



## Planning and Land Use Committee Report

### For the Meeting of June 19, 2014

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**Date:** June 3, 2014                      **From:** Don Kitchen, Acting Chief Building Inspector  
**Subject:** Development Variance Application #00135 for 1950 Foul Bay Road  
Application to Vary the Sign Bylaw

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#### Executive Summary

The purpose of this report is to provide Council with information, analysis and recommendations regarding a requested variance to the *Sign Bylaw* for a property located at 1950 Foul Bay Road.

Due to a change in ownership from a Safeway store to a Save-On-Foods store, the owner of the property located at 1950 Foul Bay Road, has made application to remove one existing fascia sign on the building at this address and replace it with a new fascia sign. The proposed sign exceeds the City of Victoria *Sign Bylaw* regulations as the proposed fascia sign is substantially larger in display surface than would be permitted. The property owner is seeking a variance to Section 9.2 (2) of the City of Victoria *Sign Bylaw* No. 92-30 which would restrict the size of the fascia sign to a maximum of 9 m<sup>2</sup>. The proposed fascia sign is 16.52 m<sup>2</sup> in area which exceeds the maximum permitted individual size of 9 m<sup>2</sup>.

Staff recommend that the larger size of the sign is appropriate in this location and complies with applicable design guidelines.

In accordance with the City's *Land Use Procedures Bylaw* because this is a Development Variance Permit Application related to the Sign Bylaw, it requires notification, sign posting and a Hearing.

#### Recommendations

1. That Council convene a Sign Development Variance Permit hearing for Application #00135 located at 1950 Foul Bay Road.
2. Following the hearing, that Council consider the following resolution:


That Council authorize DVPSP#00135 for 1950 Foul Bay to vary the size of the sign from 9 m<sup>2</sup> to 16.52 m<sup>2</sup>.

Respectfully submitted,

  
Don Kitchen  
Acting Chief Building Inspector

  
Deb Day, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

  
Jason Johnson

Date:

  
June 13, 2014

Dk/kb

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## 1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Variance Permit Application #00135 for a sign located at 1950 Foul Bay Road. The application is to request a variance to the size limitations of the Sign Bylaw.

## 2.0 Background

Since the sign permit application dated March 7, 2014 exceeded the maximum size provision for an individual sign, the applicant has applied for a Development Variance Permit to vary the Sign Bylaw.

The property has recently changed ownership and the signage needs to be changed from "Safeway" to "Save-On-Foods". The new sign is comprised of the word "save on foods" in individual letters, with the word "on" in a green circular logo. The sign is approximately 16.52 m<sup>2</sup> in size placed where the previous sign and logo were located. The sign is located over 80 m away from the surrounding roads.

The following data table compares the proposal with the existing Sign Bylaw.

Sign Bylaw Criteria	Proposed	Bylaw Standard
Maximum size of sign	16.52 m <sup>2</sup> (177.81 sq. ft.)	9 m <sup>2</sup> (96.9 sq. ft.)

The proposed sign is located within Development Permit Area 5 (Large Urban Villages). The applicable guidelines are the *Buildings, Signs and Awnings Advisory Design Guidelines*. Staff is satisfied that the proposed design and placement of the sign on the building is consistent with the applicable design guidelines.

## 3.0 Issues and Analysis

The Sign Bylaw sets out limitations on the size of signs. The new sign for "Save-On-Foods" is approximately twice the size permitted in the Sign Bylaw. This new sign is replacing the previously approved signage for "Safeway" entirely and involves the removal of the old sign boxes and sign faces and the installation of new sign boxes and lettering with a logo. If the sign box for "Safeway" had remained in place and only the plastic face of the sign had been changed, it would not have been necessary to apply for this Development Variance Permit. However, the Sign Bylaw stipulates that when a proposed sign does not conform to the rules in the Bylaw, an application for a Development Variance Permit is necessary.

The proposed new sign is similar in size to the previous "Safeway" sign and is installed on the same building elevation facing the intersection for Fort Street and Foul Bay Road. Since the proposed sign is located over 80m from the closest road and is in scale with the building, the larger sign size can be recommended.



#### **4.0 Conclusions**

Given the proposed "Save-On-Foods" sign is roughly the same size as the previous sign and is positioned well away from adjacent uses, staff recommend that Committee support this application.

