

Authority: Planning and Housing Committee Item
PH11.6, as adopted by City of Toronto Council on April
17, 18 and 19, 2024

CITY OF TORONTO

Bill 393

BY-LAW -2024

To amend City of Toronto Municipal Code Chapter 694, Signs, General, with respect to the processing of applications for variances, and site-specific amendments, as well as with respect to the redesignation of premises and associated amendments to Schedule A, Maps, of Chapter 694.

Whereas under sections 7 and 8 of the City of Toronto Act, 2006 (the "Act"), the City may pass by-laws in respect of the health, safety and well-being of persons and the economic, social and environmental well-being of the City; and

Whereas under sections 7 and 8 of the Act and the specific powers and restrictions respecting delegation in sections 20 to 24, the City may delegate its powers and duties under the Act to an officer or employee of the City, including administrative and quasi-judicial powers and legislative powers of a minor nature as provided in section 21; and

Whereas subsection 8(1) of the Act, provides the City with broad authority to provide any service or thing the City considers necessary or desirable for the public; and

Whereas the City has the authority to pass by-laws respecting matters related to Structures, including fences and signs under subsection 8(2) of the Act; and

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

Whereas at its meeting of February 22 and 23, 2010, City Council adopted By-law No. 196-2010, which by-law enacted Chapter 694, Signs, General, to the City of Toronto's Municipal Code; and

Whereas Section 694-31A of Chapter 694, Signs, General, permits a person to apply for an amendment to the provisions of the chapter in specific conditions; and

Whereas Section 694-29A of Chapter 694, Signs, General, permits a person to apply for variance or variances from the provisions of the chapter, provided none of the circumstances set out in § 694-31A applies; and

Whereas Article V of Chapter 694, delegates powers and duties of the City, including administrative and quasi-judicial powers, to the Chief Building Official and Executive Director, Toronto Building concerning the processing and administration of variance and amendment applications as well as with respect to the determination of certain variances; and,

Whereas Article VI of Chapter 694, establishes a City Board entitled the Sign Variance Committee, and delegate powers and duties of the City to this City Board concerning the determination of certain variances; and,

Whereas Article VI of Chapter 694, establishes a City Board entitled the Sign Variance Committee, and assigns responsibilities to this board concerning the determination of certain variances; and,

Whereas Schedule A, Maps, to Chapter 694, Signs, General, indicates the sign district applicable to each premises in the City; and

Whereas Council has decided that modifications to the provisions concerning the processing, administration and determination of variances from, and the provisions concerning the processing, and administration of area-specific amendments to, Chapter 694, as well as the processing of amendments to Schedule A, Maps, in the context of the redesignation of premises are appropriate;

The Council of the City of Toronto enacts:

1. Chapter 694, Signs, General, is amended, for the purposes of providing the authority to the Chief Building Official and Executive Director, Toronto Building to implement amendments to Schedule A, Maps to City of Toronto Municipal Code Chapter 694, Signs, General, for the purpose of redesignating premises, to reflect City Council decisions with respect to Official Plan or applicable Zoning By-law designations, by adding the following subsection to Section 694-19 as subsection 694-19C :
 - C. The City Solicitor, in consultation with the City Clerk and Chief Building Official, may submit bills directly to Council for enactment to amend Schedule A, Maps to City of Toronto Municipal Code Chapter 694, Signs, General to alter a sign designation of a premises to update the sign designation to reflect the effect of a Council decision resulting in a change to the premises' designation in the City's Official Plan or applicable Zoning By-law that was authorized by Council.
2. Chapter 694, Signs, General, is amended, for the purposes of providing the authority to the Chief Building Official and Executive Director, Toronto Building, to direct applications for amendments to be considered in whole or in part as part of the variance process, along with the necessary administrative changes, by deleting subsection 694-29A and replacing it with the following:
 - A. A person may apply for:
 - (1) A variance from the provisions of this chapter, provided none of the circumstances set out in 694-31A applies; or,
 - (2) A site-specific amendment to this chapter in the circumstances set out in § 694-31A.
 - (3) The Chief Building Official is authorized to determine, the substantive effect of

applications made under Subsection A(2), and as the Chief Building Official determines is appropriate as result of this determination, to refer, in whole or in part, an application for a site-specific amendment to this chapter made under Subsection A(2) to the Sign Variance Committee, where the subject matter of that application is substantially within the authority of the Sign Variance Committee.

3. Chapter 694, Signs, General, is amended, to provide authority for the Chief Building Official to refuse to process applications for variances or amendments under specific conditions, along with the necessary administrative changes, by adding the following two subsections to Section 694-29 as subsections 694-29C and 694-29D:
 - C. The Chief Building Official is authorized to review an application for a variance from the provisions of this chapter made under subsection A with respect to a third party or first party sign; and to review an application for a site or area specific amendment to this chapter and refuse to process the applications further where, in the opinion of the Chief Building Official, the subject matter of the application in substance or effect, contravene any applicable City of Toronto program, policy or by-law.
 - D. Upon receiving the application and information referred to in Subsection A, the Chief Building Official shall:
 - (1) Accept the application;
 - (2) Refer the application, in whole or in part, to the Sign Variance Committee; or
 - (3) Refuse to process the application and provide in writing all of the reasons for the refusal.
4. Chapter 694, Signs, General, is amended to remove the specific criteria from 694-30A, indicating that the variance not be in relation to a third-party sign, where the variance sought would relate to sign type that is permitted in the sign district, by deleting Subsection 694-30A(2) and renumbering section 694-30A accordingly so that section 694-30A now reads as follows:
 - A. An application for variance from the provisions of this chapter may be granted where it is established that the proposed sign or signs will:
 - (1) Belong to a sign class permitted in the sign district where the premises is located;
 - (2) Be compatible with the development of the premises and surrounding area;
 - (3) Support the Official Plan objectives for the subject premises and surrounding area;

- (4) Not adversely affect adjacent premises;
- (5) Not adversely affect public safety, including traffic and pedestrian safety;
- (6) Not be a sign prohibited by § 694-15B;
- (7) Not alter the character of the premises or surrounding area; and,
- (8) Not be, in the opinion of the decision maker, contrary to the public interest.

Enacted and passed on April , 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

