

March 5, 2020

Subject Property:

2111 Main Street

Lot 1, District Lots 115 and 116, Similkameen
Division Yale District, Plan KAP53757

Application:

Development Variance Permit PL2020-8712

The applicant is proposing to update the existing freestanding sign at the driveway entrance to the mall. In order to accommodate the preferred design, the applicant is requesting to vary the following two sections of Sign Regulations Bylaw No. 2013-17:

1. Section 8.3.1: to increase the maximum signage area on one side of a freestanding sign from 15m² to 24.1m², and
2. Section 8.3.3: to allow signage between 1.4m and 2.5m above established grade.

Information:

The staff report to Council and Development Variance Permit PL2020-8712 will be available for public inspection from **Friday, March 6, 2020 to Tuesday, March 17, 2020** at the following locations during hours of operation:

- Penticton City Hall, 171 Main Street (8:30 am to 4:30 pm, Mon. to Fri., excluding statutory holidays)
- Penticton Library, 785 Main Street
- Penticton Community Centre, 325 Power Street

You can also find this information on the City's website at www.penticton.ca/publicnotice.

Please contact the Planning Department at (250) 490-2501 with any questions.

Council Consideration:

Council will consider this application at its Regular Council Meeting scheduled for **6:00 pm, Tuesday, March 17, 2020** in Council Chambers at Penticton City Hall, 171 Main Street.



Public Comments:

You may appear in person, or by agent, the evening of the Council meeting, or submit a petition or written comments by mail or email no later than **9:30 am, Tuesday, March 17, 2020** to:

Attention: Corporate Officer, City of Penticton
171 Main Street, Penticton, B.C. V2A 5A9
Email: corpadmin@penticton.ca

No letter, report or representation from the public will be received by Council after the conclusion of the March 17, 2020 Council Meeting.

Please note that all correspondence submitted to the City of Penticton in response to this Notice must include your name and address and will form part of the public record and will be published in a meeting agenda when this matter is before the Council or a Committee of Council. The City considers the author's name and address relevant to Council's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information disclosed.

Audrey Tanguay
Manager of Planning

Date: March 17, 2020
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner 1
Address: 2111 Main Street
Subject: Development Variance Permit PL2020-8712

File No: RMS/Address

Staff Recommendation

THAT Council approve "Development Variance Permit PL2020-8712" for Lot 1 District Lots 115 and 116 Similkameen Division Yale District Plan KAP53757, located at 2111 Main Street, a permit to increase the maximum freestanding signage area from 15m² to 24.1m² and to allow signage between 1.4m and 2.5m above established grade.

Strategic priority objective

Community Design: The City of Penticton will attract, promote and support sustainable growth and development congruent with the community's vision for the future.

Proposal

The applicant is proposing to update the existing freestanding sign at the driveway entrance to Cherry Lane Shopping Centre. In order to accommodate the preferred design, the applicant is requesting to vary the following two sections of Sign Regulations Bylaw No. 2013-17:

1. Section 8.3.1: to increase the maximum signage area on one side of a freestanding sign from 15m² to 24.1m², and
2. Section 8.3.3: to allow signage between 1.4m and 2.5m above established grade.

Background

The subject property is home to Cherry Lane Shopping Centre on Main Street. The property is zoned C4 (General Commercial) and is designated 'Commercial' by the Official Community Plan (OCP). The subject property is one of the largest commercial destinations in the City. The scale and intensity of commercial activity make Cherry Lane Shopping Centre a popular destination for local residents as well as visitors.

As outlined in the Letter of Intent (Attachment 'A'), Cherry Lane Shopping Centre is undergoing several projects including updating their branding and signage. The freestanding sign subject to this application is

located at the shopping centre's driveway entrance off Main Street (Figure 1 – Sign Location Map). The sign in question is one of two freestanding signs on Main Street, with the other sign located further south near the corner of Main Street and Kinney Avenue. The second freestanding sign near Kinney Avenue is not subject to this application and is not proposed to be updated at this time.

Financial implication

This application does not pose any financial implications to the City. Development costs are the responsibility of the applicant.

Analysis

When considering a variance to a City bylaw, staff encourages Council to consider if there is a hardship on the property that makes following the bylaw difficult or impossible, whether approval of the variance would cause a negative impact on neighbouring properties, and if the variance request is reasonable.

