To amend City of Toronto Municipal Code Chapter 694, Signs, General, respecting variances, Signage Master Plans and site-specific amendments, the definition of fence, provisions establishing the maximum permissible height for first party wall signs, provisions establishing the signage permissions for ground signs associated with a drive-through facility, provisions regulating wall sign displaying the logo or corporate symbol of a business located on the premises, to amend Chapter 694, Signs, General, Schedule A, Maps, to redesignate the each of the premises municipally known as 4917-4975 Yonge Street and 6 Spring Garden Avenue and to replace the Sign District Maps for Ward 6: Etobicoke-Lakeshore, Ward 8: York West, Ward 11: York South-Weston, Ward 19: Trinity-Spadina, Ward 20: Trinity-Spadina, Ward 26: Don Valley West, Ward 27: Toronto Centre-Rosedale, Ward 28: Toronto Centre-Rosedale, Ward 41: Scarborough-Rouge River and Ward 44: Scarborough East to redesignate individual premises as C-Commercial Sign Districts, CR-Commercial Residential Sign Districts, E-Employment Sign Districts and an OS-Open Space Sign District.

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

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

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

Whereas at its meeting of February 22 and 23, 2010, City Council by adoption of By-law No. 196-2010, enacted Municipal Code Chapter 694, Signs, General; and

Whereas Chapter 694, Signs, General, establishes sign districts which indicate the appropriate regulations to be applied to specific premises in the City to facilitate the public's ability to utilize signs to express messages while ensuring the signs are appropriate to their function and compatible with the nature of the premises upon which the sign is located; and

Whereas Council has decided that modifications to the regulations concerning specific signs contained in Chapter 694, Signs, General, as well as the provisions concerning variances from and area-specific amendments to Chapter 694 are appropriate; and

Whereas Council has decided that the each of the premises municipally known as 4917-4975 Yonge Street and 6 Spring Garden Avenue should be established as a CR-Commercial Residential Sign District on the basis that due to the development of the
Whereas Council has decided that the each of the premises municipally known as 20 Bathurst Street, 600 Fleet Street, 612 Fleet Street, 620 Fleet Street, 640 Fleet Street, 650 Fleet Street, 142 Fort York Boulevard, 169 Fort York Boulevard, 209 Fort York Boulevard, 38 Grand Magazine Street, 60 Grand Magazine Street, 65 Grand Magazine Street, 70 Iannuzzi Street, 766 King Street West, 2139 Lake Shore Boulevard West, 2143 Lake Shore Boulevard West, 2147 Lake Shore Boulevard West, 2147A Lake Shore Boulevard West, 2151 Lake Shore Boulevard West, 2153 Lake Shore Boulevard West, 2155 Lake Shore Boulevard West, 2157 Lake Shore Boulevard West, 2161 Lake Shore Boulevard West, 2165 Lake Shore Boulevard West, 2167 Lake Shore Boulevard West, 2169-2173 Lake Shore Boulevard West, 2175 Lake Shore Boulevard West, 2179 Lake Shore Boulevard West, 2183 Lake Shore Boulevard West, 2185 Lake Shore Boulevard West, 2187 Lake Shore Boulevard West, 2189 Lake Shore Boulevard West should be established as a CR-Commercial Residential Sign District due to the function and nature of the premises; and

Whereas Council has decided that the premises municipally known as 2189 Lake Shore Boulevard West should be established as a OS-Open Space Sign District due to the function and nature of the premises; and

Whereas Council has decided that the each of the premises municipally known as 2237 St. Clair Avenue West and 2255 St. Clair Avenue West should be established as an E-Employment Sign District due to the function and nature of the premises; and

Whereas Council has decided that each of the premises municipally known as 660 Eglinton Avenue East, 136 Isabella Street, 487 King Street East 6714 Kingston Road, 6742 Kingston Road, 7331 Kingston Road, 5813 Steeles Avenue East, 5833 Steeles Avenue East, 5839 Steeles Avenue East, 5853 Steeles Avenue East, 5863 Steeles Avenue East, 5871 Steeles Avenue East, 5881 Steeles Avenue East, 5891 Steeles Avenue East, 5901 Steeles Avenue East, 5933 Steeles Avenue East, 5945 Steeles Avenue East, 5951 Steeles Avenue East and 25 York Street should be established as a C-Commercial Sign District due to the function and nature of the premises; and

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

Whereas Sign District Map Ward 6: Etobicoke-Lakeshore currently contained in Schedule A, Maps, to Chapter 694, Signs, General, does not indicate the premises municipally known as 10 Park Lawn Road, 2139 Lake Shore Boulevard West, 2143 Lake Shore Boulevard West, 2147 Lake Shore Boulevard West, 2147A Lake Shore Boulevard West, 2151 Lake Shore Boulevard West, 2153 Lake Shore Boulevard West, 2155 Lake Shore Boulevard West, 2157 Lake Shore Boulevard West, 2161 Lake Shore Boulevard West, 2165 Lake Shore Boulevard West, 2167 Lake Shore Boulevard West, 2169-2173 Lake Shore Boulevard West, 2175 Lake Shore Boulevard West, 2179 Lake Shore Boulevard West, 2183 Lake Shore Boulevard West and 2200 Lake Shore Boulevard West as CR-Commercial Residential Sign
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Districts and does not indicate the premises municipally known as 2189 Lake Shore Boulevard West as an OS-Open Space Sign District and therefore must be replaced; and

Whereas Sign District Map Ward 8: York West currently contained in Schedule A, Maps, to Chapter 694, Signs, General, does not indicate the premises municipally known as 1060 Sheppard Avenue West as a CR-Commercial Residential Sign District and therefore must be replaced; and

Whereas Sign District Map Ward 11: York South-Weston currently contained in Schedule A, Maps, to Chapter 694, Signs, General, does not indicate each of the premises municipally known as 2237 St. Clair Avenue West and 2255 St. Clair Avenue West as E-Employment Sign Districts and therefore must be replaced; and

Whereas Sign District Map Ward 19: Trinity-Spadina currently contained in Schedule A, Maps, to Chapter 694, Signs, General, does not indicate each of the premises municipally known as 766 King Street West, 169 Fort York Boulevard, 209 Fort York Boulevard, 20 Bathurst Street, 600 Fleet Street, 612 Fleet Street, 620 Fleet Street, 640 Fleet Street, 650 Fleet Street, 38 Grand Magazine Street, 60 Grand Magazine Street, 65 Grand Magazine Street and 70 Iannuzzi Street as CR-Commercial Residential Sign Districts and therefore must be replaced; and

Whereas Sign District Map Ward 20: Trinity-Spadina currently contained in Schedule A, Maps, to Chapter 694, Signs, General, does not indicate each of the premises municipally known as 142 Fort York Boulevard, 25 Lower Simcoe Street, 31 Lower Simcoe Street, 75 Lower Simcoe Street, 12 York Street, 14 York Street, 15 York Street, 16 York Street and 18 York Street as CR-Commercial Residential Sign Districts and therefore must be replaced; and

Whereas Sign District Map Ward 26: Don Valley West currently contained in Schedule A, Maps, to Chapter 694, Signs, General, does not indicate each of the premises municipally known as 136 Isabella Street as a C-Commercial Sign District and therefore must be replaced; and

Whereas Sign District Map Ward 28: Toronto Centre-Rosedale currently contained in Schedule A, Maps, to Chapter 694, Signs, General, does not indicate each of the premises municipally known as 487 King Street East and 25 York Street as C-Commercial Sign Districts and therefore must be replaced; and

Whereas Sign District Map Ward 41: Scarborough-Rouge River currently contained in Schedule A, Maps, to Chapter 694, Signs, General, does not indicate each of the premises municipally known as 5813 Steeles Avenue East, 5833 Steeles Avenue East, 5839 Steeles Avenue East, 5853 Steeles Avenue East, 5863 Steeles Avenue East, 5871 Steeles Avenue East, 5881 Steeles Avenue East, 5891 Steeles Avenue East, 5901 Steeles Avenue East, 5933 Steeles
Avenue East, 5945 Steeles Avenue East and 5951 Steeles Avenue East as C-Commercial Sign Districts and therefore must be replaced; and

Whereas Sign District Map Ward 44: Scarborough East currently contained in Schedule A, Maps, to Chapter 694, Signs, General, does not indicate each of the premises municipally known as 6714 Kingston Road, 6742 Kingston Road and 7331 Kingston Road as C-Commercial Sign Districts and therefore must be replaced; 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 enacts:

1. Chapter 694, Signs, General, is amended as follows:

   A. By deleting the definition of "Fence" provided in § 694-1 and replacing it with the following:

      FENCE - A barrier, including one for noise attenuation, guard, railing, 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.

