

STAFF REPORT TO COUNCIL

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DATE: July 23, 2020

TO: MAYOR AND COUNCIL

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

SUBJECT: Liquor License Application No. LL100166

Applicant: Zorawar Saini for The Generator Entertainment Services Ltd.
Location: 1232-1244 3rd Avenue

ATTACHMENT(S): Location and Existing Zoning Map
Liquor and Cannabis Regulation Branch Application
Letter of Intent from the Applicant
Letter of Support

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 July 23, 2020 from Ian Wells, General Manager of Planning and Development for Liquor License Application No. LL100166;
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 held on August 17, 2020; and
3. **SUPPORTS** the approval of the Liquor License Application for a liquor primary use for "The Generator" located at 1232- 1244 3rd Avenue 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 applicant has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a new nightclub Liquor Primary License for "The Generator" located at 1232-1244 3rd Avenue (subject property).

The LCRB is the authority for liquor licensing, and must therefore approve liquor licenses. The LCRB requires that the local government review the application, gather the views of residents that will be affected by the proposal and pass a resolution on the application. Once Council reviews the application, the resolution will be forwarded to the LCRB.

Background

Site Characteristics

Location	1232-1244 3 rd Avenue
Legal Description	Lot 13 and Lot 14, Block 44, District Lot 343, Cariboo District, Plan 1268
Current Use	Vacant (formally "The Generator")
Site Area	629.5 m ²
Zoning	C1I: Downtown

Liquor and Cannabis License Policy

Type of License	Liquor Primary License
Hours of Service	9:00 am to 1:00 am

POLICY / REGULATORY ANALYSIS:

Liquor and Cannabis Regulation Branch (LCRB)

The LCRB is the provincial authority for liquor licensing and is regulated by the *Liquor Control and Licensing Act* and the Liquor Control and Licensing Regulation. All liquor licenses and changes to existing licenses are approved and issued by the LCRB. The applicant concurrently submitted an application to the LCRB for a Liquor Primary License.

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 within the City. The LCLP provides guidelines on hours of liquor service, occupant load and location of Liquor Primary Establishments. The LCLP provides direction to permit Liquor Primary Establishments within the Downtown. 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 allow for Liquor Primary Licenses within the Downtown (C1: Downtown Zone) to have hours of liquor service between 9 am and 3 am. The applicant applied to the LCRB for a Liquor Primary License from Sunday to Saturday (9 am to 1 am).

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
OPEN	9 am	9 am	9 am	9 am	9 am	9 am	9 am
CLOSE	1 am	1 am	1 am	1 am	1 am	1 am	1 am

Administration is supportive of this application as the proposed hours of liquor service are consistent with the LCLP.

Occupant Load

The LCLP guidelines allow liquor primary licenses within the Downtown to have an occupant load no greater than 400. The applicant's occupancy is 250, which was determined by a qualified professional and is consistent with the LCLP.

Location of Establishment

As indicated previously, the subject property is located within the Downtown area. The Official Community Plan (OCP) states that the downtown should be the primary entertainment and cultural centre of the City. Please refer to the table below summarizing the surrounding land uses.

Surrounding Land Use Table

North	Laneway, City of Prince George Parkade, 2 nd Avenue and St. Vincent de Paul Society
South	3 rd Avenue, Commercial Tenancies (Nancy O's, Homework, Betulla Burning, TLC Family Law Practice, White Goose Bistro)
East	Vacant Commercial Tenancy with Residential units above, Second Hand Store; Dominion Street
West	Undeveloped commercial land, H&R Block Canada and Intersect Youth and Family Services; Quebec Street

Community Impacts

The proposed liquor primary license is not expected to have significant impacts on the surrounding properties. Administration has considered the following potential community impacts:

Proliferation of uses in the Downtown

There are several locations, which have active Liquor Primary Licenses, or have the potential for a liquor license (based on zoning) within 200 m of the subject property (LAMBDA Cabaret, Nancy O's, Special Beauty Parlor and Day Spa, Black Clover, Croft Hotel, 1st Avenue Tavern, Alibis Show Lounge, Cornerstone Kitchen and Lounge). This application is consistent with OCP policy direction, and is typical of other uses occurring within the Downtown Area.

Noise

The subject property is bordered by a lane (north), 3rd Avenue (south), an undeveloped parcel (west), and commercial tenancies (east). As indicated under the "Surrounding Land Use Table", there is a mixed-use (i.e. commercial and residential) building proposed for the vacant lot adjacent to the subject property. The applicants have advised that there are sound abatements in the existing building, which will reduce the potential noise impacts to surrounding uses.

Parking and Traffic

The location provides flexibility for parking and traffic circulation along 3rd Avenue, and is in close proximity to multiple surface parking lots and on-street parking.

Referrals

This application was referred to internal City divisions and external agencies for comments. The RCMP has indicated an overall concern with a liquor primary use for a nightclub at the subject property due to issues associated with a nightclub use and increased consumption of alcohol in the Downtown.

Letter of Support

The applicant has provided one (1) letter of support from the property owner at 1222-1226 3rd Avenue (see attached).

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 *Liquor 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 Liquor License Application for the subject property located at 1232-1244 3rd Avenue. 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: Melissa Nitz, Planner

APPROVED:

Kathleen Soltis, City Manager

Meeting Date: 2020/08/17