

➤ ***What is a TUP?***

Subject to Council approval, Temporary Use Permits (TUP) may:

- permit the temporary use of a property for use(s) not permitted under the existing zoning district
- specify conditions for the proposed use(s)
- regulate the construction of buildings or structures where the proposed use(s) will be located.

➤ ***Where are TUPs permitted in Burnaby?***

TUPs may be permitted in all districts, except Residential and Multiple Family Residential Districts (R and RM zones), their sub-districts, and the Comprehensive Development Districts (CD) based on the R and RM Districts. TUPs are subject to the following conditions:

- the property cannot be within the Agricultural Land Reserve
- does not apply to purpose-built rental housings, multiple-family dwellings, or multi-family flex-units
- cannot include liquor licence establishments, liquor stores, licensee retail stores, government cannabis stores, and cannabis production facilities
- properties designated "Industrial" or "Petro Chemical" in the Burnaby Official Community Plan (OCP) or other community plans will be limited to permitted uses in the M Districts, except for business and professional offices, cafes or restaurants, indoor athletic recreational uses, indoor go-cart tracks, and indoor pistol and rifle ranges.

Proposed temporary use must be compatible with adjacent land uses regarding the intensity of use, operation, and visual and design considerations. It should also be consistent with the OCP, applicable community plans, and all relevant City bylaws, plans, or policies in preparation or adopted by Council.

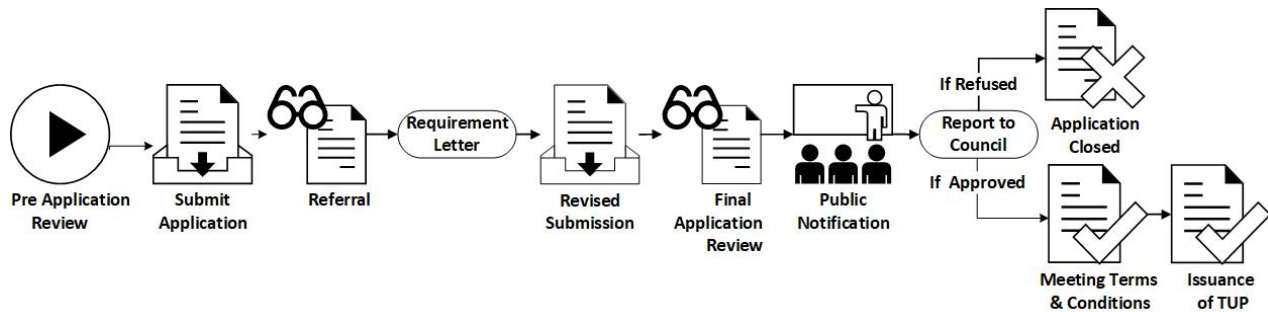
In addition, the proposed development should not significantly impact the natural environment and surrounding areas, and should not compromise the property's future use and development.

➤ ***Do TUPs expire and lapse?***

A TUP may be issued for up to three (3) years and renewed once by Council for an additional three (3) years. The TUP renewal application must be approved before the current permit expires.

Once issued, any related construction must substantially begin within two (2) years, or the permit will lapse.

➤ **What is the general review process for a TUP application?**



The City follows a 9-step review process:

1. **Pre-application review:** Before applying, contact the Planning Department to ensure that the proposal meets the requirements of the Zoning Bylaw, other related City bylaws and the community plan. Check with the department that the proposal is supportable and learn about the requirement checklist and the information/documents/plans that must be included in the TUP application package.
2. **Submission of Application:** Submit the completed application along with all the requirements.
3. **Referral:** Once the application is received, the department will assign a File Manager. The File manager will initiate the application review process and circulate the application to all appropriate City departments and external agencies.
4. **Requirement letter:** Once the initial review is complete, the applicant will receive a requirement letter from the File Manager. The letter will include any additional requirements, required revisions to the provided information/documents, development cost charges, legal documents, etc.
5. **Revised submission:** After receiving the additional information and revised documents, the File Manager refers them back to the referral group for further review and approval.
6. **Public notification:** After the referral group completes the application review, the City will notify the owners and tenants within 30 m (98.4 ft.) of the area that is subject of the permit at least 10 days before Council considers the application. A notice of the proposed

TUP will also be published in a local newspaper at least three (3) days and not more than 14 days before the Council meeting.

The applicant will be required to post public notification sign(s) on the property at least 30 days before the Council meeting, and send a proof to the File Manager that the sign(s) is posted (via pictures). The applicant must remove the sign(s) within 10 days of Council's decision to approve or deny the TUP, and notify the File Manager that the sign(s) are removed. If the sign(s) are not removed, the City may enter the site and remove them at the property owner's expense.

- 7. Report to Council:** The File Manager prepares a report for Council consideration, which includes information about the proposal, staff's recommendations, public comments, a copy of the TUP, a letter of undertaking, amount of security deposits, TUP's terms and conditions and other required details or analysis.

At the meeting, Council may:

- approve the TUP
- refer it back to staff for further review, or
- refuse the TUP (if declined, the application will be closed).

The Planning Department may ask for a letter of undertaking and security deposit to ensure the building/structure is removed or land restored to its original condition by the date specified in the TUP. The security deposits will be refunded after City inspection confirms that the terms and conditions are met.

- 8. Meeting terms and conditions:** If Council approves the TUP, the applicant must meet the terms and conditions before the TUP is issued. Terms and conditions may include registration of legal documents, final approval from external agencies, provision of security deposits, provision of services, and final approval of plans.
- 9. Issuance of TUP:** Once the terms and conditions are met, the City Clerk will file for the notice of permit at the Land Title Office, and the TUP will be registered on the title of the property.

➤ ***How long does it take to approve a TUP?***

It depends on the complexity and completeness of the application and the time it takes the applicant to submit the revisions. Generally, a TUP takes approximately three (3) months to process.

➤ ***What is the next step after the approval of a TUP?***

Submit a building permit application if required, no later than 90 days after the TUP is issued. The applicant also needs to submit a business licence application before starting any new business in Burnaby.

➤ ***Consult with your neighbours***

Discuss the proposal with the owners and tenants of neighbouring properties to learn about their concerns before submitting an application. If a site is a strata unit, approval from the Strata Council is required when making an application.

"This information bulletin is for your convenience only and is not in substitution of the Burnaby Zoning Bylaw, or any other applicable City bylaws, or Provincial or Federal Codes or laws. Any existing or proposed construction or other developments must comply with such bylaws, codes or other laws."