

Memo



Date: July 27, 2011
To: City Manager
From: Land Use Management, Community Sustainability (PMc)
Application: DVP11-0100 **Owner:** Delta Hotels No. 48 Holdings Ltd.
Address: 1300 Water Street **Applicant:** Pattison Sign Group (David Atkinson)
Subject: Development Variance Permit
Existing OCP Designation: Commercial
Existing Zone: C8LR - Convention Hotel Commercial (Liquor Primary/Retail Liquor)

1.0 Recommendation

THAT Council authorize the issuance of Development Variance Permit No. DVP11-0100, for Lot B, DL 139, 3454, & 4082, O.D.Y.D., Plan KAP47378 Exc. Plans KAP73543 & KAP76701, located on Water Street, Kelowna, BC;

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

Section 6 - Specific Sign Regulations for C8 Zone:

To vary the maximum number of Fascia signs on the eastern building elevation from 2 signs per business frontage permitted to 3 signs per business frontage for the casino operation, as identified on Schedule "A".

2.0 Purpose

The applicant wishes to add one additional sign to the Water Street frontage for the recently expanded casino facility. The Sign Bylaw allows for two fascia signs per business frontage, and the applicant wishes to have 3 signs for the casino facility front elevation.

3.0 Land Use Management

The proposed addition of one more sign to the Casino business frontage facing Water Street is not intrusive to the building façade, as the length of the building frontage is over 100 m long.

The architecture of the expanded casino façade facing Water Street incorporates a number of bay elements that serve as natural place holders for signage. The overall height and length of

the building frontage can accommodate the additional sign without the sign detracting for the building design and adding visual clutter. The proposed signage is suitably scaled to the façade composition and adds appropriate visual interest and animation to the building façade.

The sign installed for the “Grove Bistro” restaurant is considered as a separate business frontage, and is allowed under the Sign Bylaw provisions.

4.0 Proposal

4.1 Background/Description

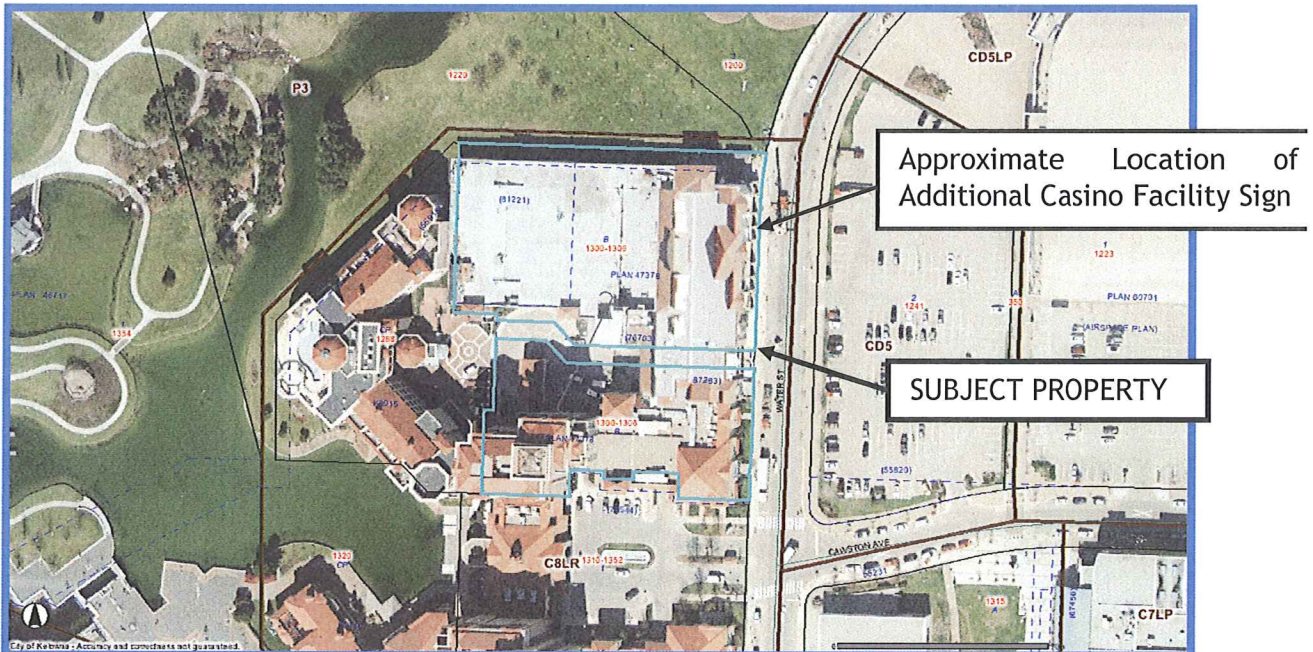
In February 2008 Council authorized the development of a 1,682m² expansion to the casino facility. The proposed signs for the casino that were discussed previously met Sign Bylaw requirements.

