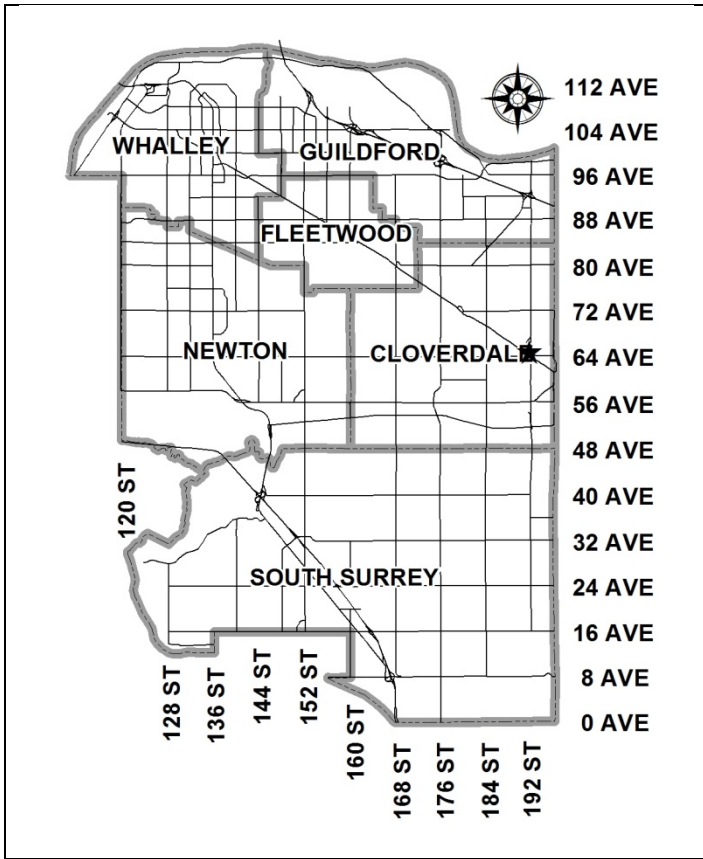


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0116-00

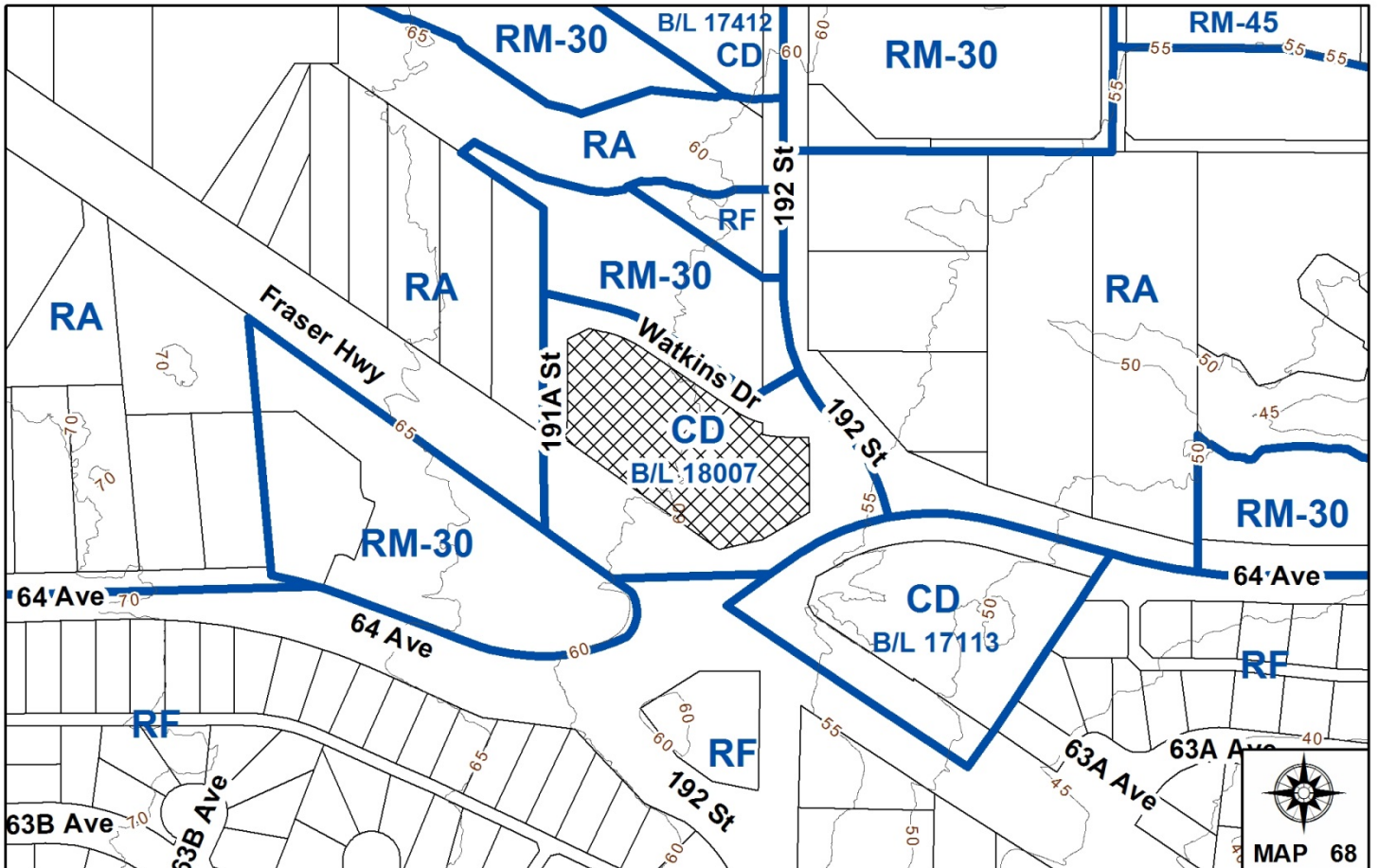
Planning Report Date: May 16, 2016



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: 19151 Fraser Highway
OWNER: Mosaic Fraser 192 Retail Holdings Ltd.
ZONING: CD (By-law No. 18007)
OCP DESIGNATION: Commercial
NCP DESIGNATION: Special Community-Oriented 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 adjacent medical clinic to be located on the main floor of a commercial building currently under construction and nearing completion. The proposed drug store will facilitate an integrated and comprehensive approach to health care.
- Although there is an existing business license application for a pharmacy at 19211 Fraser Highway, which is within a 400-metre (1,300 ft.) radius of the subject property, the applicant wants to provide convenience to patients of the adjacent medical clinic proposed in the subject building.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0116-00 (Appendix IV), varying Section E.29 of Part 4 General Provisions of Zoning By-law No. 12000, by reducing the minimum separation requirement between a small-scale drug store and an existing small-scale drug store from 400 metres (1,300 ft.) to 30 metres (98 ft.), to proceed to Public Notification.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Neighbourhood-scale shopping centre, approved under Development Application 7913-0030-01, currently under construction and nearing completion.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North (Across Watkins Drive):	Townhouses approved under Development Application No. 7913-0030-00.	22-45 u.p.a. (High Density)	RM-30
East (Across 192 Street):	Vacant City land.	Special Community-Oriented Commercial	RA
South-East (Across 64 Avenue):	Mixed use commercial and apartments (approved under Development Application No. 7909-0116-00).	Commercial in the OCP	CD By-law No. 17113 (based on C-8 and RM-45)
South-West (across Fraser Highway):	Townhouses under construction (approved under Development Application No. 7908-0200-00).	Townhouse/Cluster (30 upa) in the North Cloverdale East NCP	RM-30
West (Across 191A Street):	Vacant 2/3-acre lot.	Special Community-Oriented Commercial	RA

