

STAFF REPORT TO COUNCIL

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DATE: May 13, 2020

TO: MAYOR AND COUNCIL

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

SUBJECT: Rezoning Amendment Application No. RZ100656 (Bylaw No. 9114)

Applicant: Access Engineering Consultants Ltd. for Mor-D Enterprises Ltd., Inc. No. 286761
Location: 5787 Albert Place

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9114
Supporting Documents

RECOMMENDATION(S):

That Council GIVES FIRST and SECOND READING to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9114, 2020."

PURPOSE:

The applicant has applied to rezone the subject property from C4I: Local Commercial to C4Ic: Local Commercial to facilitate the retail sale of cannabis on the subject property (5787 Albert Place). The addition of the "c" to the C4I zoning designation allows "Retail, Cannabis" as a permitted use on the subject property. The applicant proposes to locate the retail cannabis store within a portion of an existing building (formerly College Heights Liquor Store) at 5787 Albert Place.

Site Characteristics

Location	5787 Albert Place
Legal Description	Lot 1, District Lot 754, Cariboo District, Plan BCP7518
Current Use	Liquor Primary Establishment, Minor
Site Area	3859.7 m ²
Official Community Plan	Neighbourhood Residential; Neighbourhood Corridor
Growth Management Class	Infill; Growth Priority
Servicing	City Services Available

Zoning (see Appendix "A" to Bylaw No. 9114)

Current Zoning	C4I: Local Commercial
Proposed Zoning	C4Ic: Local Commercial

Surrounding Land Use Table

North	Albert Place; Undeveloped RM1: Multiple Residential
South	Undeveloped RM1: Multiple Residential; AG: Greenbelt
East	P1: Parks and Recreation; Domano Boulevard
West	Undeveloped RM1: Multiple Residential

Relevant Applications

Cannabis License Application No. CN000011: The applicant has applied for a Retail Cannabis License for the subject property. 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 CN000011 will be considered concurrently with Rezoning Application No. RZ100656 at third reading of Bylaw No. 9114, 2020.

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 Neighbourhood Residential and Neighbourhood Corridor in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighbourhood Corridor designation supports retail, personal services, service-oriented office uses and food & beverage establishments intended to draw residents from surrounding neighbourhoods. This designation further indicates retail establishments should suit the surrounding neighbourhoods with a total gross floor area of less than 2000 m², and no single retail space to exceed 700 m². The applicant's proposal indicates the cannabis store will be located within a 128 m² portion of an existing building, which was previously a liquor store.

The applicant's proposal is consistent with the Neighbourhood Corridor Designation as the proposed 128m² retail space is less than 700m², the existing building is compatible with the surrounding neighbourhood, and the site can be accessed by residents in surrounding neighbourhoods.

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

Zoning Bylaw

The subject property is currently zoned C4I: Local Commercial. The purpose of this zone is to provide for local commercial areas and complementary residential uses. The “I” permits a liquor establishment, minor use (pub), and retail liquor on the subject property. The building on the subject property consists of two tenant spaces, which are currently vacant.

The applicant has applied to rezone the property from C4I: Local Commercial to C4Ic: Local Commercial. The addition of the proposed “c” would permit retail cannabis on the subject property, in addition to liquor primary establishment, minor and retail, liquor uses. It is the applicant’s intention at this time to operate a retail cannabis store.

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 was formerly a liquor store on the subject property at 5787 Albert Place (see supporting documents). The existing building is currently the only building located on Albert Place. The building is situated near the rear of the property and is bound by onsite surface parking, mature trees, Albert Place, Nicholas Avenue and Domano Boulevard. The topography and mature landscaping act as a visual buffer between the site and surrounding uses.

The proposed cannabis retail store is approximately 357 m from College Heights Secondary School, approximately 80 m from the nearest residential neighbourhood, and is not within close proximity to any public buildings, or other recreational facilities.

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 site has ample on-site parking and is not visible to nearby uses; therefore, the 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 other “Retail, Cannabis” use operating on the subject property or within 1.6 km of the proposed retail cannabis store. The property located at 6565 Southridge Avenue (SmartCentres Prince George) was rezoned to facilitate a BC Cannabis store; however, no retail cannabis store is operating at this time.

Parking and Traffic

Onsite parking is available to accommodate parking and traffic circulation for the proposed retail cannabis store. In addition, the retail cannabis store will be located in the only building on Albert Place. As such, potential access and egress conflicts to the site are mitigated and there are no traffic concerns.

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” use is consistent with LCLP 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.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9114 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. 9114, 2020 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to rezone the subject property from C4I: Local Commercial to C4Ic: Local Commercial to facilitate a retail cannabis store on the subject property at 5787 Albert Place. Administration supports this 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: 2020/05/25