



**STAFF REPORT
ACTION REQUIRED**

**3442 Yonge Street
Sign Variance Request**

Date:	October 19, 2009
To:	Chairman and Members, North York Community Council
From:	Director of Building and Deputy Chief Building Official
Wards:	Eglinton - Lawrence - Ward 16
Reference Number:	File No. 2009NY024 Folder No.09 132624 ZSV 00 ZR

SUMMARY

This staff report is about a matter that the Community Council has delegated authority to make a final decision provided that it is not amended to that it varies with City policy or by-laws.

The purpose of this report is to review and make recommendations on a request by Daniel Bordonali of Sutherland and Associates on behalf of Wendy Shane, General Manager for Share Practice Management Ltd. for a variance from the City of Toronto Sign By-law No. 297 as amended to permit the erection of two third party illuminated roof signs at the above noted address.

RECOMMENDATIONS

Toronto Building North York Division recommends that:

1. The request for the variances listed in the 3rd column of the table included in page 2 of this report be refused.

Financial Impact

There are no financial implications resulting from the adoption of this report.

COMMENTS

The property is located on the west side of Yonge Street and north of Lawrence Avenue East. The zoning of the property is Mixed-Use District (MCR) zone. Refer to Attachment #1.

The property is developed with a two storey commercial building. Refer to Attachment #2.

Peter N. Aubrey, Ontario Land Surveyor for Donald E. Roberts Ltd., has submitted a distance survey certificate showing neighbouring roof signs. Refer to Attachment #3.

The properties surrounding the site are:

North: Deloraine Avenue.
South: Retail stores.
East: Retail stores across the street.
West: Residential homes.

The proposal comprises of two illuminated roof signs. The roof signs will be installed at right angles on top of the existing parapet with one sign facing north on Deloraine Avenue and the other sign facing east on Yonge Street. Each of the roof sign will incorporate an artistic border composed of a number of sculptures 1.2m (4'-0") high that celebrates the famous 1932 photograph entitled "Lunchtime atop a skyscraper" by Charles C. Ebbets. One of the sculptures will be mounted on the parapet at the corner between the two roof signs. Refer to Attachment #4.

The statues will be made using special metal mesh that does not rust, and re-enforced with metal re-bar on the inside. The head and arms of the statues will be made out of epoxy, and the bodies of the statues will be covered with clothes that are hardened with a special epoxy. The artistic elements of the sign will be produced by Sergio Furnari, a world renowned sculptor/artisan.

Each roof sign will be 9.80m wide x 4.90m high (32ft x 16ft) for a sign area of 48.0m² (516.7 ft²). The sculpture will be 0.91m wide x 2.44m high (3ft x 8ft). The signs will be constructed of steel. For sign elevations and details refer to Attachments #5A & 5B.

The signs will be top-lit illuminated with energy efficient lighting powered by Bullfrog and will be on a timer that will turn off the lights at 12 a.m. and back on at 6 a.m. The roof signs will not contain any animation or LED features.

The proposed sign does not comply with the City of Toronto Sign By-law No. 297 as amended in the following way:

Sign By-law Requirements	Applicant's Proposal	Required Variance(s)
<p>Section 297-10 Q 16</p> <p>A roof sign is not permitted in this zone.</p>	<p>Two third party roof signs with one side facing Yonge Street and one side facing Deloraine Avenue.</p>	<p>To allow two third-party roof signs with one side facing Yonge Street and one side facing Deloraine Avenue.</p>

The applicant submitted a letter from the Chair of the Yonge Lawrence Village Business Improvement Area (BIA) in support of this application. Refer to Attachment #6.

Leslie S. Abro, President and CEO of Abcon Media, submitted a letter dated September 26, on behalf of their client, Share Practice Management Ltd. in support of this application. 2009. Refer to Attachment #7.

If North York Community Council approves the application for the sign variance, the applicant should be advised of the requirement to obtain the necessary sign permits from the Chief Building Official.

