

City of Toronto Act, 2006 Public Notice

Municipal Licensing and Standards is proposing that the Council of the City of Toronto adopt amendments to Chapter 693, Signs, Article II, Election Signs.

At its meeting to be held in Committee Room 1 in Toronto City Hall on May 5, 2017 at 9:30 a.m., or as soon as possible thereafter, Licensing and Standards Committee of Toronto City Council will hear in person or by his or her counsel, agent or solicitor, any person who wishes to speak to the matter.

The proposed amendments are subject to the decision of Licensing and Standards Committee and the decision of Toronto City Council. Consequently, the proposed amendments may be modified. Additional or other amendments to the above-noted by-laws, including amendments not contemplated or considered in the proposal by Municipal Licensing and Standards, may occur as a result of the decisions of Licensing and Standards Committee and Toronto City Council.

It is proposed that the by-laws be amended at the Council meeting to be held on May 24, 2017 or at a subsequent meeting.

Municipal Licensing and Standards is proposing that the Council of the City of Toronto:

1. Approve amendments to Toronto Municipal Code, Chapter 693, Signs, Article II, Election Signs, as follows:

1. The following definitions be added to § 693-5. Definitions, in the appropriate locations in accordance with an alphabetical order:

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.

2. The existing definition of Election Sign contained in § 693-5. Definitions, be deleted and replaced 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*.

3. § 693-6. General requirements, is amended by deleting subsection 693-6.C and replacing the subsection 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
 - (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.

4. § 693-7. Election signs on public property, is amended by deleting section 693-7 and replacing the entire section 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;
 - (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;
 - (h) 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;

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 § 693-6 B(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, 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:
 - (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*.

5. § 693-8. Election signs on private property, is amended by deleting section 693-8 and replacing the entire section 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*.

6. § 693-9. Timing, is amended by deleting section 693-9 and replacing the entire section 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 21 days prior to voting day.
- B. Notwithstanding Subsection A, where the day the writ of election is issued, or the 21st 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 Municipal Code 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 21 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.

7. § 693-10. Removal of unlawful election signs, is amended by deleting section 693-10 and replacing the entire section 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.

8. § 693-11. Payment methods, is deleted and replaced in its entirety with the following:

§ 693-11. Campaign office signs.

A. Campaign office signs may be erected or displayed if:

(1) The campaign office sign is erected on a campaign office;

- (2) No more than one campaign office sign is erected on a campaign office;
- (3) The campaign office sign does 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
- (4) The campaign office sign is erected or displayed:
 - (a) On a sign structure 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; or
 - (b) The campaign office sign
 - i. is no larger than 2.5 square metres in area;
 - ii. has no more than one sign face; and
 - iii. the highest point of the sign is no higher than 4.0 metres above grade.

B. Campaign office 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 21 days prior to voting day.

C. Campaign office signs must be removed within 72 hours after the completion of voting on voting day.

2. Direct that the proposed changes come into force on January 1, 2018.

To view copies of the report outlining and explaining the proposed amendments you may view the Licensing and Standards Committee agenda at:

<http://app.toronto.ca/tmmis/decisionBodyProfile.do?function=doPrepare&decisionBodyId=1037#Meeting-2017.LS19>

current as of April 28, 2017. To obtain copies of the report at no cost, or to submit comments or make a deputation to Licensing and Standards Committee, please contact the Committee no later than 12:00 p.m. on May 4, 2017:

Licensing and Standards Committee
City Clerk's Office
Toronto City Hall, 100 Queen Street West
10th Floor, West Tower, Toronto, Ontario, M5H 2N2
Telephone: 416-397-4592
Fax: 416-392-1879
Email: lsc@toronto.ca

To ask questions regarding the content of the report, respecting the above items, contact:

Carleton Grant
Director, Policy and Strategic Support

Municipal Licensing and Standards
Toronto City Hall, 100 Queen Street West
16th Floor, West Tower, Toronto, Ontario, M5H 2N2
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Any comments received after the Committee meeting will be processed to Council.

If this matter is deferred at the Committee meeting or Council meeting or considered at a subsequent Committee or Council meeting, no additional notice will be provided other than the information on the subsequent Committee or Council agenda. Please contact the above City official if you require notice in these cases.

Notice to people writing or making presentations to the Licensing and Standards Committee:

The City of Toronto Act, 2006 and the City of Toronto Municipal Code authorize the City of Toronto to collect any personal information in your communication or presentation to City Council or its committees.

The City collects this information to enable it to make informed decisions on the relevant issue(s). If you are submitting letters, faxes, e-mails, presentations or other communications to the City, you should be aware that your name and the fact that you communicated with the City will become part of the public record and will appear on the City's website. The City will also make your communication and any personal information in it – such as your postal address, telephone number or e-mail address – available to the public.

The City videotapes committee and community council meetings. If you make a presentation to a committee or community council, the City will be videotaping you and City staff may make the video tapes available to the public.

If you want to learn more about why and how the City collects your information, write to the City Clerk's Office, City Hall, 100 Queen Street West, Toronto ON M5H 2N2 or by calling 416-397-4592.

This Notice is dated this 28th day of April, 2017.

Ulli S. Watkiss
City Clerk