

Appeal of the Chief Building Official's Decision for a Signage Master Plan Application for one First Party Roof Sign

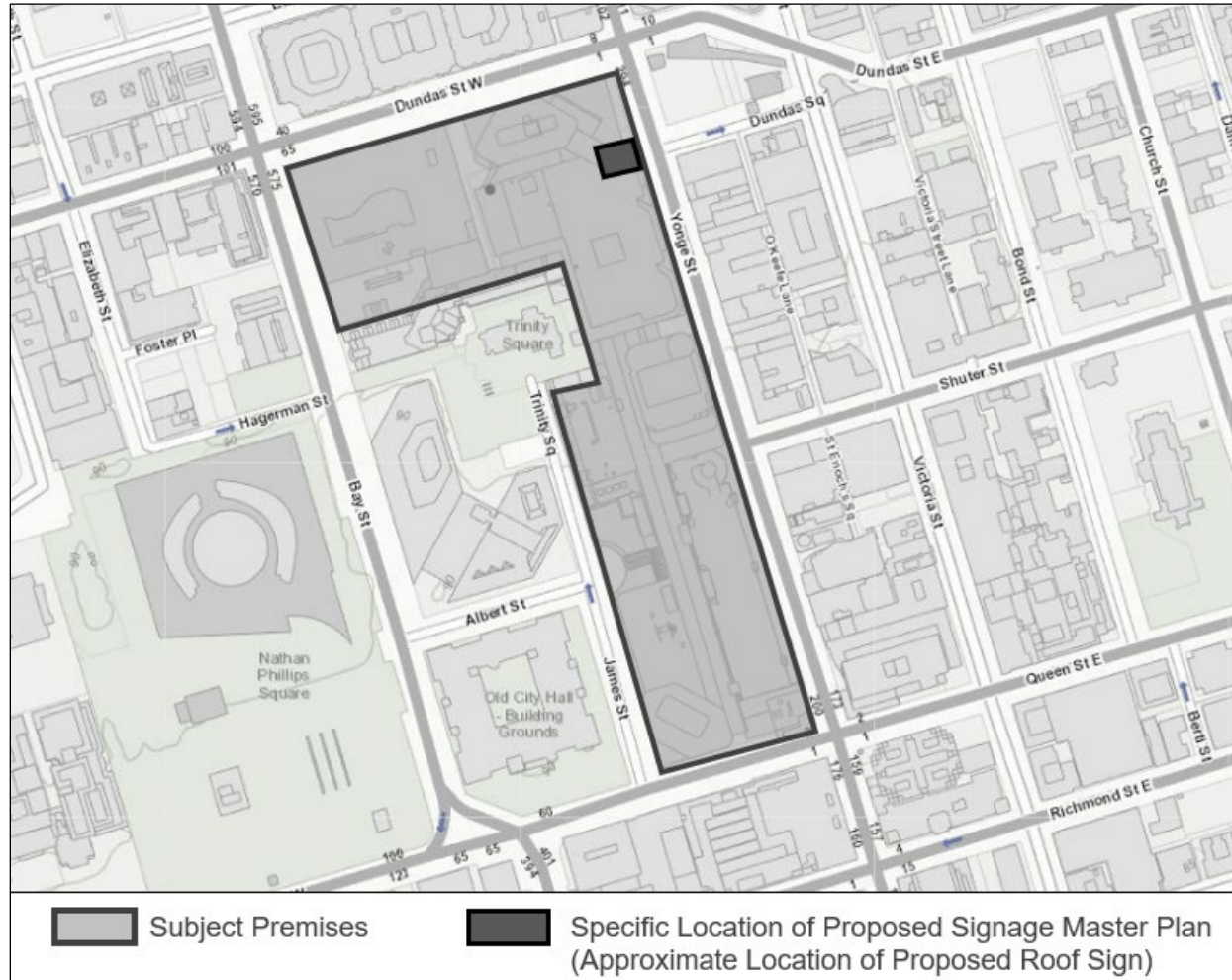
33 Dundas Street West

March 1, 2024

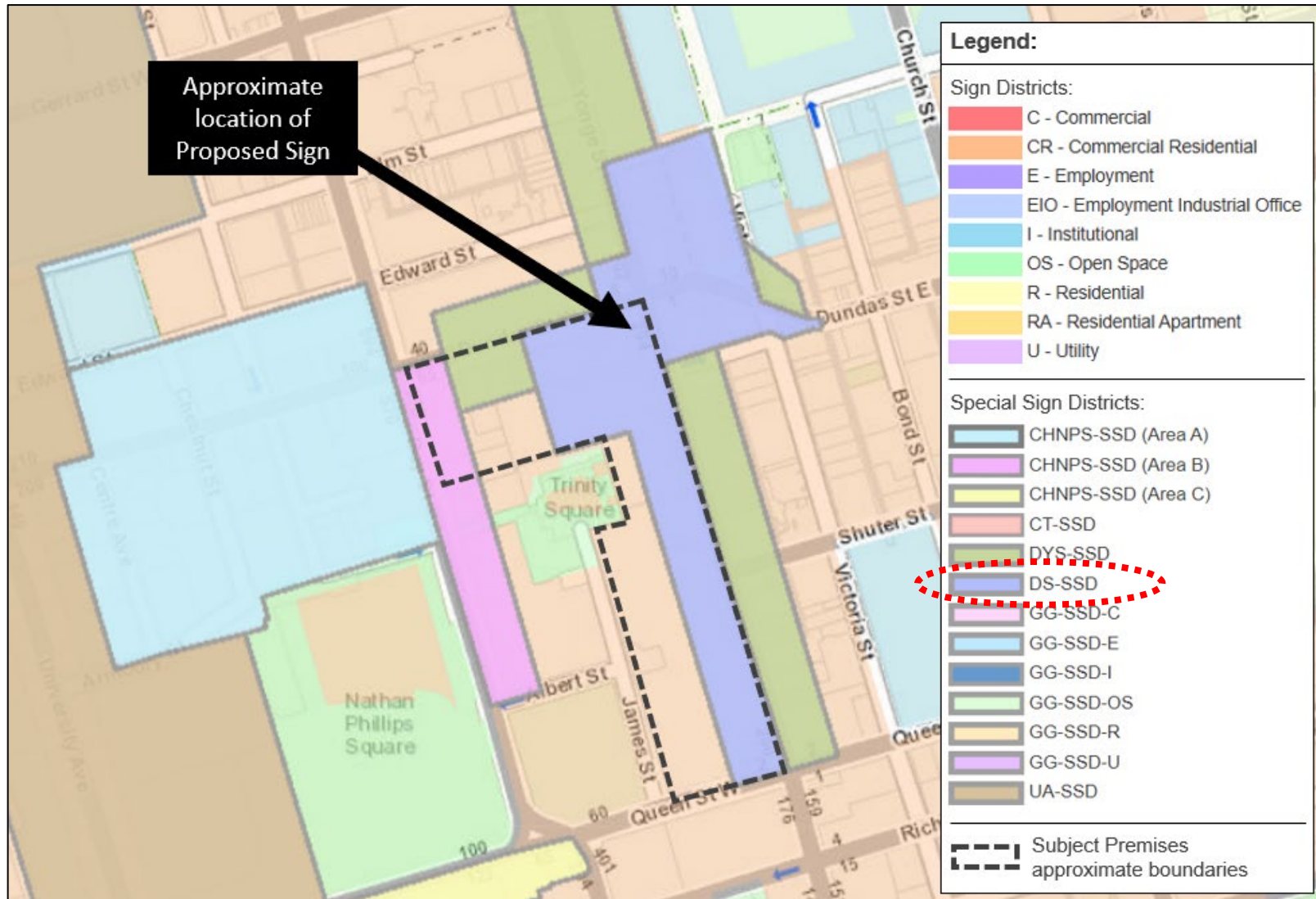
Signs Description

Sign Type	Roof Sign
Sign Copy Type	Static Copy, illuminated
# of Sign Faces	One face
Sign Location	Northeast portion of the roof of the building (the Eaton Centre)
Face Orientation	North-easterly direction
Sign Face Dimensions (width x length)	3.05 metres vertically x 8.75metres horizontally
Sign Face Area / height	26.65 square metres / max 38.05 metres

Proposed Signs' Location



Sign District Designation



Sign District Map

Requested and Required Variances

Sign By-Law Reference	Requirement	Proposal
694-Schedule C, Subsection 3.J.(2)(c)	The premises municipally known in the year 2016 as 1 Dundas Street West and commonly known as "The Eaton Centre", may contain a first party roof sign provided the sign shall be located in one of the location identified by the number 4 on the diagrams indicated at Subsections J(3), (4), (5) and (6) as Maps 1, 2, 3 and 4 - 1 Dundas Street West.	The Proposed Roof Sign would not be located at any of required locations for the first party roof signs at the premises.
694-Schedule C, Subsection 3.J.(2)(g)	The premises municipally known in the year 2016 as 1 Dundas Street West and commonly known as "The Eaton Centre", may contain a first party roof sign provided that no more than one (1) roof sign shall be located on the premises	The Proposed Roof Sign would be one additional roof sign sought to be located at the premises.

