

Application for an Appeal to Sign Variance Decision Respecting Two First Party Wall Signs

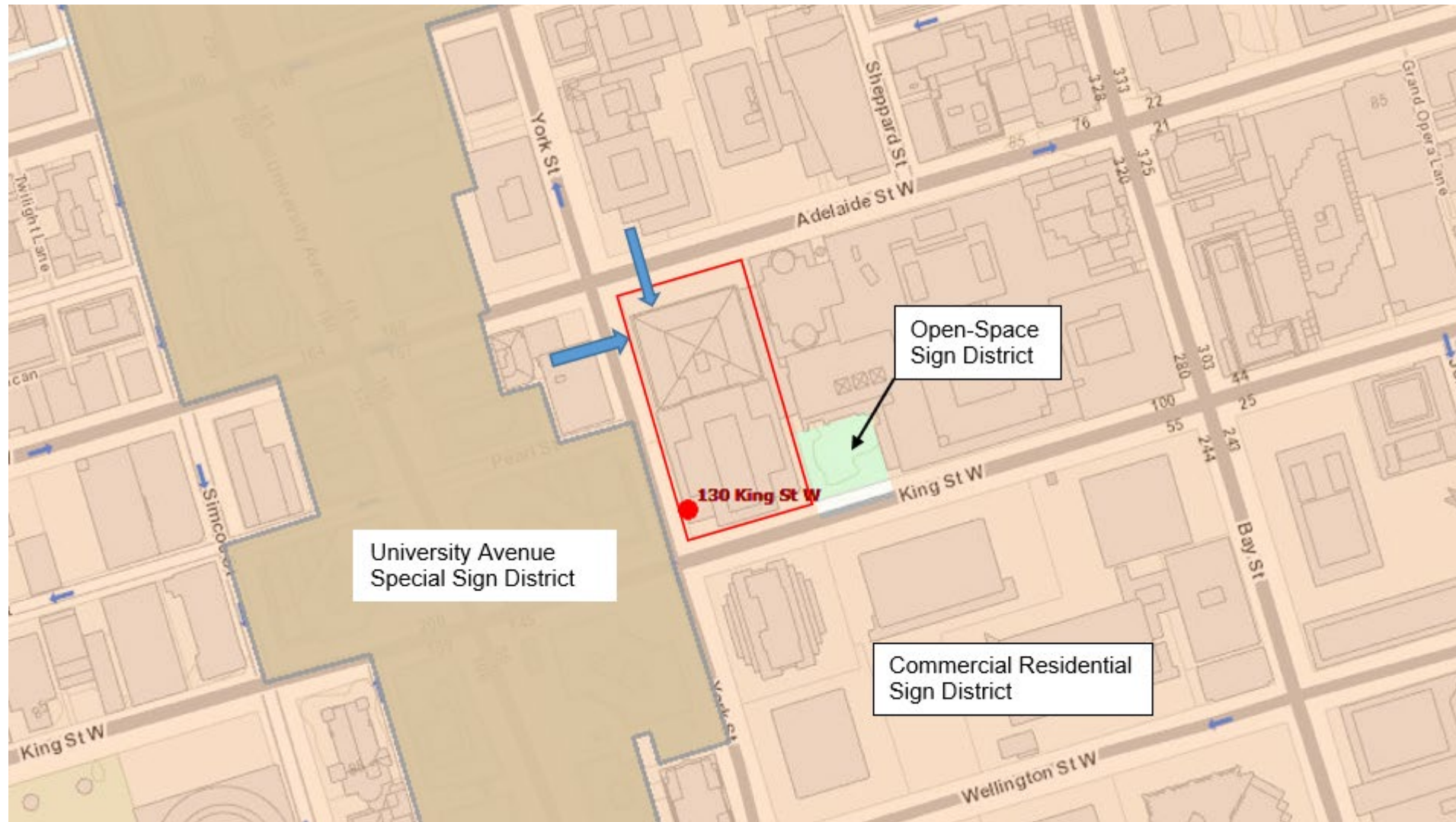
130 King Street West

June 23, 2023

Proposed Sign Description

Sign Type	Wall Sign
Sign Copy Type	Static Copy
# of Sign Faces	One sign face each sign
Sign Location	North and West elevations – Facing Adelaide Street West and University Avenue respectively
Face Orientation	North and West
Sign Face Dimensions (width x length)	1.11 metres x 6.88 metres each
Sign Face Area / height	7.64 square metres each/ 17.24 metres

