

# STAFF REPORT TO COUNCIL

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**DATE:** October 9, 2019

**TO:** **MAYOR AND COUNCIL**

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

**SUBJECT:** Cannabis License Application No. CN000008

Applicant: Earth to Sky Cannabis Company Ltd. for PRP Holdings Ltd., Inc.  
No. BC0951609

Location: 1533 3<sup>rd</sup> Avenue

**ATTACHMENT(S):**

- Location and Existing Zoning Map
- Appendix "A" Resolution for CN000008
- Liquor and Cannabis Regulation Branch Approval
- Supporting Document(s)

## RECOMMENDATION(S):

THAT Council APPROVE the resolution attached as Appendix "A" to the report dated October 1, 2019 from the General Manager of Planning and Development titled "Cannabis License Application No. CN000008".

## PURPOSE:

The purpose of this report is to facilitate the issuance of a Retail, Cannabis License for the subject property located at 1533 3<sup>rd</sup> Avenue. The applicant has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a non-medical cannabis retail store and has successfully completed the LCRBs required financial integrity check and security screening. The applicant has subsequently applied to the City for a Cannabis License at the subject property.

## Background

### Site Characteristics

Location	1533 3 <sup>rd</sup> Avenue
Legal Description	Lot 9, Block 130, District Lot 343, Cariboo District, Plan 1268
Site Area	304 m <sup>2</sup>
Current Use	Local Commercial Strip Mall
Zoning	C1: Downtown

### Liquor and Cannabis License Policy

Type of License	Cannabis License
Location	Minimum separation of 1.6 km
Hours of Service	Monday to Sunday: 9:00 am to 11:00 pm

### Temporary Use Permit Application No. TU000053

The applicant has applied for a Temporary Use Permit to allow Retail, Cannabis use on subject property located at 1533 3<sup>rd</sup> Avenue. The applicant has successfully completed the LCRBs required financial integrity check and security screening for a non-medical cannabis retail store. The Staff Report to Council for Temporary Use Permit Application No. TU000053 will be considered concurrently.

## POLICY/REGULATORY ANALYSIS:

### Liquor and Cannabis Regulation Branch

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 applicant has submitted a Temporary Use Permit application and Retail, Cannabis License application to the City to facilitate the retail sale of cannabis on the subject property.

### 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 and location. Staff have evaluated the criteria outlined in the LCLP and have considered their relevance to this application, as noted below.

#### Hours of Liquor Service

The LCLP guidelines suggest hours for Retail, Cannabis uses be between 9:00 am and 11:00 pm. The applicant has proposed to operate 7 days a week, Sunday to Wednesday from 9:00 am to 8:00 pm, and Thursday to Saturday from 9:00 am to 9:00 pm. The proposed Retail, Cannabis store hours are consistent with the LCLP.

#### Location of Establishment

As indicated previously, the subject property is located within the downtown. The Official Community Plan (OCP) Bylaw No. 8383, states that the downtown should be the primary entertainment and cultural centre of the City. The table below summarizes surrounding land uses.

#### Surrounding Land Use

North	3 <sup>rd</sup> Avenue; HSBC Building
South	Laneway; Office
East	Retail; Victoria Street/Highway 16 East
West	Optical; Restaurant

The subject property is within one (1) kilometre of Duchess Park Secondary School, Simon Fraser Lodge, University Hospital of Northern BC, Prince George Native Friendship Centre Society, Uda Dune Baiyoh Community Centre, Lheidli T'enneh First Nation Lands and Economic Development Office, Connaught Hill Park, Canada Games Plaza, Veterans Plaza and the Provincial Court.

The downtown provides a number of social programs and services located within approximately 500 m of the subject property. Some of these social programs and services include the Intersect Youth and Family Services, Central Interior Native Health Society, the Fire Pit Cultural Drop-In Centre, Reconnect Youth Village, and a number of Aboriginal Children and Family Services offered at the Prince George Native Friendship Centre.

#### Community Impacts

The impacts of the proposed Retail, Cannabis use on the surrounding properties is unknown. As such, Administration is supportive of this use operating under a Temporary Use Permit (Application No. TU000053) to allow Administration an opportunity to evaluate the extent of any impacts that may occur as a result of a Retail, Cannabis use being located in the downtown. Administration has considered the following:

##### *Proliferation of Uses*

As previously stated, the OCP identifies the downtown as the primary entertainment centre of the city. The LCLP recommends a minimum separation of 1.6 km between cannabis retail uses. There is currently one (1) Retail, Cannabis use within the downtown located approximately 500 m east at 421 George Street.

##### *Noise*

The subject property is bordered by office, retail and restaurant tenant space to the east and west, 3<sup>rd</sup> Avenue to the north, and a laneway to the south. It is not anticipated that a Retail, Cannabis use will disrupt surrounding uses through increased noise.

##### *Parking and Traffic*

The location provides flexibility for parking and traffic circulation along 3<sup>rd</sup> Avenue, Vancouver Street, Victoria Street, and is in close proximity to surface parking lots.

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 RCMP did not provide comment to this specific application. However, through previous land use applications for cannabis retail use in the downtown the RCMP has expressed concern and opposition to adding cannabis and liquor use in the downtown.

##### **Notification to Adjacent Property Owners**

As per the requirements set out in the *Local Government Act*, the City of Prince George will provide a delivery of notice to adjacent property owners whose interests may be affected by this license.

#### ALTERNATIVES:

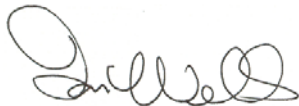
1. Approve the resolution
2. Approve the resolution as amended
3. Refuse the resolution
4. Defer or otherwise deal with the resolution

Administration recommends that Council approve the resolution attached as Appendix "A".

#### SUMMARY AND CONCLUSION:

The applicant has applied for a Cannabis Retail License for the subject property located at 1533 3<sup>rd</sup> Avenue. Administration recommends that Council approve the resolution attached as Appendix "A" and forward it to the LCRB as the application is consistent with the OCP and LCLP.

#### RESPECTFULLY SUBMITTED:

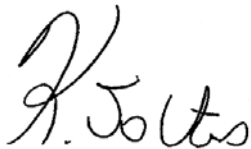


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Ian Wells, General Manager of Planning and Development

**PREPARED BY:** Kali Holahan, Planner

#### APPROVED:



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Kathleen Soltis, City Manager  
Meeting date: November 4, 2019