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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** April 15, 2004  
**File No.:** DVP04-0008

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

APPLICATION NO. DVP04-0008      OWNER: Sweetwater Management Ltd.  
AT: 1200 Leathead Road, Kelowna,      APPLICANT: Pattison Sign Group  
BC

PURPOSE: TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A FREESTANDING SIGN TO BE 8.76 METRES IN HEIGHT WHERE ONLY 8.00 METRES IS PERMITTED.

TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW TWO FREESTANDING SIGNS TO BE LOCATED ON THE EAST FRONTAGE (DEASE ROAD) WHERE ONLY ONE IS PERMITTED.

TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW FOUR FASCIA, CANOPY, AND/OR UNDER-CANOPY SIGNS WHERE ONLY 2 ARE PERMITTED PER BUSINESS (TOYOTA).

TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW THREE FASCIA, CANOPY, AND/OR UNDER-CANOPY SIGNS WHERE ONLY 2 ARE PERMITTED PER BUSINESS (EXPRESS LUBE).

EXISTING ZONE: C10 – SERVICE COMMERCIAL

REPORT PREPARED BY: KEIKO NITTEL

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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**1.0 RECOMMENDATION**

THAT Council not authorize the issuance of Development Variance Permit No. DVP04-0008, Pattison Sign Group, Lot 2, D.L. 124, ODYD, Plan KAP50364, located on Leathead Road, Kelowna, B.C.;

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

Section 6: Specific Zone Regulations: Town Centre Commercial (C4)

- A VARIANCE TO ALLOW A FREESTANDING SIGN TO BE 8.76 METRES IN HEIGHT WHERE ONLY 8.00 METRES IS PERMITTED.

- A VARIANCE TO ALLOW TWO FREESTANDING SIGNS TO BE LOCATED ON THE EAST FRONTAGE (DEASE ROAD) WHERE ONLY 1 IS PERMITTED.
- A VARIANCE TO ALLOW FOUR FASCIA, CANOPY, AND/OR UNDER-CANOPY SIGNS WHERE ONLY 2 ARE PERMITTED PER BUSINESS (TOYOTA).
- A VARIANCE TO ALLOW THREE FASCIA, CANOPY, AND/OR UNDER-CANOPY SIGNS WHERE ONLY 2 ARE PERMITTED PER BUSINESS (EXPRESS LUBE).

## 2.0 SUMMARY

The applicant is proposing to reconstruct the free-standing sign for the Toyota dealership fronting onto to Leathead Road. In addition, the applicant is proposing to reconstruct the freestanding sign and welcome sign adjacent to the driveway access from Dease Road. A fascia sign for the Express Lube business at the rear of the property will also be replaced. The proposed Toyota freestanding sign exceeds the permitted height for free-standing signage in the C10 – Service Commercial zone. In addition, the total number of freestanding signs and number of fascia signs per business exceeds that permitted by the Sign Bylaw.

## 3.0 ADVISORY PLANNING COMMISSION

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of March 30, 2004 and the following recommendation was passed:

THAT the Advisory Planning Commission not support Development Variance Application No. DVP04-0008, 1200 Leathead Road, Lot 2, Plan 50364, Sec. 27, Twp. 26, ODYD by Pattison Sign Group to obtain a Development Variance Permit to allow a Freestanding Sign to be 8.76 m in height where only 8.0 m is permitted; to allow for 2 freestanding signs to be located on the east frontage where only 1 is permitted; to allow more than 2 canopy & fascia signs per business; and to vary the Freestanding Sign minimum clearance requirement of 2.5 m over an open area.

The application was deferred by the Advisory Planning Commission to the March 30, 2004 meeting in order to allow the applicant to attend. The applicant, however, did not attend the meetings.

## 4.0 BACKGROUND

### 4.1 The Proposal

The subject property is the location of the Kelowna Toyota dealership. Currently there are a total of ten signs on site (2 freestanding signs, 1 directional sign, and 7 fascia signs). The applicant is proposing to remove the existing freestanding signage and the directional signage and replace them with new signs. The Toyota signage located adjacent to Leathead Road exceeds the maximum permitted height for freestanding signs. The existing signage, approved under a previous development permit, is 9.14 m in height while the proposed new signage is to be 8.76 m in height. Under the regulations of the current Sign Bylaw only 8.0 metres is permitted. In addition, the applicant intends on replacing the freestanding signage, advertising the sale of used vehicles, on the east side of the site fronting onto Dease Road. The new Toyota Used Vehicle Sales sign meets the size restriction of the bylaw. The proposed welcome sign is considered to be a freestanding sign as it exceeds the sign restrictions for directional sign. A total of 2 freestanding signs are therefore located on the Dease Road frontage where only 1 is permitted.

Currently, a total of 4 signs located on the building advertise the Toyota dealership business where only 2 are permitted. The Toyota name and logo is located on the front elevation of the building. The Toyota name is located on the west elevation of the building. The lettering

“Kelowna Toyota” is located on a canopy at the front of the building. An additional canopy at the front of the building also advertises the parts and service component of the dealership. While 3 of the signs were approved under previous development permits, the City does not have any records of approval for the Toyota fascia sign located on the west elevation of the building.

A second business also operates on the subject property within the existing building. The Express Lube business currently has 3 signs located on the building where only 2 are permitted. An under-canopy sign is located at the front of the building while 2 fascia signs are located on the rear elevation of the building. The City has no records of approval for the Express Lube signage. The applicant, however, is applying to replace 1 of the existing fascia signs at the rear of the property.

The application compares to the requirements the City of Kelowna Sign Bylaw No. 8235 for C10– Service Commercial zones is as follows:

<b>CRITERIA FREESTANDING SIGNAGE</b>	<b>PROPOSAL</b> 1 Leathead Road 2 Dease Road <sup>❶</sup>	<b>C10 SIGN REQUIREMENTS</b> 1 Leathead Road 1 Dease Road 1 freestanding sign on each frontage for a flanking lot over 45 m long
<b>Toyota Sign</b> (Leathead Rd) Height Size Setback	8.76m <sup>❷</sup> 2.19m <sup>2</sup> 3.96m	8.0 m 18.0m <sup>2</sup> 1.5 m
<b>Used Vehicle Sign</b> (Dease Rd) Height Size Setback	4.42m 1.68m <sup>2</sup> 3.35m	8.0 m 18.0m <sup>2</sup> 1.5 m
<b>Welcome Sign</b> (Dease Rd) Height Size Setback	1.83m .093m <sup>2</sup> 3.35	8.0 m 18.0m <sup>2</sup> 1.5 m
<b>FASCIA/CANOPY/UNDER CANOPY SIGNAGE</b>		
<b>Toyota Signs</b> Number of Signs - Toyota (Front) - Toyota (Side) (no record of approval) - Parts & Services - Kelowna Toyota	4 <sup>❸</sup> 9.2m <sup>2</sup> approx. 6.8m <sup>2</sup> 1.81m <sup>2</sup> 1.67m <sup>2</sup>	2 signs 1.0m <sup>2</sup> per lineal metre of street frontage to a max of 20% or the wall to which it is attached. 0.6 m <sup>2</sup> per lineal meter of the canopy frontage to which it is affixed (14.1m <sup>2</sup> )
<b>Express Lube Signs</b> Number of Signs - Under Canopy Signage - Fascia (garage door) - Fascia (rear) (no record of approval)	3 <sup>❹</sup> 3.07m <sup>2</sup> 3.66m <sup>2</sup> 0.94m <sup>2</sup>	2 signs 0.4m <sup>2</sup> 1.0m <sup>2</sup> per lineal metre of street frontage to a max of 20% or the wall to which it is attached

Notes:

❶ TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW TWO FREESTANDING SIGN TO BE LOCATED ON THE EAST FRONTAGE WHERE ONLY 1 IS PERMITTED.

❷ TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A FREESTANDING SIGN TO BE 8.76METRES IN HEIGHT WHERE ONLY 8.00 METRES IS PERMITTED.

❸ TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW FOUR FASCIA, CANOPY, AND/OR UNDER-CANOPY SIGNS WHERE ONLY 2 ARE PERMITTED PER BUSINESS (TOYOTA).

④ TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW THREE FASCIA, CANOPY, AND/OR UNDER-CANOPY SIGNS WHERE ONLY 2 ARE PERMITTED PER BUSINESS (EXPRESS LUBE)

#### 4.2 Site Context

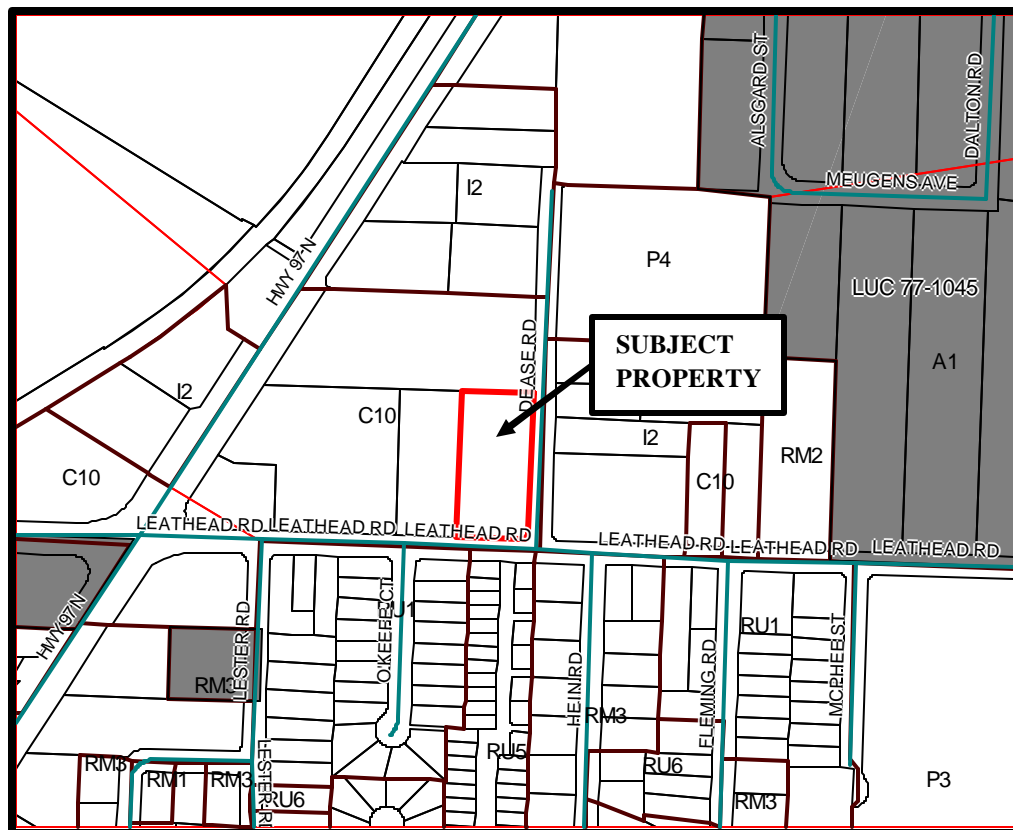
The site is located on Leathead Road between Highway 97 Avenue and Dease Road.

Adjacent zones and uses are:

- North - C10 – Service Commercial
- East - I2 – General Industrial
- South - RU5 – Bareland Strata Housing
- West - C10 – Service Commercial

#### 4.3 Location Map

Subject Property: 1200 Leathead Road



## 5.0 TECHNICAL COMMENTS

5.1 Aquila, Fire Department, Parks Department, Shaw, Telus, Terasen  
No comment

5.2 Inspection Services  
Sightlines and setbacks are of concern.

5.3 Works & Utilities  
The signage does not generally compromise Works & Utilities Servicing requirements; however, the proposed sign located to the east of the Leathead Road driveway does create a sight line obstruction to the traffic that may egress the subject property onto the Leathead Road. It is therefore recommended that the bottom 1.5 m of the proposed sign be more open in order to provide better sight of the oncoming westbound traffic.

## 6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has concerns with the proposed variances. In particular, there are no records of approval of several of the existing signs. Overall a total of ten signs are currently located on the property with the proposal calling to enlarge four of these signs (2 freestanding signs, 1 directional sign, 1 fascia sign). The variance for a fascia sign at the rear of the building may be appropriate given that it is advertising a service of the car dealer and is located at the rear and is not visible from the street. However, as there is no record of a previous approval for the three existing non-conforming Express Lube fascia signs, Staff are unable to support the proposed variance to allow 3 fascia, canopy, and/or under-canopy signs where only 2 are permitted.

The proposed freestanding sign on Leathead Road is a solid structure (to ground level) that is intended to replace the existing pylon structure. This new sign is wider than the existing signage and will block out more space. The proposed sign may pose some visibility problems along Leathead Road given the proximity to the entrance / exit to and from the existing dealership. Similarly, the welcome signs on the east frontage are solid structures replacing one pylon structure. Again, these solid structures right to ground level may create visibility problems at the entrance / exit. The large free standing sign on the Leathead frontage is only advertising the name of the car dealership and the 2 smaller free standing signs on the Dease Road frontage are only advertising the entrance or exit at the very top of each sign. There will be a large amount of space on each sign that is blank. Staff therefore recommends the reduction of the overall size of the signs through the use of pylon style signs as the signage appears to present a danger to pedestrians by blocking visibility between the driveway entrances, and the sidewalk. As with past proposals for variances for freestanding signage, the Department also sees no reason to support an increase in height and number of signs already exceeding the provisions of Sign Bylaw 8235.

6.0 ALTERNATE RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP04-0008, Pattison Sign Group, Lot 2, DL 124, ODYD, Plan KAP50364, located on Leathead Road, Kelowna, B.C.;

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

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Andrew Bruce  
Development Services Manager

Approved for inclusion ☐

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

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Attach.

**FACT SHEET**

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|--|---|
| 1. APPLICATION NO.:  | DVP04-0008  |
| 2. APPLICATION TYPE:   | Development Variance Permit   |
| 3. OWNER:  | Sweetwater Management Ltd.  |
| . ADDRESS  | 200-537 Leon Avenue   |
| . CITY   | Kelowna, BC   |
| . POSTAL CODE  | V1Y 2A9   |
| 4. APPLICANT/CONTACT PERSON:                                   | Pattison Sign Group   |
| . ADDRESS  | 101- Stevenage Drive  |
| . CITY   | Ottawa, Ontario   |
| . POSTAL CODE  | K1G 3W2   |
| . TELEPHONE/FAX NO.:   | 613-247-7762  |
| 5. APPLICATION PROGRESS:                                       |   |
| Date of Application:   | February 3, 2004  |
| Date Application Complete:                                     | March 1, 2004   |
| Servicing Agreement Forwarded to Applicant:                    | n/a   |
| Servicing Agreement Concluded:                                 | n/a   |
| Staff Report to APC:   | March 10, 2004  |
| 6. LEGAL DESCRIPTION:  | Lot 2, DL 124, ODYD, Plan KAP50364  |
| 7. SITE LOCATION:  | on Leathead Road between Highway 97 N and Dease Road  |
| 8. CIVIC ADDRESS:  | 1200 Leathead Road  |
| 9. AREA OF SUBJECT PROPERTY:                                   | n/a   |
| 10. EXISTING ZONE CATEGORY:                                    | C10 – Service Commercial  |
| 11. PURPOSE OF THE APPLICATION:                                | TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A FREESTANDING SIGN TO BE 8.76 METRES IN HEIGHT WHERE ONLY 8.00 METRES IS PERMITTED.                   |
|  | TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW TWO FREESTANDING SIGN TO BE LOCATED ON THE EAST FRONTAGE (DEASE ROAD) WHERE ONLY ONE IS PERMITTED.     |
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| 12. MIN. OF TRANS./HIGHWAYS FILES NO.:                         | n/a   |
| NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY |   |
| 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 location)
- Elevation of proposed signage
- Photo showing existing signage