

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

Application No.: 7921-0027-00

Planning Report Date: April 26, 2021

**PROPOSAL:**

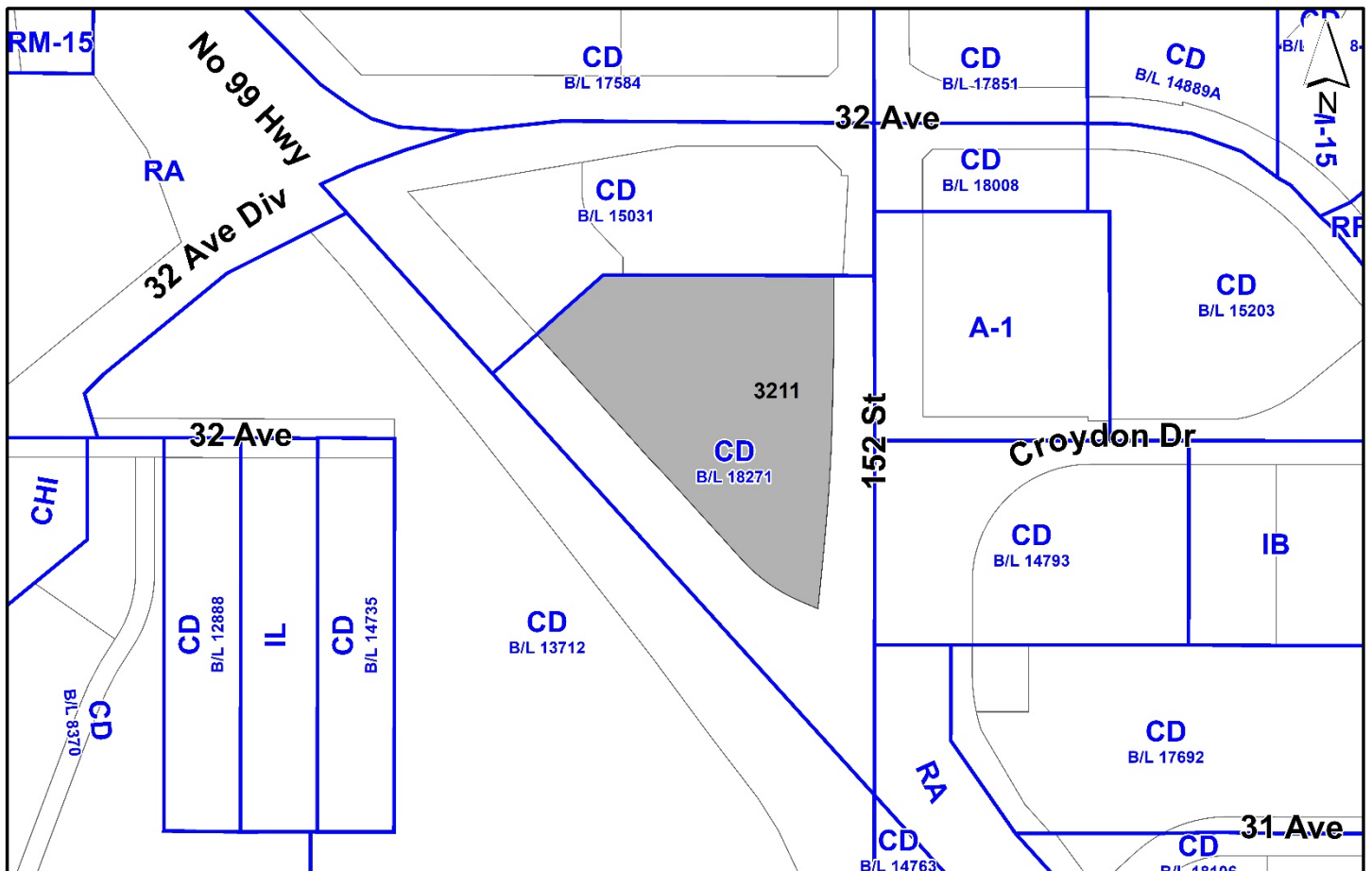
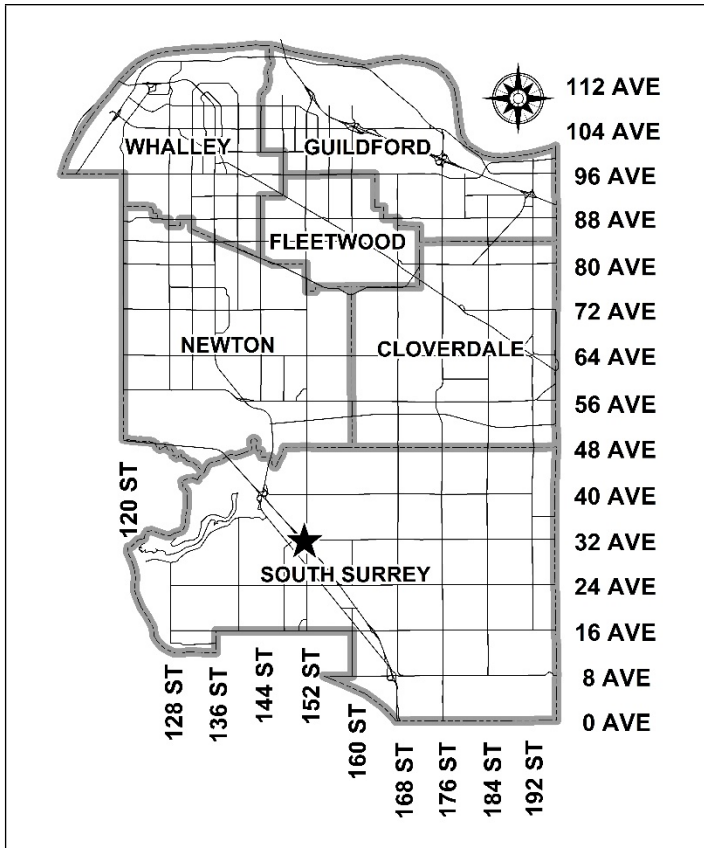
- **Development Variance Permit**