The applicant proposes a total of three signs facing Water Street for the Casino facility. The applicant had previously made an inquiry regarding the amount of signage permitted under the C8 - Convention Hotel Commercial zone, and was advised that the maximum number of signs permitted for a business frontage in the C8 zone was two fascia signs. As a result, the elevations were modified to comply with the Sign Bylaw restrictions and reduced the number of signs for the casino to two signs. However, at the time of sign construction and installation, the crew did not receive the updated drawings, and proceeded with the installation of three signs for the Casino facing Water Street. The total area of installed signs is under the maximum sign area allowed for the 103m building frontage.

4.2 Site Context

Location Map

1300 Water Street



The subject property is located on the west side of Water Street near Clement Ave. The site is developed with the Grand Okanagan Resort and the Casino facility.

Adjacent zones and uses are to the:

- North - P3 - Parks and Open Space/Waterfront Park
- East - CD5 - Multi-Purpose Facility / Water St.
- South - C8 - Convention Hotel Commercial, existing hotel & timeshare
- West - P3 - Parks and Open Space/Waterfront Park

4.3 Sign Bylaw review table

The proposal as compared to the C8LR zone requirements is as follows;

Sign Bylaw Analysis Table		
CRITERIA	PROPOSAL	C8 ZONE REQUIREMENTS
Number of Signs	3 signs proposed ①	2 signs per business frontage
Area of Signs	70m ²	Maximum total area is 0.8 m ² per lineal metre of building frontage to a maximum of 20% of the wall area it is attached to (Maximum area 81m ² permitted)

NOTE;

- ① Variance requested to vary number of signs from 2 permitted to 3 signs proposed.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan 2030 (OCP)

Guidelines for “Revitalization Design Guidelines”¹

- 7.1 Design signage that is high quality, imaginative, and innovative;
- 7.2 Design signage with consideration of the size of any individual sign as part of the overall scheme of building signage and the appearance of the building’s façade. Scale and architectural expression should not be compromised by size and number of signs;
- 7.3 Box signs are strongly discouraged;
- 7.4 Incorporate concise messaging and simple graphics into signage. Corporate and store logos are appropriate only if they form part of an overall sign design, and are suitably scaled to the façade composition;

6.0 Technical Comments

6.1 Building & Permitting Department

No Comment

¹ OCP Chapter 14 – Revitalization Design Guidelines, page 14.19

6.2 Development Engineering Department

The DVP application does not compromise our servicing requirements.

6.3 Fire Department

No Concerns

7.0 Application Chronology

Date of Application Received: June 1, 2011

Advisory Planning Commission July 5, 2011

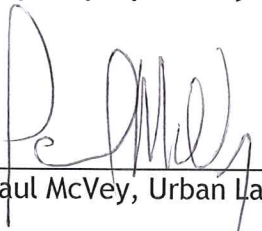
The above noted application was reviewed by the Advisory Planning Commission at the meeting on July 5, 2011 and the following recommendations were passed:

THAT the Advisory Planning Commission supports Development Variance Application No. DVP11-0100, for 1300 Water Street, to vary the Sign Bylaw from two (2) signs to three (3) signs facing Water Street to allow for the installation of an additional sign.

Anecdotal Comments;

The Advisory Planning Commission believes that the variance is appropriate under the circumstances.

