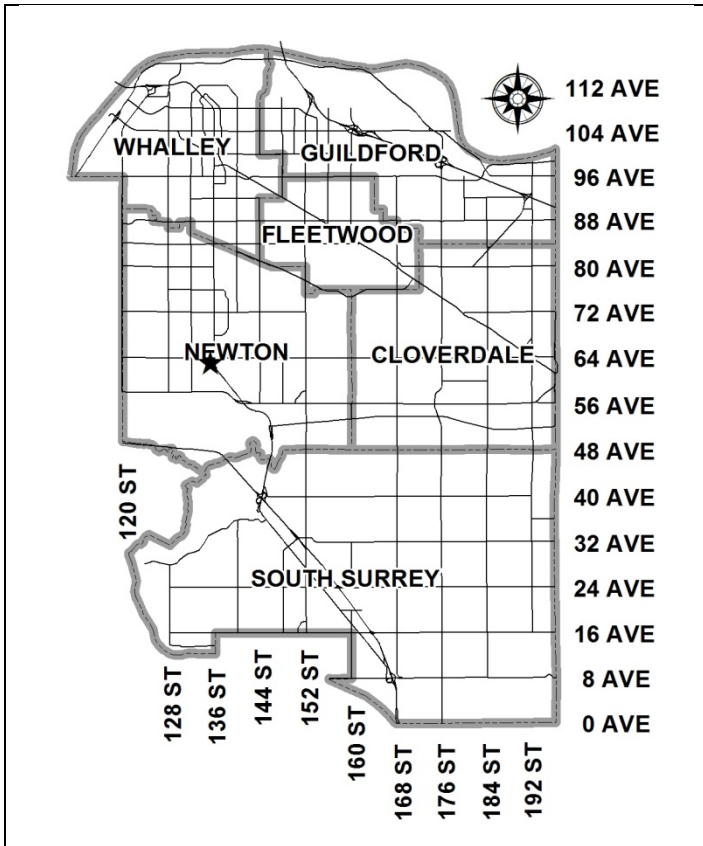


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0200-00

Planning Report Date: July 13, 2015



PROPOSAL:

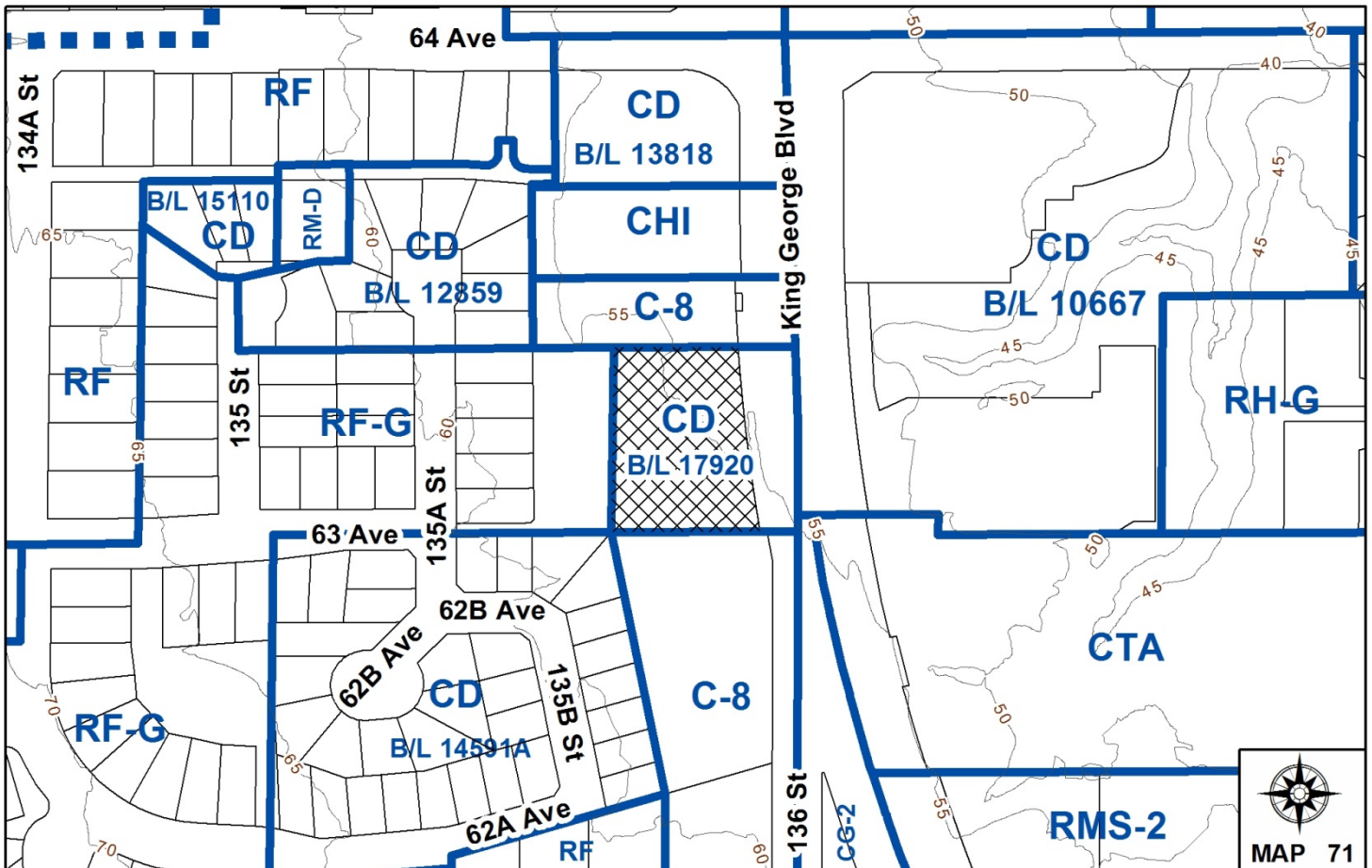
- **Development Variance Permit**
 in order to vary the minimum 400 metre (1,300 ft.) separation requirement between small-scale drug stores.

