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

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**Date:** August 26, 2005  
**File No.:** DVP05-0123

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

APPLICATION NO. DVP05-0123                      OWNER:            RGKKK Holdings

AT:    2643 Enterprise Way,                      APPLICANT: as above  
Kelowna, BC

PURPOSE:                      TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW 10  
FASCIA SIGNS WHERE ONLY 2 SIGNS PER BUSINESS ARE  
PERMITTED.

TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW  
FASCIA SIGNS TO HAVE AN AREA OF 75.0M<sup>2</sup> WHERE ONLY 33.7M<sup>2</sup>  
WOULD BE PERMITTED ON THE NORTH ELEVATION, 54.5M<sup>2</sup>  
WHERE ONLY 26.5M<sup>2</sup> WOULD BE PERMITTED ON THE SOUTH  
ELEVATION, AND 61.6 M<sup>2</sup> WHERE ONLY 51.7M<sup>2</sup> WOULD BE  
PERMITTED ON THE EAST ELEVATION.

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. DVP05-0123, R.G.K.K.K., Lot 9, DL 125, ODYD, Plan KAP73825, located on Enterprise Way, Kelowna, B.C., subject to the following:

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

**Section 6.1 Sign Bylaw No. 8235 – Specified Zone Regulations – C10 Zone**

- A variance to allow 10 fascia signs where only 2 fascia signs are permitted.
- A variance permit to allow fascia signs to have an area of 75.0m<sup>2</sup> where only 33.7m<sup>2</sup> would be permitted on the north elevation, 54.5m<sup>2</sup> where only 26.5 m<sup>2</sup> would be permitted on the south elevation and 61.6 M2 where only 51.7M2 would be permitted on the east elevation.

## 2.0 SUMMARY

The applicant is proposing to construct a total of 10 fascia signs of the existing commercial building.

## 3.0 ADVISORY PLANNING COMMISSION

The above referenced application was reviewed at the August 8, 2005 Advisory Planning Commission and their recommendation was as follows:

THAT the Advisory Planning Commission not support Development Variance Permit Application No. DVP05-0123, for 2643 Enterprise Way, Lot 9, plan 73825, Sec. 28, Twp. 26, ODYD, by RGKKK Holdings Ltd. (Joe Kondola), to obtain a Development Variance Permit to allow 10 fascia signs where only 2 signs per business are permitted; and to allow fascia signs to have an area of 191.05 m<sup>2</sup> where only 33.68 m<sup>2</sup> is permitted; and to allow pennants affixed above the parapet of the building where they are prohibited.

## 4.0 BACKGROUND

### 4.1 The Proposal

The applicant previously obtained approval to construct the commercial building with a single fascia sign proposed above each entrance to the building. The applicant is now proposing to erect additional signage on the north, south, and east elevations of the building. The Sign Bylaw permits a total of 2 fascia signs per business in the C10 zone. The applicant, however, is proposing to erect a total of 10 fascia signs (4 on the north elevations, 3 on the south elevation, and 3 on the east elevation). The applicant currently has approval for two fascia sign, one above each entrance to the store (1 on the north elevation, 1 on the south elevation). The additional fascia signs that the applicant is proposing to erect consist of large (5.2m x 4.0m) images of various home furnishing items.

The Sign Bylaw restricts the maximum area of fascia signs to 1.0m<sup>2</sup> per lineal metre of building frontage to a maximum of 20% of the wall to which it is attached. Even should additional signs be permitted on each elevation, the proposal would still exceed the maximum permitted sign area. On the north elevation, the proposed fascia sign totals 75.0m<sup>2</sup> where only 33.7m<sup>2</sup> of signage would be permitted. On the south elevation, the proposed signage totals 54.5m<sup>2</sup> where only 26.5m<sup>2</sup> would be permitted. In addition, the signage proposed on the east elevation totals 61.6 m<sup>2</sup> where only 51.7m<sup>2</sup> would be permitted.

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

CRITERIA	PROPOSAL	C10 SIGN REQUIREMENTS
Fascia Signs Number of Signs Size of Signs*	10 signs 191.05m <sup>2</sup> 54.5m <sup>2</sup> 61.6m <sup>2</sup>	2 signs North = max 33.7m <sup>2</sup> South = 26.5 m <sup>2</sup> East = 51.7 m <sup>2</sup>

\* 1.0m<sup>2</sup> per lineal metre of building frontage to a max of 20% of the wall to which it is attached.

### 4.2 Site Context

The site is located on Enterprise Way north of Commerce Avenue

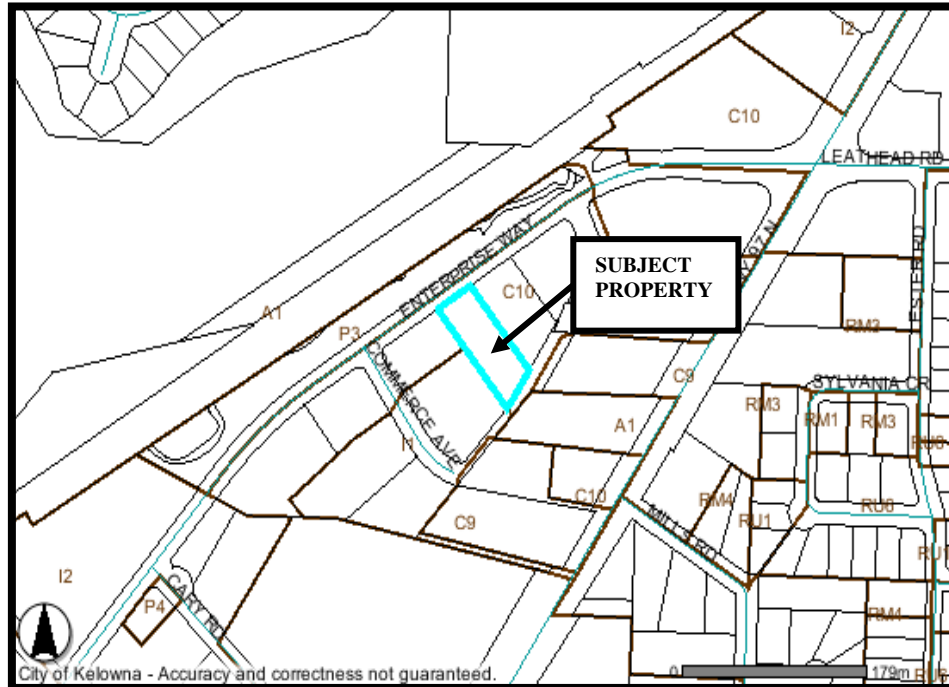
Adjacent zones and uses are:

North - P3 - Parks & Open Space

East - C10 - Service Commercial  
West - C10 - Service Commercial, I1- Business Industrial  
South - C9 - Tourist Commercial, A1- Agricultural 1

#### 4.3 Location Map

Subject Property: 2643 Enterprise Way



#### 5.0 TECHNICAL COMMENTS

##### 5.1 Inspection Services

Sign Permits will be required. No further comment.

##### 5.2 Works & Utilities

No comment.

#### 6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has concerns with the proposal to erect 10 fascia signs where only 2 are permitted. In addition, Staff has concerns with the proposed size of the signage, which significantly exceeds the maximum permitted area for fascia signs. Staff feels that there are no site constraints that justify the need for variances to the Sign Bylaw. The approval of these fascia signs may also set a precedent for other businesses to disregard the Sign Bylaw regulations and request permission to place large billboard-like signage on their buildings. As with past proposals for variances for excessive signage, the Department sees no reason to support an increase in size and number of permitted signage.

## 7.0 ALTERNATE RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP05-0123, R.G.K.K.K., Lot 9, DL 125, ODYD, Plan KAP73025, located on Enterprise Way, Kelowna, B.C., subject to the following:

1. The siting of the signage to be constructed on the land shall be in general accordance with Schedule "A".
2. The design and finish of the canopy and signage to be constructed on the land shall be in general accordance with Schedule "A".

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

### Section 6.1 Sign Bylaw No. 8235 – Specified Zone Regulations – C10 Zone

- A variance to allow 10 fascia signs where only 2 fascia signs are permitted.
- A variance permit to allow fascia signs to have an area of 75.0m<sup>2</sup> where only 33.7m<sup>2</sup> would be permitted on the north elevation, 54.5 m<sup>2</sup> where only 26.5 m<sup>2</sup> would be permitted on the south elevation and 61.6 m<sup>2</sup> where only 51.7 m<sup>2</sup> would be permitted on the east elevation.

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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.

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Elevations of proposed signage
- Photo showing sample signage