

STAFF REPORT TO COUNCIL

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DATE: June 24, 2020

TO: MAYOR AND COUNCIL

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

SUBJECT: Cannabis License Application No. CN000012

Applicant: 1199562 BC Ltd. for Colin & Matthew Holdings Ltd., Inc. No. BC0780710
Location: 7550 Hart Highway

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 June 24, 2020 from Ian Wells, General Manager of Planning and Development for Cannabis License Application No. CN000012.
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 views of affected residents are as summarized in the minutes of the Council Meeting Minutes from July 27, 2020; and
3. **SUPPORTS** the issuance of the Cannabis License Application to allow the non-medical retail sale of cannabis for Green Culture located at 7550 Hart Highway, subject to the approval of Temporary Use Permit Application No. TU000061, 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 Cannabis License for the non-medical retail sale of cannabis for the subject property located at 7550 Hart Highway. 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	7550 Hart Highway
Legal Description	Lot A, District lot 2433, Cariboo District, Plan 14477, Except Plan 29887
Current Use	Commercial
Site Area	2536 m ²
Zoning	C4: Local Commercial (2398 m ²) C6l: Local Commercial (138 m ²)

Liquor and Cannabis License Policy

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

Relevant Application(s)

Temporary Use Permit Application No. TU000061: The applicant has applied for a Temporary Use Permit (TUP) to allow a “retail, cannabis” use on the subject property. The Staff Report to Council for Temporary Use Permit Application No. TU000061 will be considered concurrently with Cannabis License Application No. CN000012.

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. As such, the applicant has submitted a Temporary Use Permit 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

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 cannabis retail store hours are consistent with the LCLP.

Location of Establishment

The proposed cannabis retail store will reside within an existing building on an established commercial site located at 7550 Hart Highway. The subject property is designated as Business District: Service Commercial in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Service Commercial designation is intended to provide a variety of commercial uses in highly accessible locations aimed at the travelling public. The table below summarizes the surrounding land uses.

Surrounding Land Use Table

North	Nordic Drive, Single Residential
South	Undeveloped commercial lands
East	Single Residential
West	Hart Highway Frontage Road, Highway 97

The subject property is located approximately 150 m from Kelly Road Secondary School and 610 m from Heather Park Elementary School. Highway 97 separates the proposed “retail, cannabis” use from the two schools. There are no other cannabis retail stores within 1.6 km of the subject property.

Community Impacts

Proliferation of Uses

The LCLP recommends a minimum separation of 1.6 km between cannabis retail uses outside of the downtown. There is currently no Retail, Cannabis uses within 1.6 km of the subject property.

Noise

While the subject property is located in close proximity to single residential dwellings, the site is an established commercial node. It is not expected that the “retail, cannabis” use will disrupt the surrounding uses through noise beyond what already occurs on the subject property.

Parking and Traffic

Onsite parking is available to accommodate parking and traffic circulation for the existing commercial node. The site is accessed from both Nordic Drive and Hart Highway Frontage Road; as such, potential access and egress conflicts to the site are mitigated. The proposed “retail, cannabis” use is not expected to produce additional parking or traffic concerns as it is consistent with the existing commercial uses occurring on the subject property.

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.

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.

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 7550 Hart Highway. 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: Tristin Deveau, Planner

APPROVED:

Kathleen Soltis, City Manager

Meeting Date: 2020/07/27