

# REPORT TO COUNCIL



**Date:** August 17<sup>th</sup>, 2012

**To:** City Manager

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

**Application:** DVP12-0151

**Owner:**

Callahan Construction Company Ltd.,  
Inc. No. 66876  
3720 Investments Ltd., Inc. No. 432637

**Address:** #45 - 3155 Lakeshore Road

**Applicant:**

Atlas Signs & Awning Co.

**Subject:** Development Variance Permit

**Existing OCP Designation:** Commercial

**Existing Zones:** C4LR - Urban Centre Commercial Liquor Retail

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## 1.0 Recommendation

THAT Council authorize the issuance of Development Variance Permit No. DVP12-0151 for Lot 2, District Lot 14 & 135, ODYD, Plan KAP54407, located at 3155 Lakeshore Road, Kelowna, B.C.;

AND FURTHER THAT variances to the following sections of Sign Bylaw No. 8325 be granted:

Section 6.1 - Number of Signs permitted in the C4 zone:

To vary the permitted number of signs along the west business frontage from 2 signs permitted to 5 signs proposed as per schedule 'A'.

## 2.0 Purpose

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

## 3.0 Land Use Management

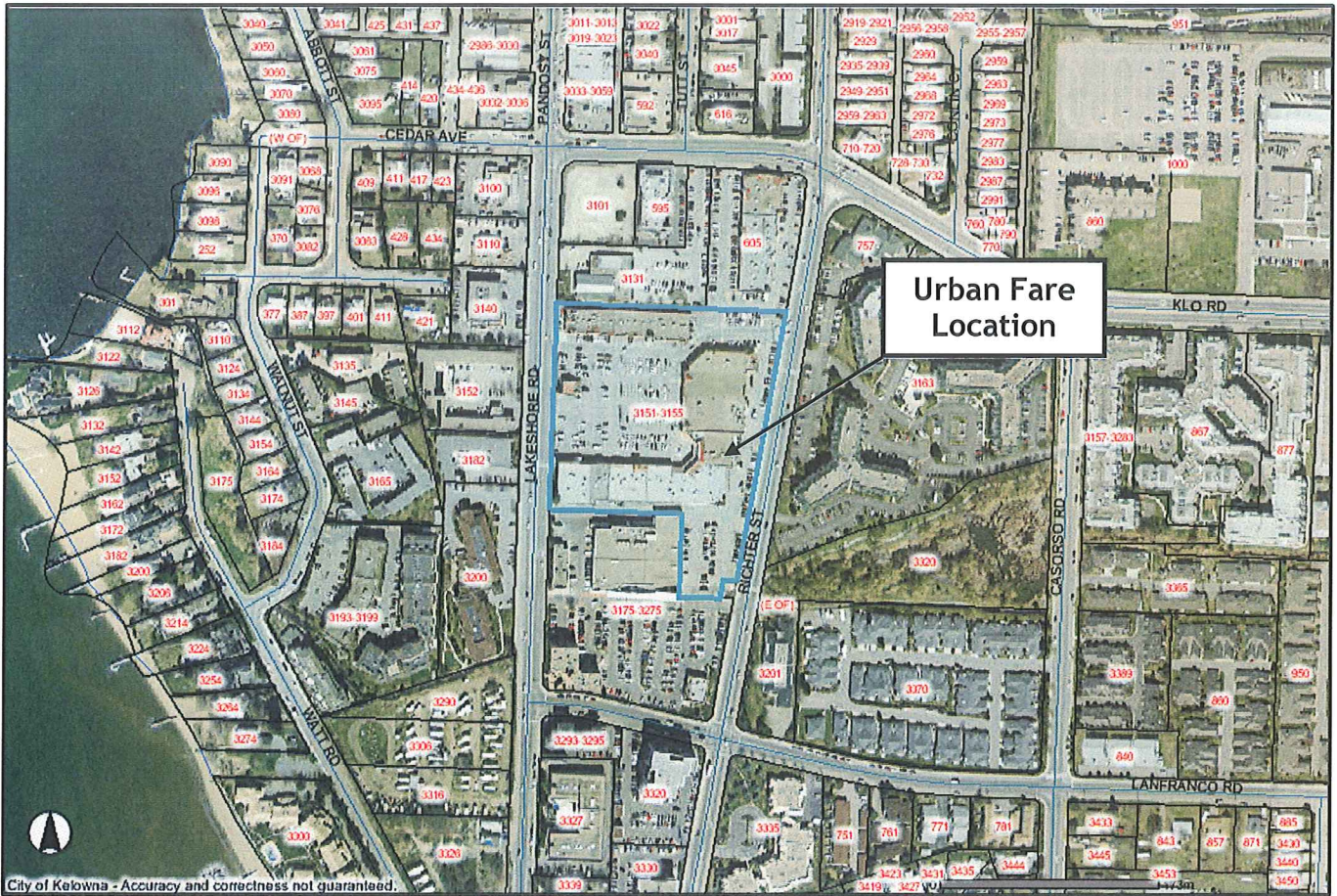
Generally, Land Use Management does not support variances to the Sign Bylaw due to the proliferation of signage in various areas of the City. Notably, the overuse of signage (both in number of signs and size) detracts from the architectural quality and finishing of many buildings, and ultimately adds to the visual clutter of commercial areas.

