

APPENDIX A – NEW SIGN BY-LAW FOR THE CITY OF TORONTO

Planning and Growth Management Committee Item No. PG33.10, as adopted by City of Toronto Council on _____.

CITY OF TORONTO

BY-LAW No.

To adopt City of Toronto Municipal Code Ch. 694, Signs, General.

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 power in section 259, the City may pass a by-law imposing fees or charges on persons for services and activities provided or done by or on behalf of it;

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;

WHEREAS under section 366 of the Act, the City may pass by-laws providing that a person who contravenes a by-law of the City passed under this Act is guilty of an offence, and under section 370 may establish a system of fines for offences including special fines, in addition to the regular fine for an offence, that are designed to eliminate or reduce any economic advantage or gain from contravening the by-law; and

WHEREAS under subsections 384(3) and 385(4) of the Act, a by-law under section 366 may also provide that a person who contravenes an order (to discontinue the contravening activity) under subsection 384(1) or an order (requiring certain work to be done) under subsection 385(1) is guilty of an offence;

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 City Council 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 subsections 110(2) and 110(3) of the Act provide that all costs and charges incurred for disposing of an advertising device erected or displayed in contravention of a City by-law may be recovered by the City as a debt owed by the owner of the device, and that all costs and charges incurred by the City for the removal, care and storage of an advertising device are a charge which can form a lien in favour of the City on the advertising device; and

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

WHEREAS Council has authorized increased enforcement services concerning the regulation of signs to alleviate the danger to the health and safety of the public created by improperly constructed, maintained, located and installed signs; and

WHEREAS Council has authorized regulations that promote the public's ability to utilize signs to express messages, while ensuring signs are appropriate to their function and compatible with their surroundings; and

WHEREAS Council has authorized regulations that will facilitate signs contributing positively to the quality of Toronto's appearance and its visual character to enhance the image and attractiveness of Toronto for its residents, business community, and visitors; and

WHEREAS Council has authorized the regulation of signs to complement and support City programs, strategies and initiatives including programs, strategies and support for the promotion of energy efficiency and the City's environmental goals; and

WHEREAS Council has authorized the regulation of signs to alleviate health and environmental impacts from signs; and

WHEREAS Council has authorized regulations for signs that are consistent with Toronto's goals for the quality and character of the City's streets, public spaces, and buildings; and

WHEREAS notice of the intention to enact this by-law has been provided in accordance with the *Act* and its regulations;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. **The City of Toronto Municipal Code is amended by adding the following chapter:**

CITY OF TORONTO

Chapter 694

SIGNS, GENERAL

ARTICLE I

General Provisions

§ 694-1. Definitions.

§ 694-2. Scope.

§ 694-3. Administration.

§ 694-4. Sign classes and types.

ARTICLE II

Sign Permit Regulations

§ 694-5. Permits.

§ 694-6. Exemption from permit requirements.

§ 694-7. Abandoned sign permit applications.

§ 694-8. Scope of permit.

§ 694-9. Expiration of sign permit.

§ 694-10. Renewal of permits for third party signs.

§ 694-11. Transfer of permit.

§ 694-12. Inspection.

§ 694-13. Revocation.

ARTICLE III

Sign Regulations and Requirements

§ 694-14. General regulations.

§ 694-15. Prohibited signs.

§ 694-16. Maintenance.

§ 694-17. Approval from Transportation Services

§ 694-18. Illumination.

§ 694-19. Sign districts.

§ 694-20. First party general sign regulations.

§ 694-21. District specific first party sign regulations.

§ 694-22. Third party sign general regulations.

§ 694-23. Energy efficiency requirements.

§ 694-24. Site-specific area restrictions.

§ 694-25. District specific third party sign regulations.

§ 694-26. Special sign district sign regulations.

ARTICLE IV

Enforcement

§ 694-27. Offences and penalties.

§ 694-28. Enforcement.

ARTICLE V

Variances and By-law Amendments

§ 694-29. Variances and by-law amendment applications.

§ 694-30. Variance Applications.

§ 694-31. By-law amendments.

ARTICLE VI

Sign Variance Committee

§ 694-32. Creation of Committee.

§ 694-33. Composition.

§ 694-34. Quorum.

§ 694-35. Term of appointment.

§ 694-36. Authority to grant variances.

§ 694-37. Responsibilities.

§ 694-38. Procedures.

§ 694-39. Staff support.

ARTICLE VII

Transition

§ 694-40. Conflict.

§ 694-41. Validity.

§ 694-42. Transition provisions.

§ 694-43. Effective date

Schedule A to Ch. 694, Maps

ARTICLE I

General Provisions

§ 694-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

APPLICANT - The person who applies for a sign permit under this chapter, a renewal of a sign permit issued for a third party sign, a variance to this chapter, or an amendment to this chapter.

BUILDING PERMIT – A permit issued pursuant to Section 8 of the *Building Code Act*.

CHIEF BUILDING OFFICIAL - The Chief Building Official appointed by the Council of the City of Toronto pursuant to the *Building Code Act* and any person authorized by him or her to carry out the duties of the Chief Building Official under this chapter.

CITY - The City of Toronto, and shall not include its Agencies, Boards and Commissions.

DESIGNATED HERITAGE BUILDING - A building that is designated by a by-law passed by the City pursuant to the *Ontario Heritage Act* as being of architectural or historical significance.

ELECTRONIC MOVING COPY – Sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the sign copy displays moving images.

ELECTRONIC STATIC COPY - Sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the sign copy is fixed for a set period of time.

ERECT - Attach, affix, paint, post, project, construct, place, locate or install.

FENCE – A barrier, including one for noise attenuation, or any structure, except a structural part of a building, that wholly or partially screens from view, encloses or divides a yard or other land, or marks or substantially marks the boundary between adjoining land, and includes any hedge or shrub that has the same effect.

FIRST PARTY SIGN – A sign which identifies, advertises, promotes or directs attention to a business, service or activity available at the premises where the sign is located.

FIRST STOREY – The storey with the floor nearest to the average elevation of the surface of the ground where it meets the front wall of a building.

FRONTAGE - The linear length of a property which abuts a street line.

FUEL PUMP – A retail fuel dispensing machine.

FUEL PUMP SIGN – A sign erected or displayed on or attached to a fuel pump authorized by law.

GRADE – The average elevation of the surface of the ground where it meets the sign, the average elevation of the surface of the ground where it meets the structure on which the sign is erected, or the average elevation of the surface of the ground where it meets the wall of the building to which the sign is erected.

GROUND SIGN - A freestanding sign which is permanently affixed to the ground and not supported in any manner by a building.

HEIGHT - The vertical distance between grade and the highest point of a sign.

HERITAGE CONSERVATION DISTRICT - An area which is designated by a by-law passed by the City pursuant to the *Ontario Heritage Act* as being an area of architectural or historical significance.

ILLUMINATION – The act of lighting up a sign by way of an artificial light source located within, on or external to the sign, the brightness and intensity of which are measured in lux and nits.

INTERACTIVE COPY - Sign copy which specifically changes so as to communicate directly with a particular observer.

LISTED HERITAGE BUILDING - A building which has been identified by the City as being of architectural or historical significance.

MAJOR STREET – Any street identified on Map 3, Right of Way Widths Associated with Existing Major Streets, of the City of Toronto Official Plan, as amended.

MAINTENENCE - Anything done to preserve a sign or to prevent its deterioration but does not include the modification or restoration of a sign.

MANSARD ROOF - Any portion of a roof that has a pitch of thirty degrees or less when measured against a vertical plane.

MECHANICAL COPY- Sign copy which physically moves in whole or in part and shall include tri-vision sign copy.

MESSAGE DURATION - The period of time that sign copy is displayed on a sign face.

MESSAGE TRANSITION - The period of time involved for each change of sign copy displayed on a sign face.

MODIFICATION – Any change to a sign and shall include a change in the manner in which sign copy is displayed, a change to the sign class and a change to the sign face area but shall not include the removal and replacement of sign copy displayed on the sign face.

OFFICE BUILDING - A building used primarily for conducting the affairs of a business, profession, service or government.

OFFICIAL SIGN – A sign required by and erected in accordance with any statute, regulation or by-law of any federal or provincial government or agency, board or commission thereof, or the City.

OVERHANGING STRUCTURE – Structures which project more than 0.60 metres from the face of a wall and shall include but not be limited to awnings,

canopies, marquees, cornices, chimney breasts, soffits and any other lawfully permitted projection.

OVERHANGING STRUCTURE SIGN – A sign erected on an overhanging structure.

PERSON - An individual, business, firm, body corporate, corporation, association, partnership, or municipality.

PREMISES - A property and all buildings or structures thereon.

PROJECTING SIGN - A sign erected on and entirely supported by the wall of a building and which projects more than 0.60 metres from the wall.

PROPERTY - A parcel of land which can be legally conveyed pursuant to the *Planning Act*.

PROPERTY LINE - The legal boundary of a property.

PROPERTY OWNER - The registered owner of a property and any person in lawful control or possession of a property, and, for the purposes of this chapter, there may be more than one property owner.

PUBLIC RIGHT OF WAY - A common and public highway owned by the City including any sidewalk, untravelled portion of the road allowance, bridge, trestle, viaduct or other structure forming part of the highway and includes a portion of a highway.

READOGRAPH COPY- Sign copy which displays alphanumeric characters which is changed either manually or electronically.

RESTORATION - The repair of a sign in whole or in part but shall not include the removal or replacement of the sign.

ROOF SIGN - A sign located entirely on or above the roof of a building or located entirely on the top of or above the parapet wall of a building.

SIGN - Any device, fixture or medium that displays sign copy to attract attention or convey information of any kind and shall include its supporting structure, sign face, lighting fixtures and all other component parts.

SIGNAGE MASTER PLAN - A submission with drawings, text, and specifications setting out the specifics of the location, arrangement, type and design of signs to be erected on premises within a defined area.

SIGN CLASS – The classes of signs listed in Subsection 694-4A of this chapter.

SIGN COPY - Any colour, graphic, logo, symbol, word, numeral, text, image, message, picture or combination thereof displayed on a sign face.

SIGN DISTRICT - Any district established by this chapter for the regulation of signs.

SIGN FACE - The opaque, transparent, or translucent surface of a sign upon, against, or through which the sign copy is displayed including any frame or border and shall also include the portion of any surface upon which a sign is projected or painted.

SIGN FACE AREA - The area, as measured in square metres, within the perimeter of the sign face.

SIGN OWNER - Any person who owns a sign.

SIGN PERMIT - The approval granted by the Chief Building Official authorizing the erection, display, modification or restoration of a sign in compliance with this chapter.

