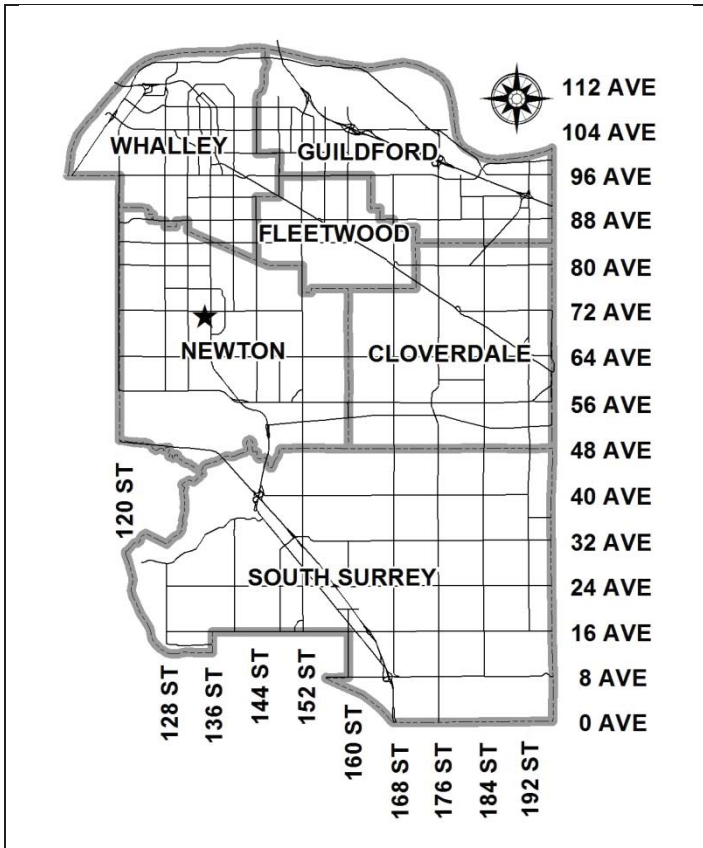


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0535-00

Planning Report Date: January 22, 2018



PROPOSAL:

- **Development Variance Permit**

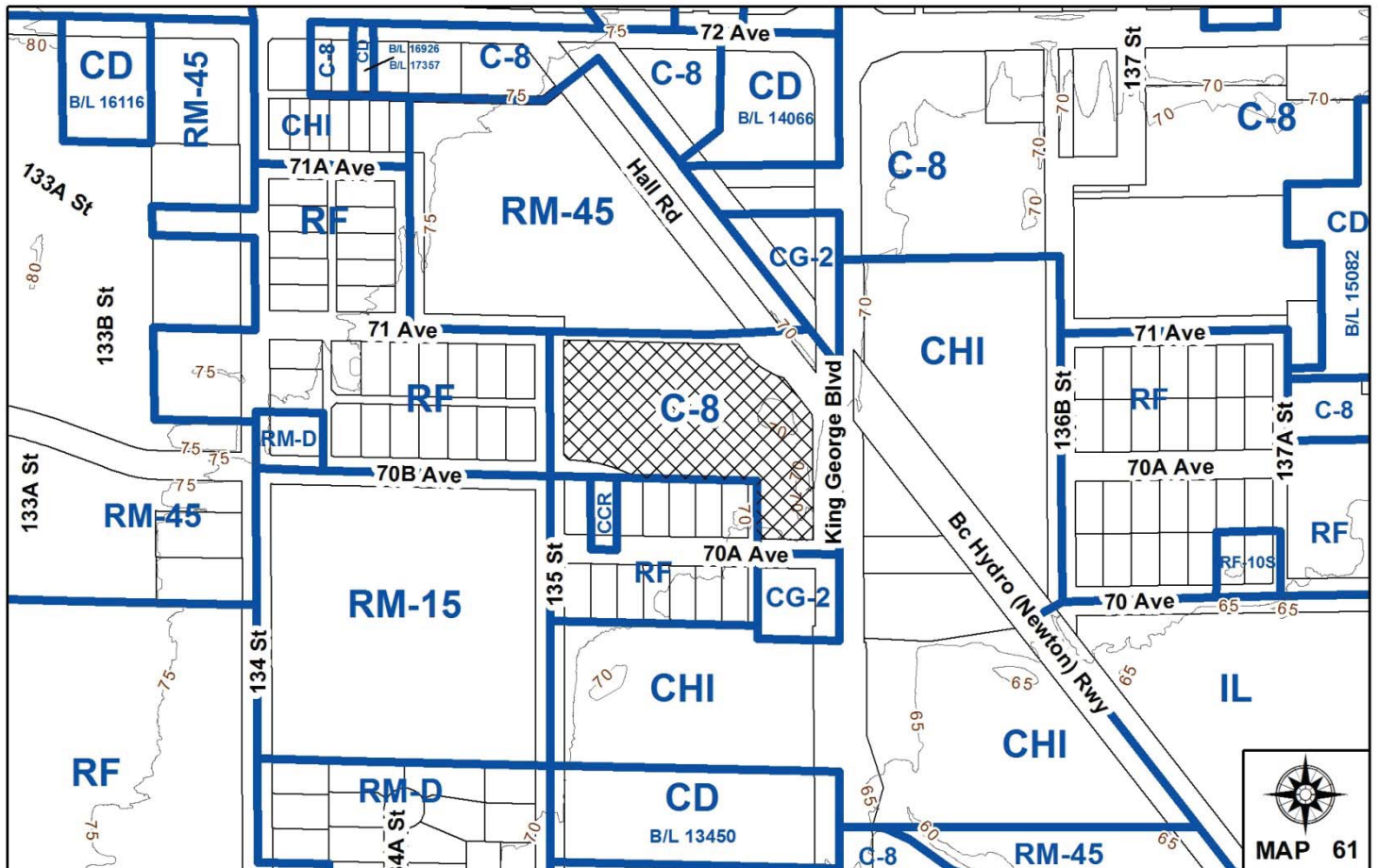
to vary the minimum 400 metre (1,300 ft.) separation requirement between a small-scale drug store and an existing drug store.

LOCATION: 7093 – King George Boulevard

ZONING: C-8

OCP DESIGNATION: Commercial

TCP DESIGNATION: Highway Commercial



RECOMMENDATION SUMMARY

- Approval for 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 and associated medical clinic are to locate in an existing multi-tenant commercial building at 7093 – King George Boulevard.
- The small-scale drug store will be operated in conjunction with a medical clinic, located within the same unit.
- 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 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. 7917-0535-00 (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 91 metres (299 ft.) to permit a small-scale drug store at 7093 – King George Boulevard, 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, have the same hours of operation as the medical clinic / office, and be limited in size.

REFERRALS

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

By-laws & Licensing: By-laws & Licensing has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Multi-tenant Commercial Building

Adjacent Area:

Direction	Existing Use	TCP Designation	Existing Zone
North:	Apartments	Highway Commercial	RM-45
East (Across King George Boulevard):	Commercial Businesses	Highway Commercial	CHI
South:	Vacant Lots	Highway Commercial	RF / CCR
West (Across 135 Street):	Single Family Residential	OCP: Multiple Residential	RF

DEVELOPMENT CONSIDERATIONS

- The subject property, located at 7093 – King George Boulevard, is designated "Commercial" in the Official Community Plan, "Highway Commercial" in the Newton Town Centre Plan, and zoned "Community Commercial Zone (C-8)".

Proposal

- The applicant proposes a small-scale drug store, which will occupy roughly 34.7 square metres (374 sq. ft.) of retail floor space. It will be operated in conjunction with a medical clinic of roughly 158 square metres (1701 sq. ft.), located within the same unit.
- The proposed small-scale drug store is primarily intended to serve the clients from the associated medical clinic proposed on the site.
- 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 will fill a broad range of pharmaceutical prescriptions and excludes *methadone dispensary*".
- While the zoning for the property ("Community Commercial Zone (C-8)") allows small-scale drug stores as a permitted use, the General Provisions (Section E.28 of Part 4) 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 is one drug store / small-scale drug store within 400 metres (1,300 ft.) of the proposed location. The existing small-scale drug store is located at 7141 – King George Boulevard, approximately 91 metres (299 ft.) north of the proposed location. Other drug stores and small-scale drug stores currently operate in the Newton Town Centre area, but are outside of the 400 metre (1,300 ft.) separation requirement.
- 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 91 metres (299 ft.) to permit a small-scale drug store at 7093 – King George Boulevard.

Applicant's Reasons:

- The proposed small-scale drug store will be operated in conjunction with a new medical clinic to be located within the same unit.

Staff Comments:

- The proposed small-scale drug store will occupy a floor area of roughly 34.7 square metres (374 sq. ft.), and will operate in conjunction with a medical clinic of roughly 158 square metres (1701 sq. ft.), located within the same unit.

