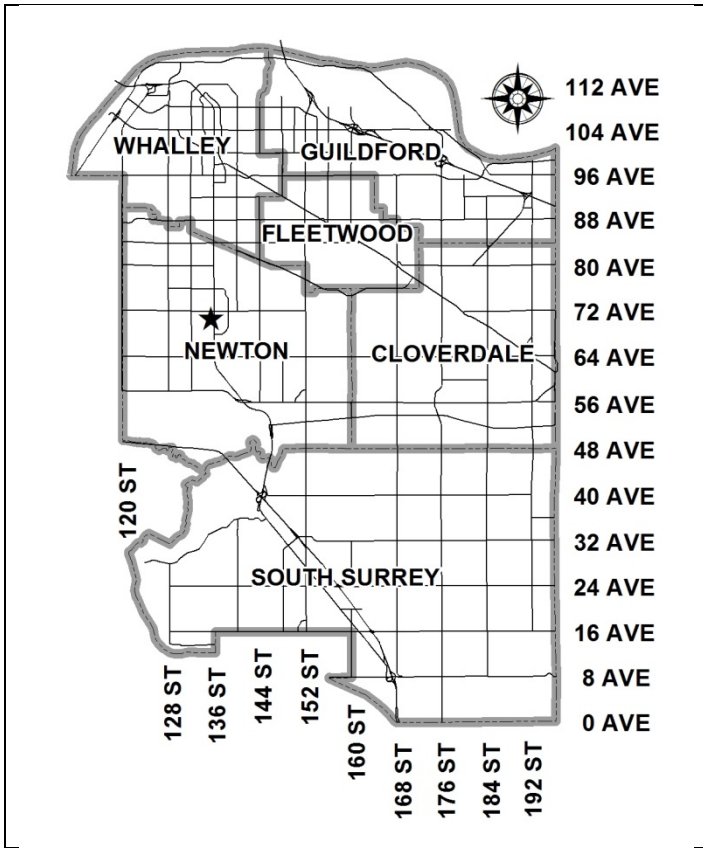


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7915-0266-00

Planning Report Date: September 14, 2015



**PROPOSAL:**

- **Rezoning** from CD to C-8 to remove the gaming facility use permitting slot machine gaming.

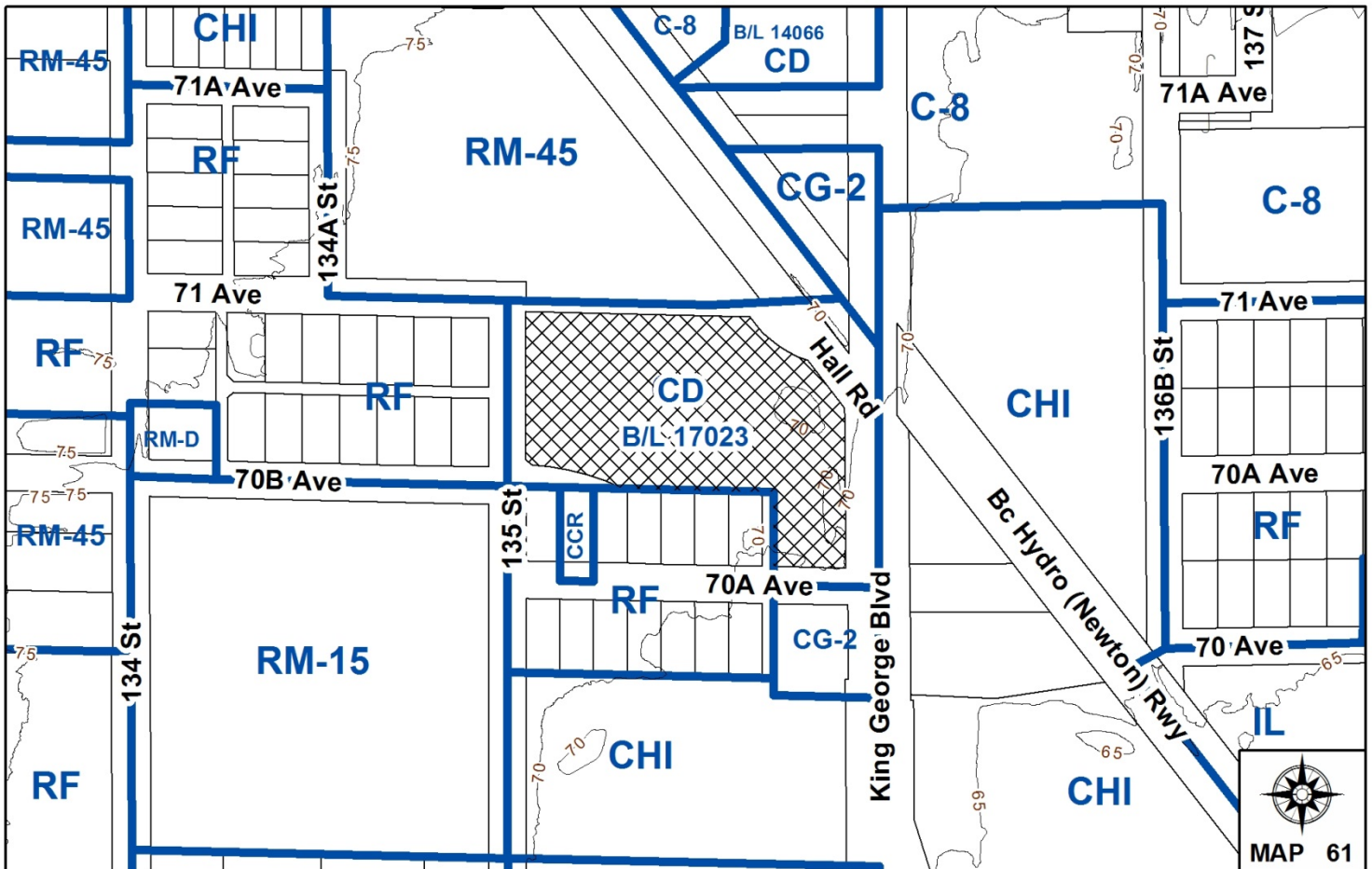
**LOCATION:** 7093 - King George Boulevard

**OWNER:** Newton Square Properties Ltd.

**ZONING:** CD (By-law No. 17023)

**OCP DESIGNATION:** Commercial

**SECONDARY PLAN DESIGNATION:** Highway Commercial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with Newton Town Centre Plan.
- The British Columbia Lottery Corporation (BCLC) withdrew its approval to redevelop the Newton Community Gaming Centre. Consequently, the applicant will not proceed with completing the proposed construction and requests the site to be rezoned to its former C-8 Zone without the gaming facility use permitting slot machine gaming. Subsequent to the final approval of the proposed rezoning, certain securities pertaining to the previous rezoning (to CD Zone) and issued Development Permits will be refunded to the applicant.

RECOMMENDATION

The Planning & Development Department recommends that a By-law be introduced to rezone the subject site from "Comprehensive Development Zone (CD)" (By-law No. 17023) to "Community Commercial Zone (C-8)" (By-law No. 12000) and a date be set for Public Hearing.

REFERRALS

- Engineering:** The Engineering Department has no objection to the proposal.
- Ministry of Environment:** The applicant submitted a site profile to the Ministry of Environment (MOE) Land Remediation Section as the result of a dry cleaning business that has been operating on the site for several years. MOE requires that a preliminary site investigation be undertaken in accordance with the Contaminated Sites Regulation. The applicant has retained a qualified professional to undertake this work and final approval from MOE will be required prior to any future building permit issuance.

SITE CHARACTERISTICS

Existing Land Use: Newton Community Gaming Centre and retail commercial buildings

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP Designation/Secondary Plan Designation</b>	<b>Existing Zone</b>
North:	Apartments	Commercial/ Highway Commercial	RM-45
East (Across King George Boulevard):	Retail commercial buildings and vacant land	Town Centre/ Highway Commercial & Commercial Office	CHI
South:	Vacant land under Application No. 7908-0222-00 proposing a new retail commercial development (3 <sup>rd</sup> Reading)	Commercial/ Highway Commercial	RF and CG-2
West (Across 135 Street):	Single Family Residential	Multiple Residential/ N/A	RF

## DEVELOPMENT CONSIDERATIONS

### Background

#### *Site Context*

- The subject site is located at the southwest corner of King George Boulevard and Hall Road in Newton. The site is currently zoned "Comprehensive Development Zone (CD)" (By-law No. 17023) and is designated "Commercial" in the Official Community Plan (OCP) and "Highway Commercial" in the Newton Town Centre Plan.
- The site is occupied by the Newton Community Gaming Centre (formerly Newton Bingo Hall) in the northwest portion of the site and two retail commercial buildings in the south and east portions of the site.

#### *Community Gaming Centre Rezoning*

- At its Regular Council meeting on July 12, 2010, Council rezoned the subject site to allow commercial uses and a new community gaming centre containing no more than 150 slot machines along with bingo and other electronic games. At the same meeting, Council approved a Development Permit for the site (Application No. 7908-0058-00), which addressed the form and character of the buildings and other aspects of the proposed development on the site.
- The owner of the subject site at that time, known as Boardwalk Gaming & Entertainment Inc., did not proceed with the originally planned redevelopment of the site, and subsequently sold the site to Gateway Casinos & Entertainment Ltd ("Gateway").

#### *Phase 1 and Phase 2 Redevelopment Proposal*

- Gateway submitted a Development Permit (DP) and Development Variance Permit (DVP) application in November 2012 (Application No. 7912-0330-00) in order to commence construction of a combined Phase 1 and 2 of the redevelopment of the former Newton Bingo Hall site. This proposal included the following:
  - construction of a new 455 square metre (4,900 sq. ft) retail commercial building on the northeast corner of the site (Phase 1);
  - a significant renovation to the retail commercial building on the southeast portion of the site fronting King George Boulevard (Phase 2); and
  - partial demolition and subtle renovations to the retail commercial buildings on the south and west portions of the site, including the Bingo Hall building with the exception that these buildings would be replaced as part of future redevelopment phases.
- Council approved the Phase 1 and Phase 2 Development Permit (No. 7912-0330-00) on May 27, 2013 and construction has been initiated on the site by demolishing portions of the existing bingo hall and commercial building located on the south portion of the site.

- Concurrently with the Phase 1 and Phase 2 Development Permit, Council also approved a Development Variance Permit (DVP) to reduce the required number of on-site parking stalls from 290, as required under the CD Zone, to 257, which is considered an appropriate number of stalls given the site location along a transit corridor (King George Boulevard) adjacent to the Newton Town Centre.
- In October 2013, Gateway submitted a second DP (Application No. 7913-0242-00) in order to permit an addition to the existing bingo hall building and to demolish the existing commercial building on the southern edge of the site. The proposal also included substantial improvements throughout the site with respect to site circulation, parking, and landscaping. Subsequently, the DP did not proceed to Council as the BCLC, who under the *Gaming Control Act* has the sole authority over operational decisions for gaming facilities, made the decision to withdraw its approval to redevelop the existing bingo hall and to permit the operation of slot machines.

### Current Proposal

- Based on the BCLC decision to withdraw the operation of slot machine gaming, Gateway will not proceed with completing the construction of a new Community Gaming Centre.
- Gateway proposes to rezone the subject site from "Comprehensive Development Zone (CD)" (By-law No. 17023) to its former "Community Commercial Zone (C-8)" thereby effectively removing the gaming facility use which permits 150 slot machines. The existing bingo hall use is still permitted under the proposed C-8 Zone as an indoor recreational facility use. No other changes are proposed on site at this time.
- Under the initial application to rezone the subject site to CD (Application No. 7908-0058-00), the applicant dedicated potential road linkages along the north, northeast and south portions of the site by way of a combination of road dedication and statutory rights-of-way as part of the Newton Town Centre Plan. Any additional road work and servicing requirements will be reviewed and identified upon future development applications.
- The DPs and DVPs (i.e. pertaining to reduced parking requirements) issued under Applications No. 7908-0058-00 and 7912-0330-00 have lapsed as two years from the issue date has past and no substantial construction has been initiated.

### PRE-NOTIFICATION

Pre-notification letters were mailed on August 27, 2015 to 94 property owners within 100 metres of the subject property, as well as the Newton Business Improvement Association. Development Proposal Signs were installed in front of the property on August 31, 2015. To date, the Planning and Development Department received two phone calls inquiring general information about the application.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners and Action Summary

*original signed by Nicholas Lai*

Jean Lamontagne  
General Manager  
Planning and Development

DH/da

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KD 9/10/15 10:38 AM

Information for City Clerk

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

1. (a) Agent:     Name:             James Chen  
  Gateway Casinos & Entertainment Limited  
  Address:           4331 - Dominion Street  
  Burnaby, BC V5G 1C7  
  
  Tel:                 604-296-5038

2.     Properties involved in the Application

(a)     Civic Address:             7093 - King George Boulevard

(b)     Civic Address:             7093 - King George Boulevard  
          Owner:                     Newton Square Properties Limited  
          PID:                      028-598-385  
          Lot 1 Section 17 Township 2 New Westminster District Plan BCP48311

3.     Summary of Actions for City Clerk's Office

- (a)     Introduce a By-law to rezone the property.
- (b)     Remove Notice of Development Permit No. 7908-0058-00 and 7912-0330-00 from title.
- (c)     Remove Notice of Development Variance Permit No. 7908-0058-01 and 7912-0330-00 from title.