LOCATION: 6321 - King George Blvd

OWNER: McLellan Mews Holdings Ltd
 0937861 BC Ltd.

ZONING: CD (By-law No. 17920)

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to vary the minimum 400 metre separation requirement between small-scale drug stores in order to open a small-scale drug store operating in conjunction with a medical clinic in a newly constructed commercial building.

RATIONALE OF RECOMMENDATION

- Under the existing CD By-law (No. 17920), retail stores and office uses are permitted on-site.
- The proposed variance would allow the proposed medical clinic to offer an enhanced range of medical-related services including having a registered pharmacist dispense prescribed medication on-site, adding greater convenience for patients and allowing medical staff to better monitor overall patient health.
- The proposed small-scale drug store is an appropriate complementary use to the proposed medical clinic, which will offer services including family medicine/walk-in clinic, chiropractic, rotating specialists (Cardiology, Internal Medicine and Pediatrics), cardiac stress tests and a cardiac rhythm monitoring lab.
- The proposed small-scale drug store is an appropriate complementary use to other medical-related businesses planning to operate in the same building, including a dental office.
- The proposed clinic and small-scale drug store will provide additional medical services in a neighbourhood that is expected to experience increased multi-family residential development, based on recent nearby development applications.
- Council previously expressed concerns regarding the possible over-concentration of small stand-alone pharmacies but Council was receptive to small-scale drug stores that operate in conjunction with a medical office. To address this concern, the applicant has agreed to amend the CD By-law (No. 17920) to ensure that the small-scale drug store be operated in conjunction with a medical clinic and that there is not more than one small-scale drug store on the subject site. The CD By-law amendment will proceed to Council for consideration of first and second readings at a subsequent meeting due to the pre-notification requirement of a minimum two week notice of a CD By-law amendment. The applicant has paid all fees associated with the CD By-law amendment, installed a Development Proposal Sign and staff have sent pre-notification letters to surrounding property owners within 100 metres of the subject property.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7915-0200-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to vary Section E.28 of Part 4, General Provisions, reducing the minimum separation distance from the lot line between drug stores, small-scale drug stores or methadone dispensaries from 400 metres (1,300 ft.) to 0 metres (0 ft.) to permit a small-scale drug store at Unit 103, 6321 - King George Boulevard.
2. As a condition of approval, Council instruct staff to register a Section 219 Restrictive Covenant preventing the operation of a small-scale drug store in isolation of a medical clinic prior to approval of Development Variance Permit No. 7915-0200-00. The Restrictive Covenant will be discharged upon final adoption of the CD By-law amendment.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Multi-tenant commercial building

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Multi-tenant commercial building. Business License application for a small-scale drug store at Unit 100, 6329 - King George Blvd. was received in September 2014.	Urban	C-8
East (Across King George Blvd.):	Vacant commercial building. Site is under Development Application No. 7915-0035-00 to rezone from CD to CD to permit development of a 4-storey multiple family residential building and 6 townhouse units.	Commercial / Mixed Commercial-Residential (Apartments)	CD (By-law No. 10667)
South:	Small scale commercial	Commercial	C-8
West:	City owned land (detention pond), and beyond, Single family residential	Urban	RF-G

Background

- The proposed small-scale drug store would be operated in conjunction with a proposed medical clinic in a newly constructed multi-tenant commercial building located at 6321 - King George Boulevard.
- The subject property was rezoned to CD (By-law No. 17920) in November 2013. The CD zoning is based on the C-5 Zone, which permits a small-scale drug store use.
- The ground floor of the building has a total of 5 commercial retail units, 4 of which have been leased including the medical clinic (Units 104 and 105), the proposed small-scale drug store (Unit 103) and a dental office (Unit 101).

Proposal and Discussion

- The proposed small-scale drug store is intended to serve the patients of the proposed medical clinic as well as the surrounding community.
- The proposed small-scale drug store will have a floor area of approximately 100 square metres (1,070 sq. ft.). The Zoning By-law defines a "small-scale drug store" as "a commercial establishment with a gross floor area of less than 600 square metres (6,450 sq.ft.) which fills a broad range of pharmaceutical prescriptions and excludes *methadone dispensary*".
- However, Section E.28 of Part 4 General Provisions of the Zoning By-law stipulates that a small-scale drug store shall not be located within 400 metres (1/4 mile) of an existing drug store, small-scale drug store or methadone clinic.
- Currently there are two (2) Business License applications in process for small-scale drug stores within 400 metres (1/4 mile) of the subject property: 6329 - King George Boulevard and 6235 - 136 Street (Appendix III). As a result, the applicant has submitted a Development Variance Permit (DVP) application to reduce the minimum 400-metre separation requirement in order to permit the proposed small-scale drug store to locate on the subject site.
- In order to ensure the operation of the small-scale drug store is associated with a medical clinic, staff is of the opinion that in addition to the granting of a DVP, the existing CD Zone should be amended to stipulate the operation of the small-scale drug store must be in conjunction with a medical office. The applicant is committed to this rezoning approach but is in a tight time schedule. Therefore, this DVP application is proceeding ahead of the rezoning (CD By-law amendment) application.
- The applicant has submitted an application to amend CD By-law No. 17920 to require that the small-scale drug store be operated in conjunction with a medical clinic and that there is not more than one small-scale drug store located on the subject site. The CD By-law amendment will proceed to Council for consideration of first and second readings at a subsequent meeting due to the pre-notification requirement of a minimum two week notice of a CD By-law amendment. The applicant has paid all fees associated with the CD By-law amendment, installed a Development Proposal Sign and staff have sent pre-notification letters to surrounding property owners within 100 metres of the subject property.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary Section E.28 of Part 4 General Provisions of Surrey Zoning By-law No. 12000, by reducing the minimum separation requirement between an existing drug store, small-scale drug store or methadone dispensary from 400 metres (1,300 ft.) to 0 metres (0 ft.) to permit a small-scale drug store at Unit 103, 6321 King George Boulevard.

Applicant's Rationale:

- The proposed small-scale drug store would expand the range of medical-related services provided by the clinic.
- The small-scale drug store will allow a registered pharmacist to dispense prescribed medication on site which will provide added convenience for patients and allowing medical staff to better monitor overall patient health.
- The applicant advises that the proposed small-scale drug store will not dispense methadone. Pharmaceuticals and services provided by the proposed small-scale drug store will complement the services offered by the medical clinic, which are focused on family health care and cardiac outpatient care.
- The clinic will provide teaching and professional development opportunities for new physicians. The proposed small-scale drug store will help with medical training by allowing physicians to work closely with a pharmacist.
- The applicant and building owner anticipate that the proposed medical clinic and small-scale drug store will attract other medical services to the building, thereby offering a full-range of medical services to the community.
- The applicant is working to partner with a reputable, well-established pharmacy chain to operate the small-scale drug store.

Staff Comments:

- The proposed small-scale drug store will occupy a relatively small floor area of approximately 100 square metres (1,070 sq. ft) within a multi-tenant commercial building.
- The proposed small-scale drug store is an appropriate complementary use to the proposed medical clinic, which will offer services including family medicine/walk-in clinic, chiropractic, rotating specialists (Cardiology, Internal Medicine and Pediatrics), cardiac stress tests and a cardiac rhythm monitoring lab.
- The proposed small-scale drug store is an appropriate complementary use to other medical-related businesses planning to operate in the same building, including a dental office.