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

**LOCATION:** 3211 - 152 Street

**ZONING:** CD (Bylaw No. 18271)

**OCP 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.
- The site is occupied by a four storey commercial building. Three additional specialized medical clinics have signed leases in the commercial building. The drug store will be able to provide services to clients of these specialty clinics as well as the medical clinic proposed in 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 Comprehensive Development Zone (CD Bylaw No. 18271).

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7921-0027-00 (Appendix III), 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 56 metres to permit a small-scale drug store at 3211 – 152 Street.
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 65 square metres.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/NCP Designation	Existing Zone
Subject Site	Commercial (building currently under construction)	Commercial	CD (Bylaw No. 18271)
North:	Automotive service facility and the Keg Restaurant	Commercial	CD (Bylaw No. 15031)
East (Across 152 Street):	BC Hydro facility; Business Park	Mixed Employment (OCP)/Buffers and Business Park (Rosemary Heights Business Park NCP)	A-1; CD (Bylaw No. 14793)
South and West (Across Highway 99):	Highway Commercial Retail	Commercial (OCP)/Commercial and Industrial/Business Park (King George LAP)	CD (Bylaw No. 13712)

### Context & Background

- The subject site, located at 3211 – 152 Street, is designated "Commercial" in the Official Community Plan and zoned "Comprehensive Development Zone (CD Bylaw No. 18271)".
- A four storey multi-tenant commercial building is currently being constructed on the site, which was approved under Development Application No. 7914-0017-00.

- The building owner has signed commercial leases for a pain management clinic, a physiotherapy clinic and naturopath.
- The proposed small-scale drug store is a permitted use in the CD Zone (Bylaw No. 18721).

## 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 50.7 square metres of floor space. It will be operated in conjunction with a medical clinic of approximately 58.9 square metres, located within the same commercial unit. There will be 13.6 square metres of shared space between the drug store and the medical clinic. The drug store maximum size of 65 square meters includes this shared space.
- The proposed small-scale drug store is intended to primarily serve the clients from the associated medical clinic, as well as clients of the other medical clinics proposed in the multi-tenant commercial building.
- 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 (Bylaw No, 18721) 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 are two existing drug stores / small-scale drug stores within 400 metres of the proposed small-scale drug store. The separation distance between the proposed small-scale drugstore and the existing drug stores are measured from the property lines of the respective parcels the existing and proposed drug stores are located on. The existing drug-stores are listed in the following table, and shown on Schedule A in Appendix I.

