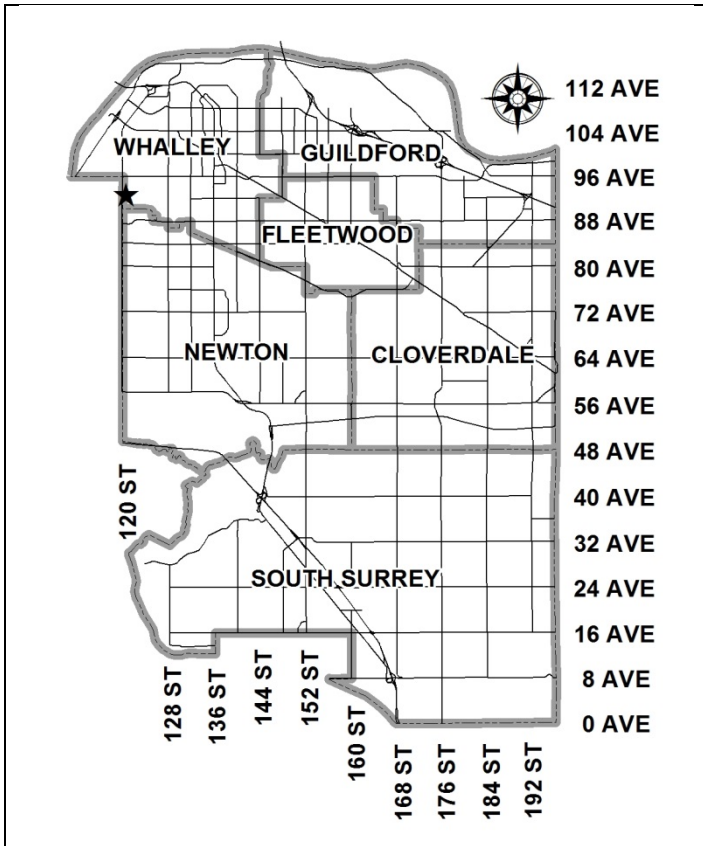


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0213-00

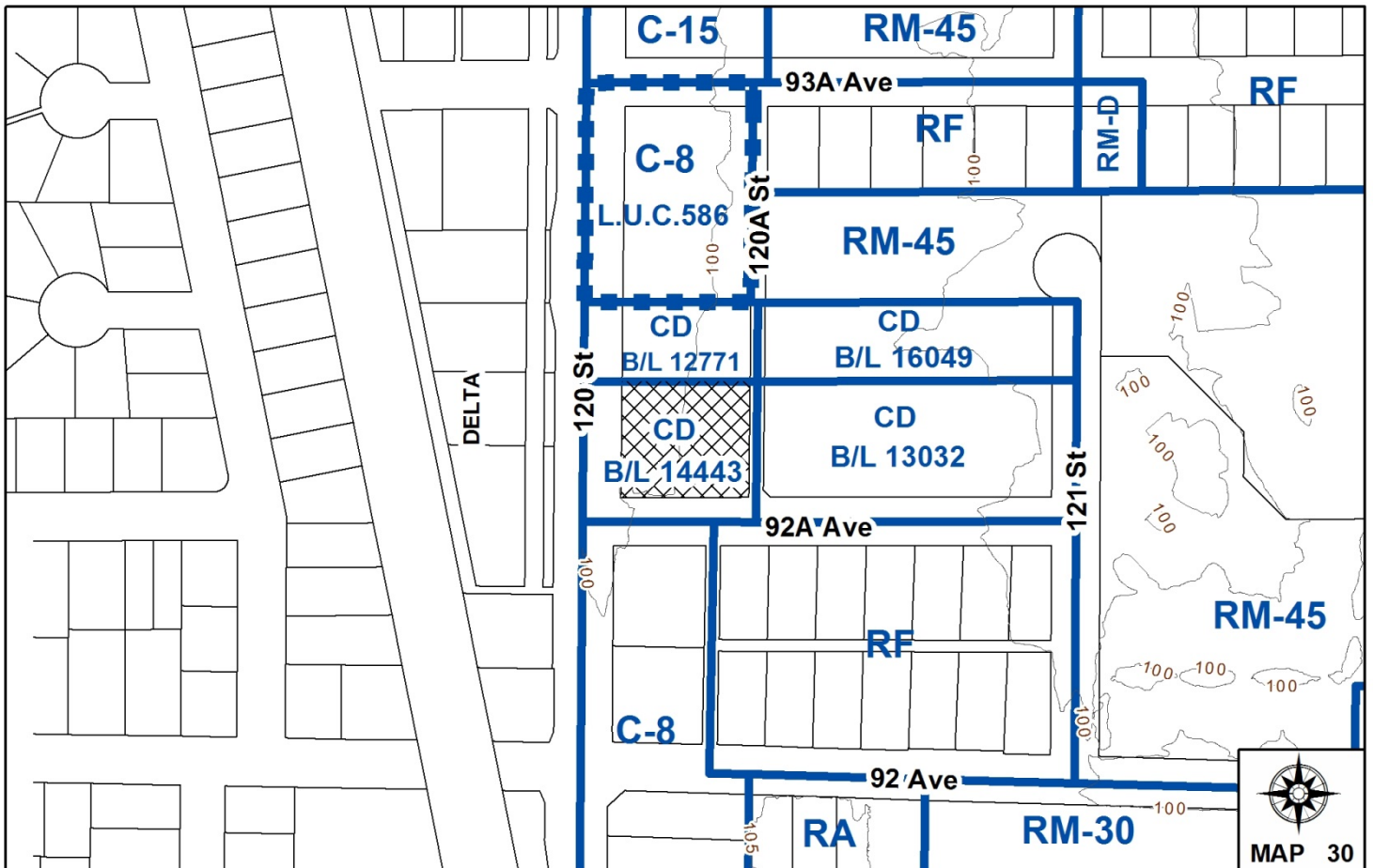
Planning Report Date: July 27, 2015



PROPOSAL:

- **Development Variance Permit**
 to vary the minimum 400-metre (1,300 ft.) separation requirement between a proposed small-scale drug store and an existing small-scale drug store.

LOCATION: 9278 - 120 Street
OWNER: 388 Construction Ltd.
ZONING: CD (By-law No. 14443)
OCP DESIGNATION: Commercial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeks to vary the Zoning By-law to locate a new small-scale drug store within 400 metres (1,300 ft.) of an existing small-scale drug store.

RATIONALE OF RECOMMENDATION

- The proposed small-scale drug store will serve a proposed adjoining medical clinic to be located on the second floor of an existing 3-storey commercial building, offering a comprehensive approach to health care.
- The area is currently served by only one (1) small-scale drug store within a 400-metre (1,300 ft.) radius of the subject property.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7915-0213-00 (Appendix III) varying the following, to proceed to Public Notification:

- (a) in Section E.28 of Part 4 General Provisions of Zoning By-law No. 12000, the minimum separation requirement between a small-scale drug store and an existing small-scale drug store is reduced from 400 metres (1,300 ft.) to 150 metres (490 ft.).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Three-storey multi-tenant commercial building.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Three-storey multi-tenant commercial building.	Commercial	CD (By-law No. 12771)
East:	Four-storey apartment building	Multiple Residential	CD (By-law No. 13032)
South:	Two-storey multi-tenant commercial building and single family dwellings.	Commercial and Multiple Residential	C-8 and RF
West (Across 120 Street):	Single-storey multi-tenant commercial buildings in the Corporation of Delta.	Commercial in Delta	C-1 in Delta

DEVELOPMENT CONSIDERATIONS

- The subject property, located at the northeast corner of 92A Avenue and 120 Street, is occupied by an existing three-storey commercial building.
- The property is designated Commercial in the Official Community Plan (OCP) and zoned "Comprehensive Development Zone (CD)" (By-law No. 14443).

- The applicant is proposing to operate a joint pharmacy and walk-in medical clinic (Green Cross Medical Clinic & Pharmacy) on the second floor of the existing three-storey commercial building, in commercial retail units (CRUs) #201 to 204, which were previously occupied by the Ministry of Health. The proposed pharmacy and walk-in clinic are permitted uses under CD By-law No. 14443.
- The proposed pharmacy and walk-in clinic will have a total floor area of approximately 270 square metres (2,910 sq.ft.). Therefore, the proposed pharmacy is considered a "small-scale drug store", which is defined under the Zoning By-law 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".
- To regulate the over-concentration of small-scale drug stores and methadone dispensaries, 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 (1,300 ft.) of an existing drug store, small-scale drug store or methadone dispensary. This provision applies to pharmacies in Surrey only, and does not apply to pharmacies located in neighbouring municipalities like Delta.
- There currently is one (1) existing drug store (Medicine Guru Pharmacy) that is within a 400 metre (1,300-ft.) radius of the subject property, and it is located at 9180 – 120 Street (see Appendix II for map). Medicine Guru Pharmacy is located in a multi-tenant building approximately 150 metres (490 ft.) from the subject property and is a small-scale drug store. Therefore, a Development Variance Permit (DVP) is required (see By-law Variance section).
- A second small-scale drug store (Naz's Pharmacy at 9385 – 120 Street) is within 400 metres (1,300 ft.) of the subject property, but it is located to the west in Delta.
- The applicant advises that the proposed small-scale drug store will be community based, primarily serving the needs of the local community and the patients of the proposed adjoining medical clinic. Beyond the customary prescription orders and over-the-counter medications, flu shots, diabetic counselling, medication reviews and blood pressure monitoring will be offered. The drug store will not be offering methadone dispensing.

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 a new small-scale drug store and an existing small-scale drug store, from 400 metres (1,300 ft.) to 150 metres (490 ft.).

Applicant's Reasons:

- The applicant would like to offer a comprehensive health care approach by serving the patients of a proposed adjoining medical clinic. Patients attending the proposed walk-in clinic will be able to take advantage of the convenient location of the adjoining pharmacy.

- Ample on-site parking is available, and the building is serviced by an elevator which will provide access for those that are disabled, to the proposed second floor pharmacy and medical clinic.
- The proposed small-scale drug store will not be offering methadone dispensing.

Staff Comments:

- The proposed small-scale drug-store and walk-in clinic will occupy a relatively small floor area (270 square metres / 2,910 sq.ft.) within a larger commercial building. The small-scale drug store will offer convenience to the patients attending the adjoining medical clinic.
- The proposed pharmacy will also serve patients of an existing doctor's office located on the first floor of the subject building.
- Only one (1) existing small-scale drug store (Medicine Guru Pharmacy at 9180 - 120 Street) in Surrey is located within 400 metres (1,300 ft.) of the subject property, and is located approximately 150 metres (490 ft.) south of the subject property.
- Staff support the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
Appendix II. Map of other small-scale drug stores within 400 metres of the subject property
Appendix III. Development Variance Permit No. 7915-0213-00

INFORMATION AVAILABLE ON FILE

- CD By-law No. 14443

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

DN/dk

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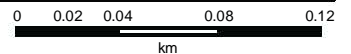


Map of other small-scale drug stores within 400 metres of the subject property



Scale: 1:3,000

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



CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0213-00

Issued To: 388 Construction Ltd
("the Owner")

Address of Owner: 2450 East 51st Avenue
Vancouver, BC V5S 1P6

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: 025-700-227
Strata Lot 26 Section 31 Township 2 New Westminster District Strata Plan BCS454
9278 – 120 Street

Parcel Identifier: 025-700-235
Strata Lot 27 Section 31 Township 2 New Westminster District Strata Plan BCS454
9278 – 120 Street

Parcel Identifier: 025-700-243
Strata Lot 28 Section 31 Township 2 New Westminster District Strata Plan BCS454
9278 – 120 Street

Parcel Identifier: 025-700-251
Strata Lot 29 Section 31 Township 2 New Westminster District Strata Plan BCS454
9278 – 120 Street

(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 between a small-scale drug store and an existing small-scale drug store is reduced from 400 metres (1,300 ft.) to 150 metres (490 ft.).

4. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
5. 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.
6. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
7. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 2015.
ISSUED THIS DAY OF , 2015.

Mayor – Linda Hepner

City Clerk – Jane Sullivan