

# REPORT TO COUNCIL



**Date:** April 26, 2016

**RIM No.** 0940-50

**To:** City Manager

**From:** Community Planning Department (RR)

**Application:** DVP15-0043      **Owner:** 678222 BC Ltd (Inc. No. 678222)

**Address:** 3957 Lakeshore Rd      **Applicant:** William Morel

**Subject:** Development Variance Permit to Allow Construction of 7.7 m<sup>2</sup> sign

**Existing OCP Designation:** COMM - Commercial

**Existing Zone:** C2 - Neighbourhood Commercial

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0043, for Lot A, Section 6, Township 26, ODYD Plan KAP76555, located at 3957 Lakeshore Rd.

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

### **Section 6.1: Local Commercial Zones (C1, C2 and C5) - Free-standing signs**

To vary the maximum height from 3.0 m permitted to 5.5 m as proposed.

To vary the maximum area from 3.0 m<sup>2</sup> permitted to 8.5 m<sup>2</sup> as proposed.

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

## 2.0 Purpose

To consider a Variance to sign height and maximum sign area provisions in the City of Kelowna Sign Bylaw No 8235 to allow for the construction of a commercial sign.

## 3.0 Community Planning

Community Planning has no concerns with the variances requested by the applicant. The property where the sign will be located is functionally a roadway commercial development, and the signage being requested by the applicant is comparable or slightly smaller than neighboring properties.

## 4.0 Proposal

### 4.1 Background

The property is a developed lot zoned for C2 - Neighbourhood Commercial use. The site has been fully developed with a 2 storey commercial shopping plaza which includes a café, small restaurant and hair stylist, among other uses.

### 4.2 Project Description

The owner would like to construct a sign along Lakeshore Road advertising businesses in the shopping plaza. The proposed sign would be 5.5 m high and 2.8 m wide, with a sign area of 8.5 m<sup>2</sup>.

According to the City of Kelowna Sign Bylaw, the maximum height of a freestanding sign in the C2 - Neighbourhood Commercial zone is 3.0 m, and the maximum area 3.0 m<sup>2</sup>.

The applicant indicates that the larger sign should be permitted because of the nature of the development and the neighbouring properties. The maximum size of the sign in the C2 zone is intended serve a primarily pedestrian traffic, while 3957 Lakeshore is on a busy road serving primarily vehicle traffic.



Figure 1 Property With Sign Sketch



The sign will not be powered or internally lit. The majority of signs in the area, including the gas stations and car wash, have fully internally lit signage.

#### 4.3 Site Context

The property is in the middle of a commercial node off of Lakeshore Road. Nearby uses include two gas stations, a professional building and restaurant.

The proposed sign would only be visible from the roadway, with the bulk of the building blocking views from residential properties to the east.

The gas stations across the roadway have installed signs larger than are being proposed by the applicant.



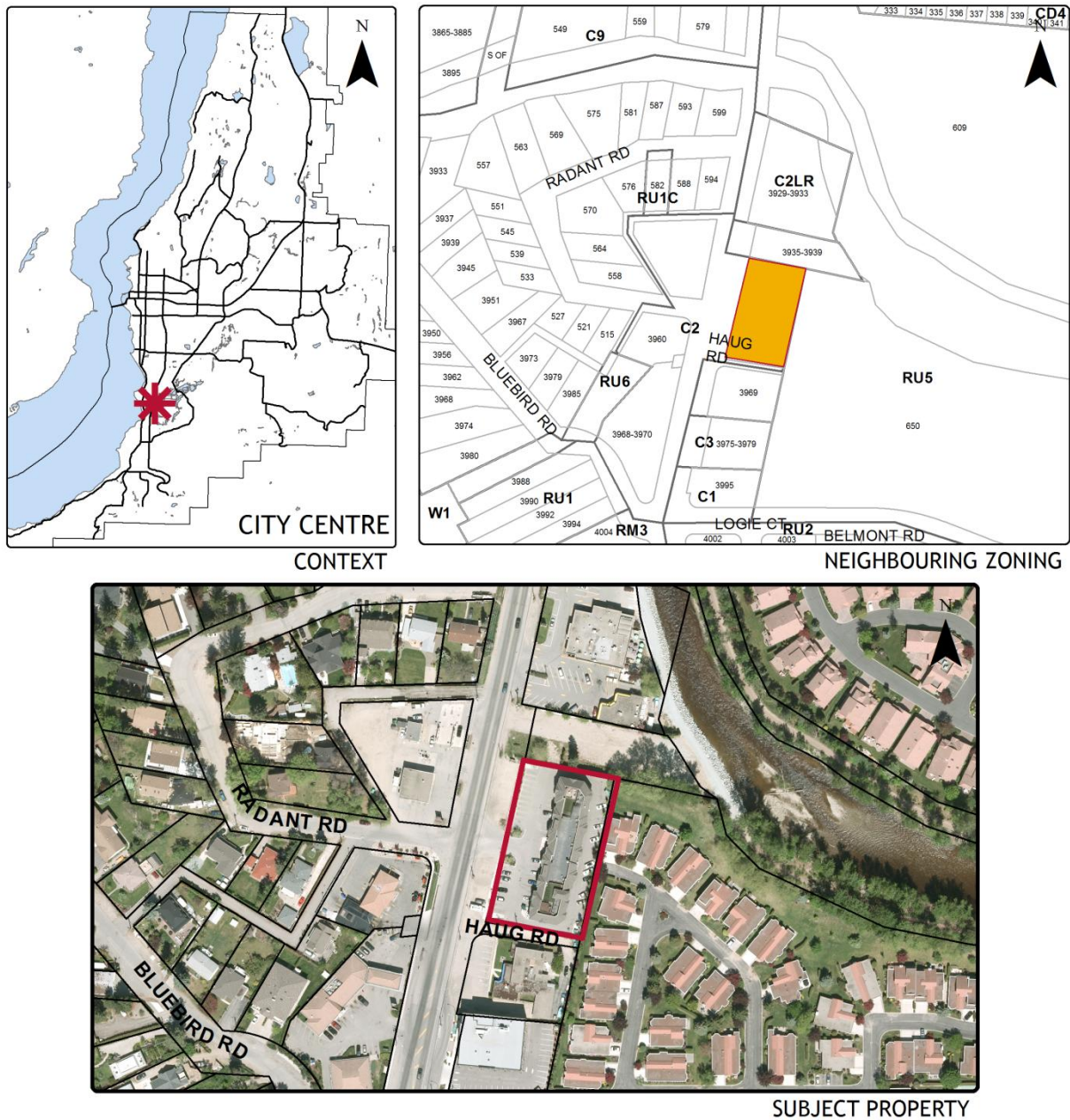


Figure 2 Neighbouring Signs

Surrounding land uses are as follows:

Orientation	Zoning	Land Use
North	C3	Vacant
East	RU5	Strata Townhome Development
South	C1	Veterinary Clinic
West	C2	Gas Stations

## Subject Property Map:



## 4.4 Zoning Analysis Table

Sign Bylaw Analysis Table		
CRITERIA	ZONE REQUIREMENTS	PROPOSAL
Maximum Height	3.0 m	5.5 m <span style="color: red;">❶</span>
Maximum Sign Area	3.0 m <sup>2</sup>	8.5 m <sup>2</sup> <span style="color: red;">❶</span>
Front Yard Setback	1.5 m	2.5 m <sup>2</sup>
<span style="color: red;">❶</span> Indicates a requested variance to Sign Bylaw 8235		

## **5.0 Current Development Policies**

### **5.1 Sign Bylaw 8235**

The Sign Bylaw limits signage size in the C2 - Neighborhood Commercial zone to 3.0 m in height and 3.0m<sup>2</sup> in area. Industry contacts have indicated that this is a very small allowance for the traditional suite of uses in Neighborhood Commercial developments, which are generally small scale plazas.

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

The Building Department advises that the sign will require a Building Permit and must meet all applicable requirements.

### **6.2 Development Engineering Department**

Development Engineering indicates that the proposed variance does not impact any municipal services.

### **6.3 Fire Department**

The Fire Department has no concerns with the application.

## **7.0 Application Chronology**

Date of Application Received: Mach 2, 2015

**Report prepared by:**

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Ryan Roycroft, Planner

**Reviewed by:**

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Terry Barton, Urban Planning Manager

**Approved for Inclusion:**

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Ryan Smith, Community Planning Department Manager