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**TO:** GENERAL COMMITTEE

**SUBJECT:** Penady (Barrie) Ltd. – D11-1604 & D11-1675 – Sign Exemption


**WARD:** WARD 3

**PREPARED BY AND KEY CONTACT:** J. FORGRAVE – SUPERVISOR, BY-LAW SERVICES DEPARTMENT EXTENSION #4330

**SUBMITTED BY:** G. ALLISON, DIRECTOR OF BUILDING & BY-LAW SERVICES DIVISION

**GENERAL MANAGER APPROVAL:** P. ELLIOTT-SPENCER, GENERAL MANAGER OF COMMUNITY & CORPORATE SERVICES

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** C. LADD, CHIEF ADMINISTRATIVE OFFICER



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**RECOMMENDED MOTION**

1. That Penady (Barrie) Ltd. be granted a height exemption of 11.575 meters from By-law 2005-093 as amended section 12.3.1.1.1. to permit the installation of a ground sign on the property of CUNDLES RD E S/S - VESPRA CON 3 E PT LOT 21 RP 51R35759 PARTS 5 TO 7 22 AND 23 (Cundles Road East and Duckworth Street), Barrie to a maximum overall height of 19.075 meters from the finished level at the base of the supporting structure.
2. That Penady (Barrie) Ltd. be required to obtain and submit to the City of Barrie proof of authorization from the Ministry of Transportation to permit the placement of the signs within the 400 series highway corridor prior to the placement of such ground sign.
3. That Penady (Barrie) Ltd. be reminded to make application for and obtain from the City of Barrie a Building Permit prior to the construction of such ground sign and the ground sign be located in compliance with the required setbacks as stated in By-law 2005-093 as amended.

**PURPOSE & BACKGROUND**

4. On May 2, 2005 City council adopted By-law 2005-093, a By-law of the Corporation of the City of Barrie to regulate advertising devices, including signs.
5. By-law 2005-093 as amended section 12.3.1.1.1. states:  
**“No ground sign shall exceed 7.5 meters in height from the finished level at the base of the supporting structure.”**
6. The proposed sign will have a maximum height of 19.075 meters from the finished level at the base of the supporting structure, requiring an exemption totalling 11.575 meters in height from the maximum permitted height of 7.5 meters.
7. The advertising panels contained on the signs are 9.144 meters in height, with the remaining 9.931 meters being the supporting structure.

**ANALYSIS**

8. During consultation with representatives from Penady (Barrie) Ltd. it was noted that due to the proposed grading of the property and proposed placement of the signs, the advertising panels will be the primary component of the signs that will be visible to motorists. The full structure of the signs will not generally be visible to passing motorists.
9. The ground sign is proposed to be located at the south side of Cundles Road East development and Hwy. 400 (near the southbound Hwy. 400 on ramp).
10. Penady (Barrie) Ltd. has reviewed the current requirements as set out by the Ministry of Transportation and advises that the proposed signage will fall within the required restrictions set out by the Ministry.
11. As a condition of the exemption staff is requesting that Penady (Barrie) Ltd. be required to obtain and submit a copy of the approval granted by the Ministry of Transportation for the ground sign to be located within the 400 series highway corridor. The ground sign will be required to be erected in compliance with By-law 2005-093 as amended with respect to required setbacks.
12. In addition to the above condition of the exemption staff is requesting that Penady (Barrie) Ltd. be reminded to make application for and obtain from the City of Barrie a Building Permit prior to the construction of such ground sign and the ground sign be located in compliance with the required setbacks as stated in By-law 2005-093 as amended.
13. Staff have consulted with members of the Planning Services Department to ensure that all aspects of this exemption meet the standards under which preliminarily approval was granted during site plan development and have noted no objections have come forward with respect to this exemption from the Planning Department.
14. Staff have reviewed the proximity of this proposed sign in relation to residential areas and it is determined that in the opinion of staff the proposed placement of the sign on this property would not interfere with residential properties with the nearest residential property being approximately 145 meters to the south across the Hwy 400.
15. Similar by-law exemptions have been approved by Council with respect for commercial signage adjacent to highway 400 for the Park Place lands and for the south end Walmart center.
16. Staff is of the opinion that the request for exemption is reasonable due to the proposed grading of the property as approved at the time of site plan development.

**ENVIRONMENTAL MATTERS**

17. There are no environmental matters related to the recommendation.

**ALTERNATIVES**

18. There is one alternative available for consideration by General Committee:

**Alternative #1**

That the request submitted by Penady (Barrie) Ltd. for an exemption is denied and Penady (Barrie) Ltd. be required to reduce the overall height of the sign to meet the provisions of By-law 2005-093 as amended.

This alternative is not recommended as it would not provide Penady (Barrie) Ltd. a fair opportunity to advertise its development.

**FINANCIAL**

19. There are no financial implications associated with the recommended motion. Approving the recommended motion as presented maintains the City's current authority.

**LINKAGE TO 2014-2018 STRATEGIC PLAN**

20. The recommendation(s) included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:
- Vibrant Business Environment
21. The recommendation supports City Council's Strategic Priority to "eliminate obstacles to business growth and investment".