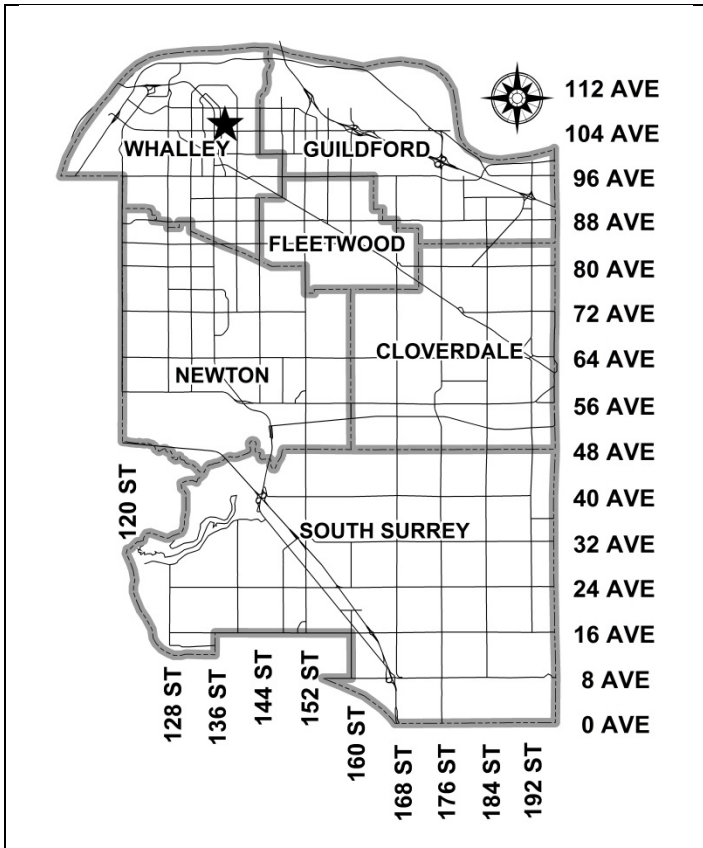


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7917-0581-00

Planning Report Date: February 5, 2018



**PROPOSAL:**

- **Development Variance Permit**

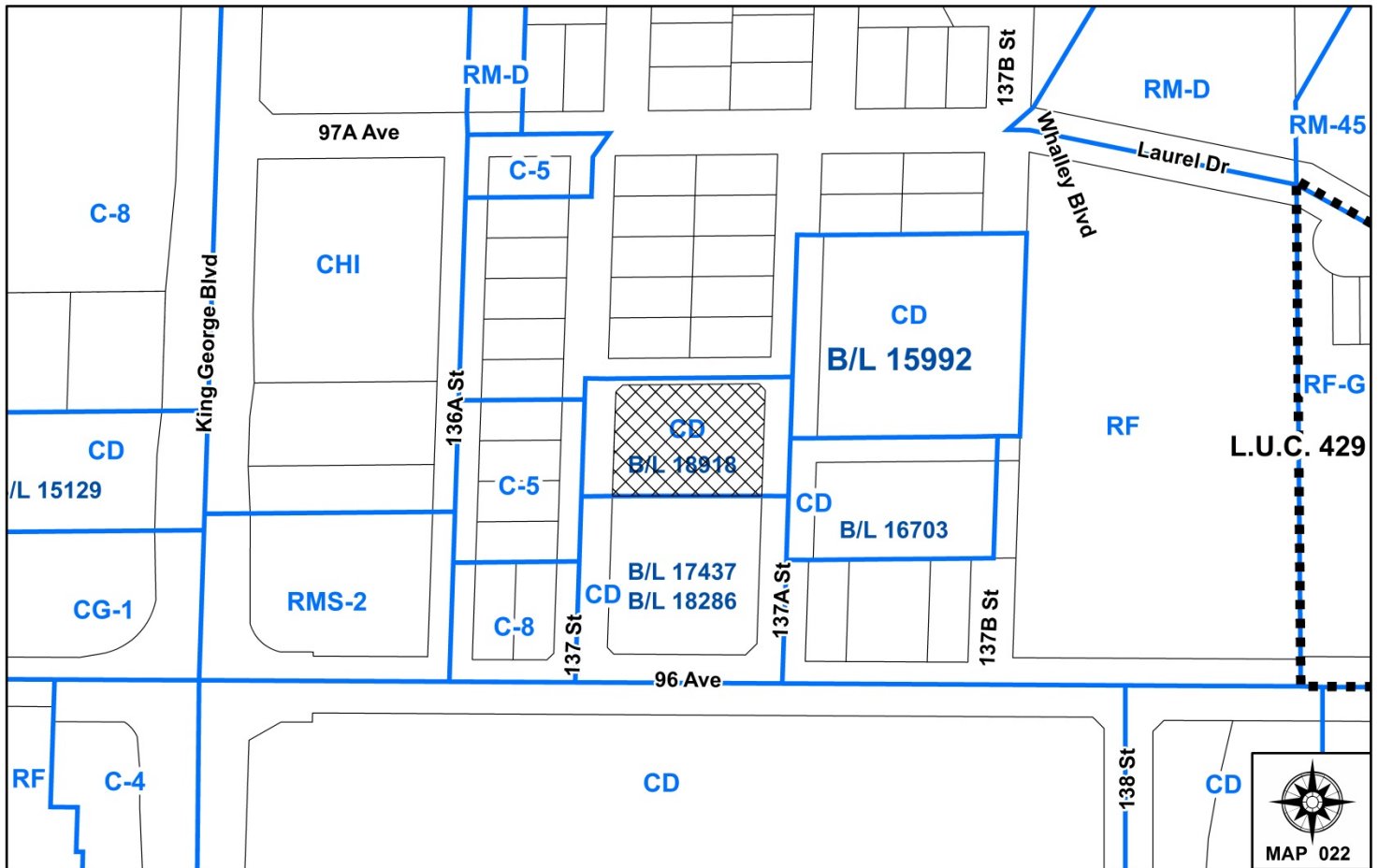
to vary the minimum 400 metre (1,300 ft.) separation requirement between a proposed small-scale drug store and an existing small-scale drug store.

