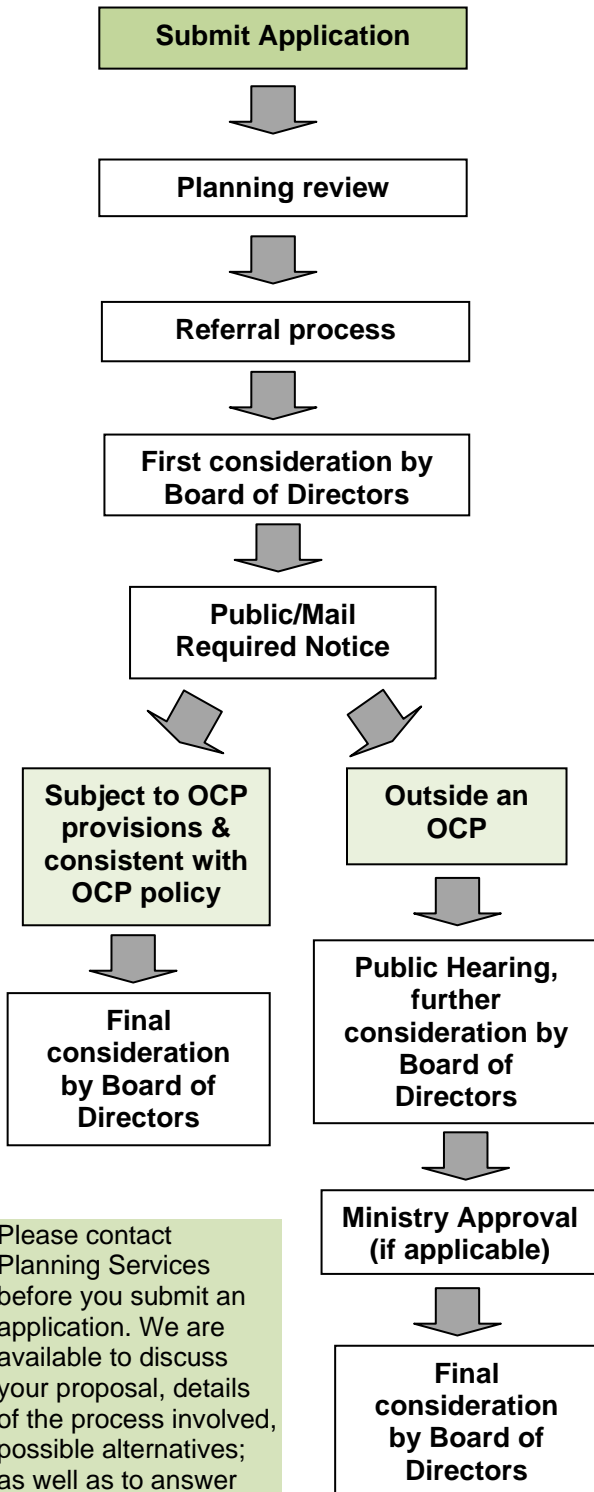




Temporary Use Permit FAQ Sheet



Please contact Planning Services before you submit an application. We are available to discuss your proposal, details of the process involved, possible alternatives; as well as to answer your questions. An application is a process of *evaluation*; approval is not ensured.

What is a Temporary Use Permit or TUP?

A TUP gives a landowner the ability to address a short term need or to monitor the success of a use before committing to long-term investment and zoning/OCP amendment. The *Local Government Act* enables local governments to issue TUPs for the following purposes:

- to allow a use not permitted by a zoning bylaw for a limited time;
- to specify conditions under which the TUP may be carried on; and
- to allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

How do I apply for a TUP?

An owner or their authorized agent submits the \$1500 fee and an application (see our website www.tnrd.ca or obtain a form from Planning Services). Additional submittals such as professional reports may be required to support an application. All costs related to the application are the responsibility of the applicant.

Application consideration takes +/-6 months but processing times vary and are affected by application completeness, accuracy, the scope of proposed uses and compliance with other referral agency or regulatory requirements such as the ALC.

How long is "temporary"?

A TUP may be issued for any term up to a maximum of 3 years and may be extended -only once- for up to an additional 3 years.

How is a TUP application processed?

Following submission of a complete application, it is reviewed by Planning Services and forwarded to an Advisory Planning Commission and other referral agencies. All input is gathered and a report is brought to the Board of Directors for their consideration. If supported, it proceeds to public notice.

When the subject land is within an OCP area designated for TUPs, the Board may approve a TUP by *resolution* but where the lands are outside an OCP, a *bylaw* process must be undertaken including a public hearing (similar to rezoning). If a TUP is approved, it is registered at the Land Title Office.

What does a TUP specify?

The following terms are typically set out in a TUP permit or bylaw:

1. the additional specified use(s);
2. the duration or "term" of the TUP;
3. any conditions appurtenant to the temporary use (i.e. screening, landscaping, limits in scope); and
4. security (cash or a letter of credit) paid by the applicant and held by the TNRD to ensure that the conditions are met and/or that the use ceases at the expiration of the TUP.

Upon expiration, the additional use(s) must cease and the property reverts to the given zone. The TNRD may draw upon a security deposit to carry out work to decommission or clean up a property in respect of a temporary land use and its given conditions.