The applicant has demonstrated that the updated sign design is not substantially larger than the current configuration (Figure 2 – Existing and Proposed Signs). The existing sign features more open areas, which do not count towards the overall signage area. The size of the sign is not anticipated to have a negative impact on members of the public as the sign is similar in scale to what currently exists. No negative impacts from the proposed updated sign or requested variance are anticipated. No sensitive land uses, such as residential properties, are located in the vicinity. The signage is in keeping with the commercial character and signage along the Main Street/Skaha Lake Road corridor.



Figure 1 - Sign Location Map



Figure 2 - Existing and Proposed Signs

In addition to the request to allow a larger signage area than permitted in the Sign Regulations Bylaw, the applicants are requesting to allow signage between 1.4m and 2.5m above established grade. The Sign Regulations Bylaw does not permit freestanding signage between these elevations. The intent of this regulation is to maintain free and clear visibility for pedestrians and vehicles to see traffic coming and going from properties, as well as to reduce the 'wall effect' of signage extending from grade to the maximum height of the sign. Upon review of the submitted plans (Attachment 'B'), staff support a variance to this section of the Sign Regulation Bylaw as there is minimal impact on visibility of traffic or pedestrians because the sign is located to the south of the driveway/intersection, and because the design of the sign allows for open space underneath the Save On Foods sign and visibility through different blocks of signs to break up the 'wall effect'. In this proposal, the intent of the Sign Regulations Bylaw is maintained.

For the reasons above, staff are recommending that Council approve the Development Variance Permit.

Alternate recommendations

Council may feel that the proposed changes to the freestanding sign are undesirable, and that the freestanding sign should comply with the Sign Regulations Bylaw provisions. If this is the case, Council should deny the Development Variance Permit (alternate recommendation 1).

1. THAT Council deny "Development Variance Permit 2020-8712".

The applicants have submitted a second set of plans for Council consideration (Attachment 'C'). This alternate option removes the Save On Foods sign, which reduces the signage area by 2m² to a total of 22.1m². Relief from the Sign Regulations Bylaw would still be required for a signage area greater than 15m² and to allow signage between 1.4m and 2.5m above established grade. The alternate option would allow a slightly smaller overall signage area, more in keeping with the Sign Regulations Bylaw provisions. The applicant has indicated that including the Save On Foods sign is their preferred option, as the store is an anchor tenant in the shopping centre. However, Council may feel the alternate option without the Save On Foods sign is more aligned with the Sign Regulations Bylaw and more appropriate for variance approval. If this is the case, Council should approve this option (alternate recommendation 2).

2. THAT Council approve an amended Development Variance Permit to increase the maximum freestanding signage area from 15m² to 22.1m² and to allow signage between 1.4m and 2.5m above established grade.

Attachments

Attachment A – Letter of Intent

Attachment B – Plans with Save On Foods

Attachment C – Plans without Save On Foods (alternate option)

Attachment D – Draft Development Variance Permit DVP PL2020-8712

Respectfully submitted,

Steven Collyer
Planner 1

Concurrence

Director Development Services	Chief Administrative Officer
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230 – 2111 Main Street
Penticton, British Columbia
Canada V2A 6W6

City of Penticton – Letter of Intent Dear Mayor, Council and Staff,

As property managers, Boulton Realty Ltd has developed a phased improvement plan for Cherry Lane Shopping Centre. The improvements completed to date are;

- Main Street landscaping including a portion of Warren Avenue and Kinney Avenue.
- Heating Ventilation and Cooling (HVAC) upgrades.
- Demolition of old washrooms and building of new washrooms.
- Improved retail units. Including future restaurant.
- Food court renovation.

The purpose of this Letter of Intent is to provide information and ask for support for the application for a sign variance. The sign involved is the existing pylon sign located on Main Street at the corner of the main entrance to the Cherry Lane Shopping Centre.

The existing pylon sign is antiquated and in need of a face lift. The project being proposed is to improve the existing sign by executing the new branding of the shopping centre. The proposed design, integrating the new logo, would bring the sign to 24.1 Sq. metres with Save On foods or 22.01 Sq. metres without Save On Foods. Please see the attachments. It is our preference to add the anchor store, Save On Foods, so ask that the variance allow for the bottom sign to be added. The landscape improvements of removing tall evergreens and substituting with lower, water tolerate plants has improved the sight lines around the pylon.

We have been unable to find drawings on the original sign. We do have drawings from 2010 when the top portion of the sign was changing. Please find attached the rendering. When compared to the proposed sign of 2020 (attached) you will note that the width of the upper portion of the new sign at 12'6" is smaller than the existing sign at 19'6". This is due to the squaring of the top of the new sign in relation to the cladding on the support columns. The old sign hangs over (like an eve) the support columns giving it the extra length. Also, the top portion of the new structure at 9' is 2'3" shorter than the old pointed structure of 11'3". We hope this helps.

