
CITY OF KELOWNA

MEMORANDUM

Date: August 28, 2003
File No.: DVP03-0016
To: City Manager
From: Planning and Development Services Department
Subject:

APPLICATION NO. DVP03-0016 OWNER: Legum Management Ltd.

AT: 1665 Ellis Street, Kelowna, BC APPLICANT: Access Signs

PURPOSE: TO VARY THE MAXIMUM NUMBER OF FASCIA SIGNS PERMITTED
MORE THAN 1.0 METRES ABOVE THE SECOND STOREY PER
BUILDING FACE

TO VARY THE MAXIMUM PERMITTED NUMBER OF FASCIA SIGNS
PER BUSINESS FRONTAGE

EXISTING ZONE: C7 – URBAN TOWN CENTRE AREA

REPORT PREPARED BY: KEIKO NITTEL

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council not authorize the issuance of Development Variance Permit No. DVP03-0016, Access Signs (Dena Abrahmse), Strata Lot 1, D.L. 139, Plan KAS999, ODYD, located on Ellis Street, Kelowna, B.C.;

AND THAT a variance to the following section of Sign Bylaw No. 8235 not be granted:

Section 5: Specific Zone Regulations: Urban Town Centre Area (C7)

- Section 5.5.3 (c) - Vary the maximum number of fascia signs permitted more than 1.0m above the second storey to allow two fascia signs on the south elevation where only one fascia sign more than 1.0m above the second storey is permitted.
- Section 5.5.3 (c) - Vary the requirement that signage located more than 1.0 m above the second storey to allow a total of five fascia signs advertising two different company to be located more than 1.0 m above the second storey where four identical signs from the same business are permitted.

Section 6: Specific Zone Regulations: Major Commercial- C7

- Section 6 (C7) - Vary the maximum number of fascia signs permitted to allow three fascia signs on the West elevation where two fascia signs per business face are permitted.

2.0 SUMMARY

The applicant is seeking permission for four fascia signs, located more than 1.0m above the second storey, in order to maximize the visibility of the from the downtown core as well as the nearby highway. Four fascia signs with the Royal Bank of Canada (RBC) logo have been installed above the second storey of the existing three storey building. A variance is required to relax the Sign Bylaw No. 8235 rule stating that a fascia sign may only be located more than 1.0 m above the second storey provided that there are no more than one sign per building face and no more than four per building provided all signs are identical and identify the same business. In addition, the Sign Bylaw stipulates that a maximum of two fascia signs per business frontage is permitted. Therefore, a variance is also required to permit three RBC fascia signs to be located on the west elevation (front) of the building.

3.0 ADVISORY PLANNING COMMISSION

The application was reviewed by the Advisory Planning Commission at the meeting of March 11, 2003 and the following recommendation was passed:

That the Advisory Planning Commission did not support Development Variance Application No. DVP03-0016, 1665 Ellis Street/ Strata Lot 1, D.L. 139, Plan KAS999, ODYD, Access Signs (Dena Abrahmse), to obtain a variance to allow an additional fascia sign to be located more than 1.0m above the second storey where only one sign per building face is permitted; and to obtain a variance to allow additional fascia signage where only 2 signs per business frontage is permitted.

4.0 BACKGROUND

4.1 The Proposal

The proposed signage is for the downtown branch of the Royal Bank of Canada (RBC). In order the maximize their visibility from the downtown core and the nearby highway, the RBC has installed four fascia signs at the third storey level in addition to the five fascia signs located at street level.

The third storey fascia signs, 2.25m² in size, are made up of the Royal Bank of Canada logo superimposed on a dark blue background. The logo consists of a lion's head and globe in yellow and the initials RBC in white superimposed on a medium blue background and outlined in white. The faces of the signs are made of a vinyl material and backlit with fluorescent lamps. The applicant installed the signage, one on each facade of the building, prior to making application. If the variances are not approved, the applicant will be required to remove the signage.

The Sign Bylaw No.8235 stipulates that only two fascia signs are permitted per business frontage. The west building face (the front of the building) has two fascia sign for RBC at street level. The addition of a third fascia signs to this facade, where only two are permitted, requires a variance.

A variance is also required due to the height at which the signage has been installed. The Sign Bylaw specifies that fascia signage may only be located more than 1.0m above the second storey of a building provided that:

- (a) The sign consists only of a logo, the name of a building, the street address, or a particular tenant.
- (b) the sign, in the form of individual letters, symbols or logos is directly attached to or inscribed on the building face; and
- (c) There is no more than one sign per building face and no more than 4 per building provide all signs are identical and identify the same business.

While the signage meets the first two criteria, it does not meet the provisions of the third. An existing third storey fascia sign at the third storey level (advertising the Pushor Mitchell Law Offices) is located on the south facade of the building. The addition of the RBC sign at the same height results in two signs being located on the south building face where only one sign is permitted. Signage for the two businesses (Pushor Mitchell & RBC) also does not comply with the Sign Bylaw as only identical signs identifying the same business are permitted. In addition, a total of five signs on the building are proposed above the second storey where only four (one per building face) are permitted. The intent of this regulation is to provide for the naming of a building, usually by a lead tenant (e.g. The Pushor Mitchell Building).

The application compares to the requirements the City of Kelowna Sign Bylaw No. 8235 for C4 – Town Centre Commercial zones is as follows:

CRITERIA	PROPOSAL	C7 SIGN REQUIREMENTS
Fascia Sign per Business Frontage:		
North Elevation	2	2 per business frontage
South Elevation	2	
East Elevation	2	
West Elevation	3 ^①	
Fascia Signs above the 2nd Storey per Building Face:		
North Elevation	1	1 per building face
South Elevation	2 ^②	
East Elevation	1	
West Elevation	1	
Total Number of Signs Permitted above the 2nd Storey per Building	5 signs ^③ (4 RBC signs, 1 Pushor Mitchell Law Office sign)	4 identical signs from the same business

Notes:

- ① The applicant is seeking a variance to allow three fascia signs on the West Elevation where only 2 fascia signs per business face are permitted.
- ② The applicant is seeking a variance two allow two fascia signs on the south elevation where only one fascia sign more than 1.0m above the second storey is permitted.

- ③ The applicant is requesting a variance to allow a total of five fascia signs advertising two different company to be located more than 1.0m above the second storey where four identical signs from the same business are permitted.

4.2 Site Context

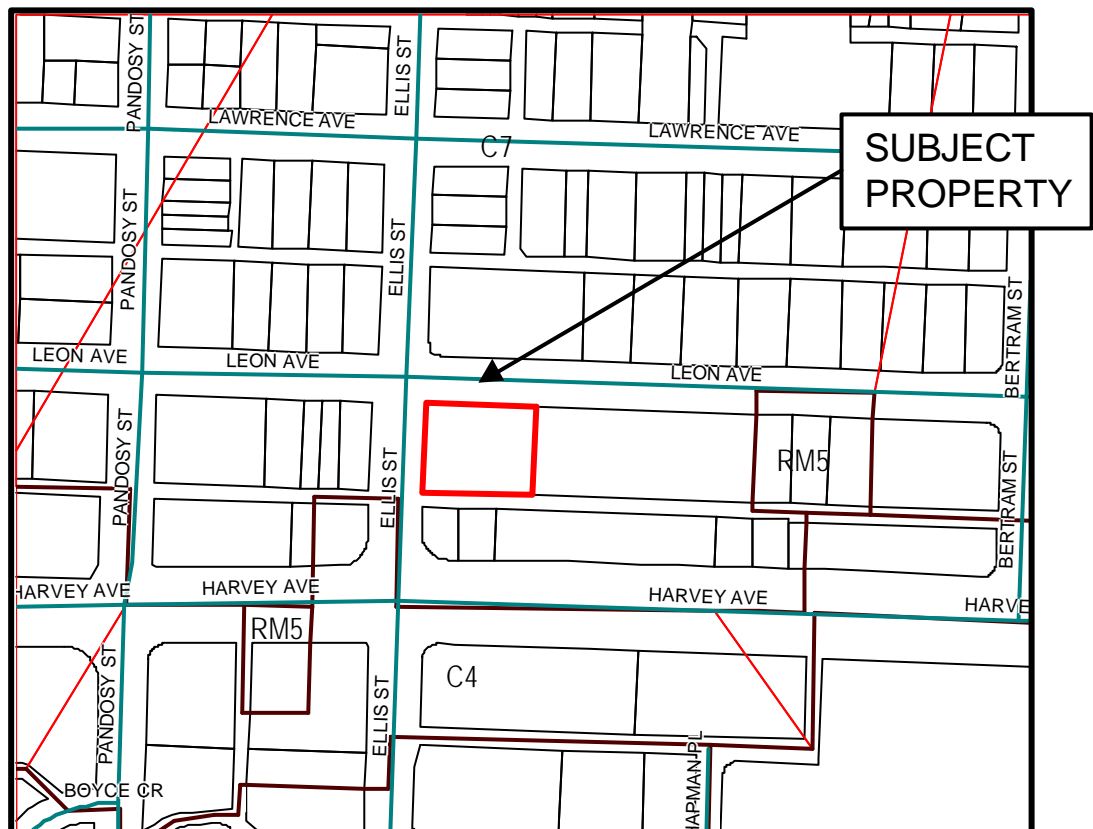
The property is part of the Central City Sector. The sign is located on Ellis Street between Leon Avenue and Harvey Avenue.

Adjacent zones and uses are:

North	- C7	- Central Business Commercial
East	- C7	- Central Business Commercial
South	- C7	- Central Business Commercial
	- C4	- Town Centre Commercial
West	- C7	- Central Business Commercial

5.0 Location Map

Subject Property: 1665 Ellis Street



6.0 TECHNICAL COMMENTS

6.1 Works & Utilities

The variance application for the sign addition does not compromise W & U servicing requirements.

6.2 Inspections

The application should meet the rules of the Zoning Bylaw

7.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has concerns with the proposed variances. In addition, to not meeting the requirements as outlined in the Sign Bylaw, the proposed signs are contrary to the Kelowna Downtown Facade Guidelines which encourage pedestrian-oriented signs and explicitly discourage backlit box signs. The Facade Guidelines further recommend that fascia signs be limited to the ground floor of any building.

The proposed signage could be a precedent for future building signage where other building occupants desire similar exposure. Proliferation of signage along the building frontage creates a cluttered appearance. Therefore, as with past proposals for variances for signage, the Department sees no reason to support the application. The signage proposed in the application was installed prior to applying for the appropriate development and building permits. The applicants were made aware that a Development Variance Permit would be required and that, if refused, the signage would need to be removed.

8.0 ALTERNATE RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP03-0016, Access Signs (Dena Abrahamse), Strata Lot 1, D.L. 139, Plan KAS999, ODYD, located on Ellis Street, Kelowna, B.C.;

AND THAT a variance to the following section of Sign Bylaw No. 8235 be granted:

Section 5: Specific Zone Regulations: Urban Town Centre Area (C7)

- Section 5.5.3 (c) - Vary the maximum number of fascia signs permitted more than 1.0m above the second storey to allow two fascia signs on the south elevation where only one fascia sign more than 1.0m above the second storey is permitted.
- Section 5.5.3 (c) - Vary the requirement that signage located more than 1.0m above the second storey to allow a total of five fascia signs advertising two different company to be located more than 1.0m above the second storey where four identical signs from the same business are permitted.

Section 6: Specific Zone Regulations: Major Commercial- C7

- Section 6 (C7) - Vary the maximum number of fascia signs permitted to allow three fascia signs on the West elevation where two fascia signs per business face are permitted.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

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Attach.

FACT SHEET

- | | |
|---|---|
| 1. APPLICATION NO.: | DVP03-0016 |
| 2. APPLICATION TYPE: | Development Variance Permit |
| 3. OWNER:
· ADDRESS
· CITY
· POSTAL CODE | Legum Management
301- 1665 Ellis Street
Kelowna, BC
VIY 2A3 |
| 4. APPLICANT/CONTACT PERSON:
· ADDRESS
· CITY
· POSTAL CODE
· TELEPHONE/FAX NO.: | Access Signs (Dena Abrahamse)
1742 Springfield Road
Kelowna, BC
V1Y 5V6
(250) 860-1728
(250)860-1702 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Servicing Agreement Forwarded to Applicant:
Servicing Agreement Concluded:
Staff Report to APC: | February 25, 2003
February 25, 2003
N/A
N/A
N/A |
| 6. LEGAL DESCRIPTION: | Strata Lot 1, D.L. 139, Plan KAS999, ODYD |
| 7. SITE LOCATION: | The property is located on Ellis Street between Leon Avenue and Harvey Avenue |
| 8. CIVIC ADDRESS: | 1665 Ellis Street |
| 9. AREA OF SUBJECT PROPERTY: | 1678 m ² |
| 10. EXISTING ZONE CATEGORY: | C7 – Urban town Centre Area |
| 11. PURPOSE OF THE APPLICATION: | To obtain a variances to allow an additional fascia sign to be located more than 1.0m above the second storey where only one sign per building face is permitted and additional fascia signage where only 2 signs per business frontage is permitted. |
| 12. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | n/a |
| 13. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | n/a |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan (showing sign locations)
- Elevation of proposed signage
- Photos showing signage