Sign District Designation

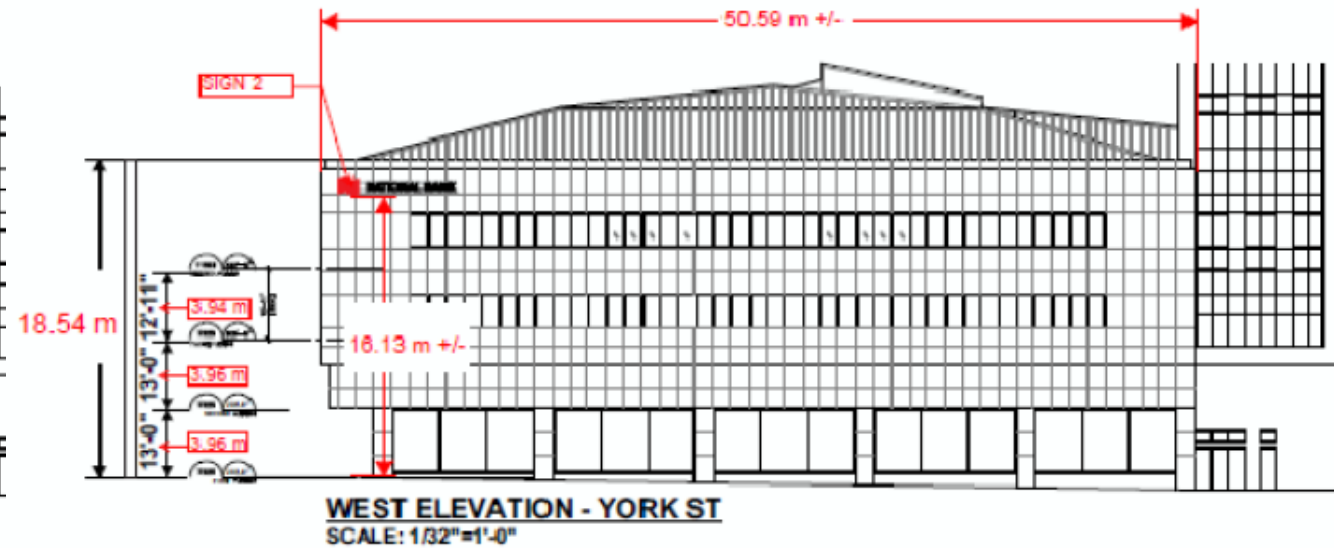
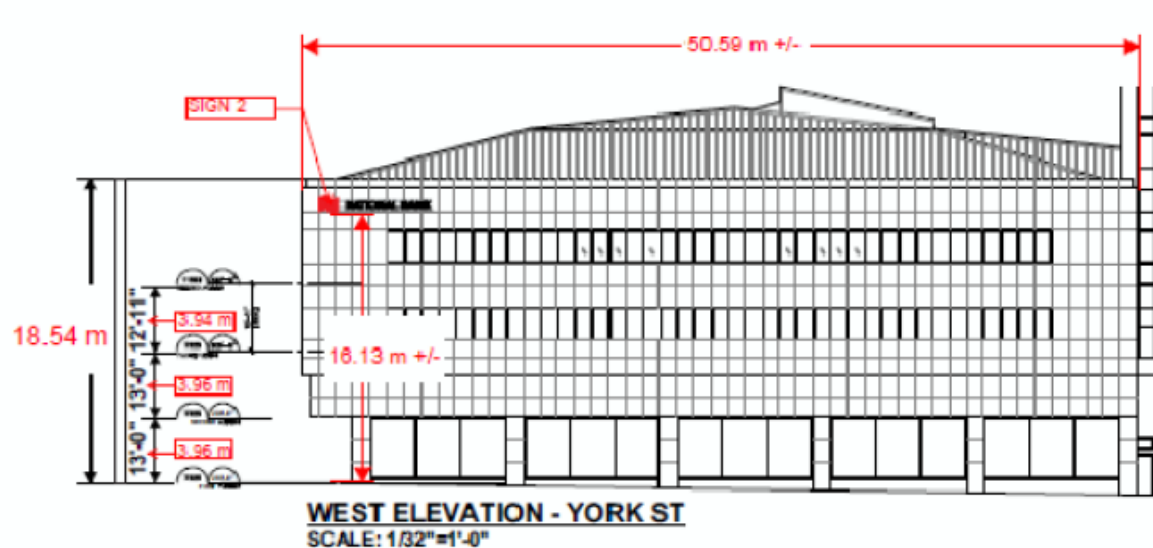
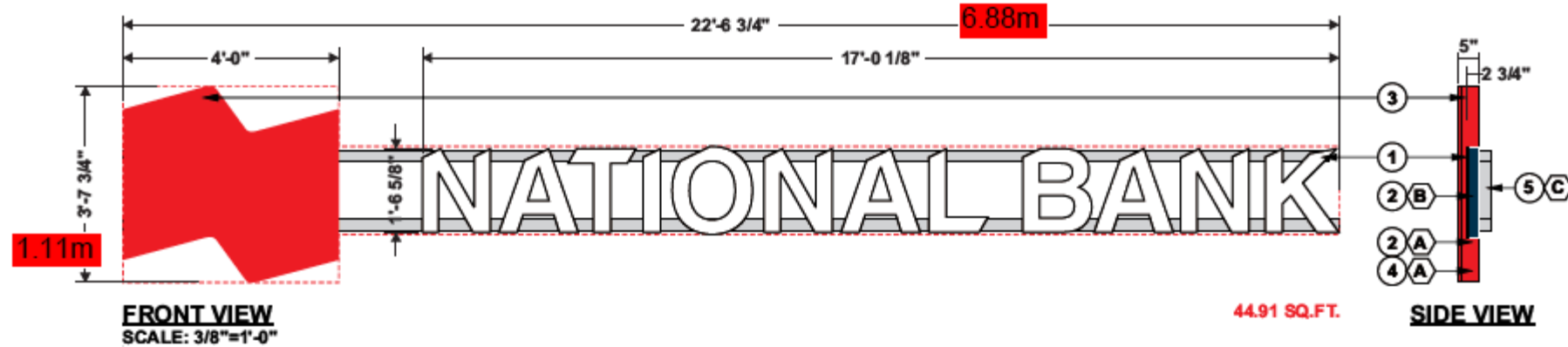