SIGN TYPE – The types of signs listed in Subsection 694-4B of this chapter.

SMOG ALERT – A smog alert issued by the Medical Officer of Health.

STATIC COPY – Sign copy that is fixed and does not move in any manner.

STOREY - The portion of a building situated between the top of any floor and the top of the floor next above it, or if there is no such floor, the roof next above it.

STREET - A highway as defined in subsection 3(1) of the City of Toronto Act, 2006.

STREET LINE - The line dividing a street and a property.

THIRD PARTY SIGN – A sign which advertises, promotes, or directs attention to businesses, goods, services, matters or activities that are not available at or related to the premises where the sign is located.

TOPIARY SIGN – A sign consisting only of shrubs, grasses, flowers, ornamental plants and landscape elements.

TRI-VISION SIGN COPY – Sign copy which rotates in three successive stages.

VISIBILITY ZONE – The area within three metres of the outermost points of a vehicular ingress or egress of a property where it intersects with a street.

WALL – Any exterior surface of a building extending from the ground to the roof or parapet wall and shall include a mansard roof but shall not include windows.

WALL SIGN - A sign erected on and entirely supported by the wall of a building with a sign face which projects no more than 0.60 metres from the wall.

WINDOW SIGN - A sign erected, painted, attached, etched, inscribed, or projected onto the inside or outside of any part of a window in a wall, a sign located within or in place of the glass of a window, or any other sign erected or displayed in a manner so as to be visible through the window from the exterior of the building but does not include a sign that forms part of a window display.

§ 694-2. Scope.

- A. This chapter is intended to regulate all signs in the City with the exception of the following:
- (1) Signs governed by Article II, Election Signs, and Article III, Temporary Signs, of Chapter 693, Signs, of the City of Toronto Municipal Code;
 - (2) Signs erected or displayed wholly within the public right of way on structures, elements, or fixtures provided by or on behalf of the City and governed by an agreement with the City;
 - (3) Banners erected or displayed in accordance with an approval granted by the City's Transportation Services Division;
 - (4) Signs erected or displayed by the Toronto Transit Commission to identify transit stops;
 - (5) Signs associated with special events and functions erected or displayed in accordance with an approval granted by the City's Economic Development, Culture and Tourism Division;
 - (6) Signs expressly permitted under a film permit issued in accordance with Chapter 459, Filming, of the City of Toronto Municipal Code;
 - (7) A sign within a building other than a window sign;
 - (8) Signs regulating traffic; and
 - (9) Official Signs.
- B. This chapter shall apply to signs erected, displayed or substantially altered on or after the day this chapter comes into force.
- C. This chapter shall not apply to a sign that was lawfully erected or displayed on the day this chapter comes into force provided the sign is not substantially altered.
- D. Any sign by-law passed by the City and still in effect prior to the day this chapter comes into force shall remain in effect but shall apply only to signs that were

lawfully erected or displayed on the day this chapter comes into force provided the signs are not substantially altered.

§ 694-3. Administration.

- A. The Chief Building Official shall be responsible for the administration and enforcement of this chapter.
- B. The Chief Building Official shall collect the information required by this chapter specifically for the purpose of creating and maintaining a record available to the general public.

§ 694-4. Sign classes and types.

- A. For the purpose of this chapter, all signs are designated as belonging to one of the following sign classes:
 - (1) First party signs; or
 - (2) Third party signs.
- B. For the purpose of this chapter, all signs are designated as belonging to one of the following sign types:
 - (1) Fuel pump signs;
 - (2) Ground signs;
 - (3) Overhanging structure signs;
 - (4) Projecting signs;
 - (5) Roof signs;
 - (6) Topiary signs;
 - (7) Window signs; or
 - (8) Wall signs.

ARTICLE II

Sign Permit Regulations

§ 694-5. Permits.

- A. No person shall erect, display, modify, or restore or cause to be erected, displayed, modified or restored any sign within the City without first obtaining a sign permit from the Chief Building Official pursuant to this chapter.
- B. No sign permit shall be issued until approvals have been obtained, where applicable, from the following:
 - (1) Ontario Ministry of Transportation;
 - (2) Toronto and Region Conservation Authority;
 - (3) City's General Manager, Transportation Services, in accordance with Section 694-17 of this chapter;
 - (4) City's Heritage Preservation Services, City Planning;
 - (5) City's Tree Preservation Services, Parks Forestry and Recreation; and
 - (6) The Chief Building Official, pursuant to the *Building Code Act*.
- C. No person shall erect, display, modify, or restore, or cause to be erected, displayed, modified, or restored any sign that does not comply in all respects with the provisions of this chapter.
- D. The applicant for a sign permit shall file with the City the information and documents required for the applicable sign class in the form and manner approved by the Chief Building Official and shall pay the fee prescribed in Chapter 441.
- E. No sign permit shall be issued unless the proposed sign complies in all respects with this chapter.
- F. No sign permit shall be issued unless all applicable fees have been paid.

§ 694-6. Exemption from permit requirements.

- A. The following signs are permitted and may be erected, displayed, modified or restored in all sign districts without obtaining a sign permit under this chapter provided they comply in all other respects with the provisions of this chapter:
 - (1) A first party sign, the primary purpose of which is not to identify a business located on the premises on which the sign is erected, where the sign face area does not exceed 0.6 square metres;
 - (2) A topiary sign with a height not exceeding 0.6 metres;

- (3) A sign erected by a charitable, cultural or community organization for the purpose of advertising events held or sponsored by such organization provided:
 - (a) The sign face area does not exceed 10.0 square metres; and
 - (b) The sign is removed immediately upon completion of the event;
- (4) A flag, banner, or emblem of a country, province, municipality or civic, educational or religious organizations or institutions, and such signs may be permitted to move;
- (5) A sign identifying any matters of memorial, commemorative or historical interest provided the sign face area does not exceed 2.0 square metres;
- (6) A sign displaying the name of the owner, contractor, consultant or any other party affiliated with the ongoing construction or demolition of a building provided the sign is removed immediately upon the completion or discontinuation thereof and the sign face area does not exceed 5.2 square metres;
- (7) Fuel pump signs provided the total sign face area of all such signs does not exceed 0.5 square metres; and
- (8) A first party window sign provided:
 - (a) The total sign face area of all such signs shall not exceed 25 percent of the area of the window excluding its frame; and
 - (b) The sign shall not be located above the second storey of a building.

§ 694-7. Abandoned sign permit applications.

- A. Where an application for a sign permit remains inactive or incomplete for six months after it is submitted, the Chief Building Official, without further notice, may deem the application to have been abandoned and cancel the application.
- B. Where an application for a sign permit is abandoned, the application fee is not refundable.

§ 694-8. Scope of permit.

- A. The issuance of a sign permit pursuant to this chapter shall not be used as or construed as an approval or permission for any matter not regulated by this chapter or as a substitute for any approval or permission required by law including a Building Permit.

§ 694-9. Expiration of sign permit.

- A. Every sign permit issued by the Chief Building Official for the erection, display, modification or restoration of a first party sign expires and is null and void where the business, product, activity or service to which the first-party sign relates ceases to operate or is no longer available at the premises where the sign is located.
- B. Every sign permit issued by the Chief Building Official for the erection or display of a third party sign shall expire five years from the date of issuance and is null and void on its expiry date.
- C. Notwithstanding Subsection B, where a third party sign is removed within five years of the date of issuance of the sign permit authorizing its erection or display, the sign permit shall expire on the date the sign is removed and is null and void on its expiry date.
- D. A permit to modify or restore a third party sign expires on the same date as the original permit for the erection or display of the sign in accordance with Subsections B and C.
- E. Where a sign permit has expired, the sign owner shall immediately remove the sign from the premises and in the case of a third party sign, the sign owner shall also remove the identifier required by Subsection 694-22B of this chapter.

§ 694-10. Renewal of permits for third party signs.

- A. Prior to the expiry of a sign permit for a third party sign, an application may be submitted to the Chief Building Official to renew the sign permit for a further period of five years provided no modifications or restorations are proposed to the sign.
- B. Where a modification or restoration to a third party sign is proposed, an application shall be submitted to the Chief Building Official for a new sign permit pursuant to Section 694-5 of this chapter.
- C. The applicant for a renewal of a sign permit for a third party sign shall file with the City the information and documents in the form and manner approved by the Chief Building Official and shall pay the fee prescribed in Chapter 441.

- D. A third party sign permit shall only be renewed if the sign continues to comply in all respects with this chapter.
- E. Notwithstanding Subsection D, where an application is made to renew a permit for a third party sign which no longer complies with Subsection 694-22D because a variance or by-law amendment was granted by the City permitting the erection of another third party sign, the sign permit shall be renewed.

§ 694-11. Transfer of permit.

- A. Where a sign permit for a third party sign has been transferred by the sign owner to a new sign owner, the new sign owner shall provide written notification of the transfer to the City in the form and manner approved by the Chief Building Official and shall pay the fee prescribed in Chapter 441.

§ 694-12. Inspection.

- A. The Chief Building Official may enter upon or into any premises at any reasonable time to inspect a sign for the purpose of determining whether it complies with any sign permit and the provisions of this chapter.
- B. A sign owner shall provide the Chief Building Official with 48 hours advance notice of the erection, modification or restoration of a sign for which a sign permit has been issued.
- C. A sign owner shall provide the Chief Building Official with notice of the completion of the erection, modification, or restoration of a sign for which a sign permit has been issued within 48 hours thereof.

§ 694-13. Revocation.

- A. The Chief Building Official may revoke a sign permit where:
 - (1) The erection, display, modification or restoration of the sign authorized by the sign permit has not, in the opinion of the Chief Building Official, been seriously commenced within six months of the date of the issuance of the sign permit;
 - (2) The erection, display, modification or restoration of the sign authorized by the sign permit has not, in the opinion of the Chief Building Official, been substantially completed within twelve months of the date of the issuance of the sign permit;

- (3) The sign permit was issued on mistaken, false or incorrect information;
 - (4) The sign permit was issued in error;
 - (5) The sign owner requests in writing that the sign permit be revoked;
 - (6) Any fees due under this chapter have not been paid;
 - (7) A notice of violation has been issued by the Chief Building Official under Section 694-28 and the sign has not been brought into compliance with this chapter within 14 days;
 - (8) Any required approval obtained as listed in Section 694-5B of this chapter has been revoked, rescinded or retracted; or
 - (9) The sign permit was issued on the basis of a variance to this chapter granted with conditions under Section 694-30 and there has not been compliance with a condition imposed, or a condition has been breached.
- B. Before revoking a sign permit, the Chief Building Official shall provide the sign owner and any other person as the Chief Building Official deems appropriate with written notice of his or her intention to revoke the sign permit.
- C. A notice under Subsection B shall be served personally or by ordinary mail to the recipient's last known address, and if the notice is served by ordinary mail, it shall be deemed to have been served on the fifth day after the day of mailing.
- D. A sign owner or any other person to whom notice was served under Subsection B may, within 21 days from the date of service of the notice, request in writing that the Chief Building Official not revoke the sign permit and shall include therein the reasons for the request.
- E. When a request is made pursuant to Subsection D that the sign permit not be revoked, the Chief Building Official shall consider the reasons provided in the request and any other considerations he or she deems appropriate and shall thereafter provide the requestor with his or her decision in writing.
- F. The decision of the Chief Building Official in Subsection E shall be served personally or by ordinary mail to the requestor's last known address, and if the decision is served by ordinary mail, it shall be deemed to have been served on the fifth day after the day of mailing.

- G. Where no written request is made pursuant to Subsection D within 30 days from the date of service of notice of the intention to revoke a sign permit and the ground for revocation continues to exist, the Chief Building Official may proceed to revoke the sign permit.
- H. Where the Chief Building Official revokes a sign permit, written notice of the revocation shall be provided to the sign owner and any other person as the Chief Building Official deems appropriate.
- I. Notice of the revocation of a sign permit shall be served personally or by ordinary mail to the recipient's last known address, and if the notice is served by ordinary mail, it shall be deemed to have been served on the fifth day after the day of mailing.
- J. Where the Chief Building Official has revoked a sign permit, the sign owner shall immediately remove the sign and, where applicable, the identifier required by Subsection 694-22B.

ARTICLE III

Sign Regulations and Requirements

§ 694-14. General regulations.

- A. Where this chapter requires a sign to be erected or displayed a minimum distance from another sign or a sign district, no part of the sign shall be located within the applicable minimum distance.
- B. Where a property is located in more than one sign district, the provisions applicable to the sign district where the sign is to be located shall apply.
- C. No sign shall move, in whole or in part, unless otherwise expressly permitted by this chapter.
- D. No sign or sign copy shall be projected onto a building or any other surface from or by a source external to the sign or sign copy unless otherwise expressly permitted by this chapter.
- E. Signs shall display only static copy unless otherwise expressly permitted by this chapter.

- F. A sign displaying electronic moving copy or electronic static copy shall be designed so as to cease operating in the case of a malfunction.
- G. Where this chapter requires the sign face area to be calculated as a percentage of the area of the wall of a building, the area of the wall shall include the windows located therein.
- H. There shall be a minimum vertical clearance of 2.5 metres from the ground, sidewalk or walkway to the lowest point of an overhanging structure sign and a projecting sign located above.
- I. Where this chapter permits a sign to display electronic static copy, the following requirements shall be met:
 - (1) The message duration shall not be less than 10 seconds;
 - (2) The message transition shall not exceed 1.0 second; and
 - (3) During the message transition, the sign shall not display any visible effects, including but not limited to action, motion, fading, dissolving, blink, intermittent or flashing light or the illusion of such effects.
- J. A fuel pump sign containing electronic static copy or electronic moving copy is permitted provided:
 - (1) The sign shall only be erected or displayed on top of the fuel pump;
 - (2) There shall be no more than one such sign on each fuel pump;
 - (3) The sign face area shall not exceed 0.2 square metres;
 - (4) The sign shall have no more than one sign face;
 - (5) The height shall not exceed 2.5 metres; and
 - (6) The sign shall not face a street except where the sign is obstructed such that it is not visible from the street or except where the sign is set back a minimum of 12.0 m from the street.

§ 694-15. Prohibited signs.

- A. Anything not expressly permitted by this chapter is prohibited.
- B. The following are expressly prohibited:
 - (1) A sign erected on a tree or a fence;
 - (2) A roof sign;

- (3) A sign erected on a parked vehicle or trailer where the primary purpose of the vehicle or trailer is the display of the sign;
- (4) A third party sign erected on a railway bridge;
- (5) A sign which obstructs or interferes in any way with the use of any fire escape, fire exit, door, flue, air intake, exhaust, or required parking space or window, but shall not include a window sign permitted by this chapter;
- (6) A sign which interferes with any electrical or telephone wires or associated supports;
- (7) A sign emitting sound or odour;
- (8) A sign discharging any gas, liquid, or solid;
- (9) A sign containing interactive copy; and
- (10) A sign located within a visibility zone.

§ 694-16. Maintenance.

- A. The sign owner shall ensure that the sign is maintained in good condition and that the sign does not become unsafe, structurally unsound, or dangerous.

§ 694-17. Approval from Transportation Services

- A. No person shall erect or display, or cause to be erected or displayed the following signs without first having obtained written approval from the General Manager, Transportation Services:
- (1) any sign located, in whole or in part, in a public right of way;
 - (2) any sign which projects, in whole or in part, over a public right of way;
and
 - (3) any overhanging structure sign or projecting sign located within 30 metres of the intersection of two streets where the flow of traffic is controlled by traffic lights.

§ 694-18. Illumination.

- A. No first party sign shall be illuminated at any time when a smog alert is in effect.

- B. All first party signs shall cease to be illuminated within four hours of the issuance of the smog alert.
- C. Where a sign is located in an R, RA, I, U or OS sign district, the sign shall not be illuminated between the hours of 11 p.m. and 6 a.m. except where the sign is a first party sign associated with a lawful business which operates during this period and only while the business is actually in operation.
- D. Subsections A, B and C shall not apply to the following:
- (1) Hospitals, emergency treatment facilities and blood banks;
 - (2) Telephone exchanges;
 - (3) Power generating stations and electrical substations;
 - (4) Control centres for land transportation;
 - (5) Public transit facilities;
 - (6) Public water treatment and storage facilities;
 - (7) Water and sewage pumping stations;
 - (8) Emergency response facilities;
 - (9) Fire, rescue and police stations;
 - (10) Storage facilities for vehicles or boats used for fire, rescue and police purposes; and
 - (11) Communication facilities, including radio and television stations.
- E. Where this chapter permits the illumination of a sign, the following requirements shall be met:
- (1) The sign shall not be up-lit,
 - (2) The light shall not project onto any adjacent premises located in an R, RA, CR, I or OS sign district;
 - (3) The illumination shall not increase the light levels within 10.0 metres of all points of the sign face by more than 6.5 lux above the ambient lighting level;
 - (4) The illumination shall not exceed 5,000 nits during the period between sunrise and sunset; and

- (5) The illumination shall not exceed 500 nits during the period between sunset and sunrise.

§ 694-19. Sign districts.

A. For the purposes of this chapter, the following sign districts are established as set out in Schedule A at the end of this chapter:

- (1) R Residential District
- (2) RA Residential Apartment District
- (3) C Commercial District
- (4) CR Commercial Residential District
- (5) E Employment District
- (6) EIO Employment Industrial Office District
- (7) I Institutional District
- (8) U Utility District
- (9) OS Open Space District
- (10) DYS-SSD Downtown Yonge Street Special Sign District
- (11) DS-SSD Dundas Square Special Sign District
- (12) CHNPS-SSD City Hall and Nathan Philips Square Special Sign District
- (13) UA-SSD University Avenue Special Sign District
- (14) GG-SSD Gardiner Gateway Special Sign District
- (15) CT-SSD Chinatown Special Sign District

B. The sign district designation applying to a property reflected in Schedule “A” shall extend to the centre line of any streets which the property abuts.

§ 694-20. First party general sign regulations.

- A. First party signs may advertise, promote, or direct attention to goods available at the premises where the sign is located provided the portion of the sign copy which advertises, promotes, or directs attention to goods available at the premises does not exceed 30 percent of the total area of the sign copy.
- B. Notwithstanding Subsection A, in the case of a projecting sign, the portion of the sign copy which advertises, promotes, or directs attention to goods available at the premises may equal 100 percent of the total area of the sign copy.
- C. The total sign face area of all first party wall, window and overhanging structure signs erected at the first storey of a building shall not exceed 20% of the area of the wall at the first storey on which the signs are erected and from which the overhanging structures project.
- D. The total sign face area of all first party wall, window and overhanging structure signs erected at the second storey of a building shall not exceed 10% of the area of the wall at the second storey on which the signs are erected and from which the overhanging structures project.
- E. Up to 50% of the sign face area of a first party ground sign located on a premises in an RA, C, CR, E, EIO, I, U or OS sign district may contain readograph copy to a maximum of 5.0 square metres.
- F. Up to 30% of the sign face area of a first party wall sign located on a premises in a C or CR sign district may contain readograph copy to a maximum of 5.0 square metres.
- G. Notwithstanding Subsection A and Section 694-21, the following ground signs associated with a drive-through facility permitted by the City's applicable Zoning By-law are permitted in each drive-through lane:
 - (1) A sign containing electronic moving copy or electronic static copy but not both provided:
 - (a) The sign face area shall not exceed 0.7 square metres;
 - (b) The height shall not exceed 2.0 metres; and
 - (c) No more than one such sign shall be erected;
 - (2) A sign for the purpose of providing information about the products or services of the drive-through facility provided:
 - (a) The sign face area shall not exceed 6.0 square metres;
 - (b) The height shall not exceed 3.0 metres; and
 - (c) No more than one such sign shall be erected; and

- (3) A sign for the purpose of providing information about the products or services of the drive-through facility provided:
 - (a) The sign face area shall not exceed 1.8 square metres;
 - (b) The height shall not exceed 2.5 metres; and
 - (c) No more than one such sign shall be erected.

§ 694-21. District specific first party sign regulations.

A. A R-Residential sign district may contain the following:

- (1) A wall sign identifying a home occupation permitted by the City's applicable Zoning By-law provided:
 - (a) The sign face area shall not exceed 0.3 square metres;
 - (b) The height shall not exceed 3.0 metres;
 - (c) The sign shall have no more than one sign face;
 - (d) There shall be no more than one sign for each home occupation located in the building on which the sign is erected; and,
 - (e) The sign shall not be illuminated.
- (2) A ground sign identifying a home occupation permitted by the City's applicable Zoning By-law provided:
 - (a) The sign face area shall not exceed 0.3 square metres;
 - (b) The height shall not exceed 1.0 metres;
 - (c) The sign shall have no more than two sign faces;
 - (d) Where the sign has two sign faces, the sign faces shall be back to back;
 - (e) The sign shall not be erected within 2.0 metres of any property line;
 - (f) There shall be no more than one sign for each home occupation located in the building on which the sign is erected; and,
 - (g) The sign shall not be illuminated.

B. A RA-Residential Apartment sign district may contain the following:

- (1) Any sign permitted in an R-Residential sign district as set out in Subsections A(1) and A(2);
 - (2) A ground sign erected at a point of vehicular ingress and egress to a premises providing direction in association with an apartment building provided:
 - (a) The sign face area shall not exceed 0.5 square metres;
 - (b) The height shall not exceed 1.0 metre;
 - (c) The sign shall have no more than two sign faces; and
 - (d) There shall be no more than two such signs at each point of vehicular ingress and egress to the premises;
 - (3) A ground sign identifying an apartment building provided:
 - (a) The sign face area shall not exceed 1.5 square metres;
 - (b) The height shall not exceed 2.0 metres;
 - (c) The sign shall have no more than two sign faces;
 - (d) There shall be no more than one such sign erected at each frontage;
 - (e) The sign shall not be erected within 2.0 metres of any property line; and
 - (f) The sign shall not be erected within 6.0 metres from the intersection of two street lines;
 - (4) A wall sign identifying an apartment building provided:
 - (a) The sign face area shall not exceed 2.0 square metres;
 - (b) The height shall not exceed 3.0 metres;
 - (c) The sign shall have no more than one sign face; and
 - (d) The sign shall only be erected on a wall facing a street.
- C. A C-Commercial sign district may contain the following:
- (1) An overhanging structure sign provided:

- (a) The sign shall not be erected on an overhanging structure located above the second storey of a building;
 - (b) Where the overhanging structure is located at the first storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 50% of the external surface area of that part of the overhanging structure;
 - (c) Where the overhanging structure is located at the second storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 25% of the external surface area of that part of the overhanging structure; and
 - (d) Subsections C(1)(b) and (c) do not apply where the sign is displayed in whole or in part above, below, or extending beyond the overhanging structure;
 - (e) Where the sign is displayed in whole or in part above the overhanging structure, it shall not extend more than 1 metre above the overhanging structure; and
 - (f) The sign shall not extend beyond either end of the wall from which the overhanging structure projects.
- (2) A ground sign providing direction erected at a point of vehicular ingress and egress to a premises provided:
- (a) The sign face area shall not exceed 0.5 square metres;
 - (b) The height shall not exceed 1.0 metre;
 - (c) The sign shall have no more than two sign faces; and
 - (d) There shall be no more than two such signs erected at each point of vehicular ingress and egress to the premises.
- (3) A ground sign, other than a sign providing direction permitted by Subsection C(2), provided:
- (a) There shall be no more than one such sign erected at each frontage;
 - (b) Notwithstanding Subsection C(3)(a), where a frontage exceeds 200 metres, two signs may be erected provided they are separated by a distance of 100 metres;

- (c) The sign face area shall not exceed 0.3 square metres for each 1.0 metre or part thereof of frontage at which the sign is erected to a maximum of 20.0 square metres;
 - (d) The height shall not exceed:
 - [1] 3.5 metres when erected at a frontage less than or equal to 20 metres;
 - [2] 5.0 metres when erected at a frontage more than 20 metres but less than or equal to 30 metres;
 - [3] 6.0 metres when erected at a frontage more than 30 metres but less than or equal to 40 metres;
 - [4] 8.0 metres when erected at a frontage more than 40 metres but less than or equal to 60 metres; or
 - [5] 10.0 metres when erected at a frontage more than 60 metres.
 - (e) The sign shall have no more than two sign faces;
 - (f) The sign shall not be erected within 2.0 metres of any property line; and
 - (g) The sign shall not be erected within 6.0 metres of the intersection of two street lines;
- (4) A wall sign displaying the logo or corporate symbol of a business located on the premises provided:
- (a) The sign shall only be erected on an office building containing 10 or more storeys;
 - (b) There shall be no more than one sign erected on each wall of a building to a maximum of four signs;
 - (c) The sign shall only be erected on the uppermost storey, mechanical penthouse or parapet wall of a building;
 - (d) Each sign shall display identical sign copy;
 - (e) The sign face area shall not exceed 20 percent of the area of the wall at the uppermost storey, mechanical penthouse or parapet wall on which the sign is erected to a maximum of 25.0 square metres; and

- (f) The sign shall not extend beyond either end of the wall on which it is erected.
- (5) A wall sign, other than a sign displaying a logo or corporate symbol permitted by Subsection C(4), provided:
- (a) The sign shall not be erected above the second storey;
 - (b) Where erected at the first storey, the height shall not exceed the lesser of 4.5 metres or the sill of the lowest window at the second storey of the wall on which the sign is erected;
 - (c) The total sign face area of all wall signs erected at the first storey shall not exceed 20 percent of the area of the wall at the first storey on which the signs are erected;
 - (d) The total sign face area of all wall signs erected at the second storey shall not exceed 10 percent of the area of the wall at the second storey on which the signs are erected;
 - (e) The sign shall not extend above the wall or parapet wall of a building; and
 - (f) The sign shall not extend beyond either end of the wall on which it is erected;
- (6) A projecting sign provided:
- (a) The sign shall not be erected above the second storey;
 - (b) The sign shall not project more than 1.0 m from the wall on which the sign is erected;
 - (c) The sign shall have no more than two sign faces;
 - (d) Where the sign has two sign faces, the sign faces shall be back to back;
 - (e) Each sign face shall be perpendicular to the wall of the building on which the sign is erected;
 - (f) The sign face area shall not exceed 1.0 square metre; and
 - (g) The sign shall not be erected closer than 6.0 metres, measured horizontally from any point on the sign, from another projecting sign on the same premises.

- D. A CR-Commercial Residential sign district may contain the following:
- (1) An overhanging structure sign provided:
 - (a) The sign shall not be erected on an overhanging structure located above the second storey of a building;
 - (b) Where the overhanging structure is located at the first storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 50% of the external surface area of that part of the overhanging structure;
 - (c) Where the overhanging structure is located at the second storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 25% of the external surface area of that part of the overhanging structure;
 - (d) Subsections D(1)(b) and (c) do not apply where the sign is displayed in whole or in part above, below, or extending beyond the overhanging structure;
 - (e) Where the sign is displayed in whole or in part above the overhanging structure, it shall not extend more than 1 metre above the overhanging structure; and
 - (f) The sign shall not extend beyond either end of the wall from which the overhanging structure projects.
 - (2) A ground sign providing direction erected at a point of vehicular ingress and egress to a premises provided:
 - (a) The sign face area shall not exceed 0.5 square metres;
 - (b) The height shall not exceed 1.0 metre;
 - (c) The sign shall have no more than two sign faces; and
 - (d) There shall be no more than two such signs erected at each point of vehicular ingress and egress to the premises.
 - (3) A ground sign, other than a sign providing direction permitted by Subsection D(2), provided:

- (a) There shall be no more than one such sign erected at each frontage;
 - (b) Notwithstanding Subsection D(3)(a), where a frontage exceeds 200 metres, two signs may be erected provided they are separated by a distance of 100 metres;
 - (c) The sign face area shall not exceed 0.3 square metres for each 1.0 metre or part thereof of frontage at which the sign is erected to a maximum of 20.0 square metres;
 - (d) The height shall not exceed:
 - [1] 3.5 metres when erected at a frontage less than or equal to 20 metres;
 - [2] 5.0 metres when erected at a frontage more than 20 metres but less than or equal to 30 metres;
 - [3] 6.0 metres when erected at a frontage more than 30 metres but less than or equal to 40 metres;
 - [4] 8.0 metres when erected at a frontage more than 40 metres but less than or equal to 60 metres; or
 - [5] 10.0 metres when erected at a frontage more than 60 metres.
 - (e) The sign shall have no more than two sign faces;
 - (f) The sign shall not be erected within 2.0 metres of any property line; and
 - (g) The sign shall not be erected within 6.0 metres of the intersection of two street lines;
- (4) A wall sign displaying the logo or corporate symbol of a business located on the premises provided:
- (a) The sign shall only be erected on an office building containing 10 or more storeys;
 - (b) There shall be no more than one sign erected on each wall of a building to a maximum of four signs;
 - (c) The sign shall only be erected on the uppermost storey, mechanical penthouse or parapet wall of a building;

- (d) Each sign shall display identical sign copy;
 - (e) The sign face area shall not exceed 20 percent of the area of the wall at the uppermost storey, mechanical penthouse or parapet wall on which the sign is erected to a maximum of 25.0 square metres; and
 - (f) The sign shall not extend beyond either end of the wall on which it is erected.
- (5) A wall sign, other than a sign displaying a logo or corporate symbol permitted by Subsection D(4), provided:
- (a) The sign shall not be erected above the second storey;
 - (b) Where erected at the first storey, the height shall not exceed the lesser of 4.5 metres or the sill of the lowest window at the second storey;
 - (c) The total sign face area of all wall signs erected at the first storey shall not exceed 20 percent of the area of the wall at the first storey on which the signs are erected;
 - (d) The total sign face area of all wall signs erected at the second storey shall not exceed 10 percent of the area of the wall at the second storey on which the signs are erected;
 - (e) The sign shall not extend above the wall or parapet wall of a building; and
 - (f) The sign shall not extend beyond either end of the wall upon which it is erected.
- (6) A projecting sign provided:
- (a) The sign shall not be erected above the second storey;
 - (b) The sign shall not project more than 1.0 m from the wall on which the sign is erected;
 - (c) The sign shall have no more than two sign faces;
 - (d) Where the sign has two sign faces, the sign faces shall be back to back;
 - (e) Each sign face shall be perpendicular to the wall of the building on which the sign is erected;

- (f) The sign face area shall not exceed 1.0 square metre; and
- (g) The sign shall not be erected closer than 6.0 metres, measured horizontally from any point on the sign, from another projecting sign on the same premises.

