
CITY OF KELOWNA
MEMORANDUM

DATE: January 24, 2007
FILE NO.: **DVP06-0178**

TO: City Manager

FROM: Planning & Development Services Department

DEVELOPMENT VARIANCE PERMIT
APPLICATION NO. DVP06-0178

OWNER: ORCHARD PARK
SHOPPING CENTRE
HOLDINGS INC.,
McINTOSH PROPERTIES
LTD.

AT: 2271 HARVEY AVE.

APPLICANT: COHOS-EVAMY
(Susan Carter)

PURPOSE: TO VARY THE CITY OF KELOWNA SIGN BYLAW TO
AUTHORIZE A TOTAL OF 4 SIGNS, WHERE ONLY 2 SIGNS
ARE PERMITTED FOR THE NEW TIM HORTONS LOCATION.

EXISTING ZONE: C6 – REGIONAL COMMERCIAL

REPORT PREPARED BY: PAUL McVEY

1.0 RECOMMENDATION

THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP06-0178; Cohos Evamy; Lot 2, DL 127, O.D.Y.D., Plan 32650, Exc. Plan KAP47935, Lot 1, DL 127 & 4646, O.D.Y.D., Plan KAP47934, Lot 1, DL 127, O.D.Y.D., Plan KAP53260, Exc. Plan KAP56123, located on Harvey Avenue, Kelowna, B.C.;

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

Section 6 – Specific Zone Regulations;

Vary the maximum number of Fascia signs permitted from 2 per business permitted to 4 signs proposed.

2.0 SUMMARY

The applicant is seeking a variance to the City of Kelowna Sign Bylaw to authorize a total of 4 signs, where the bylaw limits the maximum number of signs to 2 signs per business frontage for the new "Tim Hortons" location.

2.1 Advisory Planning Commission

The above noted application (DVP06-0178) were reviewed by the Advisory Planning Commission at the meeting of October 10, 2006 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Variance Permit Application No. DVP06-0178, for 2271 Harvey Avenue, Lot 2, Plan 32650, Lot 1, Plan 47934, Lot 1, Plan 53260, Sec. 21, Twp. 26, ODYD, by Cohos Evamy (S. Carter), to obtain a Development Variance Permit to vary the Sign Bylaw to permit a total of 4 signs where the Bylaw permits 2 signs.

3.0 BACKGROUND

In January of 2006, Cohos Evamy made application for the renovations and expansion of the former Walmart location at Orchard Park Mall. A major component of that application was the refinishing of that portion of the exterior of the mall to the latest exterior colour scheme, and the creation of a new mall entrance. That Development Permit application was signed off and issued by the Director of Planning and Development Services as set out in the Development Application Procedures bylaw. The mall expansion project was completed in November 2006.

3.1 The Proposal

Tim Hortons has recently completed tenant improvements within the new addition to Orchard Park mall to construct their new retail location. Associated with these tenant improvements is a program of exterior signage to identify the space.

The sign permit application for Tim Horton's proposes a fascia sign over the entrance doors, and three awnings with corporate logo located over the two windows and the entrance door. This sign program proposes a total of four signs, where the bylaw limits the number of signs to "two signs per business frontage".

The tenant frontage is a total of 22.5 m., which allows for a total of 18 m² sign area. The total wall area of the business frontage is 157.7 m² and 20% of that wall area is 31.5 m². The proposed fascia sign over the entrance is 5.51 m² in area. Each of the logo areas on the awnings is .67 m² each. This adds up to a total of 7.52 m² in sign area. The proposed signage conforms to area and the 20% limit in the wall area.

