

# **Application for Two Variances, Each Subject to Two Conditions, Respecting One Third Party Electronic Ground Sign**

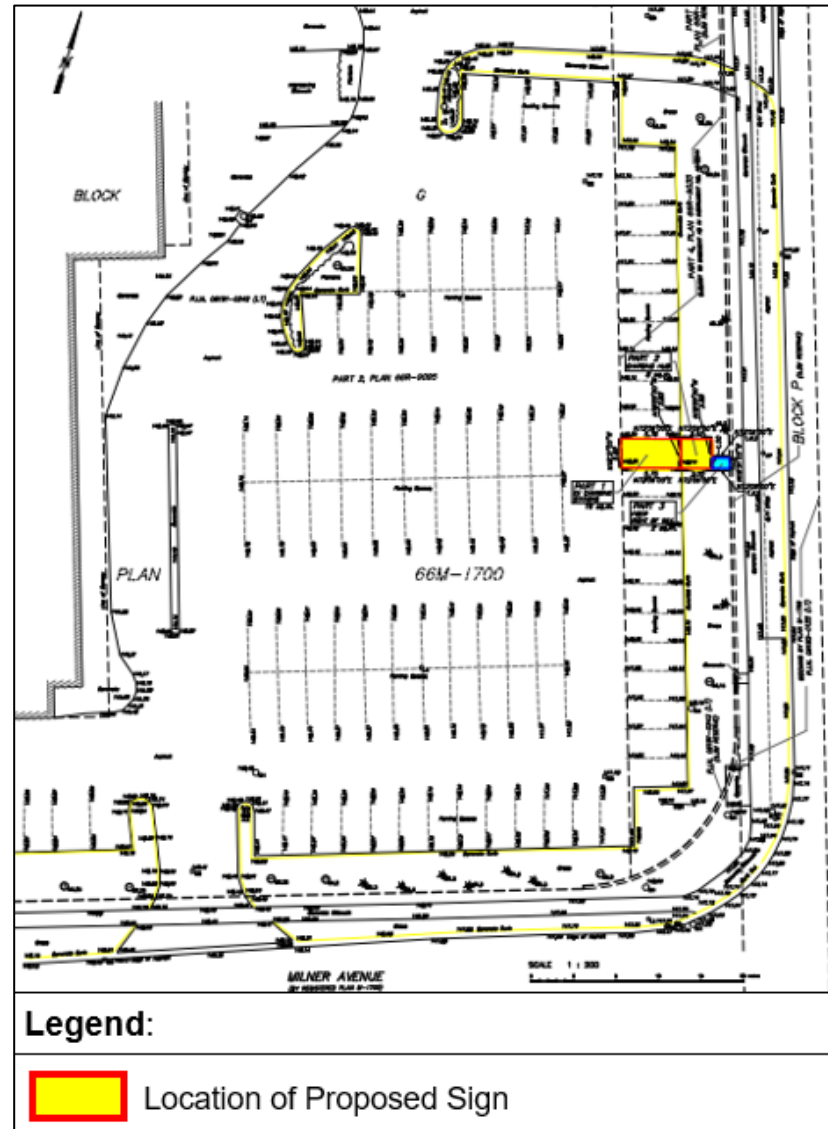
1150-1176 Morningside Ave

May 2, 2025

# Proposed Sign Description

|                                                  |                                                                        |
|--------------------------------------------------|------------------------------------------------------------------------|
| <b>Sign Type</b>                                 | Electronic Ground Sign                                                 |
| <b>Sign Copy Type</b>                            | Electronic Static Copy                                                 |
| <b># of Sign Faces</b>                           | Two sign faces in a back-to-back configuration                         |
| <b>Sign Location</b>                             | East frontage (along Morningside Ave)                                  |
| <b>Face Orientation</b>                          | North and South directions                                             |
| <b>Sign Face Dimensions<br/>(width x length)</b> | 1.65 metres vertically x 0.93 metres horizontally<br>(64.95" x 36.53") |
| <b>Sign Face Area</b>                            | 1.54 square metres                                                     |
| <b>Sign height</b>                               | Max 2.65 metres (104.3")                                               |

