

Originator's

Files BL.03-SIG (2011)

## **PDC** JUNE 27 2011

**DATE:** June 7, 2011

**TO:** Chair and Members of Planning and Development Committee

Meeting Date: June 27, 2011

**FROM:** Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT: Sign By-law 0054-2002, as amended

**Sign Variance Applications** 

## **RECOMMENDATIONS:**

That the Report dated June 7, 2011 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested two (2) Sign Variance Applications described in Appendix 1 to 2 of the Report, be adopted in accordance with the following:

- 1. That the following Sign Variances **be granted**:
  - (a) Sign Variance Application 11-04377Ward 1Wacky Wings

1248 Dundas St. E.

To permit the following:

- (i) Two (2) advertising devices, illuminated palm trees, located at the entrance to the unit.
- (ii) One (1) fascia sign that projects 1.26m (4.16 ft.) from the building wall.

# 2. That the following Sign Variances **not be granted**:

(a) Sign Variance Application 11-04209Ward 6Origin Evergreen Mississauga820 Scollard Crt.

To permit the following:

i) One (1) banner sign located on the south elevation of the building.

#### **BACKGROUND:**

The *Municipal Act* states that Council may, upon the application of any person, authorize minor variances from the Sign By-law if in the opinion of Council the general intent and purpose of the By-law is maintained.

# **COMMENTS**:

The Planning and Building Department has received two (2) Sign Variance Applications (see Appendix 1 to 2) for approval by Council. The applications are each accompanied by a summary page prepared by the Planning and Building Department which includes information pertaining to the site location; the applicants proposal; the variance required; an assessment of the merits (or otherwise) of the application; and a recommendation on whether the variance should or should not be granted.

**FINANCIAL IMPACT:** Not applicable.

## **CONCLUSION:**

Council may authorize minor variances from Sign By-law 0054-2002, as amended, if in the opinion of Council, the general intent and purpose of the By-law is maintained. Sign By-law 0054-2002, as amended, was passed pursuant to the *Municipal Act*. In this respect, there is no process to appeal the decision of Council to the Ontario Municipal Board, as in a development application under the *Planning Act*.

**ATTACHMENTS**: Wacky Wings

Appendix 1-1 to 1-11

Origin Evergreen Mississauga

Appendix 2-1 to 2-8

Edward R. Sajecki

Commissioner of Planning and Building

Prepared by: Darren Bryan, Supervisor Sign Unit



# SIGN VARIANCE APPLICATION REPORT Planning and Building Department

June 7, 2011

**FILE:** 11-04377

**RE:** Wacky Wings

1248 Dundas St. E. - Ward 1

The applicant requests the following variance to Section 4(6) and 17 of the Sign By-law 0054-2002, as amended.

Section 4(6)	Proposed
Any sign not expressly permitted by the Sign	Two (2) advertising devices – illuminated palm
By-Law is prohibited.	trees – located at the entrance to the unit.
Section 17	Proposed
A fascia sign may project out from a	One (1) fascia sign that projects 1.26m (4.16 ft.)

#### **COMMENTS:**

The two illuminated palm trees are designed to maintain the unique branding of this corporation; they do not contain any text or advertising insignia, and act as a decorative light standard set on either side of the main entry to this establishment. In this regard, the Planning and Building Department finds the variance acceptable from a design perspective.

This fascia sign meets the by-law requirement for sign area, but projects more than the permitted 60 cm because it is sculpted to resemble a three dimensional whole chicken rather than a two dimensional sign. In this regard, the Planning and Building Department finds the variance acceptable form a design perspective.

57 William St. W., Waterloo, ON N2L 1J6 519-585-1201 519-208-7008 (fax)

April 25, 2011

City Hall
Planning & Building Department, Sign Unit
300 City Centre Drive
Mississauga, ON
L5B 3C1

Attn: Mark Toliao

Re: Sign variance for Wacky Wings at 1248 Dundas St. E., Mississauga – application # 11-4377 VAR

Dear Mark:

Please accept this letter as a formal request for a sign variance to allow two palm tree advertising devices and one chicken logo wall sign.

The proposed palm trees fall under Section 4(6) as any signs not expressly permitted by the by-law are prohibited. These trees are considered advertising devices. The chicken logo sign meets the by-law requirement for the sign area but projects more than the permitted 60 cm because it is sculpted to resemble a three dimensional whole chicken rather than a one or two dimensional sign.

Wacky Wings came into being 5 years ago and this is their fourth restaurant. The palm trees and sculpted chicken logo form an essential part of a distinctive corporate identity and branding strategy developed deliberately to differentiate themselves from the competition. They are currently expanding into the franchise market on a national basis.

This property is located in a commercial zone at the end of the mall set well back from Dundas Street. The intent is to bring attention to the restaurant through the use of a different style of signage without the use of flashing or moving lights.

