

DATE OF MEETING | October 4, 2021 |

AUTHORED BY | SADIE ROBINSON, PLANNING ASSISTANT, CURRENT PLANNING |

**SUBJECT | DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP425
– 508 EIGHTH STREET |**

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit to allow the addition of an LED sign on an existing freestanding sign at 508 Eighth Street. |

Recommendation

That Council issue Development Variance Permit No. DVP425 at 508 Eighth Street with a variance to allow an LED sign. |

BACKGROUND

A development variance permit application, DVP425, was received from Knight Leasing Ltd., on behalf of Harewood Holdings Ltd., to vary the provisions of the City of Nanaimo “Sign Bylaw 1987 No. 2850” (the “Sign Bylaw”) to allow the addition of an LED sign to an existing freestanding sign on the Bruce Avenue frontage of 508 Eighth Street.

The subject property contains an existing commercial building that is under renovation to accommodate new tenants. Related site improvements include partial repaving of the parking lot, improved site lighting, and landscaping at the base of the existing freestanding sign. There is currently one existing freestanding sign that the applicant plans to refurbish.

Subject Property

<i>Zoning</i>	CC2 – Neighbourhood Centre
<i>Location</i>	The subject property is located northwest of the intersection of Eighth Street and Bruce Avenue.
<i>Total Lot Area</i>	6,034m ²
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use – Neighbourhood Commercial

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

DISCUSSION

Proposed Development

The applicant proposes to add a new LED sign panel (4.51m² in area) as a means of modernizing an existing freestanding sign to contain automated changeable copy. The proposed freestanding sign will be otherwise compliant with Sign Bylaw criteria. The LED panel will display static messages associated with on-site businesses. The sign is oriented north/south on Bruce Avenue, facing neighbouring commercial and institutional uses, and is not oriented to face existing multi-family residences across Bruce Avenue.

Proposed Variances

LED / Animated Signs

The Sign Bylaw does not allow LED/animated signs except in order to display digital time, temperature, and/or gas price information. On 2011-FEB-14, City Council adopted the LED/Animated Signs Development Variance Permit Guidelines (the “Guidelines”, see Attachment G). The Guidelines assist Council and Staff when evaluating development variance permit applications for LED signs. The proposed LED sign complies with the Guidelines, including limitations on illumination and animation of content.

The existing freestanding sign complies with all other Sign Bylaw requirements. The operational requirements will be stipulated through the development variance permit conditions and the required sign permit. Light intensity is controlled using software, and will be further muted using a proposed solar block film cover installed over the LED sign panel. The sign will be turned off outside of business hours. Staff support the proposed variance.

SUMMARY POINTS

- Development Variance Permit Application No. DVP425 proposes to allow the addition of an LED sign on an existing freestanding sign.
- The proposed LED sign complies with the Guidelines including limitations on illumination and animation of images.
- Staff support the proposed variance.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Site Plan
ATTACHMENT E: Context Photo – Existing Freestanding Sign
ATTACHMENT F: Proposed Signage Elevation Drawings
ATTACHMENT G: LED / Animated Signs – Development Variance Permit Guidelines
ATTACHMENT H: Aerial Photo.

Submitted by:

L. Rowett
Manager, Current Planning

Concurrence by:

J. Holm
Director, Development Approvals

D. Lindsay
General Manager, Development Services

ATTACHMENT A

PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

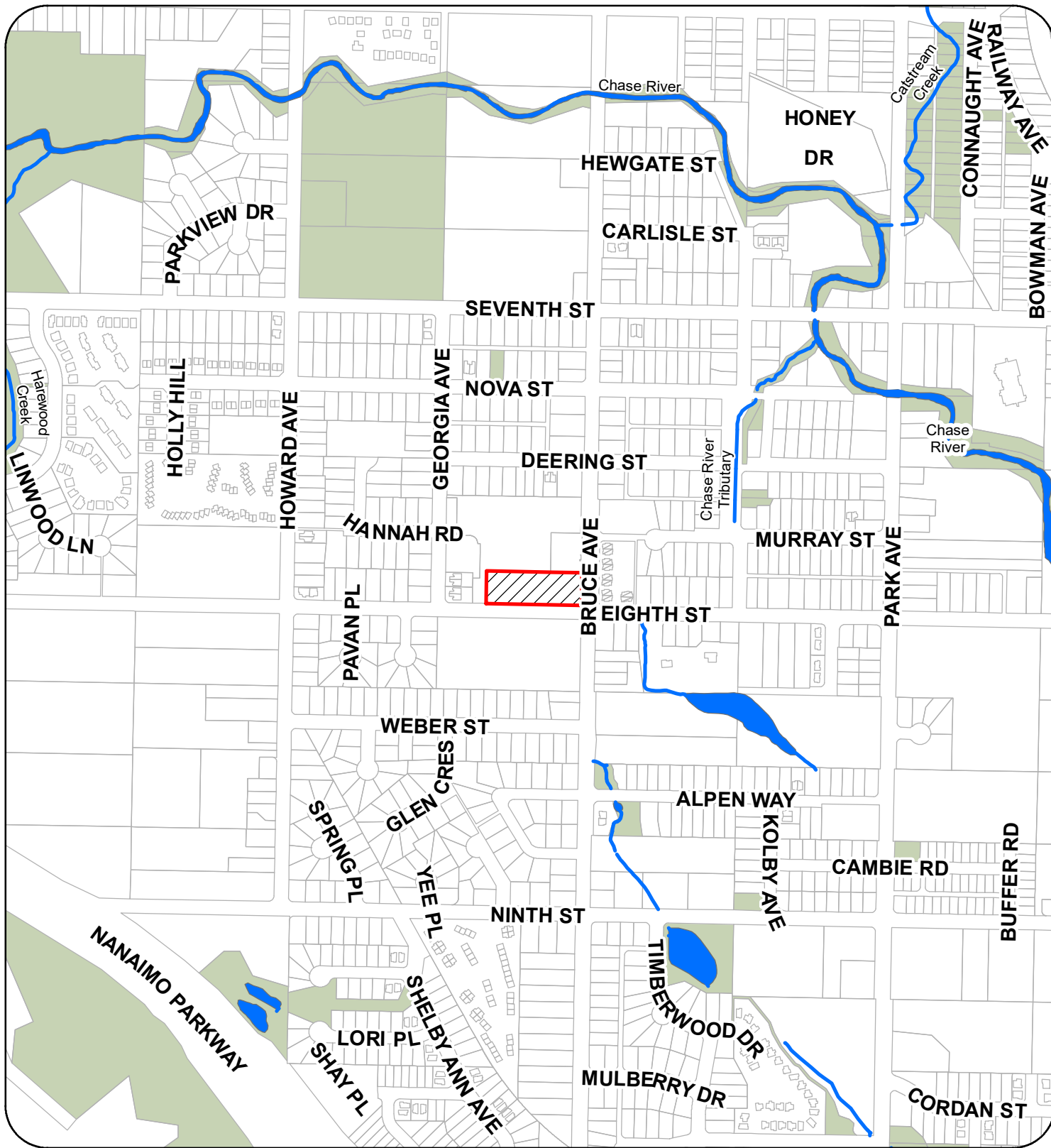
The City of Nanaimo "Sign Bylaw 1987 No. 2850" is varied as follows:

1. *Section 3(22) General Provisions* – to allow an LED sign with a maximum area of 4.51m², generally as shown on Attachment F.

CONDITIONS OF PERMIT

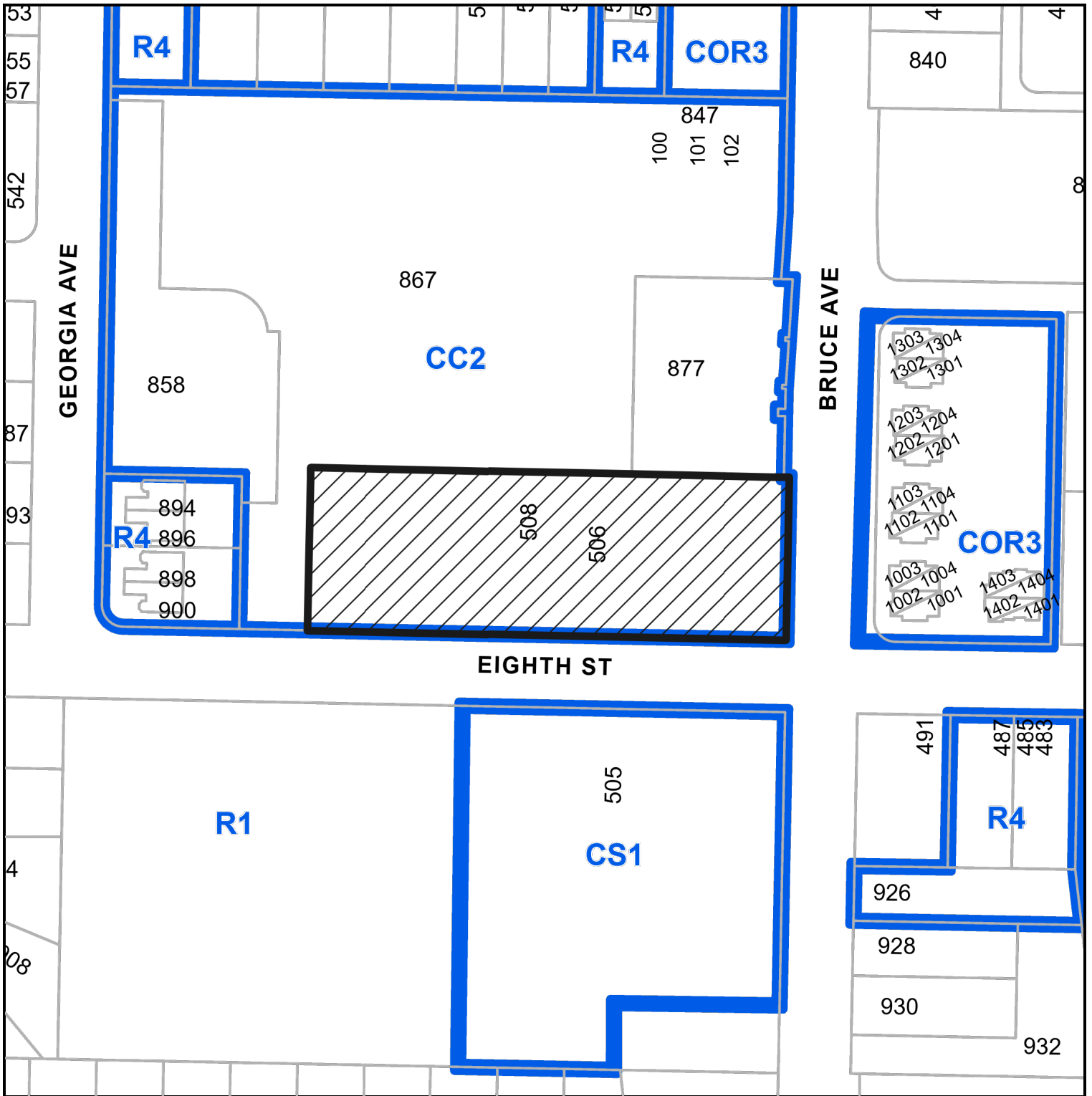
1. The proposed LED sign panel shall be located on the existing freestanding sign located adjacent to the south property line, as shown on the Site Plan dated 2021-JUL-16, as shown in Attachment D.
2. The proposed LED sign shall be developed in accordance with the Signage Elevation Drawings, prepared by Knight Leasing, received 2021-SEP-08, as shown in Attachment F.
3. The LED sign is limited to static images only which must be displayed for a minimum display period of six seconds per image. The use of animation effects to transition from one static image to the next will be permitted. Maximum transition time is three seconds. Continuous video, flashing or scrolling type signs are not permitted.
4. The LED sign must include automatic dimming so that light intensity levels are automatically adjusted based on current weather conditions and the time of day.
5. The brightness level of the LED sign shall not be more than 0.3 foot candles over ambient levels, as measured using a foot candle meter at a distance of 30m from the face of the sign.
6. The LED sign shall be fitted with solar block film, as proposed, to further prevent light exposure and glare.

ATTACHMENT B CONTEXT MAP



508 EIGHTH STREET

ATTACHMENT C LOCATION PLAN



 **Subject Property**

DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00425

CIVIC: 508 EIGHTH STREET

LEGAL: SECTION 13, RANGE 8, SECTION 1, NANAIMO DISTRICT, PLAN 630, EXCEPT THAT PART IN PLAN 12363 AND EXCEPT THAT PART LYING TO THE NORTH OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 181.5 FEET FROM THE NORTHERLY BOUNDARY OF SAID SECTION

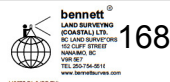
ATTACHMENT D SITE PLAN



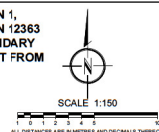
Existing Freestanding Sign
- LED sign panel proposed

**TOPOGRAPHIC SURVEY OF SECTION 13, RANGE 8, SECTION 1,
NANAIMO DISTRICT, PLAN 630, EXCEPT THAT PART IN PLAN 12363
AND EXCEPT THAT PART LYING TO THE NORTH OF A BOUNDARY
PARALLEL TO AND PERPENDICULARLY DISTANT 181.5 FEET FROM
THE NORTHERLY BOUNDARY OF SAID SECTION**

CITY OF NANAIMO
INTEGRATED SURVEY AREA #20
CIVIC ADDRESS: 608 EIGHTH STREET
P.O. 008-755-641



11827 FRASER ST



LEGEND:

- ◐ PP - DENOTES POWER POLE
- ◑ GW - DENOTES GUY WIRE
- ⊕ LS - DENOTES LAMP STANDARD
- ⊙ CS - DENOTES CATCH BASIN
- ⊗ CM - DENOTES CATCH BASIN
- ⊕ S - DENOTES SAND METER
- ⊕ S - DENOTES SPILLWALL
- PL - DENOTES PROPERTY LINE
- BNW - DENOTES STATUTORY RIGHT OF WAY
- - DENOTES STANDARD IRON POST FOUND

SATINITE PHOTOS:
AERIAL PHOTO DERIVED FROM CITY OF NANAIMO OPEN DATA
DATE: 2020.05.2018 BY: CB

HORIZONTAL DATUM:
COORDINATES ARE UTM (GROUND LEVEL) DERIVED FROM THIS TO
NANAIMO'S BOUNDARY TOWER, SCALED BY 1/3000000.000
ADJUST COORDINATE BASE IS
TO CONVERT TO UTM NANAIMO'S COORDINATE, METRIC
COORDINATES BY A CORRECTED SCALE FACTOR IS 0.9999999

REVISION:

VERTICAL DATUM:
ELEVATIONS ARE GEODETIC DATUM AND ARE DERIVED FROM
CANTONMENT TRIMBLIN AT THE INTERSECTION OF BRUCE
STREET AND GUYTON STREET. THE BENCHMARK ELEVATION IS 2007
METRES (S.A. NO. 20, N.S. 60, NANAIMO).
CORR OUR PERMANENT 1+20 METRE.

ENCLOSURES:
PROPERTY DIMENSIONS SHOWN ARE DERIVED FROM PLAN EXPRESS
OFFSETS TO PROPERTY LINES ARE NOT TO BE USED TO DEFINE
BOUNDARIES.

