

Consolidated Clause in Toronto and East York Community Council Report 6, which was considered by City Council on July 25, 26 and 27, 2006.

27**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**

City Council on July 25, 26 and 27, 2006, amended this Clause by adding the following new Part (f) to the Recommendation of the Toronto and East York Community Council:

“(f) a legal process needed to allow the City to impose heavy fines on the companies whose products or services are advertised on illegal signs.”

This Clause, as amended, was adopted by City Council.

Council also considered additional material, which is noted at the end of this Clause.

The Toronto and East York Community Council recommends that City Council request the City Planner and Executive Director, City Planning, in consultation with the Executive Director, Municipal Licensing and Standards and the Chief Building Official, to report to the Planning and Transportation Committee on the establishment of a Task Force to deal with the issue of third party signs, with representation from these three divisions, and interested City Councillors, with a view to establishing a system that would provide:

- (a) for a renewal process;**
- (b) a more efficient application process;**
- (c) better controls on new technology, sign placement and size;**
- (d) a better mechanism for compliance and enforcement measures; and**
- (e) a new revenue stream for the City through application and renewal processes.**

Action taken by the Committee

The Toronto and East York Community Council received the report (March 21, 2006) from the Manager, Municipal Licensing and Standards.

The Toronto and East York Community Council submits the report (March 21, 2006) from the Manager, Municipal Licensing and Standards:

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 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 about 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 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. Permit applications are received and processed by Buildings 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 are undertaken by Municipal Licensing and Standards Division Investigations staff.

However, Chapter 297 permits for the establishment of a legal non-conforming sign, that is, a sign that was lawfully erected or displayed on or before May 09, 1994, and which does not conform with this chapter, so long as the sign is not in any way substantially altered; or a sign for which a permit has been issued by the Commissioner under By-law No.126-92 on or before

May 09, 1994, and which does not conform with this chapter, so long as the sign is not in any way substantially altered.

In December 2005, Municipal Licensing and Standards staff had requested input from the Councillors in the Toronto and East York District to help identify the most significant and problematic third party signs in their respective Wards. Furthermore, Municipal Licensing and Standards has been petitioning community organizations and ratepayer groups to assist in the same process.

Since then, 359 third party signs have been identified and are being investigated. So far, 14 Notices of Violation have been issued for signs that have been erected without a permit. While some of these matters have required enforcement measures, that is, removal of the signs by City-contracted staff, others have complied through mediation.

Conclusion:

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

The Municipal Licensing and Standards Division recommends that the parties that are responsible for erecting and maintaining the signs, upon request, must provide all related documentation to support the lawfulness of the sign. In cases where there is no evidence that the sign was lawfully erected, Municipal Licensing and Standards will take the necessary actions to have the parties responsible for the sign, remove the sign by their own action or have the sign removed by City-contracted staff.

Furthermore, the Municipal Licensing and Standards Division in conjunction with the Planning and Buildings Divisions will monitor all sign variances and applications for sign permits and take the necessary actions to ensure that the provisions in the By-law are followed and the decisions of City Council are respected.

Contact:

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The Toronto and East York Community Council also had before it the following communications which were submitted to the April 4, 2006 meeting of the Toronto and East York Community Council and copies are on file in the City Clerk's Office:

- Communication (April 2, 2006) from Caroline Chan;
- Communication (April 3, 2006) from Juliet Kiri Palmer;

- Communication (April 3, 2006) from Alison Gorbould, Toronto Public Space Committee;
- Communication (April 2, 2006) from Corinne Alstrom;
- Communication (April 3, 2006) from Emily J. Alfred;
- Communication (April 3, 2006) from Steve Mercer;
- Communication (April 3, 2006) from Ashlee Cooper;
- Communication (April 3, 2006) from Piero Rocca;
- Communication (April 3, 2006) from Jonna Pedersen;
- Communication (April 3, 2006) from Albert Kwan;
- Communication (April 3, 2006) from Greg Piccini;
- Communication (April 3, 2006) from Cynthia Gould;
- Communication (April 3, 2006) from Josh Paterson;
- Communication (April 3, 2006) from Heather L. McDonald;
- Communication (April 3, 2006) from Sara Lipson;
- Communication (April 4, 2006) from Fraser McDonald; and
- Communication (April 3, 2006) from Rami Tabetlo.

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Council also considered the following:

Communication:

- *(July 19, 2006) from the Third Party Outdoor Advertising Industry Task Force, submitted by Councillor Kyle Rae, Ward 27, Toronto Centre-Rosedale [Communication 33(a)].*