



LEGISLATIVE AND COURT SERVICES MEMORANDUM

TO: FINANCE AND CORPORATE SERVICES COMMITTEE

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

RE: SIGN VARIANCE REQUEST FOR 1 MILBURN STREET DEVELOPMENT

DATE: OCTOBER 2, 2019

The purpose of this memorandum is to provide information to the Finance and Corporate Services Committee regarding the request submitted by Modechia Kanner of Plazacomm/One Milburn Inc. to place two (2) ground signs on municipal property advertising the development located at 1 Milburn Street, Barrie.

City of Barrie By-law #2018-029, as amended Section 11.1.0.0.0 states:

“No person shall erect, or cause or permit to be erected on any lands or premises any of the following types of signs, except as may be authorized by the City...”

“11.1.5.0.0 Signs on or over municipal lands other than City official signs, unless placed in accordance with this by-law”

City of Barrie By-law 2018-029, as amended further states:

“26.0.0.0.0 MINOR VARIANCE:

26.1.0.0.0 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.”

On August 7, 2019 a request for a minor variance was submitted by Mordechai Kanner on behalf of Plazacomm/One Milburn Inc requesting the placement of two (2) ground signs on the municipal road allowance located at the corner of Milburn Street and Gowan Street.

The signs were proposed to advertise the 14 unit residential townhouse development on the adjoining property of 1 Milburn Street. The proposed ground signs are 4' x 8' and 12' x 16' respectively and will require poured concrete footings. The size of the signs are permitted within the Sign By-law.

Upon review and careful consideration, the minor variance to allow two (2) ground signs to be erected on municipal property was denied. The request was not considered minor in nature and it does not maintain intent or the integrity of the by-law. Consideration was given not only to the liability of such placement on municipal property but also to the precedent it would set moving forward. As per the provisions in the Sign By-law, the municipality has not permitted any advertising devices of this nature to be erected on municipal lands.

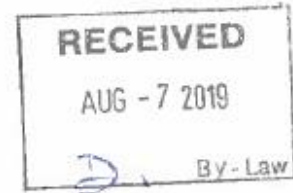
The applicant was advised of the Clerk's decision and encouraged to locate the signage on their private property. While it may not be convenient due to the overall construction project, a location on private property is consistent with provisions of the Sign By-law to contain development signage on private property.

Attached in Appendix “A” is the applicants original submission and the staff response, for your information.

Appendix "A"

Aug 1, 2019

One Milburn Inc.
10 Wanless Avenue, Suite 201, Toronto, ON M4N1V6



To:

City of Barrie,
70 Collier Street P.O. Box 400, Barrie ON L9M 4T5
Attention: Enforcement Services

Re: Request for Minor Variance

Dear Sir or Madam,

We are at the Site Plan Approval stage of a 14-unit townhouse development, located at 1 Milburn St., Barrie, ON.

We would like to erect two ground signs on site that will promote the site pre-construction, during construction and post-construction to advertise our townhouses. One sign (4'x8') facing towards the street, and one (12'x16') facing towards the train tracks.

We consulted our Architect, Landscape Architect and Engineers for the ideal sign location on our property, without interfering with construction, and their unanimous answer was there are not any acceptable locations, and on-site sign placement would cause development conflicts.

We are therefore requesting the City's permission to place our two signs (orange below) within the small triangle parcel (blue below) that the City owns, but is practically unused vacant land, which is adjacent to our Milburn site (red below).





LEGISLATIVE AND COURT SERVICES
MEMORANDUM

We would like to request an exemption to the Sign By-law (section 11.1.5.0.0) that would allow us to place the above signs on City lands.

