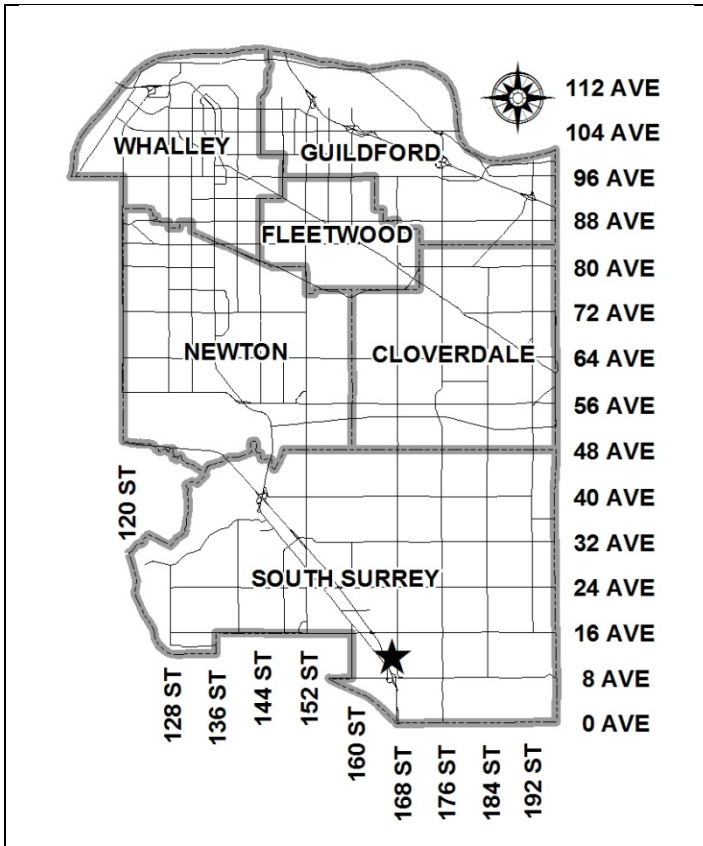


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0299-00

Planning Report Date: December 10, 2012

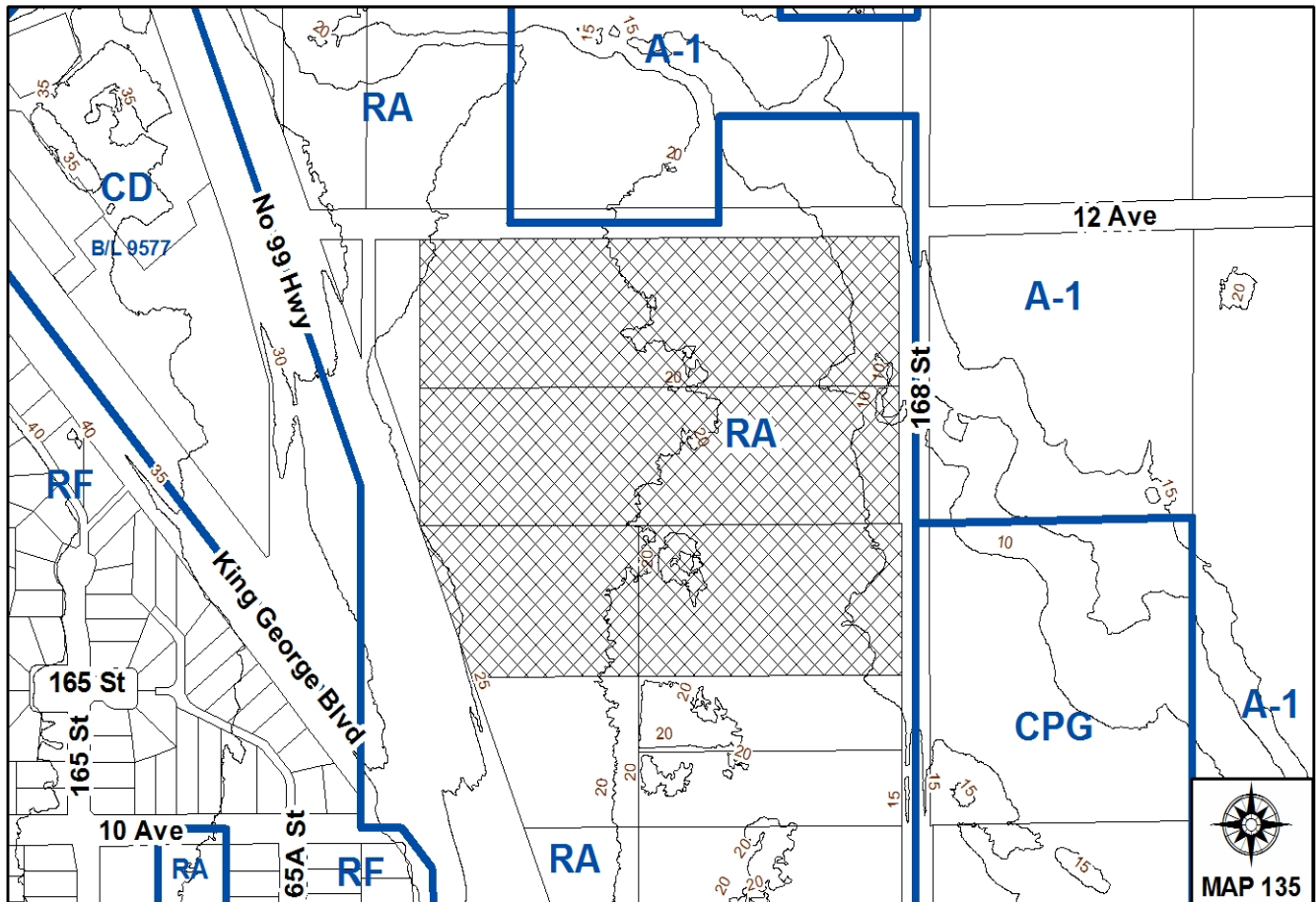


PROPOSAL:

- **Gaming License**

to permit the operation of a casino within a proposed hotel, convention centre, entertainment and gaming facility.

LOCATION: 1083, 1109 and 1177 – 168 Street and 1068 Highway 99
OWNER: o854559 B.C. Ltd., Inc. No.0930408
ZONING: RA
OCP DESIGNATION: Suburban
LAP DESIGNATION: Business Park and Commercial/Business Park



RECOMMENDATION SUMMARY

- That Council set the date for a Public Information meeting in the form of a Public Hearing to solicit resident opinions on the proposed Gaming License.

RATIONALE OF RECOMMENDATION

- Council granted Third Reading to the proposed Official Community Plan (OCP) Amendment By-law (No. 17114) and the proposed Rezoning By-law (No. 17115) to permit the development of a commercial development including a hotel, convention centre, entertainment uses and gaming facility (casino) on the subject site on February 1, 2010.
- Although a gaming facility (casino) is listed as a permitted use in the proposed CD By-law, currently at 3rd Reading, before a casino can be established in the development, the British Columbia Lottery Corporation (BCLC) needs to issue a license for the casino.
- On October 18, 2012, the City received a letter from the British Columbia Lottery Commission (BCLC) requesting Local Government approval on a proposed relocation and subsequent substantial change, by the addition of new types of gaming, of a gaming facility currently located at 7093 King George Boulevard (the Newton Bingo Hall). The gaming license is proposed to be relocated to the subject site and be operated by Gateway Casinos & Entertainment Limited ("Gateway") to be part of a facility including a 192- room hotel, a 2,500 square metre (27,000 sq.ft.) conference centre, and an 800-seat show theatre.
- In accordance with the process outlined in the City Gaming Policy, Gateway submitted the subject Gaming License application to the City to initiate the process by which Council considers approval of the issuance of a gaming license by BCLC.
- The proposal is considered to meet the City Gaming Policy (City Policy No. R-22).
- The City and the applicant have undertaken the necessary public consultation process for gaming license applications in the City including development proposal signs, pre-notification letters, and a public information meeting.
- Consultation notices have been sent in writing to potentially affects local governments, which are municipalities and first nations, within a 5 km (3 mile) radius of the subject site, in accordance with the Gaming Control Act and Gaming Control Regulation, and comments have been received.
- Comments received by the City as a result of the public consultation process are documented.
- The BCLC has submitted a Socio Economic Impact Analysis that addresses the issues pertaining to economic benefits, business impact, social impact including problem gambling and crime, and the impact on the image of Surrey.
- To solicit additional feedback from the public on the proposed Gaming License, staff recommends that Council hold a Public Information Meeting in the form of a Public Hearing, similar to the process followed by Surrey where a liquor primary license application is made in relation to a site that is already zoned for the use. Council could consider the comments received at the Public Information Meeting before passing a resolution to forward to BCLC documenting Council's position with respect to the proposed Gaming License.

RECOMMENDATION

The Planning & Development Department recommends that a Public Information Meeting in the form of a Public Hearing be set to solicit opinions from area residents regarding the proposed Gaming License.

The proposed Gaming License is to operate a gaming facility (casino) of approximately 5,485 square metres (59,000 sq.ft.) in floor area and including up to 600 slot machines and approximately 30 table games. The casino is in conjunction with a 192-room hotel, a 2,500 square metre (27,000 sq.ft.) conference centre, and an 800 seat show theatre (Appendix II).

REFERRALS FOR GAMING LICENSE

Engineering:	Engineering servicing requirements are being addressed under the associated Rezoning application (File No. 7909-0169-00).
Parks, Recreation & Culture:	Parks has no comments on the proposed gaming license.
Surrey RCMP:	The RCMP has advised, based on their experience with and calls for service to the current Fraser Downs casino, that they do not have concerns with the proposed casino in relation to crime and public safety in South Surrey or on the demand for police resources in the area surrounding the proposed casino. The number of calls for service to Fraser Downs casino falls within the same range as other licensed establishments across the City. Calls for service to Fraser Downs casino average about one per week, which is not a significant draw on police resources nor remarkable in relation to general calls for service in Cloverdale or the City.
City of White Rock	The City of White Rock submitted a letter to City staff dated December 6, 2012. The letter advises that the Surrey's consultation letter regarding the proposed Gaming License was received for information by the City of White Rock Council at their November 26, 2012 regular meeting. At this time City of White Rock Council does not have any comments on this proposal.
Township of Langley	The Township of Langley submitted a letter to City staff dated November 26, 2012. The letter advises that due to the distance between the subject site and the municipal boundary between the Township of Langley and the City of Surrey, the Township of Langley does not anticipate any impacts, and therefore have no concerns.

Semiahmoo First Nation

Staff received two letters from the Semiahmoo First Nation, dated November 8, 2012, and November 22, 2012, respectively (Appendix V). In the letters, the Semiahmoo First Nation raises a number of initial concerns with the proposal including:

- Increased Infrastructure Costs;
- Adverse Socio-Economic Impact to Semiahmoo First Nation Members;
- Increased Traffic on Highways and Arteries Surrounding Semiahmoo First Nation Indian reserve lands;
- Impact to Archaeological Sites;
- Adverse Environmental Impact to Fish, Wildlife, Migratory Birds and Medicinal Plants;
- Water Quality of the Watershed, Fergus Creek, the Little Campbell River and Semiahmoo Bay;
- Air Quality at the Semiahmoo First Nation Indian reserve lands;
- Incomplete Studies;
- Loss of Economic Opportunity;
- Lands within Semiahmoo First Nation Traditional Territory are being Alienated and Developed at a Rapid Pace without Consultation with Semiahmoo First Nation;
- Loss of Lands Resulting in the Semiahmoo First Nation Losing the Opportunity to Negotiate for Lands in the Future; and
- Consultation, Accommodation, Reconciliation for the infringement of the Semiahmoo Aboriginal title and rights.

The letters also indicate that these comments are preliminary, and that the Semiahmoo First Nation does not have enough information to provide a full account of the potential impacts. As such, the Semiahmoo First Nation is requesting further meaningful and good faith consultation.

Staff met with the Semiahmoo First Nation representatives on December 4, 2012 to discuss their comments and concerns. Staff has also provided the Semiahmoo First Nation representatives with copies of all requested supporting documentation for this proposal that is currently available and will continue to provide updated documentation as it becomes available.

Some of the comments outlined in the letter from the Semiahmoo First Nation are outside of the jurisdiction of the City of Surrey. As such, the letters have been forwarded to appropriate Provincial and Federal authorities. Copies of the letters have also been forwarded to the applicant (Gateway) and to BCLC.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling and accessory buildings.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Single family dwelling and vacant land.	Suburban/Business Park	RA and A-1
East (Across 168 Street):	Single family dwelling and golf course.	Agricultural/Agricultural	A-1 and CPG
South:	Single family dwellings and vacant land.	Suburban/Commercial and Business Park	RA
West (Across Highway No. 99):	Hotel and single family dwellings.	Urban/Urban Residential	CD and RF

DEVELOPMENT CONSIDERATIONSSite Context and Background

- The subject site consists of 4 properties located on the southwest corner of 12 Avenue and 168 Street. The properties are currently zoned "One-Acre Residential Zone (RA)" and are designated "Suburban" in the Official Community Plan (OCP). The properties are also designated "Commercial/Business Park" and "Business Park" in the Highway 99 Corridor Local Area Plan (LAP), which was approved by Council in February 2004.
- The LAP identifies the subject site as part of the 8 Avenue Gateway, an important gateway location into Surrey and Canada. To take advantage of this gateway location, the LAP encourages the development of a high-end hotel with conference facilities at this location.
- The site fronts Highway 99 to the west and interfaces with the Meridian Golf Course across 168 Street to the east. The Meridian Golf Course and surrounding properties are designated "Agricultural" in the OCP and are within the Agricultural Land Reserve (ALR). To the north of the subject site are existing acreage lots designated for future Business Park development in the LAP and the Fergus Creek habitat preservation area. To the south of the subject site are acreage lots designated for future Commercial or Business Park development in the LAP.
- The combined site area is approximately 25 acres (10 hectares).

2009/2010 Rezoning, OCP Amendment, and generalized DP application (File No. 7909-0169-00)

- At the January 11, 2010 Regular Council – Land Use Meeting, Council considered a Planning report regarding the proposed redevelopment of the subject site (File No. 7909-0169-00). A copy of the 2010 Planning Report for File No. 7909-0169-00 is attached in Appendix III. The applicant proposes a phased commercial development consisting of a hotel, convention centre, and entertainment/gaming facility (casino) in the first phase, and a retail commercial development in the second phase. The site is intended to be subdivided into 2 parcels. The hotel, convention centre, and entertainment/gaming facility (casino) building is proposed to be located on the southwest parcel, which will be approximately 6 hectares (15 acres) in area.

The future retail commercial component will be located on the northeast parcel, which will be approximately 3 hectares (7 acres) in area (Appendix II).

- To accommodate the proposed hotel, convention centre, and entertainment/gaming facility (casino), the applicant proposes an OCP Amendment to redesignate the southwest portion of the site from "Suburban" to "Commercial", an LAP Amendment to redesignate the northern portion of the site from "Business Park" to "Commercial/Business Park", and to rezone the southwest parcel from "One-Acre Residential Zone (RA)" to a "Comprehensive Development Zone (CD)". The proposed CD Zone is based on a combination of the "Community Commercial Zone (C-8)" and "Tourist Accommodation Zone (CTA)".
- A generalized Development Permit establishing the overall site plan, form and character, pedestrian connections, parking lot design, landscaping and buffering requirements for the proposed hotel, conference centre, and entertainment/gaming facility (casino) is also proposed.
- The northeast parcel is not proposed to be rezoned or redesignated at this time and as such will remain a "One-Acre Residential (RA) zoned suburban parcel until such time as the owner decides to pursue a subsequent rezoning and OCP amendment application to allow the retail commercial phase of the project to proceed. A Section 219 No-build Restrictive Covenant will be required to be registered over the northeast parcel until such time as it is redesignated, rezoned and redeveloped in accordance with the Highway 99 Corridor LAP and environmental requirements are addressed to the satisfaction of the Department of Fisheries and Oceans (DFO) and the City, as the site is encumbered by protected watercourses.
- After considering the Planning Report, Council granted First and Second reading to both the proposed Official Community Plan (OCP) Amendment By-law (No. 17114) and the proposed Rezoning By-law (No. 17115). Council also authorized staff to draft the generalized Development Permit. A Public Hearing for the two By-laws was held on January 25, 2010. Third reading for each by-law was subsequently granted by Council on February 1, 2010.

Proposed Casino and Gaming License

- Although a gaming facility (casino) is listed as a permitted use in the proposed CD By-law, currently at 3rd Reading, before a casino can be established in the development, the British Columbia Lottery Corporation (BCLC) needs to issue a license for the casino. BCLC has authority over and controls all gaming activities in the province. At the time the original Planning Report for the project was considered by Council the applicant had not yet applied to BCLC for a casino license. It was noted in the 2010 Planning report that should the applicant decide to apply for a casino license in the future, the applicant would be required to go through a separate gaming license approval process and conform to the requirements and process outlined in the City of Surrey Gaming Policy (Appendix IV).
- On October 18, 2012, the City received a letter from the British Columbia Lottery Commission (BCLC) requesting Local Government approval on a proposed relocation and subsequent substantial change, by the addition of new types of gaming, of a gaming facility currently located at 7093 King George Boulevard (the Newton Bingo Hall). The gaming license is proposed to be relocated to the subject site and is to be operated by Gateway Casinos & Entertainment Limited ("Gateway"). The letter also outlines the process that the host local government is required to follow, under the Gaming Control Act and Gaming Control Regulation, before it can approve a relocation and substantial change to a gaming facility.

- The proposed casino will be approximately 5,485 square metres (59,000 sq.ft.) in floor area and will include up to 600 slot machines and approximately 30 table games.
- The BCLC cannot issue a gaming (casino) license for a site in a municipality unless the Council of the municipality approves the issuance of such a license.
- As outlined in the letter from BCLC, to comply with the Gaming Control Act and the Gaming Control Regulation, the City must complete the following four steps:
 - Consult with potentially affected local governments;
 - Receive adequate community input;
 - Provide formal approval to the BCLC and the Gaming Policy Enforcement Branch (GPEB); and
 - Comply with the Objection and Non-Binding Dispute Resolution process as outlined in the Act.
- In accordance with the process outlined in the City Gaming Policy, Gateway has submitted the subject Gaming License application to the City (File No. 7912-0299-00) to initiate the process by which Council considers the merits of a gaming license and determines its position with respect to the application.

