



**STAFF REPORT
FIRST PARTY SIGN VARIANCE**

Appeal by A-Tec Signs of the Decision of the Chief Building Official for Two (2) First Party Sign Variances With Respect to a Ground Sign Proposal on the Westerly Frontage of the Premises at 25 York Street

Date:	October 12, 2010
Ward:	Ward 28 – Toronto Centre-Rosedale
File No.:	FP-10-00030
IBMS File No.:	10-223470

PURPOSE OF THE APPEAL

To appeal the decision of the Chief Building Official refusing the variances requested in the first party sign variance application to obtain variances to Chapter 694, Signs, General, required to allow A-Tec Signs to make an application for a sign permit to erect and display one ground sign, 2.78 metres in length by 1.32 metres in height, along the westerly frontage of the premises, displaying “Kinross”.

REQUESTED VARIANCES

SECTION	REQUIREMENT	PROPOSAL
694-21. H. (2)(a)	There shall be no more than one ground sign erected at each frontage.	The proposed ground sign will be the second ground sign at the westerly frontage of the premises.
694-21. H. (2)(b)	A ground sign is permitted provided it does not exceed a sign face area of 3.0 square metres.	The proposed ground sign has a sign face area of 3.67 square metres.

RECOMMENDATIONS

The Manager, Sign By-law Unit, Toronto Building, recommends that:

1. The Sign Variance Committee **refuse** the variance requested from §694-21. H. (2)(a) to allow the issuance of a sign permit authorizing the erection and display on the westerly frontage of the premises municipally known as 25 York Street more than one ground sign;
2. The Sign Variance Committee **refuse** the variance requested from §694-21. H. (2)(b) to allow the issuance of a sign permit authorizing the erection and display on the westerly frontage of the premises municipally known as 25 York Street a ground sign exceeding a sign face area of 3.0 square metres.

COMMENTS

Chapter 694, Signs, General, of the City of Toronto Municipal Code came into force and effect on April 6, 2010. Chapter 694, Signs, General, delegates decision-making powers respecting first party sign variance applications to the Chief Building Official and in the event of an appeal of the decision of the Chief Building Official, to the Sign Variance Committee. As such, this report outlines the position of the Chief Building Official concerning whether the proposed variances meet the criteria established in § 694-30A. to permit the granting of a variance. It is the Chief Building Official's position, as previously provided in the decision rendered on September 7, 2010, that the proposed variances do not meet the mandatory criteria and should be refused.

Applicant's Submission

The Applicant's submission package is provided as Attachment 1 to this report. Attachment 1 contains:

- A rendering titled "Northwest Corner Rendering (Front)", dated August 5, 2009;
- A rendering titled "Northwest Corner Rendering (Detail)", dated August 5, 2009;
- A partial Site Plan titled "Location Plan", dated October 10, 2009;
- A Graphical Front Elevation, prepared by A-Tec Signs, dated March 10, 2010;
- A Structural Elevation, prepared by A-Tec Signs, dated March 10, 2010;
- A plan titled "1-Section", prepared by A-Tec Signs, dated March 10, 2010;
- A plan titled "2-Section", prepared by A-Tec Signs, dated March 10, 2010;
- A plan titled "4-Section", prepared by A-Tec Signs, dated March 10, 2010; and
- A plan titled "Exploded Iso", prepared by A-Tec Signs, dated March 10, 2010.

Site Context

The premises at 25 York Street is occupied by a new office building containing 30 storeys and having as its primary tenant the corporate offices of “Telus Mobility.” The premises and building are located in the area referred to as the southern expansion of the downtown financial district. The premises and building are connected to the underground PATH system with a direct link to the Toronto Terminal Railway lines and Union Station to the immediate north. East of the premises is the Air Canada Centre, occupying the former Canada Post mail distribution centre. South of the premises is the easterly limit of Bremner Boulevard and the Maple Leaf Square development beyond. West of the premises, on the west side of York Street, is a large development under construction which is expected to realize two tall residential condominium towers and one office building.

The property is located in the OS-Open Space sign district, as identified in Attachment 2 to this report.

Established Criteria

In order to review, consider and make recommendations on sign variance applications, criteria to evaluate an application for a variance is provided in Chapter 694. §694-30A. states that an application for a variance from the provisions of Chapter 694 may only be granted where it is established that the proposed sign:

- (1) *Is warranted based on physical circumstances applicable to the property or premises;*
- (2) *Is consistent with the architecture of the building or development of the property;*
- (3) *Is consistent with buildings and other features of properties or premises within 120 metres of the location of the proposed sign;*
- (4) *Will not alter the essential character of the area;*
- (5) *Will not adversely affect adjacent properties;*
- (6) *Will not adversely affect public safety;*
- (7) *Is, in the opinion of the decision maker, not contrary to the public interest;*
- (8) *Is of a sign class or a sign type that is permitted in the sign district where the premises is located; and*
- (9) *Is not expressly prohibited by §694-15B.*

In support of the decision respecting the first party sign variance application, the Chief Building Official provides the following comments with respect to each of the criteria, all of which must be established for a variance to be granted:

- (1) *Physical circumstances applicable to the property or premises*

The first party ground sign is proposed to be erected and displayed at the westerly frontage of the premises, perpendicular to York Street and visible to passers-by travelling in a north-south direction. The ground sign is proposed to be erected and displayed near the south-westerly corner of the building at an entrance. The applicant has not provided a rationale nor a

commentary to explain how the physical circumstances of the premises require an additional ground sign at the westerly frontage. There is an existing ground sign, along the same frontage, south-west of the proposed ground sign. The existing ground sign is referred to as a tenant directory ground sign supplying space and availability to identify tenants in the office building.

