

TORONTO MUNICIPAL CODE
CHAPTER 693, SIGNS

Chapter 693

SIGNS

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[HISTORY: Adopted by the Council of the City of Toronto as indicated in article histories.
Amendments noted where applicable.]

GENERAL REFERENCES

Fees and charges - See Ch. 441.

ARTICLE I
Third-Party Signs
[Adopted 1998-06-05 by By-law No. 280-1998¹]

§ 693-1. 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.

¹ Editor's Note: This by-law was passed under the authority of paragraph 146 of section 210 of the *Municipal Act*, R.S.O. 1990, c. M.45.

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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:

- A. A sign which advertises for sale the property on which it is located.
- B. A directional sign at each point of ingress or egress from the land.

§ 693-2. Use prohibited near portions of certain highways.

No person shall erect or use any third-party signs on any of the lands within 400 metres of any limit of the following sections of highway:

- A. F.G. Gardiner Expressway from Highway 427 to the Humber River, transferred from the Province by Order in Council 534/97.
- B. Highway 27 from Highway 401 to Steeles Avenue, transferred from the Province by Order in Council 535/97.
- C. 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.
- D. 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.

§ 693-3. 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 above.

§ 693-4. Conflicting provisions.

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

ARTICLE II

Election Signs

[Adopted 2000-06-07 by By-law No. 316-2000²]

§ 693-5. Definitions.

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

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

² Editor's Note: This by-law was passed under the authority of paragraphs 146 to 149, inclusive, of section 210, and paragraph 3 of section 308, of the *Municipal Act*, R.S.O. 1990, c. M.45. This by-law also provided that it shall supersede the election sign provisions of any other by-law.

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normally present and the public may enter to obtain information regarding the candidate. [**Added 2004-12-02 by By-law No. 1081-2004**]

CANDIDATE - A person who is running or has expressed an intention to run in a municipal, provincial or federal election, and shall be deemed to include 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*.³ [**Amended 2004-12-02 by By-law No. 1081-2004**]

ELECTION SIGN - Any sign:

- A. Advertising or promoting a candidate in a federal, provincial or municipal election, including an election of a local board or commission; or
- B. Intended to influence 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*.⁴ [**Amended 2004-12-02 by By-law No. 1081-2004**]

HIGHWAY: [**Added 2004-12-02 by By-law No. 1081-2004**]

- A. A common and public highway including any sidewalk, untravelled portion of the road allowance, bridge, trestle, viaduct or other structure forming part of or located on the highway and includes a portion of a highway;
- B. But does not include a structure, including a bus shelter and a municipal garbage container, if the structure, shelter or container is not owned by the City or is subject to the rights of a third party under an agreement with the City.

PUBLIC PROPERTY: [**Amended 2004-12-02 by By-law No. 1081-2004**]

- A. Property owned by or under the control of the City of Toronto or any of its agencies, boards or commissions, including highways, and shall be deemed to include public utility poles, regardless of whether the poles are owned by or under the control of the City and shall also be deemed to include bus shelters, municipal garbage containers or other structures, located on a highway regardless of whether the shelters, containers or structures are owned by the City.
- B. The following shall not be deemed to be public property:
 - (1) Property owned by a corporation of which the City is the sole shareholder; or
 - (2) 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 subsidiaries thereof. [**Amended 2004-12-02 by By-law No. 1081-2004**]

³ Editor's Note: See S.O. 1996, c. 32, Sched.

⁴ Editor's Note: See S.O. 1996, c. 32, Sched.

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STATION ADVERTISING SPACE - A TTC dedicated advertising space located on part of the premises constituting a subway station. [Added 2011-09-22 by By-law No. 1160-2011⁵; amended 2012-06-08 by By-law No. 803-2012]

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 but not limited to display of an advertisement, bill, handbill, leaflet, flyer or placard, and includes a station advertising space and a vehicle advertising space. [Added 2011-09-22 by By-law No. 1160-2011⁶; amended 2012-06-08 by By-law No. 803-2012]

TTC VEHICLE - Any motorized transportation equipment operated by or on behalf of the TTC and includes but is not limited to buses, streetcars, rapid transit trains, subway trains, light rail vehicles, wheel-trans vehicles and automobiles. [Added 2011-09-22 by By-law No. 1160-2011⁷; amended 2012-06-08 by By-law No. 803-2012]

VEHICLE ADVERTISING SPACE - A TTC dedicated advertising space located in or on a TTC vehicle. [Added 2011-09-22 by By-law No. 1160-2011⁸; amended 2012-06-08 by By-law No. 803-2012]

§ 693-6. General requirements.