Existing Drug Store	Address	Distance from 3211 - 152 Street
Save On Foods Pharmacy	3033 - 152 Street	56 metres
Morgan Creek Pharmasave	15252 - 32 Avenue	142 metres

### Referrals

Engineering:

The Engineering Department has no objection to the project.

## POLICY & BY-LAW CONSIDERATIONS

### Zoning By-law

#### Variance

- 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 56 metres to permit a small-scale drug store at 3211 - 152 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.
- Three additional specialty medical clinics will be located in the multi-tenant commercial building that is under construction, which will provide clients for the proposed small-scale drug store.
- 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

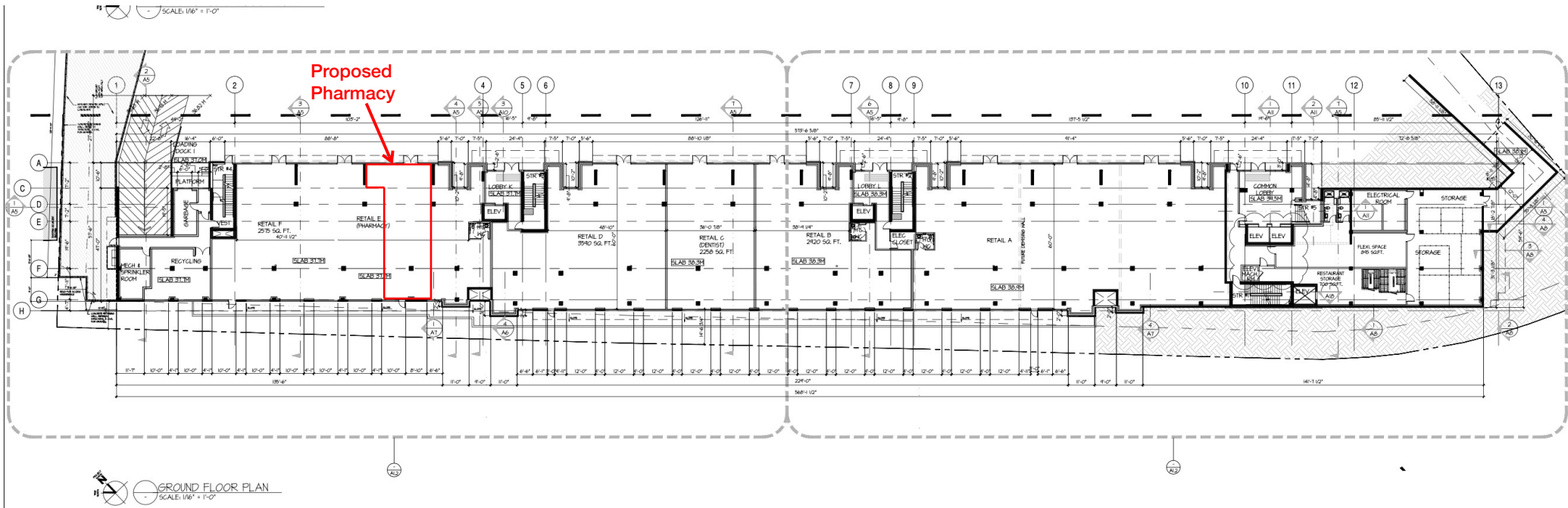
The following information is attached to this Report:

Appendix I.	Site Plan and Unit Layout
Appendix II.	Separation to local small-scale drugstores/drugstores
Appendix III.	Development Variance Permit No. 7921-0027-00