**LOCATION:** 9639 - 137A Street

**ZONING:** CD (Bylaw No. 18918)

**OCP DESIGNATION:** Central Business District

**NCP DESIGNATION:** Mixed Use 3.5 FAR



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to vary the minimum separation requirement in 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

- VivaCare, the operator, is opening a medical clinic in the building and plans to operate the pharmacy in association with the medical clinic to better serve their clients and medical building visitors.
- The proposed pharmacy is an appropriate and complimentary use to the Surrey Memorial Hospital and Medical District in City Centre.
- Although the area is currently served by three (3) small-scale drug stores within a 400-metre (1,300 ft.) radius of the subject property, and one (1) additional location is approved but not yet in operation, the applicant intends to operate the pharmacy in association with the planned medical clinic. This care and service model is used in their ten (10) other locations in Metro Vancouver.
- A Section 219 Restrictive Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with a medical clinic, and to require the small-scale drug store to have the same hours of operation as the medical clinic.
- A small-scale drug store and medical clinic are permitted uses in the CD Zone (By-law No. 18918).

**RECOMMENDATION**

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7917-0581-00 (Appendix IV) 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 proposed small-scale drug store and an existing small-scale drugstore is reduced from 400 metres (1,300 ft.) to 0.0 metres (0.0 feet) to accommodate a small-scale drug store on the subject site.
2. Council instruct staff to resolve the following issue prior to Development Variance Permit issuance:
  - (a) A Section 219 Restrictive Covenant to be registered on title to allow the small-scale drug store to operate only in conjunction with a medical clinic, and to require the small-scale drug store to have the same hours of operation as the medical clinic on the site.

**REFERRALS**

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

**SITE CHARACTERISTICS**

**Existing Land Use:** 12 storey office/retail tower under construction and approved under Development Permit No. 7914-0021-00

**Adjacent Area:**

<b>Direction</b>	<b>Existing Use</b>	<b>OCP/NCP Designation</b>	<b>Existing Zone</b>
North (Across lane):	Single family homes	Central Business District/Mixed Use	RF
East (Across 137A St.):	Care facilities	Central Business District/ Mixed Use	CD Bylaw No's 16703 and 15992
South:	Existing office/retail building	Central Business District/ Mixed Use	CD Bylaw No.'s 17437 and 18286
West (Across 137 St.):	Neighbourhood-scale commercial	Central Business District/ Mixed Use	C-5

## DEVELOPMENT CONSIDERATIONS

- The subject site is located at 9639 – 137A Street in the Medical District of City Centre. The site is designated Central Business District in the Official Community Plan (OCP) and "Mixed-Use 3.5 FAR" in the City Centre Plan.
- A 12 storey office/retail tower is currently under construction on the subject site, approved under Development Application No. 7914-0021-00. This is Lark Group's phase two medical office development and referred to as City Centre 2. Phase I (City Centre 1) is located on the neighbouring lot to the south (13737 – 96 Avenue).
- This area is envisioned to be a dense medical and health technology office district, having the highest concentration of innovation and health related offices in the city.
- The applicant, VivaCare, is proposing to operate a joint medical/urgent care clinic with a 115 square metre (1,233 sq. ft.) pharmacy on the ground floor of the new building. The proposed pharmacy and medical clinic are permitted uses under CD By-law No. 18918.
- VivaCare is a health care provider that provides access to many health services offered in over 10 clinic locations across Metro Vancouver. They plan to have between 15 to 20 physicians and treat between 500-700 patients per day. The services include family physicians, specialists, pharmacists, optometrists, rehabilitative team and other health care providers.
- 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.
- Within a 400 metre (1,300 feet) radius of the site, there are three existing pharmacies (shown in Appendix II):
  - Naz Wellness Pharmacy located at 103 – 13737 96 Avenue. This pharmacy is located in the building directly south of the subject site;
  - Krolls Surrey Pharmacy located at 9656 - King George Boulevard, approximately 70 meters (230 ft.) from the subject site; and
  - Lancaster Medical and Prescriptions at 13737 - 96 Avenue, approximately 335 metres (1,100 ft.) from the subject site.
- A fourth pharmacy within 400 metres (1,300 ft.) has been approved at 9655 – 137 Street, under Development Variance Permit No. 7917-0481-00. A business license has not yet been issued.

BY-LAW VARIANCE AND JUSTIFICATION

## (a) Requested Variance:

- To vary Section E.28 of Part 4 General Provisions of Zoning By-law No. 12000, by reducing the minimum separation requirement between a proposed small-scale drug store and an existing small-scale drugstore from 400 metres (1,300 ft.) to 0.0 metres (0.0 feet).

## Applicant's Reasons:

- The proposed pharmacy is intended to operate as part of the medical/urgent care clinic to serve medical patients by providing prescription medications on-site.
- VivaCare is a multi-disciplinary and holistic health care clinic with 10 locations, and growing, in Metro Vancouver. The pharmacy is integral to our model of care and service.

## Staff Comments:

- The applicant is proposing to operate a joint medical clinic and a 115 square metre (1,233 sq.ft.) pharmacy in the office/retail tower currently under construction, and known as City Centre 2.
- The proposal offers a comprehensive health care approach by serving the patients of the proposed clinic and will not include methadone dispensing.
- A Section 219 Restrictive Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with a medical clinic, and to require the small-scale drug store to have the same hours of operation as the medical clinic
- Staff supports the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