#### **5.0 Recommendations**

##### **5.1 Staff Recommendations**

1. That Council convene a Sign Development Variance Permit hearing for Application #00135 located at 1950 Foul Bay Road.
2. Following the hearing, that Council consider the following resolution:

That Council authorize DVPSP#00135 for 1950 Foul Bay to vary the size of the sign from 9 m<sup>2</sup> to 16.52 m<sup>2</sup>.

##### **5.2 Alternate Recommendation (decline)**

That Council decline DVP00135 for 1950 Foul Bay.

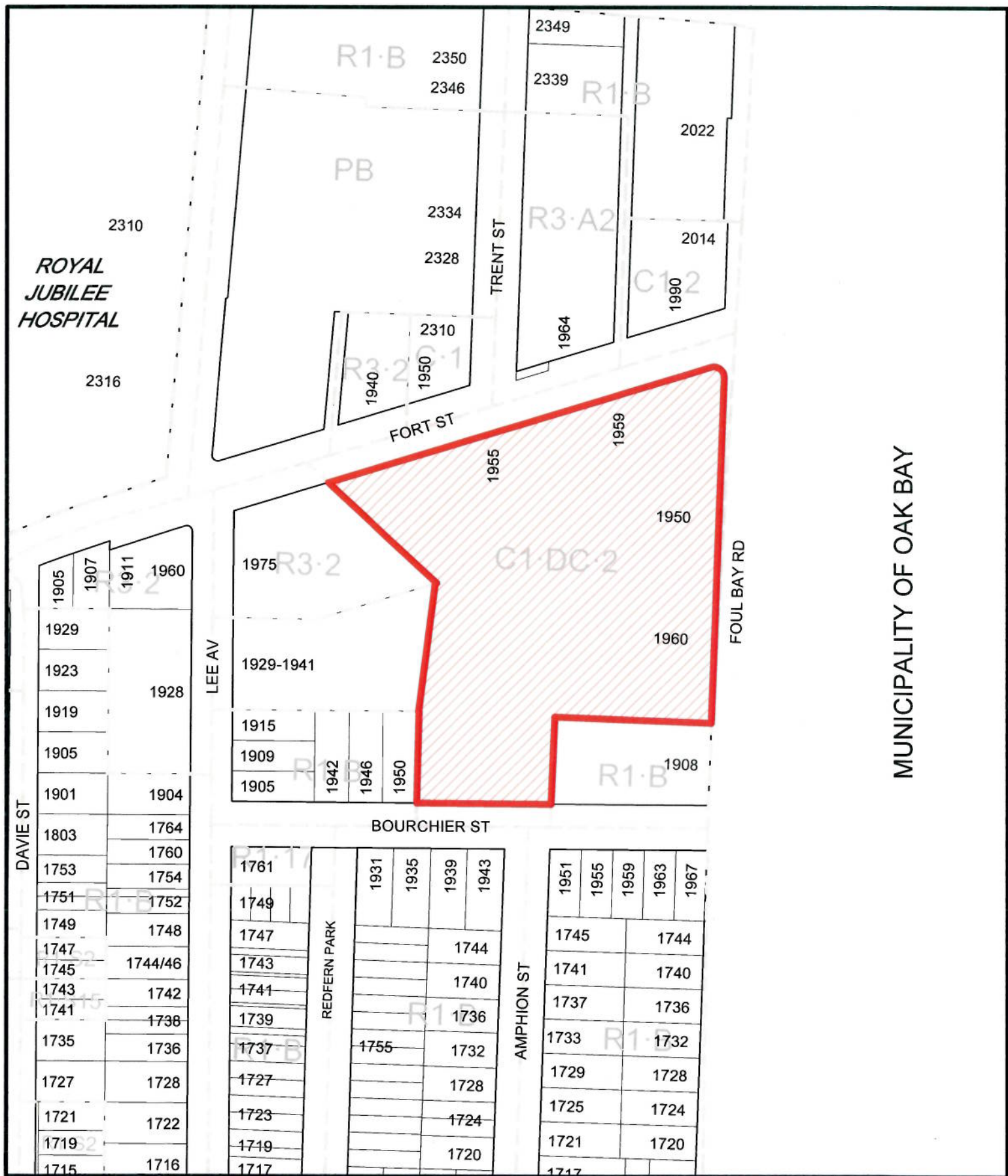
#### **6.0 List of Attachments**

- Aerial photo (with proposed sign location)
- Letter from applicant dated March 26, 2014
- Plans dated April 2, 2014.









