

Application for Five Variances, Each Subject to Three Conditions, Respecting One Third Party Electronic Ground Sign - 10 Morse Street

Date: April 22, 2025

To: Sign Variance Committee

From: Project Director, Business Transformation and Citywide Priorities, Toronto Building

Wards: Toronto-Danforth (Ward 14)

SUMMARY

Zelinka Priamo Ltd (the "Applicant") has made an application for three variances, each subject to three conditions, required to allow the Chief Building Official ("CBO") to issue a sign permit for one third party electronic ground sign with two sign faces, displaying electronic static copy (the "Proposed Sign") at 10 Morse Street (the "Subject Premises").

The Proposed Sign would be located along the southern frontage of the Subject Premises, perpendicular to, and viewed by traffic travelling eastbound and westbound along Lake Shore Boulevard East.

The Proposed Sign would have a maximum height of 8.0 metres from grade and is proposed to contain two sign faces in a back-to-back configuration, each measuring 3.05 metres by 10.70 metres, with sign face area of 32.65 square metres. To allow the CBO to issue a sign permit, the Proposed Sign requires variances to sections 694-22D, 694-22E, 694-25C(2)(a), 694-25C(2)(f) and 694-25C(2)(h) of the Sign By-law, each variance would be subject to three conditions. The Proposed Sign, required variances, and conditions are further described in Attachment 1 to this report.

After reviewing the Applicant's submissions and the additional information provided by City staff, the CBO has determined that there are not sufficient reasons to conclude that the eight required criteria in §694-30A of the Sign By-law have been established with respect to the four variances, each subject to three conditions, as described further in Attachment 1.

RECOMMENDATIONS

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

1. The Sign Variance Committee refuse to grant the requested variances to sections 694-22D, 694-22E, 694-25C(2)(a), 694-25C(2)(f) and 694-25C(2)(h), each subject to three conditions, required to allow for the issuance of a permit respecting the erection and display of the Proposed Sign, as further described in Attachment 1 to this report.

FINANCIAL IMPACT

There are no current or known financial implications associated with the recommendations contained in this report.

DECISION HISTORY

Lake Shore Boulevard East Public Realm

The City of Toronto and Waterfront Toronto have completed a Public Realm Phasing and Implementation Plan for Lake Shore Boulevard East from Jarvis Street to Logan Avenue. This Plan was submitted to and acknowledged by the Ministry of Environment, Conservation and Parks in July 2020.

([Lake Shore Boulevard East Public Realm | Waterfront Toronto](#))

McCleary District

CreateTO is currently leading the precinct planning process in collaboration with the City of Toronto and Waterfront Toronto for the McCleary district. The district, bounded by Don Roadway to the west, Commissioners Street to the south, Lake Shore Boulevard East to the north and Logan Avenue to the east, is envisioned as a dense, transit-oriented, complete mixed-use residential community and modern employment hub.

([McCleary District | CreateTO](#))

ISSUE BACKGROUND

Table 1- Summary of Requested Variances:

Section	Requirement	Requested Variances
§ 694-22D	A third party sign shall not be erected within 100.0 metres of any other lawful third party sign whether or not erected.	There are two existing third party signs, within 100 metres of the Proposed Sign's location: one to the southeast around 77 metres away and one to the southwest, approximately 99 metres.
§ 694-22E	A third party electronic sign, as permitted by Subsections 694-25A(2), C(2), D(3), D(4), 694-26I(1), (2), and (3) shall not be erected within 150 metres of any other lawful third party sign, whether or not erected.	There are at least three existing third party signs, within 150 metres of the Proposed Sign's location: one to the southeast around 77 metres away and two to the southwest, approximately 99 metres and 130 metres, respectively.
§ 694-25C(2)(a)	An E – Employment Sign District may contain a third party electronic ground sign, provided the maximum sign face area shall not exceed 20 square metres.	The sign face area of the Proposed Sign would be around 32.65 square metres.
§ 694-25C(2)(f)	An E – Employment Sign District may contain a third party electronic ground sign, provided where a sign is located within 250 metres of an R, RA, CR, I or OS sign district, the sign cannot face any premise in the R, RA, CR, I or OS sign district.	The Proposed Sign would be facing premises in the R sign district, approximately 120 metres to the north.
§ 694-25C(2)(h)	An E – Employment Sign District may contain a third party electronic ground sign, provided there shall be no more than one ground sign or electronic ground sign erected on the premises.	There is a first party ground sign on the Subject Premises.

