

Temporary Signs By-law Review

Date: September 30, 2019

To: Planning and Housing Committee

From: Executive Director, Municipal Licensing and Standards

Wards: All

SUMMARY

Temporary signs are regulated by the Toronto Municipal Code Chapter 693. This report proposes amendments to modernize the By-law to improve enforcement, respond to the use of new sign types in Toronto, and increase the By-law's overall readability. Election signs, posters on public property, and signs regulated under the Toronto Municipal Code Chapter 694, Signs, General were not part of this review.

This report recommends improving the pedestrian clearway by updating placement requirements for A-frame and Portable signs. It is proposed that these signs be placed curb-side and in-line with other street furniture, where possible. The existing 2.1 metre pedestrian clearway requirement would be maintained and expanded to 2.5 metres on specified Downtown Toronto streets to align with the newly-enacted Toronto Municipal Code Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays. These changes are intended to improve the line-of-travel for pedestrians while allowing the business community to continue to use A-frame and Portable signs.

This report also proposes allowing and regulating three new types of temporary signs on private property: Contracted Services Signs, Home Builder Identification Signs, and Advocacy Signs. The proposed regulations for Contracted Services Signs and Home Builder Identification Signs limit the size, number, and display period for these sign types and respond to their use in Toronto. The recommendations also clarify the City's expectations for signage on construction sites, supporting the objectives of the City's Residential Infill Strategy to minimize the impacts of residential construction activity on existing neighbourhoods. The proposed regulations for Advocacy Signs balance the ability of Toronto residents to display content related to civic causes with the need to consider the safety and neighbourhood impacts of these signs.

Further amendments are recommended that would modernize the By-law, improve enforcement, and simplify regulations. These include:

- Updating regulations for Mobile Signs (i.e. those designed to allow for the rearrangement of lettering, typically on steel frames) and Open House Signs;

- Updating the removal and disposal provisions, except for election signs, including deleting the mandatory 30-day storage period and allowing for the timely disposal of unlawful temporary signs; and
- Updating and clarifying fees, and aligning enforcement, fine, and offence provisions with the authority provided under the *City of Toronto Act, 2006*.

This report also responds to two City Council directives requesting a report on enforcement and regulatory options available for signs containing graphic images.

Legal Services, Toronto Building, Toronto Transit Commission, and Transportation Services were consulted in the preparation of this report.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

Amendments to the Toronto Municipal Code Chapter 693, Signs

Placement Requirements for A-Frame and Portable Signs

1. City Council amend Chapter 693 to require that, when located on public property, A-frame and portable signs must be placed curb-side and in the Furnishing and Planting Zone, as described by the City of Toronto's Streetscape Manual, whenever possible and adhere to any separation distances established by the Executive Director, Municipal Licensing and Standards.
2. City Council amend Chapter 693 to include minimum separation distances, as established by the Executive Director, Municipal Licensing and Standards, for A-frame and portable signs from installations such as bicycle rings, fire hydrants or fire connections, intersection or pedestrian crossovers, postering columns, benches, garbage/recycling bins, and transit stops and shelters as a location requirement.
3. City Council amend Chapter 693 to include that an A-frame or portable sign may be moved or removed:
 - a. If location requirements are not met;
 - b. If space is required by the City of Toronto, including for the installation of street furniture, construction, or other municipal purposes; or
 - c. If space is required by the Toronto Transit Commission, including for operational or public safety reasons.
4. City Council amend Chapter 693 to increase the pedestrian clearway requirement to 2.5 metres for streets identified in Appendix A of the Toronto Municipal Code Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays.

5. City Council amend Chapter 693 to specify that the sign permit identifiers on A-frame and portable signs must be visible and attached to the exterior upper corner of one of the sign faces.
6. City Council amend Chapter 693 to align portable sign regulations with existing A-frame sign regulations by specifying that portable signs also 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.
7. City Council amend Chapter 693 to align portable sign regulations with existing A-frame sign regulations by specifying that:
 - a. Where the frontage associated with the main, front wall of a building is 6.1 metres or less, a maximum of one portable sign per building may be displayed regardless of the number of businesses in the premises;
 - b. Where the frontage associated with the main, front wall of a building is more than 6.1 metres, display a maximum of two portable signs per premises regardless of the number of businesses in the premises; and
 - c. Despite 7a. and 7b., if a building is on a corner property with two or more walls adjacent to a highway, one additional portable sign may be displayed adjacent to the side wall of the building.

Contracted Services Signs

8. City Council amend Chapter 693 to establish a new temporary sign type, called "Contracted Services Signs".
9. City Council amend Chapter 693 to define a Contracted Services Sign as "a sign advertising a contractor who repairs, renovates or landscapes a premise."
10. City Council amend Chapter 693 to direct that, in addition to complying with the general restrictions in the new Article 1 that apply to all signs and the regulations that apply to all temporary signs, Contracted Services Signs must adhere to the following:
 - a. Only one sign per contractor is allowed.
 - b. There cannot be more than three signs per property.
 - c. No permit is required.
 - d. The sign must be erected entirely on private property.
 - e. Consent of the owner or occupant of the property is required before the erection of the sign.
 - f. The sign may only be attached to a stake or fence (not including a fence that is vegetation).
 - g. The sign can only display content related to a contracted service underway or completed at the property.
 - h. The sign may have no more than two sign faces and no sign face can be larger than 0.37 square metres in area.

- i. The sign cannot exceed a maximum height of 0.61 metres or a maximum width of 0.61 metres.
- j. The sign cannot be higher than two metres above grade.
- k. The sign may only be displayed once the contracted service has begun and must be removed within 30 days after the work has been complete.

Home Builder Identification Signs

11. City Council amend Chapter 693 to establish a new temporary sign type, called "Home Builder Identification Signs".

12. City Council amend Chapter 693 to define a Home Builder Identification Sign as "a sign identifying the builder or renovator involved in the renovation or construction of a residential building or related structure."

13. City Council amend Chapter 693 to direct that, in addition to complying with the general restrictions in the new Article 1 that apply to all signs and the regulations that apply to all temporary signs, Home Builder Identification Signs must adhere to the following:

- a. Only one sign per property is allowed.
- b. No permit is required.
- c. The sign must be erected entirely on private property.
- d. Consent of the owner or occupant of the property is required before the sign is erected.
- e. The sign can only display information related to the builder or renovator responsible for undertaking work at a residential building or related structure.
- f. The sign may have no more than two sign faces and no sign face can be larger than 1.5 square metres in area.
- g. The sign cannot be higher than two metres above grade.
- h. The sign may only be displayed once the work has begun and must be removed within 30 days after occupancy has been granted by Toronto Building or passed an interior final inspection.
- i. The sign may only be attached to a stake or fence (not including a fence that is vegetation).

