

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7920-0194-00

Planning Report Date: November 9, 2020

PROPOSAL:

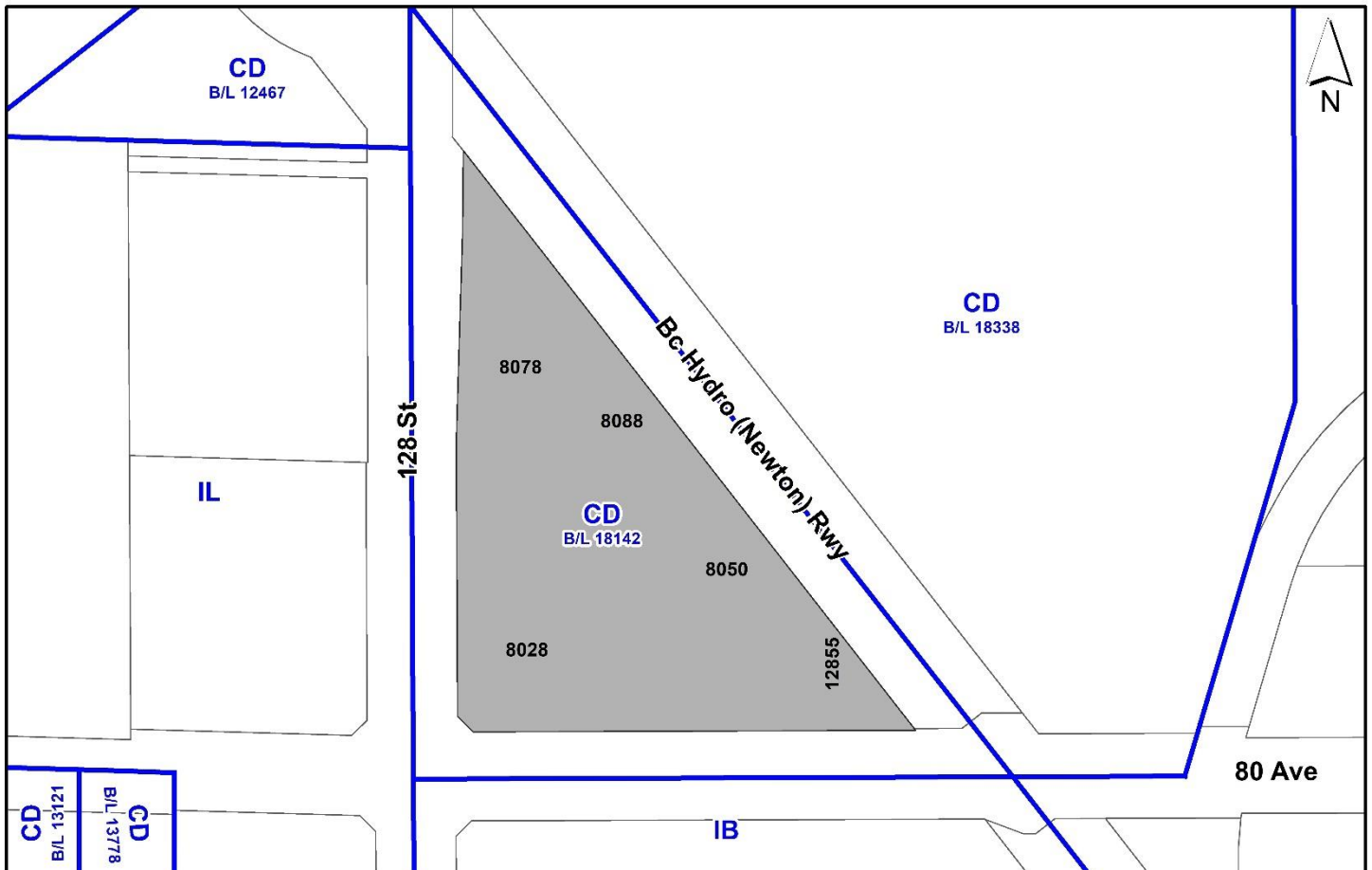
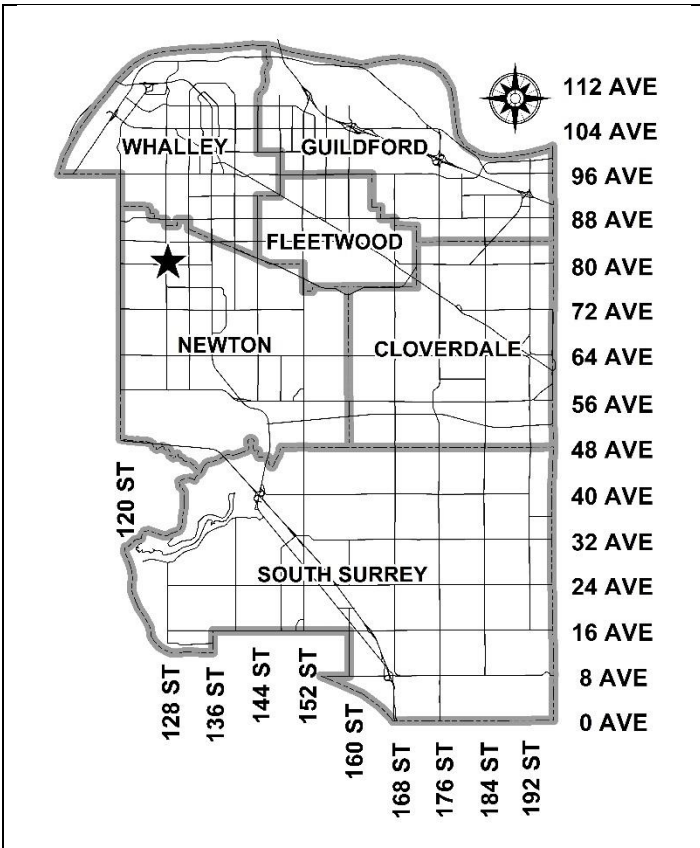
- **Development Variance Permit**

to reduce the minimum 400 metre separation distance between a small-scale drug store and an existing drug store and to reduce the on-site parking rate.

LOCATION: 8050 - 128 Street

ZONING: CD Zone (By-law No. 18142)

OCP DESIGNATION: Mixed Employment



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking a variance to reduce the minimum 400 metre separation distance between a proposed small-scale drug store and an existing drug store; and
- Seeking a variance to reduce the rate by 10% at which the number of on-site parking spaces is calculated for specific uses.

RATIONALE OF RECOMMENDATION

- The small-scale drug store will be operated in conjunction with a medical clinic, located within the same commercial unit.
- For recent similar proposals, Council has been receptive to small-scale drug stores that operate in conjunction with a medical office or clinic located in 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 and have the same operating hours as the medical clinic.
- The proposed small-scale drug store and medical clinic are permitted uses under the current CD Zone (By-law No. 18142) of the property.
- As part of the application review process, City staff reviewed the on-site parking numbers to ensure there was sufficient parking for all the existing and proposed uses on the site. It was determined that with the addition of the proposed small-scale drug store and associated medical clinic, the site would require 241 on-site parking stalls, resulting in a shortfall of 19 stalls from the 222 approved under Development Permit No. 7913-0047-00.
- Engineering (Transportation Planning) staff reviewed the application and support the proposed 10% reduction in the rate used to calculate the required on-site parking spaces for retail, office, medical office, personal service, and general service uses, taking into consideration shared vehicle trips.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7920-0194-00 (Appendix I), varying the following, to proceed to Public Notification:
 - (a) reduce the minimum separation distance required under Section E.28 of Part 4 General Provisions of Zoning By-law No. 12000 between drug stores, small-scale drug stores, or methadone dispensaries from 400 metres to 30 metres to permit a small-scale drug store at 8050 – 128 Street; and
 - (b) reduce the rate by 10% at which on-site parking spaces are calculated for retail, office, medical office, personal service, and general service uses under Section C.1 of Part 5 Off-Street Parking and Loading/Unloading of Zoning By-law No. 12000.
2. Council instruct staff to resolve the following issues prior to Development Variance Permit issuance:
 - (a) that a Section 219 Restrictive Covenant be registered on title requiring that any small-scale drug store must operate in conjunction with a medical clinic or medical office, have the same hours of operation as the medical clinic or medical office, and be limited in size to a maximum of 75.0 square metres.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Multi-tenant Commercial Complex	Mixed Employment	CD Zone (By-law No. 18142)
North:	BC Hydro (Newton) Railway	Mixed Employment	CD Zone (By-law No. 18142 & 18338)
East:	BC Hydro (Newton) Railway	Mixed Employment	CD Zone (By-law No. 18142 & 18338)
South (Across 80 Avenue):	Multi-tenant Commercial Complex	Mixed Employment	IB
West (Across 128 Street):	Light Industrial Businesses	Mixed Employment	IL

Context & Background

- The subject site, located at 8050 – 128 Street, is a multi-tenant commercial complex with uses such as retail stores, professional offices, and banking services. It is designated "Mixed Employment" in the Official Community Plan and zoned "CD Zone (By-law No. 18142)".
- The proposed small-scale drug store is a permitted use in the CD Zone.

- Under previous Development Application No. 7913-0047-00, 222 on-site parking spaces were proposed and ultimately constructed as part of the Development Permit. The property is currently under-parked, with 241 on-site parking spaces required in order to accommodate all the current and proposed uses on the site, leading to a shortfall of 19 spaces.

DEVELOPMENT PROPOSAL

Planning Considerations

Small-scale Drug Store Separation Variance:

- The applicant is proposing to reduce the minimum 400 metre separation distance between a proposed small-scale drug store and an existing drug store. The proposed small-scale drug store will occupy approximately 75 square metres floor space. It will be operated in conjunction with a medical clinic of approximately 162 square metres, located within the same commercial unit.
- The proposed small-scale drug store is primarily intended to serve the clients from the associated medical clinic.
- 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 which will fill a broad range of pharmaceutical prescriptions and excludes a *methadone dispensary*".
- While the CD Zone for the property 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 of an existing drug store, small-scale drug store, or methadone clinic.
- Currently, there is one existing drug store / small-scale drug store within 400 metres of the proposed small-scale drug store. This is listed in the following table, and shown on Schedule A in Appendix I.

Existing Drug Store	Address	Distance from 8050 - 128 Street
People's Pharmacy	8138 - 128 Street	30 metres

Parking Variance:

- Under Development Application No. 7913-0047-00, which was approved by Council on November 3, 2014, the Development Permit required 222 on-site parking spaces. Based on a detailed parking calculation by City staff which reflects the total floor area by individual land use currently occupying the units on the site, the minimum on-site parking required is 241 spaces.

- The applicant is proposing to reduce the rate by 10% at which on-site parking spaces are calculated for retail, office, medical office, personal service, and general service uses. The 10% reduction takes into consideration shared vehicle trips, where visitors to the property will visit more than one business during their visit and will thus use less spaces. The following table outlines the existing By-law rate and the 10% relaxation rate.

Use	Bylaw Rate (per 100m ²)	10% Relaxation Rate (per 100m ²)
Retail	2.75 (unit is less than 372m ²)	2.5 per 100m ² (unit is less than 372m ²)
Office	2.5	2.3
Medical Office	3.5	3.2
Personal Services	3	2.7
General Services	3	2.7

- Using the 10% relaxation on the five above noted uses in the CD Zone, the total number of required on-site parking spaces equals to 222, matching the provided number of on-site parking spaces..

Referrals

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

Surrey Bylaws & Licensing Services: No concerns.

POLICY & BY-LAW CONSIDERATIONS

Variances

- The applicant is requesting the following variances:
 - To reduce the minimum separation distance between drug stores, small-scale drug stores, or methadone dispensaries from 400 metres to 30 metres to permit a small-scale drug store at 8050 – 128 Street; and
 - To reduce the rate by 10% at which on-site parking spaces are calculated for retail, office, medical office, personal service, and general service uses under the CD Zone (By-law No. 18142).
- The proposed small-scale drug store will operate in conjunction with a medical clinic or medical office and be located within the same commercial unit.
- A Section 219 Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with and have the same operating hours as a medical clinic or medical office.

- The applicant is proposing to reduce the rate by 10% at which on-site parking spaces are calculated for retail, office, medical office, personal service, and general service uses. The 10% reduction takes into consideration shared vehicle trips, where visitors to the property will visit more than one business during their visit and will thus use less spaces.
- Engineering (Transportation Planning) staff reviewed the application and support the proposed reduction in on-site parking spaces.
- The reduction is consistent with the Institute of Transportation Engineers (ITE) Parking Generation rates for a small shopping centre, which is similar to the existing conditions of the subject property (Little India Plaza).
- Staff support the requested variances to proceed for consideration.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Development Variance Permit No. 7920-0194-00

approved by Shawn Low

Jean Lamontagne
General Manager
Planning and Development

DZ/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0194-00

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: 029-889-561

Strata Lot 73 Section 29 Township 2 New Westminster District Strata Plan EPS3657
 Together with an Interest in the Common Property in Proportion to the Unit Entitlement
 of the Strata Lot as Shown on Form V

8050 – 128 Street

(the "Land")