The proposal as compared to the C6 zone Sign Bylaw requirements is as follows:

CRITERIA	PROPOSAL	C6 ZONE REQUIREMENTS
Number of signs	4 signs	2 per business frontage
Area of Signs	0.33 m ² per lineal metre of building frontage	maximum total area is 0.8 m ² per lineal metre of building frontage to a maximum of 20% of the wall it is attached to

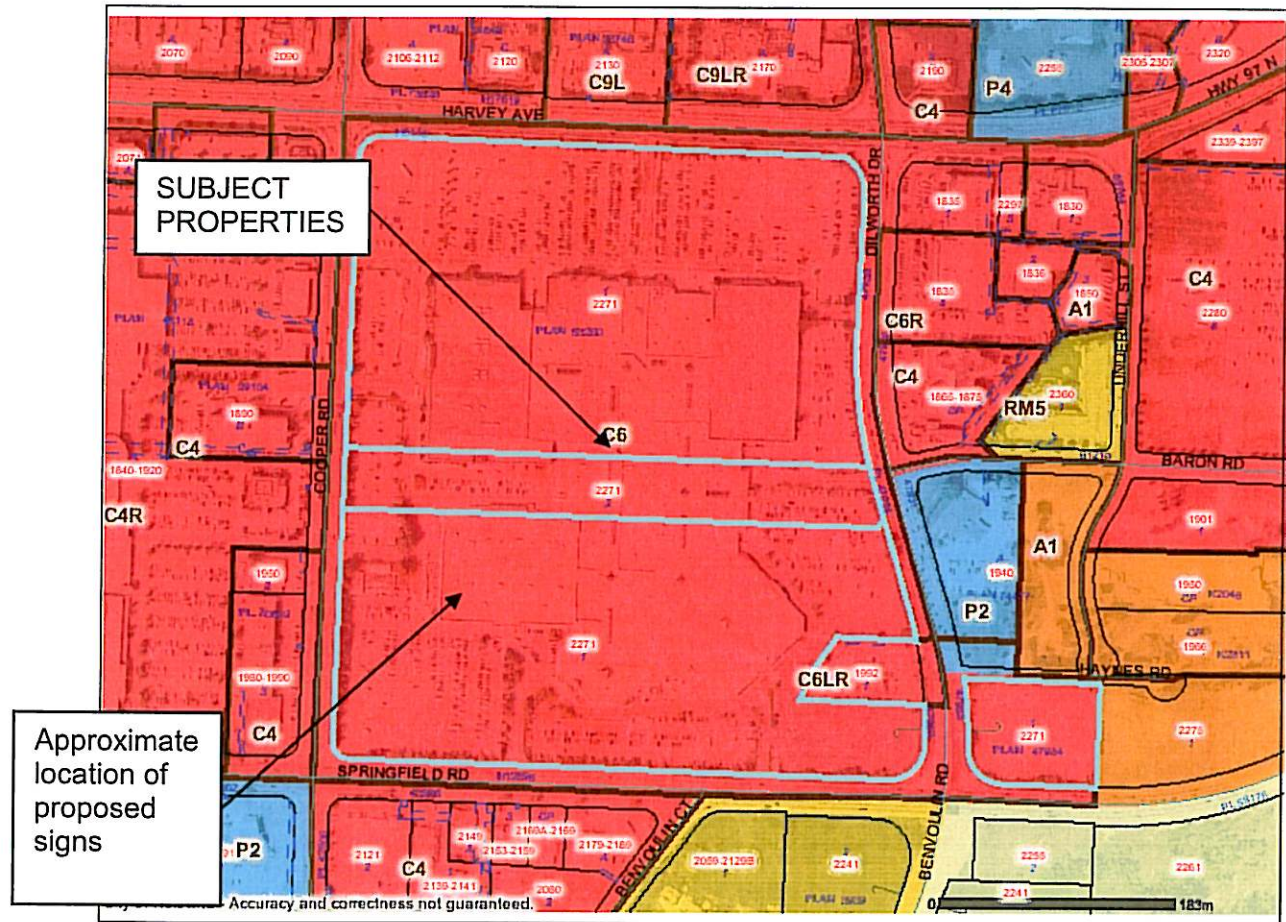
3.2 Site Context

The Orchard Park Shopping Centre is surrounded by major roads, and has direct access from Harvey Avenue (Highway 97). The most recent development application for the shopping centre was dealt the redevelopment of the former Walmart site, located in the south east corner of the shopping centre. The associated Development Permit DP06-0019 was issued in May, 2006.

