

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7920-0253-00

Planning Report Date: December 7, 2020

PROPOSAL:

- **Development Variance Permit**

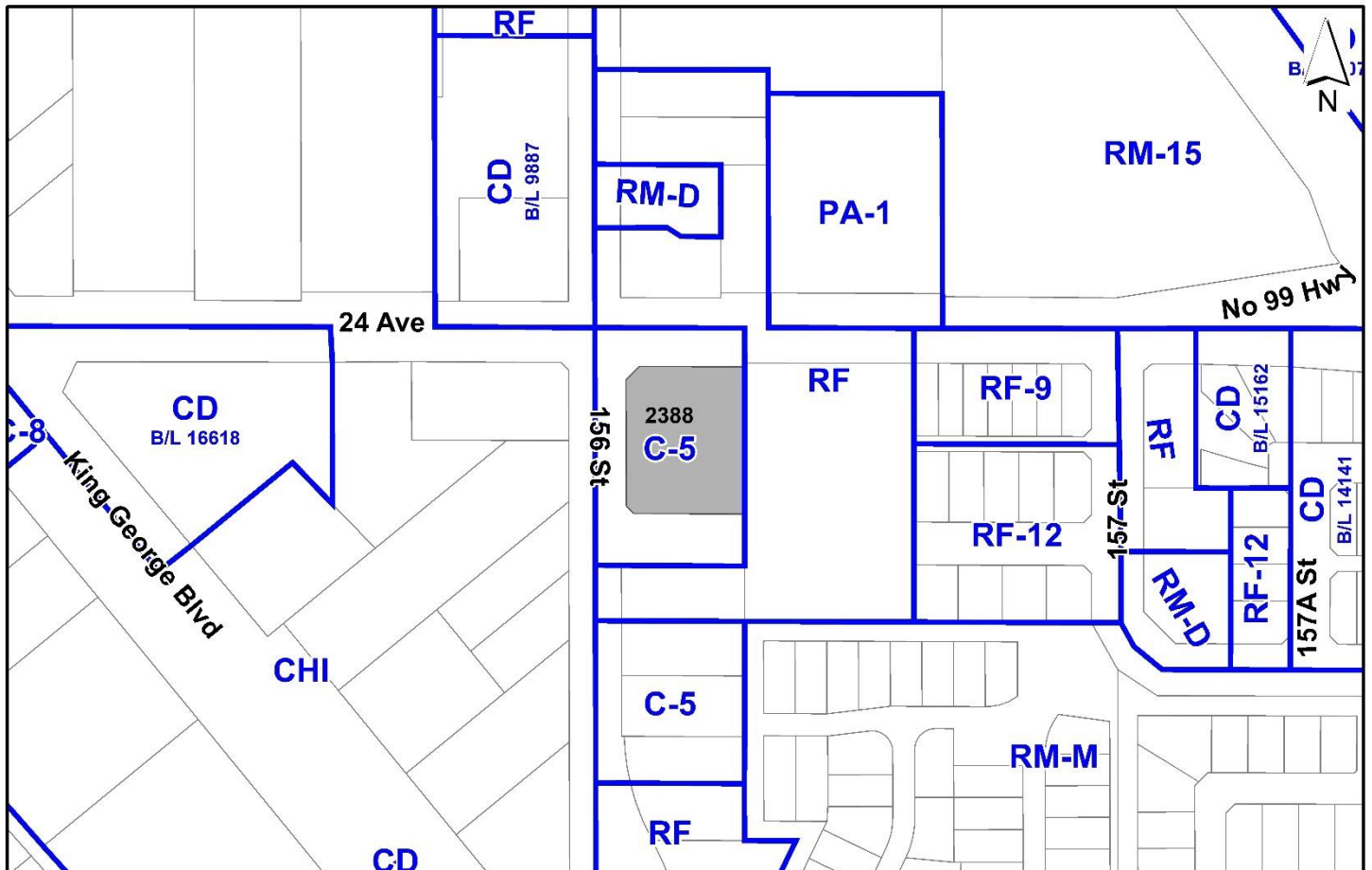
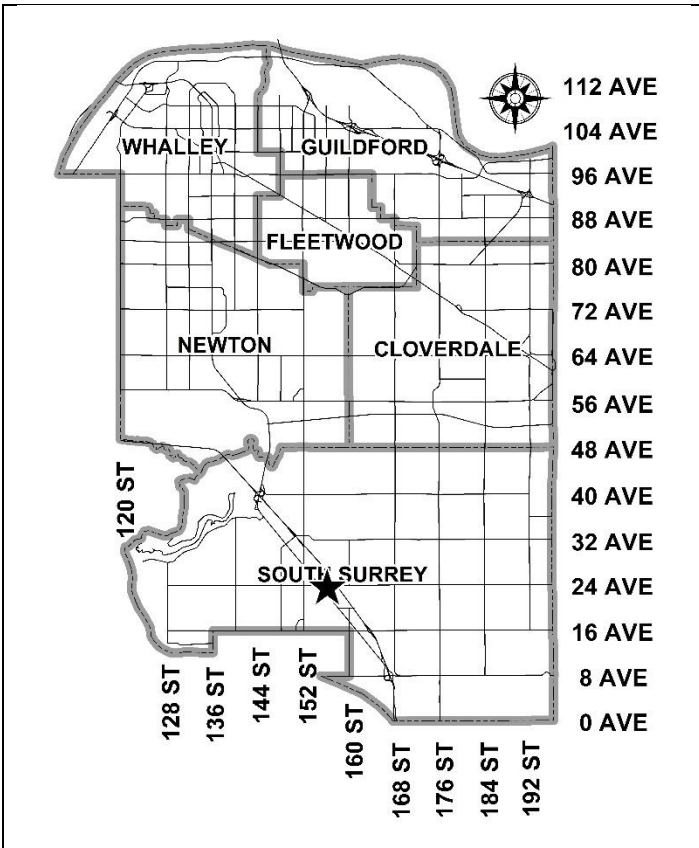
to reduce the minimum 400 metre separation distance between a small-scale drug store and an existing drug store.

