

STAFF REPORT TO COUNCIL

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DATE: February 21, 2020

TO: MAYOR AND COUNCIL

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

SUBJECT: Rezoning Amendment Application No. RZ100645 (Bylaw No. 9093)

APPLICANT: Elliot Sexsmith for Duk Hong Kim and Myung Soon Kim

LOCATION: 9902 Sintich Road

ATTACHMENTS: Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9093
Liquor and Cannabis Regulation Branch Application Package

RECOMMENDATION:

THAT Council GIVES First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9093, 2019".

PURPOSE:

The applicant has applied to rezone the subject property from C6I: Highway Commercial to C6Ic: Highway Commercial to facilitate the retail sale of cannabis on the subject property. The "Retail, Cannabis" use will allow a cannabis retail store within an existing building (PG Liquor Box) at 9902 Sintich Road. The C6Ic zoning designation would permit both retail liquor and retail cannabis on the subject property.

Site Characteristics

Location	9902 Sintich Road
Legal Description	Lot A, District Lot 750, Cariboo District, Plan 23849
Site Area	2.0 ha
Official Community Plan	Business District, Service Commercial
Growth Management Class	Rural Resource
Servicing	City Services Available

Zoning (see Appendix "A" to Bylaw No. 9093)

Current use	Liquor Store; Convenience Store; Service Station
Current Zoning	C6I: Highway Commercial
Proposed Zoning	C6Ic: Highway Commercial

Surrounding Land Use Table

North	Highway 97 Frontage Road S; Highway 97 S
South	Sintich Road; Castle Road; City Boundary; Brkich Mobile Home Park
East	Sintich Road; City Boundary; Highway 97 S
West	Sintich Road; Undeveloped RM9; Manufactured Home Park

Relevant Applications

Cannabis License Application No. CN000009: The applicant has applied for a Retail Cannabis License for the subject property located at 9902 Sintich Road. The applicant has successfully completed the LCRB's required financial integrity check and security screening for a non-medical cannabis retail store. The Staff Report to Council for CN000009 will be considered concurrently with Rezoning Application No. RZ100645 at third reading of Bylaw No. 9093, 2019.

POLICY / REGULATORY ANALYSIS:

Liquor and Cannabis Regulation Branch (LCRB)

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. The applicant has completed the LCRB's required financial integrity check and security screening. As such, the applicant has submitted a Rezoning 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 (LCLP)

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 as noted below.

Official Community Plan

Future Land Use

The subject property is designated as Business District, Service Commercial in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Business District, Service Commercial designation is intended to provide commercial uses, primarily for the traveling public, in highly accessible locations, including tourist-oriented uses and retailers that are accessed primarily by vehicle. The proposed retail cannabis use on this site is compatible with the Service Commercial designation as the proposed cannabis store can be easily accessed by vehicle and is situated in a highly accessible location.

Administration supports this rezoning application, as it is consistent with OCP Policy.

Zoning Bylaw

The subject property is currently zoned C6I: Highway Commercial. The purpose of this zone is to provide for uses appropriate for some highway locations. The "I" permits retail liquor on the subject property. The applicant has applied to rezone the property from C6I: Highway Commercial to C6Ic: Highway Commercial. The addition of the proposed "c" would permit retail cannabis on the subject property, in addition to the retail liquor that is currently permitted at 9902 Sintich. The proposed C6Ic: Highway Commercial zone has the same zoning regulations as the C6I zone, with the addition of "Retail, Cannabis" as a permitted principal use.

The land use impacts that are considered with respect to a Cannabis Retail application include location of the establishment, community impacts, proximity and over proliferation of use, adjacent land uses, parking and traffic, and hours of service.

Location of Establishment

The proposed cannabis retail store will be located within a portion of an existing building that will continue to operate as a retail liquor store (PG Liquor Box) on the subject property at 9902 Sintich (see LCRB Application Package). The subject property is approximately two hectares, and the proposed location of the cannabis retail establishment is sited near the front of the property, bound by onsite surface parking, Shell gas station and convenience store, Sintich Road, and Hwy 97 Frontage Road S. The property is primarily accessed by vehicle traffic, and is not within close proximity to any schools, parks, public buildings, or other recreational facilities.

The nearest residential area is Brkich Mobile Home Park located on Castle Road, approximately 50 m away from the proposed retail cannabis store. The mobile home park is separated from the subject property by Sintich and Castle Roads.

Community Impacts

Due to the location of the establishment, it is anticipated that the proposed retail cannabis store will be accessed primarily by vehicle traffic. The two hectare site has ample parking, is in a highly visible location in close proximity to the Highway, and is bound by surface parking, local roads, and Highway 97 S. Therefore, the retail cannabis store is not expected to have adverse impacts on the surrounding properties or neighbourhood.

Proliferation of Uses

The City of Prince George LCLP recommends a minimum separation of 1.6 km between cannabis retail uses. There is no "Retail, Cannabis" use on the subject property or within 1.6 km of the proposed retail cannabis store.

Parking and Traffic

Onsite parking is available to accommodate parking and traffic circulation for the existing liquor store, convenience store and service station. The site is accessed from both Hwy 97 S Frontage road and Sintich Road, and, as such, potential access and egress conflicts to the site are mitigated.

Hours of Service

The applicant has proposed to operate 7 days a week, Monday to Sunday, 9:00 am to 11:00 pm. The proposed hours align with the recommended hours of service specified by the Liquor Control and Cannabis Regulation Branch (LCRB) and the City of Prince George Liquor and Cannabis Licensing Policy (LCLP).

Administration supports this application as the proposed "Retail, Cannabis" is consistent with LCLP direction and OCP policy direction, and is not expected to impact surrounding properties.

OTHER CONSIDERATIONS:

Referrals

This application was referred to internal City divisions and external agencies for comments.

RCMP

RCMP are concerned that the retail, cannabis use may elevate the risk of targeted robberies or break and enters and the remote location of the site could make it difficult for RCMP to respond promptly, should there be a need for a police presence on the subject property.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9093 requires Ministry of Transportation and Infrastructure's approval prior to Final Reading.

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. 9093, 2019 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to rezone the subject property from C6I: Highway Commercial to C6Ic: Highway Commercial to facilitate a retail cannabis store on the subject property. Administration supports this rezoning application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Ian Wells, General Manager of Planning and Development

PREPARED BY: Nicole Fraser, Planner

APPROVED:

Kathleen Soltis, City Manager

Meeting Date: 2020/03/09