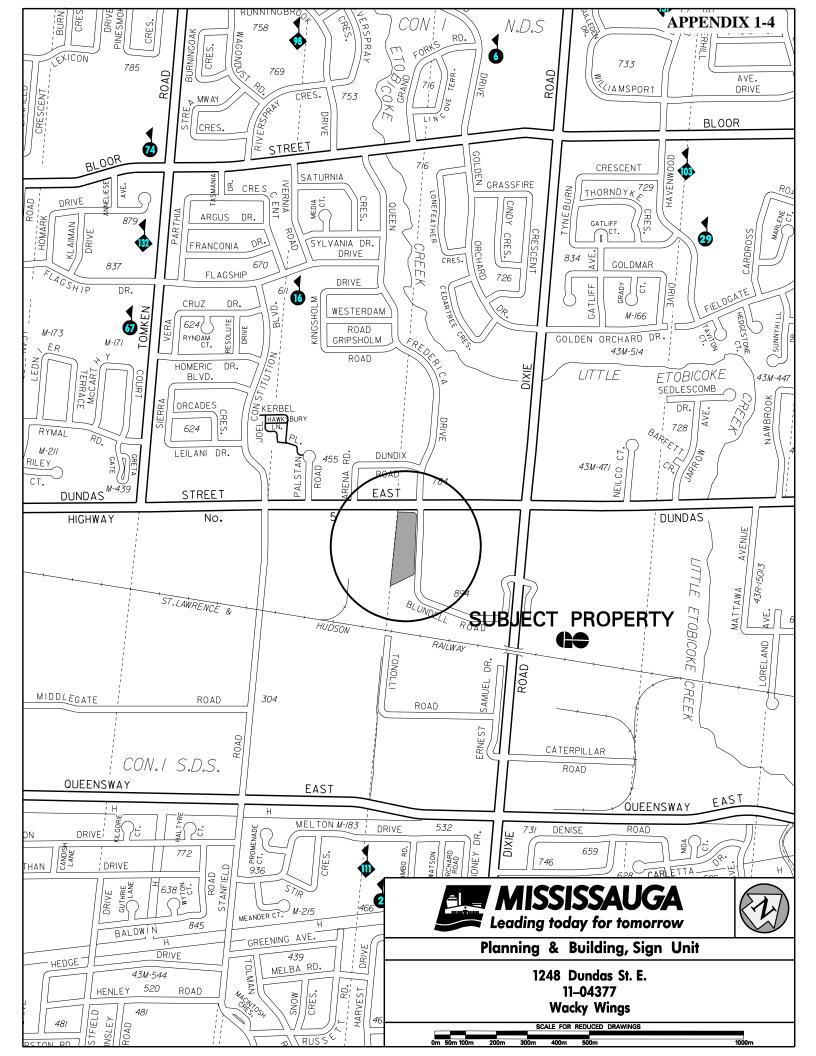
The proposed sign is complimentary to the building design and will not create a negative impact on the surrounding properties.

