

# Development Variance Permit

## DVP23-0242

**ATTACHMENT A**

This forms part of application  
# **DVP23-0242**

Planner Initials **MT**

City of **Kelowna**  
COMMUNITY PLANNING



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

**940 – 1070 Frost Road**

and legally known as

**Lot A District Lot 579 SDYD Plan EPP127116**

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

### **Free-Standing Sign**

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

**Date of Council Approval:** April 9, 2024

Development Permit Area: N/A

Existing Zone: VC1 – Village Centre

Future Land Use Designation: VC – Village Centre

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

### **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.

Owner: 0954654 B.C. Ltd., Inc. No. BC0954654

Applicant: Callahan Property Group

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Nola Kilmartin  
Development Planning Department Manager  
Planning & Development Services

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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

THAT Council authorizes the issuance of Development Variance Permit No. DVP23-0242 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 – Signage Regulations**

To vary the maximum sign area of a free-standing sign from 3.0 m<sup>2</sup> permitted to 8.17 m<sup>2</sup> proposed.

### **Section 8.3.a.b.ii – 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 Manager approval, with no opportunity to extend.

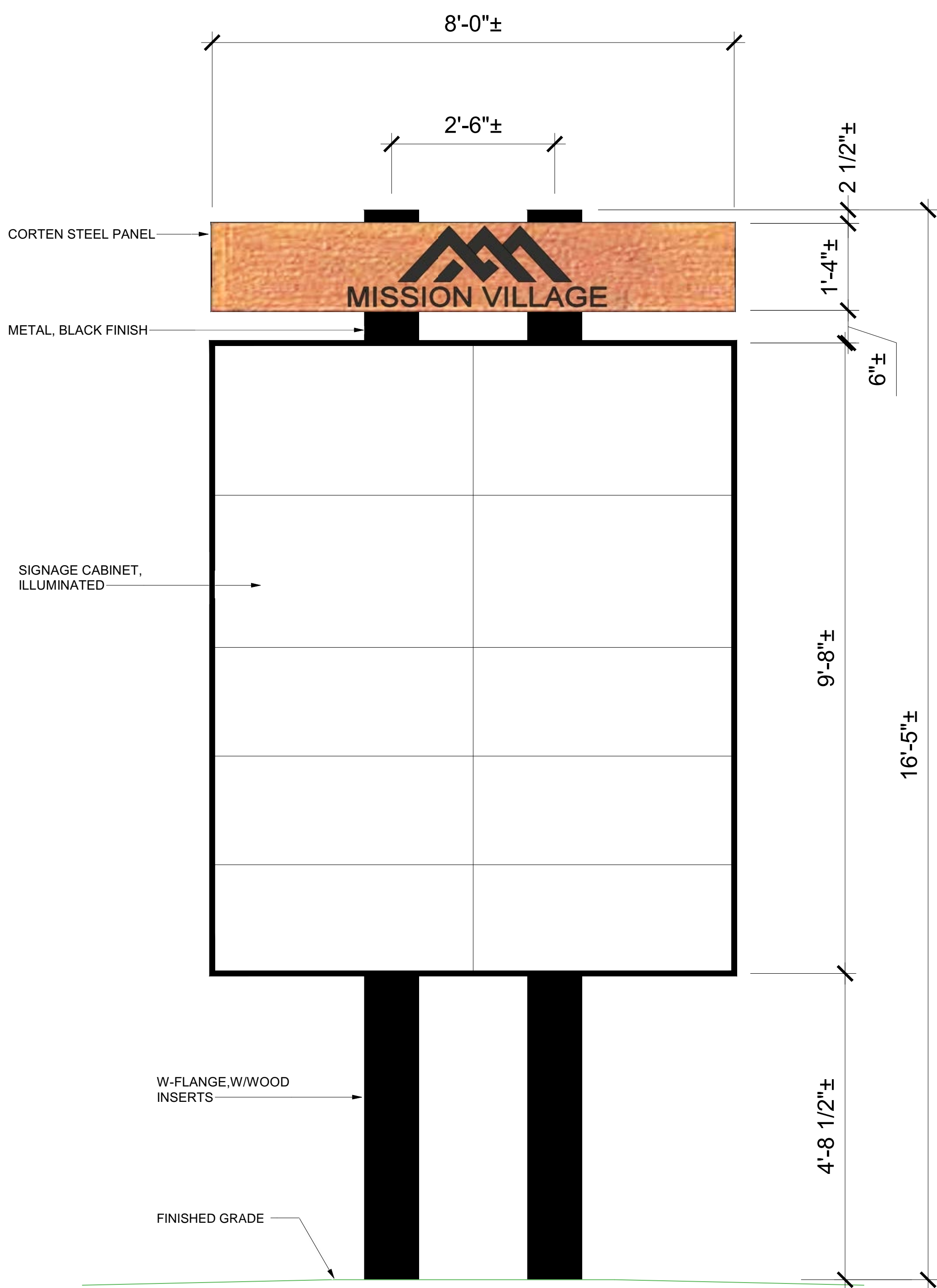
## 4. INDEMNIFICATION

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 CURRENT LAND OWNER.  
Security shall ONLY be returned to the signatory of the  
Landscape Agreement or their designates.**