Advocacy Signs

14. City Council amend Chapter 693 to establish a new temporary sign type, called "Advocacy Signs".

15. City Council amend Chapter 693 to define an Advocacy Sign as "a sign that advances a point of view and is not for a commercial purpose, not including an election sign."

16. City Council amend Chapter 693 to direct that, in addition to complying with the general restrictions in the new Article 1 that apply to all signs and the regulations that apply to all temporary signs, Advocacy Signs must adhere to the following:

- a. Only one sign per premise is allowed.
- b. No permit is required.

- c. The sign must be erected entirely on private property.
- d. Consent of the owner or occupant of the premise is required before the erection of the sign.
- e. The sign may have no more than two sign faces and no sign face can be larger than 1.2 square metres in area.
- f. The sign cannot be higher than two metres above grade.
- g. The sign may only be attached to a stake or fence (not including a fence that is vegetation).

Open House Signs

17. City Council amend Chapter 693 to allow open house signs to be displayed up to 2 hours before the start of the open house and 2 hours after the end of the open house.

18. City Council amend Chapter 693 to state that there may be no more than six open house signs per advertised property.

Mobile Signs

19. City Council amend Chapter 693 to remove the requirement that mobile signs may only have black and white lettering.

20. City Council amend Chapter 693 to remove the requirement that mobile signs be located directly in front of the business that the sign is advertising and instead specify that the sign must be on the property in which the business is located.

Construction Hoarding Signs

21. City Council amend Chapter 693 to move the provisions governing construction hoarding signs from Article III to the Article that includes vehicular destination signs and neighbourhood and business area identification signs; sign types which are administered by the General Manager, Transportation Services.

Alignment with Chapter 742, Cafés, Parklets and Marketing Displays

22. City Council amend Chapter 693 to include the prohibition in Chapter 742 (742-8.5) on an A-frame or portable sign being displayed where a small frontage café or small marketing display has been installed and the building frontage is 6-metres or less.

23. City Council amend Chapter 693 to specify that a business that has a permit for a café or marketing display may locate an A-frame or portable sign only within the limits of the permitted area and must have a permit issued under Chapter 693 for the sign.

Sign Storage

24. City Council amend Chapter 693 to remove the required storage period for all signs, except election signs, and update the removal and disposal provisions accordingly.

Administrative Matters

25. City Council rename Chapter 693 to be "Signs, Election and Temporary".

26. City Council include in the general restrictions section of Chapter 693 that signs regulated by Chapter 693 must not damage underground or aboveground services.

27. City Council amend Chapter 693 to align regulations for temporary signs by requiring that, except in accordance with a sign permit, they be no closer than 0.37 metres from a sidewalk or where there is no sidewalk, 0.37 metres from the travelled portion of the highway, and direct that this provision be included in the location requirements for all temporary signs in the amended Chapter.

28. City Council amend Chapter 693 to:

- a. Increase the maximum fine to \$100,000;
- b. Add a special fine in an amount equal to any economic gain obtained from non-compliance;
- c. Include offences for obstruction and failure to provide information as required;
- d. Designate each offence as a continuing offence with a maximum daily fine of \$10,000 and a total fine which may exceed \$100,000; and
- e. Include authority to enter to inspect, to make orders to comply and to take remedial action.

29. City Council add the following transition provisions to Chapter 693 to establish that:

- a. The provisions of this chapter do not apply to permits granted or agreements entered into before January 6, 2020 until the permits or agreements are renewed, provided that the holders of the permits and parties to the agreements continue to comply with the terms of their permits or agreements and that the permits or agreements are not revoked or terminated and do not expire without renewal; and
- b. All prosecutions and other enforcement processes commenced under this chapter which have not been completed on January 6, 2020 shall be completed as if the chapter had not been amended on that date.

Amendments to the Toronto Municipal Code Chapter 694, Signs, General

30. City Council repeal section 694-6A(6) of Chapter 694, Signs, General, removing signs affiliated with the ongoing construction or demolition of a building as this sign type will be regulated as a Home Builder Identification Sign under Chapter 693.

Amendments to the Toronto Municipal Code Chapter 441, Fees

31. City Council amend Chapter 441 to delete fees unique to each sign type (reference numbers 46, 48, 49, 55, 56, 115, 116, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, and 136) so that the removal, retrieval, storage, and disposal fees for temporary signs be used for all forms of temporary signs (reference numbers 137, 138, 139, 140).

32. City Council amend Chapter 441 to update and include an annual adjustment based on the Consumer Price Index fees related to temporary signs, as outlined in Table 1.

Table 1: Recommended updates to fees 137, 138, 139, and 140 in Chapter 441, Fees

NO.	SERVICE	FEE DESCRIPTION	CATEGORY	FEE BASIS	2019 FEE	ANNUAL ADJ.
137	NEW Prop Std/insp /Enfo	Removal fee for Illegal Temporary Signs	Full Cost Recovery	Case	\$100.00	NEW Yes
138	NEW Prop Std/insp /Enfo	Retrieval fee for Illegal Temporary Signs	Full Cost Recovery	Case	\$200.00	NEW Yes
139	NEW Prop Std/insp /Enfo	Storage fee for Illegal Temporary Signs	Full Cost Recovery	NEW Per Day	\$15.00	NEW Yes
140	NEW Prop Std/insp /Enfo	Disposal fee for Illegal Temporary Signs	Full Cost Recovery	Case	\$50.00	NEW Yes

33. City Council amend Chapter 441 to delete fee 414 (Annual fee: temporary signs permit - portable) and establish two new fees for the application and renewal of portable sign permits that are identical to that of A-frame sign permits, as outlined in Table 2.

