

Temporary Use Permit Proposal

Prestige Landscape, Ltd.

For 3300 Sexsmith Rd. Kelowna, BC V1V 2G9

Prestige Landscape proposes a temporary use permit for this existing parcel of land, within our five (5) year lease agreement, for the purposes of continued growth and service opportunities within the city of Kelowna. The move to this parcel was precipitated by a City of Kelowna bylaw notice, which gives us until February 28th to vacate our current premises on ALR land.

Prestige proposes to install a temporary cover-all building to act as a shop and equipment storage for our company, with dimensions of 40'x100'. Additionally, Prestige would install bulk material bins for landscape materials to enable our business and a small retail element to our operations.

Prestige proposes using a small portion of the property for retail sales, though at this time sales would all be outdoors; and would not require any additional buildings on site.

Prestige proposes to use the existing house on the property as its offices, and plans (being a landscape company) to landscape the frontage along Sexsmith Rd., as well as fairly extensive landscaping in front of the existing house, for the purpose of demonstrating our work, and beautifying this busy corner in our city.

This move, along with these temporary development uses, will allow Prestige to continue to grow & function at a higher level as a landscape company, providing excellent service in our community, and employing many people in a great industry. This will also greatly improve the existing parcel of land and the overall look and feel of this portion of the Sexsmith corridor.

CITY OF KELOWNA
MEMORANDUM

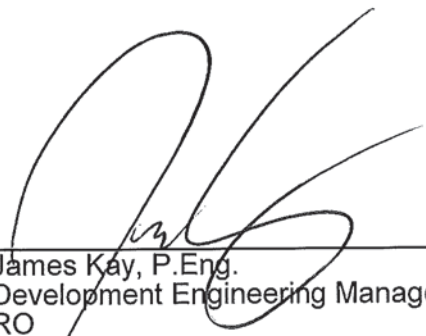
Date: February 27, 2018
File No.: TUP18-0001
To: Land Use Management Department (AC)
From: Development Engineering Manager (JK)
Subject: 3300 Sexsmith Road Zoned: I2 to Temp industrial landscape building

Development Engineering Services comments and requirements pertaining to this application are as follows:

The Temporary Use Permit application, to use the property for an industrial landscape building with a temporary cover-all building.

The Temporary Use Permit application, to use the property for a parking lot will require the following;

- Dust free surface complete with 100mm thickness of $\frac{3}{4}$ minus gravel
- The existing driveway letdown location should be confirmed. Only one driveway will be allowed to this property and on Pinto Road. The driveway must be paved and more than 10m from edge of Sexsmith Rd. and Pinto Rd. intersection not to track gravels on road way.
- Sexsmith Road Driveway must be removed.
- Parking lot should be graded such that it is crowned with a 2% grade to each side for drainage.
- Allow for onsite turning movements, so that access and egress in a forward direction.



James Kay, P.Eng.
Development Engineering Manager
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ATTACHMENT A	
This forms part of application # <u>TUP18-0001</u>	
Planner Initials	<input type="text" value="AC"/>
 City of Kelowna COMMUNITY PLANNING	

TEMPORARY USE PERMIT



APPROVED ISSUANCE OF TEMPORARY USE PERMIT NO. TUP18-0001

Issued To: 689369 BC Ltd. Inc. No. BCo689369
Site Address: 3300 Sexsmith Rd
Legal Description: Lot 22, Section 2, Township 23, ODYD, Plan 18861 Except Plans 19637 and KAP55314
Zoning Classification: I2 – General Industrial

SCOPE OF APPROVAL

This 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 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 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.

1. TERMS AND CONDITIONS

THAT Temporary Use Permit No. TUP18-0001 for Lot 22, Section 2, Township 23, ODYD, Plan 18861 Except Plans 19637 and KAP55314, located at 3300 Sexsmith Rd, Kelowna, BC for three years' subject to the following conditions:

- a) The dimensions and siting of the temporary use on the land be in general accordance with Schedule "A";

AND THAT any application to extend the Permit must be approved by Council prior to this Permit expiring.

2. 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 Permit Holder and be paid to the Permit Holder if the security is returned. The condition of the posting of the security is that should the Permit Holder 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 the security to carry out the work by its servants, agents or contractors, and any surplus

shall be paid over to the Permit Holder, or should the Permit Holder carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permit Holder. There is filed accordingly:

- a) An Irrevocable Letter of Credit in the amount of \$ n/a .

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.

3. DEVELOPMENT

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 that shall form a part hereof.

