



District of Clearwater
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Development Services Guide

TEMPORARY USE PERMITS

What is a Temporary Use Permit (TUP)?

An application to permit a use not permitted by a zoning bylaw, to specify conditions under which the temporary use may be carried on, and to allow and regulate the construction of buildings or structures in respect to the use for which the permit is issued.

A TUP provides the applicant with the ability to address a short term need, or to monitor the success of such a use before committing to a long-term investment and associated zoning and/or Official Community Plan amendment.

Who Can Apply For a TUP?

A property owner or agent having written authorization from the property owner may submit an application.

Where is an Application Obtained & Submitted?

An application package can be obtained from the District of Clearwater office or from the District's website www.districtofclearwater.com and must be submitted to the District office along with all applicable fees and additional information for processing and referral.

How Much will an Application Cost?

The application fee for a TUP is \$1500.00. Additional information including professional reports may be required to support your application; all costs related to the application are the responsibility of the applicant.

How Long will an Application Take?

An application will take approximately 6 months to complete; however, processing times may vary. Approval time may be affected by application completeness, accuracy and compliance with other referral agency or regulatory requirements.

How Long is a TUP Valid?

The land may be put to use as permitted by the TUP until the permit expires or 3 years after the permit was issued whichever occurs first. You may apply to have the permit renewed for one additional term up to a maximum of 3 years.

Who Approves a TUP?

District of Clearwater Council may approve a TUP by resolution in relation to land within an area designated for TUPs in the Official Community Plan (OCP) or by bylaw in relation to land outside of the OCP area.

What Happens to your Application?

Thompson-Nicola Regional District (TNRD) Planning Services is under contract to manage the Temporary Use Permit application process for the District of Clearwater (DOC); however, final approval rests with DOC Council.

The process described below will involve more detailed procedures, correspondence and/or requirements. Please contact TNRD Planning Services before you submit a TUP application. Planning staff are available to discuss the nature of your proposal, the process involved, possible alternatives and to answer any questions you may have.

TNRD Planning Services

Phone: 250-377-8673
Toll Free (in BC): 1-877-377-8673
Fax: 250-372-5048
Email: planning@tnrd.bc.ca

Application Process:

1. Pre-Application Meeting:

You are encouraged to contact Planning Services staff in advance of submitting your application to discuss the feasibility of your proposal and to review what applications may be required.

2. Submit Application:

Complete and submit the Development Application Form including required documents, plans and all applicable fees to the District of Clearwater office.

3. Planning Review:

Your application will be forwarded to TNRD Planning Services in Kamloops for processing after it is submitted to the District office. Planning Services will perform an initial review of your application and request additional information if required.

4. Application Referral:

Planning Services will refer your TUP application along with a first draft of the permit to applicable government and non-government agencies and the District's consulting engineer and Public Works Department where necessary.

5. Second Draft of Permit:

Planning Services will consider referral agency input, consult with you to generate the second draft of the permit and will refer this draft to the Ministry of Transportation and Infrastructure if necessary. Any final permit amendments will be completed and your application will be forwarded to Council.

6. TUP by Resolution or Bylaw:

There are two potential processes for the approval of a TUP details of which are described in subsections (a) and (b) below. One process (approval by resolution) applies to TUPs within the OCP area and the other (approval by bylaw) applies to land outside of the OCP area.

(a) TUP by Resolution (within the OCP):

Authorization for Public Notification:

In the case of a TUP within the OCP, your application will be forwarded to Council for authorization to distribute and publish the required Notice of Temporary Use Permit.

Public Notification:

If authorized by Council, a Notice of Temporary Use Permit will be advertized in the newspaper and sent to property owners/occupiers within a 100 metre radius of the subject property.

Council Consideration:

Your application will be considered by Council at a regularly scheduled Council meeting. Council may by resolution:

- approve your application;
- require additional information or specify conditions which must be met prior to approving your application; or
- refuse your application and/or invite you to appear as a delegation at the next regularly scheduled Council meeting.

(b) TUP by Bylaw (outside the OCP):

First Reading:

In the case of a TUP proposed for land outside of the OCP area, your application will be forwarded for first reading by Council at a regularly scheduled Council meeting. Council may:

- authorize your application to proceed to Public Hearing;
- require additional information;
- specify conditions which must be met prior to advancing your application to Public Hearing; or
- refuse your application and/or invite you to appear as a delegation at the next regularly scheduled Council meeting.

Public Hearing:

If authorized by Council, your application will be forwarded to Public Hearing. A Public Hearing provides you and members of the public who believe their interest in property may be affected an opportunity to present their opinions. A Notice of Public Hearing will be advertized in the newspaper and will be sent to property owners/occupiers within a 100 metre radius of the subject property.

Second & Third Readings:

If the application successfully passes the Public Hearing process, it will be considered for second and third readings by Council at a regularly scheduled Council meeting. Council may:

- authorize your application to proceed to the Ministry of Transportation and Infrastructure for provincial approval if required;
- require additional information;
- specify conditions which must be met prior to advancing your application; or
- refuse your application.

Reconsideration & Adoption:

If the application successfully passes second and third readings it will be considered for reconsideration and adoption by Council at a regularly scheduled Council meeting.

7. TUP Registration:

This is the final step in the application process; if your application is approved, the TUP will be registered against the title of your property in the Land Titles Office (LTO). You will receive written notification of Council's decision and confirmation of TUP registration. After TUP registration, you may proceed with the next step of your development provided all other necessary municipal and provincial agency approvals have been obtained.

Please Note:

Your application will be processed in accordance with Development Approval Procedures Bylaw No. 1948.

Any professional reports required to support your application must be submitted both electronically and in hard copy.

** An application is a process of evaluation and does not automatically ensure approval of your proposal.*