



## REPORT FOR INFORMATION

### Supplemental Report - Temporary Signs By-law Review

**Date:** October 28, 2019

**To:** City Council

**From:** Executive Director, Municipal Licensing and Standards

**Wards:** All

#### SUMMARY

---

On October 15, 2019, the Planning and Housing Committee directed Municipal Licensing and Standards (MLS) to report directly to City Council with more information about item PH9.3: Temporary Signs By-law Review. The Committee requested staff to review the presentations and communications from the meeting and report back with any further recommendations to increase accessibility and improve streetscapes by reducing and/or eliminating third-party advertising and advocacy signs.

After reviewing the public presentations and feedback received through the Committee process, staff do not recommend further changes to the Toronto Municipal Code Chapter 693, Signs at this time.

The recommendations put forward in the Temporary Signs By-law Review report have been designed to improve accessibility on Toronto's sidewalks. The report recommends reducing clutter on sidewalks by requiring A-frame and portable signs to be curb-side and in-line with other street furniture, where possible. The report also aligns regulations with the newly-enacted Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays, including increasing the pedestrian clearway to 2.5 metres on specified downtown streets.

These recommendations were developed with feedback from stakeholders with expertise in improving the pedestrian clearway. These included pedestrian advocacy organizations, organizations that advocate for people who are blind or visually impaired, and the Toronto Accessibility Advisory Committee.

Advocacy signs are currently found throughout the city. Staff have recommended setting reasonable limits on advocacy signs to balance freedom of expression with other municipal considerations, such as preventing clutter, reducing distractions to passing motorists, preserving the character of communities, and ensuring that these signs do not pose a risk to public safety. The regulations for advocacy signs proposed include

limiting the number of advocacy signs to one per premise, restricting the maximum size to 1.2 square metres, and specifying that the signs cannot be displayed more than 2.0 metres above grade. In addition, these signs cannot obstruct visibility or block sightlines, cannot have elements that pose a risk of distraction, cannot be hazardous to pedestrians, and must be clean, in good repair, and free of graffiti.

The Temporary Signs By-law Review did not include a review of third-party advertising in the right-of-way. Since 2017, Transportation Services, through the Street Furniture partnership with Astral Media, has reduced the total square footage of third-party advertising on the City's right-of-way. This has resulted in a more orderly and attractive public realm, as well as a continuous clearway for pedestrian movement.

Legal Services and Transportation Services were consulted in the preparation of this supplemental report.

## **FINANCIAL IMPACT**

---

There are no financial impacts expected as a result of the adoption of the recommendation in this supplemental report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

---

On October 15, 2019, Planning and Housing Committee considered [PH9.3: Temporary Signs By-law Review](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH9.3) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH9.3>). The Committee requested staff to review presentations and communications from the meeting and report back with any further recommendations to increase accessibility and improve streetscapes by reducing and/or eliminating third-party advertising and advocacy signs.

## **COMMENTS**

---

The Temporary Signs By-law Review report recommends amendments to the Toronto Municipal Code Chapter 693, Signs. These recommendations balance the interests of residents and businesses while advancing accessibility in the public right-of-way, improving public safety, and minimizing neighbourhood impacts.

Staff have reviewed the public presentations and feedback received through the Committee process. This includes the twelve written submissions to the Committee, presentations by six individuals at the Committee meeting, and three written submissions sent directly to staff following the Committee meeting. The content of these submissions varied and included comments on signs containing graphic images, the placement of A-frame and portable signs, feedback on the proposed advocacy signs

regulations, and the importance of enforcement in addressing non-compliant temporary signs. In general, the feedback received indicated support for the recommendations put forward, with some additional suggestions related to accessibility and advocacy signs, which are explored below.

## Improving Accessibility

The recommendations put forward in the Temporary Signs By-law Review report were designed to improve accessibility on Toronto's sidewalks. Key recommendations related to this include:

- **Updating A-frame and portable sign placement requirements:** maintains the existing 2.1 metre minimum pedestrian clearway requirement for all sidewalks in Toronto and require that, when located on public property, A-frame and portable signs be placed in the Furnishing and Planting Zone, where possible.
- **Increasing the pedestrian clearway:** the minimum pedestrian clearway requirement would be increased to 2.5 metres for downtown Toronto streets identified in Appendix A of the newly-created Toronto Municipal Code Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays.

In developing these recommendations, staff sought feedback from stakeholders with expertise in improving the pedestrian clearway. These included pedestrian advocacy organizations, organizations that advocate for people who are blind or visually impaired, and the Toronto Accessibility Advisory Committee. Staff heard that signs, particularly signs that are incorrectly placed, are a barrier to effectively navigating the sidewalk. In general, staff heard support for updating the placement requirements for A-frame and portable signs. However, some stakeholders expressed the belief that temporary signs should not be permitted on the City's sidewalks at all. Others advocated for increased proactive enforcement and a better way to identify and report unlawful signs.

