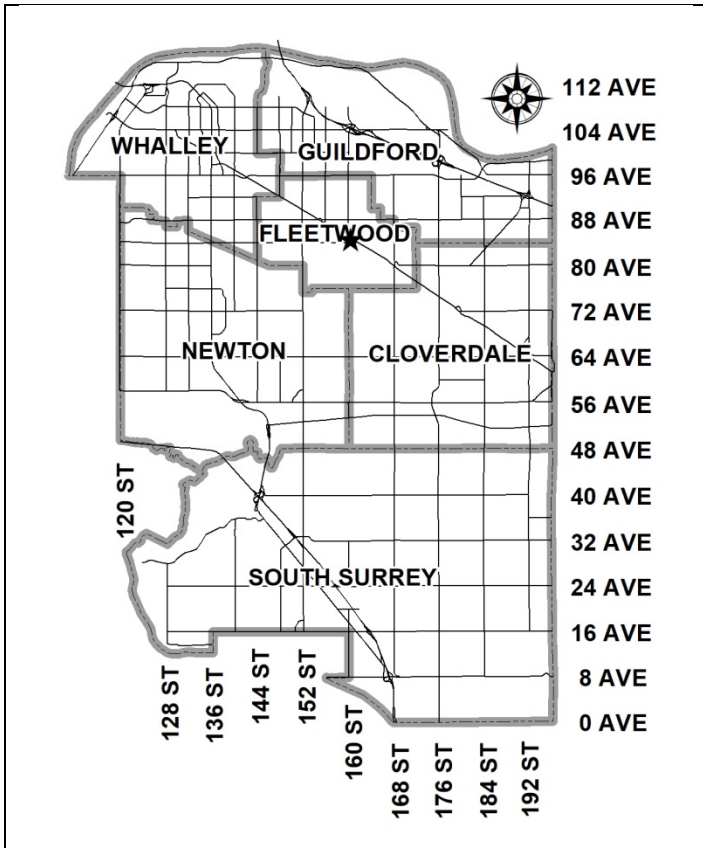


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7918-0192-00

Planning Report Date: July 9, 2018



**PROPOSAL:**

- **Development Variance Permit**

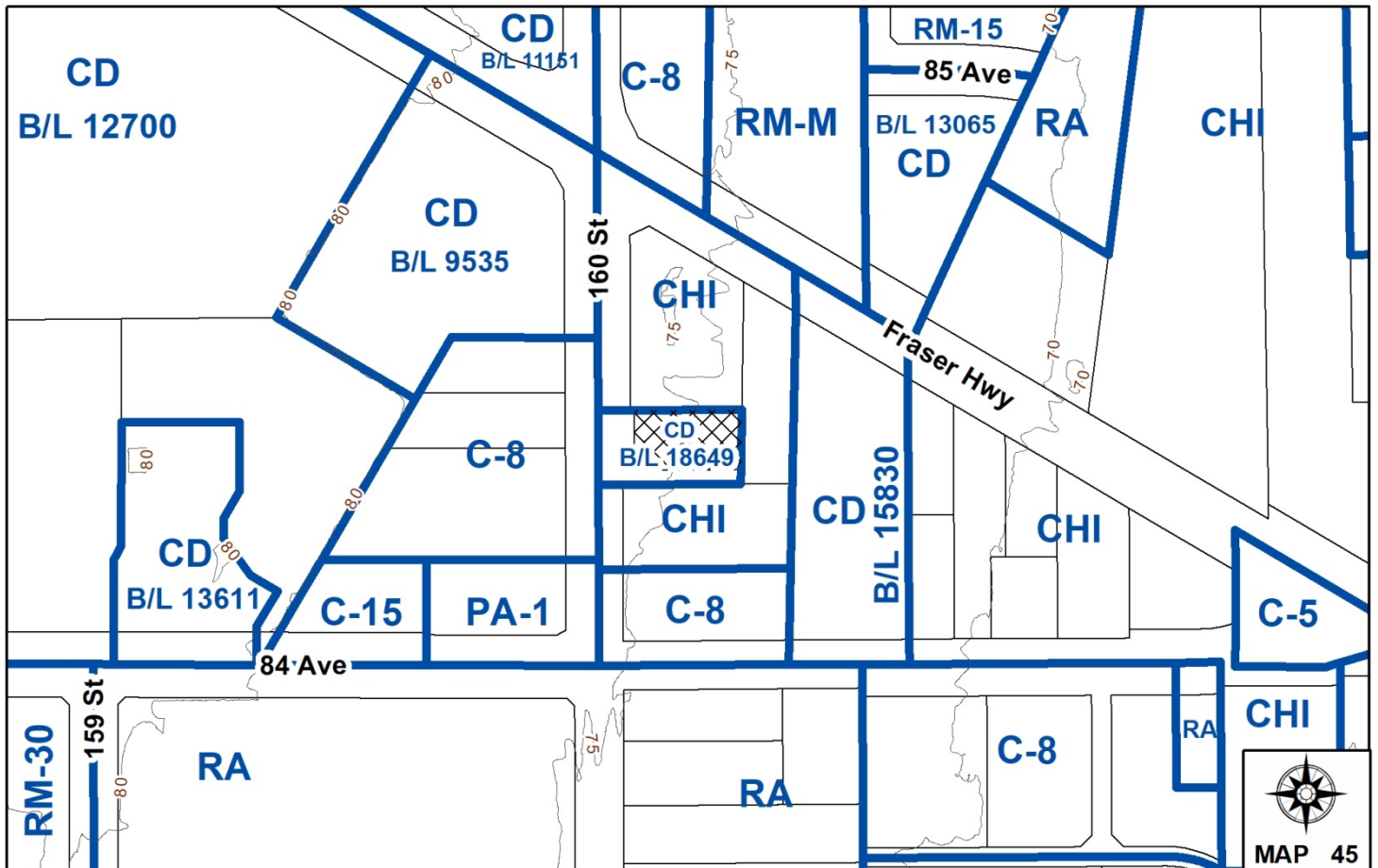
to vary the minimum 400-metre (1,300 ft.) separation requirement between a proposed small-scale drug store and an existing small-scale drug store.

**LOCATION:** 8488 - 160 Street

**ZONING:** CD (By-law No. 18649)

**OCP DESIGNATION:** Town Centre

**TCP DESIGNATION:** Mixed-Use 2.5 FAR 6 Storey Maximum (Stage 1 Fleetwood TCP Update)



### 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

- Patal Pharmacy and Clinic, the operator, is opening a medical clinic in the building and plans to operate the pharmacy (“small-scale drug store”) in association with the medical clinic to better serve their clients.
- The proposed pharmacy is an appropriate and complimentary use that will help to serve the growing population of Fleetwood Town Centre.
- Although the area is currently served by four (4) small-scale drug stores within a 400-metre (1,300 ft.) radius of the subject property, the applicant intends to operate the pharmacy in association with the planned medical clinic.
- 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. 18649).

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7918-0192-00 (Appendix III) 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 41 metres (135 ft.) 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: 4 storey mixed-use building under construction and approved under Development Permit No. 7915-0083-00.

Adjacent Area:

Direction	Existing Use	TCP Designation	Existing Zone
North:	Pad retail	Community Commercial	CHI
East:	Pad retail	Community Commercial	CHI
South:	Single family dwelling and unauthorized parking of vehicles in excess of 5,000 kilograms G.V.W.	Community Commercial	CHI
West (Across 160 Street):	1 and 2-storey commercial buildings	Community Commercial	C-8

### DEVELOPMENT CONSIDERATIONS

- The 1,073-square metre (11,545 sq. ft.) subject site is located at 8488 – 160 Street, south of Fraser Highway in Fleetwood Town Centre. The site is designated "Town Centre" in the Official Community Plan (OCP) and is currently zoned "Comprehensive Development Zone (CD)" (By-law No. 18649).
- The subject site is designated "Mixed-Use 2.5 FAR 6 Storey Maximum" in the Stage 1 Fleetwood Town Centre Plan Update, which received approval from Council on July 25, 2016 (Corporate Report No. R187).
- The subject site is the location of a future 4 storey mixed-use building development, which was approved under Rezoning and Development Permit Application No. 7915-0083-00 on November 21, 2016. The building consists of three (3) commercial retail units (CRU) at-grade and 15 dwelling units on the upper three floors.
- The applicant, Patal Pharmacy and Clinic, is proposing to operate a 156.5 square metre (1685 sq. ft.) medical clinic with a 111.5 square metre (1200 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. 18649.
- 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".
- Patal Pharmacy and Clinic will feature physicians that offer pediatric and senior's specialty services, as the location is close to several daycare and senior's homes. The two businesses, medical clinic and pharmacy will operate together as a joint, interrelated facility.
- 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 four existing pharmacies (shown in Appendix II):
  - Medicine Shoppe Pharmacy located at 15988 – Fraser highway, approximately 41 metres (135 ft.) from the subject site;
  - Medicine Shoppe Pharmacy located at 16088 – 84 Avenue, approximately 138 metres (453 ft.) from the subject site;
  - Pharmasave Pharmacy located at 15940 – Fraser Highway, approximately 152 metres (500 ft.) from the subject site; and
  - Wescana Pharmacy located at 101 – 8585 - 160 Street approximately 240 meters (788 ft.) from the subject site.

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 41 metres (135 feet).

## Applicant's Reasons:

- The proposed pharmacy is intended to operate as a joint, interrelated facility with the medical clinic; they will be interconnected to provide easy and convenient access to the doctor's patients.

## Staff Comments:

- The applicant is proposing to operate a joint 156.5 square metre (1685 sq. ft.) medical clinic and a 111.5 square metre (1200 sq. ft.) pharmacy in the 4 storey mixed-use building currently under construction
- 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.
- No adverse impacts to the neighbourhood are anticipated by the proposed variance.
- Staff supports the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

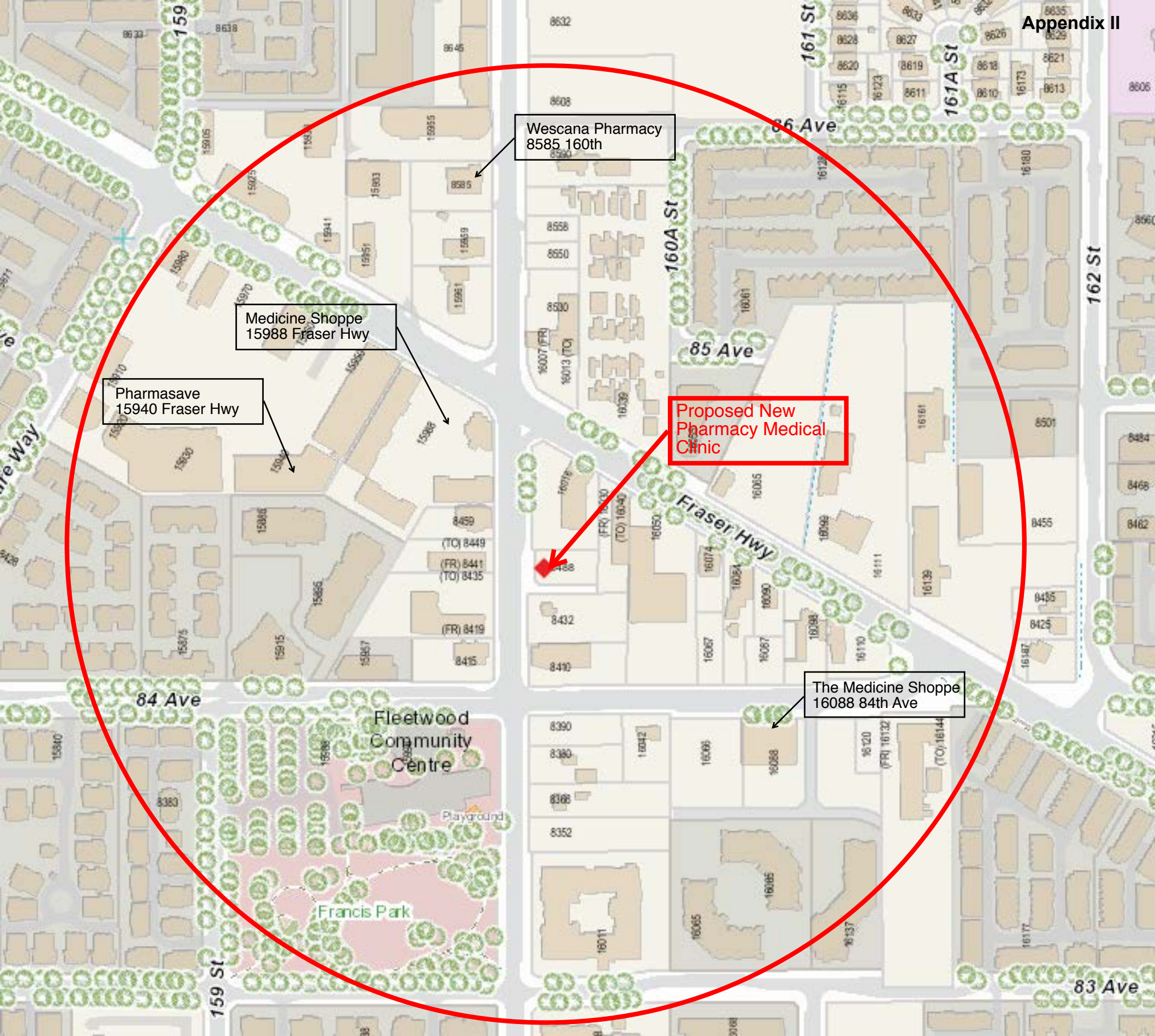
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|---------------|---|
| Appendix I.   | Lot Owners and Action Summary (Confidential)                                |
| Appendix II.  | Map illustrating existing drug stores within a 400 metre (1,300 ft.) radius |
| Appendix III. | Development Variance Permit No. 7918-0192-00                                |

*original signed by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

APPENDIX I HAS BEEN  
REMOVED AS IT CONTAINS  
CONFIDENTIAL INFORMATION





Wescana Pharmacy  
8585 160th

Medicine Shoppe  
15988 Fraser Hwy

Pharmasave  
15940 Fraser Hwy

Proposed New  
Pharmacy Medical  
Clinic

The Medicine Shoppe  
16088 84th Ave

Fleetwood  
Community  
Centre

Francis Park

Playground

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0192-00

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: 030-026-920

Lot 1 Section 25 Township 2 New Westminster District Plan EPP66143

8488 - 160 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 requirement between a small-scale drug store and an existing small-scale drugstore is reduced from 400 metres (1,300 ft.) to 41 metres (135 feet).

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