



Corporate NO: R198

Report COUNCIL DATE: October 7, 2002

REGULAR COUNCIL			
TO:	Mayor & Council	DATE:	September 19, 2002
FROM:	City Solicitor	FILE:	3900-20-12000
SUBJECT:	Methadone Dispensing		

RECOMMENDATION

1. That Council amend Zoning By-law, 1993, No. 12000 as set out in Appendix "A":
 - (a) to include a new definition of "*methadone dispensary*", and
 - (b) to exclude methadone dispensaries from the definition of "*Retail Store*".
2. That Council amend the Business License By-law, 1999, No. 13680 as set out in Appendix "B":
 - (a) to impose a business license fee of \$10,000.

INTENT

In keeping with Council's general approach of improving the quality and safety of City neighbourhoods, the intent of this report is to control the proliferation and concentration of stand alone methadone dispensaries.

BACKGROUND

The Public Safety Committee at its meeting of September 11, 2002 adopted the following resolution:

The Public Safety Committee would recommend Council instruct the City Solicitor bring forward a Corporate Report regarding methadone dispensaries and the following amendments to Business License By-law, 1999, No. 13680:

1. *limitation on the number of primary methadone dispensaries; and*

- 2. increase in the business license fee for methadone dispensaries to cover the additional costs of policing.*

DISCUSSION

In the area bounded by 104 Avenue to 108 Avenue (400 – 13600 Block) shown on the maps attached as Appendix "C", there are now located at least four store fronts whose principal purpose is the dispensing of methadone.

These businesses have proliferated to an unacceptable level of concentration in the north Whalley City Centre neighbourhood contributing to its social and economic stress. Existing businesses are negatively impacted as exhibited by the commercial vacancies in the neighbourhood. Their concentrated presence also inhibits the re-development of the City Centre.

The concentration of methadone dispensaries has also contributed to the need for increased expenditures for police and by-law enforcement staff in the neighbourhood. This report recommends a new business license fee of \$10,000 on existing methadone dispensaries to help defray the added police and by-law enforcement costs that are imposed over the wider catchment area impacted by these dispensaries. The increased business license fee will also contribute to the costs of dealing with the follow-up consequential neighbourhood impacts resulting from the use of these facilities.

This by-law will not apply to prevent full service pharmacies or drug stores from filling methadone prescriptions. The existing methadone dispensaries will remain as legal non-conforming uses at their existing locations, however they will lose this protection if they close or attempt to relocate.

CONCLUSION

The proposed by-law amendments are designed to control the proliferation and concentration of methadone dispensaries in a neighbourhood that is undergoing positive social and economic change. The by-law amendments will not apply to full service drug stores or pharmacies. The increased business license fee on these dispensaries is designed to defray a part of the increased police and by-law enforcement costs that has resulted from rampant drug abuse in the neighbourhood.

CRAIG MacFARLANE

City Solicitor

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APPENDIX "A"

Proposed Zoning By-law Amendments

It is recommended that Surrey Zoning By-law, 1993, No. 12000, as amended, be further amended as follows:

1. That Part 1 Definitions be amended as follows:

- Insert the following definition for "Methadone Dispensary" after "Methadone Clinic" and before "Mink Farm":

"Methadone Dispensary

means the business of selling or filling methadone prescriptions for customers as the primary purpose of the business, but excludes a drug store or pharmacy that fills a broad range of prescriptions and devotes at least 65% of its *gross floor area* to the display and sale of health and beauty products and general merchandise."

- Amend the definition of "Retail Store" by inserting "and *methadone dispensaries*" after "and rentals".

APPENDIX "B"

CITY OF SURREY

BY-LAW NO. 14822

A by-law to amend the provisions of "Business License By-law, 1999, No. 13680"

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The Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. Schedule "A" of Business License By-law, 1999, No. 13680 is hereby amended by adding a new category as follows:

Methadone Dispensary	\$10,000.00	per year
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2. The By-law shall be cited for all purposes as Business License By-law, 1999, No. 13688, Amendment By-law 2002, No. 14822.