

City of Surrey
PLANNING & DEVELOPMENT REPORT

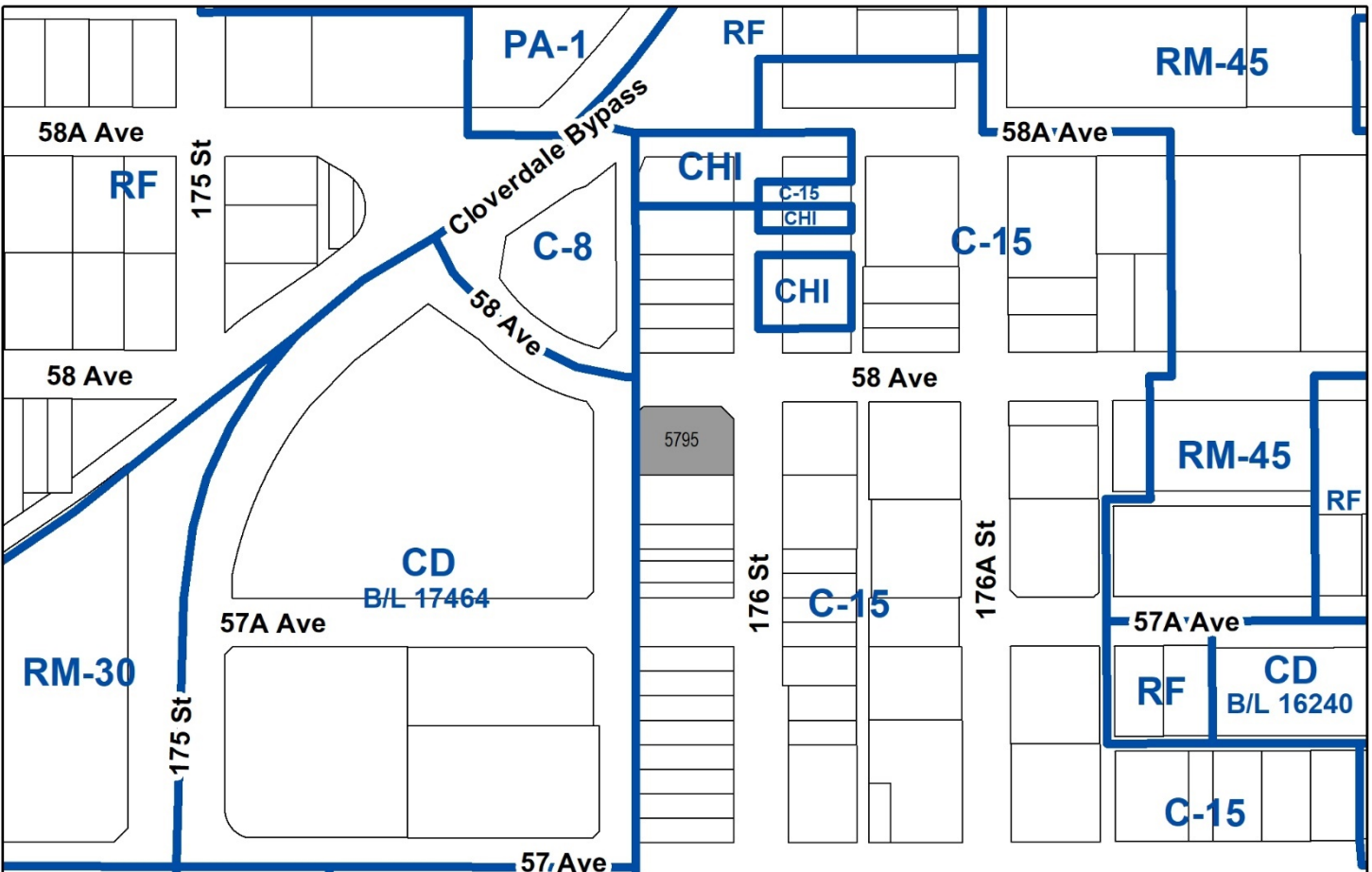
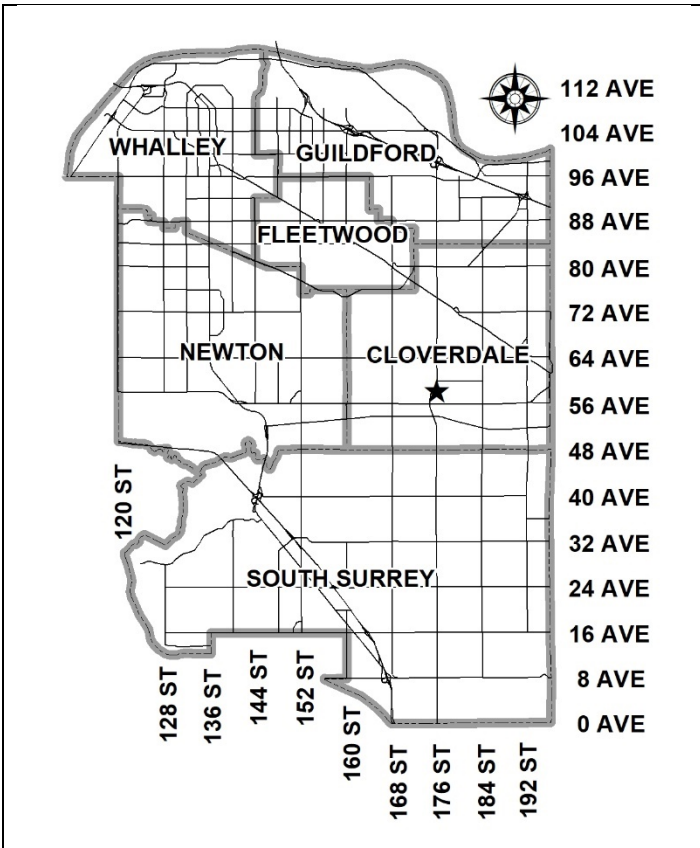
Application No.: 7919-0301-00

