

TEMPORARY USE PERMIT APPLICATION



This brochure is intended to assist the general public by outlining the process for submitting a Temporary Use Permit application, for properties located in RURAL AREAS of the Regional District of Central Kootenay.

For details of all pertinent regulations consult the relevant Regional District of Central Kootenay Bylaws and the Local Government Act.

What is a Temporary Use Permit?

Temporary Use Permits may be issued by the RDCK under the Local Government Act. The intent is to accommodate temporary uses as specified by the permit on lands that are not designated as such. The temporary use may continue in accordance with the provisions of the permit until the permit expires, or three years after the permit was issued, whichever occurs first. Permits may be renewed only once, after which the use must be either permanently designated in the applicable Land Use Bylaw or cease. Temporary use permits are not a substitute for a land use designation amendment in accordance with the bylaw. Permits are also subject to approval by the Agricultural Land Commission where land is classified as farm under the Assessment Act.

What Information, Costs and Time are involved?

The applicant should refer to the applicable Regional District Official Community Plan and Zoning Bylaw for the development restrictions in the applicable land use designation. Bylaws can be downloaded from the RDCK web site, or are available for purchase or reference in the Planning Department. The application submission must include a site plan and written material which clearly explains the proposed development.

INFORMATION

The information required to accompany the Temporary Use Permit Application form includes:

- A. A copy of the Certificate of Title for the property under application, dated within 30 days of the date of the application;
- B. Consent of the property owner(s);
- C. Application Fee;
- D. Provincial Site Profile;
- E. Proposal summary;
- F. A site plan drawn approximately to scale showing:
 - the house number and full legal description of the property
 - lot dimensions - frontage and depth;
 - the location of existing or required rights-of-way or easements;
 - the location and dimensions of existing and proposed buildings and structures on the property, including setbacks
 - detailed drawings of the proposed development, including building sections, elevations and floor plans;
 - location of existing wells or other water sources on the property;
 - location of existing or proposed septic fields;
 - location of any watercourses, steep banks or slopes on or adjacent to the property;
 - Location of any existing or proposed access(es) to

the property, driveways, maneuvering aisles and parking layout

- G. Landscape plan showing existing and proposed screening, landscaping and/or fencing;
- H. Notice of Development sign

COST

An application fee of \$1000.00 is required for a Temporary Use Permit.

If a Temporary Use Permit application is withdrawn prior to proceeding to the Rural Affairs Committee for consideration, 50 percent of the application fee may be refunded.

TIME

Regional District staff refer the proposal to various Provincial Government Ministries, First Nations (where applicable), the Local Area Director, Local Advisory Planning Commission and other RDCK Departments for comment or technical advice for a period of 30 days. A minimum of two to three months may be required to complete the application process prior to issuance of a Building Permit or Subdivision Approval.

PLEASE NOTE:

AN APPLICATION WHICH DOES NOT CONTAIN ALL REQUIRED INFORMATION CANNOT BE ACCEPTED.

Temporary Industrial and/or Commercial Use Permit Procedure

1. Upon receipt of a complete application accompanied by the required fees and documents outlined in Table G-1 of *Planning Procedures and Fees Bylaw No. 2457*, RDCK planning staff will open a file and issue a fee receipt to the applicant. Incomplete applications will be returned to the applicant prior to a fee being taken.
2. Within ten (10) days of making application for a Temporary Use Permit, the applicant is required to erect a Notice of Development Sign in accordance with the requirements outlined in Schedule 'B' of *Planning Procedures and Fees Bylaw No. 2457*.
3. RDCK planning staff will refer the application to all applicable Regional District departments, government ministries and agencies and the local Advisory Planning Commission (APC) as applicable for a period of thirty (30) days. The proposal will also be referred to a municipality if the application could affect that municipality.
4. Notice of proposal will also be given to owners and tenants of all parcels within a minimum distance of 100 metres (328 feet) of the subject property. This distance may be extended at the discretion of staff.
5. RDCK planning staff may require the applicant to host a public information meeting based on the proximity of the proposal to adjacent residential properties and based on receipt of public comments. The applicant will be required to pay the cost of any associated public meeting as outlined in Schedule 'A' of *Planning Procedures and Fees Bylaw No. 2457*.
6. Following the referral period, staff evaluation, referral agency comments and public comments will be incorporated into a technical report to the Rural Affairs Committee (RAC) of the Board.
7. After considering the applicant's proposal, referral agency comments, staff recommendations and draft permit, RAC will make a recommendation to the Board.
8. Should the Board choose to proceed with the processing of the permit, staff will arrange for a public hearing in accordance with the requirements of the *Local Government Act*.
9. Upon receipt of the minutes of the public hearing the Board may chose to issue the permit or deny the permit.
10. To guarantee the performance of the terms of the permit a security deposit may be recommended. In the case where security is required, the permit will be issued only upon receipt of the deposit in accordance with Schedule 'Q' of *Planning Procedures and Fees Bylaw No. 2457*.
11. If a Permit is granted, a Notice of Permit will be signed and sealed by the Secretary and registered against the Title of the property(s) at the Land Title Office. Once issued the owner of land has the right to put the land to the use described in the permit until the date that the permit expires. Unless otherwise stated, the permit is valid for a period of up to 3 years.
12. A person to whom a Temporary Use Permit has been issued may apply to have the permit renewed, subject to the restriction that a Temporary Use Permit may be renewed only once. An application to renew will follow the above process.





PHONE NUMBER: (250) 352.8165 or
1.800.268.7325

FAX NUMBER: (250) 352.9300

WEBSITE: www.rdck.ca

EMAIL: plandept@rdck.bc.ca (Planning) or
rdck@rdck.bc.ca

ADDRESS: **Planning Department**
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive
NELSON BC V1L 5R4

OFFICE HOURS: 8:30 a.m. to 4:30 p.m., Monday to Friday
Except Statutory Holidays

Notice to Applicants

Applicants are advised that the issuance of a permit or approval of any kind pursuant to this application is subject to all applicable laws, regulations and orders of the Federal and Provincial governments and of all authorities having jurisdiction including the Regional District. Any permit or approval received as a result of this application does not and is not to be taken or understood to be a permission or approval for all development purposes and applicants are advised to seek advice from their own consultants and check with any and all appropriate Federal or Provincial agencies that may have jurisdiction relating to the use, development or alteration of land, buildings and structures. Without limiting the above, applicants should be aware of the prohibitions, restrictions and obligations that do arise pursuant to the Heritage Conservation Act.