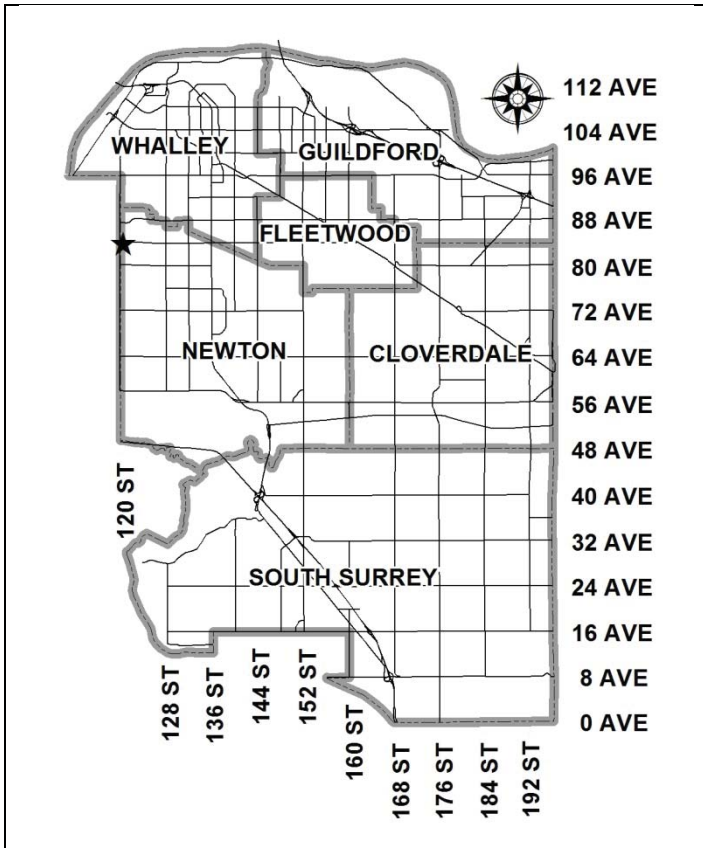


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0233-00

Planning Report Date: July 10, 2017



PROPOSAL:

- **Development Variance Permit**

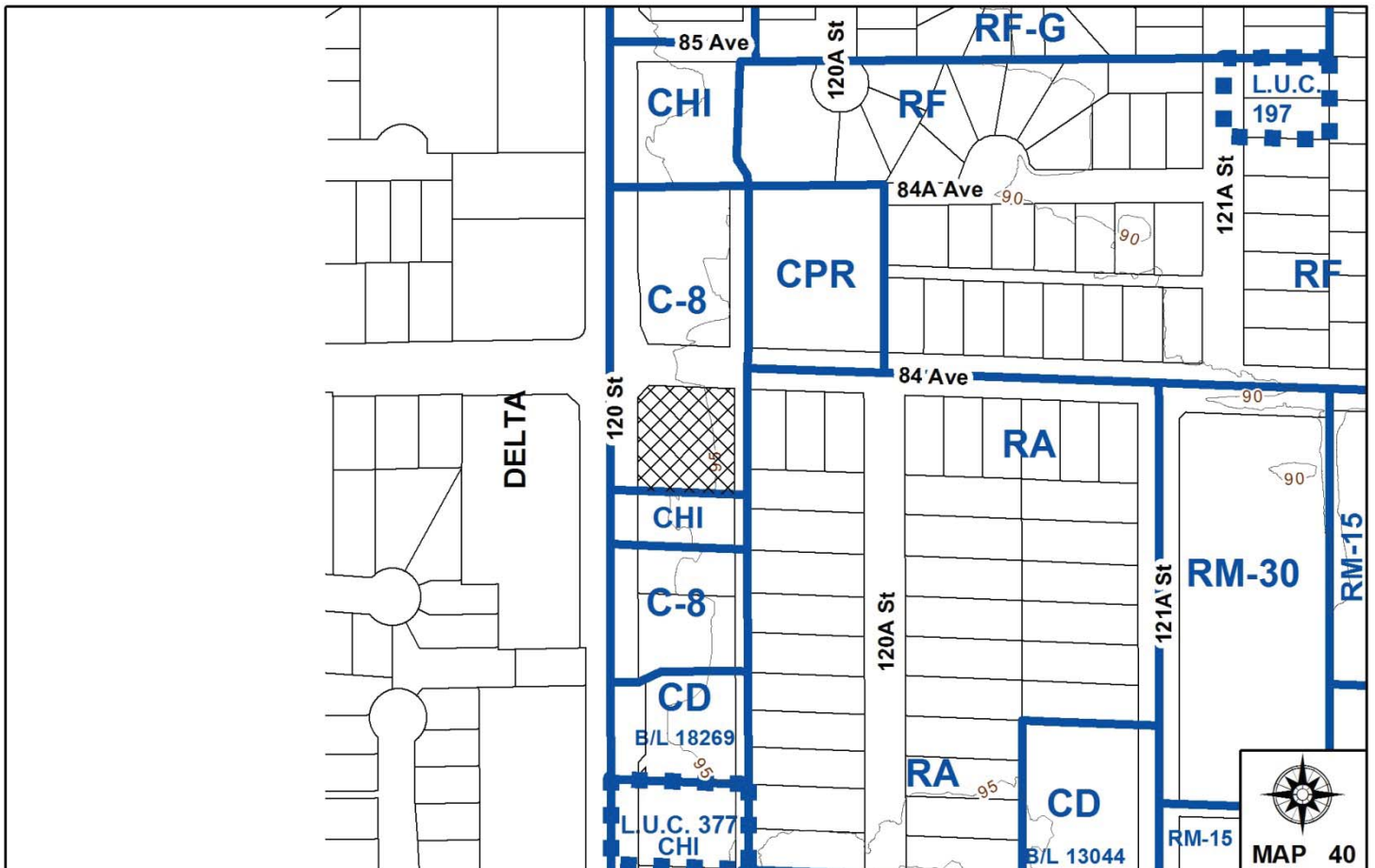
to vary the minimum 400 metre (1,300 ft.) separation requirement between a small-scale drug store and an existing drug store.

