

STAFF REPORT TO COUNCIL

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DATE: February 9, 2021

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: Cannabis License Application No. CN000018

Applicant: Joe Postnikoff for Grasshopper Retail Inc.
Location: 6473 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 February 9, 2021 from Ian Wells, Acting Deputy City Manager for Cannabis License Application No. CN000018
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 Public Hearing held on February 22, 2021; and
3. SUPPORTS the approval of the Cannabis License Application to allow the non-medical retail sale of cannabis for Grasshopper Retail Inc. located at 6473 Hart Highway subject to the adoption of "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9164, 2020, 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 6473 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	6473 Hart Highway
Legal Description	Lot 1, District Lot 4047, Cariboo District, Plan 15861
Current Use	Vacant retail tenancy
Site Area	0.4 ha (4323 m ²)
Zoning	C2: Regional Commercial

Liquor and Cannabis License Policy

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

Relevant Application(s)

Rezoning Application No. RZ100685: The applicant has applied to rezone the subject property located at 6499-6437 Hart Highway (Birchwood Mall) to allow a retail, cannabis use on the subject property. Council approved 1st and 2nd Reading of Bylaw No. 9164 on February 8, 2021. Public Hearing for Rezoning Application No. RZ100685 and Cannabis License application No. CN000018 will be considered concurrently.

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 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

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 subject property is located on the corner of Birchwood Drive and Hart Highway Frontage Road. The property is approximately 0.4 ha in size and is bound by Hart Highway Frontage Road, Birchwood Drive, Hart Shopping Centre, Hazel Drive and residential properties. The residential properties are directly adjacent to the subject property, however, the store fronts of the retail complex and surface parking are oriented towards Hart Highway Frontage Road. Therefore, pedestrian and vehicle traffic will be directed away from the residential area. The site is intended as a focus of regional retail activity and presently offers a wide range of retail and service commercial uses.

The applicant has proposed to locate the approximately 68 m² (733 sq. ft.) cannabis retail store within a portion of an existing commercial complex (Birchwood Mall). The size of the establishment and retail use is consistent with the retail stores on the subject property and surrounding area. The retail cannabis store is not located within close proximity to schools, parks, public buildings, or other recreational facilities. Shas Ti Kelly Road Secondary School is located approximately 1.7 km and Hart Highlands Elementary School is 2.1 km from the subject property.

Surrounding Land Use Table

North	Hart Highway Frontage Road; Hart Highway
South	Hazel Drive; Residential
East	Birchwood Drive; Vacant Commercial Parcel
West	Commercial (Hart Shopping Centre Mall)

Community Impacts

The site has on-site parking to accommodate vehicles, and the store fronts of the retail complex and surface parking are oriented towards Hart Highway Frontage Road. The main access to the proposed cannabis retail will not be visible to the residential area.

Furthermore, there are required safety, social responsibility and security measures implemented for all retail cannabis stores, therefore, the retail cannabis store is not expected to have adverse impacts on the surrounding properties or neighbourhood.

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.

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 to permit a retail cannabis store within a vacant tenancy (6473 Hart Highway) in Birchwood Mall. 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/
Acting Deputy City Manager

PREPARED BY: Nicole Fraser, Planner

APPROVED:

Walter Babicz, Acting City Manager
Meeting Date: 2021/02/22