



STAFF REPORT ACTION REQUIRED

Appeal by 2221 Yonge Holdings Inc. of the Decision of the Chief Building Official for One Variance with Respect to a First Party Sign Proposal for One Wall Sign – 2221 Yonge Street

Date:	August 16, 2013
Ward:	Ward 22 – St. Paul’s
File No.:	FP-13-00074
IBMS File No.:	13-166358

PURPOSE OF THE APPEAL

To obtain one variance to Chapter 694, Signs, General, required to permit the erection and display of one development wall sign on the west-facing building wall, between the second and sixth storeys, of an existing six storey office building located on the premises. The proposed development sign is 30.48 metres wide by 17.22 metres long measuring 524.87 square metres in sign face area and will occupy 100% of the building face between the third and sixth storeys. The sign is being displayed in conjunction with the promotion and marketing of a residential condominium proposed to be located on the premises.

This report recommends that the requested variances from Chapter 694 be **refused** as they do not meet the criteria established in §694-30A.

REQUESTED VARIANCES

Table 1: Summary of Requested Variances

Section	Requirement	Requested Variance
694-20H(3)(b)	A development wall sign is permitted provided that the total sign face area of all wall signs erected above the second storey shall not exceed 100 square metres.	The proposed development wall sign is 524.87 square metres.

RECOMMENDATIONS

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

1. The Sign Variance Committee refuse to grant the variance from the requirement of §694-20H(3)(b) that a development wall sign shall, where erected above the second storey, not exceed an area of 100 square metres, to allow the issuance of a sign permit authorizing the erection and display on the premises known municipally as 2221 Yonge Street, of a development wall sign that is 524.87 square metres.

COMMENTS

In 2011, amendments to Chapter 694 were introduced that provided extended rights for signs associated with the promotion and marketing of new developments. These regulations permitted wall signs associated with new developments to be up to 2.5 times larger than wall signs in Commercial sign districts when displayed at the first or second storey, and allowed for large format (up to 100 square metres) signs to be displayed above the second storey to a maximum of 20% of the area of the wall. Throughout the preparation of these regulations, there was substantial consultation with development industry on the appropriate sizes, number and placement of development signs. The regulations that were adopted by Council in October 2011 were endorsed by the development industry.

With respect to the sign proposed at 2221 Yonge Street, the sign is almost 5 ½ times larger than what is permitted in Chapter 694. Signs of this size are at a scale that is far beyond what was contemplated in establishing regulations for the sizes of wall signs in Chapter 694 as well as what was endorsed by the development industry and City Council.

The Proposed Sign:

The variance is requested to allow for a permit to be issued for the erection and display of one non-illuminated first party development wall sign. The proposed wall sign would be located on the western building wall on the premises municipally known as 2221 Yonge Street and would be erected across the entire building façade from the third to the sixth storey. The proposed non-illuminated first party development wall sign would contain one sign face displaying static copy, with measurements of 30.48 metres horizontally and 17.22 metres vertically.

A summary of the attributes of the proposed sign is contained in Table 2 below.

Table 2 – Summary of Proposed Sign Attributes:

Sign Class:	First Party (Development Sign)
Sign Type:	Wall Sign
Sign Copy Type:	Static Copy Sign Copy Type Permitted? Yes
Illuminated/Non-Illuminated:	Non-Illuminated
Sign Height:	23.60 metres
Sign Face Area:	524.87 square metres
No. of Sign Faces:	1
Sign Dimensions (horizontal x vertical):	30.48 metres x 17.22 metres
Proposed Sign Location:	2221 Yonge Street; third to sixth storey; western wall

Site Context:

The proposed sign is intended to be located on the western wall of the existing six-storey office building located on the premises municipally known as 2221 Yonge Street. The subject premises is designated as a CR-Commercial Residential sign district. The proposed sign faces on to Yonge Street, just south of where it intersects with Eglinton Avenue. All the properties fronting onto both Eglinton Avenue and Yonge Street in this vicinity are designated as a CR-Commercial Residential sign district.

The area around Yonge Street and Eglinton Avenue is defined by intense re-development and re-development pressures; generally incorporating high-rise, mixed-use condominiums with at-grade retail/commercial opportunities and residential units above.

