

DATE OF MEETING July 10, 2017

AUTHORED BY GARY NOBLE, DEVELOPMENT APPROVAL PLANNER, CURRENT PLANNING AND SUBDIVISION

SUBJECT DEVELOPMENT VARIANCE PERMIT NO. DVP316 – 5200 DUBLIN WAY

## OVERVIEW

### **Purpose of Report**

To present for Council's consideration a development variance permit application to vary the maximum permitted sign area to allow an oversized freestanding sign at 5200 Dublin Way.

### **Recommendation**

That Council issue Development Variance Permit No. DVP316 at 5200 Dublin Way with the following variance:

- increase the maximum permitted sign area for a freestanding sign from 10m<sup>2</sup> to 30m<sup>2</sup>.

## BACKGROUND

A development variance permit application, DVP316, was received from Westmark Construction Ltd. (Mr. Chris Lundy), on behalf of 0834824 BC Ltd., to vary the provisions of the "Sign Bylaw 1987 No. 2850" to allow an oversized freestanding sign.

The subject property is located in Comprehensive Development Zone 5 (CD5), a zone that was specifically created for the five lots in the Pacific Station development. Neither the Zoning Bylaw nor the Sign Bylaw includes sign regulations specific to the CD5 zone; however, as the CD5 zone is based on the Mixed Use Corridor zone (COR2), with regard to building size and density, the Sign Bylaw regulations for Corridor zoned properties have been applied.

### **Subject Property**

Zoning	CD5 - Comprehensive Development Zone 5
Location	The subject property is located at 5160 Dublin Way, Lot 3, in Pacific Station, between Metral Drive and Island Highway North
Total Area	6,192 m <sup>2</sup>
Official Community Plan	Map 1 - Future Land Use Designation – Corridor

Statutory Notification has taken place prior to Council's consideration of the variance.

## **DISCUSSION**

### **Proposed Development**

Pacific Station is a mixed use development comprised of five lots with residential, office and commercial uses. The applicant is proposing a 30m<sup>2</sup>, 8.54m high, illuminated freestanding sign to be built on the Island Highway frontage of 5200 Dublin Way (Lot 3) to provide clustered signage for all businesses in Pacific Station. The maximum permitted sign area for a Corridor zoned property is 10m<sup>2</sup>, or 30m<sup>2</sup> for shopping centres (comprised of retail uses) with a gross floor area exceeding 2,000m<sup>2</sup>. The two buildings on the subject property have a total gross floor area of 3,024m<sup>2</sup>; however, these buildings consist predominantly of office uses, which does not meet the definition of a shopping centre in the Sign Bylaw, in order to be permitted the larger sign area. As a result, the sign area is limited to 10m<sup>2</sup>. The five lots contain a combined gross floor area of 4,677m<sup>2</sup> of commercial space within Pacific Station. The Sign Bylaw permits freestanding signs on each of the lots; however, the City design guidelines discourage excessive signage.

The proposed sign has been designed to relate to the building form in the development, and to represent the group of commercial businesses on the property. It has been integrated into the proposed landscaping and located to maximize exposure to south and north bound traffic on the Island Highway. Fascia signage is also permitted on the commercial buildings.

The applicant's Letter of Rationale is included as Attachment D.

## **PROPOSED VARIANCES**

The maximum allowable freestanding sign area is 10m<sup>2</sup>, the proposed sign area is 30m<sup>2</sup>, a variance of 20m<sup>2</sup>.

The proposed freestanding sign conforms to the Sign Bylaw with the exception of the sign area. Due to the grading changes along the highway frontage, the proposed signage location provides maximum signage exposure and limits visual clutter.

## **SUMMARY POINTS**

- Development Variance Permit No DVP316 proposes a variance to the maximum sign area to accommodate a freestanding illuminated sign for the group of businesses on site.
- The variance proposed to the freestanding sign area is 20m<sup>2</sup>.

