

DEVELOPING IN
CASTLEGAR

A GUIDE TO PROCEDURE

Any person being the owner of land or having the written permission of the owner may apply for a Temporary Commercial or Industrial Use Permit.

A Temporary Commercial or Industrial Use Permit may, notwithstanding a zoning bylaw:

- (a) allow any commercial or industrial use, as specified in the permit;
- (b) permit the construction or use of buildings or structures to accommodate persons who work at the commercial or industrial enterprise in respect of which the permit is issued, and
- (c) specify conditions under which the temporary commercial or industrial use may be carried on.

All applications are made to the Development Services Department, 460 Columbia Avenue, on the prescribed forms. Applications are processed by this Department, with the involvement of other City Departments, Provincial Ministries and outside agencies, as necessary.

If City Council is considering issuing a Temporary Commercial or Industrial Use Permit it first must notify the adjacent property owners/tenants in occupation of its intentions. A formal Public Hearing is not held, but submissions to Council are invited.

Temporary Commercial or Industrial Use Permits are granted by a resolution of City Council. The approval of the Ministry of Transportation and Highways also may be required in certain instances.

Temporary Commercial or Industrial Use Permits are noted on the title of the subject property and are binding on all persons who acquire an interest in the land.

The owner of land for which a Temporary Commercial or Industrial Use Permit has been issued has the right to put the land to the use described in the permit until (a) the date that the permit expires, or (b) 2 years after the permit was issued, whichever comes first.

A person to whom a Temporary Commercial or Industrial Use Permit has been issued may apply to have the permit renewed. A Temporary Commercial or Industrial Use Permit may be renewed only once.

SCHEDULE OF FEES	
Application Fee	\$300.00

For additional information please contact:

THE CITY OF CASTLEGAR
460 Columbia Avenue
Castlegar, B.C. V1N 1G7
Phone: (250) 365-7227
Fax: (250) 365-5074
E-Mail: devserv@knet.kootenay.net

**The following guide is intended to generally illustrate the procedure involved
in a Temporary Commercial or Industrial Use Permit application.**

**PROCEDURE FOR TEMPORARY COMMERCIAL OR
INDUSTRIAL USE PERMITS**

1. It is recommended that the applicant make preliminary enquiries to the Development Services Department regarding the general feasibility of the proposal prior to submitting an application for a Temporary Commercial or Industrial Use Permit.

2. The applicant, being the owner of land or having the written permission of the owner, completes the form ATemporary Commercial or Industrial Use Permit Application and submits it to the Development Services Department. The application must include the required fees, Certificate of Indefeasible Title (available from the Land Title Office, Kamloops, B.C.), plot plan, project plans and other information as required to support the proposal.

3. The application is processed and reviewed by the Development Services Department and circulated for technical review to other City Departments and outside agencies, as necessary.

4. The Development Services Department prepares a report for City Council providing background information on the application. The applicant may be required to submit additional information for technical review and presentation to City Council.

5. City Council considers the report and either denies the application or authorizes the City Clerk to give notice of its intention to issue a Temporary Commercial or Industrial Use Permit.

6. If authorized by Council, the City Clerk notifies property owners/tenants of property located within 60 metres of the subject property of the application for a Temporary Commercial or Industrial Use Permit. Notice of the application for a Temporary Commercial or Industrial Use Permit will also be advertised in the local newspaper. A draft copy of the Temporary

Commercial or Industrial Use Permit is made available.

7. The application may be referred to the Advisory Planning Commission (APC) for their recommendation to Council regarding the proposed development. If an APC meeting is to be held the applicant will be given the opportunity to attend and be heard.

8. On the day City Council intends to authorize the issuance of the Temporary Commercial or Industrial Use Permit, any person wishing to register an opinion on the Permit may do so by appearing as a delegation or making a written submission to Council. The permit is either authorized or denied.

9. If authorized by Council, the Temporary Commercial or Industrial Use Permit is finalized and the applicant is notified. Any securities required are to be submitted. The Temporary Commercial or Industrial Use Permit will then be issued by the Mayor and City Clerk on behalf of the City.

10. City staff forwards a Notice of Permit to the Land Title Office for registration on the title of the property.

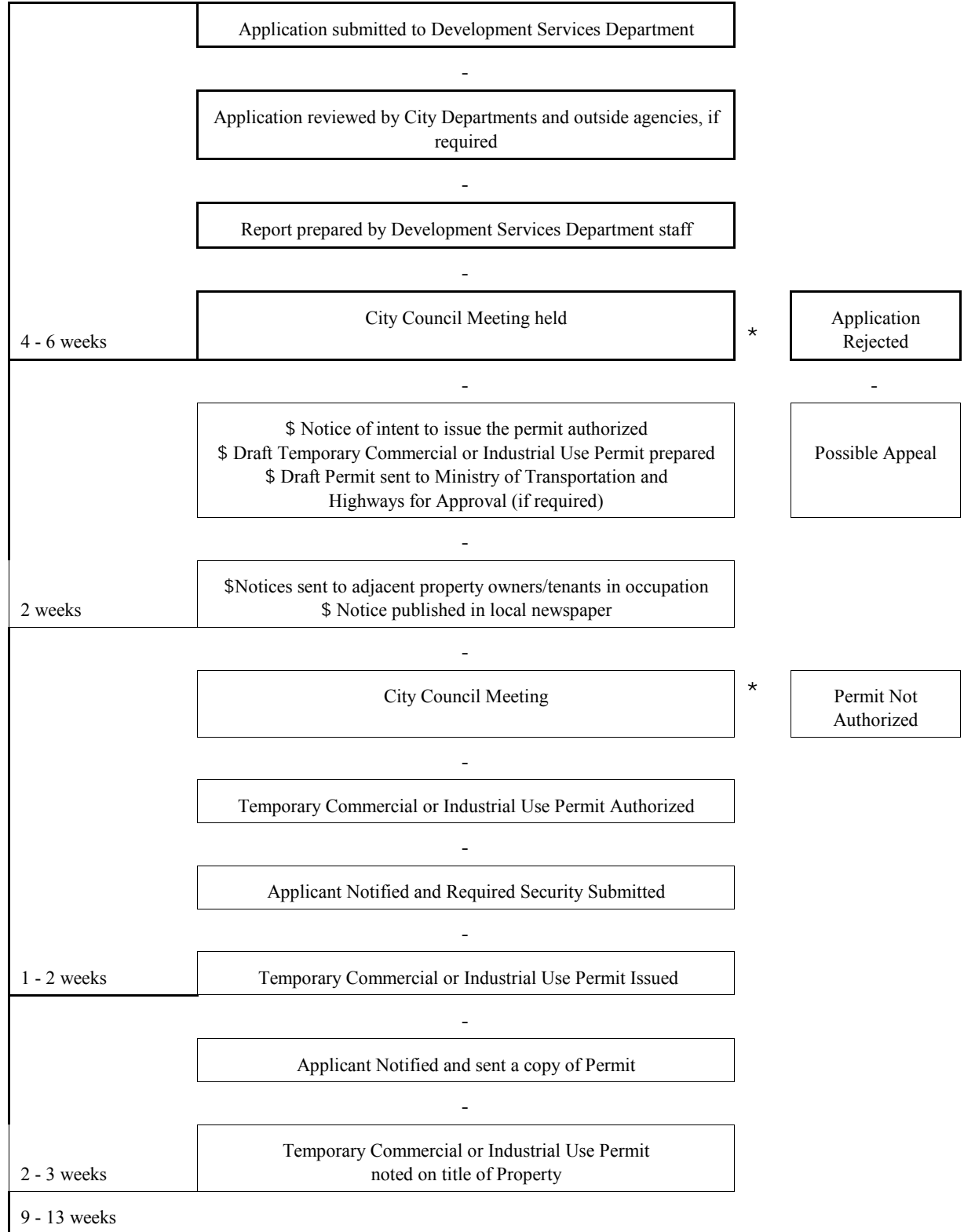
11. The proposed development then may proceed until the date that the permit expires, or 2 years after the permit is issued, whichever occurs first.

12. The applicant may apply to have the permit renewed, however, a Temporary Commercial or Industrial Use Permit may be renewed only once.

TEMPORARY COMMERCIAL OR INDUSTRIAL USE PERMITS

FLOW CHART

ESTIMATED TIME



NOTES:

NOTE: This pamphlet is prepared for information purposes only and the City of Castlegar disclaims any liability arising from reliance on information contained in this guide. This pamphlet is not a procedures manual pursuant to Section 895 of the Municipal Act.