

DATE OF MEETING | December 17, 2018 |

AUTHORED BY | CALEB HORN, PLANNING ASSISTANT, CURRENT PLANNING |

**SUBJECT | DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP365 –
125 FRONT STREET |**

OVERVIEW

Purpose of Report

To present for Council's consideration, a development variance permit to allow an animated freestanding sign in excess of the maximum sign area requirements at 125 Front Street. |

Recommendation

That Council issue Development Variance Permit No. DVP365 at 125 Front Street with the following variances:

- allow an animated sign; and
- increase the maximum sign area of a freestanding sign from 10m² to 30.46m². |

BACKGROUND

A development variance permit application, DVP365, was received from Michael Hessler on behalf of the Port Theatre Society to vary the provisions of "Sign Bylaw 1987 No. 2850" (the "Sign Bylaw") to allow a new freestanding sign at the entrance of the Port Theatre at 125 Front Street.

The subject property is owned by the City of Nanaimo and is the location of the Port Theatre performing arts centre, which opened in 1998 and is operated by the not-for-profit Port Theatre Society. There is currently one existing static sign at the entrance to the building (see Attachment D).

Subject Property

<i>Zoning</i>	DT1 - Core
<i>Location</i>	The subject property is located at the intersection of Front Street and Museum Way, adjacent to Diana Krall Plaza.
<i>Total Lot Area</i>	3,500m ²
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use – Urban Node

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

DISCUSSION

Proposed Development

The applicant is proposing to construct a new freestanding sign directly in front of the existing building entranceway and canopy. The proposed sign will be 5.94m high, 30.46m² in area, and will contain a 3.95m² animated portion in order to advertise events occurring at the Port Theatre. The sign will be oriented towards the sidewalk area at the intersection of Front Street and Museum Way. The design of the sign incorporates a wave-like motif as expressed in the logo of the Port Theatre Society. A structural engineering review will be required prior to issuance of a sign permit.

Proposed Variances

LED / Animated Signs

The Sign Bylaw does not allow for LED/animated signs except in order to display digital time, temperature, and/or gas price information. The applicant proposes to incorporate an animated portion (3.95m² in area) within the new sign. On 2011-FEB-14, City 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 animated signs. The animated portion of the proposed sign is in accordance with the Guidelines including limitations on illumination and animation of images. The operational requirements will be stipulated through the development variance permit conditions and the required sign permit.

The proposed animated sign will allow the Port Theatre to better promote itself to residents and visitors, and provide information about upcoming events. No negative impacts are anticipated. Staff support the proposed variance.

Freestanding Signs – Maximum Sign Area

The Sign Bylaw allows for freestanding signs in downtown zones up to a maximum sign area of 10m² and a maximum height of 9m. The proposed sign's height of 5.94m complies with the Sign Bylaw, but the proposed sign's display area is 30.46m², a variance of 20.46m². The total sign area includes the artistic 'waves', without which the sign area would be 21.11m².

The proposed sign is well suited to the scale of the building, and will provide better identification of the use of the building and wayfinding to the building entrance. Given the Port Theatre's significance and prominent location in the downtown across from the waterfront walkway entrance, the proposed variance is supportable.

See Attachments for more information.

SUMMARY POINTS

- Development Variance Permit Application No. DVP365 proposes variances to allow an animated sign and to increase the maximum area of a freestanding sign from 10m² to 30.46m².
- The animated portion of the proposed sign is in accordance with the LED / Animated Signs Development Variance Permit Guidelines.
- The proposed sign will allow the Port Theatre to better promote itself to residents and visitors.
- Staff support the proposed variances.

ATTACHMENTS

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

Submitted by:

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Concurrence by:

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