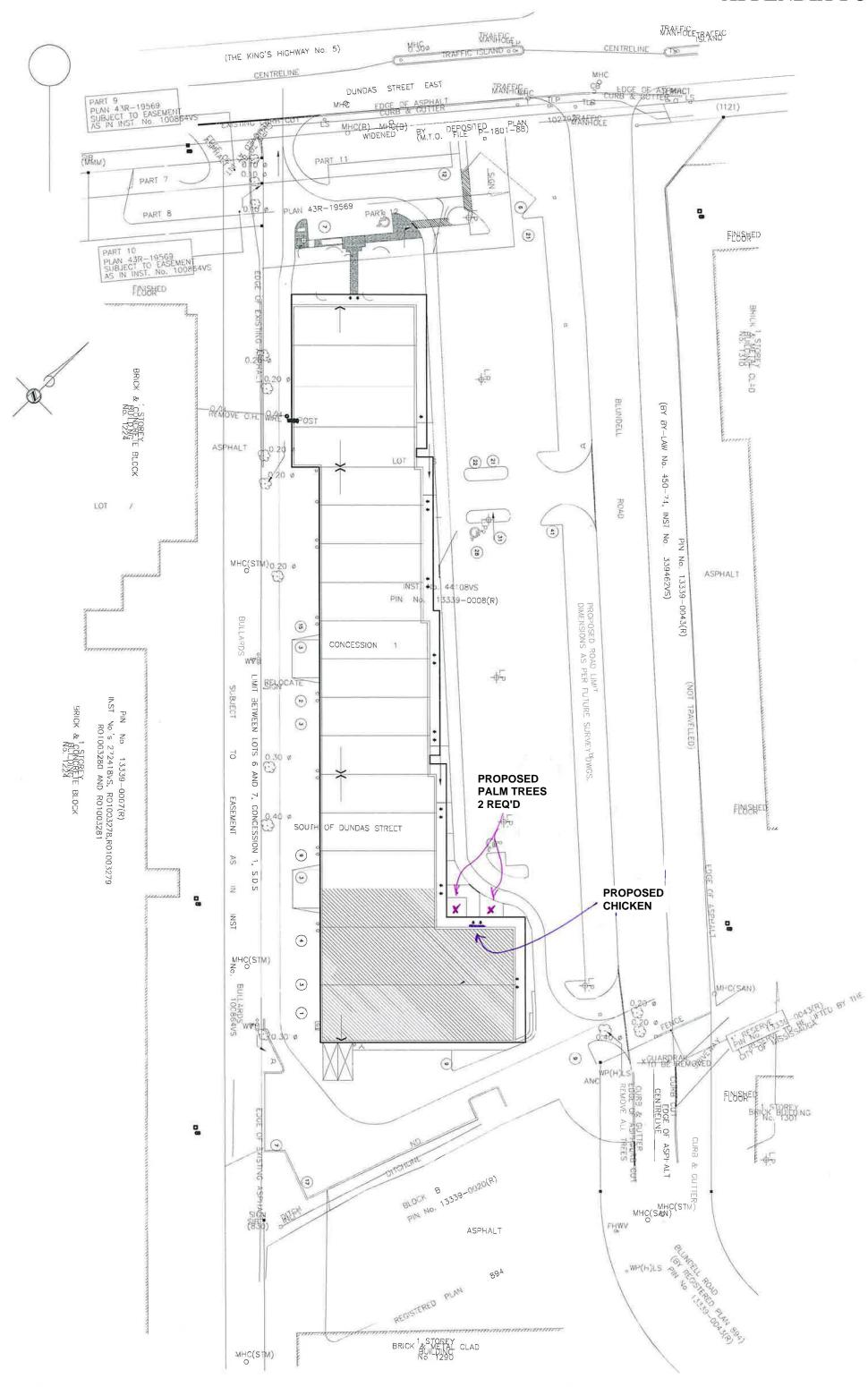
We are respectfully requesting your support in this matter. If you require additional information or have any questions, feel free to contact the undersigned.

