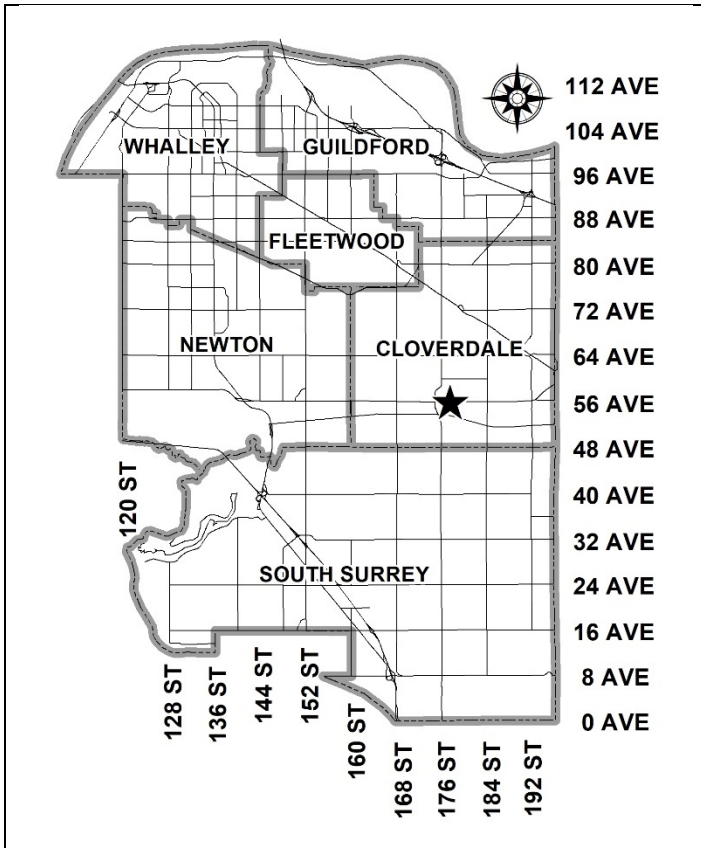


City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7923-0092-00

Planning Report Date: May 1, 2023



PROPOSAL:

- **Development Variance Permit**

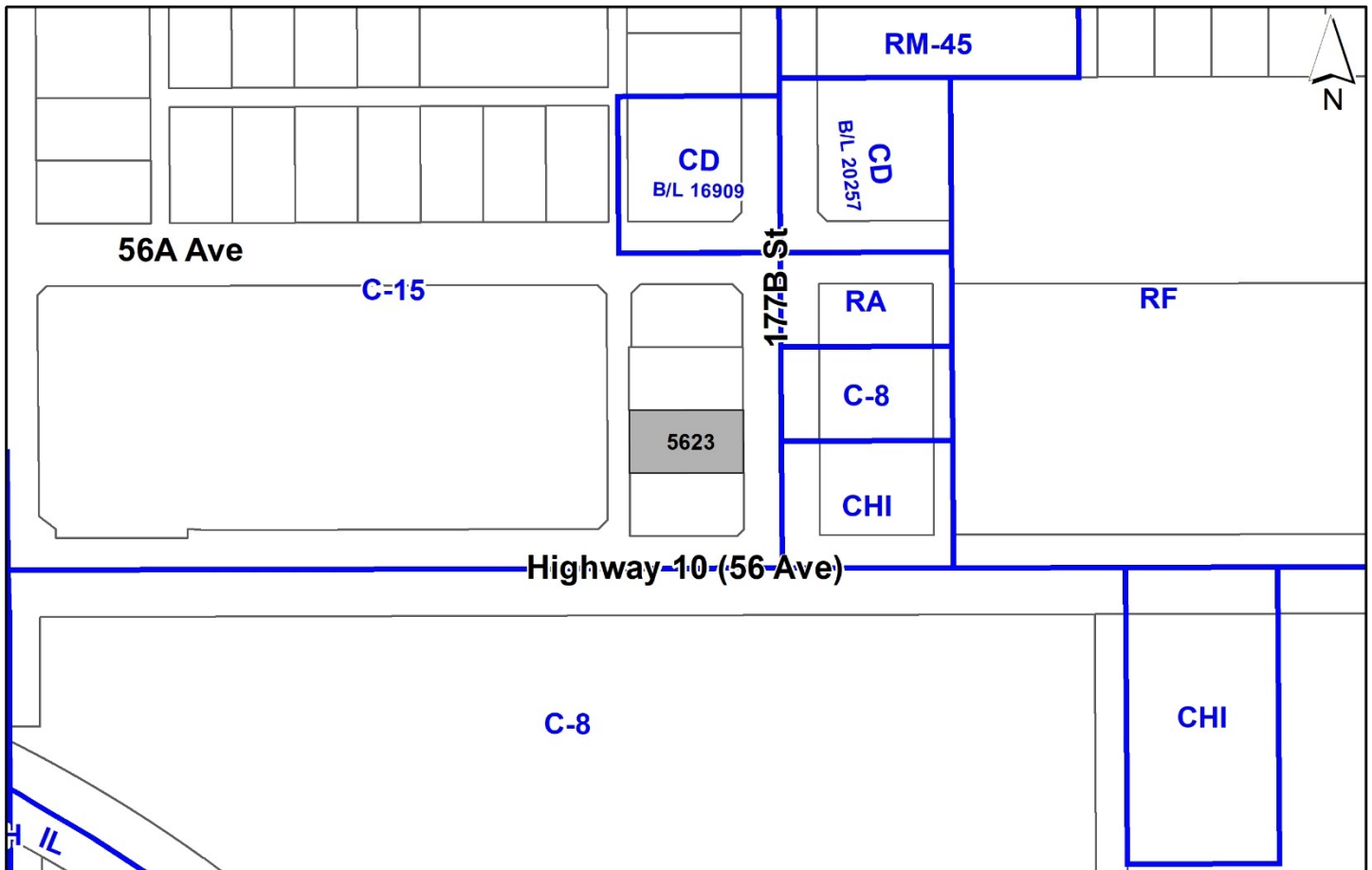
to reduce the minimum 400-metre separation distance between a proposed small-scale drug store and existing drug stores.