Please find included with this letter:

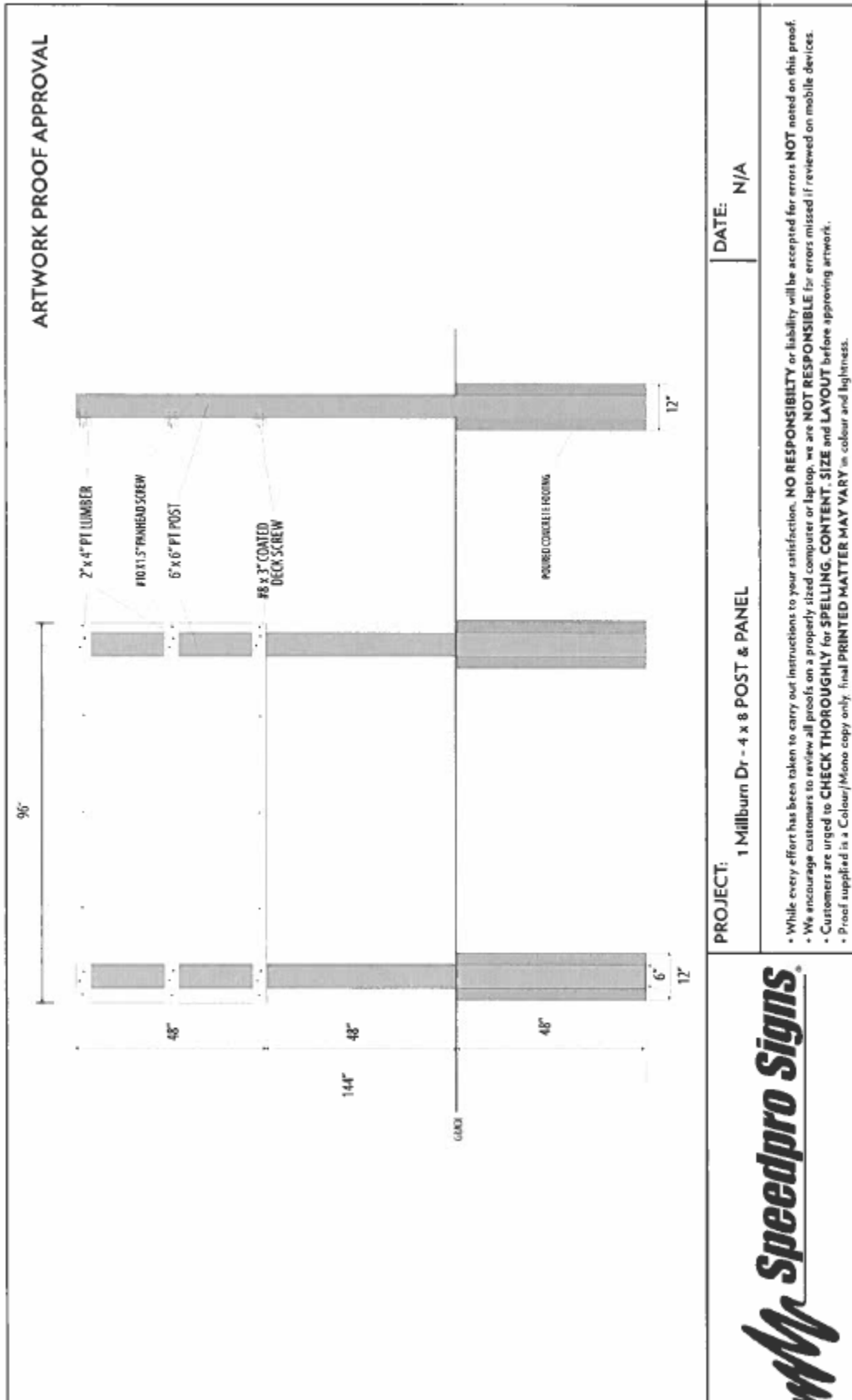
1. Design drawings for the 4'x8' sign and the 12'x16' sign
2. Cheque for the amount of \$147.50 to the City of Barrie