LOCATION: 8386 – 120 Street

OWNER: 84th And Scott Road Plaza Holdings Ltd.

ZONING: C-8

OCP DESIGNATION: Commercial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to vary the minimum 400 metre (1,300 ft.) separation requirement between a proposed small-scale drug store and existing drug-stores.

RATIONALE OF RECOMMENDATION

- The proposed small-scale drug store will operate in conjunction with a medical clinic and dental office located within the adjacent unit of the building.
- The proposed small-scale drug store and medical clinic are to locate in the same space as a previous small-scale drug store and medical clinic, which recently moved to 8338 – 120 Street. This relocation also necessitated a variance to the minimum 400 metre (1,300 ft.) separation requirement which Council approved on February 20, 2017, under Development Application No. 7917-0001-00.
- Council has previously expressed concerns regarding the possible over-concentration of small stand-alone drug stores. However, Council has been receptive to small-scale drug stores that operate in conjunction with a medical office or clinic located within the same building.
- A Section 219 Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with a medical clinic, and having the same hours of operation as the medical clinic.
- The proposed small-scale drug store will utilize specialty-compounding techniques to create individualized pharmaceutical products to fit the custom needs of patients. The drug store will be equipped with specialized technologies including a sterilized ‘clean room’ to prepare the pharmaceutical products. Staff at the drug store will be trained in international standards on compounding pharmaceuticals and in handling specialized hazardous products. The applicant advises that this type of specialized drug store currently does not exist in Surrey.
- The proposed small-scale drug store and medical clinic are permitted uses in the C-8 zone.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7917-0233-00 (Appendix II), to reduce the minimum separation distance between drug stores, small-scale drug stores or methadone dispensaries from 400 metres (1,300 ft.) to 50 metres (164 ft.) to permit a small-scale drug store at 8386 – 120 Street, to proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to Development Variance Permit issuance:
 - (a) that a Section 219 Covenant be registered on title requiring that any small-scale drug store on site must operate in conjunction with a medical clinic / office, and have the same hours of operation as the medical clinic / office.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Multi-tenant retail and professional building.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 84 Avenue):	Multi-tenant professional and commercial plaza	Commercial	C-8
East:	Single family residential	Multiple Residential	RA
South:	Retail building (to be demolished)	Commercial	CHI
West (Across 120 Street):	Retail / Commercial Plaza (Corporation of Delta)	n/a	n/a

DEVELOPMENT CONSIDERATIONSBackground

- The subject property, located at 8386 – 120 Street, is designated "Commercial" in the Official Community Plan and zoned "Community Commercial Zone (C-8)". The property is not located in a Neighbourhood Concept Plan area.

- The multi-tenant building includes a cheque cashing store, a hair-product retail store, and a dental office. The proposed small-scale drug store with associated medical clinic will be located in a unit that was previously occupied by another small-scale drug store and medical clinic.
- The previous small-scale drug store and medical clinic tenant moved to a location at 8338 - 120 Street. A Development Variance Permit (No. 7917-0001-00) to vary the minimum separation distance between small-scale drug stores was issued by Council on February 20, 2017, to allow the small-scale drug store to locate at 8338 - 120 Street.
- Another Development Variance Permit application (No. 7917-0270-00) has been received to vary the minimum separation distance between small-scale drug stores for the property at 8318 - 120 Street, which is 88 metres (288 ft.) from the subject property. This application is also being considered at the July 10, 2017, Regular Council - Land Use meeting to ensure that all proposed small-scale drug stores in the area are considered comprehensively.

Proposal

- The applicant proposes a small-scale drug store, which will occupy roughly 110 square metres (1,184 sq. ft.) of retail floor space. It will be operated in conjunction with a medical clinic of roughly 173 square metres (1,860 sq. ft.), in two adjacent units of the building. The medical clinic is proposed to have six examination rooms.
- The proposed small-scale drug store is primarily intended to serve the clients from the associated medical clinic proposed on the site, as well as the existing dental office.
- The small-scale drug store will be operated by the owners of the building. The applicants have been operating drug stores in Surrey since 2002, and currently own and operate six other drug stores throughout Surrey.
- 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*".
- While the C-8 Zone allows small-scale drug stores as a permitted use, 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 clinic.
- Currently there are four drug stores / small-scale drug stores, and one proposed small-scale drug store, within 400 metres (1,300 ft.), and one existing just over 400 metres (1,300 ft.) from the proposed location. These are listed in the following table, and each are shown on the map in Appendix III.

Existing Drug Store	Address	Distance from 8386 - 120 Street
PharmaCity Drugstore (DVP Application No. 7917-0001-00)	8338 - 120 Street, Surrey	50 m (164 ft.)
Delta Prescription Clinic	8425 - 120 Street, Delta	50 m (164 ft.)
<i>Proposed Small-Scale Drug Store</i> (DVP Application No. 7917-0270-00)	8318 - 120 Street, Surrey	88 m (288 ft.)

Superstore Pharmacy	8195 – 120 Street, Delta	370 m (1,213 ft.)
Medisave Pharmacy	8181 – 120A Street, Surrey	400 m (1,312 ft.)
People's Drug Mart	8140 – 120 Street, Surrey	438 m (1,437 ft.)

- The applicant has submitted a Development Variance Permit application to reduce the minimum 400 metre (1,300 ft.) separation requirement in order to permit the proposed small-scale drug store to locate on the subject site.

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 50 metres (164 ft.) to permit a small-scale drug store at 8386 – 120 Street.

Applicant's Reasons:

- The proposed small-scale drug store will be operated in conjunction with a new medical clinic as well as supporting an existing dental office in the building.
- The proposed small-scale drug store will utilize specialty-compounding techniques to create individualized pharmaceutical products to fit the custom needs of patients. The drug store will be equipped with specialized technologies including a sterilized 'clean room' to prepare the pharmaceutical products. This type of specialized drug store currently does not exist in Surrey.

Staff Comments:

- The proposed small-scale drug store and medical clinic are to locate in the same space as a previous small-scale drug store and medical clinic, which moved to 8338 - 120 Street (Development Application No. 7917-0001-00).
- The proposed small-scale drug store will occupy a floor area of 110 square metres (1,184 sq. ft.) within a multi-tenant professional/retail building. The small-scale drug store will operate in conjunction with a medical clinic of approximately 173 square metres (1,860 sq. ft.).
- The applicant will be required to register a Section 219 covenant on title to:
 - Allow the small-scale drug store to operate only in conjunction with a medical clinic / office located within the same building as the drug store;
 - Restrict the operating hours of the small-scale drug store to the same hours as the medical clinic / office; and
 - Limit the size of the small-scale drug store to 110 square metres (1,200 sq. ft.).

- The applicant has demonstrated that there is sufficient parking on site to accommodate the proposed small-scale drug store and medical clinic, as well as the existing uses in the building.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners & Action Summary
Appendix II.	Development Variance Permit No. 7917-0233-00
Appendix III.	Map showing the location of drug stores within 400 metres (1,300 ft.) radius

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

DZ/da

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0233-00

Issued To: 84TH AND SCOTT ROAD PLAZA HOLDINGS LTD.
(the "Owner")

Address of Owner: 8322 – 130 Street, Unit 101
Surrey, BC V3W 8J9

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: 012-045-675
Lot 1 Section 30 Township 2 New Westminster District Plan 79038

8386 – 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 from the lot line between drug stores, small-scale drug stores or methadone dispensaries is reduced from 400 metres (1,300 ft.) to 50 metres (164 ft.) to permit a small-scale drug store on the Land.
4. This development variance permit applies to only that portion of the buildings and structures on the Land shown on Appendix III 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.

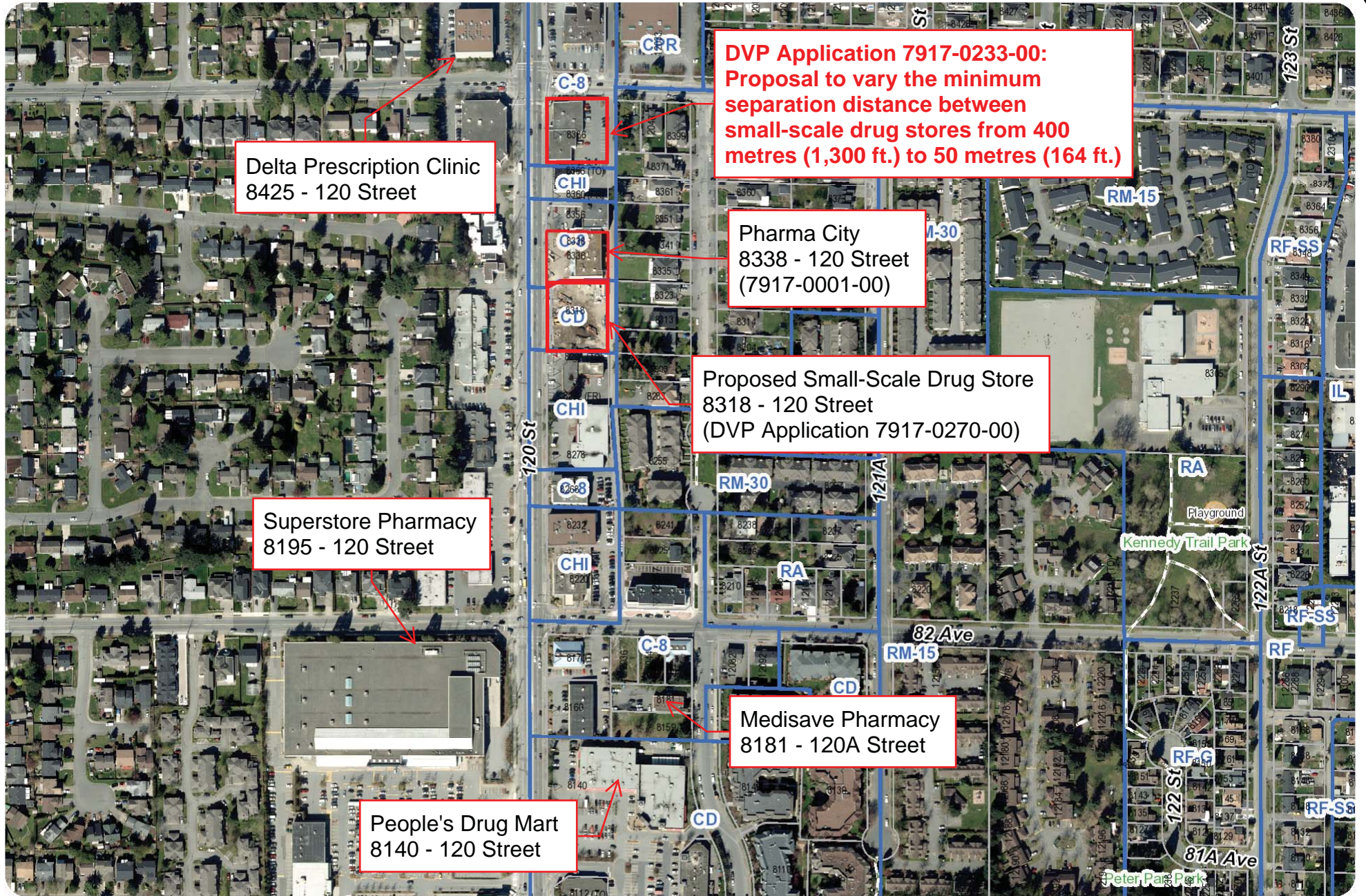
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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



Location of Existing Drug Stores

Scale: 1:4,000

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