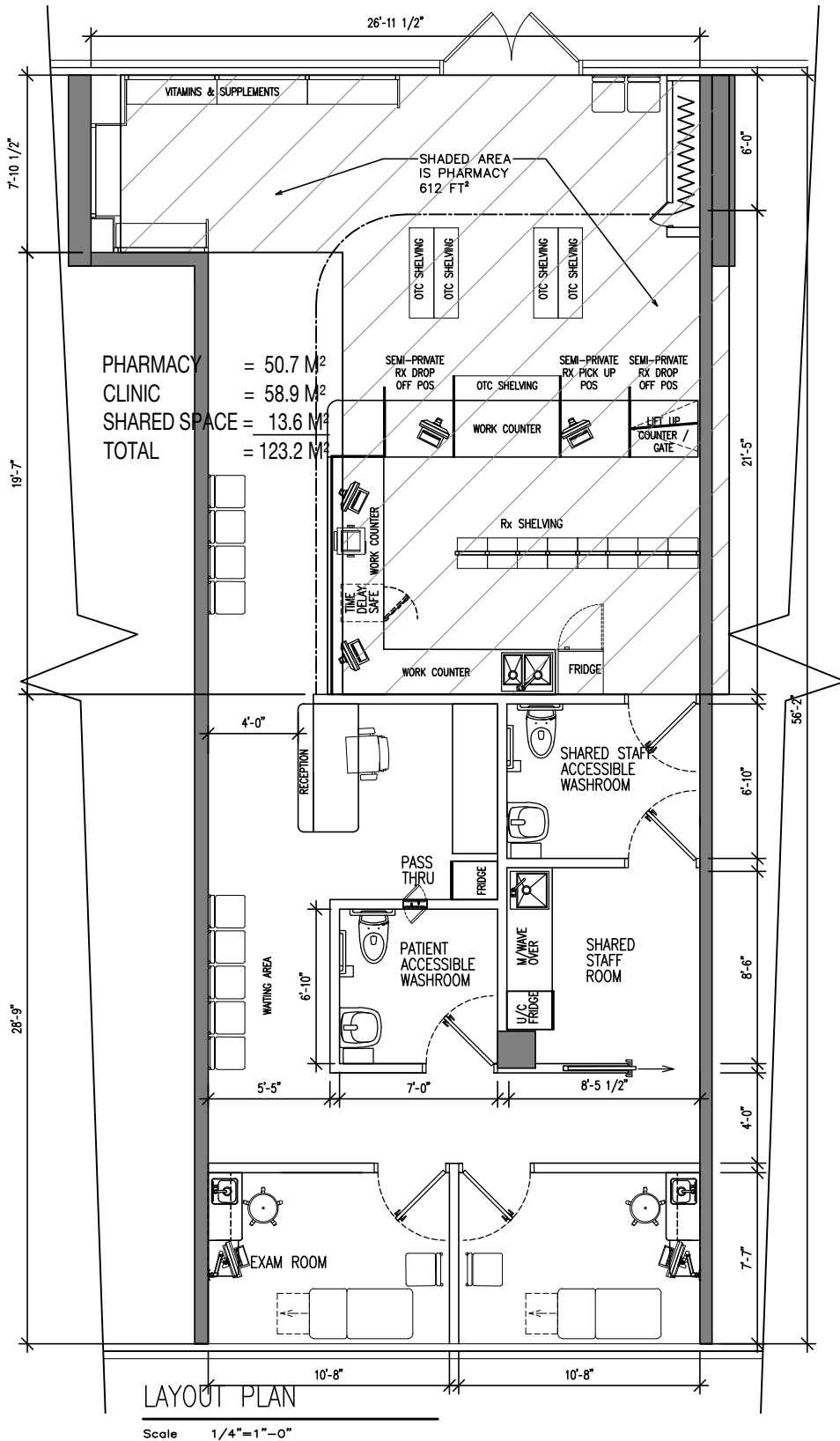
*approved by Shawn Low*

Jean Lamontagne  
General Manager  
Planning and Development

BD/cm



GROUND FLOOR PLAN  
SCALE: 1/8" = 1'-0"

