

PROPOSAL:

- Amend CD By-law No. 19317

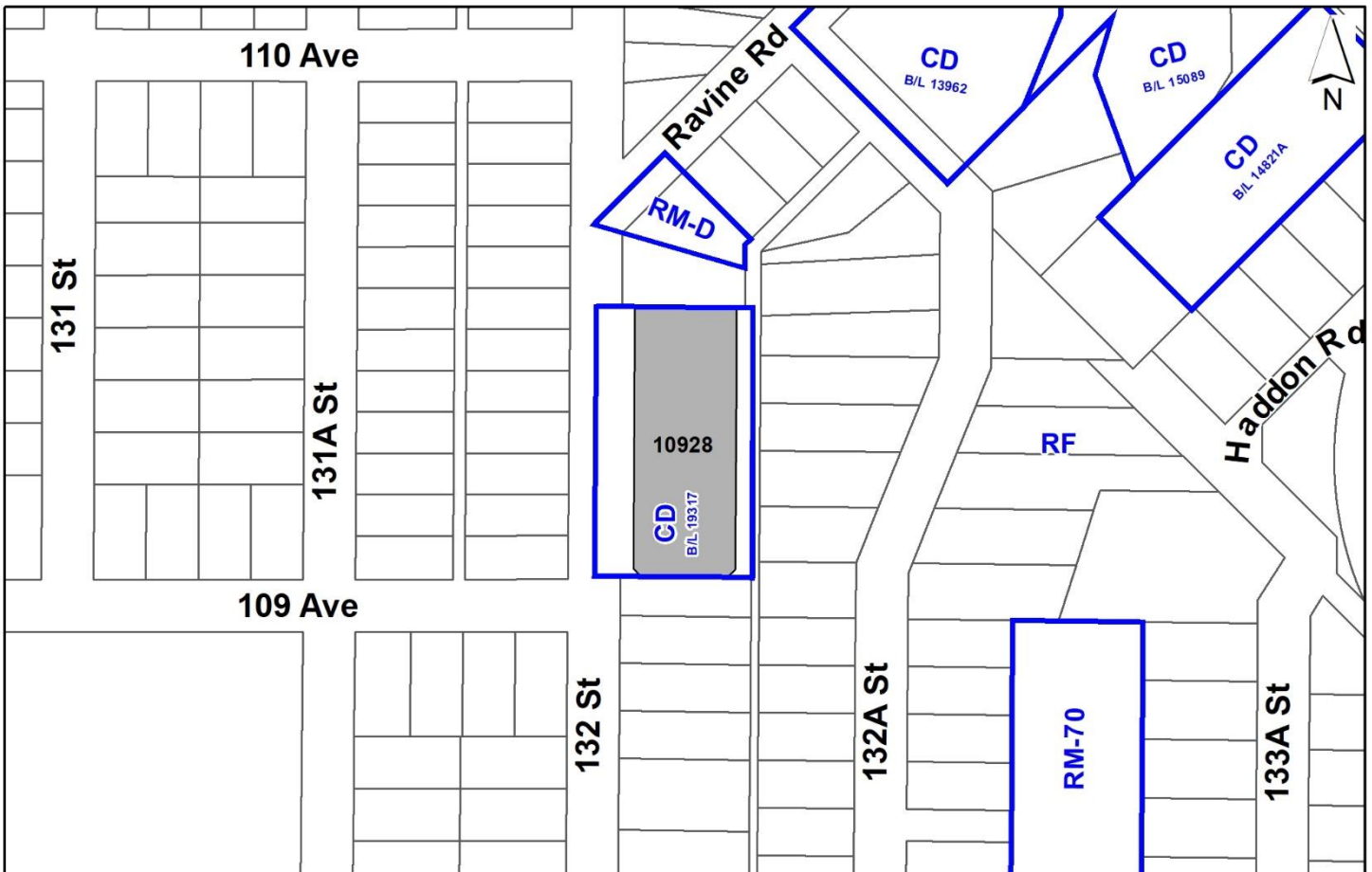
to increase the commercial floor area and add small-scale drug store as a permitted use within the existing building.

