



TEMPORARY USE PERMIT TUP-18-01 Renewal

TO: Eldorado Ranch Ltd.
c/o Caroline MacPherson
Kangaroo Creek Farm
5932 Old Vernon Road
Kelowna, BC, V1X 7V2

1. This permit is issued subject to compliance with all of the Bylaws of the Regional District of Central Okanagan applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands described below, and any and all buildings, structures and other developments thereon:
Lot 2, District Lot 120, ODYD, Plan 3497 (PID: 007-247-168)
3. The Zoning Bylaw pursuant to the Local Government Act is varied or supplemented as follows:

THAT Temporary Use Permit TUP-18-01 for Eldorado Ranch Ltd. c/o C. MacPherson to operate an outdoor petting zoo business (Kangaroo Creek Farm) to take place on part of Lot 2, Plan 3497, District Lot 120, ODYD, be renewed for an additional three years subject to the following conditions:

- *There be no changes to the proposed site plan or site footprint prepared by Ecoscape Environmental Consultants Ltd. dated January 26, 2022;*
- *Operate the business only between the month of March through October;*
- *Adherence to the evacuation plan approved by the RDCO Manager of Fire Services;*
- *The applicant to obtain a commercial access permit from the Ministry of Transportation and Infrastructure;*
- *Obtain an annual RDCO Business License;*
- *No permanent structures are to be constructed or situated on the site;*
- *Use of water from Mill Creek is unauthorized;*
- *Parking area to be converted and restored after non-farm use ceases (e.g. gravel removal);*
- *Should the temporary use cease on the property, all materials related to the business are to be removed from the property to the satisfaction of the RDCO;*
- *Existing on-site services (water and sewer) will not be used to support the operation of the business unless authorized by the Interior Health Authority and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development;*
- *No impact to the operation and/or maintenance of Kelowna International Airport (YLW);*

- *The applicant is to apply for and receive building permits for all temporary buildings or structures over 10m² to the satisfaction of RDCO Inspection Services Staff;*
- *All parking to be contained on site in accordance with the parking plan prepared by Jade Bay Constructions Ltd. dated May 8, 2019;*
- *In accordance with RDCO Noxious Weed Control Bylaw No. 179, the owner or occupier of the land shall prevent the infestation of noxious weeds and cut down or otherwise destroy and mulch or remove all noxious weeds and plants with native grasses or other native vegetation;*
- *No further buildings, structures, land clearing, vegetation removal, or activity related to the outdoor petting zoo business is permitted within 30 metres of the High-Water Mark/Top of Bank of Mill Creek, other than that recognized and approved in this Permit;*
- *The landowner shall obtain the services of an Environmental Monitor to ensure the recommendations of the Temporary Use Permit are implemented; and*
- *In the event that greater disturbance occurs due to unforeseen circumstances, the Environmental Monitor will recommend further measures to protect/restore the natural integrity of the site and report on these measures to the RDCO.*

AND FURTHER THAT *the Temporary Use Permit shall expire on April 25, 2025, and all uses temporarily authorized by the Permit shall cease upon expiry of the Permit, unless otherwise authorized.*

CARRIED

4. As a condition of the issuance of this permit, the Board 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 Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of the Permit within the time provided, the Regional District may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:
 - a. **An unconditional Irrevocable Letter of Credit, Bank Draft or Cash drawn on a chartered bank in Canada valid for a period of one year and automatically renews thereafter, in the amount of \$13,375.00.**
5. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof.
6. Further to the conditions the Regional Board have set out, a business license will not be issued until all the conditions have been met.
7. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE REGIONAL DISTRICT OF THE CENTRAL OKANAGAN ON THIS 25th DAY OF April 2022

ISSUED THIS 24th DAY OF May 2022



Chief Administrative Officer