GENERAL:
THIS PLAN SHOWS THE LOCATION OF VISIBLE FEATURES ONLY AND DOES
NOT INDICATE BURIED SERVICES THAT MAY EXIST ON OR AROUND THE
SUBJECT SITE.
FEATURES SHOWN WITHOUT DIMENSIONS SHOULD BE CONFIRMED WITH
BENNETT LAND SURVEYING LTD.

**BUILDING LOCATION (BASED ON SURVEY TIES TO VISIBLE EXTERIOR
SURFACES UNLESS OTHERWISE NOTED).**

NOTE:
THIS PLAN HAS BEEN PREPARED FOR PRELIMINARY PURPOSES ONLY
AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT.
ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE,
TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT
THE CONSENT OF BENNETT LAND SURVEYING LTD.

**RESPECTFULLY,
BENNETT LAND SURVEYING LTD. ACCEPTS RESPONSIBILITY FOR THE
ACCURACY AND COMPLETENESS OF THE DATA AND INFORMATION
FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT
OF ANY NEGLIGENCE, OR ACTION TAKEN BASED ON THIS DOCUMENT.**

CERTIFIED CORRECT

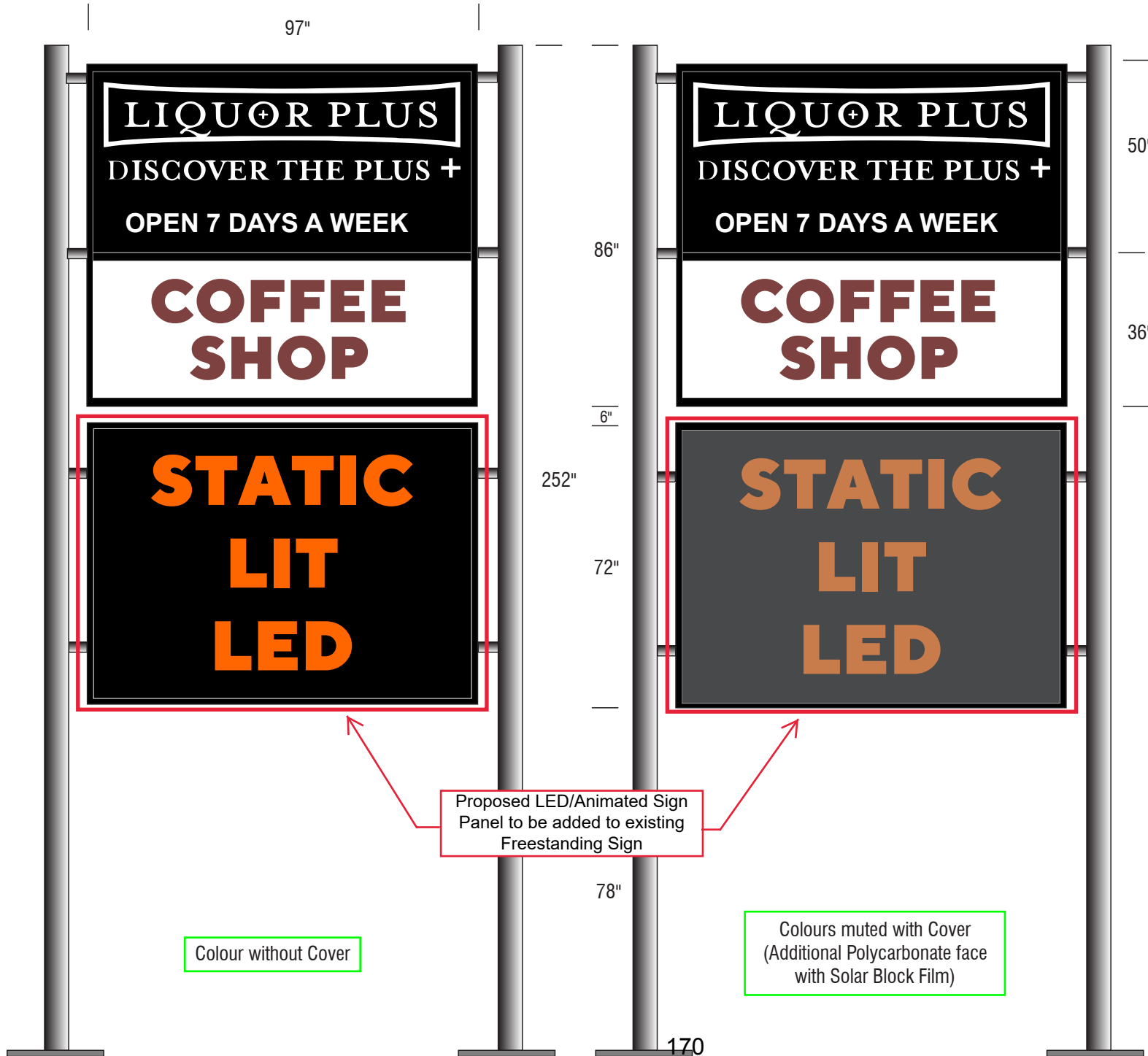
FIELD SURVEY COMPLETED ON APRIL 26TH 2021.
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED
OR DIGITALLY CERTIFIED.

