

REPORT TO COUNCIL

DEVELOPMENT VARIANCE PERMIT



Date: April 9, 2024
To: Council
From: City Manager
Address: 940 – 1070 Frost Road
File No.: DVP23-0242 (Callahan Property Group Ltd.)
Zone: VC1 – Village Centre

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP 23-0242 for Lot A District Lot 579 SDYD Plan EPP127116 located at 940 – 1070 Frost Road, Kelowna, BC;

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

Section 8.3(a)b.i – Local Commercial Zones, Signage Regulations:

To vary the maximum sign area of a free-standing sign from 3.0 m² permitted to 8.17 m² proposed.

Section 8.3(a)b.ii – Local Commercial Zones, Signage Regulations:

To vary the maximum height of a free-standing sign from 3.0 m permitted to 5.0 m proposed.

AND THAT the free-standing sign only be illuminated during opening hours of businesses on the subject property, provided the sign not be illuminated earlier than 6:00 AM and later than 12:00 AM;

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 maximum sign area and maximum height of a free-standing sign.

3.0 Development Planning

Staff support the proposed Development Variance Permit for the maximum sign area and maximum height of a free-standing sign. Prior to the adoption of Zoning Bylaw No. 12375, the subject property fell within the Urban Commercial sign category in Sign Bylaw No. 11530. This allowed signs up to 10.0 m² sign area and 5.0 m in height. When the property was rezoned to the VC1 – Village Centre zone under the current Zoning Bylaw in September 2022, it was moved into the Local Commercial category in the Sign Bylaw, which limits signs to 3.0 m² in sign area and 3.0 m in height. The proposed sign is 5.0 m tall and 8.17 m² in area, which exceeds the Local Commercial regulations, but is within the Urban Commercial regulations. Given the nature of the single storey, "strip mall" style commercial development approved on the site, and because it is adjacent to a major arterial road, staff consider the proposed free-standing signage to be reasonable.

The proposed sign consists of a backlit signage cabinet, black metal structure, and corten steel panel name feature. The proposed corten steel panel feature matches the corten steel panel material used as an accent feature on the commercial buildings. As a condition of approval, staff recommend that the sign only be illuminated during the opening hours of businesses in the development.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located at the intersection of Frost Road and Gordon Drive. It is the largest parcel within the Ponds Village Centre. Construction is currently underway for eight single-storey commercial buildings that were previously approved by Council.

4.2 Background

In August 2022 and May 2023, Council considered Form & Character Development Permits for 8 single storey commercial buildings on the subject property. These buildings consist of a total of 11,113 m² of commercial floor space .

5.0 Zoning Bylaw Regulations Summary

SIGNAGE REGULATIONS			
CRITERIA	C3 Zone (Zoning Bylaw No. 8000)	VC1 Zone (Zoning Bylaw No. 12375)	PROPOSAL
Max. Free Standing Sign Area	10.0 m ²	3.0 m ²	8.17 m ² ❶
Max. Free Standing Sign Height	5.0 m	3.0 m	5.0 m ❷
❶ Indicates a requested variance to maximum free standing sign area from 3.0 m ² to 8.17 m ² . ❷ Indicates a requested variance to maximum free standing sign height from 3.0 m to 5.0 m.			

6.o Application Chronology

Application Accepted: December 15, 2023
Neighbour Notification Received: February 15, 2024

Report prepared by: Mark Tanner, Planner II
Reviewed by: Jocelyn Black, Urban Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Development Variance Permit DVP23-0242
Schedule A: Site Plan & Elevation

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.