Table 2: Recommended new 2019 portable sign-related fees in Chapter 441, Fees

NO.	SERVICE	FEE DESCRIPTION	CATEGORY	FEE BASIS	2019 FEE	ANNUAL ADJ.
NEW	Business Permitting	Application fee: Temporary Sign permit - Portable	Full Cost Recovery	Per application	\$109.66	Yes
NEW	Business Permitting	Renewal fee: Temporary Sign permit - Portable	Full Cost Recovery	Per application	\$86.57	Yes

Implementation

34. City Council authorize the City Solicitor, City Clerk, and Executive Director, Municipal Licensing and Standards, to re-structure, consolidate, and simplify all existing requirements to improve the readability of the Toronto Municipal Code Chapter 693 including adding a section setting out the scope of the by-law, consolidating the general restrictions that apply to all signs and setting out more clearly the location requirements, and specific requirements that apply to all sign types, including attachment requirements, and to update Chapter 27, Council Procedures, Chapter 192, Public Service, Chapter 545, Licensing, Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays, and Chapter 743, Streets and Sidewalks, Use of to the reflect the new title of and new section numbers in Chapter 693, as required.

35. City Council direct that the changes to the Toronto Municipal Code Chapter 27, Chapter 441, Chapter 693, and Chapter 694 become effective as of January 6, 2020.

FINANCIAL IMPACT

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

Chapter 441, Fees, contains fees for removal, retrieval, storage, and disposal of each unique temporary sign type, as well as for temporary signs in general. To simplify this, this report recommends deleting 26 fees that are specific to each temporary sign type and replacing them with one fee for each of the four enforcement actions, as detailed in Attachment 1. These would apply to any type of temporary sign. It is recommended that these 4 fees be indexed to the Consumer Price Index, as detailed in Attachment 1 and Table 3. It is expected that this will result in a nominal year-over-year increase in revenue, which will be offset by the annual expected increase in staffing-related costs.

Table 3: Fees recommended to be updated

NO.	SERVICE	FEE DESCRIPTION	CATEGORY	FEE BASIS	2019 FEE	ANNUAL ADJ.
137	NEW Prop Std/insp /Enfo	Removal fee for Illegal Temporary Signs	Full Cost Recovery	Case	\$100.00	NEW Yes
138	NEW Prop Std/insp /Enfo	Retrieval fee for Illegal Temporary Signs	Full Cost Recovery	Case	\$200.00	NEW Yes
139	NEW Prop Std/insp /Enfo	Storage fee for Illegal Temporary Signs	Full Cost Recovery	NEW Day	\$15.00	NEW Yes
140	NEW Prop Std/insp /Enfo	Disposal fee for Illegal Temporary Signs	Full Cost Recovery	Case	\$50.00	NEW Yes

In addition, this report recommends reducing the permit application and renewal fee for portable signs, as detailed in Attachment 1, to be identical to that of A-frame signs. A-frame signs are those with two sign faces in a structure shaped like an "A". Portable signs are similar, but have a rigid base.

The current fee for a portable sign permit is \$230.86, which is \$121.20 higher than an A-frame sign permit. The new portable sign permit fee would be \$109.66 for an application with an \$86.57 yearly renewal. As of September 30, 2019, the City has no active portable sign permits. Applicants generally opt for an A-frame permit because of the lower fee. No impacts to the current year's budget are expected as a result of this.

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

DECISION HISTORY

On September 26, 2019, MLS submitted a summary of proposed changes to improve the pedestrian clearway to the Toronto Accessibility Advisory Committee, item [DI4.3: Temporary Signs By-law Review - Accessibility Feedback](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.DI4.3) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.DI4.3>). Quorum was not met at this meeting and, as a result, staff were unable to receive formal feedback from the Committee. Instead, staff requested informal feedback individually from members.

On July 23, 2018, City Council adopted [MM44.35 Use of the Public Right of Way for Display of Graphic Images - by Councillor Sarah Doucette, seconded by Councillor Janet Davis](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.MM44.35) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.MM44.35>), which directed Transportation Services staff to review enforcement options available to address obstruction of the right-of-way for the display of graphic images.

On May 1, 2018, Planning and Growth Management Committee adopted, with amendments [PG29.1: Strategy for Minimizing the Negative Impacts of Residential Infill Construction - Update](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.1) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.1>), which directed staff to review the requirements around signs on construction sites, including a review of the number, size, and placement of signs.

On December 5, 2017, City Council adopted [MM35.10: Distribution and Display of Graphic Images - by Councillor Sarah Doucette, seconded by Councillor Ana Bailão](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.MM35.10) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.MM35.10>), which directed staff to assess options to regulate temporary signs that contain graphic images.

On December 9, 2013, Licensing and Standards Committee referred [LS25.5: Temporary Front Lawn Sign Policy](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.LS25.5) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.LS25.5>) to staff with a request to review temporary signs displaying non-commercial messages on private property.

On June 6, 2012, City Council adopted [LS13.3: Recent Amendments Concerning A-Frame Signs: Chapter 693 Article III Temporary Signs and Chapter 441 Fees and Charges](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.LS13.3) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.LS13.3>), which updated regulations for A-frame signs for new developments.

On January 11, 2012, City Council adopted [LS11.3: Amendments to Toronto Municipal Code Chapter 693, Article III, Temporary Signs and Chapter 441, Fees and Charges](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.LS11.3) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.LS11.3>), amending these by-laws to address potential conflicts regulations established in Chapter 694.

On June 14, 2011, City Council adopted, with amendments, [LS4.2: A-Frame Sign By-Law Amendments](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.LS4.2) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.LS4.2>), which amended provisions for A-frame signs, updated the fees and application requirements, and allowed business with smaller frontages to erect A-frame signs.

COMMENTS

Context

Temporary signs in Toronto must comply with the Toronto Municipal Code Chapter 693, Article III - Temporary Signs. Sign types include: A-frame, garage sale, mobile, new development, open house, portable, and real estate signs, as well as temporary signs on construction hoarding and signs advertising non-profit activities and events. Article III provides regulations for these signs, including locations, physical criteria, display period, enforcement, and permit requirements. The By-law is structured in such a way that any sign type not explicitly regulated in the By-law is not permitted in Toronto.

Staff have undertaken a review of the By-law governing temporary signs with the objectives of:

- Modernizing the By-law to improve enforcement;
- Responding to the use of new sign types in Toronto; and
- Increasing the By-law's overall readability.

Election signs, posters on public property, and signs regulated Chapter 694, Signs, General were not part of this review. In conducting the review, staff undertook public consultations, consulted with Transportation Services, Toronto Building and the Toronto Transit Commission (TTC), reviewed current enforcement practices, conducted a jurisdictional scan, examined permit information, and analyzed service requests and enforcement data.

Public Consultation Process

In July 2019, members of the public and stakeholders — including those in the construction industry, the real estate industry, pedestrian and accessibility advocacy organizations, Residents' Associations, and Business Improvement Areas (BIAs) — were invited to attend a consultation meeting to provide feedback to staff on the Temporary Signs By-law Review. Written feedback was also accepted between July 9 and August 9, 2019.

