

DRAFT RESOLUTION

Re: Development Variance Permit Application No. DVP09-0064 – Wal-Mart Canada Corp.
(Dorothy Pearce) – 1555 Banks Road

THAT Council defers consideration of Development Variance Permit Application No. DVP09-0064 to the August 11, 2009 Regular Meeting.

BACKGROUND:

Staff have advised that the development signs that were posted on the subject property have been removed and therefore the Applicant did not meet the requirements of Development Application Procedure Bylaw No. 8140 with respect to signage. The Applicant is aware that Council's consideration of their application will have to be deferred.

Date: July 22, 2009
File: 0550-01

CITY OF KELOWNA
MEMORANDUM

Date: July 3, 2009
To: City Manager
From: Community Sustainability Division

APPLICATION NO. DVP09-0064 **OWNER:** Wal-Mart Canada Corp.
Inc. No. A54118

AT: 1555 Banks Road **APPLICANT:** Dorothy Pearce,
Permit World

PURPOSE: TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO
INCREASE THE PERMITTED NUMBER OF FASCIA SIGNS
FROM 2 PERMITTED TO 4 PROPOSED.

EXISTING ZONE: C3 – Community Commercial

REPORT PREPARED BY: Birte Decloux

1.0 **RECOMMENDATION**

THAT Council authorize the issuance of Development Variance Permit No. DVP09-0064 for Lot A, District Lot 125, Osoyoos Division Yale District Plan KAP75635, located at Banks Road, Kelowna, B.C.

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

Section 6.1 Number of Signs

A variance to allow 4 awning, fascia, canopy, under canopy/awning signs when 2 signs are permitted per business.

2.0 **SUMMARY**

The applicant is seeking to vary the Sign Bylaw 8235 to permit two additional signs on the south side of the recently expanded Wal-Mart Building.

3.0 **ADVISORY PLANNING COMMISSION**

The above noted application was reviewed by the Advisory Planning Commission at the meeting of June 23, 2009 and the following recommendation was passed:

THAT the Advisory Planning Commission support Development Variance Permit Application No. DVP09-0064, for 1555 Banks Rd; Lot A, District Lot 125, Plan 75635, Sec 21, Twp 26, ODYD; to increase the number of signs permitted from 2 to 4 proposed.

4.0 **BACKGROUND**

In 2003 when a new Wal-Mart store was built on the subject property, the original Development Permit allowed 2 fascia signs. A variance was requested to increase the number of signs to eight, which was denied by Council. Currently, there are 3 pylon signs on the corners of the site that advertise Wal-Mart as a destination shopping centre.

4.1 **The Proposal**

The store frontage was recently expanded to the east to accommodate a food superstore and the corporate branding was changed facilitating the need for new signage. The proposed signage is typical for a freestanding Wal-Mart building. Although, the building frontage exceeds 182m (599 ft) it is only occupied by two business entities. The City of Kelowna Sign Bylaw limits businesses in the C3-Community Commercial Zone to a maximum of 2 signs per business frontage.

For the Wal-Mart store, a total of four signs are being proposed including a sign over each of the three entrances (Garden Centre, Home & Pharmacy, and Food & Fashion) directing customers to the different areas of the store, and a central sign indicating the store name. There is a fifth sign on the front of the building for a separate business (McDonald's).

The proposal as compared to the C3 zone Sign Bylaw requirements are as follows:

Bylaw No. 8235		
CRITERIA	PROPOSAL	C3 Zone Sign requirements
Number of fascia signs	4 signs	2 per business frontage
Free-standing signs*	3 signs	Maximum of 4 signs