DEVELOPMENT CONSIDERATIONS

- The 7,442-square metre (1.8-acre) subject site is located on the north side of Fraser Highway, at the intersection of Fraser Highway and 64 Avenue, and is within the East Clayton Neighbourhood Concept Plan (NCP) area.
- The subject site is designated Commercial in the Official Community Plan (OCP), Specialty Community-Oriented Commercial in the East Clayton NCP, and zoned "Comprehensive Development Zone (CD)" By-law No. 18007 (based on the C-8 Zone).
- The buildings on the subject commercial site are under construction and nearing completion.
- The applicant is proposing to operate a pharmacy adjacent to a proposed medical clinic in one of the commercial buildings, in units 104B and 103B, respectively (Appendix II). The proposed pharmacy and medical clinic are permitted uses under CD By-law No. 18007.
- The proposed pharmacy will have a total floor area of approximately 98 square metres (1,055 sq.ft.), and is therefore 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 is an existing business license application for a pharmacy at 19211 Fraser Highway, which is located 30 metres (98 ft.) from the subject property as measured to the nearest lot line (see Appendix III for map). Due to this proximity, 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 growing local community and patients of the proposed adjoining medical clinic. The full service dispensary will dispense a broad range of pharmaceuticals and will not be dispensing methadone as a primary source of business (less than 1% of what they dispense annually).
- The applicant advises that the proposed pharmacy would provide the following services and products:
 - Dispense a broad range of pharmaceuticals;
 - Injection services for flu and travel vaccinations;
 - Community monthly health clinics regarding chronic medical conditions;
 - Elderly assistance programs, including blister packing and education; and
 - Compounding services, including veterinarian compounding.

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 30 metres (98 ft.).

Applicant's Reasons:

- The community surrounding the proposed pharmacy is continuing to grow and densify, and they will benefit from having a pharmacy close by.
- The applicant would like to offer a comprehensive health care approach by serving the patients of the proposed adjacent medical clinic and providing opportunities for the health care professionals in the shopping centre to collaborate with an onsite pharmacist.
- The proposed pharmacy in the subject building is physically separated from the existing pharmacy at 19211 Fraser Highway by two major roadways of Fraser Highway and 64 Avenue, therefore limiting markets to each side.
- The applicant has advised that the proposed small-scale drug store will not include methadone dispensing as a primary source of business (less than 1% of what they dispense annually).

Staff Comments:

- The proposed small-scale drug store will occupy a relatively small floor area (98 square metres / 1,055 sq.ft.) within a multi-tenant commercial building. The small-scale drug store will offer convenience to the patients attending the proposed adjoining medical clinic.
- There is an existing business license application for a drug store at 19211 Fraser Highway, within the 400-metre (1,300-ft.) radius of the proposed pharmacy.
- A minimum of 30 metres (98 ft.) will result between the proposed pharmacy at the subject site and the existing pharmacy business license issued for a unit within the mixed-use development at 19211 Fraser Highway.
- The proposed pharmacy and the existing pharmacy are separated by Fraser Highway and 64 Avenue, both of which are classified as Arterial Roads. Access to the proposed pharmacy is limited by right-in / right-out turning lanes on 191A Street and 192 Street, therefore limiting the potential markets to each side.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