The public consultation process was promoted through:

- A dedicated consultation page on the City's Get Involved webpage;
- Alerts on the City's website – toronto.ca (on relevant temporary signs webpages);
- Updates to the City's 311 Knowledge Base;
- Online event postings (BlogTO and Now Magazine);
- Social media promotion on City's corporate social media channels (Facebook and Twitter), 311 Toronto, and Get Involved social media channels; and
- Outreach to Councillors, Business Improvement Areas, Resident Associations, real estate industry associations, construction industry associations, licensees (sign providers, sign permit holders), and other key stakeholders including those from the City's sidewalk café review.

Staff sought feedback on regulating Contracted Services Signs, Home Builder Identification Signs, and Advocacy Signs. In addition, staff consulted on potential changes to A-frame, mobile, open house, and portable sign requirements. Attendees discussed other considerations such as enforcement, fees, and the complaint process. The feedback received was used to inform the recommendations in this report.

Jurisdictional Scan

As part of the Temporary Signs Review, staff completed a jurisdictional scan of eleven Canadian municipalities: Brampton, Burlington, Calgary, Edmonton, Hamilton, London, Mississauga, Ottawa, Surrey, Vancouver, and Whitby.

Although there are variations, the by-laws governing temporary signs in each of these municipalities are typically similar to that of Toronto. That is, they provide regulations for permitted sign types; all other sign types not expressly provided for are prohibited. Most municipalities limit the number and types of signs allowed on their right-of-way.

Additional details from the jurisdictional scan are provided in the Proposed Amendments and Rationale section, below, for each relevant recommendation.

Permits Issued

Between 2014 and 2018, the City issued or renewed an average of 470 temporary sign permits per year, as detailed in Table 4. An enforcement blitz was undertaken in 2015; the blitz included enforcement staff working to educate the public about the rules and with property owners to bring them into compliance. As a result, there was a higher-than-average number of permits issued in 2015.

Table 4: Temporary sign permits issued and renewed

CATEGORY	2014	2015	2016	2017	2018	2019*
Issued	194	690	382	287	393	136
Renewed	64	55	89	94	104	37
TOTAL	258	745	471	381	497	173

* As of June 17, 2019

Between January 1, 2014 and June 17, 2019, the City issued or renewed 2,525 temporary sign permits. The majority of sign permits issued or renewed were for mobile signs (71%). Mobile signs are those designed to allow for the rearrangement of lettering, typically on steel frames. Mobile sign permits are valid for a maximum of thirty days, with maximum of three permits per year and a requirement that they be issued a minimum of 30 days apart. A-frame signs were the next most common with 24% of permits being issued or renewed.

Proposed Amendments and Rationale

This report proposes amendments to temporary sign regulations in Toronto based on the research and consultation efforts outlined above. These amendments are intended to modernize the By-law to improve enforcement, respond to the use of new sign types in Toronto, and increase the By-law's overall readability. They include:

1. Updating A-frame placement requirements to improve the pedestrian clearway
2. Introducing regulations for:
 - a. Contracted Services Signs on private property; and
 - b. Home Builder Identification Signs on private property
3. Allowing up to one Advocacy Sign per private property
4. Additional amendments to modernize regulations and improve enforcement

Each of these proposed recommendations, along with the corresponding rationale, are detailed below.

1. Improving the Pedestrian Clearway

It is recommended that the current regulations for A-frame and portable signs on the City's right-of-way be updated to improve the pedestrian clearway. A-frame signs are those with two sign faces in a structure shaped like an "A". Portable signs are similar, but have a rigid base. Staff recommend:

- Maintaining the existing 2.1 metre pedestrian clearway requirement and require that, when located on public property, A-frame and portable signs be placed in the Furnishing and Planting Zone, where possible. Where this is not possible, A-frame and portable signs would be required to be along the business wall.
- Increasing the pedestrian clearway requirements to 2.5 metres for streets identified in Appendix A of the newly-created Toronto Municipal Code Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays. This will align Chapter 693 with the clearway requirements established in Chapter 742.
- Including minimum separation distances for A-frame and portable signs from obstructions such as benches, bicycle racks, fire hydrants/connections, intersections, litter bins, postering columns, and transit shelters and stops. These distances would be determined in consultation with Transportation Services and the TTC and aligned with Chapter 742.
- Updating the By-law to specify that sign permit identifiers on A-frame and portable signs must be affixed to the exterior upper corner of a sign face.
- Aligning A-frame and portable sign regulations, including specifying that portable signs are not permitted along the right-of-way areas of Bloor Street East and Bloor Street West between Avenue Road and Sherbourne Street, or along Yonge Street south of Davenport Road.

The By-law currently requires A-frame and portable signs to be placed so that they provide a minimum pedestrian clearway width of 2.1 metres at all points and be placed along the front wall of the business. Staff recommend amending the requirement that A-frame and portable signs be placed along the business wall with a requirement for placement of the sign curb-side along the Furnishing and Planting Zone, wherever

possible. This recommendation aims to improve the pedestrian clearway without impacting the number of businesses in Toronto who are eligible to apply for an A-frame or portable sign permit.

To ensure that the placement of a sign does not interfere with other street elements, such as bicycle rings, litter bins, and transit shelters, staff would review the site plan provided during the permit application process to confirm that minimum separation distances are met. These minimum separation distances will be determined in consultation with Transportation Services and the TTC, and are expected to align with the separation distances established through the recent review of sidewalk cafés, parklets, and marketing displays. As part of the implementation process, staff will update public-facing materials to include separation distance requirements.

A permit could be revoked if the City requires the space for street furniture or necessary municipal work, or if the TTC requires this space for operational or safety reasons. Appeals related to the revocation of temporary sign permits would continue to be considered by Community Council, as currently outlined in the By-law. Likewise, the process currently established in the By-law related to the refusal of permits for A-frame and portable signs in Business Improvement Areas (BIAs) would remain.

It is also recommended to increase the pedestrian clearway requirement to 2.5 metres for streets identified in Appendix A of the newly-created Toronto Municipal Code Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays. These street segments experience high pedestrian volumes and increasing the pedestrian clearway along these streets would align the regulations in Chapter 693 with those that have been recently created for sidewalk cafes. Staff also recommend specifying where the sign permit identifiers are to be located in order to improve identification of legal signs.

