

**TO:** Electoral Area Services Committee                      **DATE:** November 20, 2018  
**FROM:** Greg Keller  
Senior Planner    **FILE:** PL2018-174

**SUBJECT: Development Permit with Variance Application No. PL2018-174  
2130 and 2140 Schoolhouse Road – Electoral Area A  
Lot 1, Section 11, Range 7, Cranberry District, Plan 33429**

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**RECOMMENDATIONS**

1. That the Board approve Development Permit with Variance No. PL2018-174 to amend Development Permit with Variance No. PL2017-150 as it pertains to fascia signs subject to the terms and conditions outlined in Attachments 2 to 4.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-174.

**SUMMARY**

To consider an application for a development permit with variance to amend Development Permit with Variance No. PL2017-150 to permit changes to the previously approved signs located on the south and west of the building. Given that the Development Permit (DP) guidelines have been met and no negative impacts are anticipated as a result of the proposed variances, the recommendation is that the Board approve the development permit with variance pending the outcome of public notification and subject to the terms and conditions outlined in Attachments 2 to 4.

**BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application from Dave McNaught on behalf of Kana Properties Ltd. to permit the installation of signage which differs from that which was recently approved by Development Permit with Variance No. PL2017-150 (PL2017-150). The subject property is approximately 2.06 hectares in area and is zoned Industrial 1 Zone, Subdivision District 'F', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987".

The subject property is located to the east of Schoolhouse Road (see Attachment 1 – Subject Property Map) and is bordered by parcels zoned Industrial 1 to the north and Commercial 2 to the south. The property is currently developed with an industrial building presently occupied by Westerra Equipment and is serviced with private onsite water and wastewater disposal. A new

industrial building (subject building) is currently under construction as previously approved by PL2017-150.

A number of DPs have previously been issued on the subject property including DP9809 (1999), DP60611 (2006), DP PL2017-147, and DP with Variance PL2017-150. PL2017-150 approved the construction of an industrial building along with related site improvements. With respect to signage, PL2017-150 approved the following variances to “Regional District of Nanaimo Sign Bylaw No. 993, 1995”:

1. **Section 5(a)** – to increase the maximum number of signs that may be placed or maintained on a parcel from two to four.
2. **Section 5(c)** – to increase the maximum sign surface area from 11.0 m<sup>2</sup> to 14.9 m<sup>2</sup> for a proposed fascia sign on the existing building.
3. **Section 5(c)** – to increase the maximum sign width from 4.0 metres to 9.8 metres for a proposed fascia sign on the existing building.
4. **Section 5(c)** – to increase the maximum sign surface area from 11 m<sup>2</sup> to 18.6 m<sup>2</sup> for a proposed freestanding sign.
5. **Section 5(c)** – to increase the maximum sign height from 4.0 metres to 5.5 metres for a proposed freestanding sign.
6. **Section 5(c)** – to increase the maximum sign width from 4.0 metres to 11.0 metres for a proposed fascia sign on the proposed building.

Following issuance of PL2017-150, the applicant realized that the fascia signage to be located on the subject building did not satisfy its contractual obligations to the applicant’s suppliers. It should be noted that as of the date of this report, no signage has been installed on the subject building.

In response to its signage obligations, the applicant is proposing to change the design and size of the fascia signage to be installed on the subject building. As a result, an amended development permit with variances is required. It should be noted that with the exception of the proposed fascia signage, all other variances, terms, and conditions of PL2017-150 shall continue to apply.

The proposed development is subject to the South Wellington Industrial Commercial Development Permit Area (SWDPA) as per “Regional District of Nanaimo Electoral Area A Official Community Plan Bylaw No. 1620, 2011”.

### ***Proposed Development and Variance***

This application is limited to fascia signage located on the subject building. The proposal is to amend the previously approved fascia band with four individual fascia signs.

The approved fascia band was intended to include a number of individual panels to accommodate various brands represented by the tenant. Following the issuance of PL2017-150, the applicant discovered, through further discussions with the tenant, that the dimensions of the fascia band did not satisfy its corporate signage requirements. In response, the applicant is proposing to replace the fascia band with four individual fascia signs that satisfy the tenant’s corporate sign requirements.

The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Sign Bylaw 993, 1995” as shown on Attachment 3:

1. **Section 5(a)** – to increase the maximum number of signs that may be placed or maintained on a parcel from two to seven.
2. **Section 5(c)** – to increase the maximum sign width from 4.0 m to 4.9 m for a proposed Fascia Sign located on the west side of the proposed building.
3. **Section 5(c)** – to increase the maximum sign width from 4.0 m to 4.9 m for a proposed Fascia Sign located on the south side of the proposed building.

