

# REPORT TO COUNCIL



**Date:** October 6, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DVP20-0152

**Owner:** Midwest Ventures Ltd., Inc.No.  
BC0046021

**Address:** 1708-1720 Innovation Drive

**Applicant:** Priority Permits

**Subject:** Development Variance Permit

**Existing OCP Designation:** COMM – Commercial

**Existing Zone:** CD15 – Airport Business Park

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0152 for Lot 2 Section 14 Township 23 Osoyoos Division Yale District Plan KAP82802, located at 1708-1720 Innovation Drive, Kelowna, BC;

AND THAT variances to the following sections of Sign Bylaw No. 11530 be granted in accordance with Schedules "A" and "B":

### **Section 4.6.2(a) Free-Standing Sign Regulations**

To vary the required minimum distance between free-standing signs from 30.0 m required to 10.3 m proposed.

### **Section 11.3(b)f: – Service Commercial and Industrial Zones Signage Regulations**

To vary the maximum number of free-standing signs on a corner lot from one (1) permitted to two (2) 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 vary the required minimum distance between free-standing signs and the maximum number of free-standing signs on the subject property.

## **3.0 Development Planning**

Development Planning Staff recommend support for the proposed variances to the City's Sign Bylaw No. 11530. The variances are required for one sign that is not a typical freestanding sign and is relatively minor in scale. The advertising on the sign is not visible to the general public from Quail Ridge Boulevard, and it is oriented to be primarily viewed from the drive through queue only. The area between the sign and Quail Ridge Boulevard is landscaped in accordance with an issued Development Permit, and plantings will continue to grow to help mitigate the visual impact of the back of the sign from the road. If this variance application was to add a more traditional freestanding (pylon) sign, Development Planning would not be supportive.

Also of note, in 2019 Council granted approval (through a Development Variance Permit) which allowed for advertising on an off-site freestanding sign located on a neighbouring property which fronts on to Highway 97 N. As such, the A&W also has advertising on one additional permitted free-standing sign, at the corner of Airport Way and Highway 97 N.

## **4.0 Proposal**

### **4.1 Background**

A Comprehensive Development Permit for the subject property was issued by Development Planning Staff in January 2019. During a landscape inspection in the Spring of 2020, Staff noticed the Free-Standing Sign during a landscape inspection of the property and advised that it would require a Development Variance Permit or would need to be removed.

### **Project Description**

This Development Variance Permit application is for a Free-Standing Sign, intended to be viewed primarily by customers in the drive thru of an A&W restaurant. The advertising is only located on one side of the sign (south facing) and there is no advertising visible from the north, as viewed from Quail Ridge Blvd.

The sign is composite decking material with a wood finish, mounted by painted aluminium. If supported by Council, a building permit for the sign would be required. As the sign has already been installed, if the Development Variance Permit is not supported by Council, the sign would need to be removed.

### **4.2 Site Context**

The subject property is located at the corner of Quail Ridge Boulevard and Innovation Drive. Existing uses on the site include Food Primary Restaurants, a Gas Bar and Retail Stores, General. Approximately one third of the southern portion of the property is still vacant and could be developed in the future.

**Subject Property Map: 1708-1720 Innovation Drive****4.3 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	SIGN BYLAW REQUIREMENTS	PROPOSAL
Free-Standing Sign Regulations		
Min. Distance from another Free-Standing Sign	30.0 m	10.3 m <sup>❶</sup>
Section 11 – Service Commercial and Industrial Zones		
Max. Number of Free-Standing Signs per Corner Lot	1 Free-Standing Sign	2 Free-Standing Signs <sup>❷</sup>
❶ Indicates a requested variance to the minimum distance between Free-Standing Signs		
❷ Indicates a requested variance to the maximum number of Free-Standing Signs per corner lot		

**5.0 Current Development Policies****5.1 Kelowna Official Community Plan (OCP)****Chapter 14: Urban Design DP Guidelines****Comprehensive Development Permit Area - Guideline 17.0 - Signs:**

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

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

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

## **Technical Comments**

### **5.2     Development Engineering Department**

This application does not compromise any municipal infrastructure.

### **6.o     Application Chronology**

Date of Application Received:         June 10, 2020

Date Public Consultation Completed:   August 7, 2020

**Report prepared by:**                 Kimberly Brunet, Planner II

**Reviewed by:**                         Terry Barton, Development Planning Department Manager

**Approved for Inclusion:**             Ryan Smith, Divisional Director, Planning & Development Services

### **Attachments:**

Attachment A: Applicant's Rationale

Attachment B: Draft Development Permit DVP20-0152

Schedule A: Site Plan

Schedule B: Exterior Design and Finish