

CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION

AGENDA

File No.: 0037-21-DVP-END

August 24, 2021

APPLICANT: Kevin Johnston

OWNER: Grant's Tackle & Outdoors Ltd.

LEGAL DESCRIPTION: LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 14156

P.I.D: 002-590-131

CIVIC ADDRESS: 1304 George Street, Enderby BC

PROPERTY SIZE: 0.842 hectares (2.08 acres/8,417 m²)

ZONING: Highway and Tourist Commercial (C.2)

O.C.P DESIGNATION: Highway and Tourist Commercial

PROPOSAL: Construct a freestanding sign

PROPOSED VARIANCES: Vary Zoning Bylaw to increase the maximum sign area for a freestanding sign from 6.25 m² (67.26 square feet) to 8.00 m² (86.13 square feet)

RECOMMENDATION:

THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION YALE DISTRICT PLAN 14156 and located at 1304 George Street, Enderby B.C. to permit a variance to Section 310.4.a.ii of the City of Enderby Zoning Bylaw No. 1550, 2014 by increasing the maximum sign area for a freestanding sign from 6.25 m² (67.26 square feet) to 8.00 m² (86.13 square feet), as shown on the attached Schedule 'A'.

BACKGROUND:

This report relates to a Development Variance Permit application for the property located at 1304 George Street. The applicant is proposing to construct a 5.94 m (19.5 feet) tall freestanding sign in the northeast corner of the property, as shown on the attached Schedule 'A'. In order to accommodate the preferred size of sign, the applicant is seeking a variance to Section 310.4.a.ii of the City of Enderby Zoning Bylaw No. 1550, 2014 in order to increase the maximum sign area for a freestanding sign from 6.25 m² (67.26 square feet) to 8.00 m² (86.13 square feet).

Site Context

The 0.842 hectares (2.08 acres/8,417 m²) subject property is located on the western side of Highway 97A (George Street); the property abuts an unpaved lane to the south which runs east-west between Highway 97A and Sicamous Street. The property is flat with access being gained via paved maneuvering aisles off of Highway 97A.

A principal commercial building is located along in the southeast corner of the property and is used for the retail of boats, marine equipment, tackle, ATVs, and motorcycles. The central portion of the lot is paved and fenced, and is used for the storage and display of boats, ATVs and motorcycles. A covered storage building is located in the western portion of the lot, which is rented as covered storage for boats and recreational vehicles. An ancillary building is located along the northern property boundary and used for storage and service/repair of equipment and vehicles.

A permanent freestanding sign is located adjacent to Highway 97A in the southeast corner of the property, while a temporary freestanding sign is located in the northeast corner of the property.

The subject property is zoned Highway and Tourist Commercial (C.2) and is designated as Highway and Tourist Commercial in the Official Community Plan (OCP). The properties to the east and south are zoned Residential Single Family (R.1-A) and are designated as Residential Low Density and Residential Medium Density in the OCP. The property to the west (MV Beattie Elementary School) is zoned Assembly, Civic and Public Service Use (S.1) and is designated as School in the OCP. The property to the north (St. Ann's Church) is zoned Assembly, Civic and Public Service Use (S.1) and is designated as Institutional in the OCP. The following map shows the zoning designation of the subject and surrounding properties:

