



Sign Bylaw Enforcement : Potential Amendments to the City of Toronto Act

Planning and Growth Management Committee



April 13, 2015

The issue:

At the January 2015 meeting of Planning and Growth Management Committee, Staff recommended that Council request the Province to repeal Subsection 110(1) of the City of Toronto Act in order to assist in the enforcement of the Sign Bylaw

What is Subsection 110(1)?

110. (1) *A City by-law respecting advertising devices, including signs, does not apply to an advertising device that was lawfully erected or displayed on the day the by-law comes into force if the advertising device is not substantially altered, and the maintenance and repair of the advertising device or a change in the message or contents displayed is deemed not in itself to constitute a substantial alteration.*

The Effect of Subsection 110(1)

- Prevents the City from changing requirements with respect to existing signs
- Requires the City to use the provisions of at least eight Sign Bylaws to enforce sign regulations
 - At least eight different fine levels and available enforcement measures and processes
- Does not allow the city to apply new regulations to manage pre-existing signs (e.g. requiring sign identifiers, sign brightness and light spill)

January 8, 2015 - Direction to staff:

Due to concerns raised by stakeholders, the Planning and Growth Management Committee directed staff to consult with members of the public and industry with respect to:

- a) Requesting that the Province of Ontario remove Subsection 110(1).
- b) Recommendations on how the City should address existing non-conforming signs should Subsection 110(1) be repealed or amended.

and report back to their April 13, 2015 meeting

Industry and Public Consultation

- 4 public meetings held throughout the city in February and March (approx. 150 attended)
- Notice was given to:
 - Sign Companies and Sign Industry Associations
 - 2,100+ owners of properties where third party signs are located
 - 81 Business Improvement Areas
 - 84 Ratepayer Associations
- Communication and meetings with Council members
- The consultations were advertised in the Toronto Star

What was consulted on:

- Should the City have the ability to apply any regulations to existing signs?
- Which regulations should be applied to existing signs (if any)?
- If the City does apply regulations to existing signs, how long should those signs be given to comply?

Possible Administrative Changes Consulted on:

- Require Reporting of Signs to the City
- Require Reporting of Changes in Sign Ownership to the City
- Clarify Permit Revocation Guidelines
- Require Sign Maintenance
- Require Identifiers on all Third Party Signs

Possible Enforcement Changes Consulted on:

- Consistent Fines for Sign Bylaw Offences
- Consistent Rights to Enforce the Sign Bylaw
- Consistent Ability to Recover the Costs of Sign Bylaw Enforcement

Possible Changes to Performance Standards

Consulted on:

- Apply Illumination Requirements to all Signs
- Apply the Energy Efficiency requirements for Signs
- Apply Performance Standards (size, height, type) to all Signs
- Require Removal of Certain Prohibited Signs

What we heard:

- Little support for the power to remove existing legal non-conforming signs (e.g. roof signs)
- Support for regulating illumination of all signs near sensitive land uses
- Considerable support for more consistent enforcement capabilities
- Support for having the right to retain signs in provincial legislation

The Staff Report Recommends:

- That Council request the Province to amend the City of Toronto Act to allow the city to regulate certain aspects of all signs
- That the enforcement and administrative provisions of the current Sign Bylaw be applied to all signs
- That requirements for illumination and image display in the current Sign Bylaw be applied to all signs
- That the right to retain existing lawful signs be protected in legislation

Next Steps:

- City Council Request the Province to amend S. 110(1) of the City of Toronto Act (COTA) as part of the 2016 review
- If supported by the Province, the matter would be subject to the legislative review process
- If changes are made to COTA staff would conduct further consultations on changes to the Sign Bylaw
- Changes to Sign Bylaw regulations would be considered by City Council
- Approved changes to Sign Bylaw would be implemented subject to any transition provisions or time frames considered by City Council



Questions and Discussion