

DATE OF MEETING June 20, 2022

AUTHORED BY CALEB HORN, PLANNER, CURRENT PLANNING

**SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP434
– 6135 McGIRR ROAD**

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit to allow a freestanding LED sign at 6135 McGirr Road.

Recommendation

That Council issue Development Variance Permit No. DVP434 at 6135 McGirr Road with a variance to allow the proposed freestanding LED sign.

BACKGROUND

A development variance permit application, DVP434, was received from the Nanaimo-Ladysmith School District (SD68) to vary the provisions of the City of Nanaimo “Sign Bylaw 1987 No. 2850” (the “Sign Bylaw”) to permit a freestanding LED sign at 6135 McGirr Road with two LED sign faces.

Subject Property and Site Context

<i>Zoning</i>	CS1 – Community Service Zone One
<i>Location</i>	The subject property is located on the north side of Hammond Bay Road and the west side of McGirr Road.
<i>Total Lot Area</i>	7.5ha
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use – Corridor

The subject property is the site of Dover Bay Secondary School located in the Dover neighbourhood. Surrounding properties are primarily low-density residential uses to the west, east (across McGirr Road), and south (across Hammond Bay Road), with the McGirr Sports Fields located to the north.

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

DISCUSSION

Proposed Development

The proposed freestanding LED sign will be located on the subject property’s McGirr Road frontage near the vehicle entry for the site. An existing freestanding sign on the Hammond Bay

Road frontage will be removed. This sign was installed in the 1990s and is located at the back of the school where there is no entrance.

The proposed sign is 4.52m in height, mounted on a concrete footing, and contains an LED automated changeable copy area (2.97m² in area) on each side of the sign, one facing north and one facing south. The proposed sign complies with the City's Sign Bylaw for size but requires a variance to allow the LED portion of the sign.

Proposed Variance

LED / Animated Signs

The Sign Bylaw does not allow for LED/animated signs except to display digital time, temperature, and/or gas price information. On 2011-FEB-14, Council adopted the LED/Animated Signs Development Variance Permit Guidelines (the "Guidelines", see Attachment F). The Guidelines assist Council and Staff when evaluating Development Variance Permit applications for LED/animated signs.

The Guidelines suggest that no more than one LED/animated sign should be considered per lot and the maximum area of the sign should not exceed 9.29m². Staff reviewed the proposed sign and determined that the sign is supportable and meets the intent of the Guidelines as follows:

- The proposed LED sign area (both faces combined) is 5.94m²;
- The sign will be located onsite near the school parking entrance (4m away from the public sidewalk);
- The LED sign copy will include static image display only with limited transitions and automatic dimming display based on weather conditions and time of day;
- The LED sign will be covered with a solar film to minimize glare; and,
- The LED sign will be oriented away from the residential dwellings on the opposite side of McGirr Road and will be turned off between the hours of 10:00PM and 6:00AM.

The operational requirements of the Guidelines will be stipulated through the development variance permit conditions and in the required sign permit.

By removing the existing freestanding sign on Hammond Bay Road and replacing it with the freestanding LED sign on McGirr Road, Dover Bay Secondary School will be able to more effectively identify the school's entrance and communicate information to staff, students, parents, and the public without the need to manually update the existing static sign.

The applicant has advised that the proposed design of the freestanding sign was selected to deter potential graffiti and/or vandalism; and low maintenance landscaping will be installed around the base of the sign.

Staff support the proposed variance.