Conclusion: It is the Chief Building Official's opinion that it has NOT been established that the proposed sign is warranted based on the physical circumstances applicable to the premises.

- (2) *Consistency with the architecture of the building or the development of the property*

The applicant has not provided a rationale nor a commentary to explain how the additional ground sign is consistent with the architecture of the building or the development of the property. Besides the proposed ground sign, there is an existing ground sign along the westerly frontage of the property for the purposes of tenant identification and an existing ground sign along the southerly frontage of the property which provides direction and is erected at a point of vehicular ingress and egress to the premises. These existing ground signs, in combination with the existing wall signs on the building, are consistent with the architecture and the development of the property and it is thought that any more signs, like the proposed ground sign, would promote sign clutter and potentially obstruct significant architectural features of the building and premises.

Conclusion: It is the Chief Building Official's opinion that it has NOT been established that the proposed sign is consistent with the architecture of the building or development of the property.

- (3) *Consistency with buildings and other features of properties or premises within 120 metres of the location of the proposed signage*

The applicant has not provided a rationale nor a commentary to explain how the additional ground sign is consistent with buildings and other features of properties or premises within 120 metres. The property to the south of the subject premises (Maple Leaf Square) at 15 York Street recently underwent a comprehensive signage approval process, in consultation with staff in various City divisions and in consultation with the local Ward Councillor. The process to realize a Signage Master Plan at 15 York Street was adopted by City Council in June 2010. The property under construction, immediately west of the subject premises has not applied for any specific signage related to the final development and it is expected that when applications for signage permissions come forward, they be subject to the regulations and provisions established in Chapter 694, Signs, General. North of the subject premises, Union Station is undergoing extensive revitalization efforts and it is anticipated that a new signage program for the property will be received and reviewed shortly, also through the provisions and regulations found in Chapter 694, Signs, General.

Conclusion: It is the Chief Building Official's opinion that it has NOT been established that the proposed sign is consistent with buildings and other features of properties or premises within 120 metres of the location of the proposed sign.

(4) *Alteration of the essential character of the area*

The applicant has not provided a rationale nor a commentary to explain how the additional ground sign would not alter the essential character of the area. The proposed ground sign has the potential to impact the open plaza and the semi-public space along the perimeter of the office building. This potential impact may have an affect on the pedestrian circulation, access to the PATH system and entrances to the building. As such, the vision produced to support and develop the area may not be realized to the fullest extent.

Conclusion: It is the Chief Building Official's opinion that it has NOT been established that the proposed sign will not alter the essential character of the area.

(5) *Adverse affect on adjacent properties*

The applicant has not provided a rationale nor a commentary to explain how the additional ground sign would not have an adverse affect on adjacent properties. As previously mentioned, a Signage Master Plan was adopted by City Council for the neighbouring development to the south and another is anticipated to be consider shortly for the neighbouring property to the north. The notion of two ground signs along one frontage of a premises may be a precedent-setting assertion.

Conclusion: It is the Chief Building Official's opinion that it has NOT been established that the proposed sign will not adversely affect adjacent properties.

(6) *Adverse affect on public safety*

The proposed first party ground sign will require both a building permit and a sign permit to be erected. This requirement and approval ensures that the erection methodology is consistent with the Ontario Building Code, which ultimately ensures public safety. Further, the sign is intended to display only static copy and is proposed to be set well back from the intersection of Bremner Boulevard and York Street, helping to mitigate any potential impacts on travelling automobiles.

Conclusion: It is the Chief Building Official's opinion that it has been established that the proposed sign will not adversely affect public safety.

(7) *Public interest*

The first party sign variance application process prescribed in Chapter 694 is a public process. The proponent is required to post a notice on the property for no less than 30 days prior to the Chief Building Official making a decision and a written notice of the proposal is mailed out to the local Ward Councillor and all the property owners of all properties and to the mailing

addresses of residential and business tenancies within a 60 metre radius of the property. Sign By-law Unit staff have confirmed that a notice has been posted on the property and, to the date of this report, no comments have been received from the public.

Chapter 694 also expresses, through the provisions contained therein, many of the City's goals and objectives including, but not limited to:

- Support for the City's environmental goals including the promotion of energy efficiency; and
- Support for the establishment of a city with beautiful, comfortable, safe and attractive streets (the Beautiful City principle).

The proponent intends to comply with the illumination requirements of Chapter 694 including:

- Terminating the sign's illumination when a smog alert is in effect;
- Only illuminating the sign between the hours of 7 a.m. and 11 p.m., unless the commercial tenant is open beyond the hours of 7 a.m. and 11 p.m.;
- Avoiding "up-lighting" the sign to mitigate impacts on birds and the night sky; and
- Reducing the luminosity and brilliance of the sign, in relation to ambient light levels, at dusk and dawn.

Conclusion: It is the Chief Building Official's opinion that it has been established that the proposed sign is not contrary to the public interest.

(8) *Sign class, sign type and sign district permissions*

Sign By-law Unit staff have reviewed the proposal and confirmed that the property is located in the OS-Open Space sign district where first party ground signs are permitted.

Conclusion: It is the Chief Building Official's opinion that it has been established that the proposed sign is of a sign class or a sign type that is permitted in the sign district where the premises is located.

(9) *Express prohibitions as per subsection 694-15B*

Through a review of the proposal, Sign By-law Unit staff have confirmed that the proposed signage is not expressly prohibited by §694-15B of Chapter 694, Signs, General, of the City of Toronto Municipal Code.

Conclusion: It is the Chief Building Official's opinion that it has been established that the proposed sign is not expressly prohibited by § 694-15B.

