



March 29, 2019

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Ryan Smith, Department Manager, Community Planning

Dear Mr. Smith

RE: Development Variance Permit Application – 5505-5507 Airport Way

Please find attached an application for a Development Variance Permit (DVP) to vary the Sign Bylaw No. 11530 to allow the display of signs from a separate parcel.

The property located at 5505-5507 Airport Way has an existing freestanding (pylon) sign near the intersection of Airport Way and Highway 97, in the northeast corner of the property. Paragraph 2.3.2 of Sign Bylaw No. 11530 reads as follows:

No off-site signs are permitted except for directional signs and agricultural product signs, real estate signs, and project signs, in conformance with the provisions of this Bylaw.

This application requests a variance to paragraph 2.3.2 of the Sign Bylaw, to allow tenant signs from 1708 Innovation Drive to be displayed on the existing freestanding sign at 5505-5507 Airport Way.

Information on the Development Variance Permit application is provided below, including a project rationale.

1. Development Variance Permit Application

In accordance with the Development Application Procedures Bylaw No. 10540, the following items are provided for the DVP application (numbering as per the bylaw):

- a) Application Form
- b) State of Title Certificate
- c) Owner's Authorization form
- d) Site Profile
- e) Zoning Analysis Table

- f) Project Rationale (below)
- g) Photographs
- i) Site Plan
- k) Elevation Drawings (*no change to existing sign*)

2. Neighbourhood Context

In order to ensure the industrial nature of the Airport Business Park, the area allowed for CD15 Commercial use was limited to the parcels on Airport Way.

In accordance with the City's expectations, commercial development in the area has been limited to tourist commercial in support of the Kelowna International Airport, and neighbourhood commercial which primarily serves Quail Ridge, industrial park employees, UBCO, and airport employees. The retail businesses located in the Airport Business Park do not draw customers from the inner city, as they either have alternative locations within the inner City areas, or numerous competitors within existing urban centres.

All other CD15 Commercial lands have frontage on Highway 97, with freestanding signs on Highway 97 and Airport Way. The Dairy Queen and Tim Hortons quick service restaurants with drive-thrus at 1730-1756 Airport Way are featured on both of the freestanding (pylon) signs on the property.

3. Project Rationale

Argus Properties Ltd. and affiliated companies have owned the multiple parcels located between Airport Way and Fleet Court in Airport Business Park for over a decade. Over this time, Argus has continuously planned these parcels as a single site, and has managed the development and servicing of these lands in this manner.

The existing freestanding (pylon) sign at 5505-5507 Airport Way is located at the intersection of Airport Way and Highway 97, as shown in the attached site plan and elevation drawing. An elevation drawing is also attached for a proposed sign at 1708 Innovation Drive, with a consistent design to match the sign at 5505-5507 Airport Way. In addition to the signs, other shared design details between 5505-5507 Airport Way and 1708 include the building colour palettes and other finishes.

The original uses contemplated for the CD15 commercial zone included uses such as a gas bar, drive-thru restaurants, and retail. The limited visibility from the highway has been consistently raised by various nationally branded retail tenants, who have highlighted the competitive disadvantage that they would face at 1708 Innovation Drive compared to other commercially zoned lands in the area. It is worth noting that 1708 Innovation Drive has remained unleased and undeveloped until 2019, even though commercial zoning was in place since ~2007. In comparison, the commercial lands with highway frontage on the north side of Airport Way were developed and leased immediately after rezoning took place in 2015. Visibility continues to be a major factor in business decisions for the type of retail tenants who operate in car dependent areas such as Airport Business Park.

In order to overcome these tenant concerns, Argus proposes that tenant signage from 1708 Innovation Drive be permitted on the existing pylon sign at 5505-5507 Airport Way.

DVP 5505-5507 Airport Way
March 29, 2019

This variance will not increase the number of signs or sign area on either property beyond that allowed under sign bylaws in place at the time of sign permit application. Instead, any freestanding sign area which is reallocated to tenants of 1708 Innovation Drive will be unavailable to existing or future tenants of 5505-5507 Airport Way. As such, there is no net negative visual impact upon the neighbourhood's presence as a gateway to the city, which we understand is a concern of City staff.

Due to the consistent design approach and visual identity of the signs and buildings across the two parcels, we do not foresee this variance leading to any significant confusion for customers. The smaller sign on 1708 Innovation Drive will become visible as potential customers head west on Airport Way, and will direct them to the correct property which contains the business they seek.

4. Conclusion

We trust that the above information clearly outlines the intent. Thank you for your consideration in reviewing the attached application. Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Yours truly,

ARGUS PROPERTIES LTD.



