





PEACE RIVER REGIONAL DISTRICT

Temporary Use Permits

Committee of the Whole
May 28th, 2020

diverse. vast. abundant.

1





Outline

- Temporary Use Permits 101
- Challenges Regarding Temporary Use Permits
- Temporary Use Permit Considerations
- Questions for the Board
- Desired Outcomes and Confirm Direction

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

2



Desired Outcomes for Today

- Provide clarity and understanding of TUPs, including what need they fulfill, when they should be considered and when re-zoning is preferred
- Obtain a better sense of the challenges and risks associated with TUPs so that staff can minimize potential risks to the PRRD

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

3



Temporary Use Permits 101

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

4



What is a Temporary Use Permit for?

A Temporary Use Permit allows a use of land, on a temporary basis, not otherwise permitted in the District's Zoning Bylaw.

The *Local Government Act* enables local governments to issue TUPs for the following purposes:

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

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

5



What are typical uses for Temporary Use Permits?

TUPs should BE considered for:

- Accommodating time-limited land uses
- Accommodating temporary commercial businesses
- Trial industrial and commercial land uses to determine if the use is an appropriate fit for the site
- Examples: worker camps, farmer's markets, temporary sawmills, gravel pits



TUPs should NOT be considered for:

- Permanent uses that are different to the prescribed land use from the applicable zoning bylaw
- Uses that are not desired by the PRRD for a specific site
- Uses that are desired in the PRRD for more than one site, where a rezoning application or zoning amendment would be more applicable
- Examples: RV park, fitness facility, campsite, school, recreational vehicle and boat storage

In the PRRD, TUPs are commonly used for worker camps, oil & gas storage equipment, and card lock fuel stations

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

6

Legal Aspects of Temporary Use Permits

Local Government Act:

- Under the *Local Government Act* Section 493, an OCP or a Zoning Bylaw may:
 - Designate areas where a temporary use maybe allowed
 - Specify general conditions regarding the issues of temporary use permits in those areas

Agricultural Land Commission:

- In the past, the ALC had up to 20-year allowances for non-farm/temporary uses
- Currently, the ALC does not consider time periods for non-farm use applications – permissions for non-farm uses will either be granted or denied for a piece of land

Other Local Governments:

- Chetwynd, Fort St. John, Dawson Creek, Tumbler Ridge, Hudson's Hope, Northern Rockies RD, Fraiser-Fort George RD, and Cariboo RD all use temporary use permits as a tool for land use planning

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS



7



PRRD Concerns Regarding Temporary Use Permits

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

8

Challenges Regarding TUPs

- Stifling development in the Regional District
- Liability of the PRRD
- Absentee landowners
- Difficulty to administer
- Lack of predictable process
- TUPs can be a tool for good planning
- Difficulty enforcing conditions on a TUP
- Clarity on when to recommend a re-zoning instead of a TUP

Are there any other challenges concerning TUPs that are not stated above?

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

9



Temporary Use Permit Considerations

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

10




Temporary Use Permit Considerations

West Peace Fringe Area Official Community Plan

- Temporary use permits may be renewed only once and should be discouraged from re-application in favour of being considered through a re-zoning amendment process.

South Peace Fringe Area Official Community Plan

- Temporary use permits may be renewed only once and should be discouraged from re-application in favour of being considered through a zoning amendment process.

North Peace Fringe Area Official Community Plan



- Temporary Use Permits may be renewed only once and shall be discouraged from re-application in favour of being considered through a zoning amendment process.

Rural Official Community Plan

- Temporary use permits may be renewed only once and should be discouraged from re-application in favour of being considered through a re-zoning amendment process.

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

11

Temporary Use Permit Considerations

Security

- Ensures the temporary use is removed and the site is appropriately restored in accordance with the TUP terms and conditions and might change with each application
- The amount can be flexible depending on the application or intensity of use

Waiver


- Enables infrastructure to remain on properties when the Temporary Use Permit expires if desired by the property owner
- Remove liability from the PRRD to undertake remediation when the Temporary Use Permit expires

Renewals

- *Local Government Act* Section 497: A person to whom a temporary use permit has been issued may apply to have the permit renewed, subject to the restriction that a temporary use permit may be renewed only once

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS



12



Questions for the Board

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

13





Questions to Consider

- What is the PRRD's purpose of TUPs? What does the PRRD want to use TUPs for?
 - Is it to encourage development, provide flexibility, for tracking uses not permitted by a zoning bylaw?
- What are your concerns about TUPs in the future?
 - Do you see any potential challenges arising?
- What is the process that is followed for TUPs?
 - Is it clear to the residents in the PRRD?
- What are the biggest challenges around TUPs in the PRRD?
 - Tracking, securities, consistency, locations?

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS



14



Desired Outcomes and Direction

PEACE RIVER REGIONAL DISTRICT | Place Title of Presentation Here

15

Desired Outcomes and Direction

- Has everyone been heard? Is there anything that has not yet been able to be expressed?
- What are the key aspects that TUPs need to fulfill for the PRRD?
- Is there clarity on when a TUP may be considered and when a rezoning is preferred?
- Is everyone adequately satisfied with moving forward? How should the PRRD proceed?

PEACE RIVER REGIONAL DISTRICT | TEMPORARY USE PERMITS

16