A-frame signs are currently not permitted along Bloor Street East, between Avenue Road and Sherbourne Street, or along Yonge Street south of Davenport Road. Staff recommend that this be expanded to include portable signs. This will simplify the by-law, align permit requirements for A-frame and portable signs, and coordinate with Transportation Services' YongeTOmorrow study by providing consistency in temporary sign permitting. YongeTOmorrow is a Municipal Class 'C' Environmental Assessment focused on the development and evaluation of design alternatives for Yonge Street from Queen Street to College/Carlton Street. A number of opportunities are being considered to increase pedestrian space and improve the way people move through and experience downtown Yonge Street.

Rationale

Temporary signs on the public right-of-way and their impact on pedestrian travel has been identified as an area of concern for the public. Between January 1, 2014 and June 17, 2019, MLS received 1,194 service requests related to A-frame signs and 44 service requests related to portable signs. In general, these service requests were for signs that were erected without a permit, improperly located on public property, or located too close to an intersection.

This was echoed in the consultation meeting and through written feedback, where staff heard further concerns about signs on the City's sidewalks, particularly A-frame signs.

Pedestrian and accessibility advocates told staff that sign placement on sidewalks is a significant barrier to navigating the sidewalk. Representatives from Residents' Associations commented on a large number of A-frame signs being erected in the pedestrian clearway, as well as the challenges of effectively enforcing against these signs. Staff heard that the 2.1 metre clearway should be maintained, but that the signs be placed in the location on the sidewalk that impacts pedestrian travel the least, depending on a particular sidewalk's layout.

In addressing concerns about temporary signs impacting the pedestrian clearway, municipalities have responded in similar ways. Ottawa is engaged in a clear path pilot project with BIAs and accessibility groups to improve the pedestrian clearway. San Francisco requires a minimum pedestrian clearway of 1.8 metres and prohibits signs from blocking the path of travel. Edmonton specifies that signs be placed in-line with street light poles so as not to obstruct pedestrian traffic.

2. Contracted Services Signs and Home Builder Identification Signs

Signs on private property displaying contracted services are currently not permitted under Chapter 693, despite their presence in Toronto. Staff recommend introducing regulations for the use of these signs. This will provide clarity to residents and industry members who wish to erect these sign types, while preventing clutter and ensuring the safety of those sharing the space around where the signs are located. Further, this approach aligns with the City's inter-divisional Residential Infill Strategy, led by Toronto Building, which aims to minimize the negative impacts of residential construction.

Regulations are proposed for the following two new temporary sign types:

- a. Contracted Services Signs; and**
- b. Home Builder Identification Signs.**

In July and August 2018, the inter-divisional Targeted Inspection and Enforcement Program benchmarked the state of signs on residential infill construction sites. This was undertaken in response to Council direction to review the number, size, and placement of signs on construction sites. Toronto Building staff visited 796 sites in areas of Toronto with high infill activity (former Wards 5, 6, 16, 23, 25, 29, 31, 32, and 36). Inspectors identified at least one temporary construction-related sign on 451 of the 796 sites visited, with an average of 3.61 signs per site. The average aggregate area of the signs was 2.61 square metres.

Consistent with the benchmarking exercise in 2018, the proposed regulations, if adopted, would allow a property with construction-related activity to have a maximum of one Home Builder Identification Sign (maximum area 1.5 square metres) and up to three Contracted Services Signs (maximum area of 0.37 square metres each), for a total number of 4 signs per site and a maximum area of 2.61 square metres. Home Builder Identification Signs would need to be removed within 30 days of having been granted occupancy or passing an interior final inspection. Similarly, Contracted Services Signs would need to be removed within 30 days of the work being completed.

The proposed definitions and detailed regulations for each sign type are detailed below.

a. Contracted Services Signs

This report recommends introducing regulations to allow one sign per contractor, with a maximum of three signs per property, which identifies the contractor involved in undertaking work at a property.

It is recommended that this sign type be called a "Contracted Services Sign" and be defined as "a sign advertising a contractor who repairs, renovates or landscapes a property."

The following regulations are recommended for Contracted Services Signs:

- **General:** these signs would not require a permit; however, the sign must be entirely on private property, consent of the owner or occupant of the property is required, and only one sign per contractor would be allowed with a maximum of three Contracted Services Signs per property.
- **Physical Nature:** A Contracted Services Sign would only be allowed to display content related to a service underway or completed at the property. Each sign can only have two sign faces and no sign face can be larger than 0.37 square metres in area. Signs would have a maximum height and width of 0.61 metres. The sign must be clean, in good repair, and free of graffiti.
- **Safety:** Contracted Services Signs cannot: impede the view of a vehicular access point or any location which requires a sight triangle; be within 0.37 metres of a sidewalk; pose a risk to the safety of any person, or have elements that pose a risk of distraction (such as being animated, illuminated, or emitting sound).
- **Display Period:** Signs may only be displayed once the contracted service has begun and must be removed 30 days after the work has been complete.

Rationale

Staff recommend allowing Contracted Services Signs and regulating their size, placement, and display period. This sign type may include home improvement activities that do not require a building permit. Staff are aware that contractors, including those in the landscape, roofing, and window installation industries, use these signs throughout Toronto. And staff heard through the consultation process that these signs are an important tool for businesses to advertise their work.

The number of service requests related to signs on construction sites is low when compared with the total number of service requests MLS receives. Service requests related to these types of signs are usually regarding their presence, and not specifically regarding the size or display period. Allowing these signs and implementing reasonable regulations would provide clarity to residents and businesses.

Continuing to prohibit these sign types would require additional and sustained enforcement resources to effectively enforce against them. Instead, allowing these signs with specific regulations on size, location, and display period will balance the aims of preventing clutter and reducing distractions to passing motorists with the desire of residents and the industry to participate in this form of advertising on private property.

The proposed regulations related to sign location and design mirror those of other temporary sign types regulated under Chapter 693, Article III. Regulations related to the display period, area, height, and width were determined based on feedback from residents and the industry. For example, staff heard that the most common size for this sign type is 16 inches x 24 inches, which is approximately 0.25 square metres. To corroborate this, staff reviewed the websites of lawn sign providers and found that the most common sizes were 24 inches in width, and generally between 16 and 24 inches in height. As a result, staff recommend that the maximum size of a Contracted Services Sign be 0.61 metres (24 inches) in both height and width. This would correspond to a maximum area of 0.37 square metres. Contracted Services Signs that do not comply with the By-law's regulations could be subject to enforcement action by MLS, including removing the sign and/or charging the sign owner with an offence.

