



CASTLEGAR

DEVELOPING IN CASTLEGAR A GUIDE TO PROCEDURE

TEMPORARY USE PERMIT

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

A Temporary 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 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 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 Use Permits are granted by a resolution of City Council. In certain instances approval by the Ministry of Transportation and Highways may also be required.

Temporary 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 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) 3 years after the permit was issued, whichever comes first.

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

SCHEDULE OF FEES

Application Fee

\$500.00

For additional information please contact:

THE CITY OF CASTLEGAR
460 Columbia Avenue
Castlegar BC V1N 1G7
Phone: (250) 365-7227
Fax: (250) 365-4810
E-Mail: devserv@castlegar.ca

The following guide is intended to generally illustrate the procedure involved in a Temporary 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 Use Permit.

2. The applicant, being the owner of land or having the written permission of the owner, completes the form "Temporary Commercial 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.

Note: An application form can be obtained on the Internet at:

www.castlegar.ca/services_devserv_documents.php

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 Director of Corporate Services to give notice of its intention to issue a Temporary Commercial Use Permit.

6. If authorized by Council, the Director of Corporate Services notifies property owners/tenants of property located within 60 metres of the subject property of the application for a Temporary Use Permit.

Notice of the application for a Temporary Use Permit will also be advertised in the local newspaper. A draft copy of the Temporary 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 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 Use Permit is finalized and the applicant is notified. Any securities required are to be submitted. The Temporary Use Permit will then be issued by the Mayor and Director of Corporate services on behalf of the City.

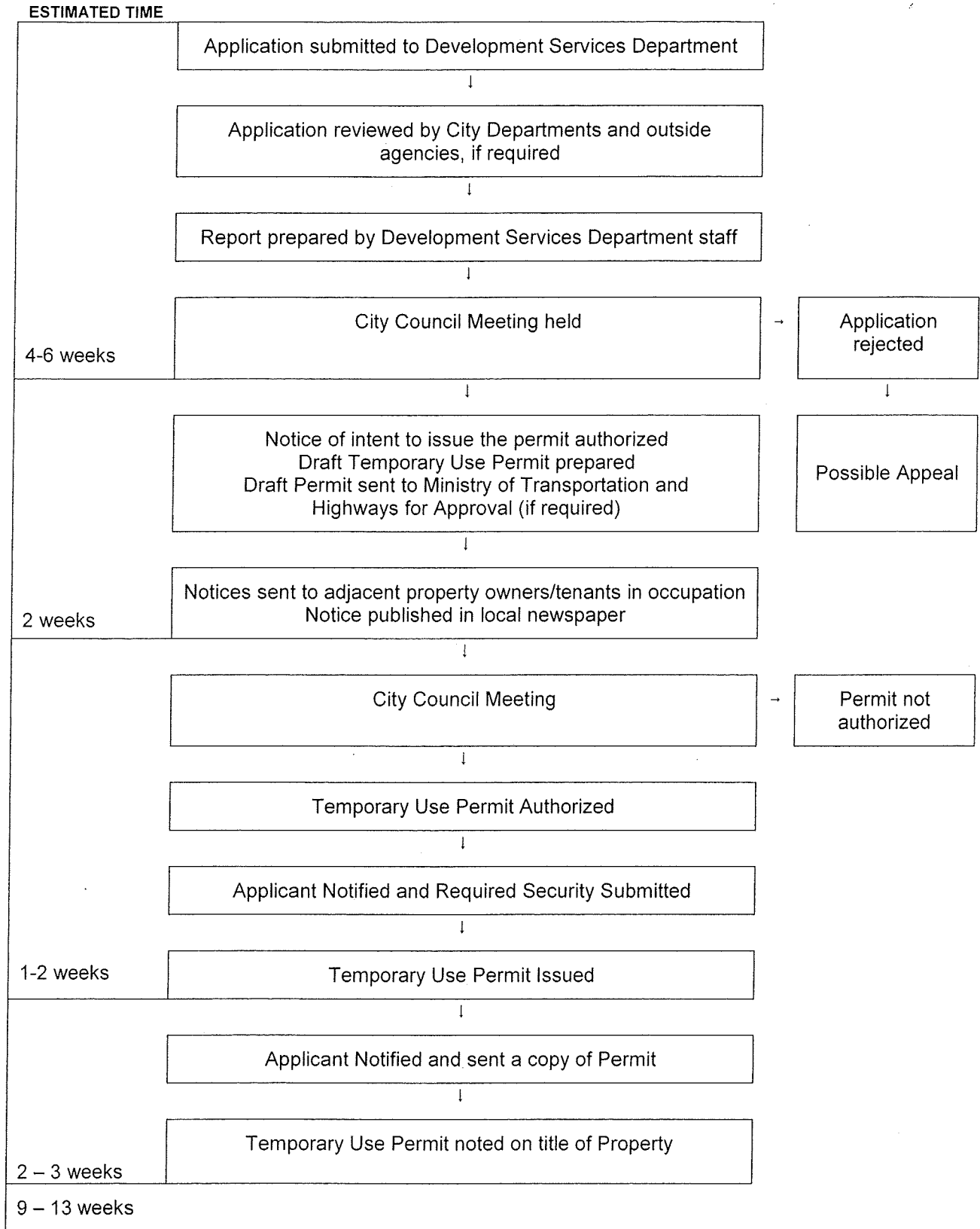
10. City staff will forward a *Notice of Permit* to the Land Title Office for registration on the title of the property.