MUNICIPALITY OF OAK BAY



1950 Foul Bay Road  
Subject Map







www.fivestarpermits.com

March 26, 2014

His Worship Mayor Dean Fortin and Council  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

COPY

Dear Mayor Fortin and Council:

Re: Save-On-Foods, Signage  
1950 Foul Bay Road

We are writing to ask your support for a Development Variance Application regarding the main identification sign for Save-On-Foods at 1950 Foul Bay Road.

Save-On-Foods is replacing the signs at the former Safeway store. The proposed sign is a similar size to the former Safeway sign. The Safeway sign was permitted under a previous bylaw, and a variance is required to replace it.

The Sign Bylaw limits the sign area of any one sign to 9.0m<sup>2</sup>, and our proposed sign is 16.52m<sup>2</sup>.

Sign Bylaw No 92-030  
Part 7 – Neighbourhood Commercial Sign Zone

10.2(1) Unless otherwise stated, the sign allowance permitted in the Neighbourhood Commercial Sign Zone is a 1 to 1 ratio requirement. [0.093m<sup>2</sup> for each 30cm of the business' building frontage]

10.2 (2) The regulations in subsection 9.2(2) apply to a fascia sign in the Neighbourhood Commercial Sign Zone.

9.2 (2) A fascia sign... (b) shall not have a display surface exceeding 9m<sup>2</sup>. (Arterial Commercial Sign Zone).

The Save-On-Foods building is very large and long. It has 333 feet (101m) of frontage. The sign allowance for a building this size is 337sq ft (31m<sup>2</sup>). There is an existing sign of 7.8m<sup>2</sup>, and with the addition of this proposed sign, the total signage would be 24.32m<sup>2</sup>. This is well within the overall sign allowance.

... /2



COPY

City of Victoria  
Save-On-Foods Variance Application  
Page 2

The proposed sign is similar in size to the former Safeway sign. We have been told by planning staff that there weren't any complaints about the Safeway sign. This size provides adequate visibility to the surrounding roads, which are both over 80m away (260 ft).

If Save-On-Foods were to be limited to a 9.0m<sup>2</sup> sign, it would be almost half the size of the previous sign and of what is now being proposed. This would severely impact visibility for residents and tourists.

We appreciate your consideration and hope that you will support our request.

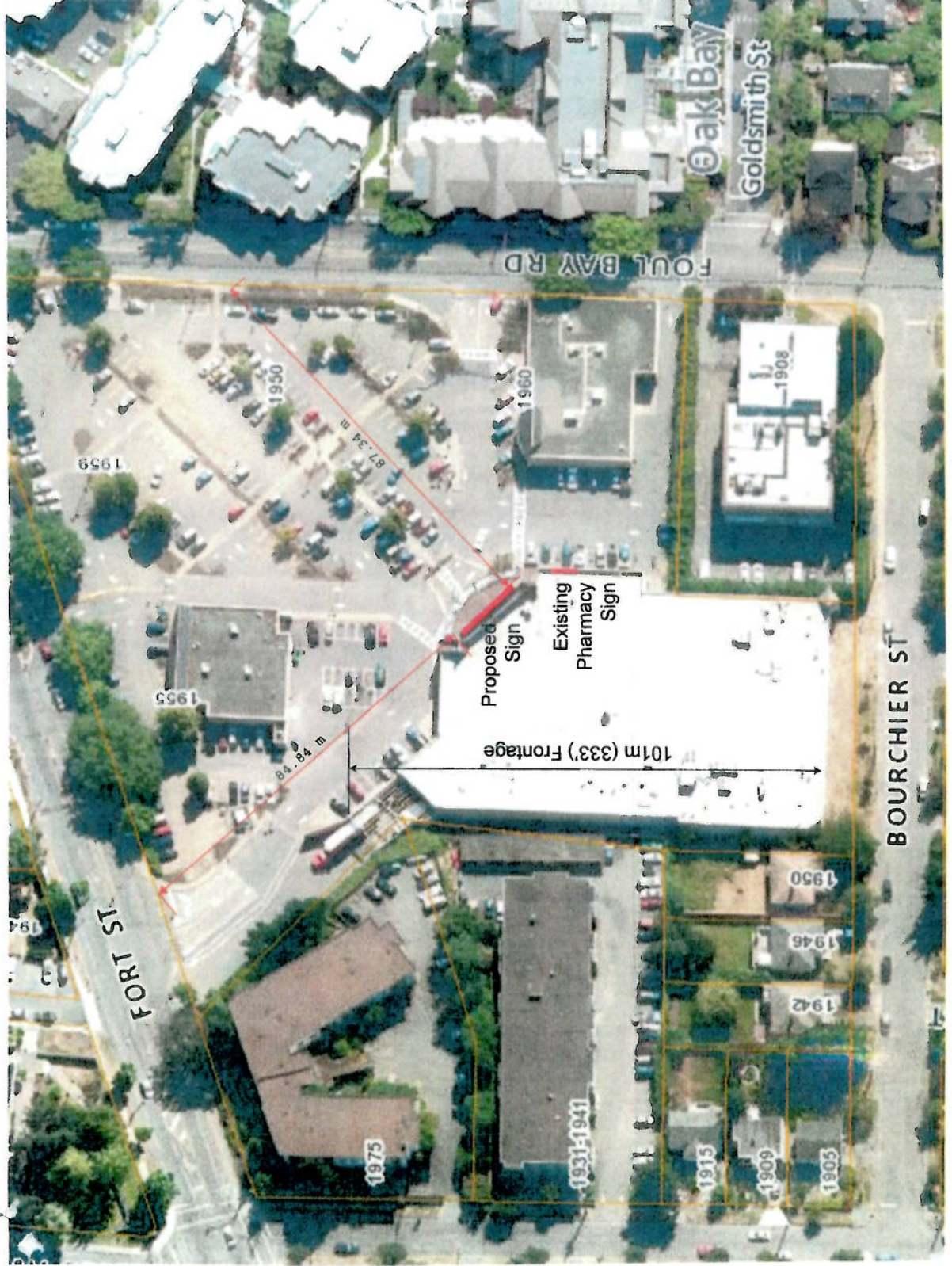
Thank you.

