

Improvements to the Sign By-law Amendment and Sign Variance Process

Date: February 13, 2024
To: Planning and Housing Committee
From: Chief Building Official and Executive Director, Toronto Building (Acting)
Wards: All

SUMMARY

This report responds to an October 26, 2023 direction from the Planning and Housing Committee for the Chief Building Official and Executive Director, Toronto Building ("CBO") to review and report back with potential amendments to the Sign By-law (Chapter 694 of the Toronto Municipal Code) to streamline and provide greater clarity to the Sign By-law Amendment process, as well as ensure that Sign By-law Amendment applications are not being used as a substitute to the Sign Variance process.

Toronto's Sign By-law is a harmonized, City-wide set of regulations governing signs which was adopted in 2010. The Sign By-law contains a process for any member of the public to apply to Council to amend the Sign By-law to implement significant changes to the sign regulations for a specific property or area. Applications are commonly made requesting amendments to the Sign By-law to allow signs that are prohibited, to remove permissions for signs in an area, or to modify the administrative requirements of the Sign By-law. The CBO brings applications to amend the Sign By-law together on an annual basis for City Council consideration; this allows City Council to assess the overall and cumulative impact of these applications on the city's-built environment, and the Sign By-law itself.

In recent years, there has been a concern that a number of Sign By-law Amendment applications submitted to City Council do not reflect the intended scope of the Sign By-law amendment process. This report was requested to examine if these applications align with the intended amendment application scope or if they should be more suitably addressed through the Sign Variance process.

The report recommends modifications to the Sign By-law based on the results of sign industry consultation and feedback, as well as staff review of Sign Bylaw amendment applications that have been received over the past five years. The proposed changes aim to enhance the Sign By-law amendment application process, decrease the volume of Sign By-law amendment applications reviewed by the City Council, and ensure applications more appropriate for the Sign Variance Committee are routed accordingly,

resulting in a more efficient use of City Council resources. The amendments recommended in this report will also help to eliminate any perception by members of the public that applicants gain unfair advantages by manipulating sign approval processes or through offering donations other benefits, increasing trust and confidence in the sign approvals.

The recommendations proposed in this report include delegating authority to the Chief Building Official to directly submit Bills to City Council for updating the Schedule A, Maps (Sign District Maps) in the Sign By-law where City Council has changed the Official Plan and/or Zoning designation of a property, bypassing the need for reports to the Planning and Housing Committee and City Council. The CBO is also proposing amendments to provide the CBO with authority to stream applications for Sign Variances and Sign By-law Amendment according to the substantive nature of the application; and, to refuse Sign Variance and Sign By-law Amendment applications that are in contravention of applicable City of Toronto Policies and By-laws. Lastly, it recommends deleting criterion 694-30A(2) from the Sign Variance criteria in the Sign By-law to increase the flexibility of the Sign Variance process for third-party sign applicants.

The Sign By-law provides a comprehensive set of regulations for new signs, including regulations governing their size, height, illumination, and location, it also establishes sign districts to reflect the city's character and has created open and transparent processes to obtain approvals for signs and properties. The recommendations in this report will enhance procedural fairness in sign approvals and will enhance the integrity of the Sign By-law Amendment and Sign Variances processes, both of which were developed through comprehensive engagement with the sign industry and input from the public.

RECOMMENDATIONS

The Chief Building Official and Executive Director, Toronto Building, recommends that:

1. City Council amend City of Toronto Municipal Code Chapter 694, Signs, General, to modify the provisions concerning the processing of applications for amendments to, and variances from the provisions the Sign By-law, and delegate authority to the Chief Building Official and Executive Director, Toronto Building to implement amendments to sign district designations contained in Schedule A, Maps, and related matters substantially in accordance with the draft by-law attached as Appendix 1 to this report.

FINANCIAL IMPACT

The recommendations in this report have no financial impact(s).

DECISION HISTORY

PH7.18 - Request for Review of Signs: Site-Specific Amendment Process

On October 26, 2023, the Planning and Housing Committee directed the Chief Building Official to review Chapter 694, Signs, General, regulations. The aim was to ensure Sign By-law Amendments align with their intended purpose and not with matters delegated to the Staff or Sign Variance Committee. The Committee requested the review and recommendations for its February 28, 2024 meeting.

(<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH7.18>)

PG25.13 - Amendments to Chapter 694 of the Municipal Code, Signs, General

On July 16, 2013, City Council made modifications to the criteria for Sign Variances in Section 694-30A and set out specific criteria for Sign Bylaw Amendment applications in Section 694-31.

