

TEMPORARY USE PERMIT APPLICATION GUIDE



TOWN OF GIBSONS
www.gibsons.ca
August 2020

This brochure provides an overview of the steps involved in the application for a Temporary Use Permit. This is a general guide only. It is not meant to replace bylaws or other legal documents. Applicants are advised to meet with the Planning Department to discuss their application.

WHAT IS A TEMPORARY USE PERMIT (TUP)?

A Temporary Use Permit (TUP) authorises a temporary use that is not otherwise permitted in a Zoning Bylaw, and without the need for a zoning amendment. TUPs are only issued if provision is made for them in the relevant Official Community Plan Bylaw, and are generally issued for transitional use, or uses where uncertainty exists respecting appropriateness or viability of the use, and where it is premature to decide upon rezoning and long-term land use rights. TUPs are not considered a substitute for a rezoning application and can be issued for a maximum of 3 years. Permits may be renewed only once. Conditions of TUPs are binding on all existing and future property owners during the period specified in the Permit.

WHEN DO YOU NEED TO APPLY FOR A TEMPORARY USE PERMIT?

You will need to apply for a Temporary Use Permit when you want to:

- Commence a temporary use, including associated construction, demolition or land alteration on your property which is not permitted under current bylaws;
- Renew an existing Temporary Use Permit; and,
- Alter an existing Temporary Use Permit.

APPLICATION FEES

The fee for a Temporary Use Permit is \$1,500.00 per application.

Extension of a Temporary Use Permit (if not lapsed and if no changes to terms) is \$1,000.00 per application.

STEPS TO TEMPORARY USE PERMIT ISSUANCE

STEP 1 – PRE-APPLICATION MEETING

Before proceeding with a Temporary Use Permit application, owners are encouraged to meet with staff to review all options related to their proposal. Zoning maps, land use bylaws and other relevant bylaws should be consulted.

Applications for a Temporary Use Permit must clearly state the reasons and justifications for the request.

STEP 2 – SUBMISSION OF APPLICATION

A completed application form, with necessary attachments, is to be submitted to the Planning Department and may include:

- A Certificate of Title dated within 30 days of application. The Town can obtain this for a fee;
- Owner’s signature or written authorization from the registered owner(s) for an agent to act on their behalf;
- Proposal Summary outlining the nature of the proposed development, how the development fits within the neighbourhood, the design character of the housing, neighbourhood, or commercial use proposed and clearly indicate the proposed variance and the bylaw provision that is requested to be varied;
- Site Plan: Maximum size 11” x 17” showing the dimensions of the proposed subdivision or development in metric scale; and,
- Development Plans: Detailed drawings of the proposed development in metric scale. One set of fully dimensioned plans required, one set of reduced drawings (maximum size 11” x 17”) required plus one set of high resolution digital copies (in PDF format) including:
 - Dimensions of the property, existing and proposed roads;
 - Lot area excluding portions of the lot with greater than 50% slope;
 - Location and dimensions (including setbacks) of existing and proposed buildings on site (a recent survey plan is required);
 - The location of any watercourses, steep banks or slopes; and,
 - Any easements or statutory Rights-of-Way.
- If the site has been used for an industrial or commercial activities listed in [Schedule 2](#) of the Environmental Act, the property owner should submit a [Site Profile Form](#). If there are no commercial or industrial activities, or there is a valid exception listed in the Contaminates Sites Regulations, a [Site Profile Exemption Declaration Form](#) should be submitted with the application. Only one Site Profile or Exemption Declaration Form is required for the property/project.

STEP 3 – APPLICATION REVIEW AND REFERRAL TO AGENCIES

The Planning Department reviews the proposal and refers it to other municipal departments, or outside referral agencies for comment.

STEP 4 – COMMITTEE MEETING

A staff report is prepared by the Planning Department which outlines the proposal and provides staff and referral agency comments. The Committee receives the staff report and reviews the application with the applicant who generally attends the meeting. The Committee reviews the issues and makes recommendations to Council.

STEP 5 – PUBLIC NOTIFICATION

The Town is required to publish a notice and location map in the local newspaper and notify all property owners and occupants within 50 m of the subject property prior to the date on which the Council will consider the application. Before and at this meeting the public will have an opportunity to express any concerns in regards to the proposal.

STEP 6 – COUNCIL MEETING

Council meetings are held the first and third Tuesdays of every month.

At the Council meeting, Council will authorize issuance of the TUP, reject it, or require more information. It is highly recommended that the applicant(s) attend the Council Meeting in order to answer any questions that the Council members may have regarding the proposal.

STEP 7 – TEMPORARY USE PERMIT ISSUANCE AND REGISTRATION AT LAND TITLES OFFICE

Approval of a TUP may be subject to certain conditions such as a letter of credit to restore land or to secure landscaping. Once these conditions are met, the permit can be issued. When the Permit is issued, Town staff will file a notice with the Land Titles Office that there is a TUP on the property and it will be registered on the lands. A copy of the Permit will be sent to the owner, to appropriate government agencies and a copy will be maintained at the Town of Gibsons.

APPLICATION TIMING

Timing can depend on the type of application, the completeness of the information submitted, timing of Council meetings, workload of Town staff, and the need for required notifications, including newspaper notifications.

WHAT'S NEXT

Apply for a Building Permit. At the time of the Building Permit application, you may need to hire consultants, such as an independent civil engineering firm to design the on-site servicing when it is not in place and assist with the application requirements.

Most applications for commercial, industrial, or multi-family development require a security deposit for the value of the proposed landscaping works.

CONTACTS

Town of Gibsons Planning Department: 604-886-2274
Town of Gibsons Infrastructure Services Department: 604-886-2274
Town of Gibsons Building Department: 604-886-2274
Gibsons and District Volunteer Fire Department: 604-886-7777
Ministry of Transportation and Infrastructure: 604-740-8985
Department of Fisheries and Oceans (Riparian): 604-666-3363
Department of Fisheries and Oceans (Marine Shore): 604-666-6140

This brochure is meant for guidance only and is not intended to replace the requirements of the *Local Government Act* and applicants should obtain copies of the relevant bylaws before proceeding with development applications. For specific information, please contact the staff at:

Town of Gibsons
474 South Fletcher Road, Box 340
Gibsons, B.C. V0N 1V0

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Planning Department

474 South Fletcher Road, Box 340, Gibsons, BC V0N 1V0

Phone 604-886-2274, Fax: 604-886-9735

www.gibsons.ca

TEMPORARY USE PERMIT APPLICATION FORM

Please read the Temporary Use Permit Application Guide before filling out this application form. If you have any questions or require assistance in filling out this form contact the Planning Department. The processing of your application will be delayed if it is incomplete. Mail or deliver the completed application form, fee, plans and supporting material to the Town of Gibsons Planning Department and make your fee payable to the Town of Gibsons. Contact the Town of Gibsons Planning staff for the current fee prior to submitting your applications as fees may change, or consult the Rates, Fees and Charges Bylaw.

SECTION 1: DESCRIPTION OF PROPERTY

Lot/Parcel	Plan	Block
District Lot/Section	Range	
Other Description		
Street Address		
Jurisdiction and Folio Number (From Property Assessment/Tax Notice)		
Parcel Identifier (PID) (From State of Title Certificate)		

SECTION 2: OWNER INFORMATION (ADD PAGES IF MORE THAN TWO OWNERS)

First Owner Information	Second Owner Information
Name	Name
Address	Address
City	City
Province/State	Province/State
Postal/Zip	Postal/Zip
Telephone/Fax	Telephone/Fax
Email	Email

SECTION 3: APPLICANT INFORMATION (IF DIFFERENT THAN OWNER)

Name

Address

City

State/Province

Postal/Zip

Telephone

Fax

Cell

Email

This information is collected in compliance with the Freedom of Information and Protection of Privacy Act (FOIPOP). If you require further information regarding the FOIPOP Act please contact the FOI Coordinator at 604.886.2274 (<http://www.gibsons.ca/freedom-of-information-a-protection-of-privacy.html>) or the Information and Privacy Commissioner at 1.800.663.7867 (www.oipc.bc.ca).

SECTION 4: PLANS AND SUPPORTING MATERIALS CHECKLIST

All applicants must provide one full-scale (not less than 1:100 metric) detailed site plan, three reduced (letter size, 8.5" x 11") sets of drawings, and one set of high resolution digital copies (in PDF format) that must include the following (initial or check beside each item):

A Certificate of Title dated within 30 days of application. Can be obtained from the Town for a fee;

Owner's signature or written authorization from the registered owner(s) for an agent to act on their behalf;

Proposal Summary outlining the nature of the proposed development, how the development fits within the neighbourhood, and the design character of the housing neighbourhood or commercial use proposed;

Site Plan: Maximum size 11" x 17" showing the dimensions of the proposed development; and,

Development Plans. Detailed drawings of the proposed development, including building sections and elevations, parking layout and access, proposed means of servicing, existing vegetation and landscaped areas. Must also include a project summary sheet outlining gross site area, density and number of dwelling units, site coverage, heights, setbacks and other relevant data. One set of fully dimensioned plans required, one set of reduced drawings (maximum size 11" x 17") required plus one set of high resolution digital copies (in PDF format) including:

- Dimensions of the property, existing and proposed roads;
- Location and dimensions (including setbacks) of existing and proposed buildings on site (a recent survey plan is required);
- The location of any watercourses, steep banks or slopes; and,
- Any easements or statutory Rights-of-Way.

ADDITIONAL INFORMATION

If the space provided below for each section is not sufficient, please attach additional information using a Microsoft Word, Microsoft Excel, or a separate PDF document.


SECTION 5: DESCRIBE THE CURRENT USE(S) OF THE LAND AND BUILDINGS ON THE PROPERTY.

A large, empty rounded rectangular box with a dark blue border, intended for describing the current use(s) of the land and buildings on the property.

SECTION 6: DESCRIBE THE PROPOSED TEMPORARY USES OF THE LAND AND BUILDINGS, AND SHOW ON YOUR SITE PLAN, THE LOCATION OF ANY PROPOSED BUILDINGS OR STRUCTURES.

A large, empty rounded rectangular box with a dark blue border, intended for describing the proposed temporary uses of the land and buildings, and showing the location of any proposed buildings or structures on the site plan.

SECTION 7: DESCRIBE THE REASONS FOR THE PROPOSED TEMPORARY USE.

A large, empty rounded rectangular box with a dark blue border, intended for describing the reasons for the proposed temporary use.

SECTION 8: DESCRIBE THE TIME PERIOD REQUIRED FOR THE TEMPORARY USE.

SECTION 9: CESSATION OF TEMPORARY USE PERMIT

A Temporary Use Permit is not a substitute for an application to rezone a property. A TUP is only intended to allow for an activity over a limited period of time. At the conclusion of the Permit, it is intended that the temporary use will:

Cease;

Be zoned to another site that is zoned (or designated) for that use;

During the time that the temporary permit is in effect, a rezoning application will be applied for in order to change the zone on the property, and therefore the site will be zoned (designated) to allow the use. If that application is unsuccessful and the temporary permit expires, the temporary use will be removed; or,

Other:

SECTION 10: DESCRIBE THE STEPS THAT WILL BE TAKEN TO RESTORE THE LAND OR BUILDINGS AFTER COMPLETION OF THE TEMPORARY USE. ADDITIONAL INFORMATION MAY BE REQUESTED DURING THE REVIEW OF THIS APPLICATION. SECURITY MAY BE REQUESTED AS A GUARANTEE OF PERFORMANCE OF THE TERMS OF THE PERMIT.

SECTION 11: APPLICATION COMPLETION

(initial or check each of the following)

I have completed all sections of this application form.

I have included detailed site plans and elevation drawings as required in Section 4 of this application form.

I have included the additional documentation and reports required in Section 4 of this application form.

I have included recent State of Title Certificate (not more than 30 days old), or will obtain from the Town for a fee.

I have included copies of all covenants registered against the title.

All owners listed on the title have signed the application.

I have verified as to whether my property falls within a Development Permit Area.

I have included the correct fee (contact the Town of Gibsons Planning Department or visit the Rates, Fees and Charges Bylaw (for correct fees).

Please note: your application will not be considered complete and cannot be processed unless it contains all of the information above. Please also review all relevant bylaws including the Official Community Plan (Bylaw 985 and associated amendments), the Zoning Bylaw, and the Development Application Procedures Bylaw.

SECTION 12: OWNER'S CONSENT AND AUTHORIZATION

To process the application the signature of all registered owners is required. For additional owners, including Strata Corporations, attach a separate sheet.

In order to assist the Town of Gibsons in the review and evaluation of my application, by signing below, I authorize the Planner(s) assigned to this application to enter into the land at reasonable times, after making reasonable efforts to arrange a schedule a convenient time for such a visit, to inspect the land. I acknowledge a right, if a convenient time can be scheduled, to accompany the Planner on the site visit.

By signing below, I authorize the Applicant named in Section 3 of this application to represent this application.

Owner One, Full Name

Owner Two, Full Name

Authorization Signature

Authorization Signature

Date

Date