

STAFF REPORT TO COUNCIL

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DATE: May 21, 2020

TO: MAYOR AND COUNCIL

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

SUBJECT: Cannabis License Application No. CN000011

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

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

RECOMMENDATIONS:

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 May 21, 2020 from Ian Wells, General Manager of Planning and Development for Cannabis License Application No. CN000011;
2. CONFIRMS the methods used to gather the views of potentially affected property owners were in accordance with Section 33 of the *Cannabis Control and Licensing Act* and that the views of affected residents are as set out in the agenda and minutes of the Council Meeting held on June 15, 2020; and
3. SUPPORTS the issuance of the Retail Cannabis License to allow a non-medical cannabis retail store at 5787 Albert Place subject to the adoption of "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9114, 2020", 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 5787 Albert Place. 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	5787 Albert Place
Legal Description	Lot 1, District Lot 754, Cariboo District, Plan BCP7518
Current Use	Liquor Primary Establishment, Minor (vacant)
Site Area	3859.7 m ²
Zoning	C4I: Local 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. RZ100656: Bylaw No. 9114. The applicant has applied to rezone the subject property located at 5787 Albert Place from C4I: Local Commercial to C4Ic: Local 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 May 25, 2020. The Cannabis License Application No. CN000011 will be considered concurrently with Rezoning Application No. RZ100656 (Bylaw No. 9114, 2020) and it is recommended that City Council's support of the Cannabis License Application be subject to approval of proposed "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9114, 2020."

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 located on the subject property at 5787 Albert Place. 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.

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. The table below summarizes surrounding land uses.

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

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 Neighbourhood Corridor designation as an area intended to support retail, personal services, service-oriented office uses and food & beverage establishments intended to draw residents from surrounding neighbourhoods. The LCLP recommends a minimum separation of 1.6 km between cannabis retail uses outside of the downtown. The property located at 6565 Southridge Avenue was rezoned to facilitate a BC Cannabis store; however, no retail cannabis store is operating at this time.

Noise

The proposed location for the retail, cannabis store is within an existing building sited near the rear of the subject property. The existing building is currently the only building located on Albert Place and is bound by onsite surface parking, mature trees, Albert Place, Nicholas Avenue and Domano Boulevard. The topography and mature landscaping act as a buffer between the site and surrounding uses. 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 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.

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 with no outstanding concerns.

Council Procedures during COVID-19

As a result of the COVID-19 pandemic and the Ministerial Order issued under the *Emergency Program Act*, City Council at their meeting held April 6, 2020 passed a resolution to waive public hearings for permit applications and certain bylaws where such hearings are not required.

As per the requirements set out in the *Cannabis Control and Licensing Act*, City Council will receive written submissions in response to the public notice for this application. 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 and publish this notice in accordance with the *City's Liquor and Cannabis Licensing Policy*.

Written submissions received in response to the public notice for this application will be provided to Council for consideration at the time the application is being considered. Submissions received after the meeting agenda has been published will be provided to Council as a handout on the day of the Council meeting for consideration during deliberations on the application.

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 Cannabis Retail License for the subject property located at 5787 Albert Place. 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: 2020/06/15