CONCLUSIONS

In consideration of the variances requested to Chapter 694, Signs, General, to erect and display one (1) first party ground sign on the westerly frontage of the premises at 25 York Street as described, it has not been established that the sign is in compliance with all of the criteria. Therefore, the Chief Building Official recommends that the Sign Variance Committee refuse to grant the requested variance.

CONTACT

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Tel: 416-392-4113; E-mail: rbader@toronto.ca

SIGNATURE

Ted Van Vliet
Manager, Sign By-law Unit

ATTACHMENTS

1. Applicant's Submission Package
2. Excerpt – Sign District Map

APPLICANT'S SUBMISSION PACKAGE



ALL CONCEPTS, ELEVATIONS, RENDERINGS, AND SIGNAGE SHOWN ARE FOR INFORMATIONAL PURPOSES ONLY. THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION OR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF A-TEC SIGNS & GRAPHICS.		# REVISIONS & DATED FOR REVIEW 05-20-2018	DATE 05-20-2018	DRAWN LR	CHECKED ON	CLIENT MENKES Project 25 YORK STREET	JOB NO. 07033	SIGN TYPE N/A	TITLE NORTH WEST CORNER RENDERING (FRONT) DATE 09.08.09 REV. A
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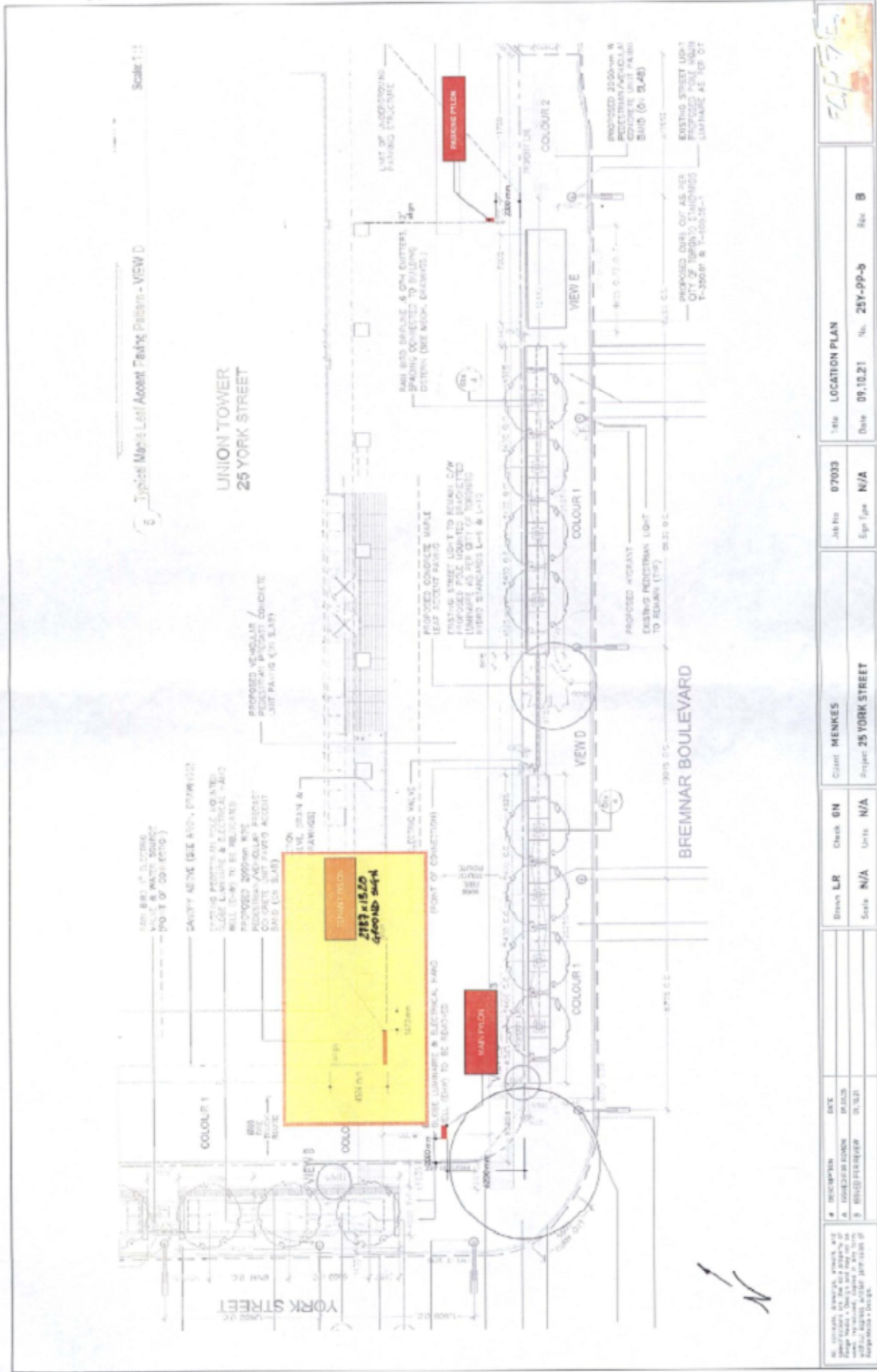
Appeal by A-Tec Signs – 2 First Party Sign Variances – Westerly Frontage of Premises at 25 York Street



2025

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	A	25 YORK STREET	09/08/05									

Appeal by A-Tec Signs – 2 First Party Sign Variances – Westerly Frontage of Premises at 25 York Street