   B. By adding the following to § 694-14 as § 694-14L and § 694-14M:

      L. Where this chapter requires a distance to be measured from the intersection of two streets, the intersection of two streets will be deemed to be the closest point where:

         (1) The street lines of two streets meet to form an interior angle of 135 degrees or less; or

         (2) Where one street bends to create an interior angle of 135 degrees or less between the segments of the street line of the street.

      M. Where this chapter requires a distance to be measured from the intersection of two street lines, the intersection of two streets will be deemed to be the closest point where:

         (1) The two street lines meet to form an interior angle of 135 degrees or less; or

         (2) Where one street bends to create an interior angle of 135 degrees or less between the segments of the street line of the street.
C. By deleting § 694-15B(2) and substituting the following:

(2) A roof sign, except a first party roof sign included in a Signage Master Plan consisting solely of first party signs.

D. By deleting § 694-21C(4) and substituting the following:

(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 two signs;

(c) The sign shall only be erected on the uppermost storey, mechanical penthouse, or parapet wall of a building;

(d) 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; and

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

E. By deleting § 694-21C(5)(b) and substituting the following:

(b) Where erected at the first storey, the height shall not exceed 1.5 times the vertical distance between grade and the top boundary of the first storey of the building wall upon which the sign is located, and the sign shall not extend above the sill of the lowest window at the second storey of the wall on which the sign is erected.

F. By deleting § 694-21D(4) and substituting the following:

(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 two signs;

(c) The sign shall only be erected on the uppermost storey, mechanical penthouse, or parapet wall of a building;
(d) 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; and

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

G. By deleting § 694-21D(5)(b) and substituting the following:

(b) Where erected at the first storey, the height shall not exceed 1.5 times the vertical distance between grade and the top boundary of the first storey of the building wall upon which the sign is located, and the sign shall not extend above the sill of the lowest window at the second storey of the wall on which the sign is erected.

H. By deleting § 694-21E(4) and substituting the following:

(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 two signs;

(c) The sign shall only be erected on the uppermost storey, mechanical penthouse, or parapet wall of a building;

(d) 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; and

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

I. By adding the following to § 694-20G as § 694-20G(4):

(4) A sign for the purpose of providing direction to a point of vehicular ingress and egress to a drive-through facility provided:

(a) The sign face area shall not exceed 0.5 square metres;

(b) The height shall not exceed 1.5 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 point of vehicular ingress and egress to the drive-through facility; and

(e) No more than two such signs shall be erected.

J. By deleting § 694-30A, B, C, D and E and substituting the following:

§ 694-30. Variance applications.

A. An application for variance from the provisions of this chapter may be granted where it is established that the proposed sign or signs will:

(1) Belong to a sign class permitted in the sign district where the premises is located;

(2) In the case of a third party sign, be of a sign type that is permitted in the sign district, where the premises is located;

(3) Be compatible with the development of the premises and surrounding area;

(4) Support the Official Plan objectives for the subject premises and surrounding area;

(5) Not adversely affect adjacent premises;

(6) Not adversely affect public safety;

(7) Not be a sign prohibited by § 694-15B;

(8) Not alter the character of the premises or surrounding area; and

(9) Not be, in the opinion of the decision maker, contrary to the public interest.

B. The applicant for a variance or variances from this chapter shall:

(1) File the application for variance 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 fees prescribed in Chapter 441 for the processing of the variance application; and

(2) Where the application for variance relates to three or more signs, or an area or premises which a Signage Master Plan has previously been approved, the applicant is required to make an application for variance for a Signage Master Plan and shall:
(a) File application for variance for a Signage Master Plan and other information required for the application in the form and manner approved by the Chief Building Official; and

(b) Shall pay the non-refundable fees prescribed in Chapter 441 for the processing of the application for a Signage Master Plan.

C. An applicant for a variance or variances from 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 or defined area which is the subject of the application for variance.

D. Upon receiving the application and information referred to in Subsection B, the Chief Building Official shall:

(1) In the case of a variance or variances from this chapter to permit the erection and display of a first party sign or signs, serve notice of the application on the property owners of all properties and to the mailing addresses of residential and business tenancies within a 60-metre radius of the premises on which the first party sign is proposed to be erected and on the ward councillor;

(2) In the case of a variance or variances from this chapter to permit the erection and display of a third party sign or signs, serve notice of the application on the property owners of all properties and to the mailing addresses of residential and business tenancies within a 120-metre radius of the premises on which the third party sign is proposed to be erected and on the ward councillor; or

(3) In the case of an application for a variance or variances from this chapter required to be made by means of an application for a Signage Master Plan, serve notice of the application on the property owners of all properties and to the mailing addresses of residential and business tenancies within a 120-metre radius of the premises on which the third party sign is proposed to be erected and on 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 application for variance respecting a first party sign, or within 120 metres of the premises on which the sign is proposed to be erected in the case of application for variance respecting a third party sign, or within 120 metres of the premises or defined area which is the subject of the proposed Signage Master Plan in the case of an application for variance with respect to a Signage Master Plan, 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, 1998, instead of being served upon the owners of the units of the condominium development.

K. By deleting § 694-30G, H, I, J, K, L and M and substituting the following:

G. Where an application for variance from this chapter is made to permit the erection and display of a first party sign or signs, 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 application for variance which shall be at least 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 G(4), that the person be served with notice of the Chief Building Official's decision on the application for variance.

H. Where an application for variance from this chapter is made to permit the erection and display of a first party sign or signs, any person may, within 30 days from the date the application was filed:

(1) Submit written comments or any other documentation to the Chief Building Official regarding the application for variance; and

(2) Request in writing that the person be served with notice of the Chief Building Official's decision on the application for variance.

I. Where an application for variance from this chapter is made to permit the erection and display of a third party sign, or signs, or a third party sign or signs and first party sign or signs, 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 application for variance will be considered.

J. In the case of an application for variance from this chapter to permit the erection and display of a first party sign or signs, written notice of the Chief Building Official's decision shall be served on the applicant, the property owner, the ward councillor and any other person who requested he or she be served with notice of the decision in accordance with Subsection G(5) and Subsection H(2).

K. Any person served with notice of the Chief Building Official's decision on an application for variance from this chapter to permit the erection and display of a first party sign or signs 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.

L. Where an application for variance from this chapter is made to permit the erection and display of a third party sign or sign, or where the decision of the Chief Building Official on an application for a variance from this chapter to permit the erection and display of a first party sign or sign has been appealed, any person may:

(1) Submit written comments or any other documentation to the Sign Variance Committee regarding the application for variance; and

(2) Appear at the hearing of the application to make submissions before the Sign Variance Committee regarding the application for variance.

M. In the case of an application for variance from this chapter to permit the erection and display of a third party sign or signs, or an application for variance from this chapter to permit the erection and display of first and third party signs, or in the case of an appeal to the Sign Variance Committee of the Chief Building Official's decision on an application for variance from this chapter to permit the erection and display of a first party sign or signs, written notice of the decision of the Sign Variance Committee shall be served on the applicant, the property owner, the ward
councillor, 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. By deleting § 694-30P, Q, R, S, T, U and V and substituting the following therefore:

P. Upon considering an application for variance from this chapter to permit the erection and display of a third party sign or signs, or an application for variance from this chapter to permit the erection and display of first and third party signs, or an appeal to the Sign Variance Committee of the decision of the Chief Building Official on an application for variance from this chapter to permit the erection and display of a first party sign or signs the Sign Variance Committee may pass a resolution to:

(1) Grant a variance or variances;
(2) Grant a variance or variances with conditions; or
(3) Refuse to grant a variance or variances.

Q. On an appeal to the Sign Variance Committee of the Chief Building Official's decision on an application for variance from this chapter to permit the erection and display of a first party sign or signs, the Sign Variance Committee may pass a resolution to:

(1) Grant a variance or variances;
(2) Grant a variance or variances with conditions; or
(3) Refuse to grant a variance or variances.

