
TO: GENERAL COMMITTEE

SUBJECT: REQUEST FOR EXEMPTION FROM SIGN BY-LAW 2018-029 - 201 FAIRVIEW ROAD, BARRIE

WARD: 8

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

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 application submitted by Permit World on behalf of ONroute and the property owner for the following exemptions to Sign By-law 2018-029 at 201 Fairview Road, be denied:
 - a) Section 12.1.1.1.0. to allow the placement of a poster panel sign on commercial property that is not vacant, as 201 Fairview Road currently contains the ONroute facilities and a gasoline station;
 - b) Section 12.1.3.1.1. to allow the placement of a poster panel sign to exceed the maximum height of 7.5 metres by a further 7.7 metres, for a maximum height of 15.2 metres; and
 - c) Section 12.1.3.1.2 to allow the placement of a poster panel sign that exceeds the maximum advertising area for all sign faces of 40.0 square metres by a further 20.82 square metres, for a maximum sign face area of 60.82 square metres.

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 for the placement of a poster panel (billboard) style sign with two (2) digital display boards on a commercial property that is occupied by ONroute facilities and a gasoline station. The proposed sign would have an overall height of 15.2 metres and an overall advertising area of 60.82 metres.
3. Permit World made an application for a Building Permit (PMT23-01767) on November 3, 2023, to install the proposed poster panel sign at 201 Fairview Road, Barrie. This application was made as part of a provincial initiative between the applicant, ONroute, and the Ministry of Transportation of Ontario to install poster panel signs with two (2) digital display boards at all twenty-three (23) ONroute locations in the province.

4. The circumstances of this request are unique as the property located at 201 Fairview Drive is within the municipal jurisdiction with the property being owned by the Ministry of Transportation of Ontario. The proposed poster panel sign's placement is within the Highway 400 corridor boundaries where signs require the same Ministry's approval (in addition to any other local approvals). The proposed sign will not abut a municipal right of way.
5. The Barrie ONroute location is unique from the other ONroute locations in the province, as it is located within the urban boundaries of a municipality. The majority of ONroute locations are generally located in rural locations outside of the urban centres.

Background

6. On March 26, 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.
7. 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.”
8. 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”.
9. Section 12.1.3.0.0. of *the* City of Barrie By-law 2018-029 further prescribes maximum height and area limits for all poster panel signs as follows:
 - Section 12.1.3.1.0. states No poster panel sign shall;
 - Section 12.1.3.1.1. exceed 7.5 metres in height measured from the finished level at the base of the supporting structure at grade; and
 - Section 12.1.3.1.2. exceed a maximum sign area of 20.0 square metres for any single face or exceed a total area of 40.0 square metres for all sign faces combined.
10. Section 26.1.0.0.0 of the 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”.

11. Staff in the Legislative and Court Services, Enforcement Services Branch, received a minor variance request from Permit World on behalf of ONroute and the Ministry of Transportation of Ontario, the property owner of 201 Fairview Road, Barrie, dated November 15, 2023. The variance requested was in regard to the following Sign By-law sections and requirements:
 - 12.1.1.1.0.: to permit the placement of a poster panel sign on property zoned commercial but is not vacant or undeveloped, having the ONroute facilities and gasoline station on site;
 - 12.1.3.1.1.: to permit the height to exceed the maximum height of 7.5 metres by 7.7 metres, to an overall height of 15.2 metres; and
 - 12.1.3.1.2.: to permit the sign area to exceed the total area of 40.0 square metres for all combined sign faces by 20.82 square metres, to a maximum of 60.82 square metres.
12. Staff concluded that the requested variance was not minor in nature under the By-law, given the number of and scope of the requested variances, and as such, the City Clerk would be unable to grant the variances requested. Staff advised the applicant of this decision and advised that the request would need to be considered by City Council for a permanent exemption to the Sign By-law.
13. On December 4, 2023, Staff received a request from Permit World on behalf of ONroute and the Ministry of Transportation of Ontario for the variance to be reviewed by City Council to receive a permanent exemption from sections 12.1.1.1.0., 12.1.3.1.1, and 12.1.3.1.2. as described above. See Appendix "E" to Staff Report LCS002-24.

ANALYSIS

14. The property at 201 Fairview Road, Barrie, is zoned commercial which allows for the placement of a poster panel sign. However, the property is not vacant or undeveloped as is required under the By-law for these types of signs. Currently located on the property are the ONroute facilities and a gasoline station. See Appendix "A" to Staff Report LCS002-24.
15. The proposed postal panel sign would exceed the maximum height of 7.5 metres (24'-6") permitted by an additional 7.7 metres (25'-6") for a maximum height of 15.2 metres (50'-0"). See Appendix "B" to Staff Report LCS002-24.
16. The proposed postal panel sign would:
 - exceed the permitted sign area of 20.0 square metres (approximately 3m x 6m / 10' x 20') per sign face by an additional 10.41 square metres to 30.41 square metres (approximately 4.2m x 14.6. or 13'-8.5" x 47'-9.1"); and
 - exceed the maximum total sign area 40.0 square metres by an additional 20.82 square metres for a maximum total sign area of 60.82 square metres.

See Appendix "B" to Staff Report LCS002-24.
17. The proposed poster panel sign does meet or exceed all minimum setback requirements of the Sign By-law. See Appendix "C" to Staff Report LCS002-24.
18. Due to the proposed increase in overall height and sign face area of the digital display boards as well staff reviewed the proximity of the sign to the residential areas for potential impacts. The proposed sign is approximately 430 metres (1,410') from the closest residential area to the north and approximately 684 metres (2,243') from the closest residential area to the west. All other surrounding areas are commercial or industrial. See Appendix "C" to Staff Report LCS002-24 for an aerial view of the location.