If granted, each of the five requested variances, would be subject to the following conditions:

- 1) Any and all existing third party signs located on the Subject Premises shall be removed and all associated permits revoked, prior to the erection or display of the Proposed Sign.
- 2) The height of the Proposed Sign shall not exceed 8.0 metres.
- 3) The Proposed Sign is located in a specific location on the Subject Premises.

Sign Attributes and Site Context:

The Proposed Sign would be located on the southern frontage of the Subject Premises along Lake Shore Boulevard East. It would feature two sign faces, each with a sign face height not exceeding 3.05 metres, sign face width not exceeding 10.70 metres, a sign face area of 32.65 square metres, and height not exceeding 8.0 metres.

There is an existing single-storey building located at 10 Morse Street, occupied by various commercial tenants. The Subject Premises currently has two third party ground signs, each containing two sign faces displaying mechanical copy (the “Existing Third Party Signs”), which are proposed to be removed as a condition of variances being granted for the Proposed Sign. There is also a first party ground sign, containing two sign faces displaying static copy, approximately 35 metres to the west of the Proposed Sign’s location (the “Existing First Party Sign”). The retention of the Existing First Party Sign on the Subject Premises triggers one of the variances sought for the Proposed Sign.

Figure 1: Existing Signs on the Subject Premises



The Subject Premises is designated as an Employment ("E") Sign District, located in Ward 14, Toronto-Danforth. As can be noted in Figure 2, the surrounding premises are also designated as E Sign Districts.

Figure 2: Location of the Proposed Sign and the Surrounding Area on Sign District Map



Surrounding premises:

North: E Sign District (low-rise light industrial building)

East: E Sign District (low-rise commercial building)

West: E Sign District (low-rise light industrial building)

South: E Sign District (Lake Shore Boulevard East Trail)

COMMENTS

Applicant Information:

The Applicant has stated that they have been authorized by the owner of the property municipally known as 10 Morse Avenue to apply for five variances, each subject to three conditions, required to allow for a permit to be issued for one third party electronic ground sign with two sign faces, displaying electronic static copy, as further described in Attachment 1.

Application Background:

The Proposed Sign is to be situated on the southern frontage of the Subject Premises, along Lake Shore Boulevard East. It would feature two sign faces in a back-to-back configuration, targeting commuters traveling in both easterly and westerly directions. Each sign face would display electronic static copy and have an area of 32.65 square meters. Further details regarding the Proposed Sign are provided in Attachment 1.

The submissions include a condition that the Existing Third Party Signs on the Subject Premises will be removed if the variances are granted. Although the application documents indicate varying heights for the Proposed Sign, the Applicant has confirmed that the height of the Proposed Sign would be 8.0 meters. To address this inconsistency, a second condition has been imposed on the Proposed Sign: that its height shall not exceed 8.0 meters.

Community Consultation:

The CBO has adopted a practice of engaging in enhanced consultation processes concerning variance applications proposing electronic signs. Notice required by the City's Sign By-law was provided to premises within a 250 metre radius of the Subject Premises, advising about the proposal. The CBO also held and informed the public of a virtual Community Consultation meeting, which was held on the evening of March 27, 2025.

As of the date of this report, the City has received four correspondences opposing the construction of the Proposed Sign. The concerns raised by the members of the public were centered around the potential effects of the Proposed Sign's illumination, the alterations it could introduce to the character of the area, and its compatibility with the changing neighborhood.