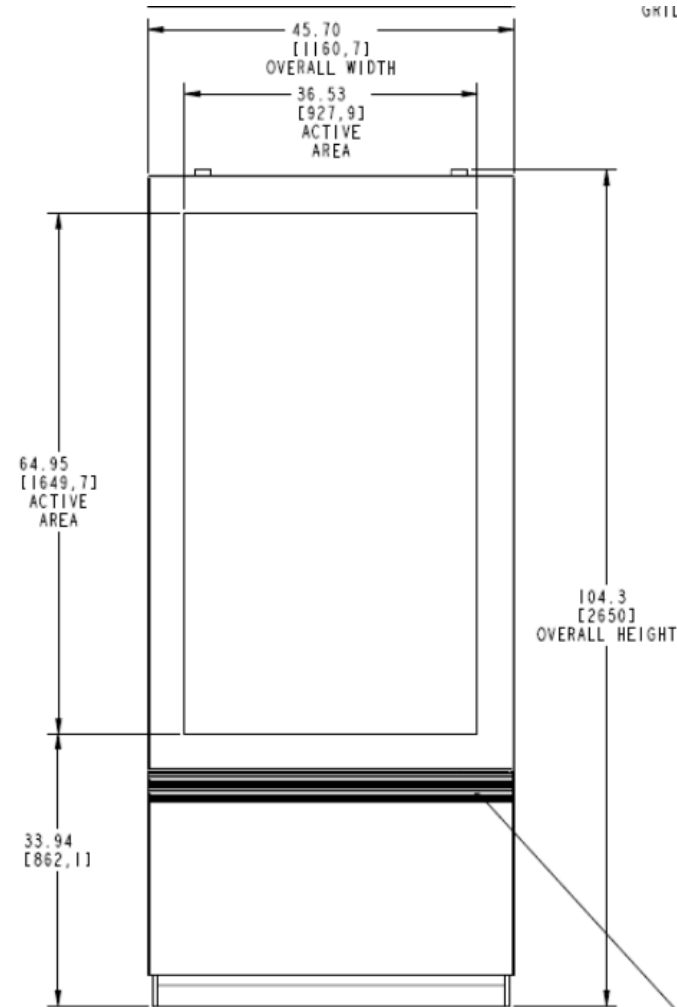
# Site Plan



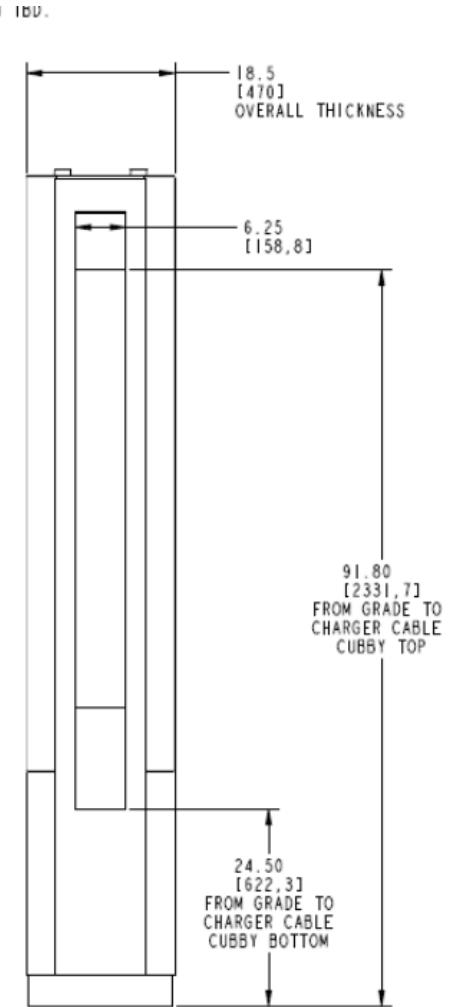
# Proposed Sign Details



Reference Render

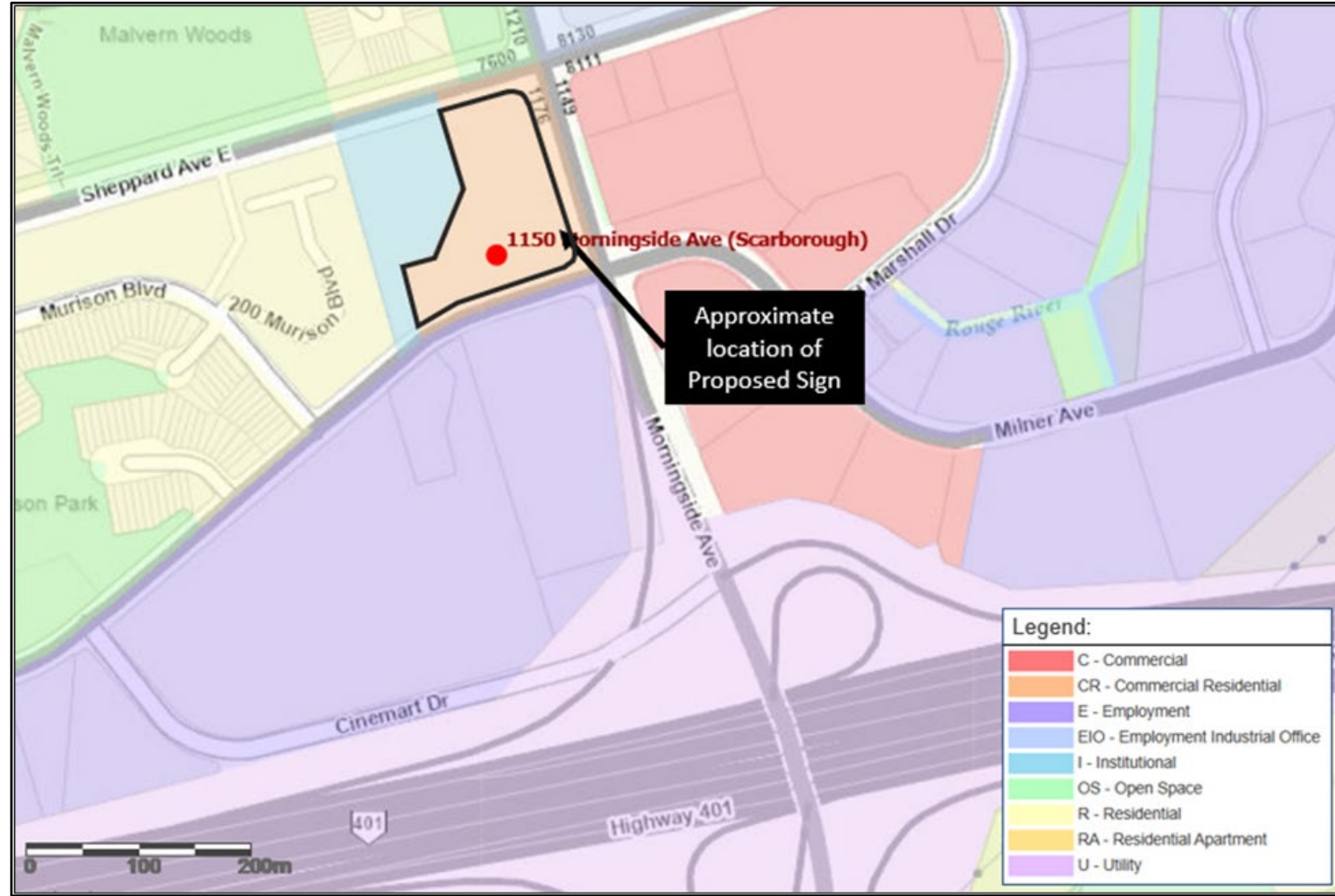


Front Elevation



Side Elevation

# Sign District Designation



Sign District Map

# Requested Variances & Conditions

| Sign By-law Reference | Requirement                                                                                                                                                                                                                       | Proposal                                                                                                    |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| 694- 15.A             | Anything not expressly permitted by Chapter 694 is prohibited.                                                                                                                                                                    | Third party electronic ground signs are not expressly permitted in CR Sign Districts.                       |
| 694- 24.A(14)         | A third party sign shall not be erected or displayed or caused to be erected or displayed in whole or in part within 400 metres of any limit of any portion of Highway 401 contained within the municipal boundaries of the City. | The proposed sign would be placed entirely within an area regulated by this site-specific area restriction. |

**Condition 1:** The height of the Proposed Sign shall not exceed 2.65 metres.

**Condition 2:** The sign structure of the Proposed Sign shall not be attached, affixed, combined with, or otherwise associated with, any elements in whole or in part, which may be understood or referred to as “an electric vehicle charging station”, prior to all applicable approvals having been obtained for the erection, installation, display or utilization of the “electric vehicle charging station” being presented to the CBO; and that no permits for the erection or display of the proposed sign; or the modification of the Proposed Sign shall be issued until such time as sufficient information is provided to the CBO to satisfy the CBO acting reasonably that all applicable approvals for the electric vehicle charging station have been obtained, and that no further approvals for the electric vehicle charging station are required as the date the information is provided to the CBO.

