## Development Permit

DP23-0115

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

## 3593 Lakeshore Road

and legally known as

## Lot 10 District Lot 134 ODYD Plan 2988

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

## Apartment Housing

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 8 ${ }^{\text {th }}, \mathbf{2 0 2 4}$ |
| :--- | :--- |
| Development Permit Area: | Form and Character DPA |
| Existing Zone: | $\mathrm{MF}_{3}-$ Apartment Housing |
| Future Land Use Designation: | C-NHD - Core Area Neighbourhood |

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:
Applicant:

## Immortal Homes Ltd., Inc. No. Ao101356

Matt Johnston - LIME Architecture

Nola Kilmartin
Development Planning Department Manager
Planning \& Development Services

Date of Issuance

| ATTACHMENT A |  |  |
| :---: | :---: | :---: |
| This forms \# DP23-0 |  |  |
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## 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 Permit No. DP23-0115 and for Lot 10 District Lot 134 ODYD Plan 2988 located at 3593 Lakeshore Road, Kelowna, BC, subject to the following:
a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule " A ";
b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule " B ";
c) Landscaping to be provided on the land be in accordance with Schedule "C";
d) The applicant be required to post with the City a Landscape Performance Security deposit in the amount of $125 \%$ of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Manager approval, with no opportunity to extend.

## 3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, 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 Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property owner of the day. Should the Developer carry out the development as per the conditions of this permit, the security shall be returned to the Developer or his or her designate following proof of Substantial Compliance as defined in Bylaw No. 12310. There is filed accordingly:
a) An Irrevocable Letter of Credit OR certified cheque OR a Surety Bond in the amount of \$106,401.38

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

## 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.


| ATTACHMENT | A |
| :--- | :--- | :--- |
| This forms part of application |  |
| \#DP23-0115 |  |

## 3593 LAKESHORE RD, KELOWNA BC

PROPERTY DESCRIPTION
CIVC: 3593 LAKESHORE RD, KELOWNA
BC ENERGY STEP CODE COMPLIANCE: STE ZONING CALCULATIONS:
CURRENT: CITY OF KELOWNA RUI ZONING CORE AREA
TRANSIT SUPPORTIVE CORRIDOR PROPOSED: MF3 ZONING SITE INFORMATION:
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NOT INCIUDING ROAD DEDCATIO
SITE COVERAGE $=$
STEE COVERAGE + HARDSCAPING $=$ MIN DENSTTY: 3.1 UNTTS PER $1,000 \mathrm{~m} 2$ LOT AREA $=$ BASE FAR =

PRVATE AND COMMON AMENTY SPACE COMMON AMENTY SPACE
PRVATE AMENTTY SPACE
$2+$ EEDROOM UNITS
1 BEDROOM UNITS
 \# DP23-0115

| $\substack{\text { Planner } \\ \text { nitials }}$ |
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parking calculation PAREDG CAACULATIO $\begin{aligned} & \text { BEEROOMNUTS } \\ & 2 \text { BEDROM UNTTS }\end{aligned}=$ 3 AND 4 BEDROOM UNTS $=$ TOTAL RESIDENT $=$
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ACCESSIBLE PARKING =
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2 BEDROOM $=$
3 AND 4 BEDROOM $=$
TOTAL =
SHORT-TERM BICYCLE STORAG


20 UNITS $\times 4 \mathrm{~m}^{2} / \mathrm{UNT}=80 \mathrm{~m}^{2}$ ( 861 SF) $85 . \mathrm{mm}^{2}$ (921 SF)
$25.4=21 \mathrm{~m}^{2}(226$ SF) $\quad 226-347$ SF PER UNT ( SEE TABI

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2.1 M
8.38 M $3.2 \mathrm{M} / 3.6 \mathrm{M}$
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16



## 

PROJECT
INFORMATION
A-003








| EXTERIOR FINSHES AND COLOURS LEGEND |  |  |  |  |  |
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| \# | IMAGE | MATERAL | \# | IMAGE | MATERAL |
| 1 |  | FASCIA, TRIM, WINDOWS, DOORS RAILINGS: <br> BLACK | 4 |  | HARDIE PANEL: AGED PEWTER |
| 2 |  | METAL CLADDING: MAC, SMOKED BIRCH | 5 |  | CULTURED STONE: <br> PRO-FIT MODERA LEDGESTONE - VELLUN |
| 3 |  | HARDIE PANEL: COBBLESTONE | 6 |  | hardie panel, columns: ARCTC WHITE |





