

Authority: Licensing and Standards Committee Item LS19.1, adopted as amended, by City of Toronto Council on July 4, 5, 6 and 7, 2017

## CITY OF TORONTO

### BY-LAW 1231-2017

#### **To amend City of Toronto Municipal Code Chapter 693, Signs, respecting election signs.**

Whereas Council may pass by-laws to regulate signs and other advertising devices under subsection 8(2) of the *City of Toronto Act, 2006*, as amended (the "Act"); and

Whereas the City provides regulation of election signs to the citizens of Toronto as a necessary and desirable service; and

Whereas it is necessary to amend Article II, Election Signs, of Chapter 693, Signs, of City of Toronto Municipal Code with respect to the regulations concerning election signage in the City; and

Whereas notice of the intention to enact this by-law has been provided in accordance with the City of Toronto Municipal Code;

The Council of the City of Toronto enacts:

1. Section 693-5 of Toronto Municipal Code Chapter 693, Signs, Article II, Election Signs, is amended as follows:

- A. by adding the following in alphabetical order as new definitions:

CAMPAIGN OFFICE SIGN - Any sign containing sign copy which solely identifies the name of a candidate in a federal, provincial or municipal election, and the location of a candidate's campaign office, and contains no other message.

ELECTION SIGN PERIOD - The time between the date established under § 693-9A for the commencement of the erection or display of election signs and the time established for the removal of election signs established under § 693-9D.

OUTSIDER ELECTION SIGN - Any sign, advertising or promoting a candidate in a municipal election, including an election of a local board or commission; or intended to influence persons to vote for or against any candidate or any question or bylaw submitted to the electors under section 8 of the Municipal Elections Act, 1996, which has been erected and displayed without the authorization, direction or involvement of a candidate.

REGISTERED THIRD PARTY - In relation to an election in a municipality, an individual, corporation or trade union that is registered under section 88.6 of the Municipal Elections Act, 1996.

STREET INSTALLATION DEDICATED ADVERTISING SPACE - An area approved and designated by the City for the purpose of displaying any colour, form, graphic, illumination, symbol or writing to convey information of any kind to the public, including but not limited to display of an advertisement, bill, handbill, leaflet, flyer or

placard, located on a structure, including a bus shelter and a municipal garbage container located on a Highway, owned by or under the control of the City.

**ARTERIAL ROAD** - Any street that is designated as a minor or major arterial street in the City's road classification system, as amended from time to time.

**COLLECTOR ROAD** - Any roadway that is designated as a collector road in the City's road classification system, as amended from time to time.

**LOCAL ROAD** - Any street that is not designated as a major arterial, minor arterial or collector street in the City's road classification system, as amended from time to time.

B. by deleting the definition of "Election Sign" and replacing it with the following:

**ELECTION SIGN** - Any sign, including an Outsider Election Sign:

- A. Advertising or promoting a candidate in a federal, provincial or municipal election, including an election of a local board or commission; or
- B. Intended to influence persons to vote for or against any candidate or any question or bylaw submitted to the electors under section 8 of the Municipal Elections Act, 1996.

2. Subsection 693-6C of Toronto Municipal Code Chapter 693, Signs, Article II, Election Signs, is amended by deleting § 693-6C and replacing it with the following:

C. No person shall pull down, move, remove, alter, deface or wilfully cause damage to a lawfully erected election sign except:

- (1) In the case of an election sign erected or displayed in accordance with § 693-7B, with the consent of:
  - (a) The candidate to whom the sign relates or the owner or occupant of the abutting property; or
  - (b) The registered third party advertiser responsible for the outsider election sign.
- (2) In the case of an election sign erected or displayed in accordance with § 693-7C, with the consent of:
  - (a) The candidate to whom the sign relates; or
  - (b) The Toronto Transit Commission.
- (3) In the case of an election sign erected or displayed in accordance with § 693-7D, with the consent of:

- (a) The candidate to whom the sign relates; or
  - (b) The City of Toronto.
- (4) In the case of an election sign erected or displayed in accordance with § 693-8, with the consent of:
- (a) The candidate to whom the sign relates; or
  - (b) The owner of the property upon which the sign is erected; or
  - (c) The occupant of the property upon which the sign is erected; or
  - (d) The registered third party advertiser responsible for the outsider election sign.

