



**CITY OF ORILLIA
COMMITTEE OF ADJUSTMENT MINUTES**

HEARING MINUTES

COMMITTEE OF ADJUSTMENT

HEARING OF

May 15, 2024

The May hearing of the City of Orillia Committee of Adjustment was held on May 15, 2024 by virtual meeting with the following in attendance:

Peter Bowen – Committee Member (Chair)
Ian Gordon – Committee Member
Kelly Smith – Committee Member
Jeff Duggan – Senior Planner
Ali Chapple – Senior Planner
Susan Votour – Intermediate Planner
Sue McCormick – Acting Secretary-Treasurer

1. Introduction by the Secretary-Treasurer

2. Opening of Hearing:

The hearing was called to order at 9:15 a.m.

3. Approval of Agenda:

**021-24 Moved by: Kelly Smith
 Seconded by: Ian Gordon**

That the Agenda for the May 15, 2024, be approved.

Carried

4. Confirmation of Minutes of the April 17, 2024 Hearing:

**022-24 Moved by: Ian Gordon
 Seconded by: Kelly Smith**

That the Minutes of April 17 2024 be approved.

Carried

5. Notification of Pecuniary Interest:

None.

6. Manner in which Notice was provided:

The Secretary-Treasurer described the Committee of Adjustment procedures for the Hearing.

7. Applications:

7.1 B08-24 235 and 239 Laclie Street

In attendance: Paul Rabinovitch of HGR Graham Partners LLP, agent on behalf of the Owner was present.

The Secretary-Treasurer read all correspondence received relative to the application.

Proposal:

The purpose of the proposed severance is to grant an easement in favour of the adjacent property at 235 Laclie Street for purposes of legalizing access by way of an existing driveway off of Laclie Street.

Comments from the Public:

None.

Comments from Departments/Agencies:

Engineering Division has no comments or conditions.

Hydro One has no comments or conditions.

Staff Report:

Planning Division recommends approval of the application with conditions.

Owner/Applicant's Comments:

- Mr. Rabinovitch addressed the Committee. Mr. Rabinovitch felt the presentation was excellent and had nothing further to add. He would be happy to answer any questions.

Public Comments (at hearing):

None.

Committee Comments

None.

The Committee made a motion to approve the application.

**023-24 Moved by: Kelly Smith
 Seconded by: Ian Gordon**

Application B08-24 – 235 and 239 Laclie Street, be approved with conditions, as per the Decision.

Carried

7.2 B07-24 and A08-24 67 and 71 Victoria Street

In attendance: n/a

The Committee made a motion to defer the application.

**024-24 Moved by: Ian Gordon
 Seconded by: Kelly Smith**

Applications B07-24 and A08-24 – 67 and 71 Victoria Street, be deferred until the next Committee of Adjustment Hearing on June 19, 2024.

Carried

7.3 T07-042 169 Front Street South

In attendance: Marisa Goncalves and Nathan Jankowski of Pattison Outdoor Advertising, agents on behalf of the Owner were present.

The Secretary-Treasurer read all correspondence received relative to the application.

Proposal:

The purpose of the proposed sign variance is to allow for the construction of an electronic Billboard Sign.

Comments from the Public:

One letter of opposition was received.

Comments from Departments/Agencies:

Engineering Division has no comments or conditions.

Staff Report:

Planning Division recommends approval of the application with conditions.

Owner/Applicant's Comments:

Marisa Goncalves made a presentation to Committee outlining the location, the proposed sign display, the monitoring of the sign and how the sign complies with a majority of the Sign By-law Regulations.

Ms. Goncalves discussed the location of the other 2 Billboard signs within 500 metres of the proposed sign and the potential visibility to the residential zones. Ms. Goncalves provided information on the Lighting Impact Study completed for this application and further discussed the benefits to the Community.

Public Comments (at hearing):

Bob Brown, Owner of Thor Motors addressed the Committee. Mr. Brown indicated the intersection at Gill Street and Front Street is a disaster when it comes to signage. The corner that comes out of the Dollar Store is the worst entrance. His property is about 100 and 150 feet from the proposed sign; however, he is worried from a community standpoint and the collection of the signs in this area. There was an objection on the other side of the road previously for an electronic sign and it was basically too much, too soon in that area in terms of the number of signs.

Mr. Brown noted he is the small business owner mostly impacted although he did attempt to contact other business owners in the area.

James Thomson, President of the Common Roof, being the location where the sign is proposed, addressed the Committee. Mr. Thomson wanted to speak to his support to moving forward with the sign placement.

As an organization, they house 16 not-for-profit organizations within the facility. The revenue generated from their partnership with Pattison Outdoor would allow the offset of overhead costs and they could pass on the revenue to the 16 organizations and then more of the revenue would go to the direct service of the community.

Nathan Jankowski of Pattison Outdoor addressed the Committee. He responded to Mr. Brown's comments. In looking at the locations, the sign is located about 200 metres away from that intersection and is not as visible from there due to the bend in the road.

The electronic portion of the sign faces north and there would be no visibility from the intersection. He does not feel that the comments are valid about concerns with the intersection.

Mr. Bown advised that there is so much signage in the area and it is starting to look like other municipalities. He was the City sign chairperson for some years and is a fan of clustering which is putting several directional signs on one spot. He does understand the revenue side of it. He could put up a bigger sign at his property, but he is not going to.

Committee Comments:

A Committee member asked about the zoning of the surrounding properties. The location shows three houses due south of this sign. Is this land zoned residential and would this sign not impact the properties? Staff advised the properties are zoned commercial intensification and the intent is these properties would transition into commercial in the future.

A Committee member asked about what could prevent the Owner from changing the south side of the sign to an illuminated sign. Staff advised there is the 50% rule that any sign cannot exceed this being the variance requested today for the north sign. Any change would have to come back before Committee. The Committee member asked if they would have to come back to the Committee to request to illuminate the south side of the sign, similar to the sign at the Mazda Dealership. Staff advised that to do that, the Owner would have to come back before Committee.

A Committee member asked could they illuminate 50% of the south side without coming back to the Committee. Staff advised that they could do that.

Mr. Jankowski advised they would have to come back to Committee to illuminate the south side at the same setback to the street line as well as the setbacks to residential before they could make any change.

A Committee member asked about the presentation and the content of the display which would not be flashing. What happens in 10 years is someone decides to put a display that shows some motion or video? What restrictions are in place to prevent that from happening? Mr. Jankowski advised that they take a lot of pride in the signs that they create and want them to be safe and compliment within the community where they are built. They have internal programs in place to set the timing of the screens. There are no full motion videos and they have reviewed digital signing on traffic impact and the general conclusion is that signs display a static side, have no impact on drivers. It is the full video or flashing that contribute to driver distraction.

Mr. Jankowski advised they would not do this as a company as they do not want these types of signs. There are enforcement regulations with the City as well and if they change the sign, they could be charged, or the permit revoked if they are outside of the compliance. Staff advised there is a provision in the By-law that specifically prohibits motion and the display time proposed with this application would be longer than what is required in the By-law. This would preclude changing the sign to an electronic format in the future.

A Committee member asked Mr. Jankowski about City of Orillia emergency situations. Would they allow signage messaging in this case? Mr. Jankowski advised that they do that in all instances and the police services have an override for an amber alert, as needed. This is offered with the digital service as well as an offer for increased community messaging such as events. This just helps the sign do multiple things and supports local and national businesses as well.

A Committee member asked Mr. Jankowski in what capacity does he represent Pattison Signs. Mr. Jankowski advised that he is Manager of Legislative Services and Permits for 5 years. He was with the City of Toronto for 10 years and assisted with the development of their Sign By-law. He has extensive background and knowledge with Sign By-laws. His roll currently is to work with municipalities to obtain permit approvals.

A Committee member asked how the south sign is illuminated at night. Mr. Jankowski advised that it is a downward external light that shines down on the sign and shuts off at a certain time of night. Upward lighting is not recommended as there have been studies affecting migratory birds.

The Committee made a motion to approve the application.

**025-24 Moved by: Kelly Smith
 Seconded by: Ian Gordon**

Application T07-042 – 169 Front Street, be approved with conditions, as per the Decision.

Member Gordon opposed the application.

Carried

8. Correspondence / other business:

None.

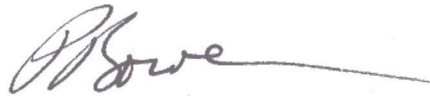
9. Adjournment:

**026-24 Moved by: Ian Gordon
 Seconded by: Kelly Smith**

We now adjourn at 9:57 a.m.

Carried

The Committee will reconvene at 9:15 a.m. on June 19, 2024.



Pete Bowen, Chair



Sue McCormick, Acting Secretary-
Treasurer