

April 2nd , 2024

Planning & Housing Committee
100 Queen Street West
Toronto, ON L8P 4Y5

RE: STAFF REPORT PH 11.6 “IMPROVEMENTS TO THE SIGN BY-LAW AMENDMENT & VARIANCE PROCESS

To the Chair and Members of the Planning and Housing Committee,

We are writing on behalf of OUTEDGE Media (formerly OUTFRONT Media Canada) to express our concern for the proposed changes to the Sign By-Law Amendment and Sign Variance process, as outlined in the Staff Report “Improvements to the Sign By-Law Amendment and Sign Variance Process”.

We recognize the efforts and intent of making the sign application and approval process more efficient, however we believe that such efforts also need to maintain balance and reflect the importance of ensuring the Planning and Housing Committee and council members retain involvement in decision-making which has broader implications to communities. Our detailed feedback on staff recommendations is outlined below.

Next steps

We believe this matter should be referred back to staff to permit further deliberation and industry consultation to incorporate the feedback outlined in this letter.

Staff Recommendation #1 - Provide clear authority to the CBO to determine the streaming of matters included in Sign Variance and Sign Bylaw Amendment Applications

We recommend refining the process for sign variance and bylaw amendment applications to better delineate the types of matters that should be considered directly by the Sign Variance Committee. This recommendation aims to prioritize the handling of minor sign variances at the Sign Variance Committee level, thereby optimizing the application review process. It is vital to maintain a balance, ensuring that decisions on major amendments or matters with broader community implications remain with the Planning & Housing Committee, where they can benefit from a broader perspective and representation. For this proposal to work there would also need to be better clarity on what variances would be considered major vs. minor in nature to allow clarity on whether such variation is more appropriate for Sign Variance Committee vs. Planning and Housing Committee. Under the current proposal, no detail is provided on this making the process vague.

If a sign application is intended for a parcel of property already zoned as an: (i) Employment Sign District; or (ii) Utility Sign District (which are currently zoned for third party signage), it makes sense that such applications and any associated minor variance be heard by the Sign Variance Committee since such applications already comply with zone requirements and simply require variance that are more technical in nature though there would need to be better clarity on what would constitute a minor vs. major

variance . Examples of such variances could include, for example: extending sign permit terms from 5 to 10 years or extending hours of operation of the sign.

However, sign applications intended for broader policy issues, such as introducing a new Sign District or Special Sign District or implementing site or area specific restrictions should be routed through Planning & Housing comprised of local elected city councillors who are best positioned to consider broader questions of what is in the interests of the communities where such applications are proposed.

This delineation of directing more technical variances to Sign Variance Committee while preserving Planning and Housing Committee's oversight of more broad zoning and policy decisions strikes the appropriate balance of ensuring efficiency of the process so as to not unduly tax the resources of Planning and Housing Committee while ensuring broader issues of greater impact to our communities are appropriately considered through Planning and Housing Committee.

Staff Recommendation #2 Delegate to the CBO the authority to submit Bills directly to Council to update the Schedule A Maps (Sign District Maps)

As with Recommendations #1 and #4, we view the proposal to significantly alter the Sign District Zoning Map as another instance where important decisions are at stake. Such recommendations represent critical decisions that should be processed through the Planning & Housing Committee and Council. These decisions, pivotal in shaping the long-term character and development of neighbourhoods, warrant the focused attention and oversight of Councillors, who are directly elected to listen to and represent community interests.

Staff Recommendation #3 Provide the Chief Building Official with the authority to refuse applications for Sign Variances and Sign By-law amendment which are in contravention of City of Toronto Policies or other By-laws

We have concerns about the recommendation granting the CBO broad refusal authority over applications it deems in contravention of city policies or by-laws. Putting aside the potential legal issue of whether due process can be met by allowing such broad delegated authority to staff to refuse to even allow an application to be processed, without appeal, the example provided by staff illustrates our concern. We disagree that the intent of the Donations to the City of Toronto for Community Benefits Policy is to prohibit the ability of sign applicants to demonstrate the value such projects could potentially bring to the greater community (particularly through proposing to provide a percentage of advertising space for public service, charitable or other community messaging). Like other development projects, demonstrating the community value of such projects is vital and is appropriate to consider as part of an overall application.

This further illustrates the advantages to having sign applications considered by elected community representatives who are directly accountable for advocating in the better interests of their constituents.

Staff Recommendation #4 Improve the Responsiveness and Flexibility of the Sign Variance Process by deleting the Third Party Sign Type restriction in Section 694-30A(2)

We propose adjusting the sign variance process by reevaluating the Third Party Sign Type restriction in Section 694-30A(2), with the aim of distinguishing between minor variances and major zoning matters. Specifically, we support the streamlined handling of applications within Employment and Utility Sign Districts, as these areas are pre-designated for third-party signage and typically involve less complex considerations. Conversely, applications intended for parcels outside these districts, such as in Commercial-Residential or Institutional Sign Districts, should be reviewed by the Planning & Housing Committee.

These applications often present broader questions of community interest and impact, necessitating the deliberation of our elected City Councillors. It's essential that while minor variances are streamlined for efficiency, significant zoning changes or applications with broad community implications are deliberated by the Planning & Housing Committee. This approach ensures that matters of significant impact are appropriately addressed by elected representatives, aligning with community values and priorities.

We would be happy to meet with you to discuss this important matter in further detail at your convenience.

Thank you for taking the time to consider our feedback.

A handwritten signature in black ink, appearing to read "M Erskine".

Michele Erskine, CEO – Canada
OUTEDGE Media