At the public consultation meeting, staff heard that enforceability is a key concern and, as a result, regulations should be reasonable and provide the City with the tools to address those who erect an excessive number of signs, signs that are unreasonably large, and signs that pose a risk to public safety.

In the jurisdictional scan, six of the eleven jurisdictions allow contractor signs, sometimes called trade signs. The regulations that these jurisdictions have mirror those recommended in this report. These include limiting the number of signs per property, restricting the sign size and display period, and having minimum setback requirements.

b. Home Builder Identification Signs

This report recommends amending Chapter 693 to allow one sign per property related to the construction or renovation of a residence that provides information about the project and identifies the business undertaking the construction or renovation work.

It is recommended that this sign type be called a "Home Builder Identification Sign" and be defined as "a sign identifying the builder or renovator involved in the renovation or construction of a residential building or related structure."

The following regulations are recommended for Home Builder Identification Signs:

- **General:** Home Builder Identification Signs would not require a permit; however, the sign must be located on private property, consent of the owner or occupant of the property is required, and only one sign per property would be allowed.
- **Physical Nature:** Home Builder Identification Signs can only display information related to the builder or renovator responsible for undertaking work on a residential building or related structure. Each sign can only have two sign faces and no sign face can be larger than 1.5 square metres in area. The sign must be clean, in good repair, and free of graffiti.
- **Safety:** Like other signs, Home Builder Identification Signs cannot: impede the view of a vehicular access point or any location which requires a sight triangle; be within 0.37 metres of a sidewalk; pose a risk to the safety of any person, or have elements that pose a risk of distraction (such as being animated, illuminated, or emitting sound).

- **Display Period:** The sign may only be displayed once the work has begun and must be removed within 30 days of Toronto Building granting occupancy or having passed an interior final inspection.

Rationale

As with Contracted Services Signs, the number of service requests received related to these signs is low. Implementing reasonable regulations related to size, location, and display period would provide clarity to homeowners and the industry, and allow the City to intervene in cases where signs are unreasonably large or do not adhere to any of the other specified regulations related to neighbourhood impact or public safety.

Providing specific regulations on the number of signs, as well as display period, size, and location of these signs balances benefits to businesses with maintaining the character of a neighbourhood and ensuring the safety of those sharing the space where the signs are located. A sign that does not comply with the By-law could be subject to enforcement action by MLS, including removing the sign and/or charging the sign owner with an offence. In public consultation, staff heard that some neighbourhoods may benefit from these signs as residents are able to identify the businesses undertaking the work and contact them regarding any concerns.

In a jurisdictional scan, nine of the eleven municipalities allow these types of signs. Although different names are used, the regulations are typically similar. These include prohibiting the sign from being within a sight triangle, restricting the maximum height (varies, generally no higher than 1.5 metres above grade), limiting the display period (ranging between immediately once the project is complete to 60 days after the project's completion), and specifying a maximum sign area (generally between 1.0 and 1.5 square metres in residential areas).

3. Advocacy Signs

Temporary sign for the purpose of displaying non-commercial civic participation messages are not currently permitted under the By-law. This report recommends amending the By-law to establish regulations for the display of temporary advocacy signs on private property. An example would be the signs that supported the campaign for clean trains on the Georgetown GO Transit Line, referenced in the 2013 City Council directive to staff (link provided in the Decision History section of this report).

It is recommended that this sign type be called an "Advocacy Sign" and be defined as "a sign that advances a point of view and is not for a commercial purpose, not including an election sign."

The following regulations are recommended for Advocacy Signs:

- **General:** Advocacy Signs would not require a permit; however, the sign must be entirely on private property, consent of the owner or occupant of the property is required, and only one sign per property would be allowed.
- **Physical Nature:** An Advocacy Sign can only have two sign faces and no sign face can be larger than 1.2 square metres in area. The sign must be clean, in good repair, and free of graffiti.

- **Safety:** Advocacy Signs cannot: impede the view of a vehicular access point or any location which requires a sight triangle; be within 0.37 metres of a sidewalk; pose a risk to the safety of any person, or have elements that pose a risk of distraction (such as being animated, illuminated, or emitting sound).

Rationale

The proposed regulations prescribe the size of these signs, limit the number permitted on a property, and ensure that they do not constitute a safety hazard. This balances the City's interest in allowing residents to be engaged on issues in this way with its need to consider the impact these signs can have on the character of a neighbourhood and on the safety of those sharing the space where the signs are located.

A prohibition on the display of temporary signs containing non-commercial content on properties zoned residential may be considered an infringement on an individual's right under the Canadian Charter of Rights and Freedoms to express themselves. The City has, as with various other types of temporary signs, implemented reasonable regulations that balance the rights of expression with other important 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 are consistent with the regulations for other types of temporary signs. For example, regulations related to size mirror the regulations for election signs on private property. In addition, Advocacy Signs would be subject to the general requirements for temporary signs, including a setback distance of 0.37 metres, a ban on elements that pose a risk of distraction, and a requirement that signs be clean, in good repair, and free of graffiti. Advocacy Signs that do not comply with the By-law's regulations could be subject to enforcement action by MLS, including removing the sign and/or charging the sign owner with an offence.

Through the public consultation process, staff heard general support for establishing regulations to allow these types of signs. Attendees commented on the need for reasonable regulations on display time, size, and setback distances from the sidewalk. Staff heard that regulations for these signs should prohibit the signs from emitting both light and noise, and should be clear and enforceable.

In a jurisdictional scan, four of the eleven municipalities examined (Calgary, Ottawa, Surrey, and Vancouver) specifically allow these types of signs without the need for authorization from the municipality. The level of regulation varies, with Calgary's being the most permissive and Surrey being the most restrictive. In general, Calgary allows residents to erect one sign that is up to 1.0 square metres in area on properties with a residence. Surrey limits the signs to a maximum of 0.2 square metres and a height above grade of 1.0 metres.

4. Other Recommended By-law Amendments

Additional proposed amendments and corresponding rationale are provided in Table 5. These amendments respond to considerations that arose through the review process, including the public consultation process and interdivisional discussions.