Report prepared by:



Paul McVey, Urban Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use Management

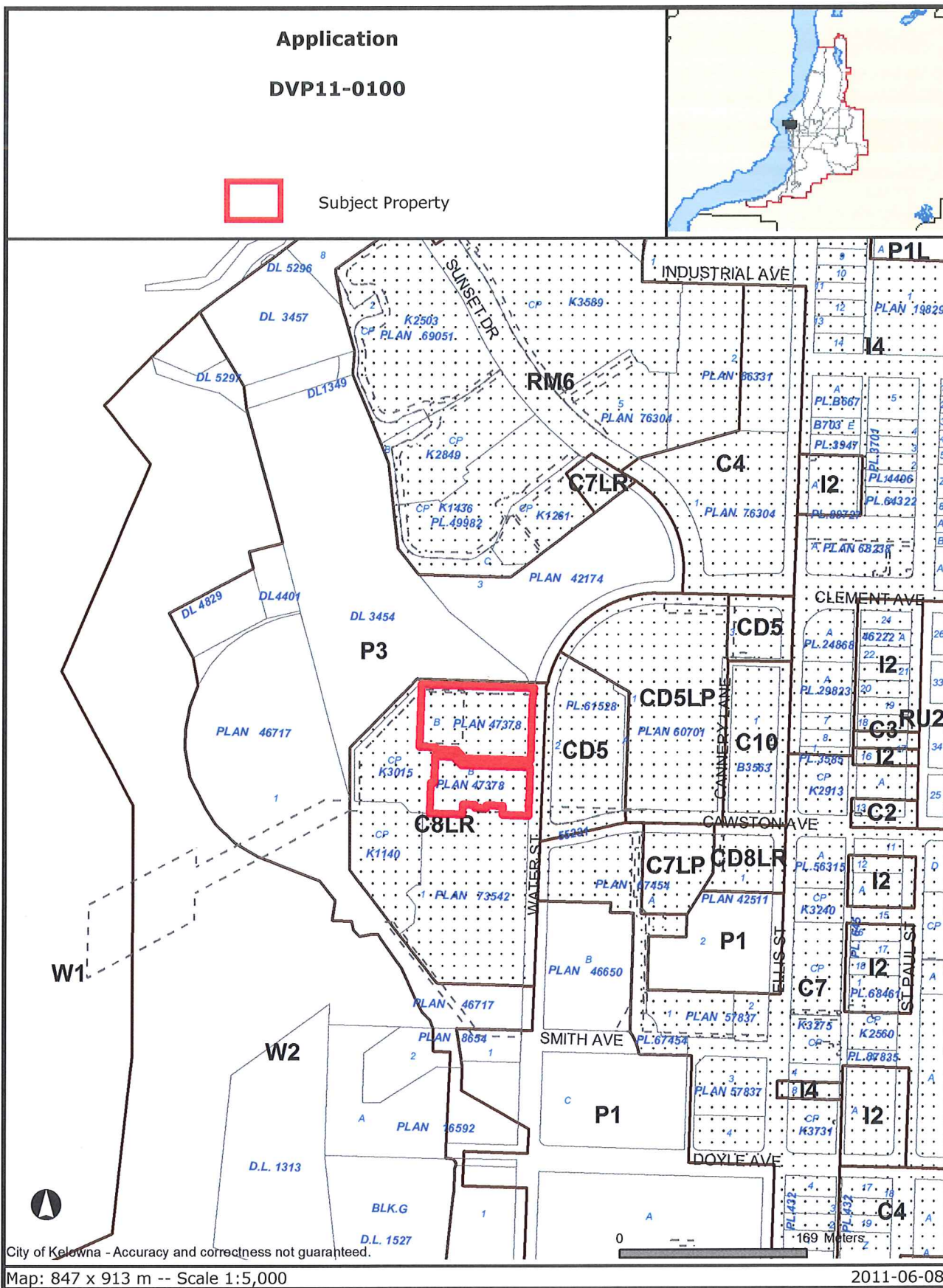
Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

Attachments:

- Subject Property Map
- Site Plan
- Issued Sign Permit Drawings
- Applicant Letter
- Schedule "A"
- Proposed Sign Permit Drawings
- Photo of installed sign (with blank-out cover)



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.

June 3, 2011

City of Kelowna,
Land Use Management,
1435 Water Street,
Kelowna, B.C., V1Y 1J4

Dear Sirs:

Re: Delta Grand Okanagan Resort (Lake City Casino)
1300 Water St, Kelowna B.C.

Pattison Sign Group was contracted by Lake City Casino to complete the signage programme as outlined and permitted under Building permit 41780. Upon completion of the installation, it was noted that an additional sign had been installed on the North elevation that was not permitted. Pattison Sign Group takes full responsibility for this error.

Even though this sign was part of the original package and even though it was subsequently noted that the additional sign did not meet the Bylaw restriction of only two signs, the information relative to the removal of this unit failed to make its way to an internal department that was responsible for the manufacturing and the installation portions of this project.

Neither Lake City Casino nor Pattison Sign Group were intentional in contravening the City's Bylaw regulations or attempting to ignore City requirements. We have worked diligently over the past four years to foster a good relationship with City Planners, and comply with all necessary requirements.

As a result, we are making application to vary the sign bylaw to allow one additional 12' x 12' illuminated flex face sign with a digital lifestyle graphic as its message. We feel we have met the criteria below regarding Sign Bylaw 4.3.2 in that;

4.3.2 The Director of Planning & Development Services may recommend Council approval of a development variance permit for a sign which is part of a comprehensive sign plan, provided that:

- (a) The proposed signs are designed to be fully compatible with the existing or proposed buildings to which they are accessory;*
- (b) The overall area of the signs does not exceed the total area allowed for individual signs on the site;*
- (c) The proposed signs are suitable for the building, the site, and the zone in which they are located; and*
- (d) There would be a greater degree of visual harmony than through the application of the specific sign and specific zone sign regulations.*

As this sign faces Prospera place, and noting its own multiple signs, these appear to be the only two commercial businesses affected by the additional signage. We understand that Prospera Place has voiced no concern with regard to the Lake City Signage, and that no other parties would be affected.

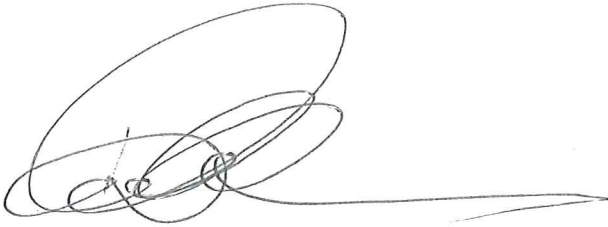
The use of this type of digital sign indicates to pedestrian traffic that this is a Casino without the use of normal text to convey the message; this is a softer approach that matches the building signage plan and due to its length does not clutter the appearance but balances the overall look of all of the signage.

..... / 2

We note that many larger box-type retail outlets have been granted variance for additional signage and we ask Council to support this application on the same basis. Your consideration is appreciated.

Many thanks.

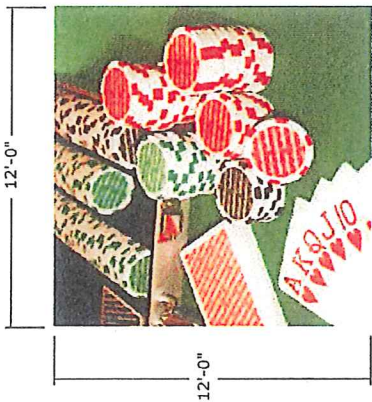
Yours truly,

A handwritten signature in black ink, appearing to read 'David Atkinson', with a long horizontal line extending to the right.

David Atkinson
Sr. Permits/Survey Coordinator
Pattison Sign Group,
165, Waterloo Avenue,
Penticton, B.C., V2A 7J3

Direct Line: 250.487.1738
Switchboard: 250.492.4522
Facsimile: 250.492.4528

PROPOSED FOR VARIANCE
Illuminated Flex
Face Displays on
Engineered
Retainer System
 Installed: East Elevation
 Est. Size: 12'-0" X 12'-0"



East Elevation (North End)

VARIANCE TO PERMIT
 THIRD SIGN FOR
 CASINO



East Elevation (North End)

PATTISON
SIGN GROUP
 2710 Kaslo Street
 Vancouver, BC, Canada V5M 4J1
 Tel (604) 215-5596
 Fax (604) 215-0696
 www.pattisonsign.com

DATE: Nov 12, 2010
 SKETCH: V10-277 RB
 SALES: Keith Dixon
 ARTIST: D.F.
 SCALE: 3/16" = 1'-0"
 VOLTAGE: 120 V
 PAGE: 2 of 7

Customer Approval

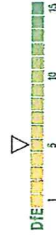
Limited Approval

The design depicted herein is the sole property of Pattison Sign Group and may not be reproduced in whole or in part without prior written consent from the company. Actual colours, letter sizes and graphic layout may vary slightly due to the properties of materials.



Fluorescent, Iron and HHO lamps contain Mercury. Dispose of these lamps according to Local, Provincial, State or Federal Laws.

- REVISION HISTORY (PRIOR TO FASTED PERMIT)
- 1) Increased size of technician cabinet to cover windows.
 - 2) Changed size of technician cabinets.
 - 3) Changed technician cabinets to changeable flex face displays. Decreased size of displays.

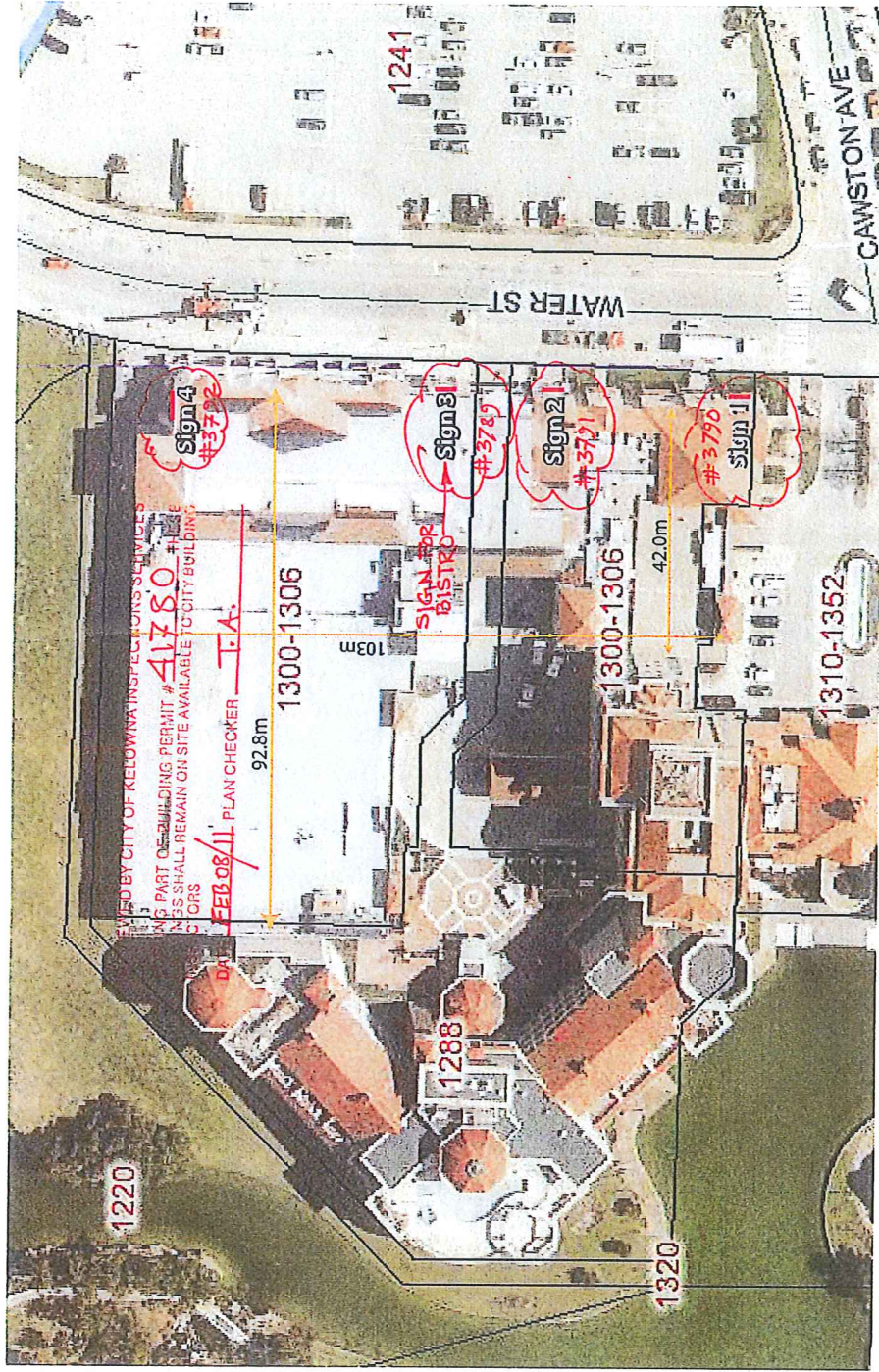


Lake City Casinos

Kelowna, BC

SCHEDULE "A"

Lake City Casino
1300 Water St



ISSUED SIGN PERMIT

YOU CAN READ THIS YOUR PDF PRINTOUT IS NOT TO SCALE. CHANGE "PAGE SCALING" TO "NONE".

East Elevation Overview:

Illuminated flex face displays on engineered retainer system. Page 2 of 6

Sign 1 SIGN STICKER # 3790

Logo cabinet, Channel letters, Color Bands. Page 4 of 6

Sign 2 SIGN STICKER # 3791

Illuminated flex face display on engineered retainer system. Page 3 of 6

Sign 3 SIGN STICKER # 3789

ILLUMINATED CHANNEL LETTERS PAGE 5 OF 6

Sign 4 SIGN STICKER # 3792

NO SIGN AUTHORIZED



REVIEWED BY CITY OF KELOWINA INSPECTIONS SERVICE

FORMING PART OF BUILDING PERMIT # 41780 THESE DRAWINGS SHALL REMAIN ON SITE AVAILABLE TO CITY BUILDING INSPECTORS

DATE FEB 08/11 PLAN CHECKER T.A.

PLEASE NOTE: Size of signage in relation to the building is approximate. This photo overlay is intended for location purposes only and may not accurately represent the scale of the proposed sign to the building. A site survey is required to determine and confirm the exact proportions of proposed signage to building.



2710 Kaslo Street
Vancouver, BC, Canada V5N 4J1
Tel: (604) 215-5526
Fax: (604) 215-0696
www.pattisonsign.com

DATE: Jan 24, 2011
SKETCH: V10-277 R8permits
SALES: Keith Dixon
ARTIST: D.F.
SCALE: n/a
VOLTAGE: n/a
PAGE: 1 of 6

Customer Approval

Landlord Approval

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Lake City Casinos

Kelowna, BC

REVISION HISTORY (PRIOR TO MASTER PRINT)

1. Add. Deleted this sketch (is logo signs). Created new elevations overlays.
2. Add. Deleted this sketch (is logo signs). Created new elevations overlays.
3. Add. Deleted this sketch (is logo signs). Created new elevations overlays.

R1: Added one more changeable flex face. R2: Updated new logos. R3: Added two options. R7: Deleted option B.

ISSUED SIGN PERMIT

East Elevation Overview:

Casino Signage 1
Illuminated flex face displays
Permit # 41780

Casino Signage 2
Logo cabinet & Channel
letters.
Permit # 41780

Grove Bistro Sign 1
Illuminated flex face display
Permit # 41780

Casino Signage Proposed (3)
Illuminated flex face displays
12' x 12'

VARIANCE TO PERMIT
THIRD SIGN FOR
CASINO



PLEASE NOTE: Size of signage in relation to the building is approximate. This photo overlay is intended for location purposes only and may not accurately represent the scale of the proposed sign to the building. A site survey is required to determine and confirm the exact proportions of proposed signage to building.



2710 Kaslo Street
Vancouver, BC, Canada V5N 4T1
Tel (604) 215-5526
Fax (604) 215-0696
www.pattisonsign.com

DATE: Nov 12, 2010
SKETCH: V10-277 R8
SALES: Keith Dixon
ARTIST: D.F.
SCALE: n/a
VOLTAGE: n/a
PAGE: 1 of 7

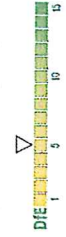
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REVISION HISTORY (PRIOR TO MASTER PRINT)
1. R3: Added this sketch. Updated all subsequent overlays.
2. R4: Deleted that sketch (5 loop signs). Created east elevation overview.
3. R5: Added one more changeable flex face. R5a: Updated new loops. R6: Added two options.
R7: Deleted option B.

Lake City Casinos

Kelowna, BC



JUNE 17th

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

Development Variance Permit No.: DVP11-0100

EXISTING ZONING DESIGNATION:	C8LR - Convention Hotel Commercial (Liquor Primary/Retail Liquor)
DEVELOPMENT VARIANCE PERMIT:	To vary the number of signs for the Casino from 2 signs permitted to 3 signs proposed

ISSUED TO: Pattison Sign Group (David Atkinson)

LOCATION OF SUBJECT SITE: 1300 Water Street

	LOT	DISTRICT LOTS	PLAN	SECTION	TOWNSHIP	DISTRICT
LEGAL DESCRIPTION:	B	139,3454 & 4082	KAP47378 Exc. Plans KAP73543 & KAP76701	25	25	ODYD

SCOPE OF APPROVAL

- This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- Applicants for Development and Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

1. TERMS AND CONDITIONS:

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

Section 6 - Specific Sign Regulations for C8 Zone:

To vary the maximum number of Fascia signs on the eastern building elevation from 2 signs per business frontage permitted to 3 signs per business frontage for the casino operation, as identified on Schedule "A".

2. The development shall commence by and in accordance with an approved Building Permit within ONE YEAR of the date of the Municipal Council authorization resolution.

3. PERFORMANCE SECURITY:

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development Permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- (a) Cash in the amount of \$ N/A .
- (b) A Certified Cheque in the amount of \$ N/A .
- (c) An Irrevocable Letter of Credit in the amount of \$ N/A .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

4. DEVELOPMENT:

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

THIS Permit IS NOT A BUILDING Permit.

5. APPLICANT'S AGREEMENT:

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- (a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- (b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Director of Land Use Management.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner/Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

5. APPROVALS:

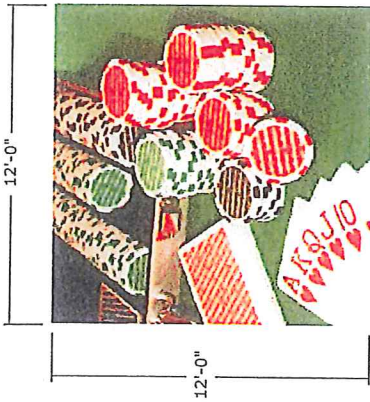
AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL THE ____ DAY OF JULY, 2011.

ISSUED BY THE DIRECTOR OF LAND USE MANAGEMENT OF THE CITY OF KELOWNA THE ____ DAY OF JULY, 2011.

Shelley Gambacort
Director of Land Use Management

PROPOSED FOR VARIANCE
Illuminated Flex
Face Displays on
Engineered
Retainer System

Installed: East Elevation
 Est. Size: 12'-0" X 12'-0"



12'-0"

12'-0"



East Elevation (North End)

VARIANCE TO PERMIT
 THIRD SIGN FOR
 CASINO



East Elevation (North End)



2710, Keele Street
 Vancouver, BC, Canada V5W 4H1
 Tel: (604) 215-5526
 Fax: (604) 215-0596
 www.pattisonsign.com

DATE: Nov 12, 2010
 SKETCH: V10-277 RB
 SALES: Keith Dixon
 ARTIST: D.F.
 SCALE: 3/16" = 1'-0"
 VOLTAGE: 120 V
 PAGE: 2 of 7

Customer Approval

Engineer Approval

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REVISOR HISTORY (PRIOR TO MASTER PRINT)

- 1) R1: Increased size of technician cabinet to cover windows.
- 2) R2: Changed size of technician cabinets.
- 3) R3: Changed technician cabinets to changeable flex face displays. Discussed size of displays.



Lake City Casinos

Kelowna, BC

SCHEDULE "A"