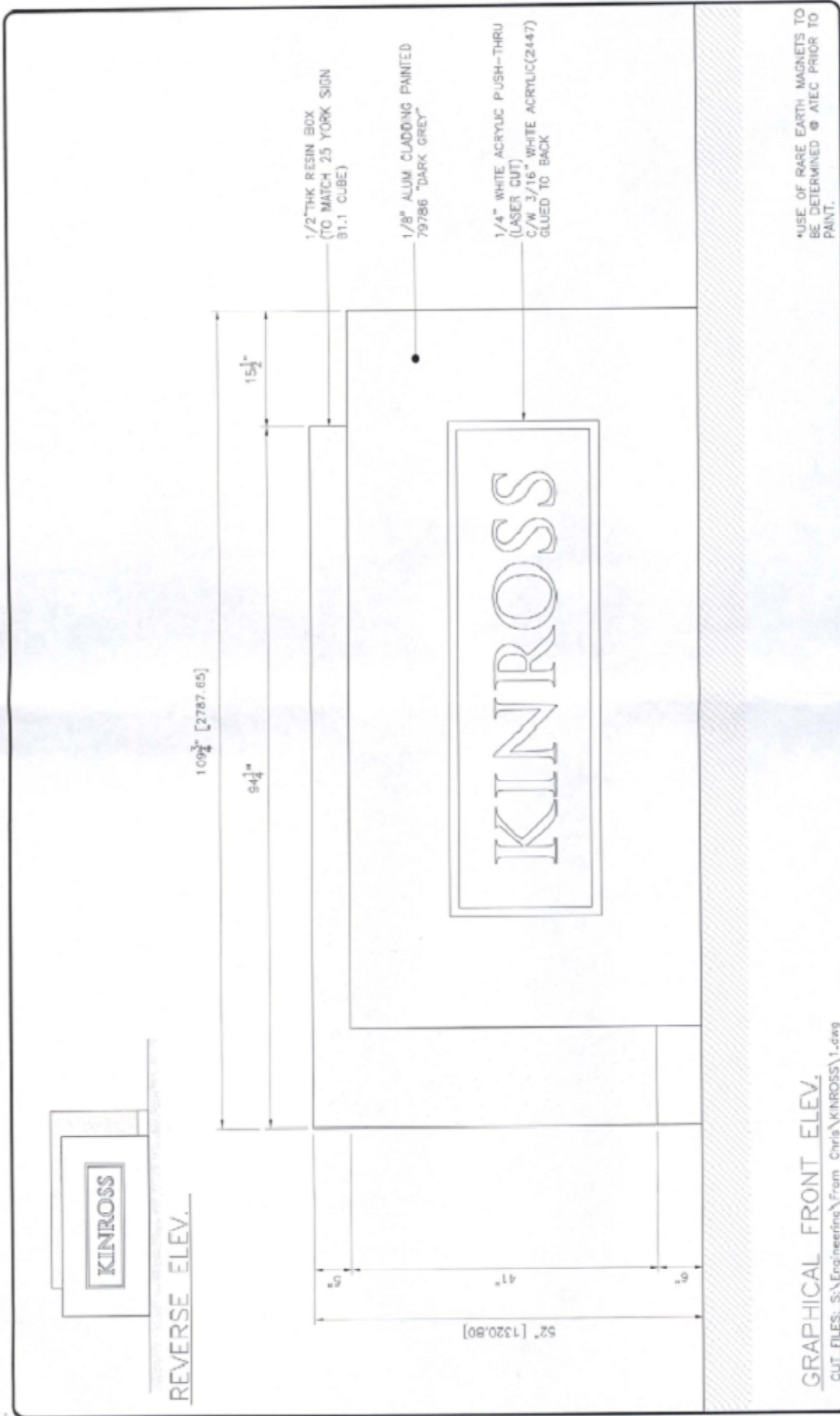
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Typical Metal/Aluminum Parking Pattern - VIEW D

