

PH9.3 Attachment 2

Attachment 2 - Draft Updated Toronto Municipal Code Chapter 693

TORONTO MUNICIPAL CODE CHAPTER 693, SIGNS, ELECTION AND TEMPORARY

Chapter 693

SIGNS, ELECTION AND TEMPORARY

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ARTICLE 1
General Provisions

§ 693-1.1. Definitions.

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

A. General definitions.

ARTERIAL ROAD - A highway that is designated as a minor or major arterial road in the City's road classification system.

BOULEVARD - The untravelled portion of a highway, but does not include a median or sidewalk.

BUSINESS OPERATOR - A person who operates, manages or controls any premises in which services or materials are provided in pursuance of commercial, industrial or professional activities.

BUSINESS OWNER - Includes a person who possesses or occupies or has the right to possess or occupy any premises in which services or materials are provided in pursuance of commercial, industrial or professional activities.

CHARITY - A registered charity, as defined in subsection 248(1) of the federal Income Tax Act, which has a registration number issued by the Canada Revenue Agency.

CITY – City of Toronto.

COLLECTOR ROAD - A highway that is designated as a collector road in the City's road classification system.

COMMUNITY ORGANIZATION - A non-profit group of persons organized for the advancement of activities of a civic, cultural or recreational nature.

COUNCIL – Council of the City of Toronto and "Community Council" means a Community Council of the City of Toronto.

DEVELOPMENT -

- (1) The construction or placing of one or more buildings or structures on property;
- (2) The making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability of the building or structure;
or
- (3) The redevelopment of property through the removal of one or more buildings or structures to permit such development.

DISPLAY – In any form, "display" includes "erect" and "locate".

EXECUTIVE DIRECTOR - The Executive Director of Municipal Licensing and Standards and their designate or successor.

GENERAL MANAGER – The General Manager of Transportation Services and their designate or successor.

HIGHWAY - A common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway.

ILLUMINATED – In any form, "illuminated" means lighting of the sign by artificial means.

LOCAL ROAD - Any highway that is not designated as a major arterial, minor arterial or collector road in the City's road classification system.

MEDIAN – Includes a centre boulevard and traffic island.

OFFICIAL SIGN - A sign required by and displayed under federal, provincial or City authority or the authority of a federal, provincial or City agency, board or corporation.

PUBLIC PROPERTY -

- (1) Property owned by or under the control of the City of Toronto or any of its agencies or boards, including highways and public utility poles, bus shelters, municipal waste containers or structures on highways whether or not they are owned by or under the control of the City.
- (2) Public property does not include:
 - (a) Property owned by a corporation of which the City is the sole shareholder;
or
 - (b) Property owned by the City and leased to another person or entity for a period of 21 years or longer.

PUBLIC UTILITY POLE - A pole owned or controlled by an entity which provides a municipal or public utility service, including the City, Bell Canada, Enbridge Consumers Gas, Toronto Hydro, Hydro One, Inc., and any of their subsidiaries.

RELIGIOUS INSTITUTION - An association of persons that is registered as a charity under the federal Income Tax Act and is organized for the advancement of religion and for the conduct of religious worship.

RESIDENTIAL PROPERTY – Property that is zoned residential.

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

SIGN OWNER – Includes a person:

- (1) Described on the sign;
- (2) Whose name and address or telephone number appears on a sign;
- (3) Who is the sign provider;
- (4) Who installed a sign;
- (5) Who is in lawful control of a sign; or
- (6) Who benefits from the message on a sign.

SIGN PERMIT IDENTIFIER - An attachment issued by the City signifying the issuance of a sign permit under this chapter.

SIGN PROVIDER - A person who carries on the business of:

- (1) Installing temporary signs on behalf of others; or
- (2) Leasing or renting signs to others.

SCHOOL - A "school" or a "private school" as defined under the Education Act.

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

ZONE – In any form, "zone" means a zone established in zoning by-laws of the City and includes all special exceptions to a zone.

B. Election sign definitions – Article 3.

CAMPAIGN OFFICE - A building or portion of a building which is used by a candidate or an agent of a candidate as part of an election campaign and where a candidate's campaign staff are normally present and the public may enter to obtain information regarding the candidate.

CAMPAIGN OFFICE SIGN - A sign containing sign copy which only identifies the name of a candidate in a federal, provincial or municipal election and the location of a candidate's campaign office.

CANDIDATE - A person who is running or has expressed an intention to run in a municipal, provincial or federal election including a person seeking to influence other persons to vote for or against any candidate or any question or by-law submitted to the electors under section 8 of the Municipal Elections Act, 1996.

ELECTION SIGN - A sign which has been displayed with the authorization, direction or involvement of a candidate:

- (1) Advertising or promoting a candidate in a federal, provincial or municipal election, including an election of a local board or commission; or
- (2) Intended to influence persons to vote for or against any candidate or any question or bylaw submitted to the electors under section 8 of the Municipal Elections Act, 1996.

OUTSIDER ELECTION SIGN - An election sign which has been displayed without the authorization, direction or involvement of a candidate.

REGISTERED THIRD PARTY – An individual, corporation or trade union that is registered under section 88.6 of the Municipal Elections Act, 1996.

STATION ADVERTISING SPACE - A TTC dedicated advertising space located on part of the property owned by or under the control of the Toronto Transit Commission constituting a subway station.

STREET INSTALLATION DEDICATED ADVERTISING SPACE - An area approved and designated by the City for the purpose of displaying any colour, form, graphic, illumination, symbol or writing to convey information of any kind to the public, including the display of an advertisement, bill, handbill, leaflet, flyer or placard. A street installation dedicated advertising space includes a bus shelter and a municipal waste container located on a highway owned by or under the control of the City.

TTC DEDICATED ADVERTISING SPACE - A location or structure, located on property owned by or under the control of the Toronto Transit Commission, approved and designated by the Toronto Transit Commission for the purpose of displaying any colour, form, graphic, illumination, symbol or writing to convey information of any kind to the public, including the display of an advertisement, bill, handbill, leaflet, flyer or placard. A

TTC dedicated advertising space includes a station advertising space and a vehicle advertising space.

TTC VEHICLE - Motorized transportation equipment operated by or on behalf of the TTC including buses, streetcars, rapid transit trains, subway trains, light rail vehicles, wheel-trans vehicles and automobiles.

VEHICLE ADVERTISING SPACE - A TTC dedicated advertising space located in or on a TTC vehicle.

C. Temporary sign definitions – Article 4

A-FRAME SIGN - A rigid self-supporting free-standing moveable sign structure shaped like an "A".

ADVOCACY SIGN – A sign that advances a point of view and is not for a commercial purpose, not including an election sign.

CONTRACTED SERVICES SIGN – A sign advertising a contractor who repairs, renovates or landscapes a premises.

GARAGE SALE SIGN - A sign advertising the sale of merchandise in a private sale held on a residential property.

HOME BUILDER IDENTIFICATION SIGN – A sign identifying the builder or renovator who constructs or renovates a residential building or related structure.

MOBILE SIGN:

A sign that is:

- (1) Designed for the rearrangement of copy on the sign face; and
- (2) Part of, or attached to, a readily re-locatable wheeled trailer or frame without wheels,

but does not include a sign attached to a vehicle where the principal use of that vehicle is the transportation of people, goods or other materials.

OPEN HOUSE DIRECTIONAL SIGN - A sign directing traffic to a residential property for sale or lease.

PEDESTRIAN CLEARWAY - An unobstructed, straight and continuous path of sidewalk which:

- (1) Provides passage for pedestrians or individuals using mobility devices for the entire length of the sidewalk;
- (2) Provides access to any City-approved installation located on the sidewalk; and
- (3) Is adjacent to the street line.

PORTABLE SIGN - A rigid self-supporting free-standing moveable sign, but excludes an A-frame sign.

REAL ESTATE SIGN - A sign advertising the sale, rent or lease of a property or premises on a property.

SIGHT TRIANGLE:

- (1) In the case of a corner property, the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 7.5 metres measured along the highway from the point of intersection of the street lines where the street is a collector road, and 15 metres, where the highway is a major or arterial road;
- (2) A sight triangle that is set out in a site plan agreement; or
- (3) A sight triangle otherwise approved by the City.

TEMPORARY SIGN – A portable sign, A-frame sign, mobile sign, advocacy sign, contracted services sign, real estate sign, home builder identification sign, open house directional sign and garage sale sign. A temporary sign does not include a third party sign, an election sign, a poster, a neighbourhood and business area identification sign, a vehicular destination sign or a construction hoarding sign.

D. Poster definitions – Article 5

COMMUNITY POSTER - A poster identifying missing persons, pets or items, or promoting citizen participation in religious, civic, charitable, or non-profit activities such as advertising festivals, community events, local artistic and cultural events, local community services, or advancing a point of view and is not for a commercial purpose.

