



Guide to Applying for a Temporary Commercial or Industrial Permit

What is a Temporary Commercial or Industrial Permit?

The Town of Sidney Official Community Plan (OCP) designates areas where temporary commercial or industrial uses may be allowed, provided that a Temporary Commercial or Industrial Permit has been issued. Temporary Permits are generally issued for special events or as a trial of a new use on a property and are valid only for a specific period of time. This allows for temporary uses that do not conform to Zoning Bylaw regulations, without the need for a zoning amendment. Temporary tourist accommodation for a special sports event is an example of a use which might require a Temporary commercial Permit.

When do I need to apply for a Temporary Permit?

You may apply for a Temporary Commercial or Industrial Permit if you are proposing a temporary use (1) on a property designated for temporary commercial or industrial use in the OCP, and (2) which conforms to any conditions listed in the OCP.

Who can apply?

A property owner can apply for a Temporary Commercial or Industrial Permit, or they can authorize someone else to make the application on their behalf. Authorization must be received in writing. Where a property is owned by a company or society, the application must be signed by a person with signing authority and must include a copy of the corporate registry naming the individuals with signing authority. Where a property is owned by more than one person, signatures of all owners are required. For strata buildings, approval is also required from the Strata Council.

How do I apply?

To apply for a Temporary Commercial or Industrial Permit, obtain an application form and checklist from the Town Hall, or the Town of Sidney website (www.sidney.ca) and return them with the application fee and all required information. Before you make a formal application, be sure to discuss your project with a Planning staff in the Development Services Department. To make an appointment, or for more information, contact the Development Services Department at 250-656-1725 or developmentsservices@sidney.ca.

How long does it take?

Temporary Commercial or Industrial Permit applications take approximately two to four months to process. However, this time may vary depending on whether the application is complete, its complexity and the number of other applications under review.

What is the cost?

The cost of a Temporary Commercial or Industrial Permit application is \$1700.00.

Guide to Applying for a Temporary Commercial or Industrial Permit

Who makes the decision?

The decision of whether to approve an application for a Temporary Commercial or Industrial Permit is made by Council.

What is the Temporary Commercial or Industrial Permit process?

The following is a summary of the application procedure for a Temporary Commercial or Industrial Permit, as shown on the attached flowchart.

NOTE: At any time in the following process, Council or Committee of the Whole may table an application, refer it for comment or reject it.

1. Submission of Application

- **Preliminary discussion (recommended):** The applicant meets with Development Services Department planning staff to discuss the proposed project and review applicable planning regulations.
- **Application received:** The applicant submits an application, drawings, fees and other required information. Development Services staff review the application package to ensure all information has been provided. If there is missing information, staff will contact the applicant and require this information before the application package will be accepted as complete and proceeds for review.

2. Application Review & Report

- **Staff Review:** Planning Staff prepares a brief summary of the application for referral.
- **Referrals:** Applications may be referred to other Town of Sidney departments (Building Inspection, Engineering, Fire, Parks, and Public Works). Applications may also be referred to other agencies if relevant, such as the RCMP or Provincial ministries or to third party utility providers (BC Hydro, Telus, etc.). This allows for the input of comments or concerns relating to design, location or other aspects of the proposal.
- **Development Review Committee (DRC):** The DRC is a committee made up of representatives of each Town of Sidney department. They review major planning applications and comment on matters relevant to their departments. Planning staff gather comments and provide a summary to the applicant.
- **Detailed Report:** Staff checks the proposal for conformance with relevant Town bylaws, such as the Official Community Plan, Zoning, Off-Street Parking and Loading and Screening Bylaw.

A report is prepared by staff for the Committee of the Whole, summarizing the project, outlining any areas which do not conform to Town bylaws or are of concern, and providing recommendations. Once the Committee of the Whole agenda is finalized (usually the Thursday before a meeting), a link to the meeting agenda package which includes the staff report is sent to the applicant.

Guide to Applying for a Temporary Commercial or Industrial Permit

3. Committee & Council Review

- **Committee of the Whole:** The Committee of the Whole is a sub-committee of Council, which usually meets at 6:00 p.m. in Council Chambers at Town Hall on the first and third Monday of each month. The Committee of the Whole reviews the staff report and plans provided by the applicant. The applicant is expected to make a presentation to the Committee on their proposal at the meeting and submit any presentation materials (e.g. PowerPoint/PDF presentation, drawings, etc.) by 12:00pm on Tuesday prior to the meeting. The Committee of the Whole may refer the application to the Advisory Planning Commission for comment, or directly to Council with a recommendation. Committee of the Whole's recommendation is received by the Mayor and Council at a Regular Council meeting, where Council considers it and makes a resolution(s) on the matter.
- **Advisory Planning Commission (APC):** The APC usually meets on the first and third Tuesday of each month at 2:00 pm and provides recommendations to Council on matters relating to planning and land use. Applications are usually referred to the APC:
 1. if they involve property in a designated development permit area: Intensive Neighbourhood Residential, Neighbourhood Townhouse, Multi-Unit Residential, Neighbourhood Commercial, Downtown Commercial, West Sidney Mixed Use Village, West Side Industrial, and Harbour Road Marine;
 2. if they involve properties designated as Heritage or Environmentally Sensitive; or
 3. at Council's discretion.

Applicants are expected to make a brief presentation about their proposal to the Advisory Planning Commission and submit the presentation by 12:00 pm on the day before the meeting.

- **Council:** Council usually meets at 6:00 p.m. in Council Chambers on the second and fourth Monday of each month. They review the recommendations from the various committees. If Council is satisfied that the internal review is complete, they will initiate a public review of the application by authorizing staff to draft and advertise the proposed permit. This may be done subject to certain conditions being met (such as the submission of revised drawings). If any revisions are made to the drawings after the initial submission, applicants must submit updated hard copies before the permit can be issued. Further, Council may:
 1. instructed staff to include certain conditions of use in the permit; or
 2. require, prior to the issuance of the permit, that the applicant,
 - a) undertake certain actions; or
 - b) provide bonding to guarantee conformance to the permit.

4. Public Consultation

- **Radius Mail-out Notice & Advertise in Newspaper:** Development Services staff prepare a notice with information about the proposed Temporary Commercial or Industrial Permit. Notification of the proposed permit is (1) advertised in two consecutive editions of a local newspaper, and (2) mailed to residents and property owners within a 75 metre (246 foot) radius of the subject property.
- **Council Approval/Rejection:** Council receives both verbal and written presentations from any interested persons. The applicant is expected to be prepared to answer questions on the proposal. Council considers all public input on the proposed permit and either,

Guide to Applying for a Temporary Commercial or Industrial Permit

- Approves the Temporary Commercial or Industrial Permit; or
- rejects the application.

5. Permit Completion

- **Issue Permit:** Staff issues the permit, and a Notice of Permit is registered on the title of the property. Upon confirmation by the Land Titles Office that the Notice of Permit has been registered, the applicant is notified and sent a copy of the Notice of Registration. The permit itself remains on file at the Town Hall.

Contact Us:

Development Services Department

By Email: developmentsservices@sidney.ca

By Phone: 250-656-1725

In Person: 2440 Sidney Ave, Sidney BC V8L 1Y7

(Monday to Friday 8:30 am – 4:00 pm excluding statutory holidays)

www.sidney.ca



Temporary Commercial or Industrial Permit Application Process