This proposal seeks to allow three additional signs on the western building frontage. The colour proposed for the signs is unobtrusive, with black as the primary colour in a non-illuminated signage scheme with reverse channel letters that sit on the wall. The comprehensive signage plan for this anchor tenant of this shopping centre is considered architecturally complimentary, and is appropriately scaled to both the building frontage and is pedestrian legible. While the number of signs exceeds bylaw regulations, the total sign area for the building frontage is less than the

maximum permitted. Overall, the elevation improvements to accommodate the tenant upgrade are considered a positive addition to the shopping centre.

4.0 Proposal

4.1 Site Context



The adjacent land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	C4 - Urban Centre Commercial	Commercial
East	RM5 - Medium Density Multiple Housing	Residential
South	C4 - Urban Centre Commercial	Commercial
West	C4 - Urban Centre Commercial	Commercial

4.2 Project Description

Urban Fare, a new anchor tenant for the existing shopping centre has recently completed a major retrofit for their new store which is one of the largest commercial retail units in the shopping centre. The proposed signage scheme is part of the overall renovation plan. This application seeks to vary the quantity of signs.

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

CRITERIA	PROPOSAL	C4 SIGN REQUIREMENTS
Awning, Fascia, Canopy signs	<ul style="list-style-type: none"> <li>• 5 signs proposed for west elevation ①</li> <li>• 1 sign proposed for east elevation</li> </ul> <p>Total of area of all west signs = 22m<sup>2</sup></p>	<p>2 signs per business frontage</p> <p>a. maximum total area is 0.8 m<sup>2</sup> per lineal metre of building frontage to a maximum of 20% of the wall it is attached to.</p> <p>West elevation is permitted a maximum of 37 m<sup>2</sup> of signage.</p>

① To vary the number of signs on the west frontage from 2 signs permitted to 5 signs proposed

## 5.0 Current Development Policies

### 5.1.1 Urban Design Development Permit Areas (Chapter 14) - Revitalization Design Guidelines

#### Signage

- Design signage that is high quality, imaginative, and innovative;
- 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;
- Box signs are strongly discouraged;
- 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;
- Light lettering on a dark background is preferred over dark lettering on a light background and consideration should be given to those with visual impairment;
- Minimize signage lighting (i.e., incorporate indirect front-lit signs wherever possible);
- Counter-balance illuminated signs with natural materials and appropriate framing.

## 6.0 Technical Comments

6.1 Building & Permitting Department  
No Comment.

6.2 Development Engineering Department  
This application to vary the number of signs does not compromise any municipal services.

