

STAFF REPORT TO COUNCIL

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DATE: August 24, 2022

TO: MAYOR AND COUNCIL

NAME AND TITLE: Deanna Wasnik, Director of Planning and Development

SUBJECT: Rezoning Application No. RZ100759 (Bylaw No. 9337)

APPLICANT: A & P Thun Holdings Ltd., Inc. No. #223995

Suki Holdings Ltd., Inc. No. #196129

LOCATION: 1724 Strathcona Avenue

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9337
Letter of Support

RECOMMENDATION(S):

THAT Council GIVES First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9337, 2022".

PURPOSE:

The applicant has applied to rezone 1724 Strathcona Avenue (subject property) from C4I: Local Commercial to C4Ic: Local Commercial, as shown on Appendix "A" to Bylaw No. 9337. The addition of the "c" to the C4I zone will allow a "Retail, Cannabis" use on the subject property on a permanent basis. The applicant is currently operating their business (Cosmic Cannabis) on the subject property under a Temporary Use Permit No. TU000069.

Site Characteristics

Location	1724 Strathcona Avenue
Legal Description	Lot A, District Lot 777, Cariboo District, Plan 22542
Current Use	Local Commercial Strip Mall (First Litre Liquor Store & Cosmic Cannabis)
Site Area	2,405 m ² (0.59 acres)
Future Land Use Designation	Neighborhood Centre Residential
Growth Management Class	Growth Priority
Servicing	City Services Available

Zoning (see Appendix "A" to Bylaw No. 9337)

Current Zoning	C4I: Local Commercial
Proposed Zoning	C4Ic: Local Commercial

Surrounding Land Use Table

North	Residential
South	Strathcona Avenue; Child Development Centre
East	Tamarack Street; Residential
West	Local Commercial Strip Mall (Grocery Express); Upland Street; Residential

Relevant Applications

Temporary Use Permit Application No. TU000069: At the September 20, 2021, Regular Council Meeting, Council approved Temporary Use Permit No. TU000069 to permit a “Retail, Cannabis” use on the subject property for three years, expiring on September 20, 2024.

Cannabis Licence Application No. CN000019: At the September 20, 2021, Regular Council Meeting, Council forwarded a resolution to the Liquor and Cannabis Regulation Branch (LCRB) supporting a cannabis retail license on the subject property.

POLICY / REGULATORY ANALYSIS:

Liquor and Cannabis Regulation Branch (LCRB)

The LCRB is the provincial authority responsible for licensing non-medical cannabis private stores and monitoring the non-medical cannabis retail sector. The LCRB is regulated by the Cannabis Control and Licensing Act and Cannabis Distribution Act. All distribution licenses are approved and issued by the LCRB. As indicated above, the applicant has completed the LCRB’s required financial integrity check and security screening. As such, the City concurred with the proposed cannabis licence and forwarded a resolution to the LCRB on September 20, 2021.

City of Prince George Liquor and Cannabis License Policy

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 designated as Neighborhood Centre Residential in Schedule B-6: Future Land Use of the Official Community Plan (OCP). Neighbourhood Centres are intended to provide local shops, services and similar amenities with housing in a mixed-use context. The OCP encourages infill and redevelopment of existing vacant and underused sites, with an emphasis on enhancing the pedestrian experience (OCP Policy 8.3.31).

Administration supports this application, as it is consistent with Future Land Use policy of the OCP.

Growth Management

The subject property is designated as Growth Priority in Schedule B-4: Growth Management of the OCP. Growth Management policies prioritize infill and redevelopment within infill and growth priority areas (OCP Policy 8.1.1 and 8.1.2). The proposed “Retail, Cannabis” use is utilizing existing commercial retail space on the subject property.

Administration supports this application, as it is consistent with the Future Land Use and Growth Management policy direction identified by the OCP.

Zoning Bylaw

The subject property is zoned as C4I: Local Commercial, which is intended to provide for local commercial areas and complementary residential uses. The “I” permits a “Liquor Primary Establishment, Minor” and “Retail, Liquor” on the subject property. There is currently an existing “Retail, Liquor” use in operation on the subject property. The applicant has applied to rezone the subject property from C4I to C4Ic: Local Commercial to additionally permit a “Retail, Cannabis” use.

The land use impacts that are considered with a “Retail, Cannabis” application include community impact, location of use, proximity and over proliferation, adjacent land uses, parking, and traffic.

Location of Establishment

The subject property is located in an established local commercial site, which includes existing “Retail, Liquor” and “Retail, Convenience”. Residential uses are located in close proximity to the subject property. Across Strathcona Avenue, approximately 20 m from the subject property, is the Child Development Centre. The nearest school, Nusdeh Yoh Elementary, is approximately 250 m from the subject property and there are approximately six parks and open spaces within 500 m.

A letter of support for this rezoning application was provided by the Child Development Centre, attached to this report. It was noted in the letter that the Child Development Centre has not experienced any negative impacts in relation to the “Retail, Cannabis” use.

Community Impacts

The subject property is a well-established local commercial site that has existed within the community for a number of years, and includes “Retail, Liquor”. The proposed “Retail, Cannabis” is well suited to the surrounding commercial and retail uses. Bylaw Services has not received any complaints regarding the operation of the “Retail, Cannabis” use at the subject property.

Proliferation of Uses

The LCLP recommends a minimum separation of 1.6 km between cannabis retail uses outside of the downtown. The subject property is approximately 800 m south of an existing cannabis retail uses (Zagas Hemp Shop located at 1543 Victoria Street) and approximately 1 km east of a BC Cannabis Store (Pine Centre Mall). Although the subject property and existing cannabis retail locations are within 1.6 km of one another, Highway 16 East physically separates these uses thereby mitigating conflicts or potential land use impacts.

Parking and Traffic

Onsite parking is available to accommodate parking and traffic circulation for the existing local commercial establishments. The site is accessed from both Strathcona Avenue and Tamarack Street so potential access and egress conflicts to the site are mitigated.

Administration supports this application as the proposed cannabis license is consistent with LCLP direction.

OTHER CONSIDERATIONS:

Referrals

This application was referred to internal City divisions and external agencies for comments. The following comments were received during the referral process.

Title

A review of the legal titles of the subject properties indicated no encumbrances or restrictions that would affect this application.

RCMP

The RCMP expressed no comments or concerns with respect to this application.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9337 require the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

Statutory Notification and Public Consultation

As per the requirements set out in the *Local Government Act* and "City of Prince George Development Procedures Bylaw No. 7635, 2005", the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interests may be affected by these applications.

Members of the public may provide comment by written submission, telephone or in person. Written submissions received in response to the public notice for these applications will be provided to Council for their consideration during the public hearing and prior to third reading of the proposed bylaws. Residents who wish to speak in person can do so during the Public Hearing in Council Chambers. Additional information on methods to provide comments to Council can be found on the [City's website](#).

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 9337, 2022 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to rezone the subject property in order to facilitate "Retail, Cannabis" as a permanent use on the subject property. The proposed store is currently in operation under a Temporary Use Permit set to expire on September 20, 2024. Administration is supportive of the rezoning application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Imogene Broberg-Hull, Planner 1

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2022/09/21