

STAFF REPORT TO COUNCIL

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DATE: March 4, 2024

TO: MAYOR AND COUNCIL

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

SUBJECT: Liquor License Application No. LL100188

APPLICANT: Sandra Przysieny (Tee Box Golf Simulators & Lounge Ltd.) on behalf of
1255239 B.C. Ltd., Inc. No. BC1255239

LOCATION: 401-403 3rd Avenue

ATTACHMENT(S): Location and Existing Zoning Map
Letter of Intent
Occupancy Load Confirmation

RECOMMENDATION(S):

THAT Council:

1. CONFIRMS that its comments on the Liquor and Cannabis Regulation Branch's prescribed considerations are as set out in the report dated March 4, 2024, from Deanna Wasnik, Director of Planning and Development for Liquor Licence Application No. LL100188;
2. CONFIRMS the methods used to gather the views of potentially affected property owners were in accordance with Section 4: Public Consultation of the City of Prince George Liquor and Cannabis Licensing Policy and that the views of affected residents are as summarized in the minutes of the Public Hearing held on April 8, 2024; and
3. SUPPORTS the approval of the Liquor Licence Application to allow Liquor Primary Establishment, Minor use for Tee Box Golf Simulators & Lounge Ltd. located at 401-403 3rd Avenue subject to the adoption of "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9390, 2023", for the following reasons:

This application is not expected to have a negative impact on the community or produce any significant negative land use impacts on adjacent properties.

PURPOSE:

The applicant has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a liquor primary licence at 401-403 3rd Avenue (subject property). This application will allow liquor services for the existing golf simulator business, Tee Box Golf Simulators & Lounge Ltd. The applicant has provided an occupancy load floor plan and letter of intent outlining the proposed business plan and hours of operation which is attached to this report.

Background

Site Characteristics

Location	401-403 3 rd Avenue
Legal Description	Lots 9 & 10, Block 141, District Lot 343, Cariboo District, Plan 1268
Current Use	Indoor Recreation (Golf Simulator)
Site Area	613 m ² (0.15 acres)
Zoning	M1: Light Industrial

Liquor and Cannabis License Policy

Type of License	Liquor Primary
Hours of Service	Monday-Thursday 9:00 am to 9:00 pm Friday-Sunday 9:00 am to 11:00 pm

Relevant Applications

Rezoning Application No. RZ100786 (Bylaw No. 9390): The applicant has applied to rezone the subject property with a site-specific text amendment to allow a “Liquor Primary Establishment, Minor” as a secondary use on the subject property. On March 11, 2024, Council approved First and Second Reading of Amendment Bylaw No. 9390. A concurrent public hearing will be held to consider both RZ100786 and LL100188.

POLICY / REGULATORY ANALYSIS:

Liquor and Cannabis Regulation Branch

The LCRB is the provincial authority for liquor licensing and is regulated by the *Liquor Control and Licensing Act* and the Liquor Control and Licensing Regulation. All liquor licenses and changes to existing licenses are approved and issued by the LCRB. The LCRB requires that the local government reviews the application, gathers the views of residents that will be affected by the proposal and passes a resolution on the application. The applicant has concurrently applied to the LCRB for a liquor primary license. Once Council reviews this application, a resolution from Council will be forwarded to the LCRB.

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 (i.e. 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 allow for Liquor Primary Establishments outside of the downtown to offer hours of liquor service between 9:00 am and 1:00 am. The applicant is proposing to offer liquor service from Monday to Thursday from 9:00 am to 9:00 pm and on Friday to Sunday from 9:00 am to 11:00 pm.

The proposed hours of liquor service are consistent with the LCLP for establishments outside of the downtown.

Occupant Load

The LCLP guidelines allow Liquor Primary Establishments outside of the downtown to have an occupant load no greater than 125. A Qualified Professional has confirmed a 50-person occupancy load which is consistent with the LCLP.

Location of Establishment

The subject property is located within the Queensway East Light Industrial area. The Official Community Plan (OCP) states that light industrial areas should permit retail sales, food, and beverage service when ancillary to a principal industrial use. Due to the limited capacity of 50 persons, the hours of operation and the recreational,

indoor nature of the proposed business, the proposed liquor primary establishment is not expected to negatively impact the surrounding neighbourhood.

Surrounding Land Use Table

North	3 rd Ave; Commercial/Industrial
South	Laneway; Commercial/Industrial; 4 th Ave
East	London Street; City Lot
West	Commercial/Industrial

The subject property is located within the Queensway East area, which is comprised of well-established commercial/industrial uses including retail, service, indoor recreation and industrial uses. The proposed Liquor Primary Establishment, Minor use is well suited to the surrounding uses. This application is consistent with OCP policy direction and is typical of other uses occurring within the nearby downtown area.

Community Impacts

In addition to the above, Administration has considered typical land use impacts associated with liquor primary uses including over proliferation, noise, parking, and traffic.

Proliferation of Uses

The nearest liquor primary establishment is approximately 100 m north (Trench Brewing) of the subject property. This application will allow an existing business the ability to have liquor service as a secondary use. The proposed liquor primary licence is not intended to be the primary function of business operations. This application will allow liquor service to be secondary to the existing golf simulator business. The proposed use complements the intent of the M1 zone to provide a transitional mix of uses and assists with redevelopment of existing buildings within the Queensway East area.

Administration does not believe there is an over proliferation of liquor primary uses within the area surrounding the subject property and is supportive of this application.

Noise

The subject property is bordered by 3rd Avenue to the north, a laneway to the south, and London Street to the east, providing a buffer between the subject property and adjacent properties. Furthermore, the operation of the lounge is completely contained within the existing building, and as such, would alleviate potential noise impacts that may result from the patrons. It is not anticipated that the proposed liquor primary use will disrupt surrounding land uses through increased noise or public nuisance.

Parking and Traffic

The subject property is located along 3rd Avenue which has available on-street parking. It is not anticipated that the proposed liquor primary use will have any significant impacts on traffic in the area. There is no transit service in this area, however, the subject property is located approximately 700 m from downtown where transit service is available.

Administration supports this application as the proposed liquor licence is consistent with LCLP direction and is not expected to negatively impact surrounding uses.

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

As the owner of the subject property is a registered company, a BC Company Search has been conducted to provide the names of the company directors. The following is provided for Council's information:

Incorporation Number	1255239
Name of Company	1255239 B.C. Ltd.
Director Information	Przysieny, Derrik Postnikoff, Joseph

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

RCMP

The RCMP expressed no concerns with respect to this application.

LCRB

The LCRB expressed no concerns with respect to this application.

Statutory Notification and Public Consultation

As per the requirements set out in the *Liquor Control and Licensing Act*, the City of Prince George will mail or otherwise deliver a public notice to property owners and tenants whose interests may be affected by this application.

As set out in the *Council Procedure: Liquor and Cannabis Licensing Policy*, where a rezoning application is required to facilitate a liquor or cannabis license application, Council shall hold a public hearing during which both applications will be considered concurrently. Subject to Council's support of the rezoning application and granting of third reading of proposed Bylaw No. 9390, 2023, Liquor License Application No. LL100188 will be considered by Council.

During the public hearing, members of the public wanting to provide comment on either the Rezoning Application or the Liquor License Application 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. 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 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 as written in the recommendation.

SUMMARY AND CONCLUSION:

The applicant has applied for a liquor primary licence for the subject property located at 401-403 3rd Avenue. Administration recommends that Council approve the recommendation and forward it to the LCRB as the application is consistent with the OCP and LCLP.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Bryce Deveau, Planner 1

APPROVED:

Walter Babicz, City Manager

Meeting Date: 2024/04/08