Appeal Concerning Two First Party Wall Signs on the Fifth Storey South and East Elevations and One First Party Ground Sign on the South Property Frontage – 88 Scott Street

<table>
<thead>
<tr>
<th>Date:</th>
<th>June 29, 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward:</td>
<td>Toronto Centre-Rosedale (28)</td>
</tr>
<tr>
<td>File No.:</td>
<td>FP-16-00050</td>
</tr>
<tr>
<td>IBMS File No.:</td>
<td>16-134251</td>
</tr>
</tbody>
</table>

SUMMARY

On behalf of Concert Properties Ltd. (the "Appellant"), McCarthy Tétrault is appealing the Chief Building Official's decision to refuse to grant two variances from the Sign By-law required to allow two illuminated wall signs to be displayed at the fifth storey of the south and east elevations and one illuminated ground sign on the south property frontage ("the Proposed Signs") at 88 Scott Street (the "Premises") as shown in Figure 1.

It is the opinion of the Chief Building Official ("CBO") that the Appellant has not provided enough information that the Proposed Signs meet all of the nine established criteria in Chapter 694-30A. Specifically, the CBO believes that it has not been established that the Proposed Signs will not adversely affect adjacent premises, will not alter the character of the premises and surrounding area, are not compatible with the development of the premises and surrounding area, nor are the Proposed Signs not contrary to public interest. Furthermore, there is information that supports that these four criteria have not been met.
RECOMMENDATIONS

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

1. The Sign Variance Committee refuse the requested variances for the Proposed Signs at the premises municipally known as 88 Scott Street, as described in Attachment 1 to this report.

REQUIRED VARIANCES

Table 1: Summary of Requested Variances

<table>
<thead>
<tr>
<th>Sign By-law Section</th>
<th>Requirement</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-21D(5)(a)</td>
<td>A CR-Commercial Residential sign district may contain a wall sign, provided the sign shall not be erected above the second storey.</td>
<td>The two proposed wall signs are to be erected at the fifth storey of the south and east elevation.</td>
</tr>
<tr>
<td>694-21D(3)(f)</td>
<td>The ground sign shall not be erected within 2.0 metres of any property line.</td>
<td>The proposed ground sign is 0.0 metres from the south property line.</td>
</tr>
</tbody>
</table>

BACKGROUND

Sign Attributes

The Proposed Signs are first party illuminated signs displaying static copy. The proposed wall signs are located at the fifth storey of the south and east elevations, as shown in Figure 1 above, measuring at 1.25 metres vertically by 4.74 metres horizontally. The proposed ground sign is located on the south frontage, measuring at 2.34 metres by 1.11 metres.

Figure 2: Proposed Signs – 88 Scott Street
Site Context and Sign District Designation

The Proposed Signs are located in Ward 28 (Toronto Centre-Rosedale), on the west side of Scott Street, north of Wellington Street East. The premises is designated as a CR-Commercial Residential sign district and is currently being redeveloped to contain a fifty-eight storey mixed-use commercial residential building, with a five-storey podium and a 53-storey tower. The two wall signs are proposed at the uppermost portion of the podium, as seen in figure 2 above.

As shown in the key map in Figure 2, the surrounding area is also designated as a CR-Commercial Residential sign district, consisting of mid-rise and high-rise buildings. To the southeast of the Premises, at the southeast quadrant of the intersection of Wellington Street and Scott Street, is Berczy Park, designated OS-Open Space sign district. Berczy Park is undergoing considerable redevelopment.

COMMENTS

Nine Established Criteria in §694-30A

The Sign By-law contains specific criteria to be used in evaluating an application for variances. Specifically, §694-30A states that an application for a variance may only be granted where it is established that the Proposed Sign meets each of the nine established criteria.

It is the opinion of CBO that the Appellant has not provided enough information to establish that the Proposed Signs meet all nine of the established criteria in §694-30A of the Sign Bylaw.

The CBO believes that the Proposed Signs will alter the character of the premises and surrounding area; that the Proposed Signs will adversely affect adjacent premises; that the Proposed Signs are not compatible with the development of the premises and surrounding area; and, the Proposed Signs are contrary to the public interest.

A detailed overview of the CBO's opinion on whether each of the nine criteria have been established, and the rationale for this opinion follows below.
Section/Criteria Description | Has Criteria Been Established?
--- | ---
694-30A(1): The Proposed Signs belongs to a sign class permitted in the sign district. | YES, staff are of the opinion that this criteria has been established.

**Rationale:**
The Proposed Signs are classified as a first party sign class because they identify businesses on the Premises. The Premises is designated as a CR-Commercial Residential sign district. As such, the criteria has been established because first party wall and ground signs are permitted in a CR-Commercial Residential sign district.

Section/Criteria Description | Has Criteria Been Established?
--- | ---
694-30A(2): In the case of a third party sign, the Proposed Signs is of a sign type permitted in the sign district. | YES, staff are of the opinion that this criteria has been established.

**Rationale:**
Signs can only belong to one sign class – either a first party sign or a third party sign class. The Proposed Signs are classified as first party signs because they identify businesses on the Premises. As such, the Proposed Signs cannot be a third party sign and this criteria is not applicable.

Section/Criteria Description | Has Criteria Been Established?
--- | ---
694-30A(3): The Proposed Signs are compatible with the development of the premises and surrounding area. | NO, staff are of the opinion, that this criteria has not been established.

**Rationale:**
The Premises is currently being redeveloped to contain a 58-storey mixed-use building. Upon completion, the building will be primarily dedicated to residential uses, with ancillary office and commercial uses at the lower levels. In the CR-Commercial Residential sign district, signage on walls is only permitted at the first and second storey (notwithstanding corporate symbols and logos). This provision is in place to ensure that primary signage on a building is recognized and permitted for where they are most commonly located. Signage at these lower levels serve to inform the public at the street level. Any signage above the second storey, generally, no longer becomes visible to passers-by. A cursory review of signage in the immediate vicinity of the Premises shows that there is no signage above the second storey, particularly at mixed-use developments, as is occurring at the Premises.

Respecting the proposed ground sign, a review of Wellington Street East, between Yonge Street and Church Street, reveals that there are no ground signs, either on the north side or the south side of the street. This observation suggests that the proposed ground sign is incompatible with the surrounding area. Further, staff are of the opinion that ground signs do not exist along this stretch of Wellington Street East because such a sign would impose on the fluid movement of pedestrians.

As such, staff is concerned that Proposed Signs are not compatible with the development of the premises and surrounding area, and it is the opinion of staff that the Appellant has not provided enough information to convince that this criteria has been established.
<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>§694-30A(4): The Proposed Signs support the Official Plan objectives for the subject premises and surrounding area.</td>
<td>YES, staff are of the opinion that this criteria has been established.</td>
</tr>
</tbody>
</table>

**Rationale:**
The Official Plan designates the subject premise as a *Mixed Use Area*. *Mixed Use Areas* incorporate commercial, residential, institutional and open space uses. The Proposed Signs are located on a mixed-use commercial residential building and are intended to identify the business located there. It is the opinion of staff that the Appellant has established that the Proposed Signs are not contrary to the Official Plan objectives for the Premise.

<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30A(5): The Proposed Sign does not adversely affect adjacent premises.</td>
<td>NO, staff are of the opinion that this criteria has not been established.</td>
</tr>
</tbody>
</table>

**Rationale:**
It is the opinion of staff that the proposed signs may adversely affect adjacent premises. Across the intersection of Scott Street and Wellington Street East is Berczy Park, a much loved and well-used open space asset. The park is currently being remade to service the areas growing residential population and will include, upon completion, a children’s play area in the northwest corner of the park, a small section for dogs, benches and, most spectacularly, a huge two-tiered fountain awash with 27 cast-iron dogs, one cat and topping it off, the object of their collective desire, a bone. In addition, the park contains a well-known public art installation, affixed to the rear wall of the historic Flatiron Building. Staff feel that illuminated wall signs, at the fifth-storey level, directed towards and shining into the park may have an adverse impact on the park users and on the existing public art installation.

<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30A(6): The Proposed Sign does not adversely affect public safety.</td>
<td>YES, staff are of the opinion that this criteria has been established.</td>
</tr>
</tbody>
</table>

**Rationale:**
Staff does not foresee any issues pertaining to public safety, provided that the Proposed Signs are professionally designed and installed, where required, in accordance with the requirements of the Ontario Building Code.

<table>
<thead>
<tr>
<th>Section/Criteria Description</th>
<th>Has Criteria Been Established?</th>
</tr>
</thead>
<tbody>
<tr>
<td>694-30A(7): The Proposed Sign is not a sign prohibited by §694-15B</td>
<td>YES, Staff are of the opinion that this criteria has been established.</td>
</tr>
</tbody>
</table>

**Rationale:**
Prohibited signs are described at §694-15B, and the Proposed Signs do not constitute to be prohibited by this section.
**Section/Criteria Description** | **Has Criteria Been Established?**  
---|---  
694-30A(8): The Proposed Signs do not alter the character of the Premises or surrounding area. | NO, Staff are of the opinion, that this criteria, has not been established.  

**Rationale:**  
It was previously stated that each of the three signs proposed by the Appellant (two wall signs and one ground sign) are either sign types or locations that do not occur elsewhere in the immediate vicinity. That is to say that there are no ground signs along Wellington Street East between Yonge street and Church Street and there are no wall signs erected above the second storey on buildings in the immediate vicinity of the Premises.

This absence, combined with the current request for extra-ordinary relief from the By-law provisions, lead staff to the belief that the Proposed Signs may alter the character of the Premises and the surrounding area.

As such, staff is concerned that the Proposed Sign may alter the character of the premises or surrounding area and it is in the opinion of staff that the Appellant has not provided enough information to establish that the Proposed Sign satisfies this criteria.

**Section/Criteria Description** | **Has Criteria Been Established?**  
---|---  
694-30 A(9): The Proposed Signs are not contrary to the public interest | NO, Staff are of the opinion that this criteria has not been established.  

**Rationale:**  
The various public interests that staff believe are contravened with respect to the Proposed Signs, as stated above, include: the protection of public spaces from invasive commercialization and light trespass; the protection of public art installations so that appreciation of the art, by the public, can be unencumbered; and, the protection of public spaces from invasive installations, that may effectively limit mobility.

It is for these reasons that staff believe the Proposed Signs are contrary to the public interest.

**CONCLUSION**

Based on the rationale and materials submitted, it is staff’s opinion that the Appellant has not provided enough information to establish that the Proposed Signs meet all nine of the established criteria for the variances to be granted.

Staff are of the opinion that there is not a sufficient basis to establish the Proposed Signs are compatible with the current and future development of the subject premises and the surrounding area, that they will not adversely affect adjacent premises, that they will also not alter the character of the premises and surrounding area and that they are not contrary to the public interest.
As such, it is recommended that the Sign Variance Committee refuse to grant the requested variances from the Sign By-law required for the Proposed Signs.

CONTACT

Ryan McLeod
Sign Building Code Examiner Inspector
Tel: (416) 392-4229
E-mail: rmcleod@toronto.ca

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. Description of Signs and Required Variances
2. Applicant's Submission Package
ATTACHMENT 1: DESCRIPTION OF SIGNS AND REQUIRED VARIANCES

SIGN DESCRIPTION:

Sign 1: A first party wall sign, identifying a primary commercial tenant within the building, to be located at the premises municipally known as 88 Scott Street, containing:

a) One sign face, described as follows:
   1. Having a total sign face area of 5.93 square metres;
   2. Having a horizontal measurement of 4.74 metres;
   3. Having a vertical measurement of 1.25 metres;
   4. Displaying static copy;
   5. Illuminated; and
   6. Oriented to be in a southerly direction.

REQUIRED VARIANCE:

1. The requirement contained at §694-21D(5)(a) states, "A CR-Commercial Residential sign district may contain the following: a wall sign, other than a sign displaying a logo or corporate symbol permitted by Subsection D(4), provided the sign shall not be erected above the second storey."
Sign 2: A first party wall sign, identifying a primary commercial tenant within the building, to be located at the premises municipally known as 88 Scott Street, containing:

a) One sign face, described as follows:
   1. Having a total sign face area of 5.93 square metres;
   2. Having a horizontal measurement of 4.74 metres;
   3. Having a vertical measurement of 1.25 metres;
   4. Displaying static copy;
   5. Illuminated; and
   6. Oriented to be in an easterly direction.

REQUIRED VARIANCE:

1. The requirement contained at §694-21D(5)(a) states, "A CR-Commercial Residential sign district may contain the following: a wall sign, other than a sign displaying a logo or corporate symbol permitted by Subsection D(4), provided the sign shall not be erected above the second storey."
Sign 3: A first party ground sign, for the purposes of a tenant directory, to be located at the premises municipally known as 88 Scott Street, containing:

a) Two sign faces in a back-to-back configuration, each sign face described as follows:
   1. Having a total sign face area of 2.60 square metres;
   2. Having a horizontal measurement of 1.11 metres;
   3. Having a vertical measurement of 2.34 metres;
   4. Displaying static copy;
   5. Illuminated; and
   6. Located to be on the south frontage, oriented to be in the easterly and westerly direction.

REQUIRED VARIANCE:

1. The requirement contained at §694-21D(3)(f) states, "A CR-Commercial Residential sign district may contain the following: a ground sign, other than a sign providing direction permitted by Subsection D(2), provided the sign shall not be erected within 2.0 meters of any property line."
## Project Information

<table>
<thead>
<tr>
<th>Street No.</th>
<th>Street Name</th>
<th>Lot No.</th>
<th>Plan No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>88</td>
<td>SCOTT STREET</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Describe the variance(s) being applied for:
FIRST PARTY SIGNS - PLEASE SEE COVER LETTER

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

<table>
<thead>
<tr>
<th>Existing Sign Dimensions</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Please provide the reasons/justification for the request (Attach any supporting documentation or additional pages as required):

PLEASE SEE COVER LETTER

## Property Owner Information

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Company Name (if applicable)</th>
<th>Telephone No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>KELLY</td>
<td>WILSON</td>
<td>CONCERT PROPERTIES LTD.</td>
<td>(647) 789-2055</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street No.</th>
<th>Street Name</th>
<th>Suite/Unit No.</th>
<th>Mobile No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>55</td>
<td>UNIVERSITY AVE</td>
<td>1601</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City/Town</th>
<th>Province</th>
<th>Postal Code</th>
<th>Fax No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>TORONTO</td>
<td>ON</td>
<td>MSJ 2H7</td>
<td></td>
</tr>
</tbody>
</table>

E-mail Address
kwilson@concertproperties.com

## 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.
Applicant Information and Declaration

First Name: MICHAEL
Last Name: FODERICK

Company Name: MCCARTHY TETRAULT LLP
Telephone No.: (416) 601-7792

Street No.: 88
Street Name: WELLINGTON STREET WEST
SubUnit No.: 5320
Mobile No.: 

City/Town: TORONTO
Province: ON
Postal Code: M5K 1E5
Fax No.: (416) 868-0873

Email Address: mfoderick@mccarthy.ca

Do hereby declare the following:

☐ That I am the Property Owner as stated above

☐ the owner's authorized agent.

☐ an officer/employee of MCCARTHY TETRAULT, which is an authorized agent of the owner.

☐ 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.

MICHAEL FODERICK
Print Name
2016-02-18
Date (yyyy-mm-dd)

Continue on next page

The personal information on this form is collected under the City of Toronto Act, 2006, s. 136(c) and Chapter 694, 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 694, Signs, General, Chapter 771, Taxation, 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 416-392-4235.

14-0043 2013-07 2 of 2
### Sign Variance

This data sheet forms part of an application for a Variance From Chapter 684 of the Toronto Municipal Code, Signs.

#### Project Information

<table>
<thead>
<tr>
<th>Street No.</th>
<th>Street Name</th>
<th>Lot No.</th>
<th>Plan No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>88</td>
<td>SCOTT STREET</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Site and Building Data

<table>
<thead>
<tr>
<th>Lot Area</th>
<th>Lot Frontage</th>
<th>Lot Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,284 sq.m.</td>
<td>66.7m</td>
<td>59.1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>No. of Building(s) on the lot</th>
<th>Date of Construction of Building(s) if known (yyyy-mm-dd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 (UNDER CONSTRUCTION)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height(s)</th>
<th>No. of Storeys</th>
<th>Building(s) Gross Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>197.08m</td>
<td>58</td>
<td>46,367 sq.m.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Use(s)</th>
<th>Mixed Commercial Residential (Residential = 41,947 sqm; Non-Residential = 6,420 sqm)</th>
</tr>
</thead>
</table>

#### Site Context

- North: COMMERCIAL BUILDING - CR ZONING - CR SIGN DISTRICT
- South: COMMERCIAL BUILDING & PARK-CR AND OPEN SPACE ZONE-CR & OPEN SPACE SIGN DISTRICT
- East: COMMERCIAL BUILDING - CR ZONING - CR SIGN DISTRICT
- West: COMMERCIAL BUILDING - CR ZONING - CR SIGN DISTRICT

#### Proposal

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

PLEASE SEE ATTACHED COVER LETTER.
**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
- 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 694-158
- 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).

**PLEASE SEE ATTACHED COVER LETTER.**
February 18, 2016

Mr. Robert Bader
Supervisor, Sign Variance
City Hall, Room 1E
100 Queen Street West
Toronto, Ontario M5H 2N2

Sent By Email: signbylawunit@toronto.ca

Dear Mr. Bader:

Re: First-Party Sign Variance Application – 88 Scott Street, Toronto

We represent Concert Properties Ltd., owner of 88 Scott Street¹ (the “Property”). The Property is currently being redeveloped as a 58-storey mixed use commercial office and residential tower.

Further to PPR Application #15 243551 ZPR 00 ZR (as revised), and our in-person discussions with you and your colleague Mr. Ryan Mcleod, we are writing to request variances to Chapter 694 of the City of Toronto Municipal Code to permit certain first-party signs in connection with the redevelopment.

Description of the Variances

Attached hereto as Schedule A are revised drawings prepared by Kramer Design Associates dated January 25, 2016 which illustrate the proposed first-party signs in detail and provide context for them.

As discussed separately with Ryan Mcleod and yourself the variances required therefore are:

1. A CR-Commercial Residential sign district may contain a ground sign, other than a sign providing direction provided the sign shall not be erected within 2.0 metres of any property line. (Ch. 694-21(D)(f)).

   The proposed ground sign is located 0.0 metres from the property line.

2. A CR-Commercial Residential sign district may contain a wall sign displaying the logo or corporate symbol of a business located on the premises provided that the sign shall only

1 Other municipal addresses for the property include: 10 Wellington St E; 12 Wellington St E; 14 Wellington St E; 16 Wellington St E; 18 Wellington St E; 20 Wellington St E; 22 Wellington St E; 24 Wellington St E; 80 Scott St; 82 Scott St; 84 Scott St.
be erected on the uppermost storey, mechanical penthouse, or parapet wall of a building. (Ch. 694-21(D)(4)(c)).

The proposed wall sign displaying a logo or corporate symbol of a business located on the premises shall be erected on the uppermost storey of the podium (or commercial portion) of the building, not the uppermost storey of the building which is part of the residential tower.

What is Proposed
The proposed signs are illustrated in detail in the attached Schedule A.

How the Proposal Satisfies the Sign Variance Criteria (Chapter 694-30A)
Chapter 694-30A states that "An application for variance from the provisions of this chapter may be granted where it is established that the proposed sign or signs will..." and goes to list nine criteria. Below is a description of how the proposed signs will meet each of these criteria.

(1) Belong to a sign class permitted in the sign district where the premises is located:

1. Proposed Ground Sign: First-party signs are permitted in the CR-Commercial Residential sign district.

2. Proposed Wall Signs: First-party signs are permitted in the CR-Commercial Residential sign district.

(2) 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:

1. Proposed Ground Sign: Not applicable (sign is a first-party sign).

2. Proposed Wall Signs: Not applicable (signs are first-party signs).

(3) Be compatible with the development of the premises and surrounding area:

1. Proposed Ground Sign: The proposed ground sign informs pedestrians of the commercial tenants present on the premises. This is a common type of ground sign for commercial office buildings in the downtown, including in the vicinity of the Property. Furthermore, we are advised that a redesign of Wellington Street will soon commence which will widen the sidewalk in front of the Property, creating even more room within the public realm than already exists. Even at its current width the sidewalk easily accommodates the modest pedestrian traffic volumes on Wellington Street. The location of the ground sign (in front of a doorway and near the edge of the new building) is being consciously located so as to not appreciably narrow the walkable area in front of the building in any event.

2. Proposed Wall Signs: The development on the Property is a mixed-use development with a commercial podium and residential tower. The variance for the wall signs would provide relief from the requirement to erect the wall signs on the uppermost
storey. In this case the uppermost storey is on the residential tower. Instead, permission is requested to erect the commercial wall signs on the uppermost storey of the commercial podium, which is very compatible with the development of the premises.

(4) Support the Official Plan objectives for the subject premises and surrounding area:

The development of the Property was approved by Toronto City Council at its meeting held March 5, 2012 (TE13.10). It was approved with the support of the local community and City Councillor and without any need to appeal to the Ontario Municipal Board. The City Staff Report dated January 30, 2012, which recommended approval of the development, outlines in detail how the development complies with the Official Plan objectives for the subject premises and surrounding area.

1. **Proposed Ground Sign:** Ground signs greatly assist smaller tenants with visibility and street presence, which is an important draw for the high quality smaller tenants the City hopes that the Property will attract.

2. **Proposed Wall Signs:** Wall signs depicting the corporate symbol or logo identifying the primary commercial tenant are an expected requirement of large scale office leases. A lack of permission to erect such signs can be a “deal-breaker” for large, sophisticated commercial tenants. Accommodating such signage is an integral part of high density mixed-use areas.

(5) Not adversely affect adjacent premises:

1. **Proposed Ground Sign:** This sign has no impact on any adjacent premises.

2. **Proposed Wall Signs:** These signs have no impact on any adjacent premises.

(6) Not adversely affect public safety:

1. **Proposed Ground Sign:** This sign has no impact on public safety. It is of a type and will be displayed in a way similar to many others in the downtown and immediate area. In fact, the intent of this variance is largely to improve public safety. Specifically, Wellington Street in one-way westbound. Drivers looking for an indication of which tenants are located at 88 Scott Street will have their view of the sign obstructed by the building itself, if it is moved back from the property line by 2.0 metres. It will not be as easy to see and drivers will be more distracted in trying to find it.

2. **Proposed Wall Signs:** These signs have no impact on public safety. They are of a type and will be displayed in a way similar to very many others in the downtown and immediate area.

(7) Not be a sign prohibited by § 694-15B:

1. **Proposed Ground Sign:** This sign fully complies with 694-15B.
2. **Proposed Wall Signs:** These signs fully comply with 694-15B.

(8) **Not alter the character of the premises or surrounding area, and**

1. **Proposed Ground Sign:** The proposed ground sign is very similar to a number of other ground signs in the downtown and immediate area.

2. **Proposed Wall Signs:** The proposed wall signs are very similar to many such wall signs erected at approximately the same height on very similar buildings throughout the downtown and immediate area.

(9) **Not be, in the opinion of the decision maker, contrary to the public interest.**

1. **Proposed Ground Sign:** In summary, we believe that the proposed ground sign is not in any way contrary to the public interest.

2. **Proposed Wall Signs:** In summary, we believe that the proposed wall signs are not in any way contrary to the public interest.

**Summary**

Attached are examples of wall signs and ground signs within the vicinity of the Property similar to what is proposed in this application for your reference.

On behalf of Concert Properties we thank you for considering this request for variances pursuant to Chapter 694 of the Municipal Code and are available to discuss our application further, at your convenience.

Sincerely,

Michael Foderick
88 Scott Street
Issued for Variance
January 26, 2016

Appeal – Two First Party Wall Signs & One First Party Ground Sign – 88 Scott Street
Appeal – Two First Party Wall Signs & One First Party Ground Sign – 88 Scott Street
Appeal – Two First Party Wall Signs & One First Party Ground Sign – 88 Scott Street
Appeal – Two First Party Wall Signs & One First Party Ground Sign – 88 Scott Street
Appeal – Two First Party Wall Signs & One First Party Ground Sign – 88 Scott Street
Appeal – Two First Party Wall Signs & One First Party Ground Sign – 88 Scott Street
Appeal – Two First Party Wall Signs & One First Party Ground Sign – 88 Scott Street
Appeal – Two First Party Wall Signs & One First Party Ground Sign – 88 Scott Street