KIOSK - A structure, approved by the General Manager, that is placed on a highway for the purpose of posting posters and includes a poster board, a designated wall or other designated locations.

POSTER - A printed notice including an advertisement, bill, handbill, leaflet, flyer or placard.

E. Vehicular destination sign, neighbourhood and business area identification sign and construction hoarding sign definitions – Article 6

CONSTRUCTION HOARDING - Any temporary wall and related structures which form a continuous construction site enclosure and are erected for the purpose of site protection, including any covered sidewalks, scaffolding or fencing temporary required as a result of safety requirements imposed by provincial or federal legislation or regulation.

CONSTRUCTION HOARDING SIGN - A sign which is displayed on construction hoarding located on public property, in whole or in part.

NEIGHBOURHOOD AND BUSINESS AREA IDENTIFICATION SIGN - A sign on a highway that is intended to assist people in identifying and locating a unique commercial area, community or neighbourhood.

SIGN COPY QUESTION - Any question about the content proposed to be displayed on a sign face, including choices of colours, graphics, logos, symbols, words, numerical figures, text, images, messages, pictures, or a combination of these which are proposed to be displayed on a sign face.

VEHICULAR DESTINATION SIGN - A sign or series of signs on a highway that is intended to provide drivers with information and directions to a specific or geographical destination in the City.

§ 693-1.2. Scope.

This chapter is intended to regulate all signs in the City with the exception of:

- (1) Signs governed by Chapter 694, Signs, Permanent.

- (2) Signs displayed wholly within the public right of way on structures, elements, or fixtures provided by or on behalf of the City and governed by an agreement with the City;
- (3) Banner signs and pennants displayed in accordance with an approval granted by the City's Transportation Services Division;
- (4) Signs displayed by the Toronto Transit Commission to identify transit stops;
- (5) Signs associated with special events and functions displayed in accordance with an approval granted by the City's Economic Development and Culture Division;
- (6) Signs expressly permitted under a film permit issued in accordance with Chapter 459, Filming;
- (7) A sign within a building;
- (8) Signs regulating traffic; and
- (9) Official signs.

§ 693-1.3. Interpretation

- A. For the purposes of this chapter, there may be more than one owner of a sign.
- B. A person shall be deemed to be displaying a sign if that person is the sign owner.
- C. All other City by-laws continue to apply to signs. Where the provisions of this chapter are in conflict with any other by-law applicable to signs, this chapter shall prevail to the extent of the conflict.

§ 693-1.4. General Restrictions

No person shall display or permit to be displayed a sign if:

- (1) A sign permit, if required under this chapter, has not been obtained;
- (2) The sign is not in compliance with this chapter including with any general, location or specific requirement for a sign that is specifically permitted under this chapter;
- (3) The sign is not specifically permitted under this chapter;
- (4) The sign is on or partly on the median or travelled portion of the highway;

- (5) The sign interferes with the safe operation of motor vehicular traffic, or the safety of cyclists or pedestrians;
- (6) The sign obstructs visibility or block sightlines by impeding a pedestrian's or driver's view of an intersection or a vehicular access point;
- (7) The sign is on any traffic signal or traffic control device;
- (8) If the sign is permitted to be secured to the ground or otherwise, the sign is secured in a manner that prevents the sign from being readily moved;
- (9) The sign interferes with or causes damage to underground or aboveground services;
- (10) The sign obstructs the City from entering the highway or any portion of it for the purposes of snow removal or any maintenance, installation or repair;
- (11) The sign is animated, contains any video display elements, is illuminated, has flashing lights, emits sound, moves or simulates motion or has any attachments adding to its height or width that result in the sign being larger than the dimensions required under this chapter;
- (12) The sign is not maintained in a proper state of repair, becomes unsightly, becomes structurally inadequate or faulty, or could be hazardous to a pedestrian or driver;
- (13) The removal of the sign has been ordered or otherwise directed under this chapter;
- (14) The sign bears or displays the City logo, crest or seal in whole or in part, without the express written permission of the City; or
- (15) The sign does not comply with all applicable City by-laws, federal or provincial statutes or regulations.

ARTICLE 2 Third-Party Signs

§ 693-2.1. Definitions.

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

HIGHWAY - Includes the area between the lateral property lines of the highway.

SIGN - Any device, structure or medium that uses any colour, form, graphic, illumination, symbol or writing to convey information of any kind to the public.

THIRD-PARTY SIGN – Any sign other than one which is intended to advertise or promote a business, product or service of the owner or occupant of the land on which the sign is located but does not include the following:

- (1) A sign which advertises for sale the property on which it is located.
- (2) A direction sign at each point of ingress or egress from the land.

§ 693-2.2. Use prohibited near portions of certain highways.

No person shall erect or use any third-party signs, other than vehicular destination signs or neighbourhood and business area identification signs approved by the General Manager, in accordance with Article 6, on any of the lands within 400 metres of any limit of the following sections of highway:

- (1) F.G. Gardiner Expressway from Highway 427 to the Humber River, transferred from the Province by Order in Council 534/97.
- (2) Highway 27 from Highway 401 to Steeles Avenue, transferred from the Province by Order in Council 535/97.
- (3) Highway 2A from Highway 401 to Old Highway 2 (Kingston Road), and Highway 2 from Highway 401 to the City of Toronto and Durham boundary, transferred from the Province by Order in Council 647/97.
- (4) The portion of Highway 427 referred to as "Eglinton Avenue," from The East Mall to a point 0.5 kilometre east, and transferred from the Province by Order in Council 533/97.

§ 693-2.3. Applicability of other by-law provisions.

With the exception of those by-law provisions relating to third-party signs, all other by-laws of the City shall continue to apply to the lands described in § 693-2.1.

§ 693-2.4. Conflicting provisions.

Where this article conflicts with any other by-law, this article prevails to the extent of the conflict.

ARTICLE 3 Election Signs

§ 693-3.1. Election signs on public property.

- A. An election sign may be displayed on public property if the sign is:
- (1) On a highway including a public utility pole located on a highway and:
 - (a) No larger than 1.2 square metres in area and no higher than two metres above ground level;
 - (b) Not located within 1.5 metres of the curb or the edge of pavement;
 - (c) On a highway with a sidewalk, not located within 0.6 metres of either side of the sidewalk;
 - (d) Not located within 15 metres of an intersection or pedestrian crossover of a collector road or arterial road and not located within 3 metres of an intersection or pedestrian crossover of a local road;
 - (e) Not displayed on or adjacent to a voting place, City park or a facility that is owned or operated by the City; and
 - (f) Displayed with the consent of the owner or occupant of the abutting property.
 - (2) On a structure, including a bus shelter and a municipal waste container, located on a highway if the sign and:

- (a) Permitted under the terms of an agreement between the owner or operator of the structure and the City or one of its agencies, boards or commissions:
 - (b) Not displayed on or adjacent to a voting place, City park or a facility that is owned or operated by the City.
- (3) On a TTC dedicated advertising space if the sign and:
- (a) Located on station advertising space as permitted under the terms of the agreement between the owner or operator of the station advertising space and the Toronto Transit Commission and is:
 - [1] Illuminated only in accordance with the terms of the agreement between the owner or operator of the station advertising space and the Toronto Transit Commission;
 - [2] No larger than 2.3 square metres in area;
 - [3] Not displayed on or adjacent to a voting place;
 - [4] Displayed with the consent of the Toronto Transit Commission;
 - (b) Located on vehicle advertising space as permitted under the terms of an agreement between the owner or operator of the vehicle advertising space and the Toronto Transit Commission and:
 - [1] Illuminated only in accordance with the terms of the agreement between the owner or operator of the vehicle advertising space and the Toronto Transit Commission;
 - [2] No larger than 2.7 square metres in area;
 - [3] Not displayed on or adjacent to a voting place; and
 - [4] Displayed with the consent of the Toronto Transit Commission.
- (4) On street installation dedicated advertising space and:
- (a) Permitted under the terms of an agreement between the owner or operator of the street installation dedicated advertising space and the City;

- (b) Illuminated only in accordance with the terms of the agreement between the owner or operator of the street installation dedicated advertising space and the City;
 - (c) No larger than the area of the street installation dedicated advertising space;
 - (d) Not displayed on or adjacent to a voting place;
 - (e) Displayed with the consent of the City and the street installation dedicated advertising space owner.
- (5) Sign copy on a third party sign and:
- (a) Operating in accordance with the requirements of the applicable permit issued under Chapter 694, Signs, or under the authority of a sign by-law passed by the City, former area municipality, or the former Municipality of Metropolitan Toronto, still in effect as of April 5, 2010; and
 - (b) Not displayed on or adjacent to a voting place.
- (6) Attached, painted or otherwise displayed on the surface of vehicles or trailers, located on public property and is not displayed on a vehicle or trailer that is parked, stopped or standing on or adjacent to a voting place, City park or facility that is owned or operated by the City.
- B. An outsider election sign may be displayed on public property if:
- (1) The sign complies with the requirements for election signs under § 693-3.1.A;
 - (2) The sign includes valid and up-to-date contact information for at least one individual responsible for the outsider election sign; and
 - (3) The third party advertiser responsible for the outsider election sign has registered with the City Clerk in accordance with the requirements of the Municipal Elections Act, 1996.

§ 693-3.2. Election signs on private property.

- A. An election sign may be displayed on private property if the sign is:
- (1) No larger than 1.2 square metres in area and no higher than two metres above ground level, except signs on campaign offices;
 - (2) Displayed with the consent of the owner or occupant of the property; and
 - (3) Sign copy on a third party sign:
 - (a) In accordance with the requirements of the applicable permit issued under Chapter 694, Signs: or
 - (b) Under the authority of a sign by-law passed by the City, former area municipality, or the former Municipality of Metropolitan Toronto, still in effect as of April 5, 2010.
- B. An outsider election sign may be displayed on private property if the sign complies with § 693-3.2.A and:
- (1) If the sign includes valid and up-to-date contact information for at least one individual responsible for the outsider election sign; and
 - (2) The third party advertiser has registered with the City Clerk in accordance with the requirements of the Municipal Elections Act, 1996.

§ 693-3.3. Timing.

- A. Election signs and outsider election signs shall not be displayed:
- (1) For a federal election or provincial election until the day the writ of election is issued;
 - (2) For a municipal election until 25 days prior to voting day.
- B. Despite § 693-3.3.A, where the day the writ of election is issued or the 25th day prior to voting day is a date of cultural or religious significance, election signs and outside elections signs shall not be displayed until the first day following that is not a date of cultural or religious significance.

- C. Election signs may be displayed on campaign offices from the day the writ of election is issued for a federal election or provincial election, and up to 25 days prior to voting day for a municipal election, provided that:
- (1) A candidate for the position of Councillor or Trustee may display election signs on no more than one campaign office in the ward where the candidate is running for election;
 - (2) A candidate for the position of Mayor may display election signs on no more than four campaign offices.
- D. Election signs and outsider election signs shall be removed within 72 hours after the completion of voting on voting day.

§ 693-3.4. Campaign office signs.

A campaign office sign may be displayed if:

- (1) The campaign office sign is a part of a sign structure displayed in accordance with the requirements of Chapter 694, Signs, that would otherwise apply to the sign structure; or
- (2) In accordance with the requirements of the applicable permit issued under the authority of the sign bylaw passed by the City, former area municipality, or the former Municipality of Metropolitan Toronto, still in effect as of April 5, 2010.

§ 693-3.5. Lawfully displayed election signs.

No person shall remove, alter or cause damage to a lawfully displayed election sign or outsider election sign except:

- (1) In the case of a sign displayed in accordance with § 693-3.1.A(1) (on a highway including a public utility pole located on a highway), with the consent of:
 - (a) The candidate to whom the sign relates or the owner or occupant of the abutting property; or
 - (b) The registered third party advertiser responsible for the outsider election sign.

- (2) In the case of a sign displayed in accordance with § 693-3.1.A(2) or (4) (on a structure, including a bus shelter and a municipal waste container located on a highway or on street installation dedicated advertising space), with the consent of:
 - (a) The candidate to whom the sign relates; or
 - (b) The City of Toronto.
- (3) In the case of a sign displayed in accordance with § 693-3.1.A(3) (on a TTC dedicated advertising space), with the consent of:
 - (a) The candidate to whom the sign relates; or
 - (b) The Toronto Transit Commission.
- (4) In the case of a sign displayed in accordance with § 693-3.2 (on private property), with the consent of:
 - (a) The candidate to whom the sign relates;
 - (b) The owner of the property on which the sign is displayed;
 - (c) The occupant of the property on which the sign is displayed;
 - (d) The registered third party advertiser responsible for the outsider election sign.

ARTICLE 4
Temporary Signs

§ 693-4.1. General requirements.

A. Temporary sign permit.

- (1) No person shall display or permit to be displayed a temporary sign on public or private property without obtaining a sign permit, except no sign permit is required for:
 - (a) A portable sign, A-frame sign or mobile sign displayed by a charity, religious institution, community organization or school under § 693-4.8.
 - (b) An A-frame sign displayed by a Ward Councillor under § 694-3.3;

- (c) An advocacy sign;
 - (d) A contracted services sign;
 - (e) A real estate sign;
 - (f) A home builder identification sign;
 - (g) An open house directional sign; or
 - (h) A garage sale sign.
- (2) An applicant for a sign permit including a renewal shall provide to the Executive Director the following information to process the sign permit:
- (a) The name and address of the sign owner and, if applicable, the sign provider;
 - (b) The name and address of the property owner or business owner or business operator applying for the permit, except if the applicant for an A-frame sign permit is not the property owner, written confirmation from the property owner that they have no objections to the proposed A-frame sign;
 - (c) The municipal address of the premises on which the sign is to be located;
 - (d) A site plan or survey, identifying the location of the sign on the premises;
 - (e) The commencement and termination dates for the placement of the sign;
 - (f) A contact name and number for the individual responsible for the sign and written authorization from the property owner or management company to permit the applicant to have the sign located and placed on the premises;
 - (g) A signed declaration acknowledging that if the sign contravenes this chapter, federal or provincial statutes or regulations:
 - [1] The sign may be removed and disposed of at the owner's expense; and
 - [2] The applicant waives any claim or right of action against the City for any removal or disposal of the sign.

- (h) A general liability insurance certificate in the amount of no less than \$2,000,000.00 per occurrence, naming the City as an additional insured and having provisions for cross-liability and severability of interest and the insurer or an authorized agent of the insurer must advise the City in writing in advance of a policy cancellation;
 - (i) The completed application; and
 - (j) The application or renewal fee for the sign set out in Chapter 441, Fees and Charges.
- (3) The Executive Director may refuse an application for or a renewal of a sign permit based on failure to comply with any provision of this article or § 693-1.4 (general restrictions) and the refusal is not appealable or reviewable, except the refusal of an application for or a renewal of a portable, A-frame or mobile sign permit may be appealed if an application or a renewal:
- (a) Is received for a location within a registered Business Improvement Area;
 - (b) The Business Improvement Area has criteria for portable, A-frame or mobile signs that have been approved by the Business Improvement Area Board of Management prior to the application being filed with the City;
 - (c) The Business Improvement Area has filed with the City notice of its intent to comment on such applications; and
 - (d) The application or renewal is refused as a result of an objection based on the aforementioned criteria.
- (4) Appeals under § 693-4.1.A.(3) shall be considered by the local Community Council that shall make the final decision, under delegated authority, or shall make recommendations to Council for final decision.
- (5) A final decision made under § 693-4.1.A(4) is not appealable or reviewable.
- (6) Where the City has refused an application for or renewal of a sign permit based on failure to comply with any provision of this article, there shall be no refund of any application or renewal fee paid.

- (7) The Executive Director may revoke a sign permit issued under this article, with no refund, where:
 - (a) The temporary sign does not comply with this chapter or any other applicable City by-laws, with federal or provincial statutes;
 - (b) The sign permit has been issued in error by the City;
 - (c) The sign permit has been issued under false, mistaken, incorrect, or misleading information.
- (8) Appeals relating to sign permit revocations may be considered by the local Community Council that shall make the final decision, under delegated authority, or shall make recommendations to Council for final decision.
- (9) A final decision made under § 693-4.1.A(8) is not appealable or reviewable.

B. General restrictions

Temporary signs shall comply with the general restrictions in § 693-1.4 (general restrictions).

C. Location requirements.

- (1) Temporary signs may only be displayed on property zoned for commercial, agricultural, institutional or mixed-uses and not on property zoned solely for residential uses or industrial uses, except:
 - (a) A-frame signs promoting a development, real estate signs and open house directional signs may be displayed in any zone;
 - (b) Garage sale signs may only be displayed on property zoned solely for residential uses.
- (2) Despite § 693-4.1.C.(1), Council may, subject to such conditions it deems necessary and public consultation within the local community, prohibit any or all temporary signs within specified areas of the City.
- (3) No temporary sign shall be:
 - (a) Displayed on, over, partly on or partly over public property (for example, highways, parks, community centres and public squares), except a sign

required for work taking place on public property, a sign directing pedestrians or drivers to a religious institution, or a sign that is otherwise permitted on, over, partly on or partly over public property under this article.

