



Staff are especially mindful of sign variance requests given the future redevelopment of properties in the immediate vicinity (particularly, vacant lots at the Rutland Rd/Hwy 33 intersection). Appropriate regulation of signage can help mitigate the visual clutter of commercial areas.

For the subject property, the proposed siting of the free-standing sign seems logical given the site's constraints. The location would not impact vehicle sightlines at the Roxby/Hwy 33 intersection, and would reduce the impact on the proposed outdoor patio space. This patio space was provided during the Development Permit process for the building, as the applicant commendably worked with staff to provide activity along this frontage, including Roxby Park. Staff also notes the high level of glazing and balcony space along this elevation that provides surveillance for the park space.

The proposed height of the sign is not supported, as it competes with a number of design objectives and exclusively caters to vehicle traffic. In addition, signage of this type does not appropriately acknowledge the pedestrian realm. Existing height allowances for free-standing signs, as well as any potential fascia signage is deemed to be more than adequate for attracting visual attention in a more desirable fashion.

While the applicant has received consent from surrounding property owners for the proposed variances, the proposed sign height is not considered appropriate given the future redevelopment potential of the area. Staff acknowledge existing signage along the Highway 33 corridor, however, it is hoped that future redevelopment opportunities would create a more consistent, visually appealing corridor, meeting current sign bylaw standards, and objectives for the Rutland Urban Centre. This is reinforced with the APC's recommendation on the application,

In consideration of the above, the Land Use Management Department recommends that the proposed sign siting variance be supported, while, the proposed sign height should not be supported.

## **4.0 Proposal**

### **4.1 Background**

A three-storey mixed-use building is currently under construction on the subject property, with a restaurant on the ground floor and residence above. A Development Permit (DP10-0038) for this project was approved by Council in July 2010.

### **4.2 Project Description**

The applicant is proposing to place a free-standing sign on the property for the restaurant. The sign would attempt to capture vehicular traffic along the Hwy 33 corridor to the main floor restaurant.

The proposed sign requires a Development Variance Permit for both total height and siting. The Sign Bylaw allows for a 3.0m (9.8ft) sign for this property, where a 5.9m (19.3ft) sign is proposed. In addition, free-standing signs must be located 1.5m from any lot line, where the proposed siting is adjacent to the front and side (east) property lines (0.25m).

The proposal compares to the Sign Bylaw No. 8235 requirements as follows:

Analysis Table		
CRITERIA	PROPOSAL	REQUIREMENTS
Free-standing signs (General Regulations)	0.25m setback from front and side (east) lot line <sup>①</sup>	Sign must not be located closer than 1.5 to a lot line.
Free-standing signs (C4 Zone)	5.9m total height <sup>②</sup>	8.0m maximum height except that is 3.0m for a site less than 30m in width or a site in an urban town centre not fronting on Highway 33 or 97 (site is 15.24m wide)
	5.6m <sup>2</sup> (60ft <sup>2</sup> ) sign area	Maximum sign area is 12m <sup>2</sup> (129ft <sup>2</sup> )

① Variance requested for sign setback from a minimum of 1.5m to 0.0m proposed.  
 ② Variance requested for maximum sign height from 3.0m permitted to 6.7m proposed.

### 4.3 Site Context

The subject property is located within the Rutland Urban Centre along Hwy 33 between Asher and Roxby Roads.

Specifically, the adjacent zones and uses are:

- North C4 - Urban Centre Commercial (City-owned parking lot)
- East C4 - Urban Centre Commercial (Roxby Centennial Park)
- South C4 - Urban Centre Commercial (Law Offices)
- West C4 - Urban Centre Commercial (Plaza 33 Shopping Centre)

### Subject Property Map: 260 Hwy 33 West



## 5.0 Current Development Policy

### 5.1 Kelowna 2020 - Official Community Plan

#### Objectives for Commercial Development<sup>1</sup>

- 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 (integration of development within larger community, belonging, community cohesiveness).

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

Structural Engineering required for sign and sign base at time of building permit application.

### 6.2 Development Engineering Department

Requirement of Development Permit application No. DP10-0038 must be satisfied before approval of this development variance. The height and sitting of the proposed sign does not compromise any municipal services or infrastructure.

## 7.0 Application Chronology

Date of Application Received: February 25, 2011  
Advisory Planning Commission March 15, 2011

The above noted application was reviewed by the Advisory Planning Commission at the meeting on March 15, 2011 and the following recommendations were passed:

THAT the Advisory Planning Commission not support Development Variance Application No. DVP11-0035, for 260 Hwy 33 W, to vary the height of a free-standing sign from 3.0m allowed to 6.7m proposed.

THAT the Advisory Planning Commission support Development Variance Application No. DVP11-0015, for 2643 Enterprise Way, to vary the minimum setback of a free-standing sign to a property line from 1.5m required to 0.25m proposed.

