
Subject: Pattison Outdoor Advertising Request for Variance to Regional Sign By-law 122-2013

Report to: Public Works Committee

Report date: Tuesday, March 10, 2020

Recommendations

1. That Council **GRANT** a minor variance pursuant to section 24 from the requirements of Sign By-law No. 122-2013 to allow Pattison Outdoor Advertising to install a two-panel billboard sign with a digital panel at the property of 652 River Road, City of Welland at a 7m setback from the Woodlawn Road street line, subject to the condition that Pattison Outdoor Advertising agrees to remove and relocate the sign to comply with By-law at its sole cost upon notice from the Region if required in the event of a future road widening or expansion of Woodlawn Road or otherwise for municipal purposes.

Key Facts

- Regional Sign By-Law 122-2013 requires a 10m setback from the edge of the street line to the sign. Pattison Outdoor Advertising is seeking a variance for the installation of a two-panel billboard sign at 652 River Road in the City of Welland with a 7m setback.
- Part IX (Administration and Enforcement) section 24 of Regional Sign By-Law 122-2013 permits Regional Council to authorize a minor variance from the requirements within the By-Law.
- The proposed sign would be more than 22m away from the traveled portion of the roadway but 7m away from the Regional property line/street line of Woodlawn Road.
- The sign facing east will contain a digital method of display with no moving animation, while the sign facing west will be a static paper based sign.
- There is currently no billboard sign at 652 River Road in the City of Welland, however, one did previously exist but was removed by Pattison Outdoor Advertising in April of 2015.

- The property where sign is proposed is zoned as commercial, with no residential properties close by. Prior to 2015 when a billboard owned by Pattison Outdoor Advertising was in place, there is no history of complaints by the general public.

Financial Considerations

There are no financial implications.

Governmental Partners

Pattison Outdoor Advertising will be required to obtain approvals from the City of Welland with regards to section 7.6.2 of the Welland By-Law stipulating setbacks from a property.

Analysis

Section 11.(a) of The Regional Municipality of Niagara By-Law No. 122-2013 permits the Commissioner to issue a sign permit for a billboard sign provided it is placed a minimum distance of 10.0 m from the street line. Section 24 of the By-Law permits Regional Council to authorize a minor variance from the requirements within the By-Law. A copy of the by-law is attached as Appendix 1.

Staff met with Pattison Outdoor Advertising on site to observe the proposed location of the billboard and informed them that the Sign By-Law prohibits any sign structures within a 10m setback from the street line. Pattison Outdoor Advertising is requesting a variance to the by-law due to the inability to move the structure further into private property. A copy of the letter from Pattison Outdoor Advertising requesting the variance is attached as Appendix 2.

Pattison Outdoor Advertising previously installed a double-sided (paper posted) billboard at 652 River Road, however, it was removed in April 2015. They are now requesting a new installation with a 7m setback from the street line, which would still provide a 22m setback from the travelled portion of the roadway, and a 45m setback from the center median.

The current regional property line in this section of roadway stretches 22m from the edge of traveled portion of the roadway, thus removing any potential conflict with the sign. In discussion with Staff, Pattison Outdoor Advertising have indicated that they would be prepared to agree to remove and relocate the sign to comply with the by-law

at their sole cost in future if required for purposes of any future widening or road expansion. Staff are prepared to support their request as a minor variance from the requirements of the By-law subject to this condition.

Alternatives Reviewed

Pattison Outdoor advertising has stated that moving the sign further into private property is not a favourable solution for them.

Relationship to Council Strategic Priorities

This report is being brought forth as a request by Pattison Outdoor Advertising as the proposed sign provides a medium for local and national businesses to promote themselves in a digital manner and support economic development. The recommendation relates to council's strategic plan to provide sustainable and engaging government by promoting an organizational culture that values continuous improvement, collaboration, and innovation.

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This report was prepared in consultation with Carolyn Ryall, Director Transportation Services.

Appendices

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| Appendix 1 | The Region of Niagara Sign By Law No. 122-2013 |
| Appendix 2 | Correspondence from Applicant |