# Sign Variance Criteria – Established Criteria

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

- Third party signs are permitted in a Commercial Residential (CR) Sign District

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

- Based on the review of the available information pertaining solely to the Proposed Sign components of the structure, the Proposed Sign does not meet the description of any of the signs which are specifically prohibited by §694-15B.

# Sign Variance Criteria – Established Criteria

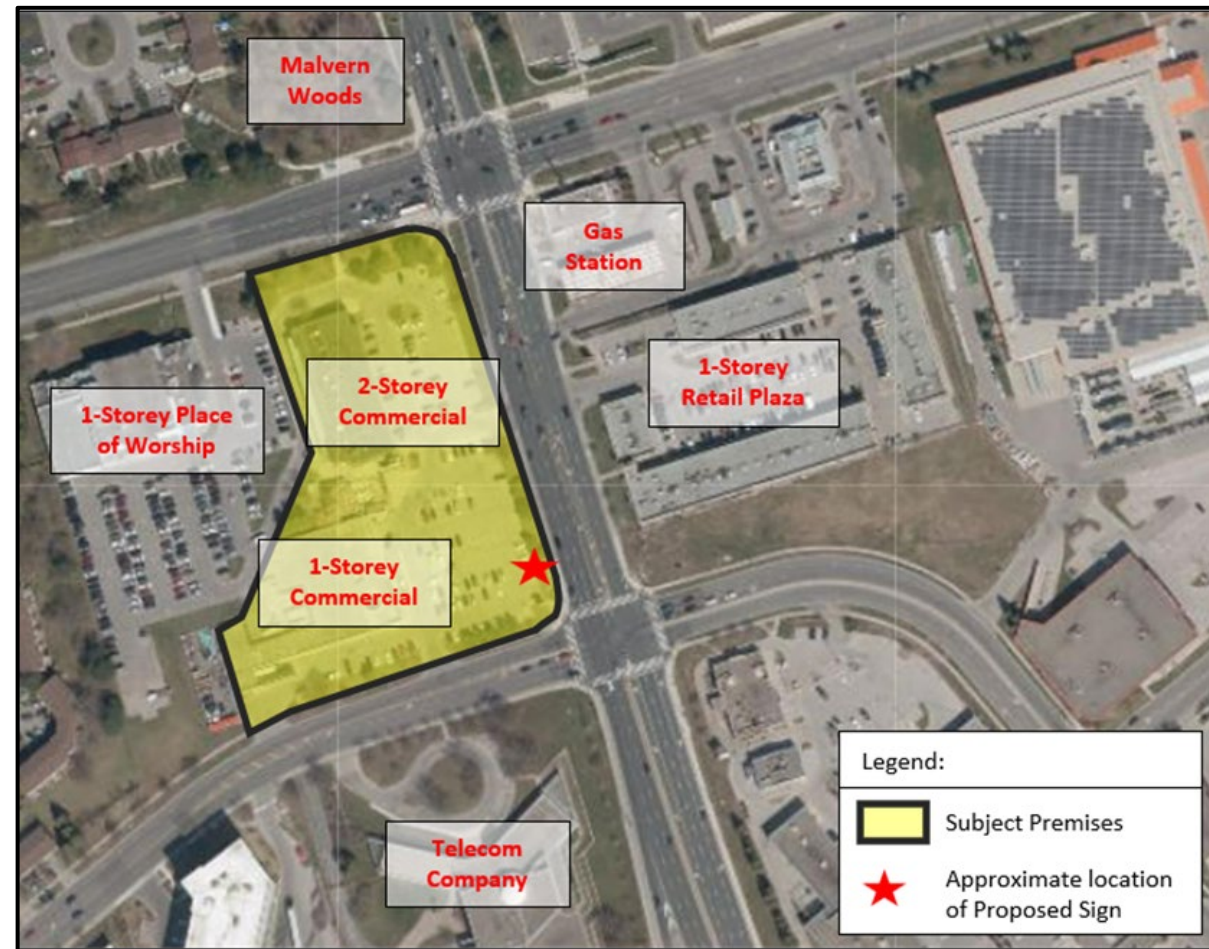
**694-30A(2):** The Proposed Sign is not compatible with the development of the premises and surrounding area

