

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7918-0369-00

Planning Report Date: November 19, 2018

**PROPOSAL:**

- **Development Variance Permit**

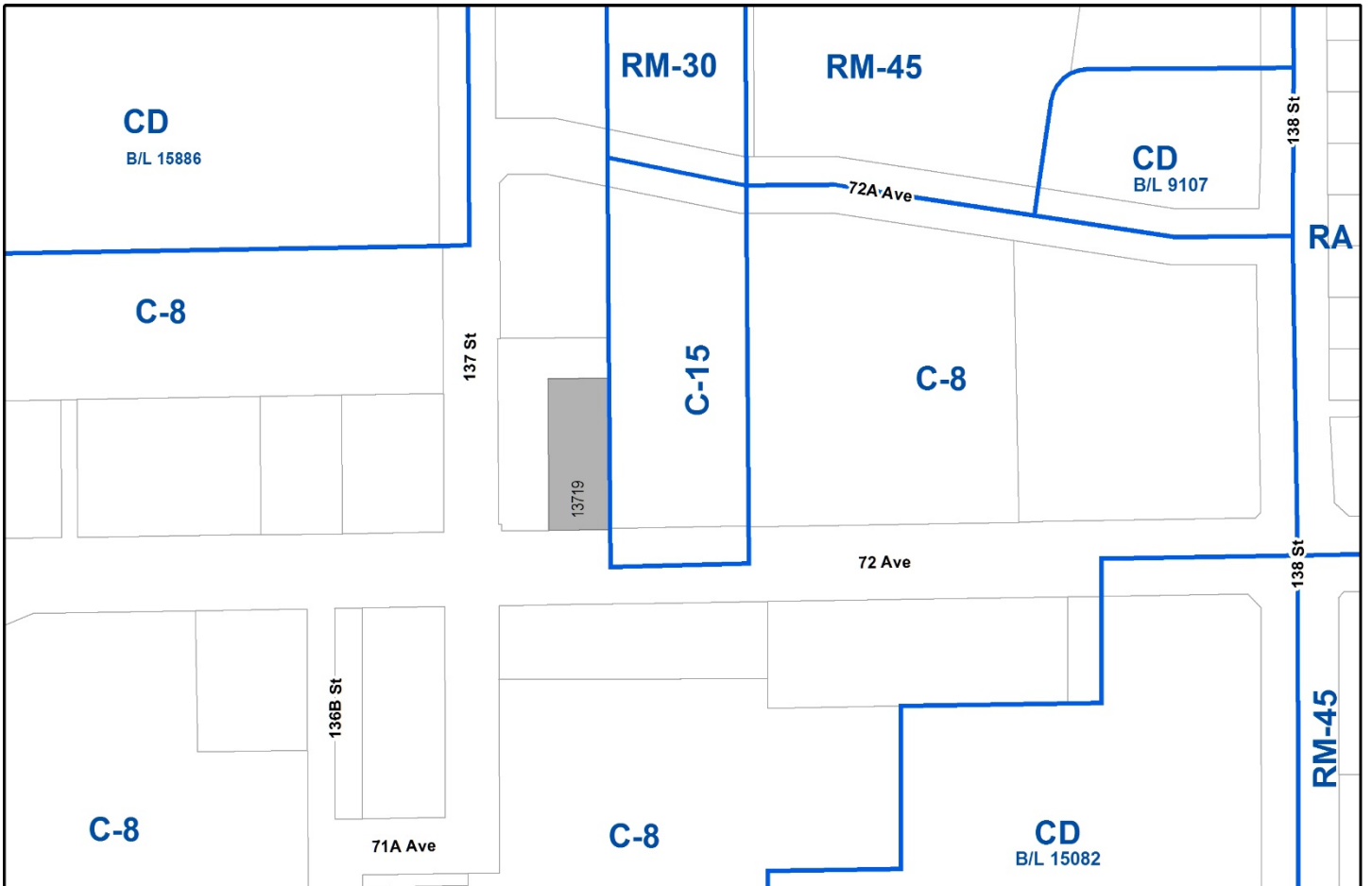
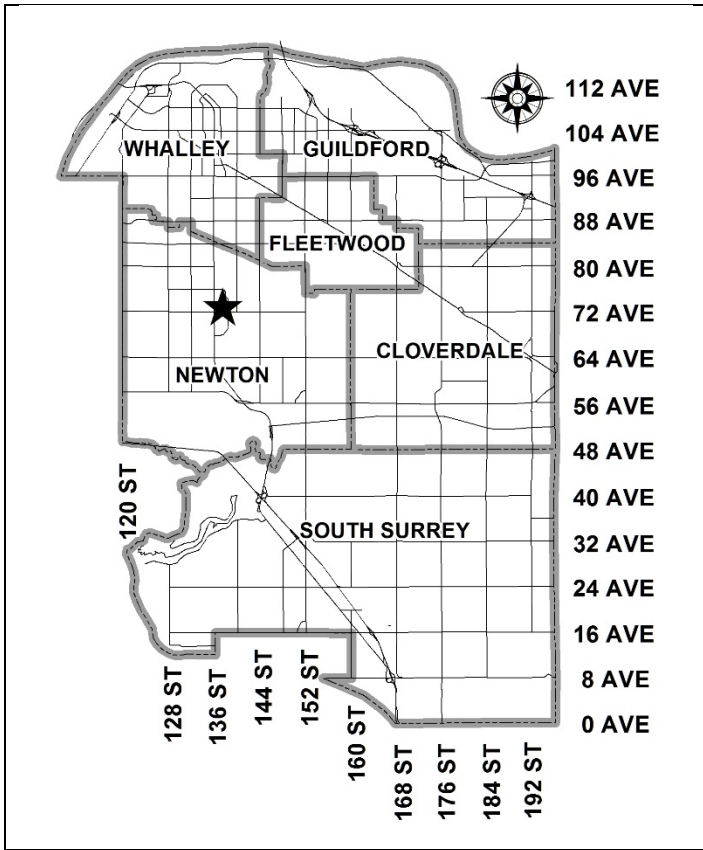
to vary the minimum 400 metre (1,300 ft.) separation distance between a small-scale drug store and an existing drug store.

**LOCATION:** 13719 - 72 Avenue

**ZONING:** C-8

**OCP DESIGNATION:** Town Centre

**TCP DESIGNATION:** Existing Commercial



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing a Development Variance Permit to reduce the minimum 400 metre (1,300 ft.) separation distance requirement between a proposed small-scale drug store and existing drug stores.

### RATIONALE OF RECOMMENDATION

- The proposed small-scale drug store is to be located in an existing multi-unit commercial building. The small-scale drug store will be operated in conjunction with a medical clinic, located in the adjacent unit of the same building.
- 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. 7918-0369-00 (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 61 metres (200 ft.) to permit a small-scale drug store at 13719 – 72 Avenue, 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.

Surrey By-laws & Licensing Services: By-laws and Licensing supports the project.

SITE CHARACTERISTICS

Existing Land Use: Multi-unit Commercial Building

Adjacent Area:

Direction	Existing Use	TCP Designation	Existing Zone
North:	Two-storey Commercial Building	Existing Commercial	C-8
East:	Two-storey Commercial Building	Existing Commercial	C-15
South (Across 72 Avenue):	Newton Bus Exchange	Civic Core	C-8
West:	Two-storey Commercial Building	Existing Commercial	C-8

## DEVELOPMENT CONSIDERATIONS

- The subject property, located at 13719 – 72 Avenue, is designated "Town Centre" in the Official Community Plan, "Existing Commercial" in the Newton Town Centre Plan, and zoned "Community Commercial Zone (C-8)".

### Proposal

- The applicant is proposing a small-scale drug store, which will occupy approximately 86 square metres (923 sq. ft.) of retail floor space. It will operate in conjunction with a medical clinic of roughly 327 square metres (3,524 sq. ft.), located within the adjacent unit.
- The proposed small-scale drug store is primarily intended to serve the clients from the associated medical clinic proposed on the site.
- The applicant is seeking to relocate to 13719 – 72 Avenue as a result of re-development of their existing medical clinic and pharmacy located at 10751 King George Boulevard. The pharmacy and clinic have had an ongoing relationship since 1995.
- 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 seven (7) existing drug stores/ small-scale drug stores within 400 metres (1,300 ft.) of the proposed small-scale drug store. These are listed in the following table, and each is shown on the map appended to the Development Variance Permit in Appendix II.

Existing Drug Store	Address	Distance from 13719 – 72 Avenue
Save on Foods Pharmacy	7320 King George Boulevard	61 metres (200 ft.)
Shoppers Drug Mart	7322 King George Boulevard	61 metres (200 ft.)
Safeway Pharmacy	7165 138 Street	124 metres (407 ft.)
Online Pharmacy	7362 137 Street	134 metres (440 ft.)
Somerset Pharmacy	13791 72 Avenue	149 metres (489 ft.)
Surrey Pharmacy	7141 King George Boulevard	277 metres (909 ft.)
Remedy's RX Primecare Pharmacy	7093 King George Boulevard	372 metres (1,220 ft.)

- The applicant is proposing a Development Variance Permit to reduce the minimum 400 metre (1,300 ft.) separation distance requirement between the proposed small-scale drug store and existing drug stores to 61 metres (200 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 requirement between an existing drug store, small-scale drug store, or methadone dispensary from 400 metres (1,300 ft.) to 61 metres (200 ft.) to permit a small-scale drug store at 13719 - 72 Avenue.

## 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 the building in the adjacent unit at 13719 - 72 Avenue.

## Staff Comments:

- The proposed small-scale drug store will occupy a floor area of roughly 86 square metres (923 sq. ft.), and will operate in conjunction with a medical clinic that is approximately 327 square metres (3,524 sq. ft.) in area, located within the same building.
- 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 86 square metres (923 sq. ft.).
- The applicant has demonstrated that there is sufficient parking on site to accommodate the proposed small-scale drug store and medical clinic.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners and Action Summary (Confidential)  
Appendix II. Development Variance Permit No. 7918-0369-00

*original signed by Ron Hintsche*

Jean Lamontagne  
General Manager  
Planning and Development

SR/cm

APPENDIX I HAS BEEN  
REMOVED AS IT CONTAINS  
CONFIDENTIAL INFORMATION

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0369-00

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: 002-091-569

Parcel "A" (Explanatory Plan 14916) Lot 1 except: Parcel "D" Bylaw Plan 69598; Section 21  
Township 2 New Westminster District Plan 3709

13719 - 72 Ave

(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 61 metres (200 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.

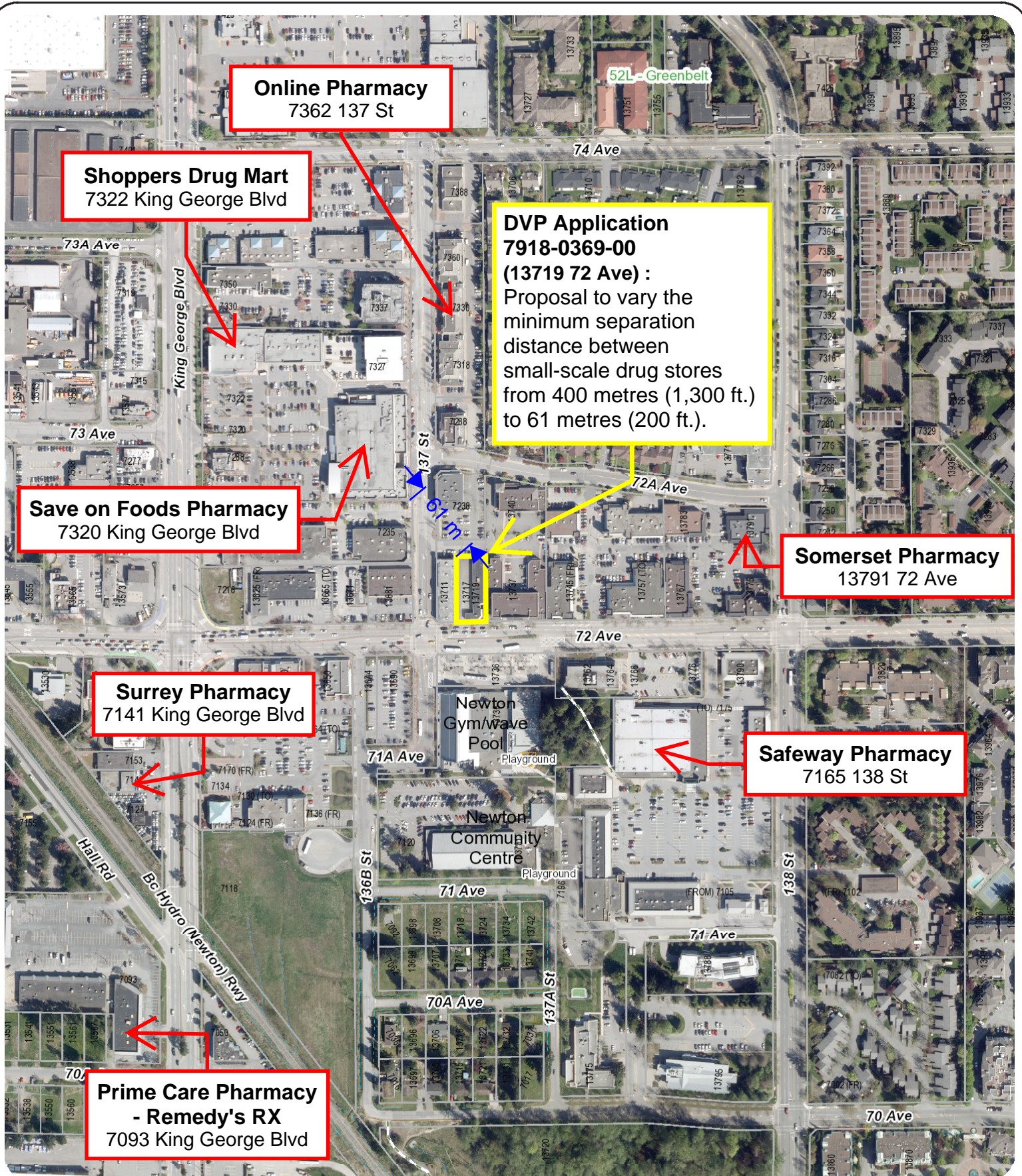
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
ISSUED THIS      DAY OF      , 20 .

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Mayor – D.W. McCallum

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City Clerk – Jane Sullivan



Existing Drug Stores and Small-Scale Drug Stores.

Scale: 1:4,198

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

