

STAFF REPORT TO COUNCIL

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DATE: June 15, 2023

TO: MAYOR AND COUNCIL

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

SUBJECT: Zoning Bylaw Amendment Application No. RZ100790 (Bylaw No. 9414)

APPLICANT: Thrive Liquor & Cannabis Advisors for 1357837 BC Ltd., Inc. No. BC1357837

LOCATION: 2270 - 2302 Hart Highway

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9414
Supporting Document

RECOMMENDATION(S):

That Council GIVES FIRST AND SECOND READING of "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9414, 2023".

PURPOSE:

The applicant has applied to rezone a 0.28 ha portion (subject area) of 2270 - 2302 Hart Highway (subject property) from C5: Visitor Commercial and C4I: Local Commercial to C2c: Regional Commercial, as shown on Appendix "A" to Bylaw No. 9414. This application will facilitate "Retail, Cannabis" use within the existing building on the subject area. This application does not include the remaining 0.82 ha portion of the subject property.

Site Characteristics

Location	2270 - 2302 Hart Highway
Legal Description	Parcel C (H7379), District Lot 4377, Cariboo District, Plan 1329, Except Plans H226, 17194, 26220, 29441 and 34131
Current Use	Northwood Plaza Hotel
Subject Property Size	1.1 ha (2.7 acres)
Site Area	0.28 ha (0.69 acres)
Future Land Use	Service Commercial
Growth Management Class	Infill
Servicing	City services available

Zoning (see Appendix "A" to Bylaw No. 9414)

Current Zoning	C5: Visitor Commercial (0.27 ha) C4I: Local Commercial (0.01 ha)
Proposed Zoning	C2c: Regional Commercial

Surrounding Land Use Table

North		Light Industrial
South		Service Commercial (Brother's Inn)
East		Northwood Pulpmill Road, Residential
West		Highway 97 N, Residential

Relevant Applications

Cannabis Licence Application No. CN000022: The applicant has concurrently applied to the Liquor and Cannabis Regulation Branch (LCRB) for a cannabis retail licence for the subject property. Should Council approve Rezoning Application No. RZ100790 for First and Second Reading, Cannabis License Application No. CN000022 will be considered concurrently at the same Public Hearing.

STRATEGIC PRIORITIES:

This application is consistent with Council's strategic priority for economic diversity and growth by expanding the City's cannabis sector.

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 licences are approved and issued by the LCRB. As indicated above, the applicant has completed the LCRB's financial integrity check and security screening. Should this application be successful, the City's Cannabis Licence Application process will be triggered for a resolution from City Council.

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 below.

Official Community Plan

Future Land Use

The subject property is designated as Service Commercial in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Service Commercial designation is intended to offer commercial uses in highly accessible locations, including tourist-oriented uses and retailers that are accessed primarily by vehicle. The OCP encourages Service Commercial developments to consider serviced land and amenities such as transit access and road networks for future development (OCP Objective 8.3.22). Service Commercial areas typically support large format retailers that are primarily accessed by vehicle (Policy 8.3.73). While small scale retail and service uses are not the focus of this designation, they are supportable when located in conjunction with larger anchor tenant uses.

The applicant's proposal meets the intent of this policy as the site is already developed and is not anticipated to change following this application. Administration supports this application, as it is consistent with the Future Land Use policy of the OCP.

Growth Management

The subject property is designated as Infill in Schedule B-4: Growth Management of the OCP. The intent of this designation is to prioritize infill development and encourage the utilization of vacant sites (OCP Policy 8.1.1). OCP Policy supports infill and redevelopment in existing neighbourhoods that is incremental, respects the scale and character of the existing neighbourhood and has minor impacts on the surrounding area (OCP Policy 8.3.45 and 8.3.48). The applicant's proposal utilizes an existing commercial retail space.

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

Development Permit

Should this application be approved, any façade improvements to an area greater than 20% will trigger a Commercial Form and Character Development Permit. The Commercial Form and Character Development Permit Area is intended to foster the improved design of commercial buildings; provide an opportunity for human-scale considerations; and provide an appropriate degree of landscaping with special attention to the human-scale, streetscape, and adjacent non-commercial uses. Should a Commercial Form and Character Development Permit be required, Administration will have the opportunity to review the façade, parking, and landscaping.

Zoning Bylaw

The subject property is currently zoned C5: Visitor Commercial and C4I: Local Commercial. The C5 zone is intended to serve visitors and travelers. The C4I zone is intended to provide for local commercial areas and complementary residential uses while the "I" specifically permits a liquor retail use. To facilitate a "Retail, Cannabis" use, the applicant has applied to rezone the subject area (0.28 ha) from C5: Visitor Commercial and C4I: Local Commercial to C2c: Regional Commercial, as shown on Appendix "A" to Bylaw No. 9414. This application does not include the remaining 0.82 ha portion of the subject property.

The C2 zone is intended to provide for major shopping centres and complementary residential uses while the "c" permits "Retail, Cannabis" use on a permanent basis. The existing C4I and C5 zones and proposed C2c zone are compared below in Table 1.

Table 1: Zoning Comparison

Regulations	Current – C5: Visitor Commercial	Current – C4I: Local Commercial	Proposed – C2c: Regional Commercial
Principal Uses	<ul style="list-style-type: none"> • Campground • Hotel • Motel • Parking, non-accessory • Service station, minor • Vehicle rental, minor • Vehicle wash, minor 	<ul style="list-style-type: none"> • Community Care Facility, Major • Community Care Facility, Minor • Health service, minor • Office • Recreation, indoor • Restaurant • Retail, convenience • Retail, general • Retail, liquor, only in C4I • Service, business support • Service, financial • Service, household repair • Service, massage therapy • Service, personal 	<ul style="list-style-type: none"> • Auction, minor • Brewery & distillery, minor • Building & garden supply • Community care facility, major • Community care facility, minor • Education, Commercial • Emergency services • Greenhouse & plant nursery • Health service, minor • Library & Exhibit • Liquor primary establishment, minor

		<ul style="list-style-type: none"> • Service, pet grooming & daycare • Liquor primary establishment, only in C4I 	<ul style="list-style-type: none"> • Office • Parking, non-accessory • Recreation, indoor • Recycling centre, minor • Restaurant • Retail, adult-oriented • Retail, convenience • Retail, cannabis • Retail, farmer's market • Retail, flea market • Retail, general • Retail, liquor • Service, business support • Service, dating or escort • Service, household repair • Service, massage • Service massage therapy • Service, personal • Service, pet grooming & day care • Service station • Transportation depot • Vehicle rental, minor • Vehicle wash, minor • Service station, minor
Secondary Uses	<p>Uses Secondary to Hotels & Motels Only:</p> <ul style="list-style-type: none"> • Exhibition & convention facility • Liquor primary establishment, minor • Office • Service, business support • Service, massage • Service, massage therapy • Service, personal • Service, pet grooming & daycare • Retail, convenience • Recreation, indoor • Recreation, outdoor 	<ul style="list-style-type: none"> • Home Business 1 • Housing, apartment • Residential security/operator unit 	<ul style="list-style-type: none"> • Home Business 1 • Housing, apartment • Housing, congregate

As identified in Table 1, the C2c zone will allow a variety of retail and service commercial uses to operate from the Northwood Plaza Hotel. The proposed rezoning will now allow a number of retail and service commercial uses to operate as principal uses rather than as secondary to the hotel use. The “c” will permit “Retail, Cannabis” on a permanent basis. 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.

Community Impacts

The subject property is a well-established local commercial site that has existed within the community for several 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, Liquor” use at the subject property. No significant land use impacts are anticipated from the proposed “Retail, Cannabis”.

Location of Establishment

The subject property is an established local commercial site, which includes existing “Retail, Liquor”, “Restaurant”, “Retail, General”, and “Hotel” uses. Residential uses are located east and west of the subject property across Northwood Pulpmill Road and Highway 97 N, respectively. There are no parks or schools within 500 m of the subject property.

Proliferation of Uses

The LCLP recommends a minimum separation of 1.6 km between “Retail, Cannabis” uses outside of the downtown. The subject property is approximately 3.7 km south of an existing “Retail, Cannabis use (North Country Cannabis located at 6065 Monterey Road) and approximately 3.0 km north of a BC Cannabis Store (Spruceland Centre). Not only are the existing “Retail, Cannabis” locations greater than 1.6 km from the subject area, the Nechako River and Highway 97 N physically separate these uses thereby mitigating conflicts or potential land use impacts.

Parking and Traffic

The subject property provides ample off-street parking and flexible traffic circulation for the existing retail and service commercial uses. The subject property can be accessed from both Northwood Pulpmill Road and Highway 97 N so potential access and egress conflicts to the site are mitigated. It is not expected that the proposed use will have any significant impacts on traffic in the area as commercial uses are already existing, and there is parking capacity available.

The proposed C2c zone is consistent with the existing commercial uses occurring within the Northwood Plaza Hotel on the subject property. Administration supports this application as the proposed “Retail, Cannabis” use 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.

Property 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. 9414 requires 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. In addition, notice will be published to the City’s website and Facebook page as per “City of Prince George Public Notice Bylaw No. 9329, 2022.”

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. 9414, 2023 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to rezone the subject area from C4I: Local Commercial and C5: Visitor Commercial to C2c: Regional Commercial to facilitate a “Retail, Cannabis” use on the subject area of 2270 - 2302 Hart Highway. 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: 2023/07/10