

# TEMPORARY USE PERMIT APPLICATION GUIDE

*for*  
Residential Guest Accommodation



TOWN OF GIBSONS

[www.gibsons.ca](http://www.gibsons.ca)

AUGUST 2022

## RESIDENTIAL GUEST ACCOMMODATION TEMPORARY USE PERMIT APPLICATION GUIDE

This brochure provides an overview of the steps involved in the application for a Temporary Use Permit (TUP) for Residential Guest Accommodation (RGA). A limited number of Temporary Use Permits will be made available to operate non-principal residence RGA year-round.

Note that this is a general guide only. It is not meant to replace bylaws or other legal documents. For a complete understanding of the new residential guest accommodation regulation, please refer to the Gibsons RGA Policy Summary and the RGA Bylaws, 666 and 1125, available on the Town's website.

### **WHAT IS A TEMPORARY USE PERMIT (TUP)?**

A Temporary Use Permit authorises a temporary use that is not otherwise permitted in a Zoning Bylaw, and without the need for a zoning amendment. TUPs are being used as a regulatory tool to help property owners and the Tourism industry in Gibsons transition to a focus on increasing availability of rental housing in residential neighbourhoods and to increase and support development of commercial guest accommodation opportunities. Conditions of TUPs are binding on all existing and future property owners during the period specified in the Permit.

### **FOR HOW LONG IS A TEMPORARY USE PERMIT (TUP) VALID?**

The TUPs for residential guest accommodations will be valid for 2 years and may be renewed once for a final period of 1-3 years (based on Council review).

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

You will need to apply for a Temporary Use Permit if you wish to rent an entire dwelling unit (whole home, secondary suite or garden suite) as residential guest accommodation. If you live in the dwelling unit as your principal residence and wish to rent your residence for less than 3 consecutive months in a calendar year, you do not need a Temporary Use Permit, but you will need a Business License.

### **APPLICATION FEES**

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

Renewal 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 – REVIEW ELIGIBILITY**

Prior to applying for a Temporary Use Permit for your residential guest accommodations, please review and complete the Business License Application Form for Residential Guest Accommodation to determine if your accommodation is eligible.

\*Please note that a secondary suite or garden suite must be a legal, permitted unit before it can be used as an RGA.

- To apply for a secondary suite within your home, you will need a Building Permit. . If your secondary suite or garden suite is not yet legally recognized by the Town of Gibsons, you must first obtain a building permit for the dwelling unit before applying for a TUP to operate an RGA.
- For information about options for legitimizing use of an accessory building as a garden suite, please contact the Planning Department and/ or refer to the Garden Suite Development Guide.

### **STEP 2 - SUBMISSION OF APPLICATION**

A completed TUP application form, with necessary attachments, is to be submitted to the Planning Department along with a completed Business Licence application form. The application is to include:

- A Certificate of Title dated within 30 days of application. A certificate of Title may be obtained online from the BC Land Title Office, or the can obtain this for a fee of \$20.
- Owner’s signature or written authorization from the registered owner(s) for an agent to act on their behalf if the applicant is not the property owner listed on the property title;
- Site and Parking Plan showing the location of existing buildings and structures on the property and locations, design and surface material of existing and proposed parking spaces.
- Building floor plans indicating areas to be used for the guest accommodation and showing the location of all doors and windows.

### **STEP 3 – APPLICATION REVIEW AND REFERRAL TO AGENCIES**

The Planning Department reviews the proposal and refers it to internal and external agencies for comment.

### **STEP 4 – DECISION TO NOTIFY THE PUBLIC**

A staff report is prepared by the Planning Department which outlines the proposal and provides staff and referral comments & recommendations. The Committee of the Whole receives the staff report and reviews the application in conjunction with other TUP applications received. The Committee makes recommendations to Council, and Council decides how to proceed based on staff and committee recommendations.

Committee and Council meetings are held the first and third Tuesdays of every month. It is recommended that the applicant(s) attend the Committee Meeting to answer any questions.

## STEP 5 – PUBLIC NOTIFICATION

A notice and location map is published in the local newspaper and neighbours within 50 m of the subject property are notified prior to the decision date. Before and at this meeting the public will have an opportunity to express any concerns regarding the application.

## STEP 6 – COUNCIL DECISION

At the second Council meeting, if the proposal isn't rejected at the first Council meeting, Council will authorize issuance of the TUP, reject it, or require more information.

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

Approval of a TUP may be subject to certain conditions. 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 title. A copy of the Permit will be sent to the owner and applicant.

## APPLICATION TIMING

The Town will be batch-processing applications in order to have Business Licenses ready for January 1<sup>st</sup>, 2023, the date enforcement of the newly adopted Bylaws begins.

Complete TUP applications must be submitted by September 30<sup>th</sup>, 2022 to be processed with the initial batch. Additional applications may be considered at a later date.

## WHAT'S NEXT

If your TUP application is approved by Council and conditions are met, you may pay \$2000 for the Business Licence. Once the Business License is issued, you may begin advertising.

## CONTACTS

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: 604-886-2274

Planning Department: [planning@gibsons.ca](mailto:planning@gibsons.ca)

Bylaw Office: [beo@gibsons.ca](mailto:beo@gibsons.ca)

Building Department: [building@gibsons.ca](mailto:building@gibsons.ca)

Gibsons and District Volunteer Fire Department: 604-886-7777



## Planning Department

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

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

[www.gibsons.ca](http://www.gibsons.ca)

### RGTA 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	<input type="text"/>				
Address	<input type="text"/>				
City	<input type="text"/>	State/Province	<input type="text"/>	Postal/Zip	<input type="text"/>
Telephone	<input type="text"/>	Fax	<input type="text"/>	Cell	<input type="text"/>
Email	<input type="text"/>				

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](http://www.oipc.bc.ca))

### SECTION 4: PLANS AND SUPPORTING MATERIALS CHECKLIST

All applicants must provide 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. A certificate of Title may be obtained online from the BC Land Title Office, or the can obtain this for a fee of \$20,
- Owner's signature or written authorization from the registered owner(s) for an agent to act on their behalf if the applicant is not the property owner listed on the property title;
- Site and Parking Plan showing the location of existing buildings and structures on the property and locations, and design and surface material of existing and proposed parking spaces.
- Building floor plans indicating areas to be used for the guest accommodation and showing the location of all doors and windows.

### 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 BUILDINGS ON THE PROPERTY.**

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

**SECTION 6: DESCRIBE THE PROPOSED RESIDENTIAL GUEST ACCOMMODATION.**

A large, empty rounded rectangular box with a dark blue border, intended for describing the proposed residential guest accommodation.

**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 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 renewed

## **SECTION 10: DESCRIBE YOUR PLANS FOR THE USE OF THE DWELLING UNIT AT THE CONCLUSION OF THE TEMPORARY USE PERMIT TERM.**

## **SECTION 11: APPLICATION COMPLETION**

(initial each of the following)

- I have completed all sections 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 paid the \$1500 application fee.

Please note: your application will not be considered complete and cannot be processed unless it contains all of the information above.



**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