



TO: GENERAL COMMITTEE

SUBJECT: REQUEST FOR EXEMPTION FROM SIGN BY-LAW 2018-029 - 833 YONGE STREET

WARD: 9

PREPARED BY AND KEY CONTACT: J. FORGRAVE, SUPERVISOR OF ENFORCEMENT SERVICES, EXT. 4330
T. BANTING, MANAGER OF ENFORCEMENT SERVICES, EXT. 4336

SUBMITTED BY: W. COOKE, DIRECTOR OF LEGISLATIVE AND COURT SERVICES/CITY CLERK

GENERAL MANAGER APPROVAL: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

CHIEF ADMINISTRATIVE OFFICER APPROVAL: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That the exemption request from Pattison Outdoor on behalf of Metrolinx to Sign By-law 2018-029 section 12.1.4.1.1. to permit a poster panel sign with a single digital display board to be erected with a maximum setback of 4.0 metres from the City property line at the property municipally known as 833 Yonge Street, Barrie, be denied.

PURPOSE & BACKGROUND

Report Overview

2. The purpose of this Staff Report is to provide members of General Committee with information and research completed in relation to a request for a permanent exemption to Sign By-law 2018-029 to permit the erection of a poster panel (billboard) style sign with a single digital display to be placed with maximum setback of 4 metres from the City property line when the required minimum setback in the by-law is 15 metres from the City property line.
3. Pattison Outdoor was granted a Building Permit (PMT22-02538) on May 9th, 2023, to install the proposed poster panel sign with 1 digital display at 833 Yonge Street, Barrie, at a location that complies with or exceeds all minimum setbacks required in the Sign By-law.

Background

4. On March 26th, 2018, City Council adopted By-law 2018-029, a By-law of the Corporation of the City of Barrie to regulate advertising devices, including signs.

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5. Section 2.1.12.0.0 of City of Barrie By-law 2018-029 states:

“**Poster Panel Sign:** means a permanent sign that advertises goods, products, services or facilities that are not available at the location where the sign is situated or that directs persons to a location different from that where the sign is located, and shall include free standing structures and signs attached in any manner to the wall of a building or structure and includes a standardized sign structure erected and maintained by a business engaged in the sale or rental of space upon which advertising copy is displayed advertising goods or services that are not necessarily conducted within or upon the lot upon which the sign is located.”
 6. Section 12.1.1.1.0 of City of Barrie By-law 2018-029 states the areas where poster panel signs are permitted:

“Poster panel signs are permitted in all vacant undeveloped lots zoned Commercial or Industrial and on all lands zoned Agricultural, according to the Zoning By-law”.
 7. Section 12.1.4.0.0 of City of Barrie By-law 2018-029 further prescribes mandatory setbacks for the placement of all poster panel signs for the safety of citizens and motorists and limits the number of poster panel signs erected in certain areas of the City and states:

“12.1.4.0.0 **Setbacks for Poster Panel Signs:**

 - 12.1.4.1.0 Every poster panel sign shall be set back a minimum of:
 - 12.1.4.1.1 15.0m from all City property lines;
 - 12.1.4.1.2 15.0m from any private property line;
 - 12.1.4.1.3 3.0m from any driveway;
 - 12.1.4.1.4 500.0m from any other poster panel sign located on the same side of the street;
 - 12.1.4.1.5 100.0m from any land zoned residential”.
 8. Section 26.1.0.0.0 of City of Barrie By-law 2018-029 states:

“The Clerk of the Corporation may grant variances to this by-law from time to time as is deemed necessary providing that the variance is minor in nature and such variance does not erode or interfere with the integrity of this by-law”.
 9. Staff in Legislative and Court Services, Enforcement Services Branch initially received a request from Pattison Outdoor on behalf of Metrolinx, the property owner of 833 Yonge Street, Barrie South GO Station, for a poster panel sign with a digital display. Staff conducted a review of the request and determined that a poster panel sign with a digital display was permitted on the property in the requested location as it met the zoning requirements of being agriculturally zoned and met or exceeded all required minimum setbacks. A building permit was issued.
 10. Staff then received another request dated May 18th, 2023 from Paddison Outdoor. The minor variance requested was to lessen the required minimum setback of 15 metres (49.2’) from the City property line to 4 metres (13.1’), due to site specific circumstances as noted in Paddison Outdoor’s letter included as part of Appendix “C” of Staff Report LCS012-23.