Planning Report Date: January 27, 2020

PROPOSAL:

- Development Variance Permit to vary the minimum 400-metre separation requirement between a proposed small-scale drug store and an existing small-scale drug store.

LOCATION: 5795 - 176 Street
ZONING: C-15
OCF DESIGNATION: Town Centre
FTCP: Heritage Downtown (Cloverdale Town Centre Plan)



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 of an existing small-scale drug store.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Town Centre designation in the Official Community Plan (OCP).
- The proposal complies with the Heritage Downtown designation in the Cloverdale Town Centre Plan (TCP).
- The proposed pharmacy meets the definition of small-scale drug store in the Zoning By-law, which is defined as a commercial establishment with a gross floor area of less than 600 square metres and excludes methadone dispensary.
- The proposed small-scale drug store is proposed to locate in a recently constructed, vacant building in Cloverdale Town Centre, which was developed under Development Application 7915-0146-00. The small-scale drug store will operate in conjunction with a nurse-led medical clinic as a joint, inter-related facility. The two businesses will occupy the entire building and provide accessible and convenient health-care services to residents. Small scale drugstore and medical clinic are both permitted uses in the C-15 Zone.
- Although there are two (2) existing pharmacies located within the 400-metre radius of the subject property, the affiliated Medical Clinic will be the first Nurse Practitioner-led clinic in the area. This new format of clinic, introduced by BC Health, is designed to dispense specialized medications with an enhanced, full-service dispensary including compounding and blister packing services, as well as flu and travel vaccinations, to bring faster healthcare to the community.
- A Section 219 Restrictive Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with the medical clinic, and to require the small-scale drug store and medical clinic to have the same hours of operation.
- With a cash-in-lieu contribution for a shortfall of 1 onsite parking spaces, per the parking provisions in Cloverdale Town Centre, the proposal provides the minimum required parking spaces for a small-scale drug store as per Surrey Zoning By-law No.12000.
- The proposal will stimulate business in the Cloverdale Town Centre area.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7919-0301-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) In Section E.28 of the 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 to 114 metres to accommodate a small-scale drug store on the subject site.
2. Council instruct staff to resolve the following issues prior to Development Variance Permit issuance:
 - (a) a section 219 Restrictive Covenant 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; and
 - (b) the applicant adequately address the shortfall of one on-site parking spaces, in accordance with Sub-section A.3(c) of Part 5 Parking and Loading/Unloading of Surrey Zoning By-law No. 12000.

SITE CONTEXT & BACKGROUND

| Direction | Existing Use | TCP Designation | Existing Zone |
|---------------------------|---|-------------------|-------------------|
| Subject Site | Vacant one-storey multi-tenant building | Heritage Downtown | C-15 |
| North (Across 58 Avenue): | One-storey commercial building | Heritage Downtown | C-15 |
| East (Across 176 Street): | Two-storey multi-tenant commercial building | Heritage Downtown | C-15 |
| South (Across): | Two-storey mixed-use building | Heritage Downtown | C-15 |
| West (Across lane): | Townhouses | Townhouses | CD (By-law 17464) |

Context & Background

- The subject property totals approximately 0.3 acres (1,120 sq. m) in area and is located on the southwest corner of 58 Avenue and 176 Street in Cloverdale Town Centre.

- The site is designated "Town Centre" in the Official Community Plan (OCP), "Heritage Downtown" in the Cloverdale Town Centre Plan (TCP) and is currently zoned "Town Centre Commercial Zone (C-15)".
- The newly constructed one-storey commercial building was developed under Development Application 7915-0146-00. The building consists of four (4) commercial units at grade.
- A surface parking lot to service the building is located at the rear of the property and is accessed by the rear lane. At the time of development of the site (Development Application No. 7915-0146-00), it was determined 16 parking stalls were required for the commercial retail space, using the retail parking rate of 3 stalls per 100 square metres. As only 13 stalls were able to be provided on site, in accordance with Sub-section A.3 (c) of Part 5 of Surrey Zoning By-law No. 12000, which considers commercial uses in the Cloverdale Town Centre, the City accepted cash-in-lieu for the shortfall of 3 spaces.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing a variance to operate a 357 square meter medical clinic and 181 square meter pharmacy in the vacant commercial building on site, developed under Development Application 7915-0146-00. The two businesses are proposed to occupy all of the building. The proposed uses are permitted under the C-15 Zone.
- The proposed pharmacy will operate in conjunction with a nurse practitioner-led medical care clinic. The two businesses will operate as a joint, interrelated facility. No methadone will be dispensed at the pharmacy.
- The proposed pharmacy meets the definition of "small-scale drug store", in Zoning By-law No. 12000, which is defined as "a commercial establishment with a gross floor area of less than 600 square metres 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 Zoning By-law No.12000 stipulates that a small-scale drug store shall not be located within 400 metres of an existing drug store, small-scale drug store, or methadone dispensary.
- Within a 400 metre radius of the subject site, there are two existing pharmacies (shown in Appendix II):
 - Pharmasave Pharmacy, located at 5778 176A Street, approximately 114 metres from the subject site; and
 - Rexall Drugs, located at 17475 Highway 10 (56 Avenue), approximately 272 metres from the subject site.

- A Section 219 Restrictive Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with the medical clinic, and to require the small-scale drug store and medical clinic to have the same hours of operation.
- Vehicular access is proposed from the rear lane, to the existing surface parking lot at the southwest portion of the site. As per Part 5 of Surrey Zoning By-law No.12000, 17 parking spaces are required for the development. Sixteen (16) parking spaces were provided through Development Application 7915-0146-00 (13 on-site surface parking stalls and 3 cash-in-lieu).
- In the case of commercial uses in Cloverdale Town Centre, as per Sub-section A.3(c) of Part 5 of Surrey Zoning By-law No. 12000, the applicant can provide cash-in-lieu to mitigate a shortfall of one (1) on-site parking space. The applicant will be required to provide cash-in-lieu to address the proposed 1-stall shortfall to the satisfaction of the General Manager, Engineering.

Referrals

Engineering: The Engineering Department has no objection to the project. The applicant shall address the parking shortfall in consultation with the City's Realty Division.

POLICY & BYLAW CONSIDERATIONS

Regional Growth Strategy

- The lands are designated 'General Urban' in the Regional Growth Strategy. The proposal complies with the Regional Growth Strategy designation, which is intended for residential neighbourhoods and centres, that are supported by shopping, services, institutions, recreational facilities and parks.