Figure 1: 2221 Yonge Street – Sign District Map Excerpt

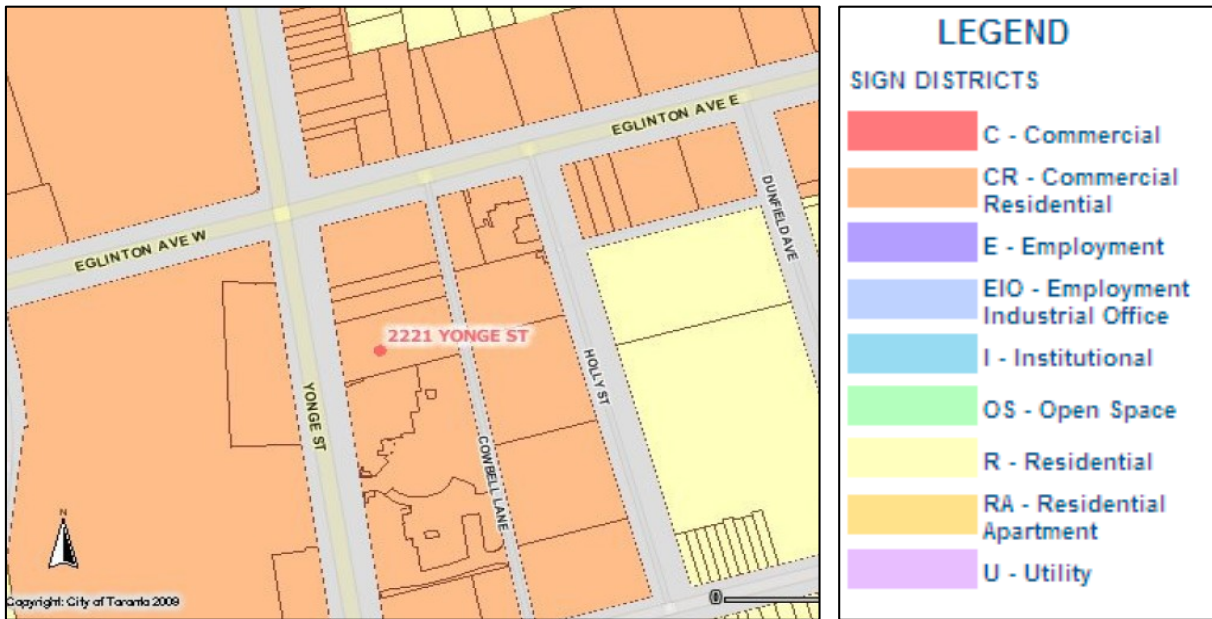


Table 3 – Summary of 2221 Yonge Street and Surrounding Area

Sign District Designation:		CR-Commercial Residential	
Sign District Designations of Surrounding Premises:			
North	East	South	West
CR-Commercial Residential	CR-Commercial Residential	CR-Commercial Residential	CR-Commercial Residential
Land Uses and Attributes of Surrounding Premises:			
North	East	South	West
Offices and retail/commercial with subway transit station	Surface-level commercial parking lot and office building beyond	High-rise, mixed-use residential condominiums with at-grade retail/commercial	High-rise residential condominiums

Criteria Established by §694-30A:

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 meets each of these criteria.

Table 4 – Evaluation of Requested Variance from the Requirement of §694-20H(3)(b)

