond Road

Keele Street

64.5m

**There is ample spacing between the existing ground sign for Frew Energy, so that the Proposed Sign will not result in the addition of sign clutter**

Red Lines = Property Boundary

**Setback to another Ground Sign: 64.5m**



# Looking North along Keele Street



Keele St



**Looking South along Keele Street**

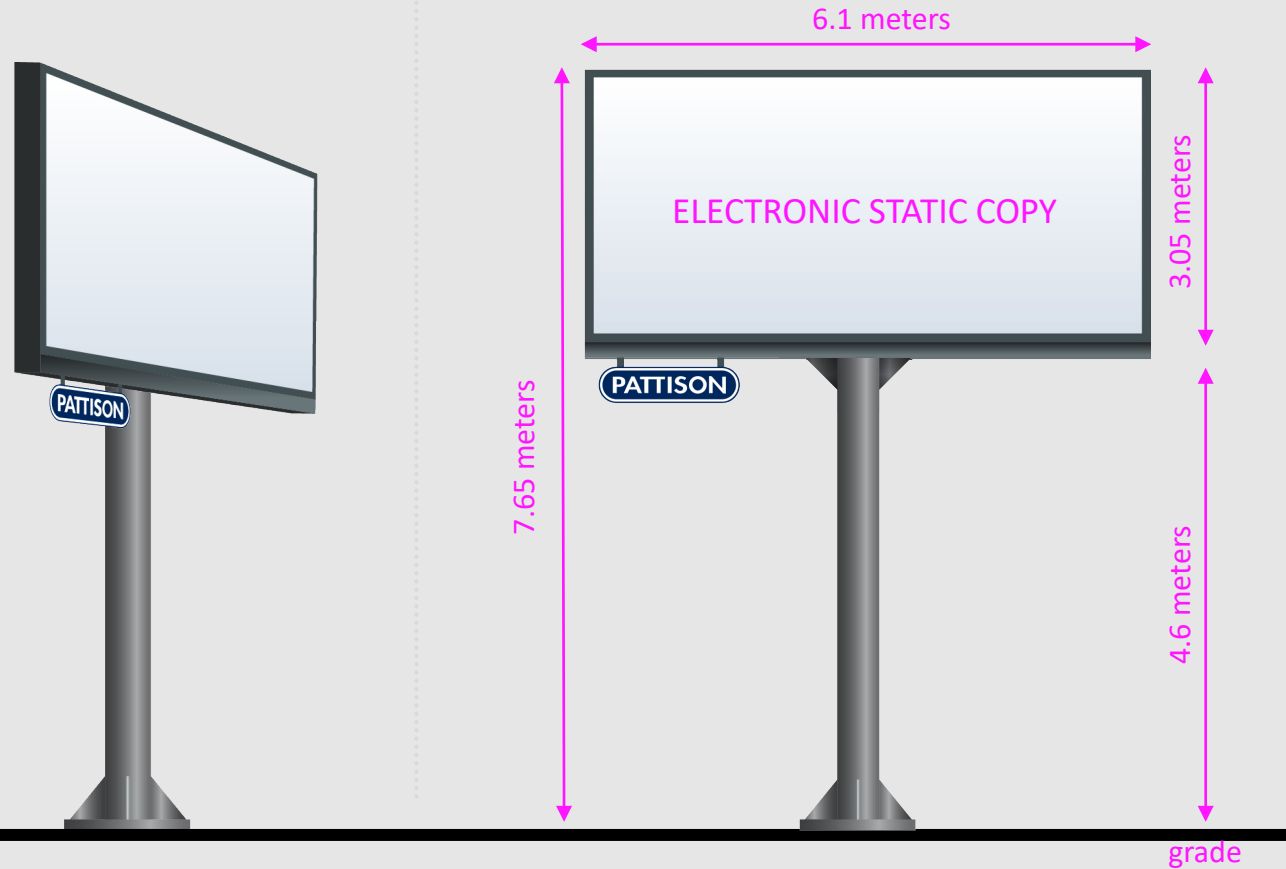
**Proposed Sign (Faces South-West)**



**Due to the Tree Line south of the existing ground sign for Frew Energy, the two signs cannot be seen at the same time**

# Elevation Drawings of the Proposed Sign (3985 Keele Street)

## Front Elevation



## Top Elevation