Thank you,

Svetlana Levant, A.Sc.T. permits@permitworld.ca

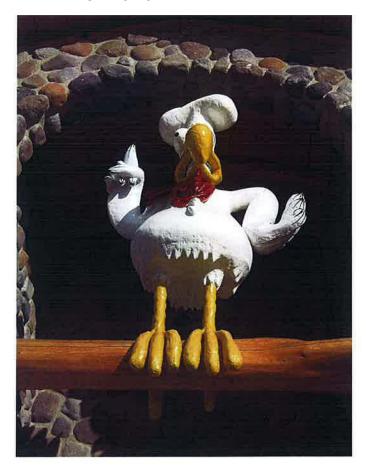


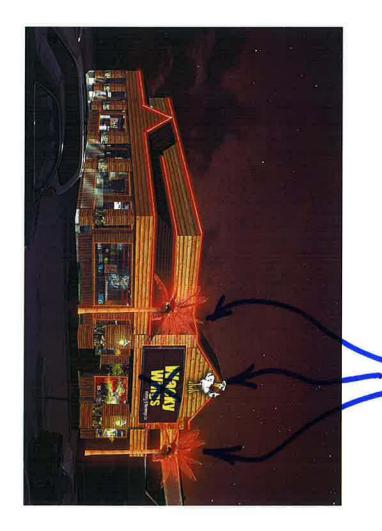




# **EXAMPLE OF A CHICKEN**

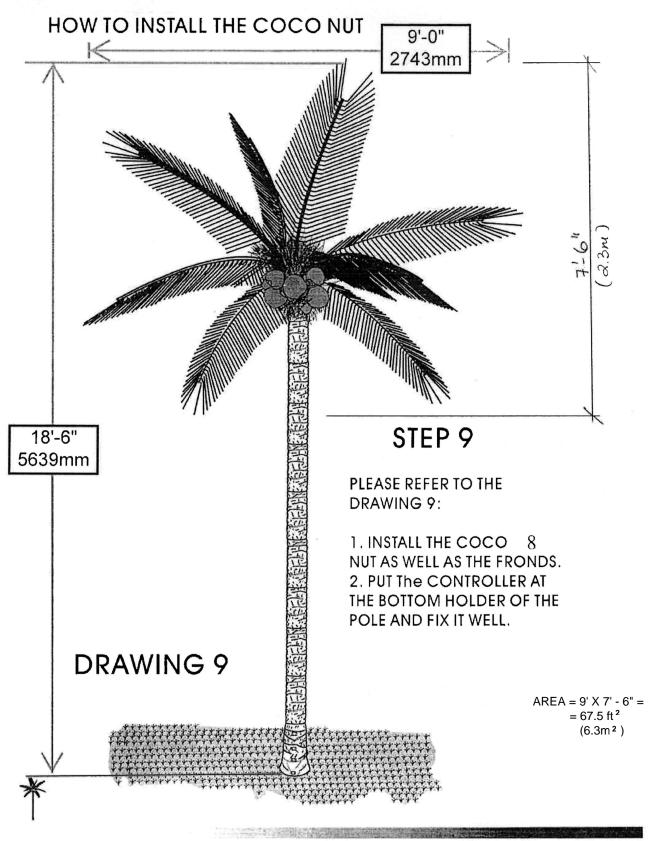






PROPOSED PALM TREES AND CHICKEN

WACKY WINGS 1248 DUNDAS ST. E. MISSISSAUGA



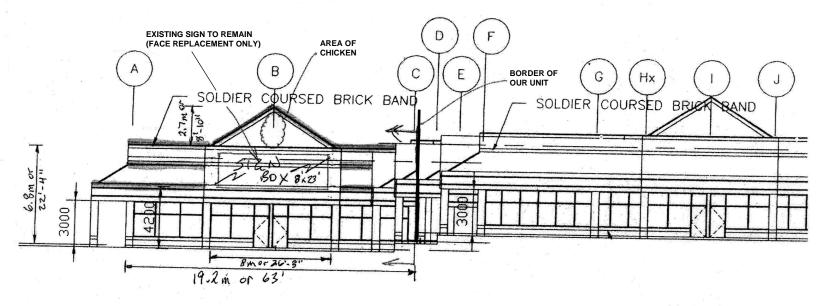
APPENDIX 1-8

Existry orgnage:
- 819n Box = 8'\* 23'= 184.0 fr
- light hebiy = 8.54 fr

192.54 fr

Proposed signage:
- chicken = 7'x 5' = 35 for

Total on this elevation = 227.54 for < 304.6 for



# WACKY WINGS NORTH ELEVATION

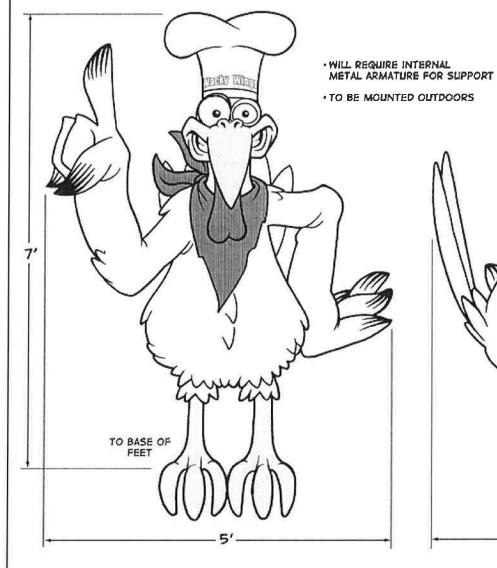
The LED lights will be attached to the building by installing an aluminium track to the wood facing of the building using wood screws. The LED rope is then inserted into the track. (74P.)

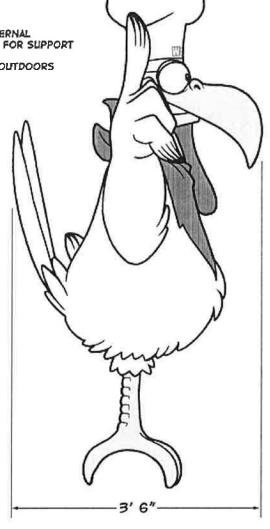
SCALE 1:200 22-4"x 63' = 1407" OF WALL SURFACE Yz x 26-3"x 8-10" = 116" OF WALL SURFACE 20% = 304.6 fz RED LINE INDICATES \$8"LEDBAND

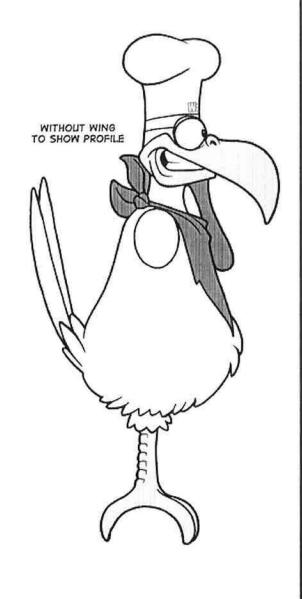
164" required.