Darren Schlamp
Development Manager

DKS/

Draft Development Variance Permit



This permit relates to land in the City of Kelowna municipally known as

5505-5507 Airport Way

and legally known as

Lot A, Section 14, Township 23, ODYD, Plan KAP823036

AND THAT the variances to the following sections of Sign Bylaw No. 11530 be granted, as shown on Schedule "A":

Section 2.3.2 Prohibitions

To vary the prohibitions for off-site signs to allow a tenant from 1708 – 1720 Innovation Drive to locate a sign on a communal pylon sign located on 5505-5507 Airport Way.

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Decision:

Decision By: CITY COUNCIL

Issued Date:

Development Permit Area: n/a

Existing Zone: CD15 – Airport Business Park

Future Land Use Designation: Industrial

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Nicholas and Cheryl Kirschner

Applicant: Urban Options Planning and Permits

Ryan Smith
Community Planning Department Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

This Development 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 Development 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.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "A";
- c) Landscaping to be provided on the land be in accordance with Schedule "A"; and

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

3. PERFORMANCE SECURITY

None.

4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, 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.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**



Site Plan
5505-5507 Airport Way
Development Variance Permit Application
March 28, 2019

0 10 20 30 40 50 m



1:1500

SCHEDULE		A
This forms part of application		
# DVP19-0086		
Planner Initials	AC	

Site Photographs – 5505 – 5507 Airport Way – Development Variance Permit Application, March 2019



View of existing freestanding (pylon) sign at 5505-5507 Airport Way from intersection of Airport Way and Highway 97, facing southwest



View of existing freestanding (pylon) sign at 5505-5507 Airport Way from intersection of Airport Way and Highway 97, facing west

SCHEDULE

A

This forms part of application
DVP19-0086

Planner
Initials

AC

City of
Kelowna
COMMUNITY PLANNING



Elevation View - Existing Sign

5505-5507 Airport Way

SCHEDULE A

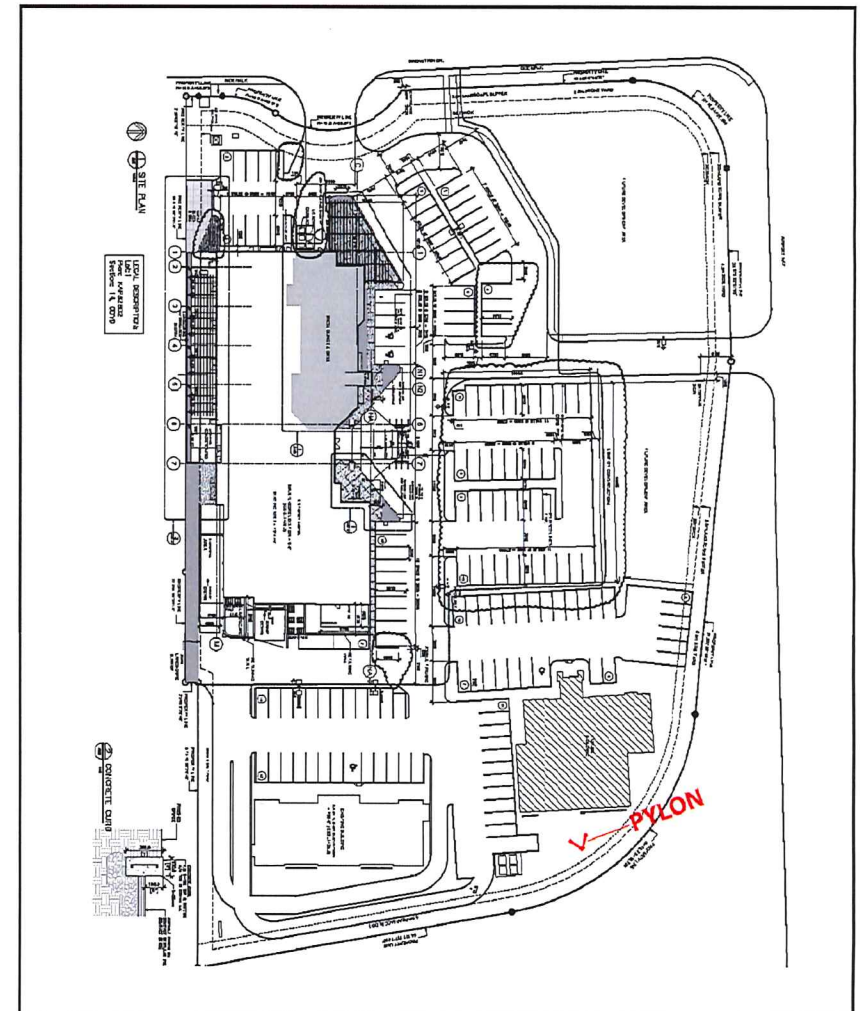
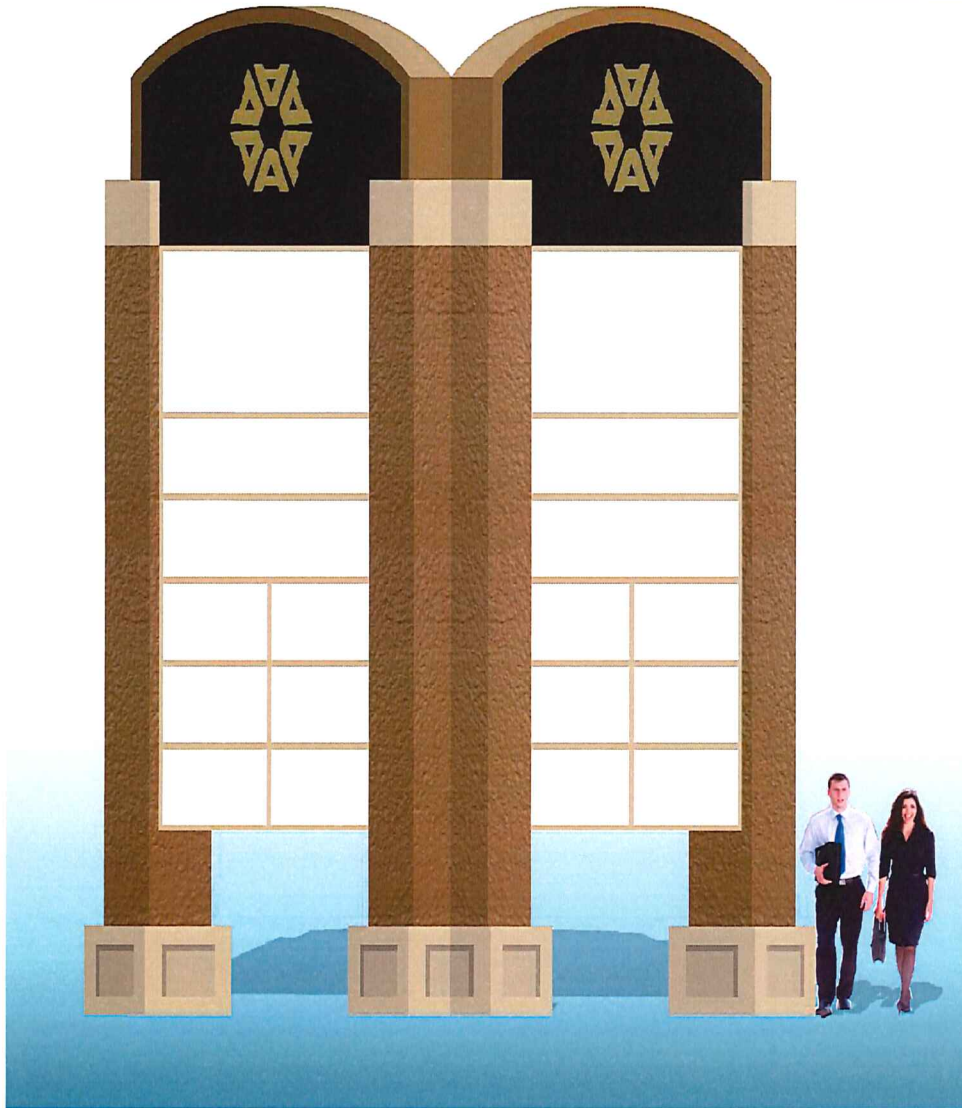
This forms part of application

DVP19-0086

Planner
Initials AC



ONE (1) NEW V SHAPE (2 SIDES) ILLUMINATED PYLON SIGN



V-Shaped Single Sided Illuminated Pylon Display

Topper: shaped illuminated cabinet
 - white LED illumination
 - polycarbonate face with vinyl graphics
 - cabinet and frame painted light tan
 - back has non-illuminated vinyl graphics

Cabinet:
 - white LED illumination
 - polycarbonate tenant faces - tenant graphics NOT included
 - cabinet, frame & back painted light tan
 - .100 aluminum back

Gas Price Changer:
 - Hyoco 16"
 - set up & training at base buildings
 NOT included

3 - Steel Posts
 - 12" x 12" x .25" thick wall, 168" tall
 - paint light & dark tan
 - with footing cover