**ATTACHMENTS**

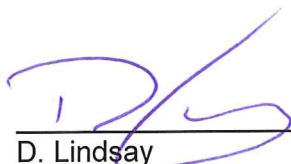
ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Location Plan  
ATTACHMENT C: Sign Location  
ATTACHMENT D: Sign Details  
ATTACHMENT E: Letter of Rationale  
ATTACHMENT F: Aerial Photo

**Submitted by:**



L. Rowett  
Manager, Current Planning and Subdivision

**Concurrence by:**



D. Lindsay  
Director, Community Development

## **ATTACHMENT A PERMIT TERMS AND CONDITIONS**

### **TERMS OF PERMIT**

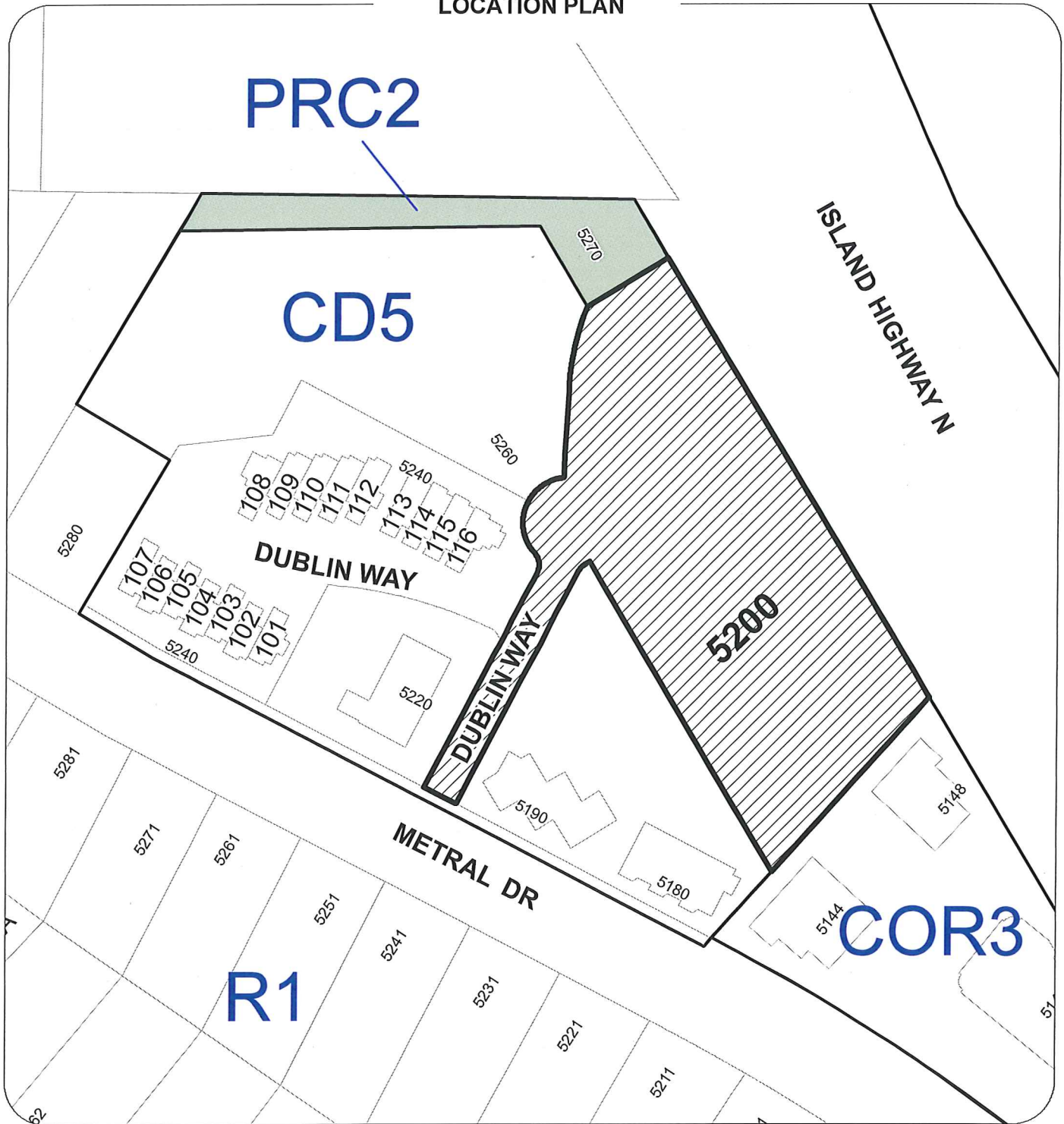
The City of Nanaimo "SIGN BYLAW 1987 No. 2850" is varied as follows:

1. *Section 5.(iii)* – to increase the maximum sign area for the proposed freestanding sign from 10m<sup>2</sup> to 30m<sup>2</sup>.