This Permit IS NOT a Building Permit.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree 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 granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of 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.

I further covenant and agree that should I be granted a Temporary Use Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

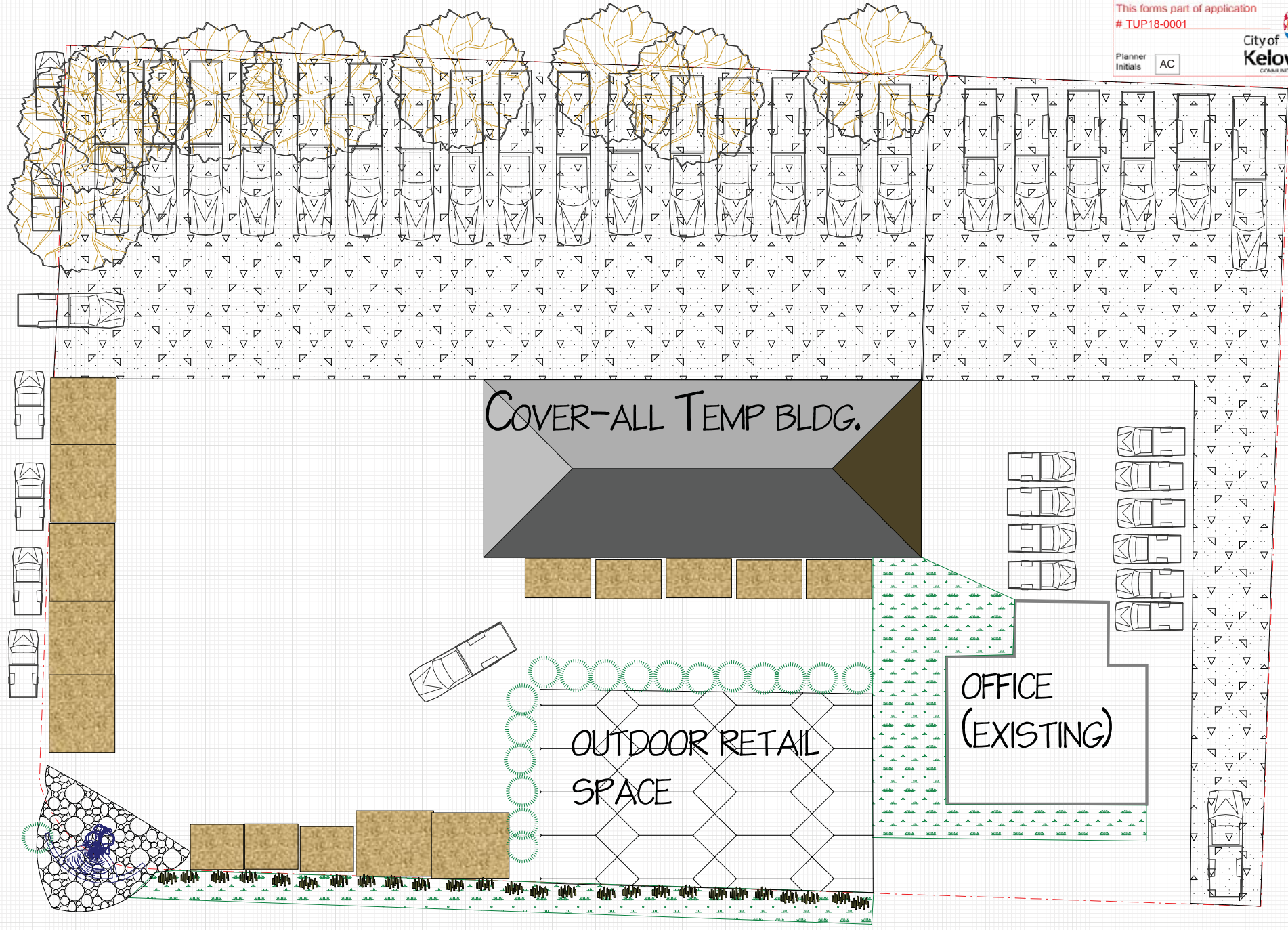
5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2018.

Ryan Smith, Community Planning Department Manager
Community Planning & Real Estate

Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall be returned to the PERMIT HOLDER.**



Revision #:	Scale:	Landscape Plan:	Landscape Design by: Jill Lemke
Date: 1/16/18	1" = 30'	3300 Sexsmith Rd. Kelowna, BC Prestige Lawn & Landscape Service	





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