Sincerely,



Cy Leah Atkinson  
Co-Founder  
Five Star Permits





**FIVE STAR**

www.fivestarpermits.com  
240 Parsons Road  
Okanagan Falls BC V0H 1R3  
250.487.1210

March 26, 2014      Date  
1cm=10m      Scale

Frontage is 101m (331 ft)

Sign allowance is 0.093m<sup>2</sup>  
per 30cm of frontage:  
337 sqft (31m<sup>2</sup>)

Existing Pharmacy sign  
is 123.7 sqft

Proposed Save-On-Foods  
sign is 177.8 sqft

Total sign area:  
123.7 + 177.8 = 301.50 sqft

**save on foods**

1950 Foul Bay Rd



1. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION. IT IS FOR INFORMATION ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION. IT IS FOR INFORMATION ONLY.

A



Existing



Existing

B

Existing Sign

A

Proposed Sign



after



before

PLEASE NOTE: SIZE OF SIGNAGE IN RELATION TO THE BUILDING IS APPROXIMATE. THIS PHOTO OVERLAY IS INTENDED FOR LOCATION PURPOSES ONLY AND MAY NOT ACCURATELY REPRESENT THE SCALE OF THE PROPOSED SIGN TO THE BUILDING. A SITE SURVEY IS REQUIRED TO DETERMINE AND CONFIRM THE EXACT PROPORTIONS OF PROPOSED SIGNAGE TO BUILDING

REVISION HISTORY (PRIOR TO MASTER ART):

MASTER SIGN OFF	SALES REP
HH	
ARTIST	

DATE OF MASTER: MARCH 7/14	MASTER REVISION HISTORY

DATE: March 5, 2014  
 SKETCH: V14-081-Aphoto(R1)  
 SALES: Ryan Schmidt  
 ARTIST: Maria  
 SCALE: NTS  
 VOLTAGE: 120 V  
 PAGE: 2 of 4

**PATTISON SIGN GROUP**  
 120 - 7885 North Fraser Way  
 Burnaby BC Canada V5J 5W7  
 Tel (604) 215-5526  
 Fax (604) 215-0696  
 www.pattisonsign.com  
 A Division of Jim Pattison Industries Ltd.

**save on foods**

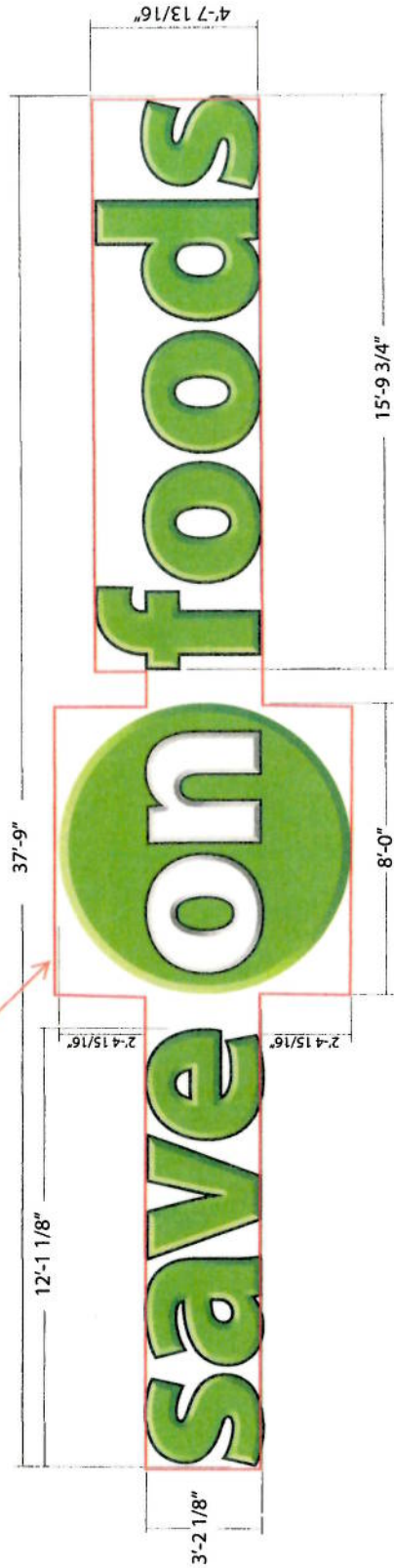
921 - FORT & FOUL BAY  
 1950 Foul Bay, Victoria, BC

Fluorescent, Neon and HID lamps contain Mercury. Dispose of these lamps according to Local, Provincial, State or Federal Laws.





Red line indicates sign area: 16.52m<sup>2</sup> (177.8 sqft)



A

Manufacture and install... exterior

### ILLUMINATED BUILDING SIGNAGE: FRONT ELEVATION (North)

- One set of internally illuminated (self-contained) channel letters & round logo shape
- OVERALL SIZE: 8'-0" x 37'-9"
- NOTE: NO NAILS

#### Survey Notes

- Plywood wall area: 11'-9" high at center, 8'-8" high at each end, 60" wide
- \*note: mount new logo at least same height as existing for best viewing

#### CONSTRUCTION

- SUBSTRATE: Channel letters - 3/16" Implex flat face with vinyl and digital print first surface application  
Channel logo - Flex face with vinyl and digital print first surface application
- CHANNELS, TRIMCAP & 1" RETAINER: Black
- ILLUMINATION: GE Tetra Powermax GEP71-1 white LED modules
- SUPPORT STRUCTURE: none

#### GRAPHICS

SAVE FOODS: Green face with 3D look green bevelled edges and black outline  
ON on circle bkgrd: White face with 3D look white bevelled edges and black outline  
Circle graphics: Green face with 3D look green bevelled edges

#### COLOUR DATA

- WHITE: Substrate
- GREEN: 3630-106 Brilliant Green Vinyl
- BLACK: Black painted returns & trimcap
- DIGITAL PRINT: TO BE ON CLEAR VINYL
- CLEAR OVERLAMINATE



120 - 7865 North Fraser Way  
Burnaby BC Canada V5J 5M7  
Tel (604) 215-5526  
Fax (604) 215-5527  
www.pattisongroup.com

A Division of Jim Pattison Industries Ltd.

DATE: March 20, 2014

SKETCH: V14-081-A(R1)

SALES: Ryan Schmidt

ARTIST: Maria

SCALE: 1/4" = 1'-0"

VOLTAGE: 120 V

PAGE: 1 of 4



MASTER SIGN OFF  
Artist  
SALES REP

REVISION HISTORY (PRIOR TO MASTER ART)

Fluorescent, Neon and HID lamps contain Mercury. Dispose of these lamps according to Local, Provincial, State or Federal Laws.



921 - FORT & FOUL BAY  
1950 Foul Bay, Victoria, BC



**FIVE STAR**

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250.487.1210

March 7, 2014	Date
1cm=1m	Scale

**save on foods**  
1950 Foul Bay Rd

total frontage 101m

Sign Clearance 10.5m

Sign Clearance 7.4m

Grade 0m

