


TITLE: <p style="text-align: center;">CONDITIONAL USE 536 1ST STREET</p> <p style="text-align: center;">OWNER: ALLEN HENRY GREBINSKI APPLICANT: VBJ DEVELOPMENTS</p>		
MEETING DATE: August 18, 2021		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Bernice Leyeza	MANAGER: Ryan Nickel, Director Planning & Buildings	

RECOMMENDATIONS:

That Conditional Use Application C-04-21 to allow for an electronic advertising or off-premises sign in the Commercial General (CG) Zone be approved at 536 – 1st Street (Lots 6/8, Block 80, Plan 8 BLTO) in accordance with the attached letter of intent “Attachment A-1 and A-2” and the attached site plan “Attachment B-3”.

BACKGROUND:

Request

The applicant, VBJ Developments, on behalf of the property owner, Allen Henry Grebinski, is applying to allow for an electronic advertising sign for a property located at 536 – 1st Street in the CG Zone.

Development Context

The subject site has a commercial building with parking perpendicular to 1st Street, and is located mid-block on the west side of 1st Street between Victoria and McTavish Avenues. Uses surrounding the site include a mixture of detached and multiple dwellings to the east and west, and commercial uses to the north and south.

History

The commercial building was constructed in 2000 and has been occupied by the current owner, with a building addition built in 2011. In 2005, a freestanding identification sign was erected in the southeast corner of the site.

ANALYSIS:

The applicant is proposing to construct a freestanding electronic advertising or off-premises sign at the parking island located at the north end of the parking area. The sign will have two faces where the north-facing sign face will be an electronic sign and is angled for viewing from the corner of 1st Street and Victoria Ave E. The south-facing sign will be a standard advertising or off-premises sign. Each sign face will be 18.6m² in sign surface area.

Consistency with Part 7, Section 106(1)(b) of The Planning Act and Demonstration that the Use:***1. Will be compatible with the general nature of the surrounding area;***

The intent of the provisions in the Zoning By-law is to ensure the location and intensity of the electronic advertising signs does not have any adverse impact to adjacent residential properties, and will not be a nuisance or negatively impact traffic safety. Given that 1st Street is a major commercial area and there are several freestanding identification and advertising or off-premises signs in the area, the proposal will be compatible with the general nature of the surrounding area.

2. Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area;

Residential areas west and east of the site will not be adversely impacted, as the electronic sign will be facing north towards the 1st Street/Victoria Avenue intersection. Under the Transportation Association of Canada's "Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines" ("electronic sign guidelines"), the proposed location of the electronic advertising sign is outside the cone of influence for drivers on 1st Street and Victoria Avenue. The electronic sign guidelines recommends that images or messages be projected statically for at least eight (8) seconds before changing instantly to another advertisement.

The proposed electronic advertising or off-premises sign will be approximately 73.0m from the freestanding identification sign at the northeast corner of 1st Street and Victoria Avenue. In accordance with Zoning By-law Section 34(d)(1), approval of this conditional use will restrict the development of any future electronic advertising or off-premises signs within 92.0m of this proposed sign.

3. *Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law*

The site is designated “Commercial” in the Development Plan. The proposal complies with all applicable Zoning By-law provisions for freestanding advertising signs and electronic advertising or off-premises signs, including bulk and siting requirements and sign surface area. Pursuant to Subsection 32(e) of the Zoning By-law, the City Engineer confirmed that the proposal is in compliance with the recommendations under the electronic sign guidelines.

This report identifies “advertising or off-premises”, as, as of the writing of this report, the City is considering a by-law to amend Zoning By-law text (By-law No. 7304), including renaming “advertising signs” as “off-premises” signs. City administration advises the earliest Council may approve By-law No. 7304 is August 16, 2021, two days before this public hearing. City administration recommends the Planning Commission use “electronic advertising or off-premises sign” in their resolution to ensure continuity during this transition period.

Commenting Agencies

The Planning & Buildings Department did not receive any comments of significant concern.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 169 of The Planning Act, notice of this Public Hearing regarding this application was sent to owners of property within 100 metres (328 feet) of the subject site and notice posters were posted on the site.

Public Outreach

In accordance with Section 13 of the Zoning By-law, the applicant mailed their proposal to the property owners of nearby properties. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.