

TORONTO STAFF REPORT

January 24, 2006

To: Toronto and East York Community Council

From: Richard Butts, (Acting) Executive Director
Municipal Licensing and Standards

Subject: Chapter 297, Sign By-law, of the former City of Toronto Municipal Code and the Removal of Illegal Signs in the Toronto and East York Community Council Area

Purpose:

To report on the recommendation by Toronto and East York Community Council from its meeting held on January 19, 2006, requesting the Acting Executive Director, Municipal Licensing and Standards, to report to the Toronto and East York Community Council on February 7, 2006 regarding the proliferation of illegal third party signs, providing an action plan with recommendations on enforcement and any impediments facing the Division on this issue.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that this report be received for information.

Background:

At its meeting on September 28, 29 and 30, 2005, City Council gave consideration to a report regarding a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code for 25 Bishop Tutu Boulevard (Toronto-Spadina, Ward 20). Consideration was also given for the removal of illegal signs in the Toronto and East York Community Council area. Subsequently, at the January 19, 2006 Toronto and East York Community Council meeting, after deliberating on a number of other sign variance issues, a motion was passed requesting Municipal Licensing and Standards to report back on their enforcement strategy and issues impacting on its delivery.

Comments:

Chapter 297, Section 3, Signs, of the former City of Toronto Municipal Code, states that no person shall erect, display or alter a sign located within the City's boundaries unless a permit for the sign, under this chapter, has been obtained from the Commissioner. These permit applications are received and processed by Building Division staff.

Chapter 297, Section 8, which addresses the removal of unlawful signs, states that a notice of violation may be issued to any person who has erected and displayed or caused to be erected and displayed a sign without first having obtained a permit; or having obtained a permit, has caused to be erected and displayed a sign contrary to the approved plans in respect of which the permit was issued. The notice of violation shall require the person to make the sign comply within 14 days, failing which the Commissioner may cause the sign to be removed at the expense of the owner, and the City may recover the costs incurred by action or in like manner as municipal taxes. These enforcement actions, by District, are undertaken by Municipal Licensing and Standards Division Investigations staff.

Municipal Licensing and Standards staff had initially requested input from the Councillors in December, 2005 to identify the most significant and problematic third party signs in their respective neighbourhood. Based on the information provided, we are currently managing those locations through discussion and targeted enforcement. Some of these locations have complied through the mediation process while others have required increased enforcement measures.

As a continued step in our enforcement strategy, Municipal Licensing and Standards will be petitioning community organizations and ratepayer groups in February, 2006 to assist us in identifying highly problematic locations. This will support us in establishing a broad range of priorities to most effectively deploy our enforcement resources and to manage compliance.

Third party signs that were erected prior to the introduction of Chapter 297 (prior to 1994) have presented a significant enforcement challenge. Many of these signs were erected over the last few decades and throughout the years, the physical attributes of the original sign may have changed. In addition, the absence of permits and supporting documentation presents a challenge to our Division in establishing their validity.

To address this concern, the Municipal Licensing and Standards Division will require that the parties that are responsible for erecting and maintaining the signs provide all related documentation to support the lawfulness of the sign.

Conclusion:

The Municipal Licensing and Standards Division is committed to continuing to identify locations with façade signs that have been erected without the benefit of a permit and to taking the necessary action to ensure that these signs comply with the provisions set out in Chapter 297, Signs, of the former City of Toronto Municipal Code.

Municipal Licensing and Standards will be petitioning community organizations and ratepayer groups to assist in identifying problem locations to support the most effective deployment of enforcement resources.

In the circumstance where a sign was erected prior to 1994, the Municipal Licensing and Standards Division will require that the parties that are responsible for erecting and maintaining the signs provide all related documentation to support the legal non-conforming status of the sign.

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