Area = \$8" × 164" = 8.54 for (0.8 m²)

Approved by permit # 10-3461







**DMAC** 

Wacky Wings Mascot Prop Concept

Theming Experts!
November 25, 2010



# Phantom Inc. dba Art Attack

9350 - 47 Street Edmonton, AB Canada T6B 2P6

Tel: 780.433.2589 Fax: 780.439.8908 Email: sales@artattackfx.com Web: www.artattackfx.com

Design Development Drawing NOT FOR CONSTRUCTION

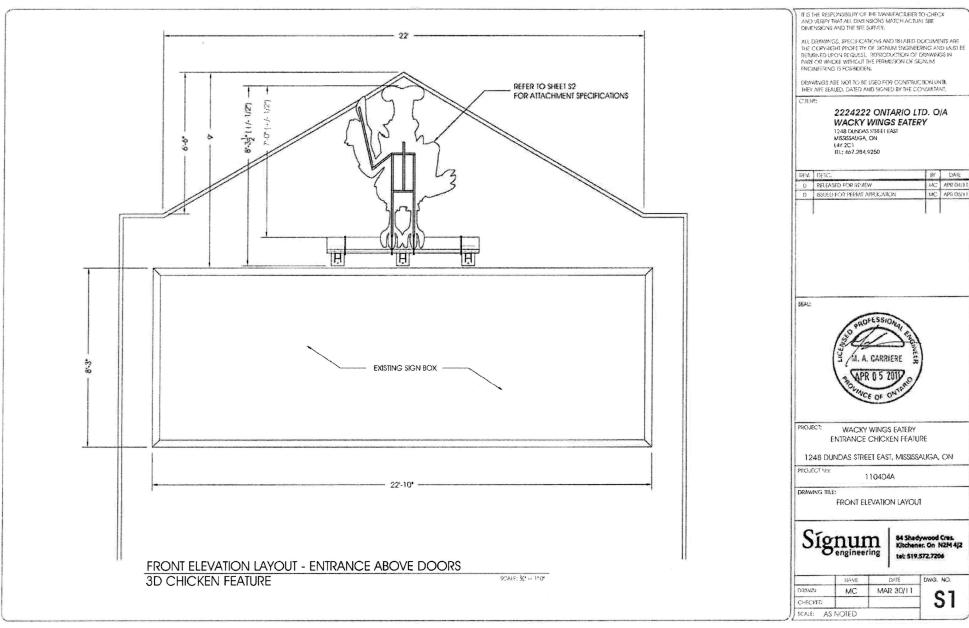
This document contains designs, plans an confidential information that is the exclusive property of Phantons Inc. Any visualization of this information use, disclosure or displication of this information of the lattice of the property of

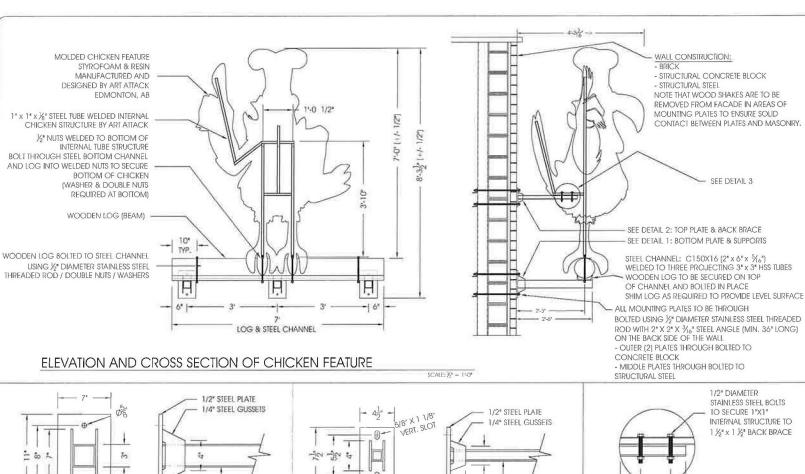
Wacky Wings



DATE

DWG. NO.





**DETAIL 3: TUBE CONNECTION** 

#### **DESIGN NOTES & SPECIFICATIONS:**

3"

**DETAIL 1: BOTTOM PLATE & SUPPORTS** 

3" x 3" x 1/6"

STEEL HSS

- 1) DESIGN WIND AND SNOW LOADS AS PER 2006 ONTARIO BUILDING CODE FOR MISSISSAUGA;
- a 1/50 = 0.49 kPaSs = 1.1 kPaSr = 0.4 kPa2) STEEL CHANNEL TO CONFORM TO: G40.21 350W
- 3) STEEL HSS TO CONFORM TO: G40.21 350W
- 4) STEEL PLATES AND GUSSETS: 300 MPa (44 KSI) MINIMUM YIELD

DETAIL 2: TOP PLATE & BACK BRACE

- 5) ALL WELDS TO BE  $\frac{3}{6}$ " FILLET WELDS ALL AROUND UNLESS NOTED OTHERWISE
- 6) CHICKEN MOLDED FEATURE; WEIGHT = 500 LBS

1 1/2" x 1 1/2"

x 3/6" STEEL HSS

- 7) THREADED ROD: STAINLESS STEEL ASTM A193 GRADE B8
- 8) CONNEDTION BOLTS: STAINLESS STEEL ASTM A193 GRADE B8
- 9) SIGNUM ENGINEERING RETAINED FOR DESIGN OF SUPPORT
- STRUCTURE AND CONNECTION DETAILS ONLY,

IT IS THE RESPONSIBILITY OF THE MANUFACTURER TO CHECK AND VERIFY THAT ALL DIMENSIONS MATCH ACTUAL SITE DIMENSIONS AND THE SITE SURVEY.

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF SIGNUM ENGINEERING AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS IN PART OR WHOLE WITHOUT THE PERMISSION OF SIGNUM ENGINEERING IS FORBIDDEN.

DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNTIL THEY ARE SEALED, DATED AND SIGNED BY THE CONSULTANT.

CLIENT:

2224222 ONTARIO LTD. O/A WACKY WINGS EATERY

1248 DUNDAS STREET EAST MISSISSAUGA, ON LAV 201 1EL: 467,284,9250

REV.	DESC.	BY	DATE
0	RELEASE FOR REVIEW	MC	APR 04/11
0	ISSUED FOR PERMIT APPLICATION	MC	APR 05/11

SEAL



PROJECT: WACKY WINGS EATERY ENTRANCE CHICKEN FEATURE

1248 DUNDAS STREET EAST, MISSISSAUGA, ON

110404A

DRAWING TITLE:

ATTACHMENT DETAILS AND CROSS SECTION

84 Shadywood Cres. Kitchener. On N2M 4J2 tel: 519.572.7206

	NAME	DATE
DRAWN	MC	MAR 30/11
CHECKED		
SCALE: AS	NOTED	

APPENDIX 1-11



# SIGN VARIANCE APPLICATION REPORT Planning and Building Department

June 7, 2011

**FILE:** 11-04209

**RE:** Origin Evergreen Mississauga

820 Scollard Court - Ward 6

The applicant requests the following variance to section 4(6) of the Sign By-law 0054-2002, as amended.

Section 4(6)	Proposed
A banner sign is specifically prohibited.	One (1) banner sign located on the south
	elevation of the building

#### **COMMENTS:**

Previously, the applicant was granted an approval for a variance to display this banner on the building until November 30, 2009. At that time, the applicant had received a Notice of Contravention for illegal installation of the sign, dating back to February 9, 2009.

Upon expiration of the variance, the applicant requested a further extension to May 31, 2010 and noted in their letter of rationale that they will not request any further extensions to this date. The approved Council Recommendation of April 14, 2010:

That the following Sign Variance be granted:

"One (1) banner sign located on the south elevation to remain provided the banner sign be removed on or before May 30, 2010 and that no further sign variances be granted for the banner sign."

On June 2, 2010, and inspection by Sign Unit staff confirmed the banner had been removed. However, on January 24, 2011, the applicant erected another banner in the same location without any approvals and charges are now pending before the Courts. The Planning and Building Department therefore does not support the variance application.

The 4 banners signs shown in Appendix 2-4, submitted by the applicant, are not located in Mississauga. The banner sign shown in the upper right hand picture was located in Mississauga (on Robert Speck Parkway), but was removed on or about May 3, 2011 as a result of the issuance of a Notice of Contravention by the area inspector.



City of Mississauga Planning and Building Department – Sign Unit 300 City Centre Drive Mississauga, Ontario L5B 3C1

March 18, 2011

Attention: Mr. Jeff Grech – Inspector, Sign Unit

Re: Letter of Rationale - Application For Sign Variance

Dear Mr. Grech,

Evergreen Mississauga GP Inc. has opened a rental retirement community on the north-west corner of Mavis and Eglinton (Part of Block 139, Registered Plan M-975, located and known as 820 Scollard Court, zoned RA4-44, Residential). Origin Retirement Communities, though it's subsidiary, Origin Evergreen Inc. is the operator of this community. <a href="http://www.origin.ca/evergreen/index.html">http://www.origin.ca/evergreen/index.html</a>

Although this property is designated Residential Zoning, as a full-service rental retirement complex, there are a number of components that include additional uses. Kindly note that a Committee of Adjustment ruling on September 11, 2008 granted the property certain Minor Variances that permitted additional uses.

On April 24 2009 we applied for a Sign Variance to permit a banner to be displayed on the side of our building. We requested to have this banner up until the end of November 2009. A temporary variance to the Sign By-Law was granted. The banner was removed at that time. The slowdown in the real estate market has impeded our sales progress. Our marketing team erected a banner in January 2011 without a permit. I am usually responsible for obtaining such permits but was recovering from surgery during December and January, which was one of a number of unfortunate circumstances that led to this oversight. We have received a summons as a result. We are now working to become complaint with your By-laws and are therefore applying for a permit.

