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TO: **City Clerk, Legislative Services Division**

FROM: **Manager, Area Planning & Development – North Division  
Planning & Development Department**

DATE: **October 19, 2020** FILE: **7920-0202-00**

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RE: **Item B.2 October 19, 2020 Regular Council – Land Use Meeting  
Corrections to Planning Report**

Development Application No. 7920-0202-00 is proceeding to Council for introduction at the October 19, 2020 Regular Council – Land Use meeting as Item B.2 on the Agenda.

The building address in the planning report and in the Development Variance Permit should read 10334 152A Street instead of 10304 152A Street.

Replacement pages with the errors struck through with replacement text have been included with this memo.



Ron Gill  
Manager  
Area Planning & Development – North Division

DQ1

CLERKS DEPT.  
OCT 19, 2020  
7920-0202-00  
B.2 RCLU Oct 19, 20

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

Application No.: 7920-0202-00

Planning Report Date: October 19, 2020

**PROPOSAL:**

- **Development Variance Permit**

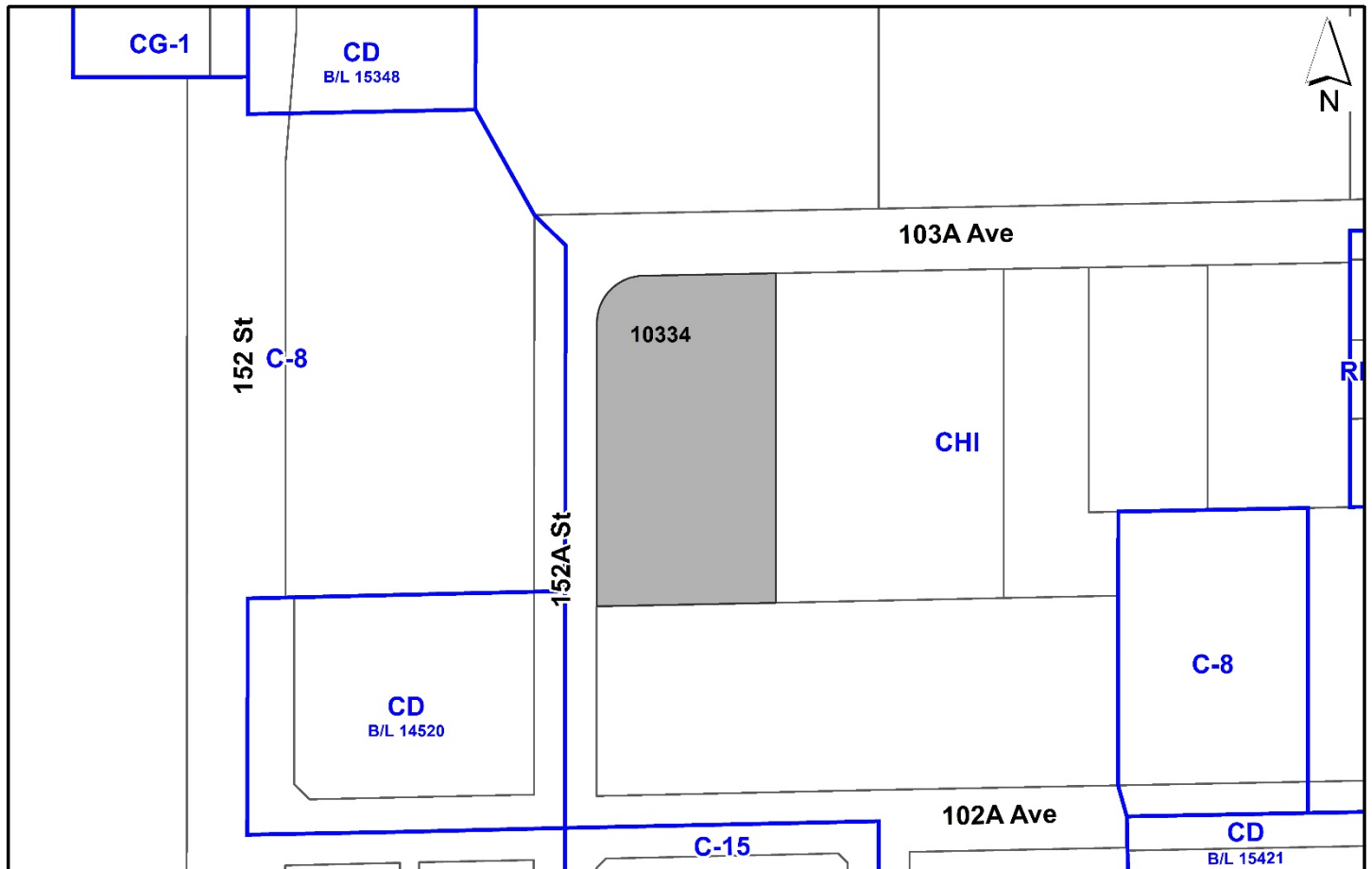
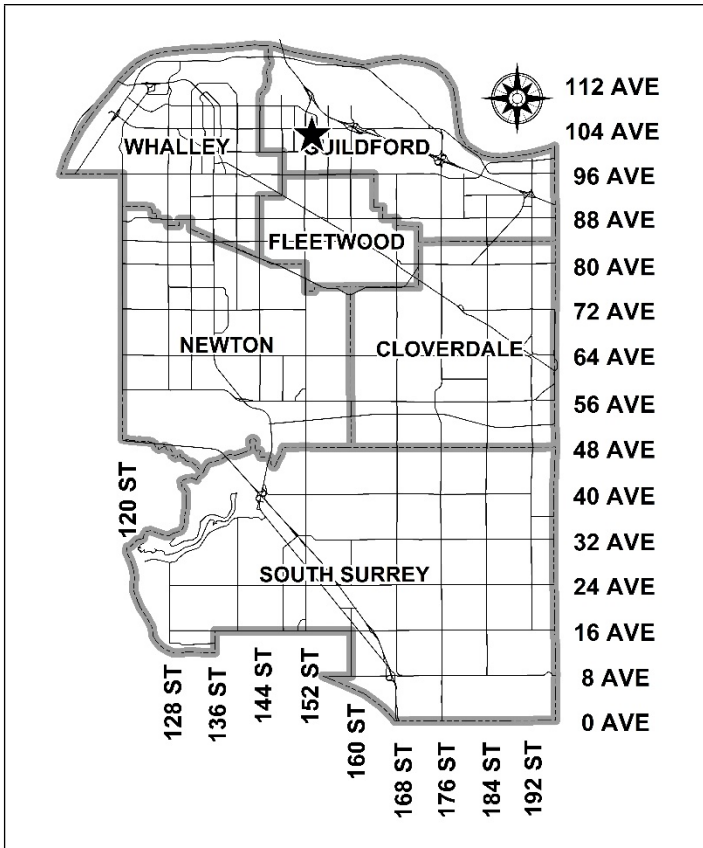
to reduce the minimum 400-metre separation requirement between a proposed small-scale drug store and other existing drug stores.

**LOCATION:** ~~10304~~ 10334 - 152A Street

**ZONING:** LUC<sub>342</sub>

**OCP DESIGNATION:** Town Centre

**TCP DESIGNATION:** Mid to High Rise Apartments



## RECOMMENDATION SUMMARY

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

## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to reduce the 400 metre separation requirement of the Zoning Bylaw between a proposed small-scale drug store and other existing drug stores.

## RATIONALE OF RECOMMENDATION

- The proposed small-scale drug store is to be located in an existing multi-tenant commercial building at Unit 105 - ~~10304~~ 10334 152A Street. It will be operated in conjunction with a medical clinic expansion. The main medical clinic is located in Unit 305 of the same building.
- Council has previously expressed concerns regarding the possible over-concentration of small stand-alone drug stores. However, Council has been receptive to small-scale drug stores that operate in conjunction with a medical office or clinic located within the same building.
- A Section 219 Restrictive Covenant will be registered on title to allow the small-scale drug store to operate only in conjunction with a medical clinic and having the same hours of operation as the medical clinic.
- The proposed small-scale drug store and medical clinic are permitted uses in LUC<sub>342</sub>.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7920-0202-00 (Appendix II) to vary the following:
  - (a) In Section E.28 of Part 4 General Provisions of the Zoning Bylaw No. 12000, the minimum separation requirement between drug stores, small-scale drug stores or methadone dispensaries is reduced from 400 metres to 200 metres to permit a small-scale drug store at ~~10304~~ 10334 152A Street, to proceed to Public Notification.
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 on site must operate in conjunction with a medical clinic / office, have the same hours of operation as the medical clinic / office, and be limited in size to 24.25 square metres.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	TCP Designation	Existing Zone
Subject Site	Multi-Tenant Commercial	Mid to High Rise Apartments	LUC <sub>342</sub> (underlying CHI)
North (Across 103A Avenue):	Automobile Dealership	Mid to High Rise Mixed Use	CHI
East:	Multi-Tenant Commercial	Mid to High Rise Apartments	LUC <sub>342</sub> (underlying CHI)
South:	ICBC Claims Centre	Mid to High Rise Apartments	CHI
West (Across 152A Street):	Multi-Tenant Commercial	Mid to High Rise Mixed Use	LUC <sub>342</sub> (underlying CHI)

## Referrals

- Engineering: The Engineering Department has no objection to the project.
- Surrey Fire Department: The Fire Department has no concerns about the proposal. Further review will be conducted at Building Permit stage.

## PLANNING CONSIDERATIONS

- The subject property, located at Unit 105 – ~~10304~~ 10334 152A Street, is designated "Town Centre" in the Official Community Plan, "Mid to High Rise Apartments" in the Guildford Town Centre Plan, and is regulated under Land Use Contract 342 ("LUC342"), with the "Highway Commercial Industrial Zone (CHI)" underlying.
- The applicant proposes a small-scale drug store, which will occupy roughly 24.25 square metres of retail floor space on the first floor of the building. It will be operated in conjunction with a medical clinic expansion of roughly 189.75 square metres located within the same commercial unit.
- The main medical clinic has operated in this location for a number of years. It specializes in the care of refugees and new immigrants. Over the years, the practice has grown considerably, necessitating the expansion of the clinic.
- The proposed small-scale drug store is primarily intended to serve the clients of the main medical clinic and the medical clinic expansion on the proposed site.
- With the expansion of the main medical clinic, the opportunity to dispense prescriptions onsite has become available. Many of the refugees and new immigrants face linguistic, cultural, and social barriers that limit their access to medications. With the medical clinic and drug store in the same building, access to prescriptions and medications will be better facilitated.

## POLICY & BYLAW CONSIDERATIONS

### Zoning Bylaw

- The applicant is requesting the following variances:
  - In Section E.28 of Part 4 General Provisions of the Zoning Bylaw No. 12000, the minimum separation requirement between drug stores, small-scale drug stores or methadone dispensaries is reduced from 400 metres to 200 metres to permit a small-scale drug store at Unit 105 – ~~10304~~ 10334 152A Street.
- The Zoning Bylaw 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 methadone dispensary".
- While both "LUC342" and the underlying CHI Zone allow small-scale drug stores as a permitted use, the General Provisions (Section E.28 of Part 4) of the Zoning Bylaw stipulate 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 are five (5) existing drug stores/ small-scale drug stores within the vicinity of the proposed small-scale drug store. These are listed in the following table, and each is shown on the map appended to the Development Variance Permit in Appendix II.

