Development Variance Permit DVP22-0134



This permit relates to land in the City of Kelowna municipally known as

2339-2397 HWY 97 N

and legally known as

Lot A District Lots 126 and 532 ODYD Plan 40108

and permits the land to be used for the following development:

Food Primary Establishment

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

<u>Date of Council Decision</u> November 29, 2022

<u>Decision By:</u> COUNCIL OR DEVELOPMENT PLANNING DEPARTMENT MANAGER

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

Future Land Use Designation: UC- Urban Centre

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Jwner:	Dilworth Snopping Centre Ltd.
Applicant:	Gustavson Wylie Architects

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date of Issuance



1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

- a) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "A";
- b) 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.

This Development Variance Permit is valid for two (2) years from the date of decision, with no opportunity to extend.

3. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or their designates.





2 EXTERIOR ELEVATION - EAST scale: 1:50



PHOTO 2: **FUTURE SOUTH ELEVATION**



FUTURE SOUTHWEST CORNER ELEVATION

PHOTOS - EXISTING AND SURROUNDING SITE

GENERAL NOTES

- A. GENERAL CONTRACTOR TO COORDINATE AND SCHEDULE SIGNAGE INSTALLATION WITH THE SIGNAGE CONTRACTOR PROVIDING A MINIMUM SCHEDULING NOTICE OF 4 WEEKS AND 1 WEEK PRIOR TO SCHEDULED DATE OF INSTALLATION. CONSTRUCTION MANAGER TO PROVIDE GENERAL CONTRACTOR WITH SIGNAGE CONTRACTOR CONTACT INFORMATION.
- B. GENERAL CONTRACTOR SHALL COORDINATE WITH ELECTRICAL CONTRACTOR TO FURNISH AND INSTALL ELECTRICAL CIRCUITS INCLUDING ALL CONDUIT, WIRE, CONNECTIONS AND BREAKER AT PANEL BOARD NECESSARY TO SERVE SIGNAGE.
- C. GENERAL CONTRACTOR TO PROVIDE FIRE TREATED WOOD STUD BLOCKING OR EQUIVALENT TO SUPPORT SIGNAGE. EXTEND BLOCKING 8" (205MM) MIN. BEYOND EDGE OF
- D. SIGNAGE CONTRACTOR SHALL VERIFY SIZE AND LOCATION OF ANY AND ALL ALLOWABLE MONUMENT OR POLE SIGNAGE AND PROVIDE SHOP DRAWING(S) PRIOR TO FABRICATION TO THE STARBUCKS DESIGNER FÖR APPROVAL.
- E. SIGNAGE CONTRACTOR TO INSTALL SIGNAGE IN COMPLIANCE WITH LOCAL CODES AND OBTAIN PERMIT.
- F. SIGNAGE CONTRACTOR TO SUPPLY SHOP DRAWINGS TO CONSTRUCTION MANAGER AND TO THE GENERAL CONTRACTOR AS NEEDED. GENERAL CONTRACTOR TO NOTIFY CONSTRUCTION MANAGER IMMEDIATELY IF SHOP DRAWINGS OR INSTALLATION IS IN DISCREPANCY WITH ARCHITECTURAL DRAWINGS.
- G. ALL BUILDING FINISHES ARE EXISTING TO REMAIN.

KEYED NOTES

- 1. EXISTING BASE BUILDING EXTERIOR WALL SCONCE.
- 2. EXISTING BASE BUILDING DUPLEX OUTLET.
- 3. EXISTING BASE BUILDING STROBE LIGHT.
- 4. NEW STARBUCKS CANOPY INSTALLED BY LL.
- 5. EXISTING BASE BUILDING GAS METER.
- 6. EXISTING BASE BUILDING SCUPPER.
- 7. EXISTING BASE BUILDING RTU SCREEN.
- 8. EXISTING BASE BUILDING RTU.
- 9. EXISTING BASE BUILDING SPANDREL PANELS.
- 10. EXISTING BASE BUILDING GAS PIPE.
- 11. NOT USED.
- 12. NOT USED.
- 13. EXISTING BASE BUILDING ACCESSIBLE PARKING SIGN.
- 14. EXISTING BASE BUILDING HAND/GUARD RAIL.

47. EXISTING BASE BUILDING GARBAGE ENCLOSURE.

- 15. EXISTING BASE BUILDING ADDRESS PLATE.
- 16. EXISTING BASE BUILDING BIKE RACK.

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SEATTLE, WASHINGTON 98134 (206) 318-1575

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GUSTAVSON WYLIE ARCHITECTS INC. 280 - 1040 WEST GEORGIA STREET VANCOUVER, BRITISH COLUMBIA CANADA V6E 4H1

architecture planning interiors

ISSUE SCHEDULE

GWA PROJECT #: 19137

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CONSTRUCTI FOR INTENDED

SHEET TITLE:

STORE #: 58480 PROJECT #: 83711-001

CONCEPT: NEW DRIVE THRU DESIGN MANAGER: LORI CRANDALL

PRODUCTION: **BRIANNE TONER**

CHECKED BY: **ALEXIS TANNER**

EXTERIOR ELEVATIONS

SHEET NUMBER:

A-201

As indicated

BUILDING SIGNAGE SCHEDULE - "S"

FURN. INST. BY BY DESIGN ID COUNT DESCRIPTION SIGNAGE - DISK 3 SIGN - DISK SF ILLUMINATED FLUSH MOUNTED EVOLVED - 60IN 1525MM 13164 O SIGNAGE - DRIVE THRU SIGN - DRIVE THRU ILLUMINATED ARROW SV SERIES FLUSH MOUNTED - LH - 72IN SIGN - DRIVE THRU ILLUMINATED ARROW SV SERIES FLUSH MOUNTED - RH - 72IN 14534 1830MM SIGNAGE - OTHER X99031 1 STORE ADDRESS - ACRYLIC - BLACK - 3" SV SV

RESPONSIBILITY LEGEND

- GENERAL CONTRACTOR
- EXISTING PROVIDED BY LANDLORD STARBUCKS
- WH STARBUCKS WAREHOUSE (3PL) STARBUCKS VENDOR DIRECT
- SV SIGNAGE VENDOR CV CASEWORK VENDOR

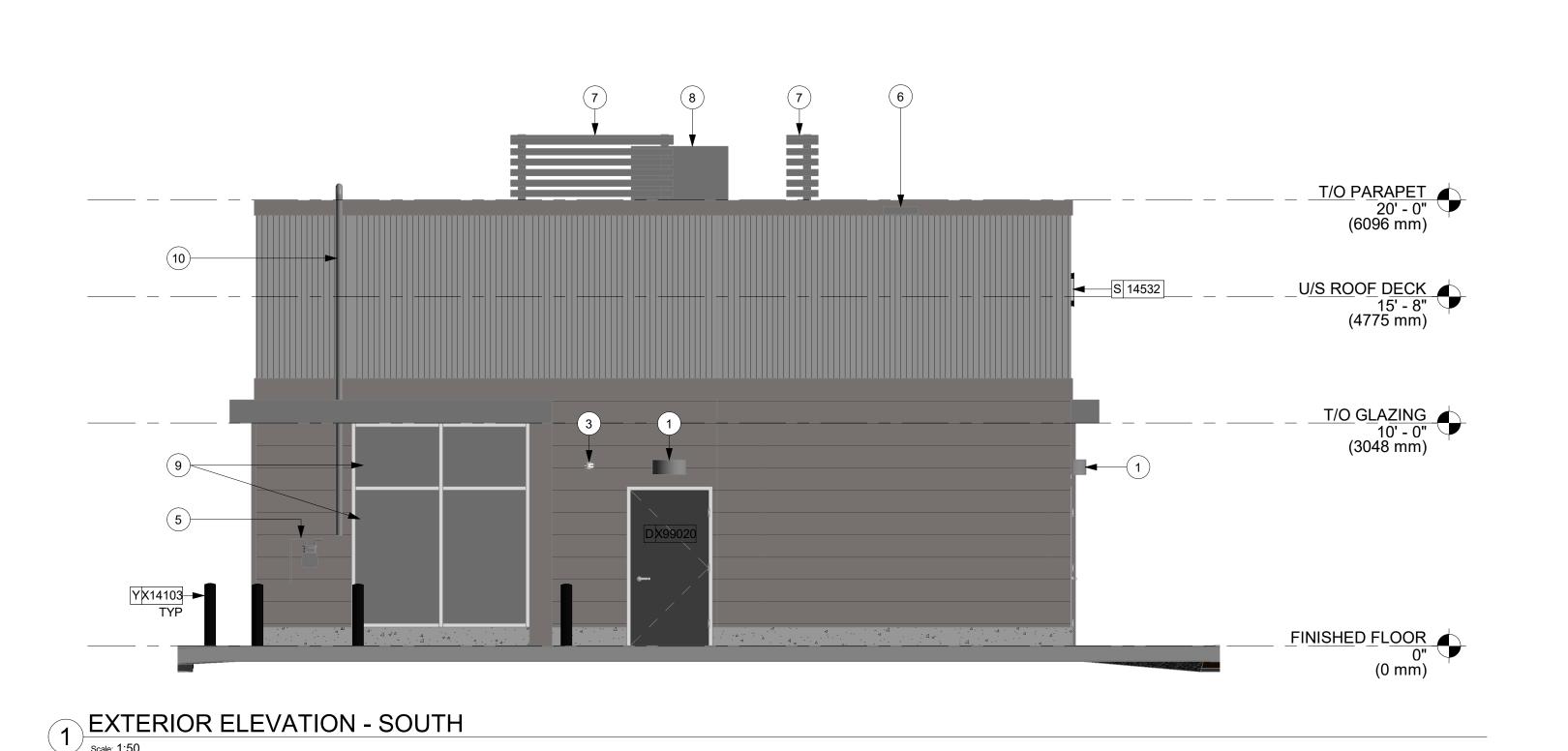




PHOTO 4: **FUTURE EAST ELEVATION**



FUTURE NORTHWEST CORNER ELEVATION

PHOTOS - EXISTING AND SURROUNDING SITE

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BUILDING SIGNAGE SCHEDULE - "S"

DESIGN ID		BUILDING SIGNAGE SCHEDULE - "S" DESCRIPTION	FURN. BY	INST. BY
SIGNAGE -	DISK			
13164	3	SIGN - DISK SF ILLUMINATED FLUSH MOUNTED EVOLVED - 60IN 1525MM	SV	SV
SIGNAGE -	DRIVE TI	HRU		
14532	1	SIGN - DRIVE THRU ILLUMINATED ARROW SERIES FLUSH MOUNTED - LH - 72IN 1830MM	SV	SV
14534	1	SIGN - DRIVE THRU ILLUMINATED ARROW SERIES FLUSH MOUNTED - RH - 72IN 1830MM	SV	SV
SIGNAGE -	OTHER			
X99031	1	STORE ADDRESS - ACRYLIC - BLACK - 3"	SV	SV

RESPONSIBILITY LEGEND

- GC GENERAL CONTRACTOR
 LL EXISTING PROVIDED BY LANDLORD
- STARBUCKS WH STARBUCKS WAREHOUSE (3PL)
 VD STARBUCKS VENDOR DIRECT
 SV SIGNAGE VENDOR
- CV CASEWORK VENDOR



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architecture planning interiors

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PRODUCTION: **BRIANNE TONER**

ALEXIS TANNER CHECKED BY:

EXTERIOR ELEVATIONS

SHEET NUMBER:

SHEET TITLE:

A-202

As indicated