CONTACT

Magda Ishak, P. Eng., Manager, Plan Review; Tel.: 416-395-7555; Fax: 416-395-7589;
 e-mail: mishak@toronto.ca

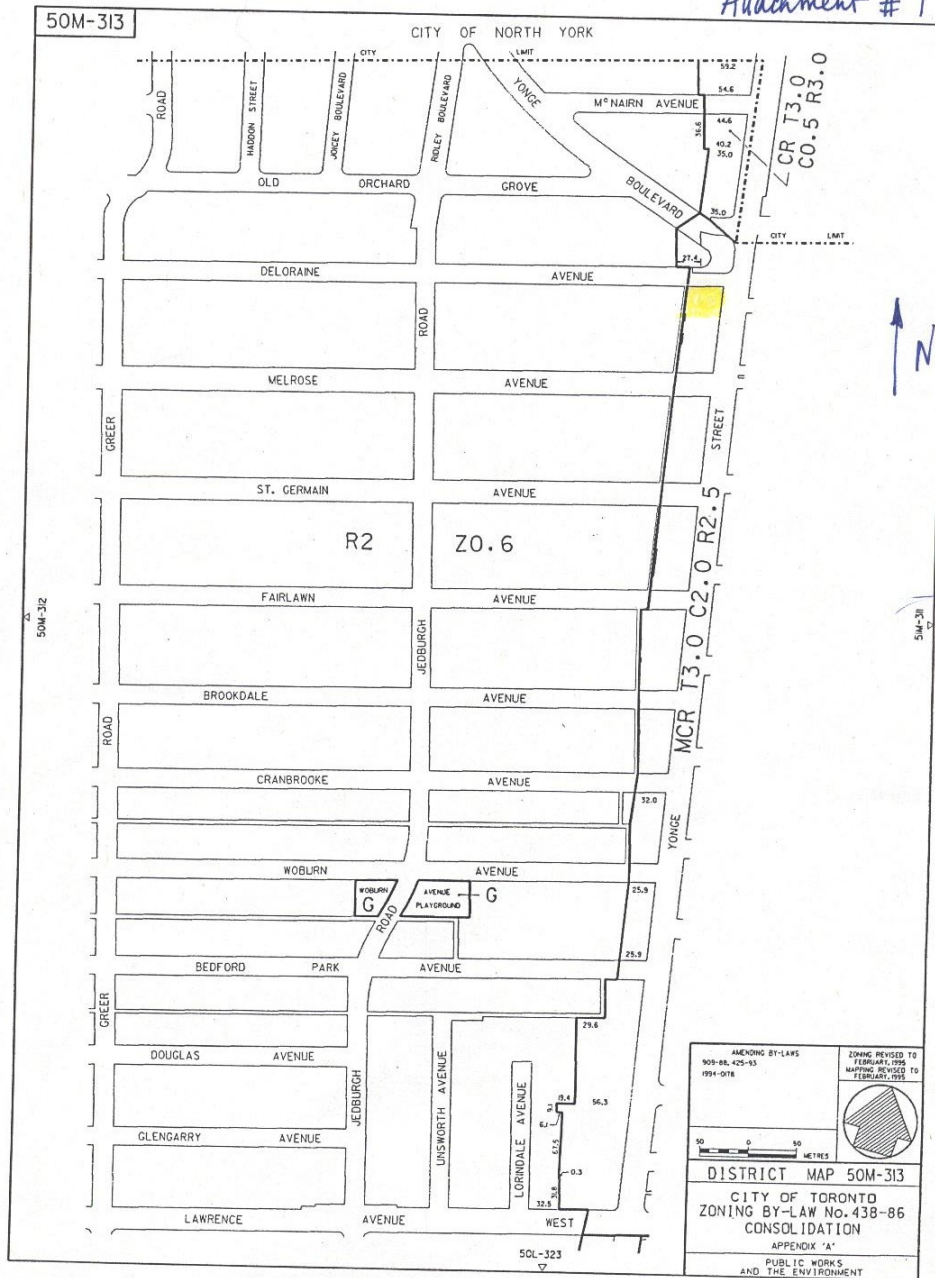
SIGNATURE

Edward Tipping, P. Eng.
 Director and Deputy Chief Building Official
 North York District

