

Date: June 6, 2024

To: **Mayor and Council.**

Name and title: Deanna Wasnik, Director of Planning and Development

Subject: Zoning Bylaw Amendment Application No. RZ100812 (Bylaw No. 9453, 2024)

Applicant: Majestic Management for Novak Bros. Contracting Ltd., Inc. No. 450109

Location: 556 North Nechako Road

Attachment(s): Location and Existing Zoning Map
Exhibit "A" to Bylaw No. 9453
Letter of Intent

Recommendation(s):

That Council GIVES FIRST AND SECOND READING to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9453, 2024."

Purpose:

The applicant has applied for a site-specific text amendment to the C3: Neighbourhood Commercial zone to allow a "Liquor Primary Establishment, Major" as a secondary use at 556 North Nechako Road (subject property). This application will allow liquor service to occur on the subject property only and facilitate a liquor licence application with Liquor and Cannabis Regulation Branch for Theatre NorthWest.

Background:

Site Characteristics

| | |
|-------------------|---|
| Location | 556 North Nechako |
| Legal Description | Block C, District Lot 1574, Cariboo District, Plan 8540 except Plans 11535, 14080, 27425 and H699 |
| Current Use | Various Commercial Occupancies including Theatre NorthWest |
| Site Area | 3.25 ha (8.03 acres) |
| Zoning | C3: Neighbourhood Commercial; AG: Greenbelt |
| Future Land Use | Service Commercial; Rural Resource |
| Growth Management | Infill; Rural Resource |

Zoning (see Exhibit “A” to Bylaw No. 9453)

| | |
|-----------------|--|
| Current Zoning | C3: Neighbourhood Commercial; AG: Greenbelt |
| Proposed Zoning | C3: Neighbourhood Commercial; with a site-specific text amendment to add “Liquor Primary Establishment, Major” as a secondary use; AG: Greenbelt |

Surrounding Land Use Table

| | |
|-------|--|
| North | Undeveloped Land |
| South | North Nechako Road; Highway 97; Industrial |
| East | Residential |
| West | Industrial |

Relevant Applications

Liquor License Application No. LL100195: The applicant has concurrently applied to the Liquor and Cannabis Regulation Branch for a liquor primary licence at the subject property. Should Council approve Rezoning Application No. RZ100812 for First and Second Reading, a concurrent public hearing will be held for RZ100812 and LL100195.

Strategic Priorities:

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

Policy / Regulatory Analysis:

Liquor and Cannabis Regulation Branch

The Liquor and Cannabis Regulation Branch (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 are approved and issued by the LCRB. The applicant has concurrently applied to the LCRB to operate as a liquor primary establishment. Should this application be successful, the City’s Liquor License Application process will be triggered for a resolution from Council.

City of Prince George Liquor and Cannabis License Policy

The City of Prince George Liquor and Cannabis License Policy (LCLP) establishes guidelines for the operation of Liquor Primary Establishments within the City. As previously mentioned, the applicant has concurrently applied to the City for a Liquor License Application to facilitate a resolution from Council. The Liquor License Application will be evaluated for hours of liquor service, occupant load, and location of Liquor Primary Establishments. Should Council approve this rezoning application (Bylaw No. 9453, 2024) for First and Second Reading, a concurrent public hearing will be held for both the site-specific text amendment and Liquor License Application.

Official Community Plan

Future Land Use

The subject property is designated as Service Commercial and Rural Resource as per Schedule B-6: Future Land Use of the Official Community Plan (OCP). The proposed “Liquor Primary, Major” use will only occur on the Service Commercial portion of the subject property. The Service Commercial designation is intended to contain primarily traveling public-oriented commercial uses in highly accessible locations, including tourist-oriented uses and retailers that are accessed primarily by vehicle. Retail and service uses that can easily be located in a neighbourhood centre are not the focus of this designation.

As this use is complimentary to the current Service Commercial designation, Administration is supportive of this application.

Growth Management

The subject property is designated as Infill and Rural Resource in Schedule B-4: Growth Management of the OCP. Areas within an Infill designation have been prioritized for development and utilization of vacant sites and redevelopment of existing serviced lands is encouraged (OCP Policy 8.1.11). This application will facilitate a “Liquor Primary, Major” use within the existing building located on the Infill portion of the subject property. This application will increase the concentration of uses within the Infill portion.

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 currently zoned C3: Neighbourhood Commercial and AG: Greenbelt. The proposed site-specific “Liquor Primary, Major” use will be added only to the C3 portion of the subject property. The C3 zone is intended to provide for neighbourhood commercial areas and complementary residential uses. The applicant is proposing to offer liquor services in addition to the existing theatre business at Theatre NorthWest. As such, the applicant has proposed a site-specific text amendment to allow a “Liquor Primary Establishment, Major” as a secondary use within the C3: Neighbourhood Commercial zone on the subject property only. The applicant has provided a letter of intent, which is attached to this report, describing the proposed liquor services and hours of operation.

The subject property is located within the Parkhill Centre adjacent to industrial and utility uses, and immediately adjacent vacant lands (north) and Highway 97 North (east). The proposed liquor primary use does not conflict with the adjacent industrial uses and offers a small scale of entertainment and indoor recreation to the surrounding area. Parkhill Centre contains a variety of commercial uses, including Theatre NorthWest, several salons, a café, a pedorthist, a butcher shop, several offices, and a daycare. As the liquor primary use is being added as a secondary use to the existing Theatre

NorthWest location and will not be implemented as a stand-alone liquor primary business, it is not anticipated to have negative impacts on the surrounding area and adjacent land uses.

The subject property provides ample off-street parking and flexible traffic circulation throughout Parkhill Centre and adjacent major collector roads (i.e., North Nechako Road and Highway 97 North). It is not expected that the proposed use will have any significant impact on traffic in the area as commercial uses already exist on the subject property and parking is available to support the proposed use.

As this proposal is consistent with the OCP and complements the C3 zone and existing business, Administration supports this application.

Other Considerations:

Referrals

This application was referred to internal City divisions and external agencies with no outstanding concerns. 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 information:

| | |
|--|---|
| Incorporation Number | BC0450109 |
| Name of Company | Novak Bros. Contracting Ltd. |
| Director Information (Last name, First name) | Novak, Robert Novak, Henry Novak, Anton |

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

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9453, 2024 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

LCRB

The LCRB expressed no concerns with respect to this application.

RCMP

The RCMP expressed no concerns with respect to this application.

Statutory Notification and Public Consultation

As set out in the *Local Government Act* and "City of Prince George Development Procedures Bylaw No. 9423, 2023", in advance of Council's consideration of third reading of the proposed bylaws, a public hearing will be held regarding the applications 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 these applications. 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 applications 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 applications. 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. 9453, 2024 be approved.

Summary and conclusion:

The applicant has applied for a site-specific text amendment to the C3: Neighbourhood Commercial zone to allow a "Liquor Primary Establishment, Major" as a secondary use on the subject property located at 556 North Nechako Road. Administration is supportive of this application for the reasons outlined in this report.

Respectfully submitted:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Keone Gourlay, Planner 1

Approved:

Walter Babicz, City Manager

Meeting Date: 2024/07/08