UNION TOWER
25 YORK STREET

BREMENAR BOULEVARD

<p>1. UNIFORM SIGNAGE, FINISH, AND COLOR SHALL BE MAINTAINED THROUGHOUT THE PROJECT.</p> <p>2. SIGNAGE SHALL BE MAINTAINED THROUGHOUT THE PROJECT.</p> <p>3. SIGNAGE SHALL BE MAINTAINED THROUGHOUT THE PROJECT.</p> <p>4. SIGNAGE SHALL BE MAINTAINED THROUGHOUT THE PROJECT.</p> <p>5. SIGNAGE SHALL BE MAINTAINED THROUGHOUT THE PROJECT.</p>	<p>Client: MENKES</p> <p>Project: 25 YORK STREET</p>	<p>Job No: 07003</p> <p>Exp. Type: N/A</p>	<p>Title: LOCATION PLAN</p> <p>Date: 09.10.21</p> <p>No.: 25Y-PP-5</p> <p>Rev: B</p>
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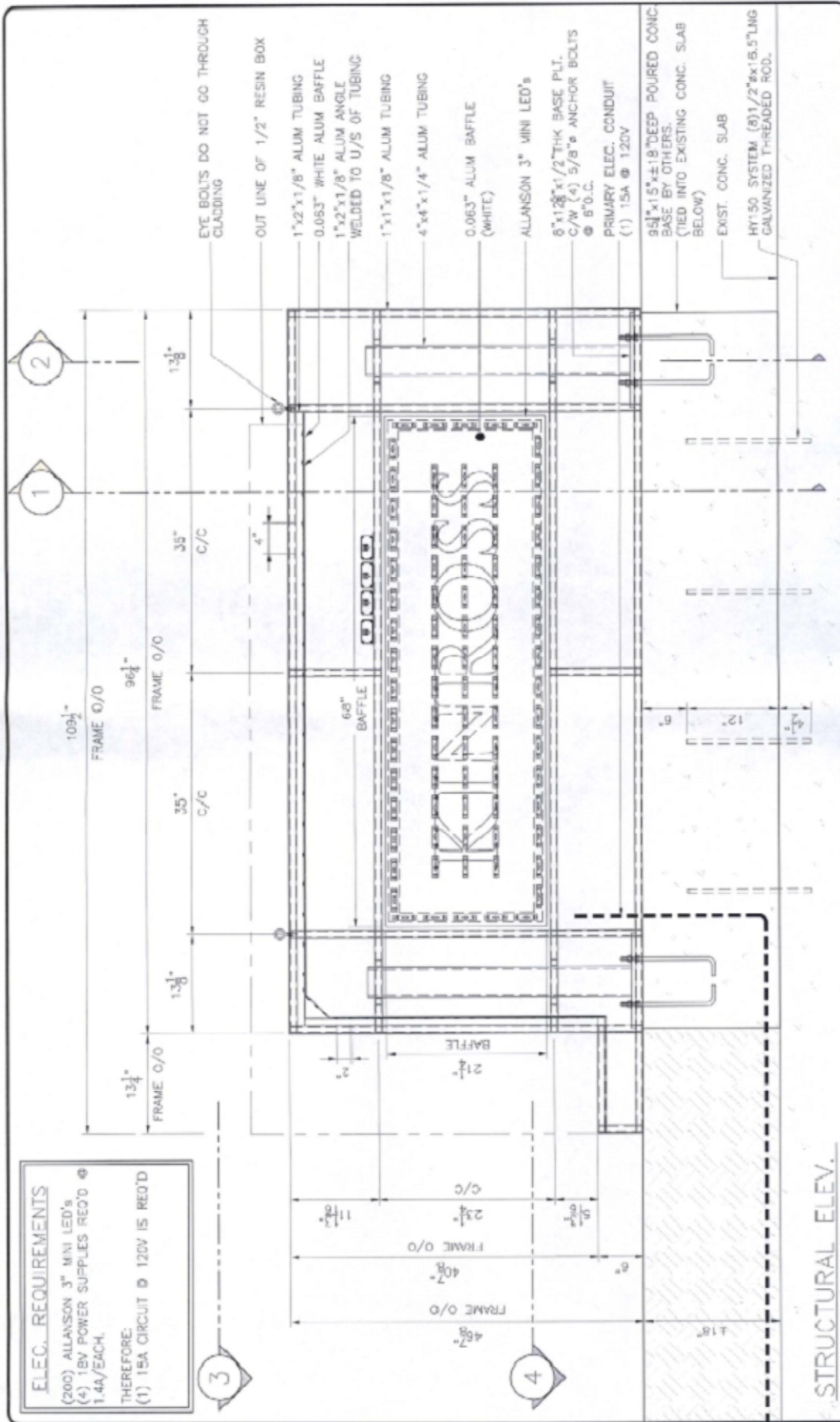
A-tec Signs
 A division of the Jagpen-Hodges Ltd.

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Job Description: KINROSS TENANT PYLON
Customer Approval:

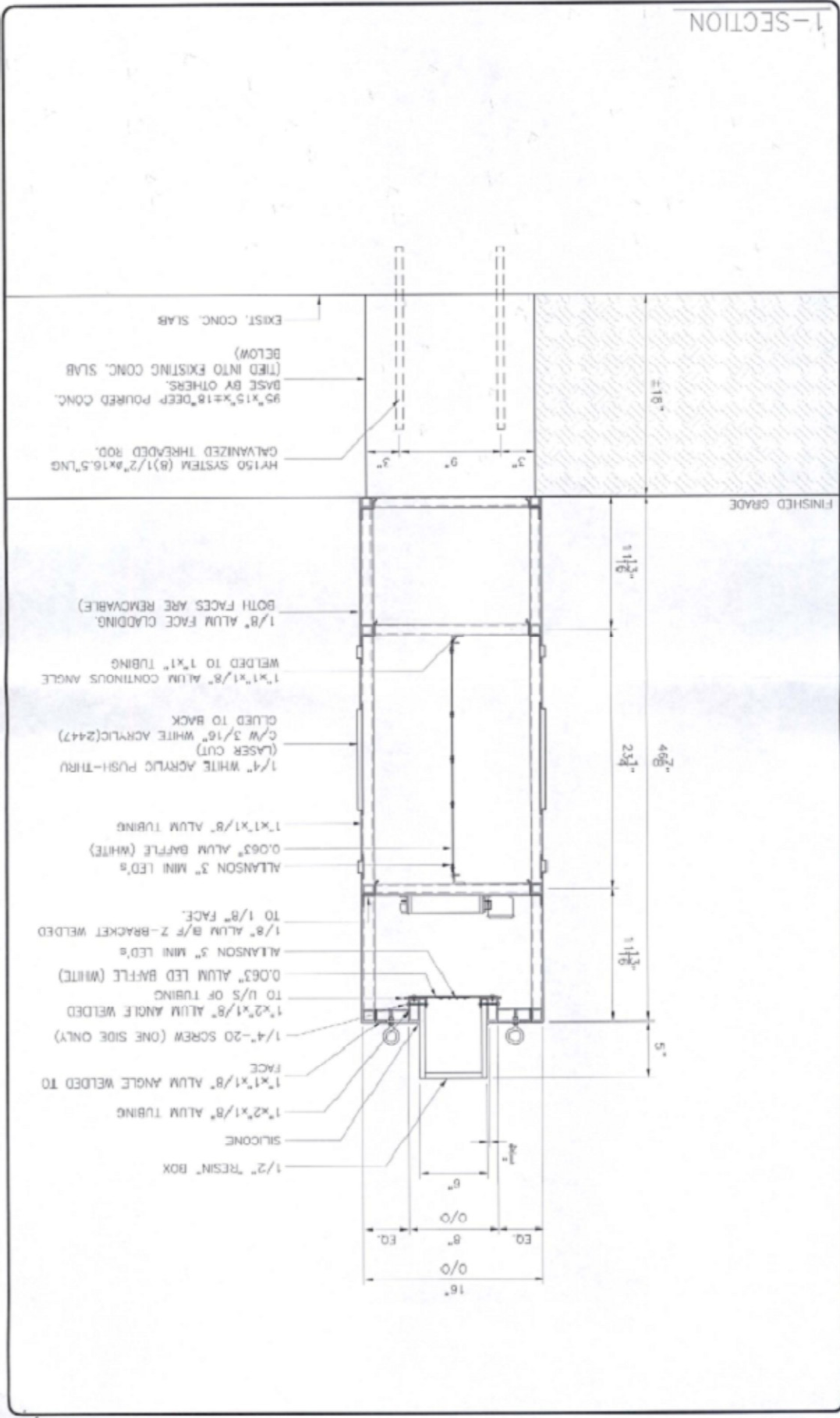
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Scale: 1"=1'-0"
Design: FORGE
Eng: C.ZIANNIS

