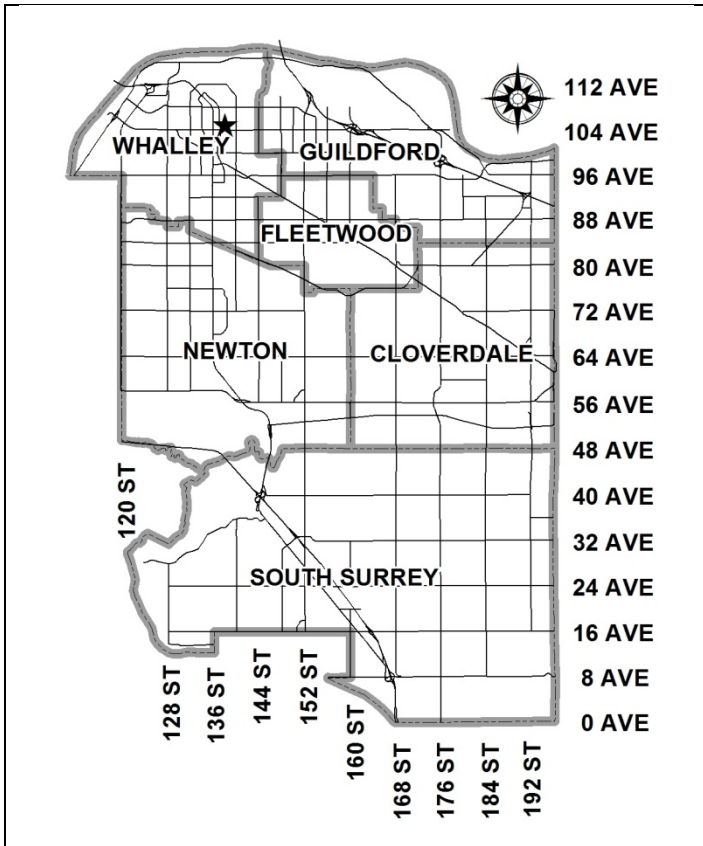


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0038-00

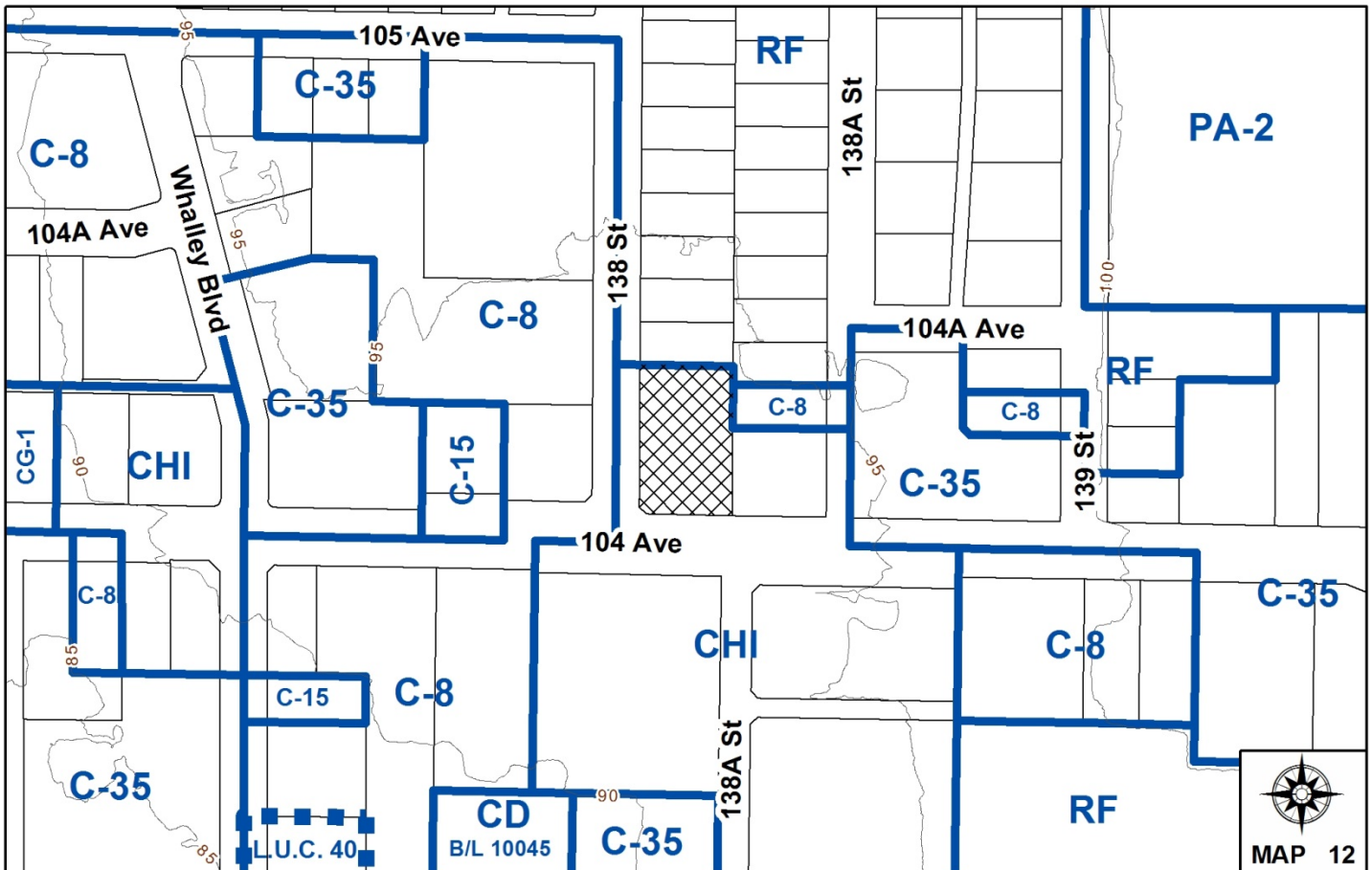
Planning Report Date: April 11, 2016



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: 13805 - 104 Avenue
OWNER: PSJC Management Ltd., Inc. No. BC0764155
ZONING: CHI
OCP DESIGNATION: Central Business District



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 an existing medical clinic located on the main floor of a 2-storey commercial building, offering a comprehensive approach to health care.
- Although the area is currently served by two (2) small-scale drug stores within a 400-metre (1,300 ft.) radius of the subject property, the applicant is wanting to provide convenience to patients of the medical clinic located in the subject building.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0038-00 (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 drugstore is reduced from 400 metres (1,300 ft.) to 249 metres (817 ft.).

REFERRALS

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

SITE CHARACTERISTICS

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

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family residential.	Central Business District	RF
East:	Commercial building/vacant commercial lot.	Central Business District	C-8 and CHI
South (Across 104 Avenue):	Auto dealership.	Central Business District	CHI
West (Across 138 Street):	Two-storey commercial building (Long & McQuade).	Central Business District	C-8

DEVELOPMENT CONSIDERATIONS

- The subject property, located at 13805 – 104 Avenue, is located on the northeast corner of 104 Avenue and 138 Street in City Centre. The property is designated Central Business District in the Official Community Plan (OCP), and is currently zoned "Highway Commercial Industrial" (CHI).