- A. No person shall erect, attach, place or display an election sign except as permitted by this article.
- B. Election signs shall not be:
 - (1) Illuminated; or
 - (2) Attached to trees.
- C. No person shall deface or wilfully cause damage to a lawfully erected election sign.

§ 693-7. Election signs on public property.

[Amended 2004-12-02 by By-law No. 1081-2004]

- A. Election signs are not permitted anywhere on public property other than on:
 - (1) A highway, or a public utility pole located on a highway, provided there is compliance with the requirements of Subsection B(1) and Subsection C(1);
 - (2) A structure, including a bus shelter and a municipal garbage container, located on a highway, if permitted under the terms and conditions of any agreement between the owner or operator of the structure and the City or one of its agencies, boards or

⁵ Editor's Note: Definition was originally added to Section 693-16.

⁶ Editor's Note: Definition was originally added to Section 693-16.

⁷ Editor's Note: Definition was originally added to Section 693-16.

⁸ Editor's Note: Definition was originally added to Section 693-16.

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commissions, and provided there is compliance with the requirements of Subsection B(1) and Subsections C(1)(e) to (g); or [Amended 2011-09-22 by By-law No. 1160-2011]

- (3) A TTC dedicated advertising space, if permitted under the terms and conditions of any agreement between the owner or operator of the TTC dedicated advertising space and the Toronto Transit Commission, and provided there is compliance with the requirements of Subsection B(1) and Subsection D(1). [Added 2011-09-22 by By-law No. 1160-2011]

B. Prerequisites for display of signs; refund of deposit.

- (1) No candidate or his or her agent shall erect, attach, place or display or permit the erection, attachment, placement or display of election signs which would otherwise be permitted under Subsections C or D unless: [Amended 2011-09-22 by By-law No. 1160-2011]
- (a) The candidate has paid an election sign deposit of \$250 to the City; and
- (b) (Reserved)⁹
- (2) Subject to any deduction made under § 693-10B(1) of this article, the person who paid to the City an election sign deposit on behalf of a particular candidate is entitled to have the amount of the election sign deposit refunded no later than 90 days after voting day.

C. Regulations for signs on highways; removal of signs.

- (1) Subject to Subsection B, election signs may be erected or displayed on highways, except highways upon which pedestrians are prohibited, if:
- (a) The signs are no larger than 1.2 square metres in area and no higher than two metres above ground level; [Amended 2012-06-08 by By-law No. 803-2012]
- (b) On highways without sidewalks, the signs are not located within 1.5 metres of the curb or the edge of pavement;
- (c) On highways with sidewalks, the signs are not located between the curb and the sidewalk;
- (d) The signs are not located within 15 metres of an intersection or pedestrian crossover;
- (e) The signs are not located on a median or island installed within the highway;
- (f) The signs do not interfere with the safe operation of vehicular traffic or with the safety of pedestrians;

⁹ Editor's Note: Former § 693-7B(1)(b), regarding timely payments under § 693-10C, was repealed 2006-09-27 by By-law No. 862-2006.

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- (g) The signs are not erected adjacent to a voting place, City park or a facility that is owned or operated by the City; and
 - (h) The signs are erected with the consent of the owner or occupant of the abutting property.
- (2) No person shall pull down or remove an election sign erected or displayed in accordance with Subsection C(1) except with the consent of the candidate to whom the sign relates or the owner or occupant of the abutting property.
- D. Regulations for signs on TTC dedicated advertising spaces; removal of signs. **[Added 2011-09-22 by By-law No. 1160-2011]**
- (1) Subject to Subsection B, election signs may be erected or displayed on TTC dedicated advertising spaces, if:
- (a) The signs are located on station advertising space as permitted under the terms and conditions of any agreement between the owner or operator of the station advertising space and the Toronto Transit Commission and;
 - [1] The sign is not illuminated as required by § 693-6B(1), unless the terms and conditions of any agreement between the owner or operator of the station advertising space and the Toronto Transit Commission permits the display of illuminated signs on the station advertising space;
 - [2] The signs are no larger than 2.3 square metres in area;
 - [3] The signs do not interfere with the safe operation of vehicular traffic or with the safety of pedestrians;
 - [4] The signs are not erected or displayed adjacent to a voting place; and
 - [5] The signs are erected with the consent of the Toronto Transit Commission.
 - (b) The signs are located on vehicle advertising space as permitted under the terms and conditions of any agreement between the owner or operator of the vehicle advertising space and the Toronto Transit Commission and;
 - [1] The sign is not illuminated as required by § 693-6B(1), unless the terms and conditions of any agreement between the owner or operator of the vehicle advertising space and the Toronto Transit Commission permits the display of illuminated signs on the vehicle advertising space;
 - [2] The signs are no larger than 2.7 square metres in area;
 - [3] The signs do not interfere with the safe operation of vehicular traffic or with the safety of pedestrians;
 - [4] The signs are not erected or displayed adjacent to a voting place; and
 - [5] The signs are erected with the consent of the Toronto Transit Commission.

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- (2) No person shall pull down or remove an election sign erected or displayed in accordance with Subsection D(1) except with the consent of the candidate to whom the sign relates or the Toronto Transit Commission.

§ 693-8. Election signs on private property.

[Amended 2004-12-02 by By-law No. 1081-2004]

- A. Election signs may be erected or displayed on private property if:
- (1) The signs are no larger than 1.2 square metres in area and no higher than two metres above ground level, save and except signs on campaign offices; **[Amended 2012-06-08 by By-law No. 803-2012]**
 - (2) The signs do not interfere with the safe operation of vehicular traffic or with the safety of pedestrians; and
 - (3) The signs are erected with the consent of the owner or occupant of the property.
- B. Despite §§ 693-6B(1) and 693-8A(1), an election sign may be displayed on an illuminated billboard provided that each billboard has been installed under the authority of a permit issued under the applicable sign by-law.
- C. Despite § 693-8A(1), election signs no larger than 1.2 square metres in area may be displayed higher than two metres above ground level on buildings on private property if such signs are displayed indoors. **[Amended 2012-06-08 by By-law No. 803-2012]**
- D. A candidate or an agent of a candidate may erect directional signs to identify the location of a campaign office provided that the directional signs are not designed or intended to be election signs and provided that the directional signs comply with all applicable by-laws.
- E. No person shall pull down or remove a lawfully erected election sign on private property without the consent of the candidate to whom the sign relates or the owner or occupant of the property upon which the sign is erected.

§ 693-9. Timing.

- A. Election signs shall not be erected or displayed for a federal or provincial election until the day the writ of election is issued.
- B. Election signs shall not be erected or displayed for a municipal election until 25 days prior to voting day with the exception of the 2010 municipal election where election signs shall not be erected or displayed for a municipal election until 21 days prior to voting day. **[Amended 2010-08-27 by By-law No. 1175-2010]**
- C. Despite Subsections A and B, election signs may be erected on campaign offices up to 90 days prior to voting day provided that: **[Amended 2004-12-02 by By-law No. 1081-2004]**
- (1) In the case of a candidate for the position of Councillor or Trustee, that right shall extend to no more than one campaign office in the ward where the candidate is running for election;

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- (2) In the case of a candidate for the position of Mayor, that right shall extend to no more than four campaign offices.
- D. Election signs shall be removed within 72 hours after the completion of voting on voting day.

§ 693-10. Removal of unlawful election signs.

- A. Removal of signs by City; storage; retrieval.
- (1) If a sign is erected or displayed in violation of this article, the appropriate City officials may cause the sign to be removed immediately without notice.
 - (2) Signs that have been removed under Subsection A(1) shall be stored by the City for a minimum of 30 days, during which time the owner of the sign or the owner's agent may retrieve the sign by:
 - (a) Paying any amounts owing to the City under this article; and
 - (b) Providing the City with a signed acknowledgement and release in a form acceptable to the City.
 - (3) Any sign that has been removed by the City and stored for more than 30 days may be destroyed or otherwise disposed of by the City without notice and without compensation to the owner of the sign.
 - (4) Despite Subsection A(2), the City shall not be obliged to store signs made entirely of paper or other lightweight material and may destroy these signs immediately upon removal.
- B. Costs for removal and storage of signs.
- (1) Subject to Subsection B(2), if an election sign is removed from public property in accordance with Subsection A, the candidate to whom the sign relates will be charged a fee of \$25 to be deducted from the refundable portion of the candidate's election sign deposit to cover the cost of removing the sign. **[Amended 2005-06-16 by By-law No. 536-2005]**
 - (2) The fee described in Subsection B(1) will be waived if, within 30 days from the date of receiving a notice of fees due to the City under this article, the candidate provides a sworn statement to the City Clerk indicating that neither the candidate nor, to the best of the candidate's knowledge, any person acting on behalf of the candidate was responsible for the unlawful erection or display of the election sign. **[Amended 2004-12-02 by By-law No. 1081-2004]**
 - (3) If a candidate is in violation of § 693-7B(1), the candidate shall, in addition to any fine or other penalty which may be imposed for an offence under this article, be required to pay to the City the cost of removing any of the candidate's election signs erected or displayed on public property, which amount may be recovered by legal action or in like manner as municipal taxes. **[Amended 2004-12-02 by By-law No. 1081-2004]**

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- (4) Cost for removal and storage. **[Amended 2000-10-12 by By-law No. 958-2000]**
- (a) If an election sign is removed from private property in accordance with Subsection A, any person responsible for erecting or displaying or causing the erection or display of the sign in contravention of this article shall, in addition to any fine or other penalty which may be imposed for an offence under this article, be required to pay to the City:
- [1] The cost of removing the sign; and
- [2] If a sign has been stored, a per-sign storage charge of \$2 per day or part thereof, or \$0.50 per square metre of sign face area per day or part thereof, whichever is the greater, the sign face area to be the total area of all sign faces on the sign.
- (b) The amounts in Subsection B(4)(a)[1] and [2] may be recovered by legal action or in like manner as municipal taxes.
- (5) If an election sign has been stored after being removed from public property, the candidate to whom the sign relates shall pay a storage charge as outlined in Subsection B(4), which amount may be recovered by legal action or in like manner as municipal taxes.

C. When costs for removal exceed deposit; notice.

- (1) If the costs incurred by the City in removing a candidate's signs from public property exceed the election sign deposit paid by the candidate, the City shall notify the candidate, who, 30 days after the election date, shall pay: **[Amended 2004-12-02 by By-law No. 1081-2004; 2005-06-16 by By-law No. 536-2005; 2005-09-30 by By-law No. 817-2005¹⁰; 2006-09-27 by By-law No. 862-2006]**
- (a) The outstanding costs of removal at a cost of \$25 per sign.
- (2) Notice under Subsection C(1) shall be given to the candidate by registered mail or facsimile transmission and shall be deemed to be received the next business day.
- (3) A candidate who has received notice under Subsection C(1) shall be informed of the outstanding costs of removal which he or she is required to pay.

§ 693-11. Payment methods.

[Added 2004-12-02 by By-law No. 1081-2004¹¹]

The election sign deposit or other debt owed to the City under this article shall only be payable by cash, certified cheque or money order.

¹⁰ Editor's Note: This by-law provided that it comes into force 2004-12-02.

¹¹ Editor's Note: This by-law also provided for the renumbering of former §§ 693-11 through 693-13 as §§ 693-12 through 693-14, respectively.

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§ 693-12. Use of City of Toronto logo.

[Amended 2004-12-02 by By-law No. 1081-2004]

No person shall display on any election sign a logo, trademark or official mark, in whole or in part, owned or licensed by the City.

§ 693-13. Offences.

Any person who contravenes any provision of this article is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*.¹²

§ 693-14. Liability for damages.

The provisions of this article shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing of such signs or resulting from the negligence or wilful acts of such person, or his or her agents or employees, in the construction, erection, maintenance, repair or removal of any such signs.

§ 693-15. Authority of City Solicitor.

[Added 2004-12-02 by By-law No. 1081-2004]

Where a candidate has failed to pay any amount owed to the City under this article, and the outstanding amounts cannot be added to a candidate's tax roll, the City Solicitor may initiate court action to collect the outstanding amount, may appeal any decision where warranted, may discontinue or settle such claim or action where it is concluded by the City Solicitor, in consultation with the City Clerk and the Executive Director of Municipal Licensing and Standards, or successor official, that it is reasonable to do so and may execute any documents as required to discontinue or settle the claim or action.

ARTICLE III

Temporary Signs

[Adopted 2005-07-21 by By-law No. 698-2005¹³]

§ 693-16. Definitions.

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

A-FRAME SIGN - A rigid self-supporting free-standing moveable sign structure shaped like an "A", which is not fastened by any means to the ground or any structure. [Amended 2011-07-14 by By-law No. 975-2011¹⁴]

¹² Editor's Note: This section was passed under the authority of section 320 of the *Municipal Act*, R.S.O. 1990, c. M.45. Under section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, a person convicted of an offence is liable to a fine of not more than \$5,000.

¹³ Editor's Note: This article was passed under the authority of section 99 of the *Municipal Act, 2001*, S.O. 2001, c. 25. This by-law stated that it comes into force 60 days after enactment of September 20, 2005.

¹⁴ Editor's Note: This by-law came into force September 1, 2011.

