

STAFF REPORT TO COUNCIL

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DATE: August 31, 2020

TO: MAYOR AND COUNCIL

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

SUBJECT: Cannabis License Application No. CN000013

Applicant: Epik Products Inc. (Larissa Dawn Lebel) for Healx Medical Corporation Inc.,
Inc. No. BC1163648
Location: 356 George Street

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

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 August 31, 2020 from Ian Wells, General Manager of Planning and Development for Cannabis License Application No. CN000013.
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 September 14, 2020; and
3. DENIES the approval/issuance of the Cannabis License Application to allow the non-medical retail sale of cannabis for Epik Products Inc. located at 356 George Street for the reasons set out in the report dated August 31, 2020 from Ian Wells, General Manager of Planning and Development.

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 356 George Street. 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	356 George Street
Legal Description	Lot 5, District Lot 343, Cariboo District, Plan 1268
Current Use	Vacant Storefront (previously Long & McQuade)
Site Area	299 m ²
Zoning	C1: Downtown

Liquor and Cannabis License Policy

Type of License	Cannabis License
Location	Two locations within 1.6 km of the subject property.
Hours of Service	Monday to Sunday: 9:00 am to 11:00 pm

Relevant Applications

Temporary Use Permit Application No. TU000062: 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. TU000062 will be considered concurrently with Cannabis License Application No. CN000013. Administration is recommending denial of the TUP application.

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. As indicated above, the applicant has completed the LCRB's required financial integrity check and security screening. As such, the applicant has submitted a TUP application and Cannabis Retail 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 6 days a week, Monday to Thursday, 11:00 am to 8:00 pm and Friday to Saturday, 11:00 am to 10:00 pm. The proposed cannabis retail store hours are consistent with the LCLP.

Location of Establishment

The proposed cannabis retail store will reside downtown within an existing building located at 356 George Street. The subject property is designated as Downtown in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Downtown designation is intended to be the primary entertainment and cultural centre of the City. The table below summarizes the surrounding land uses.

Surrounding Land Use Table

North	Kaun Law Corporation Office; Vacant Lot; Ritual Coffee Bar; Third Avenue
South	Pastry Chef; Steve & Sons Shoe Repair; Fourth Avenue
East	Laneway
West	George Street; Downtown Commercial and Office Spaces

The LCLP recommends a minimum separation of 1.6 km between cannabis retail uses. There are currently two cannabis retail locations within the downtown, one located at 421 George Street (approximately 60 m south of the subject property) and one located at 1533 3rd Avenue (approximately 500 m west of the subject property). Please note that the subject property is also within 1 km of Wood Innovation Square, Duchess Park Secondary School, Canada Games Plaza, Veterans Plaza, Connaught Hill Park and the Provincial Court.

The downtown provides a number of social programs and services located within approximately 250 m of the subject property. Some of these social programs and services include the Central Interior Native Health Society, the Fire Pit Cultural Drop-In Centre, Intersect Youth and Family Services, Youth Around Prince, Royal Canadian Legion, and Prince George Native Friendship Centre, Association Advocating for Women and Community, and St. Vincent de Paul Society.

Administration notes the close proximity of the existing retail cannabis locations and is not supportive of adding a cannabis retail store on the subject property as it may create an over proliferation of the use in the downtown area, which would negatively affect nearby residents.

Community Impacts

Proliferation of Uses

The LCLP recommends a minimum separation of 1.6 km between cannabis retail uses outside of the downtown. There are currently two Retail, Cannabis uses within the downtown. One located at 421 George Street (approximately 60 m south of the subject property) and one located at 1533 3rd Avenue (approximately 500 m west 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

The subject property is bordered by George Street to the west, a laneway to the east, and downtown commercial lots to the north and south. The proposed Retail, Cannabis use is not expected to produce additional parking or traffic concerns within the downtown.

Due to the proximity of existing cannabis retail uses within the downtown, Administration is unable to support this application.

Referrals

This application was referred to internal City divisions and external agencies for comments. The RCMP has indicated an overall concern with cannabis retail uses being located within the downtown. The RCMP has recommended that the City oppose any applications intended to add cannabis (or liquor) in the downtown core.

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 Cannabis License No. CN000013 be denied.

Should Council support the approval/issuance of the Cannabis License application to allow the non-medical retail sale of cannabis for Epik Products Inc. located at 356 George Street, the following recommendations are provided:

That Council:

1. CONFIRMS it has considered the proposed location of the Cannabis License Application and the methods used to gather the views of the potentially affected property owners are 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 September 14, 2020; and
2. RECOMMENDS issuance of the Cannabis License Application to allow the non-medical retail sale of cannabis for Epik Products Inc. located at 356 George Street as Council is of the view that issuance of the license will not negatively affect nearby residents or negatively impact the community.

SUMMARY AND CONCLUSION:

The applicant has applied for a Cannabis Retail License for the subject property located at 356 George Street. Administration recommends that Council deny the approval/issuance of this Cannabis License for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Ian Wells, General Manager of Planning and Development

PREPARED BY: Kali Holahan, Planner

APPROVED:

Kathleen Soltis, City Manager

Meeting Date: 2020/09/14