Table 5: Additional proposed amendments and rationale

PROPOSED AMENDMENT	RATIONALE
<p>Open House Signs Allow open house signs to be erected up to 2 hours before the start of the open house, require that they be removed within 2 hours of when the open house is no longer operating, and limit the number of open house signs to six per advertised property.</p>	<p>The By-law currently allows open house signs to be displayed only during the hours that the open house takes place. Staff heard that this requirement is not practical for the industry and difficult to enforce. Staff heard from the industry that two hours before and after the open house would be more reasonable.</p> <p>The By-law does not currently limit the number of open house signs per advertised property. Limiting this to six per advertised property would balance the interest of the real estate industry to advertise its business with the need to limit the proliferation of these sign types in Toronto. This is intended to address circumstances where an unreasonable number of open house signs are erected in a particular area.</p> <p>Other jurisdictions have responded to the proliferation of open house signs, including limiting the number of signs. Ottawa does not allow more than one sign from each approaching direction. Oakville limits the number of open house signs to five per property for sale.</p>
<p>Lettering on Mobile Signs Remove the requirement that mobile signs have only black and white lettering.</p>	<p>The By-law currently only allows black and white content on mobile signs. Staff recommend that this prescriptive requirement be removed to provide those who use mobile signs to advertise with increased flexibility. It is not anticipated that allowing mobile signs to include colour in their content would impact public safety or increase the risk of distraction.</p> <p>In a jurisdictional scan, only one of the eleven municipalities (Mississauga) also restricts the colour of lettering on mobile signs.</p>
<p>Location Requirements for Mobile Signs Remove the requirement that mobile signs be located in front of the business that the sign is advertising and instead specify that the sign must be on the property in which the business is located.</p>	<p>Currently, mobile signs must be located in front of the business that the sign is advertising. Through the consultation process, staff heard that there are businesses in Toronto who are unable to use this type of advertising because of the location of their business. For example, if the driveway entrance to a plaza is directly in front of their business, the business owner would be unable to use mobile signs to advertise. This proposed change would allow the business to advertise on the property.</p> <p>All other requirements, including that the sign be entirely on private property, that it cannot be displayed on vacant land, and that permission from the landowner be provided before a permit is issued would remain.</p>

PROPOSED AMENDMENT	RATIONALE
<p>Construction Hoarding Signs Remove construction hoarding sign provisions from Article III and establish them within the Chapter 693 Article containing sign types administered by the General Manager, Transportation Services.</p>	<p>The provisions governing signage on construction hoarding are currently housed within Article III. MLS enforces all aspects of Article III with the exception of construction hoarding signs. These are enforced by Transportation Services.</p> <p>To improve clarity for residents and businesses, it is recommended that these provisions be added to the Article that includes vehicular destination signs and neighbourhood and business area identification signs, both of which also are administered by the General Manager, Transportation Services. This will provide a consistent streamlined application process for all construction hoarding applications including high-rise development and residential infill projects. In addition, staff will continue to seek opportunities for compliance through enhanced communication and enforcement measures.</p>
<p>Alignment with Chapter 742, Cafés, Parklets and Marketing Displays Add the prohibition in Chapter 742 (742-8.5) on an A-frame or portable sign being displayed where a small frontage café or small marketing display has been installed and the building frontage is 6-metres or less.</p>	<p>Chapter 742, Cafés, Parklets and Marketing Displays, currently contains this provision and all A-frame and portable signs are currently subject to it. Amending Chapter 693 to include this would ensure that all regulations pertaining to A-frame and portable signs are housed within the same by-law. This supports this report's aim of improving the readability of the by-law governing temporary signs.</p> <p>This amendment is intended to balance competing demands for sidewalk space. If the building frontage is less than 6-metres, there would be insufficient space for a small frontage café or small marketing display and an A-frame sign.</p>
<p>Cafés and Marketing Displays: A-frame and Portable Sign Locations Prohibit businesses with a permit for a café or marketing display from locating an A-frame or portable sign outside of the permitted area.</p>	<p>The current provision in Chapter 693 concerning this (Section 693-19C(5)) was written before Chapter 742, Cafés, Parklets and Marketing Displays came into effect. Chapter 742 allows permits for cafés and marketing displays to be issued at curbside, on the street (e.g. parklet café), and they can also extend across a neighbouring frontage.</p> <p>This technical amendment will update Chapter 693 to reflect the intent of the newly-created Chapter 742. That is, to ensure that A-frame and portable signs remain within the permit area, regardless of the location of the café or marketing display.</p>

PROPOSED AMENDMENT	RATIONALE
<p>Sign Storage Remove the storage period requirement for signs, except election signs.</p>	<p>The By-law currently requires that the City store any unlawful signs that have been removed for various period of time ranging up to thirty days. A considerable amount of staff time is spent taking an inventory of these signs, as well as storing, retrieving, and disposing of these signs. Through consultations, staff heard that the cost-recovery enforcement fees are often higher than the value of the sign and that this acts as a deterrent to collecting the signs.</p> <p>Staff recommend removing the requirement that these signs be stored for thirty days and instead operationalize appropriate notice and storage periods depending on sign type and value of the sign type. Any signs not claimed would be recycled or disposed of, as appropriate.</p>
<p>Renaming Chapter 693 Specify that the title of Chapter 693 is "Signs, Election and Temporary".</p>	<p>Chapter 693 includes regulations for election signs, temporary signs, and posters on public property and is currently titled "Chapter 693, Signs". However, Chapter 694 is titled "Chapter 694, Signs, General". Staff recommend updating the title of Chapter 693 to specify the contents of Chapter 693 in order to differentiate the two by-laws.</p>
<p>Distances from Sidewalks and Highways Align regulations for temporary signs by specifying that they be no closer than 0.37 metres from a sidewalk or where there is no sidewalk, 0.37 metres from the highway, except in accordance with a sign permit.</p>	<p>The general requirements in Article III specify that temporary signs must be no closer than 1.0 metre from sidewalks and highways, unless otherwise permitted. However, A-frame, portable, and mobile signs all require a permit and would not be subject to this. Likewise, the By-law allows real estate signs and open house signs to be no closer than 0.30 metres. Garage sale signs, though, are subject to the 1.0 metre requirement. This has resulted in a by-law that is difficult to navigate and understand for those wishing to be compliant.</p> <p>To simplify regulations, this report recommends updating the requirement so that, except in accordance with a sign permit, temporary signs be no closer than 0.37 metres from a sidewalk or where there is no sidewalk, 0.37 metres from the travelled portion of the highway. This corresponds to approximately 24" (2 feet) from sidewalks and highways.</p>
<p>Fine and Enforcement Provisions Amend the fine and enforcement provisions in Chapter 693 to reflect the authorities available under the <i>City of Toronto Act, 2006</i>.</p>	<p>This will align the enforcement abilities under this bylaw with those available to City staff in other recently modernized bylaws, including:</p> <ul style="list-style-type: none"> - Chapter 354, Apartment Buildings; - Chapter 417, Dust; and - Chapter 447, Fences.

