

STAFF REPORT TO COUNCIL

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DATE: March 16, 2020

TO: MAYOR AND COUNCIL

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

SUBJECT: Cannabis License Application No. CN000009

Applicant: Elliot Sexsmith for Duk Hong Kim and Myung Soon Kim
Location: 9902 Sintich Road

ATTACHMENT(S): Location and Existing Zoning Map
Liquor and Cannabis Regulation Branch Approval

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 16, 2020 from Ian Wells, General Manager of Planning and Development, for Cannabis License Application No. CN000009;
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 view of affected residents are as summarized in the minutes of the Public Hearing held on April 6, 2020; and
3. SUPPORTS the issuance of the Retail Cannabis License to allow a non-medical cannabis retail store for Southway Marijuana located at 9902 Sintich Road 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 purpose of this report is to facilitate the issuance of a Retail Cannabis License for the subject property located at 9902 Sintich Road. The applicant has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a non-medical cannabis retail store and has successfully completed the LCRB's required financial integrity check and security screening. The applicant has subsequently applied to the City for a Cannabis License at the subject property.

Background

Site Characteristics

Location	9902 Sintich Road
Legal Description	Lot A, District Lot 750, Cariboo District, Plan 23849
Current Use	Liquor Store; Convenience Store; Service Station
Site Area	2.0 ha
Zoning	C6I: Highway Commercial

Liquor and Cannabis License Policy

Type of License	Cannabis License
Hours of Service	Monday to Sunday: 9:00 am to 11:00 pm

Relevant Application(s)

Rezoning Application No. RZ100645: The applicant has applied to rezone the subject property located at 9902 Sintich Road from C6I: Highway Commercial to C6Ic: Highway Commercial to allow a Retail, Cannabis use. The applicant has successfully completed the LCRB's required financial integrity check and security screening for a non-medical cannabis retail store. City Council considered First and Second Reading of the proposed rezoning bylaw on March 9, 2020. The Public Hearing will be considered concurrently with proposed Cannabis License Application No. CN000009.

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, the applicant has completed the LCRB's required financial integrity check and security screening.

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 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 suggest hours for Retail, Cannabis uses be between 9:00 am and 11:00 pm. The applicant has proposed to operate 7 days a week, Monday to Sunday, 9:00 am to 11:00 pm. The proposed Retail, Cannabis store hours are consistent with the LCLP.

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. 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 table below summarizes surrounding land uses.

Surrounding Land Use Table

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

Community Impacts

Administration does not anticipate negative impacts on surrounding properties as a result of the proposed Retail, Cannabis use on the subject property. Administration has had an opportunity to evaluate the extent of any impacts that may occur as a result of a Retail, Cannabis use. Administration has considered the following:

Proliferation of Uses

As previously stated, the OCP identifies Business District, Service Commercial designations as areas 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 LCLP recommends a minimum separation of 1.6 km between cannabis retail uses outside of the downtown. The nearest active cannabis retail use is located approximately 7,787 m from the subject property.

Noise

The proposed location for the retail, cannabis store is within an existing building sited near the front of the subject property, on the corner of Highway 97 South and Sintich Road. The closest residential use (manufactured home park) is located along the east property line. This property is bounded by trees to buffer potential noise from patrons (i.e. vehicle traffic). Therefore, it is not anticipated that a Retail, Cannabis use will disrupt surrounding uses through increased noise.

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 the frontage road and Sintich Road and, as such, potential access and egress conflicts to the site are mitigated.

Administration supports this application, as the proposed cannabis license is consistent with LCLP direction.

Referrals

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

RCMP

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

Administration has indicated the above-mentioned comments to the applicant for their consideration.

Notification to Adjacent Property Owners

As per the requirements set out in the Local Government Act, the City of Prince George will provide a delivery of notice to adjacent property owners whose interests may be affected by this license.

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 recommendation.

SUMMARY AND CONCLUSION:

The applicant has applied for a Cannabis Retail License for the subject property located 9902 Sintich Road. 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:

Ian Wells, General Manager of Planning and Development

PREPARED BY: Nicole Fraser, Planner

APPROVED:

Kathleen Soltis, City Manager

Meeting Date: 2020/04/06