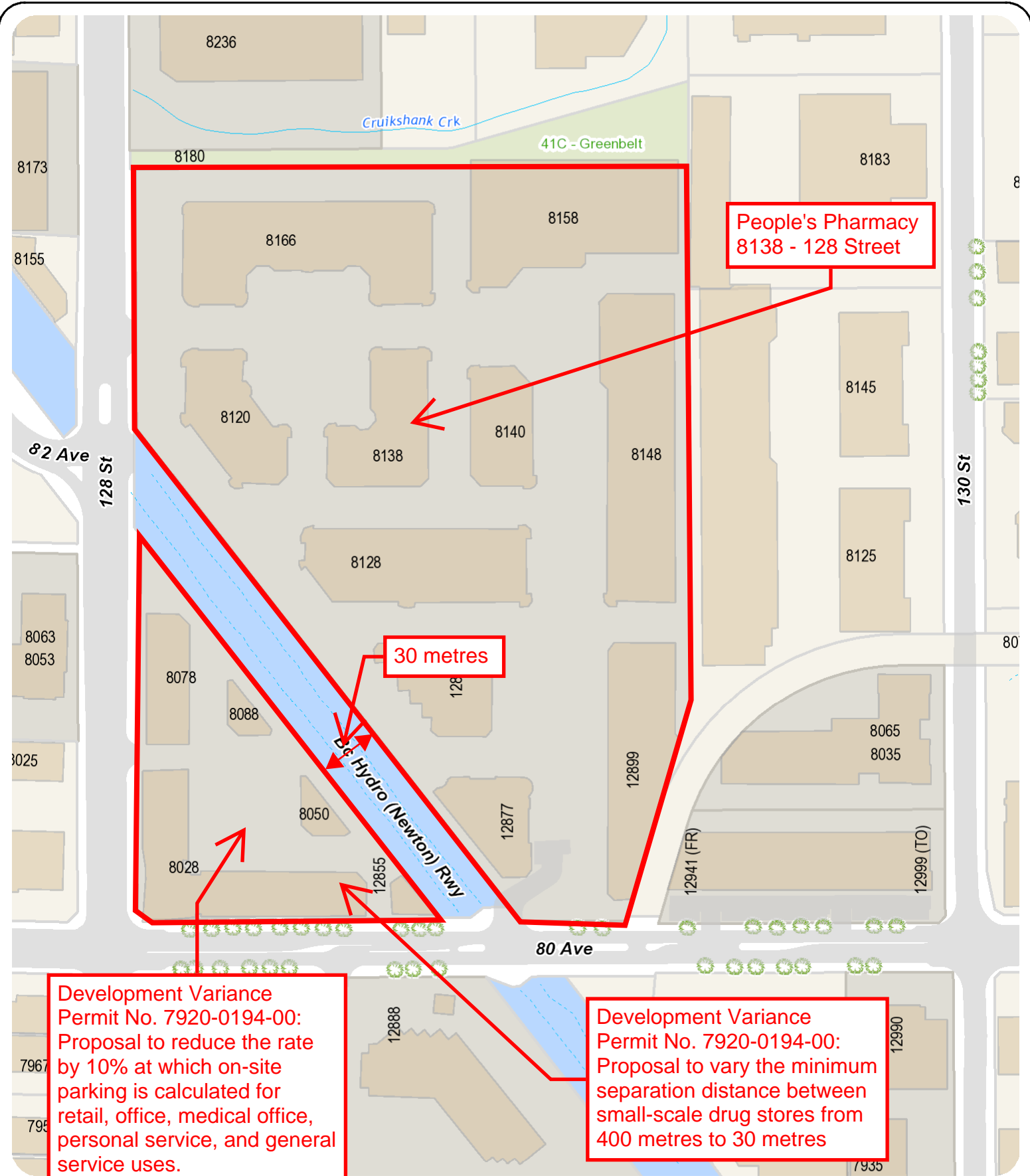
3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section E.28 of Part 4, General Provisions, the minimum separation distance from the lot line between drug stores, small-scale drug stores, or methadone dispensaries is reduced from 400 metres to 30 metres to permit a small-scale drug store on the Land.
 - (b) In Section C.1 of Part 5 Off-Street Parking and Loading/Unloading, the rate at which required on-site parking spaces are calculated is reduced by 10% for retail, office, medical office, personal service, and general service uses.
4. This development variance permit applies to only the 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



Development Variance Permit No. 7920-0194-00: Proposal to reduce the rate by 10% at which on-site parking is calculated for retail, office, medical office, personal service, and general service uses.

Development Variance Permit No. 7920-0194-00: Proposal to vary the minimum separation distance between small-scale drug stores from 400 metres to 30 metres

Scale: 1:2,435

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