In conclusion, we are presently all enduring a particularly difficult economic climate and we at Origin Evergreen are not immune to these challenges. Our sales and leasing have been severely impacted and appropriate signage is a tremendous assistance to helping us stay competitive. Our signage requests are clearly not offensive in any way, and as per the attached images, our competition in Mississauga are all displaying similar banners on their buildings. We want to always be a strong part of the Mississauga business community and granting us the requested variance will certainly go a long way to helping us get a good start.

Thank you very much for your support. Please do not hesitate to contact me directly if you wish to discuss any issue raised herein.

Kind Regards,

Mike Brcko

Director, Business Infrastructure

Origin Evergreen Inc.

mbrcko@origin.ca cell: 416-500-3321

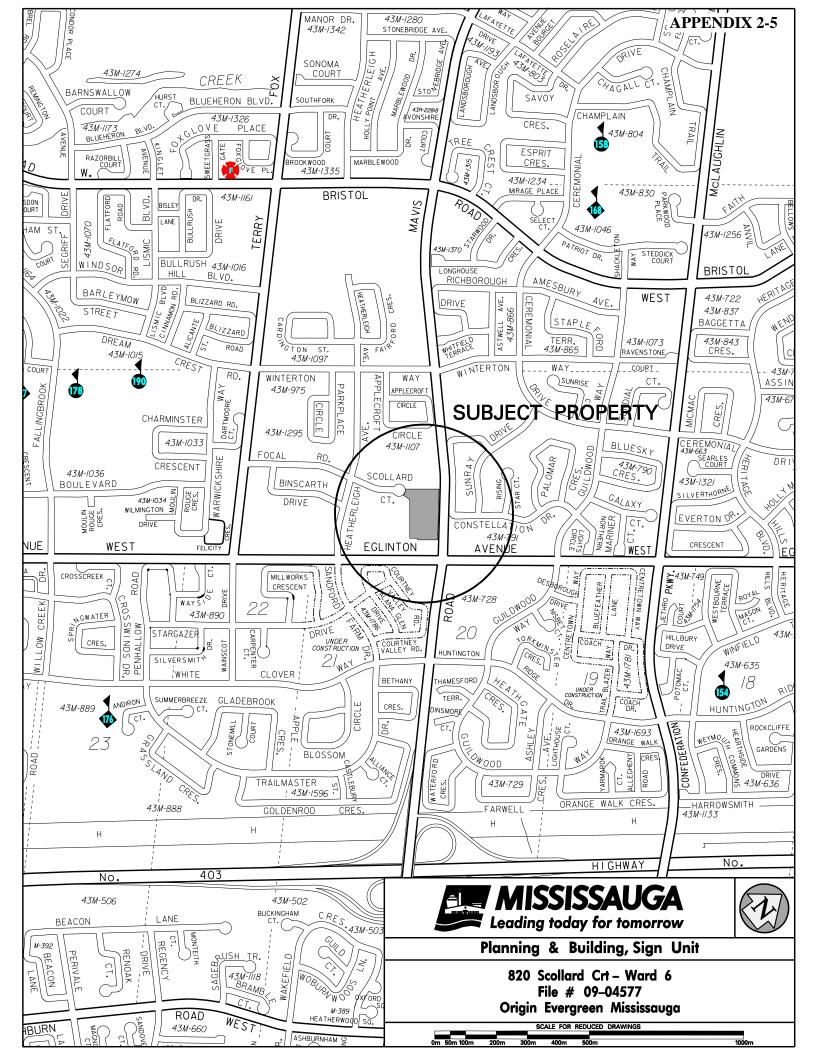


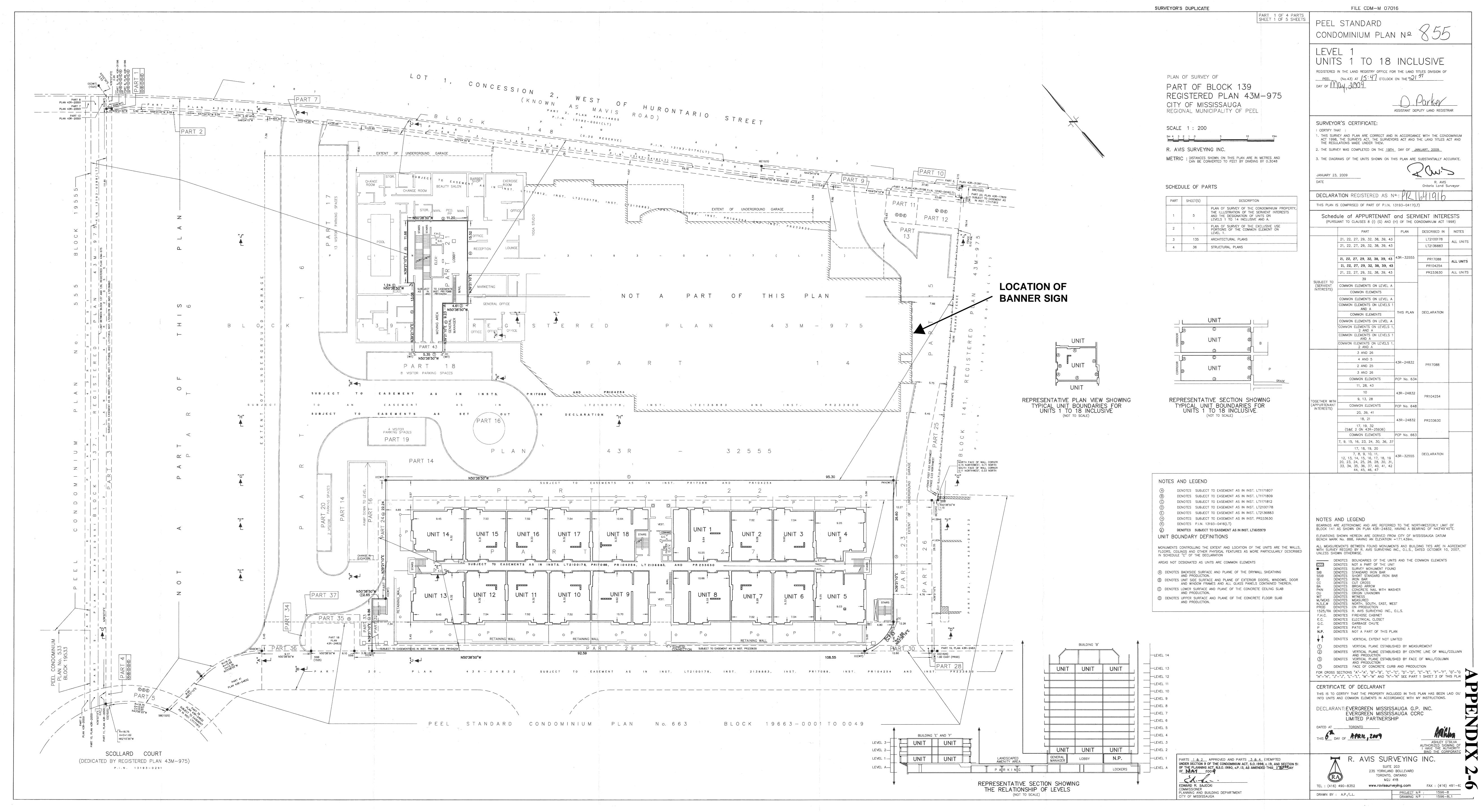


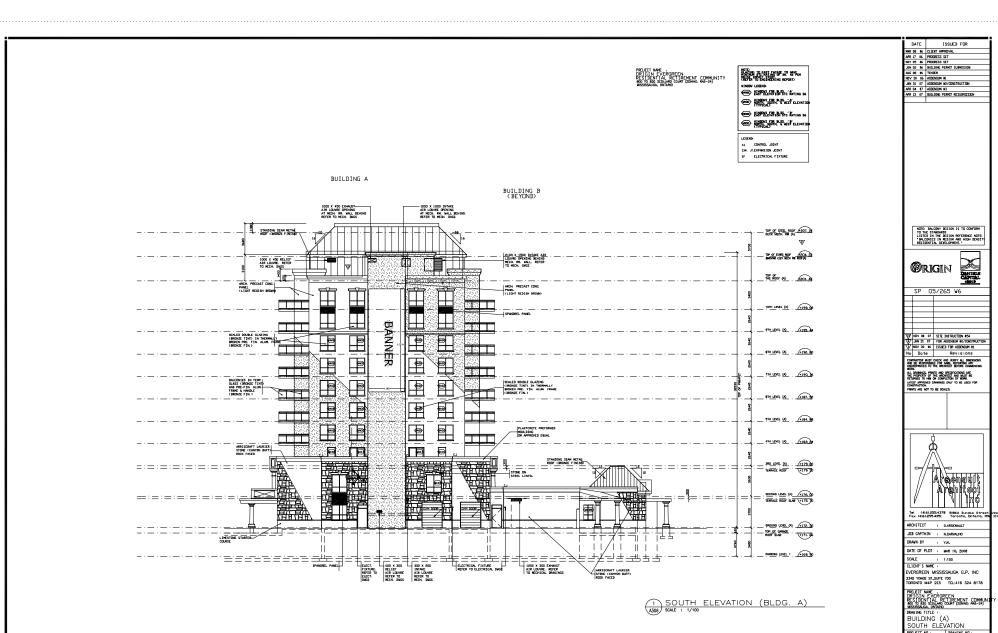












APPENDIX

05-125 A-306

# Make this the year to live a healthy lifestyle!



14 X 30 ft