Sign Location

Location of the Proposed Signs:



Proposed Sign Description



Requested Variances – Proposed Sign

Section	Requirement	Requested Variances
§ 694-21D(5)(a)	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;	Both of the two Proposed Signs would be erected above the second storey, specifically at the 4thstorey of the building at the Subject Premises.

Sign Variance Criteria – Recommendation and Conditions

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

The Sign Variance Committee **refuse to grant** the requested variance to section 694-21D(5)(a) as required to allow for the issuance of a permit respecting the erection and display of the Proposed Signs, as further described in Attachment 1 to the report dated June 9, 2023 from the Project Director, Business Transformation, Toronto Building.

Sign Variance Criteria – Established Criteria

694-30A(1) - The Proposed Sign belongs to a sign class permitted in the Sign District.

- First party signs are permitted in a Commercial Residential Sign District.

694-30A(2) - In the case of a third-party sign, the Proposed Sign is of a sign type permitted in the Sign District.

- The proposed signs are first party signs.

Sign Variance Criteria – Non Established Criteria

694-30A(3) - The Proposed Sign will be compatible with the development of the premises and surrounding area.

- The Subject Premises is situated in a CR Sign District, which allows for first-party wall signs on the first and second storeys.
- The Sign By-law establishes that wall signs are only permitted on the uppermost storeys of buildings that are ten storeys or taller.
- Although the signs are positioned at the uppermost storey of this building, considering this building is the shortest one in the immediate vicinity, presence of the signs at a height where no other wall signs exist (on buildings in the surrounding area) alters the character of the immediate surroundings.
- The overall architectural design features a solid and simple façade, complemented by modern granite elements on the west and north elevations; the proposed signs significantly impact its overall character.

Sign Location

694-30A(3) - The Proposed Sign will be compatible with the development of the premises and surrounding area.

130 King Street West – Current



130 King Street West – Proposed



Sign Variance Criteria – Non Established Criteria

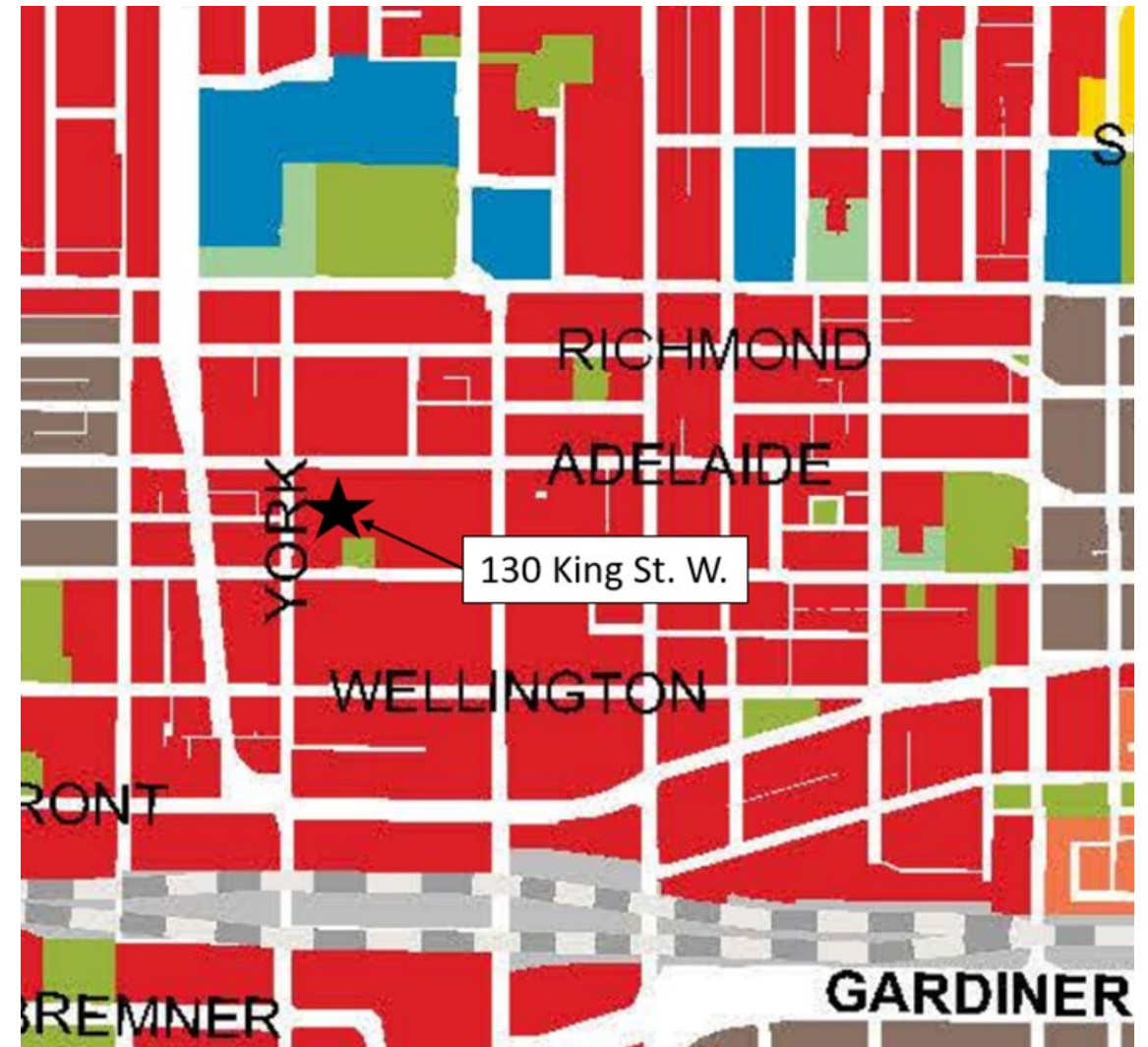
694-30A(3) - The Proposed Sign will be compatible with the development of the premises and surrounding area.

- The submission materials fail to justify why the Subject Premises cannot comply with the standards prescribed for CR Sign Districts, which other premises in the immediate area adhere to.
- Appellant's submission does not provide any evidence as to how the Proposed Signs located at the fourth storey will be compatible with the development of the premises and surrounding area.

Sign Variance Criteria – Established Criteria

694-30A(4) - The Proposed Sign will support Official Plan objectives for the Subject Premises and surrounding area

- Subject Premises located in a Mixed Use Area without secondary plans or area-specific amendments
- Proper identification and signage for National Bank are crucial in integrating it into this location
- Proposed signs contribute to the objectives of the Mixed Use Area and enhance building identification



Sign Variance Criteria – Established Criteria

694-30A(4) - The Proposed Sign will support Official Plan objectives for the Subject Premises and surrounding area

- Staff investigation supports Policy 4.5 2c) for smooth transitions between different development scales
 - Signs designed and positioned to harmonize with taller buildings in the area
- Staff investigation supports Policy 4.5 2e) for preservation of sunlight and comfortable wind conditions
 - Proposed Signs avoid casting shadows or obstructing sunlight, contributing to pedestrian environment
- The CBO believes that the Proposed Signs provide support for Official Plan's objectives and enhance the character of the Mixed Use Area

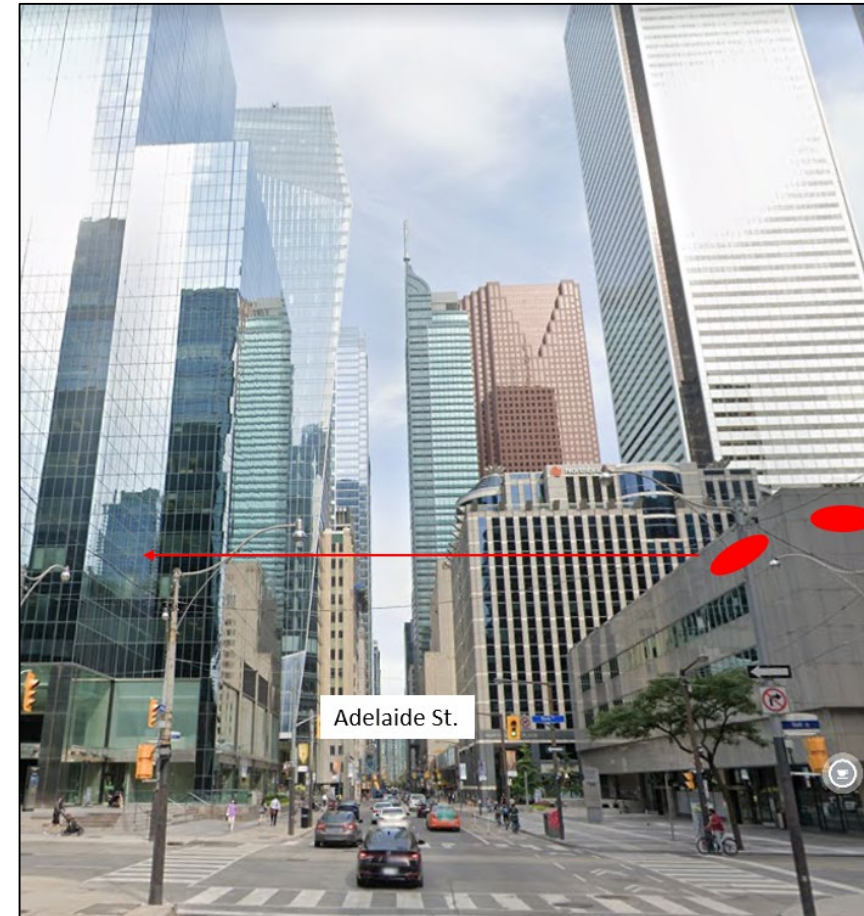
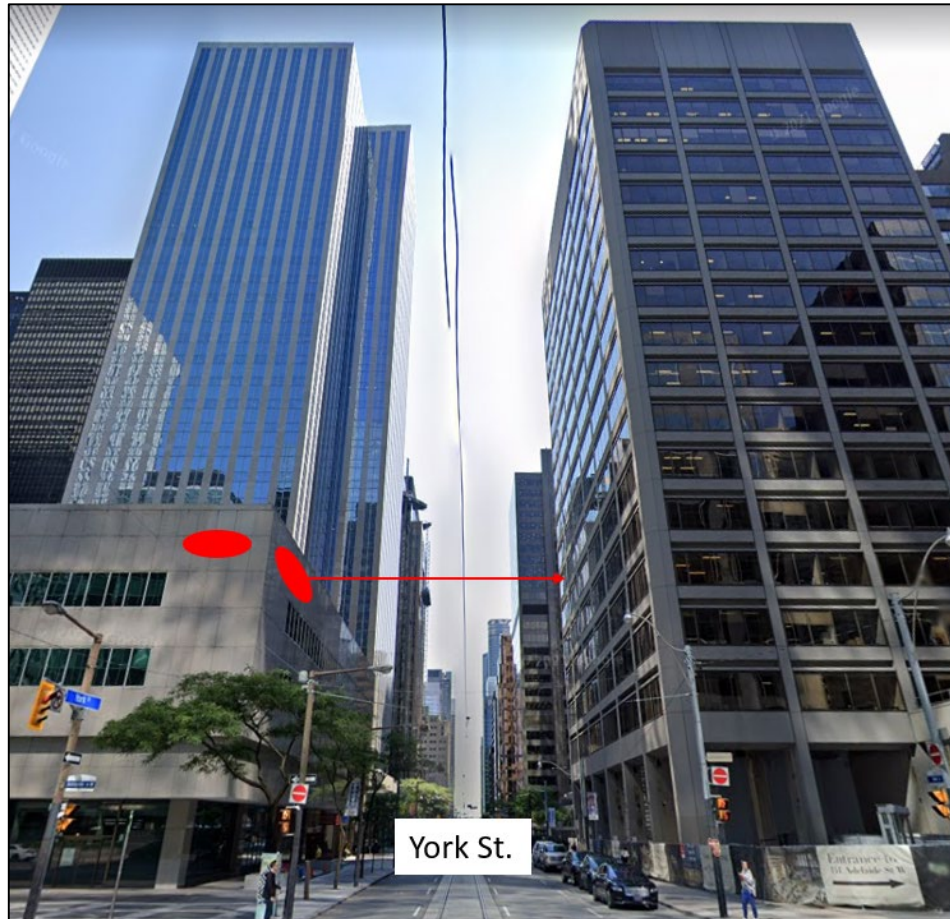
Sign Variance Criteria – Established Criteria

694-30A(5) - The Proposed Sign will not adversely affect adjacent premises

- Subject Premises and surrounding properties fall within CR Sign District
- Surrounding buildings consist mostly of tall office buildings
- The Proposed Signs consist of red and white channel letters with white LED lighting - channel letters have been chosen for lower illumination and to mitigate excessive brightness
- Illumination of signs is acceptable given context of high-rise office buildings
- The Proposed Signs designed to comply with pedestrian safety standards and Sign By-law regulations, the clearance beneath the Proposed Signs exceeds OBC and Sign Bylaw requirements
- The CBO believes this criteria has been established

Sign Variance Criteria – Established Criteria

694-30A(5) - The Proposed Sign will not adversely affect adjacent premises



Sign Variance Criteria – Established Criteria

694-30A(6) - The Proposed Sign will adversely affect public safety, including traffic and pedestrian safety

- The Sign By-law regulations aim to prevent adverse impacts on public safety for signs that meet the requirements.
- The Proposed Signs are positioned at a horizontal setback from the property lines on the north and west sides that meet the Sign By-law requirements.
- The vertical clearance of at least 16.13 meters between the ground level and the bottom of the Proposed Signs exceeds the minimum height requirements specified by both the Sign By-law and the Ontario Building Code.
- The Proposed Signs display static copy, which will not lead to variable light levels or contain any image transitions or effects.

Sign Variance Criteria – Established Criteria

694-30A(6) - The Proposed Sign will adversely affect public safety, including traffic and pedestrian safety

- Based on Staff's review, the CBO is of the opinion that the Proposed Signs do not pose a realistic possibility of adversely affecting public safety. As such, the CBO is of the opinion that this criteria has been satisfied.

Sign Variance Criteria – Established Criteria

694-30A(7) - The Proposed Sign will not be a sign prohibited by §694-15B

- The Appellant's materials contain sufficient information to confirm that the Proposed Signs are not a sign that is prohibited by §694-15B of the Sign By-law. As such, the CBO is of the opinion that this criteria has been established.

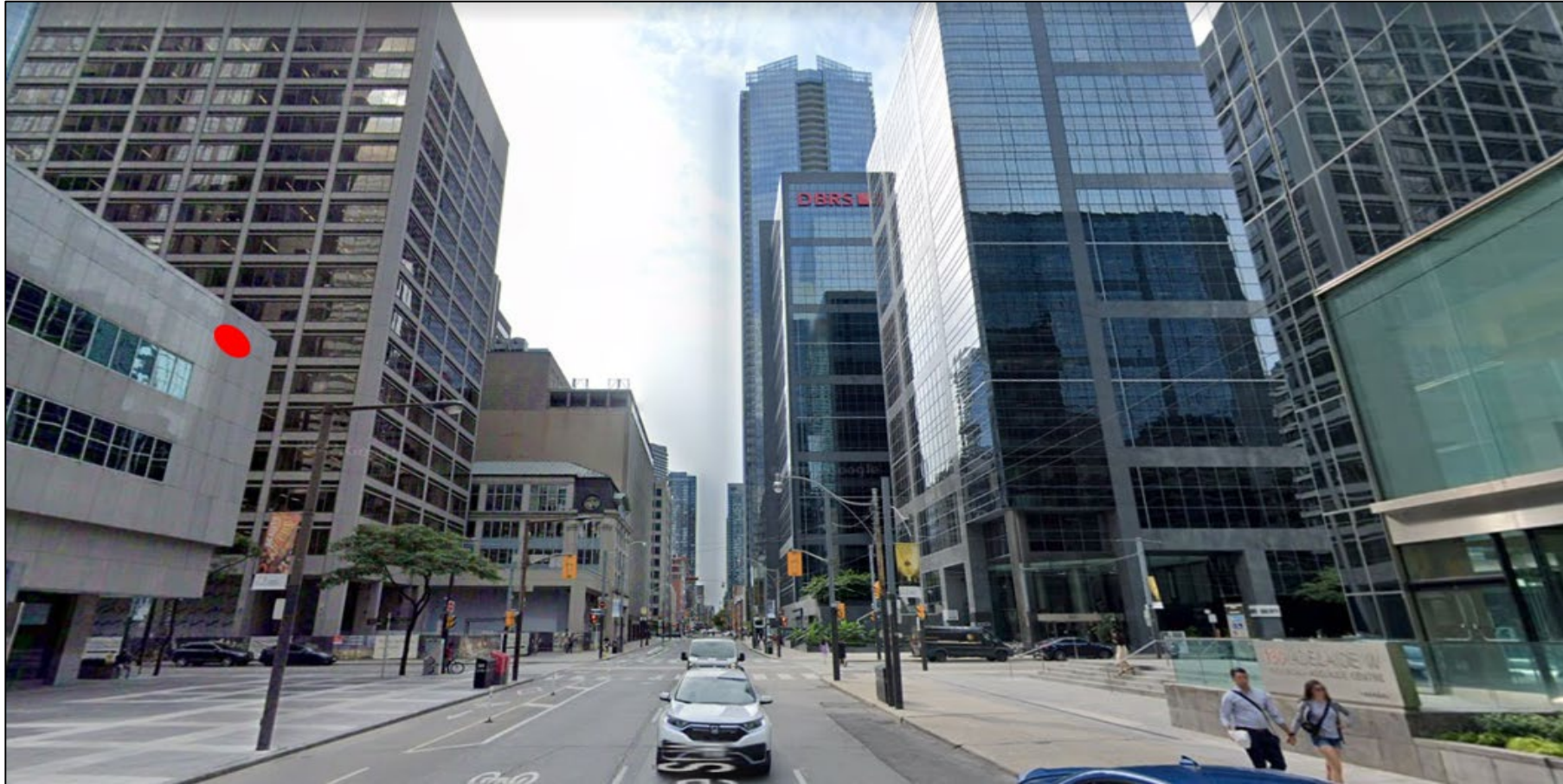
Sign Variance Criteria – Non Established Criteria

694-30A(8) - The Proposed Sign will not alter the character of the premises or surrounding area

- Subject Premises located in CR Sign District allowing first-party wall signs on first and second storeys
- The Proposed Signs occupy approximately 4.8% of wall face area on fourth storey
 - Percentage falls within limits for signs at lower storeys, but no evidence provided on how it won't alter character of premises or surrounding area
- The Proposed Signs at uppermost storey where no other wall signs exist raises concerns about altering character of surroundings
- Little information was provided to determine that signs won't alter character of premises and surrounding area, as such the CBO does not believe this criteria has been established

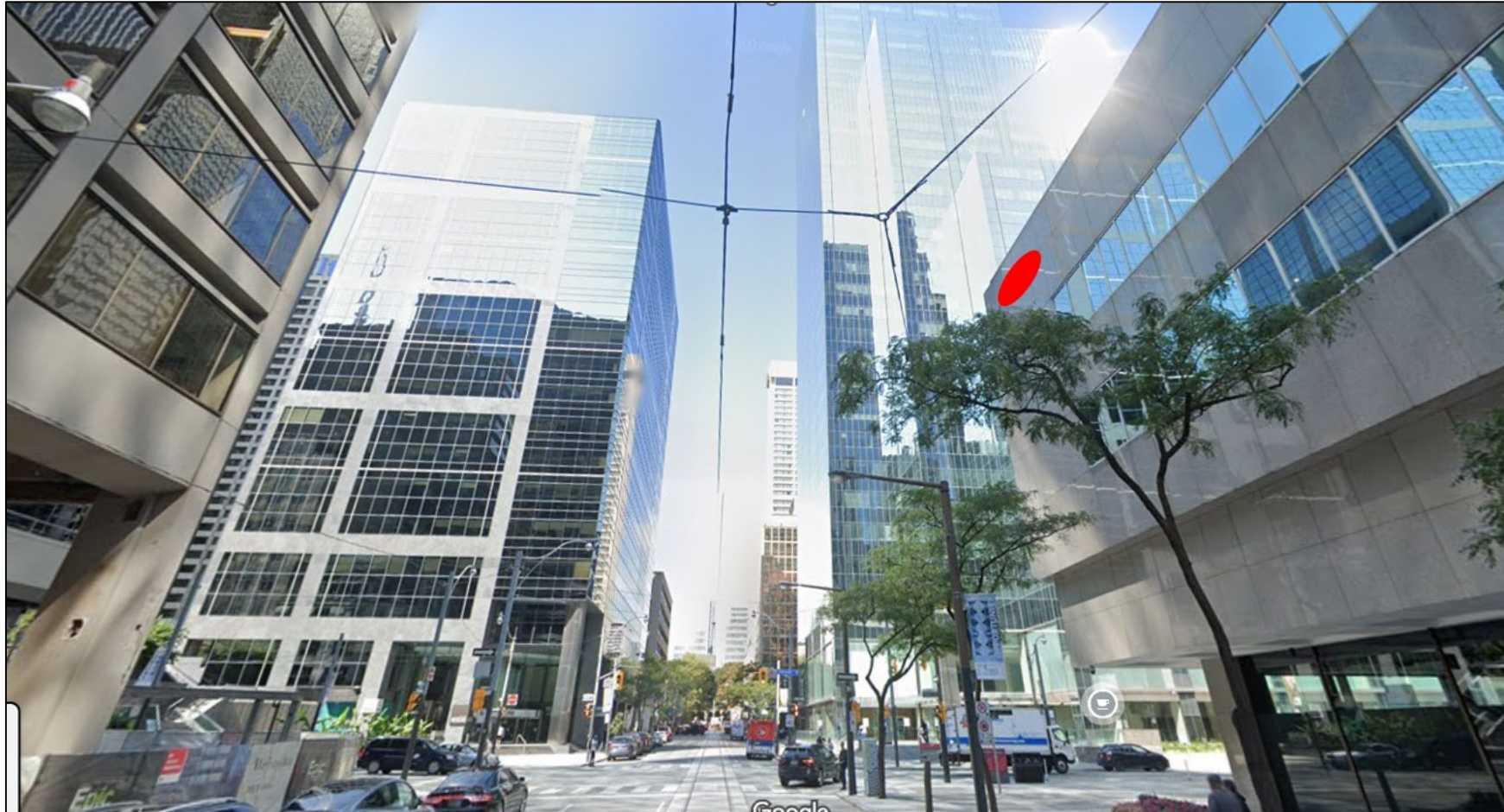
Sign Variance Criteria – Non Established Criteria

694-30A(8) - The Proposed Sign will not alter the character of the premises or surrounding area



Sign Variance Criteria – Non Established Criteria

694-30A(8) - The Proposed Sign will not alter the character of the premises or surrounding area



Sign Variance Criteria – Non Established Criteria

694-30A(9) - The Proposed Sign will not be, in the opinion of the decision maker, contrary to the public interest

- Sign By-law objectives prefer wall signs at pedestrian level or on taller buildings for skyline contribution
 - Proposed Signs positioned two storeys above pedestrian scale and six storeys below skyline threshold; this deviates significantly from Sign By-law regulations and objectives
- Ground sign(s) or other permitted signage options can be used instead of Proposed Signs
 - The existing ground sign on north frontage of Subject Premises would be suitable to identify National Bank
- The Appellant's submission lacks sufficient information to establish Proposed Signs are not contrary to public interest, as such the CBO believes this criteria has not been established

Sign Variance Criteria – Established Criteria

694-30A(9) - The Proposed Sign will not be, in the opinion of the decision maker, contrary to the public interest



Conclusion and CBO Recommendation

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

- The Sign Variance Committee **refuse to grant** the requested variance to the Sign By-Law, as required to allow the Applicant to obtain a permit for the erection and display of two first party wall signs at the property of 130 King Street West.

QUESTIONS