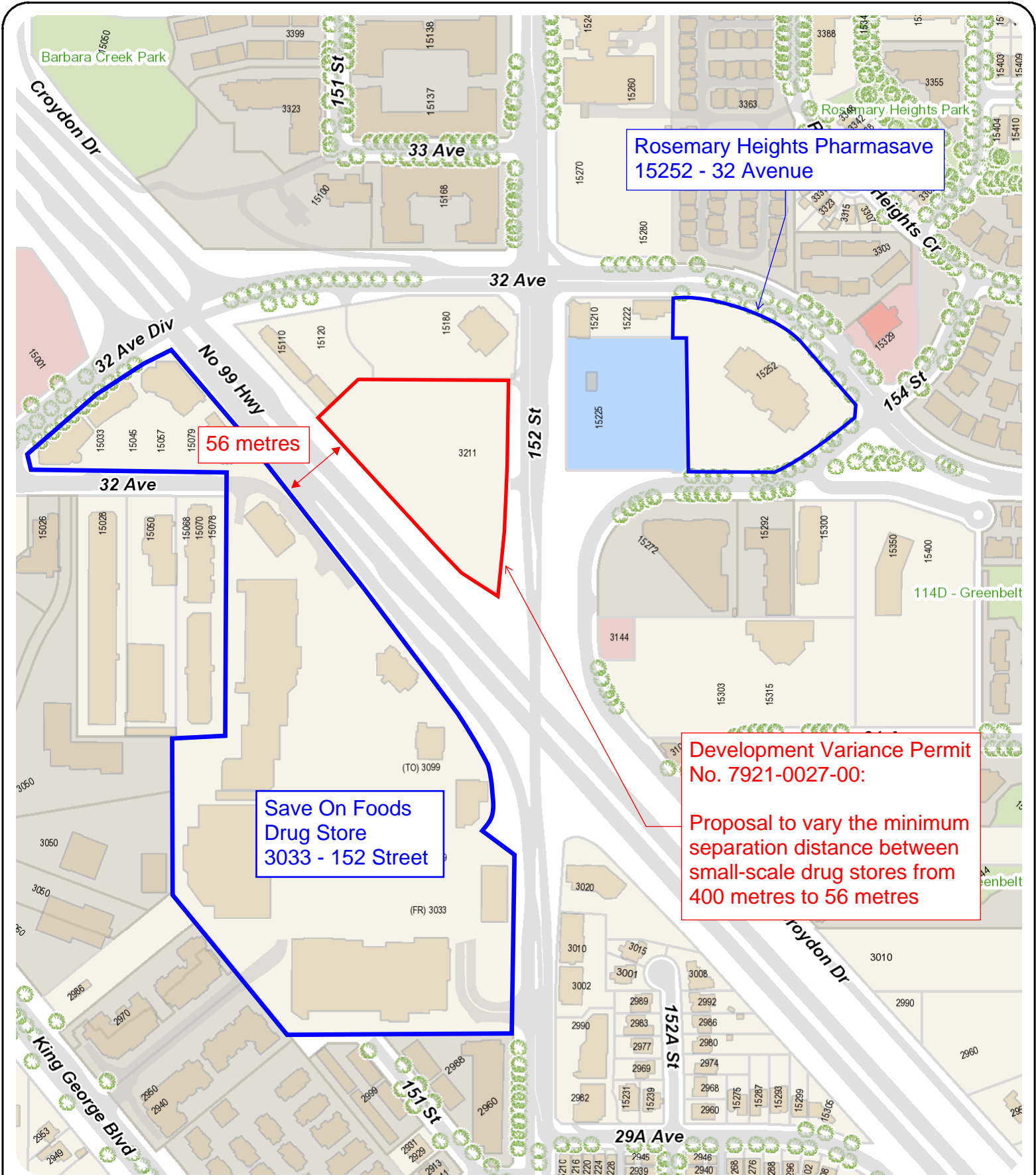


CONSULTANT:  
**D.A. HORVATH CONSULTANTS INC.**

19-15268 28TH AVE.  
 SURREY BC V4P 0E8  
 604.538.2496  
 doug@horvathid.com

PROJECT:  
**SURREY PROFESSIONAL  
 CENTRE  
 CLINIC + PHARMACY**  
 102 3231 152ND ST SURREY, BC

SHEET TITLE:  
**FLOOR  
 PLAN**



Rosemary Heights Pharmsave  
15252 - 32 Avenue

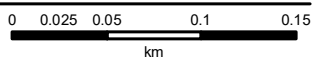
56 metres

Save On Foods  
Drug Store  
3033 - 152 Street

Development Variance Permit  
No. 7921-0027-00:  
Proposal to vary the minimum  
separation distance between  
small-scale drug stores from  
400 metres to 56 metres

Scale: 1:4,000

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





CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7921-0027-00

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: 029-968-968

Lot 1 Sections 22 and 27 Township 1 New Westminster District Plan EPP60057

3211 - 152 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 56 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.