## 7.0 Application Chronology

Date of Application Received: August 9<sup>th</sup>, 2012

Report prepared by:

\_\_\_\_\_ Alec Warrender, Urban Land Use Planner

Reviewed by:  Danielle Noble Manager, Urban Land Use Management

Approved for Inclusion:  Shelley Gambacort, Director, Land Use Management

Attachments:  
Site Plan  
Elevations & Sign Details

# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

Development Variance Permit No.: DVP12-0151

EXISTING ZONING DESIGNATION:	C4 – Urban Centre Commercial
DEVELOPMENT VARIANCE PERMIT:	To vary the permitted number of signs along the west business frontage from 2 signs permitted to 5 signs proposed

ISSUED TO:	Atlas Signs & Awning Co.
LOCATION OF SUBJECT SITE:	#45 – 3155 Lakeshore Road

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	2		14 & 135		ODYD	KAP54407

### 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 a Development Permit and/or 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. 8325 be granted:

#### Section 6.1 - Number of Signs permitted in the C4 zone:

To vary the permitted number of signs along the west business frontage from 2 signs permitted to 5 signs propose as shown in Scheuld 'A'.

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. 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.**

4. 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.

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 Planning & Development Services.

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

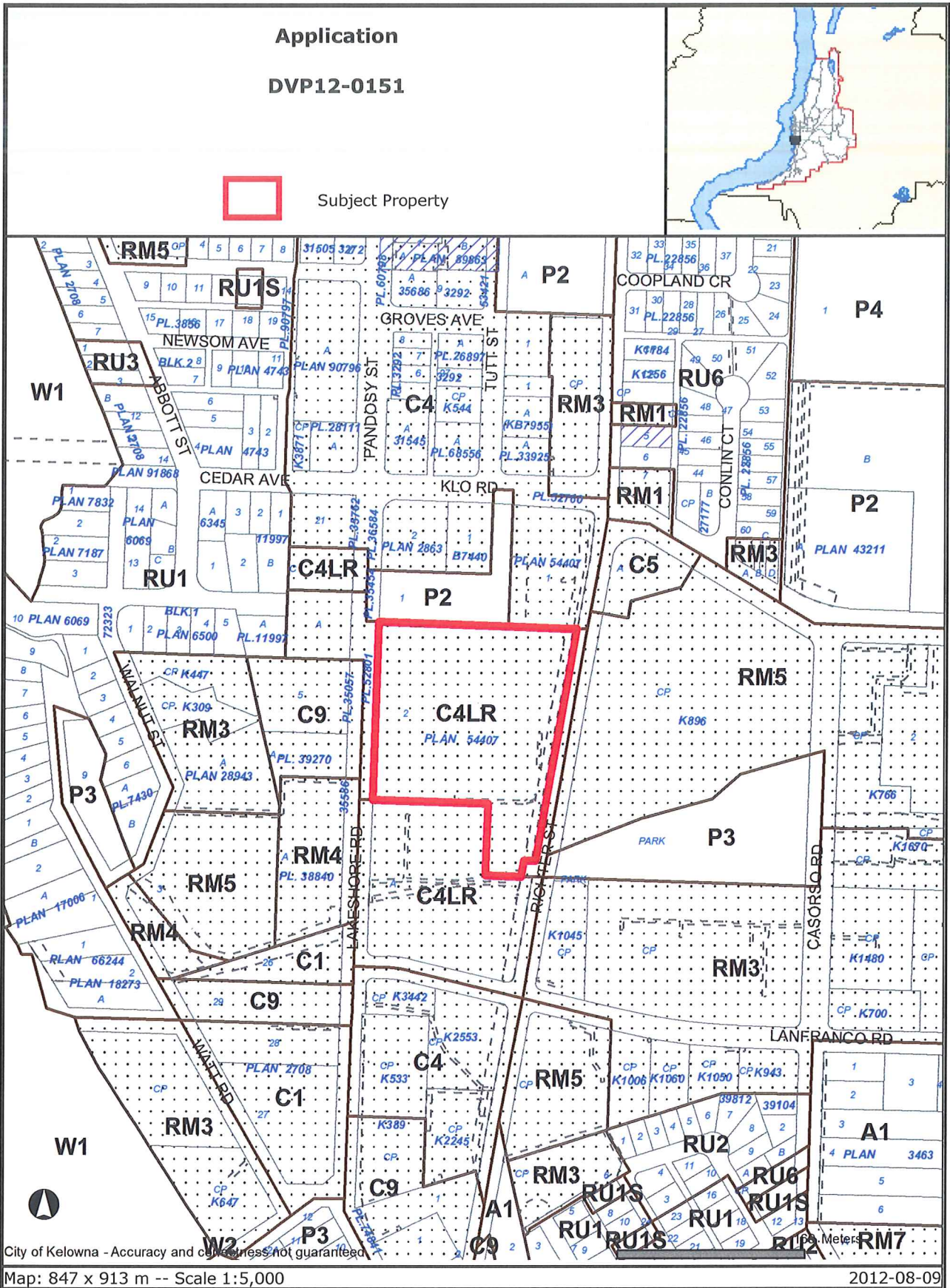
\_\_\_\_\_  
Telephone No.

6. APPROVALS:

DEVELOPMENT VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE 18<sup>th</sup> DAY OF SEPTEMBER, 2012.



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

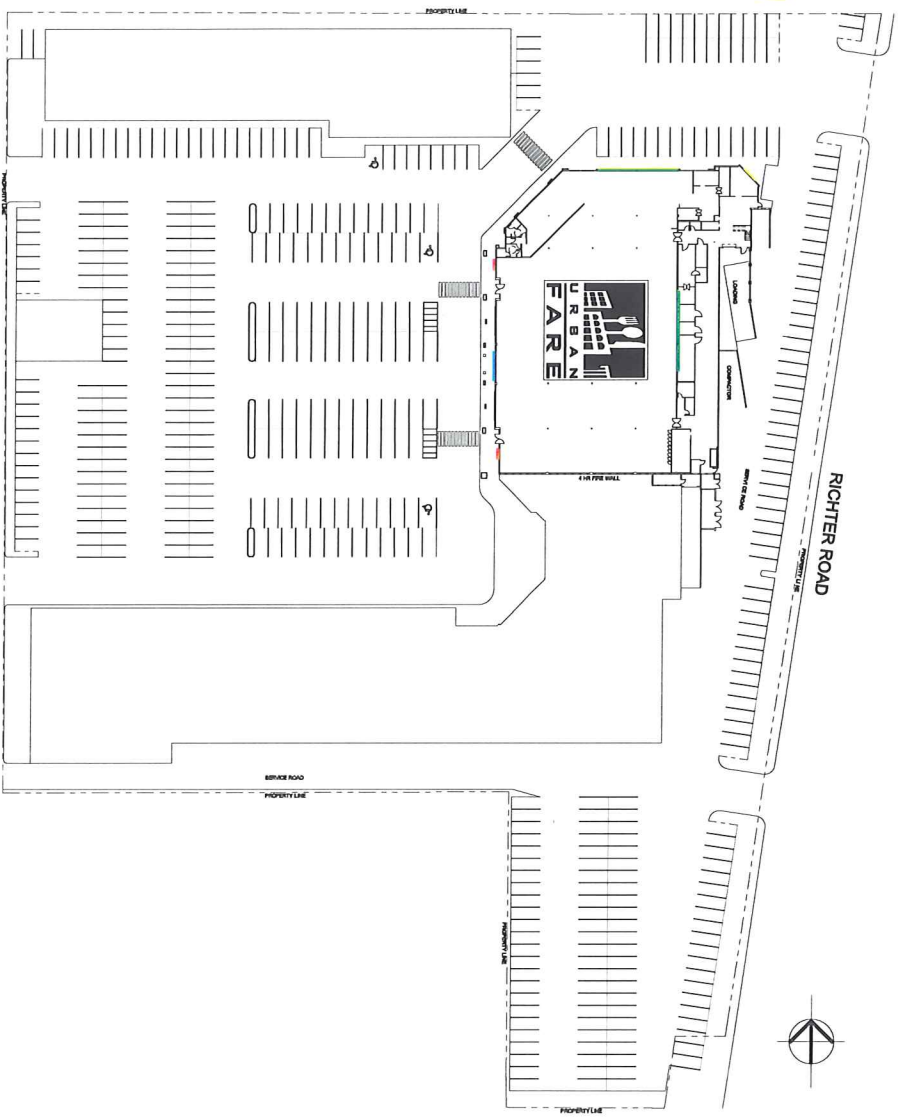
\_\_\_\_\_  
Shelley Gambacort  
Director of Land Use Management



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.

- PROPOSED ROUTED LOGO SIGNS
- PROPOSED HALO LIT LETTERS
- PROPOSED CUT OUT LETTERS (NON ILLUM)
- PROPOSED HALO LIT LETTERS ON BG PANELS
- EXISTING MULTI TENANT SIGN

 <p><b>ATLAS</b> SIGN &amp; AWNING 24677 Edgewater Way, Langley, BC V4W 3S4 Ph: (604) 886-7863 Fax: (604) 886-7825 or call toll free (800) 882-1018</p>	
JOB #	URBAN FARE #7638
LOCATION	MISSION PARK KELOWNA, BC
SALES	Les Olm
DESIGNER	Jerouch
SCALE	1/8" = 1'
DATE	June 19, 2012
PAGE	1 OF 11
 <p><small>THIS DRAWING IS THE PROPERTY OF ATLAS SIGN &amp; AWNING. IT IS TO BE USED ONLY FOR THE PROJECT AND LOCATION SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR REPRODUCTION WITHOUT THE WRITTEN PERMISSION OF ATLAS SIGN &amp; AWNING IS STRICTLY PROHIBITED.</small></p>	





Customer Approval: \_\_\_\_\_ Date \_\_\_\_\_

To Production \_\_\_\_\_ Date \_\_\_\_\_

**\*SITE CHECK REQUIRED FOR SIZING & METHOD OF INSTALL**



 <p>26697 Gloucester Way, Langley, BC V4W 3S4          Ph: (604) 856-7863 Fax: (604) 856-7825          or call toll free (800) 882-1018</p>	
JOB #	1429
LOCATION	MISSION PARK KELOWNA, BC
SALES	Laa Olem
DESIGNER	Jerouch
SCALE	ms
DATE	June 18, 2012
PAGE	2 OF 11
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**PHOTO PROPOSAL (ENTRY ELEVATION)**  
 1429 - URBAN FARE #7638 - KELOWNA, BC\DesignSHOP DRAWINGS 06.19.12.cdr

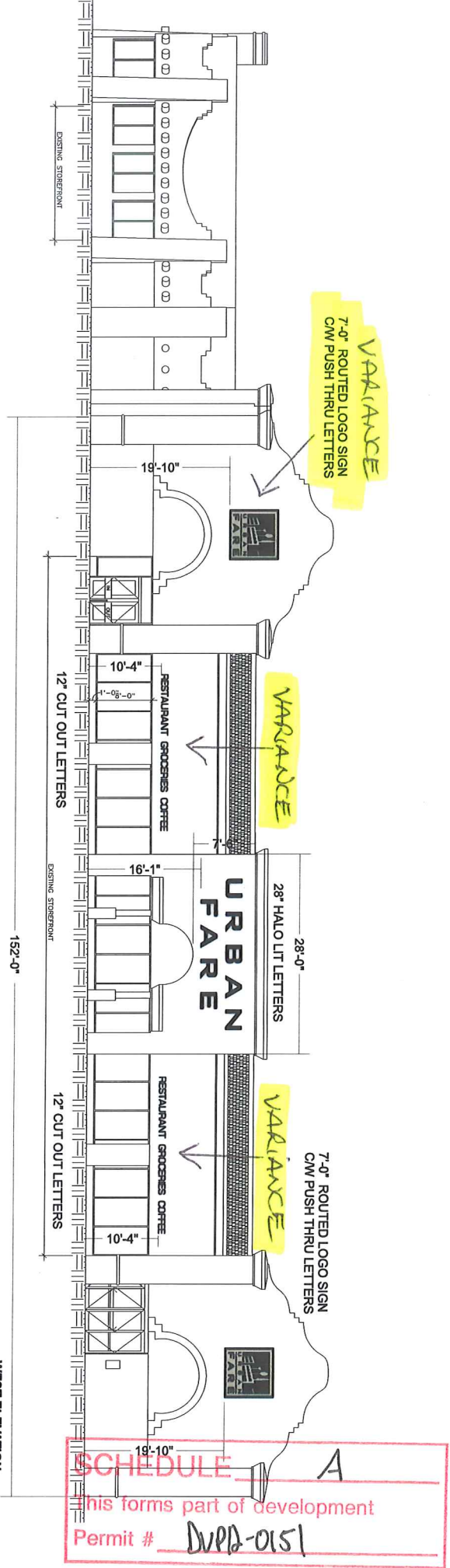
SCHEDULE   A    
 This forms part of development  
 Permit #   DWP-0151

 <p>24697 Gloucester Way, Langley, BC V4W 3J4          Pk: (604) 886-7863 Fax: (604) 886-7825          or call toll free (800) 882-1018</p>	
JOB #	URBAN FARE #7638
LOCATION	MISSION PARK KELOWNA BC
SALES	Lea Olan
DESIGNER	Jarouch
SCALE	1/16"
DATE	June 19, 2012
PAGE	6 OF 11

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**STORE FRONT ELEVATION**

# URBAN

21'-1"


# FFARRR

15'-4"

2'-4"

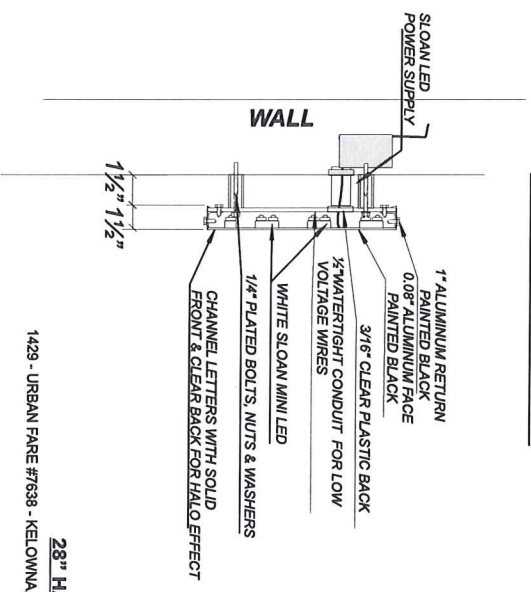
2'-4"

SCHEDULE A  
 This forms part of development  
 Permit # DVPD-0151

 <p><b>ATLAS</b> SIGN &amp; AWNING 24697 Gloucester Way, Langley, BC V4W 3S4 Ph: (604) 856-7935 Fax: (604) 856-7935 or call toll free (800) 882-1018</p>	
JOB # 1429	URBAN FARE #7638
LOCATION	MISSION PARK KELOWNA BC
SALES	Les Olson
DESIGNER	Jerome
SCALE	1/2"
DATE	June 19, 2012
PAGE	9 OF 11



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 To Production \_\_\_\_\_ Date \_\_\_\_\_