- The applicant is proposing to locate the pharmacy in the existing Amari Medical Clinic located on the ground floor of an existing two-storey commercial building. As the site is within City Centre, the proposed pharmacy and family practice medical clinic are permitted uses under the existing CHI Zone.
- The proposed pharmacy and family practice medical clinic will have a total floor area of approximately 185 square metres (1,991 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.
- There are currently two (2) existing pharmacies within a 400-metre (1,300-ft.) radius of the subject property. London Drugs is located at 10348 King George Boulevard (see Appendix II for map) in a multi-tenant commercial building approximately 294 metres (965 ft.) from the subject property and is considered a small-scale drug store. Save On Foods pharmacy is located at 10312 King George Boulevard approximately 249 metres (817 ft.) from the subject property and is also considered a small-scale drug store.
- Due to the proximity of the other drug stores/pharmacies, a Development Variance Permit (DVP) is required to permit a small-scale drug store on the subject site (see By-law Variance section).
- 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 adjoining family practice medical clinic. The full service dispensary will offer a broad range of pharmaceuticals as well as treatment in HIV care and specialized skin and cancer treatment. The applicant advises that the proposed drug store will not be dispensing methadone.
- The applicant advises that the proposed pharmacy will provide the following services and products:
 - Enhanced full service dispensary;
 - HIV care and specialized skin and cancer treatments;
 - Home health care products; including mobility aids such as canes, walkers, and compression wear;
 - Compounding services;
 - Blister Packing services for seniors;
 - Cognitive pharmaceutical services; and
 - Ostomy and diabetic supplies.

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 (1,132 ft.) to 249 metres (817 ft.).

Applicant's Reasons:

- The applicant would like to offer a comprehensive health care approach by serving the patients of the adjoining family practice medical clinic. Patients attending the clinic will be able to take advantage of the convenient location of the adjoining pharmacy.
- The doctors understand that their patients could patron the other existing pharmacies in the neighbourhood, however this is not always a practical option for patients with disabilities or illness. Allowing the adjoining pharmacy will provide a convenient, one-stop health care service.
- The applicant has advised that the proposed small-scale drug store will not include methadone dispensing.

Staff Comments:

- The proposed small-scale drug-store will occupy a relatively small floor area (29 square metres/ 309 sq.ft.) within a multi-tenant commercial building. The small-scale drug store will offer convenience to the patients attending the adjoining medical clinic.
- Two existing drug stores are located within a 400-metre (1,300 ft.) radius of the proposed pharmacy.
- A minimum separation of 249 metres (817 ft.) will result between the proposed pharmacy and closest existing drug store located to the south-west at 10312 King George Boulevard (Save On Foods pharmacy).
- The proposed pharmacy will provide an enhanced full service dispensary and treatment in HIV care and specialized skin and cancer treatments protocols wherein the doctor provides the diagnosis and the pharmacist provides specialized medications and treatment protocols to suit the doctor's criteria. This specialization will complement the services and products offered by the other medical establishments within the vicinity.
- 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. 7916-0038-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JLM/dk