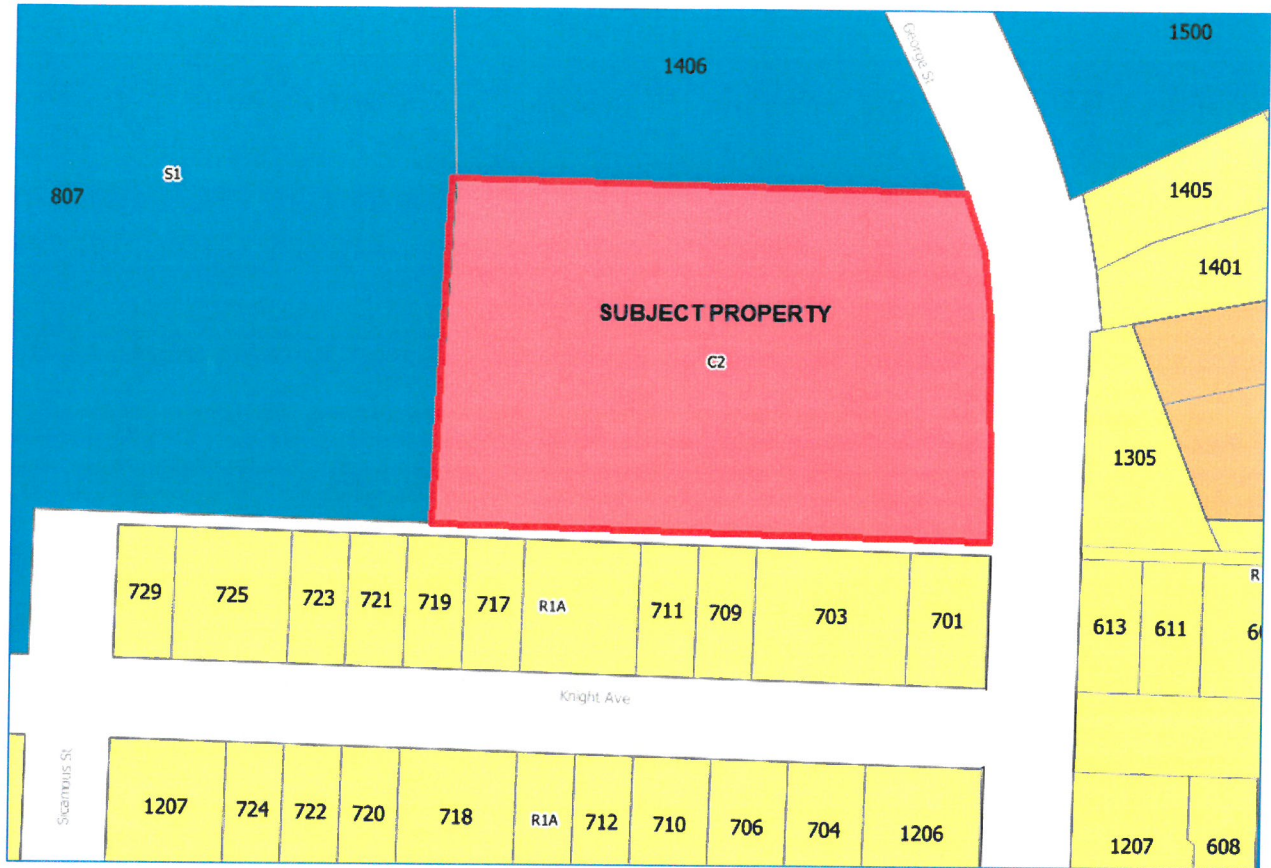


Figure 1: Zoning Map

- Pink – Highway and Tourist Commercial (C.2) Zone
- Yellow – Residential Single Family (R.1-A) Zone
- Orange – Residential Multi-Family (R.3) Zone
- Teal – Assembly, Civic and Public Service (S.1) Zone

The following orthophoto of the subject and surrounding properties was taken in 2011:



Figure 2: Orthophoto

The Proposal

The applicant is proposing to construct a 5.94 m (19.5 feet) tall freestanding sign in the northeast corner of the property, as shown on the attached Schedule 'A'. In order to accommodate the preferred size of sign, the applicant is seeking a variance to Section 310.4.a.ii of the City of Enderby Zoning Bylaw No. 1550, 2014 in order to increase the maximum sign area for a freestanding sign from 6.25 m² (67.26 square feet) to 8.00 m² (86.13 square feet).

ZONING BYLAW:

The subject property is zoned Highway and Tourist Commercial (C.2); uses permitted within this zone include:

- Accessory buildings and structures

- Accommodation including apartments, dwelling units, hotels and motels
- Assembly and civic use and public service
- Food service including coffee shops, dairy bars, restaurants, bakeries, butcher shops, caterers, and fish shops
- Retail sales and service for: automobiles, farm equipment, boats, mobile homes, trucks, recreation vehicles, motorcycles, and sporting goods; also included is the rental of the aforementioned items
- Retail sales including servicing where applicable: confectionery stores, flowers, fruit, plants, produce, nurseries, green houses, tire shops, wine and beer shops, appliances, beverages, bicycles, electronic equipment, furniture, garden supplies, glass, hardware, paint, pets, pet food, plants, animal beauty parlours, bakery shops, hairdressers, locksmith shops, optical shops, shoe repair, tailor shops, and watch repair
- Service - repair and rental: service stations, garages for automobile service and repairs, mini storage facilities, car washes, petroleum distribution, costume rentals, and video rentals
- Transportation facilities including commercial parking lots, passenger transportation depots, taxi dispatch offices, and weigh scales
- Retail sales of beer, wine and liquor
- Educational facilities and professional studios including art studios, business colleges, dance studios, music studios, photography studios, radio studios, television studios, and trade schools
- Entertainment and recreation facilities including arcades, billiard halls, bowling alleys, drive-in clubs, sports clubs, and sports facilities
- Office and commerce facilities and accommodations for engineers, funeral homes, land surveyors, management companies, mortuaries, newspapers, publishing, real estate, surveyors, veterinarians, massage therapy clinics, dentists, doctors, and any other professional office

The proposal as compared to the Zoning Bylaw's sign regulations is as follows (highlighted items require a variance):

CRITERIA	ZONING REQUIREMENT	PROPOSAL
Freestanding sign setback (min.)	1 m (3.281 feet)	> 1 m (3.281 feet)
Sign area for freestanding signs (max.)	Square root of (the total wall area x 2) = 6.25 m ² (67.26 square feet)	8.00 m ² (86.13 square feet)
Copy area (max.)	45%	> 45%
Height of freestanding signs (max.)	6 m (19.68 feet)	5.94 m (19.5 feet)

OFFICIAL COMMUNITY PLAN:

The following policies from the City of Enderby Official Community Plan relate to this development:

- Policy 2.2.c - To maintain and enhance the social well-being, development, and the quality of life for all citizens of Enderby.
- Policy 3.3.c - Council recognizes that development of land has social impacts and will act through the approval process to minimize negative and maximize positive impacts.
- Policy 5.3.c - Council will work with the business community and stakeholders to promote a diverse local economy that provides the goods and services necessary to competitively meet local demand and attract visitors.
- Policy 12.3.c - Council encourages and supports creative and innovative infilling, development, redevelopment and renovation of existing buildings in order to maintain a strong focus on commercial activity in commercial areas.

REFERRAL COMMENTS:

The subject application was referred for comment to the City of Enderby Public Works Manager, Building Inspector, and Fire Chief.

No comments were received in response to the referral.

PLANNING ANALYSIS:

The City of Enderby Planner raises no objections to the applicant's request to vary Section 310.4.a.ii of the City of Enderby Zoning Bylaw No. 1550, 2014 by increasing the maximum sign area for a freestanding sign from 6.25 m² (67.26 square feet) to 8.00 m² (86.13 square feet), as shown on the attached Schedule 'A'. Upon consideration of input from adjacent land owners, it is recommended that Council authorize the issuance of the Development Variance Permit for the following reasons:

- The maximum sign area is calculated based on the total wall area of the principal building on the property, which is intended to ensure that the sign area of a freestanding sign is proportionate to the intensity of development on the site. However, in this case the subject property is quite large in relation to the size of the principal building, and much of the use of the site is not enclosed in the principal building (i.e. covered storage in western portion of lot, outdoor storage and display in central portion of the lot). Given this, permitting a larger sign area is appropriate given the nature of the use of the site;
- The proposed sign area is consistent with other signs located in the area along Highway 97A; and
- It is not anticipated that increasing the maximum sign area would negatively impact the use and enjoyment of the subject or surrounding properties.

