



Last updated: December 2019

What is a Temporary Use Permit?

A Temporary Use Permit is issued by Council to do one or more of the following:

- Allow, for a limited period of time, a use that is otherwise not permitted on a property;
- Specify the terms and conditions under which the temporary use may be carried on and set securities to ensure adherence; and,
- Allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

A Temporary Use Permit has a maximum term of three years and can be renewed once by Council for the same length of time. The site can be used in accordance with the permit until the expiration date. Longer term or permanent use requires a rezoning.

When is a Temporary Use Permit Required?

If someone wants to use a property in a way that is not permitted under the current zoning, for a limited amount of time, a Temporary Use Permit is required.

Before you Submit

Before preparing and submitting an application, it is important to meet with staff in the Planning Division. Planning staff will discuss other policies and regulations that may affect the application. The applicant may be advised to secure the services of qualified professionals for various components of the application, such as Engineers, Biologists, Architects, Landscape Architects, or Planners. To assist in this preliminary discussion, a letter outlining the proposed changes to the property and a simple sketch of the property, including the location and size of existing and proposed buildings, is helpful.



*A Temporary Use Permit allows an arcade.
Photo via www.capcityarcade.com.*

Formal Application Review

Following initial conversations with staff, the formal application may be submitted.

Application Requirements

Applicants should contact the Planning Division to make an appointment to submit their application. Incomplete applications will not be accepted.

Note: Further information about [Application Fees](#), [Letters of Authorization](#), and other submission guidance is available on the [Making a Development Application webpage](#).

The following information is required at the time of submission:

A Temporary Use Permit Application Form signed by all persons whose names appear on the Title Certificate or an authorized agent. The application form will be provided to the application at the time of submission.

A Current Title Search, including a copy of any 'legal notations' or 'legal encumbrances' registered on title which may impact the development of the site (e.g. restrictive covenants, rights of ways, easements).

A Title Search Summary that outlines the impact of each of the registered agreements and/or encumbrances may be requested by Planning staff, depending on the scale and complexity of the development.

A Letter of Authorization signed by the owner(s), **if** an applicant is applying on behalf of the owner(s) registered on the Title Certificate.

The Application Fee for the Temporary Use Permit.

A Project Summary Letter describing the need for a TUP, the project concept and design, and impacts to the neighbourhood and community.

Design Plans if required, such as site analysis, site plans, and architectural or landscape drawings, in the following formats:

- two (2) 11 x 17 sets; and,
- a PDF of the design package scaled appropriately to 11 x 17.

Additional drawings may be requested.

A Tree Permit application may be required at time of submission. Tree permit applications and submission requirements can be found at the [Tree Permit webpage](#).

Note

The application form can only be generated at the time your complete application is ready for submission. All owners on the Title Certificate must either be present at the time of submission to sign the form or a [Letter of Authorization](#) must be signed by all owners not present at submission.

A Comprehensive Sign Plan may be required, including the processing fee. The sign plan must include:

- A description of the signage and how the signage is consistent and compatible in size, height, character and design.
- Elevations showing the number, location, type, size and height of all proposed signs, including free-standing signs.
- two (2) 11 x 17 sets; and,
- a PDF of the design package scaled appropriately to 11 x 17.

Additional materials may be required depending on the scope and complexity of the project.

Application Review

Planning staff will coordinate the application review, which may involve other City departments and committees. Additional information may be required through this process and, once feedback is received, changes to the application may be required.

Public Consultation

The applicant must consult with the community and stakeholders as part of the Temporary Use Permit process. For example, a community open house may be required and proper notice of the open house must be provided. A presentation to the neighbourhood residents' association may also be required. Planning staff may require additional consultation depending on the scale and complexity of the project.

The applicant should discuss the consultation program with Planning staff early in the process.

Reporting to Council

When the application is ready for Council consideration, staff will present it to Council along with any identified terms and conditions. Council may provide any direction, including:

1. Agree to consider the application;
2. Request more information or reports from staff; or,
3. Decline the application.

Planning staff may prepare several reports to Council throughout the application process, as necessary.

Opportunity to be Heard

If Council decides to consider the application, an Opportunity to be Heard must be scheduled at which the public may provide comments on the proposal. On the same night as the Opportunity to be Heard, staff will report to Council with the results of the public consultation and any other new information, if necessary.