Sign Variance Criteria – Established Criteria

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

- The Proposed Roof Sign in the Proposed Signage Master Plan belongs to the first party sign class, first party signs are permitted in the DS-SSD

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 Roof Sign in the Proposed Signage Master Plan belongs to the first party sign class.

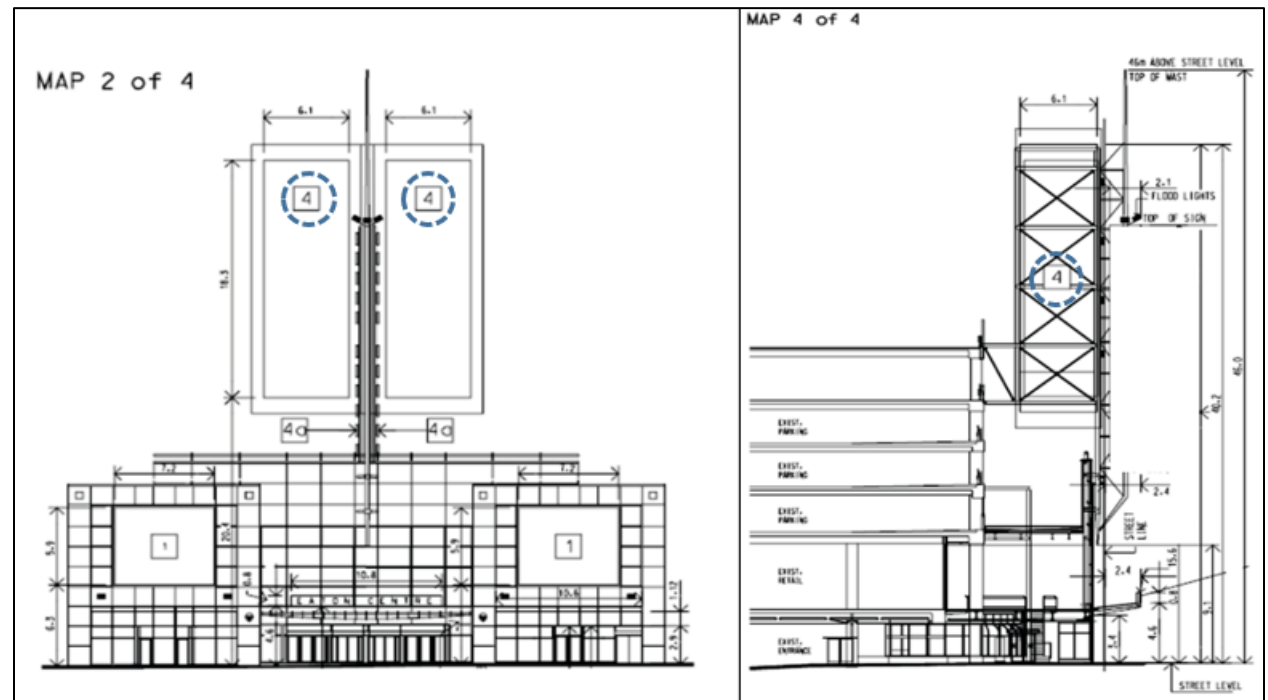
694-30A(7) - The Proposed Sign is not a sign prohibited by §694-15B.

- Subsection 694-15B(2) prohibits roof signs but allows exceptions for first party signs in a Signage Master Plan or signs in Dundas Square Special Sign District. The Proposed Roof Sign in the Proposed Signage Master Plan meets the criteria for the exception.

Sign Variance Criteria – Established Criteria

694-30A(3): The Proposed Sign would not be compatible with the development of the premises and surrounding area.

- The Applicant stated that the Proposed Roof Sign resembles existing signs, contributing to a cohesive sign plan for the premises .
- Special regulations for signs around Yonge-Dundas Square regulate surrounding buildings on an individual basis.
- These regulations suggest any additional roof sign may not conform to the City Council's vision for the premises and the Special Sign District.
- The Applicant's submission was not sufficient to demonstrate how the proposed sign would be compatible with the Council's vision for signage at the Subject Premises.