- 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 35 square metres (375 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 other uses in the building.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners & Action Summary (Confidential)
Appendix II.	Development Variance Permit No. 7917-0535-00
Appendix III.	Map showing the location of drug stores within the 400 metre (1,300 ft.) radius

Original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

DZ/da

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0535-00

Issued To:

(the "Owner")

Address of Owner:

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: 028-598-385
Lot 1 Section 17 Township 2 New Westminster District Plan 48311
7093 – 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 91 metres (299 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.

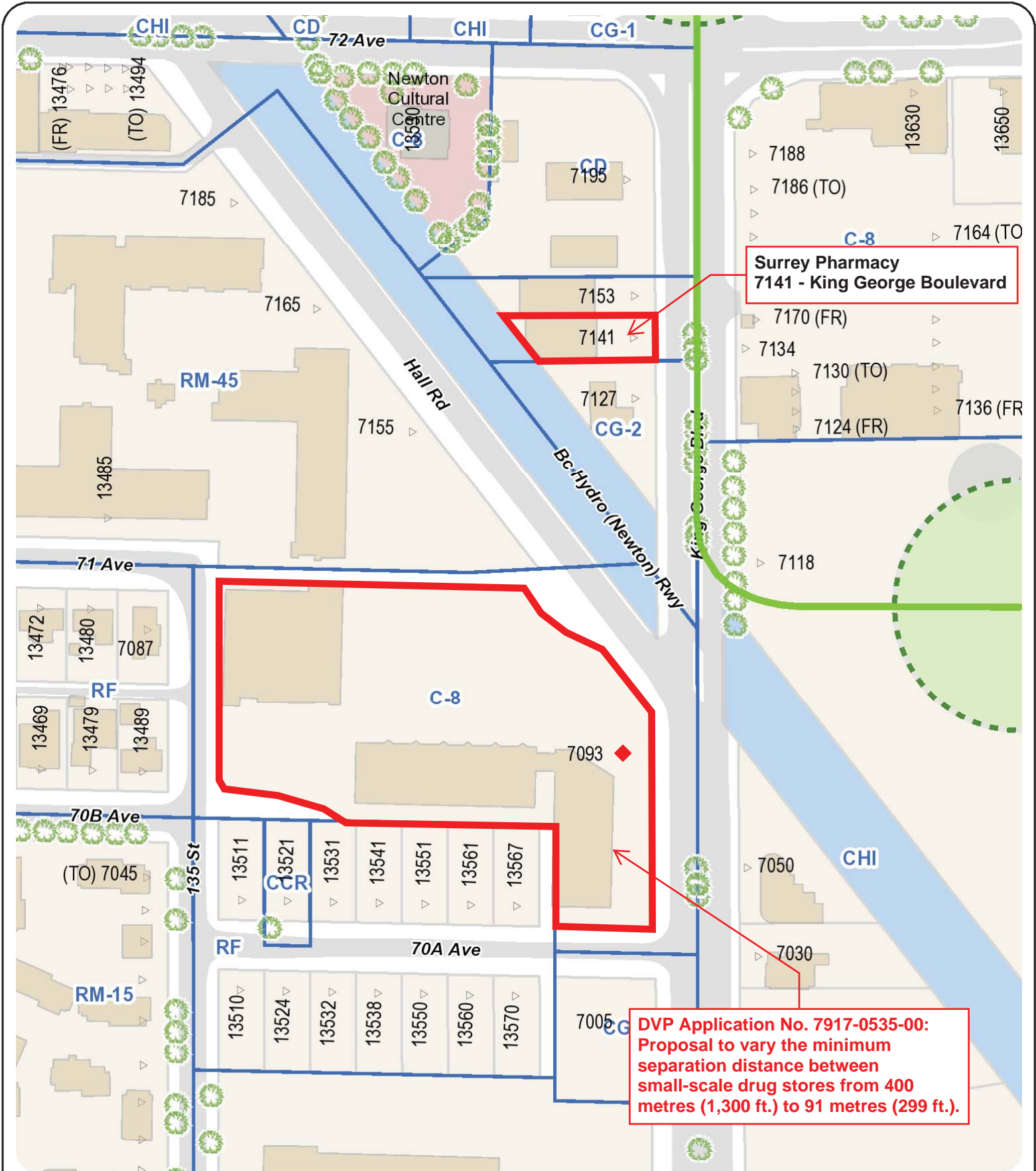
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan



Development Application No. 7917-0535-00



Location of Existing Drug Stores

Scale: 1:2,000

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

