

TEMPORARY USE PERMIT



APPROVED EXTENSION OF TEMPORARY USE PERMIT NO. TUP13-0002 (3 Years)

Issued To: Kelowna Motors Holdings Limited. Inc. No. 52192
Site Address: 278 Leon Avenue, 1620 & 1630 Water Street
Legal Description: North ½ Lot 1 & 2, Block 10, District Lot 139, ODYD, Plan 462. And South ½ Lot 1 & 2, Block 10, District Lot 139 ODYD, Plan 462, and South ½ Lot 1 & 2, Block 10, District Lot 139, ODYD, Plan 462, and Lot 3 Block 10, District Lot 139, ODYD, Plan 462
Zoning Classification: C7 - Central Business Commercial
Development Permit Area: Revitalization Development Permit Area

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 an extension of Temporary Use Permit No. TUP13-0002 for North ½ Lot 1 & 2, Block 10, District Lot 139, ODYD, Plan 462. And South ½ Lot 1 & 2, Block 10, District Lot 139 ODYD, Plan 462, and South ½ Lot 1 & 2, Block 10, District Lot 139, ODYD, Plan 462, and Lot 3 Block 10, District Lot 139, ODYD, Plan 462, located at 278 Leon Avenue, 1620 & 1630 Water Street, Kelowna, BC to allow the 'Automotive and Equipment Repair Shop' use be approved for a three (3) year period subject to the following:

- a) No expansion of the existing facility (or any additional buildings/structures) or parking is permitted during the term of the Temporary Use Permit;
- b) The Temporary Use Permit will expire on July 11, 2019.

AND THAT Council direct staff to not accept any further extension requests.

2. PERFORMANCE SECURITY

None required.

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.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

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 Development Permit and/or Development Variance 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.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner / Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

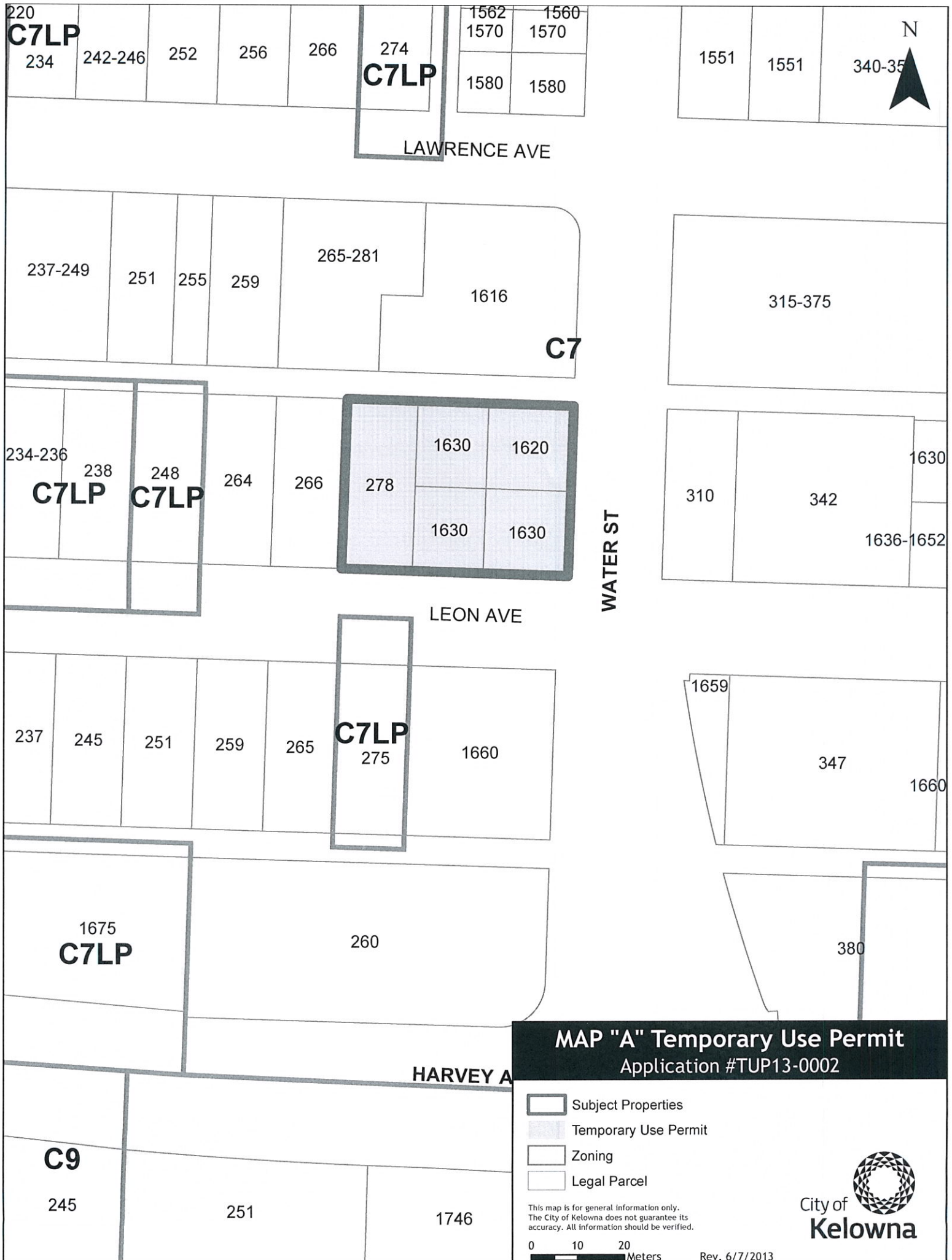
5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2016.

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.**



MAP "A" Temporary Use Permit

Application #TUP13-0002

- Subject Properties
- Temporary Use Permit
- Zoning
- Legal Parcel

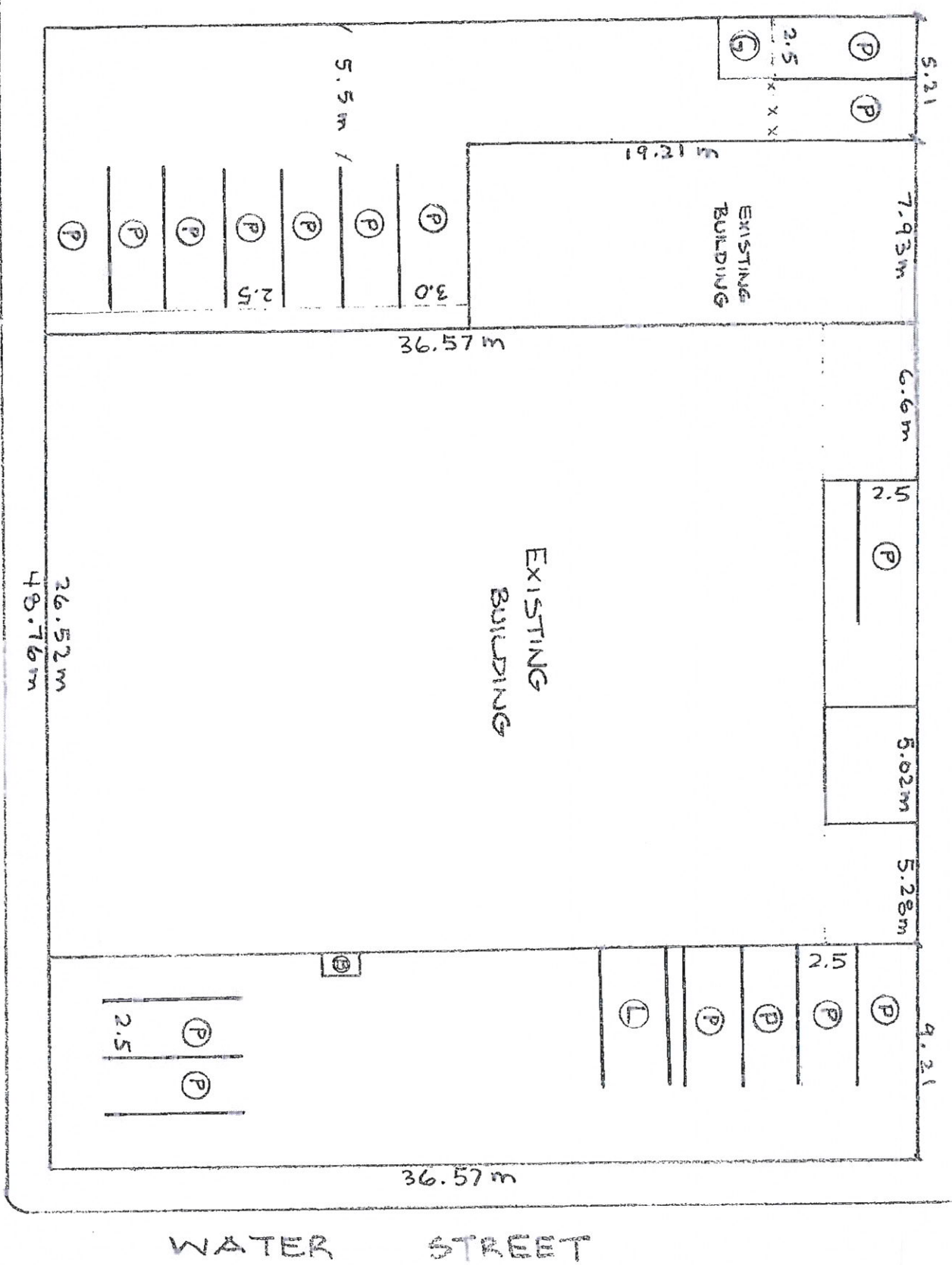
This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.

0 10 20 Meters

Rev. 6/7/2013



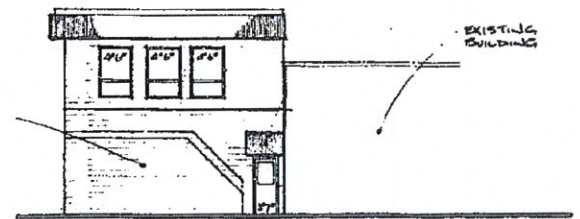
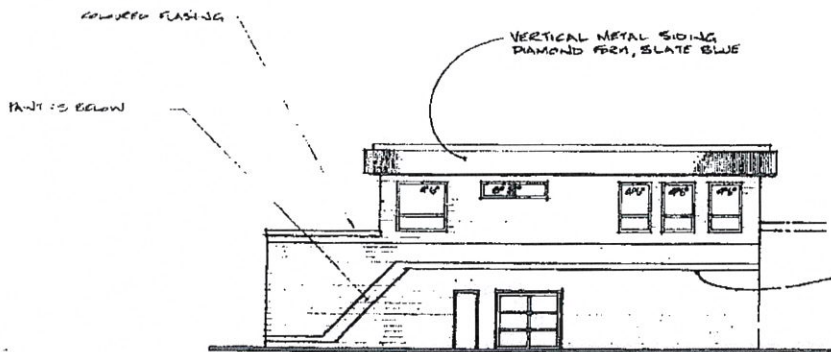
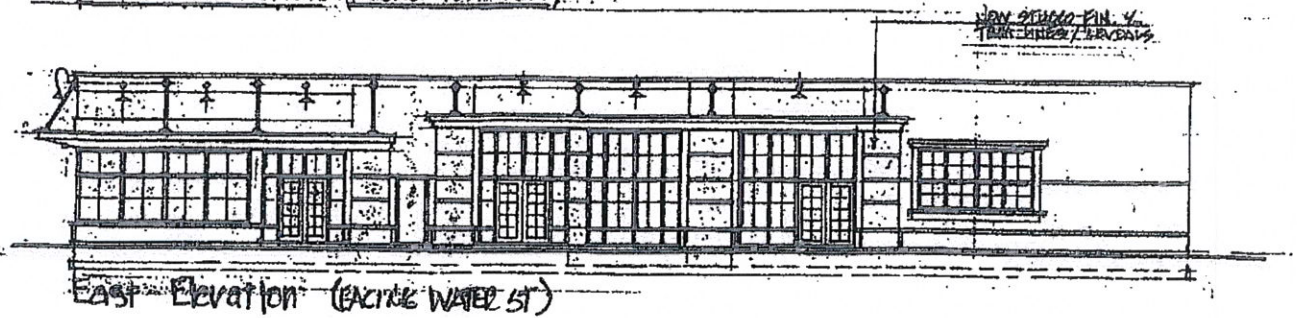
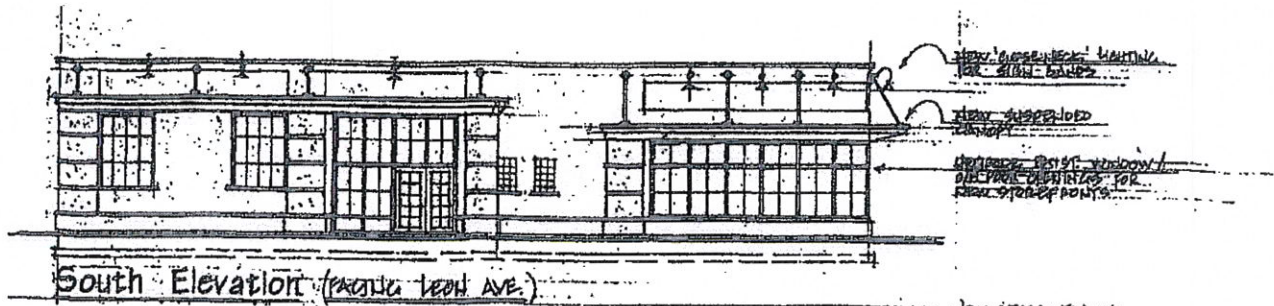
N 1/2 LOTS 1 and 2, S 1/2 LOTS 1 and 2, LOT 3
 PLAN 462, BLOCK 10, DL 139, 0071D



- (G) Garbage
- (L) Loading
- (B) Bicycle stall
- (P) Parking

LEON AVENUE

SCALE: 1:60



ELEVATION PLANS

N 1/2 LOTS 1 and 2, S 1/2 LOTS 1 and 2,
LOT 3, PLAN 462

1630 WATER STREET and
278 LEON AVENUE



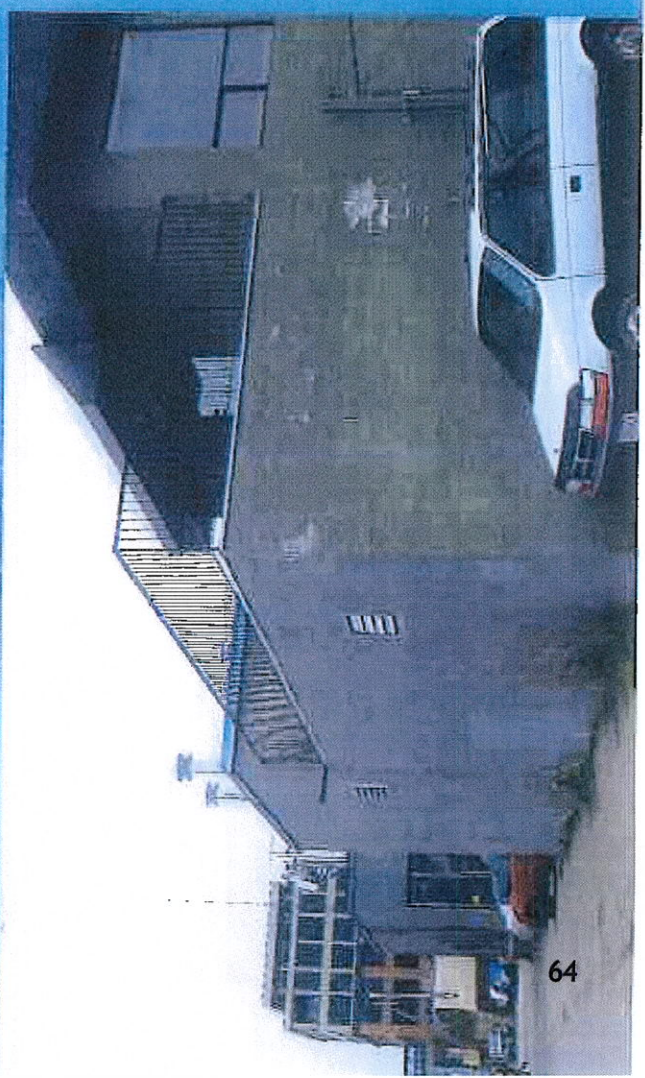
REAR



REAR (FACING WEST)

278 LEON AVE.

SIDE (FACING NORTH - LANE)



REAR / SIDE





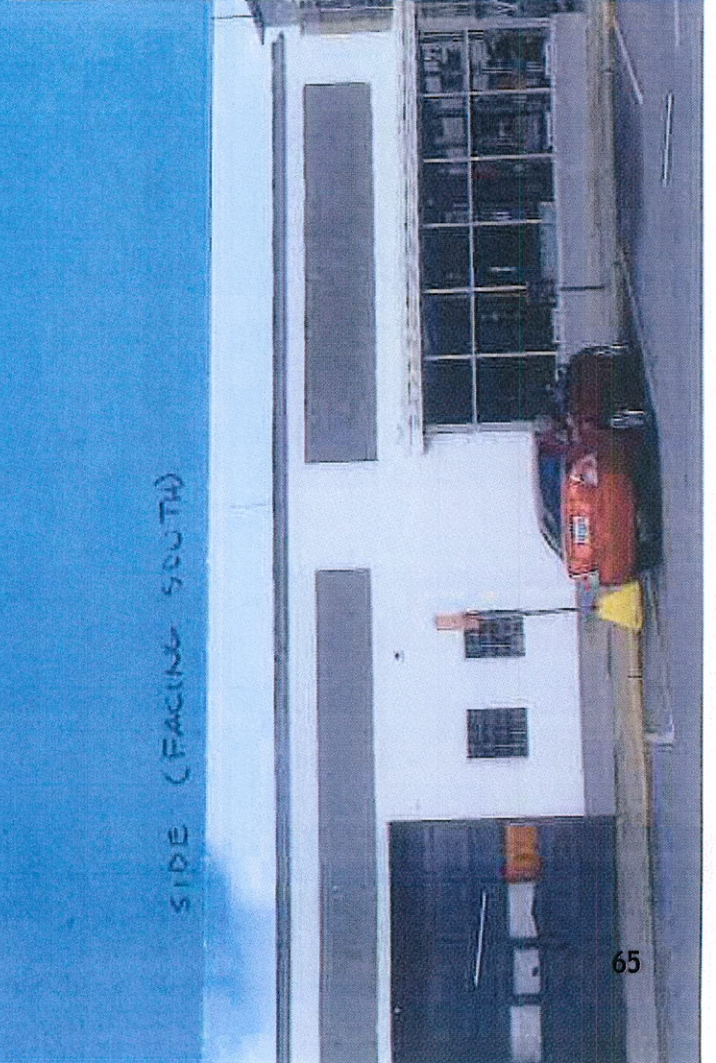
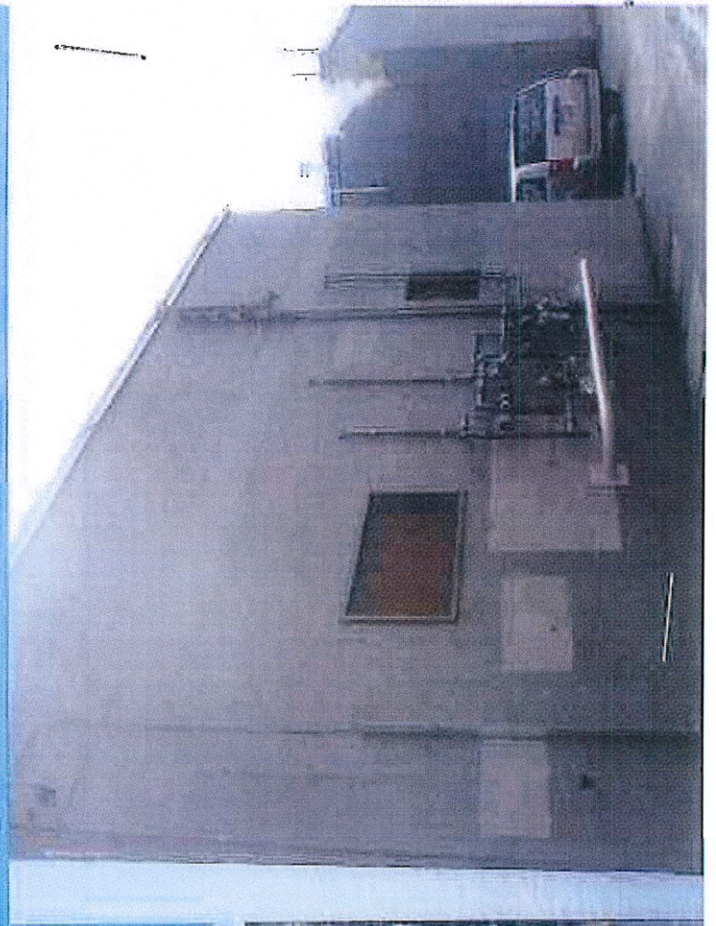
FRONT



FRONT (FACING EAST)

1630 WATER STREET

SIDE (FACING NORTH - LANE)



SIDE (FACING SOUTH)