

REPORT TO COUNCIL



Date: April 4, 2016
RIM No. 0940-50
To: City Manager
From: Community Planning Department (RR)
Application: DP15-0264 **Owner:** RG Properties Ltd Inc No BC0812619
Address: 1835 Gordon Dr **Applicant:** Gavin Perry
Subject: Form and Character Development Permit
Existing OCP Designation: MXR - Mixed Use Residential
Existing Zone: C4LP - Urban Center Commercial - Liquor Primary

1.0 Recommendation

THAT Council NOT authorize the issuance of Development Permit No. DP15-0264 for Lot A, DL 137, ODYD, Plan KAP64836 Except Plan EPP33990 located at 1835 Gordon Dr, Kelowna, BC.

2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Permit for the form and character of a digital pylon sign.

3.0 Community Planning

The Community Planning Division does not support the proposed development permit.

The Revitalization Guidelines of the Official Community Plan establish several guidelines for signage installed in the area. The guidelines require that developments “Minimize signage lighting (i.e., incorporate indirect front-lit signs wherever possible)” and that “Box signs are strongly discouraged”. The proposed animated box sign will be brightly lit and distinct.

The overall permit objectives are to “Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna” and to “Enhance the urban centre’s main street character in a manner consistent with the area’s character”. It is the opinion of staff that the proposed signage alteration does not achieve these objectives.

City Engineering staff and the RCMP have also expressed concerns regarding the potential for distracting signs along the highway, especially so close to a major intersection.

While the Sign Bylaw does permit animated signage, the Development Permit Guidelines for the area do not support this form of signage. Council is within its legislative purview to not issue the Development Permit.

If the proposed Development Permit is approved, the applicant will be required to comply with current or future regulations pertaining to Electronic Changeable Copy Signage.

Staff consider this an important issue for the City to regulate appropriate signage. Should Council approve the requested digital sign, it is anticipated that additional applications will be made for similar signage across the city.

4.0 Proposal

4.1 Project Description

The applicant wishes to alter the current Pylon sign on the property to replace portions of sign copy with new digital and LED lit signage. The size of the sign would not change, with the alterations being only to existing sign copy and cabinets.



4.2 Site Context

The site is at a key local intersection, of Highway 97 and Gordon, along very busy roadways. It is highly visible to local and visitor traffic.

The Capri Center is intended as a redevelopment site, with Council having given recent consideration to the Zoning Bylaw amendment and Master Development Permit for a complete redevelopment of the site.



Picture 1 Sign to be Altered

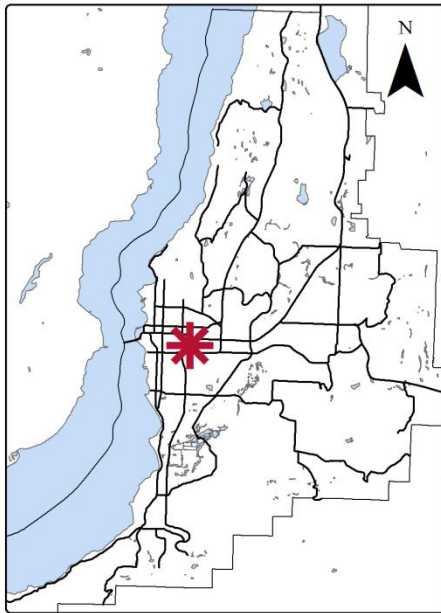


Picture 2 Sign to Remain

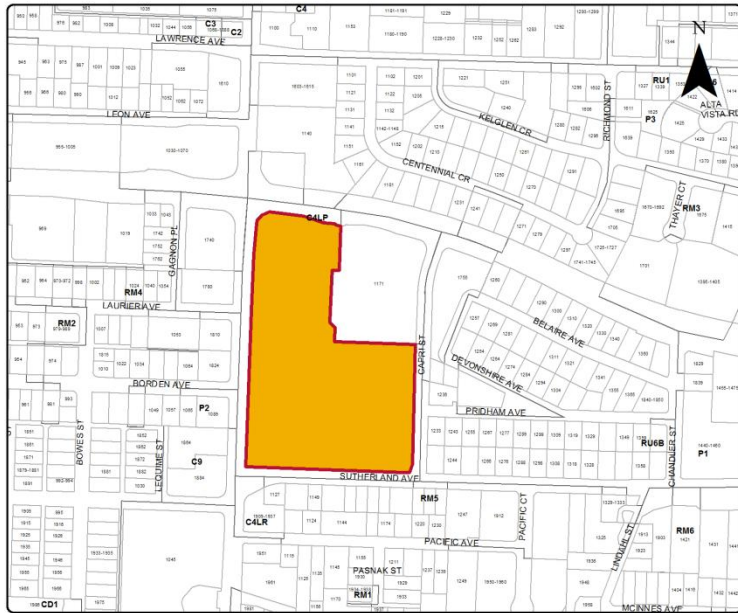
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 - Urban Centre Commercial	Hotel
East	C4 - Urban Centre Commercial	Restaurant
South	C4 - Urban Centre Commercial	Commercial Rental
West	C4 - Urban Centre Commercial	Commercial / Office Rental

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Revitalization Development Permit Area

OBJECTIVES

- Use appropriate architectural features and detailing of buildings and landscapes to define area character;
- Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;

- Enhance the urban centre's main street character in a manner consistent with the area's character;
- Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;

SIGNAGE

- 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;
- 7.5 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;
- 7.6 Minimize signage lighting (i.e., incorporate indirect front-lit signs wherever possible);
- 7.7 Counter-balance illuminated signs with natural materials and appropriate framing.

5.2 Signage Bylaw 8235

Electronic Changeable Copy Signs

- 5.10.1 An Electronic Changeable Copy Sign is permitted if it;
 - (a) is part of a freestanding or fascia sign;
 - (b) incorporates public service information (time, date, or temperature) for a portion of the message;
 - (c) limits the change to the complete message to one change per minute;
 - (d) does not incorporate any form of scrolling, fading, movement of any kind as part of the change of message;
 - (e) does not incorporate any form of animation, moving letters, symbols, or image, or any change in intensity of illumination to the message;
 - (f) does not incorporate any form of chasing borders or animation of any kind to the sign or message.

6.0 Technical Comments

6.1 Development Engineering Department

The Engineering Department has expressed concerns regarding potential distractions to drivers stopped at the intersection of Harvey and Gordon (see attached Memorandum)

6.2 RCMP

The RCMP advises that Harvey and Gordon is a very high accident intersection, and that they are concerned about the possibility of additional distractions in the area.

7.0 Application Chronology

Date of Application Received: October 23, 2015

8.0 Alternate Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0264 for Lot A, DL 137, ODYD, Plan KAP64836 Except Plan EPP33990, located at 1835 Gordon Dr. Kelowna, BC subject to the following:

1. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "A";
2. Sign copy shall remain in place for a minimum of 6.0 seconds before switching to the next copy;
3. The maximum transition time between each digital copy shall not exceed 0.25 seconds;
4. Copy shall not be shown on the digital display using full motion video or otherwise give the appearance of animation of movement, and the transition between each digital copy shall not be displayed using any visible effects, including but not limited to action, motion, fading in and out, dissolving, blinking, intermittent, or flashing light or the illusion of such effects;
5. Copy shall not be shown in a manner that requires the copy to be viewed or read over a series of sequential copy messages on a single digital display, or sequences on multiple digital displays;
6. The signs must be equipped with an ambient light sensor;
7. The digital display shall not increase the light levels adjacent to the digital display by more than 3.0 LUX above the ambient light level;
8. While the sign is in operation, the light output for the digital display shall be set in accordance with the following maximum luminance levels when measured from the sign face at its maximum brightness:
 - a. From sunrise to sunset, 7500 Nits;
 - b. From sunset to sunrise, 300 Nits
9. If any component on the sign fails or malfunctions the sign shall be programmed to automatically turn off.

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Report prepared by:

Ryan Roycroft, Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Conceptual Elevations

Development Engineering Memorandum