11. The proposed development may then proceed until the date that the permit expires, or 3 years after the permit is issued, whichever occurs first.

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

TEMPORARY USE PERMITS

FLOW CHART



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 Local Government Act.



CASTLEGAR

DEVELOPING IN CASTLEGAR

A General Guide to Obtaining Municipal Approvals

A Partnership Approach

The City of Castlegar encourages development... each new development adds to the community and helps make the future happen now. Development brings jobs, people, facilities, well-being and greater community security.

A partnership between you and the municipality can ensure that your development is a positive contribution to Castlegar, as well as a benefit to you. Municipal staff are trained to answer your questions, to tell you what requirements you will be expected to meet and, in general, to help you make an application which will be successful.

So you want to develop...?

If you are thinking of developing your property, this brochure will explain how to go about it, why certain things must be done, and where you can get more information. It is a general guide only, meant to help you get started "on the right foot" and is not meant to replace Bylaws or other legal documents. It will be of help if you want to:

- subdivide land;
- change how the land is used;
- request relaxation of development standards and requirements;
- and other land development applications.

Why are Approvals Needed?

Everyone wanting to develop land in Castlegar, or to change the use of land, must obtain approval from the City of Castlegar. Municipalities across British Columbia are given the authority to plan for their future, and to ensure that all developments are compatible and consistent with the relevant plans and with certain standards designed to protect the overall well-being of the community.

This Guide deals with:

- ***Why approvals are needed;***
- ***The general system of procedures;***
- ***Where to obtain additional information.***

Doing Your Part

To do your part in this partnership, you should first:

- read our brochures relating to your development;
- see if your ideas are acceptable, as far as the Official Community Plan and Zoning Bylaw are concerned, or
- consider modifying your ideas so your proposed development fits with community policies;
- find out what costs you will be expected to bear and the time required to get your proposal approved;
- consult with municipal staff early.

Once you have decided to proceed, you should submit an application. Please remember that the more information you can provide when you submit your application, the faster it will be dealt with by staff. Following these general procedures will help you get your proposal dealt with as quickly as possible.

This guide is meant for guidance only and should not be construed by anyone as a right to a development approval if the steps indicated are followed.

Development requirements are set out in the Official Community Plan, the Zoning Bylaw, Subdivision and Development Bylaw, and other public documents. These bylaws were adopted by Council, after public hearings, and govern how Castlegar should develop in the future. Copies of these bylaws can be obtained or viewed at City Hall or on the Internet at

<http://www.castlegar.ca/bylaws.php>

Municipal staff will assist you in understanding the bylaws and the process of implementation.

General Procedures to Follow

1. Before you start, check the following:

- The zoning of your property

The Zoning Bylaw outlines the basic rules for development on your property, such as uses allowed, maximum height of buildings, maximum number of dwelling units, limits on amount of floor area, building setbacks, parking, etc.

- Official Community Plan (OCP) designation

The OCP outlines the range of uses intended for your area in the future. This plan should be checked especially when the use you want is not allowed within the present zoning regulations for your property. If that is the case then an OCP amendment is required. The OCP also outlines areas which require Development Permit approval.

- Services

All developments must be provided with sufficient services for sewage and storm water disposal, water, and roads at the developer's cost. Check what services are currently available and how much additional servicing your development may need.

2. Prepare your proposal

Depending on the magnitude of your development proposal, you may or may not need a consultant to prepare your proposal.

3. Make your application

The Development Services Department staff will assist you in filling out an application form. Enclose at least three (3) copies of your drawings. Submit your application fee with the accompanying documents.

4. Follow through on your application

How to follow through on your application depends on the type of application you are making and the procedure for that application. Read the appropriate brochure to determine the particular procedure for your type of application. Municipal staff will advise you of the process and timing required to accommodate your development.

8 Steps to Success

In order to reduce the time it requires to get your proposed development approved, we suggest you follow these 8 steps:

1. Consult with staff prior to submitting an application.
2. Submit a complete application with accurate information and the applicable application fee.
3. Familiarize yourself with the review process involved with your particular application.
4. Make a note of the "average processing time" for your type of application, and expect that it may take at least that long for yours to be processed.
5. Keep a record of approvals, correspondence and decisions from meetings so you know the status of your application and if there are further items which you must provide.

6. It does not hurt for you to follow up with outside agencies on the status of your application. Check with the Development Services Department for the contact person in the outside agency, the file number, and when the referral was made.
7. Remember that, in most cases, (except subdivision approval) your application will be considered by City Council, and they will decide whether to give it approval or not. Staff will do all they can to help process your application, but we can only advise you and Council. Council has the responsibility to make the decision.
8. Be patient...all applications are dealt with on a "first come/first served" basis and there will be applications ahead of yours. City Council is very receptive to holding special meetings in order to expedite applications.

For further information contact:

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