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG25.13>)

PG33.10 - New Sign Regulation and Revenue Strategy

PG33.10 - New Sign Regulation and Revenue Strategy: Additional Considerations

On City Council on November 30, December 1, 2, 4 and 7, 2009, City Council adopted the Sign By-law (Chapter 694 of the Toronto Municipal Code), the Sign District Designations applicable to all properties in the city, created the Third-Party Sign Tax (TPST), the Sign Variance process, constituted the Sign Variance Committee and its authority, as well as the Sign Bylaw Amendment process.

(<https://secure.toronto.ca/council/agenda-item.do?item=2009.PG33.10>)

COMMENTS

Issue Background

In 2010, the Sign By-law was adopted by City Council to introduce a set of consistent regulations for new signs. The Sign By-law regulates the size, height, illumination, and location of signs in the city. It also establishes sign districts to ensure that new signs reflect the character and function of different areas of the city. Since that time, additional changes have been made to the Sign By-law in order to improve its administration, as well as expand opportunities for signs throughout the city.

Scope of Sign Variance and By-law Amendment Applications

The Sign By-law allows for applications to amend the Sign By-law to be made by members of the public to implement significant changes to the sign regulations that apply to a specific premises or area of the city. The Sign By-law Amendment process is meant to address broader policy issues, for example developing a comprehensive plan for all signage in an area, implementing a prohibition on signs in an area, altering a premises' sign district designation, or changes to administrative provisions, such as permitting requirements. The Sign By-law Amendment Process is generally not a

method to obtain an approval for an individual sign, but rather is a process for a member of the public to submit a proposal to City Council to consider a substantive change to the Sign By-law as a whole. The final decision on a Sign By-law Amendment application is made by City Council.

The Sign By-law also established the Sign Variance Process, which delegates the authority to grant variances to the Sign By-law to the CBO for first party signs, and to the Sign Variance Committee for third party signs. The Sign Variance process is meant to address deviations from the Sign By-law for individual signs, such as increased sign face area, height or to comply with reduced separation distances. Decisions made by the CBO and the Sign Variance Committee must be made in accordance with criteria outlined in Section 694-30A of the Sign By-law. Under the Sign Variance Process, members of the public may apply for deviations from the regulations for a specific sign and are required to present sufficient evidence to determine that their proposal meets all nine of the mandatory criteria in 694-30A of the Sign By-law. These applications are then reviewed in a quasi-judicial manner as to whether the nine criteria have been established.

The Sign By-law Amendment and Sign Variance processes are intended to be complementary systems to address fundamentally different matters related to signage regulation within the city. In recent years instances applicants have "bundled" policy matters with their sign applications to qualify for the Sign Bylaw Amendment process. These "bundled" applications primarily sought amendments to implement deviations that would fall within the delegated authority of the Sign Variance Committee, however due to the application type, City Council ended up determining these matters. The Sign By-law Amendment Process was not intended to be used as a substitute to expand or modify permissions for signs that could potentially be granted through the Sign Variance Process.

Industry Consultation and Discussion

In response to the Planning and Housing Committee direction, staff conducted an industry consultation on January 11, 2024 to discuss potential improvements related to the Sign By-law Amendment and the Sign Variance processes. The consultation was attended by representatives from the Sign Association of Canada, the Ontario Sign Association, and other regular applicants for Sign Bylaw amendment applications.

The main topics of discussion were:

- The distinction between Sign By-law Amendments and Sign Variances, as well as the criteria and procedures for each process; and,
- Strategies for minimizing the volume of Sign By-law Amendment applications submitted to City Council and optimizing the routing of applications to the Sign Variance Committee where they have the jurisdiction and expertise to handle them.

The industry stakeholders in attendance generally understood the distinction between the two processes and supported the need to clarify and streamline them. They also expressed their concerns and challenges with the current processes, such as the limits on Sign Variance applications and the inconsistencies between the Sign By-law and the Zoning By-law, particularly on properties that have recently been subject to Zoning and/or Official Plan changes.

The primary recommendations from the industry stakeholders were the following:

- The sign districts should be updated simultaneously with any modifications to the Zoning By-law and/or Official Plan designations. This would ensure that the sign district designation maintains its consistency with the Official Plan and/or Zoning designation of the premises.
- The scope of what qualifies as a Sign Variance application should be broadened. This expansion would decrease the necessity for Sign By-law Amendments and would enhance the authority of the Sign Variance Committee to grant variances for signs that comply with the criteria listed in Section 694-30A of the Sign By-law.

Following the consultation on January 11, 2024, and staff's review of the regulations in the Sign By-law concerning Sign Variances and Amendment applications, as well as consultation with other affected Divisions, it was identified that amendments should be made to Chapter 694, Signs, General, to enhance and clarify the application processes for Sign Variances and Sign By-law Amendments. These proposed amendments are described in this report.

Recommended Amendments and Rationale

1) Provide clear authority to the CBO to determine the streaming of matters included in Sign Variance and Sign Bylaw Amendment Applications:

Since 2018, more than half of the amendments to the Sign By-law considered by City Council were for deviations that City Council has delegated to the Sign Variance Committee. These amendments, primarily seeking permissions related to third-party signs, were often "bundled" with policy-related matters, including requests to extend the initial sign permit term from five to ten years or to introduce area-specific restrictions, which were often redundant.

Over the past five years, the City received a total of 57 applications for Sign By-law Amendments. After a review and circulation of these applications, many were found not to be acceptable for the Sign Bylaw Amendment process and only 16 applications were ultimately considered by City Council. Almost all these 16 applications were instances where applicants "bundled" policy matters with their applications to qualify for the Sign Bylaw Amendment process. These "bundled" applications primarily sought amendments to implement deviations that would fall within the delegated authority of the Sign Variance Committee, however as they were submitted as Sign By-law Amendments, City Council ended up determining these matters.

As shown in Table 2 below, between 2019-2023, a total of 16 Sign By-law Amendment applications were considered by City Council; these applications contained 26 matters which required City Council decisions and 59 matters which have been delegated to the Sign Variance Committee - it should be noted that a single application may include multiple decisions on Sign By-law deviations.

There have also been instances in the past where, after scheduling the matter to be considered by City Council as a Sign By-law Amendment, applicants have proposed, or indicated their willingness to accept, that City Council not grant the amendment required to implement the policy matters requested in the application (e.g., an extended permit term). Instead, they only pursued the amendment to implement deviations which would otherwise be considered as part of the Sign Variance process.

Table 1: Amendment Applications - Council Required Decision vs. Sign Variance Committee Delegated Decisions

Year	# of Applications	# of Council Decisions Required	# of Sign Variance Committee Delegated Decisions made by Council
2019	3	3	11
2020	1	1	-
2021	3	5	15
2022	4	12	22
2023	5	5	11
Total	16	26	59

Note: Sign By-law Amendment applications for Special Sign Districts are not included in the table.

This report proposes that City Council amend the Sign By-law to grant the CBO clear authority to determine the streaming of Sign Variance and Sign Bylaw Amendment Applications, either in whole or in part, based on the substance of the request and the requirements in the Sign By-law. This amendment aims to ensure that the Sign By-law Amendment process is used only for broader policy issues, such as introducing a new Sign District or Special Sign District or implementing site or area-specific restrictions rather than for more technical matters that City Council has delegated to the Sign Variance Committee.

This misuse of the Sign By-law Amendment process through "bundled amendment" applications undermines the Sign Variance Committee's role and authority, as well as the overall integrity of the Sign By-law. It also leads to inefficiencies, delays, and is not an effective use of staff and City Council resources.

In accordance with the Sign By-law requirements, individuals may apply for amendments to the Sign By-law where the proposed amendment satisfies the criteria

listed in 694-31 of the Sign Bylaw. Any decisions made by the CBO on the streaming of applications, or portions of applications, for Sign Variances and Sign By-law Amendments would be made in accordance with the criteria in 694-31.

Delegating a clear authority to the Chief Building Official to determine the proper streams for applications, or portions of applications, would streamline the sign approval process, as amendments to the Sign By-law are typically reviewed annually and Sign Variance Committee meetings are convened throughout the year. This change would also avoid unnecessary City Council reports for matters that could be effectively handled through the Sign Variance process and would enable the Sign Variance Committee to consider applications for minor deviations from the Sign By-law that apply to individual signs using the criteria for Sign Variances in Section 694-30A of the Sign By-law.

The ability for the CBO to stream applications will continue to allow the Sign By-law Amendment process to address matters or aspects of applications which substantively reflect the type of policy considerations which the Sign By-law Amendment Process was intended to address and will also allow for the Sign Variance process to address matters involving specific aspects of individual signs on individual properties.