Gaming Policy and Site Evaluation

- On July 16, 2001 Surrey City Council adopted the Gaming Policy (City Policy No. R-22). The Gaming Policy establishes the conditions an applicant must fulfill before proceeding to Council for consideration of an application for a casino. A summary of these conditions and how this proposal responds to each is outlined below (with staff comments in italics):
- Any application for a casino must meet the following criteria for consideration by the City:
 - The casino must offer full service with both table gaming and slot machines and must have or be intended for a license involving 300 slot machines and 30 tables.

Gateway and BCLC have confirmed that the casino will offer full service with up to 600 slot machines and approximately 30 tables.

- The casino must be a component of a "cluster of tourism facilities" such as a hotel with convention and meeting facilities, a Trade and Convention Centre, an entertainment centre, such facilities to be regional in scope.

This subject proposal includes a 192- room hotel, a 2,500 square metre (27,000 sq.ft.) conference centre, and an 800 seat show theatre, as an integral part of the proposed casino development (Appendix II).

- The casino must be provided with access from a major road and, or be in close proximity to a "higher order" transit service.

The site is on 168 Street, which is an arterial road and also fronts Highway 99 with access from the 8 Avenue interchange. The area is expected to be serviced with transit service as development in the Highway 99 Corridor continues to build out.

- A "comfort letter" from the BCLC must be submitted stating their "acceptance-in-principle".

A comfort letter from BCLC was received on October 18, 2012 confirming their "acceptance-in-principle" of a casino at this location.

- The casino must be designed and located to address, to the satisfaction of the City, land-use "interfacing" impacts, traffic impacts, parking requirements and any other identified community impacts.

The subject site is located within the Highway 99 Corridor Local Area Plan (LAP) area, which designates surrounding properties to the north and south for future Commercial or Business Park development. Highway 99 is located to the west of the site and a Par 3 golf course and adjacent agricultural land in the ALR are located to the east of the site. The LAP identifies the subject site as part of the 8 Avenue Gateway, an important gateway location into Surrey and Canada. To take advantage of this gateway location, the LAP encourages the development of a high-end hotel with conference facilities at this location.

The proposed hotel, conference centre, entertainment facility and casino is designed as a "high end" resort featuring a high quality architectural design and material palette. The detailed design of the project will be finalized through a detailed Development Permit for the site.

The applicant has updated the Traffic Impact Study (TIS) to supplement the original TIS prepared for the original rezoning application, File No. 7909-0169-00. This update reflects expanded land uses that are proposed as part of the detailed Development Permit for the entertainment complex and the earlier than previously assumed construction of a new interchange at Highway 99 and 16 Avenue. The applicant has agreed to provide the ultimate arterial widening for 168 Street which is consistent with improvements anticipated in the Highway 99 Corridor Land Use Plan and above the minimum requirements identified in the previous TIS. This road work is identified in the Highway 99 Corridor section of the 10 Year Servicing Plan and as such elements would be eligible for Arterial DCC rebates.

The following is a general summary of the previous Transportation improvements included as part of the 7909-0169-00 rezoning application and anticipated as part of the subject 7912-0299-00 application.

16 Avenue and 168 Street Intersection

- *Improvements to signal phasing timing and provision of separate right turn lanes.*

168 Street

- *The applicant will widen 168 Street from 8 Avenue to 16 Avenue to include two travel lanes, centre median, bike lanes, street lights and curb and gutter;*

- *North of the site, consideration for a custom cross section will be made that will better protect existing trees and environmentally sensitive watercourses;*
- *South of the site, completion of the ultimate cross section will occur as part of future redevelopment.*

Site Access

- *Dedication of two new local roads, 11 Avenue and 10A Avenue to provide full movement access to the Entertainment Complex with 168 Street;*
- *Confirmation of whether a signal will be required at one or both of the accesses will be established as part of the TIS.*

The applicant will be required to provide a private shuttle between the Entertainment Complex and Semiahmoo Town Centre. The applicant is working with TransLink as it is the authority responsible for regulating bus passenger services. The applicant is also investigating the feasibility of undertaking interim arterial widening along 16 Avenue, from the construction limits of the Highway 99 interchange project to 168 Street, as part of their scope of work. This project is also included in the City's 10 Year Servicing Plan and would address capacity and operational issues resulting from the Highway 99 interchange. Elements of these works would also be eligible for Arterial DCC reimbursements.

The parking rates utilized for the hotel, theatre, and restaurant components of the proposed development are those prescribed in the Parking and Loading/Unloading section of the Surrey Zoning By-law, No. 12000. The City does not have a parking rate for casinos and as such the City's Engineering Department has prescribed a rate of 15 parking stalls for every 100 square metres (1,076 sq.ft.) of gross gaming facility/casino floor area. This requirement is based generally on the requirements established for other casinos in nearby municipalities including New Westminster, Burnaby, and Coquitlam. The proposal meets the prescribed parking requirements through a combination of surface parking and a parkade structure.

- *The casino will only be permitted to locate in an area designated Industrial or Commercial under the City's Official Community Plan.*

The OCP Amendment By-law to redesignate the site from "Suburban" to "Commercial" in the OCP is currently at Third Reading. The site is designated for commercial and business park uses in the Highway 99 Corridor LAP. According to the LAP, it is anticipated that OCP Amendments will occur in conjunction with the rezoning process.

- *The casino must comply with all location criteria and other requirements for liquor licensed premises, where permitted.*

The subject site generally meets the City's established locational criteria for liquor primary establishments. Although the site is not within close proximity of a residential area it forms part of the future 8 Avenue Gateway commercial/business park node and will be a regional destination, as identified in the Highway 99 Corridor LAP. The site fronts a provincial highway (Highway 99), but access is

provided via 168 Street, which is an arterial road. The site is not within 400 metres of any school, children's park or playground.

- The casino cannot be located within 10 kilometres (6.2 miles) of another casino in Surrey.

The subject proposal is to relocate the existing casino license from the Newton Bingo Hall site. The only other approved casino in Surrey is the Fraser Downs Racetrack and Casino at 17755 – 60 Avenue in Cloverdale, which is approximately 12 kilometres (7.5 miles) from the subject site.

- No more than 3 casinos will be permitted within the City of Surrey

The subject proposal is to relocate the existing community gaming centre license from the Newton Bingo Hall site. There is currently only one casino in Surrey – The Fraser Downs Racetrack and Casino in Cloverdale.

- The Gaming Policy also outlines the following processing requirements for the approval of casinos. A summary of these processing requirements and how this proposal responds is outlined below (with staff comments in italics):

1. Each application for a casino will involve, as a minimum, a rezoning application for either a Comprehensive Development Zone or Special Casino Zone and a Development Permit application;

The Rezoning By-law No. 17115 to rezone the site to a Comprehensive Development Zone is currently at Third Reading.

2. Casino applications will only be considered if sufficient dollars and resources have been committed by the Province to appropriately fund problem gambling programs for Surrey;

The Province has a Responsible Gambling Strategy, administered through the Gaming Policy and Enforcement Branch (GPEB), which is a broad-based initiative to promote healthy gambling practices and provide support for people experiencing gambling problems. Details of this strategy are outlined in the Socio Economic Impact Analysis submitted by BCLC for this gaming license application and discussed later in this report.

3. The applicant may be required to submit as part of the application, an all-encompassing Impact Analysis of the casino proposal prepared by a qualified professional identifying the costs and benefits to the City if the casino is approved and constructed including, amongst other things, a summary of the affects that the casino will have on the image of the City and the neighbourhood within which it is located.

The British Columbia Lottery Corporation (BCLC) in conjunction with Gateway Casinos & Entertainment Limited has submitted a Socio Economic Impact Analysis for this gaming license application. The analysis includes an economic impact assessment, market assessment and image assessment conducted by three independent private sector professional firms. The analysis also includes data, observations, and conclusions from a variety of external studies and reports

concerning the overall social impact of the gambling industry and summarizes BCLC and Gateway's commitment to social responsibility in gaming entertainment. The Socio Economic Impact Analysis is discussed later in this report.

4. The applicant will be responsible for retaining the services of qualified professionals to prepare plans and conduct necessary studies to ensure that the proposed casino is properly integrated with the surrounding development, and that all impacts and legal requirements are adequately addressed;

The applicant has retained a team of architects, landscape architects, arborists, land development engineers, and traffic engineers to ensure the development is properly integrated with surrounding development and impacts are addressed.

5. The applicant will be responsible for providing all necessary engineering services to the site under a Servicing Agreement in accordance with the Subdivision and Development By-law and for paying all fees, charges and levies required under city By-laws or that are collected by the City on behalf of other agencies; and

The servicing requirements for this project are outlined under the initial rezoning application, File No. 7909-0169-00 and will be addressed prior to final adoption of the Rezoning By-law. This will include a Servicing Agreement.

6. The applicant will be responsible for undertaking a public consultation program in advance of the required Public Hearing and as otherwise directed by the City.

The applicant held a Public Information Meeting in accordance with the requirements of the Gaming Policy. A summary of this meeting is provided later in this report.

Consultation with Potentially Affects Local Governments and First Nations

- Under the Gaming Control Act and Gaming Control Regulation, the host local government is required to send consultation notices in writing to potentially affects local governments, which are municipalities, regional districts and first nations, within a 5 km radius of the proposed gaming facility informing them of the proposed relocation and substantial change.
- In accordance with this requirement, consultation notices were sent in writing to the Township of Langley, City of White Rock, and the Semiahmoo First Nation.

Township of Langley

- The Township of Langley submitted a letter to City staff dated November 26, 2012. The letter advises that, due to the distance between the subject site and the municipal boundary between the Township of Langley and the City of Surrey, the Township of Langley does not anticipate any impacts, and therefore have no concerns.

City of White Rock

- The City of White Rock submitted a letter to City staff dated December 6, 2012. The letter advises that Surrey's consultation letter regarding the proposed Gaming License was received for information by the City of White Rock Council at their November 26, 2012 regular

meeting. At this time City of White Rock Council does not have any comments on this proposal.

Semiahmoo First Nation

- Staff received two letters from the Semiahmoo First Nation dated November 8, 2012 and November 22, 2012, respectively. In the letters, the Semiahmoo First Nation raises a number of initial concerns with the proposal including:
 - Increased Infrastructure Costs;
 - Adverse Socio-Economic Impact to Semiahmoo First Nation Members;
 - Increased Traffic on Highways and Arteries Surrounding Semiahmoo First Nation Indian reserve lands;
 - Impact to Archaeological Sites;
 - Adverse Environmental Impact to Fish, Wildlife, Migratory Birds and Medicinal Plants;
 - Water Quality of the Watershed, Fergus Creek, the Little Campbell River and Semiahmoo Bay;
 - Air Quality at the Semiahmoo First Nation Indian reserve lands;
 - Incomplete Studies;
 - Loss of Economic Opportunity;
 - Lands within Semiahmoo First Nation Traditional Territory are being Alienated and Developed at a Rapid Pace without Consultation with Semiahmoo First Nation;
 - Loss of Lands Resulting in the Semiahmoo First Nation Losing the Opportunity to Negotiate for Lands in the Future; and
 - Consultation, Accommodation, Reconciliation for the infringement of the Semiahmoo Aboriginal title and rights.
- The letters also indicate that these comments are preliminary, and that the Semiahmoo First Nation does not have enough information to provide a full account of the potential impacts. As such, the Semiahmoo First Nation is requesting further meaningful and good faith consultation.
- Staff met with the Semiahmoo First Nation representatives on December 4, 2012 to discuss their comments and concerns. Staff have also provided the Semiahmoo First Nation representatives with copies of all requested supporting documentation for this proposal that is currently available and will continue to provide updated documentation as it becomes available. Staff have advised the applicant (Gateway) of any reports/studies requested by the Semiahmoo First Nation that have not been previously requested as part of this application; these include an archaeological assessment and a species at risk assessment of the site. Gateway is currently reviewing these requests and will provide a response shortly.
- Some of the comments outlined in the letter from the Semiahmoo First Nation are outside of the jurisdiction of the City of Surrey. As such, the letters have been forwarded to appropriate Provincial and Federal authorities. Copies of the letters have also been forwarded to the applicant (Gateway) and to BCLC.

Community Consultation

Development Sign and Pre-Notification Letters

- In accordance with the established process for gaming license applications in the City, the applicant erected two development proposal signs on the subject site apprising the public of the proposed gaming license application and development permit. In addition, pre-notification letters were mailed to all neighbouring property owners within 100 metres of the subject site or a minimum of 3-lots deep in all directions. The letters were sent on October 22, 2012 to a total of 141 neighbouring property owners.

Public Information Meeting

- As part of the City's Gaming Application process, the applicant was required to hold a public information meeting to apprise the general public of the proposed casino and to obtain public input on the proposal.
- Gateway hosted a public information meeting on Wednesday, November 7, 2012, from 6:00 pm to 9:00 pm, at the Hazelmere Golf and Tennis Club, 18150 – 8 Avenue.
- Notification of the meeting was provided in several forms including the following:
 - Invitation letters were mailed to property owners within 100 metres of the subject site or 3-lots deep in all directions through mail-out labels prepared by the City;
 - Advertisements were placed in the November 1, 2012 editions of the Peace Arch News, Surrey Leader and Surrey Now. An additional advertisement was placed in the November 6, 2012 editions of the Peace Arch News and Surrey Leader; and
 - Gateway engaged the local media, including the Peace Arch News and Surrey Now to conduct project briefings and promote the public information meeting. Coverage appeared in the October 29, 2012 Peace Arch News and the October 30, 2012 Surrey Now.
- The meeting was staffed by representatives of Gateway and the BCLC as well as the project architectural design team. City staff members also attended the meeting. Gateway has provided a summary of the results of the public information meeting as follows:
 - The meeting was attended by approximately 375 people, of which a total of 343 officially registered at the sign-in desk. Of the 343 registered attendees, 297 were residents of Surrey, 39 were non-Surrey residents and 7 were registered media attendees.
 - A total of 156 feedback forms were received at the meeting. Of these 156 completed forms, 76 people supported the project, 56 people opposed the project, and 24 people raised questions or provided comments but did not declare an overall position with respect to the project.
 - Those who supported the project provided the following rationale:
 - The project will provide needed amenities to South Surrey (hotel, conference facilities, entertainment, casino);

- Additional construction and facility operations jobs will be generated by the facility;
 - The project will provide a boost to the local tourism industry
 - The project will spur economic growth in the area;
 - The project will lead to new infrastructure for the area
 - The project will contribute to the local tax base and inject revenues into the municipality;
 - The location is appropriate; and
 - Local businesses will benefit from the project.
- Those who opposed the project provided the following rationale:
- Poor location
 - The project would be more appropriate in North Surrey/City Centre;
 - The project would be more appropriate in an industrial/commercial area;
 - The project should not be located in a rural/agricultural area; and
 - Concerned that the subject site is in the Agricultural Land Reserve (ALR).
 - Environmental impacts
 - The project will result in disruption of habitat; and
 - Green space will be lost
 - Community impacts
 - The project will ruin the rural atmosphere of the area.
 - Process and Public consultation
 - Concern that the project is being fast-tracked;
 - Concern that infrastructure improvements in the area are being fast-tracked;
 - Concern that there has been inadequate notification and community consultation;
 - Lack of First Nations consultation;
 - Demand for a municipal referendum on the proposal; and
 - Suggestion that a new public hearing should be held for the Rezoning/OCP Amendment.
 - Traffic, infrastructure and access
 - Concern about traffic volume/congestion;
 - Concern about dangerous driving;
 - Lack of transit service in the area;
 - Concern about traffic volume on 'rural' roads; and
 - Concern about lack of infrastructure.
 - Gambling/Gaming/Crime:
 - Impact on Fraser Downs;
 - Government should not encourage gambling;
 - Concern about the social cost of gaming and impact on the local community including children and youth;
 - Surrey does not need another gambling facility;
 - Concerns over elevated levels of criminal activity;

- Concern about problem gambling impacts; and
- Desire for project to proceed without gambling component.

Post Public Information Meeting Comments Received by Gateway

- Subsequent to the public information meeting, Gateway continued to collect additional feedback forms. Gateway's summary of these additional comment forms is as follows: As of December 4, 2012, Gateway had collected an additional 888 written feedback forms from Surrey residents. Of those 888 residents, 665 supported the project, 152 opposed the project, and 71 raised questions or provided comments but did not declare an overall position with respect to the project. Gateway also noted at that time that they had collected 2,691 additional written feedback forms from non-Surrey residents, of those 2,330 are in support, 173 are opposed, and 188 are neutral.
- Copies of all of these comment forms received by Gateway have been provided to the City.
- In addition to the Public Information Meeting, Gateway developed an online project website to solicit additional feedback from the public.

Gateway Petition and Support Emails

- In addition to collecting feedback via written and online public feedback forms, Gateway launched a separate campaign to garner support for the project:
 - A petition of support has been produced and signed by 975 people, of which 428 people are Surrey residents and 547 are non-Surrey residents; and
 - Gateway initiated an email campaign encouraging supporters to submit emails of support to the City through the Gateway website. Those emails are included with the other correspondence received by the City as part of the public consultation process for this proposal (discussed later in this report). However, to facilitate the collection of emails from people who did not have a computing device available when they were approached by Gateway, Gateway printed out support emails for them to sign. Using this method, 644 email forms were collected from Surrey residents and 1,184 were collected from non-Surrey residents. Four (4) people who were approached by Gateway through this process advised Gateway that they did not support the proposal.

Additional Public Meetings

- In addition to the public information meeting held by Gateway. A series of three (3) public meetings/forums were held by the South Surrey Ratepayers Association. Representatives of Gateway and the BCLC attended all three meetings. Representatives from the City were in attendance at the last session, a public forum held on November 14, 2012 at the Pacific Inn Resort & Conference Centre, 1160 King George Boulevard. The meeting was attended by approximately 430 people, the majority of whom were in opposition to the proposal.

Public Consultation Responses

- The pre-notification letters, development signs and various public meetings generated a number of petitions, letters, phone calls, and emails to the City. As of noon on Wednesday, December 5, 2012, a total of 5,964 pieces of correspondence had been received by the City, excluding the public information meeting forms, online feedback

forms, petition of support, and signed email forms that were collected by Gateway, as outlined above. Of the 5,964 separate pieces of correspondence, 2,061 are in support of the proposal and 3,903 are in opposition to the proposal.

