

**ATTACHMENT 1: Staff Report – Appeal by Oberon Development Corporation of the Chief Building Official's Decision to Refuse Two Variances With Respect to One Proposed First Party Wall Sign at 615-617 Yonge Street**



## STAFF REPORT ACTION REQUIRED

### Appeal by Oberon Development Corporation of the Chief Building Official's Decision to Refuse Two Variances with respect to One Proposed First Party Wall Sign at 615-617 Yonge Street

<b>Date:</b>	November 14, 2014
<b>Ward:</b>	Toronto Centre- Rosedale (27)
<b>File No.:</b>	FP-14-00094
<b>IBMS File No.:</b>	14-194717

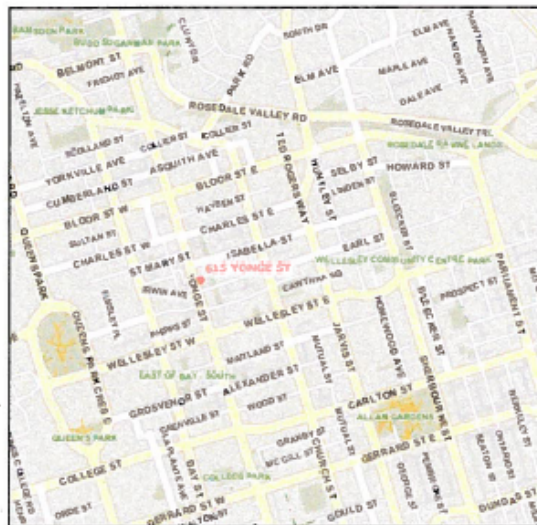
#### SUMMARY

This report reviews and makes recommendations on an appeal by Oberon Development Corporation (the "Appellant") of the Chief Building Official's ("CBO") decision to refuse to grant two variances to Chapter 694, required to allow the erection and display of one non-illuminated wall sign (the "Proposed Sign") displaying static copy on portions of the northerly facing wall at the third, fourth, fifth and sixth storeys of the premises municipally known as 615-617 Yonge Street. The Proposed Sign is to measure 5.8 metres horizontally by 12.2 metres vertically at a height of 20.6 metres.

The subject premise is located in CR – Commercial Residential sign district which does permit a wall sign provided the sign is not erected above the second storey.

This report recommends refusal of the variances required to permit the erection of the Proposed Sign, on the basis that the sign is not compatible with the development of the premises and surrounding area; does not support Official Plan objectives; does alter the

Figure 1: Map - 615 Yonge Street



character of the premise and surrounding area; will adversely affect adjacent premises; and, is contrary to the public interest.

## RECOMMENDATIONS

The Chief Building Official and Executive Director, Toronto Building, recommends that:

1. The Sign Variance Committee refuse to grant the two variances requested to §§ 694-2D(5)(a) & 694-20A required to allow the issuance of a permit for the erection and display of one first party wall sign described in Attachment 1 to this report.

## REQUIRED VARIANCES

As provided for in the summary above and in the table below, two variances are required from the regulations of Chapter 694 to permit the erection and display of the Proposed Sign.

Table 1: Summary of Requested Variances

Section	Requirement
694-21D(5)(a)	A sign shall not be erected above the second storey.
694-20A	First party signs may advertise, promote, or direct attention to goods available at the premises where the sign is located provided the portion of the sign copy which advertises, promotes, or directs attention to goods available at the premises does not exceed 30 percent of the total area of the sign copy.

## COMMENTS

### SIGN ATTRIBUTES

The Proposed Sign is to be located on portions of the northerly facing wall at the third, fourth, fifth and sixth storey. The Proposed Sign is to be illuminated and is to have one sign face, displaying static copy, measuring 5.8 metres horizontally by 12.2 metres vertically, at an overall height of 20.6 metres.

Given the size and orientation of the Proposed Sign, the sign will 'loom' over both pedestrian and vehicular traffic travelling on Yonge Street as well as the adjacent property to the north. The Proposed Sign does not provide useful information as to the business itself, but is to be wholly dedicated to advertising, promoting and directing attention to goods available at the premises.

Figure 2: Proposed Sign



**Table 1: Summary of Proposed Wall Sign Attributes**

Sign Attributes	Proposed	Permitted (CR sign district)
Sign Type	Wall Sign	yes
Sign Copy Type	Static	yes
Number of Sign Faces	1	yes
Sign Face Dimensions	A rectangle measuring 5.8 m horizontally by 12.2 m vertically	no
Sign Face Area	70.76 m <sup>2</sup>	no
Height	20.6 m	no
Location	Erected on the north facing wall, 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> and 6 <sup>th</sup> storey	1 <sup>st</sup> and 2 <sup>nd</sup> storey

**SITE CONTEXT AND SIGN DISTRICT DESIGNATION**

The subject premise is located in Ward 27, Toronto Centre-Rosedale and is situated on the east side of Yonge Street, between Isabella Street and Gloucester Street. The subject premise is designated as a CR-Commercial Residential sign district, as are properties immediately to the north, south and west that front on to Yonge Street. To the east, properties are designated as an OS-Open Space sign district, with properties further east being designated as R-Residential sign district.