- (b) Located in or obstruct a required parking space.
- (c) Placed to allow for a pedestrian clearway of a minimum width of:
 - [1] 2.5 metres in the area and on the streets as set out in Appendix A of Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays; or
 - [2] 2.1 metres in all other areas and on all other streets.
- (d) Displayed within a sight triangle;
- (e) Attached in any way to a utility pole, tree, official sign or other public property;
- (f) Displayed within 3 metres of a driveway entrance or exit or a side property line;
- (g) Located, except as permitted by this article, closer than 0.37 metres from a sidewalk or, where there is no sidewalk, closer than 0.37 metres from the travelled portion of the highway;
- (h) Located closer than 9 metres from the edge of the nearest traffic control device; or
- (i) Located closer than 9 metres from the closest edge of the nearest paved portion of an intersection.

§ 693-4.2. Portable signs.

A. Portable sign permit.

- (1) Except for portable signs displayed by charities, religious institutions, community organizations and schools under § 693-4.8, every person displaying a portable sign shall obtain the following:

- (a) A sign permit, if the person operates a business that does not require a licence; or
 - (b) An attachment to or endorsement on the applicable business licence if the person operates a business that requires a licence under Chapter 545, Licensing.
- (2) In addition to complying with § 693-4.1.A (temporary sign permit requirements), a person applying for a sign permit or an attachment to or endorsement on a business licence or for a portable sign including any renewal, shall provide the City the following information:
- (a) A site plan showing the dimensions of the sign and the location of the sign on the premises; and
 - (b) The distance from the sign to the nearest street line, sidewalk, intersection, crosswalk, pedestrian crossover, corner, traffic light, driveway and street furnishings.
- (3) When the City authorizes a portable sign under this article, the sign owner shall display on the sign a sign permit identifier issued by the City on an exterior upper corner of a sign face as evidence that the sign has been authorized.
- (4) No sign permit for a portable sign shall be issued to a business location for which a current A-frame sign permit has been issued.
- (5) No more than one portable sign permit shall be issued with respect to any one business location.
- (6) No portable sign permit shall permit the display of more than one portable sign.
- (7) No sign permit for a portable sign shall be issued to a business location for which a small frontage sidewalk café or small marketing display permit has been issued.

B. Location requirements.

- (1) In addition to complying with location requirements in § 693-3.1.C (location requirements for temporary signs), portable signs shall:

- (a) Be displayed on the boulevard or sidewalk abutting the business related to the sign located curb-side and in the Furnishing and Planting Zone as described by the City's Streetscape Manual;
- (b) If there is insufficient space on the boulevard or sidewalk abutting the business related to the sign, be displayed where the business related to the sign is located, against the front wall or, if the building is on a corner property, against the side wall;
- (c) Be displayed in accordance with minimum separation distances, as established by the Executive Director, 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;
- (d) If the business has a permit under Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays for a sidewalk café or marketing display that is in part or in whole in front of the main, front wall, be located inside the limits of the permitted area, except no portable sign may displayed if the business has small frontage sidewalk café or small marketing display permit;
- (e) Not be displayed on 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;
- (f) Not be located in an area that has tall grass or weeds, litter, trash or is generally unkempt, and it shall be the responsibility of the business owner or business operator of the business being advertised in the sign to keep the property free of such conditions.

(2)(a) The Executive Director may move or remove a portable sign at any time if the space it occupies is required by:

- [1] The City for any reason including for the installation of street furniture or construction; or

[2] The Toronto Transit Commission for any reason including for operational or public safety reasons.

(b) If a portable sign is moved under § 693-4.2.B(2)(a), then the sign permit is deemed to be amended to allow the new location.

(c) If a portable sign is removed under § 693-4.2.B(2)(a), then the sign permit is deemed to be revoked.

C. Specific requirements.

A portable sign shall comply with the following requirements:

- (1) No more than one displayed for each business location;
- (2) Where the frontage associated with the main, front wall of a building is 6.1 metres or less, display a maximum of one portable sign per building regardless of the number of businesses in the premises;
- (3) 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.
- (4) Despite § 693-4.2.C(2) and (3), if a building is on a corner property with two or more walls adjacent to a highway, display one additional portable sign along the frontage associated with the side wall of the building;
- (2) Only displayed during the hours that the business related to the sign is open and operating;
- (3) Only display content about the related business;
- (4) Not be attached by any means to the ground or any structure;
- (5) Not contain more than two sign faces;
- (6) Not be more than a maximum height of 1.0 metres, nor be less than a minimum height of 0.5 metre; and
- (7) Not be more than a maximum width of 0.6 metres.

§ 693-4.3. A-frame signs promoting businesses.

A. A-frame sign permit.

- (1) Every person displaying an A-frame sign promoting a business shall obtain the following:
 - (a) An A-frame sign permit if the sign is promoting a business and the person operates the business does not require a licence; or
 - (b) An attachment to or endorsement on the applicable business licence if the person operates a business that requires a licence under Chapter 545, Licensing.
- (2) In addition to complying with § 693-4.1.A (temporary sign permit requirements), a person applying for a sign permit or an attachment to or endorsement on a business licence including any renewal for A-frame signs promoting a business shall provide the City with the following information:
 - (a) A site plan showing the dimensions of the sign and the location of the sign on the premises; and
 - (b) The distance from the sign to the nearest street line, sidewalk, intersection, crosswalk, pedestrian crossover, corner, traffic light, driveway and street furnishings.
- (3) When the City authorizes an A-frame sign promoting a business, the sign owner shall display on the sign a sign permit identifier on an exterior upper corner of a sign face issued by the City as evidence that the sign has been authorized.
- (4) No sign permit for an A-frame sign promoting a business shall be issued to a business location for which a current portable sign permit has been issued.
- (5) No more than one sign permit for an A-frame sign promoting a business shall be issued with respect to any one business location.
- (6) No sign permit for an A-frame sign promoting a business shall permit the display of more than one A-frame sign.

- (7) No sign permit for an A-frame sign promoting a business shall be issued to a business location for which a small frontage sidewalk café or small marketing display permit has been issued;

B. Location requirements.

- (1) In addition to complying with location requirements in § 693-4.1.C (location requirements for temporary signs) an A-frame sign promoting a business shall:
- (a) Be displayed on the boulevard or sidewalk abutting the business related to the sign located curb-side and in the Furnishing and Planting Zone as described by the City's Streetscape Manual;
 - (b) If there is sufficient space on the boulevard or sidewalk abutting the business related to the sign, be displayed where the business related to the sign is located, against the front wall or, if the building is on a corner property, against the side wall;
 - (c) Be displayed in accordance with minimum separation distances, as established by the Executive Director, 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;
 - (d) If the business has a permit under Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays for a sidewalk café or marketing display that is in part or in whole in front of the main, front wall, be located inside the limits of the permitted area, except no A-frame sign related to a business may be displayed if the business has small frontage sidewalk café or small marketing display permit.
 - (e) Not be displayed on 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; and
 - (f) Not be located in an area that has tall grass or weeds, litter, trash or is generally unkempt, and it shall be the responsibility of the owner or

operator of the related business to keep the property free of such conditions.

(2)(a) The Executive Director may move or remove an A-frame sign promoting a business at any time if the space it occupies is required by:

[1] The City for any reason including for the installation of street furniture or construction; or

[2] The Toronto Transit Commission for any reason including for operational or public safety reasons.

(b) If an A-frame sign promoting a business is moved under § 693-4.2.B(3)(a), then the sign permit is deemed to be amended to allow the new location.

(c) If an A-Frame sign promoting a business is removed under § 693-4.3.B(3)(a), then the sign permit is deemed to be revoked.

C. Specific requirements.

An A-frame sign promoting a business shall comply with the following requirements:

- (1) No more than one displayed for each business;
- (2) Where the frontage associated with the main, front wall of a building is 6.1 metres or less, display a maximum of one A-frame sign per building regardless of the number of businesses in the premises;
- (3) Where the frontage associated with the main, front wall of a building is more than 6.1 metres, display a maximum of two A-frame signs per premises regardless of the number of businesses in the premises.
- (4) Despite § 693-4.3.C(2) and (3), if a building is on a corner property with two or more walls adjacent to a highway, display one additional A-frame sign along the frontage associated with the side wall of the building;
- (5) Only be displayed during the hours that the business is open and operating;
- (6) Only display content about the related business;
- (7) Not be attached by any means to the ground or any structure;
- (8) Not contain more than two sign faces;

- (9) Not be more than a maximum height of 1.0 metres, nor be less than a minimum height of 0.5 metres;
- (10) Not be more than a maximum width of 0.6 metres; and
- (11) Not be more than a maximum length of 0.75 metres.

§ 693-3.4. A-frame signs promoting developments.

A. A-frame sign permit.

- (1) Every person displaying A-frame signs (up to 10 per permit) promoting a development shall obtain an A-frame sign permit.
- (2) In addition to complying with § 693-4.1.A (temporary sign permit requirements), a person applying for a sign permit for A-frame signs (up to 10) promoting a development, shall provide the City with the following information:
 - (a) A site plan showing the dimensions of each sign and the location of each sign; and
 - (b) The distance between each sign and the distance from each sign to the nearest street line, sidewalk, intersection, crosswalk, pedestrian crossover, corner, traffic light, driveway and street furnishings.
- (3) When the City authorizes and A-frame sign promoting a development, the sign owner shall display on the sign a sign permit identifier on an exterior upper corner of a sign face issued by the City as evidence that the sign has been authorized.
- (4) No more than one sign permit for an A-frame signs (up to 10) promoting a development shall be issued with respect to any one development location.
- (5) No sign permit for A-frame signs promoting a development shall permit to display of more than 10 A-frame signs.

B. Location requirements.

In addition to complying with location requirements in § 693-4.1.C (location requirements for temporary signs), A-frame signs promoting a development shall:

- (1) Be displayed on the boulevard or sidewalk;

- (2) Be displayed so that no more than five signs relating to the same development are on the same side of the highway;
- (3) Be displayed so that no more than two signs relating to the same development are on the same block;
- (4) Be displayed no closer than 100 metres from any A-frame sign promoting another development;
- (5) Not be displayed adjacent to any residential property;
- (6) Not be displayed adjacent to an area where parking is permitted at the curbside; and
- (7) Not be located in an area that has tall grass or weeds, litter, trash or is generally unkempt, and it shall be the responsibility of the owner or operator of the related development to keep the property free of such conditions.

C. Specific requirements.

An A-frame sign promoting a development shall comply with the following requirements:

- (1) No more than 10 displayed for each development;
- (2) Only be displayed during the hours after 5 p.m. on a Friday and before 7 a.m. of the immediately following Monday;
- (3) Only display content about the related development;
- (4) Not be attached by any means to the ground or any structure;
- (5) Not contain more than two sign faces;
- (6) Not be more than a maximum height of 1.2 metres, nor be less than a minimum height of 0.5 metres;
- (7) Not be more than a maximum width of 0.6 metres; and
- (8) Not be more than a maximum length of 0.75 metres.

§ 693-4.5. A-Frame signs displayed by a ward councillor.

A. Location requirements.

In addition to complying with location requirements in § 693-4.1.C (location requirements for temporary signs), A-frame signs displayed by a Ward Councillor to promote citizen participation in religious, civic, charitable or non-profit activities and events, or advertising festivals and community events, the signs shall:

- (1) Be located within the Councillor's ward; and
- (2) Be located in an area that is free of tall grass or weeds, litter, trash or is generally unkempt and it shall be the responsibility of the Ward Councillor to keep the area free of such conditions;

B. Specific requirements.

An A-frame sign displayed by a Ward Councillor to promote citizen participation in religious, civic, charitable or non-profit activities and events, or advertising festivals and community events shall comply with the following requirements:

- (1) Be displayed where there are no existing temporary signs at the site where the A-frame sign is located;
- (2) Be displayed, on public property or on private property, only with the prior consent of the owner or occupant of the property;
- (3) Display only the name of the Ward Councillor and content promoting citizen participation in religious, civic, charitable or non-profit activities and events, or advertising festivals and community events;
- (4) Be displayed no more than 48 hours prior to the activity, event or festival taking place;
- (5) Be removed within 48 hours of the activity, event or festival concluding;
- (6) Not be attached by any means to the ground or any structure;
- (7) Not contain more than two sign faces;
- (8) Not be more than a maximum height of 1.2 metres or less than a minimum height of 0.5 metres;
- (9) Not be more than a maximum width of 1.2 metres; and
- (10) Not be more than a maximum length of 1.2 metre in length;

§ 693-4.6. Mobile signs.

A. Mobile sign permit.

- (1) Except for mobile signs displayed by charities, religious institutions, community organizations and schools under § 693-4.8, every person displaying a mobile sign shall obtain a sign permit.
- (2) A sign permit for a mobile sign shall be valid for a period of 30 days.
- (3) No more than three sign permits for mobile signs shall be issued for a single business location in a calendar year.
- (4) If a sign permit for a mobile sign has been issued for a business location, a subsequent permit will not be issued until at least 30 days have elapsed from the date of expiry of the previous permit.
- (5) A person to whom a permit is issued for a mobile sign shall ensure that a copy of the permit provided by the City is prominently displayed on the sign so as to be visible from a distance of not less than 15 metres.

B. Location requirements.

In addition to complying with location requirements in § 693-4.1.C (location requirements for temporary signs), a mobile sign shall:

- (1) Be located on the property where the related business is located;
- (2) Not be displayed on vacant property; and
- (3) Not be located in an area that has tall grass or weeds, litter, trash or is generally unkempt, and it shall be the responsibility of the owner or operator of the related business to keep the property free of such conditions.

C. Specific requirements.

A mobile sign shall comply with the following requirements:

- (1) Only display content about the related business;
- (2) Not be attached by any means to the ground or any structure;

- (3) Contain no more than two sign faces, each having a maximum area of five square metres;
- (4) Not be located closer than 23 metres from another mobile sign located on the same property or an adjoining property; and
- (5) Not be more than 2.5 metres in height above grade and 3.05 metres in width; and
- (6) If backlit, be powered by a Canadian Standards Association (CSA), hydro-approved battery or CSA hydro-approved power generator.

§ 693-4.7. Advocacy signs.

A. Location requirements.

In addition to complying with location requirements in § 693-4.1.C (location requirements for temporary signs), an advocacy sign shall be located entirely on private property.

B. Specific requirements.

An advocacy sign shall comply with the following requirements:

- (1) No more than one advocacy sign per premises;
- (2) Be displayed with the consent of the owner or occupant of the property;
- (3) Be attached to the ground by means of a stake or to a fence, not including a fence that is vegetation;
- (4) Not contain more than two sign faces;
- (5) Have a maximum sign face area of 1.2 square metres; and
- (6) No more than 2 metres above grade.

§ 693-4.8. Contracted services signs.

A. Location requirements.

In addition to complying with location requirements in § 693-4.1.C (location requirements for temporary signs), a contracted services sign shall be located entirely on the property where the related premises are located.

B. Specific requirements.

A contracted services sign shall comply with the following requirements:

- (1) Be displayed with the consent of the owner or occupant of the property;
- (2) No more than three contracted services signs on a property;
- (3) No more than one contracted services sign per contractor;
- (4) Be displayed only while the contracted service is occurring or after it has occurred.
- (5) Only display content relating to the contracted service that is occurring or has occurred on the premises;
- (6) Be removed within 30 days after the contracted services has occurred;
- (7) Be attached to the ground by means of a stake or to a fence, not including a fence that is vegetation
- (8) Not contain more than two sign faces;
- (9) Have a maximum sign face area of 0.37 square metres;
- (10) Have a maximum height of 0.61 square metres and maximum width of 0.61 square metres; and
- (11) No more than 2 metres above grade.

§ 693-4.9. Real estate signs.

A. Location requirements.

In addition to complying with location requirements in § 693-4.1.C (location requirements for temporary signs), a real estate sign shall be located entirely on the property where the related premises are located.

B. Specific requirements.

A real estate sign shall comply with the following requirements:

- (1) No more than one real estate sign located facing each street line of the property where the related premises are located;
- (2) Be removed within 30 days after the premises is no longer for sale, rent or lease;

- (3) Only display content relating to the sale, rent or lease of the premises;
- (4) Be attached to the ground by means of a stake, to a fence, not including a fence that is vegetation, or to a wall.
- (5) Not contain more than two sign faces; and
- (6) Have a maximum sign face area of:
 - (a) 1 square metre, if displayed on a residential property; or
 - (b) 4 square metres, if displayed on a property not zoned residential;

§ 693-4.10. Home builder identification signs.

A. Location requirements.

In addition to complying with location requirements in § 693-4.1.C (location requirements for temporary signs), a home builder identification sign shall be located entirely on the property where the related premises are located.

B. Specific requirements.

A home builder identification sign shall comply with the following requirements:

- (1) Be displayed with the consent of the owner or occupant of the property;
- (2) No more than one home builder identification sign on a property;
- (3) Be displayed while the construction or renovation is occurring or after it has occurred;
- (4) Be removed within 30 days after occupancy has been granted by Toronto Building or having passed an interior final inspection;
- (5) Only display content relating to the construction or renovation that is occurring or has occurred on the premises;
- (6) Be attached to the ground by means of a stake or to a fence, not including a fence that is vegetation;
- (7) Not contain more than two sign faces;
- (8) Have a maximum sign face area of 1.5 square metres; and
- (9) No more than 2 metres above grade.

§ 693-4.11. Open house directional signs.

A. Location requirements.

In addition to complying with location requirements in § 693-4.1.C (location requirements for temporary signs), an open house directional sign shall:

- (1) Not be located closer than 0.37 metre from a sidewalk or where there is no sidewalk, closer than 0.37 metre from the travelled portion of the highway; and
- (2) If located on private property, have the prior written consent of the property owner.

B. Specific requirements.

An open house directional sign shall comply with the following requirements:

- (1) No more than six signs per each residential property for sale or lease;
- (2) Only display content directing traffic to a residential property for sale or lease;
- (3) Include the address of the residential property for sale or lease and the date of the open house to which the open house directional sign relates;
- (4) Only be displayed:
 - (a) Between sunrise and sunset;
 - (b) From two hours before the related open house opens until two hours after it closes;
- (5) Not be attached by any means to the ground or any structure or be attached to the ground by means of a stake;
- (6) Not contain more than two sign faces;
- (7) Not be more than a maximum height of 1.0 metre or less than a minimum height of 0.5 metres;
- (8) Not be more than a maximum width of 0.6 metres;
- (9) Have a maximum sign face area of 0.5 square metres;

§ 693-4.12. Garage sale signs.

A. Location requirements.

A garage sale sign shall comply with the location requirements in § 693-4.1.C (location requirements for temporary signs).

B. Specific requirements.

A garage sale sign shall comply with the following requirements:

- (1) Not be displayed before 5 p.m. of the day immediately before the garage sale or after 7 a.m. of the day immediately following the garage sale;
- (2) Include the address of the property where the garage sale will be located and the date of the garage sale;
- (3) Be attached to the ground by means of a stake or to a fence, not including a fence that is vegetation;
- (4) Not be more than 0.6 metres in any dimension; and
- (5) Have a maximum sign face area of 0.36 square metres.

§ 693-3.13. Signs displayed by charities, religious institutions, community organizations and schools.

A. Location requirements.

In addition to complying with location requirements in § 693-4.1.C (location requirements for temporary signs), a sign displayed by a charity, religious institution, community organization or school shall be located on the property which is primarily used for the operations or activities of the charity, religious institution, community organization or school or at the site where the festival, activity or event is taking place if there are no existing temporary signs at that site.

B. Specific requirements.

A sign displayed by a charity, religious institution, community organization or school shall comply with the following requirements:

- (1) If the sign is a mobile sign, display no more than one on the property which is primarily used for the operations or activities of the charity, religious institution, community organization or school;

- (2) Be displayed no more than one week prior to the festival, activity or event taking place;
- (3) Be removed within 48 hours of the festival, activity or event concluding; and
- (4) Otherwise comply with the location requirements and specific requirements for a portable sign, A-frame sign promoting a business or mobile sign that do not conflict with the location requirements and specific requirements in this section.

ARTICLE 5 Posters

§ 693-5.1. General restrictions

Posters shall comply with the general restrictions in § 693-1.4 (general restrictions).

§ 693-5.2. Location requirements.

Except as permitted by by-law or by agreement with the City, a poster shall not be displayed on any structure or other thing, located on property owned by the City or any of its agencies, boards or corporations, including:

- (1) Parking meter ticket dispensers (pay and display machines) and parking meters, including the vertical support posts;
- (2) Parking and traffic signs, including the vertical support posts;
- (3) Street litter disposal containers;
- (4) Newspaper boxes;
- (5) Traffic control devices and signal control boxes;
- (6) Trees;
- (7) Street furniture;
- (8) Bus shelters;
- (9) Bicycle racks;
- (10) Fire hydrants;
- (11) Post boxes;

- (12) Phone booths and call stations;
- (13) Switching cabinets;
- (14) Fencing of a construction site or demolition site required under Chapter 363, Building Construction and Demolition, Article III, Fencing of Construction and Demolition Sites, except as authorized for fencing on property owned or occupied by the City or its agencies, boards or corporations under that Article;
- (15) Kiosks;
- (16) Public utility pole, not including a Toronto Hydro Corporation pole; and
- (17) Privately owned poles.

§ 693-5.3. Posters on kiosks and community posters on public utility poles, location and specific requirements.

Despite § 693-5.2.A(15) (poster location requirements), a poster may be placed on a kiosk and a community poster may be placed on public utility pole located on a boulevard if the poster or the community poster complies with the following requirements:

- (1) No more than 22 centimetres by 28 centimetres in size;
- (2) Consists only of lightweight cardboard or paper;
- (3) Securely attached flush to the surface of the kiosk or public utility pole using only staples or removable tape;
- (4) Placed no higher than two metres above the ground;
- (5) Includes the date of posting on the front of the poster;
- (6) Displayed for not more than the earlier of:
 - (a) 30 days; or
 - (b) Five days after the end of the advertised event, if any;
- (7) Not more than one poster conveying essentially identical information is posted on a single kiosk;

- (8) Faces towards the property fronting on the highway and away from the portion of the highway ordinarily used by vehicles;
- (9) Includes valid contact information for at least one owner of the poster; and
- (10) Does not cover or overlap another poster or community poster.

ARTICLE 6

Vehicular Destination Signs, Neighbourhood and Business Area Identification Signs and Construction Hoarding Signs

§ 693-6.1. General requirements.

No person shall display or permit the display of a vehicular destination, neighbourhood and business area identification sign or construction hoarding sign along, across, under or on any highway unless the person:

- (1) Obtains a permit as required from the General Manager under this Article;
- (2) Pays all fees as required by Chapter 441, Fees and Charges;
- (3) Enters into an agreement, where required by the General Manager, Community Council or City Council, on terms and conditions satisfactory to the General Manager and in a form satisfactory to the City Solicitor; and
- (4) Complies with the terms and conditions of all permits and agreements for the duration of the permit term.

§ 693-6.2. Sign permits.

A. An applicant for a vehicular destination sign permit, a neighbourhood and business area identification sign permit or a construction hoarding sign permit shall provide to the General Manager the following information:

- (1) For a vehicular destination sign permit:
 - (a) The applicant's name, address and telephone number;
 - (b) Detailed plans and specifications to the satisfaction of the General Manager;

- (c) Proof of compliance with the City's Vehicular Destination Sign Policy;
 - (d) Payment of any application fee required by Chapter 441, Fees and Charges; and
 - (e) Any other information deemed necessary by the General Manager.
- (2) For a neighbourhood and business area identification sign permit:
- (a) The applicant's name, address and telephone number, including proof to the satisfaction of the General Manager that the applicant is eligible to apply for a neighbourhood and business area identification sign under the City's Neighbourhood and Business Area Identification Sign Policy;
 - (b) Detailed plans and specifications, to the satisfaction of the General Manager, including site plans, proposed sign location plans, proposed sign copy and proposed sign materials;
 - (c) Proof of compliance with the City's Neighbourhood and Business Area Identification Sign Policy; and
 - (d) Any other information deemed necessary by the General Manager.
- (3) For a construction hoarding sign permit:
- (a) The name and address of the construction hoarding sign owner and, if applicable, the construction hoarding sign provider of the construction hoarding sign;
 - (b) The name and address of the property owner or business owner or business operator of the property to which the construction hoarding relates;
 - (c) The municipal address of the premises adjacent to the location on which the construction hoarding sign is to be located;
 - (d) A site plan or survey, identifying the following:
 - [1] Location of the construction hoarding sign;
 - [2] The dimensions of the construction hoarding sign;

- [3] The distance from the construction hoarding sign to the nearest street line, sidewalk, intersection, crosswalk, pedestrian crossover, corner, traffic light, driveway and street furnishings; and
- [4] A graphic representation illustrating the proposed content, including the colours thereof, of the construction hoarding sign;
- (e) The commencement and termination dates for the placement of the construction hoarding sign;
- (f) A contact name and number for the individual responsible for the construction hoarding sign;
- (g) Written authorization from Transportation Services, Traffic Operations Section of the City of Toronto;
- (h) A valid permit for "Construction Hoarding/Site Protection" issued pursuant to applicable law by the General Manager;
- (i) Where the applicant for a permit under this article is not the person to whom the valid construction hoarding/site protection permit has been issued by the General Manager, written confirmation from the holder of the construction hoarding/site protection permit holder stating that there are no objections to the proposed sign;
- (j) Where a construction hoarding sign is more than the height of the construction hoarding by 1.2 metres or more, a stamped engineered drawing of the construction hoarding sign;
- (k) A signed declaration acknowledging that if a construction hoarding sign contravenes this chapter, federal or provincial statutes:
 - [1] The construction hoarding sign may be removed and of at the owner's expense; and
 - [2] The applicant waives any claim or right of action against the City for any removal or disposal of the construction hoarding sign; and
- (l) Any other information deemed necessary by the General Manager.