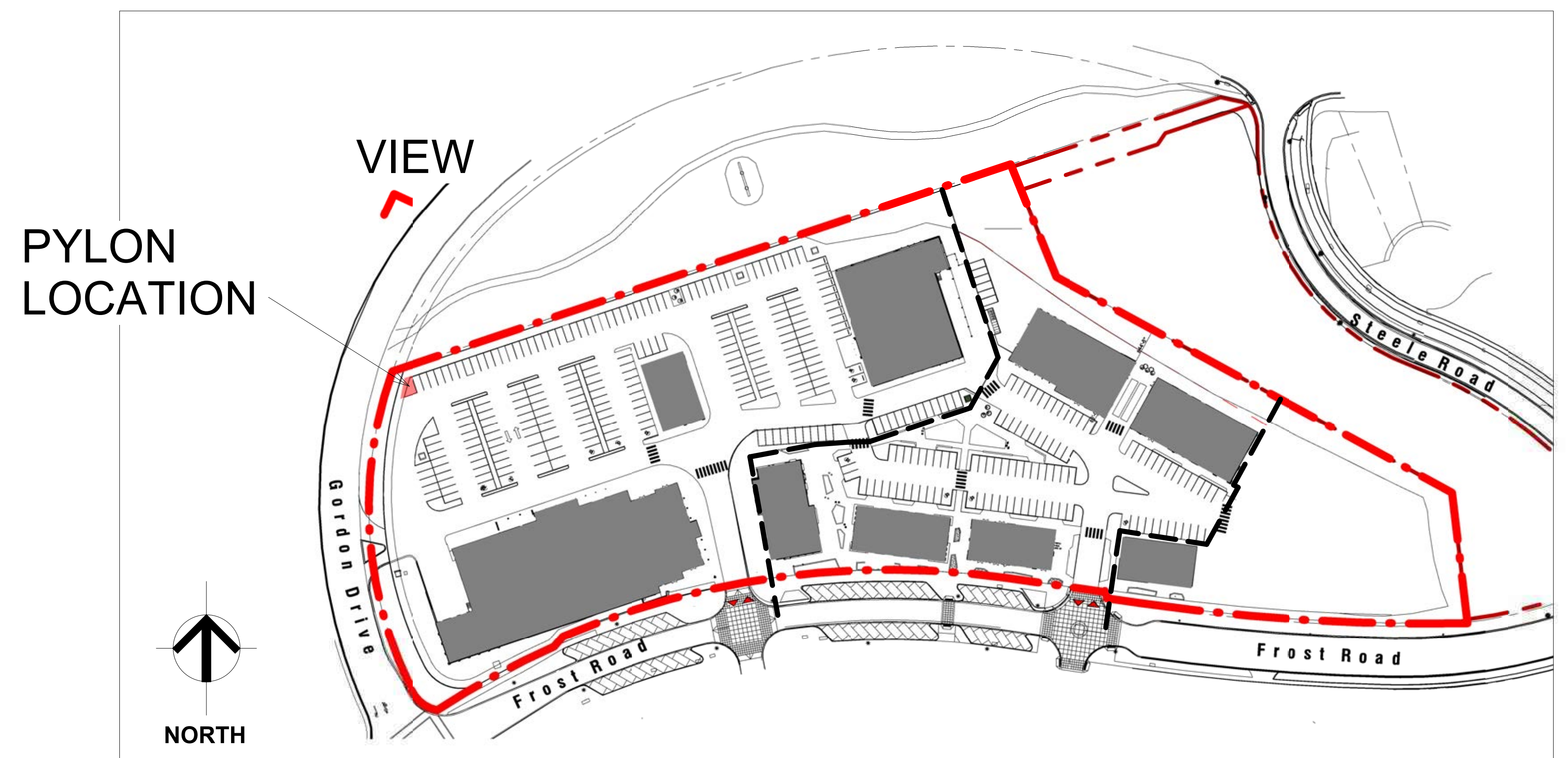
**PYLON SIGN**  
SCALE: 1/2" = 1'-0"

**SCHEDULE A**

This forms part of application  
# **DVP23-0242**

Planner Initials **MT**

City of **Kelowna**  
COMMUNITY PLANNING



**PYLON LOCATION**  
SCALE: 1" = 160'-0"

**PRINCIPALS**

**Christopher Block**  
M Arch, Architect AIBC, AAA,  
SAA, OAA, LEED AP BD+C

**Marcel S. Proskow**  
CRX, CDP

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