ELEVATIONS
A-201



## $\Delta \ \leq I M E$  



| ExTERIOR FINSHES AND COLOURS LEGEND |  |  |  |  |  |
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| \# | IMAGE | MATERAL | \# | IMAGE | MATERAL |
| 1 |  | FASCIA, TRIM, WINDOWS, DOORS RAILINGS: <br> BLACK | 4 |  | HARDIE PANEL: AGED PEWTER |
| 2 |  | METAL CLADDING: MAC, SMOKED BIRCH | 5 |  | CULTURED STONE: <br> PRO-FIT MODERA LEDGESTONE - VELLUM |
| 3 |  | HARDIE PANEL: COBBLESTONE | 6 |  | hardie panel, COLUMNS: ARCTIC WHITE |




## NOTES












| PLANT LIST |  |  |  |
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SCHEDULE

| This forms part of application |
| :--- |
| \# DP23-0115 |


| Planner |
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| Initials |

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$\circlearrowleft^{N}$
3593 LAKESHORE ROAD
Kalomo, BC

## CONCEPTUAL <br> LANDSCAPE PLAN



L1/2
NOT FOR CONSTRUCTION

$\circlearrowleft^{N}$

3593 LAKESHORE ROAD

WATER CONSERVATION/ IRRIGATION PLAN


Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

## SECTION 2.0: GENERAL RESIDENTIAL AND MIXED USE

| RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE (1 is least complying \& 5 is highly complying) | N/A | 1 | 2 | 3 | 4 | 5 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2.1 General residential \& mixed use guidelines |  |  |  |  |  |  |
| 2.1.1 Relationship to the Street | N/A | 1 | 2 | 3 | 4 | 5 |
| a. Orient primary building facades and entries to the fronting street or open space to create street edge definition and activity. |  |  |  |  |  | $\checkmark$ |
| b. On corner sites, orient building facades and entries to both fronting streets. | $\checkmark$ |  |  |  |  |  |
| c. Minimize the distance between the building and the sidewalk to create street definition and a sense of enclosure. |  |  |  |  | $\checkmark$ |  |
| d. Locate and design windows, balconies, and street-level uses to create active frontages and 'eyes on the street', with additional glazing and articulation on primary building facades. |  |  |  |  |  | $\checkmark$ |
| e. Ensure main building entries are clearly visible with direct sight lines from the fronting street. |  |  |  |  |  | $\checkmark$ |
| f. Avoid blank, windowless walls along streets or other public open spaces. |  |  |  | $\checkmark$ |  |  |
| g. Avoid the use of roll down panels and/or window bars on retail and commercial frontages that face streets or other public open spaces. | $\checkmark$ |  |  |  |  |  |
| 2.1.2 Scale and Massing | N/A | 1 | 2 | 3 | 4 | 5 |
| a. Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. |  |  |  |  | $\checkmark$ |  |
| b. Break up the perceived mass of large buildings by incorporating visual breaks in facades. |  |  |  | $\checkmark$ |  |  |
| 2.1.3 Site Planning | N/A | 1 | 2 | 3 | 4 | 5 |
| a. Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of natural features. |  |  |  |  |  | $\checkmark$ |
| b. Use Crime Prevention through Environmental Design (CPTED) principles to better ensure public safety through the use of appropriate lighting, visible entrances, opportunities for natural surveillance, and clear sight lines for pedestrians. |  |  |  |  |  | $\checkmark$ |
| c. Limit the maximum grades on development sites to $30 \%$ (3:1) |  |  |  |  |  | $\checkmark$ |
| d. Design buildings for 'up-slope' and 'down-slope' conditions relative to the street by using strategies such as: <br> - Stepping buildings along the slope, and locating building entrances at each step and away from parking access where possible; | $\checkmark$ |  |  |  |  |  |
|  | ATTACHMENT B |  |  |  |  |  |
|  |  | This forms part of application \# DP23-0115 |  |  |  | Kelowna |

- Incorporating terracing to create usable open spaces around the building
- Using the slope for under-building parking and to screen service and utility areas;
- Design buildings to access key views; and
- Minimizing large retaining walls (retaining walls higher than 1 m should be stepped and landscaped).
e. Design internal circulation patterns (street, sidewalks, pathways) to be integrated with and connected to the existing and planed future public street, bicycle, and/or pedestrian network.
2.1.4 Site Servicing, Access, and Parking
a. Locate off-street parking and other 'back-of-house' uses (such as loading, garbage collection, utilities, and parking access) away from public view.
b. Ensure utility areas are clearly identified at the development permit stage and are located to not unnecessarily impact public or common open spaces.
c. Avoid locating off-street parking between the front façade of a building and the fronting public street.
d. In general, accommodate off-street parking in one of the following ways, in order of preference:
- Underground (where the high water table allows)
- Parking in a half-storey (where it is able to be accommodated to not negatively impact the street frontage);
- Garages or at-grade parking integrated into the building (located at the rear of the building); and
- Surface parking at the rear, with access from the lane or secondary street wherever possible.
e. Provide bicycle parking at accessible locations on site, including:
- Covered short-term parking in highly visible locations, such as near primary building entrances; and
- Secure long-term parking within the building or vehicular parking area.
f. Provide clear lines of site at access points to parking, site servicing, and utility areas to enable casual surveillance and safety.
2.1.5 Streetscapes, Landscapes, and Public Realm Design
a. Site buildings to protect mature trees, significant vegetation, and ecological features.
b. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings.
c. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation.
d. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage.
e. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as:

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|  | N/A | 1 | 2 | 3 | 4 | 5 |
|  |  |  |  | $\checkmark$ |  |  |
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- Locating outdoor spaces where they will receive ample sunlight throughout the year;
- Using materials and colors that minimize heat absorption;
- Planting both evergreen and deciduous trees to provide a balance of shading in the summer and solar access in the winter; and
- Using building mass, trees and planting to buffer wind.
f. Use landscaping materials that soften development and enhance the public realm.
g. Plant native and/or drought tolerant trees and plants suitable for the local climate.
h. Select trees for long-term durability, climate and soil suitability, and compatibility with the site's specific urban conditions.
i. Design sites and landscapes to maintain the pre-development flows through capture, infiltration, and filtration strategies, such as the use of rain gardens and permeable surfacing.
2.1.6 Building Articulation, Features and Materials
a. Express a unified architectural concept that incorporates variation in façade treatments. Strategies for achieving this include:
- Articulating facades by stepping back or extending forward a portion of the façade to create a series of intervals or breaks;
- Repeating window patterns on each step-back and extension interval;
- Providing a porch, patio, or deck, covered entry, balcony and/or bay window for each interval; and
- Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce each interval.
b. Incorporate a range of architectural features and details into building facades to create visual interest, especially when approached by pedestrians. Include architectural features such as: bay windows and balconies; corner feature accents, such as turrets or cupolas; variations in roof height, shape and detailing; building entries; and canopies and overhangs.

Include architectural details such as: Masonry such as tiles, brick, and stone; siding including score lines and varied materials to distinguish between floors; articulation of columns and pilasters; ornamental features and art work; architectural lighting; grills and railings; substantial trim details and moldings / cornices; and trellises, pergolas, and arbors.
c. Design buildings to ensure that adjacent residential properties have sufficient visual privacy (e.g. by locating windows to minimize overlook and direct sight lines into adjacent units), as well as protection from light trespass and noise.
d. Design buildings such that their form and architectural character reflect the buildings internal function and use.
e. Incorporate substantial, natural building materials such as masonry, stone, and wood into building facades.

| f.Limit signage in number, location, and size to reduce visual clutter <br> and make individual signs easier to see. |  |  |  |  |  |
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| g.Provide visible signage identifying building addresses at all <br> entrances. |  |  |  |  | $\checkmark$ |

## SECTION 4.0: LOW \& MID-RISE RESIDENTIAL MIXED USE

| RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <br> ( 1 is least complying \& 5 is highly complying) | N/A | $\mathbf{1}$ | $\mathbf{2}$ | 3 | $\mathbf{4}$ | 5 |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |

4.1 Low \& mid-rise residential \& mixed use guidelines
4.1.1 Relationship to the Street
h. Ensure lobbies and main building entries are clearly visible from the fronting street.
i. Avoid blank walls at grade wherever possible by:

- Locating enclosed parking garages away from street frontages or public open spaces;
- Using ground-oriented units or glazing to avoid creating dead frontages; and
- When unavoidable, screen blank walls with landscaping or incorporate a patio café or special materials to make them more visually interesting.

|  | N/A | 1 | 2 | 3 | 4 | 5 |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
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|  |  |  |  | $\checkmark$ |  |  |
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## Residential \& Mixed Use Buildings

j. Set back residential buildings on the ground floor between 3-5 m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio.

- A maximum 1.2 m height (e.g. 5-6 steps) is desired for front entryways.
- Exceptions can be made in cases where the water table requires this to be higher. In these cases, provide a larger patio and screen parking with ramps, stairs and landscaping.
k. Incorporate individual entrances to ground floor units accessible from the fronting street or public open spaces.
I. Site and orient buildings so that windows and balconies overlook public streets, parks, walkways, and shared amenity spaces while minimizing views into private residences.
4.1.2 Scale and Massing
a. Residential building facades should have a maximum length of 60 m . A length of 40 m is preferred.
b. Residential buildings should have a maximum width of 24 m .
c. Buildings over 40 m in length should incorporate a significant horizontal and vertical break in the façade.
4.1.3 Site Servicing, Access, and Parking
a. On sloping sites, floor levels should step to follow natural grade and avoid the creation of blank walls.

b. Site buildings to be parallel to the street and to have a distinct front-to-back orientation to public street and open spaces and to rear yards, parking, and/or interior court yards:
- Building sides that interface with streets, mid-block connections and other open spaces and should positively frame and activate streets and open spaces and support pedestrian activity; and
- Building sides that are located away from open spaces (building backs) should be designed for private/shared outdoor spaces and vehicle access.
c. Break up large buildings with mid-block connections which should be publicly-accessible wherever possible.
d. Ground floors adjacent to mid-block connections should have entrances and windows facing the mid-block connection.
4.1.4 Site Servicing, Access and Parking
a. Vehicular access should be from the lane. Where there is no lane, and where the re-introduction of a lane is difficult or not possible, access may be provided from the street, provided:
- Access is from a secondary street, where possible, or from the long face of the block;
- Impacts on pedestrians and the streetscape is minimised; and
- There is no more than one curb cut per property.
b. Above grade structure parking should only be provided in instances where the site or high water table does not allow for other parking forms and should be screened from public view with active retail uses, active residential uses, architectural or landscaped screening elements.
c. Buildings with ground floor residential may integrate half-storey underground parking to a maximum of 1.2 m above grade, with the following considerations:
- Semi-private spaces should be located above to soften the edge and be at a comfortable distance from street activity; and
- Where conditions such as the high water table do not allow for this condition, up to 2 m is permitted, provided that entryways, stairs, landscaped terraces, and patios are integrated and that blank walls and barriers to accessibility are minimized.
4.1.5 Publicly-Accessible and Private Open Spaces
a. Integrate publicly accessible private spaces (e.g. private courtyards accessible and available to the public) with public open areas to create seamless, contiguous spaces.
b. Locate semi-private open spaces to maximize sunlight penetration, minimize noise disruptions, and minimize 'overlook' from adjacent units.

| 4.1.6 Building Articulation, Features, and Materials | N/A | 1 | 2 | 3 | 4 |
| :--- | :--- | :--- | :--- | :--- | :--- |
| a. Articulate building facades into intervals that are a maximum of 15 <br> m wide for mixed-use buildings and 20 m wide for residential |  |  |  |  | $\checkmark$ |


| ATTACHMENT B |  |  |
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| buildings. Strategies for articulating buildings should consider the potential impacts on energy performance and include: <br> - Façade Modulation - stepping back or extending forward a portion of the façade to create a series of intervals in the façade; <br> - Repeating window pattern intervals that correspond to extensions and step backs (articulation) in the building façade; <br> - Providing a porch, patio, deck, or covered entry for each interval; <br> - Providing a bay window or balcony for each interval, while balancing the significant potential for heat loss through thermal bridge connections which could impact energy performance; <br> - Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval; <br> - Changing the materials with the change in building plane; and <br> - Provide a lighting fixture, trellis, tree or other landscape feature within each interval. |  |  |  |  |  |  |
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| b. Break up the building mass by incorporating elements that define a building's base, middle and top. |  |  |  |  | $\checkmark$ |  |
| c. Use an integrated, consistent range of materials and colors and provide variety, by for example, using accent colors. |  |  |  |  | $\checkmark$ |  |
| d. Articulate the façade using design elements that are inherent to the buildings as opposed to being decorative. For example, create depth in building facades by recessing window frames or partially recessing balconies to allow shadows to add detail and variety as a byproduct of massing. |  |  |  |  |  | $\checkmark$ |
| e. Incorporate distinct architectural treatments for corner sites and highly visible buildings such as varying the roofline, articulating the façade, adding pedestrian space, increasing the number and size of windows, and adding awnings or canopies. |  |  |  |  | $\checkmark$ |  |
| f. Provide attractive signage on commercial buildings that identifies uses and shops clearly but which is scaled to the pedestrian rather than the motorist. Some exceptions can be made for buildings located on highways and/or major arterials in alignment with the City's Sign Bylaw. | $\checkmark$ |  |  |  |  |  |
| g. Avoid the following types of signage: <br> - Internally lit plastic box signs; <br> - Pylon (stand alone) signs; and <br> - Rooftop signs. |  |  |  |  |  | $\checkmark$ |
| h. Uniquely branded or colored signs are encouraged to help establish a special character to different neighbourhoods. |  |  |  |  |  | $\checkmark$ |