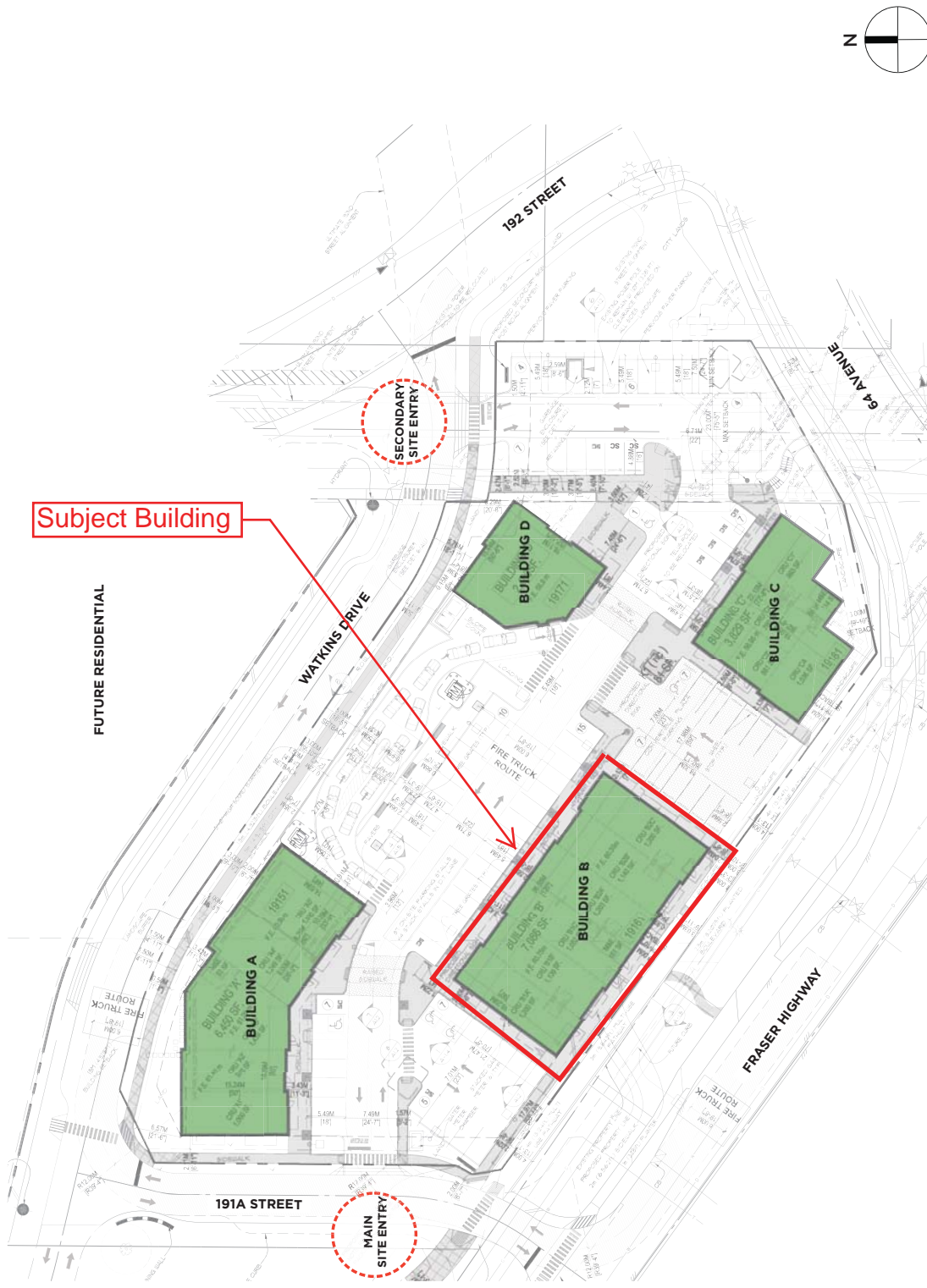
- Appendix I. Lot Owners and Action Summary
- Appendix II. Site Plan and Floor Plan
- Appendix III. Map of other small-scale drug stores within 400 metres of the subject property
- Appendix IV. Development Variance Permit No. 7916-0116-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