### **CONDITIONS OF PERMIT**

1. The proposed freestanding sign shall be developed generally in accordance with the design presented by Urban Sign, received 2017-MAY-18.
2. The freestanding sign shall be sited generally as shown on the site survey presented by Westmark Construction Ltd., received 2017-MAY-18.

ATTACHMENT B  
LOCATION PLAN



DEVELOPMENT PERMIT NO. DVP00316

LOCATION PLAN

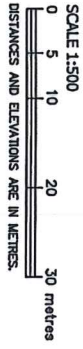
Civic: 5200 Dublin Way  
Lot 3, Section 4, Range 4,  
Wellington District, Plan EPP17170

 Subject Property



# ATTACHMENT C SIGN LOCATION

B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION ON:  
**LOT 3, PLAN EPP17170, SECTION 4, RANGE 4, WELLINGTON DISTRICT.**

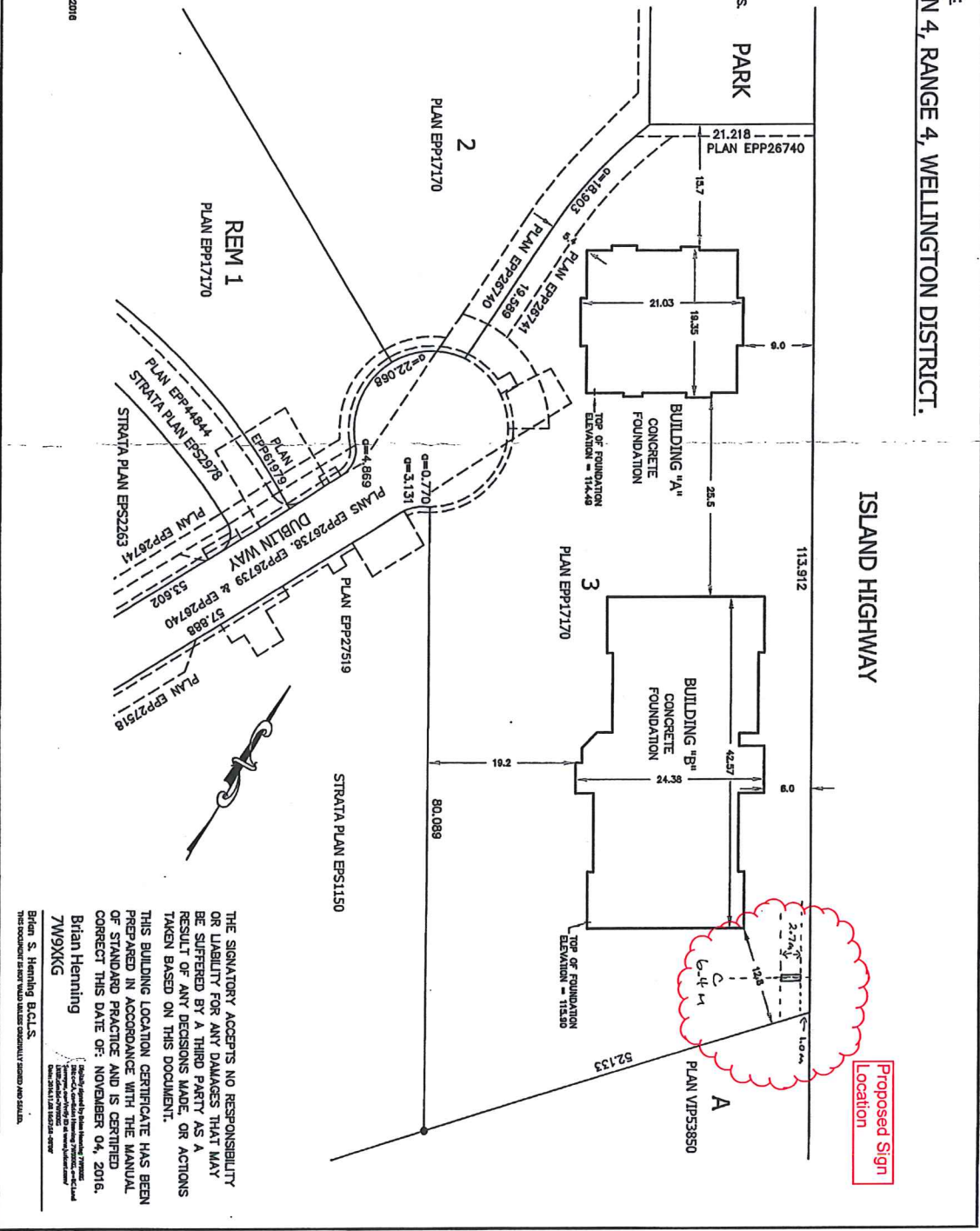


NOTES:  
CING ADDRESS: 5160 & 5600 DUBLIN WAY  
LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLANS.  
ELEVATION DATUM IS DERIVED FROM INTEGRATED SURVEY CONTROL MONUMENTS.  
● STANDARD IRON POST FOUND.

S PLAN PURPORTS TO POSITION ONLY THE ACTUAL D/OR PROPOSED IMPROVEMENT(S) SHOWN RELATIVE ONLY THE BOUNDARIES SHOWN OF OR PURTEANANT TO THE ABOVE DESCRIBED PARCEL(S).  
S PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE LOCATION OF ANY OTHER ACTUAL OR PROPOSED IMPROVEMENT(S) RELATIVE TO ANY BOUNDARY OF OR PURTEANANT TO THE ABOVE DESCRIBED PARCEL(S).  
S PLAN IS NOT TO BE USED TO RE-ESTABLISH BOUNDARY LINES.

THIS PARCEL MAY BE SUBJECT TO REGISTERED CHARGES & PERMITS:  
- PERMITS CA4086430 & FH458235;  
- COVENANTS CA1559162, CA3036781, CA3036785 & CA3036787;  
- STATUTORY RIGHT OF WAYS FB398095, FB398096, CA2589785, CA2589799, CA2589800, CA3036783, CA3036789 & CA3036791;  
- EASEMENTS CA3036785;  
THIS PLAN DOES NOT PURPORT TO VERIFY COMPLIANCE WITH THE RESTRICTIONS THEREIN.

**WILLIAMSON & ASSOCIATES**  
PROFESSIONAL SURVEYORS © 2016  
3008 PARKWAY ROAD NANAIMO B.C. V1T 4Z4  
PHONE: 250-756-7723 FAX: 250-756-7724  
EMAIL: WASC@TELUSNET  
FILE: 120065-7 CERT (BASE PLAN 08230)



THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.  
THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE AND IS CERTIFIED CORRECT THIS DATE OF: NOVEMBER 04, 2016.  
Brihan Henning  
7W9XKG  
Brihan S. Henning B.C.L.S.  
THE INCORPORATED FIRM'S OFFICE IS CURRENTLY CLOSED AND SILENT.



**ATTACHMENT E**  
**LETTER OF RATIONALE**  
**0834824 BC Ltd.**

June 20, 2017

City of Nanaimo  
Development Permits

**Project: Pylon Sign at Pacific Station: 5160 Dublin Way**

**Development Data**

Proposed sign – overall size: 322 sq. ft.

Proposed sign – interior sign area: 216 sq. ft.

**Variance Rationale**

- A variance is requested to increase the allowable signage area.
- The property is zoned CD5. In the current City Signage Bylaws, this zone is not listed. The land use designation for this property is Corridor, which we feel is out of date and does not provide adequate sign area for a mixed-use, commercial/residential development of this size.
- The proposed sign will service 5 commercial office buildings with a total of 28 commercial office units and a combined total square footage of 40,517 sq. ft.
- The allowable sign area for shopping centers with floor area exceeding 21,500 sq. ft. is 323 sq. ft. and we feel that considering the size of this development, it should be allowed the same sign area and thus the same advertising advantage as a shopping center.
- There are currently 14 businesses operating in the development, and space for an additional 11 business for a potential total of 25 businesses. We currently have 8 businesses expecting to advertise on the pylon sign. With the high demand for advertising space, we feel the proposed sign area is a logical necessity for the development.
- Highway signage to attract customers traveling along a major thoroughfare is critical to the success of the businesses in this development.
- The proposed sign will not hinder any signage on the buildings in the development.
- We have selected the easterly corner of the site for the location of the sign due to a more favorable grade. If we locate the sign between the two buildings, the grade is 8 to 10 feet lower than the highway elevation. Locating the sign on the corner of the lot raises the sign elevation significantly making it more visible and therefore more advantageous to the advertising business owners.

Sincerely,  
0834824 BC Ltd.

Chris Lundy



ATTACHMENT F  
AERIAL PHOTO



DEVELOPMENT VARIANCE PERMIT NO. DVP00316