Criteria Established by §694-30A of The Sign By-law

The Sign By-law has eight mandatory criteria for evaluating a sign variance application. According to §694-30A, the Proposed Sign must meet all eight criteria to have a variance from the Sign By-law approved. The Sign Variance Committee must assess the Proposed Sign based on the information from the parties before it and decide if it meets all eight criteria.

The CBO has determined that, based on the information submitted by the Applicant and investigation by City staff, not sufficient basis has been provided to conclude that the eight required criteria established in §694-30A of the Sign By-law have been met.

Applying the Established Criteria

Section 694-30A(1): The Proposed Sign belongs to a sign class permitted in the Sign District where the premises is located

City staff have confirmed that the Subject Premises is in an Employment ("E") Sign District, which allows third party signs. The CBO has also confirmed, based on the Applicant's submission materials, that the Proposed Sign belongs to the third party sign class, as it would advertise, promote, or direct attention to things that are not available or related to the premises where the Proposed Sign would be installed.

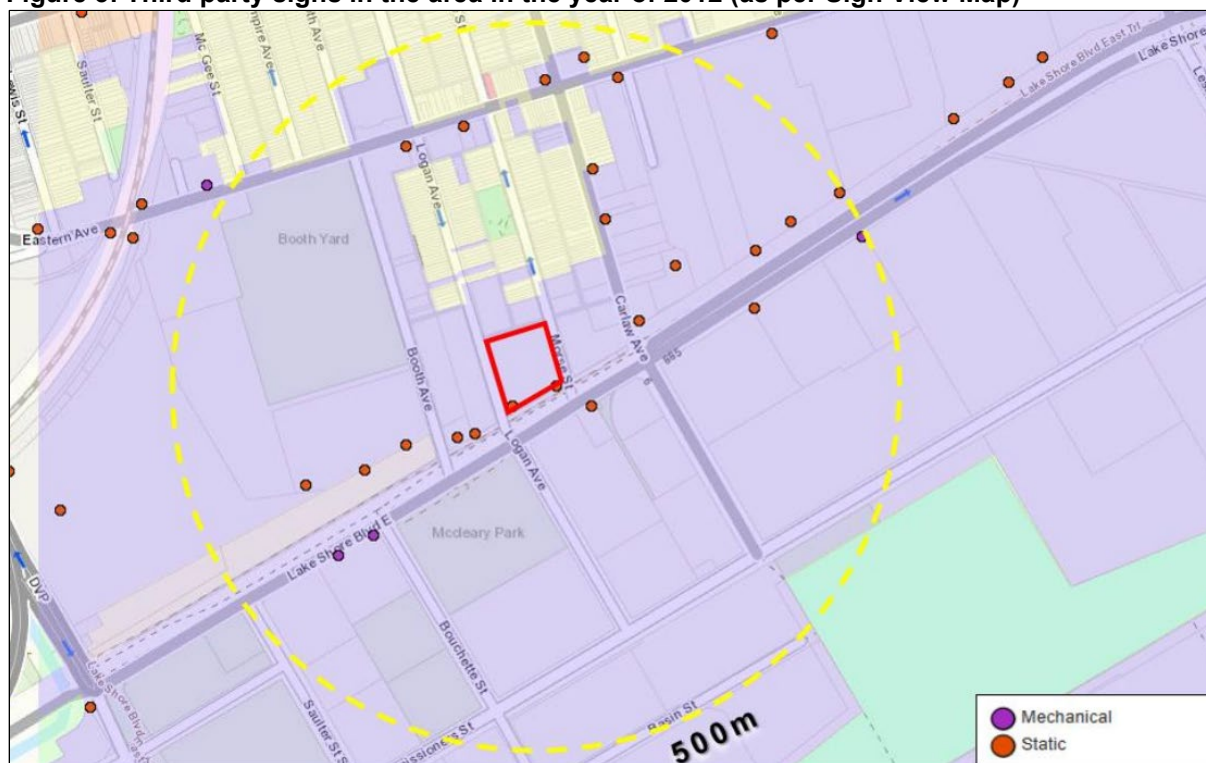
Therefore, the CBO is of the opinion that this criterion has been met.