11. Staff concluded the requested variance was not minor in nature given the setback from city property requested and therefore not within the City Clerk's authority to grant. See Appendix "C" to Staff Report LCS012-23 for the response to the minor variance request.
12. On July 26, 2023, Staff received a request from Pattison Outdoor on behalf of Metrolinx for the minor variance to be reviewed by City Council to receive a permanent exemption from section 12.1.4.1.1. to lessen the required minimum setback of 15 metres (49.2') from the City property line to 4 metres (13.1').

ANALYSIS

13. The property at 833 Yonge Street, Barrie, is zoned Agricultural, which despite being developed into the Barrie South GO station and parking lot for 615 vehicles, does allow for such a structure to be installed providing the provisions of the by-law are satisfied.
14. Enforcement Services as part of the review process for Sign Building Permits received an initial request for a proposed poster panel sign one (1) digital display at 833 Yonge Street, Barrie. Staff provided comments regarding the original proposed location for the poster panel sign, which did not meet minimum setbacks, including the required 100 metre setback from lands zoned residential and the 15 metre setback from the City property lines.
15. The applicant resubmitted their application with a proposed location that met or exceeded the minimum setback requirements. Enforcement Services provided approval given it met the Sign By-law requirements. Building Permit PMT22-02538 was issued on May 9th, 2023, to install a proposed poster panel sign with one (1) digital display at 833 Yonge Street, Barrie, at a location that complies with or exceeds all minimum setbacks required in the by-law. See Appendix "B" to Staff Report LCS012-23.
16. After the Building Permit was issued, the applicant chose to relocate the sign to a location that once again will not meet the required setbacks.
17. The Building Permit approved the installation of a poster panel sign 7.5 metres in height (24.6', the maximum height permitted) with a single digital display 3.05 metres high by 6.1 metres wide (10' x 20'). The placement of the sign was 17.9 metres (58.7') from the City property line, and 104.8 metres (343.7') from the adjacent residential zoned property, slightly exceeding the minimum requirements of both setbacks. See Appendix "A" to Staff Report LCS012-23 is a map that illustrates the approved location and the applicant's new proposed location requiring the exemption.
18. Staff is of the opinion that this request is not minor in nature, as the requested setback variance exceeds what is provided for in the By-law by 11 metres (36') and the exemption is not a necessity for the sign to be installed on this property, given a location has already been approved by the City and a Building Permit issued.

ENVIRONMENTAL AND CLIMATE CHANGE MATTERS

19. There are no environmental or climate change matters related to the recommendation.

ALTERNATIVES

20. There is one alternative available for consideration by General Committee

Alternative #1

That a permanent exemption be granted from City of Barrie By-law 2018-029 Section 12.1.4.1.4 permitting the proposed poster panel sign with a single digital display be erected at 833 Yonge Street with a maximum setback of 4 metres from all City property lines and must comply with all remaining section of the by-law.

This alternative is not recommended as the exemption is not minor in nature and is not a necessity for the placement of the poster panel sign. If approved, this would not in keeping with the overall intent of the Sign By-law which was enacted with the prescribed setbacks for the safety of citizens and motorists in the City of Barrie.

FINANCIAL

21. There are no financial implications associated with the recommendation.





LINKAGE TO 2022-2026 STRATEGIC PLAN

22. The recommendation(s) included in this Staff Report are not specifically related to the goals identified in the 2022-2026 Strategic Plan.

APPENDIX 'A'

SIGN PLACEMENT INFORMATION REGARDING 833 YONGE STREET EXEMPTION REQUEST



-  PROPERTY BOUNDARY
-  CITY PROPERTY LINE
-  APPROVED SIGN (PMT22-02538, 17.9m SETBACK)
-  PROPOSED LOCATION (4.0m SETBACK)

APPENDIX 'B'

APPROVED BUILDING PERMIT PMT22-02538 APPLICATION



Enforcement Services Branch
MEMORANDUM

TO: Planning Services Department
FROM: Michael Davidson – Municipal Law Enforcement Officer
RE: PMT22-02538 – 833 Young Street – revised
DATE: May 1, 2023

To whom it may concern,

This application can be approved with the revised submission.

