

# STAFF REPORT TO COUNCIL

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**DATE:** September 28, 2020

**TO:** MAYOR AND COUNCIL

**NAME AND TITLE:** Ian Wells, Acting Deputy City Manager

**SUBJECT:** Rezoning Amendment Application No. RZ100676 (Bylaw No. 9153)

Applicant: Access Engineering Consultants Ltd. for Tabor View Holdings Ltd., Inc. No. BC0624469

Location: 6055 Monterey Road

**ATTACHMENT(S):** Location and Existing Zoning Map  
Appendix "A" to Bylaw No. 9153  
Supporting Documents

## RECOMMENDATION(S):

That Council GIVES FIRST AND SECOND READINGS to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9153, 2020".

## PURPOSE:

The applicant has applied to rezone the subject property from C6I: Highway Commercial to C6Ic: Highway Commercial to facilitate the sale of retail cannabis on the property located at 6055 Monterey Road. The addition of the "c" to the C6I zoning designation allows "Retail, Cannabis" as a permitted use in the subject property. The applicant proposes to locate the retail cannabis store within a vacant tenancy in an existing building shared with Hart Wholesale Liquor Store. The C6Ic zoning would permit both retail liquor and cannabis on the subject property.

## Site Characteristics

Location	6055 Monterey Road
Legal Description	Parcel B (S35060), District Lot 4039, Cariboo District, Plan 28088
Site Area	4,097 m <sup>2</sup>
Official Community Plan	Business District, Service Commercial
Growth Management Class	Infill

Zoning (see Appendix “A” to Bylaw No. 9153)

Current Use	Hart Wholesale Liquor Store
Current Zoning	C6I: Highway Commercial
Proposed Zoning	C6Ic: Highway Commercial

Surrounding Land Use Table

North	Monterey Road; Vacant Commercial lot
South	Vacant Industrial lots
East	Hartway Drive; Industrial Lands
West	Highway 97 North

Relevant Applications

Cannabis License Application No. CN000015: The applicant has applied for a Retail Cannabis License for the subject property located at 6055 Monterey Road. 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 CN000015 will be on the agenda at the same meeting that Council considers third reading of Bylaw No. 9153, 2020 in connection with Rezoning Application No. RZ100676.

**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 Business District, Service Commercial in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Business District, Service Commercial designation is intended to provide commercial uses, primarily for the traveling public, in highly accessible locations, including tourist-oriented uses and retailers that are accessed primarily by vehicle. The proposed retail cannabis use on this site is consistent with the OCP Service Commercial designation as the proposed cannabis store can be easily accessed by vehicle and is situated in a highly accessible location.

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

## **Zoning Bylaw**

The subject property is currently zoned C6I: Highway Commercial. The purpose of this zone is to provide for uses appropriate for some highway locations. The “I” permits retail liquor on the subject property. The applicant has applied to rezone the property from C6I: Highway Commercial to C6Ic: Highway Commercial. The addition of the proposed “c” would permit retail cannabis on the subject property, in addition to the retail liquor that is currently permitted at 6055 Monterey Road. The proposed C6Ic: Highway Commercial zone has the same zoning regulations as the C6I zone, with the addition of “Retail, Cannabis” as a permitted principal use.

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 will continue to operate as a retail liquor store (Hart Wholesale Liquor Store) on the subject property at 6055 Monterey Road (see supporting documents). The subject property is situated on a corner lot that is approximately 4091 m<sup>2</sup> in size. It is bound by onsite surface parking, Hwy 97 North (Hart Highway), Monterey Road, Hartway Drive and industrial lands. The property is primarily accessed by vehicle traffic, and is not within close proximity to any schools, parks, public buildings, or other recreational facilities.

The nearest residential area is located on Monterey Road, which is approximately 167m from the subject property on the other side of Highway 97 North.

### 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 parking, is in a highly visible location in close proximity to the Highway, and is bound by surface parking, local roads, and Highway 97 N. Therefore, the retail 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 “Retail, Cannabis” use on the subject property or within 1.6 km of the proposed retail cannabis store.

### Parking and Traffic

Onsite parking is available to accommodate parking and traffic circulation for the existing liquor store. The site is accessed from both Monterey Road and Hartway Drive, and, as such, potential access and egress conflicts to the site are mitigated.

### 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” is consistent with LCLP direction 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. 9153 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. 9153, 2020, be approved.

## **SUMMARY AND CONCLUSION:**

The applicant has applied to rezone the subject property from C6I: Highway Commercial to C6Ic: Highway Commercial to facilitate the sale of retail cannabis on the subject property located at 6055 Monterey Road. Administration supports this application for the reasons outlined in this report.

## **RESPECTFULLY SUBMITTED:**

Ian Wells, Acting Deputy City Manager

**PREPARED BY:** Nicole Fraser, Planner

## **APPROVED:**

Walter Babicz, Acting City Manager

Meeting Date: 2020/10/19