In addition, the recommendations to improve the pedestrian clearway are aligned with the newly-enacted Toronto Municipal Code Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays. For example, it is recommended that the 2.5 metre pedestrian clearway requirement that applies to sidewalk cafes in Chapter 742 also apply to A-frame and portable signs in Chapter 693.

Under the existing by-law, there are more regulations for A-frame signs on the right-of-way (sidewalk) than there are for portable signs. Staff reviewed the additional regulations for A-frame signs and determined that they are useful in improving the ability for pedestrians and individuals who use mobility devices to navigate the sidewalk. The report recommends aligning the rules for both sign types by specifying that portable signs cannot be displayed or erected along the right-of-way areas along Bloor Street East and Bloor Street West between Avenue Road and Sherbourne Street, or along Yonge Street south of Davenport Road, which is consistent with A-frame sign regulations.

The public presentations and feedback received through the Committee process indicate support for the recommendations put forward in the report, including each of

the four the residents' associations that provided comments (Bloor Street East Neighbourhood Association, Harbord Village Residents' Association, St. Lawrence Neighbourhood Association, and York Quay Neighbourhood Association). Below is a summary of additional suggestions and responses:

- **Pedestrian clearway:** feedback from residents' associations included the suggestion to increase minimum pedestrian clearways to include the sidewalk edge zone. Staff recommend maintaining the 2.1 metre requirement to align with Chapter 742. Further, the width of 2.1 metres enables two people using assistive devices to pass each other with a small buffer between them. This width is also the minimum needed to allow two people to walk together and enable one other person to pass walking in the opposite direction. The *Accessibility for Ontarians with Disabilities Act (AODA)* sets a province-wide minimum of 1.5 metres for the pedestrian clearway; the currently-established 2.1 metre minimum pedestrian clearway exceeds this AODA requirement.
- **Enforcement:** residents' associations spoke about the importance of ongoing proactive enforcement to effectively address the prevalence of unlawful temporary signs on the right-of-way. Through the Temporary Signs By-law Review, staff have identified opportunities to improve compliance with the by-law, particularly for business and development A-frame, portable, and open house signs. Staff have recommended removing the mandatory 30-day storage period for signs to allow for more expedient enforcement of unlawful signs, updating fine and offence provisions, mandating where the permit identification sticker is placed, and restructuring the by-law to be more readable and to eliminate unnecessary duplication of regulations to make it easier for members of the public to understand the rules.
- **Hazardous signs:** residents' associations stated that A-frame signs, in particular, are susceptible to falling over, making it challenging to effectively navigate the sidewalk. It was suggested that the by-law require A-frame signs to be either weighted down to prevent this, or to specify that signs that are not properly displayed are not permitted. The current by-law requires temporary sign to be maintained in a proper state of repair and not be hazardous to a pedestrian or driver, which would address these issues.

## Advocacy Sign Regulations

Advocacy signs are currently found throughout the city. Some examples include signs related to air traffic noise, objections to funding cuts, and reminding drivers to slow down. As outlined in more detail in the Temporary Signs By-law Review report, staff have recommended setting reasonable limits on advocacy signs to balance freedom of expression with other municipal considerations, such as preventing clutter, reducing distractions to passing motorists, preserving the character of communities, and ensuring that these signs do not pose a risk to public safety. The proposed regulations were informed by the public consultation process and a jurisdictional scan of Canadian municipalities, and were developed in consultation with Legal Services.

The regulations proposed include:

- **Number:** staff have recommended limiting the number of advocacy signs to one per premise. This aligns with findings from the jurisdictional scan and prevents an unreasonably large number of signs from being displayed on a premise.
- **Size:** maximum area of 1.2 square metres. This aligns with the maximum size of an election sign, a sign type which is also used for non-commercial expression.
- **Height:** maximum height of 2.0 metres above grade. This aligns with the regulations for election signs and would ensure that signs are not erected on stakes unreasonably high up, to address concerns about public safety and neighbour impacts.
- **Public Safety:** advocacy signs would be subject to the general requirements for temporary signs, including that they cannot obstruct visibility or block sightlines, must have a setback distance of at least 0.30 metres from sidewalks, cannot have elements that pose a risk to distraction, cannot be hazardous to pedestrians, and must be clean, in good repair, and free of graffiti.

### **Third-Party Advertising**

Since 2017, Transportation Services, through the Street Furniture partnership with Astral Media, has reduced the total square footage of third-party advertising on the City's right-of-way. The partnership has been implemented in strict accordance with the City's Vibrant Streets Guidelines, which has resulted in a more orderly and attractive public realm, as well as a continuous clearway for pedestrian movements.

The Temporary Signs By-law Review did not include a review of third-party advertising in the right-of-way since that is exclusively covered by advertising in accordance with the Astra Media contract.

### **CONTACT**

---

Ginny Adey, Director, Policy and Strategic Support, Municipal Licensing and Standards,  
416-338-5576, [Ginny.Adey@toronto.ca](mailto:Ginny.Adey@toronto.ca)

### **SIGNATURE**

---

Carleton Grant  
Executive Director, Municipal Licensing and Standards