E. An E-Employment sign district and an EIO-Employment Industrial Office sign district may contain the following;

- (1) An overhanging structure sign provided;
 - (a) The sign shall only be erected on an overhanging structure located at the first storey;
 - (b) Where the overhanging structure is located at the first storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 50% of the external surface area of that part of the overhanging structure;
 - (c) Where the overhanging structure is located at the second storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 25% of the external surface area of that part of the overhanging structure;
 - (d) Subsections E(1)(b) and (c) do not apply where the sign is displayed in whole or in part above, below, or extending beyond the overhanging structure;
 - (e) Where the sign is displayed in whole or in part above the overhanging structure, it shall not extend more than 1 metre above the overhanging structure; and
 - (f) The sign shall not extend beyond either end of the wall from which the overhanging structure projects.
- (2) A ground sign providing direction erected at a point of vehicular ingress and egress to a premises provided:
 - (a) The sign face area shall not exceed 0.5 square metres;
 - (b) The height shall not exceed 1.0 metre;

- (c) The sign shall have no more than two sign faces; and
 - (d) There shall be no more than two such signs erected at each point of vehicular ingress and egress to the premises.
- (3) A ground sign, other than a sign providing direction permitted by Subsection E(2), provided:
- (a) There shall be no more than one such sign erected at each frontage;
 - (b) The sign face area shall not exceed 0.3 square metres for each 1.0 metre or part thereof of frontage at which the sign is erected to a maximum of 15.0 square metres;
 - (c) The height shall not exceed 7.5 metres;
 - (d) The sign shall have no more than two sign faces;
 - (e) The sign shall not be erected within 2.0 metres of any property line; and
 - (f) The sign shall not be erected within 6.0 metres of the intersection of two street lines;
- (4) A wall sign displaying the logo or corporate symbol of a business located on the premises provided:
- (a) The sign shall only be erected on an office building containing 10 or more storeys;
 - (b) There shall be no more than one sign erected on each wall of a building to a maximum of four signs;
 - (c) The sign shall only be erected on the uppermost storey, mechanical penthouse, or parapet wall of a building;
 - (d) Each sign shall display identical sign copy;
 - (e) The sign face area shall not exceed 20 percent of the area of the wall at the uppermost storey, mechanical penthouse or parapet wall on which the sign is erected to a maximum of 25.0 square metres; and
 - (f) The sign shall not extend beyond either end of the wall on which it is erected.

- (5) A wall sign, other than a sign displaying a logo or corporate symbol permitted by Subsection E(4), provided:
 - (a) The sign shall only be erected at the first storey;
 - (b) The total sign face area for all wall signs erected on a wall shall not exceed 15 percent of the area of the wall at the first storey on which the signs are erected;
 - (c) Notwithstanding Subsection E(5)(b), the total sign face area of all wall signs erected on an office building shall not exceed 20 percent of the area of the wall at the first storey on which the signs are erected;
 - (d) The sign shall not extend above the wall or parapet wall of a building; and
 - (e) The sign shall not extend beyond either end of the wall on which it is erected.

F. An I-Institutional sign district may contain the following:

- (1) An overhanging structure sign provided:
 - (a) The sign shall only be erected on an overhanging structure located at the first storey;
 - (b) Where the overhanging structure is located at the first storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 50% of the external surface area of that part of the overhanging structure;
 - (c) Where the overhanging structure is located at the second storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 25% of the external surface area of that part of the overhanging structure;
 - (d) Subsections F(1)(b) and (c) do not apply where the sign is displayed in whole or in part above, below, or extending beyond the overhanging structure;
 - (e) Where the sign is displayed in whole or in part above the overhanging structure, it shall not extend more than 1 metre above the overhanging structure; and

- (f) The sign shall not extend beyond either end of the wall from which the overhanging structure projects.
- (2) A ground sign providing direction erected at a point of vehicular ingress and egress to a premises provided:
- (a) The sign face area shall not exceed 0.5 square metres;
 - (b) The height shall not exceed 1.0 metre;
 - (c) The sign shall have no more than two sign faces; and
 - (d) There shall be no more than two such signs erected at each point of vehicular ingress and egress to the premises.
- (3) A ground sign, other than a sign providing direction permitted by Subsection F(2), provided:
- (a) There shall be no more than one such sign erected at each frontage;
 - (b) The sign face area shall not exceed 0.3 square metres for each 1.0 metre or part thereof of frontage at which the sign is erected to a maximum of 8.0 square metres;
 - (c) The height shall not exceed 6.0 metres.
 - (d) The sign shall have no more than two sign faces;
 - (e) The sign shall not be erected within 2.0 metres of any property line; and
 - (f) The sign shall not be erected within 6.0 metres of the intersection of two street lines.
- (4) A wall sign provided:
- (a) The sign shall only be erected at the first storey;
 - (b) The total sign face area for all wall signs erected at the first storey shall not exceed 20 percent of the area of the wall at the first storey on which the signs are erected;
 - (c) The sign shall not extend above the wall or parapet wall of a building; and

- (d) The sign shall not extend beyond either end of the wall on which it is erected.

G. A U-Utility sign district may contain the following:

- (1) A ground sign providing direction erected at a point of vehicular ingress and egress to a premises provided:

- (a) The sign face area shall not exceed 0.5 square metres;
- (b) The height shall not exceed 1.0 metre;
- (c) The sign shall have no more than two sign faces; and
- (d) There shall be no more than two such signs erected at each point of vehicular ingress and egress to the premises.

- (2) A ground sign, other than a sign providing direction permitted by Subsection G(1), provided:

- (a) There shall be no more than one sign erected at each frontage;
- (b) The sign face area shall not exceed 3.0 square metres;
- (c) The height shall not exceed 1.5 metres;
- (d) The sign shall have no more than two sign faces;
- (e) The sign shall not be erected within 2.0 metres of any property line; and
- (f) The sign shall not be erected within 6.0 metres of the intersection of two street lines;

- (3) A wall sign provided:

- (a) The sign shall only be erected at the first storey;
- (b) The total sign face area of all wall signs shall not exceed 15 percent of the area of the wall at the first storey on which the signs are erected;
- (c) The sign shall not extend above the wall or parapet wall of a building; and
- (d) The sign shall not extend beyond either end of the wall on which it is erected.

- H. An OS-Open Space sign district may contain the following:
- (1) A ground sign providing direction erected at a point of vehicular ingress and egress to a premises provided:
 - (a) The sign face area shall not exceed 0.5 square metres;
 - (b) The height shall not exceed 1.0 metre;
 - (c) The sign shall have no more than two sign faces; and
 - (d) There shall be no more than two such signs erected at each point of vehicular ingress and egress to the premises;
 - (2) A ground sign, other than a sign providing direction permitted by Subsection H(1), provided:
 - (a) There shall be no more than one such sign erected at each frontage;
 - (b) The sign face area shall not exceed the greater of 3.0 square metres or 1.0 square metre for each 100 metres of frontage;
 - (c) The height shall not exceed 1.5 metres for each 3.0 square metres of sign face area.
 - (d) The sign shall have no more than two sign faces;
 - (e) The sign shall not be erected within 2.0 metres of any property line; and
 - (f) The sign shall not be erected within 6.0 metres of the intersection of two street lines;
 - (3) A wall sign provided:
 - (a) The sign shall only be erected at the first storey;
 - (b) The total sign face area for all wall signs erected on a wall shall not exceed 10 percent of the area of the wall at the first storey on which the signs are erected;
 - (c) The sign shall not extend above the wall or parapet wall of a building; and

- (c) The sign shall not extend beyond either end of the wall on which it is erected.

§ 694-22. Third party sign general regulations.

- A. Third party signs are permitted to display mechanical copy.
- B. A sign owner of a third party sign shall securely affix and display an identifier in the form, manner and location approved by the Chief Building Official.
- C. A third party sign shall not be erected, displayed, modified or restored on a listed heritage building or a designated heritage building unless otherwise expressly permitted by this chapter.
- D. A third party sign shall not be erected within 100.0 metres of any other lawful third party sign whether or not erected.
- E. Where an application is made for a sign permit to modify or restore a third party sign which no longer complies with Subsection D because a variance or by-law amendment was granted by the City permitting the erection of another third party sign, the sign permit shall be issued provided the sign complies in all other respects with this chapter.

§ 694-23. Energy efficiency requirements.

- A. Where this chapter permits a third party sign, the electricity required to operate the sign shall be provided by:
 - (1) On-site renewable energy production subject to compliance with the requirements of City By-law No. 218-2008; or
 - (2) A distributor recognized and licensed by the Ontario Energy Board and shall be governed by an agreement to purchase renewable energy.

§ 694-24. Site-specific area restrictions.

- A. A third party sign shall not be erected or displayed or cause to be erected or displayed in whole or in part within:
 - (1) 400 metres of any limit of the F.G. Gardiner Expressway from Highway 427 to the Humber River, transferred from the Province by Order in Council 534/97;

- (2) 400 metres of any limit of the F.G. Gardiner Expressway from the Humber River to the easterly limit of Dufferin Street;
- (3) 400 metres of any limit of the F.G. Gardiner Expressway from a point 250 metres west of Strachan Avenue to the easternmost limit of Booth Avenue;
- (4) 400 metres of any limit of Bayview Avenue from the northerly limit of Front Street to the northerly limit of Moore Avenue;
- (5) 400 metres of any limit of Eglinton Avenue East from the easterly limit of Brentcliffe Road to the westerly limit of Victoria Park Avenue;
- (6) 400 metres of any limit of Lawrence Avenue East from the easterly limit of Don Mills Road to the westerly limit of Victoria Park Avenue;
- (7) 400 metres of any limit of Mount Pleasant Road from the northerly limit of Bloor Street East to the southerly limit of St. Clair Avenue East;
- (8) 100 metres of any limit of the W.R. Allen Expressway from the northerly limit of Wilson Heights Boulevard to the southerly limit of Eglinton Avenue West;
- (9) 100 metres of any limit of Black Creek Drive from the northerly limit of Maple Leaf Drive to the southerly limit of Weston Road;
- (10) 400 metres of any limit of Highway 27 from Highway 401 to Steeles Avenue, transferred from the Province by Order in Council 535/97;
- (11) 400 metres of any limit of Highway 2A from Highway 401 to Old Highway 2 (Kingston Road) and Highway from Highway 401 to the City of Toronto and Durham boundary, transferred from the Province by Order in Council 647/97;
- (12) 400 metres of any limit of the portion of Highway 427 referred to as “Eglinton Avenue,” from The East Mall to a point 0.5 kilometres east, and transferred from the Province by Order in Council 533/97;
- (13) 400 metres of any limit of any portion of Highway 400 contained within the municipal boundaries of the City;
- (14) 400 metres of any limit of any portion of Highway 401 contained within the municipal boundaries of the City;
- (15) 400 metres of any limit of any portion of Highway 404 contained within the municipal boundaries of the City;

- (16) 400 metres of any limit of any portion of Highway 409 contained within the municipal boundaries of the City;
- (17) 400 metres of any limit of any portion of Highway 427 contained within the municipal boundaries of the City;
- (18) 400 metres of any limit of the Don Valley Parkway;
- (19) 400 metres of any limit of the Queen Elizabeth Way;
- (20) 50.0 metres of any limit of Queen Street East, from westerly limit of Coxwell Avenue to the easterly limit of Victoria Park Avenue;
- (21) 50.0 metres of any limit of Merton Street, from the easterly limit of Yonge Street to the easterly limit of Mount Pleasant Road;
- (22) 50.0 metres of any limit of Ripley Avenue;
- (23) 450.0 metres of the westerly limit of Yonge Street, from the southerly limit of Highway 401 to northerly limit of Drewry Avenue
- (24) 450.0 metres of the westerly limit of Yonge Street, from the southerly limit of Highway 401 to northerly limit of Cummer Avenue;
- (25) 100.0 metres of any limit of Yonge Street, from the southerly limit of Birch Avenue to northerly limit of Merton Street;
- (26) 100.0 metres of any limit of St. Clair Avenue, from the westerly limit of Avenue Road to the easterly limit of Inglewood Drive;
- (27) The area bounded by the northerly limit of King Street West, the westerly limit of Shaw Street extending through to the westerly limit of Pirandello Street extending through to Manitoba Drive, the southerly limit of Manitoba Drive eastwards through to Canada Boulevard, the westerly limited of Canada Boulevard extended southwards to the shoreline of Lake Ontario, the shoreline of Lake Ontario and the easterly limit of Brant Place extended southwards to the shoreline of Lake Ontario
- (28) The area bounded by the easterly limit of Bathurst Street, the northerly limit of Bloor Street West, the westerly limit of Palmerston Boulevard and the southerly limit of Lennox Street; and
- (29) The area bounded by the westerly limit of Lansdowne Avenue, the northerly limit of Davenport Road, the easterly limit of Avenue Road and the southerly limit of Dupont Street.

§ 694-25. District specific third party sign regulations.

A. A C-Commercial sign district and a CR-Commercial Residential sign district may contain the following:

(1) A wall sign provided:

- (a) The sign face area shall not exceed 20.0 square metres;
- (b) The height shall not exceed 15.0 metres;
- (c) The sign shall not be erected facing a street;
- (d) The sign shall not be erected within 30.0 metres of the intersection of a major street with any other street;
- (e) The sign shall not be erected within 30.0 metres of any premises located, in whole or in part, in an R, RA or OS sign district;
- (f) The sign shall not extend beyond either end of the wall on which it is erected;
- (g) The sign shall have no more than one sign face; and
- (h) The sign shall not extend above the wall or parapet wall of the building on which it is erected.

B. An E-Employment sign district may contain the following:

(1) A ground sign provided:

- (a) The sign face area shall not exceed 20.0 square metres;
- (b) The height shall not exceed 10.0 metres;
- (c) The sign shall not be erected within any required setback of a building from a street as regulated by the City's applicable Zoning By-law;
- (d) The sign shall not be erected within 30.0 metres of the intersection of a major street with any other street;
- (e) The sign shall not be erected within 30.0 metres of any premises located, in whole or in part, in an R, RA or OS sign district;

- (f) There shall be no more than one ground sign erected on a premises;
and
- (g) The sign shall have no more than two sign faces.

C. A U-Utility Sign district may contain the following:

(1) A ground sign provided:

- (a) The sign face area shall not exceed 20.0 square metres;
- (b) The height shall not exceed 10.0 metres;
- (c) The sign shall not be erected within any required setback of a building from a street as regulated by the City's applicable Zoning By-law;
- (d) The sign shall only be erected within 30.0 metres of a major street;
- (e) The sign shall not be erected within 2.0 metres of a property line;
- (f) The sign shall not be erected within 6.0 metres of a street line;
- (g) The sign shall not be erected or displayed within 30.0 metres of any premises located, in whole or in part, in an R, RA or OS sign district;
and
- (h) The sign shall have no more than two sign faces.

(2) A wall sign provided:

- (a) The sign face area shall not exceed 20.0 square metres;
- (b) The height shall not exceed 15.0 metres;
- (c) The sign shall only be erected within 30.0 metres of a major street;
- (d) The sign shall not be erected within 30.0 metres of any premises located, in whole or in part, in an R, RA or OS sign district;
- (e) The sign shall not extend beyond either end of the wall on which it is erected;
- (f) The sign shall have no more than one sign face; and

- (g) The sign shall not extend above the wall or parapet wall of the building on which it is erected.

§ 694-26. Special sign district sign regulations.

A. The Downtown Yonge Street Special Sign District – DYS-SSD - may contain the following first party signs:

- (1) An overhanging structure sign provided:
 - (a) The sign shall not be erected on an overhanging structure located above the second storey of a building;
 - (b) Where the overhanging structure is located at the first storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 50% of the external surface area of that part of the overhanging structure;
 - (c) Where the overhanging structure is located at the second storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 25% of the external surface area of that part of the overhanging structure;
 - (d) Subsections A(1)(b) and (c) do not apply where the sign is displayed in whole or in part above, below, or extending beyond the overhanging structure;
 - (e) Where the sign is displayed in whole or in part above the overhanging structure, it shall not extend more than 1 metre above the overhanging structure; and
 - (f) The sign shall not extend beyond either end of the wall from which the overhanging structure projects.
- (2) A ground sign providing direction erected at a point of vehicular ingress and egress to a premises provided:
 - (a) The sign face area shall not exceed 0.5 square metres;
 - (b) The height shall not exceed 1.0 metre;
 - (c) The sign shall have no more than two sign faces; and

- (d) There shall be no more than two such signs erected at each point of vehicular ingress and egress to the premises.
- (3) A ground sign, other than a sign providing direction permitted by Subsection A(2), provided:
- (a) There shall be no more than one such sign erected at each frontage;
 - (b) Notwithstanding Subsection A(3)(a), where a frontage exceeds 200 metres, two signs may be erected provided they are separated by a distance of 100 metres;
 - (c) The sign face area shall not exceed 0.3 square metres for each 1.0 metre (or part thereof) of frontage at which the sign is erected to a maximum of 20.0 square metres;
 - (d) The height shall not exceed:
 - [1] 3.5 metres when erected at a frontage less than or equal to 20 metres;
 - [2] 5.0 metres when erected at a frontage more than 20 metres but less than or equal to 30 metres;
 - [3] 6.0 metres when erected at a frontage more than 30 metres but less than or equal to 40 metres;
 - [4] 8.0 metres when erected at a frontage more than 40 metres but less than or equal to 60 metres; or
 - [5] 10.0 metres when erected at a frontage more than 60 metres.
 - (e) The sign shall have no more than two sign faces;
 - (f) The sign shall not be erected within 2.0 metres of any property line; and
 - (g) The sign shall not be erected within 6.0 metres of the intersection of two street lines;
- (4) A wall sign displaying the logo or corporate symbol of a business located on the premises provided:
- (a) The sign shall only be erected on an office building containing 10 or more storeys;

- (b) There shall be no more than one sign erected on each wall of a building to a maximum of four signs;
 - (c) The sign shall only be erected on the uppermost storey, mechanical penthouse or parapet wall of a building;
 - (d) Each sign shall display identical sign copy;
 - (e) The sign face area shall not exceed 20 percent of the area of the wall at the uppermost storey, mechanical penthouse or parapet wall on which the sign is erected to a maximum of 25.0 square metres; and
 - (f) The sign shall not extend beyond either end of the wall on which it is erected.
- (5) A wall sign, other than a sign displaying a logo or corporate symbol permitted by Subsection A(4), provided:
- (a) The sign shall not be erected above the second storey;
 - (b) Where erected at the first storey, the height shall not exceed the lesser of 4.5 metres or the sill of the lowest window at the second storey of the wall on which the sign is erected;
 - (c) The total sign face area of all wall signs erected at the first storey shall not exceed 20 percent of the area of the wall at the first storey on which the signs are erected;
 - (d) The total sign face area of all wall signs erected at the second storey shall not exceed 10 percent of the area of the wall at the second storey on which the signs are erected;
 - (e) The sign shall not extend above the wall or parapet wall of a building; and
 - (f) The sign shall not extend beyond either end of the wall on which it is erected;
- (6) A projecting sign provided:
- (a) The sign shall not be erected above the second storey;

- (b) The sign shall not project more than 1.0 m from the wall on which the sign is erected;
- (c) The sign shall have no more than two sign faces;
- (d) Where the sign has two sign faces, the sign faces shall be back to back;
- (e) Each sign face shall be perpendicular to the wall of the building on which the sign is erected;
- (f) The sign face area shall not exceed 1.0 square metre; and
- (g) The sign shall not be erected closer than 6.0 metres, measured horizontally from any point on the sign, from another projecting sign on the same premises.

B. The Downtown Yonge Street Special Sign District – DYS-SSD - may contain the following third party signs:

- (1) A wall sign provided:
 - (a) The sign face area shall not exceed 20.0 square metres;
 - (b) The height shall not exceed 15.0 metres;
 - (c) The sign shall not be erected facing a street;
 - (d) The sign shall not be erected within 30.0 metres of the intersection of a major street with any other street;
 - (e) The sign shall not be erected within 30.0 metres of any premises located, in whole or in part, in an R, RA or OS sign district;
 - (f) The sign shall not extend beyond either end of the wall on which it is erected;
 - (g) The sign shall have no more than one sign face; and
 - (h) The sign shall not extend above the wall or parapet wall of the building on which it is erected.

- C. The Dundas Square Special Sign District – DS-SSD - may contain the following first party signs:
- (1) any sign which complies with the applicable provisions of Sections 297-9, 297-10, 297-11 and 297-12 of Chapter 297, Signs, of the Municipal Code of the former City of Toronto, as they applied to the lands contained within the Dundas Square Special Sign District on the day before this chapter comes into effect.
- D. The Dundas Square Special Sign District – DS-SSD - may contain the following third party signs:
- (1) any sign which complies with the applicable provisions of Sections 297-9, 297-10, 297-11 and 297-12 of Chapter 297, Signs, of the Municipal Code of the former City of Toronto, as they applied to the lands contained within the Dundas Square Special Sign District on the day before this chapter comes into effect.
- E. Subsections 694-20B through to and including Section 694-20G and Section 694-22 of this chapter shall not apply to the Dundas Square Special Sign District – DS-SSD.
- F. The City Hall Nathan Philips Square Special Sign District – CHNPS-SSD - may contain the following first party signs:
- (1) any sign which complies with the applicable provisions of Sections 297-9, 297-10, 297-11 and 297-12 of Chapter 297, Signs, of the Municipal Code of the former City of Toronto, as they applied to the lands contained within the City Hall Nathan Philips Square Special Sign District on the day before this chapter comes into effect.
- G. The University Avenue Special Sign District – UA-SSD - may contain the following first party signs:
- (1) any sign which complies with the applicable provisions of Sections 297-9, 297-10, 297-11 and 297-12 of Chapter 297, Signs, of the Municipal Code of the former City of Toronto, as they applied to the lands contained within the City Hall Nathan Philips Square special sign district on the day before this chapter comes into effect.

