

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7908-0206-00

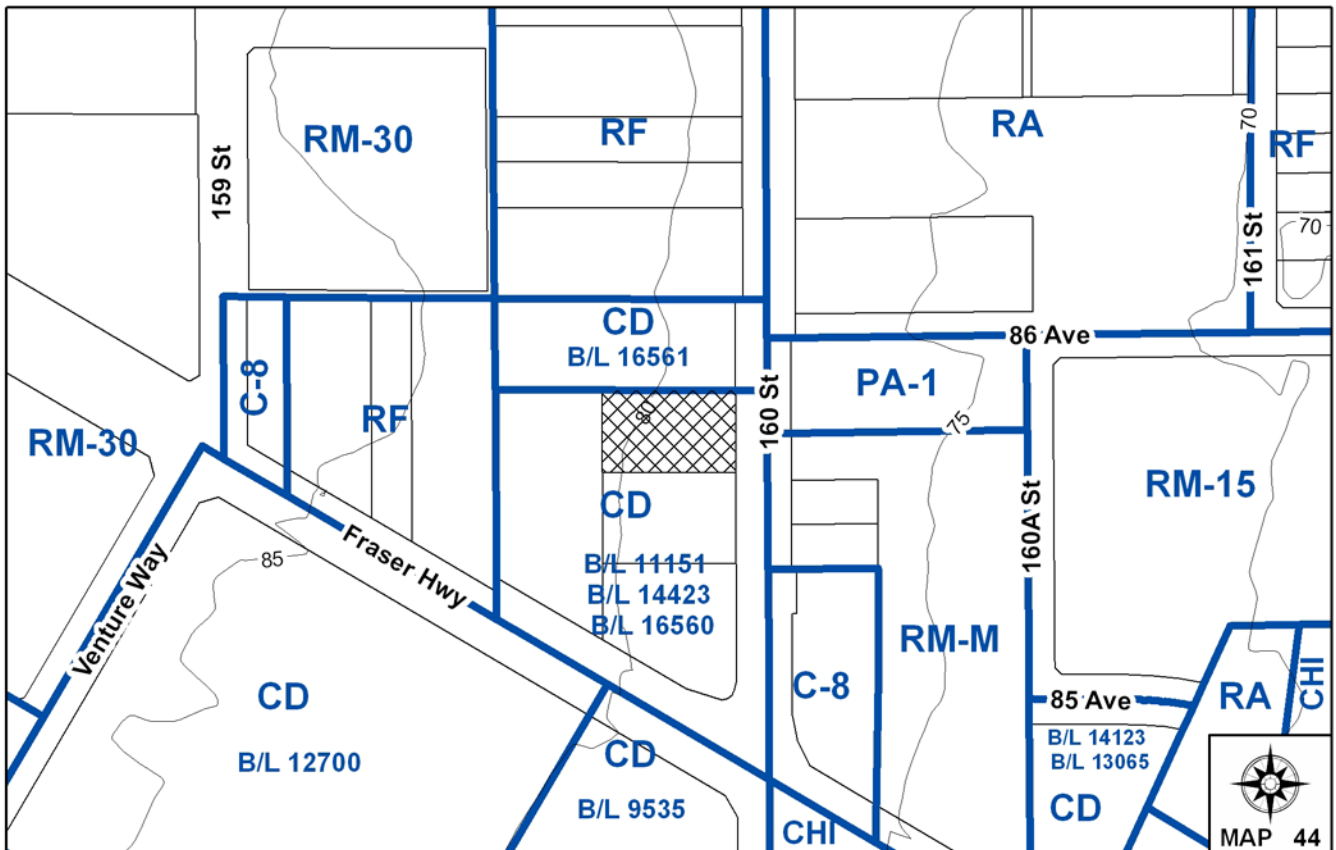
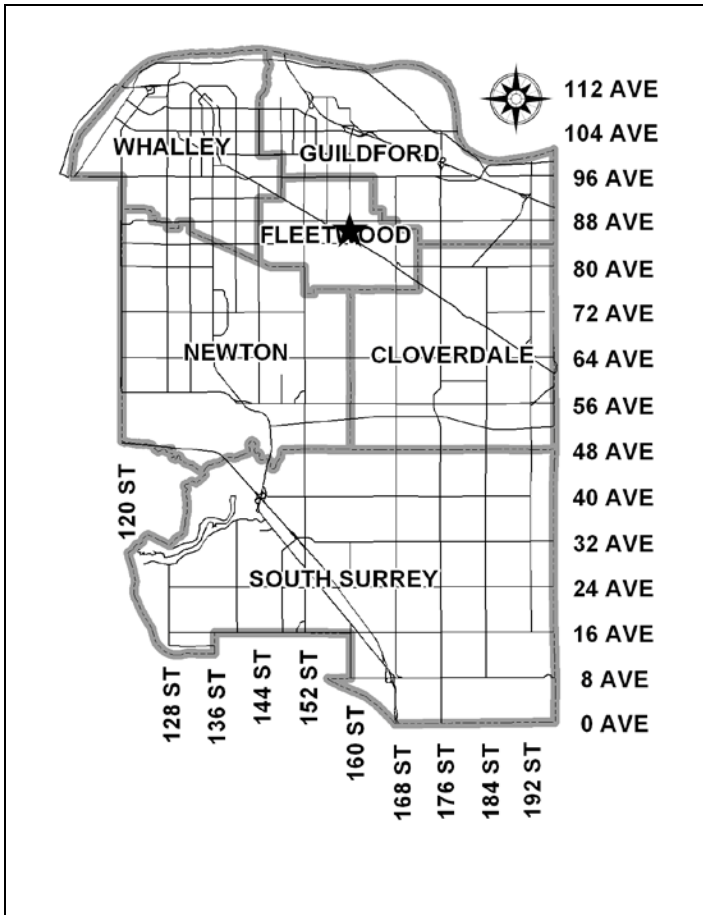
Planning Report Date: November 3, 2008

**PROPOSAL:**

- **Rezoning** from CD to CD (based on C-8)
- Amend **CD By-law** No. 11151
- **Zoning Text Amendment** to By-law No. 5942

in order to allow for general office and retail uses in an existing commercial building.

**LOCATION:** 8585 - 160 Street  
**OWNER:** Wescana Pharmacy Ltd.  
**ZONING:** CD (By-law Nos. 11151, 14423 & 16560)  
**OCP DESIGNATION:** Town Centre  
**NCP DESIGNATION:** Community Commercial



### RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for:
  - Rezoning the subject site;
  - Amending CD By-law No. 11151, as amended; and
  - Amending Surrey Zoning By-law 1979, No. 5942, as amended.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposes to locate a small-scale drug store within 400 metres of an existing drug store.

### RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with NCP Designation.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to proceed with text amendments to the Surrey Zoning By-law, 1979, No. 5942, regarding the definitions and location of retail stores, drug stores, small-scale drug stores and methadone dispensaries and a date be set for Public Hearing (Appendix IV).
2. a By-law be introduced to amend Comprehensive Development By-law No. 11151, as amended, and a date be set for Public Hearing (Appendix III).
3. a By-law be introduced to rezone the subject site from "Comprehensive Development Zone (CD)" (Surrey Zoning By-law, 1979, No. 5942, Amendment By-law, 1991, No. 11151, Amendment By-law, 2001, No. 14423, Amendment By-law, 2008, No. 16560) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix II).
4. Council instruct staff to resolve the following issue prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Vacant commercial building, formerly used as a restaurant.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP/NCP Designation</b>		<b>Existing Zone</b>
North:	Two-storey neighbourhood commercial building.	Town Centre	Community Commercial	CD (By-law No. 16561)
East (Across 160 St.)	Surrey Chinese Baptist Church and mobile home park.	Town Centre	Community Commercial	PA-1 and RM-M
South:	Drive-through restaurant.	Town Centre	Community Commercial	CD (By-law Nos. 11151, 14423 & 16560)

Direction	Existing Use	OCP/NCP Designation		Existing Zone
West:	Two single-storey neighbourhood commercial buildings.	Town Centre	Community Commercial	CD (By-law Nos. 11151, 14423 & 16560)

## DEVELOPMENT CONSIDERATIONS

### Background

- The subject site is approximately 0.5 acre (1,966 square metres) in size and is located on the west side of 160 Street, north of Fraser Highway in Fleetwood. The site is designated Town Centre in the Official Community Plan (OCP), Community Commercial in the Fleetwood Town Centre Plan, and is zoned Comprehensive Development (CD) By-law No. 11151 as amended by By-law Nos. 14423 and 16560.
- This property was rezoned to Comprehensive Development (By-law No. 11151) in 1992 under File No. 5688-0230-00 as part of a larger 1.57-hectare (3.88-acre) development site comprised of five separate lots. The overall site was to be developed as a service commercial centre in combination with highway commercial uses, a self-serve gasoline station and a convenience store.
- The subject site remained vacant until July 26, 1999 when Council approved Development Permit No. 7999-0115-00 to allow the construction of three commercial buildings totalling 1,655 sq.m. (17,814 sq.ft.) for retail commercial uses and a restaurant (one 1-storey free-standing restaurant on the subject site, and two 1-storey commercial buildings at 15951 Fraser Highway).
- In 2001, Development Permit No. 7901-0088-00 was issued for a Petro-Canada gasoline station at the corner of Fraser Highway and 160 Street. In 2003, Development Permit No. 7901-0237-00 was issued for a two-storey commercial building at 15955 Fraser Highway.
- On June 18, 2001, CD By-law No. 11151 was amended by By-law No. 14423, however, it did not affect the subject lot.
- On February 2, 2008, CD By-law No. 11151 was further amended by By-law No. 16560, however, it too did not affect the subject lot.
- The existing building is currently vacant, and was most recently occupied by The Pantry Restaurant. The prospective owner would like to adapt the building for medical offices, a small-scale drug store, and a coffee shop.
- As a result, the applicant is proposing to rezone the site in order to accommodate general office uses, general retail uses, and eating establishments.

### Current Proposal

- The applicant is proposing to rezone the subject site from Comprehensive Development (CD) (By-law No. 11151 as amended by By-law Nos. 14423 and 16560) to a new Comprehensive Development (CD) in order to:
  - allow a wide range of office and retail uses, including a small-scale drug store; and
  - delete some existing highway-oriented commercial uses that are permitted under the existing CD By-law.
- The proposed rezoning supports the Fleetwood Town Centre Plan which prescribes a pedestrian-oriented vibrant centre, rather than a continuation of the auto-oriented commercial strip development that has historically characterized Fraser Highway through the core of the Town Centre.
- The properties located at the northwest corner of Fraser Highway and 160 Street are designated Community Commercial in the Fleetwood Town Centre Plan. Higher order pedestrian-oriented commercial uses and mixed-use commercial/multiple residential developments are envisioned in this area.
- The current CD By-law for the subject site reflects highway-oriented commercial uses and as such, does not focus on community commercial uses that would encourage a pedestrian-oriented environment.

### Proposed CD By-law (Appendix II)

- The proposed CD By-law is based on the requirements of the Community Commercial Zone (C-8) Zone.
- The proposed CD By-law restricts the uses permitted on the site to the following:
  - Retail stores excluding adult entertainment stores, auction houses and secondhand stores and pawnshops;
  - Personal service uses excluding body rub parlours;
  - Eating establishments excluding drive-through restaurants;
  - Office uses excluding social escort services and methadone clinics;
  - General service uses excluding funeral parlours, drive-through banks and vehicle rentals;
  - Community services;
  - Indoor recreational facilities; and
  - Child care centres.
- The existing CD By-law currently permits a liquor store, drive-through restaurant, drive-through bank, and wholesale and industrial uses, which are not proposed in the new CD By-law.
- The proposed CD By-law permits minimum building setbacks permitted under the original CD Zone as follows:
  - 0 metre (0 ft.) or not less than 3.0 metres (10 ft) from the north property line;

- 0 metre (0 ft.) or not less than 3.0 metres (10 ft) from the south property line;
  - 7.5 metres (25 ft.) from the west property line; and
  - 7.5 metres (25 ft.) from the east property line.
- The current CD By-law permits a maximum building height of 9.0 metres (30 ft.), and the current building is 8.05 metres (26 ft.) in height. The proposed CD Zone will maintain the maximum building height of 9.0 metres (30 ft.).
  - The current CD Zoning (By-law 11151, as amended) permits a maximum FAR of 1.0. The proposed CD By-law permits a maximum floor area ratio (FAR) of 0.80 to correspond to the C-8 Zone and the current 0.2 FAR on the site. The applicant has agreed to the decreased density.
  - The subject site has 30 parking stalls, which meets the number of parking stalls required for the proposed new uses. Furthermore, there is an easement agreement between the subject site and the other sites within Fleetwood Plaza to help meet the parking needs of this shopping centre.
  - Due to a recent amendment (Corporate Report No R200), Surrey Zoning By-law, 1993, No. 12000 does not permit a small-scale drug store to be located within 400 metres of another small-scale drug store, drug store, or methadone dispensary. There is one small-scale drug store and one drug store located within 400 metres of the subject site. The proposed CD By-law will specifically permit a small-scale drug store to be located within 400 metres of another small-scale drug store, drug store, or methadone clinic.
  - The current CD By-law that regulates this site permits a drug store at this location.
  - That applicant does not intend to open a methadone dispensary at this location.
  - Staff feel that this development application is consistent with the intent of the recent amendments to the Surrey Zoning By-law, 1993, No. 12000, to avoid a concentration of methadone dispensaries in a small geographic area, and that permitting a small-scale drug store at this location will not create an over-abundance of drug stores within the Fleetwood Town Centre.

#### Proposed Amendments to CD By-law No. 11151 (Appendix III)

- Development on the subject site is regulated by the requirements of the Comprehensive Development (CD) By-law No. 11151, as amended by By-law Nos. 14423 and 16560.
- This By-law, as amended regulates three other properties in addition to the subject property.
- In order to permit general office and retail uses on the subject site, it is necessary to rezone the subject property to a new CD Zone and amend the existing CD By-law to remove the reference to Block 3, the subject site. The by-law amendments are detailed in Appendix III.

#### Proposed Surrey Zoning By-law, 1979, No. 5942 Text Amendment (Appendix IV)

- On September 8, 2008, Council adopted amendments to the Surrey Zoning By-law, 1993, No. 12000, in order to better regulate drug stores, small-scale drug stores, and methadone dispensaries. Amendments included new definitions for "drug-stores", "small-scale drug stores",

and "methadone dispensaries", and restricted small-scale drug stores from being located within 400 metres (1/4 mile) of another small-scale drug store or drug store.

- On October 20, 2008, Council adopted housekeeping amendments to the Surrey Zoning By-law 1993, No. 12000, in relation to the definitions of "retail store", "drug store", "small-scale drug store" and "methadone dispensary".
- To ensure consistency between Surrey Zoning By-law 1993, No. 12000, and Surrey Zoning By-law 1979, No. 5942, it is recommended that similar amendments be made to Surrey Zoning By-law 1979, No. 5942, with respect to "retail stores", "drug-stores", "small-scale drug stores", and "methadone dispensaries". The proposed amendments have been reviewed by the Assistant City Solicitor and found satisfactory (Appendix IV).

### PRE-NOTIFICATION

Pre-notification letters were sent on September 18, 2008 and staff received no responses.

### DESIGN PROPOSAL AND REVIEW

- The applicant is proposing to construct an additional set of exterior doors on the west face of the existing building. The doors are comprised of glazing and metal trim and complement the existing design of the building.
- The applicant is also proposing to construct an additional sidewalk along the south face of the building to provide pedestrian access to the existing patio and proposed coffee shop located off the east face of the building. The sidewalk will be gently-sloped and integrated into the existing landscaping of the site.
- Due to the minor nature of the exterior renovations, a Development Permit is not required.

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Proposed CD By-law
Appendix III.	Proposed Amendments to the Existing CD By-law
Appendix IV.	Proposed Amendments to Surrey Zoning By-law, 1979, No. 5942

Jean Lamontagne  
General Manager  
Planning and Development

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Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:      Name:                      Gordon Easton, Colliers International  
                         Address:                      Suite 1910, Granville Square  
                                                              200 Granville Street  
                                                              Vancouver, BC V6C 2R6  
                         Tel:                                      604-662-2642

2.      Properties involved in the Application

(a)      Civic Address:                      8585 - 160 Street

(b)      Civic Address:                      8585 - 160 Street  
                         Owner:                                      Wescana Pharmacy Ltd., Inc. No. 246392  
                         PID:    016-622-081  
                         Lot 1 Section 26 Township 2 New Westminster District Plan 87182

3.      Summary of Actions for City Clerk's Office

(a)      Introduce a By-law to amend Surrey Zoning By-law, 1979, No. 5942.

(b)      Introduce a By-law to rezone the property.

(c)      Introduce a By-law to amend CD By-law No. 11151 as amended by By-law Nos. 14423 and 16560.



## DEVELOPMENT DATA SHEET

**Proposed Zoning: CD (based on C-8)**

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		1,970 m <sup>2</sup>
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures	50%	19.6%
Paved & Hard Surfaced Areas		62%
Total Site Coverage		81.6%
<b>SETBACKS</b> ( in metres)		
Front	7.5 m	7.5 m
Rear	7.5 m	27.5 m
Side #1 (North)	0 or 3 m	3.0 m
Side #2 (South)	0 or 3 m	12.2 m
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	9.0 m	8.05 m
Accessory	4.5 m	n/a
<b>NUMBER OF RESIDENTIAL UNITS</b>		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total	n/a	n/a
<b>FLOOR AREA: Residential</b>		
<b>FLOOR AREA: Commercial</b>		
Retail		
Office		
Total	1,970 m <sup>2</sup>	386 m <sup>2</sup>
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>	1,970 m <sup>2</sup>	386 m <sup>2</sup>

*\* If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

## Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)	0.8	0.196
AMENITY SPACE (area in square metres)	n/a	n/a
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	29	30
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	29	30
Number of disabled stalls	1	1
Number of small cars	6	2
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length	n/a	n/a

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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