

What is a Temporary Use Permit?

A Temporary Use Permit (TUP) is an approval from Council for a temporary land use that does not conform to the Zoning Bylaw. A TUP may be issued for up to 3 years and can be renewed once by Council for an additional 3 years.

A TUP may do one or more of the following:

- Allow a use not permitted by the Zoning Bylaw.
- Specify conditions under which the use may be carried on.
- Allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

Do I need a Temporary Use Permit?

You may apply for a TUP when you want to:

- Undertake a temporary use, including associated construction, demolition or alteration which is not permitted in the Zoning Bylaw.
- Renew an existing Temporary Use Permit (permits may be renewed only once).

What do I need to consider before applying?

There are a few things to consider before submitting an application. The Development Services Department can help verify the following:

- Check the **Official Community Plan (OCP)**. The OCP designates areas of Town where a Temporary Use Permit will be considered.
- Check the **zoning** and **other applicable bylaws**. Each property within Town is subject to specific regulations. Examples include permitted uses, density, site coverage, setbacks, building height and parking.

What must I include with my application?

The following information is required to begin the application process:

- Temporary Use Permit Application & fee.
 - Letter of authorization from the registered property owner if the applicant is other than the property owner.
 - Site profile as per the *Contaminated Sites Regulation*.
 - Site plan illustrating existing and proposed buildings, setbacks, parking, loading, access and landscaping.
 - Details on when and how the temporary use will be ended, buildings to be used, area to be occupied, hours of use and site rehabilitation.
 - Reasons, comments or plans in support of the application (supplemental letter of intent/rationale is strongly encouraged).
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What is the approval process?

- 1 **Application** – Begin the approval process by submitting a complete application, supporting documents and fee.
- 2 **Review** – Once submitted, Town staff review the application and may refer it to other agencies for comment. At this time additional information may be requested.
- 3 **Advisory Planning Commission** – A staff report is prepared for the consideration of the Advisory Planning Commission (APC). The Committee makes a recommendation to Council based on the merits of the application. The applicant is invited to attend this meeting and present their application.
- 4 **Public Notice & Mail Out** – One advertisement is placed in the local newspaper and mail outs are sent to adjacent property owners within a 60-meter radius advising of the proposed permit and invitation to submit written comments to Council for consideration.
- 5 **Council** – Council receives the application, staff report, recommendations from the APC and any written comments. Council may approve the permit, approve the permit with conditions, or deny the permit application. Conditions of approval may require the owner of the land to demolish or remove a building or structure or restore land described in the permit to a specified condition.
- 6 **Permit Issued** – Once the Permit is signed and conditions are met it is sent to the Land Title Office for registration on title. A refundable security deposit may be required to guarantee the performance of the terms of the permit.

How much does it cost?

A Temporary Use Permit application fee is **\$600**.

How long will it take?

A Temporary Use Permit can usually be issued within a 5-6 week period, provided that complete and accurate information is submitted.

For Further Information Contact:

Town of Smithers Development Services Department
1027 Aldous Street
PO Box 879
Smithers, BC V0J 2N0

Office Hours
Monday to Friday (except Holidays)
8:30 am to 4:30 pm

Telephone: (250) 847-1600 Fax: (250) 847-1601

This brochure is meant for informational purposes only. Please consult the Local Government Act and its regulations, the Town of Smithers Official Community Plan, Development Procedures Bylaw, Zoning Bylaw and other bylaws for definitive requirements and procedures. Copies of all Town bylaws are available online at www.smithers.ca.
