



District of West Vancouver

Temporary Use Permit No. 15-088

Registered Owner: CRESSEY SEAVIEW DEVELOPMENT LTD.

See attached Schedule A for full ownership information.

This Development Permit applies to:

Civic Addresses: 2290 Marine Drive, West Vancouver, BC

Legal Description: LOTS A AND B BLOCK 2 EAST PART OF DISTRICT LOT
554 PLAN 8593

See attached Schedule A for full legal descriptions and PIDs.
(the "Lands")

1.0 This Temporary Use Permit:

- (a) permits the use of the Lands for the purposes of a temporary real estate sales centre (the "Temporary Use") pursuant to s. 921 of the Local Government Act and Zoning Bylaw No. 4662, 2010, as amended, subject to the conditions set out in this Permit; and
- (b) is issued subject to the Registered Owner's compliance with all of the Bylaws of the District applicable to the Lands, except as may be modified by this Permit.

2.0 The following conditions shall apply to the Temporary Use of the Lands:

- 2.1 The general hours of operation of the Temporary Use are limited to between 10:00 a.m. to 6:00 p.m. Monday to Friday, between 11:00 a.m. to 5:00 p.m. Saturday, and between 12:00 p.m. to 4:00 p.m. Sunday, except that individual sales appointments between the Registered Owner and a buyer may be accommodated between 9:00 a.m. and 8:00 p.m.. For clarity, a series of appointments with different individual buyers should occur within the general hours of operation noted above, and these do not benefit from the 9:00 a.m. to 8:00 p.m. individual sales appointment hours.
- 2.2 A single temporary structure (the "Temporary Structure") may be constructed on the Lands for the purposes of the Temporary Use, subject to all building and development permit requirements. The specifications of the Temporary Structure and works relating to driveways, parking, and interim site development shall be in accordance with Schedule B.
- 2.3 Sprinklers must be installed within the Temporary Structure in all areas as required under the Fire Protection and Emergency Response Bylaw No. 4366, 2004.

2.4 No wood burning fireplaces shall be installed, constructed or otherwise permitted on the Lands or within the Temporary Structure.

2.5 On-site landscaping shall be installed at the cost of the Owner in accordance with Schedules B and C.

3.0 Expiry of Permit

3.1 This Permit expires, and the Temporary Use and Temporary Structure is no longer permitted, 2 years from the date of issuance of this Permit, unless this Permit is renewed pursuant to s. 921 of the Local Government Act, in which case this Permit shall expire on the date specified in the renewal of the Permit.

3.2 On or before the date that this Permit expires:

(a) The Temporary Structure must be removed from the Lands;

(b) The Temporary Structure shall be recycled or repurposed and all associated infrastructure, landscaping, etc. shall be recycled or repurposed where possible; and

(c) The Lands shall be remediated, restored, landscaped, graded, and finished as shown on Schedule C.

4.0 Prior to commencing site work or Building Permit issuance, whichever occurs first, the Owner must:

4.1 Obtain all necessary development permit approvals for the Temporary Use and Structure, and on-site landscaping;

4.2 Provide and implement a plan for traffic management during construction of the Temporary Structure to the satisfaction of the District's Manager of Development Engineering; and

4.3 Provide a site and building lighting plan for the Temporary Use and Temporary Structure, to the satisfaction of the District's Manager of Development Engineering, to ensure that lighting does not constitute a nuisance to the public and/or neighbours.

5.0 Security

5.1 Prior to issuance of this Permit, security for the due and proper completion of the removal of the Temporary Structure, and the remediation, restoration, landscaping, grading, and finishing as shown on Schedule C (the "Works"), shall be provided in the amount of \$[ESTIMATE] (the "Security Deposit") to the District in the form of cash or unconditional, irrevocable auto-renewing letter of credit issued by a Canadian chartered bank or credit union.

- 5.2 Following completion of all Works shown on Schedule C and upon receipt of a certified letter or report by a Landscape Architect in good standing with the British Columbia Society of Landscape Architects to the District that:
- (a) The Temporary Structure has been removed in compliance with this Permit and the Works have been installed substantially in accordance with Schedule C; and
 - (b) Clearly identifies any variations that may have been undertaken to the Works set forth in Schedule C together with a clear rationale for those variations and a statement that they do not substantially effect the function and appearance of the Lands as shown on Schedule C, including but not limited to:
 - i. any adjustments to retaining walls,
 - ii. changes to the mixture or sizes of any plant materials or trees,
 - iii. completion of any off-site or boulevard works,
 - iv. any areas that received alternative treatment,
 - v. any paving changes, or
 - vi. any other additions, omissions, or alterations; and

the District will release 80% of the initial value of the Security Deposit.

- 5.3 The remaining 20% of the initial value of the Security Deposit shall be retained by the District as a warranty deposit (the "Warranty Deposit") to ensure successful installation of the landscaping.

After a minimum of a one-year period following certification that the Works required on Schedule C have been completed, and upon final certification by a Landscape Architect in good standing with the British Columbia Society of Landscape Architects, the District will release the Warranty Deposit, less any costs incurred by the District.

In the event that the Temporary Structure is not removed, or the Works are not completed as provided for in this Permit, the District may, at its option, retain the Security Deposit, or enter upon, carry out and complete the removal of the Temporary Structure and the Works so as to satisfy the terms of the Temporary Use Permit, and may recover the costs of doing so from the security deposited, including an additional 10 % of the cost of the work to offset the District's costs in administering and enforcing the terms of the Permit.

6.0 Runs with Land

- 6.1 The terms of this Permit are binding on all persons who acquire an interest in the Lands.

7.0 Lapse of Permit

- 7.1 This Temporary Use Permit lapses if the work authorized herein is not commenced within 12 months of the date this permit is issued.

THE COUNCIL OF WEST VANCOUVER APPROVED THIS PERMIT BY
RESOLUTION PASSED ON [date].

MAYOR

MUNICIPAL CLERK

THE REQUIREMENTS AND CONDITIONS UPON WHICH THIS PERMIT IS
ISSUED ARE ACKNOWLEDGED AND AGREED TO. IT IS UNDERSTOOD
THAT OTHER PERMITS / APPROVALS MAY BE REQUIRED INCLUDING
PERMITS / APPROVALS FOR BUILDING CONSTRUCTION, SOIL AND ROCK
REMOVAL OR DEPOSIT, BOULEVARD WORKS, AND SUBDIVISION.

Undertaking to Remove and Restore

The undersigned, being the Permittee identified in this Temporary Use Permit,
solemnly undertakes to remove the Temporary Structure from the Lands, and to
restore the Lands in the vicinity of the location of the Temporary Structure in
accordance with this Permit. The undersigned acknowledges that, if the
Temporary Structure is not removed or the Lands not restored in accordance with
this undertaking to the satisfaction of the District, the District by its own forces or
those of a contractor may, on two business days' notice given by posting the
notice on the Temporary Structure, enter on the Lands, remove and dispose of the
Temporary Structure, and restore the Lands to the condition specified in this
Permit.

The undersigned acknowledges that the District may at its discretion apply the
security described in Section 6 of this Permit to the actual cost of the work, plus
10% of the cost of the work to offset the District's costs in administering and
enforcing the terms of the Permit.

Owner: Signature

Owner: Print Name above

Date

FOR THE PURPOSES OF SECTION 8, THIS PERMIT IS ISSUED ON [date].

Schedules:

A – Legal descriptions, PIDs, and land ownership information

B – Drawing booklet for the proposed temporary real estate sales centre

C – Excerpts from the drawing booklet for the proposed site redevelopment relating to final site plan, grading, and landscaping

Schedule A to Temporary Use Permit No. 15-088

District of West Vancouver

Legal Description	PID	Registered Owner
LOT A BLOCK 2 EAST PART OF DISTRICT LOT 554 PLAN 8593	010-009-752	CRESSEY SEAVIEW DEVELOPMENT LTD., INC. NO. BC1005648 200-555 WEST 8TH AVENUE VANCOUVER, BC V5Z 1C6
LOT B BLOCK 2 EAST PART OF DISTRICT LOT 554 PLAN 8593	010-009-779	CRESSEY SEAVIEW DEVELOPMENT LTD., INC. NO. BC1005648 200-555 WEST 8TH AVENUE VANCOUVER, BC V5Z 1C6