2) Delegate to the CBO the authority to submit Bills directly to Council to update the Schedule A, Maps (Sign District Maps):

The current Sign District Designations in the Sign By-law were established based on the land use designation map of the Official Plan and Zoning By-law in effect when the Sign By-law was enacted in 2010. Since then, Council has approved revisions to the land use designations in various parts of the city to support its growth and development; these changes have not always been reflected in the Sign District Maps (see Figure 1).

Figure 1: Examples of inconsistencies between Sign Districts and land use



Currently, any changes to the Sign District Designation in the Sign By-law, even if Council has already re-designated the subject property in the Official Plan (and Zoning Bylaw), are required to be initiated by either the City or a property owner (or their agent). This process currently requires a full report and recommendations for consideration by the Planning and Housing Committee and City Council.

This report proposes that City Council delegate authority to the CBO, in consultation with the City Clerk, to submit Bills directly to City Council for updating the Schedule A, Maps (Sign District Maps) in the Sign By-law, avoiding the need for additional reports to the Planning and Housing Committee and City Council.

This amendment will allow a more efficient alignment of the Sign District Designations throughout the city with the most recent amendments to the Official Plan and Zoning Bylaw. This would also adhere to the intent of the Sign By-law when Sign Districts were originally established.

The relationships between the Official Plan Designations and the corresponding Sign District Designations are listed in Table 1 below. Any modifications made to the Schedule A Maps (Sign District Designations) in the Sign By-law would be made in accordance with the following table:

Table 2: Proposed Sign District Redesignation based on Official Plan Land Use Designation

Official Plan Land Use (re)Designation	Sign District (re)Designation
Neighbourhoods	Residential (R)
Apartment Neighbourhoods	Residential Apartment (RA)
Mixed Use	Commercial Residential (CR)
Natural Areas	Open Space (OS)
Parks	
Other Open Spaces Areas	
Institutional Areas	Institutional (I)
General Employment Areas	Employment (E)
Core Employment Areas	
Utility Corridors	Utility (U)

Special Sign Districts, areas within the city where signs are a defining characteristic, are governed by unique permissions and/or other regulations in the Sign By-law. Any alterations affecting Special Sign Districts, including the creation or elimination of Special Sign Districts, would still require a full review and approval by City Council through the Sign By-law Amendment application process.

Delegating authority to the CBO to submit bills directly to Council to update the Sign District Maps would empower the CBO to make necessary updates to the Sign District maps in the Sign By-law without requiring any Sign By-law Amendment applications or reports to the Planning and Housing Committee and Council. This streamlined approach would reduce administrative burdens and delays, while still allowing for some Council oversight of any updates that may take place. It would also align with the City's interests

for re-designated areas with the faster implementation of sign regulations that accurately reflect the intended character of those areas.

Property Owners and Sign Permit Applicants would also benefit from this approach as they would no longer need to apply for a Sign Variance, Signage Master Plan, or a Sign By-law Amendment to obtain site-specific permissions, especially when the proposed signs would be consistent with the planning framework already established by the City.

3) Provide the Chief Building Official with the authority to refuse applications for Sign Variances and Sign By-law amendment which are in contravention of City of Toronto Policies or other By-laws:

Currently, when the CBO receives an application that contravenes the City's by-laws or policies, the application must be reported to the City Council or the Sign Variance Committee for a decision. At this stage, the issues with the apparent conflict are highlighted, and a decision is made, excluding the aspects of the application that conflict with the City's policies and other by-laws. The CBO currently lacks the ability to screen applications for these types of concerns. This results in the application proceeding to consideration before Council or the Sign Variance Committee, where these concerns must be addressed by staff, Council, and/or the Sign Variance Committee. This complicates the consideration of the matter and results in additional effort and resources being expended.

Although many Sign By-law Amendment and Sign Variance applications do not propose benefits in return for approval, it is not uncommon for applicants in both processes to explicitly offer donations of free advertising or other benefits in exchange for approval of their applications. This is in contravention of the Donations to the City of Toronto for Community Benefits Policy, which requires any such donations to proceed independently from any applications for City approvals. For instance, in 2023, the City received 32 Sign By-law Amendment applications that were contrary to the Donations to the City of Toronto for Community Benefits Policy. These applications suggested that the City and other organizations would receive annual payments and other benefits if the signs were approved. These applications were ultimately rejected by the CBO, but not without lengthy discussions and advice from other city divisions and agencies.

In instances where the CBO was not able to screen out the applications, additional actions are required to be taken by City Council, staff, and the Sign Variance Committee to indicate that no consideration of these secondary benefits to the city or third parties played any part in the decisions made in response to the application. However, these types of applications may still leave members of the public with the perception that such secondary benefits do impact decisions concerning approvals related to signs.

This report proposes that City Council amend the Sign By-law to grant the CBO the clear authority to refuse Sign Variance and Sign By-law Amendment applications that violate City of Toronto Policies and By-laws. The Sign By-law is one of many by-laws that regulate the use of land and buildings in the city, however it should not be used to lead changes, or to circumvent or undermine programs, policies, or by-laws addressing larger issues such as land use, heritage, environment, or public health and safety. This

proposed amendment aims to prevent conflicts with other matters governed by the City's by-laws and policies.

This proposed amendment would also prevent circumvention of the Donations to the City of Toronto for Community Benefits Policy, protecting the integrity and transparency of the sign application process. It would ensure that decisions are made based on the merits of the application and/or the criteria established in the Sign By-law.

Allowing the CBO to refuse Sign By-law Amendment and Sign Variance applications that violate other City of Toronto by-laws or policies would benefit the City by promoting consistency and coherence in the City's many different by-laws and policies and would also help to prevent applications proceeding to formal decision stages where they conflict with the City's objectives or standards for land use, design, heritage, environment, accessibility, or public health and safety.

The public's perception of the City's enforcement of the Donations for Community Benefits Policy would also be strengthened with this amendment. The City's Donations for Community Benefits Policy aims to prevent conflicts of interest or undue influence in the City's application processes. This amendment would help to eliminate any perception by members of the public that applicants may attempt to gain an unfair advantage by offering or accepting donations or other benefits.

4) Improve the Responsiveness and Flexibility of the Sign Variance Process by deleting the Third Party Sign Type restriction in Section 694-30A(2):

Under the Sign By-law, all signs are classified into a "sign class". This class can either be a first-party sign, which is related to the goods or services available on the premises or used for identification, or a third-party sign, which is not related to the goods or services available on the premises and is used for advertising. Additionally, the Sign By-law categorizes all signs into one of eighteen defined sign types. These types provide specific definitions regarding the physical form of the sign structure in question. Examples of these defined sign types include Ground Signs, Wall Signs, Topiary Wall Signs, Electronic Ground Signs, and Overhanging Structure Signs.

It should be noted that not all sign types are permitted in all sign districts under the Sign By-law. The permitted sign classes and sign types for each sign district are specifically outlined.

When making decisions on applications for Sign Variances, the Sign Variance Committee is required to make decisions through consideration of nine criteria specified in Section 694-30A of the Sign By-law. Criterion 694-30A(2) which is applicable only to third-party signs, restricts the types of signs permitted in a Sign District (see Table 3 below). However, in the past some applicants have manipulated their applications to allow them to proceed as Sign By-law Amendments, anticipating failure of 694-30A(2). This strategy is adopted as simply failing to meet the criteria specified in Section 694-30(A) of the Sign By-law for Sign Variances does not qualify an application to proceed as a Sign By-law Amendment.

This report recommends that the City Council amend the Sign By-law to delete criterion 694-30A(2) from the Sign Variance criteria. Currently, the Sign Variance Committee may grant a variance for a third-party sign if it meets all criteria outlined in Section 694-30A of the Sign Bylaw, described in Table 3 below and in further detail in Appendix 2 to this report.

Deleting Criterion 694-30A(2) from the Sign By-law would help to prevent applicants from altering their applications to proceed as Sign By-law Amendments as well as increase the flexibility of the Sign Variance process for third-party signs. Also, without criterion 694-30A(2), the Sign Variance Committee could still grant variances for third-party signs and use the remaining criteria to ensure that incompatible signs are not constructed.

This change would not expand the number of Sign Districts where third-party signs would be permitted, it would only expand the types of third-party signs permitted in those districts. For instance, criterion 694-30A(1) would not allow for third-party signs to be erected in Sign Districts where this sign class is not permitted, such as Residential, Residential Apartment, Open Space, and Institutional Sign Districts.

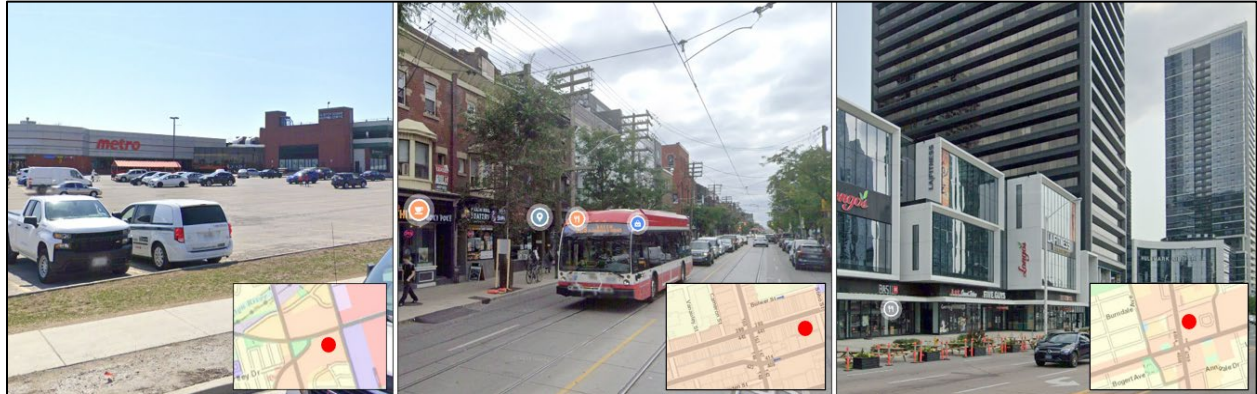
Table 3: 694-30A - Criteria for Sign Variances

By-law Section	Criteria:
694-30A(1):	The Proposed Sign belongs to a sign class permitted in the sign district where the premises is located
694-30A(2):	In the case of a third-party sign, the Proposed Sign is a sign type permitted in the sign district
694-30A(3):	The Proposed Sign is compatible with the development of the premises and surrounding area
694-30A(4):	The Proposed Sign supports the Official Plan objectives for the property and surrounding area
694-30A(5):	The Proposed Signs do not adversely affect adjacent premises
694-30A(6):	The Proposed Sign does not adversely affect public safety, including traffic and pedestrian safety
694-30A(7):	The Proposed Sign is not prohibited by §694-15B
694-30A(8):	The Proposed Sign does not alter the character of the premises or surrounding area
694-30A(9):	The Proposed Sign is not contrary to the public interest

To compensate for removing 694-30A(2), criteria 694-30A(3) and 694-30A(8) could require applicants to include further evidence/analysis into their proposed signs' compatibility measured by the size, height, location, design, and illumination of the signs, and how they relate to the existing and planned development of the area.

An example of this is the Commercial Residential (CR) Sign District. Areas designated CR sign districts can encompass a wide range of uses and built form, such as low-rise commercial buildings, high-rise commercial-residential buildings, or even big-box retail stores. Although the sign district designation is the same, certain sign types that may be appropriate for one location, may not be appropriate for another due to different building types, land uses and land configuration. Should this amendment be enacted, the Sign Variance Committee would have the authority to assess variance applications for third-party signs depending more on the sign's design and context, and not just its Sign District Designation.

Figure 2: Comparison of building types in different neighbourhoods within CR Sign Districts



Sign owners and applicants would also be given an increased flexibility to apply for Sign Variances to allow types of third-party signs that could potentially highlight the character of a premise or an area, contributing to a more vibrant and appealing public space, (see Figure 3). In these instances, and in addition to the other Sign Variance criteria, criterion 694-30A(5) would still ensure that any proposed third-party signs would not have negative impacts on the adjacent premises, therefore protecting any nearby property containing uses considered sensitive in nature.

Figure 3: Areas within the City where signs contribute to the character of the area



As previously stated, removing criterion 694-30A(2) would not affect the sign classes that are permitted in a given sign district, and third-party signs would still only be permitted in Commercial Residential, Commercial, Employment or Utility Sign Districts, nor would it affect signs which are expressly prohibited by the Sign By-law. Also, members of the public and the Ward Councillor will continue to be notified in the case of all Sign Variance applications and invited to participate in the process.

This change would reduce the need for sign owners and applicants to manipulate applications to attempt seek a Sign By-law Amendment where they want to install sign types that while not permitted in the sign district, may be appropriate for the specific property or area where the sign is located. It would also not impact the other Sign Variance criteria, these criteria would continue to ensure that signs approved by the Sign Variance Committee are compatible with the development of the premises and surrounding area, support the Official Plan objectives, not adversely affect adjacent premises or public safety, not alter the character of the premises or surrounding area, and would not be contrary to the public interest.

Implementation and Next Steps:

In anticipation of this report being considered by the Planning and Housing Committee and City Council in early 2024, the deadline for Sign By-law Amendment applications, which is normally December 31st of each year, has been extended to April 30, 2024; the sign industry and applicants were notified of this change in December 2023. The new deadline for Sign By-law Amendment applications should provide sufficient time for any necessary modifications to be made to Sign Bylaw Amendment applications that may be affected by the recommendations in this report.

After Council consideration of the Sign Bylaw Amendments recommended in this report, staff will also organize an industry education session. The purpose of this session will be to provide Sign Bylaw Amendment and Sign Variance applicants with a comprehensive review of any changes made to the processes. Staff members will conduct this session, offering guidance to ensure all participants gain a thorough understanding of the processes and to make sure that any applications they may have made, proceed accordingly and to the proper approval authority.

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SIGNATURE

Kamal Gogna, P. Eng.
(A) Chief Building Official and Executive Director,
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ATTACHMENTS

1. Appendix 1 - Proposed Amendments to Chapter 694, Signs, General,
2. Appendix 2 - Detailed Description Existing Sign Variance Criteria

Appendix 1 - Proposed Amendments to Chapter 694, Signs, General,

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 694, Signs, General, is amended, to provide authority to By adding the following to Section 694-19 as subsection 694-19C:

C. The City Solicitor, in consultation with the City Clerk, may submit bills directly to Council for enactment to amend Schedule A, Maps to City of Toronto Municipal Code Chapter 694, Signs, General to alter a sign designation of a premises to update the sign designation to reflect the effect of where the premises has been the subject of where an action is required as a result of a change to the premises' designation in the City's Official Plan or applicable Zoning By-law that was authorized by Council.

2. Chapter 694, Signs, General, is amended, to provide authority for the Chief Building Official to direct applications for amendments to be considered in whole or in part as part of the variance process applications along with the necessary administrative changes by:

A. deleting section 694-29 and replacing it with the following:

A. A person may apply for:

(1) A variance from the provisions of this chapter, provided none of the circumstances set out in 694-31A applies; or,

(2) A site-specific amendment to this chapter in the circumstances set out in § 694-31A.

(3) The Chief Building Official is authorized to determine, the substantive effect of applications made under Subsection A(2), and as the Chief Building Official determines appropriate refer an application for a site-specific amendment to this chapter made under Subsection A(2), in whole or in part, to the Sign Variance Committee, where the subject matter of that application is substantially within the authority of the Sign Variance Committee.

3. Chapter 694, Signs, General, is amended, to provide authority for the Chief Building Official to direct applications to be considered as well as to refuse to process applications along with the necessary administrative changes by:

A. By adding the following to Section 694-29 as subsections 694-29C and 694-29D:

C. The Chief Building Official is authorized to review an application for a variance from the provisions of this chapter made under subsection A with respect to a third party or first party sign; and to review an application for a site or area specific amendment to this chapter and refuse to process the applications further where, in the opinion of the Chief

Building Official, the subject matter of the application in substance or effect, contravene any applicable City of Toronto program, policy or by-law.

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

- (1) Accept the application;
- (2) Refer the application, in whole or in part, to the Sign Variance Committee; or
- (3) Refuse to process the application and provide in writing all of the reasons for the refusal.

4. Chapter 694, Signs, General, is amended, to remove the criteria from 694-30A, indicating that the variance not be in relation to a third-party sign, where the variance sought would relate to sign type that is permitted in the sign district, by deleting Subsection 694-30A(2) and renumbering section 694-30A accordingly so that it now reads as follows:

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

- (1) Belong to a sign class permitted in the sign district where the premises is located;
- (2) Be compatible with the development of the premises and surrounding area;
- (3) Support the Official Plan objectives for the subject premises and surrounding area;
- (4) Not adversely affect adjacent premises;
- (5) Not adversely affect public safety, including traffic and pedestrian safety;
- (6) Not be a sign prohibited by § 694-15B;
- (7) Not alter the character of the premises or surrounding area; and,
- (8) Not be, in the opinion of the decision maker, contrary to the public interest.

