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October 07, 2022

City of Vaughan | Building Standards Department  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

ATT: Fatemeh Kamrani, Senior Applications Expediter (Building Permits)

**Owner:** Calloway REIT (Rutherford) Inc.  
**Location:** 9200 Bathurst St, Vaughan  
**RE:** Sign Variance Application 2<sup>nd</sup> Submission  
**City File:** SV 22-001

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Dear Fatemeh,

On behalf of SmartCentres (Calloway REIT) please accept this revised sign variance application for a new billboard sign with digital display at our shopping centre municipally known as 9200 Bathurst Street.

The revised application, as discussed below, responds to the written staff comments and discussions with the Committee at the August 18, 2022 meeting of the Sign Committee. The revised application is illustrated in the attached Curbex Digital Pylon Specification Sheet.

The chart below summarizes amended and reduced scope of variances being requested.

By-Law Standard	Original Application	Revised Application
Sign Height	12.19m (52% variance)	10.25 m (15% variance)
Combined Sign Face	+/- 59.56 m <sup>2</sup> (49% variance)	45 m <sup>2</sup> (12.5% variance)
Ad Display Length	6 seconds (40% variance)	10 seconds (no variance req'd)
Setback to: Residential Building Other Billboard Signs	100m (40% variance) 600m (83% variance)	No Change
Zoning	Proposed: Commercial Required: Employment	No Change



### **Sign Height**

The height of the sign in the revised application has been reduced from 12.19m to 10.25m. A reduction of almost 2m. The reduced height of the sign is only a 15% variance from the 9m sign height permitted in the approved site plan. In comparison to the by-law maximum height of 8m the variance is 28%.

Located at Rutherford Marketplace across the street is a Billboard that we estimate (by comparing the structure to the adjacent RBC commercial building) to be approximately 12m in height. In addition to the height, the large columns in the design of the sign structure add substantially to its massing. In comparison, our proposed sign is smaller and would be more consistent with the other existing ground signs in the area.

### **Sign Face (maximum 20m<sup>2</sup> per side)**

To achieve a sign face area more in line with the by-law requirements, significant adjustments have been made to the proposal including, removal of the lower sign panel, reduction to the size of the digital screen, and a reduction to the size of the upper panel. The sign face area for the adjusted proposal is 22.5m<sup>2</sup> per side and a combined total sign face area of 45m<sup>2</sup>. This represents a variance of 12.5%.

### **Ad Display Length (minimum 10 seconds)**

The revised application no longer seeks any reduction to the ad display length and will respect the by-law minimum of 10 seconds.

### **Setback to Other Sign and Residential Zone**

The location of the sign has not been adjusted with this revised application. We wish to highlight, as discussed at with the Committee that the approved site plan permits a 3m x 3m x 9m ground sign in this location. As such, there is an existing approval for the chosen location of the sign. The approved site plan does not provide any dimensions that allow for a precise determination of the location of the permitted sign. Notwithstanding, the proposed sign is cited in a location that is generally consistent with the ground signage location on the approved site plan.

It seems punitive that the neighbouring shopping centres to the north and north-east have been permitted digital billboard signs within 600m of each other, are in proximity to residential buildings, and in proximity to the Bathurst and Rutherford intersection. We believe our request is consistent with the permissions granted on the each of these shopping centres.

The remaining setbacks related to street lines, the lot boundary and driveways; and the condition requested by the committee to not occupy a parking spot, will all be met. Contextually, the proposed sign is in proximity to large commercial areas where billboard installations may be considered appropriate.

### **Zoning Requirements**

When reviewing the full context of the Bathurst Street and Rutherford Road intersection, we note it is primarily developed with retail and commercial uses. The south-east corner is a mix of residential and institutional uses (Menachem Zvi Jakubovic Learning Centre). The remaining three corners are developed with shopping centres. Both the Bathurst Glen Plaza (north-east corner) and Rutherford Marketplace (north-west corner) have digital billboard signs located at the intersection similar to our proposed sign location. Both signs are oriented towards the intersection and the digital billboard display of the sign on the Rutherford Marketplace faces directly towards the residential uses across the road.



SmartCentres acknowledges the residential communities across the street to the east and for this reason our proposed sign has been oriented in a north-south direction to not direct any light directly towards the residential uses to the east across Bathurst Street. There are no residential uses immediately to north, west, or south of proposed sign location on our property.

We are of the opinion that the proposed sign is in keeping with context of the area and the existing signage of the other shopping centres in terms of the proposed scale, height, and location and as such will not have a noticeable impact to adjacent residential uses.

#### **Response to Other Comments**

*a) The proposed sign is the 3<sup>rd</sup> sign on this property*

Under Section "6.1 Limit on Number of Signs" of By-law 140-2018 the shopping centre is permitted three (3) signs, which is due to the lot being greater than 125m and abutting two streets. This is further confirmed through the registered Site Plan that shows three (3) signs on the lot including one sign at the proposed location.

*b) The proposal asks for the removal of a healthy tree in order to install a sign*

SmartCentres is agreeable to a requirement to replace any trees that are impacted by the installation of the proposed sign.

In conclusion, significant revisions have been to respond to the comments and concerns raised on the original application. The revised application is now more in line with the generally accepted minor variance outlined by the Committee as being within approximately 15% of the by-law requirements where achievable.