- The Subject Premises is in a CR Sign District featuring a retail plaza, surrounded by commercial and employment uses; adjacent properties include Malvern Woods park (OS Sign District) and a place of worship (I Sign District).
- Electronic ground signs are not permitted in CR Sign Districts, and the Proposed Sign would face OS and I Sign Districts within 250 metres, contrary to separation requirements.
- The Applicant argues that trees and buildings block views from sensitive areas, and nearby properties are mostly C and E Sign Districts with no residential uses.
- Staff confirm nearby development applications are for non-sensitive uses, but note that sensitive uses are permitted on the Subject Premises under the Zoning By-law.
- **CBO Opinion:** The Applicant has not demonstrated how a sign type not permitted in CR Sign Districts would be compatible with potentially sensitive uses; this criterion is not met.

# Sign Variance Criteria – Established Criteria

**694-30A(2):** The Proposed Sign is not compatible with the development of the premises and surrounding area

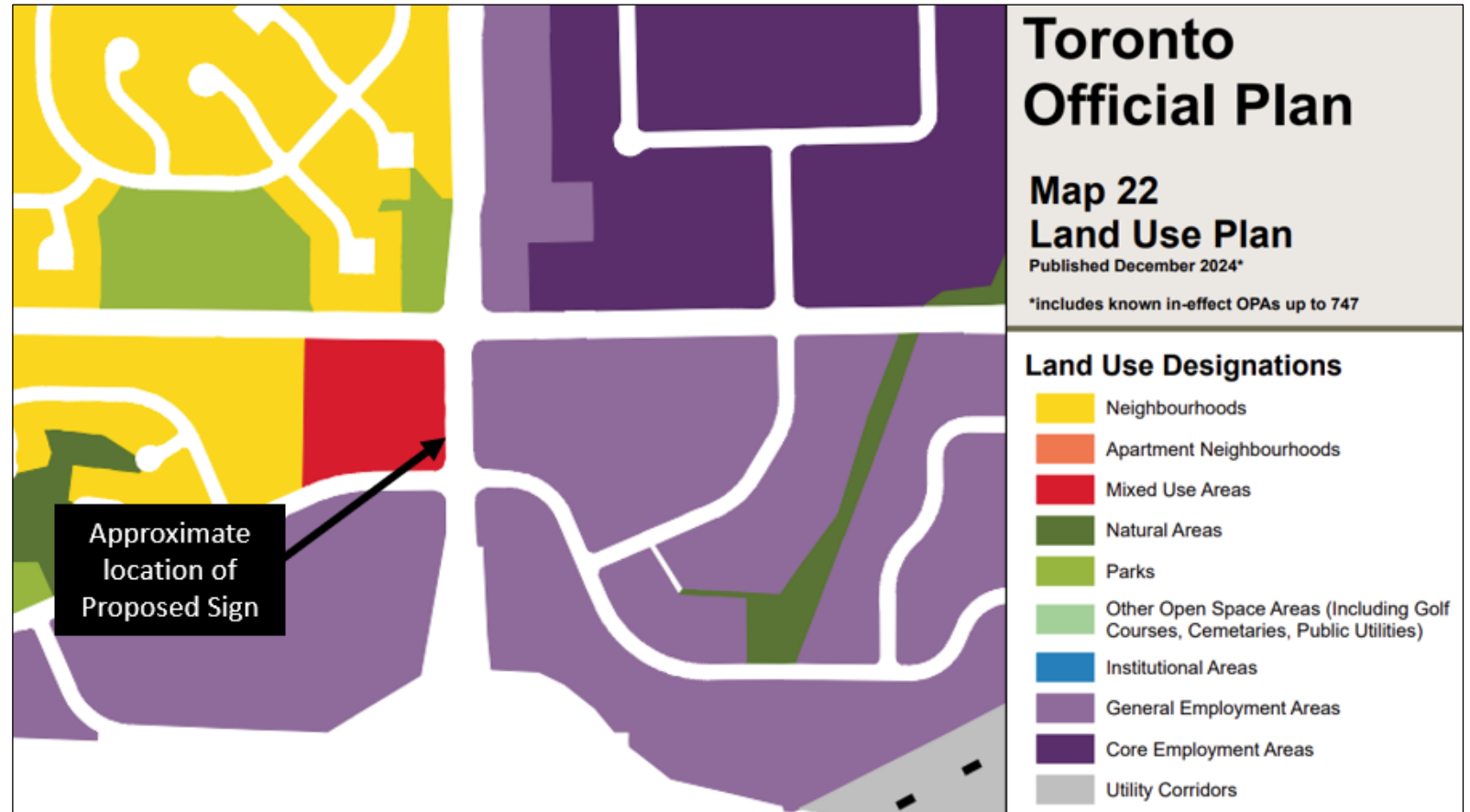
Aerial View - Adjacent Properties Uses



# Sign Variance Criteria – Established Criteria

**694-30A(3)** - The Proposed Sign does not support Official Plan objectives for the subject premises and surrounding area.

Official Plan Map 22 Land Use Plan –  
1150-1176 Morningside Ave



# Sign Variance Criteria – Established Criteria

**694-30A(3)** - The Proposed Sign does not support Official Plan objectives for the subject premises and surrounding area.

- The Subject Premises is designated Mixed Use Area in the Official Plan and contains two low-rise commercial buildings, consistent the CR Sign District designation.
- Adjacent lands include Employment Areas to the east and south, and Parks to the north; the CBO finds no conflict between third party signs and Employment policies.
- While the Proposed Sign may share a structure with an EV charging station, this does not imply the sign itself supports Official Plan objectives; no specific supporting policies were identified in the submissions.
- The site is zoned Commercial Residential (CR), which permits sensitive uses like parks and residential care homes; although nearby developments are non-sensitive, the application lacks analysis of potential impacts on permitted sensitive uses.
- **CBO Opinion:** The Applicant has not provided sufficient evidence that the Proposed Sign supports Official Plan objectives for the site or surrounding area; this criterion is not met.

# Sign Variance Criteria – Established Criteria

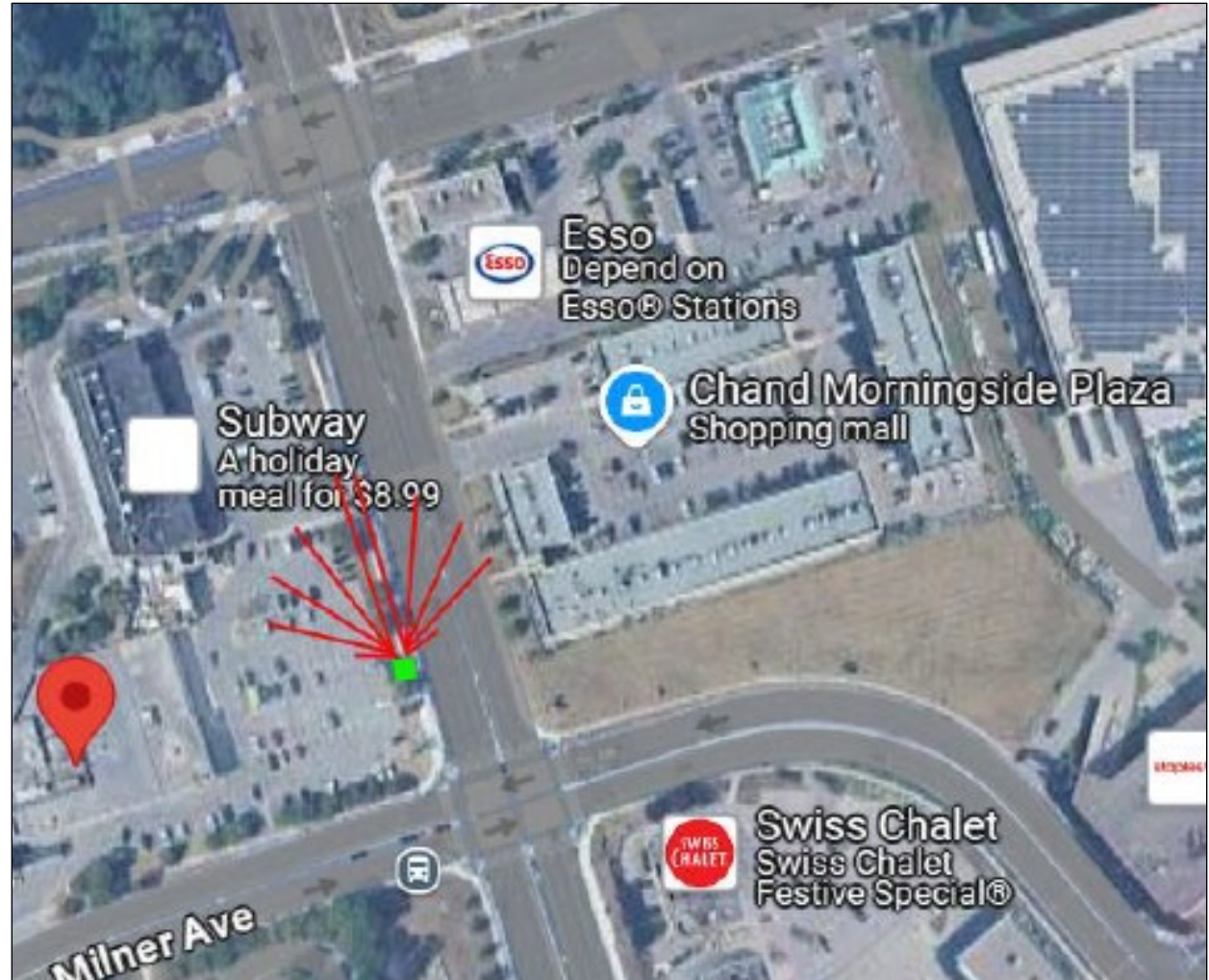
## 694-30A(4) - The Proposed Sign does not adversely affect adjacent premises.