Section 694-30A(2): The Proposed Sign is compatible with the development of the premises and surrounding area

The property at 10 Morse Street and immediately surrounding premises are designated E Sign Districts. The Subject Premises contains a single storey building with multiple commercial tenants. The adjacent properties to the north, east and west are comprised mostly of single storey buildings with commercial or light industrial uses, in keeping with what would be expected for properties in E Sign Districts.

E Sign Districts are areas within the city permitted in the Sign By-law to accommodate third party electronic ground signs, like the Proposed Sign. Historically, there have been several third party ground signs along this portion of Lake Shore Boulevard East, between Don Valley parkway and Leslie Street (see Figure 3).

Figure 3: Third party signs in the area in the year of 2012 (as per Sign View Map)



The Applicant indicated in their submissions that the lands are within an Employment Area, which are intended to protect the existing employment function of lands in the long term and therefore that the character of this portion of Lake Shore Boulevard East will be maintained over the long term.

However, staff research suggests that this may not be accurate. The lands south of Lake Shore Boulevard East are designated as Regeneration Areas in the Official Plan, which typically have customized strategies and frameworks for development. City Planning has confirmed that the lands to the southwest of the subject premises are

undergoing Precinct Implementation Strategies, led by CreateTO, for the development of a new district. The McCleary district is envisioned as a dense, transit-oriented, mixed-use residential community and modern employment hub. This is an indicator that the area is intended for a diversity of uses in the future, including uses that could be affected by the Proposed Sign.

Figure 4: Location of the McCleary District in relation to the Proposed Sign



Moreover, staff research indicates that, although the area is currently surrounded by E Sign Districts, the property approximately 95 meters southwest of the Proposed Sign's location, features McCleary Park. Parks are considered a sensitive land use that could be adversely impacted by large format electronic signs, such as the Proposed Sign.

The Applicant asserts the Existing Third Party Signs, proposed to be removed as a condition of variances being granted for the Proposed Sign, are located closer to the east and west extremities of the Subject Premises, whereas the Proposed Sign would be located more internal to the site, and better obscured from the residential areas to the north.

However, the 250-metre separation requirement from sensitive sign districts, such as R sign districts, is applicable for signs of the electronic type, and not for the Existing Third Party Signs, which display mechanical copy. This is an indicator that, according to the Sign By-law, third party electronic signs are considered more impactful than a mechanical copy sign. The Proposed Sign would have a sign face area of 32.65 square metres, over 60% larger than what is generally permitted in E Sign Districts. Staff is of the opinion that the proposed reduction is not significant to justify replacing the Existing Third Party Signs with an electronic ground sign, which would have potentially more impacts and greater visibility.

Based on the Applicant's submission materials and staff investigation, the CBO is of the opinion that submissions failed to demonstrate that the Proposed Sign would be compatible with the development of the premises and surrounding area and that this criterion has not been met.

694-30A (3): The Proposed Sign supports Official Plan objectives for the subject premises and surrounding area

The Subject Premises is designated as a Core Employment Area within the Official Plan (see Figure 5). Employment Areas are places of business and economic activity and include a wide array of uses such as manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets, restaurants and small-scale stores and services that serve these businesses and workers.

Figure 5: Land Use Plan – 10 Morse Street



The Applicant states that the Proposed Sign is compatible with the existing and planned long-term function of the general area, as Employment lands are identified by the provisions of the Sign By-law as appropriate areas for locating electronic third party ground signage, being generally buffered from sensitive land uses.