ATTACHMENTS

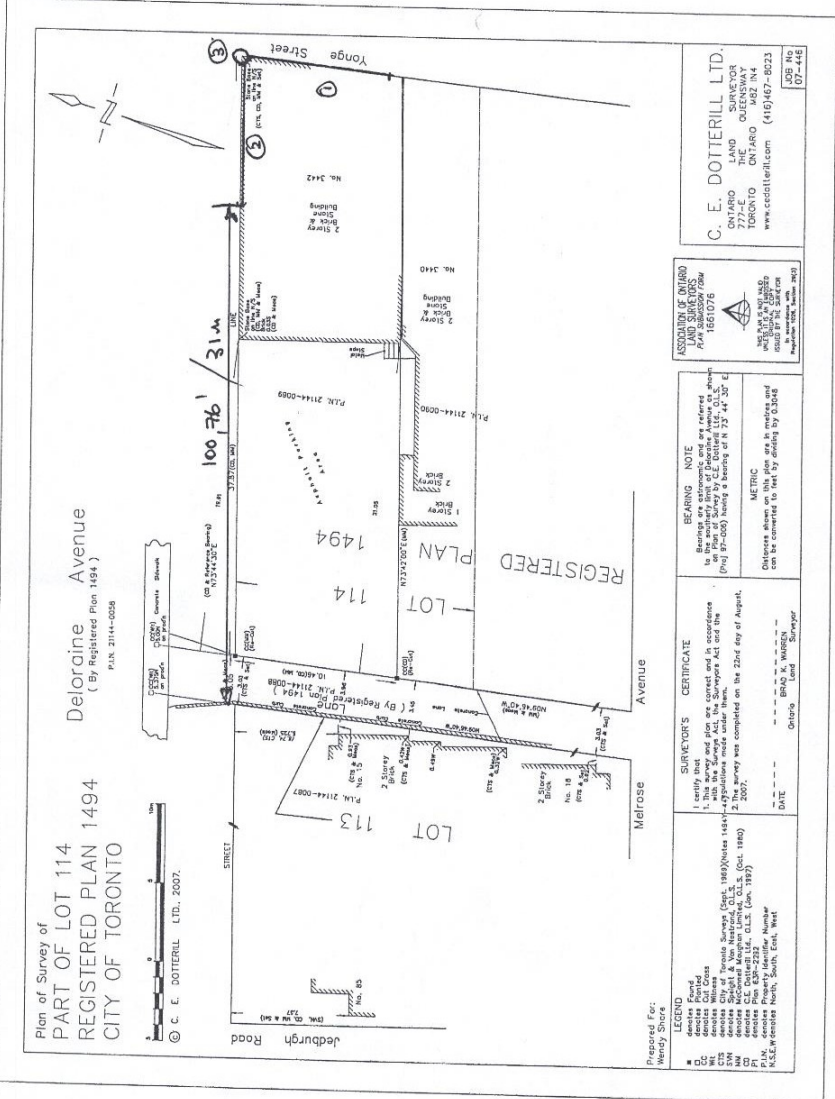
Attachment #1:	Zoning map
Attachment #2:	Survey of the Property
Attachment #3:	Survey showing Adjacent Signs
Attachment #4:	Picture rendering of the proposal
Attachment #5A & #5B:	Signs Elevations and Details
Attachment #6:	Justification Letter
Attachment #7:	BIA Chair Letter of Support

Attachment # 1



AMENDING BY-LAWS 90-88, 89-83 1994-078	ZONING REVISED TO FEBRUARY, 1996 MAPPING REVISED TO FEBRUARY, 1996
DISTRICT MAP 50M-313	
CITY OF TORONTO ZONING BY-LAW No. 438-86 CONSOLIDATION	
APPENDIX "A" PUBLIC WORKS AND THE ENVIRONMENT	

3442 YONGE STREET



Plan of Survey of
PART OF LOT 114
REGISTERED PLAN 1494
CITY OF TORONTO

Deloraine Avenue
 (By Registered Plan 1494)
 P.L.N. 2114-0058

© C. E. DOTTERILL LTD., 2007.

Scale: 1:1000

Prepared For:
 Wendy Shiers

LEGEND

- Existing Building
- Proposed Building
- Existing Well
- Proposed Well
- Proposed Easement
- Proposed Right-of-Way
- Proposed Property Line
- Proposed Boundary
- Proposed Setback
- Proposed Fencing
- Proposed Driveway
- Proposed Path
- Proposed Utility
- Proposed Other

SURVEYOR'S CERTIFICATE

I certify that this plan, together with the map and the survey data, was prepared by me or under my direct supervision and that I am a duly qualified and licensed Surveyor under the Survey Act, R.S.O. 1990, c. S. 27 (as amended) and that the survey was completed on the 22nd day of August, 2007.

