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**Subject:** Email - Communication - Julia Harding - Existing Outfront signage on City ROW property - Commercial Billboards on Public Right-of-Way - CK 6280-1 x 4225-1

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**From:** Web NoReply <[web-noreply@Saskatoon.ca](mailto:web-noreply@Saskatoon.ca)>

**Sent:** June 03, 2021 2:00 PM

**To:** City Council <[City.Council@Saskatoon.ca](mailto:City.Council@Saskatoon.ca)>

**Subject:** Email - Communication - Julia Harding - Existing Outfront signage on City ROW property - Commercial Billboards on Public Right-of-Way - CK 6280-1 x 4225-1

--- Replies to this email will go to [julia.harding@outfront.ca](mailto:julia.harding@outfront.ca) ---

Submitted on Thursday, June 3, 2021 - 14:00

Submitted by user: Anonymous

Submitted values are:

Date Thursday, June 03, 2021

To His Worship the Mayor and Members of City Council

First Name Julia

Last Name Harding

Phone Number (780) 496-9458

Email [julia.harding@outfront.ca](mailto:julia.harding@outfront.ca)

Address 11703 170 Street

City Edmonton

Province Alberta

Postal Code T5M3W7

Name of the organization or agency you are representing (if applicable) OUTFRONT Media Canada

Subject Existing Outfront signage on City ROW property

Meeting (if known)

Comments Please refer to the included Letter

[REDACTED]

[REDACTED]

[REDACTED]

June 2, 2021

**City of Saskatoon**  
**Attention: City Clerks Department**

**Re: Notice of Termination of OUTFRONT Lease Agreement**

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Outfront is recently in receipt of a notice of termination of our sign privileges for our existing static display billboards signs located on the public right-of-way, based on a claim of public safety issues, sent from Jay Magus, Director of Transportation.

OUTFRONT will be making a formal application seeking consideration for approval of a temporary pause of the requirement to remove its signs by December 2021 as per the terms and conditions of the termination notice.

**Background**

OUTFRONT has 5 existing sign locations that are located on the City right-of-way. The current lease agreement was last renewed in 2020. The locations are as follows:

- 1) Circle Drive North/Airport Road which was just recently approved by the city and installed approximately 5 years ago. We have yet to even fully depreciate the capital investment for the installation at this site.
- 2) 19<sup>th</sup> Street/ 4<sup>th</sup> Avenue
- 3) 19<sup>th</sup> /4<sup>th</sup> Ave. (second sign at this location)
- 4) 19<sup>th</sup> Street / Avenue A
- 5) Warman Road / Assiniboine Drive

All of these four sign locations have been in existence for years and even decades; one location was built over 70 years ago and has become a landmark sign in the community. All of the signs have been operating and allowing both local businesses and national clients to promote products and services in Saskatoon in a regulated manner without incident or complaint. We are not aware of, nor has the City ever made us aware of, any increase in traffic accidents in these areas that is related to the existing signs. The City of Saskatoon has not provided any evidence that these signs are a risk to public safety, and in fact have benefited from the use of the signs for community messaging.





In March 2018, the Standing Policy Committee on Transportation recommended to council that proposed new billboard locations on the right-of-way as a means to generate additional revenue be refused due to a claim that the signs would cause a risk to public safety. It was also indicated in this report that the existing lease agreement for the existing signs owned and operated by OUTFRONT also would not be renewed upon the expiry in 2018. However, the lease agreements were renewed on a year to year basis and the current renewed agreement is only mid-way through its term. As result we were somewhat caught off guard when we recently received an early notice of termination. In addition to the challenges we are all facing during a global health pandemic, our long term local Real Estate and Operations person in the market has been absent with some personal health issues, which has made it difficult for us as a company to respond to this problem.

