

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7919-0229-00

Planning Report Date: September 16, 2016

PROPOSAL:

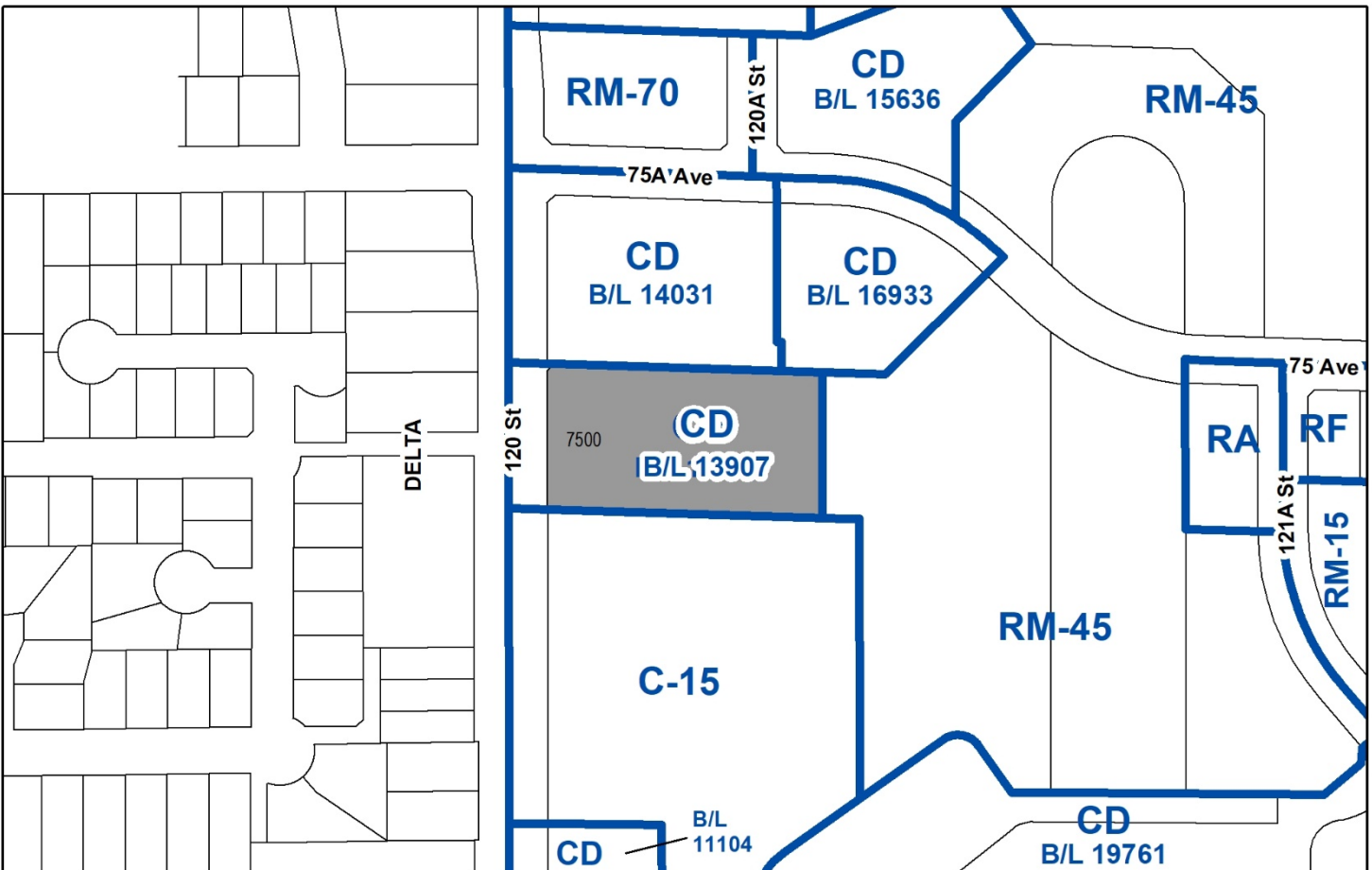
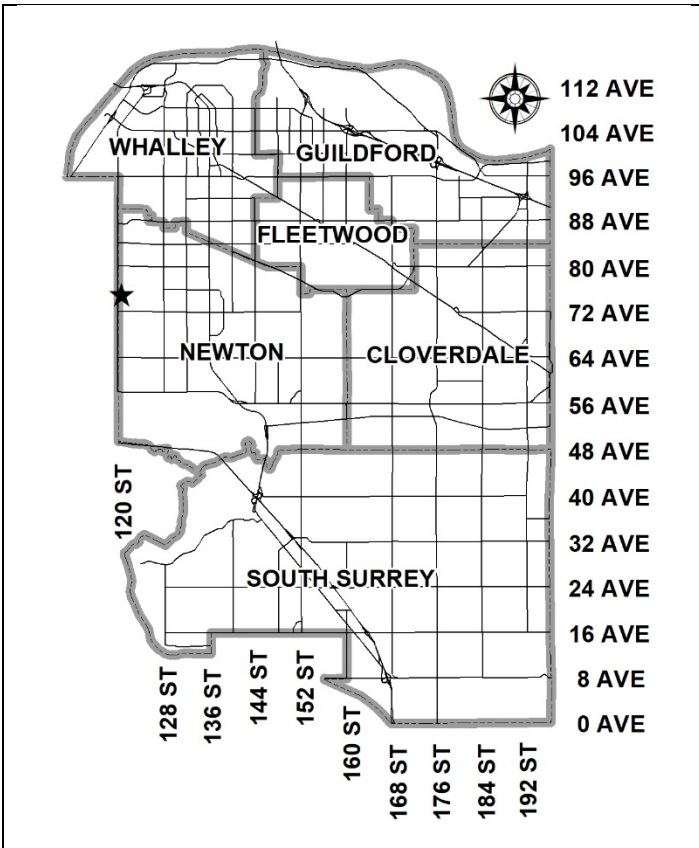
• **Development Variance Permit**

