

## DECISION REPORT

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### Existing Commercial Billboards on Public Right-of-Way

#### ISSUE

The Standing Policy Committee on Transportation requested Administration report back on options for other solutions regarding billboards on public right-of-way.

#### BACKGROUND

##### History

At its meeting held on August 28, 2017, City Council considered the 2018 Business Plan and Budget Update – 30 Day Challenge report, and resolved, in part:

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

At its meeting held on March 26, 2018, City Council considered the Commercial Billboards on Public Right-of-Way report, and resolved:

- “That additional billboards on public right-of-way not be installed due to public safety reasons.”

The above referenced report noted the following:

- The locations of five existing billboard structures on public right-of-way are:
  - 19<sup>th</sup> Street East and 4<sup>th</sup> Avenue South (northeast side of intersection, 69 metres from Broadway Bridge);
  - 19<sup>th</sup> Street East and 4<sup>th</sup> Avenue South, (northeast side of intersection, 48 metres from Broadway Bridge);
  - 19<sup>th</sup> Street East and Avenue A South;
  - Warman Road and Assiniboine Drive; and
  - Circle Drive West near Airport Drive.
- All of the lease agreements were set to expire on August 31, 2018, except for the location at Circle Drive West near Airport Drive which was set to expire December 31, 2019.

In November 2018, at the request of Outfront Media Canada (Outfront), lease agreements were extended to December 31, 2020 to provide relocation planning time.

In October 2020, at the request of Outfront, the lease agreements were extended to December 31, 2021 to again provide more time.

On March 3, 2021, a 60-day notice of intention to cancel the lease agreements was provided to Outfront. The date provided to remove/cover the advertising was June 1, 2021, and the date provided to remove the billboard structure was prior to December 1, 2021. These dates and time periods aligned with the termination clause in the agreement.

At the August 9, 2021 meeting of the Standing Policy Committee on Transportation,

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Outfront presented to Committee regarding commercial billboards on the City right-of-way and Committee resolved:

“That the matter be referred to the Administration to provide a report outlining options for other solutions regarding billboards on City right-of-way property.”

Photographs and location maps of these billboards are included in Appendix 1. Information related to commercial billboards within Bylaw No. 8770, The Zoning Bylaw is included in Appendix 2.

### Current Status

The five billboard locations remain in place and continue to show advertising.

### City of Saskatoon’s Current Approach

The City of Saskatoon no longer allows commercial billboards on public right-of-way, and commercial billboards on private property need to align with the zoning bylaw.

### Approaches in Other Jurisdictions

Other jurisdictions do not permit commercial billboards within the public right-of-way and have policies to administer or restrict commercial billboards on private lands immediately adjacent to, or within sight of, roadways. Details of the review of best practices are provided in Appendix 3.

## **OPTIONS**

Five potential options addressing commercial billboard structures on public right-of-way are discussed below.

Option	Implications
1. Remove from Public Right-of-Way	<ul style="list-style-type: none"><li>• Removes the precedent of permitting private commercial billboards on the public right-of-way.</li><li>• Complies with Bylaw No. 8770.</li><li>• Reduces driver distraction due to private advertising on the public right of way.</li><li>• Aligns with TAC guidelines and traffic engineering best practices for private advertising on public right of way.</li><li>• These locations on the public right of way are no longer available for private advertising.</li></ul>
2. Continue to Allow in Public Right-of-Way	<ul style="list-style-type: none"><li>• These locations on public right of way remain available for private advertising.</li><li>• Does not comply with Bylaw No. 8770.</li><li>• Increases driver distraction due to private advertising on the public right of way.</li><li>• Deviates from TAC guidelines and traffic engineering best practices for private advertising on public right of way.</li></ul>
3. Relocate to Adjacent Private Lands and Away from Intersections	<ul style="list-style-type: none"><li>• Removes the precedent of permitting private commercial billboards on the public right-of-way.</li><li>• Complies with Bylaw No. 8770.</li></ul>

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Option	Implications
	<ul style="list-style-type: none"> <li>• Reduces driver distraction due to private advertising on the public right of way.</li> <li>• Aligns with TAC guidelines and traffic engineering best practices for private advertising on public right of way.</li> <li>• Alternate locations are available for private advertising in proximity to the current locations.</li> <li>• Costs of relocating signs.</li> </ul>
4. Relocate Elsewhere in City to Private Lands and Away from Intersections	<ul style="list-style-type: none"> <li>• Removes the precedent of permitting private commercial billboards on public right-of-way.</li> <li>• Complies with Bylaw No. 8770.</li> <li>• Reduces driver distraction due to private advertising on the public right of way.</li> <li>• Aligns with TAC guidelines and traffic engineering best practices for private advertising on public right of way.</li> <li>• Opportunities for private advertising are relocated to other locations outside of public right of way.</li> <li>• Costs of relocating signs.</li> </ul>
5. Temporarily Allow in Public Right-of-Way	<ul style="list-style-type: none"> <li>• Permits time for change to occur.</li> <li>• Complies with Bylaw No. 8770 over time.</li> <li>• Strikes a balance between competing priorities.</li> <li>• Over time, aligns with TAC guidelines and traffic engineering best practices for private advertising on public right of way.</li> <li>• Future costs of relocating.</li> </ul>

The feasibility of applying these options to the four specific locations is assessed in the following table.

