

operator's existing store. Furthermore, by specifying adult entertainment stores and theatre 2 uses in the C-R(4) Zone, it automatically precluded such uses from all other zones.

When Surrey Zoning By-law, 1993, No. 12000 was adopted on September 13, 1993, the C-R(4) Zone was converted to the Community Commercial A Zone (C-8A). The one lot zoned C-R(4) was converted to C-8A. There is still only this one property in Surrey zoned C-8A and it is a highly visible site in the Surrey City Centre (Appendix II).

Presently this C-8A-zoned property at 10732/40/46 King George Boulevard contains a single storey building that houses four commercial units. One of the retail units contains an adult entertainment store and theatre 2 use (licensed since 1988) and, recently, the same operator fitted out a second adult entertainment store in a second retail unit (licensed in May 26, 2009) and has also applied for a theatre 2 business licence. Another retail unit (which is approximately 332 square metres/3,573 square feet in size) is occupied by a pawn shop. The operator of this pawn shop has given notice of his intention to vacate this space and will be relocating to the recently rezoned site (CD By-law No. 16599) at 10595 King George Boulevard. The fourth unit (which is approximately 100 square metres/1,074 square feet in area) was previously occupied by a beauty hair salon, but is currently vacant.

DISCUSSION

Presently, the area of City Centre south of 108 Avenue on the east side of King George Boulevard consists of older commercial buildings that were built in the 1960s and 70s. The City Centre Land Use Plan designates the property at 10732/40/46 King George Boulevard and the adjacent lands for mixed commercial and residential uses at a density of 3.5 Floor Area Ratio (FAR). One block to the east is the 4-phase "Quattro" multi-family development which consists of two constructed and one approved, but not yet constructed, four-storey apartment buildings, and one proposed five-storey, wood-frame, apartment building (Application No. 7909-0222-00 scheduled for Public Hearing on March 22, 2010).

The redevelopment of this neighbourhood is made more attractive by virtue of it being located within easy walking distance of the Gateway SkyTrain Station at 108 Avenue and University Drive. However, factors such as the unfriendly physical condition of some of the existing buildings, combined with less than desirable "adult-only" land uses, project a negative image that hinder a faster pace of redevelopment.

The adult entertainment stores and the theatre 2 uses of the C-8A Zone are not appropriate in the context of the new City Centre vision. To achieve the City's goal of promoting development and redevelopment of older neighbourhoods by enhancing the physical environment, these two permitted land uses should be removed from the C-8A Zone. Once these two land uses are removed from the C-8A Zone, any existing lawful business can remain as a legal non-conforming use.

To ensure that the adult entertainment store and the theatre 2 uses are prohibited in the C-8A Zone and all other general commercial sites, it is proposed that these two land uses be incorporated in the C-8B Zone. The C-8B Zone currently permits secondhand stores and pawnshops, body rub parlours and social escort services. Currently, the only lot zoned C-8B in the City is located at 13535 King George Boulevard as shown on Appendix III. The owner of the C-8A zoned lot has been apprised of staff's concerns with the types of businesses operating and proposed at 10732/40/46 King George Boulevard.

The City Solicitor has reviewed the proposed Zoning By-law amendments and finds them satisfactory.

CONCLUSION

Based on the above discussion, it is recommended that Council:

- Approve amendments to the Community Commercial A (C-8A) Zone and the Community Commercial B (C-8B) Zone in Surrey Zoning By-law, 1993, No. 12000, as documented in Appendix I to this report; and
- Instruct the City Clerk to bring forward the necessary amendment by-law for the required readings and to set a date for the related public hearing.

Jean Lamontagne
General Manager
Planning and Development

DC/kms/saw

Attachments:

- Appendix I Proposed Amendments to Surrey Zoning By-law No. 12000
Appendix II Map of Lot Zoned C-8A in City Centre
Appendix III Map of Lot Zoned C-8B

PROPOSED AMENDMENTS TO SURREY ZONING BY-LAW NO. 12000
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The following amendments are proposed to Surrey Zoning By-law, 1993, No. 12000, as amended:

1. In Part 36A Community Commercial A Zone (C-8A):

- Amend Section A. Intent by deleting "including *adult entertainment stores* and *theatre 2 uses*".
- Amend Section B. Permitted Uses by deleting Section B.1 in its entirety and replacing it with the following:

"1. *Retail stores* excluding the following:

- (a) *adult entertainment stores*;
- (b) *theatre 2 uses*;
- (c) *secondhand stores*; and
- (d) *pawnshops*."

2. In Part 36B Community Commercial B Zone (C-8B):

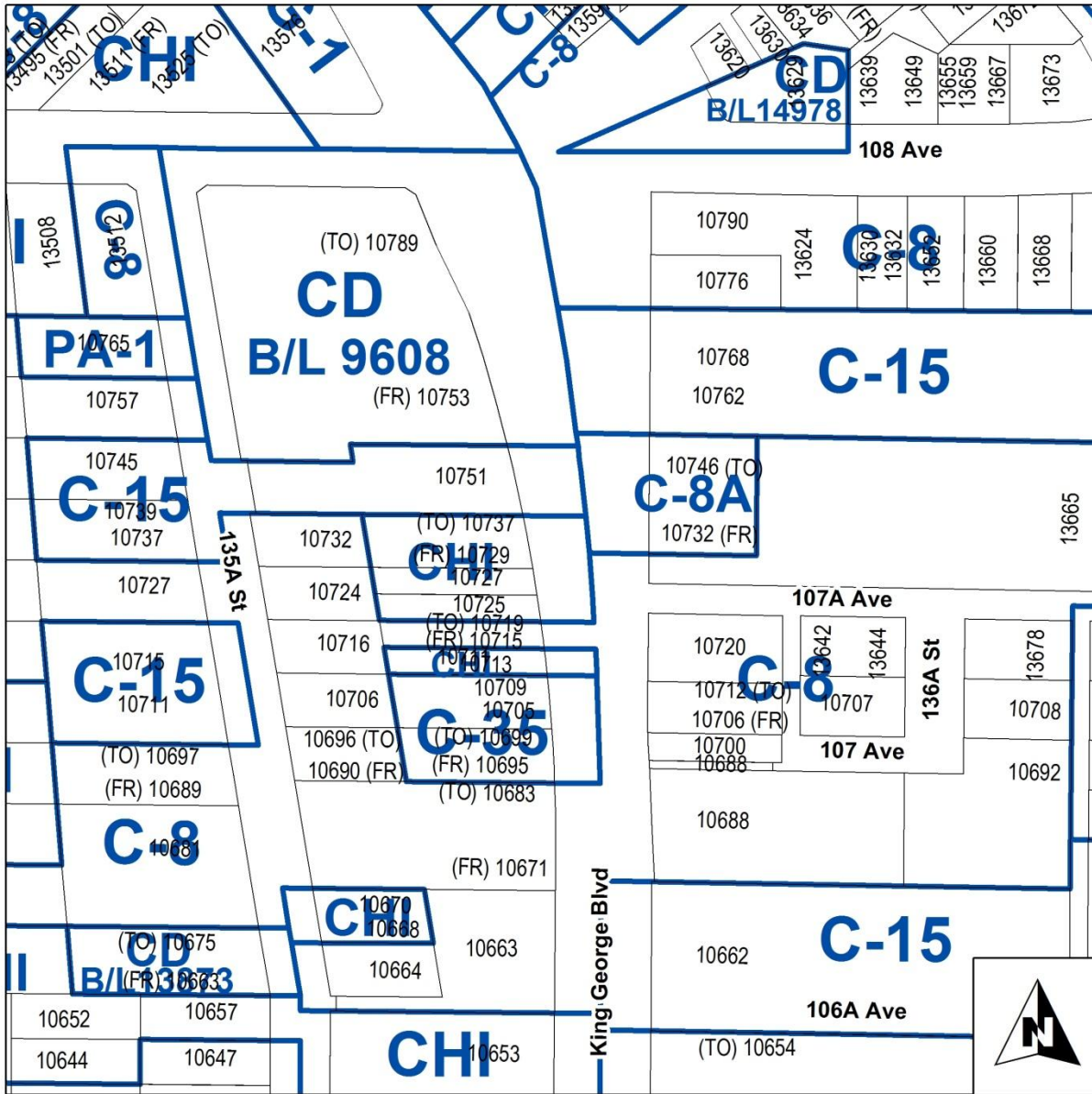
- Amend Section A. Intent by inserting "*adult entertainment stores* and *theatre 2 uses*," immediately after "including" and before "*secondhand stores*".
- Amend Section B. Permitted Uses by:
 - Deleting Section B.1 in its entirety and replacing it with the following:

"1. *Retail stores* including the following:

- (a) *adult entertainment stores* and *theatre 2 uses* provided that the total floor area of the *adult entertainment stores* and *theatre 2 uses* on the *lot*, including but not limited to sales area, projection room, seating areas, viewing areas, storage areas, and foyer, does not exceed 186 square metres [2,000 sq.ft.]; and
- (b) *secondhand stores* and *pawnshops*."

- Amending Section B.9 by deleting "and *adult entertainment stores*"

MAP OF LOT ZONED C-8A IN CITY CENTRE



Map of City-Owned Lot Zoned C-8B