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

LOCATION: 7500 - 120 Street

ZONING: CD (By-law No.13907)

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 metres (1,300 ft.) separation distance between a proposed small-scale drug store and existing drug stores.

RATIONALE OF RECOMMENDATION

- 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 current CD Zoning of the property (By-law No.13907).

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7919-0229-00 (Appendix I), to reduce the minimum separation distance between drug stores, small-scale drug stores or methadone dispensaries from 400 metres (1,300 ft.) to 0 metres (0 ft.) to permit a small-scale drug store at 7500-120 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 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 to a maximum of 26 square metres (284 sq.ft.)

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:	Multi-tenant Commercial Building & Mixed Commercial & Residential building (northeast)	Commercial	CD (By-law No. 16933 & 14031)
East:	Multi-family Residential	Multiple Residential	RM-45
South:	Multi-tenant Commercial Building	Commercial	C-15
West (Across 120 Street):	Mixed Use	Corporation of Delta	n/a

DEVELOPMENT CONSIDERATIONS

- The subject property, located at 7500 – 120 Street, is designated "Commercial" in the Official Community Plan, and zoned "Comprehensive Development Zone (By-law No.13907).

Proposal

- The applicant proposes a small-scale drug store, which will occupy approximately 26 square metres (284 sq. ft.) of retail floor space. It will be operated in conjunction with a medical clinic of approximately 127 square metres (1,365 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 CD zoning for the property (By-law No.13907) 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 two existing drug stores / small-scale drug stores in Surrey within 400 metres (1,300 ft.) of the proposed small-scale drug store, and one in the Corporation of Delta. These are listed in the following table, and each are shown on Schedule A in Appendix I.

Existing Drug Store	Address	Distance from 7500 - 120 Street
Wescana Pharmacy	7445- 120 Street, Delta	12 metres (39 ft.)
FreshCo Pharmacy	7450 - 120 Street, Surrey	0 metres (0 ft.)
Shoppers Drug Mart	7538-120 Street, Surrey	0 metres (0 ft.)

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary the Zoning By-law, 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 0 metres (0 ft.) to permit a small-scale drug store at 7500 - 120 Street.

Applicant's Reasons:

- The pharmacy will improve patients access to medical treatment and enable doctor and pharmacist to collaborate on patient medical needs.
- The small scale pharmacy provides a different level of service than an existing large scale pharmacy in proximity to the site.
- Another small scale pharmacy on the Delta side of Scott Road is not readily accessible with access of a crosswalk, and the nearest intersection is at a distance from the existing clinic.

Staff Comments:

- The proposed small-scale drug store will occupy a floor area of approximately 26 square metres (284 sq. ft.) and will operate in conjunction with a medical clinic of approximately 127 square metres (1365 sq. ft.), located within the same unit.
- Should the proposal be supported by Council, 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 26 square metres (284 sq.ft.).
- The site has an approved Development Variance Permit (Application No.7916-0141-00) which reduces the parking requirement for the site to 106 parking stalls.
- The City's Transportation Planning Division has confirmed that as the pharmacy is to be located within an existing clinic and therefore does not constitute a change of use, Development Variance Permit No.7916-0141-00 is still applicable and does not trigger a re-assessment of the parking requirement for the whole site.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Development Variance Permit No. 7919-0229-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

CL/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0229-00

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: 025-063-634

Strata Lot 12 Section 19 Township 2 New Westminster District Strata Plan LMS4431
Together with an interest in the Common Property in Proportion to the Unit Entitlement
of the Strata Lot as Shown on Form V.