LOCATION: 5623 - 177B Street

ZONING: C-15

OCP DESIGNATION: Town Centre

TCP DESIGNATION: Low Rise Mixed Use



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to vary the minimum separation requirements in the Zoning Bylaw between a proposed small-scale drug store and existing drug stores.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Town Centre designation in the Official Community Plan (OCP), and Low Rise Mixed Use designation in the Cloverdale Town Centre Plan (TCP).
- The proposed small-scale drug store will operate in conjunction with a medical clinic as a joint, inter-related facility. The two businesses will occupy the same unit and provide accessible and convenient health-care services to residents.
- Council has previously expressed concerns regarding the possible over-concentration of small stand-alone drug stores. However, Council has been receptive to small-scale drug stores that operate in conjunction with a medical office or clinic located within the same building.
- A Section 219 Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with a medical clinic, and having the same hours of operation as the medical clinic.
- The proposed small-scale drug store and medical clinic are permitted uses in the C-15 Zone.
- A medical clinic has operated at the subject site for over 20 years. The medical clinic is expanding its existing family medicine services to include internal medicine, weight management and pain management services. The proposed pharmacy will provide an additional in-person service to support the medical clinic operation.
- The applicant has indicated to staff that they are not a methadone dispensing clinic and the proposal is for a community pharmacy.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7923-0092-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) In Section B.32 of Part 4 General Provisions of the Zoning Bylaw No. 12000, the minimum separation requirements between drug stores, small-scale drug stores or methadone dispensaries is reduced from 400 metres to 44 metres to permit a small-scale drug store at 5623 – 177B Street.
2. Council instruct staff to resolve the following issue prior to final approval:
 - (a) A Section 219 Restrictive Covenant be registered on title to allow the small-scale drug store to operate only in conjunction with a medical clinic, and to require the small-scale drug store to have the same hours of operation as the medical clinic on the site.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	TCP Designation	Existing Zone
Subject Site	Existing commercial building	Low Rise Mixed-Use	C-15
North:	Existing commercial building	Low Rise Mixed-Use	C-15
East (Across 177B St):	Existing commercial buildings	Low Rise Mixed-Use	C-8, CHI
South (Across):	Existing commercial building	Low Rise Mixed-Use	C-15
West:	Museum of Surrey	Institutional	C-15

Context & Background

- The subject site is located at 5623 – 177B Street. The is approximately 736 square metres in size and contains one commercial building and surface parking lot. The existing commercial building contains one unit.
- The site is designated Town Centre in the Official Community Plan (OCP) and Low Rise Mixed-Use in the Cloverdale Town Centre Plan (TCP). The site is currently zoned “Town Centre Commercial Zone (C-15)”.
- The applicant is seeking to operate a pharmacy in conjunction with a medical clinic in the same unit.

