



September 27, 2010

delivered

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file # 28301-93

Chairman and Members of the Sign Variance Committee
City of Toronto
Scarborough Civic Centre
150 Borough Drive
Toronto, ON M1P 4N7

Attention: Yvonne Davies, Deputy Secretary

Re: Sign Variance Appeal
25 York Street
File No.: FP-10-00030

CITY CLERK'S OFFICE
SECRETARIAT SECTION
2010 SEP 27 P 1:58

Dear Chairman and Committee Members:

We act as agent for Menkes Property Management Services Ltd. ("Menkes"), the owner of 25 York Street, a 30-storey office tower (the "Subject Lands"). The subject lands are zoned CR - Mixed Use pursuant to Railway Lands East Zoning By-law and designated as Mixed Use under the City of Toronto Official Plan.

On behalf of Menkes, we hereby appeal the decision of the Chief Building Official dated September 7, 2010, refusing to approve a sign variance application for the erection and display of one ground sign located on the Subject Lands for Kinross Gold Corporation, a major commercial tenant at 25 York Street.

The variances sought were to permit a ground sign face area of more than 3.0 square metres and to permit more than one ground sign erected at each frontage.

With regard to the first variance, namely, the maximum allowable size of the ground sign face area:

It is our submission, that the Subject Lands should be more appropriately classified under Schedule "A" to the Sign By-law as C-Commercial District or CR-Commercial Residential District rather than OS-Open Space District, based on the current built form and commercial uses on the Subject Lands. If the Committee agrees with this submission, no size variance is required for the ground sign face area as the C and CR



designation permit a sign face area of up to 20.0 square metres, whereas the current sign face area stated in the sign variance application is 3.67 square metres.

In the alternative, if the Committee does not agree with our submission as to the C or CR Districts being more appropriate for the Subject Lands, and wishes to apply the OS District to the Subject Lands, the current sign face area is 2.9 square metres and not 3.67 square metres as originally applied for. This lesser face area does not include the architectural lighting features, which should not be included in the sign face area size calculation. Accordingly, no variance is required for the sign face area, or, alternatively, the lighting feature is minor in nature.

With regard to the second variance, namely, the frontage (defined as the linear length of property which abuts a street line):

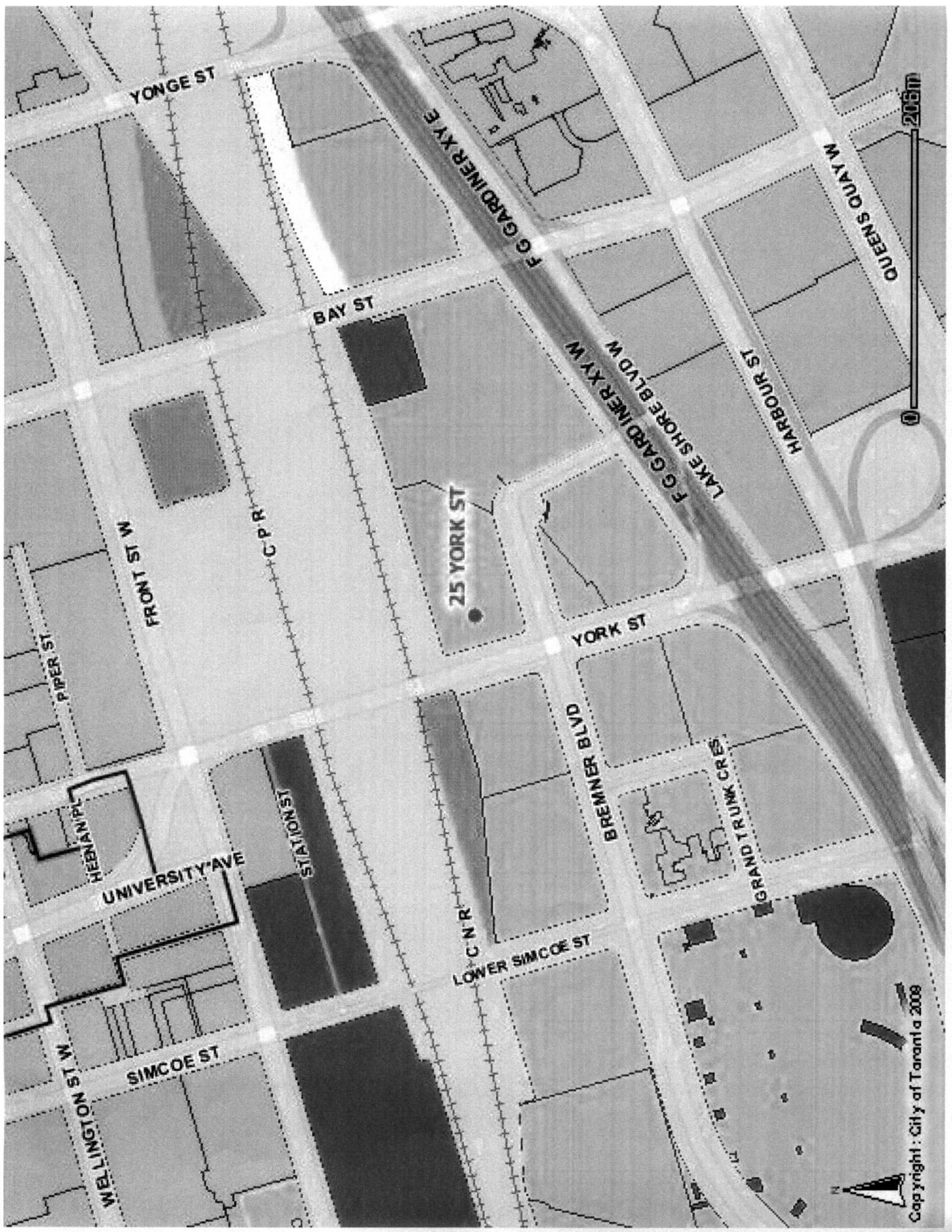
It is our submission that no variance is required as the sign is located on the southerly frontage facing Bremner Boulevard, and not the westerly frontage (York Street). The By-law for the OS, C and CR Districts, prohibit no more than one ground sign for each frontage, other than a ground sign for directional purposes erected at a point of vehicular ingress and egress to a premises. There is a directional ground sign located on the southerly frontage but no other southerly facing ground sign.

In all of the circumstances, and given the signature building on the Subject Lands, the current sign meets the criteria in section 694-30 of the Sign By-law and is warranted.

We respectfully request that your Committee look favourably upon these submissions. We look forward to elaborating on our submissions at the Sign Variance Appeal hearing. We also respectfully request that the Committee provide written reasons for its decision.

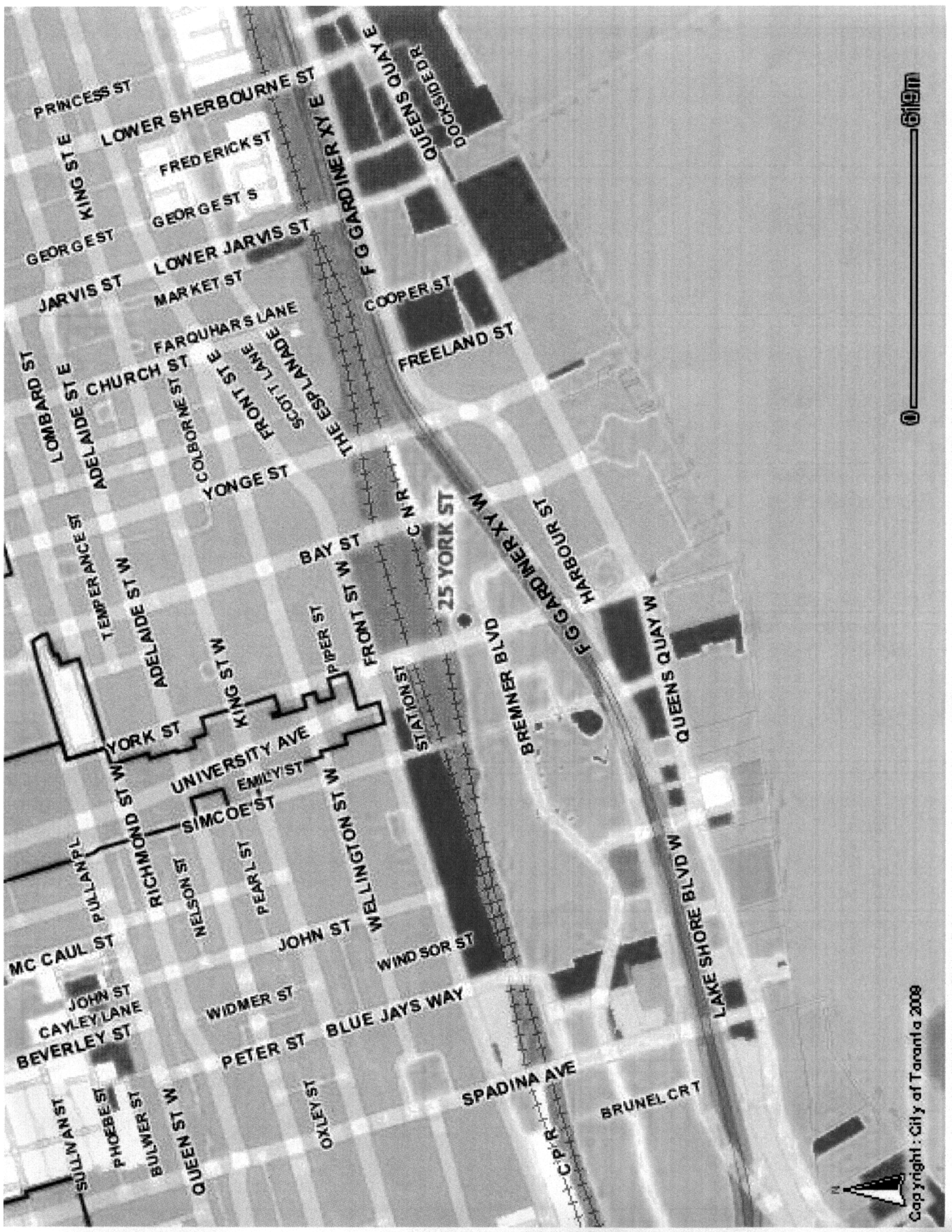
Enclosed is a cheque for \$600 payable to the City Treasurer representing the required fee for the appeal. If you have any further questions or concerns please do not hesitate to contact me.