SCHEDULE A

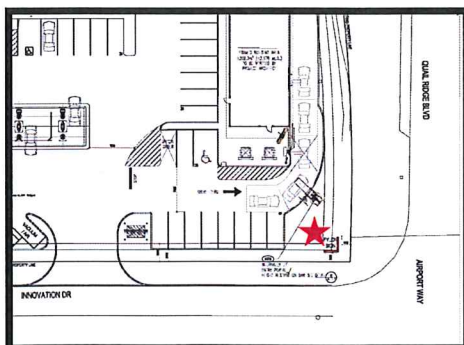
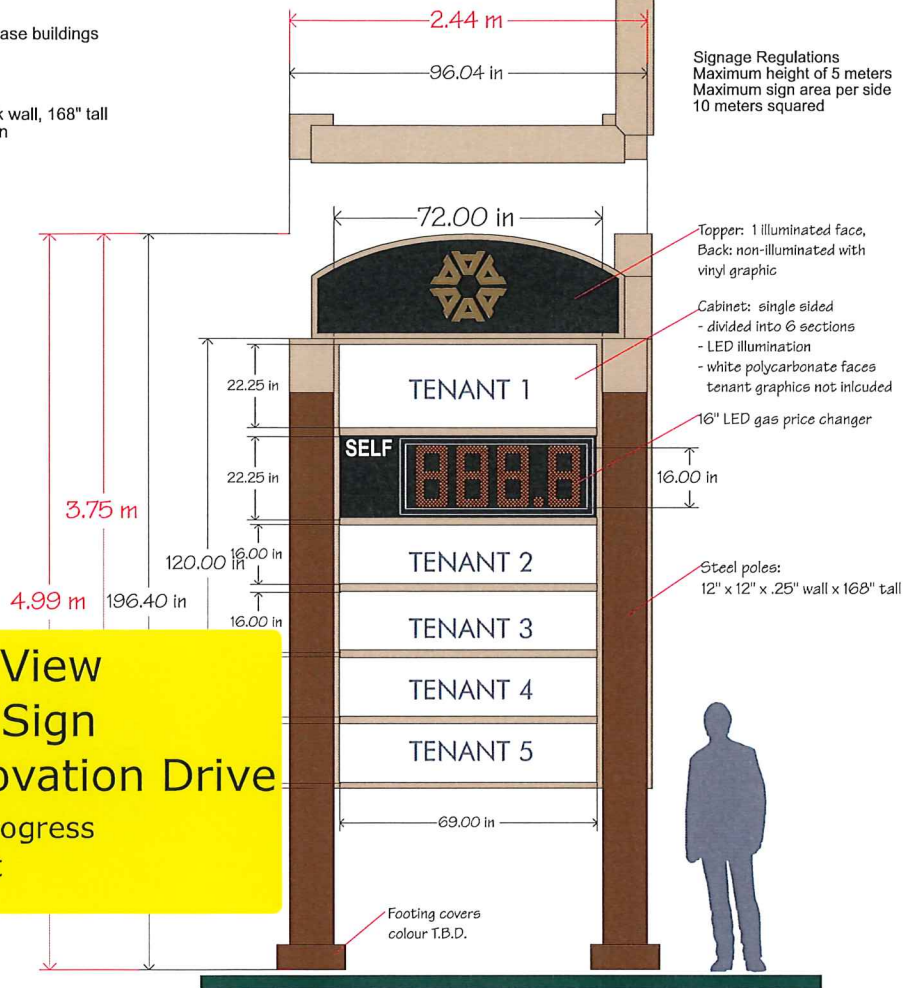
This forms part of application
 # DVP19-0086

Planner
 Initials AC



Signage Regulations
 Maximum height of 5 meters
 Maximum sign area per side
 10 meters squared

**Elevation View
 Proposed Sign
 1708 Innovation Drive**
 Currently in progress
 for sign permit

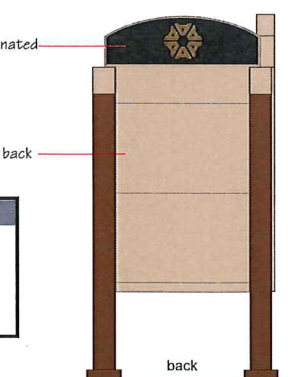


Topper Back: non-illuminated
 with vinyl graphic

.100 aluminum back

ALL COLOURS TO BE CONFIRMED

- White: 7328 White Substrate
- Light Tan Paint: PMS 4755C
- Dark Tan Paint: PMS 4715C
- Black Paint: Standard Black



Date: February 11, 2019
 Designer: Marla

