

## **TUP Application Process**

### **Statutory Authority:**

The *Local Government Act (LGA)* states that a municipality may issue a Temporary Use Permit (TUP) by resolution, meaning all TUP applications must go before Council.

Section 493 (2) of the *LGA* states that a temporary use permit may do one or more of the following:

- (a) allow a use not permitted by a zoning bylaw;
- (b) specify conditions under which the temporary use may be carried on;
- (c) allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

### **Where TUPs fit within the Official Community Plan**

Within the OCP guidelines for temporary uses, permits are intended to provide options for:

- short-term land use opportunities,
- diversification of the economy,
- innovation,
- or sometimes as a bridge to a permanent change of use

TUPs should balance public and private interests, have minimal impact on the environment, and achieve a level of compatibility with surrounding development.

### **TUP Applications:**

TUP applications must include the following:

- [Application form](#) + temporary use proposal
- Application fee + public notice fee ("[District of Tofino Fees and Charges Bylaw No. 1271.04, 2021](#)")
- Title search
- Site survey that identifies the proposed location of temporary use

As a condition of permit issuance, the applicant may be required to submit a security amount to ensure the conditions of the TUP have been met.

### **TUP Processing:**

- The District is responsible for distributing public notice within 14 days of the scheduled Council meeting.
- Recommendation to Council is prepared following an evaluation of alignment with the OCP (Report to Council)
- Permits may be issued for up to 3 years with the option to renew for additional 3 years, once.

**Applications and inquiries may be submitted to the Department of Community Sustainability**

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