LOCATION: 10928 - 132 Street

ZONING: CD (Bylaw No. 19317)

OCF DESIGNATION: Multiple Residential

TCP DESIGNATION: Low to Mid Rise Residential



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Amending Comprehensive Development (CD) Zone By-law No. 19317 by increasing the allowable commercial floor area from 279 square metres to 302 square metres and adding small-scale drug store as a permitted use on the site.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Multiple Residential designation in the Official Community Plan (OCP).
- The applicant is proposing an amendment to CD-Bylaw No. 19317 to permit the operation of a small-scale drug store to be operated in conjunction with a medical clinic, and to increase the permitted total floor area of the commercial uses from 279 square metres to 302 square metres.
- The medical clinic and small-scale drug store will be operated by the same operator in a commercial retail unit (CRU) on the ground floor of the existing seniors residential building.
- The existing CD bylaw currently does not permit a small-scale drug store to be operated on the site. The proposed CD bylaw amendment will allow the medical clinic and small-scale drug store to be operated out of the CRU.
- The existing CD bylaw limits commercial uses (excluding child care) to 279 square metres. Due to internal floor plan changes, the applicant is proposing to increase the total combined commercial floor area to 302 square metres.
- The proposed small-scale drug store is compatible with other uses currently permitted on site. The small-scale drug store is intended to provide comprehensive healthcare to patients of the medical clinic. The small-scale drug store and medical clinic will serve both senior residents of the building, and the surrounding community.
- The proposed small-scale drug store complies with Section B.32 of Part 4, General Provisions and is located more than 400 metres away from the nearest other drug store.
- No new additions or exterior alterations to the building are proposed at this time. There is no change to the Form and Character, or density of the approved building under Development Application No. 7917-0103-00 as a result of the proposed CD Bylaw amendment.

RECOMMENDATION

The Planning & Development Department recommends that:

1. A By-law be introduced to amend Comprehensive Development Zone By-law No. 19317 by increasing the allowable commercial floor area from 279 square metres to 302 square metres and adding small-scale drug store as a permitted use on the site, and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issue prior to final adoption:
 - (a) registration of a Section 219 Restrictive Covenant requiring that the small-scale drugstore on site must operate in conjunction with a medical office and have the same hours of operation as the medical office.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	CCP Designation	Existing Zone
Subject Site	Mixed-use development including multi-residential for seniors, and small-scale commercial on the ground floor	Low to Mid Rise residential	CD By-law No. 19317
North:	Single family homes with conditional approval for a 6-storey residential apartment (Development Application No. 7921-0341-00)	Low to Mid Rise residential	RF and RM-D
East (Across the lane):	Single family homes (portion of land under Development Application 7920-0326-00)	Low to Mid Rise residential	RF
South (Across future 109 Ave):	City lot (109 Ave road extension) and single family homes	Low to Mid Rise residential	RF
West (Across 132 St):	Single family homes	OCP Designation: Urban	RF

Context & Background

- The subject site is located at 10928 – 132 Street in the City Centre neighbourhood. The site is designated “Multiple Residential” in the Official Community Plan (OCP), “Low to Mid Rise Residential” in the City Centre Plan (CCP) and is zoned “Comprehensive Development Zone (CD)” (Bylaw No. 19317).
- Under Development Application No. 7917-0103-00, which received Final Adoption on July 26, 2018, the subject site was rezoned to CD Bylaw No. 19317 to allow the development of a 5-storey apartment building with 117 dwelling units for senior’s independent living, and commercial uses at the ground floor.
- The 5-storey mixed-use building is now constructed and occupied on the subject site. The ground level includes commercial uses including childcare, a hair salon, acupuncture clinic, and a denture clinic. The ground level also includes the resident lobby and several building amenities. The upper levels include the seniors’ residential units.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing an amendment to CD Bylaw No. 19317 to allow small-scale drug store as a permitted use, and to increase the total permitted commercial floor area.
- The small-scale drug store is proposed to be located at the ground floor within a commercial retail unit (CRU) and operated in conjunction with the medical clinic. The medical clinic and the drug store will be located within one CRU with a gross floor area of 178 square metres (1,920 square feet) and will share an entrance, with the medical clinic comprising most of the CRU space. The small-scale drug store is proposed to comprise 65 square metres (705 square feet) of the CRU.
- The medical clinic and drug store will share the same hours of operation of Monday to Friday 9:30am to 6:00pm. The applicant has confirmed in writing that methadone will not be dispensed on-site.
- The proposed use is compatible with the existing and proposed uses on site. The medical clinic is a permitted use in the existing CD bylaw, and the small-scale drug store will be complementary to the clinic. The small-scale drug store is intended to provide comprehensive healthcare to patients of the medical clinic. The small-scale drug store and medical clinic will serve both senior residents of the building, and the wider community.
- Under the existing CD Bylaw No. 19317, commercial uses (excluding the child care) are limited to a total combined floor area of 279 square metres. The hair salon, acupuncture clinic and denture clinic currently have a total floor area of 123 square metres. The medical clinic and small-scale drug store will occupy 178 square metres, bringing the total combined floor area to 301 square metres.

- Concerns relating to compatibility of a drug store with the existing surrounding uses, and issues arising such as drug users loitering.

(Existing uses at the ground floor level include childcare, a hair salon, acupuncture clinic and denture clinic which are compatible with a small-scale drug store. The small-scale drug store will be operated in conjunction with a medical clinic and is intended to serve the patients of the medical office, who will likely be primarily senior residents of the building and surrounding area. The operator has advised staff that the medical office and small-scale drug store will not dispense methadone.)

- Concerns about lack of parking in area.

(The applicant has provided parking calculations for the required parking on site. The small-scale drug store requires 2 parking spaces, which can be accommodated on site. After the existing and proposed uses are accounted for, there is a surplus of 4 parking spaces on site).

- Concerns about business signage becoming too cluttered and visually unappealing at the site.

(All signage in Surrey must comply with the sign bylaw regulations.)

- Concerns about the spread of influenzas and other illnesses (e.g COVID) to seniors in the building.

(The entrance to the CRU where the small-scale drug store and medical clinic will be located will be separate from the lobby entrance for the seniors residential component. The province requires medical mask wearing by health-care workers and visitors in patient care areas.)

CONCLUSION

- The addition of a small scale drug store (pharmacy) will provide an additional service that will be of benefit to residents of the building and the neighbourhood. Staff support the proposed amendment.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

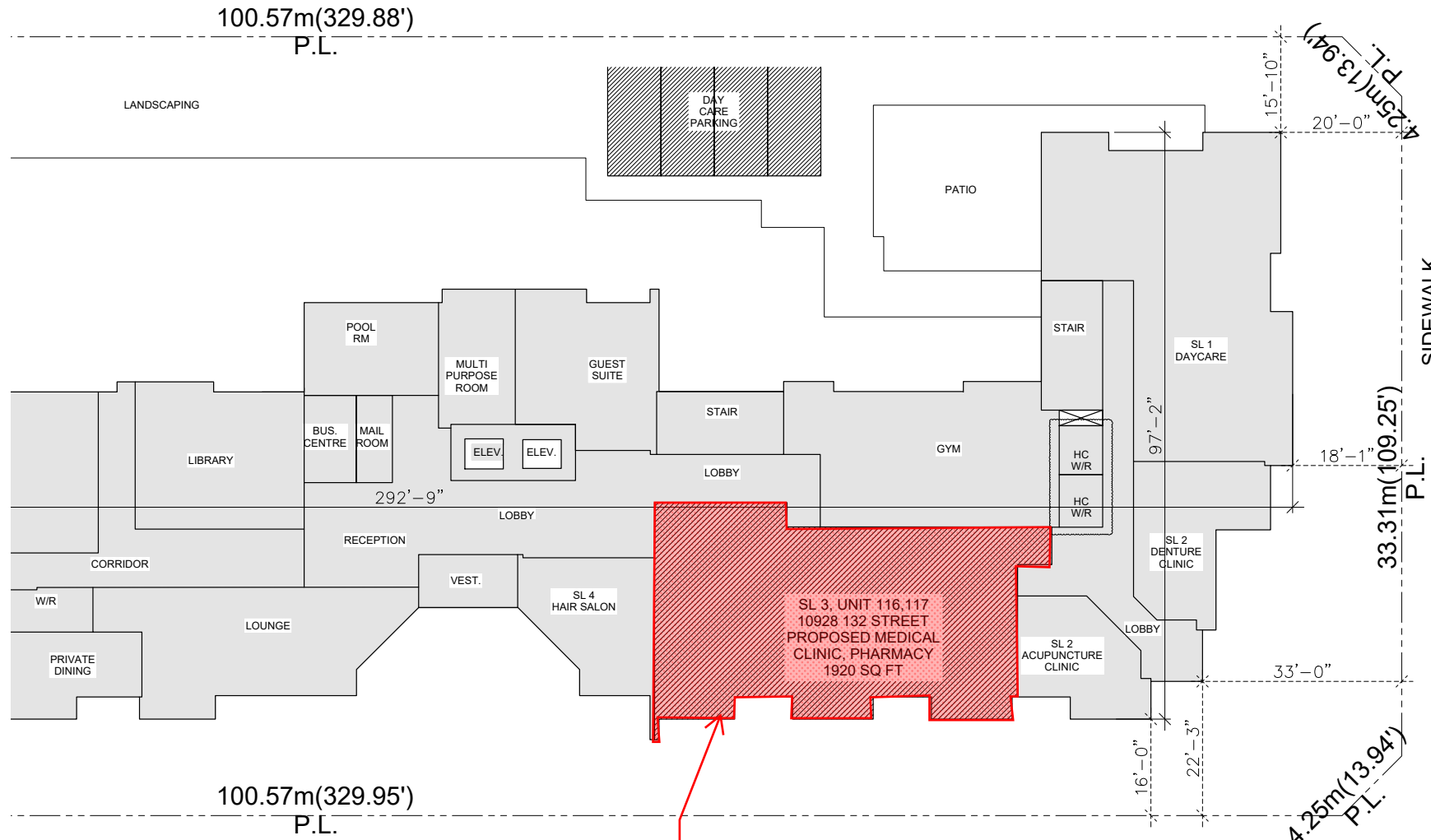
Appendix I.	Site Plan
Appendix II.	Proposed Amendments to CD Bylaw No. 19317

approved by Ron Gill

Don Luymes
General Manager
Planning and Development

MS/ar

APPENDIX I



The contractor shall check and verify all dimensions and data noted on site and is responsible for reporting any discrepancies to Owner prior to commencement of work. All drawings are the property of Designer and shall not be reproduced without written consent of the Designer. Drawings shall not be scaled.