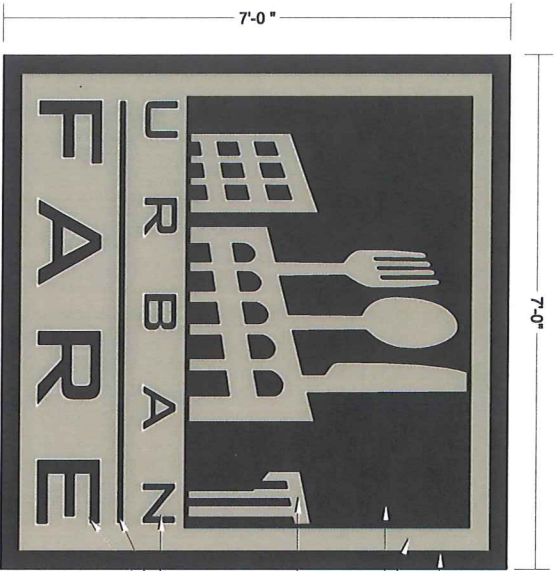
\*SITE CHECK REQUIRED FOR SIZING & METHOD OF INSTALL



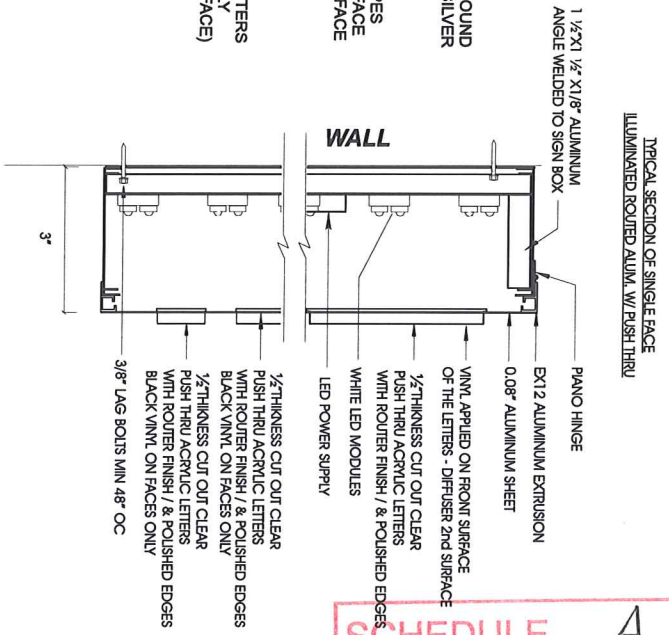
CROSS SECTION

1429 - URBAN FARE #7638 - KELOWNA, BC\Design\SHOP DRAWINGS 06.19.12.cdr  
**28" HALO LIT CHANNEL LETTERS**

 <p>24697 Gloucester Way, Langley, BC V4W 1S4          Ph: (604) 856-7943 Fax: (604) 856-7225          or call toll free (800) 882-1018</p>	
JOB #	1429
LOCATION	MISSION PARK KELOWNA BC
SALES	Lea Olem
DESIGNER	Jerouch
SCALE	1/2"
DATE	June 19, 2012
PAGE	8 OF 11
	
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- CABINET PTD BLACK
- ROUTED ALUMINUM BACKGROUND PAINTED BLACK / METALLIC SILVER AS SHOWN
- 1/2" ACRYLIC PUSH THRU SHAPES 3630-121 SILVER ON 1ST SURFACE DIFFUSER VINYL ON 2ND SURFACE
- 1/2" ACRYLIC PUSH THRU LETTERS BLACK VINYL ON FACES ONLY (NO DIFFUSER ON 2ND SURFACE)



**SCHEDULE A**  
 This forms part of development  
 Permit # Draft 0151

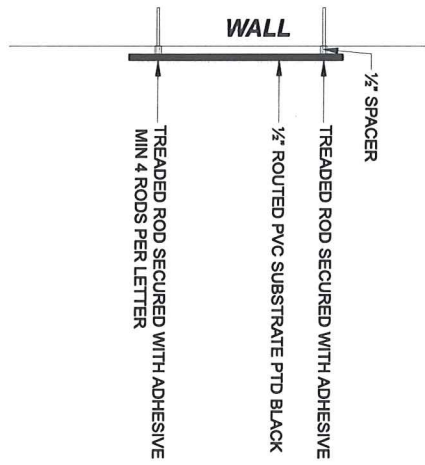
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 To Production \_\_\_\_\_ Date \_\_\_\_\_


**7'-0" ROUTED LOGO SIGN - 2 REQUIRED**  
 1429 - URBAN FARE #7638 - KELOWNA, BC designSHOP DRAWINGS 06.19.12.cdr

# RESTAURANT GROCERIES COFFEE

22'-1"

SCHEDULE A  
 This forms part of development  
 Permit # DUP12-0151



 <p>24497 Gloucester Way, Langley, BC V4W 3J4                  Ph: (604) 856-7833 Fax: (604) 856-7835                  or call toll free (800) 882-1018</p>	
JOB #	URBAN FARE #7638
LOCATION	MISSION PARK KELOWNA BC
SALES	Lae Olem
DESIGNER	Jerouch
SCALE	1/8"
DATE	June 19, 2012
PAGE	11 OF 11

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 To Production \_\_\_\_\_ Date \_\_\_\_\_  
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**NON ILLUMINATED CUT OUT LETTERS - 2 SETS REQUIRED**  
 1429 - URBAN FARE #7638 - KELOWNA, BCDesignSHOP DRAWINGS 06.19.12.cdr