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Information for City Clerk

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

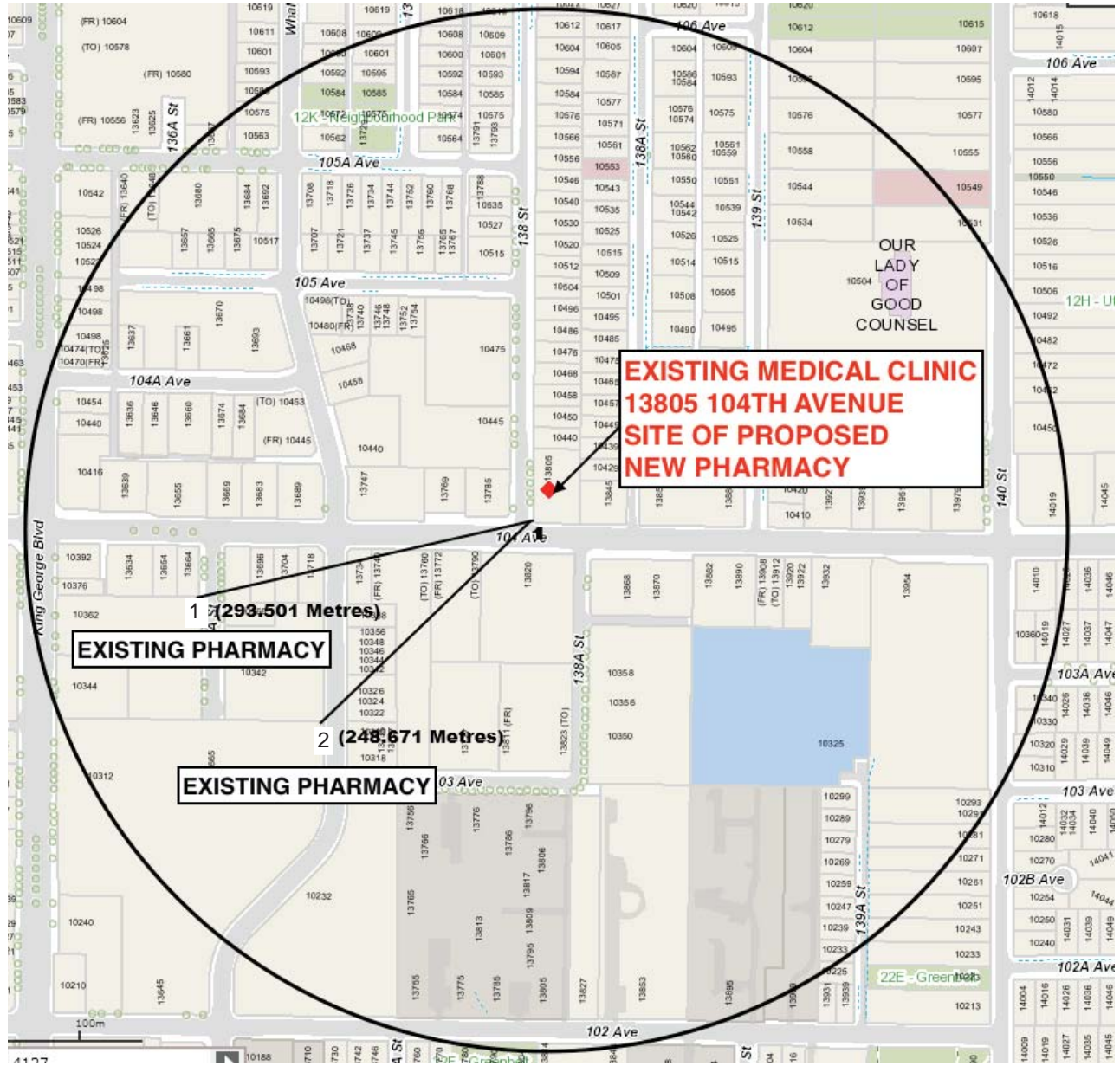
1. (a) Agent: Name: Irene Horvath
 D.A. Horvath Consultants Inc.
 Address: Unit 46, 2738 - 156 Street
 Surrey, BC V3Z 3K3

 Tel: 604-538-2496

2. Properties involved in the Application
 - (a) Civic Address: 13805 - 104 Avenue

 - (b) Civic Address: 13805 - 104 Avenue
 Owner: PSJC Management Ltd., Inc. No. BC0764155
 PID: 001-153-331
 Lot 19, Except: Firstly: Part on Plan with By-law filed A24465, Secondly: Parcel "B"
 (Bylaw Plan 68717), Section 23 Block 5 Range 2 West New Westminster District
 Plan 11197

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit
 No. 7916-0038-00 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.: 7916-0038-00

Issued To: PSJC MANAGEMENT LTD., INC. NO. BC0764155
("the Owner")

Address of Owner: 9631 – 137 Street
Surrey, BC V3T 4G8

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: 001-153-331

Lot 19, Except: Firstly: Part on Plan with By-law filed A24465, Secondly: Parcel "B"
(Bylaw Plan 68717), Section 23 Block 5 Range 2 West New Westminster District Plan 11197

13805 - 104 Avenue

(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 of Zoning By-law No. 12000, the minimum separation requirement between a small-scale drug store and an existing small-scale drugstore is reduced from 400 metres (1,300 ft.) to 249 metres (817 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 , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan