



TO:	GENERAL COMMITTEE
SUBJECT:	REQUEST FOR EXEMPTION FROM SIGN BY-LAW 2018-029 FOR PMT18-01600 (BUILDING PERMIT APPLICATION) - 571 HURONIA ROAD
WARD:	8
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, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES
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 Curbex Media on behalf of White Cedar Dental to By-law 2018-029 section 12.1.4.1.5 to permit a poster panel sign to be erected at a setback of 52.0 metres from another poster panel sign located on the same side of the street, when the prescribed setback in By-law 2018-029 is 500.0 metres, at the property municipally known as 571 Huronia Road, Barrie be denied.
2. That staff in the Legislative and Court Services (Enforcement Services Branch) together with Planning and Building Services Departments advise the applicant of the denial for the requested exemption and that Building Permit Application PMT18-1600 no longer be processed.

PURPOSE & BACKGROUND

Report Overview

3. 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.
4. 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.”

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 limit 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. "

5. Staff received an application for a Building Permit from Curbex Media acting on behalf of the property owner of 571 Huronia Road (referred to as 244 Mapleview Drive East by the applicant) to construct a 5.7m (18.7') non-illuminated poster panel sign at this location for purpose of advertising the business of White Cedar Dental which is located at 604 Huronia Road a nearby commercial plaza.
6. Staff in Enforcement Services reviewed the Building Permit application and noted that the proposed poster panel sign would not comply with the prescribed setback of 500.0 metres as required by the Sign By-law from any other poster panel sign located on the same side of the street and did not approve the permit.
7. Staff in Enforcement Services subsequently received a request for a "minor variance" to permit the construction of the proposed poster panel sign at a setback of 52.0 metres from another poster panel sign located on the same side of the street.

ANALYSIS

8. Staff is of the opinion that this request is not minor in nature, due to the requested setback variance. As required by the Sign By-law, staff have submitted this Staff Report for General Committee's review and consideration.
9. The property where the proposed poster panel sign is to be erected is a vacant undeveloped lot zoned as "Light Industrial".
10. The proposed poster panel sign that is being requested will be 5.7m (18.7') in height, 3.7m (12.1') in width and will be non-illuminated in design.
11. The applicant is requesting that the proposed poster panel sign be setback 52.0m from another existing poster panel sign located at 220/240 Mapleview Drive East. This location is at the significantly busy intersection of Mapleview Drive East and Huronia Road, both on the north side of Mapleview Drive East and visible to traffic travelling both directions on Mapleview Drive East and north on Huronia Road.
12. The existing poster panel sign is on the west side of Huronia Road and is a large V-shaped, 2 sided sign which incorporates a full size digital display facing the intersection. The proposed poster panel sign would be located on the east side of Huronia Road (see the attached map as Appendix 'A' to this Staff Report).

13. The proposed poster panel sign will meet or exceed all other prescribed setbacks. The poster panel sign is proposed to replace an old poster panel sign that had advertised a residential subdivision which had fallen over, is damaged and no longer functional.
14. The property previously housed a poster panel sign erected under a Building Permit – File #11-003691-000-00-GS, issued in January of 2012. The previous permit was issued for a sign structure which was to advertise an upcoming residential subdivision project. Third party poster panel signs indicating new subdivisions are exempt from the poster panel provisions of the Sign by-law, but remain subject to all remaining provisions of the Sign by-law and to any other applicable legislation. Such signs shall be removed forthwith upon completion of construction of the subdivision. Upon completion of the residential subdivision project the advertisement was removed as required.
15. At some point after the subdivision project advertising was removed, the applicant White Cedar Dental erected advertising onto the remaining vacant sign structure, effectively repurposing the sign structure without authorization of the municipality.
16. With age and extreme weather conditions in the fall of 2018 the existing sign structure broke off at ground level. Therefore this structure is no longer usable and no longer considered a legal non-conforming sign.
17. The proposed poster panel sign would be located with a maximum setback of 52.0m from another poster panel sign located on the same side of the street, at a particularly busy intersection at Maplevue Drive East and Huronia Road. The minimum setback prescribed in the by-law is 500.0m for the safety of citizens and motorists and to limit the number of poster panel signs erected in certain areas of the City. Therefore the proposed sign does not maintain the general integrity of the by-law.

ENVIRONMENTAL MATTERS

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

ALTERNATIVES

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

Alternative #1

That an exemption be granted from City of Barrie By-law 2018-029 Section 12.1.4.1.4 permitting the proposed poster panel sign be erected at 571 Huronia Road with a setback of 52 metres from another poster panel sign located on the same side of the street and must comply with all remaining sections of the by-law.

This alternative is not recommended as the request is not minor in nature and if approved, is not in keeping with the overall intent of the Sign By-law which was enacted with the prescribed setbacks to ensure the safety of citizens and limit or reduce the number of poster panel signs within certain areas of the City of Barrie

FINANCIAL

20. There are no financial implications associated with the recommended motion.



LINKAGE TO 2018-2022 STRATEGIC PLAN

21. The recommendation(s) included in this Staff Report are not specifically related to the goals identified in the 2018-2022 Strategic Plan.

APPENDIX "A"

SIGN LOCATIONS AT THE INTERSECTION OF MAPLEVIEW DRIVE EAST AND HURONIA ROAD

