

STAFF REPORT TO COUNCIL

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DATE: December 6, 2019

TO: **MAYOR AND COUNCIL**

NAME AND TITLE: Deanna Wasnik, Acting General Manager of Planning & Development

SUBJECT: Rezoning Application No. RZ100640 (Bylaw No. 9074, 2019)

Applicant: Don Kehler for F. & I. Investments Ltd., Inc. No. 185071
 Location: 1073 Central Street

ATTACHMENT(S): - Location and Existing Zoning Map
 - Appendix "A" to Bylaw No. 9074, 2019

RECOMMENDATION(S):

THAT Council:

1. GIVES first two readings to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9074, 2019".
2. PERMITS the Public Hearing for proposed Bylaw No. 9074, 2019 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of a Liquor License Application

PURPOSE:

The applicant has proposed to rezone the subject property, located at 1073 Central Street, from C6: Highway Commercial to C6I: Highway Commercial in order to facilitate a Liquor Retail use. The applicant is proposing to relocate an existing liquor retail store from 3240 10th Avenue to the subject property in a portion of the existing Kal Tire building.

Background

Site Characteristics

Location	1073 Central Street
Legal Description	Lot 8, District Lot 936, Cariboo District, Plan 15557
Site Area	0.45 ha (1.1 acres)
Official Community Plan	Business District Service Commercial
Growth Management Class	Infill
Servicing	City services available

Zoning (see Appendix "A" to Bylaw No. 9074, 2019)

Current Use	Vehicle Repair, Minor (Kal-Tire)
Current Zoning	C6: Highway Commercial
Proposed Zoning	C6I: Highway Commercial

Surrounding Land Use

North	Restaurant (Oakroom Grill, Burger King); 10th Avenue
South	Vehicle Sales and Service (Ford)
East	Central Street; Highway 97 N
West	Commercial Crescent; Super 8 Hotel

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 are approved and issued by the LCRB. The applicant is required to submit an application to the LCRB to transfer their existing liquor license. Should this application be successful, the applicant will apply to relocate their existing LCRB liquor license. This process will trigger the City's Liquor License Application process for a resolution from City Council.

City of Prince George Liquor and Cannabis License Policy (LCLP)

The City of Prince George LCLP establishes guidelines for the operation of Liquor Primary Establishments within the City. Should this application be successful, the applicant will submit a Liquor License Application to the City for evaluation in accordance with the LCLP and a resolution from City Council. The required Liquor License Application will be evaluated for hours of liquor service, occupant load, and location of Liquor Primary Establishments as per the LCLP.

Official Community Plan

Future Land Use

The subject property is designated as Business District Service Commercial on Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Business District Regional Commercial designation is intended to provide retail and service commercial areas that are primarily accessed by vehicles and the traveling public.

The applicant is proposing to relocate an existing liquor retail store from 3240 10th Avenue to the subject property. This application will facilitate a Liquor Retail use in an area that is primarily accessed by vehicles. The subject property is within the "Bypass" commercial area on Highway 97. This area is an established mixed use area supportive of retail uses (Policy 8.3.74).

Administration supports this application as it is consistent with OCP policy.

Growth Management

The subject property is designated as Infill on Schedule B-4: Growth Management of the OCP. This designation is intended to support the redevelopment of existing serviced lands within the City. This application will provide a retail use on a site that is adequately serviced for a commercial use.

Administration supports this application as it is consistent with OCP policy.

Development Permit

Should this application be approved, any façade improvements to an area greater than 20% will trigger a Commercial Form and Character Development Permit. The Commercial Form and Character Development Permit is intended to foster improved design of commercial buildings; provide an opportunity for human-scale considerations; and provide an appropriate degree of landscaping with special attention to the human-scale, streetscape and adjacent non-commercial uses. Should a Commercial Form and Character Development Permit be required, Administration will have the opportunity to review the façade, parking and landscaping of the subject property.

Zoning Bylaw

The subject property is currently zoned C6: Highway Commercial. The applicant is proposing to rezone the subject property located at 1073 Central Street to C6I: Highway Commercial in order to facilitate a liquor retail use. The intent of the C6 and C6I zones is to provide a mix of uses appropriate for highway locations. The C6 and C6I zones have the same purpose, principal uses and development regulations. However, the C6I zone allows Liquor Retail as an additional principal use. In order for a liquor retail use to occur on the subject property, the property must be zoned as C6I.

There is currently an existing building on the subject property which contains Kal Tire. The applicant is proposing to relocate an existing liquor retail store (*i.e.*, 3240 10th Avenue) into a portion of the existing building on subject property. The proposed liquor retail store requires the C6I zone to allow Liquor Retail as a principal use.

Administration has considered typical land use impacts associated with liquor retail uses including over proliferation, noise, parking and traffic. Administration supports this application, as no negative land use impacts are anticipated and the proposal is consistent with OCP policy direction.

Proliferation of Uses

As previously stated, the OCP designation, Business District Service Commercial is intended to provide retail and service commercial areas primarily accessed by vehicle. Currently, the subject property is approximately 80 m south of the applicant's existing liquor retail use. The applicant is proposing to relocate from the existing location at 3240 10th Avenue to the subject property and therefore will not increase the number of liquor retail use in the area.

Noise

The subject property is bordered by restaurant uses and 10th Avenue to the north, vehicle sales to the south, Central Street and Highway 97 to the east, and Commercial Crescent to the west. The City's LCLP supports hours of operation between 9 am and 1 am. It is not anticipated that relocation of the existing liquor retail use will disrupt surrounding land uses through increased noise or public nuisance.

Parking and Traffic

The location provides ample off street parking and flexible traffic circulation along Central Street, 10th Avenue and Commercial Crescent. It is not expected that the proposed use will have any significant impacts on traffic in the area as commercial uses are existing, and there is parking capacity available to support the proposed and existing uses.

The City's has not received any complaints related to the existing liquor retail use. Should this application be successful, potential community impacts will be reviewed through the liquor licensing process. As the proposed rezoning is consistent with OCP policy direction and is not expected to significantly impact the surrounding neighbourhood, Administration supports this application.

STRATEGIC PRIORITIES:

The proposed application is consistent with Council's strategic priorities to prioritize infill development, and to create a more diversified, vibrant and growing economy.

OTHER CONSIDERATIONS:

Referrals

This application was referred to internal City divisions and external agencies for comments. There are no outstanding comments or concerns with this application.

Liquor License Application

The proposed development will require the applicant to submit a Liquor License Application for evaluation in accordance with the LCLP and a resolution from City Council. The required Liquor License Application will be evaluated for hours of liquor service, occupant load, and location of Liquor Primary Establishments as per the LCLP.

Administration recommends that Final Reading for Bylaw No. 9074 be withheld until a Liquor License Application has been prepared and submitted to the satisfaction of Administration.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9074 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. 9074, 2019 be approved.

SUMMARY AND CONCLUSION:

The applicant has proposed to rezone the subject property in order to facilitate a Liquor Retail use. Administration supports this rezoning application for the reasons outlined in this report.

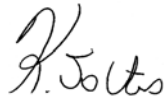
RESPECTFULLY SUBMITTED:



Deanna Wasnik, Acting General Manager of Planning and Development

PREPARED BY: Kali Holahan, Planner

APPROVED:



Kathleen Soltis, City Manager
Meeting date: December 16, 2019