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19. The proposed sign appears to adhere to all the provisions of a digital display board requirements including:
 - the intensity of an illumination of the digital display board shall be maintained at a constant level and depict only static images that do not contain any motion, animation, flashing or scrolling;
 - signs will be equipped with functioning automatic dimming technology which will automatically adjust the intensity of the illumination in direct correlation with the ambient light conditions; and
 - 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.
 20. The applicant has advised that in collaboration with the Ministry of Transportation of Ontario, the same poster panel signs are to be or have been installed at all twenty-three (23) ONroute locations throughout the province. The applicant has also advised that the proposed sign design is years in the making and has gone through rigorous review to ensure that both the function and aesthetics satisfied the Minister of Transportation.
 21. When staff questioned the applicant about the possibility of reducing the height or modifying the sign face area, they were advised by the applicant that it was not feasible at this stage and it was important to maintain consistency with the signs that are being installed in the 22 other locations.
 22. The applicant also noted that the sign at Park Place is located substantially closer to the edge of the highway. The sign at Park Place is static (does not contain a digital display with changing images) and advertises only first party advertisers (goods and services only located at locations within Park Place).
 23. The applicant also identified that proposed sign is meant to be viewed from the highway where speed of travel is on average 100-120km/hour. In addition, the large setback from the edge of the travelled highway means that the sign will be viewed from a greater distance than the Park Place sign necessitating a larger sign face area and height. The applicant submitted that reducing the height and or sign face area would make the sign less legible and would have an extremely negative impact on the legibility of the message displayed on the sign.
 24. The applicant also compared the proposed sign to the height of the logo and text for the Leon's store which is directly across the highway from the proposed MTO sign. The illuminated Leon's logo and text are attached to the building and located at a slightly lower height than the proposed sign, which is not attached to a building. Leon's building sign is located closer to the nearest residential property (approximately 325 metres)
 25. Appendix "F" to Staff Report LCS002-24 contains photographs of the signs installed at the Innisfil ONroute to provide General Committee with a visual of the size and brightness of the signs being installed. The ONroute in Innisfil is not located in an urban setting as is proposed for the Barrie sign. The applicant has advised that a light study was prepared related to the illumination of the proposed sign and the illumination levels can be set to address the specific requirements of each municipality.
 26. The purpose of the proposed signs is for first and third-party advertising (goods and services not located at the site) opportunities, dissemination of urgent messages (emergency situations and/or severe weather events), and public service announcements (construction) to passing motorists. The Province of Ontario will possess the authority to direct the messaging on the poster panel signs.

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27. The property of 201 Fairview Drive, Barrie, although within the municipal jurisdiction, is owned by the Ministry of Transportation of Ontario. The placement of the proposed poster panel signs is inside the Highway 400 corridor boundaries for approvals but is subject to municipal by-laws and regulations as per The Minister of Transportation's Order (see Appendix "D" to Staff Report LCS002-24).
28. The Minister's order:
- Exempts lands owned by the Ministry of Transportation of Ontario containing ONroute facilities (201 Fairview Road) from the required 400 metre setback that is required in the *Public Transportation and Highway Improvement Act*;
 - Allows for the placement of these poster panel signs on the Ministry of Transportation of Ontario owned properties with a minimum setback from the edge of the travelled portion of the highway of 14 metres. The placement of this proposed sign will be setback 47 metres from the edge of the travelled portion of the highway; and
 - Requires that each poster panel sign shall meet all requirements of the local municipality and any other agency having jurisdiction at the time of installation.
29. The Ministry of Transportation of Ontario will monitor the sign for any adverse impacts for a period of five (5) years post installation.
30. Staff are of the opinion that the substantial scope of this request is not in keeping with the intent of and the integrity of the Sign By-law may be eroded by allowing a poster panel sign with an overall height of double what is permitted in the by-law and an overall sign area approximately 50% larger than what is permitted in the by-law.

ENVIRONMENTAL AND CLIMATE CHANGE MATTERS

31. There are no environmental and/or climate change matters related to the recommendation.

ALTERNATIVES

32. There are two (2) alternatives available for consideration by General Committee:

Alternative #1

General Committee could recommend that the permanent exemption from City of Barrie By-law 2018-029, sections 12.1.1.1.0, 12.1.3.1.1., and 12.1.3.1.2. permitting the proposed poster panel sign with two (2) digital display boards at 201 Fairview Drive be granted, with a shorter overall height and smaller overall sign area that would maintain the intent and integrity of the Sign-By-law.

This alternative is technically available and could potentially address concerns associated with the significant size and height exemptions requested, for signage located in an urban/residential area. However, the applicant has noted that changing the height and sign area is not feasible at this stage and wouldn't be consistent with the signs that are being installed in the 22 other locations.

Alternative #2

General Committee could recommend that notwithstanding City of Barrie By-law 2018-029, sections 12.1.1.1.0, 12.1.3.1.1., and 12.1.3.1.2 the permanent exemption from. permitting the proposed poster panel sign with two (2) digital display boards at 201 Fairview Drive be granted as requested by the applicant.

This alternative is available should General Committee determine that it is warranted to allow for the dissemination of urgent messages (emergency situations and/or severe weather events, and public service announcements (construction) to passing motorists. It has not been recommended as the height variance requested is twice the permitted height in the Sign By-law together with a 50% increase in the digital display boards.