Surveyor: **DAVID K. WILSON**
 Ontario Land Surveyor

REBARRING NOTE

Rebarings of structures and are referred to in this plan by C.E. Dotterill Ltd. (O.S. 97-206) using a bearing of N 75° 44' 30" E.

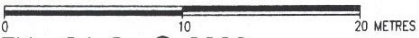
METRIC

Distances shown on this plan are in metres and can be converted to feet by dividing by 0.3048.

ASSOCIATION OF ONTARIO LAND SURVEYORS
 P.L.N. 1494-0000
 1851076

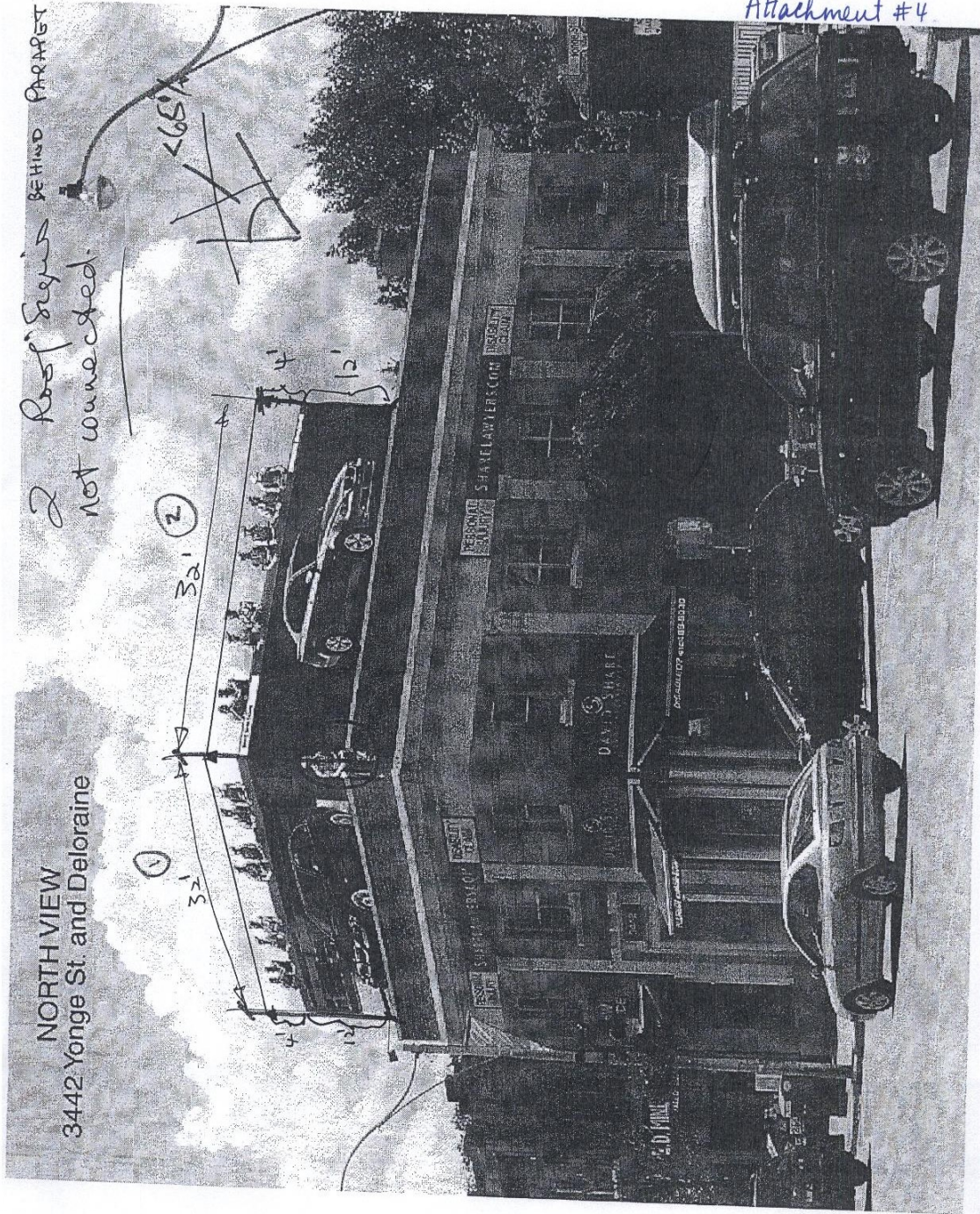
C. E. DOTTERILL LTD.
 ONTARIO LAND SURVEYOR
 7777 KENNEDY ROAD
 TORONTO, ONTARIO M3J 1K6
 www.cdottierill.com (416) 467-8023