Existing Drug Store	Address	Distance from <del>10304</del> 10334 152A Street
Naz's Pharmacy	#17 - 15300 105 Avenue	225 metres
Coastal Care Pharmacy	#101 - 10183 152 Street	200 metres
Guildford Drugs	#200 - 15135 101 Avenue	374 metres
Walmart Pharmacy	1000 Guildford Town Centre Mall	527 metres
London Drugs Pharmacy	10355 152 Street in Guildford Town Centre Mall	335 metres

- The applicant is proposing a Development Variance Permit to reduce the minimum 400 metre separation requirement between the proposed small-scale drug store and existing drug stores to 200 metres.
- Staff support the requested variances to proceed for consideration.
- The applicant will be required to register a Section 219 Restrictive Covenant on title to:
  - Allow the small-scale drug store to operate only in conjunction with a medical clinic/ office located within the same building as the drug store;
  - Restrict the operating hours of the small-scale drug store to the same hours as the medical clinic/ office; and
  - Limit the size of the small-scale drug store to 24.25 square metres.
- The applicant has demonstrated that there are nine parking stalls on site to accommodate the proposed small-scale drug store and medical clinic.
- The applicant has advised staff that they do not intend to dispense methadone at this drug store.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

- Appendix I. Key Plan
- Appendix II. Development Variance Permit No. 7920-0202-00

*approved by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

DQ/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0202-00

Issued To:

Address of Owner:

Issued To:

Address of Owner:

(collectively referred to as the "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: 001-184-351

Lot 53 Section 28 Block 5 North Range 1 West New Westminster District Plan 58484

~~10304~~ 10334 - 152A 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 requirement from the lot lines between drug stores, small-scale drug stores, or methadone dispensaries is reduced from 400 metres to 200 metres to permit a small-scale drug store on the Land.
4. This development variance permit applies to only 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.

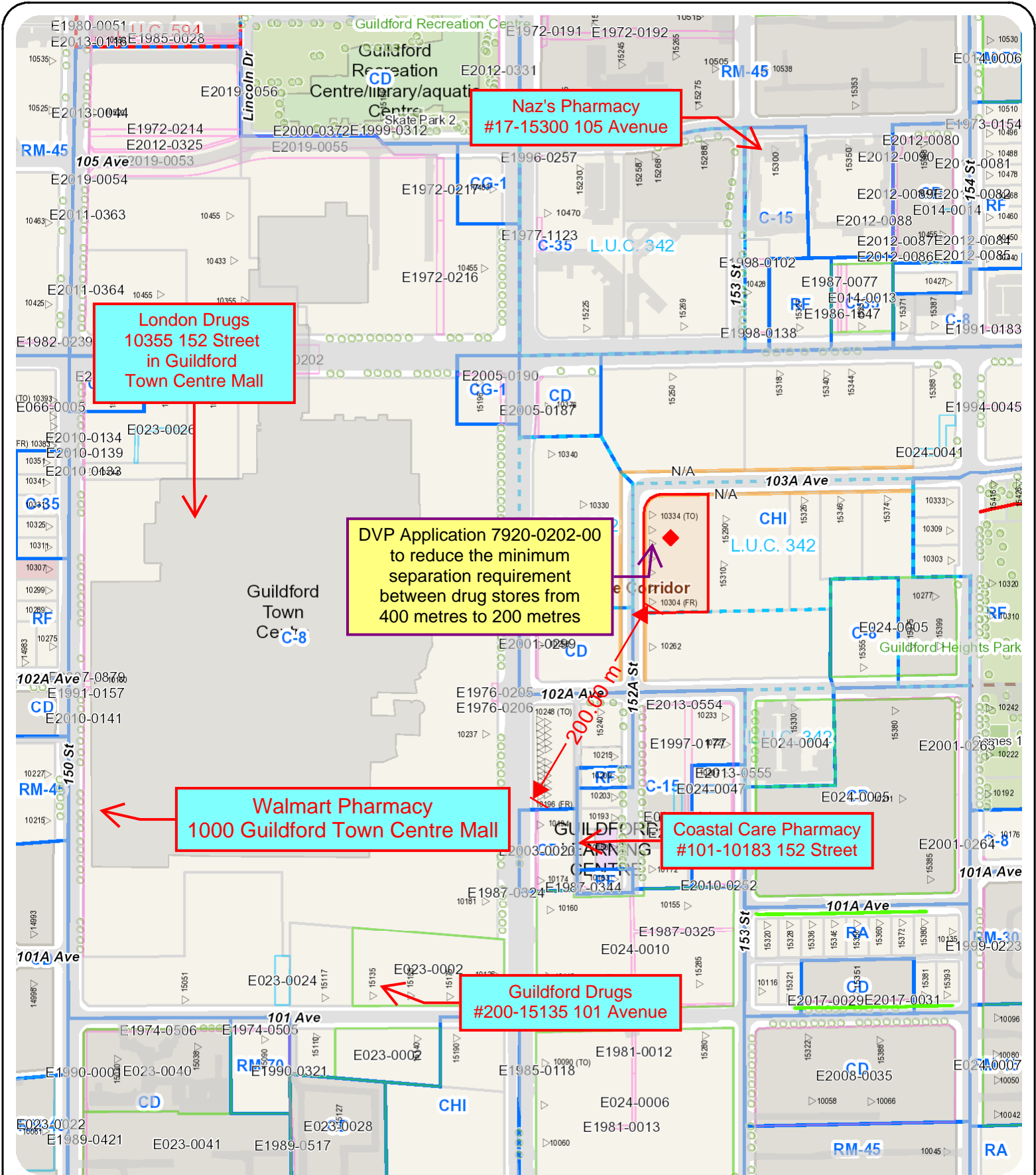
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
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Mayor – Doug McCallum

