

W I G D E R S O N & A S S O C I A T E
B a r r i s t e r s a n d S o l i c i t o r s

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Toronto, January 15, 2013

BY E-MAIL ONLY
grafpnl@toronto.ca

Graffiti Panel
Etobicoke Civic Centre
399 The West Mall
Toronto, Ontario

Members of the Graffiti Panel:

Re: Stones Place, 1255 Queen Street West
Legal Description: PLAN 418 BLK B PT LOT 5
Roll Number: 1904021320021000000
Your Folder Number: 12 209415 GRA 00 IV

I represent Spike & Stone Inc., the owner of 1255 Queen Street West.

On November 2, 2012, I brought an application to the Graffiti Panel ("the Panel") on my client's behalf. The Panel adjourned the application "to allow an opportunity for the Applicant and staff of the Municipal Licensing and Standards Division to provide additional submissions on the nature of the markings found on the south wall of 1255 Queen Street West, and in doing so the Graffiti Panel requested that clearer and up-to-date photographs be provided".

When my client and I appeared before the Panel on November 2, 2012, there was some confusion surrounding my client's application and I would like to try to clear that up.

My client's appearance before the Panel was triggered by a notice of violation ("the Notice") issued to my client by a Municipal Standards Officer on July 12, 2012. The Notice was issued in respect of markings in two locations at my client's building: (1) on the north wall, facing Queen Street West, below the windows; and, (2) on the east wall, facing a parking lot. The Notice did not refer to any of the markings on the south wall of my client's building, which faces an alley.

After receiving the Notice, my client removed all of the markings on the

north wall of his building and some of the markings from the east wall of his building. With respect to the remaining markings on the east wall of his building, my client applied to the Panel for a declaration that those markings be deemed “graffiti art” and exempted from the notice.

While there are markings on the south wall of my client’s building, the Notice did not refer to those markings. However, since my client was going to be appearing before the Panel regarding the east wall of his building, he felt it would be logical and prudent to simultaneously ask the Panel to consider the markings on the south wall, so his application included a separate request that the markings on the south wall of his building be “regularized”.

I wish to emphasise my client was never asked by the City to erase or modify the markings on the south wall of his building; he has brought those markings to the attention of the City and the Panel.

I will now provide the Panel with an update. First, it will be recalled that at the hearing in November, some concern was expressed about an object held by a simian figure on the south wall of the building. As you can see from the following photograph, taken in August 2012, it appears the figure might be holding a knife:



To allay concerns about that image, my client hired a painter to transform the object in question. As you can see from the following photograph, taken within the last few weeks, the object is now clearly a paintbrush:



The following photograph was also taken within the last two weeks and it captures the western portion of the south wall:



The next three photographs capture the east wall and they were also taken within the last two weeks:





I am happy to report that since my client removed all traces of tags last August, not one of the walls of his building has been defaced by vandals.

Yours truly,

Owen Wigderson