### ***Land Use Implications***

As this is an amendment to PL2017-150 to address changes to the approved fascia band on the subject building, the assessment of this application is limited to the proposed fascia signage.

The proposal would increase the total number of signs from four, as previously approved by PL2017-150 to seven. If approved, this permit would replace the fascia band with four separate fascia signs. All other signs approved by PL2017-150 would be unaffected by this permit. If approved, the resulting signage on the subject property would be one freestanding sign, one fascia sign on the existing building, and five fascia signs on the subject building. The increase in the number of signs is a direct result of replacing the approved fascia band with four separate fascia signs on the subject building. The proposed variances would result in a slight increase in total sign face area on the subject property from 12.24 m<sup>2</sup> (fascia band) to 14.66 m<sup>2</sup> (four fascia signs). The proposed signage is considered to be appropriate given the industrial multi-tenant nature of the development of the subject property and the context of the surrounding uses. The size, location and design of the proposed signs is architecturally integrated with the overall design of the building and illumination is minimized through the use of auto dimming functions and control timers that turn the signage off between the hours of 10:00 pm and 6:00 am (see Attachment 2 – Terms and Conditions and Attachment 4 – Proposed Fascia Signs).

Board Policy B1.5 “Development Variance Permit, Development Permit with Variance & Floodplain Exemption Application Evaluation” (Policy B1.5) provides staff with guidelines for reviewing and evaluating applications that include a request for a variance(s). Policy B1.5 requires that there be an adequate demonstration of an acceptable land use justification prior to the Board’s consideration of a variance proposal. To comply with this policy, the applicant has minimized the sign surface area of the proposed fascia signs, has limited the number of proposed fascia signs to that which is required to represent the proposed use of the subject building, and has agreed to control illumination timing and intensity. The proposed signage and variances are consistent with the South Wellington DPA guidelines. Given that the applicant has provided sufficient rationale and the variance will not result in negative implications for adjacent properties, the applicant has made reasonable efforts to address Policy B1.5.

### ***Public Consultation Implications***

Pending the Electoral Area Services Committee’s recommendation and pursuant to the *Local Government Act* and the “Regional District of Nanaimo Development Application and Notification Procedures Bylaw No. 1776, 2018”, property owners and tenants of parcels located within a 50.0 metre radius of the subject property will receive a direct notice of the proposal and will have an

opportunity to comment on the proposed variance prior to the Board's consideration of the application.

## **ALTERNATIVES**

1. To approve Development Permit with Variance No. PL2018-174 subject to the terms and conditions outlined in Attachments 2 to 4.
2. To deny Development Permit with Variance No. PL2018-174.

## **FINANCIAL IMPLICATIONS**

The proposed development has no implications related to the Board 2018 – 2022 Financial Plan.

## **STRATEGIC PLAN IMPLICATIONS**

The proposed development has been reviewed and has no implications for the 2017 – 2021 Board Strategic Plan.



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Greg Keller  
gkeller@rdn.bc.ca  
November 7, 2018

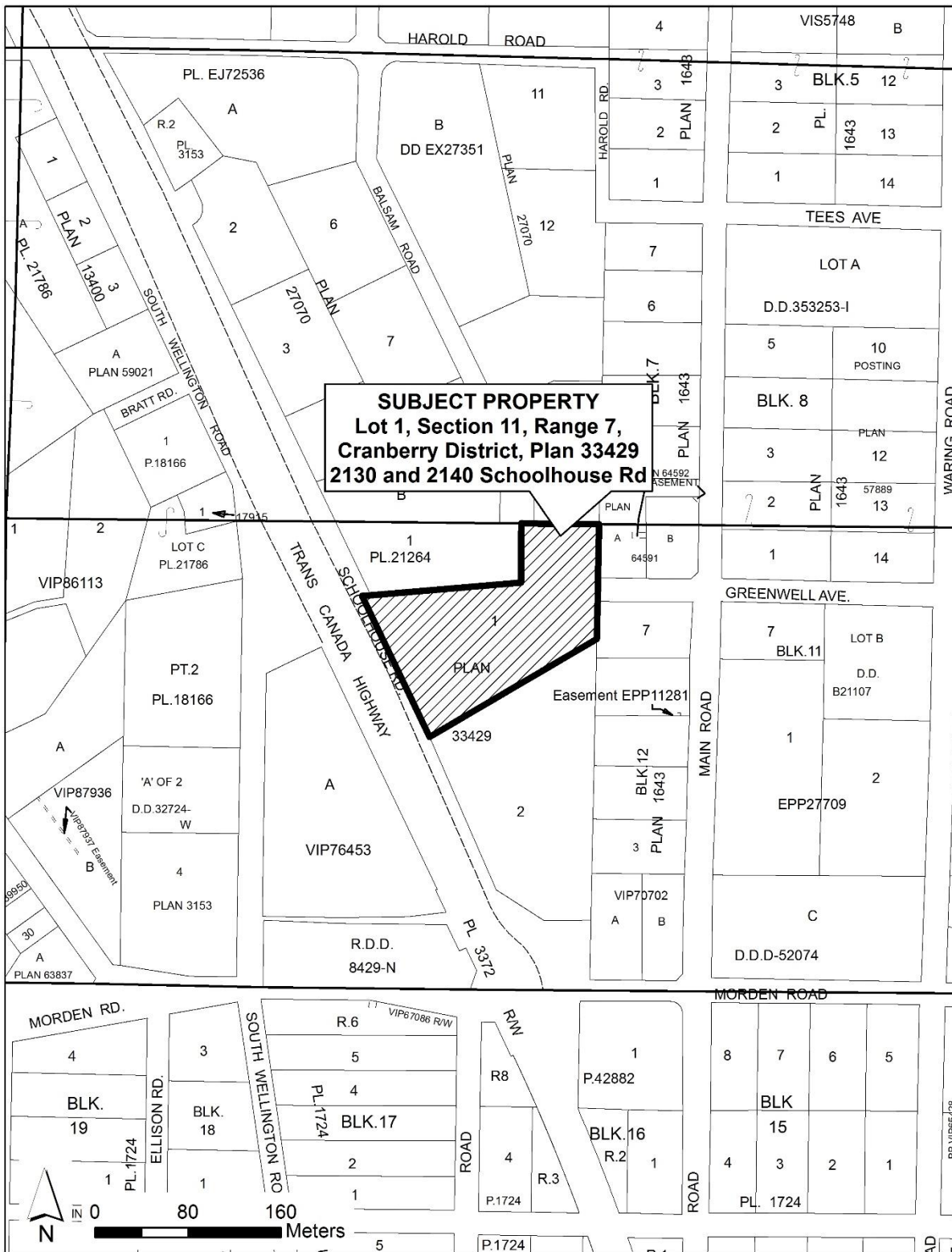
Reviewed by:

- P. Thompson, Acting Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Terms and Conditions of Permit
3. Proposed Site Plan and Variances
4. Proposed Fascia Signs

**Attachment 1**  
**Subject Property Map**



## **Attachment 2 Terms and Conditions of Permit**

The following sets out the terms and conditions of Development Permit with Variance No. PL2018-174:

### Bylaw No. 993, 1995 Variances:

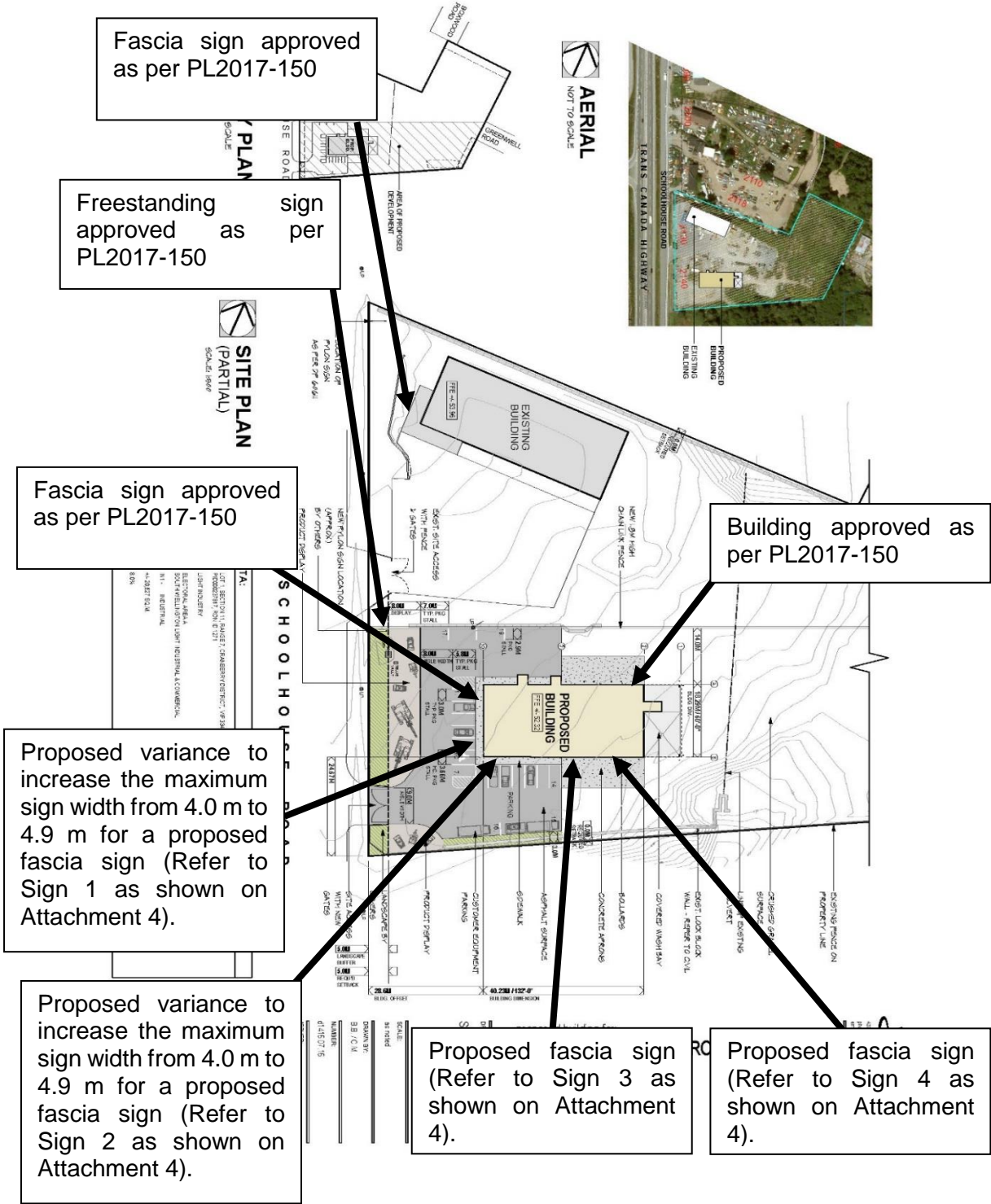
With respect to the lands, “Regional District of Nanaimo Sign Bylaw No. 993, 1995” is varied as follows:

1. **Section 5(a)** – to increase the maximum number of signs that may be placed or maintained on a parcel from two to seven.
2. **Section 5(c)** – to increase the maximum sign width from 4.0 m to 4.9 m for a proposed Fascia Sign located on the west side of the proposed building.
3. **Section 5(c)** – to increase the maximum sign width from 4.0 m to 4.9 m for a proposed Fascia Sign located on the south side of the proposed building.

### Conditions of Approval

1. This development permit shall amend PL2017-150 only as it pertains to fascia signage to be installed on the industrial building approved by PL2017-150.
2. With signage, the site is developed generally in accordance with the proposed site plan prepared by Delinea Design Consultants Ltd., dated December 18, 2017 and attached as Attachment 3.
3. The proposed signage is in general compliance with the plans and elevations prepared by Devlin Electric Sign Company attached as Attachment 4.
4. All signs shall be controlled by timer and be set to turn off between 10:00 pm until 6:00 am and all signage shall be dimmed to 0.3 Foot Candles at 30 metres.
5. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

**Attachment 3**  
**Proposed Site Plan - Signage and Variances**



**Attachment 4 (Page 1 of 3)**  
**Proposed Fascia Signs**

Halo-Lit Logo Stood off Wall  
 White Plexi Face  
 Blue (Opaque) 3M Vinyl Logo Bkgrd.  
 Illuminated with LEDs  
 Aluminum Returns Painted Black

Halo-Lit Channel Letters  
 Black Plexi Letters Stood off Wall  
 Illuminated with LEDs  
 Aluminum Returns Painted White

**Westerra Equipment**

**Bobcat.** **DOOSAN**

**SIGN 1**  
 48" x 192" (1.219m x 4.876m)

1/2" Routed Plexi Copy Pushed Through Routed Aluminum Background  
 Internally Illuminated with LEDs

**Bobcat.** **DOOSAN**

**NOTE: All Signage to be Controlled by Timer**  
**Off Between 10:00pm until 6:00am**  
**All Signage Dimmed to 0.3 Foot Candles at 30M**

**Front Elevation**

221 S. TERMINAL AVE. NANAIMO, BC. V9R 5C7  
**DEVILIN ELECTRIC SIGN CO.**  
 PH (250) 753-3306  
 FAX (250) 753-2798

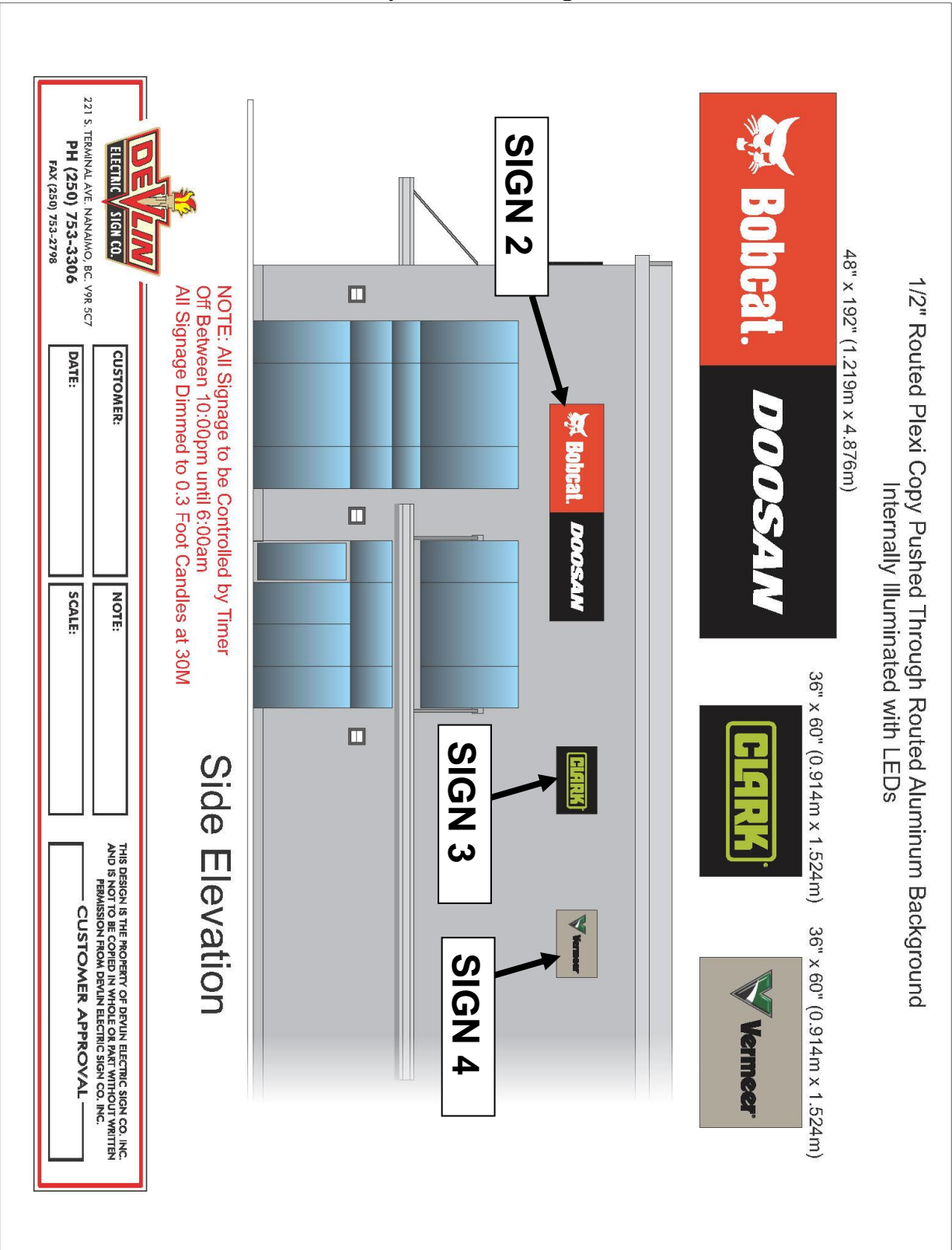
|           |        |
|-----------|--------|
| CUSTOMER: | NOTE:  |
| DATE:     | SCALE: |

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CUSTOMER APPROVAL \_\_\_\_\_



**Attachment 4 (Page 2 of 3)  
 Proposed Fascia Signs**



**Attachment 4 (Page 3 of 3)**  
**Proposed Fascia Signs Night View**