Appendix 2 - Detailed Description of Existing Sign Variance Criteria

Criteria	Contribution	Review
694-30A(1): The Proposed Sign belongs to a sign class permitted in the sign district where the premises is located	This criterion ensures that signs are consistent with the types of signs allowed in the area, and do not introduce any sign classes that are incompatible or prohibited.	Staff or the Sign Variance Committee review the sign class of the proposed signs and compare it with the sign district regulations in the Sign By-law.
694-30A(2): In the case of a third party sign, the Proposed Sign is a sign type permitted in the sign district	This criterion ensures that signs are consistent with the types of signs allowed in the area, and do not introduce any sign types that are incompatible or prohibited.	Staff or the Sign Variance Committee review the sign type(s) of the proposed sign(s) and compare it with the sign district regulations in the Sign By-law.
694-30A(3): The Proposed Sign is compatible with the development of the premises and surrounding area	This criterion ensures that signs are designed and located in a way that is proportionate, harmonious, and respectful of the existing and planned development of the premises and surrounding area, and do not create any adverse impacts on the visual quality or functionality of the area.	Staff or the Sign Variance Committee review the design and location of the proposed signs and assess their compatibility with the development of the premises and surrounding area, considering the size, shape, colour, materials, illumination, orientation, and placement of the signs, as well as the existing and planned land use, urban design, heritage, and environmental features of the area.
694-30A(4): The Proposed Sign supports the Official Plan objectives for the property and surrounding area	This criterion ensures that signs are aligned with the City's vision and policies for the land use, urban design, heritage, transportation, and environment of the property and surrounding area, and do not undermine or conflict with the Official Plan goals.	Staff or the Sign Variance Committee review the Official Plan objectives for the property and surrounding area and evaluate how the proposed signs support or conflict with them, considering the purpose, function, and planned character of the area, as well as the impact of the signs on the planned public realm, built form, heritage goals, transportation network, and natural environment.

Criteria	Contribution	Review
694-30A(5): The Proposed Sign does not adversely affect adjacent premises	<p>This criterion ensures that signs do not create any negative impacts on the neighbouring properties, such as light intrusion, glare, noise, obstruction, or loss of privacy, and do not interfere with the rights or enjoyment of the adjacent premises.</p>	<p>Staff or the Sign Variance Committee review the potential impacts of the proposed signs on the adjacent premises and consult with the affected property owners and occupiers to obtain their feedback and address any concerns, considering the distance, direction, and intensity of the signs, as well as the nature and sensitivity of the adjacent uses.</p>
694-30A(6): The Proposed Sign does not adversely affect public safety, including traffic and pedestrian safety	<p>This criterion ensures that signs do not create any hazards or risks for the public, such as distraction, confusion, or obstruction, and do not interfere with the safe and efficient movement of traffic and pedestrians.</p>	<p>Staff or the Sign Variance Committee review the potential effects of the proposed signs on public safety, including traffic and pedestrian safety, and consult with the relevant authorities and agencies to obtain their input and recommendations, considering the visibility of the signs, as well as the location, timing, and frequency of the signs, and compliance with other applicable laws, regulations, and standards.</p>
694-30A(7): The Proposed Sign is not prohibited by §694-15B	<p>This criterion ensures that signs do not belong to any of the sign categories that are prohibited by the Sign By-law, such as signs that are obscene, misleading, or dangerous, or signs that are attached to trees, utility poles, or traffic signals.</p>	<p>Staff or the Sign Variance Committee review the proposed signs and determine whether they belong to any of the prohibited sign categories listed in §694-15B of the Sign By-law.</p>
694-30A(8): The Proposed Sign does not alter the character of the premises or surrounding area	<p>This criterion ensures that signs do not change the identity or appearance of the premises or surrounding area in a way that is inconsistent or incompatible with the existing or desired character of the area, and do not detract from the aesthetic or cultural value of the area.</p>	<p>Staff or the Sign Variance Committee review the proposed signs and assess how much of a departure the proposed signs are from what is otherwise permitted by the Sign By-law, the proposed sign's impact on the character of the premises or surrounding area, taking into account the existing and desired identity, appearance, and quality of the area, as well as the aesthetic value of the area, and the contribution of the signs to the area's sense of place.</p>

Criteria	Contribution	Review
694-30A(9): The Proposed Sign is not contrary to the public interest	<p>This criterion ensures that signs do not have any negative impacts on the broader public interest, such as the health, welfare, or convenience of the public, or the economic, social, or environmental well-being of the city, and do not violate any laws, regulations, or standards that apply to the signs.</p>	<p>Staff or the Sign Variance Committee review the proposed signs and evaluate their impact on the public interest, considering the benefits and costs of the signs for the public, the city, and the applicant, as well as the compliance with the applicable laws, regulations, and other standards that may apply to the signs or the properties and areas where they may be located.</p>