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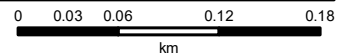
City Clerk – Jennifer Ficocelli



Existing drug stores and small-scale drug stores

Scale: 1:4,510

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City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

Application No.: 7920-0202-00

Planning Report Date: October 19, 2020

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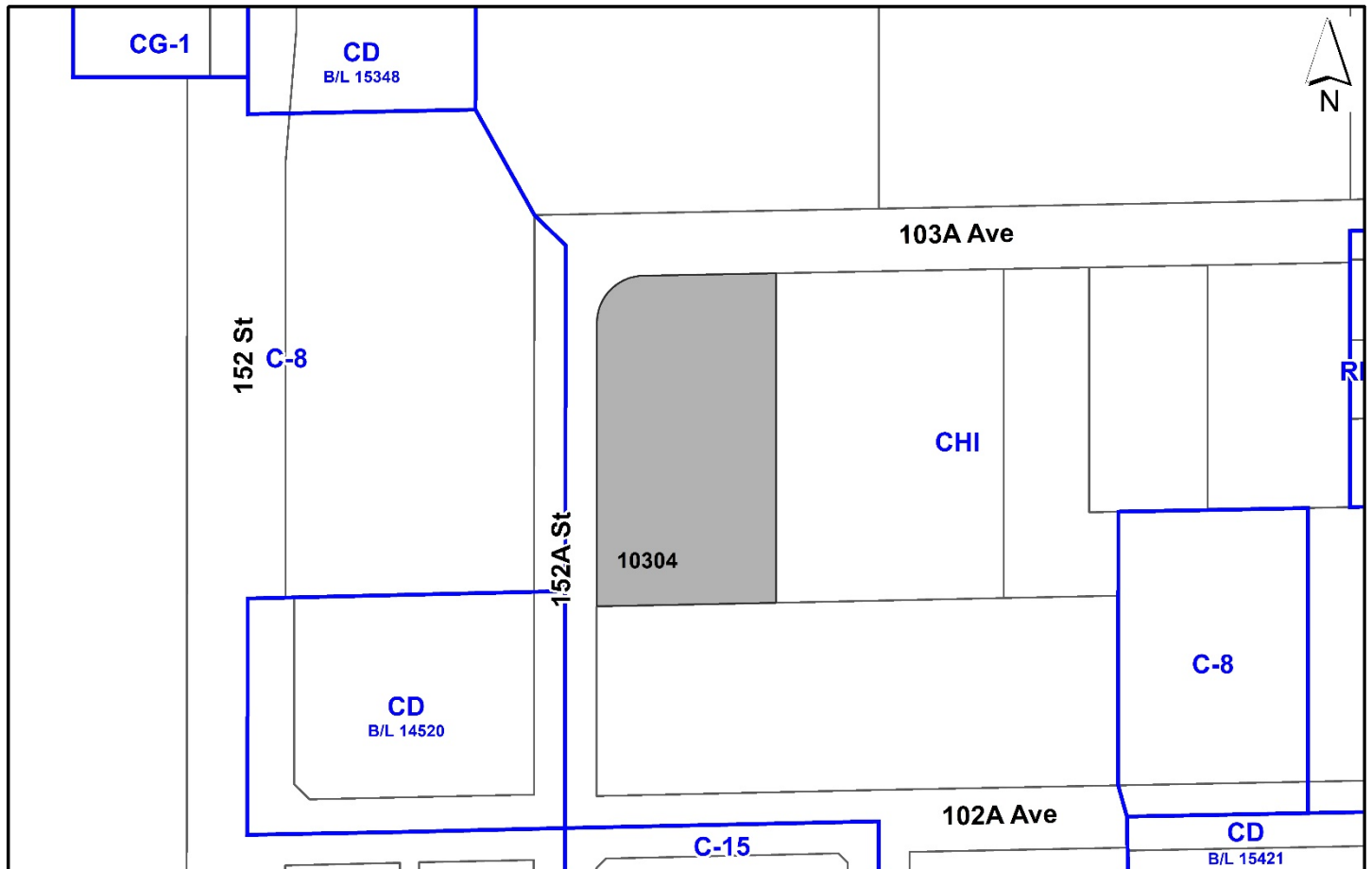
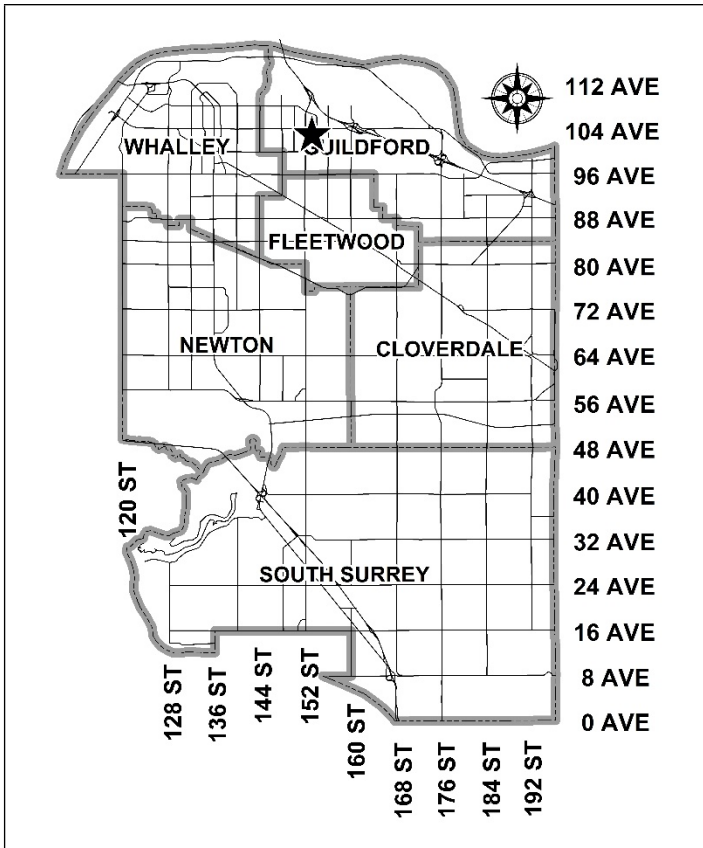
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**LOCATION:** 10304 - 152A Street

**ZONING:** LUC<sub>342</sub>

**OCP DESIGNATION:** Town Centre

**TCP DESIGNATION:** Mid to High Rise Apartments



**RECOMMENDATION SUMMARY**

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

**DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- The applicant is seeking to reduce the 400 metre separation requirement of the Zoning Bylaw between a proposed small-scale drug store and other existing drug stores.

