

STAFF REPORT TO COUNCIL

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DATE: September 20, 2023

TO: MAYOR AND COUNCIL

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

SUBJECT: Zoning Bylaw Amendment Application No. RZ100795 (Bylaw No. 9427)

APPLICANT: Canna Northwest Enterprise for Blanleil Cranbrook Holdings Ltd., Inc.
No. BC0826729

LOCATION: 2591 Vance Road

ATTACHMENT(S): Location and Zoning Map
Appendix "A" to Bylaw No. 9427
Support Document

RECOMMENDATION(S):

That Council GIVES First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9427, 2023".

PURPOSE:

The applicant has applied to rezone the subject property located at 2591 Vance Road from C6: Highway Commercial to C6c: Highway Commercial, as shown on Appendix "A" to Bylaw No. 9427. The addition of the "c" to the C6 zone will allow a "Retail, Cannabis" use on the subject property on a permanent basis.

BACKGROUND:

Site Characteristics

Location	2591 Vance Road
Legal Description	Lot 1, District Lot 753, Cariboo District, Plan 10352
Current Use	Commercial Strip Mall
Site Area	0.19 ha (0.48 acres)
Future Land Use	Service Commercial
Growth Management Class	Infill
Servicing	City Services Available

Zoning (see Appendix "A" to Bylaw No. 9427)

Current Zoning	C6: Highway Commercial
Proposed Zoning	C6c: Highway Commercial

Surrounding Land Use Table

North	Vance Road; Restaurant (Boston Pizza)
South	Restaurant (McDonald's drive thru and Fortune Palace)
East	Restaurant (McDonald's); Highway 16 W
West	Hollandia Drive; Commercial (Office and Recycling Centre)

Relevant Applications

Temporary Use Permit Application No. TU000066: On March 8, 2021, Council approved Temporary Use Permit No. TU000066 to permit a "Retail, Cannabis" use on the subject property for three years, expiring on March 9, 2024.

Cannabis License Application No. CN000017: On March 8, 2021, Council agreed to forward a resolution to the Liquor and Cannabis Regulation Branch (LCRB) supporting a cannabis retail license on the subject property. The LCRB issued a cannabis retail license to Canna Northwest Enterprises Inc. on June 8, 2021, facilitating the operation of Dragon's Peak Cannabis.

STRATEGIC PRIORITIES:

This application is consistent with Council's strategic priority for economic diversity and growth priorities.

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, Council supported the proposed "Retail, Cannabis" use for the subject property and a resolution was forwarded to the LCRB who issued a cannabis retail license for the current operation of Dragon's Peak Cannabis at 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, occupant load, and location. Staff have evaluated the criteria outlined in the LCLP and have considered their relevance to this rezoning application as noted 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 primarily to serve the travelling public in highly accessible locations and includes retailers that are primarily accessed by vehicle.

Growth Management

The subject property is designated as Infill 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). This application will facilitate a permanent use of the subject property for a "Retail, Cannabis" use, utilizing 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.

Zoning Bylaw

The subject property is zoned C6: Highway Commercial. The C6 zone is intended to provide for uses appropriate for highway locations. The applicant has applied to rezone the subject property from C6: Highway Commercial to C6c: Highway Commercial to facilitate a “Retail, Cannabis” use, as shown on Appendix “A” to Bylaw No. 9427. The addition of the “c” to the C6 zone allows a “Retail, Cannabis” use on the subject property on a permanent basis.

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

Location of Establishment

The subject property is located at the corner of Vance Road and Hollandia Drive within an established highway commercial site that includes restaurants, retail, and cannabis retail. The subject property is bound by Vance Road (north), Hollandia Drive (west), and by commercial restaurants (south and east). Residential uses are in close proximity (40 m) to the subject property. The nearest school, Peden Hill Elementary, is located approximately 530 m to the north-west.

The existing “Retail Cannabis” use is complementary to the established commercial uses nearby and on the subject property which is supported by the City’s LCLP. Administration does not foresee any negative impacts relating to the location of the proposed cannabis retail store.

Community Impacts

The subject property is a well-established highway commercial site that has existed within the community for several years. 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 Use

The subject property is approximately 1.5 km and 2.0 km north of existing cannabis retail uses (MJB Cannabis located at 5777 Albert Place and BC Cannabis Store located at 6111 Southridge Avenue, respectively) and approximately 1.6 km south of an existing cannabis retail use (BC Cannabis Store located at 3111 Massey Drive). Although the subject property and existing cannabis retail locations are on the cusp of the recommended 1.6 km separation from one another, Highway 16 and arterial roads 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 on the subject property. The subject property is accessed from both Vance Road and Holland Drive as such potential access and egress conflicts to the site are mitigated. As the “Retail, Cannabis” use has been on the subject property over the last two years, rezoning to allow the use permanently is not expected to produce additional parking or traffic concerns.

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

OTHER CONSIDERATIONS:

Referrals

This rezoning 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 title of the subject property indicated no encumbrances or restrictions that would affect this rezoning application.

RCMP

The RCMP expressed no concerns with respect to this application.

LCRB

The RCMP expressed no concerns with respect to this application.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9427 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

Statutory Notification and Public Consultation

As set out in the *Local Government Act* and "City of Prince George Development Procedures Bylaw No. 9423, 2023", a public hearing will be held regarding this rezoning application and the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interest in property may be affected by this application. In addition, notice will be published on the City's website and Facebook page in accordance with the "City of Prince George Public Notice Bylaw No. 9329, 2022."

Members of the public wanting to comment on the application may submit written correspondence or speak to Council during the public hearing either via telephone or in person. Written submissions received in response to the public notice for these applications will be provided to Council for their information and consideration during deliberations on the application. 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. 9427, 2023 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to rezone 2591 Vance Road from C6: Highway Commercial to C6c: Highway Commercial to facilitate a "Retail, Cannabis" use on a permanent basis. A "Retail, Cannabis" use is currently operating under a Temporary Use Permit set to expire on March 9, 2024. Administration supports this application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Kali Holahan, Supervisor, Land Use Planning

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2023/10/16