SKETCH SHOWING PROPOSED
ABCON MEDIA SIGN AT NO.3442 YONGE STREET
CITY OF TORONTO

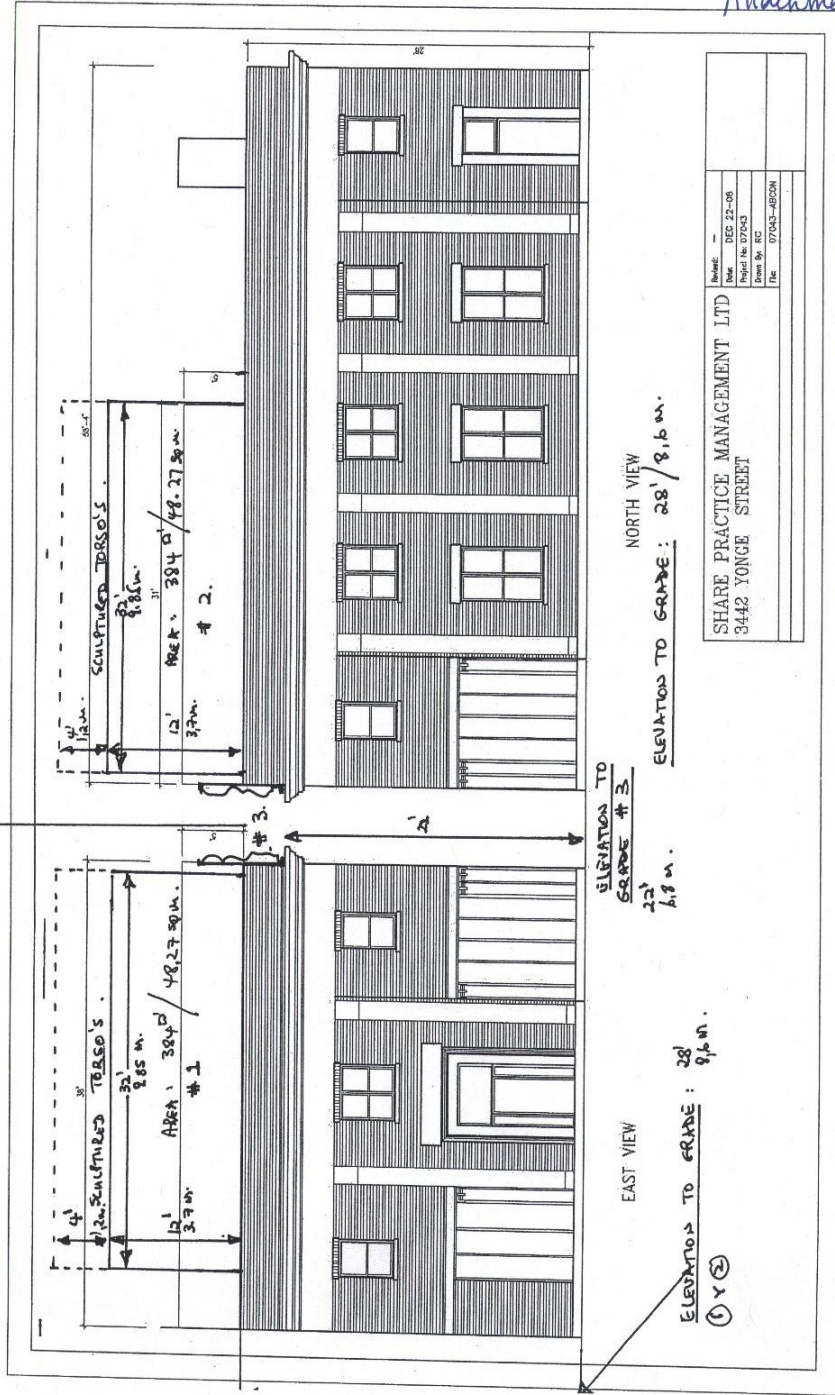
Scale 1 : 300  20 METRES
PETER N. AUBREY O.L.S., © 2009