R. A decision of the Sign Variance Committee is final and binding:

(1) In the case of a decision to refuse to grant a variance or variances, on the date the decision is issued; and
(2) In the case of a decision to grant a variance or variances, or grant a variance or variances with conditions, 21 days after the date the decision is issued unless an application to consider is filed by the ward councillor in accordance with § 694-30S.

S. The ward councillor may elect to have the decision of the Sign Variance Committee to grant a variance or variances, or grant a variance or variances with conditions, considered by Council by filing an application to consider in the form and manner approved by the Chief Building Official within 20 days of the date of the decision.
T. Upon receiving an application to consider from a ward councillor pursuant to Subsection S, the Chief Building Official shall report as necessary to the next available meeting of the community council for the geographical area containing the premises where the sign is proposed to be to be erected or displayed or to be the subject of the Signage Master Plan, which will hear and consider the application for variance and make recommendations to Council for final decision.

U. Upon considering an application for variance from this chapter, Council may:

(1) Grant a variance or variances;
(2) Grant a variance or variances with conditions; or
(3) Refuse to grant a variance or variances.

V. Council may grant a variance or variances from the provisions of this chapter where Council determines that the application for variance satisfies the criteria set out in § 694-30A.

M. By deleting § 694-31A and substituting the following:

A. A person may apply for an amendment to the provisions of this chapter where:

(1) The proposed sign is expressly prohibited by § 694-15B;
(2) The proposed sign would not comply with §§ 694-15, 694-16, 694-17, 694-19 or 694-23 of Article III or Articles I, II, IV, V, VI and VII of this chapter;
(3) The proposed amendment would alter the sign district designation of a premises as indicated in Schedule A to this chapter; or
(4) The proposed amendment would implement a prohibition with respect to the erection or display of signs generally or with respect to specific premises or areas.

N. By deleting § 694-39A and substituting the following:

A. The City Clerk's Office shall provide meeting management support to the Sign Variance Committee.

2. Schedule A, Maps, to Chapter 694, Signs, General, is amended as required to designate each of the premises municipally known as 4917-4975 Yonge Street and 6 Spring Garden Avenue as a CR-Commercial Residential Sign District, such amendment to take effect upon the approval of the development application currently being processed under City
File Nos. 11 330487 NNY 23 OZ and 10 108155 NNY 23 SA becoming final and binding, and the expiration of any statutory appeal period of that decision; and receipt by the Chief Building Official of an undertaking from the owners of 4917-4975 Yonge Street and 6 Spring Garden Avenue to remove all third party signs currently on each of the premises, such removal to occur prior to the making of any application under Chapter 694 with respect to either of the aforementioned premises.

3. Schedule A, Maps, to Chapter 694, Signs, General, is amended by:

A. Deleting the map titled Sign District Map Ward 6: Etobicoke-Lakeshore and substituting the map attached as Schedule "1" to this by-law;

B. Deleting the map titled Sign District Map Ward 8: York West and substituting the map attached as Schedule "2" to this by-law;

C. Deleting the map titled Sign District Map Ward 11: York South-Weston and substituting the map attached as Schedule "3" to this by-law;

D. Deleting the map titled Sign District Map Ward 19: Trinity-Spadina and substituting the map attached as Schedule "4" to this by-law;

E. Deleting the map titled Sign District Map Ward 20: Trinity-Spadina and substituting the map attached as Schedule "5" to this by-law;

F. Deleting the map titled Sign District Map Ward 26: Don Valley West and substituting the map attached as Schedule "6" to this by-law;

G. Deleting the map titled Sign District Map Ward 27: Toronto Centre-Rosedale and substituting the map attached as Schedule "7" to this by-law;

H. Deleting the map titled Sign District Map Ward 28: Toronto Centre-Rosedale and substituting the map attached as Schedule "8" to this by-law;

I. Deleting the map titled Sign District Map Ward 41: Scarborough-Rouge River and substituting the map attached as Schedule "9" to this by-law; and,

J. Deleting the map titled Sign District Map Ward 44: Scarborough East and substituting the map attached as Schedule "10" to this by-law.

Enacted and passed on July 19, 2013.

Frances Nunziata, Speaker
Ulli S. Watkiss, City Clerk

(Seal of the City)
SCHEDULE "1" to SCHEDULE "10"

(Copies of Maps are on file in the City Clerk's Office, 12th Floor, West Tower, City Hall.)