- The proposed clinic and small-scale drug store will provide additional medical services in a neighbourhood that is expected to experience increased multi-family residential development, based on recent nearby development applications.
- The applicant has submitted an application to amend CD By-law No. 17920 to require that the small-scale drug store be operated in conjunction with a medical clinic and that there is not more than one small-scale drug store on the subject site. The applicant has paid all fees associated with the CD By-law amendment, installed a Development Proposal Sign and staff have sent pre-notification letters to surrounding property owners within 100 metres of the subject property.
- Staff support the proposed variance, on the basis of the pending CD By-law amendment discussed above and the registration of a Restrictive Covenant preventing the operation of a small-scale drug store in isolation of a medical clinic. The Restrictive Covenant will be discharged upon final adoption of the CD amendment by-law.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Development Variance Permit No. 7915-0200-00
Appendix III.	Map showing location of drug stores within 400 metre (1/4 mile) radius

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

EM/da

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DRV 7/9/15 10:43 AM

Information for City Clerk

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

1. (a) Agent: Name: Randeep Gill
 Gill Professional Management Inc.
 Address: 4409 - 152 Street
 Surrey, BC V3Z 1G8

 Tel: 604-767-3004

2. Properties involved in the Application

- (a) Civic Address: 6321 - King George Boulevard
 Owner: McLellan Mews Holdings Ltd.
 0937861 BC Ltd.
 Director Information:
 Sarvjit Kaur Bansal

 Officer Information as at April 12, 2014:
 Sarvjit Kaur Bansal (President, Secretary)
 PID: 029-572-983
 Strata Lot 3 Section 8 Township 2 New Westminster District Strata Plan EPS2857 Together
 With An Interest In The Common Property In Proportion To The Unit Entitlement Of The
 Strata Lot As Shown On Form V

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7915-0200-00 and
 bring the Development Variance Permit forward for issuance and execution by the Mayor
 and City Clerk.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0200-00

Issued To: McLellan Mews Holdings Ltd.

("the Owner")

Address of Owner: 12708 - 80 AVENUE
SURREY, BC V3W 3A7

Issued To: 0937861 BC Ltd.

("the Owner")

Address of Owner: 14058 - 32 AVENUE
SURREY, BC V4P 2J2

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: 029-572-983
LT 3 SC 8 T2 PLEPS2857
Unit 103, 6321 King George Boulevard

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

(a) In Section E.28 of Part 4, General Provisions, the minimum separation distance from the lot line between drug stores, small-scale drug stores or methadone dispensaries is reduced from 400 metres (1,300 ft.) to 0 metres (0 ft.) to permit a small-scale drug store at Unit 103, 6321 King George Boulevard.

4. This development variance permit applies to only that 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.

5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
6. 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.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. 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 – Linda Hepner

City Clerk – Jane Sullivan

FLOOR PLANS - FIRST FLOOR

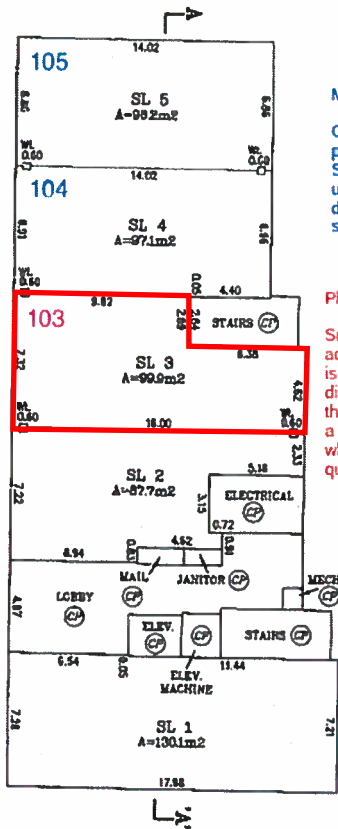
SHEET 2 OF 6 SHEETS

STRATA PLAN EPS2857

All Distances are in Metres.
 The intended plot size of this plan is
 280mm in width by 432mm in height
 (B size) when plotted at a scale of 1:200



6321 King George Highway



Medical Clinic - 2080 SF. (Unit 104/105)

Clinic will consist of two Family Practice physicians and multiple rotating Subspecialists servicing a designated underserved area of Surrey. With diagnostic cardiac care consisting of stress test and cardiac monitoring.

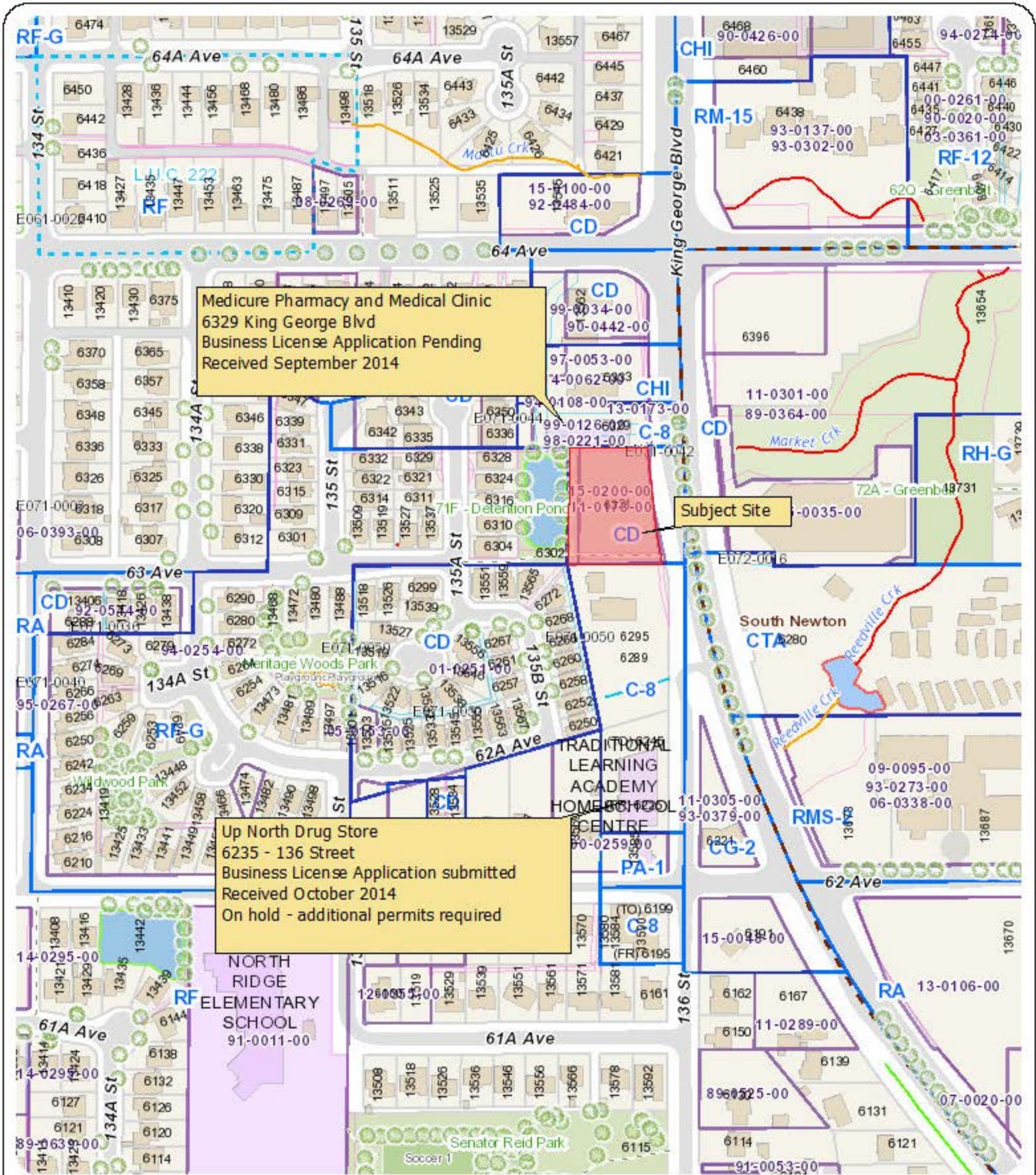
Pharmacy - 1070 SF. (Unit 103)

Small scale pharmacy servicing the adjacent high volume medical clinic. Goal is to provide convenience and reliable direction to our patients with respect to their prescription medication. This will be a hybrid model with the medical clinic which shares the same standard and quality of care for our patients!

Handwritten initials and a signature.

Onderwater Land Surveying
 B.C. Land Surveyors
 #104 - 6630 178 'A' Street
 Cloverdale, B.C.
 FILE: JS13121_P2

May 1st, 2015
 Jonathan F. Squires, B.C.L.S. 940



Medicare Pharmacy and Medical Clinic
6329 King George Blvd
Business License Application Pending
Received September 2014

Up North Drug Store
6235 - 136 Street
Business License Application submitted
Received October 2014
On hold - additional permits required

Subject Site

Application No. 15-0200

Scale: 1:3,161

The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca

