



## **A Guide to the Temporary Use Permit Process**

### **What is a Temporary Industrial / Commercial Use Permit?**

A *Temporary Commercial or Industrial Use Permit* is a formal process that the Strathcona Regional District (SRD) administers when an application is made for temporary industrial or commercial activities. These activities are defined as a business intended to operate for either a specified period, or for two years whichever is less.

### **What is it for?**

To allow an industrial and commercial use on a temporary basis on property that is not zoned for that particular use. This allows for either fixed term operation (i.e. a set beginning and end period) or for a pilot project type operation (i.e. a set beginning with intentions to continue a use into the future, subject to successfully amending the applicable zoning bylaw to allow the use).

### **What activities does it apply to and where?**

Applicable to industrial or commercial uses that intend to operate for two years or less in all electoral (unincorporated rural) areas of the SRD. Industrial activities include the processing of natural materials and commercial activities include temporary tourist accommodation.

### **How do I apply?**

A Temporary Commercial Use or Industrial Use Permit Application can be obtained from the SRD office or on the SRD website at [www.srd.ca](http://www.srd.ca). You are encouraged to obtain further details and advice from planning staff prior to making an application.

### **For more information contact:**

Community Services Department / Planning Services

Strathcona Regional District

990 Cedar Street, Campbell River, BC V9W 7Z8

Tel: 250-830-6700 • Toll free: 1-877-830-2990 • Fax: 250-830-6710

Email: [planning@srd.ca](mailto:planning@srd.ca)

Website: [www.srd.ca](http://www.srd.ca)

## APPLICATION FOR A TEMPORARY USE PERMIT

### 1. Application

An application shall be completed upon a form provided by the regional district and shall be delivered to the regional district, together with such plans and particulars as may be required.

### 2. Application Acceptance

The Strathcona Regional District may refuse to receive any applications that fail to include all required information as per section 9 "Application Requirements" below.

### 3. Fees

*The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. The official date of application shall be that when all required information for the application and the corresponding fee is received.*

### 4. Refund

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

### 5. Cancellation

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

### 6. Reapplication

- i) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per Schedule A-1 are applicable to any new application.
- ii) Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

### 7. Public Notification

- i) Where the regional district proposes to pass a resolution to issue a temporary use permit the *Local Government Act* sets out the requirements for notification of affected landowners or occupiers of land adjacent to a property where this application is being considered. Notice of the application shall be mailed to the owners, as shown on the assessment roll as of the date of application, and residents of all parcels of any land within 50.0 metres (164.0) of the land subject to the proposed permit.

- ii) Where the regional board proposes to issue a temporary use permit and the land is not in an area to which an official community plan, or a rural land use bylaw applies, then the regional district shall issue temporary use permit by bylaw. Notice of the public hearing (of the bylaw) or the waiving of the public hearing shall be published in an appropriate newspaper, according to the policies of the board and notice shall be mailed to the owners, as shown on the assessment roll as of the date of application, and residents of all parcels of any land within 50.0 metres (164.0 feet) of the land subject to the proposed amendment.

#### 8. Performance Bonding

- i) Where landscaping is a condition of a permit, a bond shall be provided for 100% of the cost of the works:
  - a) Bonding for landscaping valued in excess of \$5,000 shall be in the form of an irrevocable letter of credit (ILOC) or in a form satisfactory to the regional district, as approved by the manager of financial services. If an ILOC is chosen, it shall be effective for the term of the permit, shall be automatically renewable unless cancelled, and shall be redeemable locally.
  - b) Bonding for landscaping valued at less than \$5,000 shall be in a form satisfactory to the regional district, at the discretion of the applicant. If an ILOC is chosen, it shall be automatically renewable unless cancelled and shall be redeemable locally.
- ii) Upon receipt of written certification that the installed landscaping is in substantial compliance with recognized landscape industry standards and the approved landscape plan the regional district will release the security minus 25%. The remaining 25% security will be held for a period of at least two years, including not less than two growing seasons, to ensure replacement of planting failures.
- iii) For all projects the 25% security will be released after the guarantee period, dated from the written certification, upon final acceptance by the regional district of the installed landscaping.
- iv) Works relating to the development of a single family residence or lot shall be exempted from the bonding requirement.

