

# REPORT TO COUNCIL



**Date:** November 29, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DVP22-0134      **Owner:** Dilworth Shopping Centre Ltd., Inc.No. 319846

**Address:** 2339-2397 HWY 97 N      **Applicant:** Gustavson Wylie Architects

**Subject:** Development Variance Permit

**Existing OCP Designation:** UC – Urban Centre

**Existing Zone:** UC3dt-rcs – Midtown Urban Centre with Drive Through and Retail Cannabis Sales Zone

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0134 for Lot A District Lots 126 and 532 ODYD Plan 40108, located at 2339-2397 HWY 97 N, Kelowna, BC;

AND THAT variances to the following sections of Sign Bylaw No. 11530 be granted:

**Section 3.5.2 (c): Signs Not Requiring a Permit, Directional Sign, Regulations**

To vary directional sign regulations to allow for lit directional signs.

**Section 9.3 (b) h: Urban Commercial Zones, Signage Regulations**

To vary the maximum number of permanent illuminated fascia signs per business from two (2) permitted to three (3) 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 issue a Development Variance Permit to vary the maximum number of permanent illuminated fascia signs per business from two (2) to three (3), and to vary directional sign regulations to allow for lit directional signs.

## 3.0 Development Planning

Staff recommend support for the Development Variance Permit to vary the maximum number of permanent illuminated fascia signs in an Urban Centre zone from two (2) to three (3) and to vary directional sign regulations to allow for lit directional drive through signs. The subject site is a large commercial property with

a frontage on multiple roads. The application is for the business located at the corner of Leckie Road and Hwy 97 N. It is not in close proximity to any buildings that would be adversely impacted by additional illuminated signs.

**4.0 Proposal**

**4.1 Project Description**

The applicant is proposing an additional illuminated fascia sign for the Starbucks at the corner of Leckie Road and HWY 97 N for a total of three (3) fascia signs. The illuminated signs would be installed on the North, East and West sides of the building which are facing HWY 97 N, Leckie Road and into the Dilworth Shopping Centre. The signs are circular with a diameter of 1.5 m. Two illuminated directional signs are proposed on the East and West sides of the building. The directional signs are rectangular and measure 1.8 m in width and 0.5 m in height.

**4.2 Site Context**

The subject property is located at the intersection of HWY 97 N and Leckie Road within the Dilworth Shopping Centre.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CA1 – Core Area Mixed Use	Hotel / Motel
East	C2 dt – Vehicle Oriented Commercial with Drive Through	Retail
South	UC3 fg – Midtown Urban Centre with Fueling and Gas Stations	Retail
West	C2 dt – Vehicle Oriented Commercial with Drive Through	Retail

**Subject Property Map:**



**5.0 Application Chronology**

Date of Application Received: June 22, 2022

Date Public Consultation Completed: November 2, 2022

**Report prepared by:** Graham Allison, Planner I

**Reviewed by:** Lydia Korolchuk, Urban Planning Manager

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

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

**Attachments:**

Attachment A: Draft Development Variance Permit DVP22-0134

Schedule A: Elevations