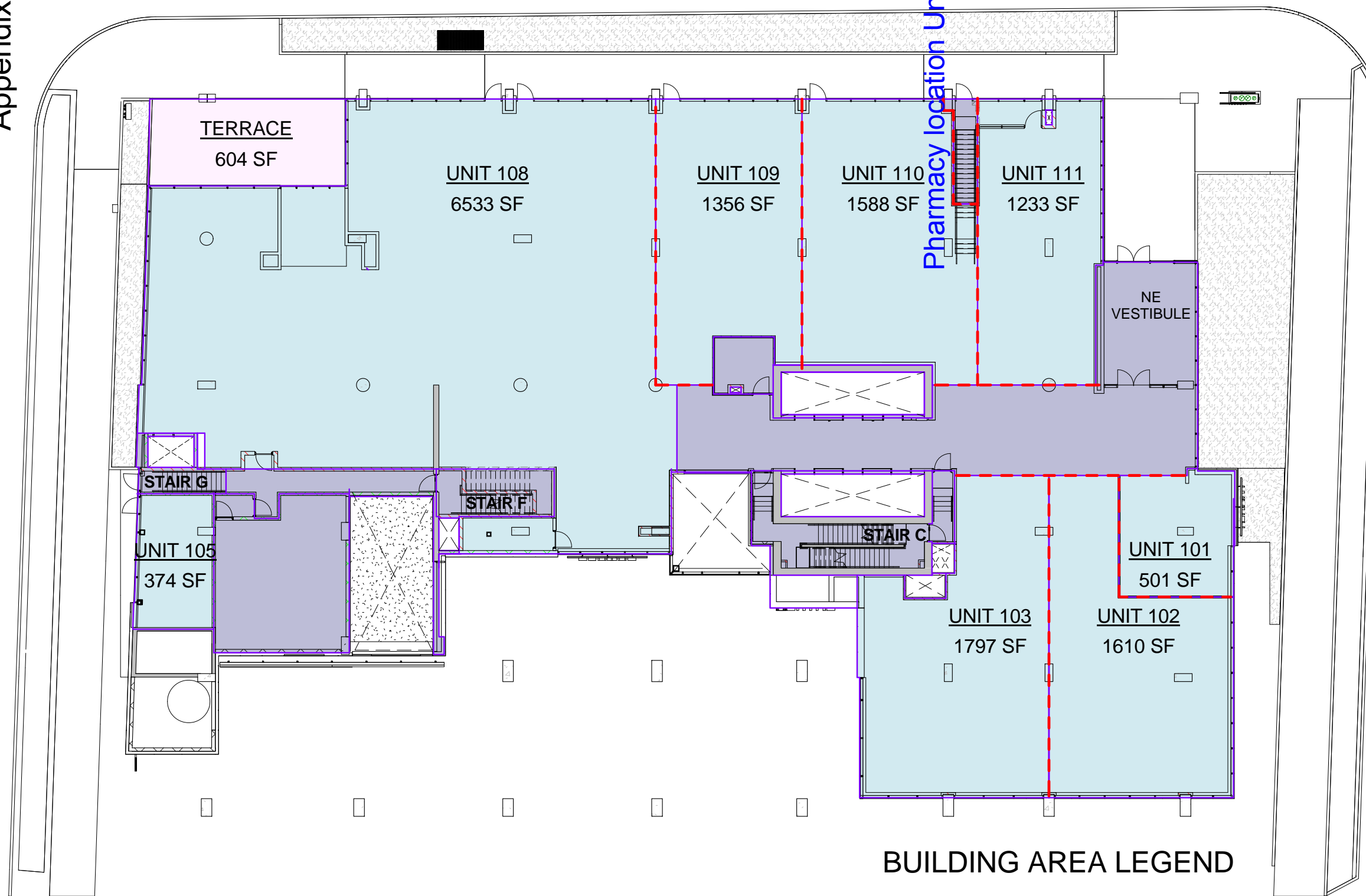
- Appendix I. Lot Owners and Action Summary (Confidential)
- Appendix II. Proposed Floor Plan
- Appendix III. Location map of small-scale drug stores within 400m of the subject site
- Appendix IV. Development Variance Permit No. 7917-0581-00

*original signed by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

IM/da

APPENDIX I HAS BEEN  
REMOVED AS IT CONTAINS  
CONFIDENTIAL INFORMATION



MAIN LEVEL LEASABLE AREA	
Unit Name/Area Name	Area
EAST PUBLIC CORRIDOR & NE VESTIBULE	1857 SF
ELECTRICAL ROOM	119 SF
ELEVATOR CORE	82 SF
EXIT CORRIDOR	248 SF
GENERATOR ROOM	740 SF
STAIR C/D & ELEVATOR CORE	489 SF
STAIR F	200 SF
STAIR G	103 SF
STAIR R	94 SF
COMMON	3932 SF

UNIT 101	501 SF
UNIT 102	1610 SF
UNIT 103	1797 SF
UNIT 105	374 SF
UNIT 108	6533 SF
UNIT 109	1356 SF
UNIT 110	1588 SF
UNIT 111	1233 SF
RETAIL	14991 SF
Grand total	18923 SF

**BUILDING AREA LEGEND**

- COMMON
- OUTDOOR (EXC. FROM GROSS)
- RETAIL

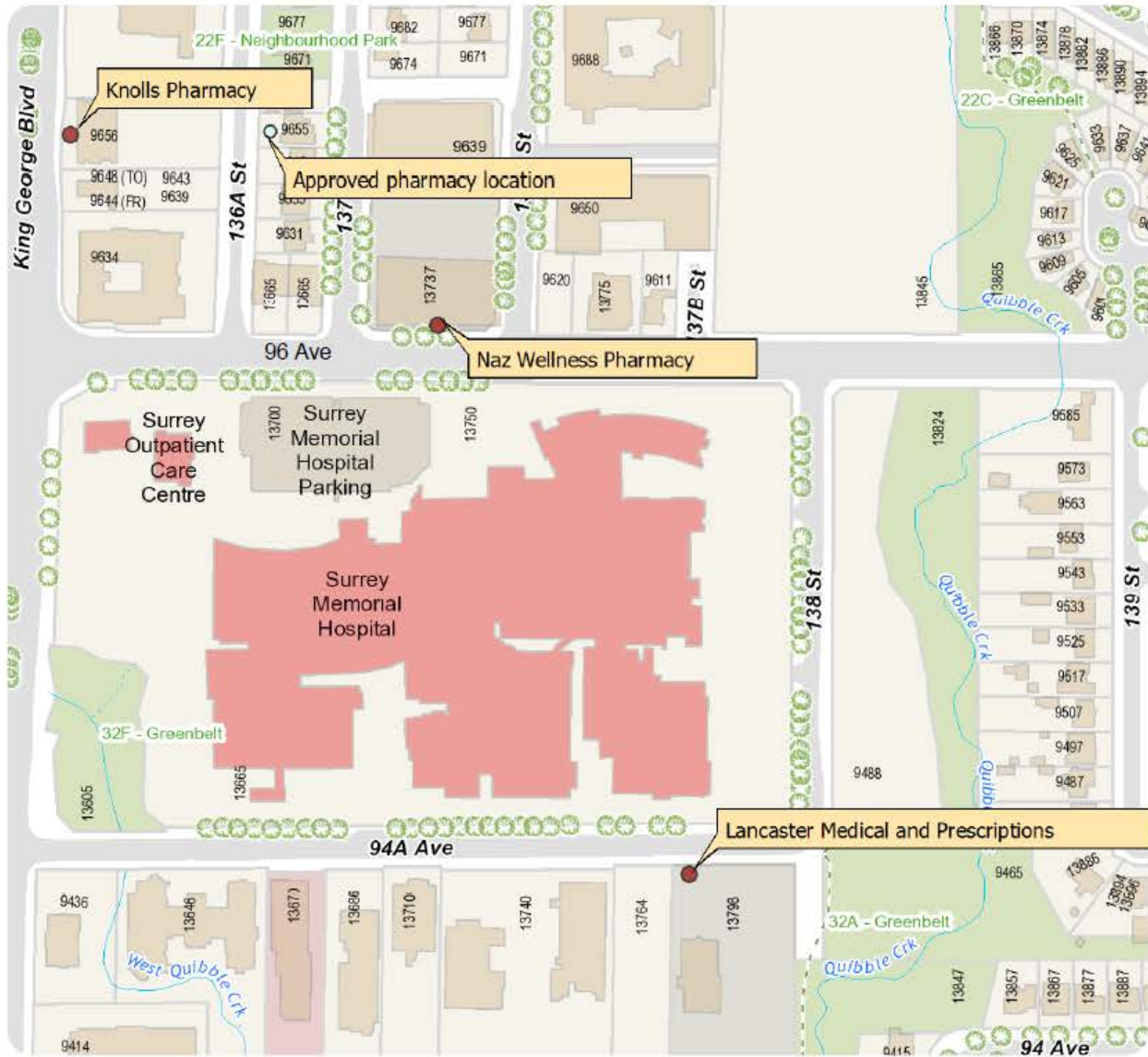
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**MAIN FLOOR AREA PLAN  
CITY CENTRE 2**

**AREA-M  
JANUARY 11, 2018**





CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0581-00

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: 029-621-879

Lot A Section 35 North Range 2 West New Westminster District Plan EPP48177

9639 - 137A 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 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 0.0 metres (0.0 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 .

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Mayor – Linda Hepner

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City Clerk – Jane Sullivan