
CITY OF KELOWNA
MEMORANDUM

Date: May 20, 2004
File No.: DVP03-0169

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. DVP03-0169 OWNER: MCINTOSH PROPERTIES LTD.
AT: 1840-1920 Cooper Road APPLICANT: NORSON CONSTRUCTION LTD.
& 1890 Cooper Rd,

PURPOSE: TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A FREESTANDING SIGN TO BE 10.62 METRES IN HEIGHT WHERE ONLY 8.00 METRES IS PERMITTED.

TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A FREESTANDING SIGN TO BE 36.6 M² IN SIZE WHERE ONLY 12.00 M² IS PERMITTED.

EXISTING ZONE: C4 – URBAN CENTRE COMMERCIAL

REPORT PREPARED BY: KEIKO NITTEL

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP03-00169, Norson Construction Ltd., Lot B, DL 127, ODYD, Plan 29104 & Lot A, DL 127, ODYD, Plan KAP48113, located on Cooper Road, Kelowna, B.C.;

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

Section 6.1: Specific Zone Regulations: Major Commercial (C4-Urban Centre Commercial Zone)

- A VARIANCE TO ALLOW FREESTANDING SIGNAGE TO BE 10.62 METRES IN HEIGHT WHERE ONLY 8.00 METRES IS PERMITTED.
- A VARIANCE TO ALLOW FREESTANDING SIGNAGE TO BE 36.6 M² IN SIZE WHERE ONLY 12.00 M² IS PERMITTED.

2.0 SUMMARY

The applicant is proposing to construct a new free-standing sign for Orchard Plaza on the Cooper Road frontage. The proposed sign exceeds both the permitted height and area for free-standing signage in the C4 – Town Centre Commercial zone. The proposed signage is to be 10.62 metres in height where only 8.0 metres is permitted and 36.6 m² in size where only 12.0m² is permitted. In addition, variances are required to legalize the existing freestanding signs for Orchard Plaza located on the Springfield Road and Harvey Avenue frontages. Refurbishment of the existing non-conforming signs resulted in an increase in height of 0.46 m resulting in a total height of 10.62 metres.

3.0 ADVISORY PLANNING COMMISSION

At the February 17, 2004 meeting of the Advisory Planning Commission, the recommendation was as follows:

THAT the Advisory Planning Commission not support Development Variance Application No. DVP03-0169, 1890 Cooper Road/Lot B, Plan 29104, Sec. 20, Twp. 26, ODYD, by Norson Construction Ltd. (David Saruk), to obtain a Development Variance Permit to allow a Freestanding Sign to be 10.62 m in height where only 8.0 metres is permitted and to be 36.6 m² in size where only 12.0 m² is permitted.

4.0 BACKGROUND

4.1 The Proposal

The C4 – Town Centre Commercial zone rules include a maximum height of 8.0 m and a maximum sign area of 12.0 m² for free-standing signs. The proposed new freestanding sign on the Cooper Road frontage is to be 10.62 m in height and 4.9 m in width. The area of the proposed signage is to be 36.6m². The signage will consist of illuminated channel letters saying "Orchard Plaza" on a beige stucco background at the top of the structure. Ten illuminated sign panels for the tenants of the mall are to be located below surrounded by split face block. The sides of the signage structure, which are to be 0.81 m in width, are to be faced with brick.

Similar freestanding signage is currently located on the frontages facing Highway 97 and Springfield Road. The applicant received a building permit to refurbish the existing freestanding signs for Orchard Plaza. A condition of the building permit, however, was that the existing freestanding signs not exceed the existing height of the signage. During construction, however, the addition of a cornice at the top of the signs resulted in a minor increase in height. Variances to permit an increase in height of 0.46 m (1'6") are therefore also required.

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	C4 SIGN REQUIREMENTS
New Free-standing sign (Cooper)		
Height	10.62m ^❶	8.0m max.
Size	36.6m ^❷	12.0m ² max.
Setback	1.5m	1.5 m to property line min.
Refurbished Signs (Hwy 97 & Springfield)		
Height	10.62m ^❸	8.0m (10.16m)
Size	36.6m ^❹	12.0 m ² max. (36.6m ²)

Notes:

- ❶ A variance to allow a freestanding sign to be 10.62 metres in height where only 8.0 metres is permitted.
- ❷ A variance to allow a freestanding sign to be 36.6 m² in size where only 12.0 m² is permitted.
- ❸ A variance to allow a freestanding sign to be 10.62 metres in height where only 8.0 m is permitted. The existing non-conforming signage was 10.16 metres in height therefore a variance to allow an increase in height of 0.46 m (1'6").
- ❹ A variance to allow a freestanding sign to be 36.6 m² in size where only 12.0 m² is permitted.

4.2 Site Context

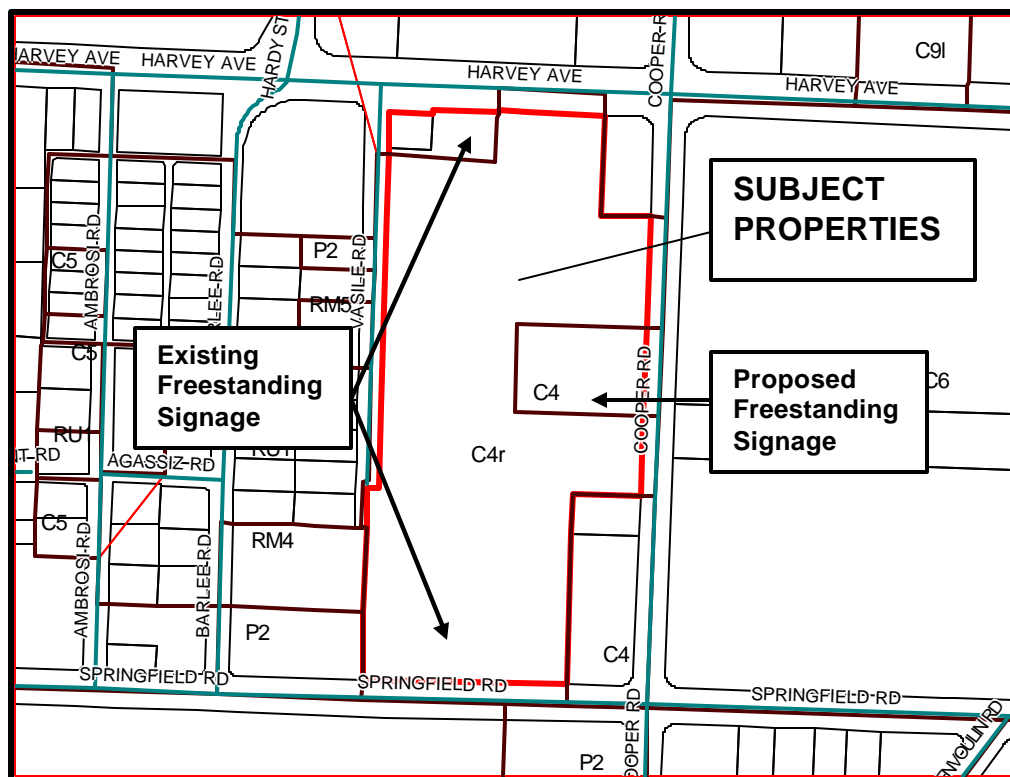
The site is located on Cooper Road between Harvey Avenue and Springfield Road.

Adjacent zones and uses are:

- North - C4r – Town Center Commercial (Retail Liquor Sales)
- East - C6 – Regional Commercial
- South - C4r – Town Center Commercial (Retail Liquor Sales)
- West - C4r – Town Center Commercial (Retail Liquor Sales)

4.3 Location Map

Subject Property: 1840-1920 Cooper Rd,



5.0 TECHNICAL COMMENTS

5.1 Inspection Services

The sign does not meet the size restrictions for freestanding signage.

5.2 Works & Utilities

The proposed sign located to the south of the Cooper Road driveway, creates a sight line obstruction to the vehicular traffic leaving the subject property. It is recommended that the bottom 1.5 m of the proposed sign be open in order to provide better sight of the oncoming pedestrian and vehicle traffic or relocated to meet the required setback.

5.3 Aquila, Fire, Parks Department, Interior Health, Telus, Terasen

No comment.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has few concerns with the proposed variances. The variances required to legalize the refurbishment of the existing signage are supported by the Department as an increase in height of 0.46 m is relatively minor. In addition, the increase in height was the result of the addition of a cornice at the top of the signage which serves to improve the appearance of the signage. The proposed new freestanding sign, by virtue of its height and surface area is principally oriented to motorists and lacks the scale that would be appropriate for pedestrians. In this respect, the proposed sign is inconsistent with the OCP direction for the creation of pedestrian-oriented streets and public spaces within Urban Town Centres. The applicant has revised the proposed location of the new signage to ensure that it meets the setback of a minimum of 1.5 metres from the property line. The new signage, however, is generally consistent with existing signage that was approved for the original Orchard Plaza development.

Andrew Bruce
Development Services Manager

Approved for inclusion

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Attach.

FACT SHEET

- | | |
|--|--|
| 1. APPLICATION NO.: | DVP03-0169 |
| 2. APPLICATION TYPE: | Development Variance Permit |
| 3. OWNER: | McIntosh Properties Ltd. |
| . ADDRESS | 201-1980 Cooper Road |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 8K5 |
| 4. APPLICANT/CONTACT PERSON: | Norson Construction Ltd. |
| . ADDRESS | 2496 B Enterprise Way |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1X 6X6 |
| . TELEPHONE/FAX NO.: | 250-861-3691 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | November 6, 2003 |
| Date Application Complete: | December 1, 2003 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to APC: | February 10, 2004 |
| 6. LEGAL DESCRIPTION: | Lot B, DL 127, ODYD, Plan 29104
Lot A, DL 127, ODYD, Plan KAP48113 |
| 7. SITE LOCATION: | The subject property (Orchard Plaza) is located on the west side of Cooper between Hwy 97 & Springfield Road. |
| 8. CIVIC ADDRESS: | 1840-1920 Cooper Road
1890 Cooper Road |
| 9. AREA OF SUBJECT PROPERTY: | n/a |
| 10. EXISTING ZONE CATEGORY: | C4 – Urban Centre Commercial |
| 11. PURPOSE OF THE APPLICATION: | TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A FREESTANDING SIGN TO BE 10.62 METRES IN HEIGHT WHERE ONLY 8.00 METRES IS PERMITTED.

TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A FREESTANDING SIGN TO BE 36.6 M2 IN SIZE WHERE ONLY 12.00 M2 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 new sign location)
- Elevation of proposed signage
- Photo showing existing signage