



TEMPORARY USE PERMIT TUP NO. 62

ISSUED TO:

Fitzcreek Management Corp (dba Tyax Adventures)
Dale Douglas
1808 Gun Creek Road
Gold Bridge, BC V0K 1P0

(hereafter the “Permittee”)

1. This Temporary Use Permit (“TUP”) is issued subject to compliance with all of the Bylaws of the Squamish-Lillooet Regional District (“SLRD”) applicable thereto, except those specifically varied or supplemented by this TUP.
2. This TUP is not a building permit. All buildings and structures over 100 square feet require a building permit.
3. This TUP applies to that portion of those lands within the SLRD described below and any and all buildings, structures, and other development thereon (the “Subject Property”):

District Lot 4932, Lillooet Land District, PID 013-392-093

The Subject Property is identified on the Subject Property Map, attached as **Schedule 1** and forms a part of this TUP.

The Temporary Use Permit area, layout, and site plans are identified on the plans attached as **Schedule 2** and **Schedule 3** and form a part of this TUP.

4. In addition to the existing provisions of Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999 as amended from time to time (“Bylaw No. 670, 1999”), or any bylaw replacing Bylaw No. 670, 1999 as modified by this TUP, the Subject Property shall be used for commercial float plane tours, commercial mountain biking tour staging and commercial horse guiding and outfitting activities. The following temporary buildings and structures are permitted as part of this TUP:
 - Floatplane dock
 - Floating dock - 20 ft x 20 ft (400 ft² / 37 m²)
 - Ramp – 6 ft x 10 ft (60 ft² / 5.6 ft²)
 - Non-floating land platform – 20 ft x 30 ft (600 ft² / 56 m²)
 - Office building on skids – approx. 20 ft x 14 ft (280 ft² / 26 m²)
 - Recreational Vehicle (RV) for caretaker accommodation – 35 ft RV
 - Sea-can for storage purposes – 20 ft x 8 ft
 - Portable toilets x2
 - Trailer for fire suppression purposes – 1,000 L water tank, pump with 3” discharge and 300 gallons (1,364 L)/min with 300 ft of hose

- Horse corral (oval) – approx. 50 ft x 200 ft (10,000 ft² / 929 m²)
5. Prior to any of the uses permitted under section 4 of this TUP occurring, the following conditions must be met:
 - a) The Permittee must receive all of the applicable permits from the Interior Health Authority with respect to the use of the Subject Property under this TUP and submit proof of those approvals to the SLRD.
 - b) The Permittee must receive all of the applicable permits from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development with respect to the use of the Subject Property under this TUP, in particular for the commercial use of the foreshore and lake area, as well as works in and about a waterbody and submit proof of those approvals to the SLRD, except in respect of the required permit for the dock, the Permittee must only submit to the SLRD proof that the Permittee has submitted a dock application to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development.
 - c) The Permittee must receive all of the applicable permits from the SLRD with respect to the use of the Subject Property under this TUP including a Riparian Development Permit, a Wildfire Development Permit, and Building Permits.
 6. Uses permitted under section 4 of this TUP shall be subject to the following conditions:
 - a) Parking areas may not be paved and must be minimized in size to the least amount required for client and employee parking.
 - b) Garbage, recycling, organics, and other waste shall be managed with bear proof bins and in accordance with the requirements of the Squamish-Lillooet Regional District Wildlife Attractant Bylaw No. 1551-2018.
 - c) No significant cut and fills may be created.
 - d) As per the Hazard Area land use designation and policies in the Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996 and similar provisions in the RR3 and RR4 zones of the Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, the use of the site shall be subject to the following conditions:
 - All permitted uses, except the float plane tours, are limited to summertime use only, between June 1 and October 31;
 - The float plane tour uses are limited to summertime use only, between June 15 and October 15.
 - e) Fuel storage on the property shall meet the standards specified in the Hazardous Waste Regulation (*Environmental Protection Act*) to provide protection from spills, vandalism, and fire hazard, as well as the requirements of the BC Fire Code, BC Building Code, and the applicable National Fire Protection Association (NFPA) standards.
 - f) Disturbed sites shall be replanted with native species where possible.
 - g) Where land clearing activity is proposed between April 1st and July 31st a QEP shall conduct a bird nest survey within seven days of the proposed clearing.
 - h) In accordance with section 34 of the *Wildlife Act* - which states that a bird or its egg, or the occupied nest of a bird or its egg, may not be destroyed - active nests shall be protected by a suitable buffer.

- i) Notwithstanding section 6(i), the nest of an eagle, peregrine falcon, gyrfalcon, osprey, or heron shall be provided with a 50 metre buffer of undisturbed vegetation whether occupied or not.
7. Any costs incurred with respect to the requirements of this TUP will be at the sole cost of the Permittee. Pursuant to both section 496 and section 502 of the *Local Government Act*, and as a condition of the issuance of this TUP, the SLRD is holding security set out below. This security is to ensure that the Permittees carry out the development in accordance with the terms and conditions of this TUP. Should any interest be earned upon the security, it shall accrue to the Permittees and be paid to the Permittees if the security is returned. The condition for posting of the security is as follows:
- a) Should the Permittees fail to carry out development hereby authorized according to the terms and conditions of this TUP or any remediation required thereby, the SLRD may use the security to carry out the remediation of the development permitted by this Temporary Use Permit.

There is filed accordingly:

An Irrevocable Letter of Credit, or other form of security acceptable to the SLRD, in the amount of \$10,000.00.

- 8. The Subject Property described herein shall be developed in strict accordance with the terms and conditions and provisions of this TUP.
- 9. This TUP expires on July 25, 2021, three years from the date of issuance of this permit, and may be renewable for up to three years.
- 10. Any application to amend this TUP shall be considered a new temporary use permit application.
- 11. Upon the date of expiry of this TUP all buildings and structures, including the dock, must be removed from the property and in accordance with the necessary approvals and permits from the SLRD and the Province to carry out such work in and about a waterbody. If a rezoning application is approved prior to the expiration of the TUP then all buildings and structures must be removed or made permanent and in accordance the necessary approvals and permits from the SLRD and the Province.

AUTHORIZING RESOLUTION PASSED BY THE BOARD

THIS 25th DAY OF JULY, 2018.

ISSUED THIS 25th DAY OF JULY, 2018.

Lynda Flynn
Chief Administrative Officer