Date: Rev 3: N/A
 Rev 2: FORGE
 Rev 1: C.ZIANNIS

40 Bramsteele Rd., Brampton, ON, Canada, L6W 3L8, (905) 451-9720, 1-800-4631079, Fax: (905) 451-5132, Email: shurs@atecsigns.ca
w/c: 7071
dwg no: ELEV
sheet: 1 of 6



A-tec Signs
 A Division of TR Systems Holdings Ltd.
 40 Bramsteelle Rd., Brampton, ON, Canada, L6W 3L8, (905) 451-9720, 1-800-4631079, Fax: (905) 451-5132, Email: shurst@atecsigns.ca
 Customer: KINROSS
 Job Description: KINROSS TENANT PYLON
 Date: MARCH 10-10 Sales: N/A
 Scale: 1"=1'-0" Design: FORGE
 Date: C.ZIANNIS
 Rev 1: Rev 2: Rev 3:
 sheet 2 of 8



1-SECTION

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 A Division of the American Holdings Ltd.
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 Job Description: KINROSS TENANT PYLON
 Customer Approval:

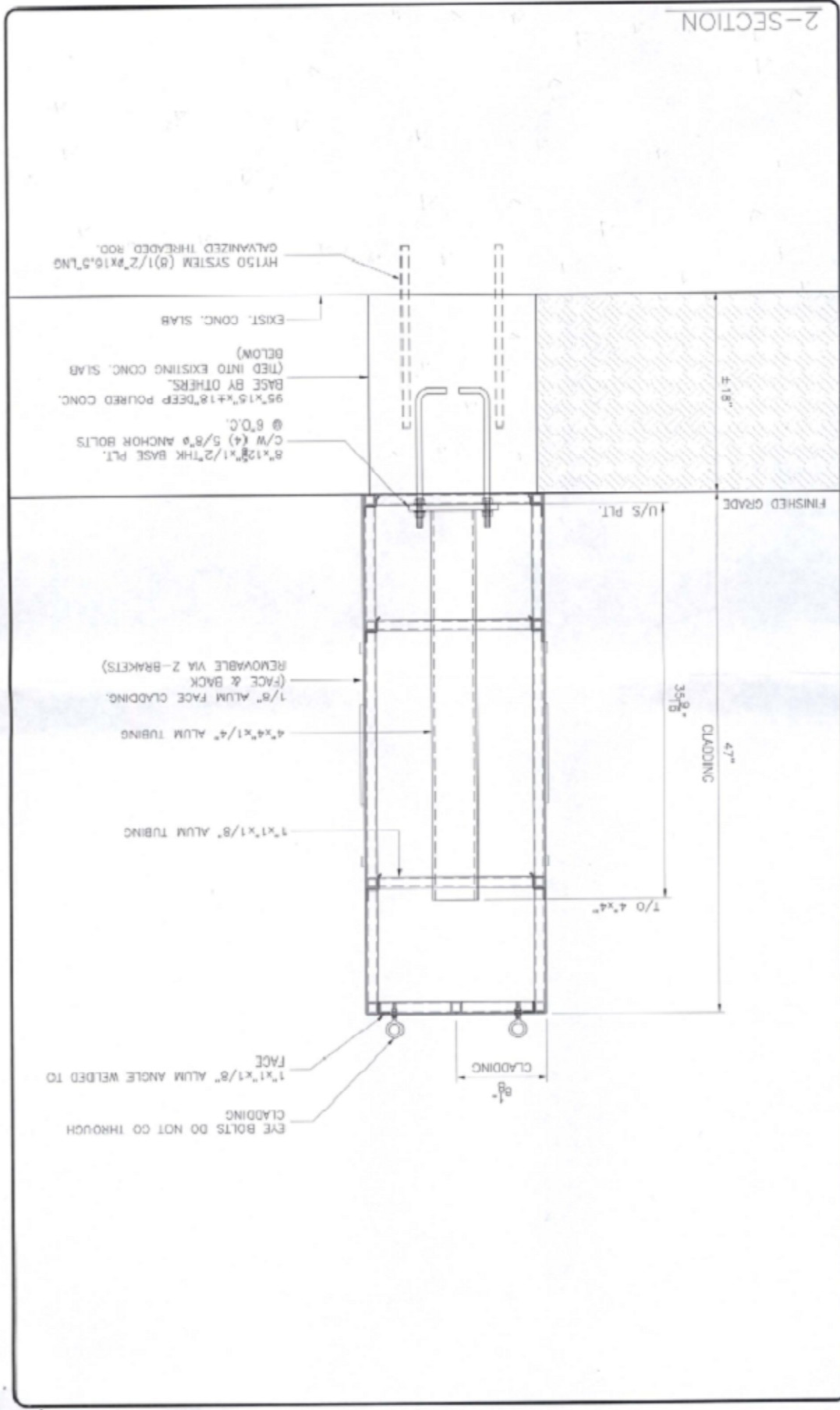
40 Bramsteede Rd., Brampton, ON, Canada, L6W 3L8, (905) 451-9720, 1-800-4631079, Fax: (905) 451-5132, Email: shurst@atecsigns.ca