3. Section 693-7 of Toronto Municipal Code Chapter 693, Signs, Article II, Election Signs, is amended by deleting § 693-7 and replacing it with the following:

**§ 693-7. Election signs on public property.**

A. Election signs are not permitted anywhere on public property other than on:

- (1) A highway, or a public utility pole located on a highway, provided there is compliance with the requirements of Subsections B(1) and G, if applicable;
- (2) A structure, including a bus shelter and a municipal garbage container, located on a highway, if permitted under the terms and conditions of any agreement between the owner or operator of the structure and the City or one of its agencies, boards or commissions, and provided there is compliance with the requirements of Subsections B(1)(e) to (g) and G, if applicable;
- (3) A TTC dedicated advertising space, if permitted under the terms and conditions of any agreement between the owner or operator of the TTC dedicated advertising space and the Toronto Transit Commission, and provided there is compliance with the requirements of Subsections C(1) and G, if applicable;
- (4) A Street Installation dedicated advertising space, if permitted and erected or displayed in accordance with the terms and conditions of any agreement between the City concerning operation of the street installation dedicated advertising space and in accordance with Subsections D and G, if applicable;
- (5) A third party sign located on public property, provided there is compliance with the requirements of Subsections E and G, if applicable; or

- (6) On the surface of vehicles or trailers located on public property, provided there is compliance with the requirements of Subsections F and G, if applicable.

B. Regulations for signs on highways.

- (1) Election signs may be erected or displayed on highways, except highways upon which pedestrians are prohibited, if:
  - (a) The signs are no larger than 1.2 square metres in area and no higher than two metres above ground level;
  - (b) The signs are not located within 1.5 metres of the curb or the edge of pavement;
  - (c) On highways with sidewalks, the signs are not located within 0.6 metres of either side of the sidewalk;
  - (d) The signs are not located within 15 metres of an intersection or pedestrian crossover of a collector road or arterial road and not located within 3 metres of an intersection or pedestrian crossover of a local road;
  - (e) The signs are not located on a median or island installed within the highway;
  - (f) The signs do not interfere with the safe operation of motor vehicular traffic, cyclists, and with the safety of pedestrians, and must not obstruct visibility or block sightlines;
  - (g) The signs are not erected or displayed on or adjacent to a voting place, City park or a facility that is owned or operated by the City; and
  - (h) The signs are erected with the consent of the owner or occupant of the abutting property.

C. Regulations for signs on TTC dedicated advertising spaces.

- (1) Election signs may be erected or displayed on TTC dedicated advertising spaces, if:
  - (a) The signs are located on station advertising space as permitted under the terms and conditions of any agreement between the owner or operator of the station advertising space and the Toronto Transit Commission; and

- [1] The sign is not illuminated as required by § 693-6B(1), unless the terms and conditions of any agreement between the owner or operator of the station advertising space and the Toronto Transit Commission permits the erection or display of illuminated signs on the station advertising space;
  - [2] The signs are no larger than 2.3 square metres in area;
  - [3] The signs do not interfere with the safe operation of motor vehicular traffic, cyclists, and with the safety of pedestrians, and must not obstruct visibility or block sightlines;
  - [4] The signs are not erected or displayed on or adjacent to a voting place; and
  - [5] The signs are erected or displayed with the consent of the Toronto Transit Commission.
- (b) The signs are located on vehicle advertising space as permitted under the terms and conditions of any agreement between the owner or operator of the vehicle advertising space and the Toronto Transit Commission and;
- [1] The sign is not illuminated as required by § 693-6B(1), unless the terms and conditions of any agreement between the owner or operator of the vehicle advertising space and the Toronto Transit Commission permits the erection or display of illuminated signs on the vehicle advertising space;
  - [2] The signs are no larger than 2.7 square metres in area;
  - [3] The signs do not interfere with the safe operation of motor vehicular traffic, cyclists, and with the safety of pedestrians, and must not obstruct visibility or block sightlines;
  - [4] The signs are not erected or displayed on or adjacent to a voting place; and
  - [5] The signs are erected or displayed with the consent of the Toronto Transit Commission.

- D. Regulations for signs on Street Installation dedicated advertising spaces.
- (1) Election signs may be erected or displayed on Street Installation dedicated advertising space, if:
- (a) The signs are located on advertising space as permitted under the terms and conditions of any agreement between the owner or operator of the Street Installation dedicated advertising space and the City and;
- [1] The sign is not illuminated as required by § 693-6B(1), unless the terms and conditions of any agreement between the owner or operator of the Street Installation dedicated advertising space and the City permits the erection or display of illuminated signs on the advertising space;
- [2] The signs are no larger than the area of the Street Installation dedicated advertising space;
- [3] The signs do not interfere with the safe operation of motor vehicular traffic, cyclists, and with the safety of pedestrians, and must not obstruct visibility or block sightlines;
- [4] The signs are not erected or displayed on or adjacent to a voting place; and
- [5] The signs are erected or displayed with the consent of the City and the owner of the street installation.
- E. Notwithstanding the restrictions contained in §§ 693-6B(1) and 693-8A(1), an election sign may be erected or displayed as sign copy on a third party sign, provided:
- (1) The sign is operating in accordance with the requirements of the applicable permit issued under Chapter 694, Signs, General or under the authority of a sign by-law passed by the City, former area municipality, or the former Municipality of Metropolitan Toronto, still in effect as of April 5, 2010; and
- (2) The signs are not erected or displayed on or adjacent to a voting place.
- F. Regulations for signs on Vehicles and Trailers.
- (1) Election signs may be erected or displayed by being attached, affixed, painted or otherwise displayed on the surface of vehicles or trailers, located on public property provided:

- (a) The signs erected or displayed on a vehicle or trailer do not interfere with the safe operation of motor vehicular traffic, cyclists, and with the safety of pedestrians, and must not obstruct visibility or block sightlines; and
    - (b) The signs are not erected or displayed on a vehicle or trailer that is parked, stopped or standing on or adjacent to a voting place, City park or facility that is owned or operated by the City.
  - G. Regulations for outsider election signs on public property.
    - (1) An outsider election sign may be erected on public property if:
      - (a) The outsider election sign is erected in compliance with the provisions of § 693-6 otherwise applicable to the sign;
      - (b) The outsider election sign includes valid and up-to-date contact information for at least one individual responsible for the outsider election sign; and
      - (c) The third party advertiser responsible for the outsider election sign has registered with the City Clerk in accordance with the requirements of the Municipal Elections Act, 1996.
- 4. Section 693-8 of Toronto Municipal Code Chapter 693, Signs, Article II, Election Signs, is amended by deleting § 693-8 and replacing it with the following:  
**§ 693-8. Election signs on private property.**
  - A. Election signs may be erected or displayed on private property if:
    - (1) The signs are no larger than 1.2 square metres in area and no higher than two metres above ground level, save and except signs on campaign offices;
    - (2) The signs do not interfere with the safe operation of motor vehicular traffic, cyclists, and with the safety of pedestrians, and must not obstruct visibility or block sightlines;
    - (3) The signs are erected with the consent of the owner or occupant of the property; and
    - (4) If an outsider election sign, the sign complies with Subsection C.
  - B. Notwithstanding the restrictions contained in §§ 693-6B(1) and 693-8A(1), but subject to the restrictions of Subsection C, an election sign may be erected or displayed as sign copy on a third party sign, in accordance with the requirements of the applicable permit issued under Chapter 694, or under the authority of a sign

by-law passed by the City, former area municipality, or the former Municipality of Metropolitan Toronto, still in effect as of April 5, 2010.

- C. An outsider election sign may be erected on private property if:
- (1) The outsider election sign includes valid and up-to-date contact information for at least one individual responsible for the outsider election sign; and
  - (2) The third party advertiser has registered with the City Clerk in accordance with the requirements of the Municipal Elections Act, 1996.
5. Section 693-9 of Toronto Municipal Code Chapter 693, Signs, Article II, Election Signs, is amended by deleting § 693-9 and replacing it with the following:

**§ 693-9. Timing.**

- A. Election signs shall not be erected or displayed:
- (1) For a federal election or provincial election until the day the writ of election is issued;
  - (2) For a municipal election until 25 days prior to voting day.
- B. Notwithstanding Subsection A, where the day the writ of election is issued, or the 25th day prior to voting day or polling day as applicable, is a date of cultural or religious significance as indicated in the annual schedule of meetings adopted by Council and published by the City Clerk as required by § 27-25 of Chapter 27, Council Procedures, election signs shall not be erected or displayed until the first day after the date indicated in Subsection A, that is not is a date of cultural or religious significance indicated in Council's adopted annual schedule of meetings.
- C. Election signs may be erected on campaign offices from the day the writ of election is issued for a federal election or provincial election, and up to 25 days prior to voting day for a municipal election, provided that:
- (1) In the case of a candidate for the position of Councillor or Trustee, that right shall extend to no more than one campaign office in the ward where the candidate is running for election;
  - (2) In the case of a candidate for the position of Mayor, that right shall extend to no more than four campaign offices.
- D. Election signs shall be removed within 72 hours after the completion of voting on voting day.



6. Section 693-10 of Toronto Municipal Code Chapter 693, Signs, Article II, Election Signs, is amended by deleting § 693-10 and replacing it with the following:

**§ 693-10. Removal of unlawful election signs.**

A. Removal of signs by City; storage; retrieval.

- (1) If an election sign or a campaign office sign is erected or displayed in violation of this article, the appropriate City officials may cause the sign to be removed immediately without notice.
- (2) Notwithstanding 693-6C, the appropriate City officials or persons acting under their direction may, on reasonable ground are of the belief that an election sign or a campaign office sign is erected or displayed in violation of this article cause the sign to be removed immediately without notice.
- (3) Signs that have been removed under Subsection A(1) and (2) shall be stored by the City for 72 hours after the Election Sign Period.
- (4) During the time the sign is stored under Subsection A(3), the owner of the sign or the owner's agent may retrieve the sign by providing the City with a signed acknowledgement and release in a form acceptable to the City.
- (5) Any sign that has been removed by the City and stored in accordance with Subsection A(1), (2), and (3), may be recycled, destroyed, or otherwise disposed of by the City without notice and without compensation to the owner of the sign.
- (6) Despite Subsection A(3), the City shall not be obliged to store signs made entirely of paper or other lightweight material and may destroy these signs immediately upon removal.

B. Notice for signs removed.

- (1) Notice shall be given by means of email, registered mail, personal delivery, or facsimile transmission, to the candidate, within 24 hours of the removal of the sign.
- (2) Notice provided in accordance with Subsection C(1) shall be deemed to be received the next business day.

7. Toronto Municipal Code Chapter 693, Signs, Article II, Election Signs, is amended by deleting and replacing Section § 693-11 with the following:

**§ 693-11. Campaign office signs.**

Campaign Office Signs may be erected or displayed if the campaign office sign is a part of a sign structure erected or displayed in accordance with the requirements of

Chapter 694, Signs, General that would otherwise apply to the sign structure; or in accordance with the requirements of the applicable permit issued under the authority of the sign bylaw passed by the City, former area municipality, or the former Municipality of Metropolitan Toronto, still in effect as of April 5, 2010.

- 8.** This by-law shall come into force on January 1, 2018.

Enacted and passed on November 9, 2017.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)