



Elizabeth Glibbery, Manager
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December 21, 2006

CBS Outdoor
377 Horner Avenue
Toronto, ON M8W 1Z6

Attention: Stephen McGregor
National Director, Real Estates

Dear Mr. McGregor,

RE: Signs at 25 Burnside Drive

I am writing in respect of the two free standing ground billboard signs located at the above-noted property in respect of which a Notice of Violation was issued on August 2, 2006. The City can not find any record of any permit having been issued authorizing these signs. All signs require a permit pursuant to Chapter 297 of the City of Toronto Municipal Code.

We understand, however, that you take the position that the signs have legal non-conforming status and that they have been in place since the 1950's. We confirm receipt of the fax you sent to us on December 14, 2006 in support of your claim. To date, this is the only document provided to us in support of your position that the signs have legal non-conforming status.

The term "Legal Non-Conforming Status" is defined in Chapter 297 of the Municipal Code. Section 297-2.A provides that a legal non-conforming sign is a sign that was lawfully erected or displayed on or before May 9, 1994 and which does not conform with Chapter 297, so long as the sign is not in any way substantially altered. Section 297-3.D provides that the provisions of Chapter 297 do not apply to a legal non-conforming sign if the sign is not substantially altered. It is the position of the City's Municipal Licensing and Standards Division that the document you have provided to us is insufficient to establish that the signs on the property have legal non-conforming status. The document is wholly lacking in detail. It provides the address of 31 Burnside Drive rather than 25 Burnside Drive. All the document shows is that some rents were paid in the 1950's and 1960's in respect of a location at Bathurst and Davenport. It does not even specifically refer to the signs in question. Even if the document does refer to the signs in question, it fails to show that such rents continued beyond the 1960's.

Please be advised that the City is prepared to consider a claim that the signs in question have legal non-conforming status. However, you would need to clearly establish that the signs were lawfully displayed on or before May 9, 1994 and that they have not been substantially altered. As such, if the signs have truly been in place since the 1950's and have not been substantially altered, you need to demonstrate this by way of a satisfactory document trail or by affidavit evidence. The City would be prepared to consider an affidavit and any supporting documents and/or photographs setting out the history of the signs, when the signs were installed, pursuant to what authority, and demonstrating that the signs were lawfully in place on or before May 9, 1994 and have not been substantially altered. The City is prepared to give you until January 2, 2007 to provide this material in support of your claim that the signs in issue have legal non-conforming status. If the material is provided by this date, the City will duly consider the material and get back to you with our position. If no further material is provided by January 2, 2007, the City will have no choice but to proceed with charges for the erection of signs without a permit after which time, any claim of legal non-conforming status would have to be made by you in court in defence of the said charge.

If you wish to contact me personally to discuss the matter further, please call me at 416 392 1320.

Respectfully,

A handwritten signature in black ink, appearing to read "E. Glibbery". The signature is fluid and cursive.

Elizabeth Glibbery
Manager, Toronto East York

Cc Fiona Skurjat, Supervisor, Municipal Licensing and Standards
Naomi Brown, Legal Services, Metro Hall, 23rd Floor, 55 John St.