

ROLL Number: 01962.000

PID: 003-896-269

Lot Size: 53.54(ACRES)

Legal Description: SECTION 78, COMOX DISTRICT, EXCEPT PARTS IN PLANS 35641, VIP61717, 2117RW AND EPP27453

Zoning: PA-3 Institutional.

Variance Application for signage at 377 Lerwick Road, Courtenay, BC. V9N9G4

To City of Courtenay Mayor & Council,

Re: Rationale for development permit variance application – Comox Valley Aquatic Centre Sign

Attached is the application for variance for the sign permit issues for the freestanding sign located at 377 Lerwick Road, Courtenay, BC. V9N9G4

Application for sign permit & development variance permit

We are applying for a variance on portions of the Sign Bylaw No. 2760 that prohibit the replacement of an existing, newly non-conforming, sign to allow for the replacement of the same existing freestanding signage with an almost identically sized sign in the same location, located on Ryan Road frontage, in front of the Comox Valley Aquatic Centre, on a specific easement that appears to have been created specifically for the placement of this existing freestanding sign.

This sign may or may not have an existing sign permit issued to it, but we were unable to obtain information to that effect, however, as it is the opinion of city administration that the sign is being altered sufficiently that it would be considered a new sign and would need to follow the requirements of the bylaw as outlined. As such, a variance on various sections of the bylaw would need to be granted in order to replace the sign with a new sign.

We applied for a sign permit to have the sign alteration approved; however, the application was rejected as per a definition found under section 2.2.2 of the bylaw, of which 2.2.2 states “Changes to the copy of a legal non-conforming sign may be permitted by a sign permit provided that the sign shall not be rebuilt, enlarged, extended or relocated.”

It is the opinion of the City that the sign is being rebuilt and we recognize that this sign replacement would reasonably fit this assessment.

Therefore, in order to receive a sign permit for this sign I would need to receive a variance for sections under 5.4.2 Freestanding Sign

Part 1: The regulation 5.4.2.a “The sign area shall not exceed 3.0 m² (32.3 sq. ft.) and the height shall not exceed 2.0 m (6.56 ft.).”

The existing sign is 59.2 sq.ft. per side. As per the bylaw, the bylaw definition for area states that both sides need to be added together, so the total area of the existing sign is 118.4 sq. ft. (exactly 11m²). The existing sign is 366.6% the allowable size as per the Sign Bylaw.

The existing sign is also 136.9" tall (3.48m). As per the bylaw, the sign must not exceed 2.0m, the existing sign exceeds the bylaw by 1.48m, as it is 174% the allowable size.

The replacement sign will be almost identical in size, with expected height and overall size to be 3.48m and 11m², therefore part 1 of our application is to apply for a variance for bylaw 5.4.2.a to allow for a sign to be made as per our drawings and the sizes noted here.

We request that the permit allows for a maximum height of

Rationale

The reason for the request for this portion of the variance is that the Comox Valley Regional District is simply replacing an existing sign with a new sign. The existing sign was once manufactured to be compliant with the law at the time of the build and has served decades of service on this portion of the roadway.

This sign's overall size and height have been perfectly functional and we could not imagine having to manufacture a replacement sign that would only be 25% of the existing size overall. That sign that would only be acceptable at 16.15 sq. ft. per side and it seems an unreasonable restriction in sign size. The existing lettering "AQUATIC CENTRE" alone is approximately this overall dimension.

As the existing sign is an attractive sign in appearance and size, we believe that the request to allow the new sign to be manufactured with similar dimensions would not be unwarranted.

We request that this bylaw variance be granted to allow for a larger size.

Part 2: The regulation 5.4.2.b "Only one freestanding sign is permitted per parcel."

The existing sign is part of a trio of freestanding signs that are located on this property. To be detailed, this sign appears to be located on a parcel of property that was created specifically for the purposes of locating this sign (Easement Plan VIP 69289), wholly located inside property described by the legal description noted above.

The freestanding sign, as part of the trio of freestanding signs, was noted as part of a previous application for variance for a sign that was issued a Development Variance Permit on July 3, 2019, (Permit No. 3060-20-1809) however, the DVP that was issued erroneously noted only two signs instead of three. As there were three signs on the property before and at the time of that application, this needs to be addressed.

We request that this bylaw variance be granted to correctly note that three freestanding signs be permitted on this property.

Part 3: The regulation 5.4.2.c "All *freestanding signs* shall be located in a landscaped area, which shall be a minimum of 5.0 m² (53.8 sq. ft.) in area."

The existing sign is located on an easement plan, VIP 69289, which was created to be used specifically for the placement of the sign and for the creation of a walkway to allow easy access to the Aquatic Centre. The existing landscaping should be sufficient to satisfy this requirement,

however, we ask for this variance to ensure that the sign be allowed without potential restriction going forward.

Part 4: The regulation 5.4.2.f “No *sign* shall be located within 3.0 m (9.8 ft.) of an adjoining property line or within 2.0 m (6.6 ft.) of the property line adjacent to a street.”

The existing sign is located on an easement plan, VIP 69289, which was created to be used specifically for the placement of the sign and for the creation of a walkway to allow easy access to the Aquatic Centre. The existing sign is located 1.88m from the property line facing the street, according to our land survey, and approximately the same distance from the easement boundary to the property line between the easement and the overall legal lot for 377 Lerwick Road. In order to meet this bylaw, the metal pole structure of sign base would have to be refabricated to move the sign from property line adjacent to the street and, in order to meet the 3.0m requirement, the concrete base would need to be removed and repoured in a new location. The cost of this work would be approximately fifteen to twenty thousand dollars, all of which would be a taxpayer's expense. The existing location of the sign has not caused issues over the several decades the sign has been located there and is not expected to cause any issues going forward.

We request that this bylaw variance be granted to allow for the existing placement of the sign.

Part 5: The regulation 5.4.2.g.i “*Freestanding signs* may incorporate an *electronic message board* provided: i. the *electronic message board* can be no more than 40% of the *sign area*,”

The existing sign was designed to have a changeable message area that is approximately 40.5% of the total sign area when calculating the ratios based on overall sign area, including white space. This ratio changes to about 50% when calculating the ratios as per the sign bylaw's explanation of sign area.

The new sign design was meant to replicate and replace the existing with the minor design alteration of squaring off the teardrop shape to allow for a larger identification area.

The new sign offers a ratio of 40.7% when comparing the total sign area and approximately 53.9% when using the definition in the sign bylaw.

The message centres are available in one foot height increments, allowing either a 2' or 3' height. The client wished to use a 3' height for this sign.

The new sign has a message centre area that is 75% the size of the message centre allowed under permit 3060-20-1809 for the message centre for the North Island College on the same property and the ratios were similar at 52.8% ratio. The ratios seem reasonable and the message centre is not an obtrusive display overall, in our opinion.

We request that this bylaw variance be granted to allow for a 3'x8' message centre on this sign.

Part 5: The regulation 5.4.2.g.v “the *electronic message board* must be a monochromatic display and must include automatic dimming features to reduce light intensity in lower ambient light conditions.”

As with almost all current message centres, the availability of full color displays is now commonplace. Grant Signs manufacture these message centres in house and only build full color systems. Monochromatic systems are almost as costly and the resolution is poorer. We believe the bylaw stating that a message centre must be monochromatic to be difficult to follow. We believe that we have shown that full color message centres are effective for what they do and are not distracting more so than monochromatic systems.

We request that this bylaw variance be granted to allow for a message centre that contains a full color display on this sign.

Summary

In summary, the request to receive a variance for these items is for the intent of the direct replacement of an existing sign for a public government facility with the replacement to be completed with a more modern and attractive overall appearance and much greater functionality. The requests for variance noted above are believed to be all that is necessary to obtain the sufficient permits to replace this existing sign with new. Our hope is that you agree with our requests for variance and approve this request.

Thank you,

Jonathan Calderwood
GM, Grant Illuminated Signs Ltd.