The proposed poster panel sign will not exceed 7.5 meters in height and will further meet or exceed required setbacks.

A City of Barrie Enforcement Services Poster Panel Sign Application is required.

The operation of the electronic message board must be utilized in compliance with current regulations which are as follows.

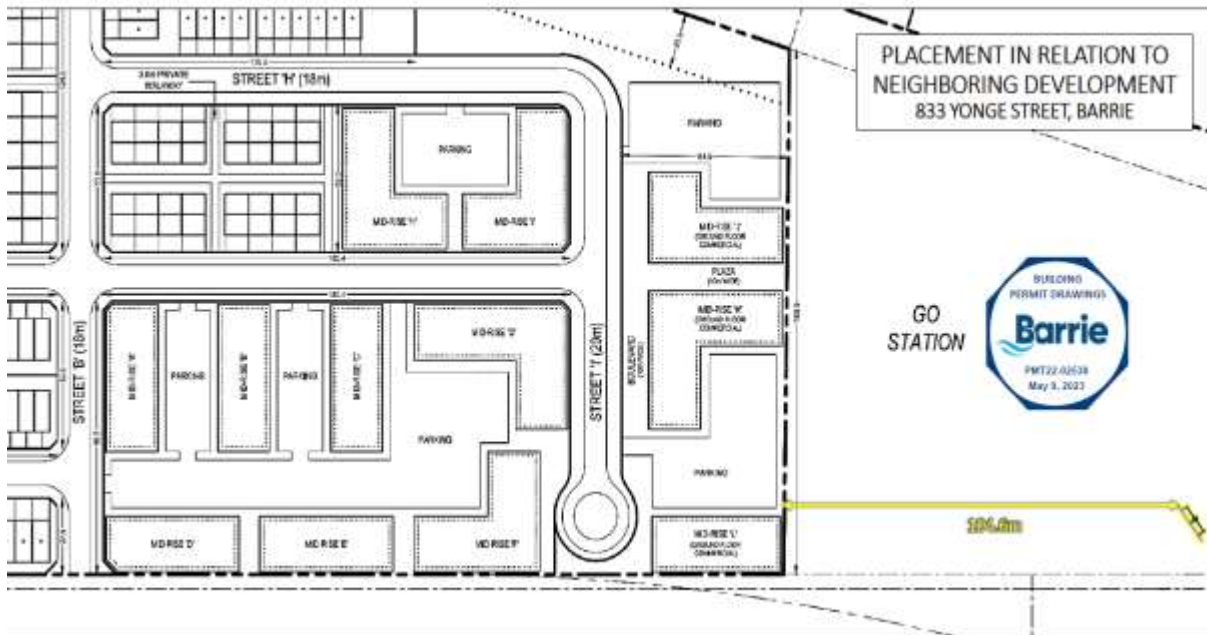
Digital Display / Electronic Message Board - Regulations for Operation:

- The intensity of an illumination of the digital display / electronic message board must be maintained at a constant level and depict only static images that do not contain any motion, animation, flashing or scrolling.
- The Digital Display/Electronic Message Board Poster Panel sign must be equipped with functioning automatic dimming technology which will automatically adjust the intensity of the illumination in direct correlation with the ambient light conditions.
- The intensity of an illumination of the digital display / electronic message board must not exceed 6,000 nits during the period between sunrise and sunset and further must not exceed 500 nits during the period between sunset and sunrise, as provided by industry standards and may be amended from time to time.
- Advertisements will have a minimum dwell time (time on the ad) of 8 seconds and an average transition time (time to change ad) of 1 second.
- Sign shall be removed upon development of land

Thank you,

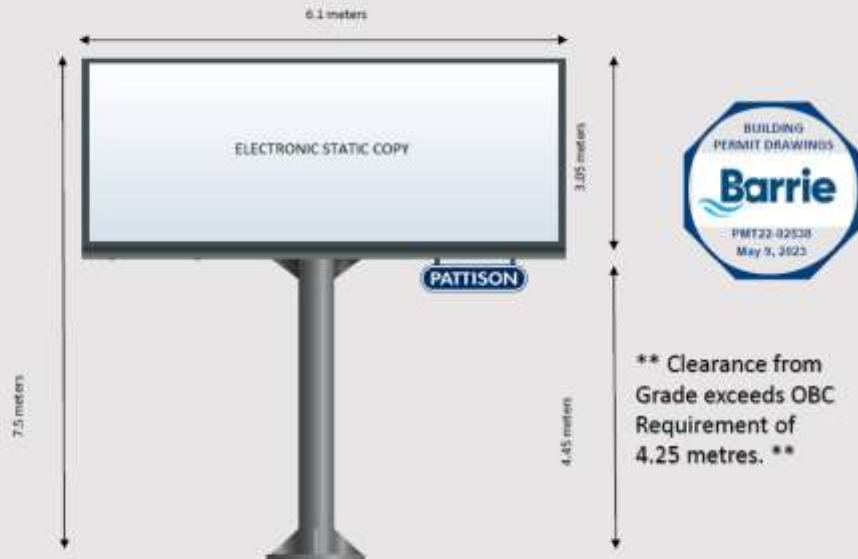

Michael Davidson







Approximate Sign Dimensions



** This sign will have one single sign face, directed north-west. **

APPENDIX 'C'

REVISED REQUEST FOR MINOR VARIANCE APPLICATION AND DENIAL



May 18th, 2023

Attn: City of Barrie Planning Department
70 Collier Street
Barrie, ON L4M 4T5

RE: Sign Variance Application – Barrie South GO Station (833 Yonge Street)

Please accept this letter as part of our application for a minor variance to the Barrie Sign By-law. On behalf of Metrolinx, Pattison Outdoor is seeking approval to build one new digital billboard ground sign with a single face directed north-west (the Proposed Sign) at the Barrie South GO Station, located at 833 Yonge Street.

We were issued a Sign Permit for the Proposed Sign (PMT22-02538) on May 9th, 2023. However, we are seeking a minor variance for a reduced setback to the street line, due to the site-specific circumstances.

Figure 1 – Rendering of the Proposed Sign



The Proposed Sign will have one single face with a total sign face area of 18.6 square metres, which will be directed north-west towards traffic travelling south-east on Yonge Street. The single sign face will have dimensions of 6.1 metres horizontally by 3.05 metres vertically (or approximately 10 feet by 20 feet). The height will not exceed 7.5 metres from grade.

PATTISON

We are seeking variance approval to locate the Proposed Sign approximately 4.0 metres from the Yonge Street property line, and approximately 38.6 metres from the travelled portion / curb line of Yonge Street. Because of the incredibly large "boulevard" between Yonge Street and the South Barrie GO Station parking lot, we believe the Sign By-law objective of locating the sign at a safe distance from the road is still achieved if this minor variance is granted.

As can be seen in Figure 2 below, we are planning to locate the Proposed Sign inside of the parking area, between the fence and a parking spot. This placement puts the sign closer to the street than the permitted location, which will greatly improve visibility of the content displayed on the Proposed Sign.

Figure 2 – Aerial View of the Proposed Sign at a 4.0 metre Setback from the Street Line



Metrolinx is in the midst of a large-scale renovation project across the GTA. The Proposed Sign is part of a large network of new digital signs Metrolinx is looking to incorporate into their newly designed stations and parking structures across the Province, to provide news and information to transit users.

The Proposed Sign would display a combination of third party messaging and Metrolinx-related content such as track updates and train delay advisements, as well as construction information, public health and safety notifications, and other messaging to inform the public and transit users of the Barrie South GO Station about important updates and news.

PATTISON OUTDOOR ADVERTISING

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The sign copy would be displayed as a series of still images, shown for a minimum of 10 seconds per message. At no time will the proposed sign display any distracting visual effects such as full-motion video, scrolling, flashing or blinking.

Pattison is seeking a minor variance for the Proposed Sign to allow for a reduced setback to the street line of 4.0 metres. However, we believe the area between the travelled portion of Yonge Street and the South Barrie GO parking area allows the Proposed Sign to be placed at a reduced setback, because the spacing will still be more than double the required distance of 15.0 metres from Yonge Street.

The proposed setback from the travelled portion of Yonge Street of 38.6 metres will still allow for any potential road widenings of Yonge Street to proceed without any interference from the Proposed Sign, should that be a part of the future plan for this area.