- H. The Gardiner Gateway Special Sign District – GG-SSD - may contain the following first party signs:
- (1) Any sign which complies with the provisions of Subsection 694-21C of this chapter where erected on a property designated “C” on the SSD-GG map at Schedule A;
 - (2) Any sign which complies with the provisions of Subsection 694-21E of this chapter where erected on a property designated “E” on the SSD-GG map at Schedule A;
 - (3) Any sign which complies with the provisions of Subsection 694-21F of this chapter where erected on a property designated “T” on the SSD-GG map at Schedule A;
 - (4) Any sign which complies with the provisions of Subsection 694-21A of this chapter where erected on a property designated “R” on the SSD-GG map at Schedule A;
 - (5) Any sign which complies with the provisions of Subsection 694-21G of this chapter where erected on a property designated “U” on the SSD-GG map at Schedule A;
 - (6) Any sign which complies with the provisions of Subsection 694-21H of this chapter where erected on a property designated “OS” on the SSD-GG map at Schedule A;
- I. The Gardiner Gateway Special Sign District – GG-SSD - may contain the following third party signs:
- (1) Any sign which complies with the provisions of Subsection 694-25A of this chapter where erected on a property designated “C” on the SSD-GG map at Schedule A;
 - (2) Any sign which complies with the provisions of Subsection 694-25B of this chapter where erected on a property designated “E” on the SSD-GG map at Schedule A;
 - (3) Any sign which complies with the provisions of Subsection 694-25C of this chapter where erected on a property designated “U” on the SSD-GG map at Schedule A; and

- (4) A ground sign containing electronic static copy provided:
 - (a) The sign face area shall not exceed 50.0 square metres;
 - (b) The height shall not exceed 15.0 metres;
 - (c) The sign shall be erected and displayed entirely within the Gardiner Gateway special sign district;
 - (d) The sign shall be erected only on a premises where, on the day before this chapter comes into effect, an existing lawful ground sign was erected and displayed containing electronic moving copy or electronic static copy as defined by this chapter, and the sign shall replace the existing sign; and
 - (e) The number of sign faces shall not exceed that of the existing lawful ground sign.

J. The Chinatown Special Sign District – CT-SSD - may contain the following first party signs:

- (1) An overhanging structure sign provided:
 - (a) The sign shall not be erected on an overhanging structure located above the third storey of a building;
 - (b) Where the overhanging structure is located at the first storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 50% of the external surface area of that part of the overhanging structure;
 - (c) Where the overhanging structure is located at the second storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 25% of the external surface area of that part of the overhanging structure;
 - (d) Where the overhanging structure is located at the third storey of a building, the total sign face area of all signs erected on any part of the overhanging structure shall not exceed 25% of the external surface area of that part of the overhanging structure;
 - (e) Subsections J(1)(b), (c) and (d) do not apply where the sign is displayed in whole or in part above, below, or extending beyond the overhanging structure;

- (f) Where the sign is displayed in whole or in part above the overhanging structure, it shall not extend more than 1 metre above the overhanging structure; and
 - (g) The sign shall not extend beyond either end of the wall from which the overhanging structure projects.
- (2) A ground sign providing direction erected at a point of vehicular ingress and egress to a premises provided:
- (a) The sign face area shall not exceed 0.5 square metres;
 - (b) The height shall not exceed 1.0 metre;
 - (c) The sign shall have no more than two sign faces; and
 - (d) There shall be no more than two such signs erected at each point of vehicular ingress and egress to the premises.
- (3) A ground sign, other than a sign providing direction permitted by Subsection J(2), provided:
- (a) There shall be no more than one such sign erected at each frontage;
 - (b) Notwithstanding Subsection J(3)(a), where a frontage exceeds 200 metres, two signs may be erected provided they are separated by a distance of 100 metres;
 - (c) The sign face area shall not exceed 0.3 square metres for each 1.0 metre (or part thereof) of frontage at which the sign is erected to a maximum of 20.0 square metres;
 - (d) The height shall not exceed:
 - [1] 3.5 metres when erected at a frontage less than or equal to 20 metres;
 - [2] 5.0 metres when erected at a frontage more than 20 metres but less than or equal to 30 metres;
 - [3] 6.0 metres when erected at a frontage more than 30 metres but less than or equal to 40 metres;
 - [4] 8.0 metres when erected at a frontage more than 40 metres but less than or equal to 60 metres; or

[5] 10.0 metres when erected at a frontage more than 60 metres.

- (e) The sign shall have no more than two sign faces;
 - (f) The sign shall not be erected within 2.0 metres of any property line;
and
 - (g) The sign shall not be erected within 6.0 metres of the intersection of two street lines;
- (4) A wall sign displaying the logo or corporate symbol of a business located on the premises provided:
- (a) The sign shall only be erected on an office building containing 10 or more storeys;
 - (b) There shall be no more than one sign erected on each wall of a building to a maximum of four signs;
 - (c) The sign shall only be erected on the uppermost storey, mechanical penthouse or parapet wall of a building;
 - (d) Each sign shall display identical sign copy;
 - (e) The sign face area shall not exceed 20 percent of the area of the wall at the uppermost storey, mechanical penthouse or parapet wall on which the sign is erected to a maximum of 25.0 square metres; and
 - (f) The sign shall not extend beyond either end of the wall on which it is erected.
- (5) A wall sign, other than a sign displaying a logo or corporate symbol permitted by Subsection J(4), provided:
- (a) The sign shall not be erected above the third storey;
 - (b) Where erected at the first storey, the height shall not exceed the lesser of 4.5 metres or the sill of the lowest window at the second storey of the wall on which the sign is erected;
 - (c) The total sign face area of all wall signs erected at the first storey shall not exceed 30 percent of the area of the wall at the first storey on which the signs are erected;

- (d) The total sign face area of all wall signs erected at the second storey shall not exceed 20 percent of the area of the wall at the second storey on which the signs are erected;
 - (e) The total sign face area of all wall signs erected at the third storey shall not exceed 10 percent of the area of the wall at the third storey on which the signs are erected;
 - (f) The sign shall not extend above the wall or parapet wall of a building; and;
 - (f) The sign shall not extend beyond either end of the wall on which it is erected;
- (6) A projecting sign provided:
- (a) The sign shall not be erected above the third storey;
 - (b) The sign shall not project more than 1.5 m from the wall on which the sign is erected;
 - (c) The sign shall have no more than two sign faces;
 - (d) Where the sign has two sign faces, the sign faces shall be back to back;
 - (e) Each sign face shall be perpendicular to the wall of the building on which the sign is erected;
 - (f) The sign face area shall not exceed 0.3 square metres for each metre of frontage to a maximum of 4.5 square metres; and
 - (g) The sign shall not be erected closer than 6.0 metres, measured horizontally from any point on the sign, from another projecting sign on the same premises.

K. The Chinatown Special Sign District - CT-SSD - may contain the following third party signs:

- (1) A wall sign provided:
- (a) The sign face area shall not exceed 20.0 square metres;
 - (b) The height shall not exceed 15.0 metres;
 - (c) The sign shall not be erected facing a street;

- (d) The sign shall not be erected within 30.0 metres of the intersection of a major street with any other street;
 - (e) The sign shall not be erected within 30.0 metres of any premises located, in whole or in part, in an R, RA or OS sign district;
 - (f) The sign shall not extend beyond either end of the wall on which it is erected;
 - (g) The sign shall have no more than one sign face; and
 - (h) The sign shall not extend above the wall or parapet wall of the building on which it is erected.
- L. Notwithstanding Subsection 694-20C of this chapter, the total sign face area of all first party wall, window and overhanging structure signs erected at the first storey of a building in the Chinatown Special Sign District shall not exceed 30% of the area of the wall at the first storey on which the signs are erected and from which the overhanging structures project.
- M. Notwithstanding Subsection 694-20D of this chapter, the total sign face area of all first party wall, window and overhanging structure signs erected at the second storey of a building in the Chinatown Special Sign District shall not exceed 20% of the area of the wall at the second storey on which the signs are erected and from which the overhanging structures project.
- N. The total sign face area of all first party wall, window and overhanging structure signs erected at the third storey of a building in the Chinatown Special Sign District shall not exceed 10% of the area of the wall at the second storey on which the signs are erected and from which the overhanging structures project.

ARTICLE IV

Enforcement

§ 694-27. Offences and penalties.

- A. Every person who contravenes any provision of this chapter is guilty of an offence and on conviction is liable to a fine of not less than \$500 and no more than \$100,000.
- B. Every person who contravenes any provision of this chapter may be liable, in addition to the fine provided for in Subsections A or D, to a special fine of not less than \$500 designed to eliminate or reduce any economic advantage or gain from contravening this chapter.

- C. In addition to offences referred to in Subsection A, every person is guilty of an offence under this chapter who:
- (1) Hinders or obstructs or attempts to hinder or obstruct any person exercising a power or performing a duty under this chapter;
 - (2) Neglects or refuses to produce or provide any information or thing to any person acting pursuant to an order made under s. 378 of the *City of Toronto Act, 2006*;
 - (3) Knowingly makes, participates in, assents to or acquiesces in the provision of false information in a statement, affidavit, application or other document prepared, submitted or filed under this chapter;
 - (4) Erects, displays, modifies or restores or causes to be erected, displayed, modified or restored any sign for which a sign permit is required by this chapter without first obtaining a sign permit from the Chief Building Official;
 - (5) Erects, displays, modifies or restores or causes to be erected, displayed, modified or restored any sign prohibited by this chapter;
 - (6) Erects, displays, modifies or restores or causes to be erected, displayed, modified or restored a sign contrary to a sign permit issued by the Chief Building Official;
 - (7) Erects or displays or causes to be erected or displayed a third party sign without displaying the identifier required by Subsection 694-22B; or,
 - (8) Is a director or officer of a corporation and knowingly concurs with actions taken by or on behalf of the corporation in relation to an offence described in Subsections C(1) to (7).
- D. Each offence in Subsection C is designated as a continuing offence and is subject to, for each day or part of a day that the offence continues, a minimum fine of no less than \$500 and a maximum fine of no more than \$10,000. The total of all of the daily fines imposed for each offence in Subsection C may exceed \$100,000.

§ 694-28. Enforcement.

- A. The Chief Building Official may issue a Notice of Violation to any person who:

- (1) Has erected, displayed, modified or restored or has caused to be erected, displayed, modified or restored a sign without first having obtained a sign permit to do so; or
- (2) Having obtained a sign permit, has erected, displayed, modified or restored or has caused to be erected, displayed, modified or restored a sign contrary to the sign permit issued,

and the Notice of Violation shall require the sign to be brought into compliance with this chapter within 14 days.

- B. Where a Notice of Violation has been issued under Subsection A and the sign has not been brought into compliance with this chapter within 14 days, the Chief Building Official may remove or cause the sign or any part thereof to be removed or may take any action necessary to prevent the sign copy from being displayed, and the City may recover the costs incurred by action or by adding the costs to the tax roll for the property on which the sign was located and collecting them in the same manner as property taxes.
- C. Where a sign or any part thereof has been removed under Subsection B, the Chief Building Official may store or dispose of the sign or any part thereof as he or she deems fit.
- D. Where a sign or any part thereof has been removed under Subsection B and the Chief Building Official has stored the sign or any part thereof, the City may enforce the associated care and storage costs by claiming a lien under the *Repair and Storage Liens Act*.

ARTICLE V

Variations and By-law Amendments

§ 694-29. Variations and by-law amendment applications.

- A. A person may apply for:
 - (1) a variance from the provisions of this chapter where the proposed sign satisfies the criteria set out in Subsection 694-30A; and

- (2) a site specific amendment to this chapter to permit a sign in the circumstances set out in Subsection 694-31A.

§ 694-30. Variance Applications.

- A. A variance from the provisions of this chapter may be granted where it is established that the proposed sign:
 - (1) Is warranted based on physical circumstances applicable to the property or premises;
 - (2) Is consistent with the architecture of the building or development of the property;
 - (3) Is consistent with buildings and other features of properties or premises within 120 metres of the location of the proposed sign;
 - (4) Will not alter the essential character of the area;
 - (5) Will not adversely affect adjacent properties;
 - (6) Will not adversely affect public safety;
 - (7) Is, in the opinion of the City, not contrary to the public interest;
 - (8) Is of a sign class or a sign type that is permitted in the sign district where the premises is located; and,
 - (9) Is not expressly prohibited by Subsection 694-15B.
- B. The applicant for a variance to this chapter shall file the application and other information required for the applicable sign class in the form and manner approved by the Chief Building Official and shall pay the non-refundable fee prescribed in Chapter 441 for the processing of the variance application.
- C. An applicant for a variance to this chapter shall post, for no less than 30 days prior to the City's consideration of the application, notice of the application in such form as approved by the Chief Building Official in a location visible to the public on the premises where the sign is proposed to be erected.
- D. Upon receiving the application and information referred to in Subsection B, the Chief Building Official shall:
 - (1) In the case of a variance to this chapter to permit the erection and display of a first party sign, serve notice of the application on the owners of all properties within a 60 metre radius of the premises on which the first party sign is proposed to be erected and the ward councilor.

- (2) In the case of a variance to this chapter to permit the erection and display of third party sign, serve notice of the application on the owners of all properties within a 120 metre radius of the premises on which the third party sign is proposed to be erected and the ward councillor.
- E. Where an application for variance is filed and a condominium development is located within 60 metres of the premises on which the sign is proposed to be erected in the case of a first party sign, or within 120 metres of the premises on which the sign is proposed to be erected in the case of a third party sign, the notice under Subsection D may be served on the condominium corporation at its most recent address for service or mailing address as registered under section 3 of the *Condominium Act* instead of being served upon the owners of the units of the condominium development.
- F. A notice under Subsection D may be served personally or by ordinary mail sent to the last known address of the owners of the properties within the applicable radius, and if a notice is served by ordinary mail, the owners of properties within the applicable radius shall be deemed to have been served with the notice on the fifth day after the day of mailing.
- G. Where an application is made for a variance to this chapter to permit the erection and display of a first party sign, the notice under Subsection D shall contain the following information:
 - (1) a statement that the application for variance shall be considered by the Chief Building Official;
 - (2) a statement that the recipient of the notice may submit written comments or any other documentation to the Chief Building Official regarding the application for variance;
 - (3) the date by which any written comments or documentation must be submitted to the Chief Building Official;
 - (4) the date by which the Chief Building Official will make a decision on the variance application which shall be 30 days from the date the application was filed; and
 - (5) a statement that the recipient of the notice may request in writing, prior to the date described in Subsection (4), that he be served with notice of the Chief Building Official's decision on the variance application.
- H. Where an application is made for a variance to this chapter to permit the erection and display of a third party sign, the notice under Subsection D shall contain the following information:
 - (1) a statement that the application for variance shall be considered by the Sign Variance Committee;

- (2) a statement that the recipient of the notice may submit written comments or any other documentation to the Sign Variance Committee regarding the application for variance;
 - (3) a statement that the recipient of the notice may appear at the hearing of the application to make submissions before the Sign Variance Committee regarding the application for variance; and
 - (4) the time and location of the hearing before the Sign Variance Committee at which the variance application will be considered.
- I. In the case of an application for a variance to this chapter to permit the erection and display of a first party sign, written notice of the Chief Building Official's decision shall be served on the applicant, the property owner and any other person who requested that he be served with notice of the decision in accordance with Subsection G(5).
- J. Any person served with notice of the Chief Building Official's decision on an application for a variance to this chapter to permit the erection and display of a first party sign may appeal the Chief Building Official's decision to the Sign Variance Committee by filing the notice of appeal in the form and manner approved by the Chief Building Official and paying the non-refundable fee prescribed in Chapter 441 within 20 days of service of the notice of decision.
- K. In the case of an application for a variance to this chapter to permit the erection and display of a third party sign or in the case of an appeal to the Sign Variance Committee of the decision of the Chief Building Official on an application for a variance to this chapter to permit the erection and display of a first party sign, written notice of the decision of the Sign Variance Committee shall be served on the applicant, the property owner, any person who submitted documentation to the Sign Variance Committee with respect to the variance application, and any person who appeared before the Sign Variance Committee at the hearing of the variance application.
- L. A notice of decision under Subsections I or J may be served personally or by ordinary mail, and if the notice is served by ordinary mail, it shall be deemed to have been served on the fifth day after the day of mailing.
- M. Any decision of the Sign Variance Committee is final and binding.
- N. Upon considering an application for a variance to this chapter to permit the erection and display of a first party sign, the Chief Building Official may issue a decision to:
- (1) grant a variance;
 - (2) grant a variance with conditions; or
 - (3) refuse to grant a variance.

- O. Upon considering an application for a variance to this chapter to permit the erection and display of a third party sign, the Sign Variance Committee may pass a resolution to:
 - (1) grant a variance;
 - (2) grant a variance with conditions; or
 - (3) refuse to grant a variance.

- P. On an appeal to the Sign Variance Committee of the Chief Building Official's decision on an application for a variance to this chapter to permit the erection and display of a first party sign, the Sign Variance Committee may pass a resolution to:
 - (1) grant a variance;
 - (2) grant a variance with conditions; or
 - (3) refuse to grant a variance.

§ 694-31. By-law amendments.

- A. A person may apply for an amendment to the provisions of this chapter where:
 - (1) The proposed sign is of a sign class or a sign type that is not permitted in the sign district where the sign is proposed to be erected;
 - (2) The proposed sign is expressly prohibited by Subsection 694-15B; or,
 - (3) The proposed amendment would implement a Signage Master Plan on the premises or within a defined area.

- B. The applicant for an amendment to this chapter shall file the application and other information required for the applicable sign class in the form and manner approved by the Chief Building Official and shall pay the non-refundable fee prescribed in Chapter 441 for the processing of the by-law amendment application.

- C. An applicant for an amendment to this chapter shall post, for no less than 30 days prior to the City's consideration of the application, notice of the application in such form as approved by the Chief Building Official in a location visible to the public on the premises where the sign is proposed to be erected.

- D. Upon receiving the application and information referred to in Subsection B, the Chief Building Official shall serve notice of the application on the owners of all properties within a 120 metre radius of the premises on which the sign is proposed to be erected.

- E. A notice under Subsection D may be served personally or by ordinary mail sent to the last known address of the owners of the properties within the applicable radius, and if a notice is served by ordinary mail, the owners of properties within the applicable radius shall be deemed to have been served with the notice on the fifth day after the day of mailing.

ARTICLE VI

Sign Variance Committee

§ 694-32. Creation of Committee.

- A. A Sign Variance Committee is constituted for the City of Toronto.

§ 694-33. Composition.

- A. The Sign Variance Committee shall consist of five members appointed by Council.
- B. Members shall be at least 18 years old, Canadian citizens or landed immigrants and either residents or municipal taxpayers of the City.
- C. Council shall appoint the Chair of the Sign Variance Committee from among its members.
- D. Members shall not act as agents for any person for any proceeding before the Sign Variance Committee.

§ 694-34. Quorum.

- A. The majority of committee members constitutes a quorum.

§ 694-35. Term of appointment.

- A. The members of the Sign Variance Committee shall be appointed for a term not exceeding the term of the Council that appointed them.
- B. Despite Subsection A, the members continue to hold office until their successors are appointed.

§ 694-36. Authority to grant variances.

- A. The members of the Sign Variance Committee may, as provided in Subsections 694-30O and 694-30P, grant a variance or variances to the provisions of this chapter where the proposed sign satisfies the criteria set out in Subsection 30A.

§ 694-37. Responsibilities.

The responsibilities of the Sign Variance Committee include:

- A. Hearing applications for variances to this chapter with respect to third party signs;
- B. Hearing appeals from decisions of the Chief Building Official on applications for variances to this chapter with respect to first party signs; and
- C. Granting variances to this chapter.

§ 694-38. Procedures.

- A. The Sign Variance Committee is a local board that shall conduct itself in accordance with its procedures by-law.

§ 694-39. Staff support.

- A. The City Planning Division provides meeting management support to the Sign Variance Committee.

ARTICLE VII

Transition

§ 694-40. Conflict.

- A. In the event of conflict between any provisions of this chapter and the provisions of any other City by-law regulating signs or advertising devices, the provisions of this chapter shall prevail to the extent of the conflict.

§ 694-41. Validity.

- A. If a court of competent jurisdiction declares any subsection, section, article, or part of this chapter invalid, it is the City's intention that the remainder of the chapter shall continue to be in force unless the court makes an order to the contrary.

§ 694-42. Transition provisions.

- A. None of the provisions of this chapter shall apply to prevent the erection of a sign, upon issuance of a sign permit, where:
- (1) An application for a permit for the sign is filed with the Chief Building Official before April 6, 2010;
 - (2) The proposed sign complies with the relevant sign by-law in effect on April 5, 2010; and,
 - (3) A permit for the sign has not been issued by April 6, 2010.

§ 694-43. Effective date

- A. This chapter comes into force and effect on April 6, 2010.

SCHEDULE A TO CH. 694, MAPS

*{Maps to be provided in a form which is substantially consistent with Appendix B-
Schedule 'A' Map – Sign Districts}*

ENACTED AND PASSED this day of, A.D. 2009.

Mayor

City Clerk