



City of Port Moody

Report/Recommendation to Council

Date: October 10, 2019
Submitted by: Planning and Development Department – Development Planning Division
Subject: Temporary Use Permit Application – 3015, 3033, 3093 Murray Street

Purpose

To present for consideration a Temporary Use Permit (TUP) application by Mosaic for a laydown area for construction materials, storage containers, and vehicle parking. As the temporary uses noted above are presently on-site, a temporary use permit is required to allow the existing use to continue operating at 3015, 3033, and 3093 Murray Street in the City of Port Moody.

Recommended Resolution(s)

THAT the requirement to refer Temporary Use Permit 3080-20-08 to the Community Planning Advisory Committee be waived as recommended in the report dated October 10, 2019 from Planning and Development Department – Development Planning Division regarding Temporary Use Permit Application – 3015, 3033, 3093 Murray Street;

AND THAT Temporary Use Permit 3080-20-08 be issued;

AND THAT the Mayor and Corporate Officer be authorized to execute the necessary legal documents required in support of this application.

Background

Mosaic Murray Master Holdings Ltd. owns three abutting properties at 3015, 3033, and 3093 Murray Street, west of Electronic Avenue. Mosaic Ltd. intends to submit a future development application for a mixed-use development on the subject lands but to date, no application has been received. A location map is included as **Attachment 1**.

The subject properties are currently being used as a laydown area for construction materials, storage containers, and parking for approximately 20-25 vehicles. The construction materials being stored consist of fibre optic cables, tools, wood poles, sand, gravel, and conduit. As the storage use does not conform to the Zoning Bylaw, a Temporary Use Permit is required.

Temporary Use Permit (TUP)

A TUP is required to allow for temporary uses that do not conform to the Zoning Bylaw. A TUP does not officially amend the land use of a property, but allows for a specified activity to be

conducted on a property for a limited time. A temporary use permit may be issued for a period of up to three years and may be renewed once, at the discretion of Council, for an additional period of up to three years.

Official Community Plan (OCP)

The OCP states that TUPs will be considered by Council on a case-by-case basis within areas designated as Multi-family Residential, Mixed Use, Mixed Employment, General Industrial, Parks and Open Space, and Public and Institutional. The OCP designates the subject property as Mixed Employment. The property also falls within Development Permit Area 2: Moody Centre, for the regulation of the form and character of development and Development Permit Area 5: Hazardous Lands due to potential soil liquefaction. These designations do not impact the temporary use of the subject lands.

Zoning

The current M1 Zone of the subject property permits a range of uses including light industrial uses, animal daycare, veterinary clinic, and commercial athletic and recreation uses. In addition, unenclosed storage, retail, and office are all permitted as secondary uses. Since there is no principal use on the subject property, unenclosed storage as a secondary use would not be permitted. Therefore, a TUP is required.

Discussion

Site and Conditions

The subject property is located on Murray Street on the west side of Electronic Avenue, east of the Moody Centre Station and is approximately 9,360.6m² (2.31ac) in size.

Project Description

The applicant has been using the subject lands to provide temporary storage for their tenants, Ledcor and Whitewater, as shown on the Site Plan included as **Attachment 2**. A letter from the applicant outlining the proposal is included as **Attachment 3**.

The temporary storage consists of four laydown areas, four parking areas, three trailers, two large storage containers, and two gravel stockpile areas. The materials being stored include fibre optic cables, construction tools, and materials and conduit. The site also accommodates approximately 20-25 parked vehicles during the day and between 15-20 vehicles in the evenings. The site also includes a drive aisle, which ranges in width from 5.0 to 14.8 metres. Vehicular access to the site is provided from Murray Street.

Form and character

As part of the TUP, the applicant is proposing a 1.8 -2.4m (6-8ft) high chain-link to provide screening from the temporary uses. Planning staff suggested that the screening include an artistic vinyl wrap showcasing the art work of local artists similar to that installed at 130 loco Road. The applicant has indicated that they do not propose to install any art work as part of this application at this time.

A building permit is required for two trailers located at 3033 and 3093 Murray Street. These trailers are also to be relocated entirely onto the subject property.

No landscaping is being proposed with this TUP.

Access

The site would only be utilized by employees and staff and no visitors or customers are anticipated. Based on the nature of the use, there are no concerns related to impacts on existing traffic conditions along Murray Street.

Sediment and Erosion Control:

As the site is not surfaced with a durable material and the proposal includes open stockpiles of sand and gravel, the applicant is required to provide and implement an erosion and sediment control plan to ensure the stockpiled materials do not enter the City's storm system and nearby streams. This is included as a condition of the Temporary Use Permit.

CPAC referral

Under the City's Development Procedure Bylaw, No. 2918, a temporary use permit (TUP) application would be presented at a Community Planning and Advisory Committee (CPAC) meeting. Given the limited timeline, scope, and impact of the project, staff recommend that this requirement be waived.

Concluding Comments

Staff are supportive of the TUP for the following reasons:

- it is in line with OCP policy that permits Council to consider such applications on a case by case basis in areas designated Mixed Use; and
- the temporary use is not anticipated to become a permanent fixture as a redevelopment application is expected in the near future.

A copy of the draft TUP is included as **Attachment 4**. Prior to permit issuance, a refundable security in the amount of \$5,000 will ensure the removal of the temporary use once the permit has expired.

Other Options

1. THAT the application for a Temporary Use Permit be referred to the November 5, 2019 Community Planning Advisory Committee for further advice and recommendation.
2. THAT the application for Temporary Use Permit 3080-20-08 be denied.
3. THAT Temporary Use Permit 3080-20-08 be authorized subject to the applicant committing to screening of the site, including art panels.

Financial Implications

There are no financial implications to the City.

Communications / Civic Engagement

In accordance with Development Approval Procedures Bylaw, 2011, No. 2918, a notification sign was posted on the property and notification of the TUP consideration at the October 22, 2019 Council meeting was mailed to all owners and occupants within 140m of the subject property. Advertisements of the Council meeting were placed in the October 10, 2019 and October 17, 2019 editions of the Tri-City News.

As part of the recommendation is to waive the CPAC meeting requirement for this application, advertising for CPAC consideration was not prepared. Should Council wish to refer this application to a future meeting of CPAC, the date will be advertised on the notification sign that is currently posted on the property.

Council Strategic Plan Objectives

The proposal is consistent with the goals of the 2019-2022 Council Strategic Plan as they relate to Community Evolution and ensuring community growth is carefully considered under the Official Community Plan.

Attachments:

1. Location Map.
2. Letter from Applicant.
3. Site Plan.
4. Draft Temporary Use Permit 3080-20-08.

Report Author

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Report Approval Details

Document Title:	3015, 3033 and 3093 Murray Street TUP.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Location Map.PDF- Attachment 2 - Letter of Intent.PDF- Attachment 3 - Site Plan.PDF- Attachment 4 - Draft Temporary Use Permit.pdf
Final Approval Date:	Oct 15, 2019

This report and all of its attachments were approved and signed as outlined below:

Tim Savoie