



# Corporate Report

NO: R207

COUNCIL DATE: September 6,

2005

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## REGULAR COUNCIL

TO: Mayor & Council                      DATE: August 29,  
2005

FROM: General Manager, Planning      FILE: 5080-01  
and Development

SUBJECT: Delegation to Council-in-Committee by the Surrey  
HIV/AIDS Centre Society - Requesting a Business  
License for Surrey North Community Health Centre  
at 10693 - 135A Street

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## RECOMMENDATION

It is recommend that Council:

1. Receive this report as information; and
2. Authorize the City Clerk to forward a copy of this report to the Surrey HIV/AIDS Centre Society.

## INTENT

This report provides information to Council with respect to the delegation to Council in Committee on July 18, 2005, regarding the building permit and business license applications for the Surrey North Community Health Centre, which is proposed to be located in the building at 10693 – 135A Street. Information in this report includes:

- Letters from the Surrey HIV/AIDS Centre Society and South Fraser Community Services to Mayor and Council, dated July 7, 2005 and July 8, 2005, respectively, copies of which are attached as Appendix I to this report;
- The use of and programs at, the existing building at 10667 - 135A Street now and proposed in the future;
- The proposed use of the building at 10693 – 135A Street (the "new building") and the services and the reconfiguration of the uses and organizations proposing to relocate to this building;
- The status of the building permit and business license applications for the new building; and
- The appropriateness of requiring that the applicant prepare a Community Impact Statement, prior to the issuance of a business license in respect to Council's policy for community services in the City Centre.

## BACKGROUND

At the Council-in-Committee meeting on July 18, 2005, Council received a delegation from James Bennett, Executive Director, and Glen Davies, President, Board of Governors, of the Surrey HIV/AIDS Centre Society, requesting that the City issue a building permit and a business license to operate the Surrey North Community Health Centre in the building located at 10693 - 135A Street. The health services to be provided at by the Health Centre are currently being provided at 10667 - 135A Street.

The proposed new medical facility involves the relocation of the existing medical facility, currently operating at 10667 - 135A Street, to the new location at 10693 - 135A Street.

Council requested staff to report back on the information provided by the delegation.

## DISCUSSION

Following the presentation to Council and Council's request for further information, staff met with Mr. Bennett, Executive Director, the Surrey HIV/AIDS Centre Society and South Fraser Community Services Society, to discuss the matter. Staff also undertook additional research into the status of businesses operating out of the existing building at 10667 – 135A Street.

### **Current Programs and Use at 10667 - 135A Street**

The building at 10667 - 135A Street contains approximately 10,000 square feet of floor space in a two-storey configuration. South Fraser Community Services Society owns the building. The site is zoned C-8 Community Commercial Zone. Uses permitted within this zone include commercial uses, offices and community service uses. The building includes a number of residential units on the upper floor, which are legal non-conforming uses. The building contains the operations of two community service organizations, as follows:

- South Fraser Community Services Society, operates the Front Room 24 Hour Resource Program, funded by the Ministry of Human Resources; and
- Surrey HIV/AIDS Centre Society operates the Surrey North Community Health Centre, funded by the Fraser Health Authority.

The following section briefly describes the activities of both of these organizations at this location.

South Fraser Community Services Society, Front Room 24 Hour Resource Centre Program includes the following programs:

- 24 hour resource centre - a drop in centre for street-oriented and homeless persons;
- 36 bed Gateway emergency shelter – provides emergency shelter for homeless people between November 1 and March 31 of each year;
- Hot meal program in partnership with community and faith groups – provides food for needy people with approximately 40 organizations taking turns in providing a daily evening meal at the Front Room; and
- Youth Street Services - focussed on assisting youth between 16 and 19 years of age with information, referral and counselling.

Over the past year, South Fraser Community Services Society has removed a number of programs and services from the list of community service uses it has provided, including the housing referral and information program, the Surrey Youth Reconnect Program, Family Place programming and space rental to other community organizations. This restructuring and narrowing of services is intended to enable the Society to focus on its core functions and to enable the Society to reduce its operating locations from five sites to one site.

The staff resources for the Front Room Resource Centre Program include:

- Three staff during the daytime for the Front Room program;
- Two staff in the evening/night, one more staff person when the Gateway emergency shelter is open between November and March; and
- One youth street worker.

For over 10 years, South Fraser Community Services also provided a range of medical services (which

included a free medical clinic, HIV/AIDS support and needle exchange), with funding from Fraser Health Authority. The Surrey HIV/AIDS Centre Society was formed to specifically enable the medical clinic and its support programs to access federal HIV/AIDS funding. In the spring of 2004, the Fraser Health Authority designated and began funding the medical clinic as a Community Health Centre to provide a range of services and programs that support the well being of individuals and families in the North Surrey area. Surrey HIV/AIDS Centre Society, through the Surrey North Community Health Centre, provides the following programs from the same site as the Front Room Programs:

- General medical health services for all residents;
- Free medical access for persons not covered by the provincial Medical Services Plan;
- HIV/AIDS care and support services;
- Djaeff Mahler Grocery (high protein food for persons with HIV/AIDS);
- Addiction and mental health counselling; and
- A needle exchange program.

The Surrey North Health Centre is open two full days per week, from 9 a.m. to 5 p.m., and three afternoons per week, from 1 p.m. to 5 p.m. Three part-time doctors, one nurse, and administration staff, shared with the South Fraser Community Services Society, staff the Centre. Doctors at the Health Centre provide general medical services, but are also trained in HIV/AIDS care. One doctor speaks several languages, to serve the refugee and immigrant populations using the Centre.

The number of patients receiving care and services at the Health Centre average 147 per week, over the 28 hours that the centre is open. The Health Centre typically turns away 8 to 10 patients per day, as demand exceeds capacity. Approximately 90% of the patients attending the Health Centre are covered by Medical Services Plan (MSP), either from their own funds or, if on income assistance, through the Ministry of Human Resources. The remaining 10% of patients that are not covered by MSP, receive free medical services with the costs covered under a special contract with the Fraser Health Authority. Those without medical coverage include persons on low income not eligible for income assistance, refugees and immigrants during the mandatory waiting period, prior to being accepted by MSP and those not able to afford medical insurance.

This Surrey North Health Centre is one of four such Centres proposed by Fraser Health Authority for the region. Community Health Centres are community-based and community-run medical centres that offer both health cares, health promotion services and support services organized to meet the needs of specific population groups.

### **Current Building/Space Configuration at 10667-135 A Street**

The building is owned by South Fraser Community Services Society and is approximately 10,000 square feet in area, over two floors. The main floor accommodates the Front Room Resources Centre and the activities of the Surrey North Health Centre. The upper floor consists of six apartment suites, two of which have been modified to accommodate the 36 temporary emergency shelter beds. The remainder of the space is being utilized for HIV/AIDS support and grocery storage, as well as administration offices and boardroom space.

On the main floor, staff has been advised that the Health Centre's examining and counselling rooms are small and inadequate in number. In addition, the waiting room area is too small to accommodate persons waiting for services, leaving many patients to wait on the street in front of the building. Staff has also been advised that having the HIV/AIDS support service and high protein food bank on the second floor makes delivery of food resources cumbersome. Many HIV/AIDS patients have difficulty navigating the stairs, especially with a hamper of food.

Similarly, the location of the Gateway shelter beds on the upper floor presents access issues for some clients and makes it more difficult to supervise the shelter from a staff perspective.

Staff has been advised that if the programs related to the Surrey North Community Health Centre moves to the new building at 10693 - 135A Street, South Fraser Community Services Society plans to reorganize the existing space to better meet the needs of the Front Room program, including:

- Relocating the Front Room Resource Centre from the back of the building to the front of the building near the street. This is intended to give better visibility to the activities taking place outside the building;

- Moving the Gateway Shelter beds from the upper floor to the main floor. This is intended to eliminate the need for persons, especially those with physical challenges, to navigate stairs and will provide better integration and supervision of the services at the building; and
- The upper floor will continue to be used for the administration offices for the South Fraser Community Services Society and boardroom/meeting space. Mr. Bennett has indicated that the remaining space will remain vacant. The Society does not need the space for additional funded programs.

### **New Building at 10693 - 135A Street**

The building at 10693 - 135A Street is similar in area and configuration to the existing building at 10667 - 135A Street, with approximately 10,000 square feet of floor space, over two storeys. The main floor is approximately 5,000 square feet of commercial space and the upper floor contains six rental apartments. South Fraser Community Services Society owns the building. The site is zoned C-8 Community Commercial Zone. Similar to the existing building at 10667 - 135A Street, the list of permitted uses includes commercial retail space, offices and community service uses. The residential units on the upper floor are legal non-conforming uses. Currently, the main floor is vacant. The South Fraser Community Services Society has applied for a business license and building permit for tenant improvements to accommodate the proposed relocation of the Surrey North Health Centre. Four of the six apartments on the upper floor are rented and all six units are intended to continue as rental apartments. Over the past year, the building has been refurbished, including updating the roof and upgrading the tenanted apartments.

As noted by the delegation to Council, Surrey HIV/AIDS Centre Society is proposing to relocate the Surrey North Health Centre (i.e. medical services and support programs) currently provided at 10667 - 135A Street, to the main floor of this new building at 10693 - 135A Street. The relocation is intended to achieve a number of goals:

- Enable all medical services to be provided on the main floor;
- Provide more suitable and expanded medical offices space, including a better waiting room, and
- Separate programs and clients utilizing the Health Centre from those using the Front Room and related programs.

### **Issues related to the Proposed Relocation of the Surrey North Community Health Centre**

#### **Issuance of a Business License**

South Fraser Community Services Society, as the owner of the new building, submitted a business license application in September 2004, on behalf of Surrey HIV/AIDS Centre Society, to allow the Surrey North Community Health Centre to operate at the new building at 10693 - 135A Street. The application was for a "medical office" business license.

Staff has researched the City's files and have determined that two business licenses have been issued for the existing building at 10667 - 135A, Street, as follows:

- A business license has been issued for "South Fraser Community Services Society" to operate at that building as a "Charitable Society/Organization Non-Profit Society". The license fee for this license was \$1.00, consistent with its "not for profit" status; and
- A business license has been issued for "South Fraser Community Services Society: Homeless Shelter". The license fee for this license was \$1.00, consistent with its "not for profit" status.

No business license has ever been issued by the City for a "medical office" use in the existing building at 10667 - 135A Street. As such, the existing medical service uses in that building are either operating without proper authorization or are operating as "community service uses" (i.e., the provision of physical or mental health services by a non-profit society).

#### **Building Permit for Tenant Improvements**

On July 12, 2005, Surrey HIV/AIDS Centre Society made application for a building permit for tenant improvements in the new building at 10693 – 135A Street, for the purposes of accommodating the Surrey North Community Health Centre. Building Division staff inspected the building on July 18, 2005, and noted evidence of building work having been undertaken in the building. The work included removal/demolition of partition walls, commencement of framing of new walls and commencement of electrical and plumbing-related work. A building permit is required for demolition work involving interior walls and other changes to ensure that the structural integrity of the building is maintained. The City has issued no building permit.

In discussion with the Mr. Bennett, the work undertaken in the building was to assess the structural condition of the building and adequately plan the proposed tenant improvements.

The building plans for the interior improvements for the Health Centre are currently under review by the Building Division.

### **Community Impact Statement and related Study**

On June 18, 2005, Council adopted amendments to the Business License By-law (see Appendix II) and approved a new Policy (Appendix III), that require every applicant for a business license to operate a community service in the City Centre, to complete and submit a Community Impact Statement and related study for consideration by Council, prior to issuance of the business license.

According to the Policy, a Community Impact Statement and related study are required for every new business license for a community service use proposed to be located in the City Centre. The policy applies to transferring an existing business license from a location within the City to a new location within the City Centre.

- Is the Surrey North Community Health Centre a "community service use" under the Surrey Zoning By-law?

*Community Service*, as defined in the Surrey Zoning By-law:

*"means a use by a non-profit society:*

- a) providing information, referral, counselling, advocacy or physical or mental health services on an out-patient basis;*
- b) dispensing aid in the nature of food or clothing; or*
- c) providing drop-in or activity space;*

*but does not include churches, residential uses and independent group homes".*

The Surrey North Community Health Centre is being operated by a non-profit organization, the Surrey HIV/AIDS Centre Society and, as such, meets the definition of a "community service use" under Surrey's Zoning By-law and is, therefore, subject to City policies and by-laws related to "community service uses".

- Is the Surrey HIV/AIDS Centre Society providing expanded health services at the new location?

The Society has indicated that the number of doctors and hours of operation will remain the same when the Centre is relocated. However, the floor area of the facility will be expanded to approximately 5,000 square feet, which has been noted by Mr. Bennett as one of the reasons for relocating the facility (i.e., larger waiting room).

- Is a Community Impact Study required for community services relocating within the City Centre?

Under the Policy for business license applications for community service uses in the City Centre, community service uses proposing to relocate within the City Centre are required to complete a Community Impact Study, prior to the business license being transferred to the new location.

Community service uses that are currently operating without the necessary City approvals and making application for a business license, are deemed to be a new community services use and, therefore, are subject to the conditions of the Policy and will be required to complete and submit a community impact study as part of the business license review process.

As noted previously in this report, according to City records, South Fraser Community Services has two business licenses at 10667 – 135A Street, one for the Gateway Homeless Shelter operation (a residential use) and one for the community services uses provide within the building. The business license covers the range of community services uses operating on the site and permitted under the C-8 Zoning of the site. These include the free medical clinic, needle exchange and HIV/AIDS care and support programs. In April 1, 2004, the medical-related services were transferred to the Surrey HIV/AIDS Centre Society, which continued to operate the services in the same building and the medical clinic was renamed the Surrey North Community Health Centre.

According to the Business License Section, because neither the use nor location changed with the transfer to the new Society, a further business license was not required. The community service uses now provided by Surrey HIV/AIDS Centre Society were considered to be operating legally within the City as community service uses.

The Surrey HIV/AIDS Centre Society is required to hold its own business license when it relocates its services from 10667 – 135 A Street to the new building at 10693 – 135A Street.

- **Could a business license be issued for the Surrey North Community Health Centre as a "medical office"?**

Staff have reviewed the relevant provisions of the Zoning By-law and have determined that some components of the Surrey North Community Health Centre may be possible to consider as a "medical office" if it was not operated by a non-profit society. However, some components of the operation are "community service uses", such as the free needle exchange, HIV/AIDS support services and the medical services being provided to recent immigrants who are not yet covered by a medical plan in BC.

### **Comments on the Business License Application and Review Process**

Mr. Bennett advised that he submitted his business license application for a "medical office" and paid the required business license fee for a "medical office" at the same time. He further advised that he was under the impression that his proposed use was a permitted use on the subject property and that subject to completing tenant improvement renovations, he would be able to operate a medical office from the subject building.

The normal practice of the Business License Section is to require, as part of a business license application, the payment of full business license fees with the application. Every application is reviewed to determine whether the proposed use is consistent with the site's current zoning and is referred to the Building Division and the Fire Department for review to confirm that the building within which the use is proposed is constructed in accordance with the requirements of the Building and Fire Code for the use. Certain types of applications are also referred to the Fraser Health authority and to the RCMP. Based on the review and referral process, the Business License Section makes a decision as to whether the business license can be issued and the applicant is informed accordingly.

The business license application from Mr. Bennett for the building at 10693 – 135A Street is clearly still under review.

## **CONCLUSION**

Based on the above discussion and the City's Business License By-law and related City Policy, the Surrey HIV/AIDS Centre Society is required to complete and submit a Community Impact Statement as part of the application for a business license for the Surrey North Community Health Centre at 10693 – 135A Street. Upon receipt of such information, staff will provide a further report to Council, regarding the Community Impact Statement, for Council's consideration. Unless otherwise directed by Council, a building permit and business license for the proposed Surrey North Community Health Centre will not be issued, pending completion by the proponents of the Community Impact Statement and subsequent consideration by City Council.

Murray Dinwoodie  
General Manager  
Planning and Development

BB/kms/saw

Attachments:

- Appendix I Letters from the Surrey HIV/AIDS Centre Society and South Fraser Community Services, dated July 7, 2005 and July 8, 2005, respectively
- Appendix II Surrey Business License By-law Amendment Approved by Council on June 13, 2005
- Appendix III Policy for Consideration of Business License Applications for Community Service Uses in the City Centre

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Appendix I













## Appendix II

### Proposed Amendments to Surrey Business License By-law, 1999, No. 13680

The following amendments are proposed to Surrey Business License By-law, 1999, No. 13680, as amended,

1. Under "Interpretation" insert the following definition after "Commercial Kennel" and before "Contractor":

"Community Service" means a use by a non-profit society:

- (a) providing information, referral, counselling, advocacy or physical or mental health services on an out-patient basis;
  - (b) dispensing aid in the nature of food or clothing, or
  - (c) providing drop-in or activity space;
- but does not include churches, residential uses and *independent group homes*.

2. Under "Charitable Exemptions", Section 12, delete the first two sentences and replace with the following:

Council considers registered, charitable societies or organizations, including community service organizations, to be contributing to the general interest advantage of the City. Every registered, charitable society or organization, including community service organizations, is required to hold a valid and subsisting license under Section 3, but is only required to pay a nominal license fee of \$1.00 per year, notwithstanding Section 21 "A".

3. Insert after Christmas Tree Sales, Section 46, and before Contractors, Section 47, the following:

## Community Services

- 46.1 (1) Every applicant for a license to operate a community service within the boundary of the City Centre, the area as shown on Map D.1, Surrey Zoning By-law, 1993, No. 12000, as amended, must complete and submit a Community Impact Study for consideration by City Council prior to issuance of such a business license.
- (2) The Community Impact Study required in (1) above is to be prepared based on the "Policy for the Consideration of Business License Applications for Community Service Uses in the City Centre" as adopted by Council.

Approved by Council on June 13, 2005

Appendix III

### **POLICY FOR CONSIDERATION OF BUSINESS LICENSE APPLICATIONS FOR COMMUNITY SERVICE USES IN THE CITY CENTRE**

#### **Purpose**

The purpose of this policy is to document the requirements for the development of a Community Impact Statement and related study and a process for assessing each business license application for a community service use proposed for a location in the City Centre area.

#### **Area To Which This Policy Applies**

This policy will apply to every application for a business license for a community service use to be located in the City Centre area. The City Centre area is illustrated on Map D.1, as contained in Surrey Zoning By-law, 1993, No. 12000, as amended.

#### **Requirement For Community Impact Statement and Related Study**

1. Every application for a new business license for a community service use proposed to be located within the City Centre, or for transferring an existing business license for a community service use from a location within the City to a new location within the City Centre, or for expanding a community service use on the site of the existing community service use within the City Centre, must include, as part of the application, a Community Impact Statement and related study.

2. The preparation of the Community Impact Statement and related study is to be based on the "Terms of Reference for Preparing a Community Impact Statement" that are contained in Appendix "A" to this policy.
3. Applicants are to meet with Planning and Development Department staff, prior to commencing the preparation of the Community Impact Statement and related study to review the policy, process and content requirements of the Community Impact Statement and related study.
4. Planning and Development Department staff may provide the applicant with a listing of properties in the area of the proposed use, the owners and occupants of which should be consulted during the preparation of the Community Impact Statement and related study.
5. The applicant is to advise Planning and Development Department staff of any scheduled public information meeting(s) in relation to the preparation of the Community Impact Statement and related study, to enable City staff to observe the meetings.
6. Upon completion of the Community Impact Statement and related study, the applicant is to provide a copy of the Community Impact Statement and related study, and supporting materials, to the Planning and Development Department staff for review and for use in preparing a Corporate Report to Council.
7. Planning and Development Department staff will prepare and forward for Council's consideration, a Corporate Report on the Community Impact Statement and related study, and related business license application, complete with a recommendation as to whether the business license should be issued and, if not, giving reasons for not supporting the issuance of the business license.
8. If Council denies the application for a business license, City staff will forward written notice to the applicant of the decision, including the reasons for the refusal of the business license.

Appendix "A"

## **TERMS OF REFERENCE FOR PREPARING A COMMUNITY IMPACT STATEMENT**

### **What are Social Impacts?**

- Community/social impacts are the consequence or changes expected to be experienced by individuals, groups and communities in response to any public or private action that alters the way in which people live, work, play, relate to one another, organize their needs and generally cope as members of society.
- The term includes cultural and economic changes/impacts.
- Impacts can vary:
  - From desirable to adverse;
  - In duration from short-term to long-term;
  - In intensity and severity of the impacts; and
  - With each stage of the project's development and implementation.

### **What is a Community Impact Statement?**

- It is a statement based on a study that forecasts or estimates the social consequences that are likely to follow from a specific business operation. It documents and assesses the anticipated changes that may affect the quality of the human environment.
- The forecasted impact is the difference between the anticipated future with the business and the future without the business.
- A community impact statement and related study also identifies means to mitigate the anticipated adverse impacts of a business and proposes actions and other means that may enhance positive aspects.
- It is a tool to better understand the social and other consequences of businesses, both positive and negative, to assist in planning and decision-making.

## **Objective of the Community/ Social Impact Study**

- In general, the objective of Community/Social Impact Statement and related study is to evaluate and document the anticipated positive and potential negative impacts of a proposed business, in terms of the impacts and benefits on the immediate neighbourhood and broader community, as follows:
- The study is intended to identify all potential impacts, such as:
  - Identify those who may be negatively impacted, and how;
  - Identify means to mitigate negative impacts;
  - Identify potential positive impacts;
  - Identify those who may be positively impacted and how;
  - Identify how the benefits may be enhanced; and
- Identify means of on-going dialogue and problem resolution between the business proponents and those potentially impacted during the planning, construction, and operational phases of the business.

## **Preparation of the Community Impact Study**

- The community impact statement and related study should be prepared by a consultant who is not directly linked to the organization and who can complete the study in a professional and impartial manner.

## **Description of the Business**

- Provide a detailed description of the proposed business. If the business is phased, each phase should be described, and should include:
  - Basic data on the population and area to be served;
  - The persons or groups involved as clients of the business; and
  - The location/context of the business.

## **Comparative Analysis**

- Profile and review of similar businesses, specifically 2 to 3 businesses located in other communities in the Lower Mainland. This will include the following:
  - A description of the programs, number and type of persons assisted and operational aspects;
  - Community links and partnership with other agencies that have been formed;
  - The regulatory requirements with which these businesses must comply;
  - A summary of the feedback from City staff, about problems with these businesses and how the businesses are being received in the community;
  - A summary of the issues, opportunities, and resolutions with these businesses; and
  - A list of issues identified for consideration in relation to the proposed business.

## **Public and stakeholder consultation**

- Request the consultant to propose a methodology for gathering input and resolving concerns from all potentially impacted parties. Community consultation is a critical part of a Community Impact Statement and related study.
- Provide opportunities for input from the residents, businesses and community organizations in the area of the proposed business and from the broader community.
- The process should include a public information meeting (s) as well as separate meetings with key stakeholder groups and individuals.
- The minimum area for the public notification of meetings is a radius of 100 meters from the proposed location of the business and the notices of meetings should be distributed to both property owners and tenants of properties in that area.
- The key stakeholder meetings should include, but not be limited to:
  - Immediate neighbours (property owners and tenants);
  - Social service organizations in the area;
  - Surrey RCMP;
  - Community and business associations; and
  - Community organizations providing similar services.

## **Identification and Discussion of Issues Identified through the Public Consultation Process**

- The Community Impact Statement and related study is to document the consultation process, including:
  - Groups and individuals consulted;
  - The concerns/issues raised;
  - Means or options identified through the process, by the individuals and groups, to mitigate/resolve the concerns;
  - The level of support for the project through a survey or other quantifiable means; and
  - Aspects of the project identified as having a positive effect and means to ensure such aspects are enhanced and sustained.

## **Analysis and Recommendations**

- The Community Impact Statement and related study is to provide recommendations:
  - as to how the business is to be implemented and operated to ensure the continued acceptance of the proposed business by the neighbours and the broader community; and
  - regarding a means for on-going dialogue and problem resolution with the community including, but not limited to:
    - Good Neighbour Agreement(s), including the content of such agreements; and
    - Community Advisory Committee, including the persons and groups to be included and the general terms of reference for such a committee.

## **Deliverables**

A Community Impact Statement and related study in support of an application for a business license for a community service use in City Centre.

# **Map D.1 - Surrey City Centre**



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