Date: MARCH 10-10
 Scale: 1-1/2"=1'-0"
 Date:

W/O: 7071
 Dwg no: SEC
 sheet 3 of 5

Rev 3: N/A
 Rev 2: FORGE
 Rev 1: C ZIANNIS





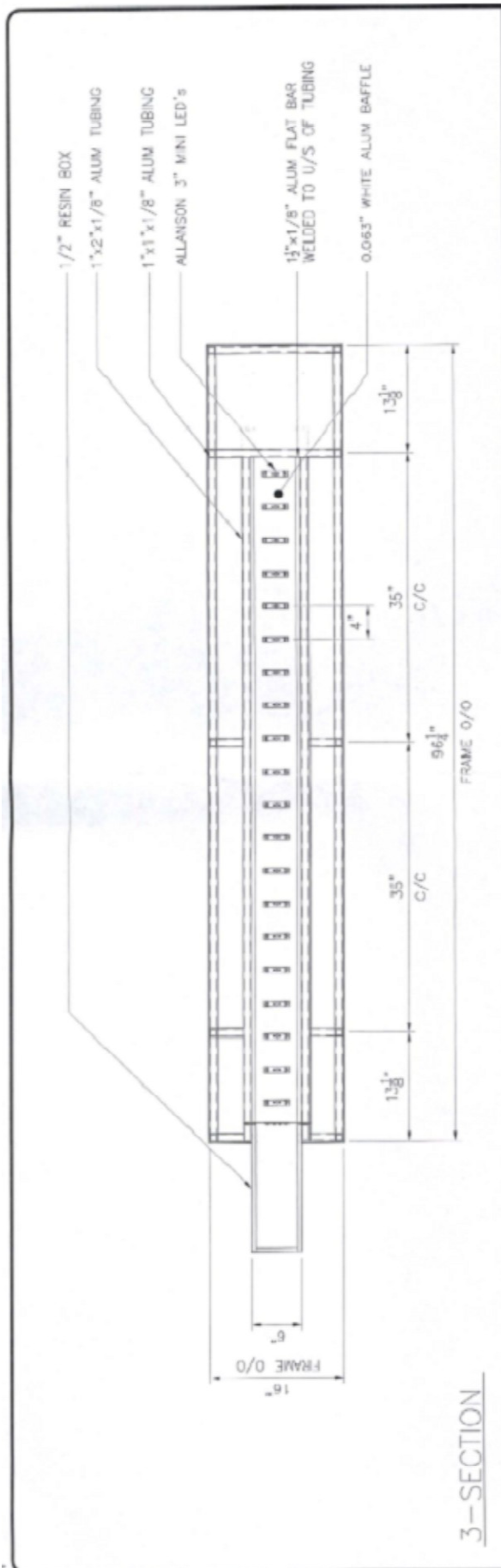
2-SECTION

A-tec Signs
 A Division of E.L. Apperun-Holmgren Ltd.
 40 Bramstele Rd., Brampton, ON, Canada, L6W 3L8, (905) 451-9720, 1-800-463-1079, Fax: (905) 451-5132, Email: shurst@atecsigns.ca
 w/o: 7071
 dwg no: SEC
 sheet 4 of 6

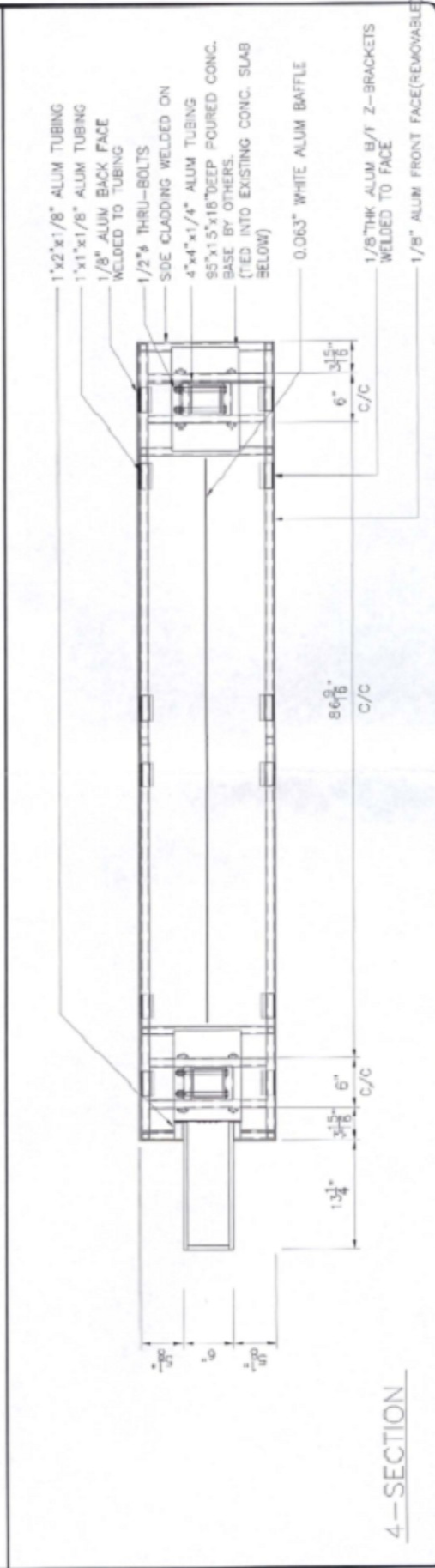
Customer: KINROSS
 Job Description: KINROSS TENANT PYLON
 Customer Approval:

Date: MARCH 10-10 Sales: N/A Rev 3:
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 Date: C.ZIANNIS Rev 1:






3-SECTION



4-SECTION



 A-tec Signs
 A division of The Approach Holdings Ltd.

