

# TEMPORARY USE PERMIT

Applications for a Temporary Use Permit will be substantially processed as follows.

Please note, this guide should be used in conjunction with the District of West Vancouver Development Procedures Bylaw No. 4940, 2017.

Refer to Fees and Charges Bylaw No. 5025, 2019 for applicable application costs.

For application submission requirements, refer to the Planning Submission Checklist and Development Application Form.

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## About Temporary Use Permits

Temporary Use Permits (TUP) allow the District to consider applications for a proposed use for land that is not permitted under the Zoning Bylaw. A TUP may be issued for a period of up to three years, with the opportunity to renew the permit once for up to an additional three years.

The Local Government Act allows a municipality to apply conditions to a TUP which may include:

- the types of uses permitted
- the specific areas of a building or site that can be used
- the conditions under which those uses may be carried out
- a requirement to return the site to the predevelopment condition

## Temporary Use Permits

Section 19.1 of the Development Procedures Bylaw enables delegated approval authority for a Temporary Use Permit to the Director of Planning and Development Services provided that the application complies with certain conditions set out in section 19.7-19.12.

## Processing steps for a Temporary Use Permit

1. **Initial inquiry:** prior to preparing a Temporary Use Permit application, applicants are advised to discuss the proposal with planning department staff. Staff provide an overview of the process and application requirements.
2. **Formal application submission:** applicant submits a formal application. District staff will review the application for completeness and accuracy and request any missing submission requirements before taking in the application for processing. Once a complete submission is received, staff will open the application file and generate the invoice.
3. **Referral process:** staff prepare internal and external referrals by distributing an information and referral memo to all applicable District departments, government ministries, and advisory bodies for review.

4. **Post-referral review:** applicant receives feedback from the review process. It is the responsibility of the applicant to respond to the feedback from the review process and resolve any conditions/requirements identified and submit any necessary reports or studies.
5. **Public information meeting:** the applicant notifies surrounding property owners within 50 metres regarding a public information meeting. At the public information meeting, input is provided to the applicant and District staff are in attendance to observe and answer questions regarding relevant policies and the review process.
6. **Application notification:** the Applicant is required to post a notice of application site sign. Staff advise on the placement, size, and content of the sign posts. The District publishes a notice in the newspaper and issues neighbourhood notification to property owners and residents within 50 metres from the site of the subject property advising people of when the Director will be considering the Temporary Use Permit application and opportunities to provide input.
7. **Planning report:** staff will prepare a planning report for consideration which includes:
  - a. a description of the proposed temporary use; and
  - b. a statement on the extent to which the temporary use is consistent with the intent and policies of the Official Community Plan;
  - c. input from the notification process; and
  - d. conditions of use and a time frame for the permit.
8. **Director TUP consideration:** the Director of Planning & Development Services has the delegated authority to review and issue TUPs under specific parameters detailed in the Development Procedures Bylaw.

The Director may:

- a. authorize the issuance of the TUP or authorize the issuance of the TUP with conditions;
- b. refer it back to staff for further information;
- c. reject the application; or
- d. refer the application directly to Council.

If neighbourhood comments and public input cannot be resolved, the Director will refer the application to Council. However, the Director can, at his discretion, refer applications directly to Council.

The District publishes a notice in the newspaper and issues neighbourhood notification to property owners and residents within 50 metres from the site of the subject property advising when Council will be considering the Temporary Use Permit application and opportunities to provide input.

Council may:

- a. approve the TUP; or
- b. refer the proposal back to staff for modifications or request further information; or
- c. reject the application.

9. **Notice on title:** if the TUP is granted, a Notice of TUP will be registered on the title of the property at the Land Titles Office.
10. **Issuance of Temporary Use Permit:** once permit conditions are met, the District issues the TUP to the applicant.