#### 9. Application Requirements

**At the time of application, the applicant shall provide:**

- i) The completed **Application Form**. This must include authorizing signatures of the owner and/or agent.
- ii) Detailed **Site Plans** of the proposed use, noting the location of existing and proposed buildings, landscaping, any natural features, access/egress points, and any other information required by the regional district.
- iii) A **Surveyor's Certificate** completed by a B.C. Land Surveyor at the request of the regional district.
- iv) A **Written Brief** which describes the reasons/rationale for the application.

- v) As every application is unique, there may be further requirements, at the direction of the regional district, to be completed prior to consideration of the bylaw for final adoption. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and heritage site analyses. Any additional requirements will be set out in a letter to the applicant from the regional district.
- vi) Where development, as defined by RAR, is proposed within 30.0 metres (98.4 feet) of a stream, an assessment report, prepared by a qualified environmental professional (QEP) in accordance with the Riparian Areas Regulation is required. The QEP report must be prepared by the QEP who has carried out the assessment and that:
  - i) certifies that the qualified environmental professional is qualified to carry out the assessment,
  - ii) certifies that the assessment methods have been followed, and
  - iii) provides the professional opinion of the qualified environmental professional that:
    - (a) if the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area, or
    - (b) if the streamside protection and enhancement areas identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.

## 10. PROCESSING

### The following procedure will apply:

- i) A staff report and summary of the requested permit is prepared. Adjacent neighbours and owners are advised of the application for permit.
- ii) The staff report and other information deemed relevant will be submitted to the appropriate committee of the regional district. Applicants will be provided an opportunity to make a presentation before the committee of the regional district reviewing his or her application.
- iii) The regional board will, upon receipt, consider the committee's recommendation and may grant the requested Permit,
  - a) by resolution, where the land subject to the permit is within an area to which an official community plan or rural land use bylaw applies; or
  - b) by bylaw, where the land is not in an area to which an official community plan, or rural land use bylaw applies.

or may refer, table, or deny the application.

- iv) After the regional board has dealt with the application, the applicant will be notified in writing of the outcome.
- v) If granted, the regional board will forward notice of the a temporary use permit to Land Title office (if applicable) for registratiion.



## APPLICATION FOR A TEMPORARY USE PERMIT

### LEGAL DESCRIPTION

(See your Tax Assessment Notice or Certificate of Indefeasible Title)

Name of Street:		Street Number (if known):	

### OWNER

Name(s):			
Mailing Address:			
City:	Prov:	Postal Code:	
Tel:	Business Tel:	Fax:	
Cell:	Email:		

### APPLICANT

(NOTE: A Letter of Agency is required if the applicant is not the property owner)

Name(s):			
Mailing Address:			
City:	Prov:	Postal Code:	
Tel:	Business Tel:	Fax:	
Cell:	Email:		

### THIS IS AN APPLICATION TO THE REGIONAL DISTRICT FOR THE PURPOSE OF:


### SITE INFORMATION

Existing Buildings on Site:	<b>None:</b> <input type="checkbox"/> <b>Yes:</b> <i>What type of buildings?</i> Single Family Dwelling <input type="checkbox"/> Accessory <input type="checkbox"/> Other <input type="checkbox"/>
If yes, show dimensions and location (including distance to proposed construction) on your attached sketch.	

### ENVIRONMENTALLY SENSITIVE AREAS

Is the proposed construction within <b>100m (328ft)</b> of the sea, a lake, river, stream, creek, wetland, swampy area, bog, cliff, sand dune(s), gravel area, etc.	No <input type="checkbox"/>	Yes <input type="checkbox"/>
If yes, show dimensions and location (including distance to proposed construction) on your attached sketch.		

Signature of Owner or Authorized Agent	Date

PID:	Folio:	
Site Declaration: <input type="checkbox"/>	Site Profile: <input type="checkbox"/> Sent to Site Registry? <input type="checkbox"/> Sent to MoE Regional Branch Manager? <input type="checkbox"/>	
Date Received:	File No.:	Electoral Area: