


<b>TITLE:</b> <b>CONDITIONAL USE—SUPPLEMENTARY REPORT</b> <b>536 – 1<sup>ST</sup> STREET</b> <b>OWNER: ALLEN HENRY GREBINSKI</b> <b>APPLICANT: VBJ DEVELOPMENTS</b>		
<b>MEETING DATE:</b> September 1, 2021		<b>Page 1 of 3</b>
<b>DEPARTMENT:</b> Planning & Buildings	<b>ATTACHMENTS:</b> A. Application related documents B. Map, air photo & drawings	
<b>PRESENTER:</b> Bernice Leyeza, Community Planner	<b>MANAGER:</b> Andrew Mok for Ryan Nickel, Director Planning & Buildings	

**RECOMMENDATIONS:**

That Conditional Use Application C-04-21 to allow for an electronic off-premises sign in the Commercial General (CG) Zone be approved at 536 – 1<sup>st</sup> Street (Lots 6/8, Block 80, Plan 8 BLTO) in accordance with the attached letter of intent “Attachment A-1 and A-2” and the attached site plan “Attachment B-3”, subject to the sign having a minimum height clearance of 4.6m.

**BACKGROUND:**

During the original Public Hearing on August 18, 2021, the applicant, Steve McMillan of VBJ Developments Ltd, on behalf of the property owner, Allen Henry Grebinski, requested to defer the application to the next Planning Commission meeting date for two reasons:

1. Relocation of the proposed electronic off-premises sign
2. Amending the proposal from a single-sided to double-sided electronic off-premises sign

**ANALYSIS:**

The applicant is proposing to construct a freestanding electronic off-premises sign at the southeast corner of the site, replacing the existing freestanding on-premises sign near that location. The freestanding electronic off-premises sign will be double-sided. The north- and south-facing sign faces are angled for viewing from the of 1<sup>st</sup> Street/Victoria Avenue and 1<sup>st</sup> Street/McTavish Avenue intersections. Each sign face will be 18.6m<sup>2</sup> in sign surface area.

***Consistency with Part 7, Section 106(1)(b) of The Planning Act and Demonstration that the Use:******1. Will be compatible with the general nature of the surrounding area;***

The intent of the Zoning By-law provisions on electronic signs is to ensure the location and intensity of the electronic advertising signs does not have any adverse impact to adjacent residential properties, and will not be a nuisance or negatively impact traffic safety. Given that this section of 1<sup>st</sup> Street is a major commercial area and there are several freestanding on- and off-premises signs in the area, the proposal will be compatible with the general nature of the surrounding area.

***2. Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area;***

The applicant submitted a lighting study (Attachment A-3 through A-6) that provides information on how the angle and distance will affect nearby sites, and the lighting demonstrates that light directed to nearby residential sites is minimal. Due to the orientation of the sign face and how light from electronic signs are projected, residential areas west and east of the site will not be adversely impacted. The Transportation Association of Canada's "Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines" ("electronic sign guidelines") recommends that images or messages be projected statically for at least eight (8) seconds before changing instantly to another advertisement.

There are currently no other electronic signs in the surrounding area. In accordance with Clause 34(d)(1) of the Zoning By-law, approval of this conditional use will restrict the development of any future electronic off-premises signs within 92.0m of this proposed sign.

***3. Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law***

The site is designated "Commercial" in the Development Plan. The proposal complies with all applicable Zoning By-law provisions for freestanding electronic off-premises signs, including bulk and siting requirements and sign surface area. The location of the proposed electronic sign is 1.0m away from the front property line. Pursuant to Subsection 32(e) of the Zoning By-law, the City Engineer confirmed that the location is in compliance with the recommendations under the electronic sign guidelines.

***Commenting Agencies***

All comments have been addressed and summarized below.

***City of Brandon***

- Proposed electronic off-premises sign should be at least 4.6m height clearance above ground to ensure parking lot movement clearances
  - City administration recommends this be a condition of approval, as these pertain to both on- and off-site traffic safety beyond the Zoning By-law's jurisdiction
  - Applicant's submission did not include proposed sign height and ground clearance