7500 - 120 Street

(the "Land")

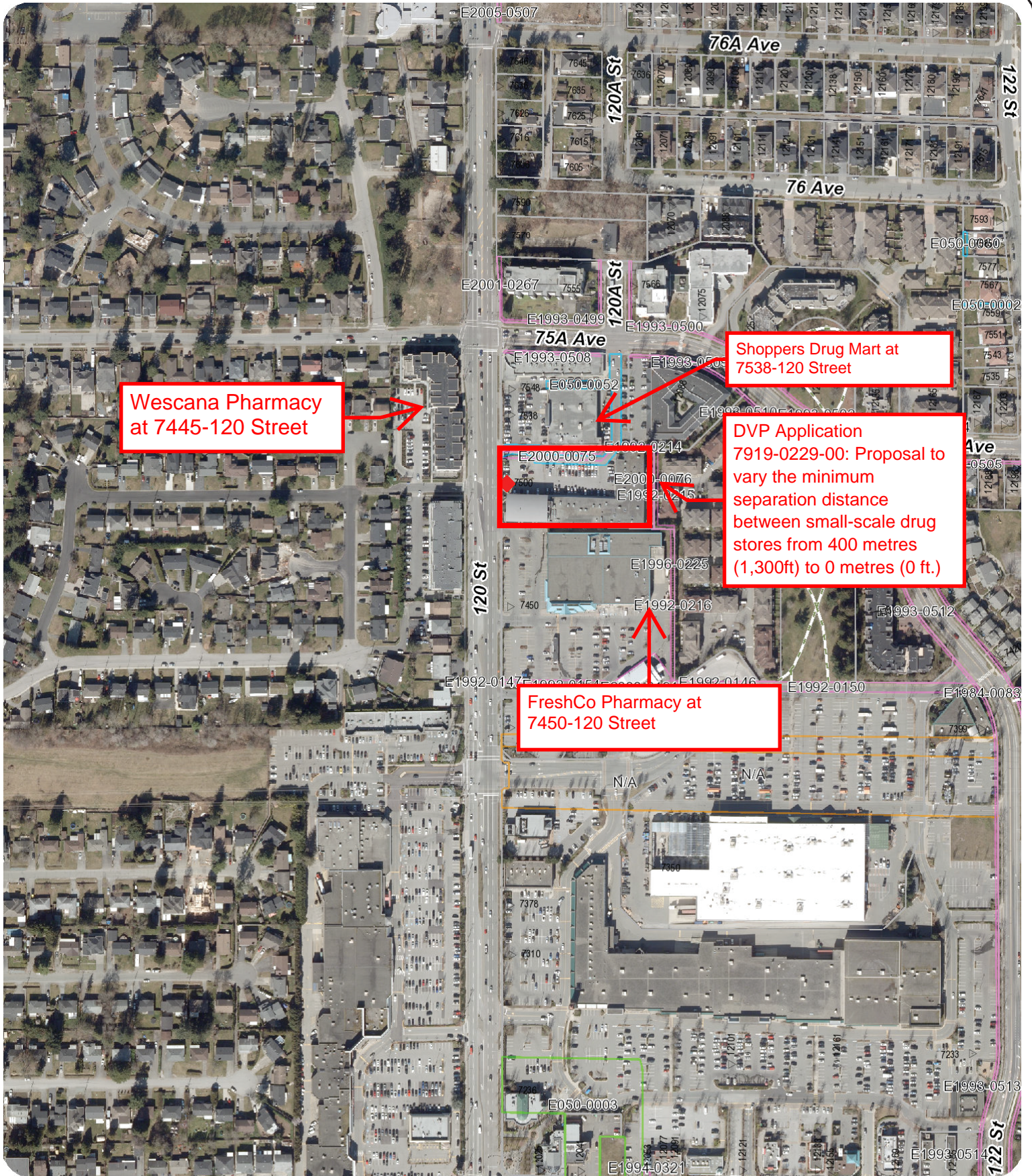
3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section E.28 of Part 4, General Provisions, the minimum separation distance from the lot line between drug stores, small-scale drug stores or methadone dispensaries is reduced from 400 metres (1,300 ft.) to 0 metres (0 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 – Doug McCallum

City Clerk – Jennifer Ficocelli



Wescana Pharmacy at 7445-120 Street

Shoppers Drug Mart at 7538-120 Street

E2000-0075

DVP Application 7919-0229-00: Proposal to vary the minimum separation distance between small-scale drug stores from 400 metres (1,300ft) to 0 metres (0 ft.)

FreshCo Pharmacy at 7450-120 Street

Scale: 1:4,000

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

