

# REPORT TO COUNCIL



**Date:** February 23, 2012

**To:** City Manager

**From:** Land Use Management, Community Sustainability (PMc)

**Application:** DVP12-0019

**Owner:** 642073 BC Ltd., Inc. No. BC  
0898940

**Address:** 858 McCurdy Pl.

**Applicant:** Priority Permits Ltd.

**Subject:** Development Variance Permit

**Existing OCP Designation:** Industrial

**Existing Zone:** I2 - General Industrial

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP12-0019, for Strata Lot 12, DL 124, O.D.Y.D., Strata Plan KAS3323 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V, located on 858 McCurdy Place, Kelowna, BC;

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

### Section 6.1 - Number of Signs and maximum permitted area of signs in the I2 zone:

To vary the permitted number of signs per business from 2 signs permitted to 5 signs proposed, as per schedule "A".

## 2.0 Purpose

The applicant wishes to install a total of five fascia signs on the new Honda Powerhouse building where the Sign Bylaw only allows for a total of two fascia signs per business in the I2 - General Industrial zone.

## 3.0 Land Use Management

The Honda Powerhouse is the only business tenant that will be operating from the building under construction. Given the location of the parcel within the Marshall Industrial business park, these sites are principally vehicle dominated, and as such the signage is designed for highway exposure and vehicle traffic.

The location of the proposed signs on the northeast and southeast corners of the building will assist in wayfinding to the building. Notably, one of the signs is a 'Service' sign, which is proportionately small and serves as the service loading bay identifier. It is acknowledged that the overall height and length of the building façade is proportional to the proposed number of

signs, and doesn't detract from architectural expression. For reference, if there had been more than one tenant, the number of signs permitted would increase by two signs per business.

#### 4.0 Proposal

##### 4.1 Project Description

The building permit for the industrial building under construction was issued in September 2011. The applicant wishes to install a total of five fascia signs for the Honda Powerhouse business currently under construction on the site. However, the Sign Bylaw only allows two signs per business in the I2 - General Industrial zone.

The signage proposed for the Honda Powerhouse building utilizes Honda corporate branding and logos, and incorporates an energy-efficient LED lighting design. The building façade facing McCurdy Place will have three signs, while there will be one sign facing the rear yard (visible from Highway 97) and one sign located on the northeast end of the building which will be visible from McCurdy Place.

The proposal compares to the Sign Bylaw 8235 requirements as follows:

Analysis Table		
CRITERIA	PROPOSAL	I2 SIGN REQUIREMENTS
Awning, Fascia, Canopy signs	<ul style="list-style-type: none"> <li>• 5 signs proposed ①</li> </ul> Total of area of the proposed signs = 36.0 m <sup>2</sup> Max. 153 m <sup>2</sup> sign area permitted (2.5% of the wall area)	2 signs per business frontage  a. maximum total area is 1.0 m <sup>2</sup> per lineal metre of building frontage to a maximum of 20% of the wall it is attached to.
Free-standing	1 sign on McCurdy Place	Maximum of 1 sign

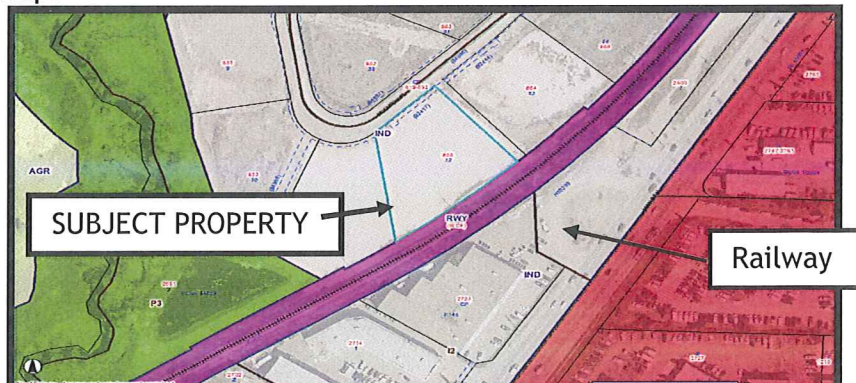
① To vary the number of fascia signs from 2 permitted to 5 proposed.

