

STAFF REPORT TO COUNCIL

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DATE: September 26, 2019

TO: **MAYOR AND COUNCIL**

NAME AND TITLE: Ian Wells, General Manager of Planning & Development

SUBJECT: Rezoning Application No. RZ100630 (Bylaw No. 9043, 2019)

Applicant: BC Liquor Distribution Branch for Spruceland Shopping Centre Inc., Inc.
No. 360048

Location: 737 Central Street

ATTACHMENT(S):

- Location and Existing Zoning Map
- Appendix “A” to Bylaw No. 9043, 2019
- Supporting Documents

RECOMMENDATION(S):

THAT Council GIVE First Two Readings to “City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9043, 2019”.

PURPOSE:

The Liquor Distribution Branch (LDB) has applied to rezone the subject property from C2: Regional Commercial to C2c: Regional Commercial to facilitate the retail sale of cannabis at 737 Central Street (subject property). The “Retail, Cannabis” use will allow a BC Cannabis Store within the Spruceland Shopping Centre.

Background

Site Characteristics

Location	737 Central Street
Legal Description	Parcel Z (93965M) District Lot 937, Cariboo District, Plan 752, Except Plan 15509, 18581 and 17732
Site Area	2.9 ha (7.3 acres)
Official Community Plan	Business District, Service Commercial and Neighbourhood Centre, Corridor
Growth Management Class	Growth Priority
Servicing	City services available

Zoning Bylaw

Current Use	Spruceland Shopping Centre (i.e. Save-on Foods, Shoppers Drug Mart, Marks Work Warehouse, Canadian Imperial Bank Corporation (CIBC), Bank of Nova Scotia, Starbucks, Great White)
Current Zoning	C2: Regional Commercial
Proposed Zoning	C2c: Regional Commercial

Surrounding Land Use

North	5 th Avenue; Residential
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South	8 th Avenue; Highway Commercial
East	Central Street West; Highway 97
West	Ahbau Street; Multiple Residential

POLICY/REGULATORY ANALYSIS:

Liquor and Cannabis Regulation Branch (LCRB)

The LCRB is the provincial authority responsible for liquor licensing and private cannabis retail stores as per the *Cannabis Control and Licensing Act*. Typically, all distribution licenses are approved and issued by the LCRB; however, since the applicant is the LCRB an application is not required.

City of Prince George Liquor and Cannabis License Policy (LCLP)

The City of Prince George Liquor and Cannabis Licensing Policy (LCLP) establishes guidelines for the operation of licensed liquor establishments and cannabis retail stores within the City. The LCLP provides guidelines on hours of operation, occupant load, and location. Staff have evaluated the criteria outlined in the LCLP and have considered their relevance to this application as noted below.

Official Community Plan

Future Land Use

The subject property is split designated as ‘Business District, Service Commercial’ and ‘Neighbourhood Centre, Corridor’ in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The ‘Business District, Service Commercial’ designation is intended to promote primarily travelling public-orientated commercial uses in highly accessible locations, including tourist-orientated uses and retailers that are accessed primarily by vehicle. The existing site is consistent within the OCP designation as smaller retail uses have already been established on the property.

The ‘Neighbourhood Centre, Corridor’ designation is intended to permit local commercial nodes at intersections of collector and arterial street (Policy 8.3.54). The City should permit retail, personal services, service-orientated offices uses and food & beverage establishments intended to draw residents from surrounding neighbourhood (Policy 8.3.54). The OCP does not differentiate Retail, Cannabis from other forms of retail uses and, as such, this use is supportable on this site.

Administration supports this rezoning application as it is consistent with OCP policy direction.

Zoning Bylaw

The subject property is currently zoned C2: Regional Commercial. The purpose of this zone is to provide for major shopping centres and complementary residential uses. The applicant has applied to rezone the property from C2: Regional Commercial to C2c: Regional Commercial. The proposed C2c: Regional Commercial zone has the same zoning regulations as the C2 zone, with the addition of “Retail, Cannabis” as a permitted principal use.

The land use impacts that are considered with respect to a Cannabis Retail application include location of the establishment, community impacts, proximity and over proliferation of use, adjacent land uses, parking and traffic, and hours of service.

Location of Establishment

The subject property is located at 737 Central Street (Spruceland Mall). The subject property is approximately 2.9 ha (7.3 acres) in size and is bound by Highway 97, 5th Avenue, Central Street and Ahbau Street. The site is intended as a regional retail centre that offers a wide variety of retail and service commercial uses.

The applicant has proposed cannabis retail store within a single tenancy of approximately 573.9 m² (6,178 ft²) within the Spruceland Shopping Centre. The size of the establishment and retail use is consistent with the retail stores on the subject property and surrounding area.

The retail, cannabis use will be separated from the nearest residential neighbourhood by Ahbau Street and a surface parking lot located at the back of Spruceland Shopping Centre by approximately 45 metres. In addition, the retail cannabis store is approximately within 1 km of Spruceland Traditional Elementary School (550 m), École Lac des Bois (850 m) and Harwin Elementary (540 m).

Community Impacts

There are extensive safety, social responsibility and security measures implemented for all government-operated cannabis retail stores. Therefore, the retail cannabis store is not expected to have adverse impacts on the surrounding properties or neighbourhood.

Proliferation of Uses

The City of Prince George LCLP recommends a minimum separation of 1.6 km between cannabis retail uses. Currently, there is one (1) approved retail cannabis store (Temporary Use Permit No. TU000048 and Cannabis License Application No. CN000005) which was approved by Council on June 10, 2019 to facilitate a private retail, cannabis store located at 484 Douglas Street. The Provincial retail cannabis store proposed through this Rezoning application is approximately 800 metres from the approved private cannabis store.

Parking and Traffic

There is sufficient on-site parking and the location provides flexibility for parking and traffic circulation throughout the site's internal road network, and existing surface parking lots.

Hours of Service

While store hours for government-operated cannabis retail stores vary by location, most of the stores will be open from Monday to Sunday from 10 am to 10 pm. The proposed hours align with the recommended hours of service specified by the Liquor Control and Cannabis Regulation Branch (LCRB) and the City of Prince George Liquor and Cannabis Licensing Policy (LCLP).

Administration supports this application as the proposed "Retail, Cannabis" is consistent with LCLP direction and OCP policy direction, and is not expected to significantly impact the surrounding uses.

OTHER CONSIDERATIONS:

Referrals

This application was referred to internal City divisions and external agencies for comments. There are no outstanding comments or concerns with this application.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9043 requires Ministry of Transportation and Infrastructure's approval prior to Final Reading.

ALTERNATIVES:

1. Approve the bylaw
2. Approve the bylaw as amended
3. Refuse the bylaw
4. Defer or otherwise deal with the bylaw

Administration recommends that Bylaw No. 9043, 2019 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to rezone the subject property from C2: Regional Commercial to C2c: Regional Commercial to facilitate a BC Cannabis Store. The intent of the proposed rezoning is to allow "Retail, Cannabis" as a principal use at 737 Central Street. Administration supports this rezoning application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:



Fred Crittenden, Manager of Bylaw Services/
Acting General Manager of Planning and Development

PREPARED BY: Melissa Nitz, Planner 1

APPROVED:



Kathleen Soltis, City Manager
Meeting date: October 7, 2019