The Opportunity to be Heard is the last opportunity for Council to receive input from the applicant, the public and staff prior to making its final decision on the application. The City will mail notifications to properties within 100 metres (328 feet) of the site of the application at least ten days before the Opportunity to be Heard.



Temporary Use Permits are flexible and can help provide supportive housing.

Any person who thinks their interests may be affected by the development proposal has the opportunity to express their opinion to Council in writing or as a delegation to the Opportunity to be Heard. All submitted written comments will be distributed to Council and posted on the City's website. The applicant may also comment. Council members may ask questions of the speakers and staff.

Permit Approval

After the closing of the Opportunity to be Heard, Council considers the application. Approval may be subject to any conditions identified by the City, and can include requirements for payment of a security, e.g., to restore land or to provide landscaping. A letter of undertaking to restore the land following expiration of the TUP, including demolishing or removing or removing any buildings or structures permitted by the TUP may also be required. Once the specified conditions are met, the permit can be issued.

Permit Registration

If Council decides to approve the TUP, the Planning Division will register the Notice of Permit with [BC Land Title & Survey](#). The title of the property will then carry a notice stating that the Temporary Use Permit applies to the property.

Application Timing

The time required for processing an application depends on the type, scale and complexity of the proposal, the number of applications in progress, committee meeting schedules, approvals from outside agencies and the ability of the applicant to provide materials and information when required.

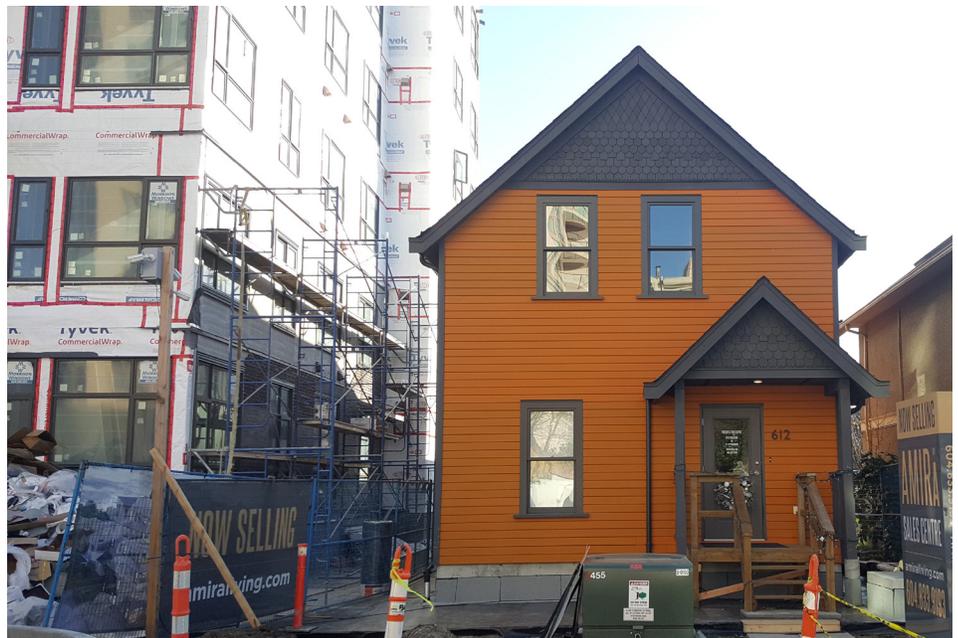
Where possible, associated applications may be processed concurrently; however, some applications may be legally required to be approved before another can be considered.

Notes

1. A Temporary Use Permit is not a Building Permit. Before construction, the applicant must obtain a Building Permit. Please consult the Building Division for further details at 604-527-4580.
2. The Temporary Use Permit application process may require the submission of a security to ensure conditions are met.
3. A Temporary Use Permit is not a Business License. Every business in the City of New Westminster is required to have a valid Business License before beginning operation. Please consult the Business License Office for further details at 604-527-4565.



A Temporary Use Permit at 97 Braid Street allows the Royal Columbian Hospital to provide parking during its redevelopment.



A Temporary Use Permit allows a heritage house, which is part of a Heritage Revitalization Agreement that includes restoration of the house and a low-rise multi-family building, to be used as a sales centre.