LM/dk

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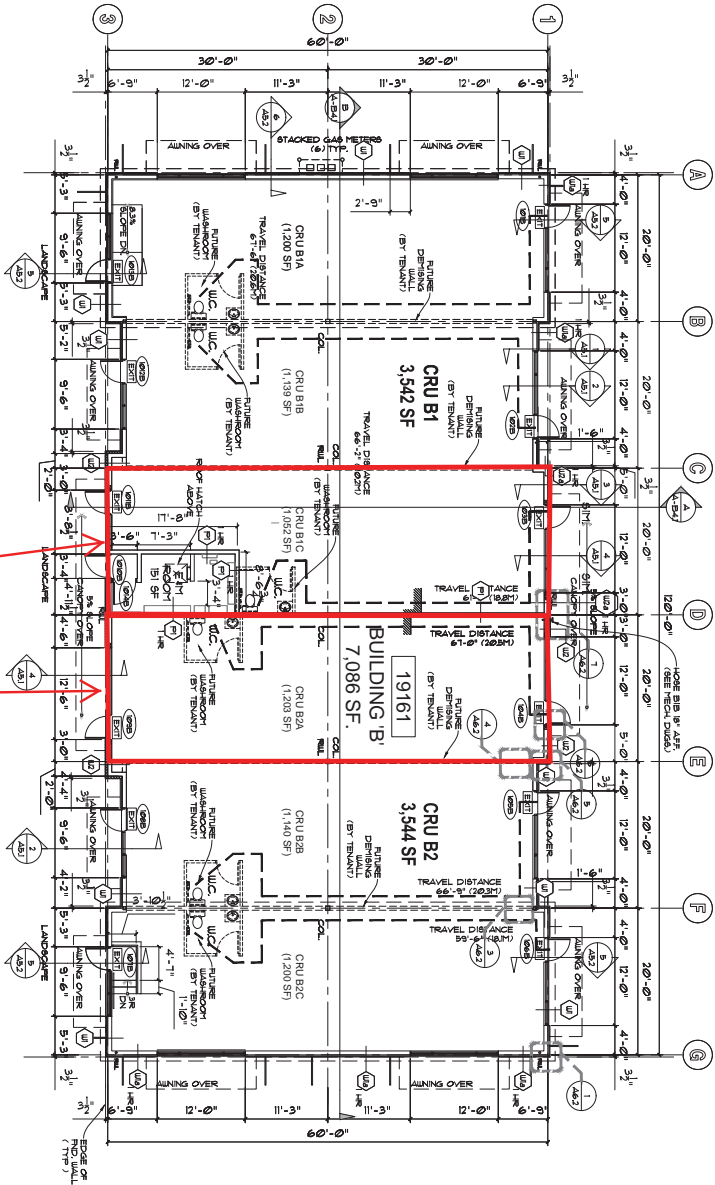


Subject Building

FUTURE RESIDENTIAL

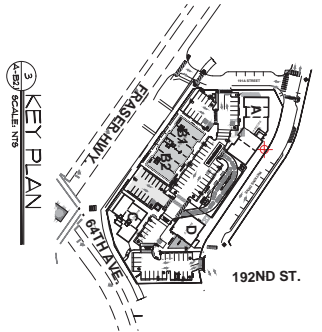


1 FLOOR PLAN
SCALE: 1/8" = 1'-0"



Proposed Pharmacy

Proposed Medical Clinic



GENERAL NOTES:

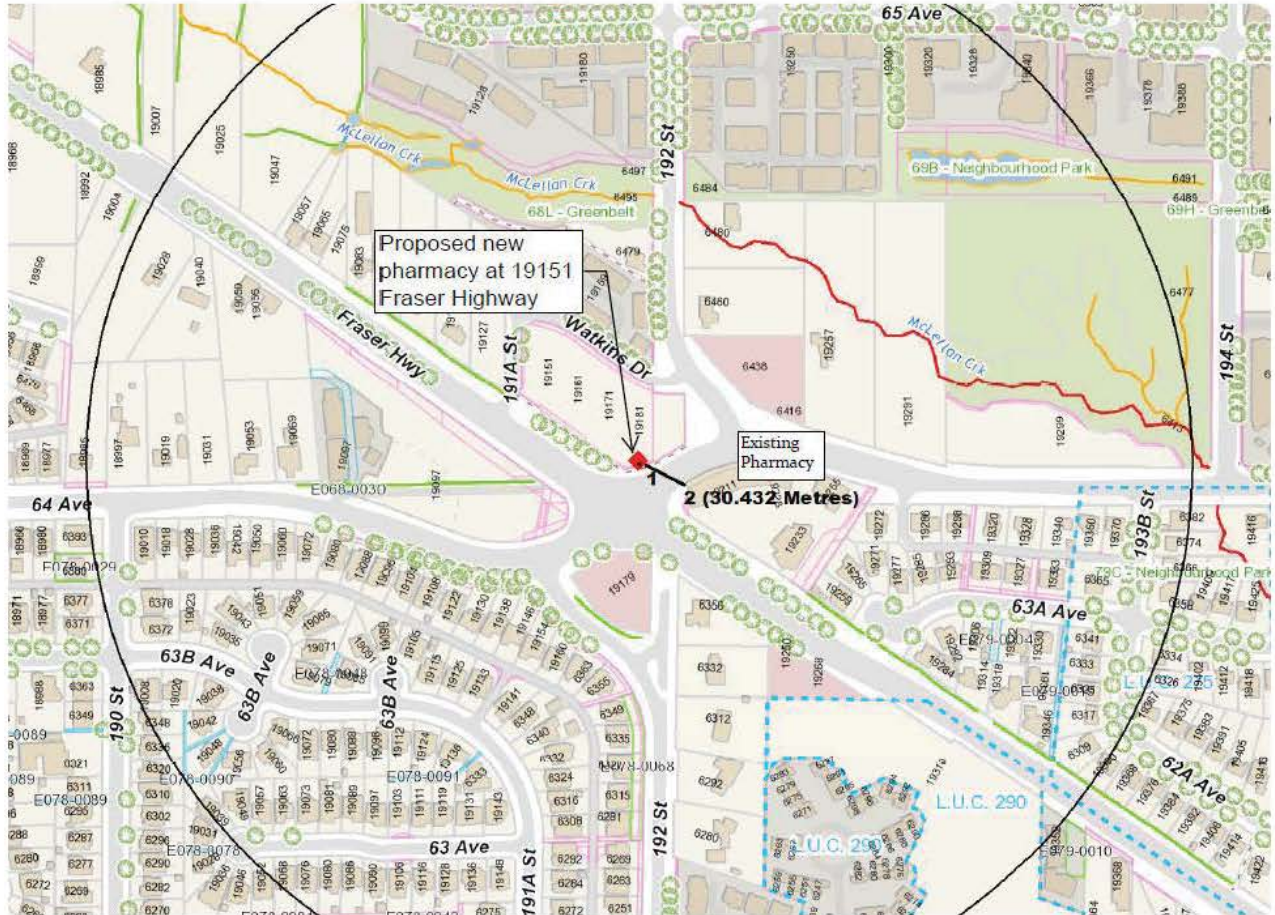
1. ALL DIMENSIONS SHOWN ON THIS DRAWING ARE IN METERS UNLESS OTHERWISE SPECIFIED.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE AND ALL APPLICABLE BY-LAWS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
5. ALL DIMENSIONS SHALL BE IN METERS UNLESS OTHERWISE SPECIFIED.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE AND ALL APPLICABLE BY-LAWS.
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17. ALL DIMENSIONS SHALL BE IN METERS UNLESS OTHERWISE SPECIFIED.



COMMERCIAL DEVELOPMENT
19151, 19161, 19171, 19181 FRASER HWY, SURREY, BC
For MOSAIC MIXED USED DEVELOPMENTS LTD

Architects Ltd.
6001 140 WEST FINDER
LANE
VANCOUVER, BC V6K 2K3
TEL: 604-689-5281
FAX: 604-689-5282

Project number: 3510
Scale: AS SHOWN
Sheet number: A/B2.1
Scale: 1/8" = 1'-0"



CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0116-00

Issued To: MOSAIC FRASER 192 RETAIL HOLDINGS LTD
("the Owner")

Address of Owner: C/O Mosaic Homes
500-2609 Granville Street
Vancouver, BC V6H 3H3

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: 029-469-121
Lot 1 Township 8 Plan EPP41729 New Westminster District Section 15&16

19151 Fraser Hwy

(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 drug store is reduced from 400 metres (1,300 ft.) to 30 metres (98 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