Official Community Plan

Land Use Designation

- The subject lot is designated "Town Centre" in the OCP. Town Centres serve the commercial, recreational, cultural and social needs of residents and visitors. The proposal is the first nurse practitioner-led clinic in the area, a new format of healthcare introduced by BC Health, and provides the Town Centre convenient community-focused health care services. As such, the proposal complies with the site's OCP designation.

Themes/Policies

- The proposal complies to Policy B2.5 of the OCP, which stipulates locating community-servicing commercial uses in Town Centres to maximize accessibility and minimize impacts on residential areas.
- The proposal also complies to Policy B2.6 of the OCP, which encourages co-location and clustering complementary businesses and services uses within Town Centres to support compact employment areas as to reduce the need for multiple trips to access these services.

Secondary Plans

Land Use Designation

- The site is designated 'Heritage Downtown' in the Cloverdale Town Centre Plan. Development within this designation will focus on providing ground floor retail, and a range of commercial uses that offer a wide selection of goods and services. The proposed pharmacy, and associated medical clinic, complies with the 'Heritage Downtown' designation of the Cloverdale Town Centre Plan.
- The building the businesses intend to occupy was developed under Development Application 7915-0146-00. Through review at the time of the Development Application, the scale, massing and architecture of the building was deemed to conform to the 'Heritage Downtown' designation of the Cloverdale Town Centre Plan. The building complies with the 2 storey maximum building height of 176 Street between 56 and 58A Avenue and provides commercial or retail uses at the ground level.

Variances

- The applicant is requesting the following variances:
 - In Section E.28 of the 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 to 114 metres to accommodate a small-scale drug store on the subject site.
- The applicant is proposing to locate a small-scale pharmacy, and a nurse-led medical clinic into an existing, one-storey commercial building in Cloverdale Town Centre. The proposed businesses are intended to operate as a joint, interrelated facility. The proposal offers a comprehensive health care approach by serving the patients of the proposed clinic.
- The proposal complies with the intent of Town Centre OCP policies, specifically encouraging co-location and clustering complementary businesses and services uses to support compact employment areas and reduce the need for multiple trips to access these services.
- The proposed pharmacy meets the definition of "small-scale drug store" in the Zoning By-law. Small-scale pharmacy and medical clinic are both permitted land uses in the C-15 Zone.
- A Section 219 Restrictive Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with the 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. The applicant is proposing to locate in an existing, vacant building. No methadone will be dispensed at the proposed small-scale drug store.
- The proposal will stimulate business in the Cloverdale Town Centre area.
- Staff support the requested variances to proceed to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

