

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7915-0426-00

Planning Report Date: February 22, 2016

**PROPOSAL:**

- **Temporary Use Permit**

to allow for the temporary sale of firearms and ammunition, for a maximum of two, 3-day events per year for a period not to exceed 3 years, at the Cloverdale Fairgrounds.

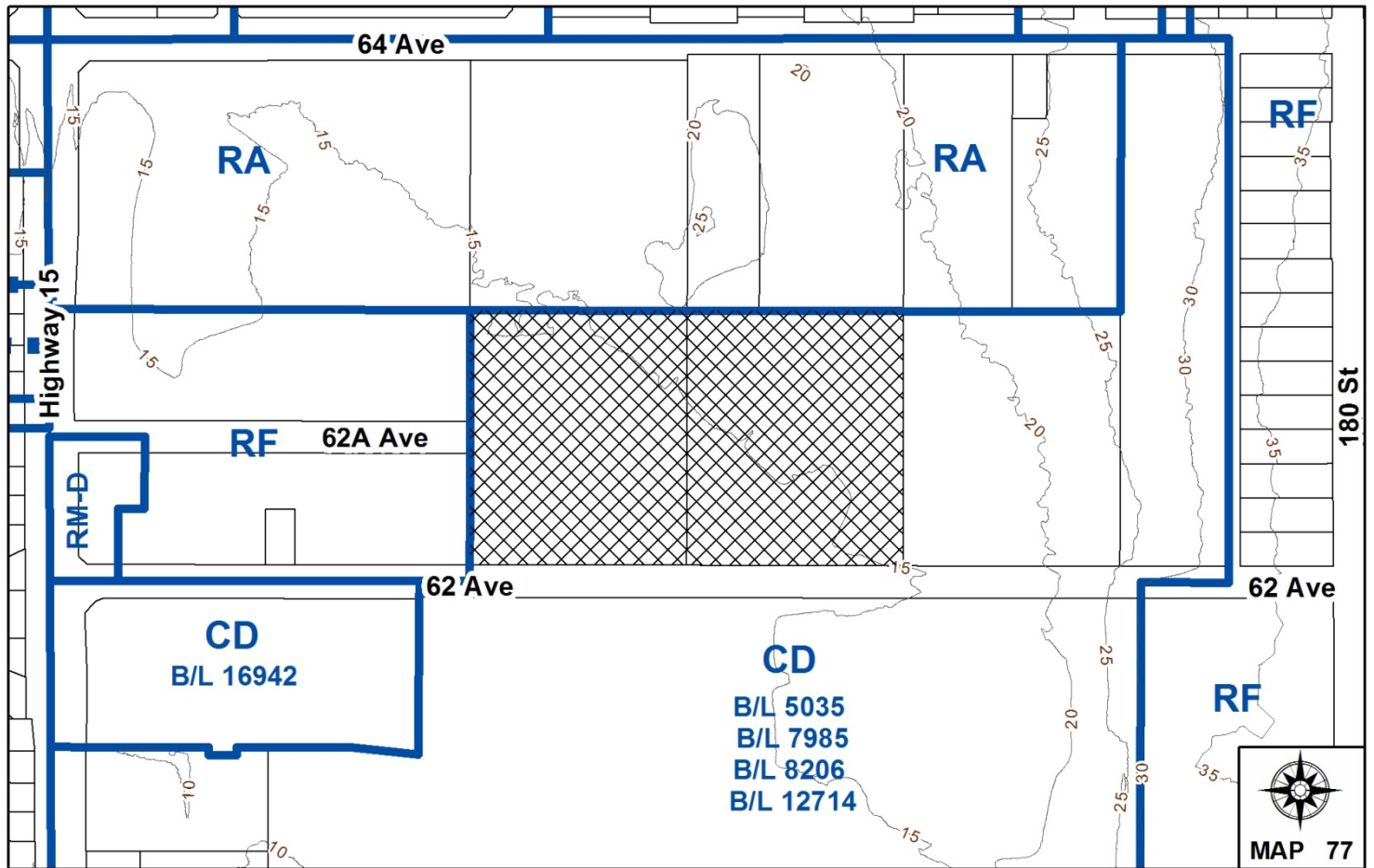
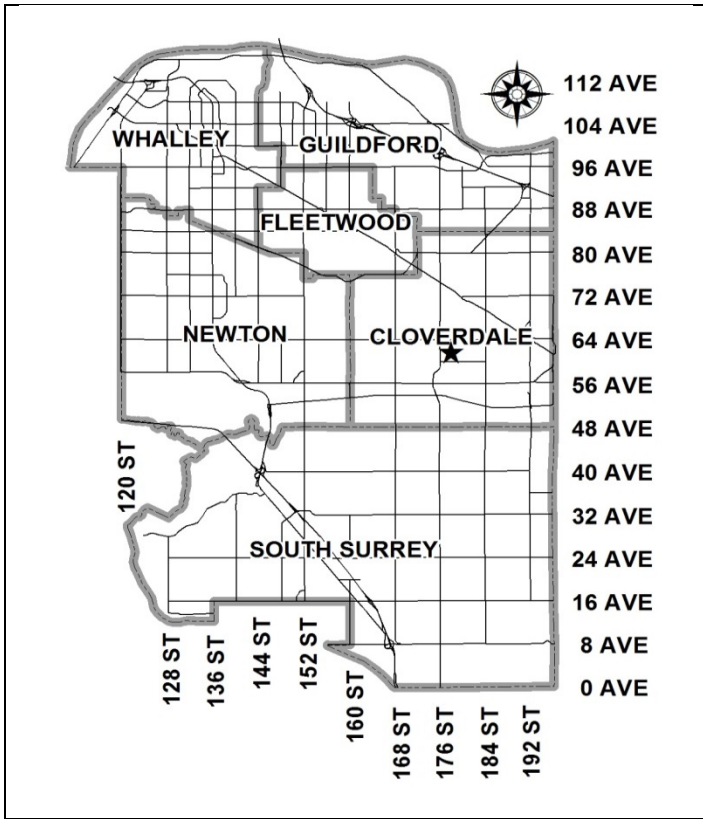
**LOCATION:** 17763 and 17835 - 62 Avenue

**OWNER:** City of Surrey

**ZONING:** CD By-law No. 5035 as amended by By-law Nos. 7985, 8206 and 12714

**OCP DESIGNATION:** Urban

**LAP DESIGNATION:** Recreational



RECOMMENDATION SUMMARY

- Approval for Temporary Use Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The Zoning By-law prohibits the sale of new and used firearms and ammunition.

RATIONALE OF RECOMMENDATION

- The applicant proposes a Temporary Use Permit (TUP) to allow for the sale of new and used firearms and ammunition for a limited period to accommodate an exhibition (rod and gun show) at the Cloverdale Fairgrounds. The proposed TUP is limited to a maximum of two, 3-day events per year for a period not to exceed 3 years.
- The events are intended to be held over a 3-day period once a year, in the spring. Depending on the success of the event, they may wish to hold a second event per year in the fall, for a maximum of 2 events per year for a period not to exceed 3 years. The first event is scheduled to be held April 15-17, 2016.
- The sale of firearms and ammunition is prohibited in the Zoning By-law and therefore a TUP has been requested for such sales during these 3-day events.
- Temporary Use Permit No. 7914-0143-00 was issued for one 3-day event held on April 17 to 19, 2015 inclusive. This TUP has subsequently expired.
- The proposed TUP varies from the previously-approved TUP as the proposed TUP is for two 3-day events per year for 3 years.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Temporary Use Permit No. 7915-0426-00 (Appendix II) to proceed to Public Notification.

REFERRALS

- Engineering: The Engineering Department has no objection to the project.
- Surrey RCMP: The National Weapons Enforcement Support Team (NWEST) was contacted to provide comments regarding the proposed sale of firearms and ammunition at the exhibition. They expressed no concern and advised that all vendors and participants conform to Firearms Regulations and the Firearms Act.
- Festival and Event Support Team (FEST): FEST will review the proposal with the proponent, if the application is approved.

SITE CHARACTERISTICS

Existing Land Use: Cloverdale Fairgrounds Agriplex and Showbarn.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	City-owned treed lot, and Cloverdale skateboard park	Urban	RA
East:	City-owned detention pond and treed lot	Urban	CD By-law No. 5035 as amended by By-law Nos. 7985, 8206 and 12714
South (Across 62 Avenue):	City-owned lot with horse barns	Urban	CD By-law No. 5035 as amended by By-law Nos. 5035, 7985, 8206 and 12714
West:	City-owned parking lot and Bill Reid Millennium Amphitheatre	Urban	RA

## DEVELOPMENT CONSIDERATIONS

### Background

- At the July 7, 2014 Regular Council – Land Use meeting, Council considered the Planning and Development report for Temporary Commercial Use Permit (TUP) No. 7914-0143-00 to allow the temporary sale of firearms and ammunition during a 3-day event (September 5 to 7, 2014, inclusive) at the Cloverdale Fairgrounds. The manufacture and sale of firearms and ammunition are specifically prohibited in all zones.
- After considering the Planning Report, the Temporary Commercial Use Permit (TUP) No. 7914-0143-00 and the associated OCP Text Amendment By-law were granted approval to proceed. The OCP Text Amendment By-law, to declare the site a Temporary Commercial Use Permit Area, received two readings, and was scheduled for Public Hearing on July 21, 2014.
- On July 9, 2014, the applicant contacted Planning staff to advise that there was insufficient time to organize the rod and gun show for September 2014. The applicant advised that an alternate date of April 17 to 19, 2015 inclusive had been secured.
- The OCP Text Amendment By-law No. 18255, to declare the site Temporary Commercial Use Permit Area No. 34, received final adoption on July 21, 2014, after the Public Hearing on the same date. In addition, Council referred TUP No. 7914-0143-00 back to Planning staff to prepare an Additional Planning Report for Council's consideration, with the revised dates.
- At the September 8, 2014 Regular Council – Land Use meeting, Council considered the Additional Planning Comments report for the revised dates of April 17 to 19, 2015 inclusive, and TUP No. 7914-0143-00 was subsequently issued at the September 29, 2014 Regular Council – Public Hearing meeting.
- On October 20, 2014, Council gave final adoption to the Official Community Plan Bylaw No. 18020. The new OCP designates all lands in the City for TUPs and therefore separate OCP Text Amendment Bylaws are no longer required.

### Current Proposal

- The applicant has an agreement with the Lower Fraser Valley Exhibition Society for the lease of the Agriplex and Show Barn to hold a trade show/exhibition which includes the sale of new and used firearms and ammunition from April 15-17, 2016.
- The event will be primarily held inside the Agriplex and the Show Barn, with a few displays outside at the rear of the Agriplex in a fenced area.
- According to the applicant, the first annual event was well attended. It was virtually incident free and had a number of visitors of all ages. The event had successfully raised funds for several charities and the organizer's intentions are to hold the event on an annual basis. The event is growing with more trade show exhibitors after the success of the first show in 2015.
- While the applicant initially only intends to hold the exhibition once a year, if the event continues to be successful, they would like the opportunity to hold the exhibition up to twice per year for the next three years, while they develop a long-term plan for the exhibition.

PRE-NOTIFICATION

In accordance with Council policy, a development proposal sign was erected on the property and pre-notification letters were mailed on February 5, 2016. Staff received one phone call in response to the pre-notification letters, with the following comments (*staff comment in italics*):

- One caller requested clarification about which part of the Cloverdale Fairgrounds the proposed exhibition will occupy.

*(Staff explained that the exhibition is proposed to occupy the Agriplex and Showbarn.)*

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners and Action Summary  
Appendix II. Temporary Commercial Use Permit No. 7915-0426-00

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

SL/dk

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:      Name:                 Karen Archibald  
    Clover Ventures Ltd.  
    Address:         17667 - 57 Avenue  
    Surrey, BC V3S 1H1  
    Tel:                 778-896-4867

2.      Properties involved in the Application

- (a)      Civic Addresses:        17835 - 62 Avenue  
    17763 - 62 Avenue

- (b)      Civic Address:            17835 - 62 Avenue  
    Owner:             City of Surrey  
    PID:                 007-557-035  
    Lot 15 Section 8 Township 8 New Westminster District Plan 4506

- (c)      Civic Address:            17763 62 Ave  
    Owner:             City of Surrey  
    PID:                 007-559-909  
    Lot 16 Section 8 Township 8 New Westminster District Plan 4506

3.      Summary of Actions for City Clerk's Office

- (a)      Proceed with Public Notification for Temporary Use Permit No. 7915-0426-00 and bring the Temporary Use Permit forward for issuance and execution by the Mayor and City Clerk.

(the "City")

**TEMPORARY USE PERMIT**

NO.: 7915-0426-00

Issued To: CITY OF SURREY

(the "Owner")

Address of Owner: 13450 - 104 Avenue  
Surrey, BC V3T 1V8

1. This temporary use permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this temporary use permit.
2. This temporary use permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 007-557-035

Lot 15 Block 1 North West Quarter Section 8 Township 8 New Westminster District Plan 4506

17835 - 62 Avenue

Parcel Identifier: 007-559-909

Lot 16 Block 1 North West Quarter Section 8 Township 8 New Westminster District Plan 4506

17763 - 62 Avenue

(the "Land")

3. The authority to issue Temporary Use Permits is granted to municipalities under Sections 492 and 493 of the *Local Government Act* R.S.B.C. 2015, c.1. Pursuant to Implementation, II(c) Implementation Instruments, Temporary Use Permits of Surrey Official Community Plan, 2013, No. 18020, as amended, the entire City of Surrey is designated a Temporary Use Permit area.
4. The temporary use permitted on the Land shall be for the sale of new and used firearms and ammunition in conjunction with an exhibition for a maximum of two 3-day events per year, which may be operated by a third party.

5. The temporary use shall be carried out according to the following conditions:
  - (a) The sale of new and used firearms and ammunition shall be in accordance with the Firearms Act and Firearms Regulations.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this temporary use permit. This temporary use permit is not a building permit.
7. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.
8. This temporary use permit shall lapse on or before three years from date of issuance.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .

ISSUED THIS      DAY OF      , 20 .

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Mayor – Linda Hepner

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City Clerk – Jane Sullivan





IN CONSIDERATION OF COUNCIL'S APPROVAL OF THIS TEMPORARY USE PERMIT AND OTHER GOOD AND VALUABLE CONSIDERATION, I/WE THE UNDERSIGNED AGREED TO THE TERMS AND CONDITIONS OF THIS TEMPORARY USE PERMIT AND ACKNOWLEDGE THAT WE HAVE READ AND UNDERSTOOD IT.

\_\_\_\_\_  
Authorized Agent: Signature

\_\_\_\_\_  
Name (Please Print)

OR

  
\_\_\_\_\_  
Owner: Signature

  
\_\_\_\_\_  
Name: (Please Print)

TO THE CITY OF SURREY:

I, Ken Woodward (Name of Owner)  
being the owner of Lot 15 Section 8 Township 8 New Westminster District Plan 4506  
Lot 16 Section 8 Township 8 New Westminster District Plan 4506  
(Legal Description)

known as 17763 and 17835 - 62 Avenue  
(Civic Address)

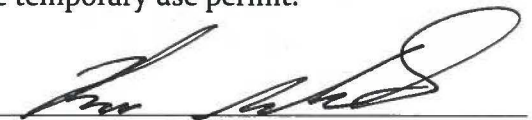
hereby undertake as a condition of issuance of my temporary use permit to:

- (a) demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to the temporary use permit issued to me; and
- (b) restore the land described on the temporary use permit to a condition specified in that permit;

all of which shall be done not later than the termination date set out on the temporary use permit.

I further understand that should I not fulfill the undertaking described herein, the City or its agents may enter upon the land described on the temporary use permit and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the land in compliance with Surrey Zoning By-law, 1993, No. 12000, as amended, and that any securities submitted by me to the City pursuant to the temporary use permit shall be forfeited and applied to the cost of restoration of my land as herein set out.

This undertaking is attached hereto and forms part of the temporary use permit.

  
\_\_\_\_\_  
(Owner)

  
\_\_\_\_\_  
(Witness)