DEVELOPMENT PROPOSAL

Planning Considerations

- The proposed pharmacy will operate in conjunction with an existing medical clinic as a joint, inter-related facility. The two businesses will occupy one unit and provide accessible and convenient health-care services to residents. Small-scale drugstores and medical clinics are both permitted uses in the C-15 Zone.
- The proposed pharmacy will occupy approximately 74 square metres of the gross floor area available on-site.
- The proposed pharmacy meets the definition of "small-scale drug store", in Zoning Bylaw No. 12000, which is defined as "a commercial establishment with a gross floor area of less than 600 square metres which fills a broad range of pharmaceutical prescriptions and excludes methadone dispensary".
- To regulate the over-concentration of small-scale drug stores and methadone dispensaries, Section B.32 of Part 4, General Provisions of Zoning By-law No.12000 stipulates that a small-scale drug store shall not be located within 400 metres of an existing drug store, small-scale drug store, or methadone dispensary. The 400-metre separation distance is measured lot line to lot line.
- Within a 400-metre radius of the subject site, there are two existing pharmacies (shown in Appendix II):

Pharmacy	Address	Distance to Proposed Location – Building to Building	Distance to Subject Site – Property Line to Property Line
Shoppers Drug Mart Pharmacy	Unit 104, 17790 – Highway No 10 (56 Avenue)	109 metres	44 metres
Pharmasave Health Centre Cloverdale	5778 – 176A Street	326 metres	304 metres

- The closest drug store to the subject site is within Shoppers Drug Mart, which is located south of the subject site, 44 metres away measures from property line to property line, and 109 metres away, measured building to building to the proposed pharmacy.
- The applicant has submitted the subject variance application to reduce the separation requirement to accommodate the proposed pharmacy location.
- A Section 219 Restrictive Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with the medical clinic, and to require the small-scale drug store and medical clinic to have the same hours of operation.
- The medical clinic use will require 4 parking spaces and the proposed pharmacy will require 2 spaces, for a total of 6 parking spaces. The subject site has 8 off-street parking spaces, within the existing surface parking lot on the site, providing adequate parking for the medical clinic and proposed pharmacy.

Referrals

Engineering: The Engineering Department has no objection to the project.

Zoning By-law

Separation Distance Variance

- The applicant is requesting the following variances:
 - In Section B.32 of Part 4 General Provisions of the Zoning Bylaw No. 12000, the minimum separation requirements between drug stores, small-scale drug stores or methadone dispensaries is reduced from 400 metres to 44 metres to permit a small-scale drug store at 5623 – 177B Street.
- Applicant's rationale:
 - A medical clinic has operated at the subject site for over 20 years. A new operator is taking over the clinic and is expanding the existing family medicine services offered to include internal medicine, weight management and pain management services. The proposed pharmacy will provide an additional in-person service to support the medical clinic operation.
 - The pharmacy concept is a community, full-service pharmacy servicing all types of health care patients. The proposal is not a methadone dispensary.
 - The pharmacy will offer clinics for chronic conditions and preventative care, a unique program to provide optimum medication compliance which has been proven to reduce hospital readmissions. Close collaboration between pharmacy and medical staff will help improve patient outcomes and ensure patients receive the best possible care.
- The proposed pharmacy is permitted under the C-15 Zone and meets the definition of “small-scale drug store” in the Zoning Bylaw.
- The applicant is proposing to operate the small-scale drug store in conjunction with a medical clinic as a joint, inter-related facility. The two businesses will occupy the same unit and provide accessible and convenient health-care services to residents.
- The proposed pharmacy will support patients at the adjoining medical clinic.
- A Section 219 Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with a medical clinic, and having the same hours of operation as the medical clinic.
- No adverse impacts to the neighbourhood are anticipated by the proposed variance.

- The applicant has demonstrated that there is sufficient parking on site to accommodate the proposed pharmacy.
- Staff support the requested variances to proceed for consideration.

INFORMATION ATTACHED TO THIS REPORT

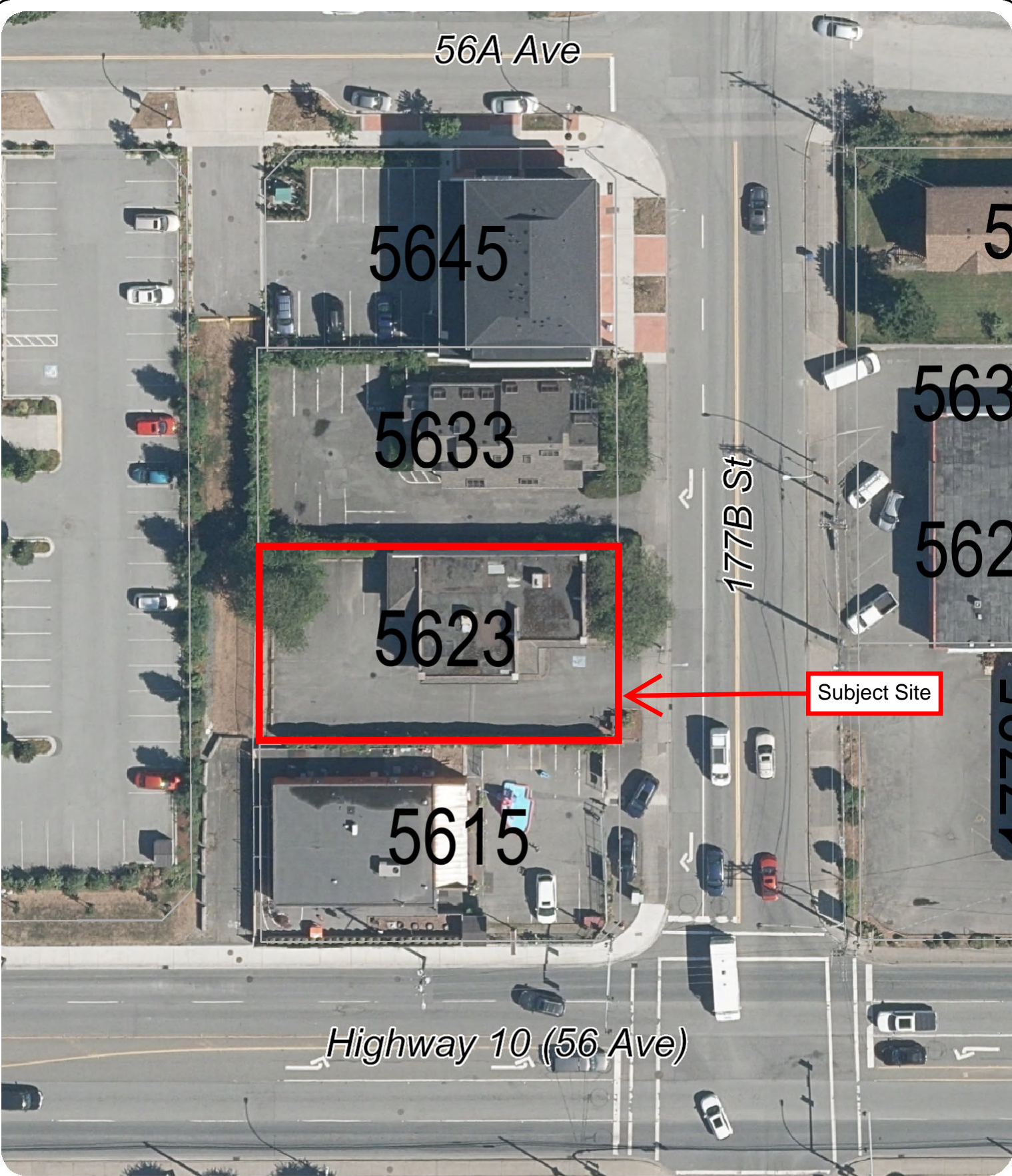
The following information is attached to this Report:

Appendix I.	Site Plan
Appendix II.	Map of existing drug stores within 400 metres of the subject site
Appendix III.	Development Variance Permit No. 7923-0092-00

approved by Ron Gill

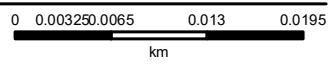
Don Luymes
General Manager
Planning and Development

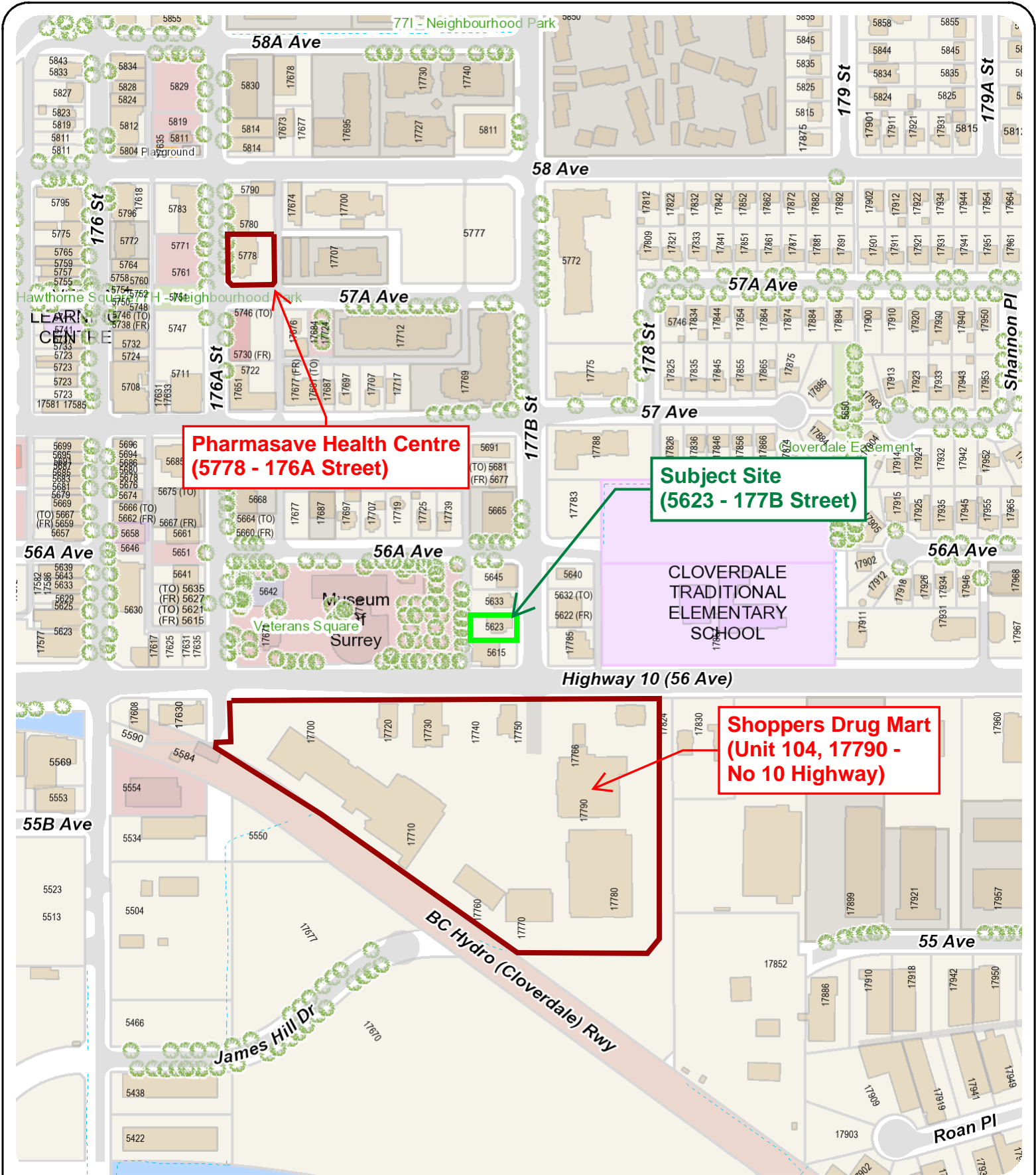
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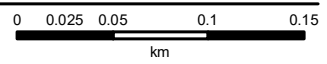
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CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7923-0092-00

Issued To:

("the Owner")

Address of Owner:

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

Parcel Identifier: 012-520-772
Lot 9 Block 15 Section 8 Township 8 New Westminster District Plan 2107

5623 - 177B Street

(the "Land")
4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section B.32 of Part 4 General Provisions, the minimum separation requirements between drug stores, small-scale drug stores or methadone dispensaries is reduced from 400 metres to 44 metres.
5. This development variance permit applies to only the portion of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance permit.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

7. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.

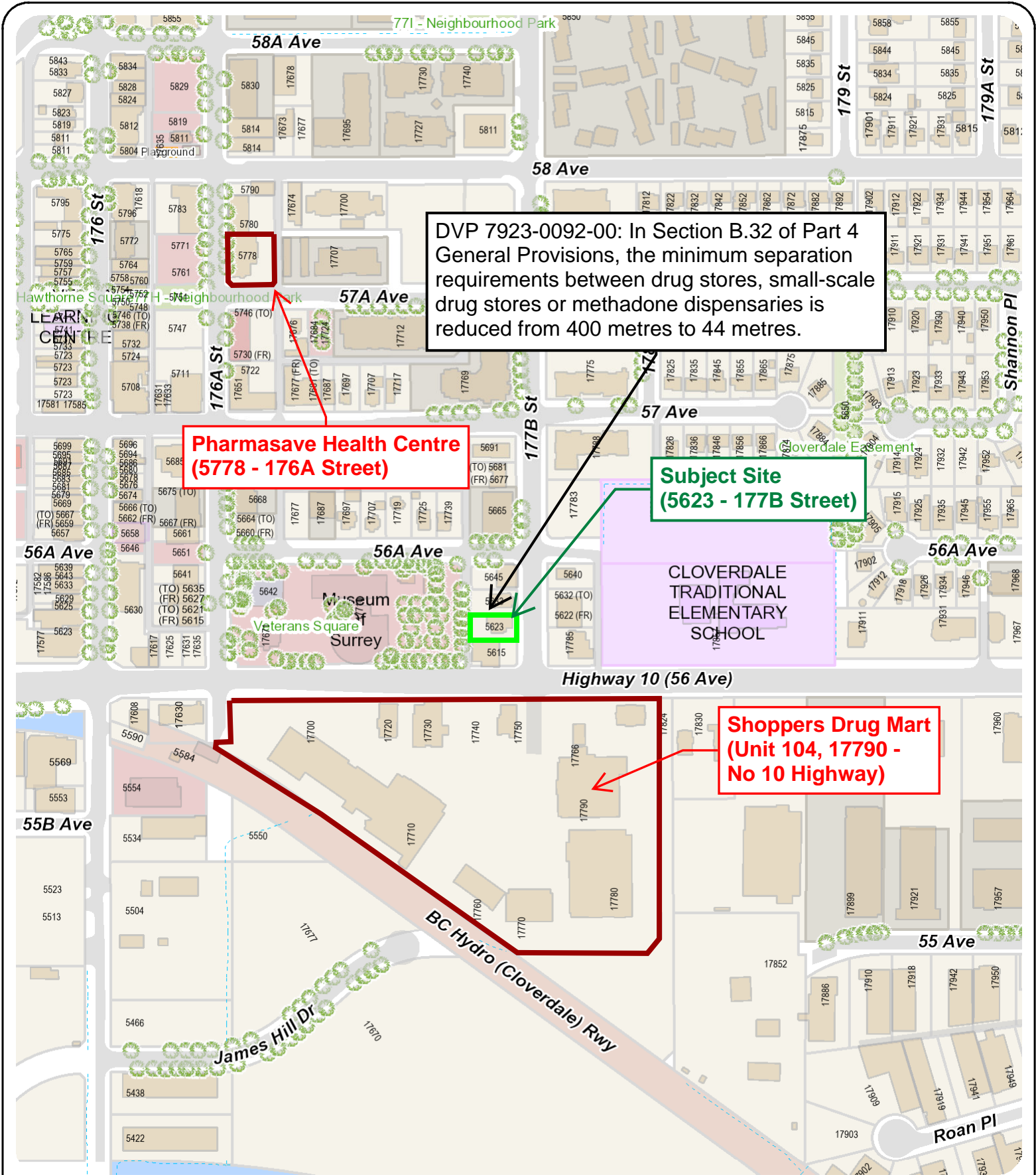
8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

9. This development variance permit is not a building permit.

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

Mayor – Brenda Locke

City Clerk – Jennifer Ficocelli



Scale: 1:3,958

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