We acknowledge consideration must be given to the sign's proximity to residential areas, and while we understand this point, we maintain that the sign is appropriate for the immediate area which is largely commercial in character and the sign is consistent in scale and location with existing area signage.

The proposed billboard sign will serve to modernize the shopping centre and support our tenants' economic activity of this area which is an overall net benefit. We hope that the Committee will support the approval of the application as revised. If you have any questions, please do not hesitate to contact the undersigned at (416) 358-0822 or mresnick@smartcentres.com.

Sincerely,



Mark Resnick, MCIP, RPP  
Senior Director, Development

Enclosed: Curbex Digital Pylon 9200 Bathurst Street Specification



# PROPOSAL

Prepared For:



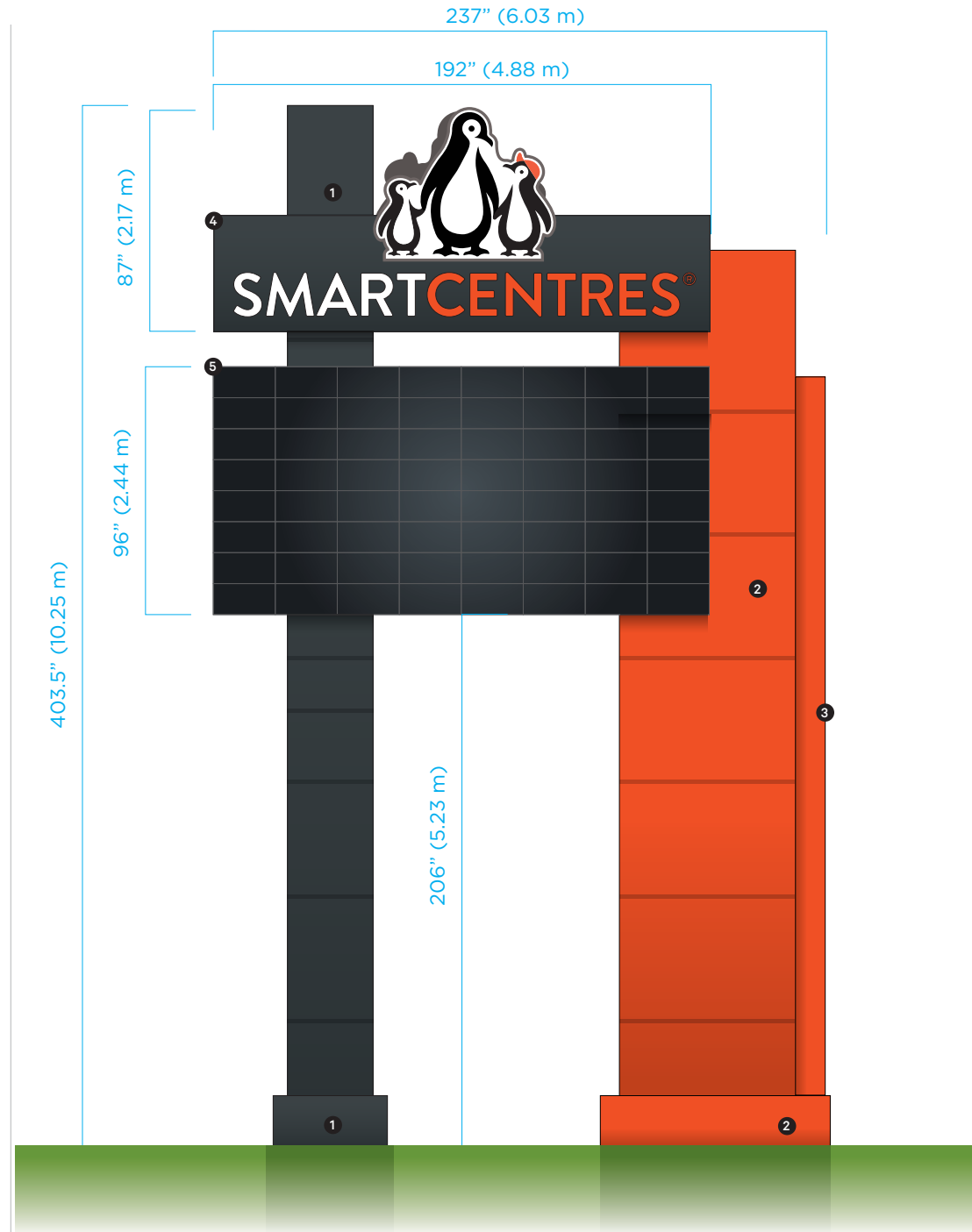
Digital Pylon







9200 Bathurst Street

- 1 Grey powdercoated aluminum cladding
- 2 Orange powdercoated aluminum cladding
- 3 LED backlit sidelight with orange vinyl overlay
- 4 Aluminum box with penguin channel letters (LED illuminated) and routed acrylic lettering (LED illuminated)  
**10.59 m<sup>2</sup>**
- 5 16 ft wide by 8 ft high digital LED display screen  
**11.91 m<sup>2</sup>**

OVA sign display area (as outlined above): **22.5 m<sup>2</sup>**

\*NOTE: one side shown; applies to both sides of pylon



 Vinyl - Avery UC 900-360-T 9180T 'Orange'	 Powdercoat 'Orange - 171 C'
 Vinyl - Avery Blockout Black	 Powdercoat RAL 7011 'Iron Grey'
 Acrylic White	 Powdercoat RAL 9005 'Jet Black'

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