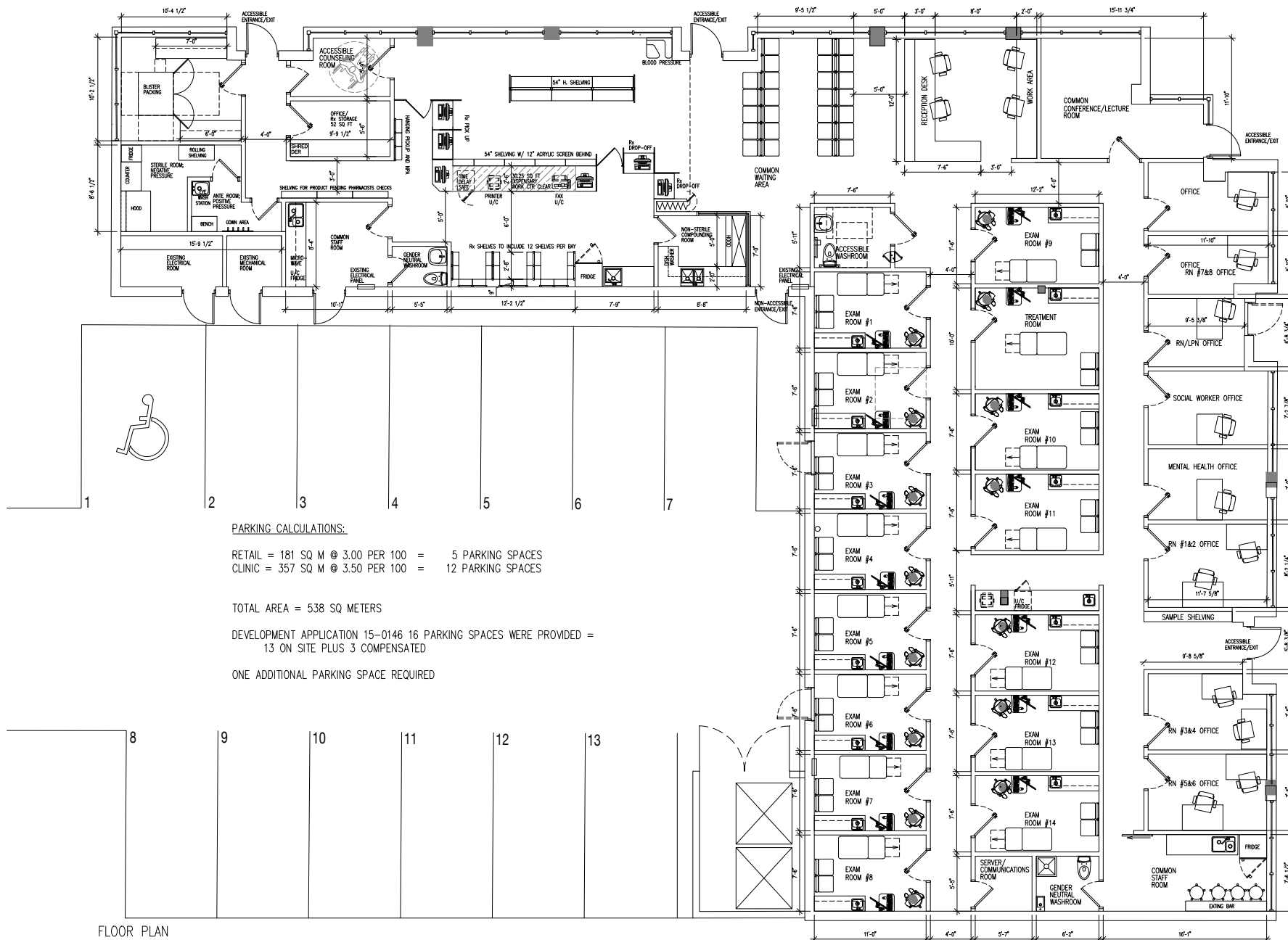
The following information is attached to this Report:

- Appendix I. Proposed Floor Plan
- Appendix II. Location Map of Small-scale Drugstores within 400m of the Subject Site
- Appendix III. Development Variance Permit No. 7919-0301-00

approved by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

SC/cm



PARKING CALCULATIONS:

RETAIL = 181 SQ M @ 3.00 PER 100 = 5 PARKING SPACES
 CLINIC = 357 SQ M @ 3.50 PER 100 = 12 PARKING SPACES

TOTAL AREA = 538 SQ METERS

DEVELOPMENT APPLICATION 15-0146 16 PARKING SPACES WERE PROVIDED =
 13 ON SITE PLUS 3 COMPENSATED

ONE ADDITIONAL PARKING SPACE REQUIRED

FLOOR PLAN

Scale 1/4"=1'-0"

NOTE: THIS DRAWING IS THE PROPERTY OF THE CONSULTANT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF THE CONSULTANT IS STRICTLY PROHIBITED. THE CONSULTANT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DRAWING. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES. THE CONSULTANT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED HEREIN.

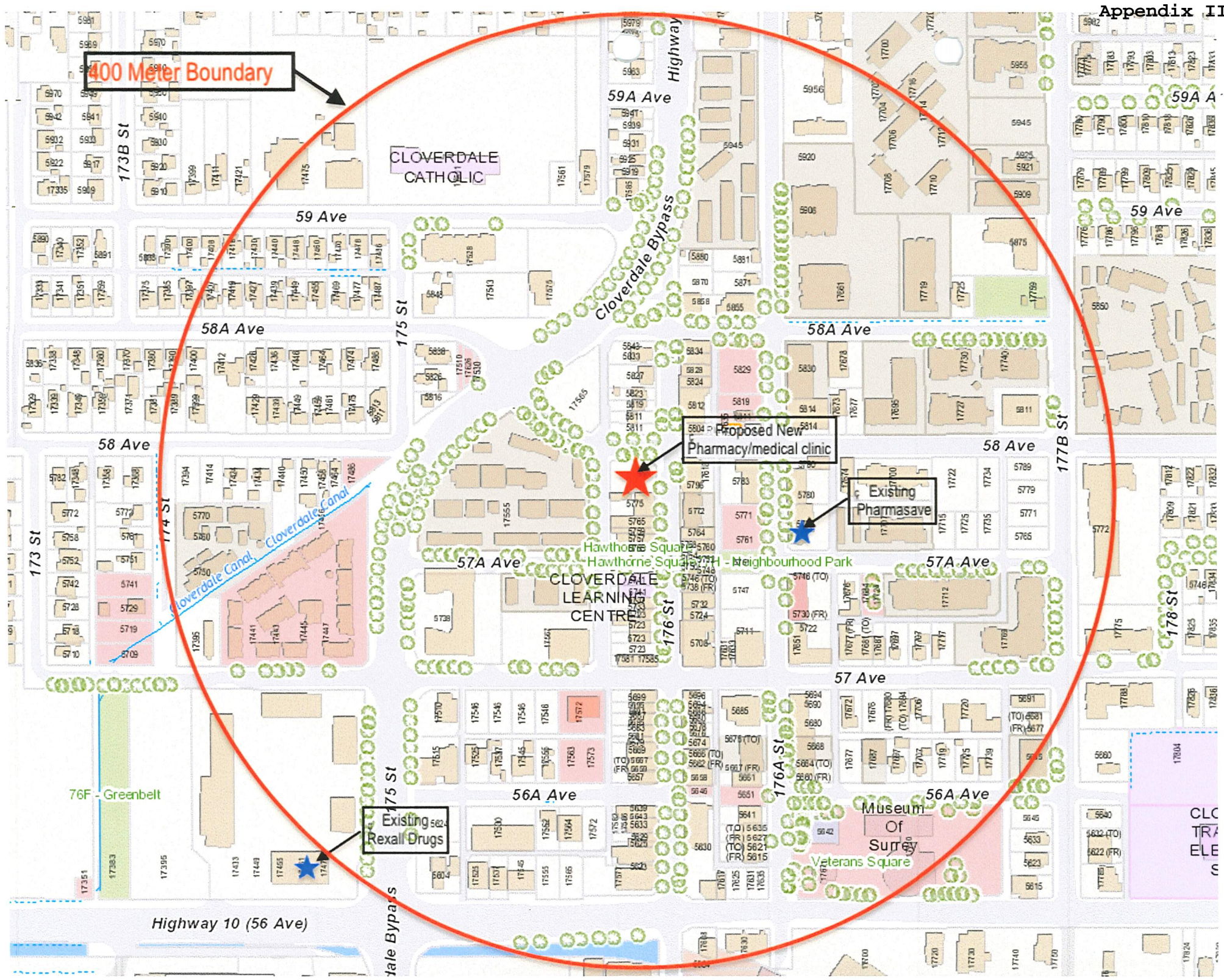
| ISSUED FOR OWNERS REVIEW | DATE |
|--------------------------|----------|
| ISSUED FOR OWNERS REVIEW | 10/12/20 |
| ISSUED FOR OWNERS REVIEW | 12/16/20 |
| ISSUED FOR OWNERS REVIEW | 1/14/21 |
| ISSUED FOR OWNERS REVIEW | 1/19/21 |

CONSULTANT:
D.A. HOWARTH CONSULTANTS INC.
 16380, 11 AVENUE
 SURREY, BC V4A8B8
 irene@howarthid.com

PROJECT:
**COASTAL CARE PHARMACY
 FAMILY MEDICAL CLINIC**
 UNITS #XXX
 5795 178th STREET,
 SURREY, BC

SHEET TITLE:
**FLOOR
 PLAN**

SCALE: 1/4"=1'-0"
 DRAWN BY:
 DATE OF DRAWING: JAN 12, 2020
 SHEET No. 640-001



400 Meter Boundary

CLOVERDALE CATHOLIC

Proposed New Pharmacy/medical clinic

Existing Pharmsave

Existing Rexal Drugs

Museum of Surrey

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0301-00

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: 030-006-481

Lot A Section 7 Township 8 New Westminster District Plan EPP57759 Except Part on Plan EPP57760

5795 - 176 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section E.28 of the 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 to 114 metres to accommodate a small-scale drug store on the subject site.
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 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli