MUNICIPALITY OF NORTH Cowichan
PLANNING DEPARTMENT

A GUIDE TO TEMPORARY USE PERMITS

About Temporary Use Permits

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

Security deposits and letters of undertaking may also be required to ensure that the conditions of the Temporary Use Permit are met.

A Temporary Use Permit may do one or more of the following:

- Allow a temporary 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.

Applying for a Temporary Use Permit

Step 1: Pre-Application Meeting

As every property and development proposal is unique, and application requirements can vary, we encourage Applicants to contact Planning Staff to discuss their project at an early stage. Planning Staff will then be able to advise if a Pre-Application Meeting is required prior to application submission.

The meeting will help to determine what supporting documents, reports, etc. will be needed. Planning staff will provide you with a checklist of items that will be necessary to make a complete application and provide you with the correct fee amount that accompanies your proposal.

Step 2: Submitting an Application

Submit your complete application, including the application fee. Application forms are available from the Planning Department or through the municipality's website **www.northcowichan.ca**. Please submit your complete application by one of the following methods:

Digital Application Submission

- Please email us at **planning@northcowichan.ca** to arrange an Access Link to direct drop your application documents in our file-sharing site. A hardcopy submission is not required if submitting an application online

Although the Digital Application Submission is preferred, hard copies of application documents can also be submitted by:

Hard Copy Application Submission

- Mailing or dropping off at the Municipal Hall. Envelopes can be deposited in the Drop Box located at the Main Entrance of the Municipal Hall. If providing PDF documents please submit via a virus free memory storage device only.

Application Fee Payments

- Application fee payments can be made by Debit or Cheque payable to the Municipality of North Cowichan. If you have selected to submit your application online, please mail or drop off your application fee payment as we are currently not set up to accept online payments or by Credit Card. If you have selected to submit your application by hardcopy, please include the payment with your complete application.

Step 3: Application Review

Once the Planning Department receives your complete application, an initial review of your application will be done. Following this initial review, Planning Staff will then refer your application to other departments and external agencies. This is to ensure we do a comprehensive review of your application. During the referral process, these departments and agencies will review your application and provide Planning Staff with feedback. They will also recommend if additional information is necessary to move forward with your proposal. If further information, clarification and/or revised plans are required, a Detailed Summary Review letter will be prepared outlining these additional application requirements. If no further information is required, Planning Staff will prepare a report and your application can then proceed to the next step.

Step 4: Decision

There are two potential processes for an approval of a Temporary Use Permit described below.

1) The Director of Planning is authorized to approve and issue Temporary Use Permits that allow property owners to continue to occupy an existing dwelling while a replacement dwelling is under construction.

2) All other Temporary Use Permits applications are approved by Council. Following review of the application and completion of the public notification, Staff will prepare a report to Council for its consideration and approval.

Step 5: Public Notification

All applications for Temporary Use Permits require public notification. The owners and occupants of all properties located within 60 metres (200 feet) of the subject property are notified directly of the application. The notice will also be published in the newspaper. Anybody who believes that their interests will be affected by the proposed development are given an opportunity to submit written comments and concerns to Council or where approval authority has been delegated, to the Director of Planning.

Step 6: Permit Decision

Following the public notification process, the application will be considered by Council or the Director of Planning (where approval authority has been delegated).

Permit Issuance

If your Temporary Use Permit is approved, it will then be prepared, signed and issued. The Planning Department will file a Notice of Permit with the Land Title and Survey Authority of BC for registration on Title. The Title of the property will then carry a notice stating that a Temporary Use Permit applies to your property. The Permit will include conditions and requirements applicable to the Temporary Use. Use of the property must comply with the Permit and all uses authorized by the Permit must cease when the Permit expires.

Period of Validity

Once approved, a Temporary Use Permit is valid for up to three years. You may have the Temporary Use Permit renewed only once for an additional term of three years.

Requests for minor changes to a valid Temporary Use Permit can be made by submitting a Temporary Use Permit Amendment application.

Application Process Time

The application processing time for a Temporary Use Permit is three to six months. This timeline can vary depending on the completeness and complexity of the application.

Tips ...

Plan your development proposal thoroughly and carefully. In preparing your proposal, you should be aware of the Municipality's plans, policies and regulations that may affect your property, including:

Official Community Plan

North Cowichan's Official Community Plan (OCP) divides the municipality into designated land use areas. Check the OCP for your property's designation and policies applicable to Temporary Use Permits.

Development Permit Area Guidelines

The Official Community Plan (OCP) contains policies and design guidelines that may affect your application. You may review OCP and Zoning Bylaw maps and guidelines through the municipality's website **www.northcowichan.ca** or visit the Planning Department.

Works and Services

All developments must include utilities (e.g. sewer and water) at the developer's expense. Check with the Planning and Engineering Departments on the availability of the required services, and whether additional servicing is necessary.

Zoning Bylaw

Zoning regulations apply to every property in the municipality. In each zone, specific uses and activities are permitted. Check the Zoning Bylaw to determine the zoning regulations that apply to your application.

Contact Us:

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