Adjacent zones and uses are, to the:

- North - C9 – Tourist Commercial / Harvey Ave. – Hotel uses
C4 – Urban Centre Commercial – financial uses
- East - C4 – Urban Centre Commercial / Dilworth Rd. – Mixed Use commercial
C6 – Regional Commercial – Shopping Centre
P2 – Minor Institutional and Education – School Board Offices
- South - C4 – Urban Centre Commercial / Springfield Rd. – retail uses
A1 – Agriculture 1 – vacant
- West - C4 – Urban Centre Commercial / Cooper Rd.- retail uses

SUBJECT PROPERTY MAP



3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The Kelowna Official Community Plan designates the future land use of the subject property as "Commercial".

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

4.1 Inspection Services Department

The number of signs and the sizes well exceed the allowances permitted by the City of Kelowna Sign Bylaw

4.2 Works and Utilities Department

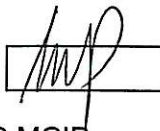
The requested Sign Bylaw Development Variance application does not compromise Works and Utilities servicing requirements.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The variances to the sign bylaw to authorize the proposed sign layout are supportable given the unique location of the proposed signs, and the status of Orchard Park Shopping Centre as a Regional Shopping Centre. The proposed location of the signs are approximately 80 m from both the Springfield Road and Cooper Road frontages. The signage as proposed serves to create additional visual interest on what is a long flat wall surface.

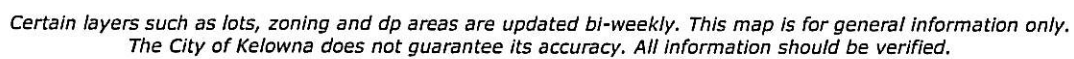

Shelley Gambacort
Acting Manager of Development Services

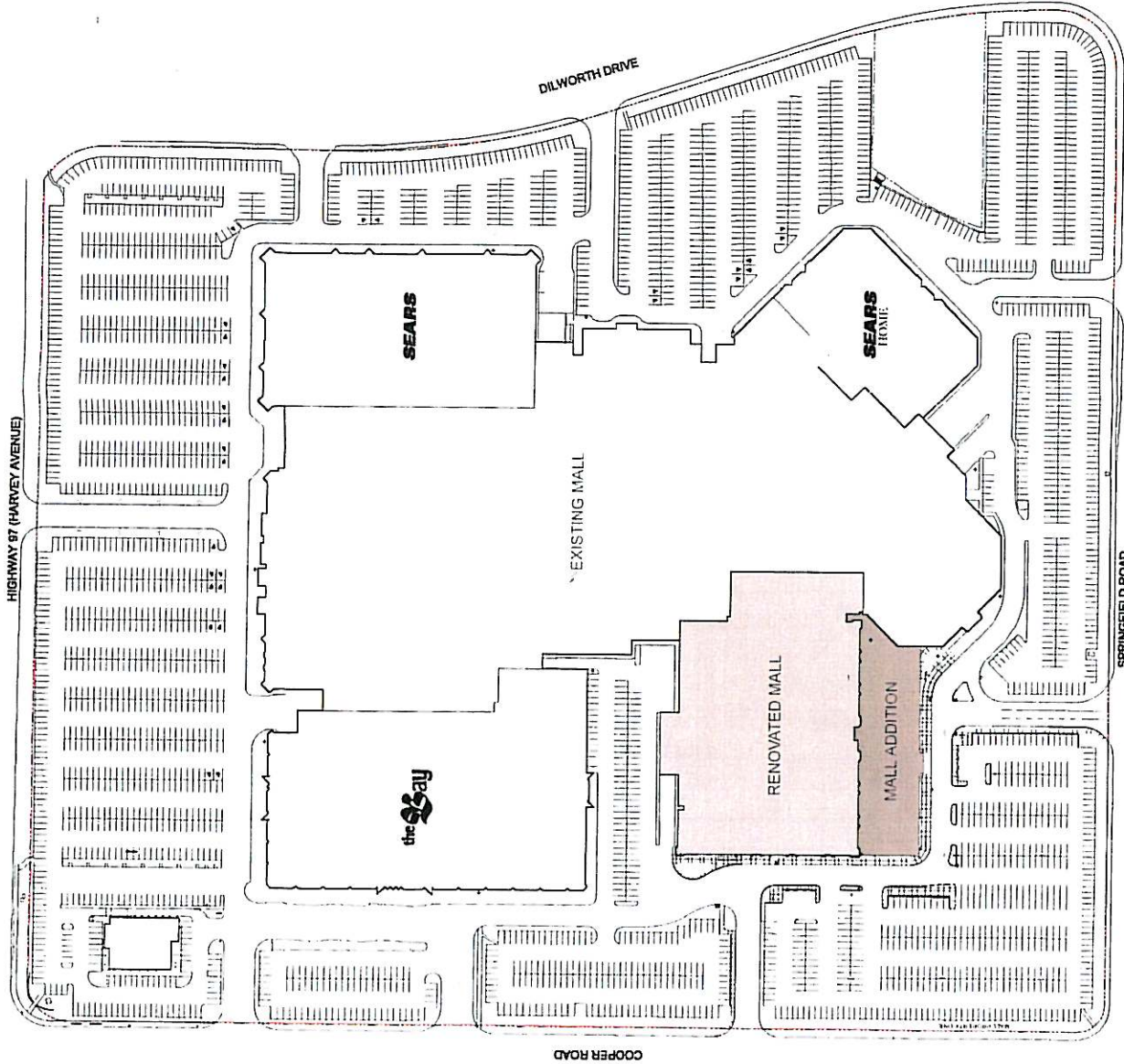
Approved for inclusion



Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

PMc/pmc
Attach.