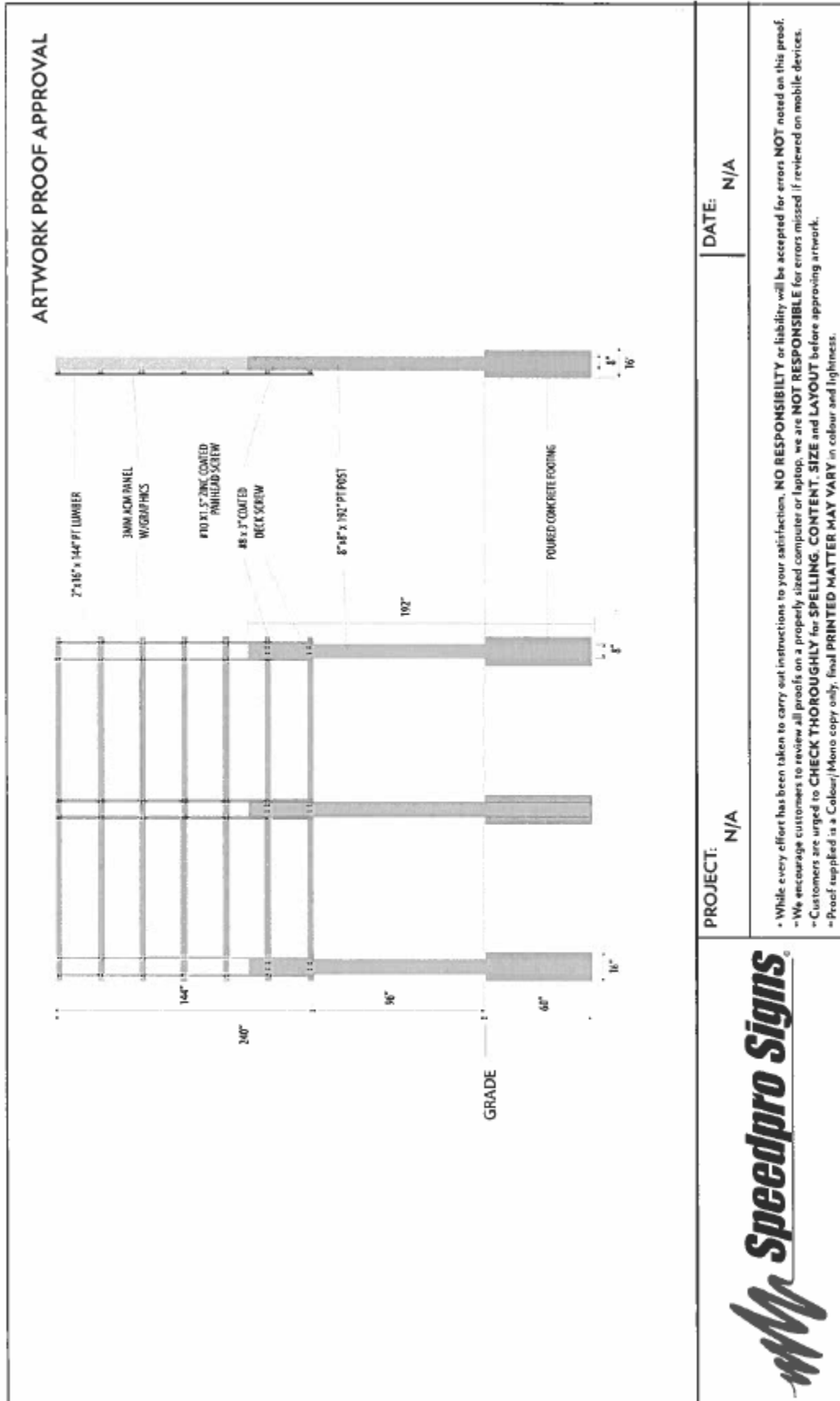
Regards,

A handwritten signature in blue ink, appearing to read "C. Kanner", written over a horizontal line.

Mordechai Kanner

PLAZACOMM[®]







CITY HALL
70 COLLIER STREET
TEL. (705) 739-4204
FAX (705) 739-4243

THE CORPORATION OF THE CITY OF BARRIE
Legislative and Court Services Department
"Committed to Service Excellence"

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

August 23, 2019

File: P22 – LET

One Milburn Inc.
10 Wanless Avenue, Suite 201
Toronto, ON
M4N 1V6

Reference: Minor Variance for ground signs to be erected on municipal lands adjacent to 1 Milburn Street (Barrie, ON)

To whom it may concern;

The purpose of this letter is to respond to your request related to two proposed signs to be erected on municipal lands adjacent to 1 Milburn Street in the City of Barrie, County of Simcoe.

After careful review, we are unable to grant your minor variance request at this time.

"Plazacomm/One Milburn Inc." are required to adhere to all 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 and Court Services