



Temporary Use Permit Application Guide

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 out.
- Allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued, with or without security deposit.

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 that is not permitted in the Zoning Bylaw. A Temporary Use Permit (TUP) is necessary to renew an existing TUP. Please note that permits can only be renewed once. To renew a TUP for a second time, the applicant must complete the same application process as they did for the original TUP.

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:

1. Check the **zoning** of the property to confirm if a TUP is required.
2. Assess impact on neighbouring properties and the larger community as a whole
3. Potential for conflicts with neighbouring properties.
4. Ability to discontinue the TUP at end of the term.

What must I include with my application?

The following information is required to begin the application process:

- Application Fee – refer to Fees and Charges Bylaw.
- Letter of authorization from the property owner, if applicant is not the property owner.
- 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).
- Site Disclosure Statement as per the *Contaminated Sites Regulation*.

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 APC makes a

recommendation to Council based on the merits of the application. The applicant is invited to attend this meeting and present their application.

Public Notice & Mail Out – One advertisement will be placed in the local newspaper, and mailings will be sent to property owners within a 60-meter radius to inform them of the proposed permit. These communications will invite written comments to be submitted to the Council for consideration. Additional notifications will be made through the Town's official social media accounts and on the Town's website.

Council – Council receives the application, staff report, recommendations from the APC and any written comments. Council may approve the permit, with or without 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.

Permit Issued – Once the Permit is signed and conditions are met it is sent to the Land Title Survey Authority office for registration on title. A refundable deposit may be required to guarantee the performance of the terms of the permit.

How much does it cost? Please refer to current Town of Smithers Fees and Charges Bylaw

How long will it take? A Temporary Use Permit can usually be issued within a 6–8-week period, provided that complete and accurate information is submitted.

For Further Information Contact:

Development Services Department
1027 Aldous Street
PO Box 879

Office Hours

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

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.