The CBO agrees that the operation of a third party sign is a commercial activity and that it does not conflict with the Policy Statement 2.2.4 2 b) in Chapter 2 of the Official Plan which states that:

Employment Areas will be used exclusively for business and economic activities in order to: ... b) protect and preserve Employment Areas for current and future business and economic activities

Although staff agree that the area is designated as employment in Schedule A of Chapter 694, the lands south of Lake Shore Boulevard East are designated as Regeneration Areas in the Official Plan. Regeneration Areas in the Official Plan are areas within the city a wide array of uses to help attract investment, re-use buildings, encourage new construction and bring life to the streets through customized strategies and frameworks provided by a Secondary Plan.

In consultation with City Planning, it was confirmed that CreateTO is leading the Precinct Plan for the McCleary District, a high-density, mixed-use residential and commercial community. McCleary Park, located on the property southwest of the Subject Premises, is included within the district boundaries. Although the park is designated as an E sign district, it is designated as Parks in the Official Plan. The adjacent land to the south of the Subject Premises is also designated Parks in the Official Plan. Parks are considered sensitive areas that could be affected by a large electronic sign, such as the Proposed Sign. If the land use designations were consistent, the Sign By-law would not allow the Proposed Sign to be facing the McCleary Park, as it is located less than 250 metres away.

According to the Applicant's submissions the Lower Don Recreational Trail, which abuts the southerly property line, provides an east-west connection for pedestrians and cyclists between Woodbine Park and the broader Don River Trail system. The Applicant's submissions indicate that the Proposed Sign does not affect the trail's ability to "create linkages between parks and open spaces to create continuous recreational corridors" (OP s. 4.3.6.c).

Staff research revealed that the lands may serve more than a pedestrian and cyclists connection. The Lake Shore Boulevard East Public Realm Project aids to create improved connectivity to the waterfront, including safer intersections and trails for cyclists and pedestrians, new linear planted landscapes, enhanced sidewalks, and opportunities for public art. It is not clear how a large electronic ground sign, such as the Proposed Sign, contributes with this vision for the public realm along Lake Shore Boulevard East.

The differences between the Sign District and the Official Plan designations, as well as the precinct plan for the surrounding area, indicate that the Proposed Sign may not be compatible with any of the existing or planned land uses.

As a result, the Applicant's submission materials have not provided sufficient information to confirm that the Proposed Sign supports the Official Plan objectives for the surrounding area.

694-30A(4): The Proposed Sign does not adversely affect adjacent premises

The Subject Premises falls within an E Sign District, which allows third party electronic ground signs. Staff have confirmed that the Subject Property is surrounded by E Sign Districts to the immediate north, west, and east (see Figure 2) and do not appear to contain uses that could be negatively impacted by the Proposed Sign.

While the adjacent land to the south and the property to the southwest of the Subject Premises are classified as E Sign Districts, the Official Plan designates these lands as Parks. The current use of these lands aligns more closely with the Official Plan designation, suggesting that the sign district designation may require revision. Consequently, the Proposed Sign may also be incompatible with the surrounding properties.

Figure 6: Adjacent Properties Uses



The Applicant's submissions state that the Proposed Sign will not affect the ability of the trail located on the southern lands to "create linkages between parks and open spaces to create continuous recreational corridors." However, it is unclear how a large format digital sign would not adversely affect lands designated for recreational purposes, which are considered sensitive uses.

The Applicant contends that the Existing Third Party Signs, which are proposed to be removed as a condition for granting variances for the Proposed Sign, are situated near the eastern and western boundaries of the Subject Premises. In contrast, the Proposed Sign would be positioned more centrally within the site, thereby reducing visibility from the residential areas to the north.

It is important to note that the 250-metre separation requirement from sensitive sign districts, such as R sign districts, applies exclusively to electronic signs and not to the Existing Third Party Signs. This distinction indicates that, under the Sign By-law, third

party electronic signs are deemed to have a greater impact than mechanical copy signs. The Proposed Sign, featuring a sign face area over 60% larger than generally permitted in E Sign Districts, would likely result in increased impacts on the surrounding sensitive land uses.

The CBO is of the opinion not sufficient evidence was provided to demonstrate that the Proposed Sign would not have adverse effects on adjacent premises. As a result, this criterion has not been established.