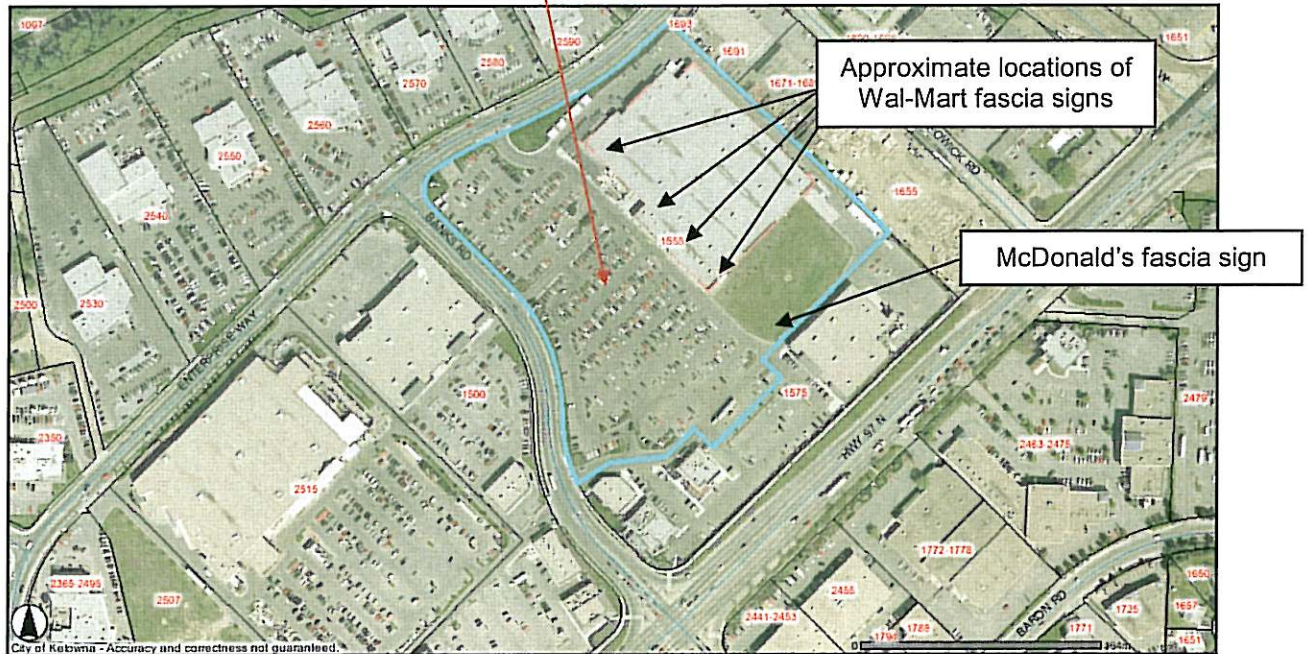
*The free-standing signs are for the major businesses at the site and were approved with the original Development Permit.

4.2 **Site Context**

The subject property is located on the Northeast side of Banks Road, in the Central City area of Kelowna. More specifically, the adjacent land uses are as follows:

- Northwest - I2 - General Industrial/Enterprise Way, Auto Dealerships
- Northeast - C10 - Service Commercial
C4 - Town Centre Commercial/Highway
- Southwest – C3R - Community Commercial
- Southeast - C3 - Community Commercial
C4 - Town Centre Commercial/Highway

4.3 Subject Property: 1555 Banks Road



4.4 Current Development Policy

4.4.2 Kelowna 2020 – Official Community Plan

Objectives for Commercial Development:

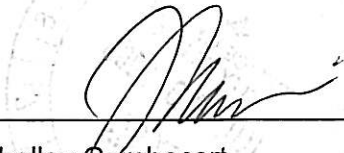
- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development should provide visual interest and human scale.
- All development should contribute to a sense of community identity and sense of place.
- Buildings, structures and additions should be designed and sited in a manner compatible with adjacent buildings and open areas.

5.0 LAND USE MANAGEMENT DEPARTMENT

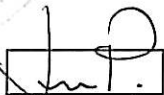
The signage proposed is typical for a freestanding Wal-Mart store and is consistent with their corporate sign package used on all stores in various locations. While, the building frontage exceeds 182m (599 ft) it is only occupied by two business entities. The City of Kelowna Sign Bylaw limits businesses in the C3-Community Commercial Zone to a maximum of 2 signs per business frontage.

A total of four signs are proposed on the southwest elevation including a sign over each of the three entrances (Garden Centre, Home & Pharmacy, and Food & Fashion) directing customers to the different areas of the store, and a central sign indicating the store name. The department signs over the entrances provide information to the public for wayfinding into such a large retail space. A proposed fifth sign on the front of the store is for a separate business (McDonald's).

The north side of the building has a large sign for the Tire & Lube department, as well as a small directional sign over each of the 4 individual bays. These signs are permitted as they are located on a different building frontage.



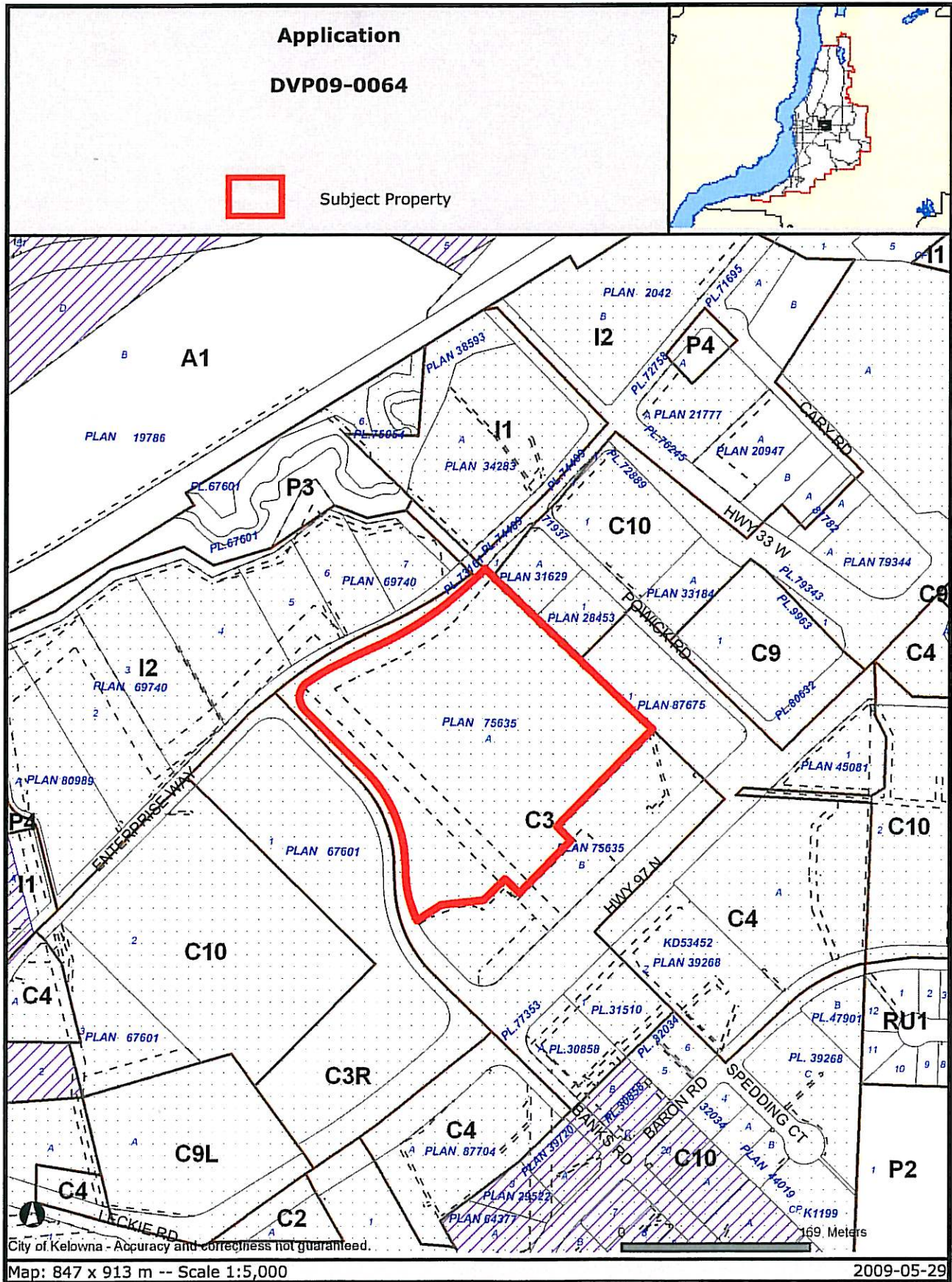
for: Shelley Gambacort
Director, Land Use Management

Approved for Inclusion 
Jim Paterson
General Manager, Community Sustainability Division

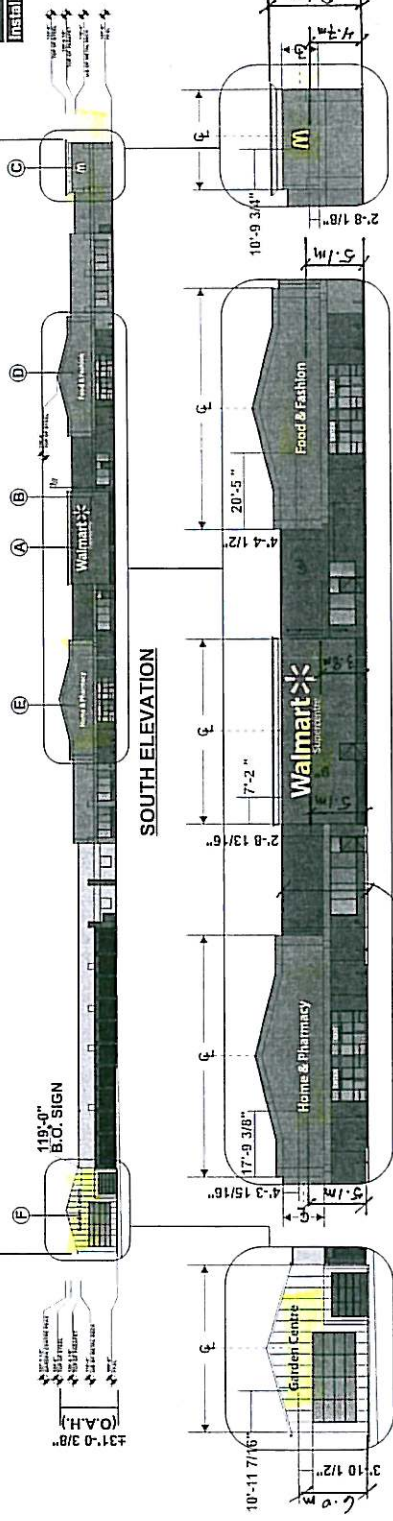
SG/bcd

ATTACHMENTS

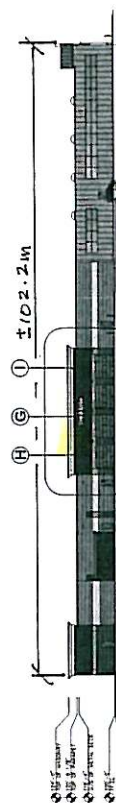
Location of Subject property
Site plan
Elevation of building



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.



ENLARGED VIEWS
SCALE: 1/32" = 1'-0"



ENLARGED VIEW
SCALE: 1/32" = 1'-0"

#	Sign	Qty	Type	Color	Height	Length	ULC	Surface	Total Area
A	5' WALMART W/ STARBURST	1	BUSINESS	WHITE	8'-6 3/8"	35'-4 1/2"	CHANNEL	196.7	196.7
B	SUPERCENTRE	1	BUSINESS	YELLOW	2'-0"	14'-5 15/16"	N/A	28.36	28.36
C	MCDONALD'S	1	DIRECTIONAL	RED	4'-6"	5'-3"	CHANNEL	23.63	23.63
D	FOOD & FASHION	1	ADDITIONAL	WHITE	2'-6"	23'-11 15/16"	N/A	59.98	59.98
E	HOME & PHARMACY	1	ADDITIONAL	WHITE	2'-6"	29'-3 9/16"	N/A	73.24	73.24
F	GARDEN CENTRE	1	DIRECTIONAL	BLACK	2'-6"	23'-0 3/16"	N/A	58.68	58.68
G	TIRE & LUBE	1	ADDITIONAL	WHITE	2'-0"	14'-2 1/16"	N/A	28.45	28.45
H	TIRE	2	ADDITIONAL	WHITE	1'-0"	2'-4 1/4"	N/A	2.35	4.7
I	LUBE	2	ADDITIONAL	WHITE	1'-0"	3'-0 7/16"	N/A	3.04	6.08
	TOTAL								479.82

Revision(s) BY Date
A CHANGED BLUE BEHIND WM TB 12.19.2008



ENSEIGNES
PATTISON
SIGN GROUP
Tel (808) 735-5506 • Fax (506) 737-1750 • Toll Free 1-800-561-9798
Client: WAL-MART #3042
Site: KELOWNA, BC
Consultant: FRANCE JOLICOEUR
Draftsman: TINA BOLDUC Date: 11.19.2008
Paper: 1/4 Scale: 1/64" = 1'-0"
Product: F-2-1403

Customer Approval: _____ Date: _____ By: _____
This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.
Pattison Sign Group illuminated signs contain fluorescent, neon and/or HID lamps. These lamps contain Mercury (Hg) and other hazardous materials. Please dispose of these lamps according to Local, Provincial, State, or Federal laws.
IT IS AGREED THAT THE CLIENT IS SOLELY RESPONSIBLE FOR INSTALLING THE CONCRETE BASE AS PER ENSEIGNES PATTISON SIGN GROUP'S TECHNICAL DRAWINGS. THE CLIENT'S CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. ENSEIGNES PATTISON SIGN GROUP DISCLAIMS ANY LIABILITY FOR DAMAGES OF ANY KIND ARISING FROM THE USE OF THESE DRAWINGS.