B. Referral to Community Council – neighbourhood and business area identification signs.

- (1) On receipt of a complete application for a neighbourhood and business area identification sign permit, and where the General Manager has reviewed the application and provided preliminary approval for the application under all requirements of this Article and the City's Neighbourhood and Business Area Identification Sign Policy save and except for a sign copy question, the General Manager may, at the General Manager's sole discretion, refer the application to the Community Council for the area where the neighbourhood and business area identification sign is proposed to be located for final resolution.
- (2) The Community Council shall review the General Manager's report and provide the applicant with the opportunity to be heard, after which the Community Council shall:
 - (a) Direct that the General Manager issue a neighbourhood and business area identification sign permit to the applicant on the terms and conditions of the application that have received preliminary approval by the General Manager and on such terms and conditions pertaining to the sign copy question as Community Council sets out; or
 - (b) Direct that the application be refused on the basis that Community Council rejects the application in relation to the sign copy question.

C. Refusing applications – vehicular destination, neighbourhood and business area identification and construction hoarding signs.

- (1) The General Manager may refuse an application for a vehicular destination sign permit, neighbourhood and business area identification sign permit or construction hoarding sign where:
 - (a) The application is incomplete or has been submitted using false or misleading information;
 - (b) The proposed sign does not meet the requirements of this Article or either the City's Vehicular Destination Sign Policy or Neighbourhood and Business Area Identification Sign Policy;

- (c) The applicant has failed to provide information deemed necessary by the General Manager;
 - (d) The applicant has not paid the required fees and securities; or
 - (e) The Community Council has directed the application for a neighbourhood and business area identification sign be refused.
- (2) The General Manager shall provide an applicant whose application is refused with the reason, in writing, for refusing it.

D. Appeals of refusals – vehicular destination and neighbourhood and business area identification signs.

- (1) An applicant whose application for a vehicular destination sign permit or a neighbourhood and business area identification sign permit has been refused, except an applicant whose application was refused by a Community Council, may appeal the decision of the General Manager by filing with the General Manager, within 15 business days of the date of the General Manager's written decision, a notice of appeal containing the applicant's contact information, grounds for requesting an appeal and any information the applicant wishes to provide in support of the appeal.
- (2) Before the General Manager accepts a notice of appeal, the applicant shall pay a non-refundable appeal fee as set out in Chapter 441, Fees and Charges.
- (3) On acceptance of a notice of appeal, the General Manager shall review the notice of appeal and application to determine whether the application complies with this Article and either the City's Vehicular Destination Sign Policy or Neighbourhood and Business Area Identification Sign Policy and may either:
- (a) Issue the sign permit in accordance with the requirements of this Article where it is determined the application complies with this Article and either the City's Vehicular Destination Sign Policy or Neighbourhood and Business Area Identification Sign Policy; or
 - (b) Refuse the application in accordance with this Article where it is determined that the application does not comply with this Article or either

the City's Vehicular Destination Sign Policy or Neighbourhood and Business Area Identification Sign Policy.

- (4) Despite § 693-6.2.D(3), where the General Manager has reviewed a neighbourhood and business area identification sign application appeal and provided preliminary approval for the application under all requirements of this Article and the City's Neighbourhood and Business Area Identification Sign Policy save and except for a question of sign copy, the General Manager may, at the General Manager's sole discretion, refer the application to Community Council for final resolution in accordance with § 693-6.2.B.

E. Permit issuance.

- (1) The General Manager may issue a sign permit subject to such terms and conditions as the General Manager considers appropriate where the application meets all requirements under this Article and either the City's Vehicular Destination Sign Policy or Neighbourhood and Business Area Identification Sign Policy, including the payment of all applicable fees.
- (2) Despite § 693-6.2.E.(1), where a Community Council has directed the General Manager to issue a permit, the General Manager shall issue the requested permit on the terms and conditions approved by Community Council including the payment of all applicable fees.
- (3) Prior to the issuance of a vehicular destination sign permit, the applicant shall enter into a written agreement on terms and conditions satisfactory to the General Manager and in a form satisfactory to the City Solicitor.
- (4) Prior to the issuance of a neighbourhood and business area identification sign permit, the applicant shall:
 - (a) Obtain the consent to construct and install the neighbourhood and business area identification sign under Article III of Chapter 743, Streets and Sidewalks, Use of; and
 - (b) Enter into a written agreement on terms and conditions satisfactory to the General Manager and in a form satisfactory to the City Solicitor.

F. Permit revocation.

- (1) The General Manager may revoke a sign permit issued under this article, with no refund, where:
 - (a) The vehicular destination sign, neighbourhood and business area identification sign or construction hoarding sign does not comply with this article or any other applicable City by-laws, with federal or provincial statutes;
 - (b) The sign permit has been issued in error by the City; or
 - (c) The sign permit has been issued under false, mistaken, incorrect, or misleading information.
- (2) Appeals relating to sign permit revocations may be considered by the local Community Council that shall make the final decision, under delegated authority, or shall make recommendations to Council for final decision.
- (3) A final decision made under § 693-6.2.F(2) is not appealable or reviewable.

§ 693-6.3. General restrictions

Vehicular destination signs, neighbourhood and business area identification signs and construction hoarding signs shall comply with the general restrictions in § 693-1.4 (general restrictions).

§ 693-6.4. Specific requirements.

A. Vehicular destination signs.

- (1) No person other than the General Manager shall fabricate or display or permit the fabrication or display of a vehicular destination sign across, under or on any highway.
- (2) The General Manager shall, in their sole discretion, determine the location, sign materials, sign elements and sign copy of any vehicular destination sign.
- (3) The permit holder shall be responsible for the costs of design, fabrication, installation and major maintenance work conducted by the City for the vehicular destination sign, and shall provide payment satisfactory to the General Manager

within 30 days of receiving an invoice notifying the permit holder of such work. Notice of the work shall be served personally or by ordinary mail to the permit holder's last known address, and if the notice is served by ordinary mail, it shall be deemed to have been received on the fifth day after the day of mailing.

- (4) No vehicular destination sign permit shall be issued under this article until the applicant enters into an agreement with the City satisfactory to the General Manager and in a form satisfactory to the City Solicitor including the following conditions:
- (a) The General Manager shall solely be authorized and permitted to conduct all work on the vehicular destination sign including installation, maintenance and removal work on the vehicular destination sign, and the permit holder shall not conduct any work on the vehicular destination sign on a highway at any time;
 - (b) The General Manager shall, in their sole discretion, determine the location, size, sign materials, sign elements and sign copy of the vehicular destination sign;
 - (c) The permit holder shall be liable for any third party sign tax due for the vehicular destination sign under Chapter 771, Taxation, Third Party Sign Tax. The permit holder shall be considered the "Owner" under Chapter 771, Taxation, Third Party Sign Tax, for any vehicular destination sign for which the applicant has been issued a permit. Nothing under the agreement shall render the City liable for any third party sign tax under Chapter 771, Taxation, Third Party Sign Tax, with regards to the vehicular destination sign of the permit holder;
 - (d) The permit holder shall pay the fees specified in Chapter 441, Fees and Charges;
 - (e) The permit holder shall be responsible for the costs of design, fabrication, installation and major maintenance work conducted by the City for the vehicular destination sign, and shall provide payment satisfactory to the General Manager within 30 days of receiving an invoice notifying the

permit holder of such work. Notice of the work shall be served personally or by ordinary mail to the permit holder's last known address, and if the notice is served by ordinary mail, it shall be deemed to have been received on the fifth day after the day of mailing;

- (f) The agreement shall be deemed null and void should the permit holder's permit be revoked at any time as of the date the City revokes the permit holder's permit, and on revocation of the permit holder's permit, the City shall have the right to remove the vehicular destination sign and shall not be liable for any claim promoting such a removal;
- (g) In the case of an emergency, the City may remove any sign without notice. In which case, the City is not obligated to return or restore the sign removed as a result of the emergency, and shall not be liable for any claim related to such a removal;
- (h) The permit holder shall pay all costs associated with preparing the agreement; and
- (i) The permit holder shall agree to any other conditions considered appropriate by the General Manager.

B. Neighbourhood and business area identification signs.

- (1) Neighbourhood and business area identification sign permit holders shall maintain the neighbourhood and business area identification sign in a state of good repair in accordance with the City's Neighbourhood and Business Area Identification Sign Policy, free of graffiti, posters, litter, snow, and ice at no cost to the City and to the satisfaction of the General Manager.
- (2) The City shall not be financially responsible for repairing or replacing any neighbourhood and business area identification sign, including any neighbourhood and business area identification sign that is damaged as a result of clearing and removing of litter, graffiti, posters, snow or ice, or as a result of street repairs or reconstruction.
- (3) The permit holder shall, if required by the General Manager, modify or remove the neighbourhood and business area identification sign and restore the street.

- (4) No neighbourhood and business area identification sign permit shall be issued under this Article until the applicant enters into an agreement with the City satisfactory to the General Manager and in a form satisfactory to the City Solicitor, and including the following conditions:
- (a) The neighbourhood and business area identification sign shall be constructed to the satisfaction of the General Manager;
 - (b) The neighbourhood and business area identification sign shall be in a state of good repair in accordance with the City's Neighbourhood and Business Area Identification Sign Policy, free of graffiti, posters, litter, snow and ice, at no expense to the City and to the satisfaction of the General Manager;
 - (c) The City shall not be responsible for repairing or replacing any neighbourhood and business area identification sign element damaged as a result of clearing or removing of litter, graffiti, posters, snow or ice, or as a result of street repairs or reconstruction;
 - (d) The City may, in accordance with article 7, remove or modify, at the permit holder's expense, any neighbourhood and business area identification sign element situated within a highway;
 - (e) The permit holder shall comply with the insurance and indemnity requirements of § 743-23 of Chapter 743, Streets and Sidewalks, Use of;
 - (f) The City shall maintain the right to place pipes, cables, wires, poles and other infrastructure within the neighbourhood and business area identification sign location site;
 - (g) The permit holder shall, if required by the General Manager, modify or remove the neighbourhood and business area identification sign and restore the street;
 - (h) In the case of an emergency, the City may remove any installation within the permit area without notice. In which case, the City is not obligated to return or restore the installations removed as a result of the emergency, and shall not be liable for any claim related to such a removal;

- (i) The permit holder shall be liable for any third party sign tax due for their neighbourhood and business area identification sign under Chapter 771, Taxation, Third Party Sign Tax. The permit holder shall be considered the "Owner" under Chapter 771, Taxation, Third Party Sign Tax, for any neighbourhood and business area identification sign for which the permit holder has been issued a permit. Nothing under the agreement shall render the City liable for any third party sign tax under Chapter 771, Taxation, Third Party Sign Tax with regard to the neighbourhood and business area identification sign of the applicant;
- (j) The agreement shall be deemed null and void should the permit holder's permit be revoked;
- (k) The permit holder shall pay the fees specified in Chapter 441, Fees and Charges;
- (l) The permit holder shall pay all costs associated with preparing the agreement; and
- (m) The permit holder shall agree to any other conditions considered appropriate by the General Manager.

C. Construction hoarding signs.

All construction hoarding signs shall comply with the following requirements:

- (1) Display content about the development on the construction site;
- (2) Be displayed with content which is not in substantial compliance with the graphic representation illustrating the proposed content submitted to the City;
- (3) Not contain text in excess of 40 percent of the overall permitted area of the construction hoarding sign.
- (4) Not be more than a maximum height of 4.8 metres and not be larger than the limit of the length of the hoarding;
- (5) Not be more than the height of the construction hoarding by 2.4 metres or more;
- (6) Not be displayed in within 3.0 metres of a driveway entrance or exit or a side property line;

- (7) Not be displayed in within 9.0 metres from the edge of the nearest traffic control device;
- (8) Not be displayed in within 30.5 metres of a traffic control signal, which contains any element or content which is red, yellow and green;
- (9) May, in a manner satisfactory to the General Manager, form an integral component of or be attached to the following elements of the construction hoarding:
 - (a) Vehicular access gates;
 - (b) An overhead protection component;
 - (c) The outside surface; or
 - (d) Bracing underneath handrails;
- (10) Be maintained, at all times, in a safe condition, in good and proper repair, and satisfactory to the General Manager,

ARTICLE 7

Offences, Entry to Inspect, Orders, Remedial Action and Transition

§ 693-7.1. Offences.

- A. Every person who contravenes any provision of this chapter is guilty of an offence and on conviction is liable to a fine of no more than \$100,000.
- B. Every person who fails to comply with a permit issued, an agreement entered into or an order made under this chapter, is guilty of an offence and on conviction is liable to a fine of no more than \$100,000.
- C. In addition to a fine or fines provided for in this subsection every person who gains an economic advantage from contravening this chapter shall be liable to a special fine in an amount equal to the fair market value of the economic advantage obtained from the non-compliance.
- D. In addition to offences referred to in Subsections A, B and C every person is guilty of an offence under this chapter who:

- (1) Hinders or obstructs or attempts to hinder or obstruct any person exercising a power or performing a duty under this chapter;
 - (2) Neglects or refuses to produce or provide any information or thing to any person acting pursuant to an order made under section 378 of the City of Toronto Act, 2006;
 - (3) Knowingly makes, participates in, assents to or acquiesces in the provision of false information in a statement, affidavit, application or other document prepared, submitted or filed under this chapter.
- E. Where a corporation contravenes any provision of this chapter, every director or officer who concurs in such contravention is guilty of an offence and on conviction is liable to a fine of no more than \$100,000.
- F. Where a corporation fails to comply with an exemption permit issued or an order made under this chapter, every director or officer who concurs in such non-contravention is guilty of an offence and on conviction is liable to a fine of no more than \$100,000.
- G. Each offence is designated as a continuing offence and is subject to, for each day or part of a day that the offence continues a maximum fine of no more than \$10,000. The total of all of the daily fines imposed for each offence may exceed \$100,000.

§ 693-7.2. Entry to inspect.

- A. In accordance with section 376 of the City of Toronto Act, 2006, a By-Law Enforcement Officer may enter on land within the City at any reasonable time for the purpose of carrying out inspections to determine whether the following are being complied with:
- (1) This chapter; or
 - (2) A notice or order issued in accordance with this chapter.
- B. For the purposes of an inspection under Subsection A, a By-law Enforcement Officer may:

- (1) Require, for inspection, the production of documents or things relevant to the inspection;
- (2) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts of them;
- (3) Require information from any person concerning a matter related to the inspection;
- (4) Be accompanied by such person or persons as the By-law Enforcement Officer determines is necessary if such person or persons possesses special or expert knowledge related to the purpose of the inspection; and
- (5) Make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

§ 693-7.3. Orders to comply.

- A. A By-law Enforcement Officer who finds a contravention of this chapter may make one or more orders requiring discontinuance of the contravening activity or to do work to correct the contravention under section 384 or 385 of the City of Toronto Act, 2006.
- B. The order may be served personally on the person to whom it is directed or by registered mail to the last known address of that person, in which case it shall be deemed to have been given on the third day after it is mailed.
- C. If there is evidence that the occupant of the land is not the registered property owner, the notice shall be served on both the registered property owner and the occupant of the land.
- D. If the address of the registered property owner is unknown, the City is unable to effect service on the registered property owner or occupant of the land under Subsection B or the delay necessary to give an order would result in circumstances that endanger the health or safety of any person or similarly serious consequences, a placard stating the terms of the order and placed in a conspicuous place on land on or near the property shall be deemed to be sufficient notice to the registered property owner or the occupant of the land.

§ 693-7.4. Remedial action including removal and disposal.

A. Remedial action.

If a person fails to do a matter or thing required under this chapter, including or a matter or thing required by an order made under this chapter, the Executive Director or General Manager, or persons acting on their instructions, may enter on public property at any time or enter private property at any reasonable time for the purpose of doing the matter or thing at the person's expense.

B. Removal and disposal of all signs except election signs.

- (1) If a sign, except an election sign, is displayed in contravention of this chapter, the Executive Director or General Manager, or persons acting on their instructions, may remove and dispose of the sign at the expense of the sign owner:
 - (a) In the case of a sign displayed on private property:
 - [1] That requires a sign permit, without notice; or
 - [2] That does not require a sign permit, no earlier than three days after posting of a notice on the sign; and
 - (b) In the case of a sign displayed on public property, without notice.
- (2) The City shall not be obliged to store signs and may dispose of signs immediately on removal.

C. Removal and disposal of election signs.

- (1) Despite § 693-3.5.C (lawfully displayed election signs), the Executive Director, or a person acting under their direction, if they believe on reasonable grounds that an election sign or a campaign office sign is displayed in violation of this chapter, may remove the sign immediately without notice.
- (2) Election signs that have been removed under § 693-7.4.C(1) shall be stored by the City for 72 hours after voting day.

- (3) During the time the election sign is stored under § 693-7.4.C(2), the owner of the sign or the owner's agent may retrieve the election sign by providing the City with a signed acknowledgement and release in a form acceptable to the City.
- (4) Any election sign that has been removed by the City and stored in accordance with § 693-7.4.C.(1) and (2), may be recycled, destroyed, or otherwise disposed of by the City without notice and without compensation to the owner of the election sign.
- (5) Despite § 693-7.4.C.(2), the City shall not be obliged to store election signs made entirely of paper or other lightweight material and may destroy these signs immediately on removal.
- (6) When an election sign, other than an election sign made entirely of paper or other lightweight material, has been removed by the City, notice shall be given to the candidate, within 24 hours by means of email, registered mail, personal delivery, or facsimile transmission, and shall be deemed to have been received by the candidate on the next business day.

§ 693-7.5. Transition.

- 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 such permits and parties to such agreements continue to comply with the terms of their permits or agreements and that such permits or agreements are not revoked or terminated and do not expire without renewal.
- 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.