RECEIVED
DWP425
2021-JUL-16
Current Planning

ATTACHMENT E
CONTEXT PHOTO - EXISTING FREESTANDING SIGN



**ATTACHMENT F
PROPOSED SIGNAGE ELEVATION DRAWINGS**



Client

File Name

LIQUOR PLUS v.6

Job No.

Approved By

- APPROVED
- AS NOTED
- RESUBMIT

as per layout / specifications
or as noted on this document

Date Checked

Date By



KNIGHTLEASING

the visual edge
6675 Mirah Rd.
Victoria B.C.
V8M1Z4
250-652-3966

Page of

**So not to delay production,
please email design
approval form back asap.
Thank you!**

In regards to the proper use of logos or
trademarks, all liability rests with the customer.
Knight Leasing will assume no liability in
regards to trademark or copyright dispute.

ATTACHMENT G
LED / ANIMATED SIGNS - DEVELOPMENT VARIANCE PERMIT GUIDELINES



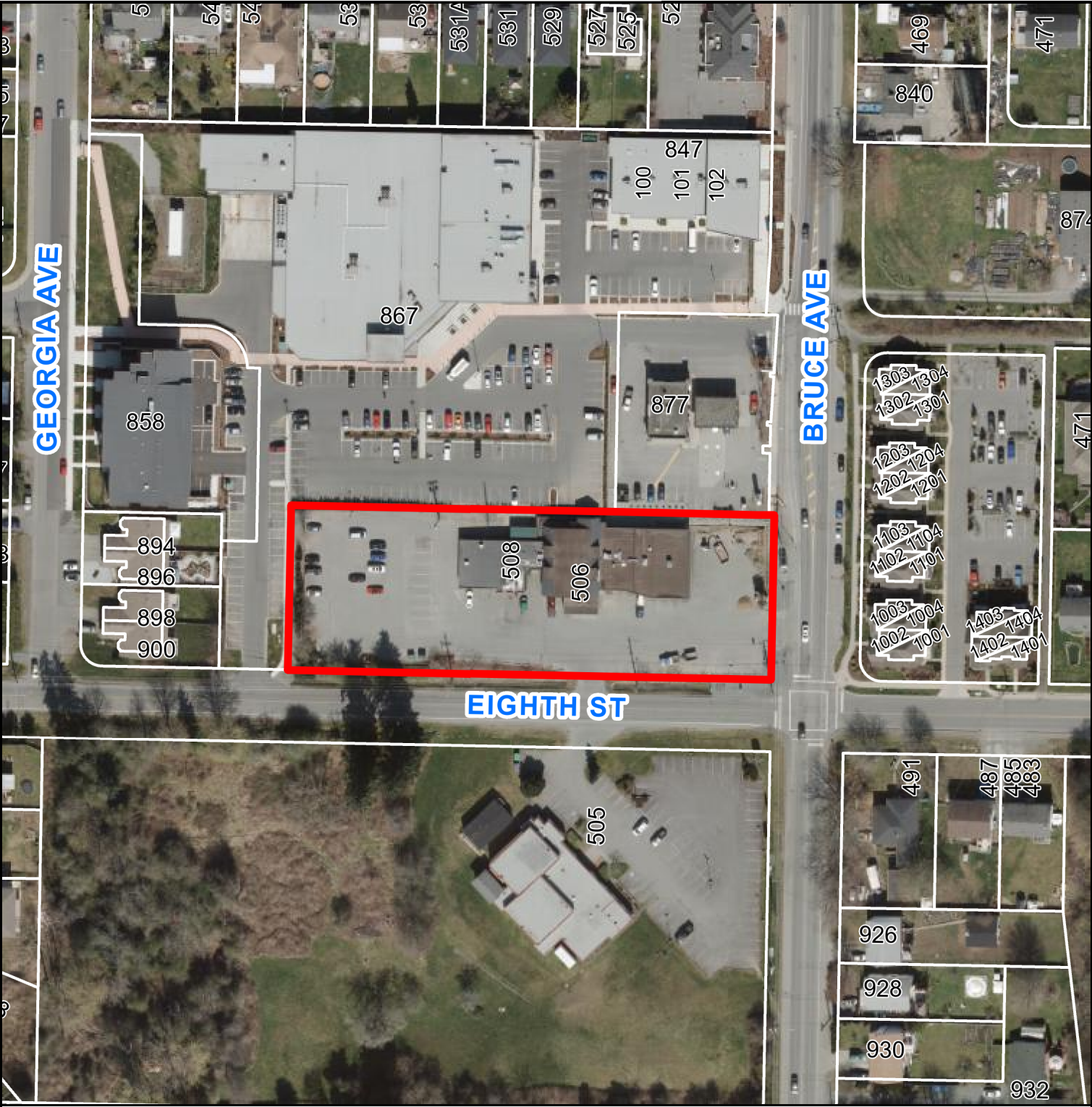
LED / ANIMATED SIGNS

Guidelines / Operational Requirements to be Considered as Part of the Development Variance Permit Application Process

The following are to be considered by applicants and used by staff and Council when evaluating DVP applications for LED / animated signs:

1. LED / animated signs that are only visible inside a building do not require a permit.
2. The maximum size of the LED / animated sign is 9.29m² (100ft²) and no more than one LED / animated sign shall be permitted per lot.
3. Window LED / animated signs are permitted up to 50 percent of the window area in which it is situated.
4. No LED / animated sign shall be permitted unless it can be demonstrated not to be a nuisance that distracts or impairs safe vehicle operation.
5. No LED / animated signs shall be permitted on properties fronting or adjacent to the Nanaimo Parkway.
6. Sign copy is limited to static images only which must be displayed for a minimum display period of six seconds per image. The use of animation effects to transition from one static image to the next will be permitted. Maximum transition time is three seconds. Continuous video, flashing or scrolling type signs are not permitted.
7. All LED / animated signs must include automatic dimming so that light intensity levels are automatically adjusted based on current weather conditions and the time of day.
8. The brightness level of all LED / animated signs shall not be more than 0.3 foot candles over ambient levels, as measured using a foot candle meter at a distance of 30m (98.42ft) from the face of the sign.
9. Where a residential dwelling is located within 30m (98.42ft) of the sign face, and for all LED / animated signs on lands zoned Institutional, the sign must be turned off between the hours of 10pm and 6am. Where the business is open past 10pm, the LED sign may remain functional until the close of business hours. An application should provide evidence to demonstrate no conflict will occur with any adjacent residential development.
10. Third-party advertising, except not-for-profit organizations or events, is not permitted except on LED / animated signs located on City-owned property. Third-party advertising for malls is permitted for tenants advertising on the subject property only.

**ATTACHMENT H
AERIAL PHOTO**



DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00425

 508 EIGHTH STREET