FINANCIAL

33. There are no financial implications directly associated with the recommended motion.

LINKAGE TO 2018-2022 STRATEGIC PLAN

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

APPENDIX "A"

GIS IMAGE OF 201 FAIRVIEW ROAD



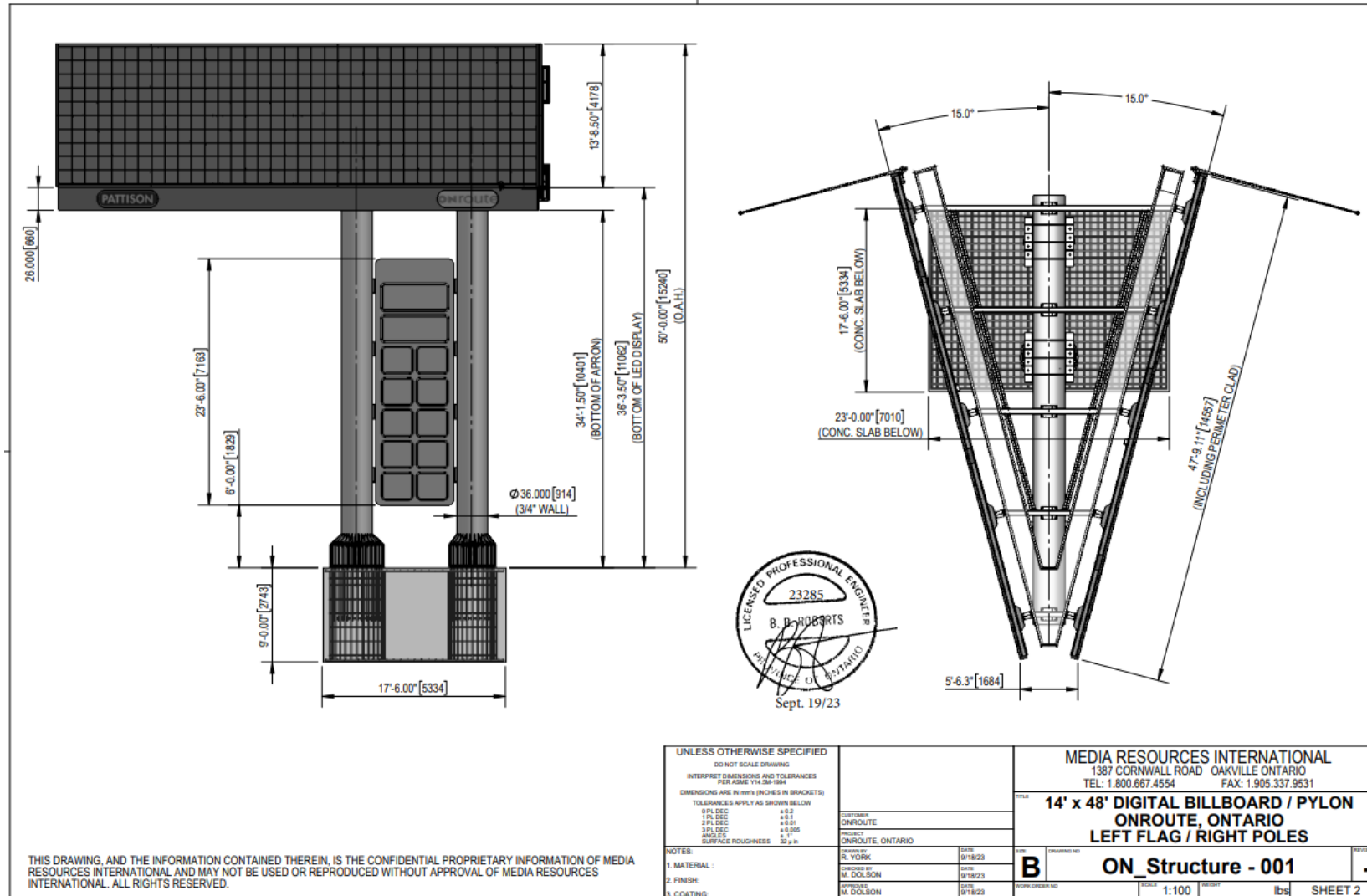
APPENDIX "B"
ENGINEERED DRAWINGS FOR PROPOSED SIGN – HEIGHT AND AREA

NOTES:

1. REFERENCE WIND Q50=0.48kPa
2. CATWALK LIVE LOAD 3.6 kPa
3. ALL WELDED JOINTS TO BE CONTINUOUS FILLET WELDS TO DEVELOP THE MOMENT CAPACITY AND HALF SHEAR CAPACITY OF THE THINNEST CONNECTED MEMBER.
4. CONCRETE TO BE 35MPa @ 28 DAYS, CLASS C2
5. ASSUMED UNIT WEIGHT OF 18 kN/m³, AND PASSIVE SOIL RESISTANCE FACTOR (ks) = 3. BEARING AT UNDERSIDE OF CAISSON ASSUMED 4000 PSF. A SOILS CONSULTANT IS TO BE RETAINED TO VERIFY THE ASSUMED PARAMETERS.
6. CONTACT OUR OFFICE 48 HOURS PRIOR TO SIGN INSTALLATION TO ARRANGE FOR A SITE REVIEW DURING SIGN INSTALLATION
7. REBAR TO CSA G30-12M GRADE 400
8. PROVIDE DRAIN HOLES AT LOW POINTS OF ALL CLOSED TUBES
9. STRUCTURAL STEEL HAS BEEN DESIGNED IN ACCORDANCE WITH CSA STANDARD S16-14 "DESIGN OF STEEL STRUCTURES."
10. STEEL GRADE: ALL STRUCTURAL STEEL PLATES TO BE 50W GRADE UNLESS OTHERWISE NOTED CHANNELS AND ANGLES=40.21 GRADE 300W. PLATE=GRADE 50W
11. ALL BOLTS TO BE IN COMPLIANCE WITH ASTM STANDARD A325M-83, GRADE A325
12. ANCHOR BOLTS/RODS ARE GRADE ASTM F1554 G36 OR GRADE 44W AND TO BE GALVANIZED MIN. 24" FROM TOP OF THREADS
13. ALL STEEL SHALL BE NEW MATERIAL
14. ALL STEEL SHALL RECEIVE A PRIMER & PAINT, & TOUCHED UP AS REQUIRED ON SITE
15. ALL STEEL TO BE WELDED PER W59-M1989, WELDED STEEL STRUCTURE (METAL ARC WELDING)
16. ALL STEEL WELDING TO BE CARRIED OUT TO CSA STANDARD CAN/CSA-W47.1-92 - CERTIFICATION OF COMPANIES FOR FUSION WELDING OF STEEL STRUCTURES
17. QUALIFIED WELDERS: COMPLY WITH CSA STANDARD W47.1-1983
18. EXPOSED WELDS ARE SMOOTH AND FLUSH TO ADJACENT FINISHES. CONSTRUCT INTERNAL CORNERS WITH SHARP LINES UNLESS INDICATED OTHERWISE. WELDS SHOULD BE CONTINUOUS UNLESS OTHERWISE INDICATED
19. DISIMILAR METALS ARE PROTECTION FROM EACH OTHER TO PREVENT GALVANIC CORROSION
20. ANCHOR BOLTS AND CATWALKS SHALL BE GALVANIZED
21. GALVANIZATION TO BE TO STANDARD CAN/CSA G164-M92
22. PAINTED SURFACES TO RECEIVED TWO PART PRIME AND TWO-PART TOPCOAT PAINT FINISH

<p>UNLESS OTHERWISE SPECIFIED DO NOT SCALE DRAWING INTERPRET DIMENSIONS AND TOLERANCES PER ANSI Y32.9-1994 DIMENSIONS ARE IN mm (INCHES IN BRACKETS) TOLERANCES APPLY AS SHOWN BELOW</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td>Ø PL. DEC.</td><td>+0.2</td></tr> <tr><td>PL. DEC.</td><td>+0.1</td></tr> <tr><td>Ø PL. DEC.</td><td>+0.25</td></tr> <tr><td>Ø PL. DEC.</td><td>+0.125</td></tr> <tr><td>Ø PL. DEC.</td><td>+0.125</td></tr> <tr><td>SURFACE ROUGHNESS</td><td>32 µ in.</td></tr> </table>	Ø PL. DEC.	+0.2	PL. DEC.	+0.1	Ø PL. DEC.	+0.25	Ø PL. DEC.	+0.125	Ø PL. DEC.	+0.125	SURFACE ROUGHNESS	32 µ in.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>DATE:</td><td>9/18/23</td></tr> <tr><td>DESIGNED BY:</td><td>M. DOLSON</td></tr> <tr><td>CHECKED BY:</td><td>M. DOLSON</td></tr> <tr><td>DATE:</td><td>9/18/23</td></tr> </table>	DATE:	9/18/23	DESIGNED BY:	M. DOLSON	CHECKED BY:	M. DOLSON	DATE:	9/18/23	<p align="center">MEDIA RESOURCES INTERNATIONAL 1387 CORNWALL ROAD OAKVILLE ONTARIO TEL: 1.800.667.4554 FAX: 1.905.337.9531</p> <p align="center">TITLE 14' x 48' DIGITAL BILLBOARD / PYLON ONROUTE, ONTARIO LEFT FLAG / RIGHT POLES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">PROJECT</td> <td>ONROUTE, ONTARIO</td> </tr> <tr> <td>LOCATION</td> <td>R. YORK</td> </tr> <tr> <td>DATE</td> <td>9/18/23</td> </tr> <tr> <td>DESIGNED BY</td> <td>M. DOLSON</td> </tr> <tr> <td>CHECKED BY</td> <td>M. DOLSON</td> </tr> <tr> <td>DATE</td> <td>9/18/23</td> </tr> </table> <p align="center">ON_Structure - 001</p> <p align="right">SCALE: 1:100 SHEET 1</p>	PROJECT	ONROUTE, ONTARIO	LOCATION	R. YORK	DATE	9/18/23	DESIGNED BY	M. DOLSON	CHECKED BY	M. DOLSON	DATE	9/18/23
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THIS DRAWING, AND THE INFORMATION CONTAINED THEREIN, IS THE CONFIDENTIAL PROPRIETARY INFORMATION OF MEDIA RESOURCES INTERNATIONAL AND MAY NOT BE USED OR REPRODUCED WITHOUT APPROVAL OF MEDIA RESOURCES INTERNATIONAL. ALL RIGHTS RESERVED.

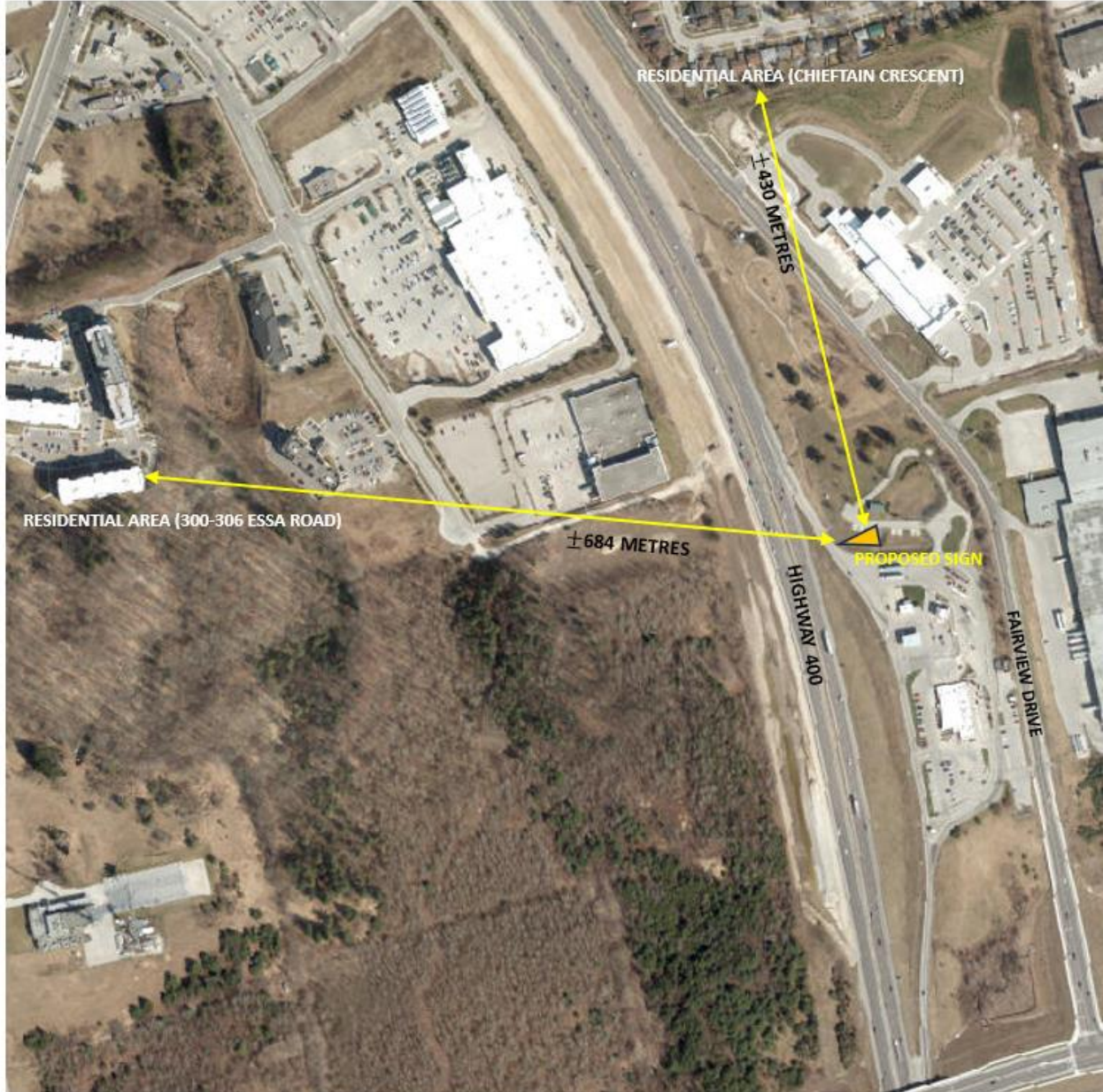


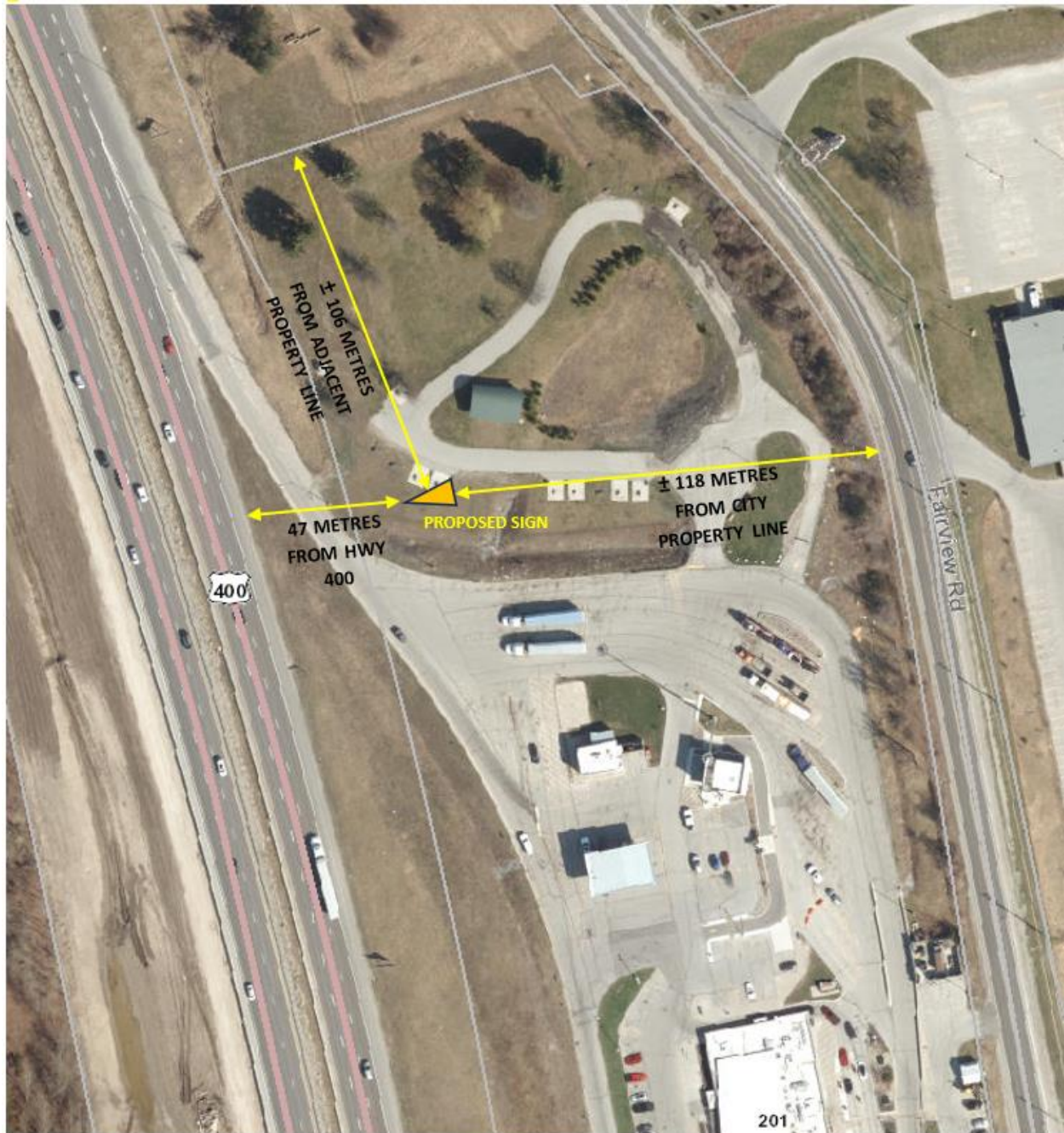
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NOTES: 1. MATERIAL: 2. FINISH: 3. COATING:		14' x 48' DIGITAL BILLBOARD / PYLON ONROUTE, ONTARIO LEFT FLAG / RIGHT POLES	
DRAWN BY: M. DOLSON	CHECKED BY: M. DOLSON	DATE: 01/18/23	SCALE: 1:100
PROJECT: ONROUTE, ONTARIO		SHEET NO: B	SHEET TITLE: ON_Structure - 001
		WEIGHT: lbs	SHEET NO: SHEET 2

APPENDIX "C"

GIS IMAGE OF 201 FAIRVIEW ROAD – SETBACK INFORMATION





APPENDIX 'D'

MINISTER OF TRANSPORTATION'S LETTER AND ORDER

Ministry of
Transportation

Office of the Minister

777 Bay Street, 5th Floor
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transportation

Ministère des
Transports

Bureau de la ministre

777, rue Bay, 5^e étage
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transports



June 15, 2023

Melanie Teed-Murch
Chief Executive Officer
HKSC Developments LP
8 Prologis Blvd, Unit 402
Mississauga ON L5W 0G9

Dear Melanie:

Attached you will find a Minister's Order exempting lands (as noted by the locations in the attachment) leased to HKSC Developments LP ("HKSC") along the provincial highway network from subsection 38(2)(e) of the *Public Transportation and Highway Improvement Act*, R.S.O. 1990, c. P. 50 ("PTHIA") pursuant to subsection 38(4) of the PTHIA.

I ask that you ensure the following as you move forward to installation:

- The billboards shall be located no less than 14 metres from the edge of the traveled portion of the highway unless protected by an existing barrier system that is determined as acceptable by the ministry.
- The Minimum Dwell Time (MDT) of a message for digital billboards is eight (8) seconds.
- The Maximum Transition Time (MTT) between consecutively displayed static messages for digital billboards is one (1) second.
- Illumination shall be limited to 0.3 foot-candles above ambient light levels. Each digital billboard must be equipped with a sensor to adaptively dim the illuminance to 0.3 foot-candles above ambient light levels.
- The messages on the billboards must not promote violence, hatred, or contempt against any identifiable group. Identifiable group means any section of the public distinguished by colour, race, ancestry, religion, ethnic origin, sexual orientation or disability.
- The Minister's Order applies to 23 billboards, one at each ONroute location. The billboards shall not have more than two panels.
- For billboards with two digital panels, the open face of the "V" shall not be oriented towards the highway. Any deviations require prior discussion and acceptance by the ministry.

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- Each billboard panel shall have a horizontal dimension not exceeding 14.63 metres and a vertical dimension not exceeding 4.27 metres.
- Any billboard sign structure exceeding 8 metres in height shall have a stamp of approval by a professional engineer as set out in the Ontario Building Code.
- Any billboard sign structure within the highway splash zone (10 metres from the edge of the traveled portion of the highway) shall be designed after discussion and acceptance by the ministry that additional engineering design requirements that are considered necessary have been included in the design.
- Any billboard sign structure where a circle drawn using a radius of "height of sign structure above the roadway ground elevation x 1.25" encroaches on any portion of a travelled roadway shall be inspected in accordance with the ministry's Sign Support Inspection Guidelines. Sign structure inspection reports shall be submitted to the ministry for information purposes before the end of the calendar year in which the inspection is carried out. Deficiencies identified shall be rectified in accordance with the inspection report.
- A billboard shall not be located in proximity of any traffic sign that is illuminated or has variable or moving displays.
- The Government of Ontario reserves the right to temporarily direct the use of a digital billboard to display critical safety information in the event of an emergency or severe weather event.
- HKSC shall hold harmless the ministry for all damages and liabilities caused because of the works undertaken.
- The billboards shall not contain animation, video or scrolling messages.
- The billboards shall be installed as close to perpendicular to the highway as possible. Prior discussion and acceptance by the ministry is required for installations that exceed 45 degrees deviation from perpendicular to the highway.
- Advertisements shall be designed to avoid the use of the colours in combinations or shapes that could mimic a traffic control device.
- Images/photographs or symbols used as part of advertisements shall not depict or mimic traffic control devices.
- In the event of a complaint, claim or other actions where the ministry requires information specific to a billboard, HKSC, at the request of the ministry, shall provide a detailed report and proof of performance (i.e., artwork, frequency, and when the advertisement(s) in question was displayed) for the date and time period identified in the request.

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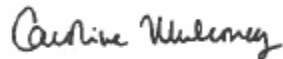
- Since these will be the first installations of digital billboards facing provincial freeways in lesser population density areas, the ministry is implementing the following measures to monitor and assess any adverse impacts from the digital billboards:
 - Data collection for a period of 5 years after the installation of each digital billboard and minimum five (5) kilometres spacing between consecutive digital billboards along the direction of travel during the data collection period.
 - Digital billboard operating data is required from HKSC on a quarterly basis to support the data collection and analysis work by the ministry.
 - Restricting digital billboard installations to compatible locations that have existing commercial activity with frontage along provincial highways and proper nighttime illumination.
 - HKSC shall ensure that the final selected digital billboard locations are acceptable to the ministry.
- If collision rates increase in the vicinity of a billboard and upon further engineering review by the ministry in consultation with subject matter experts, it is determined that operating parameters of the billboard are an evident contributing factor, the ministry may require reasonable changes to one or more of the following parameters:
 - Dwell time
 - Maximum brightness
 - Text displayed - letter size, contrast and other parameters
 - Any other parameter as determined by the ministry.
- If collision rates increase in the vicinity of a billboard and upon further engineering review by the ministry in consultation with subject matter experts, it is determined that the continued operation of a billboard endangers public safety and cannot be made safe by reasonable changes to the operating parameters, the ministry may require HKSC to propose and relocate the billboard to an alternate location acceptable to the ministry.
- Each billboard shall meet all requirements of the local municipality and any other agency having jurisdiction at the time of installation.
- All work shall be at no cost to the ministry in accordance with the approved plans, specifications and agreements.
- HKSC shall ensure that the ministry's right-of-way remains free of debris, earth, other materials, and applicable permits and approvals are obtained for any encroachment on the ministry's right of way.

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- If any Acts are passed or regulations adopted which affect the work, the said Acts and regulations shall be applicable from the date on which they come into force and up to the time of installation of the billboards.

I ask you to work with the ministry on an ongoing monitoring program to ensure that any adverse impacts from the placement of the digital billboards are promptly identified and remedial measures implemented.

Sincerely,

A handwritten signature in black ink that reads "Caroline Mulrone". The signature is written in a cursive, flowing style.

Caroline Mulrone
Minister of Transportation

MINISTER'S ORDER

Made under subsection 38(4) of the *Public Transportation and Highway Improvement Act*, R.S.O. 1990, c. P. 50

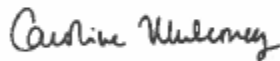
WHEREAS clause (e) of subsection 38(2) of the *Public Transportation and Highway Improvement Act* prohibits, any person from displaying any sign, notice or advertising device, without a permit, within 400 metres of any limit of a controlled-access highway, subject to certain exceptions;

AND WHEREAS subsection 38(4) of the *Public Transportation and Highway Improvement Act* provides that the Minister of Transportation may order that subsection 38(2) or such clauses thereof as the Minister specifies do not apply within the limits of any local municipality or such parts thereof as the Minister specifies;

AND WHEREAS the Minister of Transportation wishes to exercise her authority pursuant to subsection 38(4) of the *Public Transportation and Highway Improvement Act* to order that clause (e) of subsection 38(2) does not apply within parts of certain local municipalities;

NOW THEREFORE pursuant to subsection 38(4) of the *Public Transportation and Highway Improvement Act* the Minister of Transportation hereby orders that clause (e) of subsection 38(2) of the *Public Transportation and Highway Improvement Act* does not apply to those parts of the municipalities that are described in Schedule "A" to this Order.

This Order comes into effect on June 15, 2023.



June 15, 2023

The Hon. Caroline Mulroney
Minister of Transportation

Date

SCHEDULE "A"

This Minister's Order shall apply to those parts of the municipalities listed below that are on lands leased to HKSC Developments LP and are within 100 metres of the limit of a controlled-access highway, as designated or deemed in accordance with the *Public Transportation and Highway Improvement Act* from time to time.

Municipality (ONroute Site)	Exempted Properties (By PIN)	Number of Billboards
Township of South Glengarry (Bainsville)	67137-0428	1
City of Barrie (Barrie)	58734-0317	1
City of Cambridge (Cambridge North)	71208-0029	1
City of Cambridge (Cambridge South)	71208-0047	1
Municipality of Dutton-Dunwich (Dutton)	35122-0151	1
Township of South-West Oxford (Ingersoll)	00140-0074	1
Municipality of South Dundas (Ingleside)	66137-0250	1
Town of Innisfil (Innisfil)	58062-0308	1
City of Vaughan (King City)	03345-0186	1
Township of Front of Yonge (Mallorytown North)	44199-0051	1
Township of Front of Yonge (Mallorytown South)	44200-0051	1
City of Vaughan (Maple)	03345-0194	1
Municipality of South Dundas (Morrisburg)	66137-0288	1



Township of Ernestown (Napanee)	45127-0257	1
Municipality of Clarington (Newcastle)	26665-0060	1
City of Kingston (Odessa)	36265-0009	1
Municipality of Port Hope (Port Hope)	51063-0062	1
Municipality of Chatham-Kent (Tilbury North)	00809-0123	1
Municipality of Chatham-Kent (Tilbury South)	00809-0352	1
City of Quinte West (Trenton North)	51178-0335	1
City of Quinte West (Trenton South)	51176-0127	1
Municipality of Dutton-Dunwich (West Lorne)	35122-0158	1
Township of South-West Oxford (Woodstock)	00140-0150	1
Total number of billboards		23

APPENDIX 'E'
PERMIT WORLD LETTER OF REQUEST FOR VARIANCE (EXEMPTION)

Permit World

December 4, 2023

City of Barrie
70 Collier Street
Barrie, Ontario
L4M 4T5

Dear Members of Staff,

Re: ONroute – 201 Fairview Road

Please accept our application to install one Poster Panel Ground sign with multi-tenant panels at this location.

Context

ONroute, holds a 50-year concession for the operation of Highway Service Centres along the prominent corridors of Highway 400 and Highway 401 within the province of Ontario.

In collaboration with the Ministry of Transportation and the Province of Ontario, ONroute is advancing a visionary proposal to install digital billboards at all 23 of their strategically positioned locations throughout Ontario. These high-traffic service stations, collectively form the Highway Service Centre Portfolio, a collaborative endeavor between ONroute and the Province of Ontario.

Through a series of consultations with the Ministry of Transportation, the Minister of Transportation has duly issued a Ministerial Order, authorizing the installation of the proposed billboard signs in close proximity to the MTO controlled highway at 23 locations. We have enclosed the Minister's Order for your reference.

Provincial Involvement

These properties are owned by the Province of Ontario, which established a long-term lease agreement with ONroute (HKSC Developments LP) in 2010.

Under this arrangement, the Province and ONroute became collaborative partners in the development, construction, and financial aspects of these facilities. The project was executed as an alternative financing and procurement initiative under the ReNew Ontario infrastructure investment plan, administered by the Ministry of Public Infrastructure Renewal (now the Ontario Ministry of Energy and Infrastructure).

In accordance with this partnership, the introduction of the proposed billboard signs holds the potential for substantial benefits for the Province. Beyond the financial implications, the

capacity for the Province to employ these billboards for the dissemination of urgent messages stands to be a significant advantage.

Variances to the Sign Bylaw

Section 12.1.1.1.0 - Poster Panel Signs are permitted in all vacant undeveloped lots zoned Commercial or Industrial, and on all lands zoned Agricultural, according to the Zoning Bylaw.

A variance is required to this section of the bylaw as this property is not vacant. The property is zoned C4 – General Commercial which would allow for a Poster Panel Sign. This vast property is over 64,000 square metres in area with the proposed sign being installed on the northern half of the property, near the rest area.

Section 12.1.3.1.1 – No Poster Panel Sign shall exceed 7.5m in height measured from grade. The proposed sign is 15.2m in sign height when measured from grade.

Section 12.1.3.1.2 – No Poster Panel Sign shall exceed a maximum sign area of 20.0 square metres for any single face or exceed a total area of 40.0 square metres for all faces combined. The proposed sign has a sign area of 60.82 square metres per side plus an additional 17.46 square metres per side in multi-tenant (first party) signage.

The increase in sign area and height are required to maintain visibility and readability to vehicular traffic. The proposed sign is meant to be viewed from the Highway where vehicular traffic is travelling at over 100km/h. Factoring in the speed of travel with the setback from the travelled portion of the highway, which is approximately 47.0m in this location, a smaller sign would not be legible and may even contribute to vehicular distraction.

This design is standard across all 23 ONroute locations.

Section 12.1.4.1.2 – Every poster panel sign shall be set back a minimum of 15.0m from any private property line.

As both the property where the sign is to be installed and the property that the sign will overhang are MTO properties, it is unclear if this regulation would apply. Regardless, the proposed sign is setback approximately 47.0m from the travelled portion of the highway where the Ministry of Transportation only requires a 14.0m setback as per the attached Municipal Zoning Order.

The sign structure will be installed wholly on private property with only the digital billboard overhanging the MTO property.

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.

Due to the unique nature of this Province wide initiative and the Provincial involvement, we feel that the proposed variance will not erode or interfere with the integrity of the sign bylaw. This is a unique proposal that is not comparable to the typical Digital Poster Panel Sign.

Is the General Intent and Purpose of the By-Law maintained?

The purpose of a sign by-law is typically to regulate signage within the municipal boundaries to ensure that the proposed signs are appropriate in size, number and location, and that they are installed and maintained in a safe manner.

The proposed sign will be installed almost 300 metres to the north of the existing ground sign thus ensuring no concerns of sign clutter. The structure has been reviewed and stamped by an engineer and will be maintained in a safe working order at all times.

There is no other poster panel sign located within 500m of the proposed sign location and the nearest residentially zoned properties are approximately 430m to the north where only a 100m setback is required.

- The billboards shall not contain animation, video or scrolling messages.
- The Minimum Dwell Time (MDT) will be eight (8) seconds.
- The Maximum Transition Time (MTT) will be one (1) second.
- Each billboard will be equipped with a light sensor to ensure ambient light levels are maintained.
- The Government of Ontario will possess the authority to direct the utilization of the billboard for dissemination of crucial safety information during emergency situations or severe weather events.
- The MTO will be monitoring for any adverse impacts from the digital billboards for a period of 5 years after the installation of each sign.

We are respectfully requesting your support in this matter. If you require additional information or have any questions, feel free to contact the undersigned.

Yours sincerely,



Shawna Petzold

General Manager

57 William St W | Waterloo, ON | N2L 1J6

519-585-1201 x 101 | spetzold@permitworld.ca

www.permitworld.ca

APPENDIX "F"

INNISFIL ONroute RECENTLY CONSTRUCTED POSTER PANEL (DAYTIME)



VIEW SOUTHBOUND RAMP TO ONroute, APPROXIMATELY 150 METRES FROM SIGN



VIEW SOUTHBOUND FROM GROUND LEVEL, APPROXIMATELY 25 METRES FROM SIGN



VIEW FROM REAR OF THE SIGN, APPROXIMATELY 35 METRES FROM SIGN



VIEW NORTH BOUND HIGHWAY 400, APPROXIMATELY 125 METRES