ORCHARD PARK MALL TIM HORTON'S SIGN VARIANCE PERMIT

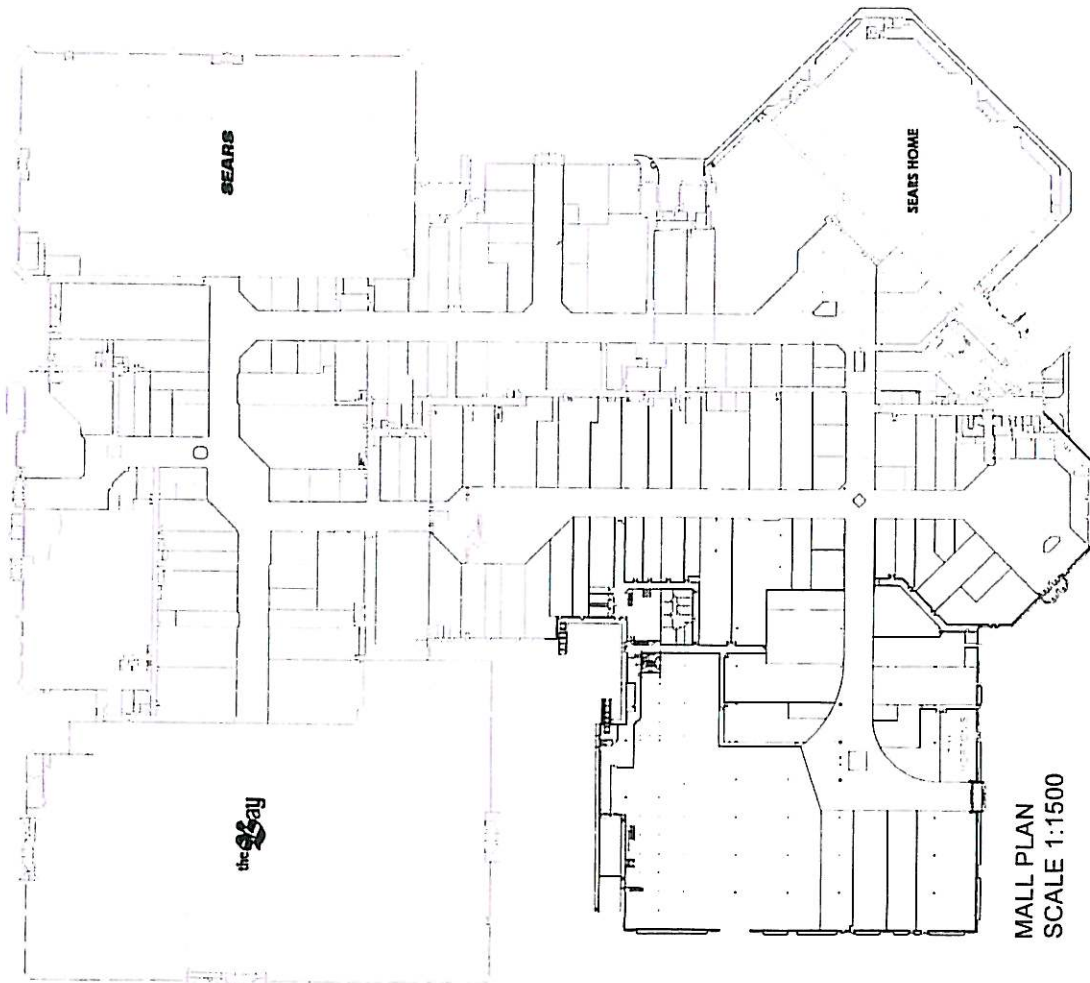
MUNICIPAL ADDRESS:
TIM HORTONS - UNIT 1572
ORCHARD PARK MALL
2271 HARVEY AVENUE
KELOWNA, B.C.
V1Y 6H2

SITE PLAN
SCALE 1:2000

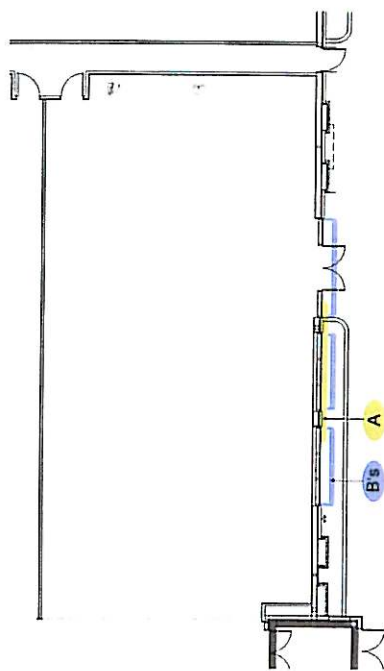


ORCHARD PARK

COHOS EVAMY
integrated design



MALL PLAN
SCALE 1:1500



TIM HORTON'S PLAN
SCALE 1:200



NORTH

ORCHARD PARK

COHOS EVAMY

integrated design



ITEM #	DESCRIPTION	SIGN AREA	COPY AREA
A1	Internally illuminated Individual channel letters	5.51 SM / 59.35 SF	5.51 SM / 59.35 SF
B1	Logo applied to awning, illuminated from behind	0.67 SM / 7.24 SF	0.67 SM / 7.24 SF
B2	Logo applied to awning, illuminated from behind	0.67 SM / 7.24 SF	0.67 SM / 7.24 SF
B3	Logo applied to awning, illuminated from behind	0.67 SM / 7.24 SF	0.67 SM / 7.24 SF
TOTAL AREA:		7.52 SM / 81.07 SF	7.52 SM / 81.07 SF

16' - 11 1/2" [5168] (Span of Letters)

3' - 6" (H) [1066] (H)