LOCATION: 2388 - 156 Street, Unit 103

ZONING: C-5

OCP DESIGNATION: Commercial

NCP DESIGNATION: Commercial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to reduce the minimum 400 metre separation distance between a proposed small-scale drug store and an existing drug store.

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 C-5 Zone.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7920-0253-00 (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 244 metres to permit a small-scale drug store at 2388 – 156 Street, Unit 103.
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 30 square metres.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	NCP Designation	Existing Zone
Subject Site	New Multi-tenant Commercial Building	Commercial	C-5
North (Across 24 Avenue):	Single Family Residential	Commercial	RF
East:	Single Family Residential	Mobile Home Park	RF
South (Across 23A Avenue):	Single Family Residential	Commercial	RF
West (Across 156 Street):	Multi-tenant Commercial Buildings	Commercial	CHI

Context & Background

- The subject site, located at 2388 – 156 Street, is a newly constructed multi-tenant commercial building. It is designated "Commercial" in the Official Community Plan, "Commercial" in the King George Highway Corridor Neighbourhood Concept Plan, and zoned "Neighbourhood Commercial (C-5) Zone".
- The site was recently redeveloped under Development Application No. 7915-0209-00, which proposed rezoning the property from "Duplex Residential (RM-D) Zone" and "Single Family Residential (RF) Zone" to "Neighbourhood Commercial (C-5) Zone", a Development Permit for Form & Character, and setback variances. The application received Final Adoption by Council on July 24, 2017.
- The proposed small-scale drug store is a permitted use in the C-5 Zone.

DEVELOPMENT PROPOSAL

Planning Considerations

- 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 30 square metres of floor space. It will be operated in conjunction with a medical clinic of approximately 117 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 C-5 Zone 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 dispensary.
- 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 2388 - 156 Street
Sunnyside Evergreen Pharmacy	2397 – King George Boulevard	244 metres

Referrals

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

Surrey Bylaws & Licensing Services: Bylaws & Licensing Services has no objection to the project.

POLICY & BY-LAW CONSIDERATIONS

Variances

- The applicant is requesting the following variance:
 - To reduce the minimum separation distance between drug stores, small-scale drug stores, or methadone dispensaries from 400 metres to 244 metres to permit a small-scale drug store at 2388 – 156 Street.
- 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.
- 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. 7920-0253-00

approved by Shawn Low

Jean Lamontagne
General Manager
Planning and Development

DZ/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0253-00

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: 031-076-751

Strata Lot 3 Section 14 Township 1 New Westminister District Strata Plan EPS6703
Together with an Interest in the Common Property in Proportion to the Unit Entitlement
of the Strata Lot as Shown on Form V

2388 – 156 Street, Unit 103

(the "Land")

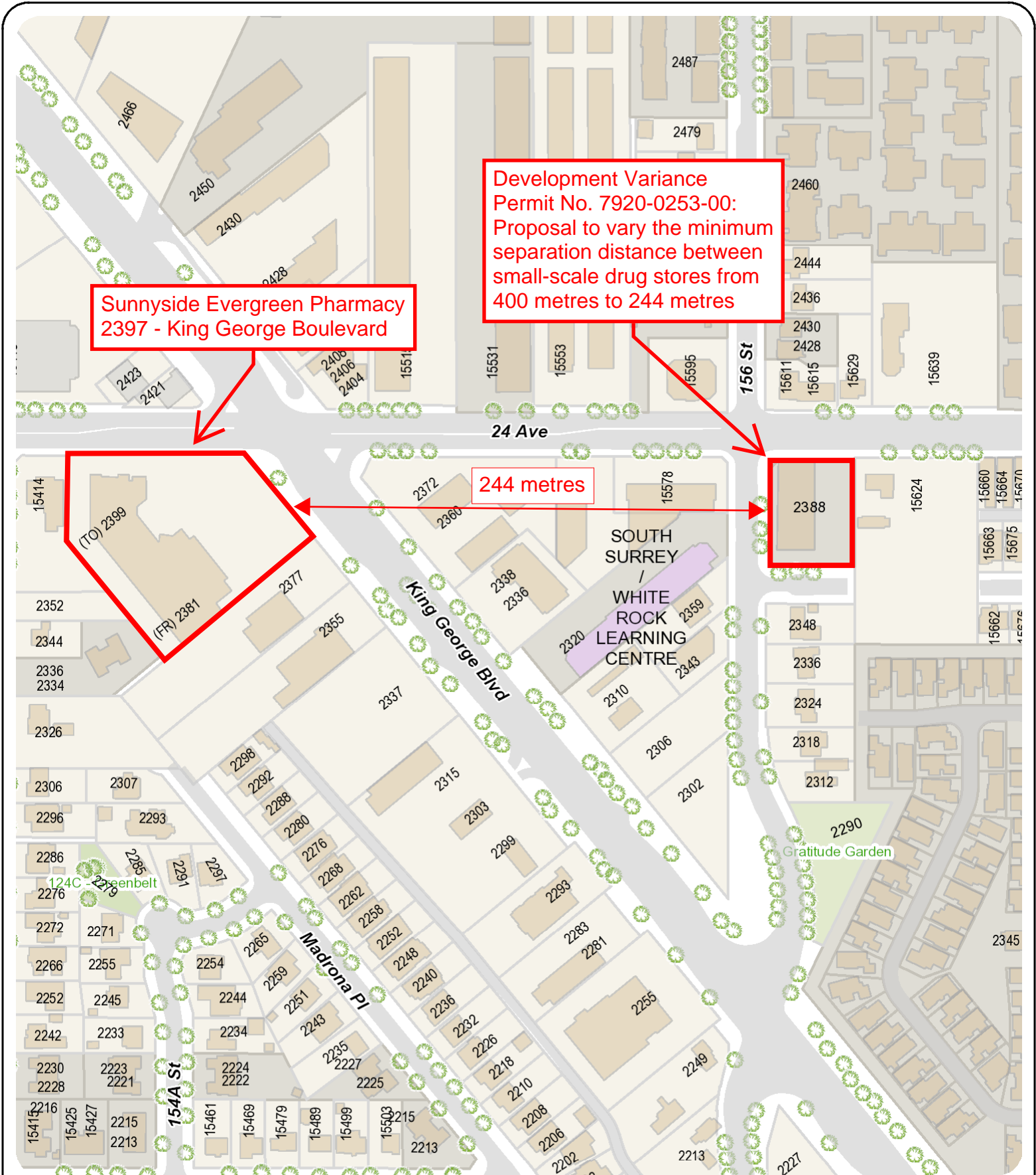
3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section E.28 of Part 4, General Provisions, the minimum separation distance from the lot line between drug stores, small-scale drug stores, or methadone dispensaries is reduced from 400 metres to 244 metres to permit 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 .
ISSUED THIS DAY OF , 20 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli



Development Variance Permit

Scale: 1:2,669

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