- Of the 2,061 correspondences received in support of the proposal, 1,235 are from Surrey residents and/or business owners and 826 are non-Surrey residents and/or business owners. Of the 1,235 Surrey residents and/or business owners, 635 provided a civic address and were therefore able to be mapped. The remaining 600 provided a postal code only.
- Of the 3,903 correspondences received in opposition to the proposal, 3,225 are from Surrey residents and/or business owners and 678 are non-Surrey residents and/or business owners. Of the 3,225 Surrey residents/business owners, 3,220 provided a civic address and were therefore able to be mapped. The remaining 5 provided a postal code only.
- A series of maps showing the location of those in support and those in opposition to the proposal is attached in Appendix VI. The map illustrates a localized opposition in close proximity to the proposed site with support coming from a wider area of the City.
- It is noted that a large number of the above-noted community consultation responses were generated through various initiatives, both by Gateway, and the Surrey Ratepayers Association, to solicit feedback on the proposal. These initiatives involved the following:
 1. Gateway's program involved approaching individuals, businesses and organizations from Surrey and outside Surrey to solicit support for the project and to encourage supporters to advise the City of their support. Gateway also initiated an email support initiative, encouraging their supporters, individuals, businesses and organizations, to use their website to send a message directly to the City expressing their support.
 2. The South Surrey Ratepayers Association petitioned Surrey residents at various community churches and local businesses, and also went door to door to obtain petition signatures throughout the community. In addition, the South Surrey Ratepayers Association developed a market survey form, which was distributed at the various community meetings, delivered directly to residents of the community, and distributed at various parking lots throughout the community.
- Those in support of the proposal referenced the provision of needed amenities (high-end hotel, convention centre, theatre, casino) that are not currently available in South Surrey, the convenience of having this type of facility in the City of Surrey and not having to travel to other cities for entertainment, job creation, economic growth, tourism benefits, provision of new infrastructure, tax revenues to the City, and benefits to local businesses as the key reasons why they support the project.
- Those in opposition to the proposal referenced the following main issues:
 1. Poor location
 - Project should be in an industrial/commercial area, not a rural/agricultural area.
 - Project would be better suited in North Surrey, City Centre or Campbell Heights.

2. Traffic impacts/Infrastructure
 - Traffic volumes and potential congestion.
 - Adjacent roads not designed for this type of development.
 - Drunk/dangerous driving.
 - Concern that the taxpayer will bear the cost of infrastructure upgrades.
3. Environmental impacts
 - Impacts to Fergus Creek.
 - Other wildlife impacts.
 - Tree removal/loss of greenspace.
4. Lack of Consultation
 - Poor public consultation.
 - Not enough people notified.
 - Project is being 'fast-tracked'.
 - Need for a referendum.
5. Social Impacts
 - Concerns with gambling in general.
 - Concerns with the impacts of problem gambling.
 - Government should not support/promote gambling activity.
6. Increased Criminal Activity
 - Casino will bring increased criminal activity to South Surrey.
 - Gangs.
 - Money Laundering.
 - Public Intoxication.
 - Impact on Police Resources.
7. Community Impact
 - Proposal will change the character of the neighbourhood.
 - Bad influence/impact on children in the community.
8. Building design
 - Building massing, scale.
 - Building height.
 - Interface with adjacent single family dwellings and agricultural land.
 - Parkade design.
 - Interface with Highway 99.
 - Not a sustainable design.
 - Storm water management.

Other Correspondence Received by the City

- In addition to the correspondence received from individuals and business owners, staff also received letters from a variety of organizations.
- Staff received 4 letters representing 10 churches in the community in opposition to the proposed casino due to concerns regarding the social impacts of gambling expansion in the City. These impacts were quoted as including problem gambling, criminal activity, and impacts on children and youth.

- A letter was received from the Chief Medical Officer expressing concerns about the health impacts of the expansion of gambling in the province and in Surrey.
- Staff received a letter from the Little Campbell River Watershed Society regarding the proximity of this development to Fergus Creek and the potential long-term impacts to Fergus Creek and the Little Campbell River if inadequate storm water management and sediment control is not implemented.
- Staff received a letter from A Rocha Environmental Stewardship, an international conservation organization who advise that they have been working in the Little Campbell River watershed for 9 years. A Rocha opposes the projects due to a variety of concerns related to:
 - Stormwater Management;
 - Water Quality;
 - Impacts to riparian and watershed forest cover;
 - Traffic risks;
 - Proximity to ALR lands; and
 - Aboriginal consultation.
- Staff received a joint news release from the Cloverdale Chamber of Commerce and the Cloverdale Business Improvement Association supporting the proposed hotel, convention centre, entertainment and gaming facility (casino) project and advising that the proposal will add unique facilities not available anywhere else in Surrey and will generate upwards of 500 new jobs.
- Staff received a letter from the Pacific Inn Resort and Conference Centre, located across Highway 99 from the subject site at 1160 King George Highway. The Pacific Inn supports the proposed casino and restaurant uses but does not support a hotel due to the increased competition it would bring to the area coupled with the already existing difficulties they are facing maintaining occupancy.

Socio Economic Impact Analysis

- In accordance with the City Gaming Policy, the BCLC commissioned a Socio Economic Impact Analysis of the proposed hotel, conference centre, entertainment and gaming facility (casino). The Socio Economic Impact Analysis draws upon independent analysis conducted by three private sector firms as well as data, observations and conclusions from external studies and reports.
- A Surrey market assessment from HLT Advisory Inc. indicates that there is a market for casino gaming as a form of entertainment in Surrey and that market is currently underserved compared to other markets in the Lower Mainland.
- The market assessment from HLT Advisory Inc. also addresses the potential impact on small businesses and other hotels in the area and indicates that small businesses and other hotels could reposition themselves to leverage off increased visitation to the area and "spill-over" business.

- The Socio Economic Impact Analysis indicates that the City of Surrey will receive an estimated \$3.9 million as its share of the gaming revenue from this facility. Combined with the existing performance at Fraser Downs, this brings the total revenue to the City to over \$6 million.
- The Socio Economic Impact analysis addresses questions regarding problem gambling and crime in two ways. Firstly by referencing an independent analysis on the impact of gaming in four Lower Mainland communities, commissioned by the province, and secondly, by outlining BCLC's various programs, policies and measures to mitigate problem gambling incidences and impacts, and to deter criminal activity.
- The Socio Economic Impact Analysis includes a report entitled "Imagery", produced by PC Urban Properties Corp, which outlines the potential impact of this development on the "image" of the City of Surrey and the South Surrey community and indicates that this project can become an appropriate "gateway" into the City that interfaces appropriately with anticipated land uses in the Highway 99 Corridor area.

CONCLUSION

- The proposed casino gaming license proposal is considered to meet the City's Gaming Policy.
- The City and the applicant have undertaken an appropriate public consultation process in accordance with the both legislative and policy requirements that include pre-notification and a public information meeting.
- The applicant's traffic consultant has updated the Traffic Impact Study (TIS) to supplement the original TIS prepared for the original rezoning application (File No. 7909-0169-00). The applicant has agreed to undertake appropriate transportation improvements in support of the proposed entertainment complex.
- The Socio-Economic Impact Analysis submitted by BCLC includes a market assessment prepared by HLT Advisory Inc. The market study addresses the potential impact on small businesses and other hotels in the area and indicates that small businesses and other hotels in the area could reposition themselves to leverage off increased visitation to the area and "spill-over" business.
- The Socio Economic Impact Analysis also addressed the issue of problem gambling by outlining the various responsible gambling programs that are undertaken and/or required by BCLC and that will be implemented in this facility.
- The RCMP has advised, based on their experience with and calls for service to the current Fraser Downs casino, that they do not have concerns with the proposed casino in relation to crime and public safety in South Surrey or on the demand for police resources in the area surrounding the proposed casino. The number of calls for service to Fraser Downs casino is generally lower than other licensed establishments across the City. Calls for service to Fraser Downs casino average about one per week, which is not a significant draw on police resources nor remarkable in relation to general calls for service in Cloverdale or the City.

- The Socio Economic Impact Analysis includes a report entitled "Imagery", produced by PC Urban Properties Corp, which outlines the potential impact of this development on the "image" of the City of Surrey and the South Surrey community and suggests that this project can become an appropriate "gateway" into the City that interfaces appropriately with anticipated land uses in the Highway 99 Corridor area.
- Environmental requirements are being addressed through the associated Rezoning application No. 7909-0169-00. The applicant retained ECL Envirowest environmental consultants to prepare an environmental report for consideration by the City's Environmental Review Committee (ERC) and the Department of Fisheries and Oceans (DFO). Final approval from the ERC and DFO will be required prior to final adoption of the rezoning by-law.
- Under the original 7909-0169-00 development application, Council authorized staff to draft a generalized Development Permit for the site. The generalized Development Permit establishes the overall site plan, form and character, pedestrian connections, parking lot design, landscaping and buffering requirements for the proposed project. The generalized development permit also addresses interface issues with Highway 99 to the west and agricultural lands to the east. The modified proposal by Gateway is generally consistent with the original development concept. The building siting and orientation are comparable, and the building features many of the same key elements.
- The architectural and landscaping design will be finalized as part of a required detailed Development Permit, which will be presented to Council at a later date should Council support the Gaming License application. Gateway has provided a letter indicating that they are committed to working with staff and the City's Advisory Design Panel (ADP) to deliver a project with a high level of architectural design quality. Gateway has also committed to a LEED Silver equivalent design or better for the project.

Recommended Action

- Staff recommends that Council hold a public information meeting in the form of a Public Hearing, similar to the process followed by the City where a liquor primary license application is made in relation to a site that is already zoned for the use. Subsequent to such a Public Hearing Council can consider the information it has received and consider its position with respect to the proposed Gaming License.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Proposed Gateway 2012 Site Plan, Building Elevations, Landscape Plans and Perspectives
Appendix III	Planning Report for Initial Rezoning Application (File No. 7909-0169-00) Dated January 11, 2010 (without Appendices)
Appendix IV	City of Surrey Gaming Policy
Appendix V	Letters from Semiahmoo First Nation
Appendix VI	Map of Public Consultation Respondents (Support and Oppose)

INFORMATION AVAILABLE ON FILE

- Complete Set of Architectural and Landscape Plans prepared by Steelman Partners and PMG Landscape Architects, respectively, dated November 22, 2012.
- Socio Economic Impact Analysis submitted by BCLC.
- Traffic Study submitted by EBA Engineering Consultants.

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

RG/kms

\\file-server1\net-data\csdc\generate\areaproduct\save\31240269052.doc
. 12/7/12 11:38 AM

(d) Civic Address: 1109 - 168 Street
Owner: 0854559 B C Ltd
Director Information:
Michael C. Burns
Lorenzo Creighton
Todd Gerch
Newton Glassman
Gabriel de Alba

No Officer Information Filed
PID: 010-148-655
Lot 13 Section 12 Township 1 New Westminster District Plan 26780

(e) Civic Address: 1177 - 168 Street
Owner: 0854559 B C Ltd
Director Information:
Michael C. Burns
Lorenzo Creighton
Todd Gerch
Newton Glassman
Gabriel de Alba

No Officer Information Filed
PID: 008-866-350
Lot 14 Section 12 Township 1 New Westminster District Plan 26780

3. Summary of Actions for City Clerk's Office

(a) That a date be set for a Public Information Meeting in the form of a Public Hearing to solicit public opinion with respect to a gaming license application.

DEVELOPMENT DATA SHEET

Proposed Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		100,229 m ²
Road Widening area		10,829 m ²
North east lot area (<i>not to be developed at this time</i>)		31,200 m ²
Net Total		58,200 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	50%	32%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
North	7.5 m	7.5 m
South	7.5 m	7.5 m
East	7.5 m	7.5 m
West	7.5 m	7.5 m
BUILDING HEIGHT (in metres/storeys)		
Principal	22 m	37.5 m
Accessory	22 m	22 m
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		
Office		
Total	29,100 m ²	28,755 m ²
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	29,100 m ²	28,755 m ²

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)	0.50	0.49
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	1,316	1,400
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	1,316	1,400
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	YES
---------------	----	---------------------------------	-----



SOUTH SURREY ENTERTAINMENT COMPLEX
 Submission to Advisory Design Panel Submission # 7912-0299-00

Site Plan
 November 22, 2012

W.D. Fisher Architect
 608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
 © 2012 Steelman Partners LLP

Spaces	
	AREA (Square Meters)
CASINO	
Main Gaming Floor	5,485
PROGRAM TOTALS	5,485
FOOD AND BEVERAGE	
Hotel Restaurant	475
Buffet	405
Satellite Restaurant #1	245
Satellite Restaurant #2	245
Hotel Lobby Bar	36
Casino Bar	165
PROGRAM TOTALS	1,571
MEETING ROOMS/THEATER	
First Floor Theater	1,296
Second Floor Theater	555
Meeting Rooms	1,685
Pre Function	850
Pre Function Balcony	190
PROGRAM TOTALS	4,576
HOTEL ROOMS	
Hotel	192 Rooms
PROGRAM TOTALS	192 Rooms

FLOOR AREA BY LEVEL	
	AREA (Square Meters)
MAIN BUILDING	
(Employ. Dining, Mech, Stor) Level - B1	6,170
(Hotel, Lobby, Casino Podium) Level - 00	13,870
(Hotel) Level - 01	1,460
(Hotel, Meeting Spaces) Level - 02	6,975
(Hotel) Level - 03	1,460
(Hotel) Level - 04	1,460
(Hotel) Level - 05	1,340
(Hotel) Level - 06	1,175
(Hotel) Level - 07	1,015
TOTAL BUILDING FLOOR AREA	34,925
GROSS BUILDING AREAS	
Building Height	37.1 M
Hotel Tower and Lobby	11,800
Casino Podium	16,955
Basement (Not Counted towards FAR)	6,170
TOTAL BUILDING FLOOR AREA	28,755
PARKING GARAGE	
Parking Garage Height	20.7 m
Levels - B1 to 5 (4,805 m2 x 7)	33,635
Surface Parking	444
Garage Parking	956
Total Number of Parking Spaces	1,400
TOTAL BUILDING FLOOR AREA	33,635

SITE INFO	
	AREA (Square Meters)
LOT COVERAGE	
Lot Area	59,000
Total Building Footprints	18,675
Total Building Floor Area (Excluding Basement and Garage)	28,755
FAR (net)	48.7%
LOT COVERAGE	31.6%

SOUTH SURREY ENTERTAINMENT COMPLEX

Submission to Advisory Design Panel Submission # 7912-0299-00

Program
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



PLANT SCHEDULE - TREES

NO.	SYMBOL	COMMON NAME	PLANTED SIZE / QUANTITY
1	(Symbol)	ALBICEPES	40 FT. 100
2	(Symbol)	ALBICEPES	40 FT. 100
3	(Symbol)	ALBICEPES	40 FT. 100
4	(Symbol)	ALBICEPES	40 FT. 100
5	(Symbol)	ALBICEPES	40 FT. 100
6	(Symbol)	ALBICEPES	40 FT. 100
7	(Symbol)	ALBICEPES	40 FT. 100
8	(Symbol)	ALBICEPES	40 FT. 100
9	(Symbol)	ALBICEPES	40 FT. 100
10	(Symbol)	ALBICEPES	40 FT. 100
11	(Symbol)	ALBICEPES	40 FT. 100
12	(Symbol)	ALBICEPES	40 FT. 100
13	(Symbol)	ALBICEPES	40 FT. 100
14	(Symbol)	ALBICEPES	40 FT. 100
15	(Symbol)	ALBICEPES	40 FT. 100
16	(Symbol)	ALBICEPES	40 FT. 100
17	(Symbol)	ALBICEPES	40 FT. 100
18	(Symbol)	ALBICEPES	40 FT. 100
19	(Symbol)	ALBICEPES	40 FT. 100
20	(Symbol)	ALBICEPES	40 FT. 100
21	(Symbol)	ALBICEPES	40 FT. 100
22	(Symbol)	ALBICEPES	40 FT. 100
23	(Symbol)	ALBICEPES	40 FT. 100
24	(Symbol)	ALBICEPES	40 FT. 100
25	(Symbol)	ALBICEPES	40 FT. 100
26	(Symbol)	ALBICEPES	40 FT. 100
27	(Symbol)	ALBICEPES	40 FT. 100
28	(Symbol)	ALBICEPES	40 FT. 100
29	(Symbol)	ALBICEPES	40 FT. 100
30	(Symbol)	ALBICEPES	40 FT. 100
31	(Symbol)	ALBICEPES	40 FT. 100
32	(Symbol)	ALBICEPES	40 FT. 100
33	(Symbol)	ALBICEPES	40 FT. 100
34	(Symbol)	ALBICEPES	40 FT. 100
35	(Symbol)	ALBICEPES	40 FT. 100
36	(Symbol)	ALBICEPES	40 FT. 100
37	(Symbol)	ALBICEPES	40 FT. 100
38	(Symbol)	ALBICEPES	40 FT. 100
39	(Symbol)	ALBICEPES	40 FT. 100
40	(Symbol)	ALBICEPES	40 FT. 100
41	(Symbol)	ALBICEPES	40 FT. 100
42	(Symbol)	ALBICEPES	40 FT. 100
43	(Symbol)	ALBICEPES	40 FT. 100
44	(Symbol)	ALBICEPES	40 FT. 100
45	(Symbol)	ALBICEPES	40 FT. 100
46	(Symbol)	ALBICEPES	40 FT. 100
47	(Symbol)	ALBICEPES	40 FT. 100
48	(Symbol)	ALBICEPES	40 FT. 100
49	(Symbol)	ALBICEPES	40 FT. 100
50	(Symbol)	ALBICEPES	40 FT. 100
51	(Symbol)	ALBICEPES	40 FT. 100
52	(Symbol)	ALBICEPES	40 FT. 100
53	(Symbol)	ALBICEPES	40 FT. 100
54	(Symbol)	ALBICEPES	40 FT. 100
55	(Symbol)	ALBICEPES	40 FT. 100
56	(Symbol)	ALBICEPES	40 FT. 100
57	(Symbol)	ALBICEPES	40 FT. 100
58	(Symbol)	ALBICEPES	40 FT. 100
59	(Symbol)	ALBICEPES	40 FT. 100
60	(Symbol)	ALBICEPES	40 FT. 100
61	(Symbol)	ALBICEPES	40 FT. 100
62	(Symbol)	ALBICEPES	40 FT. 100
63	(Symbol)	ALBICEPES	40 FT. 100
64	(Symbol)	ALBICEPES	40 FT. 100
65	(Symbol)	ALBICEPES	40 FT. 100
66	(Symbol)	ALBICEPES	40 FT. 100
67	(Symbol)	ALBICEPES	40 FT. 100
68	(Symbol)	ALBICEPES	40 FT. 100
69	(Symbol)	ALBICEPES	40 FT. 100
70	(Symbol)	ALBICEPES	40 FT. 100
71	(Symbol)	ALBICEPES	40 FT. 100
72	(Symbol)	ALBICEPES	40 FT. 100
73	(Symbol)	ALBICEPES	40 FT. 100
74	(Symbol)	ALBICEPES	40 FT. 100
75	(Symbol)	ALBICEPES	40 FT. 100
76	(Symbol)	ALBICEPES	40 FT. 100
77	(Symbol)	ALBICEPES	40 FT. 100
78	(Symbol)	ALBICEPES	40 FT. 100
79	(Symbol)	ALBICEPES	40 FT. 100
80	(Symbol)	ALBICEPES	40 FT. 100
81	(Symbol)	ALBICEPES	40 FT. 100
82	(Symbol)	ALBICEPES	40 FT. 100
83	(Symbol)	ALBICEPES	40 FT. 100
84	(Symbol)	ALBICEPES	40 FT. 100
85	(Symbol)	ALBICEPES	40 FT. 100
86	(Symbol)	ALBICEPES	40 FT. 100
87	(Symbol)	ALBICEPES	40 FT. 100
88	(Symbol)	ALBICEPES	40 FT. 100
89	(Symbol)	ALBICEPES	40 FT. 100
90	(Symbol)	ALBICEPES	40 FT. 100
91	(Symbol)	ALBICEPES	40 FT. 100
92	(Symbol)	ALBICEPES	40 FT. 100
93	(Symbol)	ALBICEPES	40 FT. 100
94	(Symbol)	ALBICEPES	40 FT. 100
95	(Symbol)	ALBICEPES	40 FT. 100
96	(Symbol)	ALBICEPES	40 FT. 100
97	(Symbol)	ALBICEPES	40 FT. 100
98	(Symbol)	ALBICEPES	40 FT. 100
99	(Symbol)	ALBICEPES	40 FT. 100
100	(Symbol)	ALBICEPES	40 FT. 100

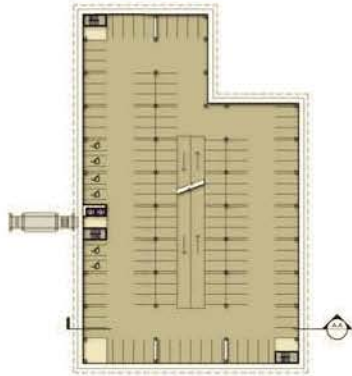
SOUTH SURREY ENTERTAINMENT COMPLEX
 Submission to Advisory Design Panel Submission # 7912-0299-00

Lanscape Plan
 November 22, 2012

W.D. Fisher Architect
 608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
 © 2012 Steelman Partners LLP

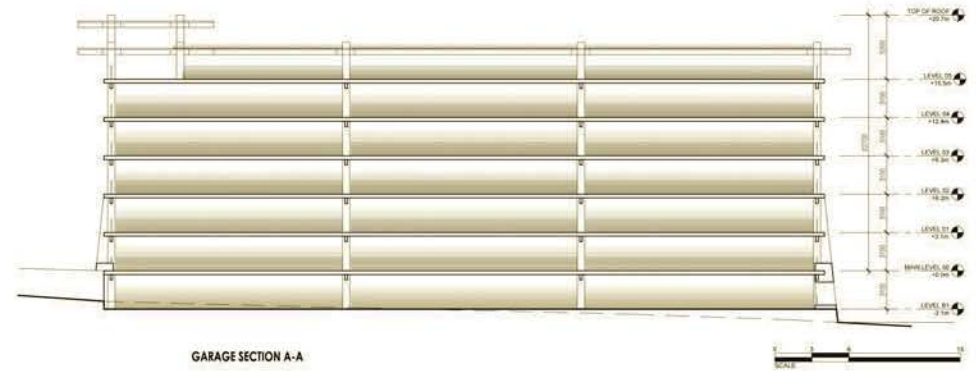




LEVELS 1-5 & B1



MAIN LEVEL 00



GARAGE SECTION A-A



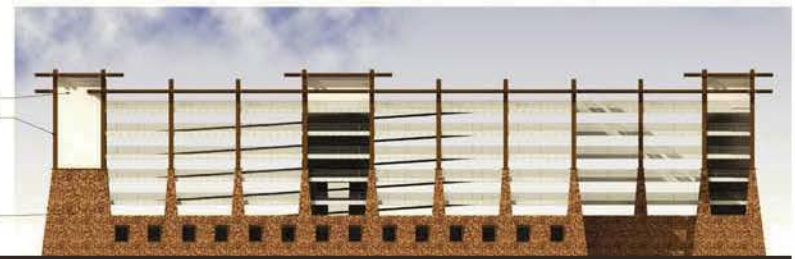
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



SOUTH SURREY ENTERTAINMENT COMPLEX
 Submission to Advisory Design Panel Submission # 7912-0299-00

Basement Level Plan
 November 22, 2012

W.D. Fisher Architect
 608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
 © 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX

Submission to Advisory Design Panel Submission # 7912-0299-00

Ground Level Plan

November 22, 2012

W.D. Fisher Architect

608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM

© 2012 Steelman Partners LLP





THEATER

CONVENTION &
ENTERTAINMENT ZONE

MAIN
LOBBY

CASINO

HOTEL

RESTAURANTS

SOUTH SURREY ENTERTAINMENT COMPLEX

Submission to Advisory Design Panel Submission # 7912-0299-00

View 1
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

View 2
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

View 3
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

View 4
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

View 5
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

View 6
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

View 7
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

View 8
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

View 9
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP

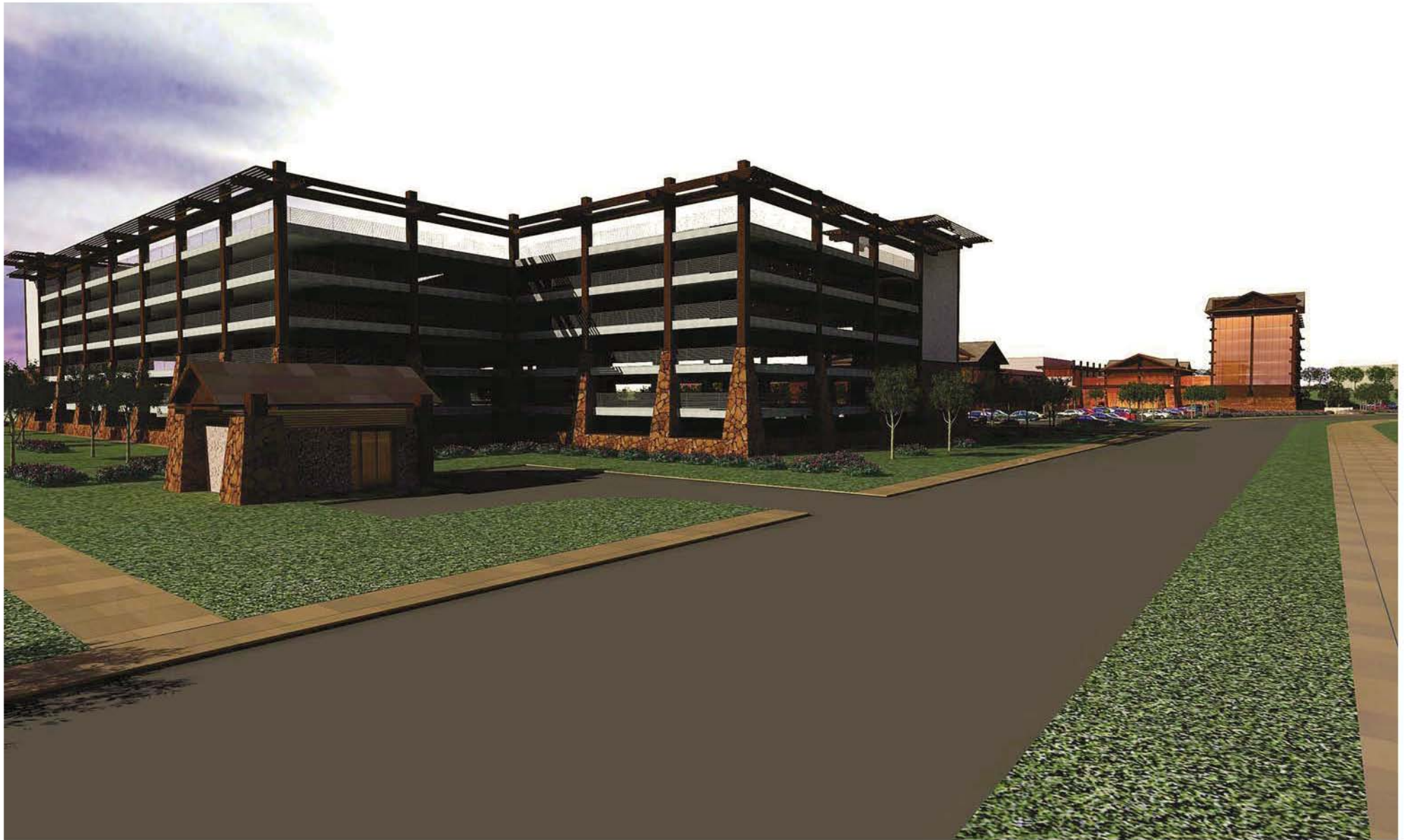


SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

View 10
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

Garage View 1
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP



SOUTH SURREY ENTERTAINMENT COMPLEX
Submission to Advisory Design Panel Submission # 7912-0299-00

Garage View 2
November 22, 2012

W.D. Fisher Architect
608-318 Homer Street, Vancouver BC, v6b 2v2

Steelman PartnersSM
© 2012 Steelman Partners LLP

APPENDIX III

City of Surrey PLANNING & DEVELOPMENT REPORT

File: 7909-0169-00

Planning Report Date: January 11, 2010

PROPOSAL:

- **OCP amendment** from Suburban to Commercial
- **Rezoning** from RA to CD (based on C-8 and CTA)
- **Development Permit**

in order to permit the development of a commercial development including a hotel, convention centre, entertainment uses and gaming facility (casino).

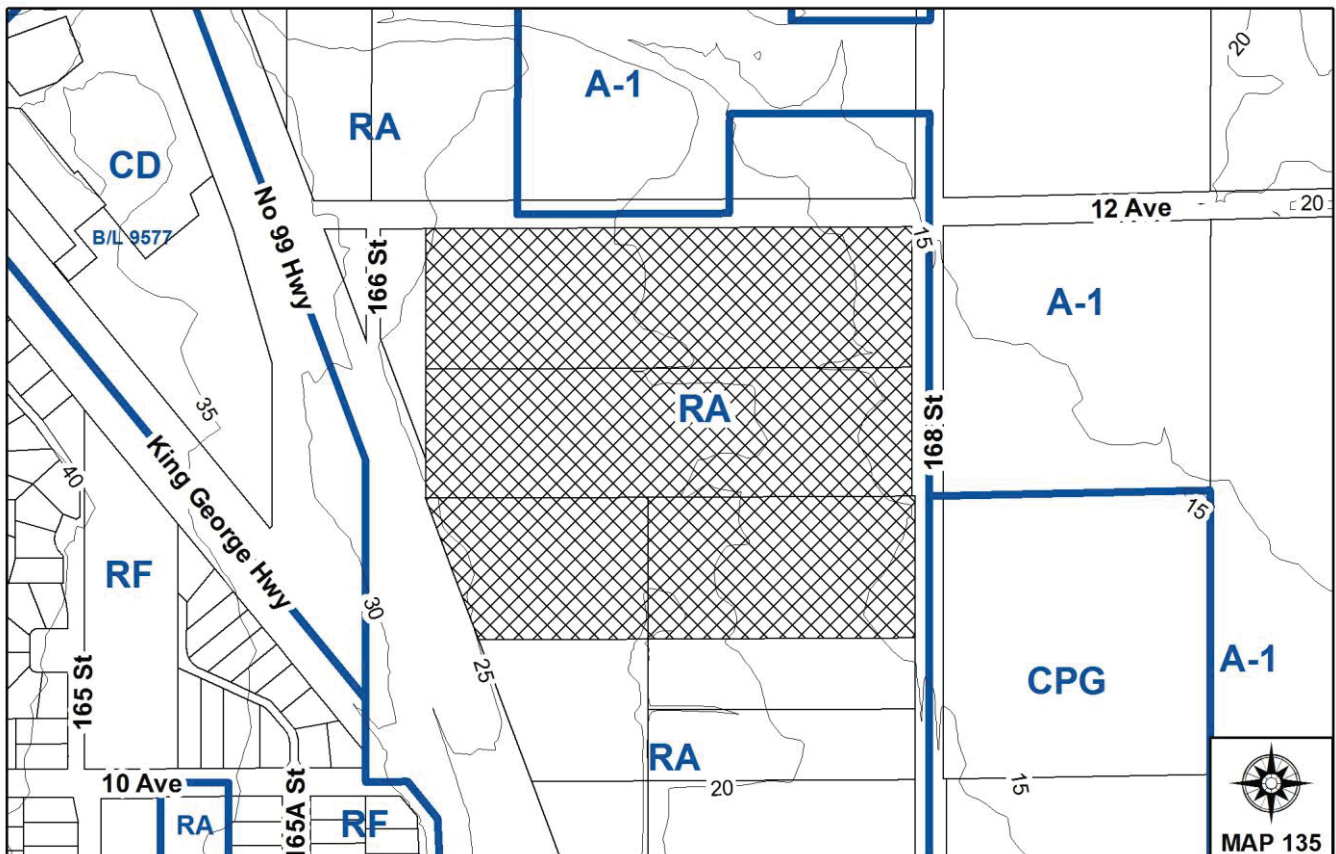
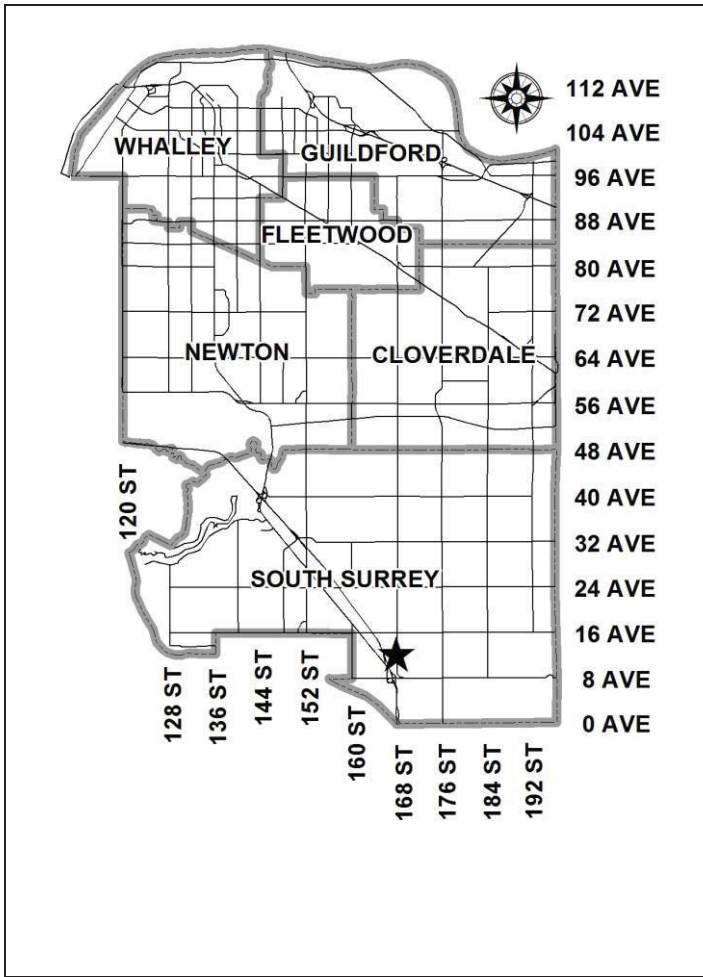
LOCATION: 1083, 1109 and 1177 - 168 Street and 1068 Highway 99

OWNER: o854559 B.C. Ltd.

ZONING: RA

OCP DESIGNATION: Suburban

LAP DESIGNATION: Business Park and Commercial/
Business Park



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for:
 - OCP Amendment
 - Rezoning
- Approval to draft Development Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Does not fully comply with the City's Gaming Policy No. R-22, in particular with respect to there having been no comfort letter received from the British Columbia Lottery Corporation (BCLC) indicating approval-in-principle of the proposed casino. However, it is noted that previous applications related to gaming facilities in Surrey (Fraser Downs Racetrack and Casino and Newton Community Gaming Centre/Newton Bingo Hall) had a letter of endorsement from BCLC when the rezoning applications were processed by the City. The City's Gaming Policy anticipates that the rezoning of a site to permit a casino use will be processed in parallel with a Gaming Application for the casino on the site. In this case a formal application for a casino to the BCLC is not yet in process. BCLC is responsible for issuing casino licenses. Since an application is not yet in process, no referral of the application has been made by the BCLC to the City, which would be the normal process followed by BCLC if it considers that the application for a casino has merit;
- Does not comply with OCP Designation. Needs a partial amendment from Suburban to Commercial; and
- Partially complies with Highway 99 Corridor LAP Designation. Needs a partial amendment from "Business Park" to "Commercial/Business Park".

RATIONALE OF RECOMMENDATION

- An OCP Amendment for the site is necessary in order to achieve the anticipated land uses in the Highway 99 Corridor Local Area Plan (LAP).
- The proposal generally complies with the LAP, which identifies the site for a high-end hotel with conference facilities at this location. A partial LAP Amendment is required to re-designate the northern portion of the site from "Business Park" to "Commercial/ Business Park" in order to accommodate a larger commercial site, and allow establishment of complementary commercial businesses and business park uses in the future on surrounding lands.
- The proposed generalized Development Permit for the site will establish the overall site plan, form and character, pedestrian connection, parking lot design, landscaping and buffering requirements for the proposed hotel, conference centre, and entertainment/gaming facility (casino). A subsequent detailed Development Permit application will be required to be submitted for approval by Council prior to building permit application.
- Council can waive the requirements of the City's Gaming Policy and retain its ability to control the location of casinos in the City through the gaming application approval process, which leaves Council with the power to deny the casino use despite such a use being permitted by the site's zoning (i.e., similar to the approach that the City takes with respect to liquor licensed establishments).

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the OCP by redesignating the portion of the subject site shown as Block A on the survey plan attached in Appendix I from Suburban to Commercial and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. a By-law be introduced to rezone the portion of the subject site shown as Block A on the survey plan attached in Appendix I from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council authorize staff to draft Generalized Development Permit No. 7909-0169-00 in accordance with the attached drawings (Appendix II).
5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) approval from the Ministry of Transportation and Infrastructure;
 - (d) input from Senior Government Environmental Agencies;
 - (e) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (f) submission of a finalized master landscaping plan, landscaping details and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (g) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (h) registration of a Section 219 Restrictive Covenant for "no build" on the portion of the site to remain zoned One-Acre Residential Zone (RA) until such time as it is rezoned and redeveloped in accordance with the Highway 99 Corridor Local Area Plan and environmental requirements are addressed to the satisfaction of the Department of Fisheries and Oceans (DFO);

- (i) registration of a Section 219 Restrictive Covenant for "no build" to protect the required 7.5 metres (25 ft.) landscaped buffer to adjacent agricultural designated lands and to advise future owners of existing farm operations in the area; and
 - (j) the applicant ensure LEED certified equivalent design is achieved for the site.
6. Council pass a resolution to amend the Highway 99 Corridor Local Area Plan to redesignate a portion of the site from Business Park to Commercial/Business Park as shown on the plan attached as Appendix VII.

POLICY CONSIDERATIONS

Although the application is generally supportable from the perspective of its uses, scale and density in the context of the Highway 99 Local Area Plan, the application does not fully conform to the City's Gaming Policy No. R-22. The Gaming Policy states that for an application for a casino use to be complete, the applicant must submit a comfort letter indicating approval in principle for the gaming facility from the BCLC. No such letter has been received by the City. It is noted that previous applications related to gaming facilities in Surrey (Fraser Downs Racetrack and Casino and Newton Gaming Centre (Newton Bingo Hall) had letters of endorsement from BCLC when the rezoning applications were processed by the City. Staff has been in contact with the BCLC who have advised that they are not prepared to issue such a letter at this time. It is understood that BCLC is currently carrying out a study of the lower mainland (including Surrey) with a view to determining whether there is any additional potential for gaming facilities in the lower mainland and, if so, where and what scale. BCLC is not prepared to provide any other comments at this time with respect to the merits of the subject site for a casino.

REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.
Parks, Recreation & Culture:	The Parks, Recreation & Culture Department has no objections to the proposal.
Department of Fisheries and Oceans (DFO):	The Department of Fisheries and Oceans (DFO) has agreed in principle to the applicant's environmental consultant's proposal for habitat protection, compensation and riparian area enhancement. Final approval from DFO is required prior to final adoption of the rezoning by-law. DFO has agreed that dedication of the habitat compensation and riparian setback areas can be deferred until the next phase of development. To accommodate this arrangement, a Section 219 No-Build Restrictive Covenant is required to be registered over the northeast parcel to address environmental requirements, including land dedication as necessary to the satisfaction of the Department of Fisheries and Oceans (DFO).

Ministry of Transportation & Infrastructure (MOTI):

The Ministry of Transportation and Infrastructure (MOTI) has provided preliminary approval for the rezoning proposal, subject to completion of a traffic impact assessment (TIA) to determine potential impacts of this development on the 8 Avenue/168 Street intersection and the 8 Avenue interchange on Highway 99. MOTI has indicated would have no objections to the intended land use. Should the TIA indicate that the highway system can accommodate the anticipated traffic generated by the site. The applicant will be required to provide a traffic impact study and satisfy any resultant infrastructure upgrade requirements to the satisfaction of both, the City's Engineering Department, and the Ministry of Transportation and Infrastructure (MOTI), prior to final adoption of the Rezoning by-law.

Agricultural Advisory Committee (AAC):

The proposed 7.5 metre (25 ft.) landscape buffer along the 168 Street frontage across from Agricultural designated land was presented to the Agricultural Advisory Committee (AAC) on January 7, 2009. The AAC expressed no concerns.

SITE CHARACTERISTICS

Existing Land Use: Single family dwellings and accessory buildings.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North:	Single family dwelling and vacant land.	Suburban/Business Park	RA and A-1
East (Across 168 Street):	Single family dwelling and golf course.	Agricultural/Agricultural	A-1 and CPG
South:	Single family dwellings and vacant land.	Suburban/Commercial and Business Park	RA
West (Across Highway 99):	Hotel and Single Family Dwellings	Urban/Urban Residential	CD and RF

JUSTIFICATION FOR PLAN AMENDMENT

- The majority of the lands in the Highway 99 Corridor Local Area Plan (LAP) require enabling OCP amendments to achieve the desired land uses in the LAP, and these are brought forward at the rezoning stage. As such, the proposed OCP Amendment from "Suburban" to "Commercial" was anticipated and is supportable.
- The proposed land use is supportable in principle, as it generally complies with the LAP, which identifies the site for a high-end hotel with conference facilities at this location. The inclusion of entertainment facilities, including gaming, can be considered complementary to a hotel and conference facility use. If the rezoning is approved, the applicant will be required to proceed through a gaming license approval process to obtain approval from BCLC for a Casino in the future, and this process will require City input/approval.

- The proposed partial LAP Amendment to redesignate the northern portion of the site from "Business Park" to "Commercial/Business Park" is supportable as the southern portion of the site is already designated for commercial or business park development and the redesignation allows for more complementary commercial businesses to locate closer to the hotel facility while still not precluding business park development on the surrounding lands to the north and south.

DEVELOPMENT CONSIDERATIONS

Site Context

- The subject site consists of 4 properties located on the southwest corner of 12 Avenue and 168 Street. The properties are currently zoned "One-Acre Residential Zone (RA)" and are designated "Suburban" in the Official Community Plan (OCP), but "Commercial/Business Park" and "Business Park" in the Highway 99 Corridor Local Area Plan (LAP), which was approved by Council in February 2004.
- The LAP identifies the subject site as part of the 8 Avenue Gateway, an important gateway location into Surrey and Canada. To take advantage of this gateway location, the LAP encourages the development of a high-end hotel with conference facilities at this location.
- The site fronts Highway 99 to the west and interfaces with the Meridian Golf Course across 168 Street to the east. The Meridian Golf Course and surrounding properties are designated "Agricultural" in the OCP and are within the Agricultural Land Reserve (ALR). To the north of the subject site are existing acreage lots designated for future Business Park development in the LAP and the Fergus Creek habitat preservation area. To the south of the subject site are acreage lots designated for future Commercial or Business Park development in the LAP.
- The combined site area is approximately 25 acres (10 hectares).

Subject Proposal

- The applicant proposes a phased commercial development on the subject site consisting of a hotel, convention centre, and entertainment/gaming facility (casino) in the first phase, and a retail commercial development in the second phase. The site will be subdivided into 2 parcels. The hotel, conventions centre, and entertainment/gaming facility (casino) building is proposed to be located on the southwest parcel, which will be approximately 6 hectares (15 acres) in size. The future retail commercial component will be located on the northeast parcel, which will be approximately 3 hectares (7 acres) in size.
- To accommodate the proposed hotel, convention centre, and entertainment/gaming facility (casino), the applicant proposes to rezone the southwest parcel from "One-Acre Residential Zone (RA)" to a "Comprehensive Development Zone (CD)". The northeast parcel is not proposed to be rezoned or redesignated at this time and as such will remain a "One-Acre Residential (RA)zoned suburban parcel until such time as the owner decides to pursue a subsequent rezoning application to allow the retail commercial phase of the project to proceed. A Section 210 No-build Restrictive Covenant will be required to be registered over the northeast parcel until such time as it is redesignated, rezoned and redeveloped in accordance with the Highway 99 Corridor LAP,

and environmental requirements (which will be described later in this report) are addressed to the satisfaction of the Department of Fisheries and Oceans (DFO) and the City.

- A generalized Development Permit is also proposed to establish the overall site plan, form and character, pedestrian connections, parking lot design, landscaping and buffering requirements for the proposed hotel, conference centre, and entertainment/gaming facility (casino). A subsequent detailed Development Permit application will be required to finalize the design. Details on the general design elements are provided later in this report.

Proposed CD Zone

- The proposed CD Zone has drafted based on a combination of the "Community Commercial Zone (C-8)" and "Tourist Accommodation Zone (CTA)" with some modifications as described below:

	C-8	CTA	Proposed CD
Permitted Uses	Eating establishments; Neighbourhood pub; Liquor store; Retail stores; Personal service uses; General service uses; Indoor recreational facilities; Entertainment uses; Parking facilities; Automotive service; Office uses; Assembly halls; Community services; and Child care centre.	Tourist Accommodation Tourist trailer park or campsite Eating establishments; Retail stores (limited); Personal service uses; One single family dwelling for caretaker.	Tourist Accommodation; Gaming Facility; Eating establishments; Neighbourhood pub; Liquor store; Retail stores; Personal service uses; Indoor recreational facilities; Entertainment uses; Parking facilities Assembly halls; and Child care centre.
Density (FAR)	0.8	0.50	0.50
Lot Coverage	50%	50%	50%
Building Height	12 metres (40 ft.).	10 metres (33 ft.).	22 metres (72 ft.).
Setbacks	7.5 metres (25 ft.) from all lines.	Range from 7.5 metres (25 ft.) to 20 metres (65 ft.).	7.5 metres (25 ft.) from all lines.

- The proposed CD Zone permits a tourist accommodation (hotel) as the principal use with a variety of accessory uses complementary to the proposed hotel operation. These include the proposed gaming facility as well as eating establishments, neighbourhood pub, liquor store, retail stores, personal service uses, indoor recreational facilities, entertainment uses, assembly halls, parking facilities and child care centre. The proposed combination of accessory uses is based on a combination of C-8 and CTA.
- The proposed CD Zone permits a maximum floor area ratio or 0.50 and a maximum lot coverage of 50%, which is the same as the Tourist Accommodation Zone (CTA) and comparable to the 0.80 floor area ratio and 50% lot coverage permitted under the Community Commercial Zone (C-8). The proposed maximum building height is 22 metres (72 ft.), which will permit up to a 6-storey building. The proposed 6 storey building height is considered appropriate for a large scale regional hotel serving, but also recognizes that the site is not within a town centre.

- It is noted that the floor area ratio, lot coverage, and building height requirements proposed under the CD Zone allow for some flexibility in the long-term development of the entire site. The conceptual building design under the proposed generalized development permit, represents a floor area ratio of 0.44, a lot coverage of 25%, and a maximum 4-storey building height, however, the development process for all phases of the development will take time, therefore flexibility in the development parameters, including increased lot coverage and building height, is warranted. All development phases will be required to proceed through a detailed Development Permit process, thus ensuring design control for all buildings.
- The proposed minimum building setback is 7.5 metres (25 ft.) from all property lines, which is comparable to the Tourist Accommodation Zone (CTA) and the Community Commercial Zone (C-8).

Proposed Casino Use

- Although a casino is listed as a permitted use in the proposed CD By-law, before a casino could be established in the development, the British Columbia Lottery Corporation (BCLC) would have to issue a license for the casino. BCLC has authority over and controls all gaming activities in the province. The applicant has not applied to BCLC for a casino license at this time. Should the applicant decide to apply for a casino license in the future, the applicant will be required to go through a separate gaming license approval process and conform to the requirements and process outlined in Surrey's Gaming Policy, as documented below.
- One important requirement of the City's Gaming Policy in relation to any development application that proposes a gaming or casino use is the submission of a "comfort letter" from the British Columbia Lottery Corporation (BCLC) indicating "acceptance in principle".
- However, neither the applicant nor the City has received a comfort letter from BCLC.
- City staff have consulted with BCLC and have been advised that a comfort letter will not be forthcoming at this time.

Gaming Policy

- On July 16, 2001 Surrey City Council adopted the Gaming Policy (City Policy No. R-22).
- The Gaming Policy establishes the conditions an applicant must fulfill before proceeding to Council for consideration of an application for a casino. A summary of these conditions and how this proposal responds is as follows (with staff comments in italics):

Any application for a casino must meet the following criteria for consideration by the City:

- The casino must offer full service with both table gaming and slot machines and must have or be intended for a license involving 300 slot machines and 30 tables.

(Although the interior floor plans for the casino have not been provided at this time, the applicant has advised that the proposed casino will contain a minimum 300 slot machines and 30 tables.)

- The casino must be a component of a "cluster of tourism facilities" such as a hotel with convention and meeting facilities, a Trade and Convention Centre, an entertainment centre, such facilities to be regional in scope.

(This subject proposal includes a hotel, conference centre, and entertainment facility.)

- The casino must be provided with access from a major road and, or be in close proximity to a "higher order" transit service.

(The site is on 168 Street, which is an arterial road and also fronts Highway 99.)

- A "comfort letter" from the BCLC must be submitted stating their "acceptance-in-principle".

(The applicant has not provided a comfort letter from BCLC confirming their "acceptance-in-principle" of a casino at this location.)

- The casino must be designed and located to address, to the satisfaction of the City, land-use "interfacing" impacts, traffic impacts, parking requirements and any other identified community impacts.

(The applicant has worked with staff, and incorporated comments from the Advisory Design Panel (ADP), to prepare the conceptual architectural design, massing, and interfacing conditions of the proposed building. These design elements will continue to be refined prior to final approval of the proposed generalized development permit and will be finalized through a subsequent detailed development permit application. The applicant will be required to provide a traffic impact study and satisfy any resultant infrastructure upgrade requirements to the satisfaction of both, the City's Engineering Department, and the Ministry of Transportation and Infrastructure (MOTI), prior to final adoption of the Rezoning by-law. A minimum of 15 parking stalls for every 100 square metres (1,076 sq.ft.) of gross gaming facility/casino floor area will be required to be provided on site. This requirement is based generally on the requirements established for other casinos in nearby municipalities including New Westminster, Burnaby, and Coquitlam, but also recognizes the sites relatively remote location removed from transit services.)

- The casino will only be permitted to locate in an area designated Industrial or Commercial under the City's Official Community Plan.

(The subject proposal includes an OCP Amendment to redesignate the site from "Suburban" to "Commercial" in the OCP. The site is designated for commercial and business park uses in the Highway 99 Corridor LAP.)

- The casino must comply with all location criteria and other requirements for liquor licensed premises, where permitted.

(The subject site meets the majority of the City's established locational criteria for liquor primary establishments. Although the site is not within close proximity of a residential area it forms part of the future 8 Avenue Gateway commercial/business park node and will be a regional destination, as identified in the Highway 99 Corridor LAP. The site fronts a provincial highway (Highway 99), but access is provided via 168 Street, which is an arterial road. The site is not within 400 metres of any school, children's park or playground.)

- The casino cannot be located within 10 kilometres of another casino in Surrey.

(The only approved casino in Surrey is the Fraser Downs Racetrack and Casino at 17755 – 60 Avenue in Cloverdale, which is approximately 12 kilometres from the subject site.)

- No more than 3 casinos will be permitted within the City of Surrey

(There is currently one casino in Surrey – The Fraser Downs Racetrack and Casino in Cloverdale.)

Procedures for any Subsequent Gaming Application

- Should the applicant wish to pursue a casino license at some point in the future, once the proposed CD By-law is approved, the applicant will be required to submit a Gaming License Application to the BCLC, which if they are prepared to consider such an application will refer the application to the City for review and comments. If such a referral is received the applicant will need to make a Gaming Application to the City and follow the standard process for such applications. The BCLC has advised that it will not issue a gaming (casino) license for a site in a municipality unless the Council of the municipality indicates support for the casino. Provincial legislation requires that a City Council must consult the community, with respect to any application as well as "affected local governments", prior to providing comments back to the BCLC.
- As part of a City's Gaming Application process, the applicant will be required to hold a public information meeting, or meetings, to apprise the general public of the proposed casino and to obtain public input on the proposal.
- Prior to proceeding to Council, the applicant will also be required to submit a "comfort letter" from BCLC stating their approval in principle to the application.
- If the site zoning already permits the use, in addition to the public consultation that is required by Provincial legislation, Council could also hold a public information meeting in the form of a Public Hearing, similar to the process followed by Surrey where a liquor primary license application is made in relation to a site that is already zoned for the use. If the casino use is not incorporated in the zone, the rezoning Public Hearing would eliminate the need for a public information meeting in the form of a Public Hearing related to the Gaming Application.

Environmental Requirements

- The City of Surrey's watercourse classification map identifies six (6) watercourses on or adjacent to the development site. Fergus Creek is a Class A, red-coded watercourse, which flows through the northeast portion of the site. There are also five (5) Class B, yellow-coded, unnamed watercourses located in the northeast portion of the site and along the 168 Street road allowance. The applicant retained ECL Envirowest environmental consultants to prepare an environmental report for consideration by the City's Environmental Review Committee (ERC) and the Department of Fisheries and Oceans (DFO).

- The environmental consultant proposes elimination of approximately 5,200 square metres (56,000 sq.ft.) of riparian habitat area along the 168 Street road allowance to accommodate road and parking lot construction for the proposed hotel, convention centre, and entertainment/gaming facility (casino). This habitat loss will be compensated through a combination of additional habitat area and habitat enhancement works around Fergus Creek on the northeast portion of the subject site. The ERC and DFO have agreed to the proposal in principle but details on the amount of habitat compensation and habitat enhancement works are still being reviewed. Final approval from the ERC and DFO on the habitat compensation and habitat enhancement works will be required prior to final adoption of the rezoning by-law.
- Since all of the habitat compensation and riparian areas are located within the proposed northeast lot, which is not proposed to be redeveloped at this time, the ERC and DFO have agreed that dedication of the habitat compensation and riparian setback areas can be deferred until the next phase of development. To accommodate this arrangement, the no-build restrictive covenant required to be registered over the northeast parcel prohibiting building construction until such time as the lot is redeveloped in accordance with the Highway 99 Corridor LAP will also stipulate that environmental requirements, including land dedication as necessary, will be required to be addressed to the satisfaction of the Department of Fisheries and Oceans (DFO) and the City prior to any building construction on the lot.

PRE-NOTIFICATION

Pre-notification letters were sent on November 20, 2009 and staff received the following comments.

- Staff received a letter from the owner of the Pacific Inn Resort and Conference Centre, located at 1160 King George Boulevard, across Highway 99 from the development site. The owner advised that he has no objections to the casino component. However, he expressed concerns regarding the addition of another hotel in this area, considering he is already experiencing difficulties maintaining consistent occupancy at the Pacific Inn.

(The Highway 99 Corridor LAP encourages the development of a high-end hotel with conference facilities at this location.)