694-30A(5): The Proposed Sign does not adversely affect public safety, including traffic and pedestrian safety

The City's Sign By-law regulations are designed to ensure that there are no adverse impacts on public safety for signs which meet the requirements. These regulations are designed to work in conjunction with other regulations which would also apply to signs. The current criterion is intended to ensure that variances are not granted where they would result in signs that would have adverse impacts on public safety.

The Sign By-law has requirements for signs not to be within a "Visibility Zone" – defined as the area within three metres of the outermost points of a vehicular ingress or egress of a property where it intersects with a street. The Proposed Sign will be located entirely outside this prohibited zone for signs. While the Proposed Sign is located in proximity to sidewalks and roadways, it is the CBO's opinion that it would not be situated in proximity to sidewalks, roadways, or driveways in a manner that could create an impact on pedestrian or traffic safety.

Although there are concerns about driver distraction, the City has existing regulations to adequately address the potential for adverse safety impacts for all signs, including signs displaying electronic static copy (e.g. set back from intersections, distance from street lines, and pedestrian triangles). The Proposed Sign meets the setback requirements outlined in Chapter 694 of the Toronto Municipal Code. The Proposed Sign is located more than 30 metres away from the closest intersection controlled by traffic lights and it does not obstruct any sight triangles for vehicular traffic.

With electronic signs that change from one message to the next, shorter message durations may result in drivers being more likely to observe a change in the message being displayed, which may result in a higher likelihood that a driver would glance at it for a longer duration. The Proposed Sign would comply with the Sign By-law provisions for a message duration of 10 seconds between changes in copy, this regulation is intended to perform many functions, including reducing the potential for driver distraction, to a reasonable level.

The Proposed Sign will also be professionally designed and installed in accordance with Ontario Building Code requirements. As such, staff do not believe that any issues related to public safety are foreseeable with the construction of the Proposed Sign.

The CBO is of the opinion is the opinion that, based on the review of the available information, the Proposed Sign does not raise a reasonable basis for any concern around public safety. As such, this criterion has been established.

694-30A(6): The Proposed Sign is not a sign prohibited by §694-15B

According to staff review, the Applicant's documents and drawings contains sufficient information to confirm that Proposed Sign does not meet the description of any of the signs which are specifically prohibited by §694-15B.

As such, the CBO is of the opinion that this criterion has been established.

694-30A(7): The Proposed Sign does not alter the character of the premises or surrounding area

The Subject Premises contains two third party ground signs, which would be removed as a condition for granting variances for the Proposed Sign. The Existing Third Party Signs contain two sign faces each, with a face area of 18.60 m² per side, totaling 74.4 m². The Proposed Sign, featuring two sign faces, would have a total sign face area of 65.30 m², a reduction of nearly 13%.

The Applicant seeks a variance to place the Proposed Sign within 150 meters of three existing third party signs displaying static copy, conflicting with the Sign By-law's separation requirements. The nearest sign is approximately 77 meters southeast of the Subject Premises, nearly half of the required separation distance. Consideration must be given to the large number of signs in the immediate area and their proximity to the Proposed Sign to determine if this raises concerns about sign clutter and compatibility with the area's character.

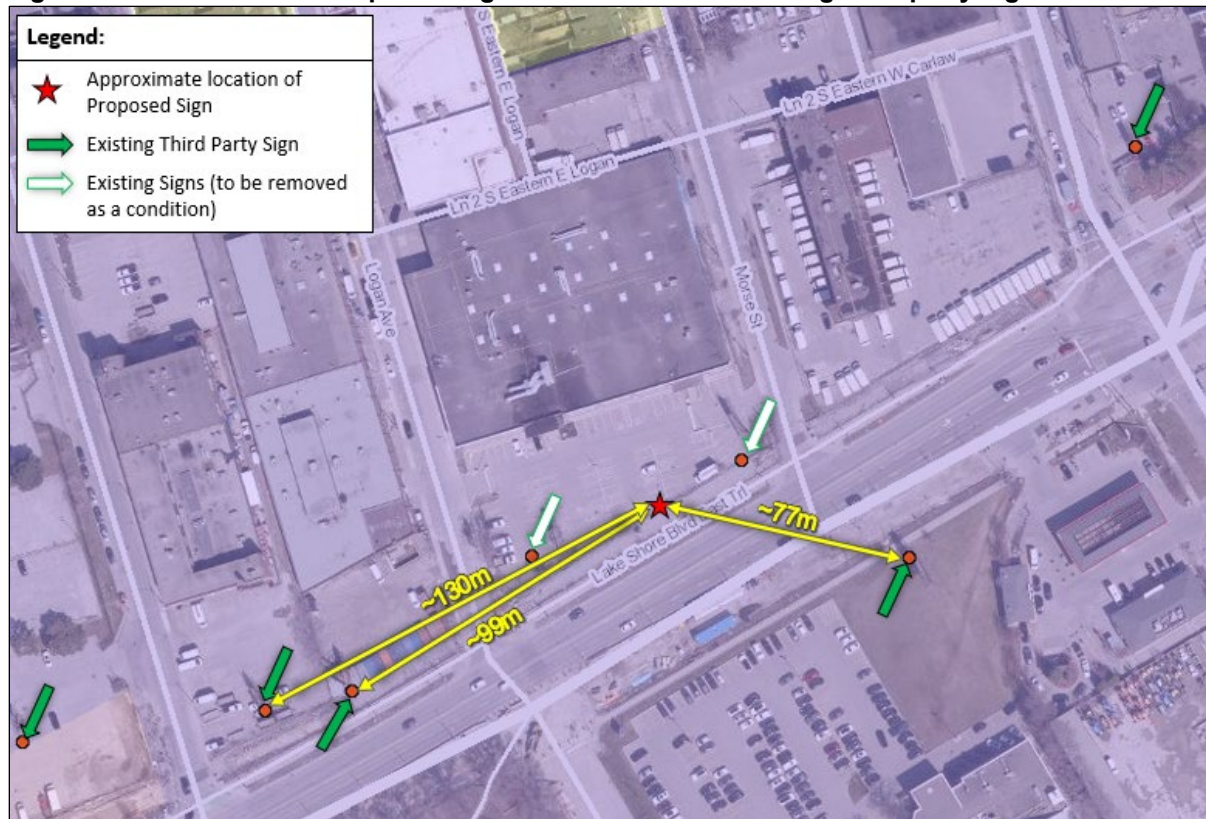
The Applicant's submissions indicate that a number of long-standing third party ground signs are present in the area, contributing to its character (see Figure 3). Staff investigation revealed that signs have been present along Lake Shore Boulevard East for many years, predating the current Sign By-law.

Although the historic built form of the area is only one of the considerations in determining the character of an area, municipal regulations affecting land use (zoning, official plan) and other regulatory by-laws (such as the Sign By-law) also influence the area's character. When the Sign By-law was established, City Council intended for new developments to feature signs complying with new provisions, rather than previous practices. The Sign By-law sets parameters for future developments, and pre-authorized signs not aligning with the current vision are of limited relevance.

The surrounding area may have been deemed appropriate for a high density of third party signs in the past, but it has since been subject to City Council decisions aimed at reducing sign density. The Sign By-law's separation requirements, among other things, aim to prevent multiple sign faces from being visible simultaneously. The Proposed Sign

and nearby third party signs will likely be visible simultaneously to drivers along Lake Shore Boulevard East (see Figure 8).

Figure 7: Location of the Proposed Sign in relation to the existing third party signs in the area



Staff agree that replacing the two Existing Third Party Signs with the Proposed Sign would reduce clutter on the Subject Premises. However, while the Existing Third Party Signs meet the maximum sign face area required by the Sign By-law, the Proposed Sign's would significantly exceed the maximum permitted. Additionally, the Sign By-law's separation requirements are more stringent for electronic signs like the Proposed Sign, indicating that electronic signs are considered more impactful than mechanical copy signs.

Despite the overall reduction in the number of sign structures and a minor reduction in total sign face area proposed by the variances and conditions, staff believes that introducing an electronic ground sign that does not meet the Sign By-law requirements in an area already saturated with signs would not be consistent with the envisioned area's character.

The Proposed Sign also requires a variance to be an additional ground sign on the Subject Premises, which already has a first party ground sign. The Proposed Sign and the first party ground sign would be positioned less than 40 meters apart. Where the Sign By-law allows for signs to be erected on the same frontage, it mandates a minimum separation of 100 meters between signs. Staff believe that the number of signs on the same frontage, and the proximity between the Proposed Sign and other

third party signs in the surrounding area raises concerns of clutter and may consequently alter the character of the area.

Figure 8: Signs along Lake Shore Boulevard East within 150 metres of Subject Premises



Figure 9: Signs on the Subject Premises



Given the above, it is the CBO's opinion that the submissions do not sufficiently demonstrate that the Proposed Sign would not alter the character of the premises and surrounding area. Therefore, the CBO is of the opinion that this criterion has not been established.

694-30A(8): The Proposed Sign is not contrary to the public interest

The Proposed Sign will comply with many of the mandatory requirements of Chapter 694 that apply to all third party electronic ground signs, where permitted in E Sign Districts, specifically in terms of: the maximum height, setback from an intersection, setback of the street, as well as the requirement for use of renewable energy, message duration and transition (i.e. no distracting visual effects such as scrolling, flashing, blinking or full-motion video), illumination and time-of-day regulations.

The Applicant is seeking a variance to exceed the number of signs and sign face area permitted in E Sign Districts, as well as to reduce the separation distance required between third party signs and between third party signs and sensitive sign districts.

The Applicant contends that Proposed Sign is in keeping the employment character of this stretch of Lake Shore Boulevard East, which is expected to be maintained long-term. However, staff research revealed an ongoing study at the surrounding area that includes various uses, such as residential and parklands. This suggests that the long-term use of the area may not solely be for employment and could include uses incompatible with the Proposed Sign.

While the Applicant asserts that the Proposed Sign, given its location more internal to the site, would have its visibility more obstructed from the residential areas to the north, the submissions do not sufficiently address the compatibility with Parks lands to the south and southwest, which are also considered sensitive uses.

Even with the conditions for the removal of the Existing Third Party Signs, the number of ground signs in proximity to the Proposed Sign, along with the greater separation distance from other third party signs required by electronic sign types, thereby adding to sign clutter in an already saturated area. Consequently, the Proposed Sign would not improve the character of the surrounding area.

Moreover, the Proposed Sign has raised some concerns among community members. Members of the community are in a unique position to provide feedback on any impacts or concerns regarding the Proposed Sign. Written feedback expressed that the Proposed Sign's illumination may negatively affect adjacent lands, it may not be compatible with the evolving neighborhood and could alter the area's character. This further indicates that the Proposed Sign would adversely impact the community as a whole.

Therefore, it is the CBO's opinion that the Applicant's materials did not provide sufficient information to confirm that the Proposed Sign will not be contrary to the public interest, and that this criterion has not been established.

CONCLUSION

The Applicant's submitted materials, even when combined with the additional information obtained by research and investigation by staff, has not provided sufficient information for the CBO to form the opinion that it has been established that the Proposed Sign has met all required eight criteria for approval of the requested variances. As such, the CBO is not supportive of the Sign Variance Committee granting the requested variances.

CONTACT

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SIGNATURE

Ted Van Vliet
Project Director, Business Transformation and Citywide Priorities
Toronto Building

ATTACHMENTS

Attachment 1 – Description of Sign, Requested Variances and Conditions
Attachment 2 – Applicant's Submission Package
Attachment 3 – Letters of Objection