SUMMARY

This report relates to a Development Variance Permit application for the property located at 1304 George Street. The applicant is proposing to construct a 5.94 m (19.5 feet) tall freestanding sign in the northeast corner of the property, as shown on the attached Schedule 'A'. In order to accommodate the preferred size of sign, the applicant is seeking a variance to Section 310.4.a.ii of the City of Enderby Zoning Bylaw No. 1550, 2014 in order to increase the maximum sign area for a freestanding sign from 6.25 m² (67.26 square feet) to 8.00 m² (86.13 square feet).

The City of Enderby Planner is recommending that Council supports the variance request.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner and Deputy Corporate Officer

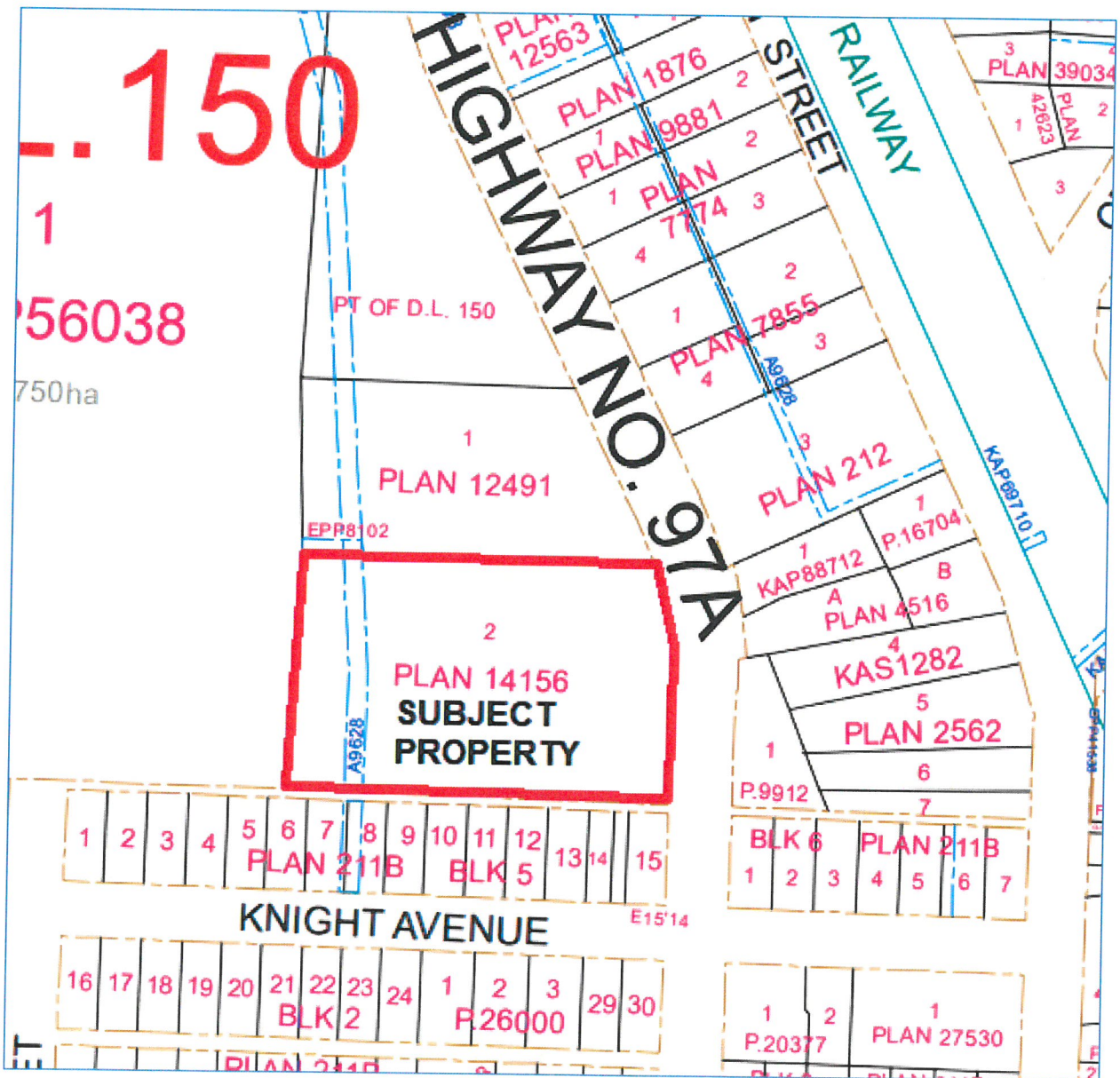
Reviewed By:

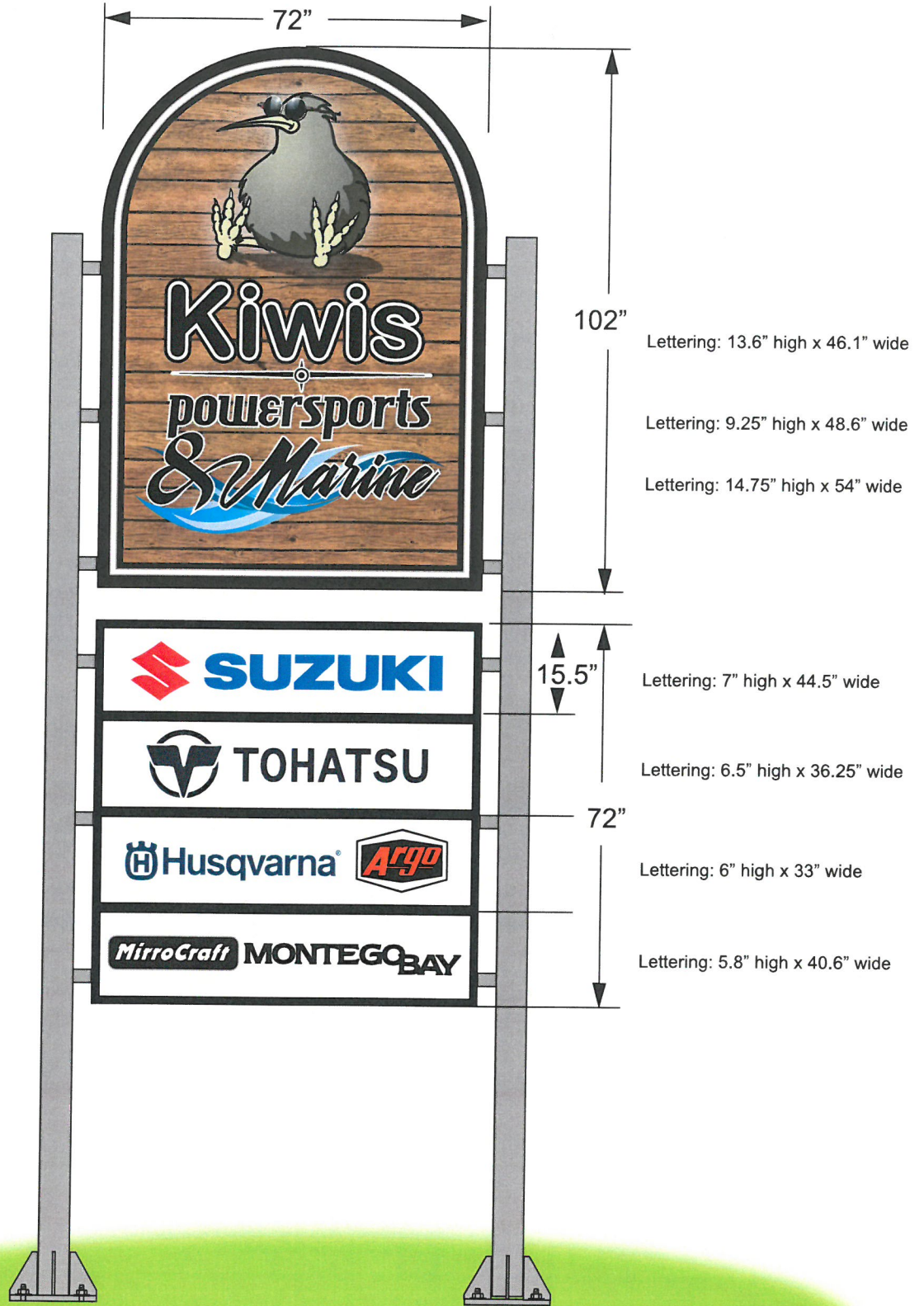




Tate Bengtson
Chief Administrative Officer

THE CORPORATION OF THE CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION
SUBJECT PROPERTY MAP

File: 0037-21-DVP-END
Applicant: Kevin Johnston
Owner: Grant's Tackle & Outdoors Ltd.
Location: 1304 George Street, Enderby BC





CUSTOMER Kiwi's Power Sports & Marine		CONTACT David Konowalchuk	APPROVED
 	PHONE 250.498.6365	FAX 250.498.2215	E-MAIL DavidK@Outreachneon.com
	DESIGNER Mary Fry	SALESPERSON	FILE NAME # 9191
	DATE Aug. 18, 2021	THIS DRAWING IS THE SOLE PROPERTY OF OUTREACH NEON LTD. AND MAY NOT BE COPIED OR REPRODUCED IN ANY FASHION UNLESS PERMISSION IS EXPRESSED IN WRITING BY OUTREACH NEON LTD.	
	SCALE NTS		

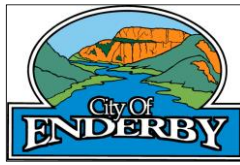
Google Maps 1304 George St



Imagery ©2021 RDNO, Map data ©2021 10 m



LOCATION
OF
NEW SIGN.



DEVELOPMENT VARIANCE PERMIT

Application / File No.: 0037-21-DVP-END

To: Grant's Tackle & Outdoors Ltd.
Kevin Johnston

Address: 1304 George Street, Enderby BC

1. This Development Variance Permit is issued in accordance with the provisions of Section 498 of the Local Government Act and subject to compliance with all of the Bylaws of the City of Enderby applicable thereto, except as specifically varied by this permit.
2. This Development Variance Permit applies to and only to those lands within the City of Enderby described below, and any and all buildings, structures, and other development thereon:

LOT 2 DISTRICT LOT 150 KAMLOOPS (FORMERLY OSOYOOS) DIVISION
YALE DISTRICT PLAN 14156

PID: 002-590-131
3. City of Enderby Zoning Bylaw No. 1550, 2014 is hereby supplemented or varied as follows:
 - Section 310.4.a.ii by increasing the maximum sign area for a freestanding sign from 6.25 m² (67.26 square feet) to 8.00 m² (86.13 square feet), as shown on the attached Schedule 'A'.
4. City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 is hereby supplemented or varied as follows: **N/A**
5. Requirements, conditions or standards applicable to Section 491 of the Local Government Act: **N/A**
6. As a condition of the issuance of this Permit, the Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City of Enderby may use the security to carry out the work by its servants, agents, or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- a. a Bearer Bond in the amount of \$ **N/A**; or
 - b. a Performance Bond in a form acceptable to the City of Enderby in the amount of \$ **N/A**; or
 - c. an Irrevocable Letter of Credit in the amount of \$ **N/A**; or
 - d. a certified cheque in the amount of \$ **N/A**.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.
 8. If the Permittee does not commence the development permitted by this Permit within two (2) years of the date of issuance of this Permit, this Permit shall lapse.
 9. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THE DAY OF , 2021.

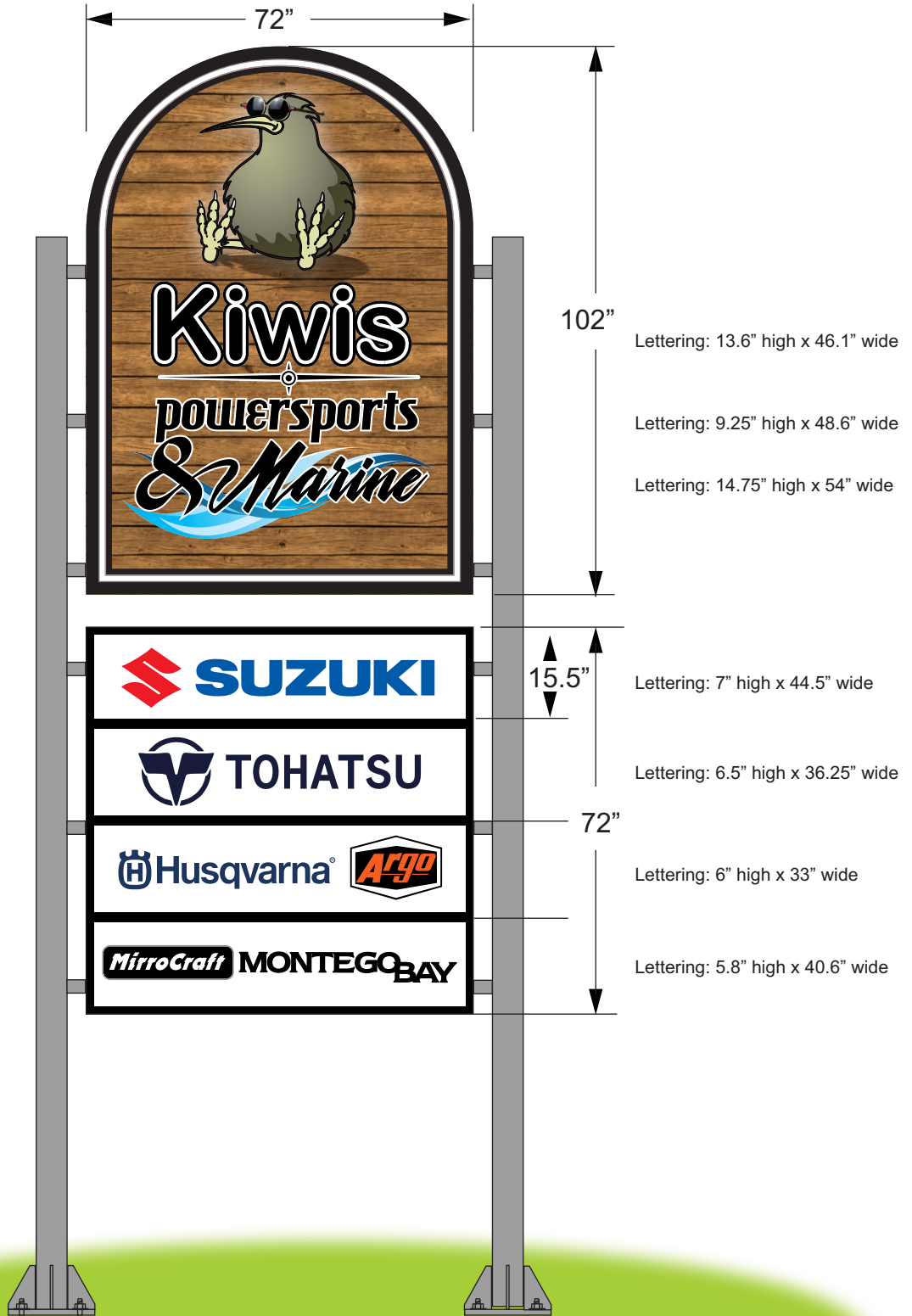
ISSUED THIS DAY OF , 2021.



Corporate Officer

NOTICE OF PERMIT:

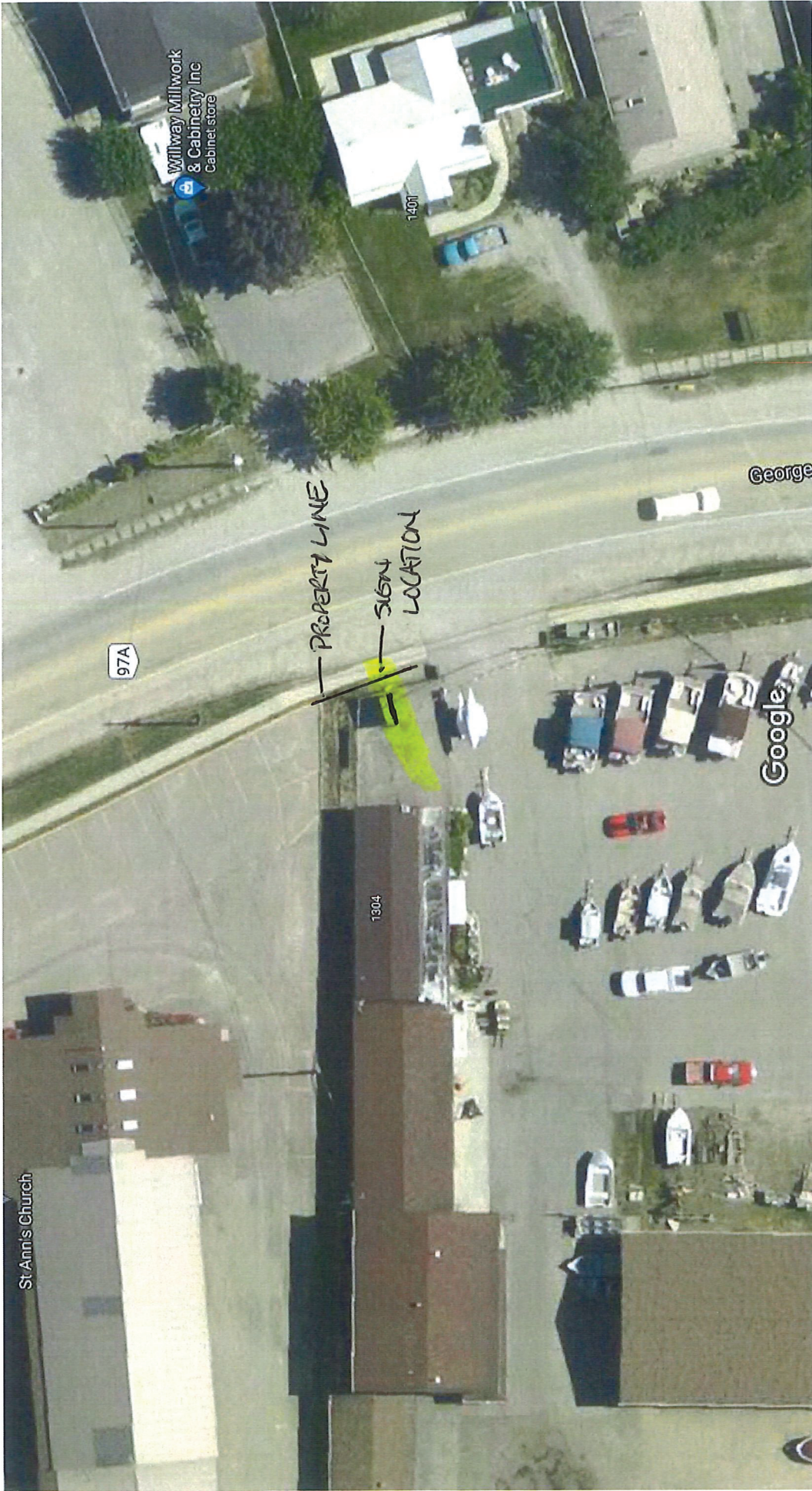
Issued	
Amended	
Cancelled	

Filed with the Land Title Office this day of , 2021.



CUSTOMER Kiwi's Power Sports & Marine		CONTACT David Konowalchuk	APPROVED
 	PHONE 250.498.6365	FAX 250.498.2215	E-MAIL DavidK@Outreachneon.com
	DESIGNER Mary Fry	SALESPERSON	FILE NAME # 9191
	DATE Aug. 18, 2021	THIS DRAWING IS THE SOLE PROPERTY OF OUTREACH NEON LTD. AND MAY NOT BE COPIED OR REPRODUCED IN ANY FASHION UNLESS PERMISSION IS EXPRESSED IN WRITING BY OUTREACH NEON LTD.	
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Google Maps 1304 George St



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LOCATION
OF
NEW SIGN.