PROPOSED AMENDMENT	RATIONALE
<p>Repeal Section 694-6A(6) of Chapter 694 Remove the sign type under Chapter 694 which will be regulated as a Home Builder Identification sign under Chapter 693.</p>	<p>The Toronto Municipal Code Chapter 694 exempts signs displaying the name of the owner, contractor, consultant or any other party affiliated with construction or demolition of a building from requiring a permit, provided they do not exceed 5.2 square metres and are removed immediately upon the completion or discontinuation of the work.</p> <p>The amendments proposed in this report would allow Contracted Services Signs and Home Builder Identification signs as a temporary sign type with specific regulations. In order to address the overlap between Chapter 693 and Chapter 694 and ensure enforceability, it is recommended that this section of Chapter 694 be repealed.</p>
<p>Enforcement Fees Delete redundant fees and direct that the applicable fees be updated and indexed to the Consumer Price Index as detailed in Attachment 1.</p>	<p>Chapter 441, Fees contains fees removal, retrieval, storage, and disposal of each unique temporary sign type, as well as these fees for temporary signs in general. To simplify this, staff recommend deleting the fees that are specific to each temporary sign type and instead have a single fee for of any type of temporary sign. Staff also recommend having these fees be indexed to the Consumer Price Index, as detailed in the Financial Impact section and Attachment 1.</p>
<p>Portable Sign Fees Direct that the cost of a portable sign permit application and renewal be identical to that of an A-frame sign.</p>	<p>Portable signs are similar to A-frame signs, but instead have a rigid base that allows them to be free-standing. Under the By-law, the permit requirements for both A-frame and portable signs are nearly identical. In addition, the enforcement efforts required for these signs are similar. However, a portable sign permit costs \$230.86, whereas an A-frame sign permit costs \$109.66. Considering this, staff recommend aligning the fees. Historically, the number of portable permits issued is low and no impact to the budget is expected, as detailed in the Financial Impact section.</p> <p>Further, the By-law allows A-frame signs to be a maximum length of 0.75 metres, whereas portable signs are only permitted to be up to 0.6 metres wide. Reducing the permit cost of portable signs may also have the benefit of encouraging business owners to choose signs that occupy less space.</p>

PROPOSED AMENDMENT	RATIONALE
<p>Authority to Improve Readability of the By-law Provide the City Solicitor, City Clerk, and Executive Director, MLS with authority to re-structure, consolidate, and simplify requirements to improve the readability of Chapter 693, and update Chapter 27, Council Procedures accordingly.</p>	<p>Through the review process, a number of opportunities to further simplify the By-law and make the contents more accessible to the general public have been identified. It is expected that the updated by-law will be distinctly different than its current form and will be significantly easier to navigate and understand. A draft of the updated by-law is provided in Attachment 2.</p> <p>This recommendation gives the City Solicitor, City Clerk, and the Executive Director, Municipal Licensing and Standards the authority to review Chapter 693 in its entirety and re-structure, consolidate, and simplify the By-law. These changes would include adding a section setting out the scope of the by-law, consolidating the general restrictions that apply to all signs, and setting out more clearly the location requirements and specific requirements that apply to all sign types.</p> <p>This does not provide staff with the authority to change the contents or regulations in the By-law.</p>

IMPLEMENTATION

It is recommended that any by-law amendments approved by City Council become effective as of January 6, 2020. This will provide staff with time to conduct industry outreach, undertake staff training, and update public-facing information. This will include making updates to the City's website to allow users to readily locate specific regulations and submit service requests. In addition, MLS will focus on enforcement of the provisions related to Contracted Services Signs and Home Builder Identification Signs through the Residential Infill Strategy's Targeted Inspection and Enforcement Program.

GRAPHIC SIGNS ON THE CITY'S RIGHT-OF-WAY

Background

On July 23, 2018, Toronto City Council adopted member motion [MM44.35: Use of the Public Right of Way for Display of Graphic Images](#), which directed staff in Transportation Services to provide a report on current by-laws intended to prevent interference with the public right-of-way caused by the display of temporary signs that contain graphic images. The member motion describes these signs as containing "graphic and/or disturbing images which appear to be intended to shock, alarm, or cause dismay".

On December 5, 2017, Toronto City Council adopted [MM35.10: Distribution and Display of Graphic Images](#), which directed staff in MLS and Transportation Services to provide a report on options to regulate:

- a. the distribution of print materials to private residences; and
- b. temporary signs that contain graphic images on the City's right-of-way.

Staff Response

Obstruction of the Right-of-Way: Transportation Services does not regulate the content of temporary signs on the Right-of-Way which are believed to contain graphic images intended to shock, alarm or dismay. However, Chapter 743-9 does state that no person shall obstruct, encumber, damage, foul, or cause or permit the obstructing, encumbering, damaging or fouling of any street, or install or place any unauthorized encroachment, object, article or thing, on, over, along, across, under, or in a street except as permitted under Chapter 743 or any other City By-law. This provision can be enforced when the right-of-way is obstructed.

Distribution of Print Materials to Private Residences: The City of Toronto does not regulate the content or distribution of print materials to private residences. However, staff understand that various groups and individuals have encouraged property owners to use trespass notices to address this issue, prohibiting organizations from entering on their property to deliver unwanted print materials.

Regulating Temporary Sign Content: Staff have begun to assess options to regulate temporary sign content. Through the consultation process, staff received a considerable amount of feedback related to sign content. This includes over 800 emails regarding signs that contain either graphic images or may contain inaccurate or misleading information. Some of those emails supported signs containing graphic images while some indicated concern about these signs and/or signs containing inaccurate or misleading information. Further work needs to be done to review these emails and evaluate recent developments in Canada with respect to the display of graphic images and inaccurate/misleading information in the public realm. It is expected that staff will be in a position to report back to the appropriate committee in the second quarter of 2020.

CONTACT

Elizabeth Glibbery, Interim Director, Investigation Services, Municipal Licensing and Standards, 416.392.7633, Elizabeth.Glibbery@toronto.ca

SIGNATURE

Carleton Grant
Executive Director, Municipal Licensing and Standards

ATTACHMENTS

Attachment 1 - Recommended Updates to Chapter 441, Fees

Attachment 2 - Draft Updated Toronto Municipal Code Chapter 693