#### **OUTFRONT's position and next steps**

- We do not operate signs that could be a cause for public safety issues. We strongly oppose the claim being made that our signs are a hazard, particularly with no actual evidence of such a claim on signs that have been in existence now for decades. We intend to offer multiple traffic safety studies in Canada and the United States as evidence to refute the Standing Policy Committee on Transportation's claim that our signs are a public safety risk, and in fact demonstrate that signs do not distract drivers to a level that shows any correlation to an increase in traffic accidents. In fact, studies have confirmed that drivers actually perform better and at a heightened state of attention when stimulated with some level of distraction. We will also ask you to look at several major cities in Canada that do allow and benefit from signage being located safely and without issue in the public right-of-way. We will supply you with comparables in Toronto, Montreal, and Vancouver as a sample for consideration.
- These signs have generated hundreds of thousands of dollars in additional revenue to the City of Saskatoon. They are also a critical advertising platform that will help local businesses recover from the impacts of COVID and grow the local economy. It is our desire to work with the City of Saskatoon to find possible alternate City-owned lands where these signs in the public right-of-way can be relocated with newer, more modern sign displays and even greater revenue potential that will continue to benefit the City. It is our intention to focus on suppling these key points of consideration in our upcoming submission which we hope to complete in the weeks ahead.

It is our privilege to be a partner with the City of Saskatoon and we would greatly appreciate an opportunity to find alternate solutions to address all concerns.

Sincerely,

OUTFRONT

A handwritten signature in blue ink, appearing to read "Steve Wolowich", written over a light blue rectangular background.

Steve Wolowich

**Senior Director / Western Real Estate**

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## Commercial Billboards on Public Right-of-Way

### Recommendation

That the Standing Policy Committee on Transportation recommend to City Council:  
That additional billboards on public right-of-way not be installed due to public safety reasons.

### Topic and Purpose

This report provides comments on the impacts of installing commercial billboards on public right-of-way (ROW), a concept proposed during the 30-Day Challenge.

### Report Highlights

1. Commercial billboards have the potential to generate revenue throughout the city.
2. Distracted driving is considered a significant public safety issue. By their inherent nature, commercial billboards are intended to distract.
3. Commercial billboards on ROW does not align with Saskatoon's Traffic Safety Action Plan (STSAP) nor Vision Zero.
4. Bylaw No. 8770, The Zoning Bylaw outlines regulations for commercial billboards related to size, location and type of signs.

### Strategic Goal

This report supports the Strategic Goal of Moving Around by providing safe infrastructure for all road users including pedestrians, cyclists, and motorists.

### Background

City Council, at its meeting held on August 28, 2017, considered a report on the 30-Day Challenge and resolved, in part:

- "8. That the Administration report to the Standing Policy Committee on Finance regarding additional billboards on City rights-of-way;"

This initiative was suggested as a means to generate (or provide) additional revenue for the City of Saskatoon. The report was re-directed to the Standing Policy Committee on Transportation as the content best fits this committee's mandate.

### Report

#### 30-Day Challenge Idea

The idea to consider the placement of billboards on public ROW was identified in the 30-Day Challenge to generate additional revenue for the city.

The Administration engaged various local billboard advertising companies to determine estimates of potential revenue opportunities that could be realized by placing billboards in some ROW locations. Representatives of the companies indicated there are some roadway locations within the city that are currently underserved, with noted examples

## Commercial Billboards on Public Right-of-Way

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being Circle Drive, College Drive and newly constructed portions of McOrmond Drive (North Commuter Parkway).

The Administration estimates that depending on the specific location, there may be approximately 10 to 15 potential billboard locations throughout the City that could generate up to \$35,000 per year, per digital sign, resulting in total annual revenue of \$350,000 to \$525,000 if and when all signs were installed. Static signs in these same locations would realize smaller revenues of approximately \$5,000 per poster face.

The City has previously permitted five static billboards within the public ROW, with five year leases renewed in approximately 2013, ranging in value from \$3,230.67 to \$9,692.02 per year (based on 2017 lease value) depending on the size and number of faces of the commercial billboard. These billboards have been in place for several years and their placement has been grandfathered to date. Details, including financial information is as follows:

Location	Lease End Date (5-yr lease)	2017 Lease Value
Circle Drive N & Airport Road	Dec. 31, 2019	\$6,622.90
19 <sup>th</sup> Street E & 4 <sup>th</sup> Avenue S	Aug. 31, 2018	\$3,230.67
19 <sup>th</sup> Street E & 4 <sup>th</sup> Avenue S	Aug. 31, 2018	\$4,846.01
19 <sup>th</sup> Street E & Avenue A	Aug. 31, 2018	\$9,692.02
Warman Road & Assiniboine Drive	Aug. 31, 2018	\$3,230.67

These leases will not be renewed when the leases expire in 2018, and the one location in 2019, due to public safety reasons discussed further in this document.