Relevant Chapter 694 Criteria	Meets Criteria? (yes/no)	Comments
694-30A(1) - Is warranted based on physical circumstances applicable to the property or premises	No	There are no physical circumstances identified or described by the Applicant which would prevent them from erecting and displaying a sign in compliance with the regulations for development signs in Chapter 694. The Applicant argues that "[t]he sign is a critical part of our sales/development program".
694-30A(2) - Is consistent with the architecture of the building or development of the property	No	The proposed wall sign overpowers the building wall on which it is to be displayed. The sign covers all windows, within occupied office space, between the third and sixth storeys of the building. The development wall sign may well be the largest sign in the City.
694-30A(3) - Is consistent with buildings and other features of properties or premises within 120 metres of the location of the proposed sign	No	Although the area in the immediate vicinity is undergoing intense re-development, the majority of the signs within 120 metres are relatively inconspicuous and limited to covering minor portions of the first and second storey. The proposed wall sign is not consistent with the surrounding area in terms of its size and for covering the entire westerly wall of the subject office building, including windows.
694-30A(4) - Will not alter the essential character of the area	No	The proposed sign is almost 5 ½ times larger than what is permitted by Chapter 694. Signs at this size are of a scale that is beyond what was contemplated in the sizes of wall signs in Chapter 694 and previous Sign By-laws for the area. Introducing signs at the scale proposed would alter the essential character of the area.
694-30A(5) - Will not adversely affect adjacent properties	Yes	The subject development wall sign faces on to Yonge Street and cannot be viewed by the occupants of the adjacent buildings to both the north and the south.
694-30A(6) - Will not adversely affect public safety	Yes	The subject development wall sign does not obstruct or interfere with access and egress to and from the site.
694-30A(7) - Is, in the opinion of the decision maker, not contrary to the public interest	No	Both the local Ward Councillor and occupants in the immediate vicinity of the subject development wall sign have communicated their concerns. Concerns expressed include the size and magnitude of the sign and that the sign has been erected and displayed without the benefit of a permit.
694-30A(8) - Is of a sign class or a sign type that is permitted in the sign district where the premises is located	Yes	Staff have confirmed the subject property is located within a CR-Commercial Residential sign district, resultantly, the proposed first party development wall sign is of a sign class and sign type permitted.
694-30A(9) - Is not expressly prohibited by §694-15B	Yes	The proposed first party development ground sign is not prohibited by §694-15B of Chapter 694.

CONCLUSION

In consideration of the materials submitted, it is the Sign By-law Units opinion that it has not been established that the requested variance from §694-20H(3)(b) meets all nine of the criteria for a variance to be granted. As such, it is recommended that the Sign Variance Committee refuse the variance requested from Chapter 694, Signs, General, by the Applicant in connection to the proposed sign.

CONTACT

Robert Bader
Supervisor, Sign By-law Unit
Tel: (416) 392-4113; E-mail: rbader@toronto.ca


SIGNATURE

Ted Van Vliet
Manager, Sign By-law Unit

ATTACHMENTS

1. Applicant's Original Submission Package

ATTACHMENT 1: APPLICANT'S ORIGINAL SUBMISSION PACKAGE



TORONTO Building
Sign By-law Unit

Sign Variance Application

For Enquiries Dial 311
From Outside the City of Toronto (416) 392-CITY (2469)

Request Date
10/05/13

Folder No
13-K6358

Sign Location

Street No. 2221	Street Name YONGE STREET	Lot No. 14, 15, 16	Plan No. 653
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Describe the variance being applied for:
LARGE SIGN FOR 2221 YONGE STREET

If it is an application for a variance for the issuance of a permit required for the modification or restoration of an existing sign, please provide the following:

Existing sign dimension 17.22 X 30.48	Location 2221 YONGE STREET
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Please provide the reasons/justification for the request (Attach any supporting documentation or additional pages as required)

Property Owner Information

Last Name MASTERS	First Name RUSSELL		
Company Name (if applicable) 2221 YONGE HOLDINGS INC.			
Address Code and Telephone No. (416) 361-1399			
Street No. & Name 65 QUEEN STREET WEST	Apt./Unit No. 440		
Address Code and Mobile / Pager No.			
City TORONTO	Province ONTARIO	Postal Code M5H 2M5	Area Code and Fax No.
E-mail address R.MASTERS@TOWERHILL.CA			

Attachments Required

- Sign Variance Data Sheet
- Copies of any supporting documents
- All necessary plans and specifications required to verify the nature of the Sign By-law Variance(s) requested

Applicant's Declaration and Information

Last Name MASTERS	First Name RUSSELL		
Company Name (if applicable) 2221 YONGE HOLDINGS INC.			
Address Code and Telephone No. (416) 361-1399			
Street No. and Name 65 QUEEN STREET WEST	Apt./Unit No. 440		
Address Code and Mobile / Pager No.			
City TORONTO	Province ONTARIO	Postal Code M5H 2M5	Area Code and Fax No.
E-mail address R.MASTERS@TOWERHILL.CA			

do hereby declare the following:

That I am the Property Owner as stated above
 an officer/employee of _____, which is an authorized agent of the owner
 the owner's authorized agent
 an officer/employee of _____, which is the Property Owner's authorized agent

- That statements contained in this application are true and made with full knowledge of all relevant matters and of the circumstances connected with this application.
- That the plans and specifications submitted are prepared for the sign variance(s) described and are submitted in compliance with copyright law.
- That the information included in this application and in the documents filed with this application is correct.
- That statements contained in this application are true and made with full knowledge of all relevant matters and of the circumstances connected with this application.

Rev: *[Signature]*
2221 YONGE HOLDINGS INC.
May 9, 2013

Applicant's Signature *Vice President*
Print Name
Date

The personal information on this form is collected under the authority of ss. 8 and 110 of the City of Toronto Act, 2006, and Chapter 694, Signs, General, of the City of Toronto Municipal Code, and will be used specifically for the purpose of creating and maintaining a record available to the general public concerning signs and permit information, evaluation of applications made under Chapter 694, Signs, General, issuance, denial and revocation of permits under Chapter 694, Signs, General, processing applications for variances from and amendments to Chapter 694, Signs, General, creating aggregate statistical reports, enforcement of City of Toronto Municipal Code Chapter 694, Signs, General, Chapter 717, Taxation, Third Party Sign Tax, and any other applicable sign-by-law of the City of Toronto, and contacting permit holder(s) or authorized agent(s). Questions about this collection may be referred to the Manager, Sign By-law Unit, at Toronto, Building, City Hall, 100 Queen St W, 12th Floor, East Tower, Toronto, ON, M5H 2N2, Telephone: 416-392-8000

December 24, 2010



Sign Variance Data Sheet

For Enquiries Dial 311
From Outside the City of Toronto (416) 392-CITY (2489)

Request Date	Folder No
10/05/13	13-166358

This data sheet forms part of an application for a Variance From Chapter 694 of the Toronto Municipal Code, Signs

Sign Location

Street No 2221	Street Name YONGE STREET	Lot No 14, 15, 16	Plan No 653
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Site and Building Data

Lot Area: 2,012.86	Lot Frontage: 33.30	Lot Depth: 60.45
Number of Buildings on the lot: 1	Date of Construction of Building(s) if known:	
Building Height(s): 32.00	Number of Storeys: 6	Building(s) Gross Floor Area: 66,080.00
Building Use(s): COMMERCIAL RENTAL SPACE		

Site Context

Please describe the land uses, buildings and sign districts surrounding the proposal (use additional pages if necessary)

North	OFFICE
South	CONDO
East	CONDO
West	YONGE STREET

Proposal

Please describe in detail what is being proposed (use additional pages if necessary):
THE SIGN IS APART OF OUR REDEVELOPMENT PROCESS.

Rationale

Decisions for all Sign Variance Applications are evaluated against criteria listed in Toronto Municipal Code Chapter 694-30 A. The criteria are that the variance:

- is warranted based on physical circumstances applicable to the property or premises;
- is consistent with the architecture of the building or development of the property;
- is consistent with buildings and other features of properties or premises within 120 metres of the location of the proposed sign;
- will not alter the essential character of the area;
- will not adversely affect adjacent properties;
- will not adversely affect public safety;
- is, in the opinion of the decision maker, not contrary to the public interest;
- is of a sign class or a sign type that is permitted in the sign district where the premises is located, and,
- is not expressly prohibited by Subsection 694-15B.

Please describe in detail how the proposal satisfies each of the criteria listed above (use additional pages if necessary):

Please see attached

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Rationale

- Is warranted based on physical circumstances applicable to the property or premises – The sign is warranted as the sign is a temporary advertisement for the redevelopment of the property. A formal development application was submitted to the City of Toronto on December 20, 2012. The sign is a critical part of our sales/development program.
- Is consistent with the architecture of the building or development of the property – The sign does not hinder other properties as it is proportionate to the building. The view of the tenants of the building is not obstructed due to the mesh material of the sign. Proper notice was given to the tenants before installation of the sign and no complaints were received. The sign does not cover original building signage already in place pre banner i.e. Hannah's Kitchen.
- Is consistent with buildings and other features of properties or premises within 120 metres of the location of the proposed sign – The sign is consistent with buildings at the Yonge/Eglinton intersection i.e. Silvercity, Yonge/Eglinton Centre.
- Will not alter the essential character of the area – The sign is not offense, foul-smelling or distracting to motorist. As previously mentioned, signs of a similar size and nature are posted on many buildings in the Yonge and Eglinton area.
- Will not affect adjacent properties – Due to the careful planning and composition of the sign, it will not affect adjacent properties. As mentioned previously, the size of the sign is proportionate to the building.
- Will not affect public safety – The sign has been constructed and secured within safety regulations and by a reputable company. We also obtained a Certificate of Liability Insurance for the manufacturing and installation of the sign. Police officers were hired on the day of installation to ensure public safety of motorist and pedestrians.
- Is, in the opinion of the decision maker, not contrary to the public interest - The purpose of the sign is to advertise and gain an interest in our future development.
- Is of a sign class or a sign type that is permitted in the sign district where the premises is located – The sign is a wall sign so is therefore permitted.
- Is not expressly prohibited by Subsection 694-15B – The sign does not fall under the following categories:
 - (1) A sign erected on a tree or a fence;
 - (2) A roof sign;
 - (3) A sign erected on a parked vehicle or trailer where the primary purpose of the vehicle or trailer is the display of the sign;
 - (4) A sign erected on a vehicular, railway or pedestrian bridge; TORONTO
 - (5) A sign which obstructs or interferes in any way with the use of any fire escape, fire exit, door, flue, air intake, exhaust, or required parking space or

- window, but shall not include a window sign permitted by this chapter;
- (6) A sign which interferes with any electrical or telephone wires or associated supports;
 - (7) A sign emitting sound or odour;
 - (8) A sign discharging any gas, liquid, or solid;
 - (9) A sign containing interactive copy; and
 - (10) A sign located within a visibility zone.

The reason we are asking for a variance for this application is due to the size of the banner.

2221 Yonge Street Banner
Monday April 15th 2013

Please see attached drawing of the cross-section showing the depth of the sign and structural capability of the building to which the sign is attached.

The sign weight is 300 pounds.

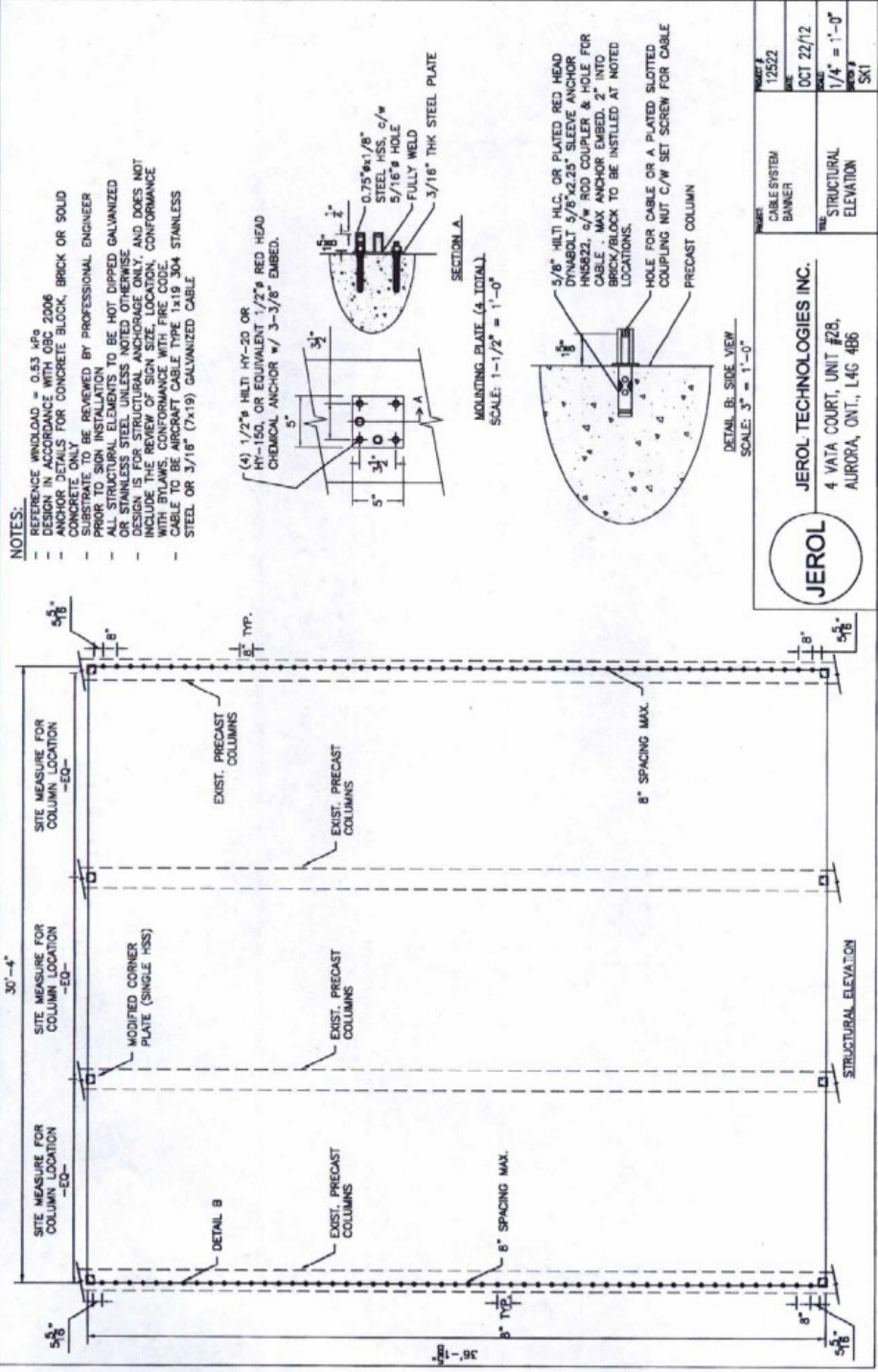
The clearance from grade to the bottom of the sign is 20ft.

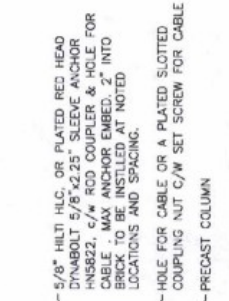
Attached please find pictures of before and after the installation of the banner, indicating the location of the windows, doors and other openings of the building.

The elevations including storey levels and their heights are 90 ft height x 115 feet width.

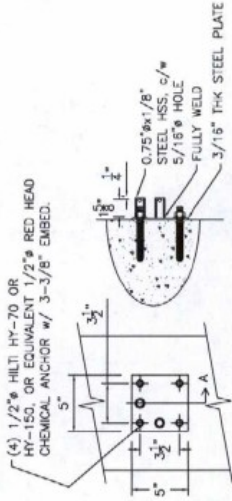
There are 4 LED flood lights on the two corners of the sign.

Fully dimensioned drawings showing the sign proposal and location on the building are included. Please refer to the before and after pictures of the installation of the banner.





DETAIL B: SIDE VIEW
SCALE: 3" = 1'-0"



SECTION A
CORNER MOUNTING PLATE (4 TOTAL)
SCALE: 1-1/2" = 1'-0"

- NOTES:**
- REFERENCE WINDLOAD = 0.53 kPa
 - DESIGN IN ACCORDANCE WITH OBC 2006
 - ANCHOR DETAILS FOR CONCRETE BLOCK, BRICK OR SOLID CONCRETE
 - SUBSTRATE TO BE REVIEWED BY PROFESSIONAL ENGINEER PRIOR TO SIGN INSTALLATION
 - ALL STRUCTURAL ELEMENTS TO BE HOT DIPPED GALVANIZED OR STAINLESS STEEL UNLESS NOTED OTHERWISE
 - DESIGN IS FOR STRUCTURAL ANCHORAGE ONLY, AND DOES NOT INCLUDE THE REVIEW OF SIGN SIZE, LOCATION, CONFORMANCE WITH CANADA'S CONFORMANCE WITH THE CODE
 - CABLES, CONNECTIONS AND CABLE TIE-INS TO BE 304 STAINLESS STEEL OR 3/16" (7x19) GALVANIZED CABLE
 - BANNER FABRIC AND CONNECTIONS BETWEEN FABRIC AND CABLE SYSTEM NOT REVIEWED.
 - CABLE SYSTEM REQUIRES LOADS FROM BANNER TO BE EVENLY DISTRIBUTED BETWEEN ANCHOR POINTS.



 JEROL TECHNOLOGIES INC. 95 ALLAURA BLVD, AURORA, ONT., L4G 3N2 905-726-3817	PROJECT # 13272
	2221 YONGE STREET, 56'-3 1/2" x 55'6" Building Banner, Toronto
THE STRUCTURAL ELEVATION	DATE MAY 2/13
	STATUS NOTED
	SHEET # SK-52 of 2

