

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7918-0172-00

Planning Report Date: June 11, 2018

PROPOSAL:

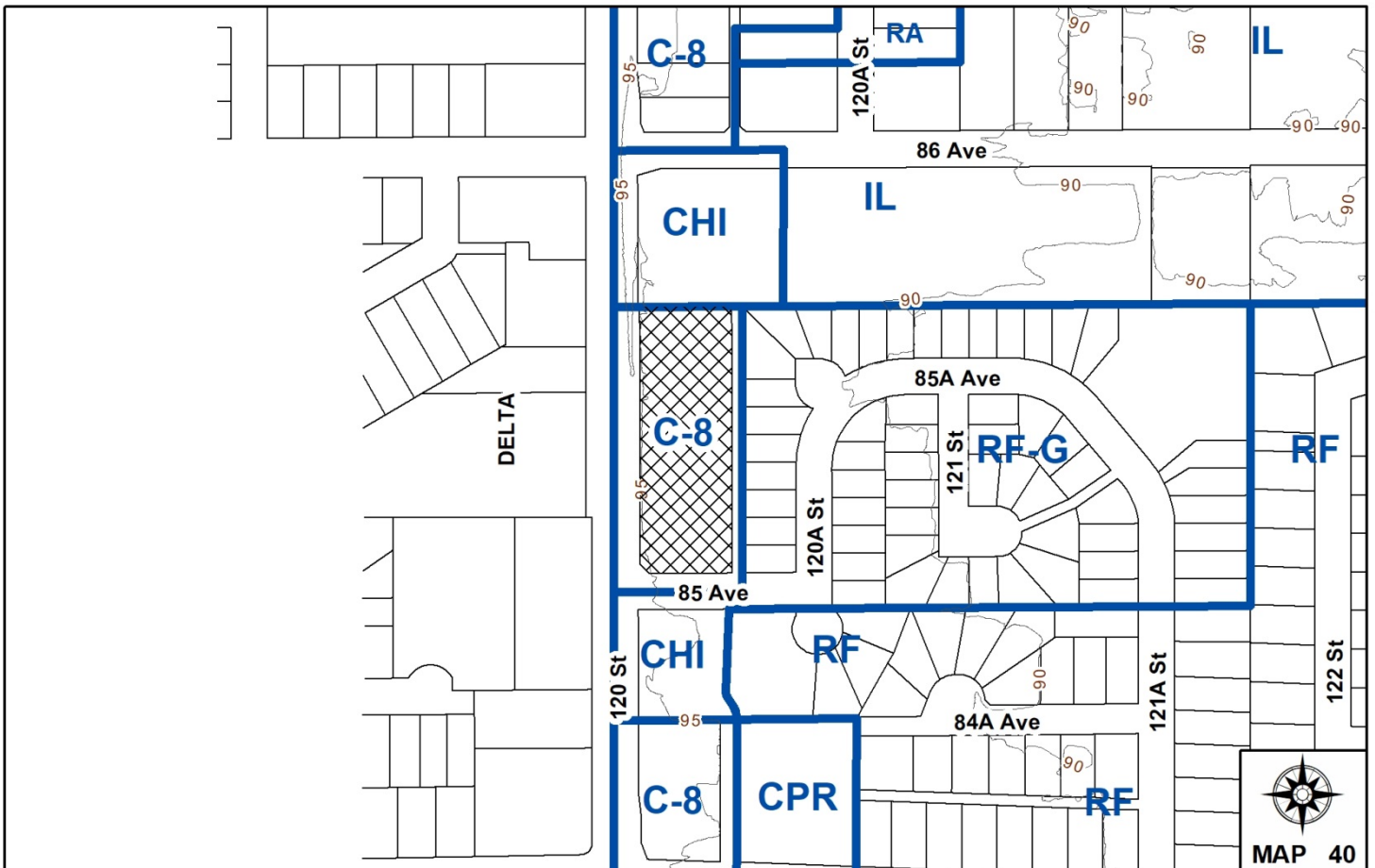
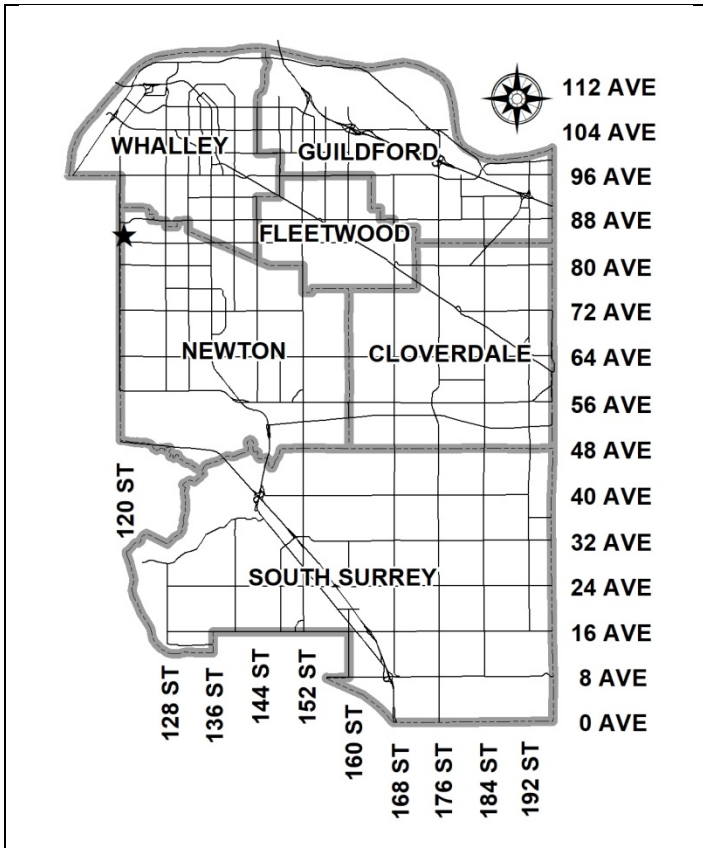
- **Development Variance Permit**

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

LOCATION: 8556 and 8532 - 120 Street

ZONING: C-8

OCP DESIGNATION: Commercial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to reduce the minimum 400 metre (1,300 ft.) separation distance 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 be located in an existing multi-tenant commercial building at 8556 – 120 Street.
- 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. 7918-0172-00 (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 178 metres (584 ft.) to permit a small-scale drug store at 8556 – 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 Commercial Building

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	McDonald's Restaurant	Commercial	CHI
East:	Single Family Dwellings	Urban	RF-G
South (Across 85 Avenue):	A&W Restaurant	Commercial	CHI
West (Across 120 Street):	Multi-family Residential & Commercial uses	Corporation of Delta	n/a

DEVELOPMENT CONSIDERATIONS

- The subject property, located at 8556 – 120 Street, is designated "Commercial" in the Official Community Plan, and zoned "Community Commercial Zone (C-8)".

Proposal

- The applicant proposes a small-scale drug store, which will occupy approximately 90 square metres (964 sq. ft.) of retail floor space. It will be operated in conjunction with a medical clinic of roughly 119 square metres (1280 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 are three existing drug stores / small-scale drug stores in Surrey within 400 metres (1,300 ft.) of the proposed small-scale drug store, and three in the Corporation of Delta. These are listed in the following table, and each are shown on the map in Appendix III.

Existing Drug Store	Address	Distance from 8532 - 120 Street
Delta Prescription Clinic	8425 - 120 Street, Delta	136 metres (446 ft.)
Pacific Pharmacy	8386 - 120 Street, Surrey	178 metres (584 ft.)
Shoppers Drug Mart	12080 - Nordel Way, Surrey	210 metres (669 ft.)
PharmaCity	8338 - 120 Street, Surrey	279 metres (915 ft.)
Wescana Pharmacy	8737 - 120 Street, Delta	290 metres (951 ft.)
Pacific Pharmacy	11944 - 88 Avenue, Delta	377 metres (1,237 ft.)

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 distance between an existing drug store, small-scale drug store, or methadone dispensary from 400 metres (1,300 ft.) to 178 metres (584 ft.) to permit a small-scale drug store at 8556 - 120 Street.

Applicant's Reasons:

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

Staff Comments:

- The proposed small-scale drug store will occupy a floor area of approximately 90 square metres (964 sq. ft.), and will operate in conjunction with a medical clinic of roughly 119 square metres (1280 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 90 square metres (964 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. 7918-0172-00
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/cm

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0172-00

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: 024-758-493

Strata Lot 3 Section 30 Township 2 New Westminster District Strata Plan LMS4122

Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1

8556 - 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 178 metres (584 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 Schedule A 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

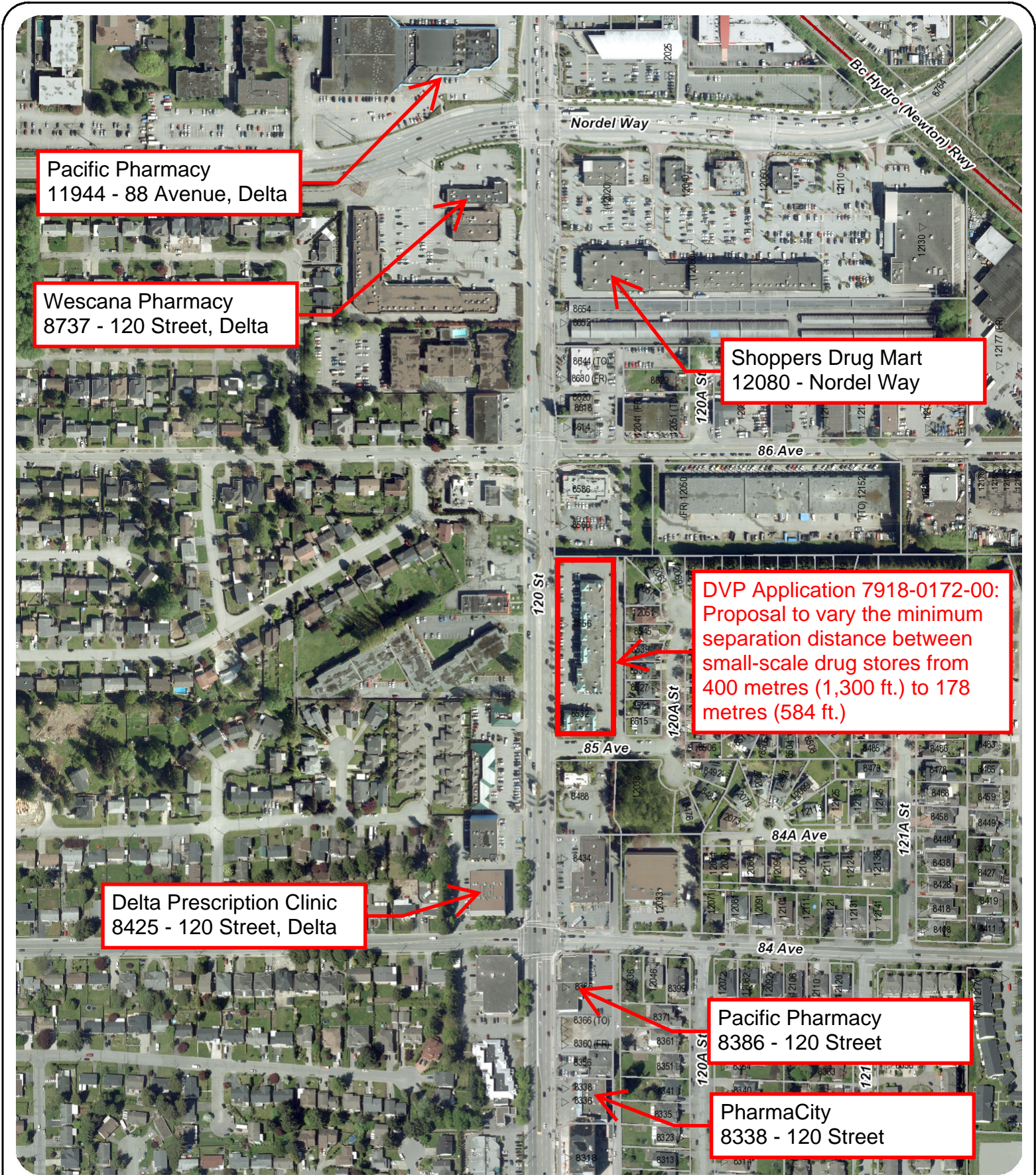
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The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances 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





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Location of Existing Drug Stores

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