- A variance is required for proximity to Highway 401 (150m vs. 400m required), but grade differences and Proposed Sign's height prevent visibility from highway lanes.
- While the sign may be visible from on/off ramps, Applicant contend, and staff agree, it would not interfere with driver decision points or create safety concerns.
- The Proposed Sign would face I and OS Sign Districts within 250 metres, contrary to Sign By-law separation rules; however, buildings and trees obstruct visibility, and the Proposed Sign's light output is minimal beyond 50 metres.
- The Applicant asserts, and staff agree, that illumination impacts on Malvern Woods and nearby natural features would be negligible, with light levels comparable to a full moon.
- **CBO Opinion:** Based on the Applicant's submissions and staff's findings, the Proposed Sign, subject to the height condition, would not adversely affect adjacent premises; this criterion is met.

# Sign Variance Criteria – Established Criteria

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

Dispersion of Light Diagram  
(from Submissions)



# Sign Variance Criteria – Established Criteria

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

- The Proposed Sign meets the following Sign Bylaw requirements:
  - Located more than 30 metres from the closest traffic controlled intersection.
  - Does not obstruct any sight triangles for vehicular traffic.
  - Not located within the visibility zone.
  - Complies with the Sign By-law provisions for message duration and transition.
- Although within 400 metres of Highway 401, the sign is not visible from the highway due to elevation differences; staff and Transportation Services confirm no safety concerns.
- The Ministry of Transportation confirmed that the sign does not require MTO approval, and staff agree the sign's relationship to the highway is minimal.
- **CBO Opinion:** Based on the location, design, and compliance with safety standards, there is no reasonable concern regarding public safety; this criterion is met.