Yours truly,
Cassels Brock & Blackwell LLP



200M

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PRINCESS ST

LOWER SHERBOURNE ST

FREDERICK ST

KING ST E

GEORGE ST S

GEORGE ST

LOWER JARVIS ST

JARVIS ST

MARKET ST

LOMBARD ST

FARQUHAR'S LANE

COOPER ST

ADELAIDE ST E

CHURCH ST

FRONT ST E

SCOTT LANE

FREELAND ST

COORNE ST

YONGE ST

THE ESPLANADE

25 YORK ST

HARBOUR ST

TEMPERANCE ST

ADELAIDE ST W

BAY ST

FRONT ST W

25 YORK ST

BREMNER BLVD

QUEENS QUAY W

YORK ST

UNIVERSITY AVE

EMILY ST

SIMCOE ST

PULLMAN PL

RICHMOND ST W

NELSON ST

PEARL ST

WELLINGTON ST W

MC CAUL ST

JOHN ST

WINDSOR ST

JOHN ST

CAYLEY LANE

BEVERLEY ST

WIDMER ST

PETER ST

BLUE JAYS WAY

SULLIVAN ST

PHOEBE ST

BUTWYER ST

QUEEN ST W

Oxley St

SPADINA AVE

BRUNEL CRT



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Sign By-law District

- Commercial
- Commercial Residential
- Employment
- Employment Industrial Office
- Institutional
- Open Space
- Utility
- Residential
- Residential Apartment
- Sign By-law Special Area

Sign By-law Special Area

- Area A
- Area B
- Area C
- Chinatown
- Downtown Yonge
- Dundas Square
- Gardiner Gateway - Commercial
- Gardiner Gateway - Employment
- Gardiner Gateway - Industrial (cont)

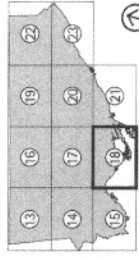
Legend

- Gardiner Gateway - Open Space
- Gardiner Gateway - Residential
- Gardiner Gateway - Utility
- University Avenue

Land Use Designations

- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Parks and Open Space Areas
- Natural Areas
- Parks
- Other Open Space Areas (Including Golf Courses, Cemeteries, Public Utilities)
- Institutional Areas
- Regeneration Areas
- Employment Areas
- Utility Corridors

- Major Streets and Highways
- Local Streets
- Railway Lines
- Hydro Corridors



Key Map