NO.	ISSUED / REVISED	DATE

Constance Nikiforova
ph: 604-600-5325
ni.constance@hotmail.com

CLIENT:
10928 132 Street,
Surrey, BC

DRAWING TITLE:
KEY PLAN

DRAWN BY: CN
SCALE: 1/8"=1'-0"
DATE: June 8, 2023
DRAWING NUMBER:
A 2

SITE PLAN
SCALE: 1/8"=1'-0"

Proposed medical clinic and small-scale drug store

COMMON ACCESSIBLE WASHROOMS ARE PROVIDED ON MAIN LEVEL IN THE LOBBY

CITY OF SURREY

BYLAW NO. 19317

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended

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THE CITY COUNCIL of the City of Surrey ENACTS AS FOLLOWS:

- 1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 479 of the Local Government Act, R.S.B.C. 2015 c. 1, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of Surrey Zoning By-law, 1993, No. 12000, as amended as follows:

FROM: SINGLE FAMILY RESIDENTIAL ZONE (RF)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 011-080-787

Lot 15 Except: Parcel "A" (Explanatory Plan 9825), Section 15 Block 5 North Range 2 West New Westminster District Plan 4172

10956 - 132 Street

Parcel Identifier: 001-567-543

Lot 17 Except: The South 24 Feet, Section 15 Block 5 North Range 2 West New Westminster District Plan 19406

10944 - 132 Street

Parcel Identifier: 000-922-676

Lot 19 Section 15 Block 5 North Range 2 West New Westminster District Plan 19406

10918 - 132 Street

Parcel Identifier: 001-728-423

Lot 75 Section 15 Block 5 North Range 2 West New Westminster District Plan 30464

10932 - 132 Street

(hereinafter referred to as the "Lands")

2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of medium *density, multiple unit residential buildings* and related *amenity spaces*, along with limited commercial service and office uses, which are to be developed in accordance with a *comprehensive design*.

B. Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

1. *Multiple unit residential buildings*.
2. *Child care centres*, provided that such centres:
 - (a) Do not constitute a singular use on the *lot*; and
 - (b) Do not exceed a total area of 3.0 square metres [32 sq.ft.] per *dwelling unit*.
3. The following uses are permitted provided that the total combined floor area of such uses does not exceed ~~302 279~~ square metres [~~3,250 000~~ sq.ft.]:
 - (a) *Personal service uses*, limited to barbershops and hair salons;
 - (b) Office uses limited to physical and mental health services on an out-patient basis, medical and dental offices, health clinics and counselling services, but excluding *methadone clinics*; and
 - (c) *General service uses*, limited to *adult educational institutions* and learning centres.
 - ~~(d) *Retail store limited to a small-scale drug store provided that*~~
 - ~~(d) — The small-scale drug store is an accessory use only to offices of medical doctors who are licensed with the College of Physicians and Surgeons;~~
 - ~~(i) _____~~
 - ~~(ii) There is not more than one small-scale drug store on the Lands; and~~
 - ~~(iii) The small-scale drug store is contained in the same unit as the medical doctors' offices.~~

C. Lot Area

Not applicable to this Zone.

D. Density

1. For the purpose of *building* construction, the *floor area ratio* shall not exceed 0.1 or building area of 300 square metres [3,230 sq. ft.] whichever is smaller. The maximum density of development may be increased to that prescribed in Section D.2 of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. The *floor area ratio* shall not exceed 2.1.
3. The indoor *amenity space* required in Sub-section J.1(b) of this Zone is excluded from the calculation of *floor area ratio*.

E. Lot Coverage

The *lot coverage* shall not exceed 45%.

F. Yards and Setbacks

1. *Buildings and structures* shall be sited in accordance with the following minimum *setbacks*:

Use	Setback	Front Yard (West)	Rear Yard (East)	Side Yard (North)	Side Yard (South)
<i>Principal Buildings and Accessory Buildings and Structures</i>		5.0 m [15 ft.]	4.5 m [15 ft.]	4.5 m [16.5 ft.]	5.0 m [16.5 ft.]

Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

2. Notwithstanding the definition of *setback* in Part 1 Definitions of Surrey Zoning By-law, 1993, No.12000, as amended, *balconies* and roof overhangs may encroach 1.0 metre [3 ft.] into the required *setbacks*.
3. Notwithstanding Sub-section E.17(b) of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended, retaining walls and stairs with more than three risers may encroach into the required *setbacks*.
4. Notwithstanding Sub-section A.3(d) of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, an *underground parking facility* may be located up to 1.2 metres [4.0 ft.] from the *front lot line* or the *lot line* along a *flanking street*.

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

1. Principal buildings: The *building height* shall not exceed 18 metres [59 ft.].
2. Accessory buildings and structures: The *building height* shall not exceed 4.5 metres [15 ft.].

H. Off-Street Parking

1. *Parking spaces* shall be provided in accordance with Part 5 Off-Street Parking and Loading/Unloading of Surrey By-law, 1993, No. 12000, as amended.
2. Notwithstanding Section H.1 of this Zone, the minimum number of *parking spaces* for the *multiple unit residential building* on the *Lands* shall be 0.55 *parking spaces per dwelling unit*.
3. All required *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.
4. Notwithstanding Section D.5 Part 5 Off-Street Parking and Loading/Unloading of Surrey By-law, 1993, No. 12000, as amended, the minimum required number of *bicycle spaces* on the *Lands* shall be 0.15 *bicycle spaces per dwelling unit*, of which 50% must be located in *secure bicycle parking areas* within a *building*.

I. Landscaping

1. All developed portions of the *lot* not covered by *buildings, structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. Along the developed sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] in width shall be provided within the *lot*.
3. The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*.
4. Garbage containers and *passive recycling containers* shall be located within the *underground parking* or within a *building*.

J. Special Regulations

1. *Amenity space* shall be provided on the *lot* as follows:
 - (a) Outdoor *amenity space*, in the amount of 3.0 square metres [32 sq. ft.] per *dwelling unit* and shall not be located within the required *setbacks*; and
 - (b) Indoor *amenity space*, in the amount of 3.0 square metres [32 sq. ft.] per *dwelling unit*.
2. *Balconies* are required for all *dwelling units* which are not *ground-oriented* and shall be a minimum of 5% of the *dwelling unit* size or 4.6 square metres [50 sq.ft.] per *dwelling unit*, whichever is greater. *Balconies* may be reduced to a minimum of 4.0 square metres [43 sq.ft.] per *dwelling unit*, for a maximum 20% of the total number of non-*ground-oriented dwelling units* on the *lot*.

K. Subdivision

Lots created through subdivision in this Zone shall conform to the following minimum standards:

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
3,500 sq. m. [0.9 acre]	30 metres [100 ft.]	30 metres [100 ft.]

Dimensions shall be measured in accordance with Section E.21 of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended.

L. Other Regulations

In addition to all statutes, bylaws, orders, regulations or agreements, the following are applicable, however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in Surrey Zoning By-law, 1993, No. 12000, as amended, the provisions in this Comprehensive Development Zone shall take precedence:

1. Definitions are as set out in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the RM-70 Zone in City Centre as set forth in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
3. General provisions are as set out in Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended.

4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
5. *Sign* regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
7. *Building* permits shall be subject to the Surrey Building Bylaw, 2012, No. 17850, as amended.
8. *Building* permits shall be subject to Surrey Development Cost Charge By-law, 2016, No. 18664, as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-70 Zone for senior's apartments in City Centre.
9. Tree regulations are set out in Surrey Tree Protection By-law, 2006, No. 16100, as amended.
10. Provincial licensing of child care centres is regulated by the Community Care and Assisted Living Act R.S.B.C. 2002. c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
11. Development permits may be required in accordance with the Surrey *Official Community Plan*, 2013, By-law No. 18020, as amended.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, _____, No. _____."

PASSED FIRST READING on the _____ th day of _____, 20____.

PASSED SECOND READING on the _____ th day of _____, 20____.

PUBLIC HEARING HELD thereon on the _____ th day of _____, 20____.

PASSED THIRD READING on the _____ th day of _____, 20____.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the _____ th day of _____, 20____.

MAYOR

CLERK