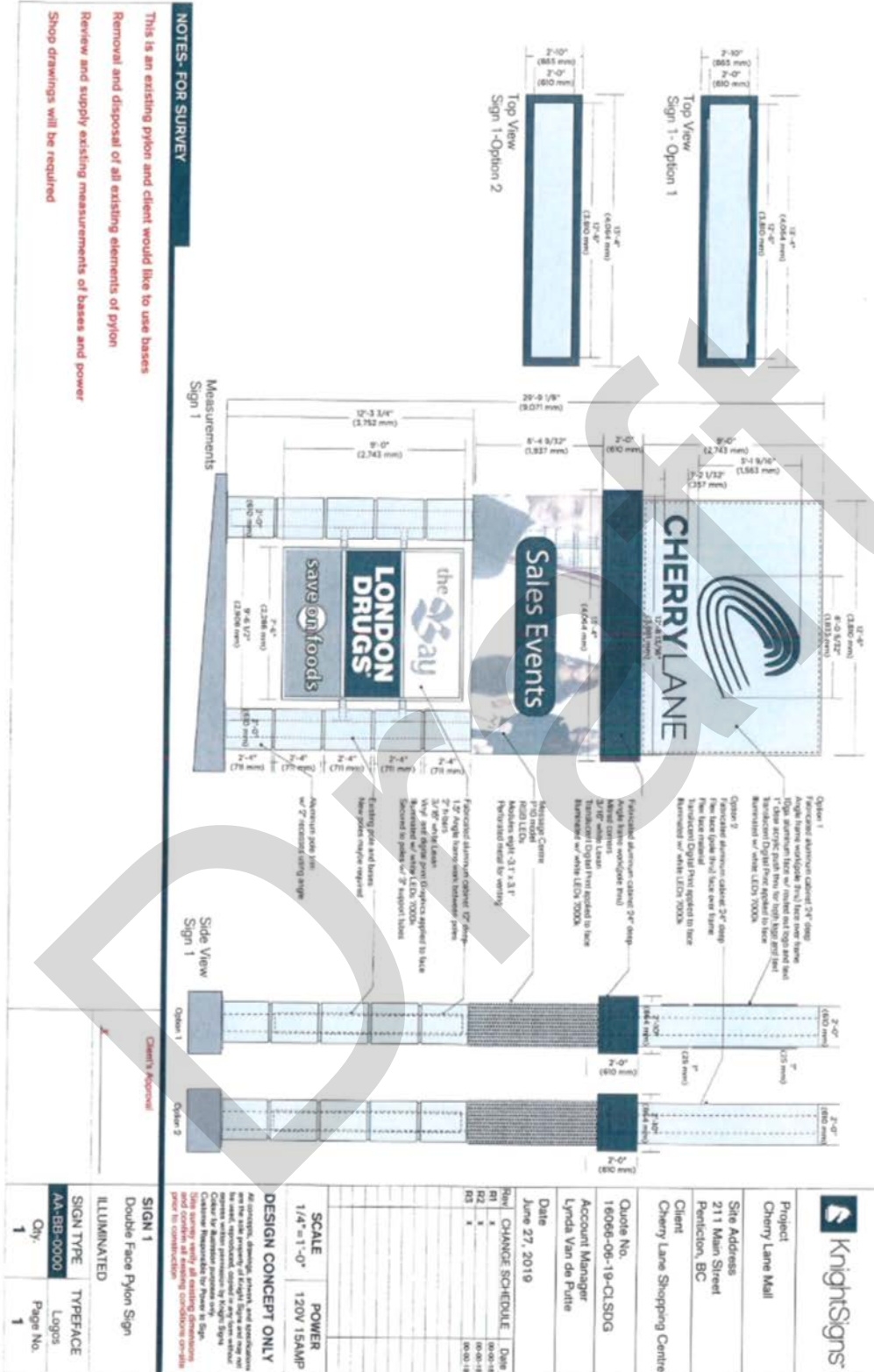
Due to the size of the property, the location of the pylon sign and the neighbourhood being commercial it is proposed that the new modern pylon sign will not cause a negative impact. With the goal being to create a shopping experience by consistently using the new branding from the sidewalk to the building it is the Owners belief that the new pylon will not impact the neighbouring businesses but instead will enhance the area. The newly designed pylon sign will project the desired modern visuals and effects to the property and the immediate area.

Future improvements to Cherry Lane include using the same branding as the new pylon sign at the entrances and façade of the shopping centre.

Your consideration and recommendation of the request for a variance to the Sign Bylaw 8.03 is appreciated.

Regards,

Judy Richards
General Manager
Cherry Lane Shopping Centre



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CURRENT CONDITION

Photo Rendering are for Presentation Purposes only-NOT TO SCALE

PHOTO RENDERING

Client's Approval		SIGN 1	
Photo Rendering		ILLUMINATED	
SIGN TYPE		TYPEFACE	
AA-BB-0000		-	
Qty.		Page No.	
-		3	



Basic Night view for presentation purposes only

PERSPECTIVE RENDERING



Project
Cherry Lane Mall

Site Address
211 Main Street
Penticton, BC

Client
Cherry Lane Shopping Centre

Quote No.
16066-06-19-CLSDG

Account Manager
Lynda Van de Putte

Date
June 27, 2019

Rev	CHANGE SCHEDULE	Date
R1	X	06-06-19
R2	X	06-06-19
R3	X	06-06-19

SCALE	POWER
mts	-

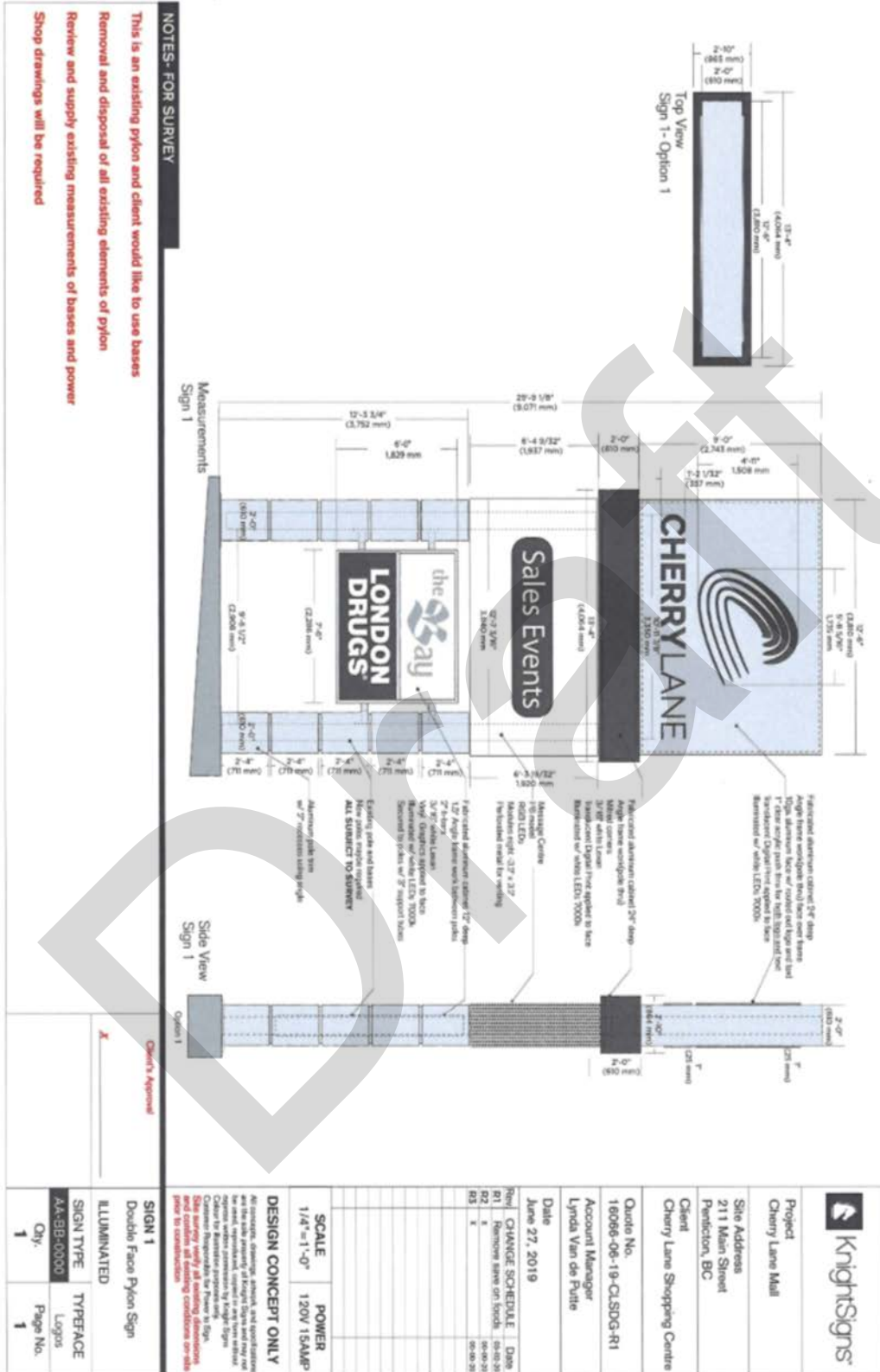
DESIGN CONCEPT ONLY

All drawings, including sketches and photographs, are the sole property of Knight Signs and may not be used, reproduced, copied or any form without the prior written consent of Knight Signs. Customer Responsibility for Power to Sign: Knight Signs will provide a detailed power survey and coordinate all existing conditions services prior to construction.

SIGN 1-Option 1
Perspective night view

SIGN TYPE	TYPEFACE
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Qty:	Page No.
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Client's Approval



[illegible]



CURRENT CONDITION

Photo Rendering are for Presentation Purposes only-NOT TO SCALE

PHOTO RENDERING

Client's Approval		SIGN 1	
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Development Variance Permit

Permit Number: DVP PL2020-8712

Owner Name
Owner Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
 - Legal: Lot 1 District Lots 115 and 116 Similkameen Division Yale District Plan KAP53757
 - Civic: 2111 Main Street
 - PID: 019-073-585
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Sign Regulations Bylaw 2013-17 to allow for the construction of a freestanding sign:
 - a. Section 8.3.1: to increase the maximum area of one side of a freestanding sign from 15m² to 24.1m².
 - b. Section 8.3.3: to allow signage between 1.4m and 2.5m from established grade.

General Conditions

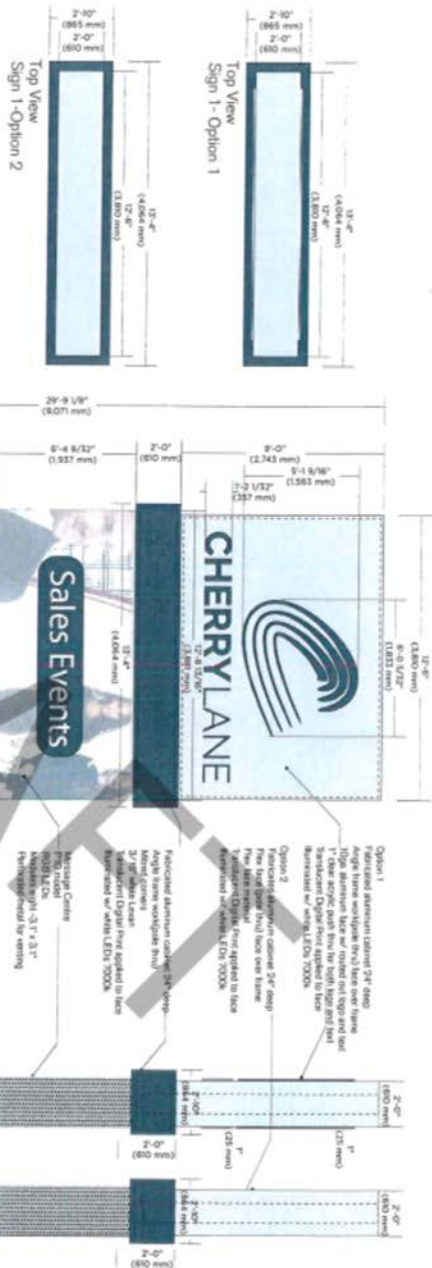
4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the ____ day of _____, 2020.

Issued this ____ day of _____, 2020.

Angela Collison
Corporate Officer

DRAFT



NOTES - FOR SURVEY

This is an existing pylon and client would like to use bases
Removal and disposal of all existing elements of pylon
Review and supply existing measurements of bases and power
Shop drawings will be required

DVP PL2020-8712

Project	Cherry Lane Mall
Site Address	211 Main Street Penticton, BC
Client	Cherry Lane Shopping Centre
Quote No.	16066-06-19-CLSDG
Account Manager	Lynda Van de Putte
Date	June 27, 2019
Rev	CHANGE SCHEDULE
R1	X
R2	X
R3	X
SCALE	POWER
1/4"=1'-0"	120V 15AMP
DESIGN CONCEPT ONLY All drawings, elevations, sections, and specifications are for conceptual purposes only. They are not to be used for construction. The client is responsible for obtaining all necessary permits and approvals. The client is responsible for providing all necessary information and data. The client is responsible for providing all necessary information and data. The client is responsible for providing all necessary information and data.	
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