SUMMARY POINTS

- Development Variance Permit Application No. DVP434 proposes a variance to allow an LED/animated sign for Dover Bay Secondary School at 6135 McGirr Road.
- The proposed freestanding sign will contain two 2.97m² LED sign faces.
- 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: Sign Drawings

ATTACHMENT F: LED / Animated Signs – Development Variance Permit Guidelines

ATTACHMENT G: Aerial Photo

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services
/ Deputy CAO

ATTACHMENT A

PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

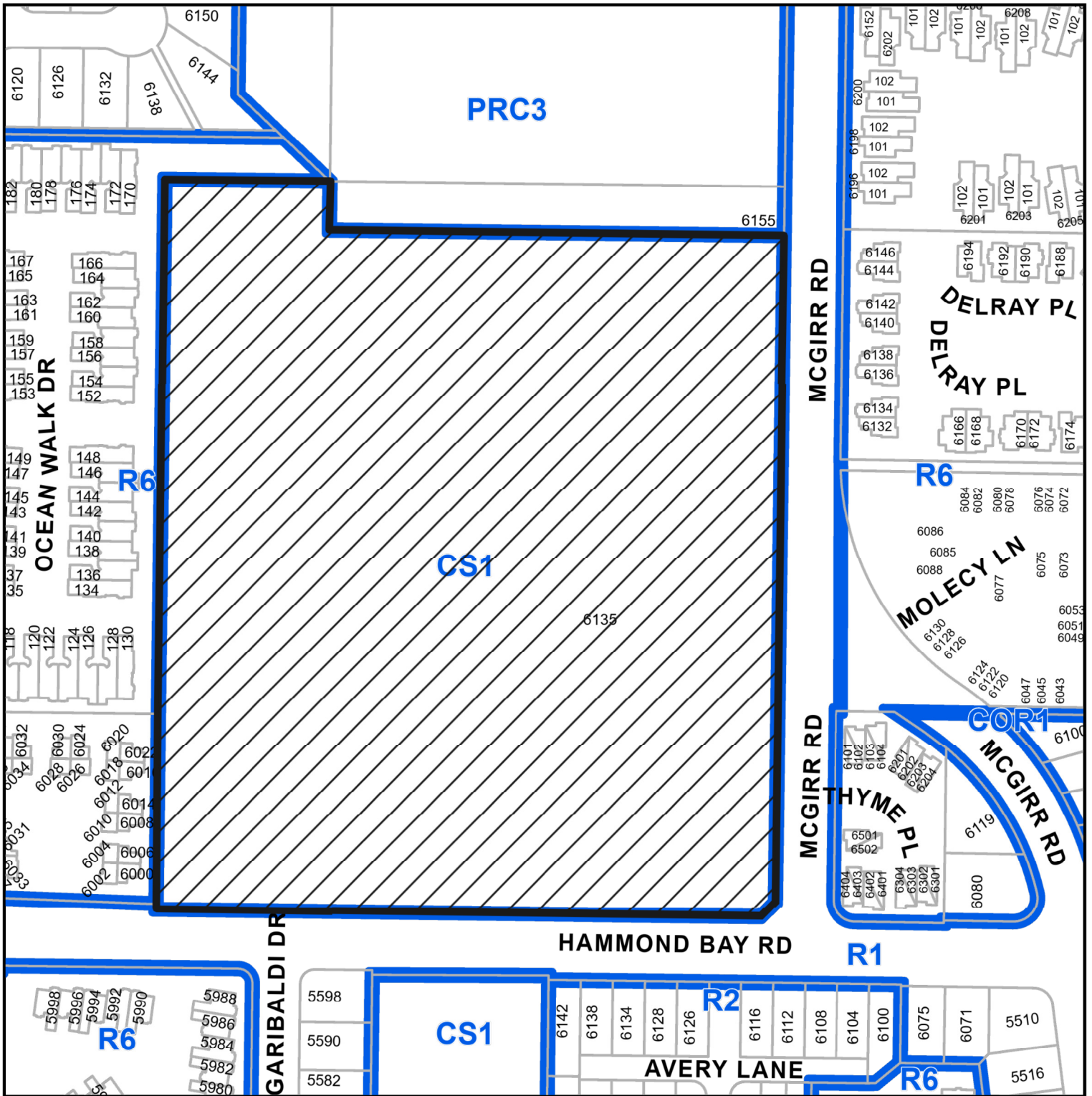
The City of Nanaimo "SIGN BYLAW 1987 NO. 2850" is varied as follows:

1. *Section 3(22) General Provisions* – to allow an LED sign substantially as shown on Attachment E.

CONDITIONS OF PERMIT

1. The proposed freestanding sign shall be located generally as shown on the Site Plan received 2022-MAY-31, as shown in Attachment D.
2. The proposed freestanding sign shall be constructed substantially in compliance with the Sign Drawings received 2022-MAR-16, as shown in Attachment E.
3. The LED portions of the proposed sign are 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 portions of the proposed 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 portions of the proposed 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 portions of the proposed sign must be turned off between the hours of 10 p.m. and 6 a.m.
7. The existing freestanding sign on the Hammond Bay Road frontage is to be removed with the installation of the proposed sign.
8. Low maintenance landscaping is to be installed at the base of the proposed freestanding sign.

ATTACHMENT C LOCATION PLAN



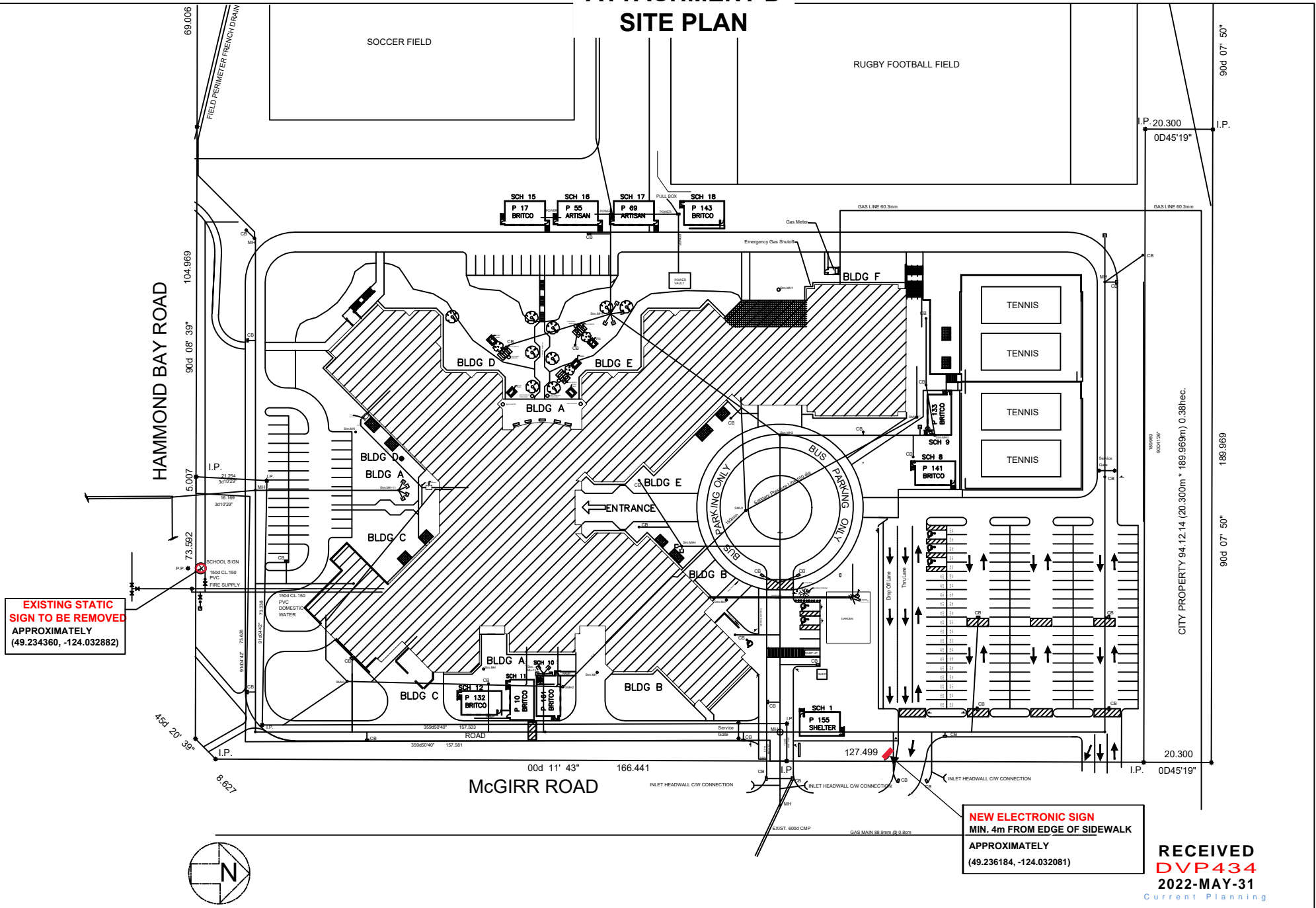
Subject Property

DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00434

CIVIC: 6135 MCGIRR ROAD

LEGAL: LOT A, DISTRICT LOT 48, WELLINGTON DISTRICT, PLAN VIP52017
EXCEPT PART IN PLAN VIP68657

ATTACHMENT D SITE PLAN



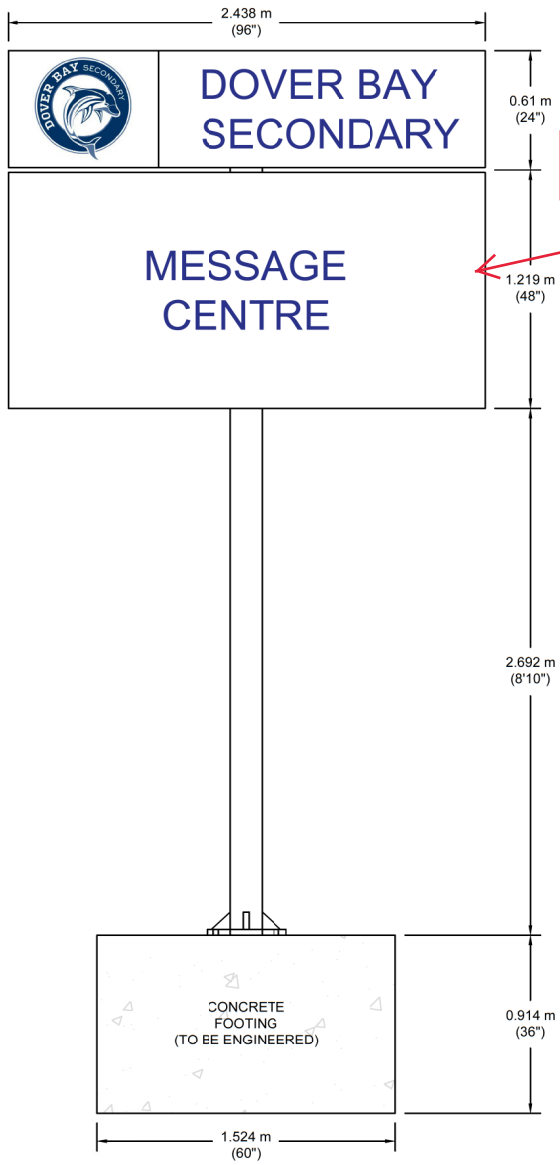
CITY PROPERTY 94-12.14 (20.300m * 189.969m) 0.38hec.