##### 4.2 Site Context

The subject property is located within the Marshall Business Centre development, near the southwest corner of the subdivision. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
Northeast	I2 - General Industrial	Industrial building (Leavitt Machinery, OK Hitch)
Northwest	I1 - Business Industrial	Vacant
Southeast	A1 - Agriculture 1	Railway
Southwest	I2 - General Industrial	Vacant

Subject Property Map:



**5.0 Current Development Policies**

**5.1 Urban Design DP Area Industrial Guidelines**

**Section 17.0 - Signs<sup>1</sup>**

17.1 Integrate signage that contributes to the overall quality and unique character of a development (e.g. coordinate proportion, materials, and colour);

17.2 Do not compromise the scale and visual qualities of a building with the size and number of signs;

17.3 Locate, size, and format signs such that they can be easily read by pedestrians.

**6.0 Technical Comments**

**6.1 Building & Permitting Department**

No comment

**6.2 Development Engineering Department**

a) The proposed sign does not compromise any municipal infrastructure.

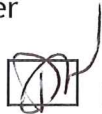
**7.0 Application Chronology**

Date of Application Received: January 31, 2012

Report prepared by:

\_\_\_\_\_  
Paul McVey, Land Use Planner

Reviewed by:



Danielle Noble, Manager of Urban Land Use

Approved for Inclusion:



Shelley Gambacort, Director of Land Use Management

**Attachments:**

Subject Property map

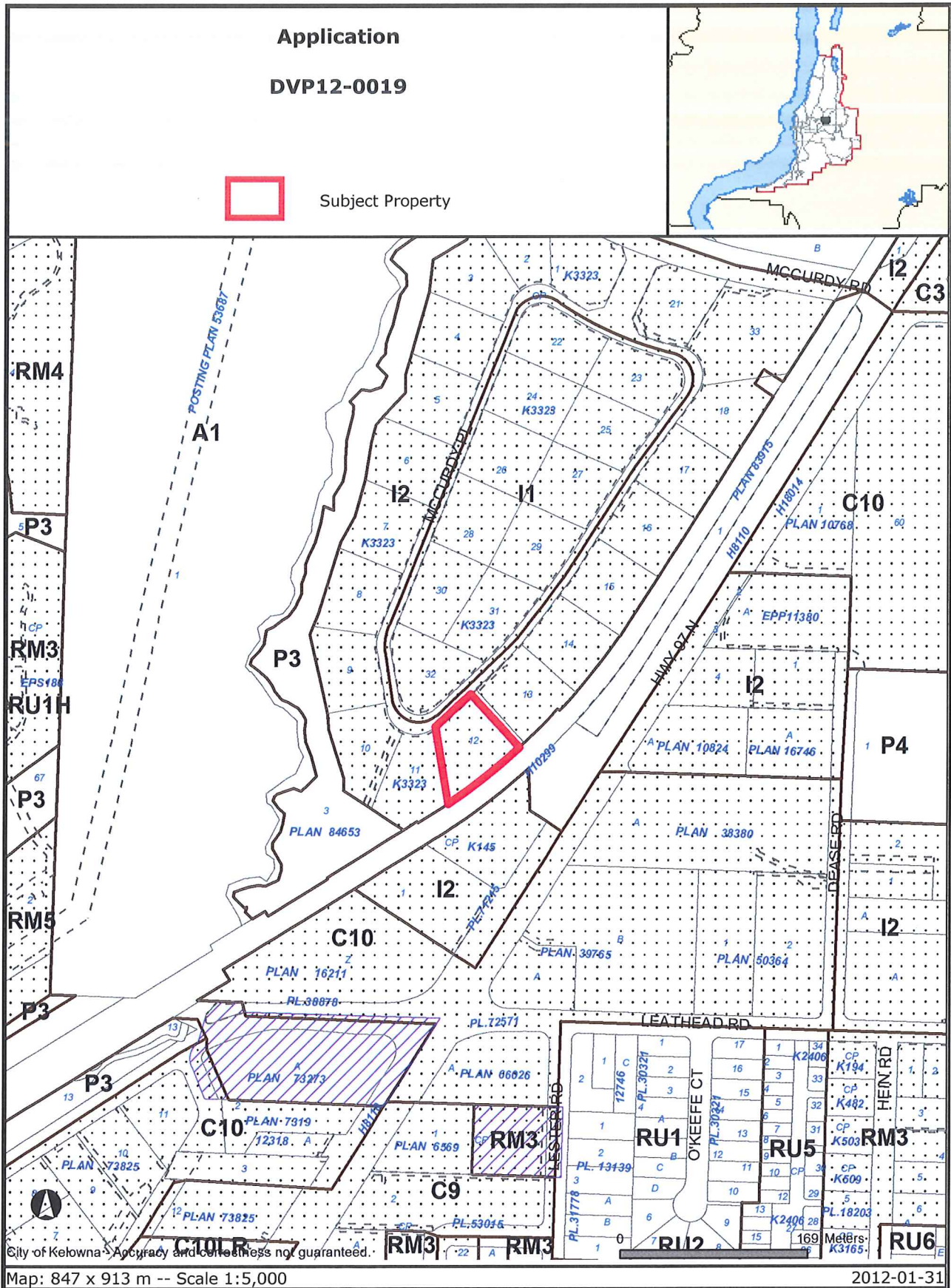
Site Plan

Conceptual Building Elevations

Site Photo

\_\_\_\_\_  
<sup>1</sup> OCP Chapter 14 page 14.13





City of Kelowna - Accuracy and correctness not guaranteed.

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

2012-01-31

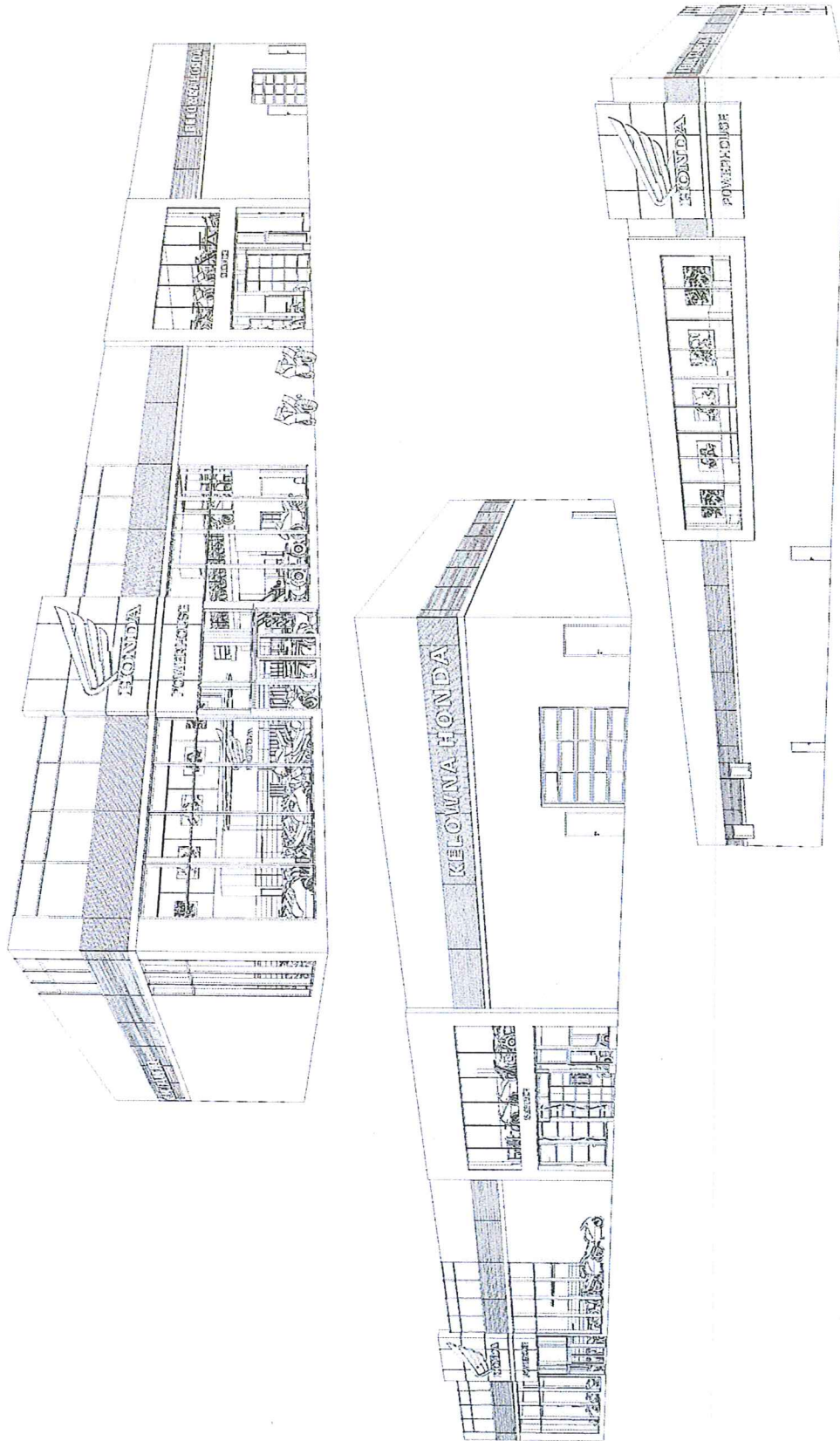
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.











**PRELIMINARY**

**EXTERIOR PERSPECTIVES**

NO.	DESCRIPTION	DATE	BY
3	Issues for review to meet U.S. Code	Dec-2019	B.C.L.
4	Issues for review & approval to submit	Aug-2019	B.C.L.
5	Issues for review & approval to submit	Aug-2019	B.C.L.

**DESIGN COPYRIGHT HONDA POWERHOUSE - DESIGN CONTROL DOCUMENTS**  
 The purpose of the Design Control Documents is to manage the design process. They are not to be used to obtain building permits or for construction. Construction documents are to be prepared by a licensed design professional or local rules, regulations, requirements and laws. Any modifications derived from these plans should be approved by the design professional. Design documents are to be prepared in accordance with the applicable building codes and standards. Design documents are to be prepared in accordance with the applicable building codes and standards.

**OMNIPLAN**  
 Unpublished Work - Copyright Omniplan  
 All Rights Reserved  
 1000 West 10th Street, Suite 3103  
 Kelowna, BC V1Y 1Y3  
 Tel: 250-861-9100  
 Fax: 250-861-9101  
 Email: info@omniplan.ca  
 Website: www.omniplan.ca

**KELOWNA HONDA**  
 Kelowna, BC  
 Date: Oct/19  
 Design by: B.C.L.  
 Checked by: R.C.C.











BUILDING UNDER  
CONSTRUCTION @  
858 McARDY PL  
TAKEN FROM  
HWY 97 SIDE



# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

Development Variance Permit No.: DVP12-0019

EXISTING ZONING DESIGNATION:	I2 - General Industrial
DEVELOPMENT VARIANCE PERMIT:	To vary the number of fascia signs from 2 permitted to 5 proposed

ISSUED TO:	Priority Permits Ltd.
LOCATION OF SUBJECT SITE:	858 McCurdy Place

	LOT	DISTRICY LOT	PLAN	SECTION	TOWNSHIP	DISTRICT
LEGAL DESCRIPTION:	12	124	KAS3323	26	27	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 I2 Zone:

To vary the maximum number of Fascia signs from 2 signs per business permitted to 5 signs per business, 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 \_\_\_\_\_, 2012.

ISSUED BY THE DIRECTOR OF LAND USE MANAGEMENT OF THE CITY OF KELOWNA THE \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
Shelley Gambacort  
Director of Land Use Management