#### APC Comment:

The APC felt that the variance requests were not conducive to the objectives of this transitioning area within the Rutland Urban Centre.

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<sup>1</sup> OCP Section 9.2 (Page 9-8)

Should Council wish to endorse the application as proposed, an alternative recommendation is provided below:

**8.0 Alternative Recommendation**

THAT Council authorize the issuance of Development Variance Permit No. DVP11-0035 for Lot 2, Section 26, Township 26, Plan 4338, Except Plan 39372, ODYD, located at 260 Hwy 33 West, Kelowna BC;

AND THAT variances to the following sections of Sign Bylaw be granted:

**Section 5.6.1d (Free-Standing Signs):** To vary the minimum setback from a lot line for a free standing sign from 1.5m required to 0.25m proposed.

**Section 6.1 - Major Commercial, Free-standing (a):** To vary the maximum free-standing sign height from 3.0m allowed (for a site less than 30m in width) to 5.9m proposed.

Report prepared by:



Luke Turri, Land Use Planner

Reviewed by:



Shelley Gambacort, Director, Land Use Management

Approved for Inclusion:



Jim Paterson, GM, Community Sustainability

**Attachments:**

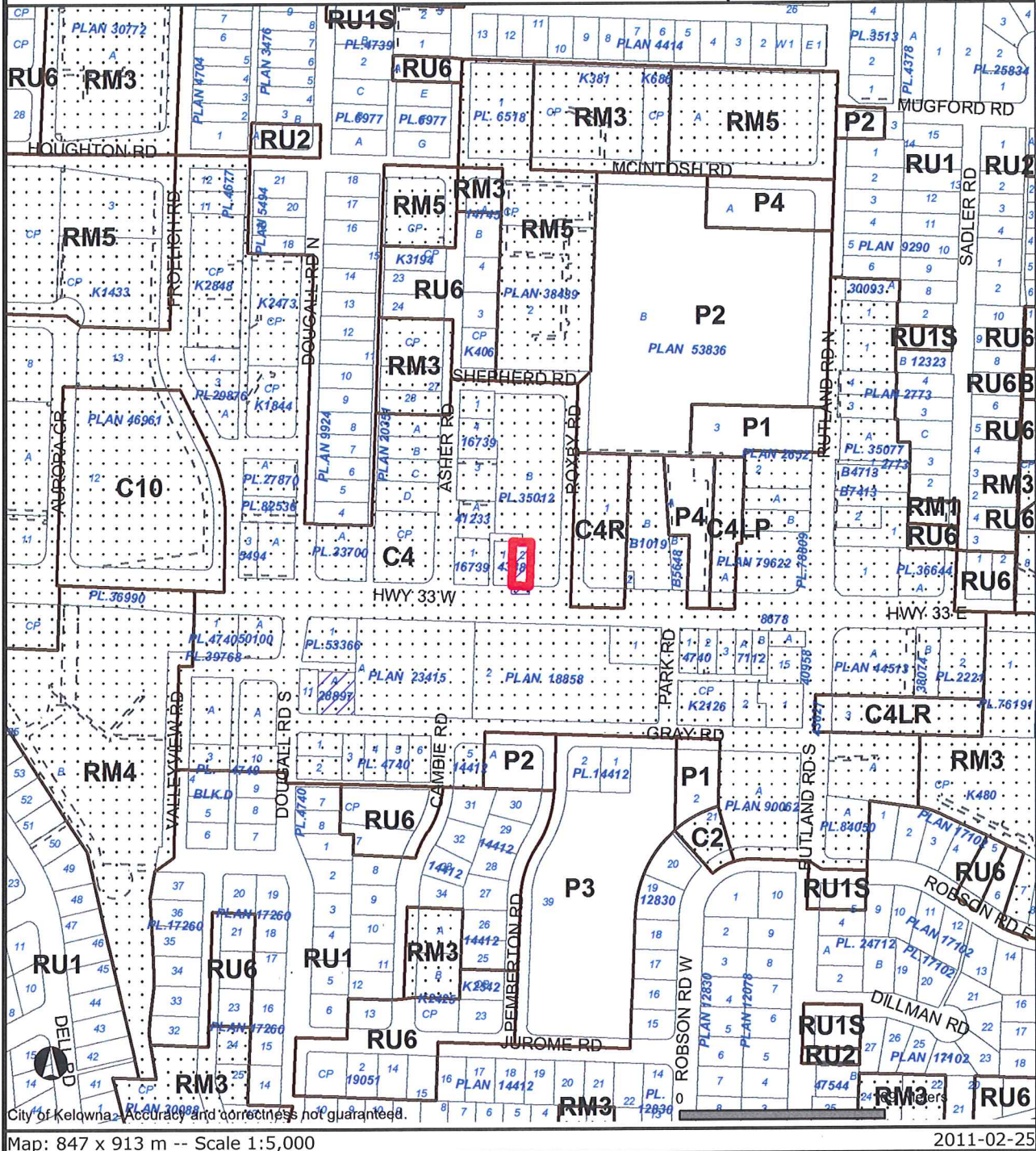
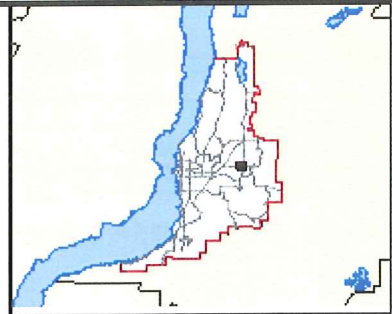
Subject Property Map

Sign Plan/Conceptual Elevations

Application  
DVP11-0035



Subject Property



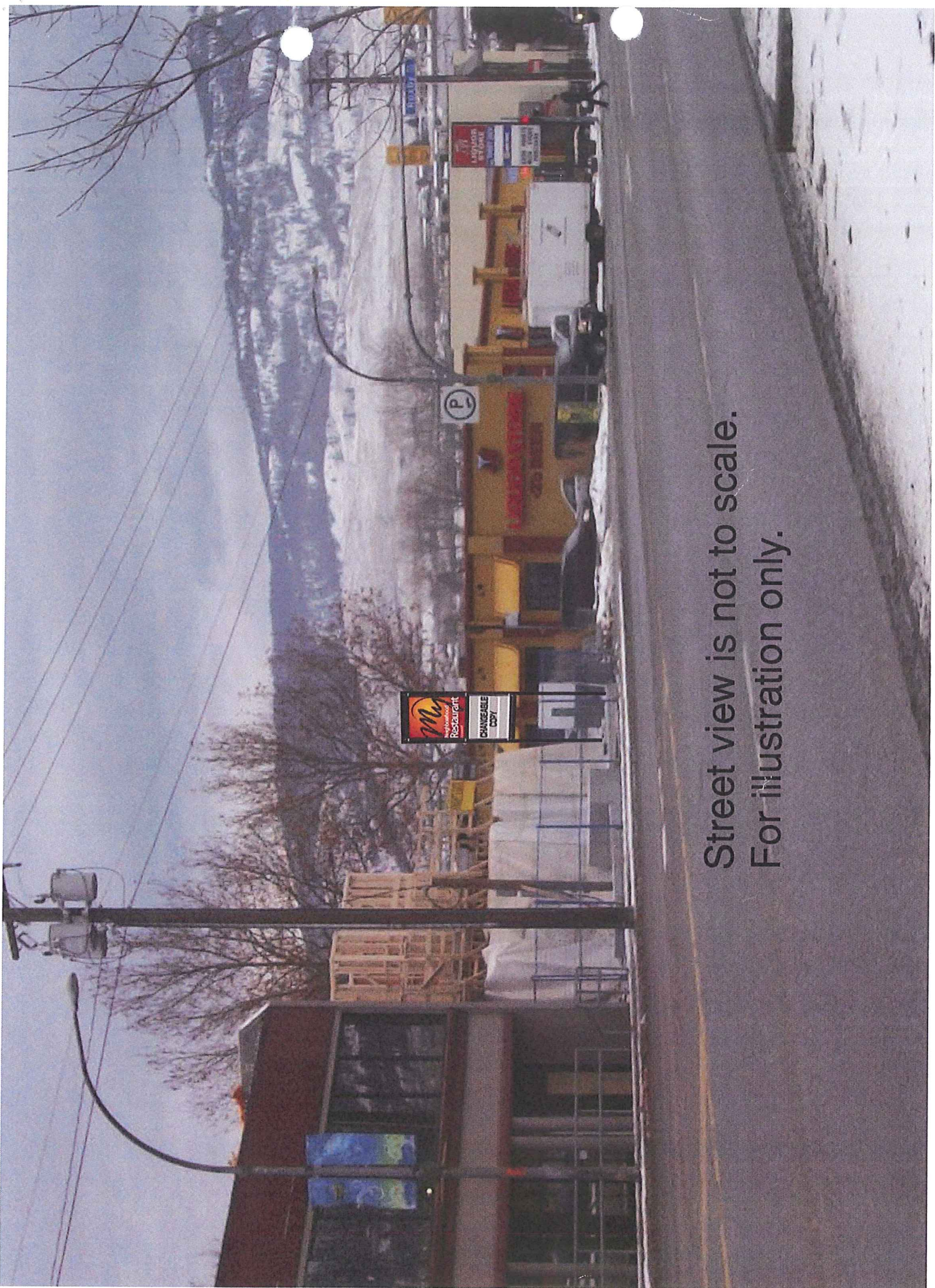
City of Kelowna - Accuracy and correctness not guaranteed.

Map: 847 x 913 m -- Scale 1:5,000

2011-02-25

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.





Street view is not to scale.  
For illustration only.