Remove	Continue to Permit	Relocate to Adjacent Private Lands	Relocate Elsewhere in City	Temporarily Allow
<i>Locations: Both signs at 19<sup>th</sup> Street/4<sup>th</sup> Avenue</i>				
Feasible	Not feasible due to driver distraction associated with private advertising signs on public right of way	Feasible as there is a parking lot adjacent to current billboard location.	Potentially feasible	Feasible
<i>Location: 19<sup>th</sup> Street/Avenue A</i>				
Feasible	Not feasible due to driver distraction associated with private advertising signs on public right of way	Limited feasibility due to lack of unused private property nearby, although there is a small parking lot adjacent to current billboard location.	Potentially feasible	Feasible

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<i>Location: Warman Road/Assiniboine Drive</i>				
Feasible	Not feasible due to driver distraction associated with private advertising signs on public right of way	Limited feasibility as nearby land owned by Canadian National Railway (CN) have other billboards in operation.	Potentially feasible	Feasible
<i>Location: Circle Drive West/Airport Drive</i>				
Feasible	Not feasible due to driver distraction associated with private advertising signs on public right of way	Feasible as large parking lots are located in two of the four corners of this intersection though both are located further from Circle Drive than current billboard location so would likely not be as desirable.	Potentially feasible	Feasible

If the commercial billboard structures are removed, there are several options as to who pays:

1. City pay for the removal and re-installation (if required).
2. Advertising company pay for the removal and re-installation (if required).
3. Shared responsibility.

The estimated cost to remove a commercial billboard structure is \$5,000 per location. The estimated cost to install a commercial billboard structure is \$15,000 per location.

### **RECOMMENDATION**

That the Standing Policy Committee on Transportation recommend to City Council:

1. That the two commercial billboards at the intersection of 19<sup>th</sup> Street and 4<sup>th</sup> Avenue be removed at the time of the re-construction of the intersection, or at the time of redevelopment of the adjacent private lands, whichever is first;
2. That the commercial billboard at the intersection of 19<sup>th</sup> Street and Avenue A be permitted to remain until October 31, 2023, to allow the vendor opportunity and time to relocate;
3. That the commercial billboard at the intersection of Warman Road and Assiniboine Drive be removed at the time of the construction of the active transportation rail crossing, or if the crossing does not proceed, provide one year to allow the vendor opportunity and time to relocate;
4. That the commercial billboard at the intersection Circle Drive and Airport Drive be removed at the time of the construction of an interchange at this location;
5. That the City enter into agreements that align with the details in this report; and
6. That the City pay for the commercial billboard removal, and the vendor pay for any re-installation costs.

### **RATIONALE**

The following was considered in developing the recommendations:

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- The intersection of 19<sup>th</sup> Street and 4<sup>th</sup> Avenue, as part of the Bus Rapid Transit (BRT) project, is planned for a significant re-construction. It is anticipated that this project will occur in the next one-to-four years, and it would be efficient to remove the billboards at the same time as the re-construction. Also, immediately east of these two billboards is a privately owned parking lot. If and when this property was developed, the billboards would need to be removed. The timing of any development at this location is unknown to the Administration.
- At the intersection of 19<sup>th</sup> Street and Avenue A there is adjacent private property that may accommodate the re-location of the nearby billboards. Entering into an agreement until October 31, 2023, allows the vendor opportunity and time to pursue the details of relocating the billboards off the public right-of-way at the intersection of 19<sup>th</sup> Street and Avenue A.
- Near the intersection of Warman Road and Assiniboine Drive, there is a potential active transportation rail crossing and the existing billboard at this location has been identified as a safety issue as it impairs the train operator vision of the potential pathway east of the rail line.
- On the prioritized Transportation Infrastructure List included in the Saskatoon Transportation Master Plan is an interchange at the existing at-grade intersection of Airport Drive and Circle Drive. The timing of this project is unknown, but it would be efficient to remove the billboard at the same time as the interchange construction. There is adjacent private property near the intersection that may accommodate the re-location of the nearby billboards.
- Recommending that the City fund the removal of the billboard structures acknowledges the shared responsibility in initially permitting the billboards on the public right-of-way.

### **FINANCIAL IMPLICATIONS**

The Administration will accommodate the removal of the billboards through existing operating funds.

### **ADDITIONAL IMPLICATIONS/CONSIDERATIONS**

Removing these types of signs will remove the precedent of permitting commercial billboards on public right-of-way.

Knowingly permitting these types of signs increases driver distraction due to private advertising on public right of way.

There are no privacy, social, or environmental implications identified.

### **COMMUNICATION ACTIVITIES**

The proposed options, assessment, and a preliminary set of recommendations was shared with the vendor. Administration's understanding of Outfront's feedback (at the time of writing this report) regarding each location is as follows:

1. The two commercial billboards at the intersection of 19<sup>th</sup> Street and 4<sup>th</sup> Avenue – Finds the recommendation acceptable.

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2. The commercial billboard at the intersection of 19<sup>th</sup> Street and Avenue A – Does not agree with the proposed recommendation.
3. The commercial billboard at the intersection of Circle Drive and Airport Drive – Finds the recommendation acceptable.

A summary of communications is included in Appendix 4.

### APPENDICES

1. Photographs and Location Maps
2. Bylaw No. 8770, The Zoning Bylaw
3. Distracted Driving and Billboards
4. Summary of Communications

#### Report Approval

Written by: Jay Magus, Director of Transportation

Approved by: Terry Schmidt, General Manager, Transportation and Construction

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