# Sign Variance Criteria – Established Criteria

**694-30A(7)** - The Proposed Sign alters the character of the premises or surrounding area.

Transit Shelter in front of Subject Premises



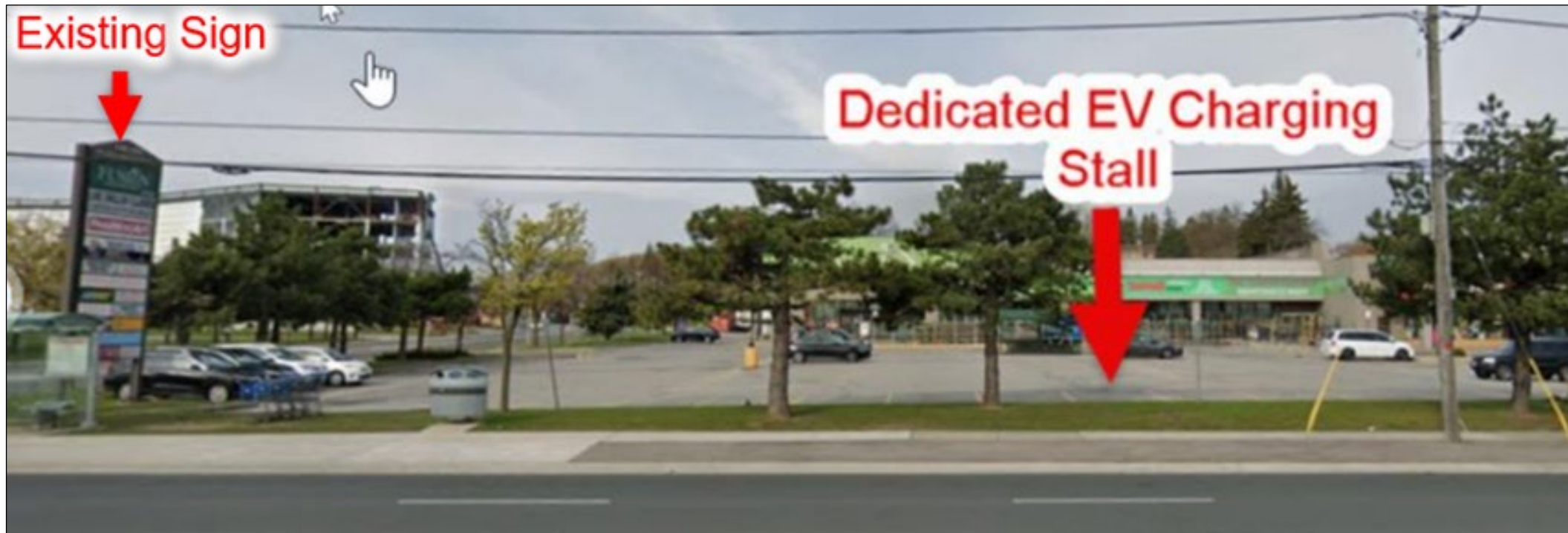
# Sign Variance Criteria – Established Criteria

**694-30A(7)** - The Proposed Sign alters the character of the premises or surrounding area.

- The Applicant states that nearby buildings are 8-15 metres tall and commercial in nature, with transit shelters displaying signs similar in size to the Proposed Sign, suggesting it would blend into the built environment.
- While staff agree the area is largely commercial, the site is designated CR, which permits residential and recreational uses, and no nearby electronic or third party signs were identified.
- The Proposed Sign would be located 30 metres from an existing first party sign, raising concerns about visual clutter.
- The Applicant argues the Proposed Sign's placement avoids sensitive areas and meets intersection setback rules, but staff believe the two signs would likely be visible simultaneously.
- **CBO Opinion:** The Applicant did not provide sufficient evidence that the Proposed Sign would not alter the character of the site or surrounding area; this criterion is not met.

# Sign Variance Criteria – Established Criteria

**694-30A(7)** - The Proposed Sign alters the character of the premises or surrounding area.



Location of Existing and Proposed Signs on the Subject Premises

# Sign Variance Criteria – Established Criteria

**694-30A(8):** The Proposed Sign is contrary to the public interest.

- The Proposed Sign complies with general Sign By-law provisions for electronic signs, including renewable energy use, message duration, illumination, and transition effects.
- Since third party electronic ground signs are not permitted in CR Sign Districts, there are no district-specific regulations for this sign type, triggering one of the required variances.
- Variance is also needed for proximity to Highway 401, but staff and Transportation Services agree the sign would not be visible from highway lanes or affect driver decision points.
- While the Proposed Sign's illumination impacts should be minimum on surrounding areas, its placement near an existing ground sign raises concerns about visual clutter and compatibility with the CR zoning and Mixed-Use designation.
- **CBO Opinion:** The Applicant has not provided sufficient evidence that the Proposed Sign with the public interest; this criterion is not met.

# Conclusion and CBO Recommendation

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

- The Sign Variance Committee **refuse to grant** the requested variances to sections 694-15.A and 694-24.A(14), each subject to two conditions, as required to allow for the issuance of a permit respecting the erection and display of the Proposed Sign at the property municipally known as 1150-1176 Morningside Avenue.

**QUESTIONS?**