Attachment # 3
YONGE BLVD

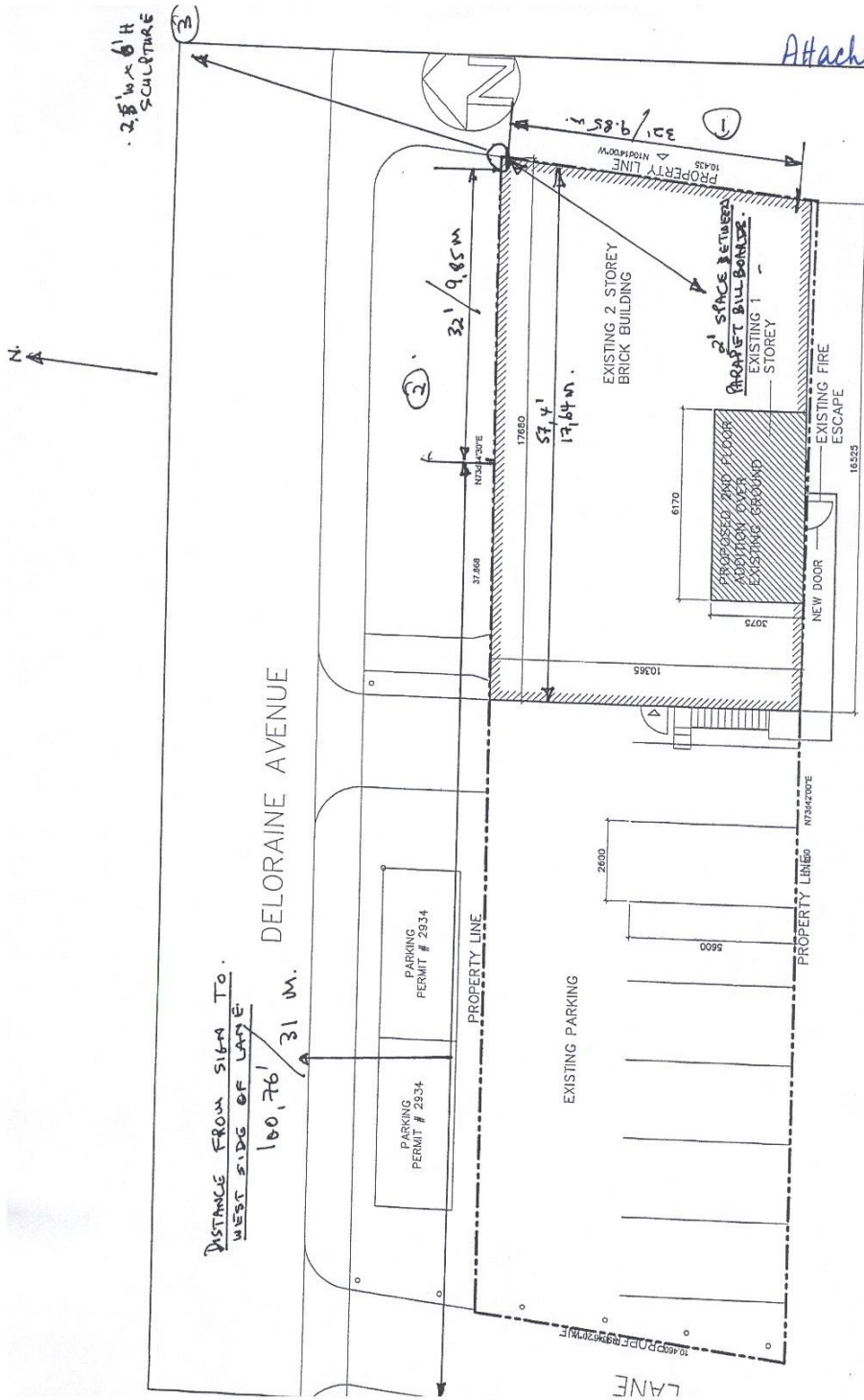




SIX SCULPTURED FIGURES SITTING ON PARAPET.
6'H X 2.5' W.



TWO BILBOARDS MOUNTED ON THE ROOF — THE BOTTOM WILL BE AT A HEIGHT THAT WILL APPEAR TO BE LEVEL WITH THE TOP OF THE PARAPET WHEN VIEWED FROM THE STREET. THE SCULPTURED FIGURES WILL BE SETTING ON THE PARAPET CORNER.



Attachment # 5 B

- 3442 YONGE STREET
1. 16' H x 32' W PARAPET ROOF TOP SIGN (INCLUDING 4 H SCULPTURES) NOT CONNECTED TO #2.
 2. 16' H x 32' W PARAPET ROOF TOP SIGN (INCLUDING 4 H SCULPTURES) NOT CONNECTED TO #1.
 3. 8' H x 3' W SCULPTURE MOUNTED ON CORNER OF PARAPET.



Attachment #6 P.1 of 2 Ward 6
2009 Lawrence Ave. W., Suite 10 Maple
Toronto, Ontario Canada M9N 3V2 Tied
T. 416-766-8235 F. 416-766-8245 (SWS)
www.abconmedia.com

September 26, 2009

Mr. Edward Tipping
Director, Deputy Chief Building Official
City of Toronto Building – North York District
5100 Yonge Street, 1st floor
Toronto, Ontario
M2N 5V7

RECEIVED
OCT 05 2009
Toronto Building
North York District

SUBJECT: 3442 Yonge Street – Sign Variance Application # 09-132624

Dear Mr. Tipping,

I would like to take this opportunity to provide you with additional information regarding our application for two illuminated rooftop signs located at 3442 Yonge Street, submitted to the City of Toronto on May 1, 2009.

The application includes two 48 m² illuminated fascia signs facing north and east. This unique sign application will include an artistic border that celebrates the famous 1932 photograph entitled "Lunchtime atop a skyscraper" by Charles C. Ebbets (see attached). The photograph shows construction workers on the 69th floor of the RCA building, (renamed the GE building in 1986) located at the Rockefeller Center in Manhattan, New York.

Using a number of the statues the artistic sculptured border will generate a great deal of interest with local residents and visitors to the community

The artistic elements of the sign will be produced by Sergio Furnari, a world renowned sculpture/artisan who has the rights to reproduce the images from the photograph. The statues will be made using special metal mesh that does not rust, and re-inforced with metal re-bar on the inside. The head and arms will be made out of epoxy, and the bodies of the statues will be covered with clothes that are hardened with a special epoxy. The metal rectangular platforms where the statues are welded will be bolted in place.

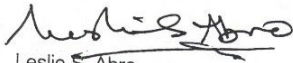
The project engineer will be Leonard Maile, who is an experienced Toronto engineer, specializing in outdoor signs. The signs will be constructed of steel and engineered to conform to City building standards.

In addition to the artistic merit of the signs, there are additional features of this application that justify its approval:

- We have met with the local Yonge Lawrence Village Business Improvement Area and we have received support for this application in writing (attached).
- There are several permitted roof-top signs in the immediate area along Yonge Street which are now incorporated into the character of the community.
- The fascia signs will not contain any animation or LED features.
- The signs will be top illuminated with energy efficient lighting, in accordance with the sign by-law and will be on a timer that will turn off the lights at 12 o'clock (midnight) and back on at 6 a.m. – powered by Bullfrog
- By combining art with outdoor advertising at the North Gateway to the City we will be setting a precedent for future endeavours

Please feel free to contact me if you have any questions regarding this application.

Best regards,



Leslie S. Abro,
President and CEO – Abcon Media

cc: Magda Ishak, Manager, Plan Examination – North District
Wendy Share, owner 3442 Yonge Street

Attachment #7



www.yongelawrencevillage-bia.com

April 23, 2009

Leslie S Abro,
Abcon Media,
2009 Lawrence Ave W.,
Suite 10,
Toronto, ON M9N 3V2

We appreciated Dan Bordonali addressing the Board meeting of the Yonge Lawrence Village BIA (YLV BIA) on April 14, 2009 concerning the proposed media installation on the roof at 3442 Yonge Street.

Over the past 9 years the YLV BIA and City of Toronto have jointly invested approximately \$200,000 in an extensive streetscape improvement program to beautify the Village. The enhancements, which include park benches, specialty bike racks, hanging planters, pedestrian lighting, banners and street signs have all been designed to create and reinforce the family feeling in the Village, an ambience which is paramount to the success of our commercial area.

When determining the content of the planned billboards we would ask Abcon Media to note our investment in this community and select an advertiser that is compatible with what we are trying to achieve. We will not oppose your application for the roof-top sign and look forward to participating in your Small Business Partnership Program.

Yours truly,
Bev Don
Chair, YLV BIA