



Temporary Use Permit Application Guide

Temporary Use Permit

"Nature is our most valuable asset."

This brochure provides an overview of the steps involved in the Development Permit application process. 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 specific development proposal and to consult the relevant bylaws referenced in this document prior to submitting an application.

WHAT IS A TEMPORARY USE PERMIT?

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 \$2,500.00 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: 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 high-resolution digital reduced drawings required (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 regard 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

Ministry of Transportation and Infrastructure: 604-740-8987

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:

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