- Staff received one phone call from a neighbouring resident who was concerned about the amount of traffic that would be generated along 168 Street as a result of this development. The neighbouring resident also enquired about park acquisition in the area.

(168 Street is an arterial road. The applicant is required to provide a traffic impact study and satisfy any resultant infrastructure upgrade requirements to the satisfaction of both, the City's Engineering Department, and the Ministry of Transportation and Infrastructure (MOTI), prior to final adoption of the Rezoning by-law. The concerned neighbouring resident was referred to the City's Realty Division for information on park acquisition in the area.)

The applicant held a public information meeting on January 4, 2010. Invitations to the meeting were sent to all property owners within 100 metres (330 ft.) of the development site. The meeting was attended by 5 people all of whom completed comment sheets. The comment sheets indicated that all 5 attendees were in support of the proposal.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act; it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

DESIGN PROPOSAL AND REVIEW

- The applicant is seeking a generalized Development Permit for the site to establish the overall site plan, form and character, pedestrian connections, parking lot design, landscaping and buffering requirements for the proposed hotel, conference centre, and entertainment/gaming facility (casino). Detailed design of specific buildings has not proceeded at this time, as the applicant is seeking general approval prior to proceeding with detailed design. It is important to note that the General Development Permit will not allow development on the site, but will ensure that subsequent detailed Development Permits are consistent with the overall design character. Detailed Development Permit applications, including detailed building architecture, design, and landscaping will be required to be submitted for approval by Council for all buildings.

Access and Parking

- The two lots that will be created through the subdivision component of the subject development proposal will be divided by a new crescent shaped road which will be required to be dedicated and constructed as a condition of this development proposal and will connect 12 Avenue through to 168 Street. This new municipal road will provide access for not only the subject development sites but also neighbouring parcels to the north and northwest which currently do not have access through to 168 Street due to the existence of Fergus Creek which prevents the construction of 12 Avenue through to 168 Street. The applicant will also be required to dedicate and construct a half road on the southern portion of the site through to 168 Street, which will eventually provide internal road network and access for the properties to the south.
- The applicant is required to provide a traffic impact study and satisfy any resultant infrastructure upgrade requirements to the satisfaction of both, the City's Engineering Department, and the Ministry of Transportation and Infrastructure (MOTI), prior to final adoption of the Rezoning by-law. The traffic impact study will indicate which, if any of the two new intersections on 168 Street will be required to be signalized.
- At this time, based on the information provided by the project architect, the estimated number of parking stalls required for the proposed hotel, conference centre, and entertainment/gaming facility are as follows:

LAND USE	UNITS	PARKING RATE	NUMBER OF STALLS
Hotel	200 rooms	1 stall per/room	200
Theatre	800 Seats	1 space/5 seats	160
Restaurant	279 m ²	10 spaces/100 sq.m	28
Casino	5,574 m ²	15 spaces/100 sq.m.	836
Total			1224

- The parking rates utilized for the hotel, theatre, and restaurant components of the proposed development are those prescribed in the Parking and Loading/Unloading section of the Surrey Zoning By-law, No. 12000. The City does not have a parking rate for casinos and as such the City's Engineering Department has prescribed a rate of 15 parking stalls for every 100 square metres (1,076 sq.ft.) of gross gaming facility/casino floor area. This requirement is based generally on the requirements established for other casinos in nearby municipalities including New Westminster, Burnaby, and Coquitlam, and is comparable to the 11 stall/100 square metre of gross floor area required for Bingo Halls under Surrey Zoning By-law, No. 12000, but also recognizes the site's relatively remote location removed from transit services.
- The Highway 99 Corridor LAP Design Guidelines stipulate that surface parking areas for commercial development in the Highway 99 Corridor Plan area are to be limited to 3.0 parking spaces per 100 square metres of gross floor area. This guideline is an important component of minimizing the visual and environmental impact of large surface parking areas, and has been adhered to in the Grandview Corners commercial area to the north. Based on this guideline, additional parking beyond the 3.0 spaces per 100 square metres must be provided either as underground parking or within a parking structure. The applicant has agreed to this requirement, and the proposed CD Zone includes this provision as a requirement.
- The site plan for the proposed hotel, conference centre, and entertainment/gaming facility (casino) currently provides 778 surface parking stalls, which is enough to accommodate all of the uses contemplated for the site with the exception of the casino. Should the applicant receive approval for a casino license, underground or structured parking will be required. A conceptual location for a future parking structure has been indicated on the site plan.

Building Siting and Design

- The hotel, conference centre, and entertainment/gaming facility (casino) building is proposed to be located on the southwest corner of the site closest to Highway 99. The surface parking areas extend east and north towards 168 Street and 12 Avenue.
- The proposed hotel component is 4-storeys and the proposed conference centre, restaurant, and casino component is 1-storey. The total floor area is approximately 23,000 square metres (250,000 sq.ft.). The proposed casino component is approximately 5,600 square metres (60,000 sq.ft.) and the hotel will feature approximately 200 rooms.
- The hotel features a large courtyard area which opens up to Highway 99.
- The main building entrance is centrally located off of a landscaped plaza entry feature creating a grand entry experience.
- The design concept is based on a "Pacific Northwest Character" and the building materials selected are based on materials historically used in Surrey. Inspiration was drawn from the Adams House, Newcombe Barn, the Newton Fire Hall, and the Surrey Museum.
- The proposed architectural character and quality of materials address the Highway 99 Corridor LAP design guidelines and also respond to the site's gateway significance. Materials include concrete, stone, heavy timber and stucco. The roofing material is prefinished aluminum.

- The building is articulated with pitched roof elements to break up the massing. Balconies have been added to anchor the corners. The loading area is located on the south side of the building and setback into the building to minimize visibility.

Tree Preservation and Landscaping

- The applicant retained Mike Fadum and Associates Ltd. (certified arborist) to conduct a site inspection and prepare an arborist report. The arborist report identifies 88 protected trees on the site and concludes that all 88 will need to be removed to accommodate the proposed building and parking area. A summary of the proposed tree removal is provided below. The applicant proposes 754 replacement trees as part of the landscaping for the project, which vastly exceeds the 171 replacement trees required under the Tree Protection By-law.

Tree Species	Total Number of Protected Trees	Total Proposed for Retention	Total Proposed for Removal
Red Alder	5	0	5
Apple	6	0	6
Paper Birch	2	0	2
Cherry	3	0	3
False Cypress Sawara	1	0	1
False Cypress	3	0	3
Hazel	3	0	3
Douglas Fir	37	0	37
Magnolia	1	0	1
Maple	1	0	1
Plum	4	0	4
Western Red Cedar	1	0	1
Norway Maple	1	0	1
Silver Maple	6	0	6
Lombardy Poplar	6	0	6
Walnut	2	0	2
Linden	1	0	1
Weeping Willow	5	0	5
Total	88	0	88

- The conceptual landscaping plan prepared for the project features a generous combination of trees and shrubs in a variety of species and colours. Planting materials will be seasonally attractive and colourful to continue the entertaining aspect of the facility. All landscape areas will be irrigated.
- The Highway 99 frontage area will be heavily planted to maintain a green edge along this important interface.
- The parking areas will be extensively planted with a variety of ornamental trees spaced at the required one tree per six parking spaces. The parking islands will be a minimum of 1.5 metres (5 ft.) wide to meet City requirements.
- Pedestrian routes will be clearly delineated and provide safe access through the parking area to the hotel, conference centre and entertainment/gaming facility (casino).

- The hotel courtyard will feature a plaza and bench seating area and a walkway with tree colonnade.
- Decorative paving materials will be utilized throughout the site to identify pedestrian routes and key plaza areas. Paving materials will be a combination of acid-etched coloured concrete with granite trims and interlocking pavers.
- The major feature in front of the hotel, conference centre and entertainment/gaming facility (casino) will be a multi-purpose plaza including both a programmed water feature and performance space.
- The site will feature consistent high quality furnishings and lighting.

Agricultural Interface Landscape Buffer

- The Surrey Official Community Plan (OCP) identifies all properties that are outside of the Agricultural designation that are abutting Agricultural designated land as Development Permit areas for the purpose of protecting farming. The OCP also establishes Development Permit area guidelines for areas at the outside edge of the Agricultural designation.
- The following outlines how the proposal will meet the applicable agricultural interface guidelines established in the OCP.

Building Location

- The proposed site plan for the project indicates that the hotel, conference centre, and entertainment/gaming facility (casino) building will be approximately 180 metres (590 ft.) from the edge of the agricultural land and separated by the 168 Street road allowance and a surface parking lot. This separation distance far exceeds the minimum 30 metre (100 ft.) separation distance established under the OCP guidelines.

Landscaping

- As part of the proposed development, a 7.5 metre (25 ft.) landscape buffer will be established along the 168 Street frontage across from the Agricultural designated land. The landscaped buffer will screen the adjacent surface parking area from the agricultural land. The proposed 7.5 metre (25 ft.) buffer exceeds the minimum 3.0 metre (10 ft.) buffer width established under the OCP guidelines for sites with no further subdivision potential.
- The OCP established guidelines suggest that the landscaping buffer feature the following elements:
 - A double row of trees (majority coniferous);
 - Low maintenance, indigenous vegetation, densely planted;
 - Some soil berming; and
 - A low transparent fence (split rail or picket) combined with a continuous evergreen hedge.

- The proposed landscaped buffer meets the majority of the OCP established guidelines with some modifications to reflect the context and nature of the proposal. The proposed buffer will feature clusters of trees in both coniferous and deciduous varieties, in combination with low maintenance indigenous vegetation. There will be some soil berming in various locations but no fence or continuous evergreen hedge is proposed. Given the large distance between the proposed building and the Agricultural edge, a solid landscaped buffer was not considered to be necessary. In addition, some transparency in the buffer was considered to be important to ensure that there is natural surveillance between 168 Street, the future multi-use pathway (Pioneer Greenway) along 168 Street, and the parking lot. The proposed buffer includes trellis features to add interest in key locations, and has one pedestrian access through it to provide access out to the future multi-use pathway.
- Landscaping securities will be collected to ensure the landscaping is installed in accordance with the landscaping plan and a restrictive covenant will be registered on the property to ensure the buffer is protected and maintained and to advise future property owners of adjacent agricultural operations.
- The proposed agricultural landscape buffer was presented to the Agricultural Advisory Committee (AAC) on January 7, 2009. The AAC expressed no concerns.

Sustainability

- The applicant has advised that the proposed hotel, conference centre, and entertainment/gaming facility (casino) will feature a variety of sustainable design features including the following:
 - Storm water will be captured and controlled on-site;
 - Storm water detention will be employed to control the storm water discharge from the site;
 - Storm water treatment will utilize a "storm water treatment manhole";
 - Bio-swales between parking stalls will allow for storm water infiltration;
 - Bio-swales between parking stalls will provide water quality improvements;
 - Infiltration galleries will be incorporated into bio-swales to reduce the volume of detention;
 - Structural soil will be used for trees planted in parking areas;
 - Permeable pavers in some parking areas will allow for storm water infiltration;
 - Native plant material will be utilized, particularly near the highway where the site abuts existing vegetation;
 - Site furnishings will be made of recycled materials;
 - Energy efficient fixtures will be considered;
 - All suites will feature automatic water and power shutoff when unoccupied;
 - Mechanical equipment and systems will be evaluated for long-term energy savings;
 - Energy efficient lighting systems will be considered;
 - Habitable and landscaped roof terraces will be provided adjacent to Highway 99;
 - Plumbing fixtures will be selected for reduced water usage;
 - Building will utilize HVAC systems that are energy efficient;
 - Best Practice Commissioning will be considered;
 - A permanent carbon dioxide monitoring system will be installed for the casino and common areas to regulate the fresh air into the building to ensure occupant comfort and well being;
 - The ventilation systems will mix air supply as per ASHREA requirements;
 - IAQ management plan will ensure air quality maintenance during construction;

- HVAC systems will have a separate control system for perimeter space; and
 - Thermally comfortable environment will be provided to support the productivity and well being of the building occupants.
- The applicant has agreed to achieve a site design that is equivalent to a LEED certified building.

ADVISORY DESIGN PANEL

- The design concept for the proposed hotel, conference centre, and entertainment/gaming facility (casino) was presented to the Advisory Design Panel (ADP) at the December 10, 2009 ADP Meeting. The ADP provided a variety of design suggestions which the applicant is working on incorporating. The proposed design concept will be presented to the ADP for a subsequent review prior to final approval of the generalized development permit. Finalized design details will be completed through a subsequent detailed development permit application which will also require an ADP review.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets and Survey Plan
Appendix II.	Proposed Subdivision Layout, Site Plan, Building Elevations Landscape Plans and Perspective
Appendix III.	Engineering Summary
Appendix IV.	Summary of Tree Survey and Tree Preservation
Appendix V.	ADP Comments
Appendix VI.	Highway 99 Corridor Local Area Plan – Proposed Amendment
Appendix VII.	OCP Redesignation Map
Appendix VIII.	Proposed CD By-law

INFORMATION AVAILABLE ON FILE

- Environmental Report prepared by ECL Envirowest Consultants Limited dated December 16, 2009.
- Complete Set of Architectural and Landscape Plans prepared by The Hulbert Group and DMG Landscape Architects, respectively, dated December 10, 2009.

Jean Lamontagne
General Manager
Planning and Development

RG/kms

v:\wp-docs\planning\plncom10\01071013rg.doc
. 1/7/10 10:28 AM



CITY POLICY

REFERENCE:	APPROVED BY:	CITY COUNCIL
REGULAR COUNCIL MINUTES	DATE	16 July 2001 (RES.R01-1742)
	HISTORY:	NEW

TITLE: GAMING POLICY**1. PURPOSE**

The purpose of this policy is to outline key principles and criteria to regulate gaming activities within the City.

2. CONTEXT

The Criminal Code of Canada prohibits gaming generally, but makes certain exceptions. These exceptions include gaming conducted and managed by a province in accordance with the laws of that province and gaming conducted by a charitable or religious organization pursuant to a license issued by the Lieutenant Governor in Council of the Province. Under the Criminal Code of Canada, proceeds from licensed gaming must be used for charitable or religious purposes.

In B.C. the government introduced Bill-30, *the Gaming Control Act*, on July 4, 2000, which creates the Gaming Control Authority, an overview of which is attached as Appendix 'C'. However, Bill 30 has not yet been passed as an Act.

In the meantime, the framework for the regulation of gaming in the Province of British Columbia is governed by the Lottery Act (LA) and the Lottery Corporation Act (LCA). The LA is administered by the British Columbia Gaming Commission and focuses on charitable gaming. The LCA authorizes the British Columbia Lottery Corporation (BCLC) to conduct and manage provincial gaming on behalf of the Province of British Columbia and is focused on non-charitable gaming, such as lotteries, electronic bingo and community and destination casinos.

At present, government policy provides for two categories of casinos, community casinos and destination casinos. While government policy contemplates the re-location of community casinos, government policy does not contemplate the re-location of

This policy is subject to any specific provisions of the Local Government Act, or other relevant legislation or Union agreement.

destination casinos. At present, government policy does not provide for any additional community or destination casinos. At present, only BCLC can initiate and manage a relocation of its existing community casinos. Government policy currently provides that both community and destination casinos cannot have more than 300 slot machines or more than 30 tables. Casinos at race tracks are not permitted under current government policy.

The province's policy framework also provides for a formal agreement with a municipality giving that municipality control over the extent, scope and type of casino and bingo gaming within their municipal boundaries. Municipalities where casinos are located, receive a 10% share of "net" revenues from community casinos within their jurisdictions and 1/6th of "net" revenues from destination casinos in their community.

3. TYPES OF CASINOS

The province's legislation defines two types of casinos, i.e., community casinos or destination casinos. Both types of casinos permit both table gaming and slot machines. From a municipality's perspective, the main difference between the two casino types lies in their net revenue sharing. A municipality receives 10% of net revenues from a community casino, whereas it receives 1/6th of net revenues from a destination casino. For destination casinos, the Province makes an additional 1/6th of net revenues available for local economic development projects.

[NOTE: Currently there is one casino (i.e. the Great Canadian Casino in Newton) in Surrey, which is in the process of being relocated to Coquitlam.]

4. REQUIREMENTS FOR APPLICATION CONSIDERATION

Any application for a casino must meet the following criteria for consideration by the City:

- The casino must offer full service with both table gaming and slot machines and must have or be intended for a license involving 300 slot machines and 30 tables.
- The casino must be a component of a "cluster of tourism facilities" such as a hotel with convention and meeting facilities, a Trade and Convention Centre, an entertainment centre, such facilities to be regional in scope.
- The casino must be provided with access from a major road and/or be in close proximity to a "higher order" transit service.
- A "comfort letter" from the BCLC stating their "acceptance-in-principle."

This policy is subject to any specific provisions of the Local Government Act, or other relevant legislation or Union agreement.

-
- The casino must be designed and located to address to the satisfaction of the City land-use "interfacing" impacts, traffic impacts, parking requirements and any other identified community impacts.
 - The casino will only be permitted to locate in an area designated Industrial or Commercial under the City's Official Community Plan.
 - The casino must comply with all location criteria and other requirements for liquor licensed premises, where permitted.
 - The casino cannot be located within 10 kilometres of another casino in Surrey.
 - No more than 3 casinos will be permitted within the City of Surrey.

5. PROCESSING AND APPROVAL OF CASINOS

- A casino is currently not a permitted use in any zone within the City's Zoning By-law.
- Each application for a casino will involve, as a minimum, a rezoning application for either a Comprehensive Development Zone or Special Casino Zone and a Development Permit application.
- Casino applications will only be considered if sufficient dollars and resources have been committed by the Province to appropriately fund problem gambling programs for Surrey.
- The applicant may be required to submit as part of the application, an all encompassing Impact Analysis of the casino proposal prepared by a qualified professional identifying the costs and benefits to the City if the casino is approved and constructed including amongst other things, a summary of the affects that the casino will have on the image of the City and the neighbourhood within which it is located.
- The applicant will be responsible for retaining the services of qualified professionals to prepare plans and conduct the necessary studies to ensure that the proposed casino is properly integrated with the surrounding development, and that all impacts and legal requirements are adequately addressed.
- The applicant will be responsible for providing all necessary engineering services to the site under a Servicing Agreement in accordance with the Subdivision and

This policy is subject to any specific provisions of the Local Government Act, or other relevant legislation or Union agreement.

Development By-law and for paying all fees, charges and levies required under city By-laws or that are collected by the City on behalf of other agencies.

- The applicant will be responsible for undertaking a public consultation program in advance of the required Public Hearing and as otherwise directed by the City.

6. ALLOCATION OF REVENUES

The municipal share of revenues from casinos will be allocated based on the following criteria:

- No casino revenue will be allocated to the general operating needs of the City except for those required for directly impacted infrastructure and services such as police services, fire services, traffic improvements, etc. Total annual allocation for such services cannot exceed 25% of the annual revenues.
- Minimum of 50% of annual revenues will be allocated for Capital Projects related to arts, libraries, culture and recreation.
- Allocation of casino revenues to "other" Capital Projects throughout the City cannot exceed 25% of annual revenues.

7. LAWS, BY-LAW AND REGULATION CONSIDERATIONS

- (a) The Business License By-law shall be amended to include definitions of "Casinos" and shall limit the number of casinos in the City of Surrey to three.
- (b) The City shall amend its Business License By-law to require that BCLC and/or their service contractor(s) must provide the City of Surrey with satisfactory evidence that the service contractors and all its applicable officers/employees have passed an acceptable background (including criminal) check.
- (c) The Business License By-law shall be amended to provide that no business license shall be issued without the city's specific approval of the gaming facility and the issuance of provincial registration for the gaming services' provider and each gaming worker
- (d) The Business License By-law shall be amended to require the casino keep a record of the registered gaming workers employed at the casino. To this end, the City will require the applicant to provide a "letter of compliance" from the BCLC. Any suspension or cancellation of the registration of a casino shall be grounds for suspension or cancellation of the business license.

This policy is subject to any specific provisions of the Local Government Act, or other relevant legislation or Union agreement.

- (e) The applicant will be responsible for complying with all applicable laws, by-laws and regulations in relation to the approval and operation of the casino.
- (f) The Land Use Planning By-law shall be amended to implement the above noted policies.

This policy is subject to any specific provisions of the Local Government Act, or other relevant legislation or Union agreement.



APPENDIX V

SEMIAHMOO FIRST NATION

November 22, 2012

City of Surrey
Planning & Development Department
14245 – 56th Avenue,
Surrey, BC V3X 3A2

BY FAX: 604-591-2507

Attention: Ron Gill, Planner – South Surrey

Dear Mr. Gill:

Re: Proposed Gaming License Application at 1083, 1109 and 1177 – 168th Street and 1068 Highway No. 99

We write to request that the City of Surrey meet with Semiahmoo First Nation prior to making any decision in respect to the South Surrey Casino Complex, which is located a mere 500m from our reserve and within the heart of our Traditional Territory. The purpose of this letter is to provide the City of Surrey with our concerns that will materially affect the Semiahmoo First Nation and its members.

Aboriginal Title and Rights

We wish to remind you that the Semiahmoo First Nation has Aboriginal title and rights throughout the City of Surrey. As set out in our previous letter Semiahmoo First Nation has:

- continuously occupied and maintained our relationship to the area covered by the land where the South Surrey Casino Complex will be located since time immemorial and prior to 1846;
- exclusively used and occupied the territory, including the lands, waters and resources, prior to 1846;
- Aboriginal title to the territory and have consistently put the provincial government on notice of this title;
- never been conquered, nor have we ever surrendered our Aboriginal title and rights through a treaty with the Crown; and
- laws and traditions that govern the use of the territory, including laws to regulate land and resource use and these laws and traditions must be respected and accommodated in any governance, land and resource use decisions.

In similar circumstances involving, the River Rock Casino, the City of Richmond and Musqueam First Nation, the City had multiple meetings with the First Nation and did much more to consult and accommodate the First Nation than the City of Surrey has in this case. The court case resulted in the British Columbia Lottery Corporation and the province having to go back, assess the strength of claim and engage in consultation and accommodation with the First Nation. This resulted in a delay in the project while the First Nation negotiated accommodation with the province in the form of a reconciliation agreement.

Before a decision to approve the South Surrey Casino Complex can be made by the City of Surrey, Semiahmoo First Nation will require time to negotiate a reconciliation agreement with the province to accommodate and reconcile our Aboriginal rights and title in respect to the proposed casino, in addition to our concerns over matters within the control of the City of Surrey.

Casino Approval

A decision to approve the South Surrey Casino Complex requires the City of Surrey to consult with Semiahmoo First Nation as a potentially affected local government under section 19(1)(b) of the *Gaming Control Act*.

19(1) The lottery corporation must not, under section 18, develop, use or operate a facility ... as a gaming facility... unless the lottery corporation ...

(b) is satisfied that the local government has consulted with each potentially affected local government

The City of Surrey has already made development decisions in respect to the property by rezoning and issuing development permits, without any consultation with Semiahmoo First Nation. We did not receive any information from the City of Surrey or Gateway Casino and Entertainment Limited until November 6, 2012.

On November 6, 2012, we received a letter dated October 23, 2012, from Ron Gill, Planner, South Surrey Section, City of Surrey, requesting comment letters for consultation on the South Surrey Casino Complex to be included in a report to the City of Surrey, Council for consideration. Semiahmoo First Nation replied to the letter on November 8, 2012, outlining our initial concerns in respect to the South Surrey Casino Complex based on no additional information provided by the City of Surrey on the South Surrey Casino Complex development.

We picked up an information package from Mr. Gill on November 21, 2012, in respect to the South Surrey Casino Complex. Mr. Gill informed us that the planning department was preparing the report for the next Land Use Committee meeting scheduled for Nov. 26, 2012.

Concerns

We have identified the following initial concerns with the approval of the South Surrey Casino Complex location and gaming licence:

1. Increased Infrastructure Costs;

Semiahmoo First Nation has no potable water or sewer services; however, the City of Surrey is in trespass on our reserve lands with unidentified infrastructure including storm drains that flow through our reserve into the Little Campbell River. We have asked the City of Surrey repeatedly to enter into a Municipal Service Agreement including, water, sewer, storm drains, fire and other service. The City of Surrey has stated that they can not provide services to our reserve because of infrastructure cost. If this is the case, why are they able to provide service to the South Surrey Casino Complex only 500m away from our Indian reserve.

2. Adverse Socio-Economic Impact to Semiahmoo First Nations Members;

It is well known fact that crime and addiction are tied to casino developments and population increases. We do not have the resource to police our reserve or provide addiction services to our members including, alcohol, drug and gambling addictions.

Our reserve does not have any guarantee of municipal services such as emergency services including fire and ambulance. In addition, the increase traffic on Highway 99 will significantly limit access to our reserve creating major issues if there is a health, fire or other emergency. Currently the City of Surrey does not enforce parking on Beach Road which on busy days when there are events in White Rock or at Peace Arch Park vehicles parking on Beach Road block traffic, and emergency vehicles cannot get to our reserve.

From the information we received there is no plan in place for the City of Surrey to address these issues. Before any decision is made on the South Surrey Casino Complex, we demand that the City of Surrey discuss these issues with us for the Health and Safety of our members. At minimum, we ask that City of Surrey enter into a Municipal Service agreement with Semiahmoo First Nation and provide sewer, water, fire and ambulance services to our reserve.

3. Increased Traffic on Highways and Arteries Surrounding Semiahmoo First Nation Indian reserve lands;

The Semiahmoo First Nation Indian reserve can only be accessed from Highway 99 and Marine Drive/King George Highway/BLVD. The South Surrey Casino Complex will significantly increase traffic and our access to our reserve is already blocked frequently by Canada-US Border traffic. The traffic study that was completed in 2009, was based on parking for 807 cars and we understand that the new plan will be for 2000 cars. This

more than doubles the amount of traffic to the South Surrey Casino Complex which will significantly affect our reserve and air quality.

In addition, the City of Surrey failed to maintain Beach Road, which they agreed to maintain in federal Order in Council 1959-6. This has resulted in traffic issues related to parking along Beach Road during events in White Rock or at Peace Arch Park. In an emergency situation, emergency vehicles would not be able to pass. With the South Surrey Casino Complex being so close and having a conference center and 800 seat theater, there are concerns that traffic and parking would increase on Marine Drive, Beach Road and Highway 99 leaving Semiahmoo First Nation members vulnerable, if there is an emergency.

4. Impact to Archaeological Sites;

The South Surrey Casino Complex is located where Semiahmoo First Nation has Aboriginal title and rights in the heart of our Traditional Territory, and there have been no Archaeological studies on the site.

5. Adverse Environmental Impact to the Fish, Wildlife, Migratory Birds and Medicinal Plants;

The location of the South Surrey Casino Complex is a traditional "prairie" harvesting ground for the Semiahmoo First Nation were since time immemorial our people have harvested wildlife, migratory birds, and food and medicinal plants.

The footprint of the South Surrey Casino Complex is detrimental to the ground water, Little Campbell River, Fergus Creek and Semiahmoo Bay. This will significantly impact the return of fish and aquatic plants Semiahmoo First Nation traditionally relied upon. The environmental study conducted in 2009 does not meet the standards of today in Metro Vancouver, the province or Canada.

Areas where we practice cultural, spiritual, and traditional activities of importance are now very limited within our Traditional Territory and the accumulative impacts on our Aboriginal rights are significant. We do not have time within the time limits set by the City of Surrey to adequately assess the impacts of South Surrey Casino Complex on Semiahmoo First Nation and its members.

6. Water Quality of the Watershed, Fergus Creek, the Little Campbell River and Semiahmoo Bay;

The footprint of the South Surrey Casino Complex is detrimental to the ground water, Little Campbell River, Fergus Creek and Semiahmoo Bay. This will significantly impact the return of fish, shellfish and aquatic plants Semiahmoo First Nation traditionally relied upon. The environmental study conducted in 2009 does not meet the standards of today in Metro Vancouver, the province or Canada.

7. Air Quality at the Semiahmoo First Nation Indian reserve lands;

The increase in parking from 807 to 2000, the new interchange and size of the South Surrey Casino Complex cause concern for Semiahmoo First Nation in respect to air quality. We have no evidence of an air quality study has been completed in respect to the South Surrey Casino Complex. The increase in traffic will have a significant affect on the idling cars at the Canada-US border, the accumulative affects of these issues and the increase in train traffic are concerns for Semiahmoo first Nation in respect to air

quality and the health of our members. There has been no study completed, which does not meet the standards of Metro Vancouver's *Air Quality and Greenhouse Gas Management Plan*.

8. Incomplete Studies;

Semiahmoo First Nation has quickly reviewed the materials provided in the package without the assistance of professionals because we have not been provided capacity funding or enough time to acquire the services of professionals to review the material in the information package we were provided on November 21, 2012 by Mr. Gill. Our concern is that the City of Surrey appears to be moving forward without fully considering all studies. From our review it appears that a number of the studies have not been completed or are out dated and do not meet today's standards, including environmental, water air quality, traffic, and archeological studies.

9. Loss of Economic Opportunity;

The South Surrey Casino Complex being located 500m from the Semiahmoo First Nation Indian reserve lands will severely limit economic development opportunities and the ability of Semiahmoo First Nation to develop their own casino, hotel and conference center.

Semiahmoo First Nation has made a proposal for a casino, hotel and convention center in the past decade in 1998 and has been working with a development group to develop a master plan for our Indian reserve. Our plans are nearing completion and include a possible casino, hotel and conference center among other development plans. The South Surrey Casino Complex will have a significant impact on our plans and severely limit our economic development opportunities.

10. Lands within the Semiahmoo First Nation Traditional Territory are being Alienated and Developed at a Rapid Pace without Consultation with Semiahmoo First Nation;

The City of Surrey does not meet with Semiahmoo First Nation to discuss any development plans that may affect our Aboriginal title and rights. Semiahmoo First Nation has approached the City of Surrey on numerous occasions to request being involved in development discussions and for municipal services with no success.

11. Loss of Lands Resulting in the Semiahmoo First Nation Losing the Opportunity to Negotiate for Lands in the Future; and

The City of Surrey is developing at a rapid pace, there is limited land available within our Traditional Territory for future treaty negotiations or reconciliation with the province and the land for the South Surrey Casino Complex is located within 500m of our reserve lands. If any land within the heart of our Traditional Territory is being developed Semiahmoo First Nation must be given an opportunity to participate in the decision.

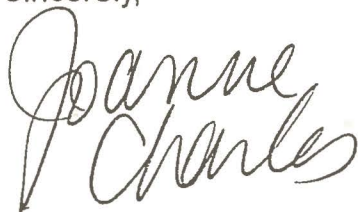
12. Consultation, Accommodation and Reconciliation for the infringement of the Semiahmoo First Nation's Aboriginal title and rights.

Semiahmoo First Nation has Aboriginal title to the lands where the South Surrey Casino Complex is to be located and has Aboriginal rights including the right to harvest food and medicinal plants, harvest wildlife including, migratory birds and fish, economic

development, gaming, and self government within our Traditional Territory including the lands where the Surrey Casino Complex is located.

We look forward to your reply and to entering a process to discuss our concerns.

Sincerely,

A handwritten signature in black ink that reads "Joanne Charles". The signature is written in a cursive, flowing style.

per: Chief Willard Cook

CC Minister Rich Coleman, Ministry of Energy, Mines and Natural Gas, Minister Responsible for Housing, Deputy Premier

Michael Graydon, President and CEO, British Columbia Lottery Corporation

Chih-Ming (James) Chen, General Counsel, Gateway Casinos and Entertainment Limited

Grand Chief Joe Hall, Chair, BC First Nations Gaming Committee



November 8, 2012 SEMIAHMOO FIRST NATION

City of Surrey
Planning & Development Department
14245 – 56th Avenue,
Surrey, BC V3X 3A2

BY FAX: 604-591-2507

Attention: Ron Gill, Planner – South Surrey

Dear Mr. Gill:

**Re: Proposed Gaming License Application at 1083, 1109 and 1177 –
168th Street and 1068 Highway No. 99**

This letter provides a reply to your letter, dated October 23, 2012, regarding the proposed Gaming License Application at 1083, 1109 and 1177 – 168th Street and 1068 Highway No. 99 (the "Proposed Project"). The Proposed Project is within the core asserted Traditional Territory of the Semiahmoo First Nation (the "Semiahmoo") for which the Semiahmoo claims it possesses Aboriginal title and rights to the area and resource in question that will be affected by this decision.

You have requested that the Semiahmoo provide a response within 30 days of receipt of the Notice by December 6, 2012. Semiahmoo received the above noted letter November 6, 2012. It is the position of the Semiahmoo that this deadline is arbitrary and does not allow the Semiahmoo sufficient time to fully consider implications of the Proposed Project on its Aboriginal title and rights.

This letter sets out the preliminary position of the Semiahmoo regarding the Proposed Project. In particular, the Semiahmoo have:

- continuously occupied and maintained our relationship to the area covered by the proposed project since time immemorial and prior to 1846;
- exclusively used and occupied the territory, including the lands, waters and resources, prior to 1846;
- Aboriginal title to the territory and have consistently put the provincial government on notice of this title;
- never been conquered, nor have we ever surrendered our Aboriginal title and rights through a treaty with the Crown; and

- laws and traditions that govern the use of the territory, including laws to regulate land and resource use and these laws and traditions must be respected and accommodated in any land and resource use decisions.

The Proposed Project will interfere with, and impact on, our Aboriginal title and rights. We are specifically concerned with:

1. the alienation of lands and economic opportunity from the Semiahmoo;
2. lands within the Semiahmoo traditional territory being alienated and developed at a rapid pace;
3. loss of lands resulting in the Semiahmoo losing the opportunity to negotiate for lands in the future;
4. accommodation for the infringement of the Semiahmoo's Aboriginal title and rights;
5. increased infrastructure costs;
6. increased traffic on highways and arteries surrounding Semiahmoo lands;
7. impact to archaeological sites and ancestral burial sites;
8. impact to resource procurement sites;
9. adverse economic impact to development of Semiahmoo lands;
10. adverse environmental impact to the wildlife, migratory birds, medicinal plants;
11. adverse habitat impact to wildlife, fish, birds, migratory birds;
12. changes and damages to fish habitat;
13. impact to water table and water flow for fish habitat;
14. impact to Fergus Creek and the Little Campbell River;
15. adverse socio-economic impact to Semiahmoo members, and;
16. water quality of the watershed, Fergus Creek, the Little Campbell River and Semiahmoo Bay.

Semiahmoo has not been contacted by the proponent/applicant- Bob Cheema, Agent for 0854559 BC Ltd., 0854558 BC LTD. (Directors: Narinder Nagra and Randeep S. Sarai)/Gateway Casino, the City of Surrey, the BC Lottery Corporation, the Ministry of Transportation and Infrastructure, the Ministry of Energy and Mines, Department of Fisheries and Oceans or any other government agency, nor engaged in any kind of consultation regarding this proposed project. Through proper consultation and accommodation measures to address our interests and concerns, an agreement may be reached which will enable the Semiahmoo to support the Proposed Project in whole or in part. Through meaningful consultation we will be better able to determine the scope and implications of potential impacts.

We request that you provide us with all information that you have on file and which you intend to rely upon as part of your consultation and decision-making

process. We would like to see all correspondence, reports, studies, maps, design drawings, on the file/application no. 7909-0169-00 for the development of the 25 acre site that will form the Casino/hotel/convention facility/theatre/restaurants/lounges from all departments some of which I have listed below:

- City's gaming Policy no. R-22;
- Any subsequent Development Permit Application(s);
- All attachments to the City of Surrey Planning and Development report dated January 11, 2010;
- Advisory Design Panel minutes/reports/attachments;
- A copy of the applicant's environmental consultants proposal for habitat protections, compensation and riparian enhancement;
- Traffic Impact Assessment (s)/studies/ reports;
- Site plans, drawings and renderings;
- Business plan;
- Parking requirements;
- Environmental studies/reports, socio-economic studies/reports, storm; drain water plans/studies/reports;
- Copy of the gaming license application;
- Results from previous Public Hearings/Public Open houses;
- Archaeological Impact Assessments/reports;
- Arborists report;
- Zoning Bylaw amendments pertaining to this proposed project;
- SARA Reports/studies/assessments, Wildlife, marine and terrestrial; reports/studies/assessments; and
- any and all other reports/studies/assessments/drawings/plans or other documents pertaining to this proposed development.

Based on our preliminary assessment of the Proposed Project, and on the information we have received thus far, it is our assessment that the Proposed Project will infringe on our Aboriginal title and rights.

However, as we do not have full information about the Proposed Project, we are not in a position to give a full accounting of the potential impacts. Meaningful and good faith consultation is required to enable the Semiahmoo to identify all possible impacts of the Proposed Project and the ways in which it will impact the environment we rely upon, our ability to exercise our rights, and our ability to sustain our culture, communities and economy into the future.

We advise you that the Semiahmoo do not have the capacity to properly and fully consider this application. We will require financial assistance to:

- acquire legal advice;
- research issues;
- attend meetings,
- review material;
- direct internal staff;
- conduct studies or prepare reports;
- conduct community meetings; and
- hire any other professionals.

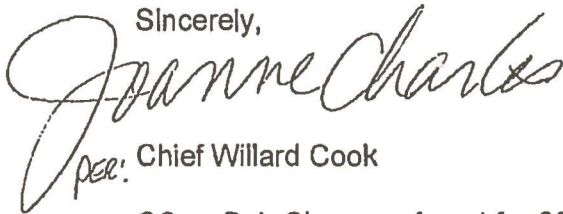
We will not be able to adequately assess the impact of the Proposed Project on our lands and on the Semiahmoo People, communicate with our members regarding the Proposed Project and elicit their views and input, and communicate with your government until we receive financial assistance.

We ask that you notify the applicant for the Proposed Project of the existence of our Aboriginal title and rights and the potential infringement of our constitutionally protected rights. The applicant should understand that they will be assuming a financial risk if their interest is granted prior to meaningful consultation, as it may later need to be amended to accommodate our Aboriginal title and rights.

Please confirm your availability to meet with Semiahmoo to discuss these issues.

We look forward to your reply.

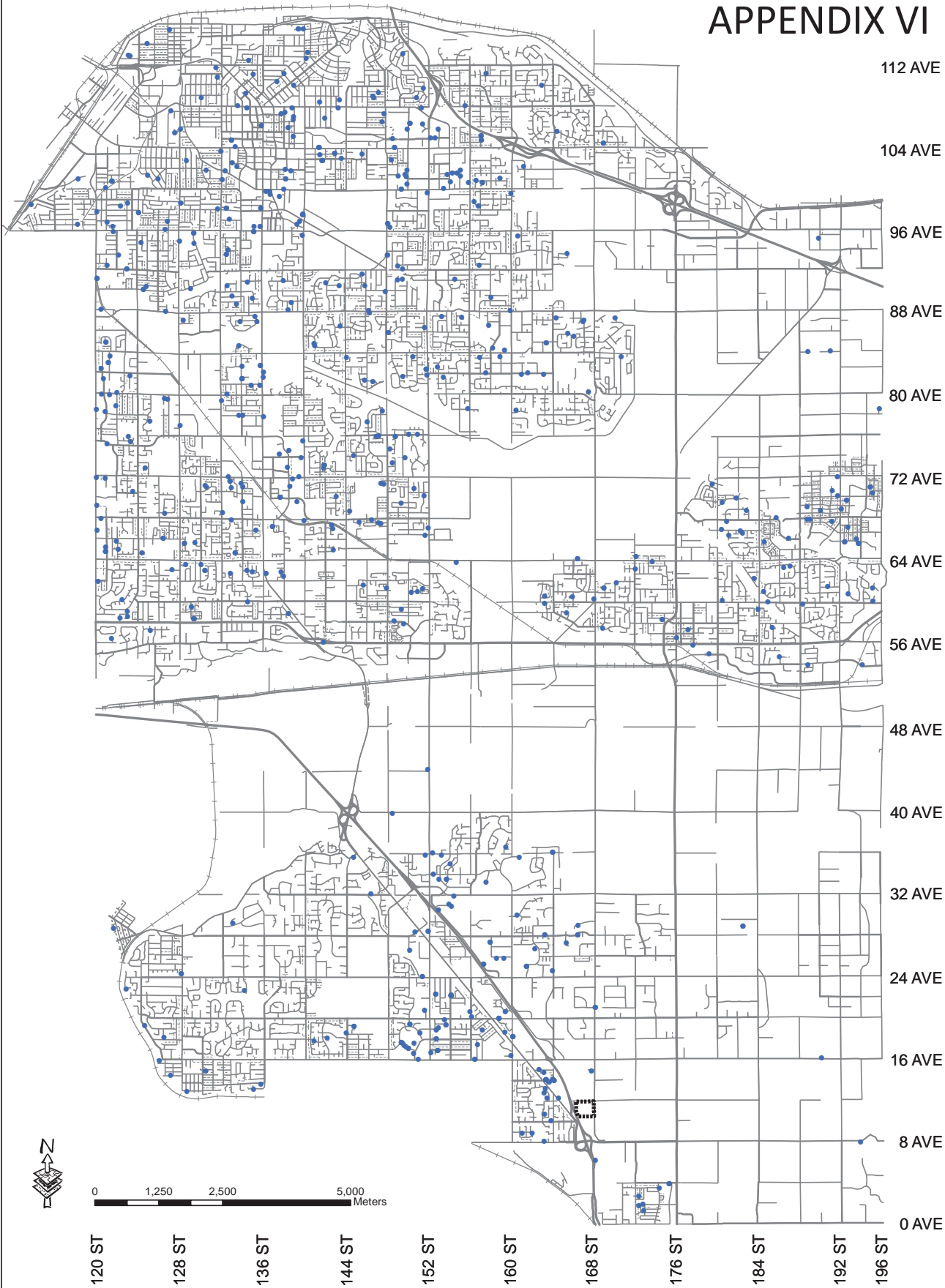
Sincerely,



per. Chief Willard Cook

CC: Bob Cheema, Agent for 0854559 BC Ltd. and 0854558 BC Ltd.
 (Directors: Narinda Nagra and Randeep S. Sarai)
 James Chen, Gateway Casinos
 Michael Graydon, President and CEO for BC Lottery Corporation
 Minister Rich Coleman, Ministry of Energy, Mines and Natural Gas
 Minister Mary Polak, Ministry of Transportation and Infrastructure
 Minister Steve Thomson, Ministry of Forests, Lands and Natural Resource
 Operations
 Honourable Keith Ashfield, Minister of Fisheries and Oceans Canada
 Mayor and Council for the City of Surrey
 Mayor and Council for the City of White Rock
 Mayor and Council for the City of Langley
 Mayor and Council for the Township of Langley
 MLA Gordon Hogg,
 MLA Stephanie Cadieux
 Scott Fraser, MLA for Alberni-Pacific Rim

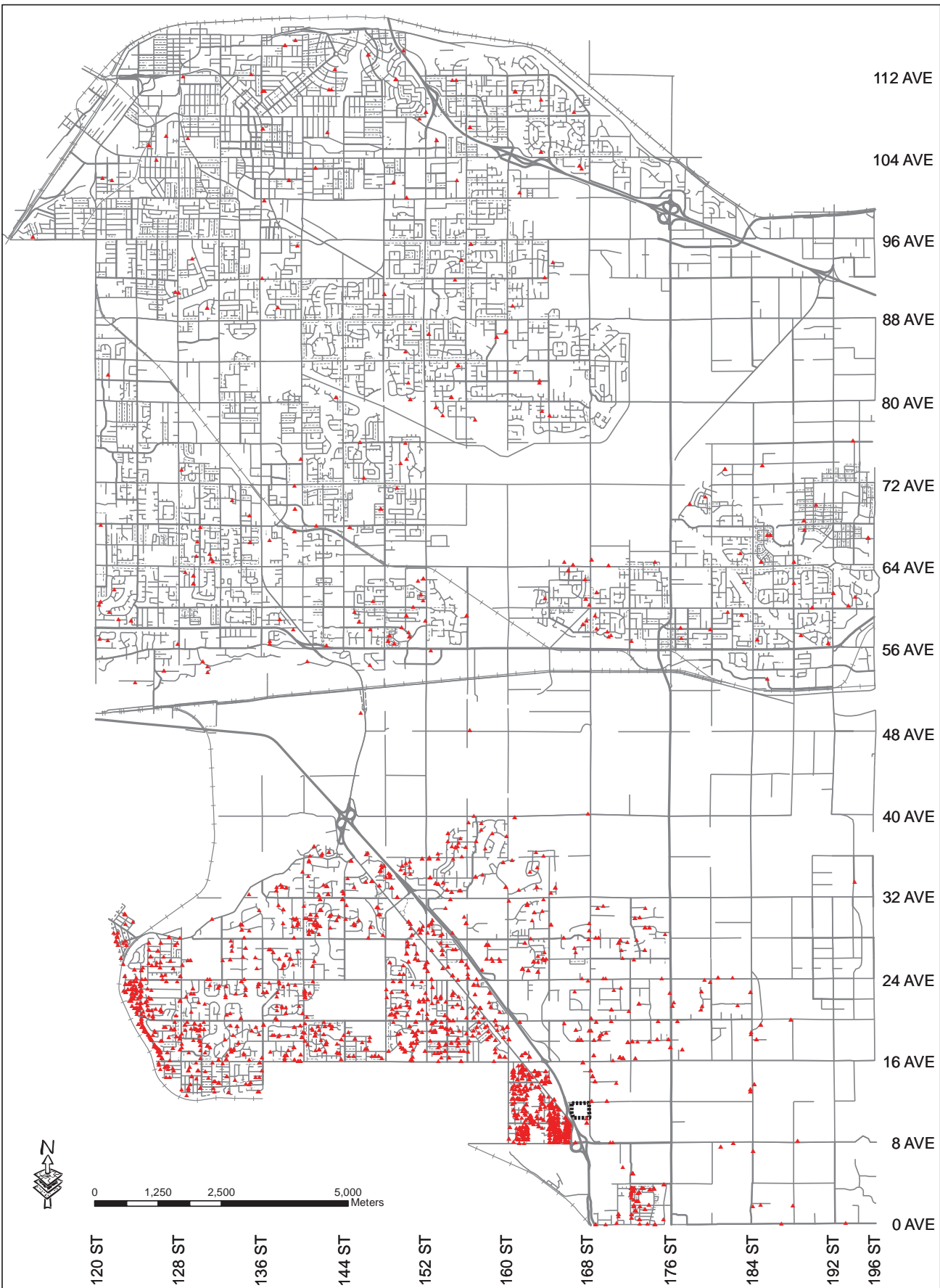
APPENDIX VI



Legend

- Support 635
- ▭ Casino Site

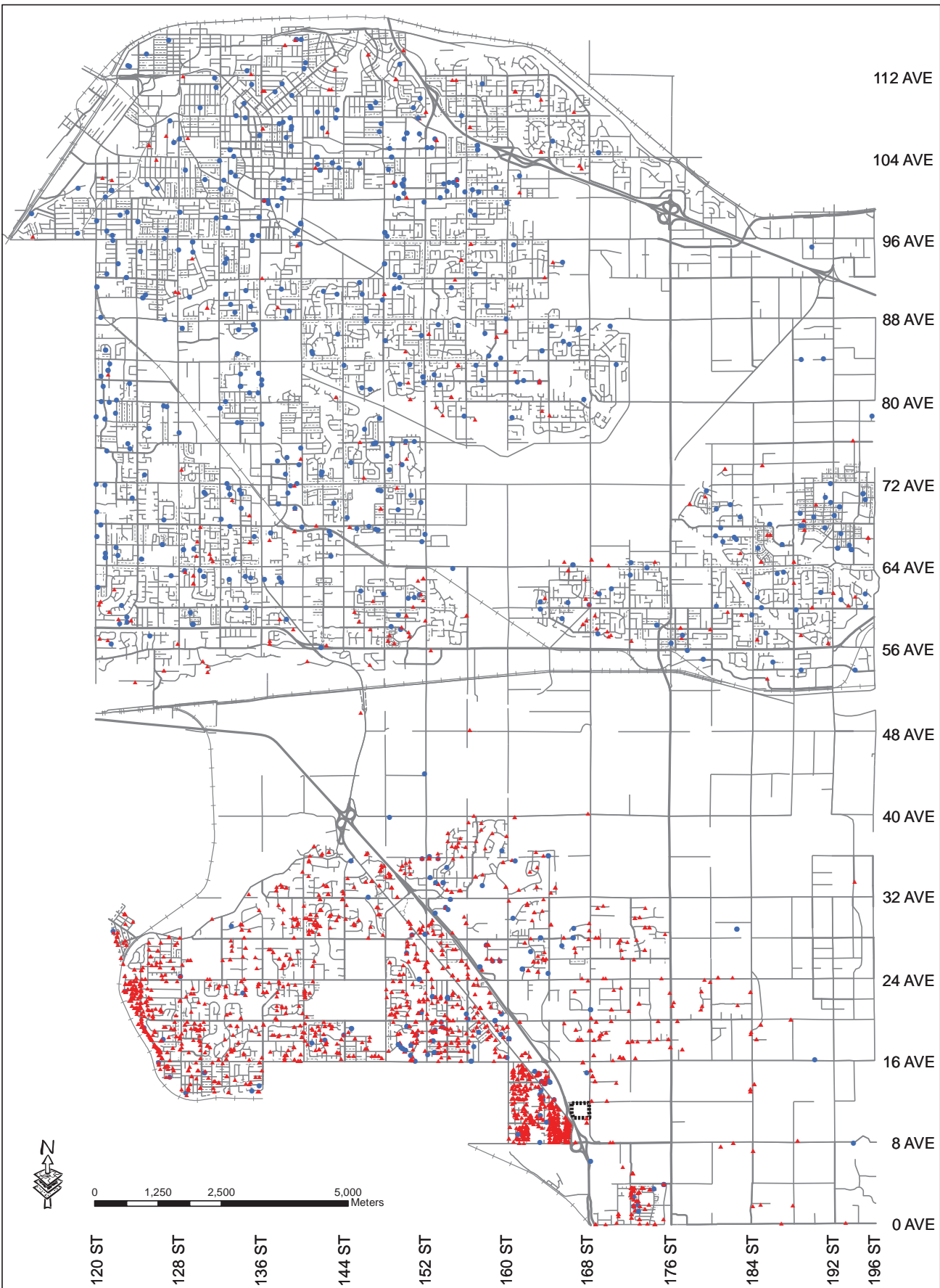
**Respondents to Casino Proposal
Where Surrey Civic Address Provided**
City of Surrey Planning & Development Department



Legend

- ▲ Opposed 3220
- ▭ Casino Site

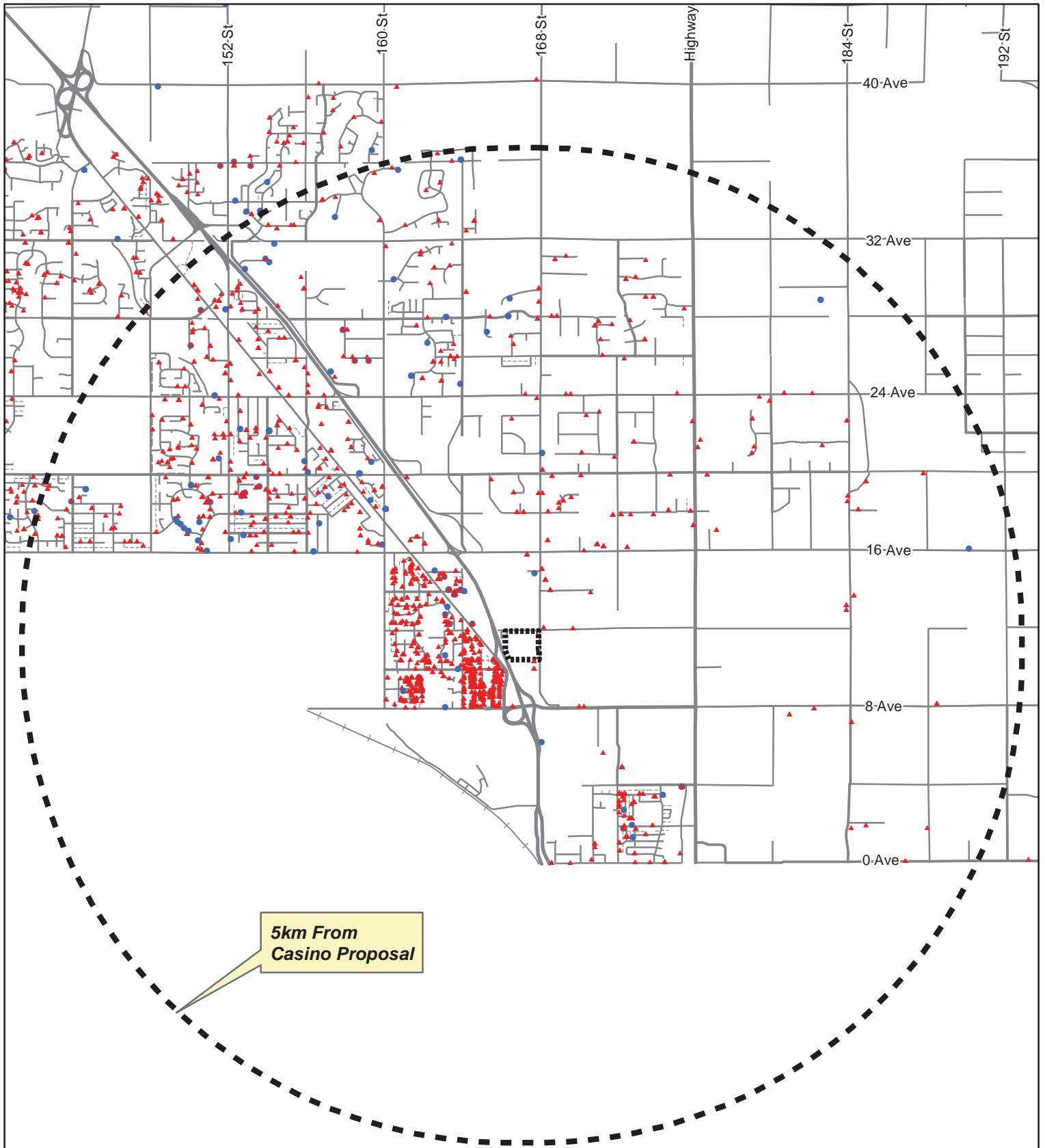
**Respondents to Casino Proposal
Where Surrey Civic Address Provided**
City of Surrey Planning & Development Department



Legend

- ▲ Opposed 3220
- Support 635
- ▭ Casino Site

**Respondents to Casino Proposal
Where Surrey Civic Address Provided**
City of Surrey Planning & Development Department



5km From
Casino Proposal

Respondents to Casino Proposal Where Surrey Civic Address Provided 5km Radius From Site

City of Surrey Planning & Development Department

Legend

- ▲ Opposed 2045
- Support 124
- Casino Site

