

TORONTO STAFF REPORT

March 21, 2006

To: Toronto and East York Community Council

From: Elizabeth Glibbery, Manager
Municipal Licensing and Standards

Subject: Chapter 297, Sign By-law, of the former City of Toronto Municipal Code and the Removal of Illegal Signs in the Toronto and East York Community Council Area

Purpose:

To report on the recommendation by Toronto and East York Community Council from its meeting held on January 19, 2006, requesting the Acting Executive Director, Municipal Licensing and Standards, to report to the Toronto East York Community Council on February 7, 2006 regarding the proliferation of illegal third party signs, providing an action plan with recommendations on enforcement and any impediments facing the Division on this issue.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that this report be received for information.

Background:

At its meeting on September 28, 29 and 30, 2005, City Council gave consideration to a report about a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code for 25 Bishop Tutu Boulevard (Toronto-Spadina, Ward 20). Consideration was also given for the removal of illegal signs in the Toronto and East York Community Council area. Subsequently at the January 19, 2006 Toronto East York Community Council meeting, after deliberating on a number of other sign variance issues, a motion was passed requesting Municipal Licensing and Standards to report back on their enforcement strategy and issues impacting on its delivery.

Comments:

Chapter 297, Section 3, Signs, of the former City of Toronto Municipal Code, states that no person shall erect, display or alter a sign located within the City's boundaries unless a permit for the sign, under this chapter, has been obtained from the Commissioner. Permit applications are received and processed by Buildings Division staff.

Chapter 297, Section 8, which addresses the removal of unlawful signs, states that a notice of violation may be issued to any person who has erected and displayed or caused to be erected and displayed a sign without first having obtained a permit; or having obtained a permit, has caused to be erected and displayed a sign contrary to the approved plans in respect of which the permit was issued. The notice of violation shall require the person to make the sign comply within 14 days, failing which the Commissioner may cause the sign to be removed at the expense of the owner, and the City may recover the costs incurred by action or in like manner as municipal taxes. These enforcement actions are undertaken by Municipal Licensing and Standards Division Investigations staff.

However, Chapter 297 permits for the establishment of a legal non-conforming sign, that is, a sign that was lawfully erected or displayed on or before May 09, 1994, and which does not conform with this chapter, so long as the sign is not in any way substantially altered; or a sign for which a permit has been issued by the Commissioner under By-law No.126-92 on or before May 09, 1994, and which does not conform with this chapter, so long as the sign is not in any way substantially altered.

In December 2005, Municipal Licensing and Standards staff had requested input from the Councillors in the Toronto and East York District to help identify the most significant and problematic third party signs in their respective Wards. Furthermore, Municipal Licensing and Standards has been petitioning community organizations and ratepayer groups to assist in the same process.

Since then, 359 third party signs have been identified and are being investigated. So far, 14 Notices of Violation have been issued for signs that have been erected without a permit. While some of these matters have required enforcement measures, that is, removal of the signs by City-contracted staff, others have complied through mediation.

Conclusion:

The Municipal Licensing and Standards Division is committed to continue to identify locations with signs that have been erected without the benefit of a permit and take the necessary actions to ensure that these signs comply with the provisions set out in Chapter 297, Signs, of the former City of Toronto Municipal Code.

The Municipal Licensing and Standards Division recommends that the parties that are responsible for erecting and maintaining the signs, upon request, must provide all related documentation to support the lawfulness of the sign. In cases where there is no evidence that the sign was lawfully erected, Municipal Licensing and Standards will take the necessary actions to have the parties responsible for the sign, remove the sign by their own action or have the sign removed by City-contracted staff.

Furthermore, the Municipal Licensing and Standards Division in conjunction with the Planning and Buildings Divisions will monitor all sign variances and applications for sign permits and

take the necessary actions to ensure that the provisions in the By-law are followed and the decisions of City Council are respected.

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