Request for Decision

File No: P 719 536

Date	January 3, 2020
Author	Tracy Van de Wiel, Planning Technician 2
Subject	Reconsideration for DP No. 44-19 – KGT Enterprises Ltd. / Windermere Esso

REQUEST

Reconsideration of Development Permit No. 44-19 requesting permission for an illuminated Esso station pylon-style sign.

OPTIONS

1. THAT Development Permit No. 44-19 (KGT Enterprises Ltd. / Windermere Esso) be granted.

2. THAT Development Permit No. 44-19 (KGT Enterprises Ltd. / Windermere Esso) be refused.

RECOMMENDATION

Option 2

The proposed pylon sign has been redesigned since it was last viewed by the Board and APC in December and is much improved from previous versions. It incorporates elements consistent with OCP guidelines and it reduces the backlit illumination areas to certain portions of the sign. However, development permit area guidelines for form and character for commercial development in the Lake Windermere area do not permit the use of any backlight or internally lit signs.

BACKGROUND

The applicants propose to construct a new Esso gas station and convenience store on their property located at 548 Highway 93/95 at the intersection with Copper Road. The RDEK issued Development Permit 28-19 for form and character for the convenience store and the gas bar canopy structure and a building permit for the convenience store in summer of 2019. In July 2019, the applicants submitted a Development Permit application for their signage and this application was refused because it did not comply with the zoning bylaw, the OCP, nor with Development Permit 28-19. The applicants resubmitted in September 2019, and this application was also refused, for similar reasons. Following this, the applicants resubmitted again and, although many elements of their development now comply with applicable regulations and guidelines (ie: signage size, timber frame and stone details on the structures etc), the applicants have requested special consideration from the RDEK to permit an internally illuminated pylon sign. Internal illumination is not permitted by OCP policies. OCP policy 19.5 (6)(e)(5) states that "the use of backlight or internally light signs is not permitted; however, halo light signs are appropriate".

In accordance with Development Applications Bylaw No. 2300, the applicants are appealing the refusal of their Development Permit application.

At the December Committee meeting, this request was postponed one month and referred to the Advisory Planning Committee for comment. Following the discussion at the APC meeting, the applicants decided to change their sign plan to include a stone planter around the base and reduce the amount of requested illumination (see attached new plan).

ANALYSIS

The new design is much improved from previous versions however, general compliance with established guidelines ensures new development fits into the character of an area and with the community goals for design and aesthetics. To the extent that OCP development permit guidelines provide clear direction, they are intended to be applied.

The owners have cited several reasons for their reconsideration request including being on a level playing field with their 'internally lit' competitors, improved safety and security and better visibility across the frontage road from the highway for customers.

CONSULTATION

APC Areas F & G: Refusal recommended (Note: the APC reviewed a previous version of the proposed sign which didn't include the stone planter and it had more illumination).

SPECIFIC CONSIDERATIONS

Zoning Bylaw

Upper Columbia Valley Zoning Bylaw
Current Designation: C-3, Regional Commercial which permits a gasoline service station and retail store.

Sign regulations: The size and placement of the sign complies with the relevant regulations.

Official Community Plan

Lake Windermere Official Community Plan
Designation: C, Commercial

OCP Section 19.5(6)(e)(v) – Lighting

- The use of backlight or internally light signs is not permitted; however, halo light signs are appropriate.

Attachments

- Location Map
- New Pylon Sign Design