RECEIVED
DVP434
2022-MAY-31
Current Planning

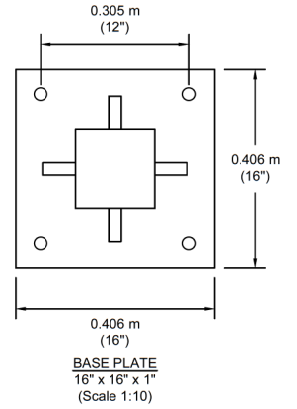
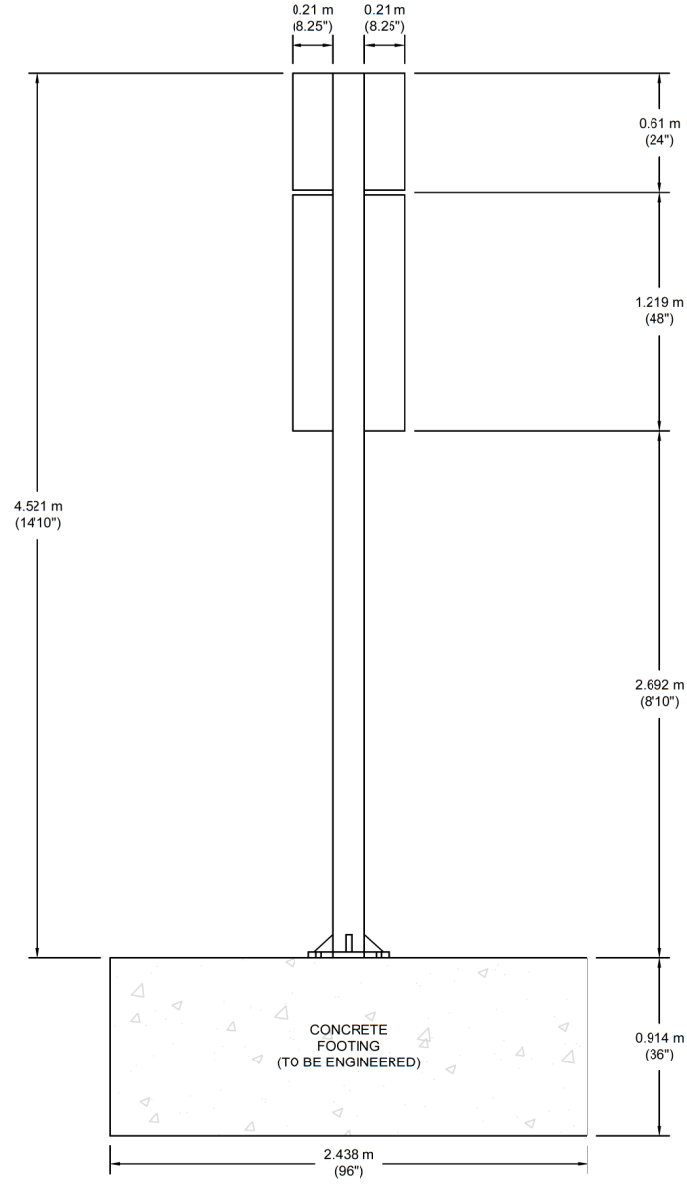


SCHOOL:	ADDRESS:	DRAWING TITLE:	DATE:	SHEET SIZE:	DESIGN BY:
DOVER BAY SECONDARY	6135 MCGIRR ROAD NANAIMO, BC V9V 1M4	SCHOOL SIGN	-	8.5 x 11	-
			SCALE:	SHEET #:	APPROVED BY:
			1:1500	1	-

ATTACHMENT E SIGN DETAIL



Proposed LED
sign area



RECEIVED
DVP434
2022-MAR-16
Current Planning



SCHOOL	ADDRESS	DRAWING TITLE	DATE:	SHEET SIZE:	DRAWN BY:
DOVER BAY SECONDARY	6135 MCGIRR ROAD NANAIMO, BC, V9V 1M1	SCHOOL SIGN	-	11 x 17	LG
			SCALE:	SHEET#:	APPROVED BY:
			1:25	1	-

NOTE:
These drawings are the exclusive property of the Nanaimo Ladysmith Public Schools. These drawings are for Educational and / or Maintenance purposes of structures owned by them. Any questions or concerns should be directed to the Facilities Department for clarification. 250-74-5244

ATTACHMENT F LED / ANIMATED SIGNS - DEVELOPMENT VARIANCE PERMIT GUIDELINES



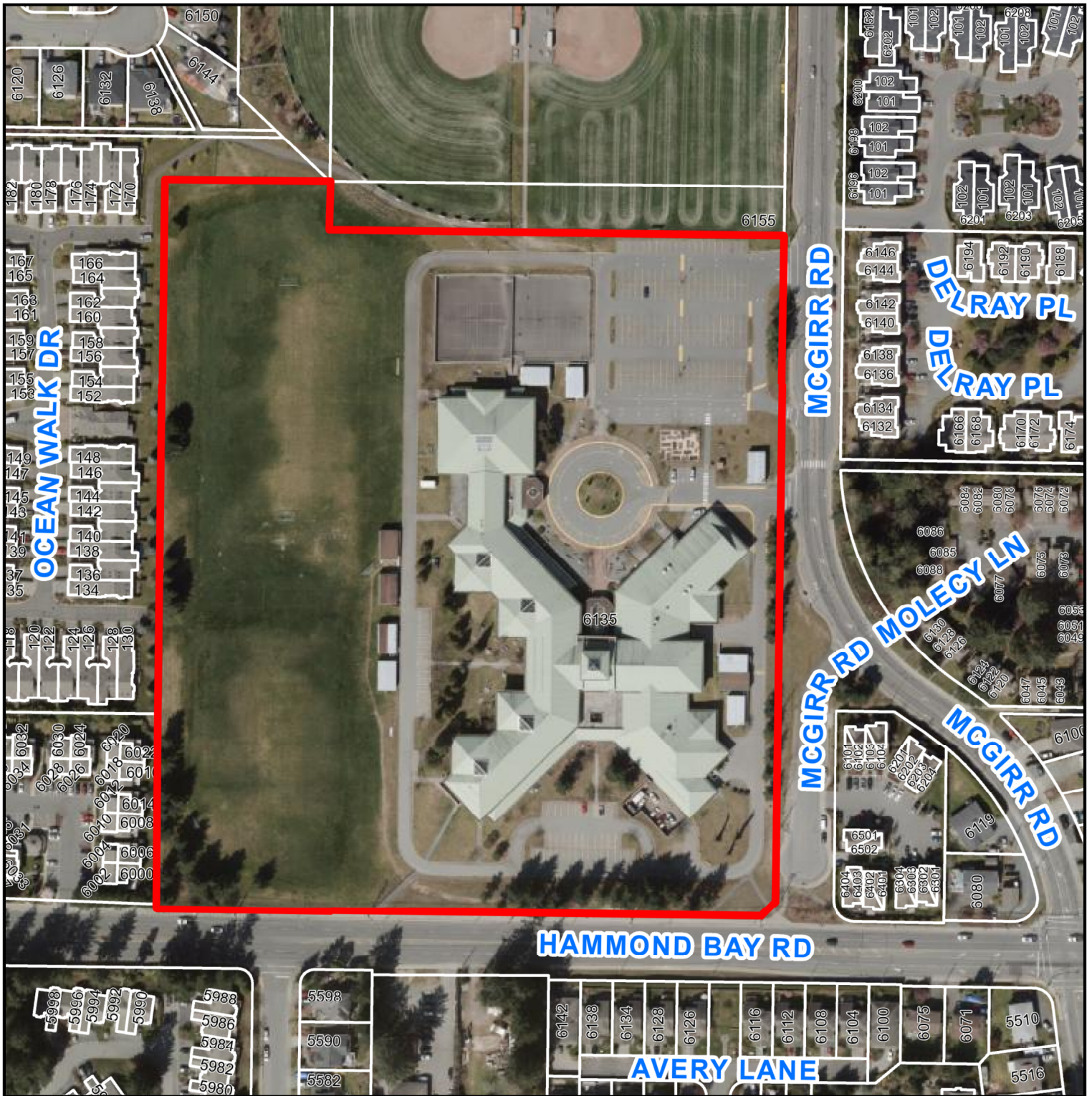
LED / ANIMATED SIGNS

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 G
AERIAL PHOTO**



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 6135 MCGIRR ROAD