**RATIONALE OF RECOMMENDATION**

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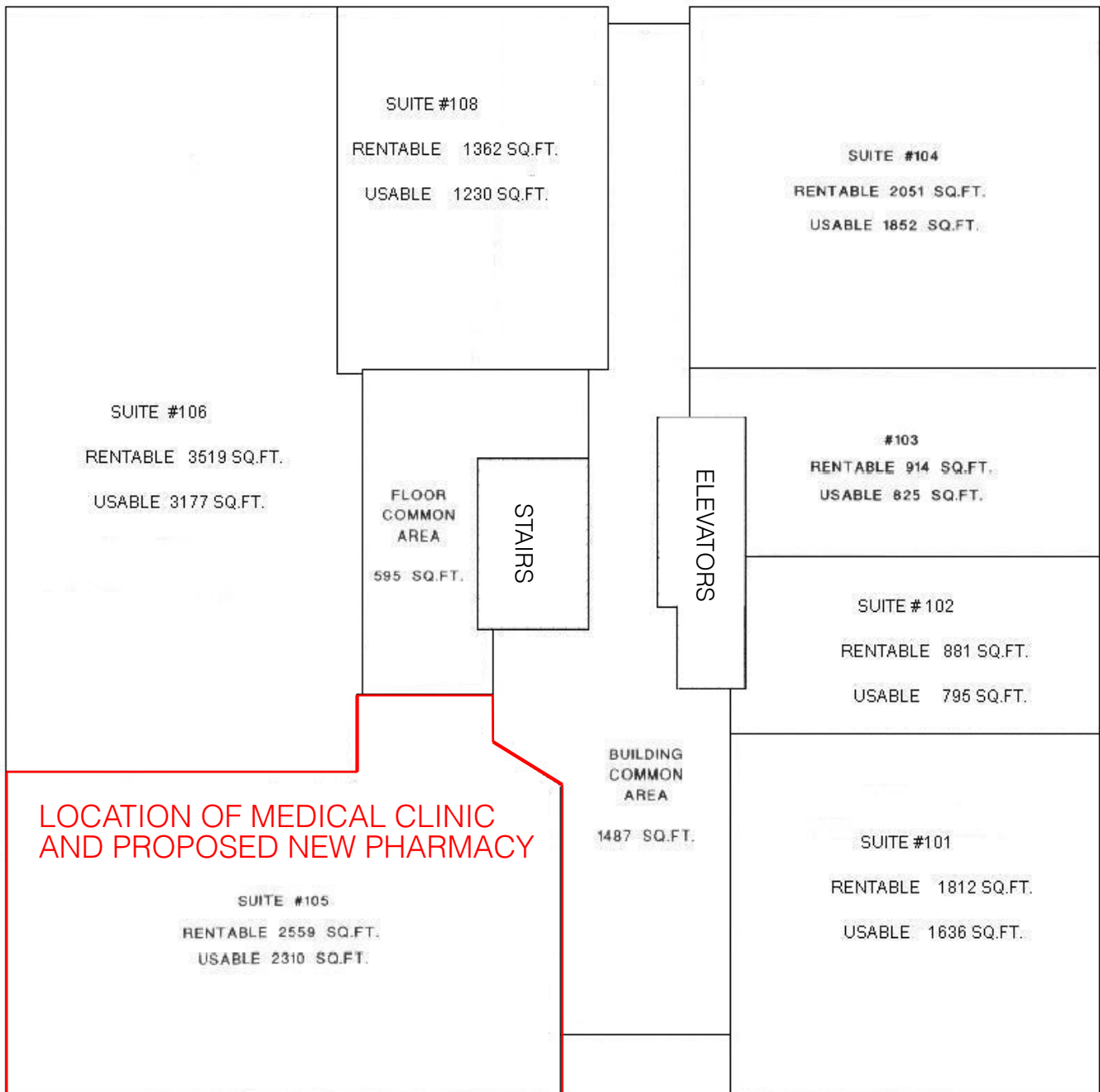
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*approved by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

DQ/cm





GUILDFORD COMMERCE COURT  
10334-152A ST.  
SURREY, B.C.

1ST FLOOR

(the "City")

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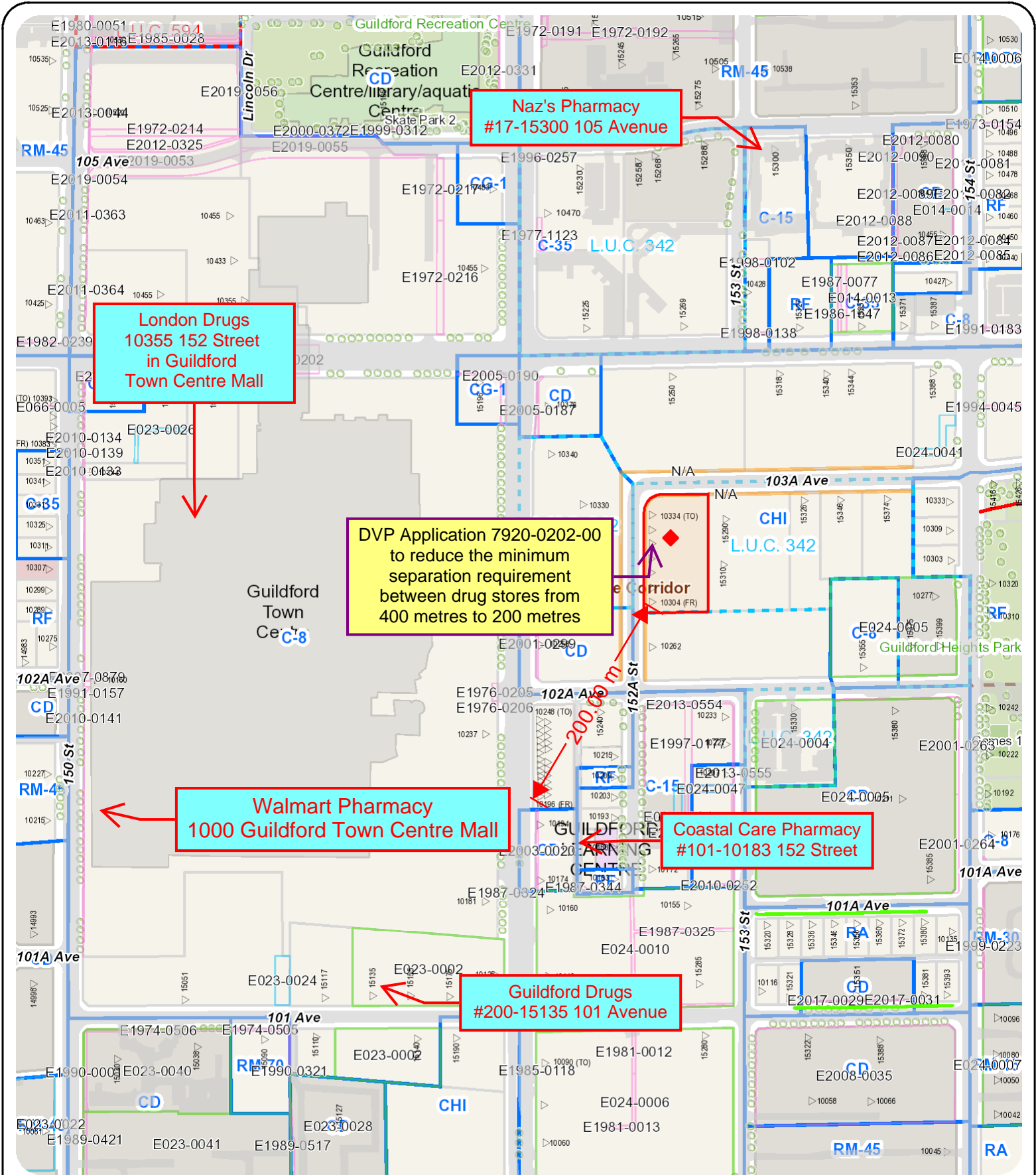
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Mayor – Doug McCallum

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