

May 26, 2017

City of Toronto

Attention: Planning and Growth Management Committee

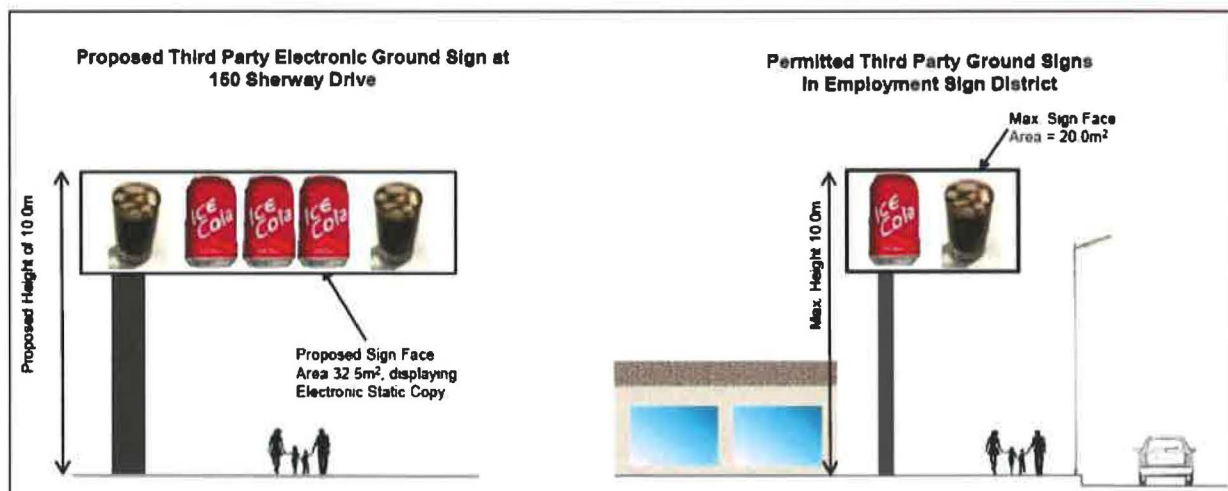
**Re: Process and Procedure; Item PG21.9, Incomplete Staff Report - Request for Referral.
Specific Locations 153 Dufferin Street and 150 Sherway Drive**

OUTFRONT Media has applied for 2 By-law amendments as described above. Whether or not individual Councillors may agree with the appropriateness of the respective applications, it is imperative that Councillors make those determinations from a record which accurately and without bias reports on the nature and circumstance of the applications. Further, it should not be left to an applicant to correct that record "on the floor". It is our position that our applications and consideration for approval will be compromised as result of critically important information being missed or ignored in the staff report released today, much of which was already known to staff at or prior to the time the report was drafted.

Consequently, and in the interest of procedural fairness, we are requesting that the two subject matters be referred to staff for further consultation and for the preparation of more fulsome reports. We would like to bring to your attention to the following issues in the staff report.

150 Sherway Drive

The tenor of the report is most clearly demonstrated by the visual representation of the proposed sign. The comparison of size between a sign permitted under the by-law and that proposed is not to scale and is not accurate. The illustration is misleading and unacceptable. **In our business, this would be called FALSE Advertising.** A "Permitted" Sign is 20 sq. m. The sign we have proposed is 32.5 sq. m. The representation shows a sign of at least 45 sq.m. This has no place whatsoever in a staff report and should not be before Committee, or ultimately City Council.



The representation serves only to portray the application as outrageous – not worthy of Council's consideration. But further, staff fails to report on key elements of the proposal:

- The staff report fails to note, not only that we currently have a total of three sign structures on the property, but that we intend to remove all of them and replace with just the one if the new sign is approved. This is a key element in the proposal. During the community consultation meeting staff indicated that the staff report would need to be completed by May 8th. A submission was sent to staff confirming the offer to remove the two additional signs on April 27th. A confirmation of receipt of the submission was requested of staff. Staff did not respond nor did they inform us that the staff report had already been completed prior to April 27th.
- The report states that the sign “could impact sensitive land uses surrounding the property”. There are no “sensitive land uses surrounding the property”. To the north is a Hydro Corridor, to the east, there is a shopping plaza, to the south there is a Tim Hortons.
- Related, and most notably, the report fails to describe the fact that the proposed new sign will not be located in proximity to any residential use. In fact, the report fails to point out that the public consultation process drew no interested residential parties, because there aren’t any.
- The report helpfully points out that Institutional Zones (the subject property is located in an Institutional Zone) normally contain sensitive uses such as schools, hospitals, places of worship and nursing zones. The report fails to note that this sign would be placed on lands owned by a hospital. The hospital is a willing participant in the project. The sign would be placed in a parking lot of the hospital and at its remote edges. The land use is not “sensitive”. Councillors should not labor under the misimpression provided in the report
- The report fails to describe that the new sign will be well setback from an intersection.

153 Dufferin Street

- The report states that we are seeking a 15 year permit term. In consultation with staff, and prior to the report being prepared, we agreed to comply with the 5 year permit requirement. The report’s inaccuracy on this point represents a significant issue.
- The report does not provide any details on the existing roof top sign other than stating it will be removed. The size of each of the two existing display faces are not provided as compared to the size of the proposed new sign. In fact, the two signs to be removed have a total display area of some 2568 square feet, whereas the proposed sign would have a display area of 672 square feet. It is salient that the proposed sign would comprise 25% of the display area of the existing, and this should properly have been noted in the report.
- The report does not capture the benefits of the application. The fact that the sign becomes a single sided display only facing away from a residential use located to the west of the sign. The offer to reduce the overall display area of the remaining face from that of what was proposed was not mentioned. The sign being moved from the roof to the ground bringing the sign in greater compliance with the new by-law should be stated by staff in the report.

- Community Consultation was positive. Although a limited number, the people who did attend were important well connected, active residents in the immediate area whom stayed for an in-depth question and answer period of almost 2 hours. They left the meeting approving of the application.
- A public poll was conducted by the landowner and the results of such were provided to staff. The public poll was supportive. The report makes no mention of it.
- The report fails to describe the fact that the proposed new sign will not be located in close proximity to any residential use.
- The report fails to describe how moving the sign east, moves the sign away from an intersection.

The sign by-law has a provision and process for a by-law amendment. The purpose of a staff report is to provide Councillors a balanced and informative description of the application.

It would be naïve for us to expect a supportive staff report in each case.

But we do have the right to expect that the circumstances surrounding a particular application are faithfully reported and are not distorted. Further, we have the right to expect that information we provide, where material, form part of the record.

Similarly, Councillors have the right to expect the same.

This staff report as written fails that objective entirely.

Sincerely,



Steve Wolowich,
Senior Director of Real Estate

CC: Will Johnston, P.Eng. Chief Building Official and Executive Director (Acting) Toronto Building
Ted Van Vliet, Manager, Sign Bylaw Unit, Robert Bader, Supervisor, Sign Bylaw Unit, John Livey, Deputy City Manager, Vic Gupta, Principal Secretary,