



**STAFF REPORT  
ACTION REQUIRED**

**SIGN VARIANCE REQUEST  
4711 YONGE STREET**

<b>Date:</b>	February 28, 2010
<b>To:</b>	Chairman and Members, North York Community Council
<b>From:</b>	Director of Building and Deputy Chief Building Official
<b>Wards:</b>	<b>Ward 23 - Willowdale</b>
<b>Reference Number:</b>	File No. 2010NY031 Folder No. 10-119446 ZSV 00 ZR

**SUMMARY**

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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 Jude Tersigni, Manager, Planning, Menkes Developments Ltd. for approval of variances from the former City of North York Sign By-law No. 30788, as amended, to permit the existing off premise ground sign to remain on top of a retaining wall (fence) at 4711 Yonge Street.

**RECOMMENDATIONS**

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**Toronto Building, North York District recommends:**

1. The North York Community Council refuse the application for variance at 4711 Yonge Street, if the application is approved it be approved for a period of six months from the date of approval of the North York Community Council,
2. the applicant be advised of the requirement of obtain a sign permit from the Chief Building Official and to file the sign permit application with Toronto Building prior to April 6, 2010; and
3. as a condition of approval the applicant be advised to obtain the approval of Transportation Services prior to issuance of a sign permit.

## Financial Impact

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

## COMMENTS

The property is located on the east side of Yonge Street, north of Highway 401, in a Commercial (C1) zone in the Yonge Street corridor. There is an existing sixteen storey commercial building located on the property, and an off premise sign is located on a retaining wall (fence) at the south side of the building existing building.

Surrounding land uses are as follows:

North – Commercial plaza

South - Glendora Avenue and commercial use (restaurant)

East – Bales Avenue and multiple attached dwellings/apartment house dwelling

West – Yonge Street and low rise commercial development

### Existing Sign By-law provisions:

The sign does not comply with the former City of North York Sign By-law No. 30788 as amended in the following way:

Sign By-law Requirements	Applicant's Proposal	Required Variance(s)
1. <b>5.2</b> An off premise roof sign, not exceeding 32.5 sq. m. 350 sq. ft.) may be erected on the roof of a commercial building provided that no such roof sign shall be less than 153 m (500 feet) from another roof sign on the same side of the street.	To maintain an existing off premise sign on a retaining wall, having an area of 23.8 sq. m. (256 sq. ft.).	To permit an off premise sign with an area of 23.8 sq.m. (256 sq. ft.) to remain in the existing location on a retaining wall whereas an off premise sign may be erected on the roof of a commercial building.

### New Sign By-law provisions:

The new Harmonized Sign By-law was passed by Council on December 6, 2009 and will come into full force and effect on April 6, 2010. The by-law sets out the following provisions for the proposed sign based on sign district, sign class and sign type.

**Sign Districts:** The by-law establishes Sign Districts. The proposed sign would be located CR - Commercial Residential District.

**Sign Class and Sign Type:** The by-law establishes sign classes and sign types. The proposed sign would be classified as a third party sign.

**§ 694-15. Prohibited signs**

- A. Anything not expressly permitted by this chapter is prohibited.
- B. The following are expressly prohibited: (1) A sign erected on a tree or a fence;

The retaining wall (on which the sign is situated) would be captured in the definition of “fence” and not “wall” in the City’s Sign By-law.

**Excerpted from Sign By-law:**

**FENCE** - A barrier, including one for noise attenuation, or any structure, except a structural part of a building, that wholly or partially screens from view, encloses or divides a yard or other land, or marks or substantially marks the boundary between adjoining land, and includes any hedge or shrub that has the same effect.

**WALL** - Any exterior surface of a building extending from the ground to the roof or parapet wall and shall include a mansard roof but shall not include windows.

The proposed sign does not comply with the City of Toronto Sign By-law adopted by Council on December 6, 2009 as follows:

<b>Sign By-law Requirements</b>	<b>Applicant’s Proposal</b>	<b>Required Variance(s)</b>
<p><b>694-15. Prohibited signs.</b>                      B. The following are expressly prohibited:                      (1) A sign erected on a tree or a fence;</p>	<p>To maintain the existing third party sign as located on a retaining wall (fence).</p>	<p>To allow the existing third party sign to be maintained on an existing retaining wall whereas a sign erected on a fence is prohibited.</p>
<p><b>694-24. Site-specific area restrictions.</b> A third party sign shall not be erected or displayed or cause to be erected or displayed in whole or in part within:                       (14) 400 metres of any limit of any portion of Highway 401 contained within the municipal boundaries of the City;                      (24) 450.0 metres of the westerly limit of Yonge Street, from the southerly limit of Highway 401 to northerly limit of Cummer Avenue;</p>	<p>To maintain the existing third party within 400 metres of the 401 and within 450 metres of Yonge Street.</p>	<p>To permit the existing third party sign to be maintained where a third party sign shall not be erected or displayed or cause to be erected or displayed in whole or in part within:                      (14) 400 metres of any limit of any portion of Highway 401 contained within the municipal boundaries of the City;                      (24) 450.0 metres of the westerly limit of Yonge Street, from the southerly limit of Highway 401 to the northerly limit of Cummer Avenue.</p>

The applicant has indicated in his letter dated February 17, 2010, the existing sign is required for a new condominium project called “Savvy” to the west and south of 4711 Yonge Street. Given the development site’s lack of visibility from Yonge Street, they are seeking Council’s approval to legalize a sign located on their Head Office property at 4711 Yonge Street. They are requesting the approval of the North York Community Council for a period of 6 months at which point the subject sign would be removed.

The existing sign however, is a prohibited sign, in both the existing and new Sign by-laws.

## **CONTACT**

Diane Damiano, Manager, Plan Review  
T. 416 395-7561, F. 416 395-7589, E-mail damiano@toronto.ca

## **SIGNATURE**

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

## **ATTACHMENTS**

- Attachment 1 – Survey of the Property
- Attachment 2 – Site Plan
- Attachment 3 – Zoning map
- Attachment 4 – Elevations
- Attachment 5 – Details of the Proposed Sign
- Attachment 6 – Photo of Existing Sign
- Attachment 7 – Sign District Map
- Attachment 8 – Applicant/Owner Letter (Page 1 of 2)
- Attachment 9 – Applicant/Owner Letter (Page 2 of 2)









37'  
Savvy Glendale Sign - Scale 1/2" = 1'

## Attachment #4

### Elevations

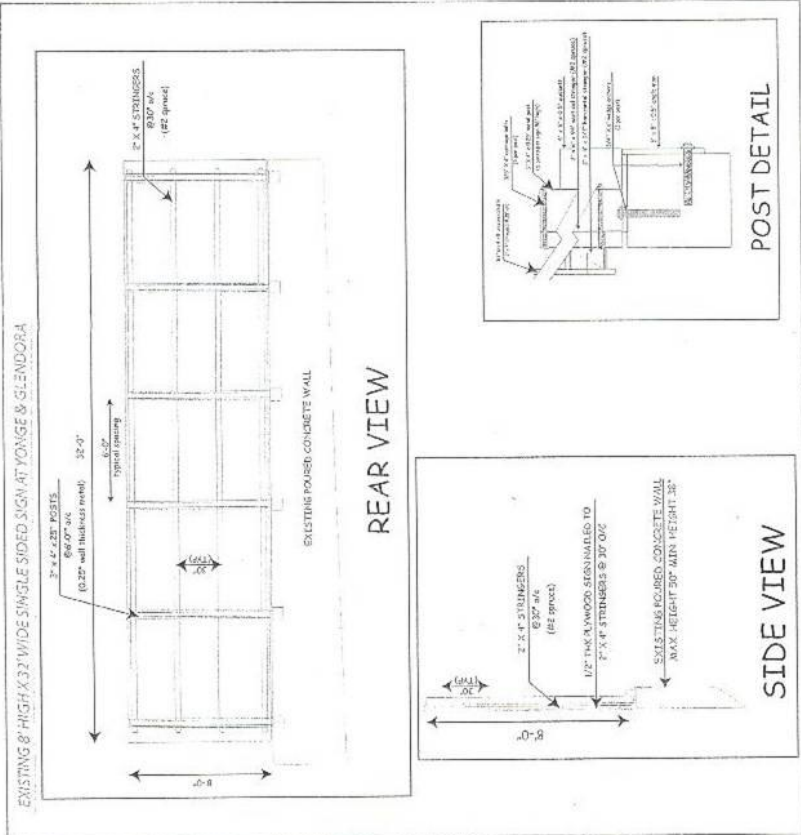


**FREEMAN & PETER SIGNS**  
 29 Adelaide Blvd. Unit #8  
 Scarborough, Ontario M1V 1Y2  
 Tel: 416-292-9737 Fax: 416-492-4362  
 email: alex@freemantopeter.com

**CLIENT:** Menkes Developments  
**LOCATION:** Ontario  
**PROJECT:**  
**DESIGNED BY:** Alex  
**DATE OF DRAWING:** SAWY8X32.pdf  
**DATE OF CHANGING:** January 25, 2010  
**SCALE:** 1/8" = 1'-0"  
**REVISIONS:** N.T.S.  
**NOTE:**