Yonge Street is a major arterial thoroughfare in Toronto and is home to a variety of building typologies, many of which have significant heritage value. Many of the existing buildings on Yonge Street, between Wellesley Street and Charles Street are characterized by a predominantly low-rise main street building with narrow retail frontages, with a prevailing street wall height of 2 to 6 storeys, referencing the street's long standing historic character. There is a notable absence of large-scale "advertising" signs, and first party signs in the area are limited to identify the various commercial occupants. Given the historic nature of this portion of Yonge Street, the majority of existing businesses appear to contain as-of-right signage that respect the character of the area's built form.

The building on the premises, commonly referred to as the Robert Bustard Building, was constructed in 1915 and is consistent with the built form along the east side of Yonge Street between Wellesley Street and Charles Street. The north side of the building transitions in height from six storeys to two storeys, resulting in a north facing wall that is visible to pedestrians and vehicular traffic travelling south on Yonge Street.

**Table 3: Summary of Area Surrounding 615-617 Yonge Street**

Land Uses and Attributes of Surrounding Properties:			
North	East	South	West
Mixed use with retail at grade	Parking lot, park area	Mixed use with retail at grade	Mixed use with retail at grade
<b>Sign District Designation of Property:</b>		CR-Commercial Residential	

Sign District Designations of Surrounding Properties:			
North	East	South	West
CR-Commercial Residential	OS-Open Space	CR-Commercial Residential	CR-Commercial Residential

## CRITERIA ESTABLISHED BY §694-30A OF CHAPTER 694

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 all nine of these criteria. The following provides a summary of the variance criteria, as it relates to the Proposed Sign.

### Administrative Criteria

The Administrative Criteria are listed at §694-30A (1), (2), and (7) of Chapter 694. They are criteria that are evaluated largely by looking at the sign class and sign type, as defined, as well as determining if the proposed sign is a sign that is otherwise prohibited.

As provided in Table 4 below, the proposed ground sign meets all three of the administrative criteria for a variance to be granted. The proposed sign is located within an E-Employment sign district, which permits first party signs, is not a third party sign, and is also not prohibited by §694-15B.

**Table 4: Summary of Administrative Criteria**

Section	Criteria Description	Meets Criteria? (yes/no)	Rationale
694-30A(1)	Belongs to a sign class permitted in the sign district	Yes	The proposed sign is a first party sign, which is permitted in a CR-Commercial Residential sign district.
694-30A(2)	In the case of a third party sign, must be of a sign type permitted in the sign district	Yes	The proposed sign is a first party sign.
694-30A(7)	Not be a sign prohibited by §694-15B	Yes	The proposed sign is not prohibited by Chapter 694.

### Design Criteria

The Design Criteria are listed at §694-30A (3), (4), and (8). These criteria are focused on the compatibility of the proposed sign with the current and future development of the subject premises and surrounding area. In reviewing an application against these criteria, staff consider, amongst other things, surrounding developments (existing or proposed), signs, and relevant city policies.

As provided in Table 5 below, the Proposed Sign does not meet all three of the design criteria for a variance to be granted. The Proposed Sign is not compatible with the development of the premise and the surrounding area, is contrary to Official Plan objectives, and would alter the character of development on the premise and surrounding area.

**694-30A(3) Is the proposal compatible with the development of the premises and surrounding area**

The portion of Yonge Street between Gloucester Street to the south and Isabella Street to the north has retained a significant number of its historic buildings. This contributes to the areas unique heritage character that is defined largely by the variety and vitality of the mix of uses, and the low to mid-rise 19<sup>th</sup> and 20<sup>th</sup> Century built-form.

The subject building at 615-617 Yonge Street has been recognized for its cultural heritage value, and was listed on the City of Toronto Inventory of Heritage Properties in May 2013. Listed is a term used for properties for which City Council has adopted a recommendation to be included on the Heritage Inventory. These recommendations are based on criteria that relate to architecture, history and neighbourhood context. The inclusion on the Inventory is a clear statement that the City would like to see the heritage attributes of these properties preserved.

In a 2013 staff report, Heritage Preservation Services noted that the building at 615-617 Yonge Street is a "representative example of a commercial building that was designed with features of...the World War I era". Contextually, the Heritage Preservation staff noted that the building is historically and visually related to the enclave of heritage structures anchoring the northeast intersection of Yonge and Gloucester on Toronto's "Main Street". The building has a number heritage attributes, as identified by Heritage Preservation Services, including the scale, form and massing of the structure, the materials used in construction, and the various brick and stone details on the façade of the building.

It should also be noted that the area encompassing the 615-617 Yonge Street, is currently the subject of the Historic Yonge Street Heritage Conservation District ('HCD') Study. HCDs are considered to be historically or culturally significant areas, requiring special care and attention in the planning process to ensure they are conserved. The HCD Yonge Street Study was authorized by City Council in August of 2013 and generally includes the east and west sides of Yonge Street, between Davenport Road to the north, and Carlton Street to the south.

Wall signs are most commonly located on the ground floor of a building, the usual location of the main commercial occupancy and use of a building. This corresponds to the side of the building that is most visible to the public and those passing by on the street. Where a wall sign is permitted above the ground floor, Chapter 694 generally restricts the maximum area of such additional wall signs and the location on the upper floors where the sign can be erected. In a CR-Commercial Residential sign district, Chapter 694 prohibits wall signs from being erected above the second storey, limits the sign face area of a wall sign erected at the first storey to not more than 20% of the area of the wall of the first storey where the sign is erected, and to not more than 10% of the area of the wall at the second storey where the sign is erected.

Other first party wall signs in the immediate area appear to be consistent with the provisions of Chapter 694. Generally, signs on adjacent properties are used to identify the business on the premise, and in most instances have been erected at either the first or second storey of a wall facing a street.

The Proposed Sign is more akin to a third party sign as it is to be erected on a portion of the northerly facing wall that is not directly connected to the business on the premises and is to advertise and promote goods and services rather than identify the business available on the premises. With a sign face area of 70.76 square metres, the Proposed Sign is significantly larger than other first party signs in the area.

The existing business contains two first party identification signs, including a wall sign erected at the first storey, and a projecting sign on the second storey, both of which are erected on a wall facing the street, as well as a number of window signs advertising services available at the premise. These signs are generally consistent with signage on adjacent properties.

Given the cultural and historical significance of the building at 615-617 Yonge Street as well as the surrounding area, it is the opinion of staff that the sign is not compatible with the development on the premises and the other historically significant buildings on adjacent properties.

**694-30A(4) Does the proposal support the Official Plan objectives for the property and surrounding area**

The subject premise is designated as a *Mixed Use Area* in Toronto's Official Plan. *Mixed Use Area's* are made up of a broad range of commercial, residential, and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. It is the opinion of staff that the Proposed Sign is not contrary to the Official Plan policies as related to *Mixed Use Areas*.

A key objective of the Official Plan is the conservation and protection of Toronto's remaining heritage resources. This is accomplished in part by providing specific policies for heritage listed properties, listing properties of architectural and/or historic interest on the City's Inventory of Heritage Properties, and designating them and entering into conservation agreements with owners of designated heritage properties.

The Official Plan also notes that heritage resources will be conserved by designating areas with a concentration of heritage resources as Heritage Conservation Districts, and adopting conservation and design guidelines to maintain and improve their character.

On November 15, 2013, Council adopted By-law 1507-2013, Amendment No. 183 to the Official Plan, respecting the North Downtown Yonge Site and Area Specific Policy Area, which is generally situated between the north side of College/Carlton Streets, the south side of Charles Street, the west side of Bay Street and the east side of Church Street.

The goal of the area specific policy is to guide and shape development/redevelopment and private and public investment within the area, including reinforcing the importance and value of protecting and enhancing the heritage context within which this area is situated.

Specifically, Section 2.4 notes that a policy objective for the area is to "conserve and maintain the integrity of the cultural heritage values, attributes, character and three-dimensional form of heritage properties and the strong heritage fabric throughout this area and with particular reference to the Yonge Street, St. Nicholas, Dundonald/Gloucester and Church Street Village Character Areas".

Section 2.7 also provides protection of the areas resources, by "respect[ing] and complement[ing] the scale, character, form and setting of heritage properties along the street, including the historic streetwall of Yonge Street".

The subject building at 615-617 Yonge Street has been listed on the City's Inventory of Heritage Properties, and is also included in the boundaries of the Historic Yonge Street Heritage Conservation District ('HCD') Study. The property is also situated within the North Downtown Yonge Site and Area Specific Policy Area, which provides for the protection of the areas heritage resources. As such, it is the opinion of staff that the proposed sign does not support the Official Plan general objectives as pertains to heritage listed properties, and the intent of the Official Plan to preserve and protect the City's heritage resources.

**694-30A(8) Does the proposal alter the character of the premises or surrounding area**

This portion of Yonge Street is both a neighbourhood main street (serving a large number of residences and offices within walking distance) and a city-wide destination (attracting visitors from the entire GTA and beyond). It is defined by a variety of mixed-use buildings with a large number of historic buildings of significance dating back to the 19<sup>th</sup> Century and early parts of the 20<sup>th</sup> Century.

This unique built form contributes to the strong character of this part of Yonge Street, stitching together 'sets' of lower-rise mixed-use Victorian period buildings, many of which are listed in the City's Heritage Inventory, or designated under Part IV of the Ontario Heritage Act. The majority of the buildings provide a mixed-use function with commercial at grade and residential and office above, most of which have preserved the character of the upper storeys. It is the opinion of staff that the Proposed Sign is not consistent with and would alter the character of the building at 615-617 Yonge Street, and would impact other historically significant buildings on adjacent and nearby properties.

Given the nature of the built form along this portion of Yonge Street, first party signage in the area is generally limited to business identification signs at the first and second storey wall where the business is located. The Proposed Sign is significantly larger than other wall signs on adjacent properties, and given that it is to be erected on a wall that is not directly connected to the business on the premise, is more akin to a third party advertising sign. As such it is the opinion of staff that the Proposed Sign would alter the character of signage on the premises, and would significantly deviate from the permissions of Chapter 694 respecting wall signs, as well as existing signage on adjacent buildings.



**Table 5 – Summary of Design Criteria**

Section	Criteria Description	Meets Criteria? (yes/no)	Rationale
694-30A(3)	Compatible with the development on the premises and surrounding area	No	<p>The subject building has been recognized for its cultural heritage value, and was listed on the City of Toronto Inventory of Heritage Properties in May 2013.</p> <p>The area encompassing 615-617 Yonge Street is currently the subject of the Historic Yonge Street Heritage Conservation District ('HCD') Study.</p> <p>Staff conducted a review of other first party signs in the area, which demonstrated that the majority of existing wall signs are erected at either first or second storey of a wall facing a street.</p>
694-30A(4)	Supports the Official Plan objectives for the property and surrounding area	No	<p>The subject premise is designated as a 'Mixed Use Area' in Toronto's Official Plan.</p> <p>The Official Plan provides direction regarding the conservation and protection of Toronto's remaining irreplaceable heritage resources, including heritage listed buildings.</p> <p>It is the opinion of staff that the Proposed Sign does not support the intent of the Official Plan to preserve and protect the City's heritage resources.</p>
694-30A(8)	Does not alter the character of the premises or surrounding area	No	<p>Other first party signs in the area are generally limited to business identification signs erected at the first and second storey on a wall facing a street.</p> <p>The Proposed Sign is significantly larger than other wall signs on adjacent properties, and, is more akin to a third party advertising sign.</p>

**Impact Criteria**

The Impact Criteria are the criteria listed at §694-30A (5), (6), and (9). These criteria are focused on the impact that a sign may have on surrounding buildings and properties and on the public in general. These criteria also consider whether or not the proposed sign will have any impacts on public safety.

The Proposed Sign does not meet all three of the impact criteria required for a variance to be granted. The Proposed Sign does adversely affect adjacent premises, does not adversely affect public safety, and is in the opinion of staff, contrary to the public interest.

**694-30A(5) Does the proposal adversely affect adjacent premises**

The scale, magnitude and orientation of the Proposed Sign is inconsistent with other first party signs on adjacent properties, most of which are used primarily for identification purposes. Furthermore, the Proposed Sign would detract from the heritage attributes of the building on the subject premises, and does not fit with the heritage character of the area. It is the opinion of staff, that additional signage in the area should be cognizant of the areas unique character, and should make efforts to avoid any detrimental visual impact on the designated historic buildings.

**594-30A(6) Does the proposal adversely affect public safety**

It is the opinion of staff the proposal does not adversely affect public safety.

**694-30A(9) Is the proposal, in the opinion of the Chief Building Official, contrary to the public interest**

The subject premise has been listed on the City's Inventory of Heritage Properties, which is a clear statement that City Council would like to see the heritage attributes of the property preserved. The property is also located in the Historic Yonge Street HCD study area.

It is the opinion of staff that the cultural and heritage character of the building located on the subject premise should be protected. New development should consider the heritage character of the building on the premise and other significant buildings in the surrounding area, limiting alterations that are inconsistent with or have negative impacts on the character of the area.

**Table 6 – Summary of Impact Criteria**

Section	Criteria Description	Meets Criteria? (yes/no)	Rationale
694-30 A(5)	Does not adversely affect adjacent premises	No	It is the opinion of staff that the size, magnitude and orientation of the Proposed Sign is inconsistent with other signage on adjacent properties, and would negatively impact the heritage attributes of the building on the premises, and the heritage character of the area.
694-30 A(6)	Does not adversely affect public safety	Yes	The Proposed Sign is appropriately setback from the public right-of-way and does not have an impact on pedestrian or vehicular visibility or safety.
694-30 A(9)	Is not contrary to the public interest	No	615-617 Yonge Street has been listed on the City's Inventory of Heritage Properties, which is a clear statement that City Council would like to see the heritage attributes of the property preserved.

## CONCLUSION

In consideration of the original materials submitted by the Applicant to support the variances requested, it is the Sign By-law Unit's position that the Appellant has not established that the Proposed Sign meets all nine of the established criteria required to permit the granting of the requested variances.


The CBO is of the opinion that the Appellant's submissions fail to establish that the Proposed Sign is compatible with the development on the premises and surrounding area, or that the Proposed Sign supports the Official Plan objectives for the property and surrounding area, or that Proposed Sign does not alter the character of the premises or surrounding area, or that Proposed Sign does not adversely affect adjacent premises, and is not contrary to the public interest. As such, it is recommended that the Sign Variance Committee refuse to grant both of the variances requested from Chapter 694, Signs, General, by the Appellant required for the Proposed Sign.

## CONTACT

Brody Paul  
Sign Building Code Examiner Inspector  
Tel: (416) 392-3537  
E-mail: [bpaul@toronto.ca](mailto:bpaul@toronto.ca)

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

## SIGNATURE



*P-E* Ted Van Vliet  
Manager, Sign By-law Unit

## ATTACHMENTS

1. Description of Sign and Proposal
2. Required Variances
3. Applicant's Submission Package

## ATTACHMENT 1: DESCRIPTION OF SIGN AND PROPOSAL

A wall sign, other than a sign displaying a logo or corporate symbol permitted by Subsection D(4), located at the premises municipally known as 615-617 Yonge Street, described as follows:

- (a) The sign shall be erected at the third, fourth, fifth and sixth storeys;
- (b) The total sign face area of the sign shall be of 70.76 square metres;
- (c) the sign face shall be rectangular in shape; with
  - (i) a horizontal measurement of 5.80 metres; and,
  - (ii) a vertical measurement of 12.20 metres;
- (d) The sign shall contain static copy only;
- (e) The sign shall not extend above the wall or parapet wall of a building;
- (f) The sign shall not extend beyond either end of the wall upon which it is erected.
- (g) The sign shall be oriented to be displayed in a northerly direction; and,
- (h) The sign shall be located and oriented in substantial accordance with the diagram below marked as Figure #1

Figure 1: Photograph of Proposed Sign



## **ATTACHMENT 2: REQUIRED VARIANCES**

1. The requirement contained at §694-21D(5)(a) "a wall sign, other than a sign displaying a logo or corporate symbol permitted by Subsection D(4), is permitted, provided the sign shall not be erected above the second storey", be varied to permit the Proposed Sign to be erected on the third to sixth storey of the building.
2. The requirement contained at §694-20A that "first party signs may advertise, promote, or direct attention to goods available at the premises where the sign is located provided the portion of the sign copy which advertises, promotes, or directs attention to goods available at the premises does not exceed 30 percent of the total area of the sign copy", be varied to permit the Proposed Sign to contain 100 percent of the total area of the sign copy dedicated to advertising, promoting or direction attention to goods available at the premises.

**ATTACHMENT 3: APPLICANT'S SUBMISSION PACKAGE**



Application  
**Sign Variance**

Folder No.	Date (yyyy-mm-dd)
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**Project Information**

Street No. 615 & 617	Street Name Yonge Street	Lot No. PT,LT 1	Plan No. PL 81
Describe the variance(s) being applied for:			
If it is an application for a variance required for the modification or restoration of an existing sign, please provide the following			
Existing Sign Dimensions		Location	
Please provide the reason(s)/justification for the request. (Attach any supporting documentation or additional pages as required)			

**Property Owner Information**

First Name Sheldon		Last Name Switzer	
Company Name (if applicable) Oberon Development Corporation			Telephone No. (416) 508-5564
Street No. 372	Street Name Richmond Street West	Subs/Unit No.	Mobile No. (416) 508-4626
City/Town Toronto	Province Ontario	Postal Code M9V 1X5	Fax No.
E-mail Address ss@oberon.ca			

**Attachment 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

Continue on next page

Data Sheet  
**Sign Variance**

Folder no.	Request Date (yyyy-mm-dd)
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This data sheet forms part of an application for a Variance From Chapter 694 of the Toronto Municipal Code, Signs

**Project Information**

Street No. 615 & 617	Street Name Yonge Street	Lot No. PT LT 1	Plan No. Pl. 61
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**Site and Building Data**

Lot Area 279.7	Lot Frontage 10.8	Lot Depth 25.9
No. of Building(s) on the lot 1	Date of Construction of Building(s) if known (yyyy-mm-dd) 1915-01-01	
Building Height(s) 23.8	No. of Storeys 6 storeys	Building(s) Gross Floor Area 1594.2
Building Use(s) Commercial		

**Site Context**

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

North 2-storey mixed use building
South 5-storey mixed use building
East 5-storey mixed-use building and surface automobile parking
West 2-storey mixed-use buildings

**Proposal**

Please describe in detail what is being proposed (use additional pages if necessary)

Proposed for this site is a 12.24m x 6.10m wall sign to contain first party static copy promotional materials for the at grade commercial tenant of the building. The sign depth is 0.03m (1 inch) which does not encroach onto the neighbouring property to the north due to a 2-inch separation between the Subject Property and the neighbouring site.

The sign is proposed, however, to be erected above the second storey of the building, hence the requirement for this variance application

Application  
**Sign Variance**

**Applicant Information and Declaration**

First Name I. Patrick		Last Name Harrington	
Company Name Aird & Beris LLP			Telephone No. (416) 866-3624
Street No. of lot	Street Name Bay Street	Suite/Unit No. 1800, Box 764	Mobile No.
City/Town Toronto	Province Ontario	Postal Code M5J 2T9	Fax No. (416) 863-1515
E-mail Address pharrington@airdberis.com			
Do hereby declare the following:			
<ul style="list-style-type: none"> <li>• That I am <input type="checkbox"/> the Property Owner as stated above  <input checked="" type="checkbox"/> the owner's authorized agent.  <input type="checkbox"/> an officer/employee of _____, which is an authorized agent of the owner.  <input type="checkbox"/> an officer/employee of _____, which is the Property Owner's authorized agent.</li> <li>• 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.</li> <li>• That the plans and specifications submitted are prepared for the sign variance(s) described and are submitted in compliance with copyright law.</li> <li>• That the information included in this application and in the documents filed with this application is correct.</li> </ul>			
<div style="border: 1px solid black; width: 100px; height: 30px; margin: 0 auto;"></div> Signature		<i>Patrick Harrington</i> Print Name	
		2017-10 Date (yyyy-mm-dd)	

Continue on next page

The personal information on this form is collected under the City of Toronto Act, 2006, s. 138(i) and Chapter 824, Signs, General, of the City of Toronto Municipal Code. The information collected will be used for processing applications and creating aggregate statistical reports for enforcement of the City of Toronto Municipal Code Chapter 864, Signs, General, Chapter 771, Traction, Third Party Sign Tax, and any other applicable sign by-law of the City of Toronto, and for contacting permit holder(s) or authorized agent(s). Questions about this collection may be referred to the Manager, Sign By-law Unit, Toronto Building, 100 Queen Street West, Ground Floor, East Tower, Toronto, M5H 2N2 416-362-4235.



### Rationale

Decisions for all Sign Variance Applications are evaluated against criteria listed in Toronto Municipal Code Chapter 694-30 A. A Variance may be granted where it is demonstrated that the proposed sign(s):

- Belong to a sign class permitted in the sign district where the premises is located
- In the case of a third party sign, be of a sign type that is permitted in the sign district, where the premises is located
- Be compatible with the development of the premises and surrounding area
- Support the Official Plan objectives for the subject premises and surrounding area
- Not adversely affect adjacent premises
- Not adversely affect public safety
- Not be a sign prohibited by Toronto Municipal Code Chapter 694-15B
- Not alter the character of the premises or surrounding area
- Not be, in the opinion of the decision maker, contrary to the public interest

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

This static copy, first party wall sign class is permitted within the CR-Commercial Residential sign district in which it is located and it does not contravene the permitted sign types contained within Chapter 694-15B of the Toronto Municipal Code. However, what is contemplated will require this variance application to permit the size and placement of the wall sign on the building located at 615 & 617 Yonge Street.

The proposal is compatible with the scale and variety of signage seen within this section of the commercial Yonge Street corridor and it will in no way alter the character of the premises or surrounding area. It supports the Official Plan objectives of this lively and engaging area of the city. This proposal will not adversely affect public safety in any way and will not be contrary to the public interest.

**AIRD & BERLIS LLP**

Barristers and Solicitors

Patrick J. Harrington  
Direct: 416.865.3424  
E-mail: pharrington@airdberlis.com

July 18, 2014

File No. 121262

Delivered via email to: [signbylawunit@toronto.ca](mailto:signbylawunit@toronto.ca)

Sign By-law Unit  
City of Toronto  
City Hall, Ground Floor  
East Tower  
100 Queen Street West  
Toronto, ON M5H 2N2

Dear: Sir/Madam:

**Re: First Party Sign Permit Application & Sign Variance Application  
615 & 617 Yonge Street, City of Toronto**

We represent Oberon Development Corporation, owner of the properties municipally known as 615 & 617 Yonge Street in the City of Toronto (the "Site"). The Site is located on the east side of Yonge Street north of Gloucester Street.

The proposed wall sign outlined in the attached application form and architectural drawings will serve as a first party static copy promotional platform for the commercial tenant of our client's building located at the above-referenced addresses. The proposed sign is located in a Commercial Residential (CR) Sign By-law District and will require a variance to the provisions contained within 694-21D.(5) to permit the size and location of the proposed sign.

In support of our client's application, please find enclosed the following:

1. One City of Toronto First Party Sign Permit Application Form;
2. One City of Toronto Sign Variance Application Form; and
3. Architectural plans illustrating the proposed sign and its location.

The instructions for filing these applications indicate that upon receipt and initial review of the above documents a representative of your department will inform us of the fee required to begin processing the applications. We request that you kindly do so at your earliest convenience.

We trust the enclosed is satisfactory. Should you require any further information, or have any concerns, please do not hesitate to contact the undersigned directly.

Brookfield Place, 181 Bay Street, Suite 1800, Box 754 - Toronto, ON - M5J 2T9 - Canada

July 18, 2014  
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Yours truly,

AIRD & BERLIS LLP



Patrick J. Harrington

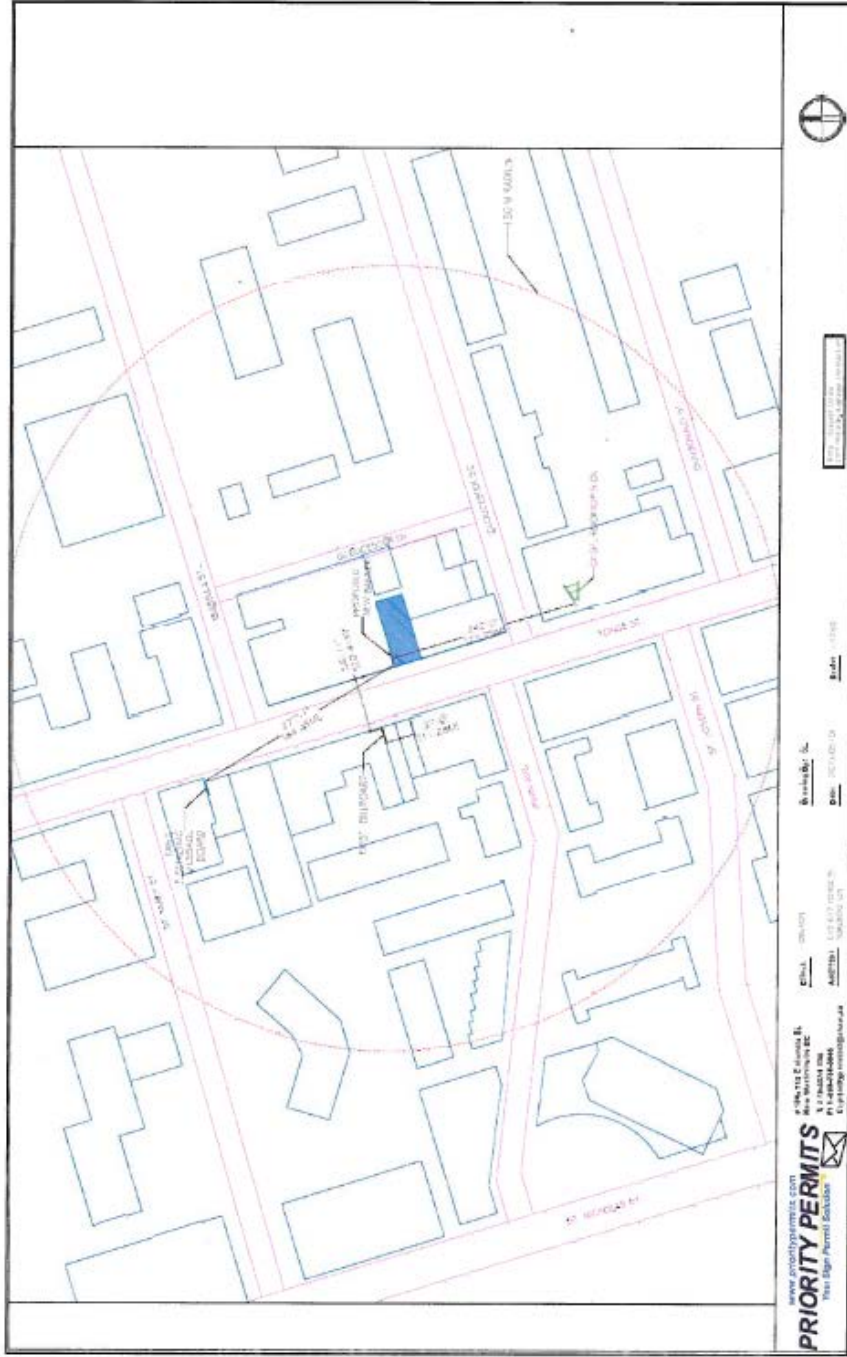
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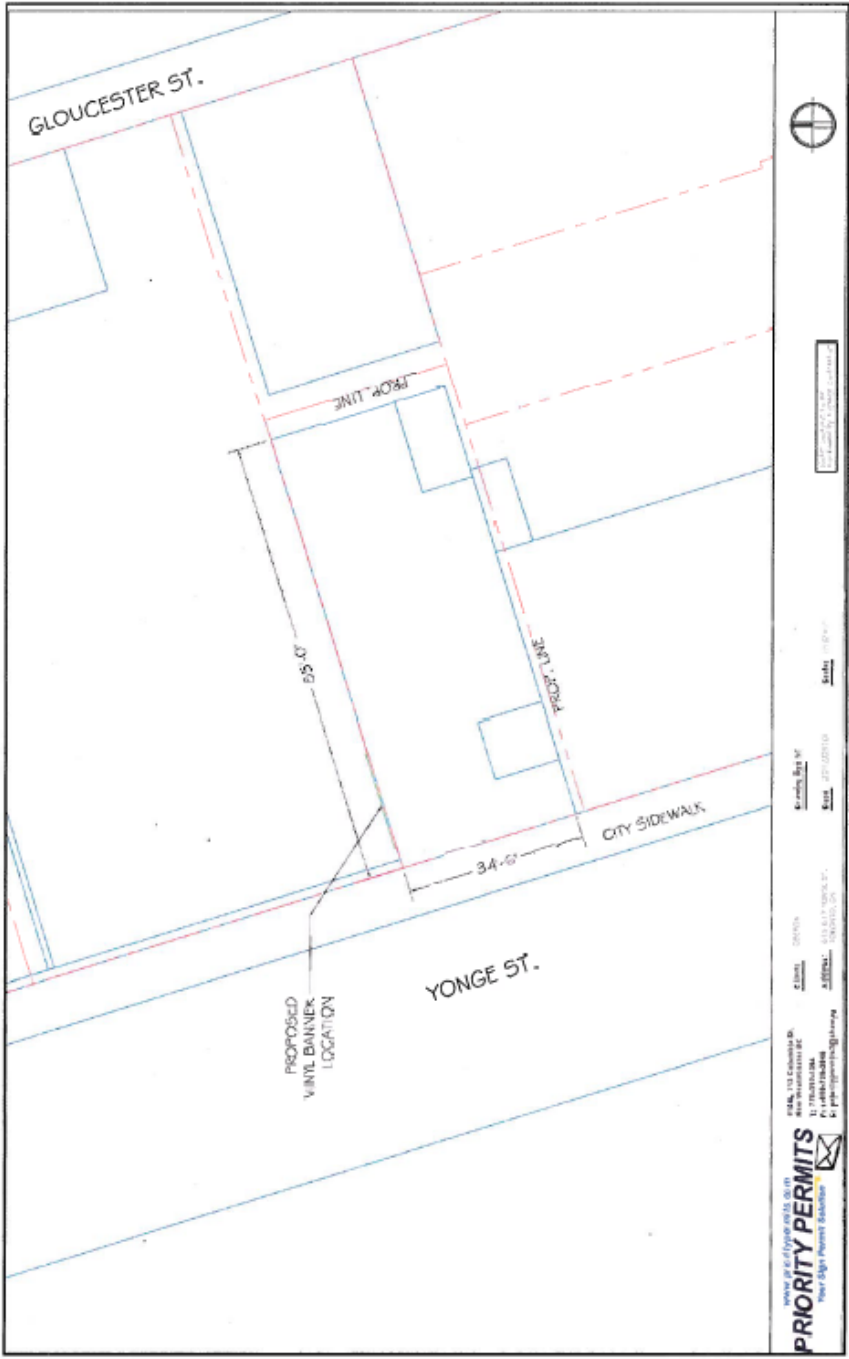
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