

---

## CITY OF KELOWNA

### MEMORANDUM

---

**Date:** July 19, 2004  
**File No.:** DVP04-0008 – **REVISED REPORT**  
**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 FOUR FASCIA, CANOPY, AND/OR UNDER-CANOPY SIGNS WHERE ONLY 2 ARE PERMITTED PER BUSINESS (TOYOTA).

**EXISTING ZONE:** C10 – SERVICE 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. 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 be granted:

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

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

#### 2.0 SUMMARY

At Council's request, the applicant has revised their proposal to allow new signage on the subject property. The applicant is now requesting a variance to legalize four existing fascia, canopy, and under-canopy signs for Kelowna Toyota where only 2 are permitted. The signage was previously erected without the appropriate permits.

### 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.

At the direction of Council, the applicant has revised the application to limit the proposal to one variance.

### 4.0 BACKGROUND

#### 4.1 The Proposal

At the request of Council, the applicant has revised the proposal to reduce the number of variances being requested. As a result only one variance is now being proposed to legalize the four existing fascia/canopy/under-canopy signs for Kelowna Toyota where only two are permitted.

In order to make the remaining proposed signage conform to the Sign Bylaw, the applicant has reduced the height of the freestanding sign proposed for Leathead Road to meet the Sign Bylaw. In addition, only one freestanding sign is now proposed along Deese Road. The applicant will also remove one fascia and one under-canopy signage. As a result only two signs are proposed for "Express Lube" thus meeting the regulations of the Sign Bylaw.

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

| <b>CRITERIA<br/>FREESTANDING<br/>SIGNAGE</b>                     | <b>PROPOSAL</b>  | <b>C10 SIGN REQUIREMENTS</b>  |
|--|--|---|
|  | 1 Leathead Road<br>1 Dease Road<br>★revised to meet Sign<br>Bylaw      | 1 Leathead Road<br>1 Dease Road<br>1 freestanding sign on each<br>frontage for a flanking lot over 45<br>m long |
| <b>Toyota Sign</b> (Leathead Rd)<br>Height<br>Size<br>Setback    | 7.31m<br>★revised to meet Sign<br>Bylaw<br>2.19m <sup>2</sup><br>3.96m | 8.0 m<br>18.0m <sup>2</sup><br>1.5 m  |
| <b>Used Vehicle Sign</b> (Dease Rd)<br>Height<br>Size<br>Setback | 4.42m<br>1.68m <sup>2</sup><br>3.35m                                   | 8.0 m<br>18.0m <sup>2</sup><br>1.5 m  |
| <b>Welcome Sign</b> (Dease Rd)<br>Height<br>Size<br>Setback      | ★no longer proposed  | 8.0 m<br>18.0m <sup>2</sup><br>1.5 m  |

| <b>FASCIA/CANOPY/UNDER CANOPY SIGNAGE</b>  |   |  |
|--|---|--|
| <b>Toyota Signs</b><br>Number of Signs<br>- Toyota (Front)<br>- Toyota (Side)<br>(no record of approval)<br>- Parts & Services<br>- Kelowna Toyota | 4❶<br>9.2m <sup>2</sup><br>approx. 6.8m <sup>2</sup><br>1.81m <sup>2</sup><br>1.67m <sup>2</sup>    | 2 signs<br>1.0m <sup>2</sup> per lineal metre of street frontage to a max of 20% or the wall to which it is attached.<br>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><br>Number of Signs<br>- Under Canopy Signage<br>- Fascia (garage door)<br>- Fascia (rear)<br>(no record of approval)     | 1<br>★ revised to meet Sign Bylaw<br>3.07m <sup>2</sup><br>3.66m <sup>2</sup><br>0.94m <sup>2</sup> | 2 signs<br>0.4m <sup>2</sup><br>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 FOUR FASCIA, CANOPY, AND/OR UNDER-CANOPY SIGNS WHERE ONLY 2 ARE PERMITTED PER BUSINESS (TOYOTA).

#### 4.2 Site Context

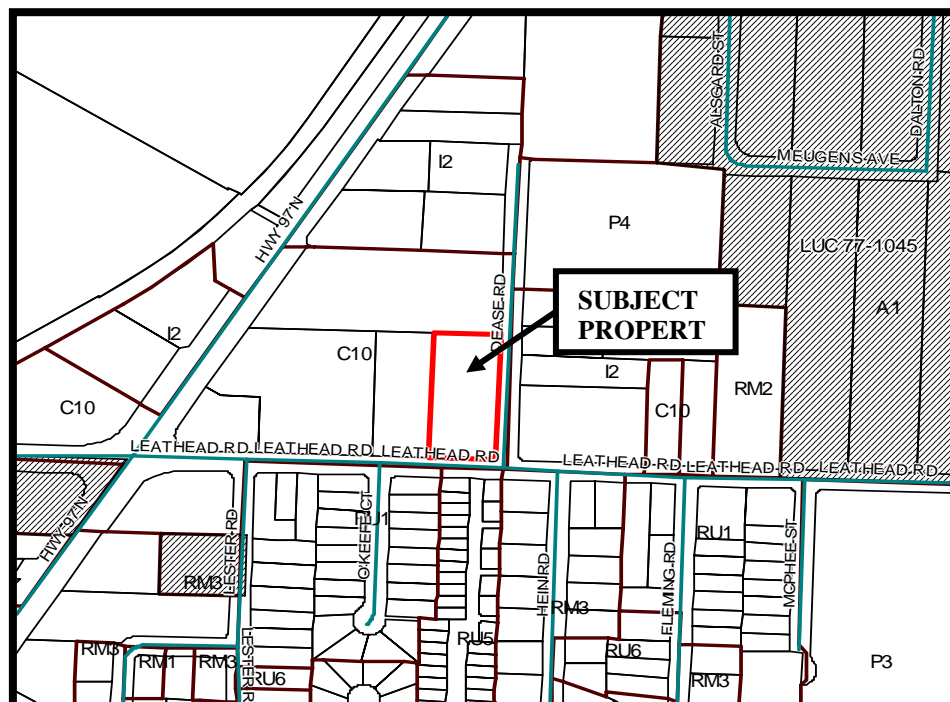
The site is located on Leathead Road between Highway 97 Avenue and Dease Road.

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



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 no further concerns with the proposed variances. At Council's request, the applicant has revised the drawings to limit the proposal to one variance to legalize existing signage.

\_\_\_\_\_  
Andrew Bruce  
Development Services Manager

Approved for inclusion ☐

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

KN  
Attach.

**FACT SHEET**

- |   |  |
|---|--|
| <b>1. APPLICATION NO.:</b>  | DVP04-0008   |
| <b>2. APPLICATION TYPE:</b>   | Development Variance Permit  |
| <b>3. OWNER:</b>  | Sweetwater Management Ltd.   |
| • ADDRESS   | 200-537 Leon Avenue  |
| • CITY  | Kelowna, BC  |
| • POSTAL CODE   | V1Y 2A9  |
| <b>4. APPLICANT/CONTACT PERSON:</b>                                   | Pattison Sign Group (David Atkinson)   |
| • ADDRESS   | 165 Waterloo Ave   |
| • CITY  | Penticton, BC  |
| • POSTAL CODE   | V2A 7J3  |
| • TELEPHONE/FAX NO.:  | 250-492-4522 Loc.138   |
| <b>5. APPLICATION PROGRESS:</b>                                       |  |
| Date of Application:  | February 3, 2004   |
| Date Application Complete:  | July 9, 2002   |
| Servicing Agreement Forwarded to Applicant:                           | n/a  |
| Servicing Agreement Concluded:  | n/a  |
| Staff Report to APC:  | March 10, 2004   |
| <b>6. LEGAL DESCRIPTION:</b>  | Lot 2, DL 124, ODYD, Plan KAP50364   |
| <b>7. SITE LOCATION:</b>  | on Leathead Road between Highway 97 N and Dease Road   |
| <b>8. CIVIC ADDRESS:</b>  | 1200 Leathead Road   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>                                   | n/a  |
| <b>10. EXISTING ZONE CATEGORY:</b>                                    | C10 – Service Commercial   |
| <b>11. PURPOSE OF THE APPLICATION:</b>                                | TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW THREE FASCIA, CANOPY, AND/OR UNDER-CANOPY SIGNS WHERE ONLY 2 ARE PERMITTED PER BUSINESS (TOYOTA). |
| <b>12. MIN. OF TRANS./HIGHWAYS FILES NO.:</b>                         | n/a  |
| <b>NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY</b> |  |
| <b>13. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS</b>                   | 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