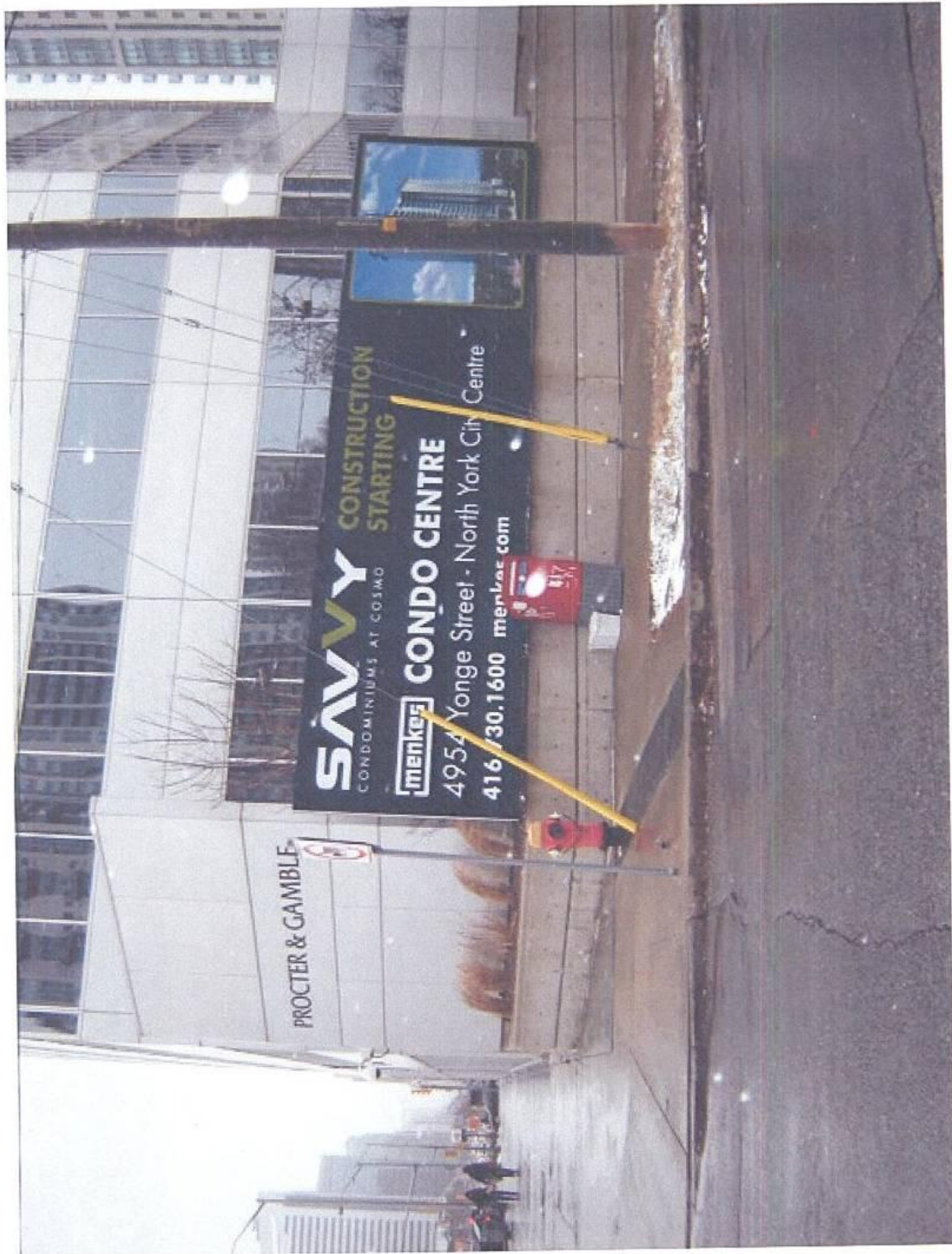


APPROVED BY: \_\_\_\_\_  
 CUSTOMER: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 APPROVED AS PER LAYOUT/SPECIFICATIONS INDICATED OR AS NOTED ON THIS DOCUMENT.



**Attachment #5**

**Details of Proposed Sign**



**Attachment #6**

Photo of Existing Sign

Sign Variance Request  
4711 Yonge Street



### Legend

- Residential District
- Residential Apartment District
- Commercial District
- Commercial Residential District
- Employment Industrial District
- Employment Industrial Office District
- Institutional District
- Open Space District
- Utility District

## Attachment #7 - Sign District Map – WARD 23

4711 Yonge St. CR – Commercial District

Sign Variance Request  
4711 Yonge Street

## Menkes Developments Ltd.



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4711 Yonge Street  
Toronto, Ontario  
Canada M2N 7E4  
Telephone (416) 642-8165  
Fax (416) 491-3155  
E-mail: jtersigni@menkes.com

February 17, 2010

North York Community Council  
North York Civic Centre  
5100 Yonge Street, 2<sup>nd</sup> Floor  
Toronto, ON  
M2N 5V7

**Attention: Ms Diane Damiano, Manager of Plan Review**

Dear Members of Community Council:

**RE: Application for Sign Variance at the property municipally known as 4711 Yonge Street, City of Toronto**

We are the owners of the property municipally known as 4711 Yonge Street (the "Site") in the City of Toronto. The Site is improved with a 16 storey commercial office building and is the location of Menkes Developments' Head Office. Menkes is currently developing a new Condominium project called Savvy on the property bounded by Tradewind Avenue to the west, Glendora Avenue to the south, Anndale Drive to the north and the existing Cosmo Condominium project to the east. Given the development site's lack of visibility from Yonge Street we are seeking Council's approval to legalize a sign which is currently located on our Head Office property, just west of the development site. The subject sign is used to bring attention to the proposed development from Yonge Street.

The Buildings Department has reviewed the subject site for compliance to the City's Sign By-law and have advised that the existing sign does not comply and would require a variance from the City's Sign By-Law. The variance required would be to permit an off premise sign located on top of an existing retaining wall and having an area of 23.8 sq. meters whereas an off premise sign is not permitted to be attached to a retaining wall.

It is our respectful submission that the subject site is worthy of Community Council's Approval and does not pose any negative impacts on the surrounding land uses. We understand the intent of the City's Sign By-law is to regulate signage in the City to preserve the overall appearance of the streetscape. However, we feel the subject sign is well integrated on the subject site and does not negatively impact the appearance of the local streetscape. We are requesting that the subject approval be temporary in nature to allow us to complete the marketing of the condominium project over the next 6 months, at which point the subject sign would be removed.

## **Attachment #8**

### **Applicant Letter (Page 1 of 2)**

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Enclosed please find the following as part of the submission package:

1. Sign Variance Application form;
2. A photo of the subject sign;
3. 2 copies of the site plan indicating the location of the proposed sign; and
4. 2 copies of the construction details of the sign.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned, at 416-642-8165.

Yours very truly,

**MENKES DEVELOPMENTS LTD.**

  
Per:  
Jude Tersigni  
Manager, Planning

**Attachment #9**

Applicant Letter (Page 2 of 2)