February 14, 2011

Members of the Etobicoke - York Community Council

Re: EYCC Agenda – Wednesday, February 16, 2011

EY4.16 Exemption to Toronto Municipal Code, Chapter 485, Graffiti - 230 Ryding Avenue (Ward 11)
EY4.17 Exemption to Toronto Municipal Code Chapter 485, Graffiti - 295 Maria Street (Ward 13)
EY4.18 Exemption to Toronto Municipal Code Chapter 485, Graffiti - 297 Maria Street (Ward 13)

The aforementioned agenda items have generated significant media coverage revolving around the sensitive issue of what is art and what is graffiti/vandalism. The current legislative framework in the City of Toronto places elected officials and Municipal Licensing & Standards staff in an awkward position determining the merit of artistic expression/vandalism on private or public property.

Today's referred agenda items indicate the need to develop guidelines on determining the difference between art and visual vandalism. As Chair of the Licensing and Standards Committee along with the Mayor's Office, one of the main priorities will be a comprehensive graffiti eradication policy due in a few months. The timing is ideal to incorporate criteria of art versus graffiti into the city's overall strategy.

Balancing the concerns of the community with those of genuine artistic expression is the need to establish clear benchmarks of what is acceptable and what does not belong within the public realm. Any images that promote racism, hatred, political messages, sexual and lurid images or gang tagging simply do not belong in the public sphere. Another consideration to keep in mind is whether art on private property creates an immediate visual distraction that would endanger pedestrian and vehicular safety.

Clear and enforceable guidelines regarding art in the public realm as it relates to the Toronto Municipal Code - Chapter 485 would greatly assist Community Councils in the decision-making process on whether to approve or decline future applications.

RECOMMENDATION:
1. That the Etobicoke York Community Council direct that a copy of this communication be forwarded to the Executive Director of MLS for his consideration.

Yours sincerely,

Cesar Palacio, Chair
Licensing and Standards Committee
Councillor, Ward 17 – Davenport

cc: Jim Hart, Municipal Licensing & Standards
M. Towhey and S. Petrujkic, Mayor's Office