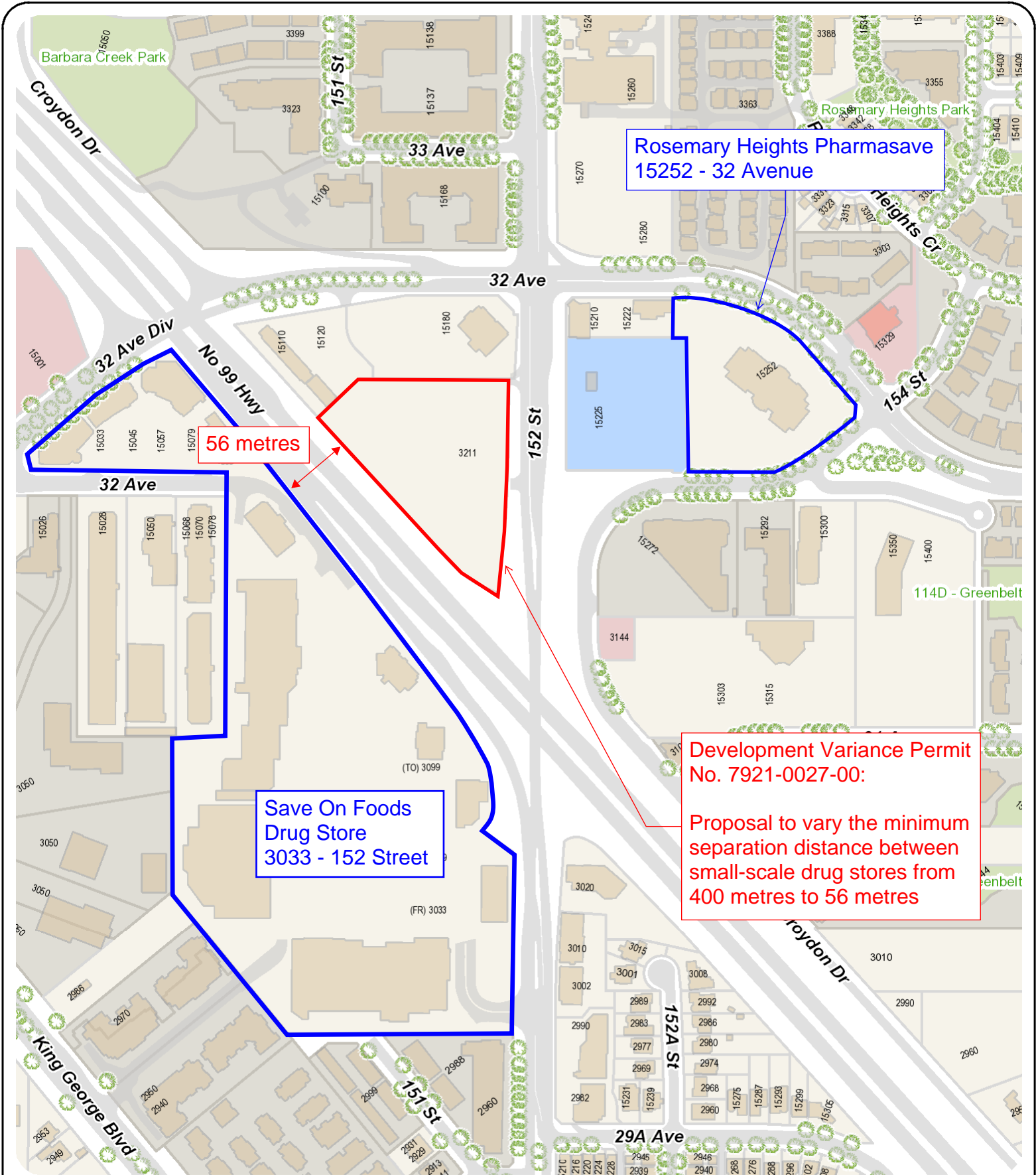
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
ISSUED THIS      DAY OF      , 20 .

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Mayor – Doug McCallum

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City Clerk – Jennifer Ficocelli



56 metres

Save On Foods  
Drug Store  
3033 - 152 Street

Rosemary Heights Pharmsave  
15252 - 32 Avenue

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