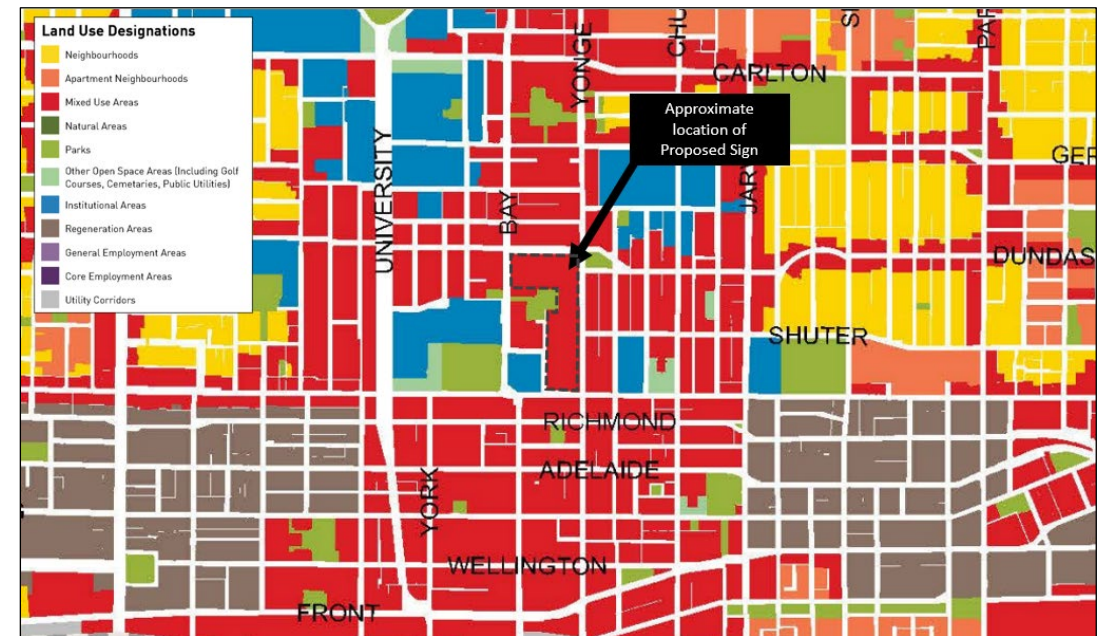


**Permitted Locations for Roof Signs at 1 Dundas Street West (as listed in Schedule C) -
Diagram Subsections 3 J (4) and (6) of Schedule C, Area Maps 2 and 4**

Sign Variance Criteria – Established Criteria

694-30A(4) - The Proposed Sign supports the Official Plan objectives for the subject premises and surrounding area.

- The property is designated as a Mixed Use Areas in the Official Plan.
- The development and re-development of this area is also guided by Site and Area-Specific Policy #174.
- Both Official Plan Designation and Policy #174 support commercial uses, and the Proposed Roof Sign could contribute to the objectives of the area as it would identify a business located in the area.
- As a result, the Chief Building Official believes that this criterion has been established.

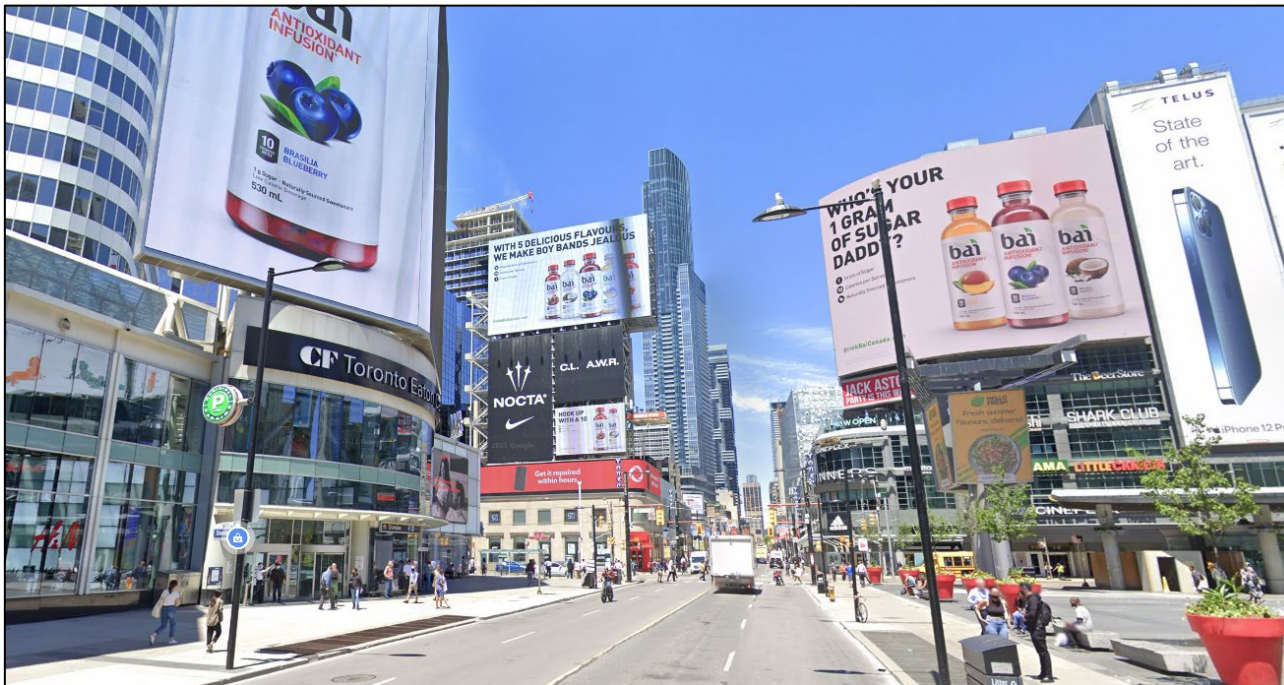


Toronto Official Map

Sign Variance Criteria – Established Criteria

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

- The Proposed Roof Sign would be located in an area with a significant number of signage.



Google Street View of the Subject premises and Adjacent areas

- Staff is of the opinion that the Proposed Roof Sign of the Proposed Signage Master Plan does not raise a reasonable basis for any concern regarding adverse effects on adjacent premises.

Sign Variance Criteria – Established Criteria

694-30A(6) - The Proposed Sign will not adversely affect public safety, including traffic and pedestrian safety.

- The Roof Sign in the Proposed Signage Master Plan would meet all clearances and setbacks as required in the Sign By-law and not flash or display any form of intermittent illumination and will likely not be confused with traffic signals.
- Staff does not foresee any reasonable expectations that the Proposed Roof Sign would contribute to any issues affecting to public safety, including traffic and pedestrian safety.

Sign Variance Criteria – Established Criteria

694-30A(8) - The Proposed Sign would alter the character of the premises or surrounding area.

- According to Applicant's submission, the Proposed Roof Sign, with its low profile, would not disrupt the premises' character or contribute to visual clutter, aligning with existing signage.
- The Sign By-law sets out site-specific permissions concerning signs on the property.
- The permitted locations and number of roof signs on the Subject Premises are explicitly identified in Schedule C of Chapter 694.
- Staff believes that a new roof sign on the Subject Premises would not be in line with the Council's vision for this Special Sign District and could contribute to visual clutter.
- The Applicant did not provide sufficient information to determine that the Proposed Roof Sign in the Proposed Signage Master Plan would be compatible with the Council's vision for the Subject Premises and the Special Sign District.

Sign Variance Criteria – Established Criteria

694-30A(9): The Proposed Sign would be contrary to the public interest.

- The signs around Yonge-Dundas Square are regulated by the Dundas Square Special Sign District, which also provides for site basis regulations for the Subject Premises.
- The Proposed Roof Sign on the Proposed Signage Master Plan would be an additional roof sign on a premises that allows for one roof sign only, and the proposed location would not be in line with designated area in Schedule C.
- The Applicant did not provide sufficient information to demonstrate the Proposed Roof Sign in the Proposed Signage Master Plan would be compatible with the Council's vision for signage at the Subject Premises.
- Therefore, it is the Staff's opinion that the Applicant's submission was not sufficient to establish that the Proposed Signage Master Plan would not be 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 and required variance to Subsection 3.J.(2)(c), of Schedule C, Additional Special Sign District Regulations, of Chapter 694, Signs, General and the not requested but otherwise required variance to Subsection 3.J.(2)(g), of Schedule C, Additional Special Sign District Regulations, of Chapter 694, Signs, General for the implementation of the Signage Master Plan with respect to a defined area consisting of only the northeast portion of the roof of the building (commonly known as the Eaton Centre) on the premises, municipally known as 33 Dundas Street West (the "Subject Premises") and listed as 1 Dundas Street West in the applicable subsections of Schedule C, of Chapter 694, and consisting of one roof sign (the "Proposed Roof Sign"), as described in detail in Attachment 1 of this report.

QUESTIONS?