Another factor which we believe supports our variance request is that there is a reduction in grade between Yonge Street and the parking area. The location approved via Sign Permit PMT22-02538 is approximately 2 to 3 metres lower than grade at Yonge Street. Therefore, granting the variance for a reduced setback to the street line will improve visibility of the sign and messages displayed, which helps make the sign more compatible with the property. This reduced setback also ensures the Proposed Sign will not interfere with any commuters parking in the lot.

Figure 3 – Difference in Grade Level between Yonge Street and Approved Location in Parking Area





On behalf of Metrolinx, Pattison is seeking a variance from Section 12.1.4.1.1 of the Barrie Sign By-Law 2018-029, specifically "every poster panel sign shall be set back a minimum of 15.0 metres from all City property lines.

The Proposed Sign will comply with all other setback requirements in the Sign By-law, including setback to adjacent property lines, setback to the nearest driveway, setback to nearest residential uses and setback to nearest poster panel signs. It will also comply with the maximum size and height requirements, as well as all operating and illumination requirements as applicable.

As noted previously, the Proposed Sign will only display static messages for a minimum duration of 8 seconds. The transition between messages will be instantaneous, and will not include any motion or visual effects such as animation, scrolling, blinking or flashing.

Pattison is proud to confirm that all of our digital signs, including the Proposed Sign, come equipped with an ambient light sensor that ensures the brightness levels will be managed according to the time of day and ambient light levels.

The sign will be programmed to turn off in the event of a malfunction, and will also be monitored 24/7 by our Operations Centre via live video feed. This allows Pattison the control required to ensure that any malfunction is detected immediately and resolved as soon as possible, often without having to travel to the site or physically access the sign.

The Proposed Sign is one of many new infrastructure projects where Pattison has partnered with Metrolinx to build new digital signs at existing GO Stations and railway corridors, which have the flexibility to display a wide range of messaging. This new network will provide a significant public benefit to the surrounding communities and the commuters who use Metrolinx services.

At the same time, this state-of-the-art infrastructure will also provide new opportunities for local and national businesses looking to reach their target audiences, to help them expand their presence and identify the products and services they offer.

In addition to contributing to a healthier economy by providing opportunities for local and national businesses to promote and advertise their goods and services, the proposed sign will also improve Metrolinx' ability to communicate with commuters to promote ongoing initiatives, in addition to emergency communications such as Amber Alerts and extreme weather advisements.

The Proposed Sign will also be designed, engineered and installed in accordance with Ontario Building Code requirements. As such, we do not believe that any issues related to safety are foreseeable.

We believe that the site-specific conditions in place create undue hardship on the property owner to erect and display a sign that is clearly visible from the street, because of the extremely large setback to

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the travelled portion of Yonge Street as well as the difference in grade between Yonge Street and the portion of the property where the Proposed Sign was originally planned to be placed.

We sincerely believe the requested variance is minor in nature, and can be granted with confidence that the goals and objectives set out in the Barrie Sign By-law will be achieved. If you have any questions or concerns about this proposal, please feel free to contact us directly at any time. We thank you kindly for your consideration of our application.

Regards,

Nathan Jankowski

Nathan Jankowski
Manager, Leasing & Legislation, Central Region
Pattison Outdoor
Direct: 416-473-3366



CITY HALL
70 COLLIER STREET
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THE CORPORATION OF THE CITY OF BARRIE
Legislative and Court Services Department
"Committed to Service Excellence"

P.O. BOX 400
BARRIE, ONTARIO
L4M 4T5

July 19, 2023

File: P22 – LET

Nathan Jankowski
Pattison Outdoor Advertising
Suite 500, West Tower
2700 Matheson Boulevard East
Mississauga, ON
L4W 4V9

Reference: Minor Variance for Ground Sign at 833 Yonge Street, Barrie, ON

To whom it may concern,

The purpose of this letter is to respond to your Minor Variance request related to the proposed poster panel sign to be erected at 833 Yonge Street, Barrie, Ontario.

After careful review, we are unable to grant your request for a Minor Variance.

Pattison Outdoor Advertising and Metrolinx are required to adhere to all applicable provisions of By-law 2018-029, as amended.

If you have any further concerns, please contact the Enforcement Services Branch at (705) 739-4241.

Yours truly,



Wendy Cooke
City Clerk / Director of Legislative & Court Services