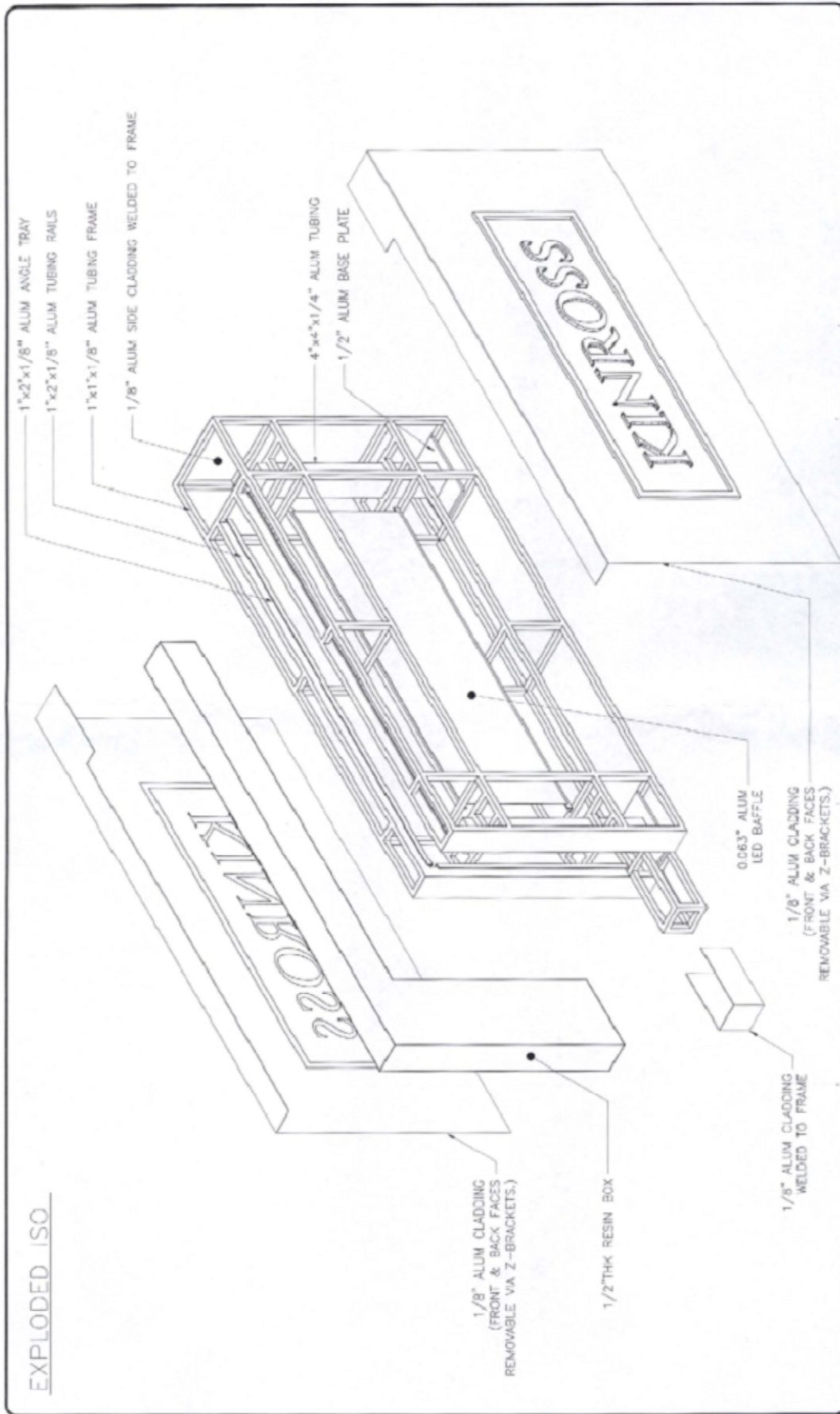
40 Bramsteede Rd., Brampton, ON, Canada, L6W 3L8, (905) 451-9720, 1-800-4631079, Fax: (905) 451-5132, Email: shurst@atecsigns.ca

Customer: KIROSS
 Job Description: KIROSS TENANT PYLON
 Customer Approval:

Date: MARCH 10-10
 Scale: 1"=1'-0"
 Date:

Rev 3: N/A
 Design: FORGE
 Rev 2: Rev 1:
 Rev 4: C ZIANNIS
 Rev 1:

w/c: T071
 dwg no: PLAN SEC
 sheet 5 of 8



A-tec Signs
 A division of the Agipco Holdings Ltd.

Customer: KINROSS
Job Description: KINROSS TENANT PYLON
Customer Approval:

Date: MARCH 10-10
Scale: NTS
Date:

Design: FORGE
Eng: C ZIANNIS

Rev 3:
Rev 2:
Rev 1:

40 Bramstele Rd., Brampton, ON, Canada, L6W 3L8, (905) 451-9720, 1-800-4631079, Fax: (905) 451-5132, Email: shurst@atecsigns.ca

w/a: 7071
diag no: ISO
sheet: 6 of 6



EXCERPT – SIGN DISTRICT MAP



Appeal by A-Tec Signs – 2 First Party Sign Variances – Westerly Frontage of Premises at 25 York Street