

Planning Committee

Sign Variance Application



IBI Group

Vincent Formosi (Blackfish Investment Inc.)

272-274 King Street West, Hamilton

September 18, 2018



Location: 272-274 King Street West, Hamilton

Frontage: 10.40m

Lot Depth: 16.45m

Area: 171.08m²

Property Description

PUBLIC OPEN HOUSE



Past Billboard Signage



Image Capture: September 2018
Source: IBI Group

- Current static third party sign
- Existing sign is 9.1m by 3.1m
- Third party advertising since 2009
- Proposed sign variance application to permit a 5.8m by 3.1m Digital third party sign

Current Billboard Signage *(to be permitted)*

The following variances were requested and/or identified during the review of the application:

1. To permit a 5.8m by 3.1m Digital third party sign to be located on the roof top of the building;
2. To permit a Digital third party sign for the purposed of third party advertising;
3. To permit a Digital third party sign to be within 300m of a property zoned D2 which permits residential dwellings; and,
4. To permit a Digital third party sign to be setback 0m from the property line.

City of Hamilton Zoning By-law No. 05-200

- Digital third party sign is not located in required parking, landscape strip, maneuvering space, loading space, planting strip or access driveway
- **Staff Report Notes: The proposed sign conforms to the City of Hamilton Zoning By-law No. 05-200**

6.5 In considering an application for a sign variance, the Director **shall have regard for**:

- a) Special circumstances or conditions applying to the land, building or use referred to in the application;
- b) Whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law;
- c) Whether such special circumstances or conditions are pre-existing and not created by the sign owner or applicant; and
- d) Whether the sign that is the subject of the variances will alter the essential character of the area in which the sign will be located.

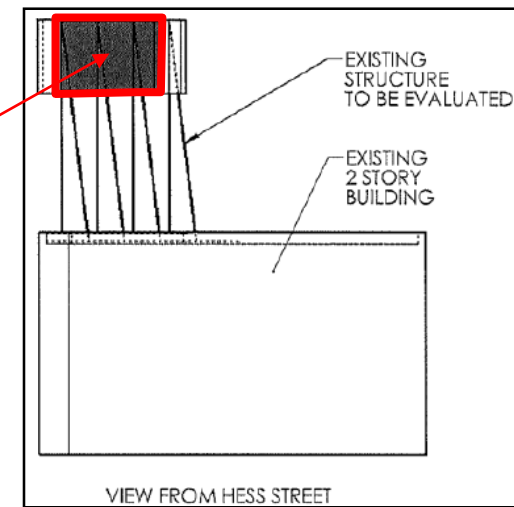
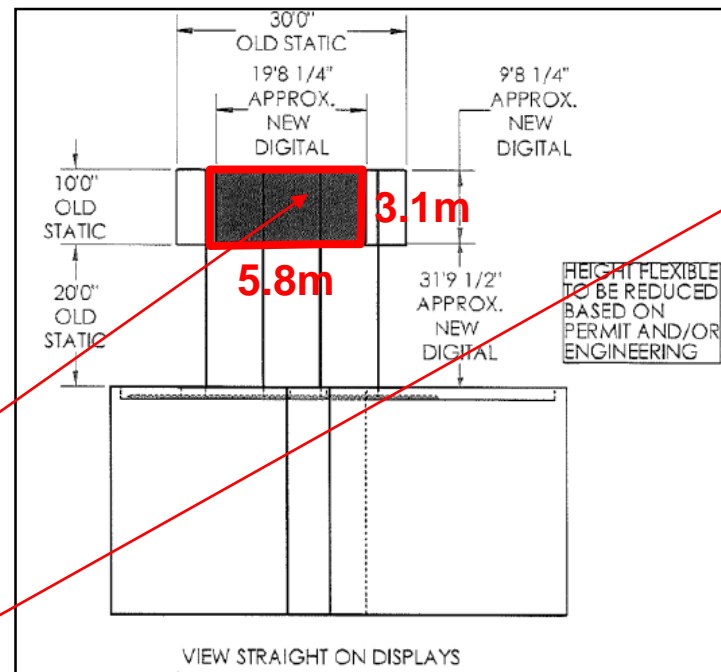
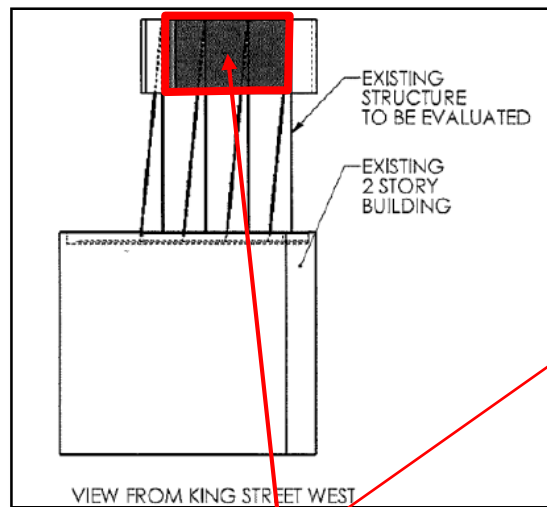
NOTE:

“shall have regard for” = consider, evaluate, not strictly adhere to

Four Tests

a) Special circumstances or conditions applying to the land, building or use referred to in the application;

- Sign is existing;
- Sign has been third party since 2009; and,
- New sign will be smaller - Reduction in image size from 9.1m x 3.1m to 5.8m x 3.1m



**PROPOSED
SIGN SIZE**

Four Tests

b) Whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law;

- 100% vinyl sign is permitted;
- Vinyl is not conducive to quick change over; and,
- Digital sign provides opportunity for safer installations and is more environmentally sustainable.

Four Tests

c) Whether such special circumstances or conditions are pre-existing and not created by the sign owner or applicant; and

- Sign structure is existing;
- Vinyl coverage is supported; and,
- Third party advertising since 2009.

d) Whether the sign that is the subject of the variances will alter the essential character of the area in which the sign will be located.

- No different than a vinyl sign other than change over rate;
- Will not alter character, signage is already part of the character; and,
- No undesirable precedent will result.

Four Tests

Downtown Secondary Plan

Policy 6.1.5.18 – *“New signage geared to fast-moving vehicular traffic such as billboards or permanent portable signs shall not be permitted”*

- This is not a new sign;
 - The sign is located at a signalized intersection;
 - Not geared to “fast-moving” vehicular traffic;
 - No flash or animation proposed; and,
-
- Not any different than...

Applicable By-laws

PUBLIC OPEN HOUSE

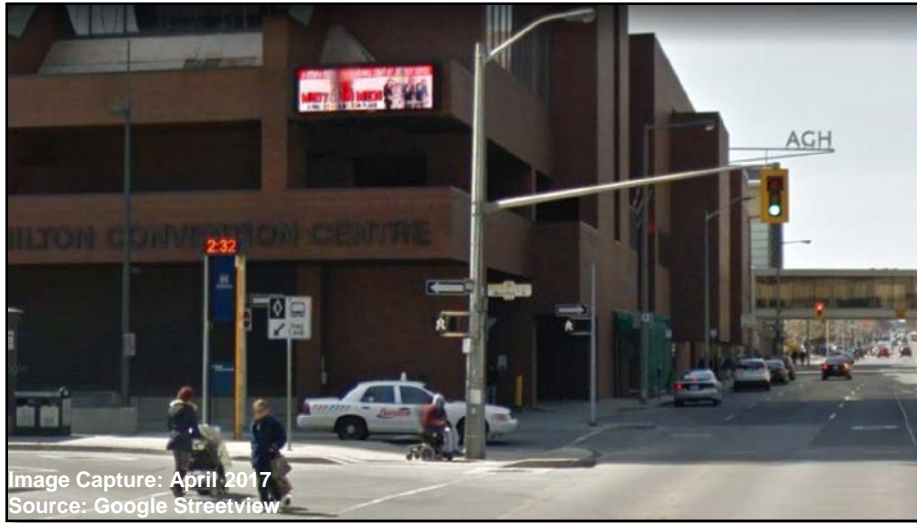


Image Capture: April 2017
Source: Google Streetview

Digital Billboard at Corner of King Street West & MacNab Street looking west



Image Capture: April 2017
Source: Google Streetview

Digital Billboard at Main Street West just past Bay Street looking east



Image Capture: April 2017
Source: Google Streetview

Digital Billboard at corner of Bay St. North & York Boulevard looking north



Image Capture: April 2017
Source: Google Streetview

Digital Billboard at corner of Bay St. North & York Boulevard looking east

The Sign Variance will:

- **Meet the intent and purpose of the Sign by-law;**
- **Has regard to the 4 variance tests;**
- **Will not result in an undesirable precedent.**

We therefore respectfully request that the Staff report be received and that the Sign Variance Application SV-17-011 be approved as submitted.

Conclusion

Thank you!

CONTACT INFORMATION:

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