Tim Hortons®

COLOUR SCHEDULE	
RED PLEX	
- RHOM & HAAS #2793	
NORTHERN GOLD	

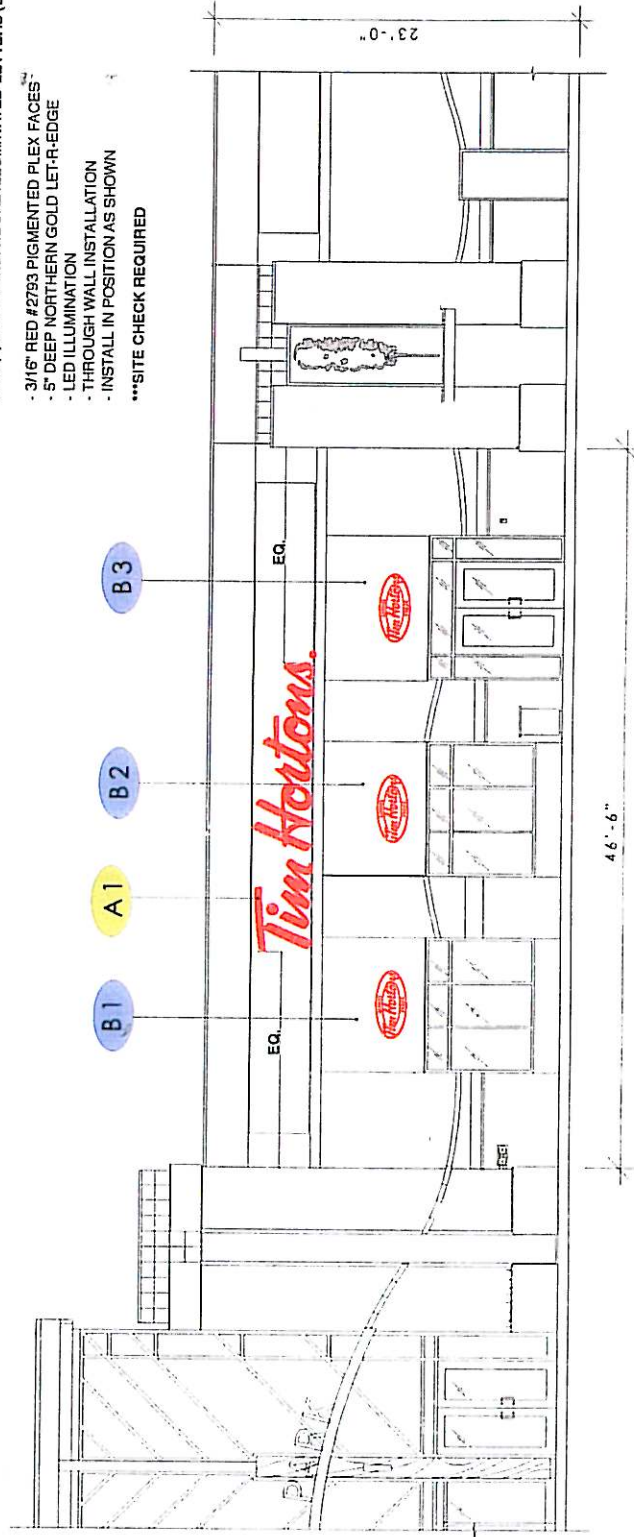
A1

SUPPLY & INSTALL:

ONE (1) SET OF INDIVIDUAL ILLUMINATED LETTERS (EXTERIOR)

- 3/16" RED #2793 PIGMENTED PLEX FACES
- 5" DEEP NORTHERN GOLD LET-R-EDGE
- LED ILLUMINATION
- THROUGH WALL INSTALLATION
- INSTALL IN POSITION AS SHOWN

***SITE CHECK REQUIRED



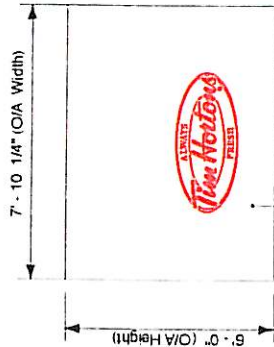
ORCHARD PARK

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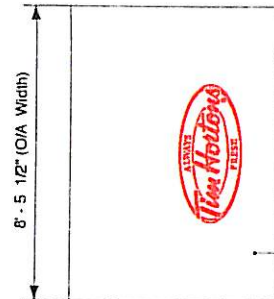
FRONT VIEW



TWO OFF

B1-2

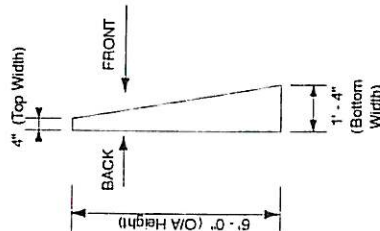
FRONT VIEW



ONE OFF

B3

SIDE VIEW



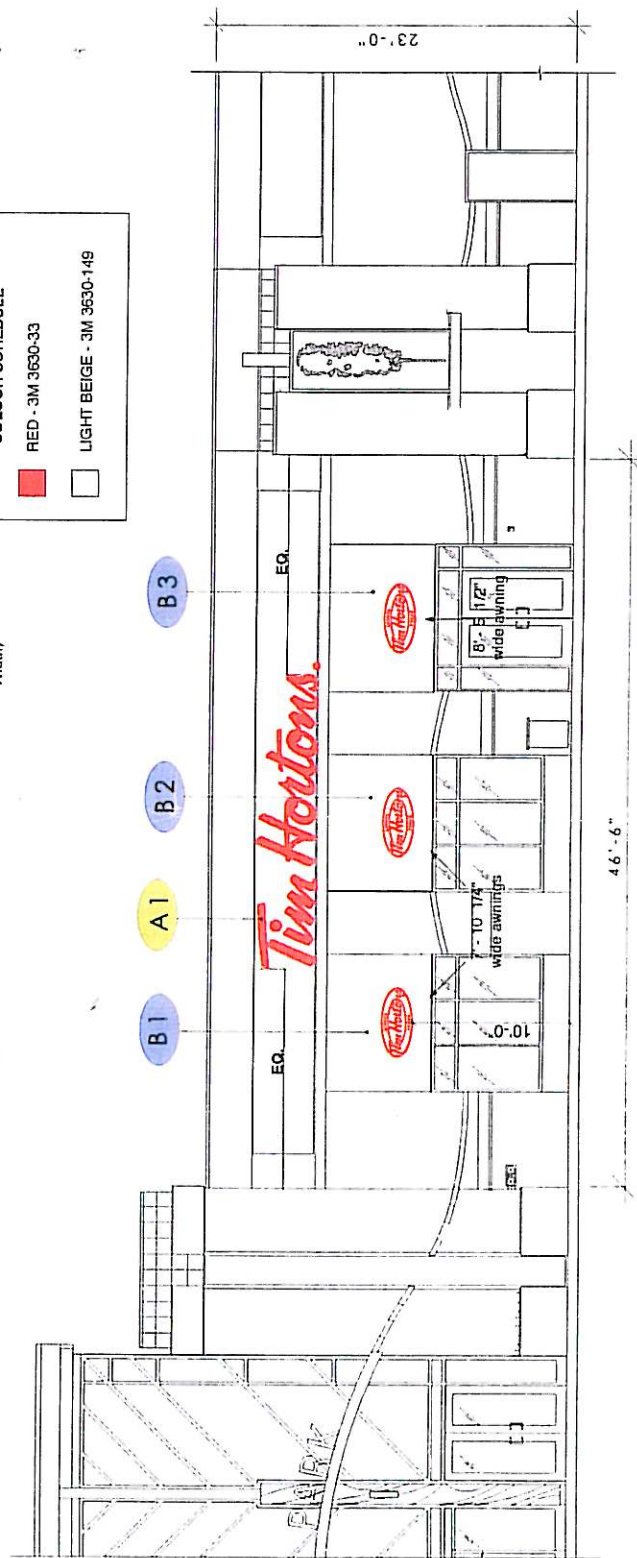
SUPPLY AND INSTALL

- THREE (3) IN TOTAL ILLUMINATED AWNINGS (EXTERIOR)
- TWO (2) 7' - 10 1/4" WIDE AWNINGS AND
- ONE (1) 8' - 5 1/2" WIDE AWNING
- FLEXIBLE VINYL CMW 3M VINYL APPLIED TO 1ST SURFACE
- AF LOGO TO BE 3M VINYL # 3630-33
- BACKGROUND TO BE LIGHT BEIGE 3M VINYL # 3630-149 (USED AS THE MATCH TO BENJAMINE MOORE CC-335 WILD MUSHROOM)
- ALUMINUM FRAMING
- H.O. FLUORESCENT ILLUMINATION
- WHITE EGGERATING

*****SITE CHECK REQUIRED**

COLOUR SCHEDULE

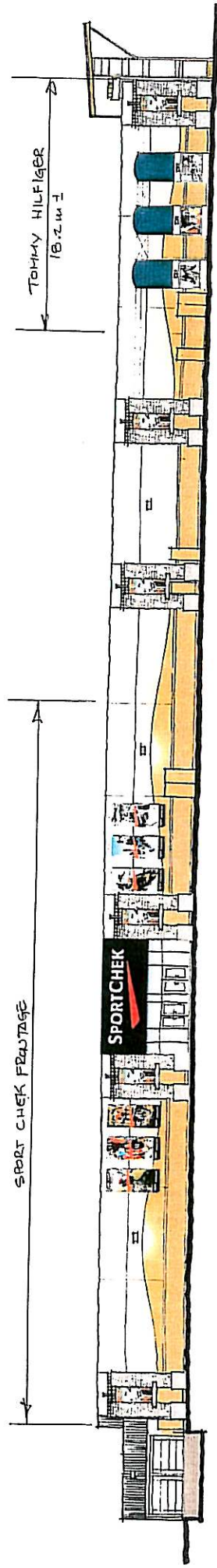
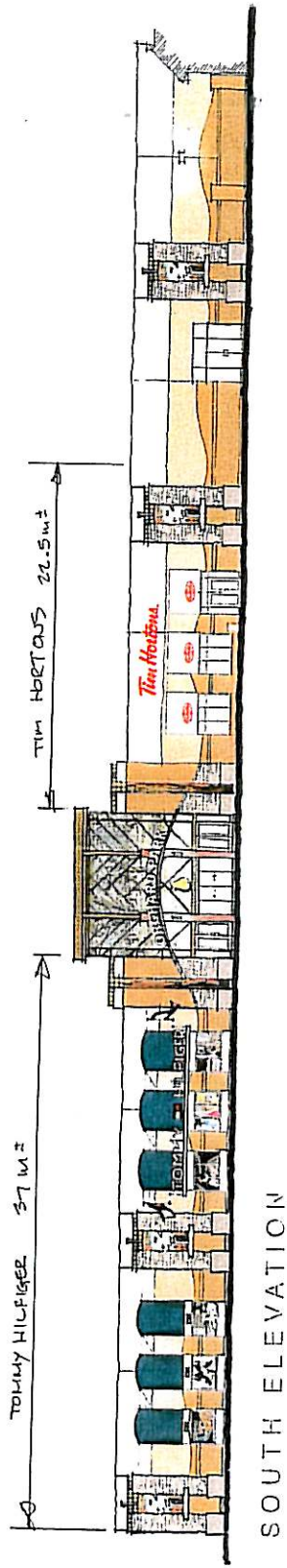
- RED - 3M 3630-33
- LIGHT BEIGE - 3M 3630-149



ORCHARD PARK



COHOS E VAMY
i n t e g r a t e d d e s i g n



ORCHARD PARK

CONCEPTUAL ELEVATIONS

COHOS EVAMY
integrated design

