

TEMPORARY USE PERMIT TUP24-04

General Terms

1. This Temporary Use Permit is issued to:

GONDA & KEN WAITE (the "Owners") and **JASON BIVALL** (the "Permittee")

as the registered owner and tenant of, and shall apply only to, the lands and premises situate in the District of Ucluelet, in the Province of British Columbia, and more particularly described as:

329 Forbes Road, PID 025-926-616, Lot 5, Plan VIP76147, District Lot 284, Clayoquot Land District (the "Lands").

2. This Temporary Use Permit is issued pursuant to section 492 to 497 of the *Local Government Act*.
3. This Temporary Use Permit is issued subject to compliance with all applicable District of Ucluelet Bylaws.
4. This Temporary Use Permit authorizes the following uses on the portion of the Lands identified in Schedule A: ***One Mobile Vending food trailer for a period of three years.***
5. This permit does not relieve an owner or occupier from obtaining any other approvals required by any other jurisdiction, or from meeting any other applicable regulations.
6. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of **Schedules 1-3**, which are attached hereto and form part of this permit.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
8. Notice shall be filed in the Land Title Office under section 503 of the *Local Government Act*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. This Permit is NOT a Building Permit.
10. This Permit is NOT a Development Permit.

TEMPORARY USE PERMIT

AUTHORIZING RESOLUTION passed by the Municipal Council on the _____ day of _____, 2024.

IN WITNESS WHEREOF this Temporary Use Permit is hereby executed and issued by the Municipality the _____ day of _____, 2024.

THIS PERMIT SHALL EXPIRE on the day of the _____ day of _____, 2027 (3 years).

ISSUED the _____ day of _____, 2024.

Bruce Greig - Director of Community Planning

Schedule 1 Required Undertaking

TO THE DISTRICT OF UCLUELET:

I, Jason Bivall, representing *the Lands* hereby undertake as a condition of issuance of this Temporary Use Permit to:

- a) Cease use and remove the trailer and/or any structures built to support the temporary use from the subject property not later than 1 month after the termination date set out on the Temporary Use Permit.
- b) Abide by all conditions of the Temporary Use Permit.

I understand that should we not fulfill the undertakings described herein, the District of Ucluelet or its agents may enter upon *the Lands* and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the property into compliance with the District of Ucluelet bylaws, and that any securities submitted to the District pursuant to the Temporary Use Permit shall be forfeited and applied to the cost of restoration of *the Lands* as herein set out.

This undertaking is attached hereto and forms part of the Temporary Use Permit.

DATE: _____

OWNERS/AUTHORIZED AGENT: _____

WITNESS: _____

Schedule 2 Terms of Temporary Use Permit Conditions

- a) The permitted temporary use shall be limited to the following uses;
- One mobile vending food trailer in the location of the property identified in Schedule 3.*
- b) The mobile vending use and all other site modifications are to be located as indicated on the site plan (**Schedule 3**).
- c) No other temporary uses other than the above-mentioned uses shall be permitted.
- d) The Permittee and the Owners will abide by the following conditions;
- i. The Permittee must successfully complete a fire inspection for all spaces associated with the Temporary Use Permit with the District of Ucluelet Fire Chief prior to commencing the proposed use.
 - ii. The Permittee must obtain a District of Ucluelet Business License prior to commencing the use.
 - iii. Mobile vending operational hours must not occur at the same time as Bistro/Café operational hours.
- e) The Permittee shall comply with all other requirements in the District of Ucluelet Zoning Bylaw No. 1160.
- f) The municipal Bylaw Enforcement Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.

Schedule 3

Site plan

Proposed location where temporary *Mobile Vending* use is permitted at 329 Forbes Road.