### Distracted Driving and Billboards

While the installation of commercial billboards in the public ROW has the ability to generate revenue, by their inherent nature, commercial billboards (which includes static and electronic billboards) are intended to attract a motorist's attention and therefore conflicts with best practices in road safety. Knowingly permitting these types of signs will lower the level of public safety, and also potentially open the City of Saskatoon to be liable for collisions and injuries. Other jurisdictions do not permit commercial billboards within the public ROW and have policies to administer or restrict commercial billboards on private land immediately adjacent to, or within sight of, roadways.

Details of the review of best practices are provided in Attachment 1.

### Saskatoon's Traffic Safety Action Plan/Vision Zero

City Council approved Saskatoon's Traffic Safety Action Plan (STSAP) in September 2014, which was developed through a collaborative process with the Saskatchewan Centre of Excellence in Transportation and Infrastructure, Saskatchewan Government Insurance, Saskatoon Police Service, and several other stakeholders. Using historical collision statistics, the STSAP identifies seven emphasis areas including:

- Aggressive Driving;
- Distracted Driving;
- Impaired Driving;
- Intersections;
- Older Drivers;
- Vulnerable Road Users; and
- Young Drivers.

Through a combination of engineering, education and enforcement efforts, the STSAP outlines a number of initiatives to achieve a targeted 10% reduction in fatal and serious injury collisions in each emphasis area.

The Administration is developing a plan to transition from the STSAP to a formal Vision Zero approach to road safety. Vision Zero is a road safety approach with the goal of zero traffic related fatalities or severe injuries. Canada adopted Vision Zero as a federal strategy in January 2016. A copy of a recent Vision Zero session primer held with stakeholders is included in Attachment 2. Capital Project #0631 – Transportation Safety Improvements included approved funding to launch the Vision Zero initiative and begin an education campaign in 2018.

The introduction of commercial billboards along in the public ROW is not consistent with the direction to reduce collisions related to distracted driving.

Developers and proponents of commercial billboards have suggested that including traveller information such as road closures or upcoming road maintenance could occupy some portion of the messaging of the billboard in order to justify the location on the public ROW. Providing traveller information in this manner is not standard traffic engineering practice and will increase distracted driving by training drivers to look at all commercial billboards for potential public information. A Traveller Information System for motorists will be developed as part of the Intelligent Transportation System Strategic Plan for Saskatoon. More details are provided in Attachment 3.

### Bylaw No. 8770, The Zoning Bylaw

The size, location and type of signs are regulated by Bylaw No. 8770, The Zoning Bylaw. Generally, under the provisions of the Zoning Bylaw, billboards are permitted only on private property, in specified commercial and industrial areas and typically are used to advertise off-site products or services.

From a planning perspective, billboards may block access to scenic vistas, may contribute to light pollution, and do not enhance the urban environment by providing distracting messaging. Digital billboards, which are increasingly the more common form of billboard signage, have a far greater visual reach with digital images that could change as often as every six seconds.

The regulations contained in the Zoning Bylaw ensure that signs are located in appropriate locations, and maintain a separation distance from each other in order to

minimize the impact to the urban environment and distraction to motorists. Allowing billboards in the public ROW would significantly increase the number of potential locations where billboards could be located in the city which contributes to visual clutter in the urban environment and generally would not enhance community aesthetics.

The current regulations endeavor to ensure a balance between providing for business opportunity and maintaining desired community aesthetics and limit driver distraction.

### **Communication Plan**

At the time a Traveller Information System is ready for implementation, the City will communicate city-wide to advise road users about the new system and how they will be used.

### **Other Considerations/Implications**

There are no options, public and/or stakeholder involvement, policy, financial, environmental, privacy or CPTED considerations or implications.

### **Due Date for Follow-up and/or Project Completion**

None planned at this time.

### **Public Notice**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

### **Attachments**

1. Distracted Driving and Billboards
2. Vision Zero Session Primer
3. Traveller Information System

### **Report Approval**

Written by:	Jay Magus, Acting Director of Transportation
Reviewed by:	Kerry Tarasoff, General Manager/CFO, Asset and Financial Management
Approved by:	Angela Gardiner, Acting General Manager, Transportation & Utilities Department

TRANS JM – Commercial Billboards on Public Right-of-Way

### Distracted Driving and Billboards

Placing billboards on the public ROW is an area that has been given considerable attention to. The Canadian Council of Motor Transport Administrator (CCMTA)'s Distracted Driving Subcommittee, defines distracted driving as the following:

“Distracted driving is the diversion of attention from driving, as a result of the driver focusing on a non-driving object, activity, event or person. This diversion reduces awareness, decision-making or performance leading to increased risk of driver error, near-crashes or crashed. The diversion of attention is not attributable to a medical condition, alcohol/drug use and/or fatigue.”

CCMTA further notes that there are various possible driver distractions, including, but not limited to, visual distractions outside your vehicle such as collisions, police activity, or looking at street signs or billboards.

The Province of Quebec published a study titled ‘Impact de l’excès de signalisation chez les automobilistes âgés’ (translation: The impact of excessive signage on different age of drivers) aimed to determine the impact of age on the ability to process the information displayed on a road sign depending on various criteria: the presentation of various scenes, the number of signs present, and the degree of the mental workload. The results of the study indicated:

- “aging has a significant impact on processing the information displayed on road signs. Older drivers perform less well than younger drivers;
- the greater the number of road signs, the more the driving performance of older drivers decreases;
- crowding of the visual field is one of the main factors that interferes with information processing of older drivers;
- the efficiency of older drivers’ ability to process the information displayed on roadside signs depends on the number of signs and the time available to process the information.”

According to the U.S. National Highway Traffic Safety Administration (NHTSA) in 2015 10% of fatalities involved driver distraction.

Saskatchewan Government Insurance (SGI)'s indicates in their ‘Driver’s Handbook’ that:

“Driver Inattention and distraction is responsible for 18% of all collisions. On average, it leads to 52 collision fatalities a year in Saskatchewan.”

“Some of the most common driver distractions include persons, objects or events outside the vehicle, distraction from passengers, looking for or at something in the vehicle, adjusting radio, climate or vehicle controls, smoking and eating or drinking.”



Transportation Association of Canada (TAC) is a national association with a mission to promote the provision of safe, secure, efficient, effective, and environmentally and financially sustainable transportation services in support of **Canada's** social and economic goals. The City of Saskatoon is a member of TAC under the Municipal Government classification.

TAC publishes many technical design guidelines and standards, including the Manual of Uniform Traffic Control Devices for Canada (MUTCD), January 2014. Under the section titled 'Legal Authority' the following is provided:

“Traffic signs are installed only under the authority of the road agency having jurisdiction. Signs should be installed and maintained in accordance with the guidelines and standards set out in this Manual. Signs placed by private organizations without authority are often poorly placed and maintained, and are not legal. All non-essential signs should be removed since they divert attention from official signs. Traffic signs and supports must not bear any unauthorized commercial advertising or labels, logos, etc.”

The MUTCD for Canada clearly outlines four types of signs that are permitted within the public ROW:

- Regulatory Signs, such as pedestrian crosswalk or speed limit signs;
- Warning Signs, such as curve ahead signs;
- Guide and Information Signs, such as distance to the next street signs; and
- Temporary Conditions Signs, such as work zone signs.

There is no mention of commercial signs as jurisdictions simply do not permit these. A few most likely do exist throughout Canada, but within larger Cities there are many local policies to administer or restrict commercial billboards on private land immediately adjacent to, or within sight of, roadways. There is no consideration for commercial billboards on the public ROW. It is simply a practice not followed for obvious public safety reasons of increased distracted driving. By their inherent nature, commercial billboards are intended to distract, and knowingly permitting these types of signs will lower the level of public safety, but may potentially open the City of Saskatoon to be liable for collisions and injuries.

### What is Vision Zero?

Vision Zero is a road safety approach with the goal of zero traffic related fatalities or severe injuries. Canada adopted Vision Zero as a federal strategy in January 2016.

### How is Vision Zero different than our current approach?

Vision Zero is based on the simple fact that we are human and make mistakes. The road system needs to keep us moving. But it must also be designed to protect us at every turn.

Vision Zero	Traditional thinking
<ul style="list-style-type: none"> <li>Focus on fatalities and serious injuries</li> </ul>	<ul style="list-style-type: none"> <li>Focus on overall collision rates</li> </ul>
<ul style="list-style-type: none"> <li>Flaws in the transportation system identified as cause of collisions</li> </ul>	<ul style="list-style-type: none"> <li>Human error identified as cause of collisions</li> </ul>
<ul style="list-style-type: none"> <li>Focus on perfecting road system for imperfect human behavior</li> </ul>	<ul style="list-style-type: none"> <li>Focus on perfecting human behavior on an imperfect road system</li> </ul>
<ul style="list-style-type: none"> <li>Safety initiatives reduce societal costs</li> </ul>	<ul style="list-style-type: none"> <li>Safety initiatives are costly</li> </ul>


### Vision Zero Principles

- No loss of life is acceptable
- Traffic fatalities and serious injuries are preventable
- We all make mistakes
- We are physically vulnerable when involved in motor vehicle collisions
- Eliminating fatalities and serious injuries is a shared responsibility between road users and those who design and maintain our roadways
- We have a right to a safe transportation system

### Vision Zero Starter Session

The Starter Session will take 2-3 hours and will include:

- Education session to review Vision Zero, Safe Systems Approach, general statistics, and why Vision Zero is important for all road users
- Workbook session to determine where our community stands in terms of traffic safety. We will explore the dangers, opportunities, and strengths within our community
- Development of a vision statement for our community's traffic safety plan and
- Identification of moving forward strategies and next steps.



VISION ZERO IS ABOUT  
RECOGNIZING THAT TRAFFIC  
DEATHS AND INJURIES ARE  
PREVENTABLE, AND IMPROVING  
THE SAFETY OF ROADWAYS  
THROUGH EDUCATION,  
ENFORCEMENT, ENGINEERING,  
EVALUATION AND ENGAGEMENT.

City of Hamilton, ON

### Traveller Information System

A type of Intelligent Transportation System (ITS) application, Traveller Information Systems presents information to road users typically on incidents ahead, road and lane closures, and recommended routing. Advanced Traveller Information Systems can also address weather and road conditions, and recommended speeds. This information is typically provided through a standard application of dynamic message boards placed alongside the road or above the driving lanes as shown in the examples. The Administration recently completed an ITS Needs Assessment, which identified as a 'gap' the need for a Traveller Information System. As a follow up to the needs assessment, an ITS Strategic Plan is currently being developed and will include a Traveller Information System as a significant component.

There are existing standards and best practices for permanent dynamic message boards in North America. Typically installed above driving lanes or immediately adjacent to the road, the message boards are expected by drivers, are very easy to see and understand, and not cluttered with advertising. They are controlled entirely by the road authority. If commercial billboards are installed within the public ROW, they would be located as far from the driving lanes as possible, which would force people to look away from their direct line of sight. This creates an unsafe condition as drivers are distracted by changing their focus from the road ahead to billboards far from the centre of the road. Comparing this situation with standard permanent dynamic message boards installed overtop of lanes (e.g. on the Stonebridge interchange, or Shaw Centre pedestrian walkway over 22<sup>nd</sup> Street) does not require a driver to change their focus from the road ahead.

In conjunction with the ITS Strategic Plan project, Transportation has identified six preliminary locations for permanent dynamic message boards that would be part of a larger Traveller Information System. These locations were carefully selected at decision points for drivers. Messages relayed to drivers at these points allow them to make decisions to alter their route, or highlight road conditions ahead. Messages provided at alternate locations on message boards whose primary purpose is for commercial advertising, will not be effective in providing drivers information on routing or road conditions. The six preliminary locations which have been identified as suitable for dynamic message boards are:

1. Highway 11 northbound entering the south end of Saskatoon
  - North of the Vic Boulevard overpass
  - South of the Highway 16/Highway 11 Cloverleaf overpass
2. Highway 16 westbound entering the south end of Saskatoon
  - West of Boychuk Drive
  - East of the Highway 16/Highway 11 Cloverleaf overpass
3. College Drive westbound
  - West of Central Avenue
  - East of the Circle Drive/College Drive overpass

4. Circle Drive East northbound
  - South of the Circle Drive/College Drive overpass
5. 22<sup>nd</sup> Street West eastbound
  - West of the Shaw Centre pedestrian overpass
  - Ideally mounted to the Shaw Centre pedestrian overpass
6. Idylwyld Drive North southbound
  - North of the 51st Street/Avenue C/Idylwyld Drive overpass
  - South of the Highway 16/Idylwyld Drive overpass

An application was made in early 2017 for Public Transit Infrastructure Funding (PTIF) to install the permanent dynamic message boards at the six locations, but it was not accepted. The Administration is currently considering other potential funding sources.

## Examples of Dynamic Message Boards

Overhead application



Roadside application

