

STAFF REPORT TO COUNCIL

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DATE: June 7, 2021

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: 2021 RZ100687 Report to Council.docx

APPLICANT: Deadfall Brewing Company Ltd. for Brookwood Properties Inc., Inc.
No. 762283

LOCATION: 1733 Nicholson Street

ATTACHMENT(S): Location and Existing Zoning Map

RECOMMENDATION(S):

That Council:

1. GIVES FIRST AND SECOND Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9181, 2020"; and
2. PERMITS the Public Hearing for proposed Bylaw No. 9181, 2020 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of a Liquor Licence Application

PURPOSE:

The applicant proposes to develop a microbrewery to manufacture liquor (i.e. beer) within an existing light industrial building located at 1733 Nicholson Street (subject property). In addition to this, the applicant would like to provide a lounge area for patrons to sample and purchase liquor. The M1: Light Industrial Zone permits the manufacturing of liquor and the sale of liquor products manufactured on-site. To facilitate the proposed lounge, the applicant has requested to amend the M1: Light Industrial Zone to permit "liquor primary, minor" as a secondary use for the subject property.

Site Characteristics

Location	1733 Nicholson Street (Carter Light Industrial Area)
Legal Description	Lot 1, District Lot 936, Cariboo District, Plan 21687
Current Use	Light Industrial
Site Area	4374 m ²
Zoning	M1: Light Industrial
Future Land Use	Light Industrial

Surrounding Land Use Table

North	Nicholson Street, Light Industrial
South	Light Industrial
East	Light Industrial
West	Lane, Light Industrial

Relevant Applications

Liquor Licence Application No. LL100174: The applicant has applied for a Liquor Primary Licence with the Liquor and Cannabis Regulation Branch. In order to fulfill the requirements of the LCRB, the Local Government must collect the views of residents, review the regulatory criteria and provide a resolution to the LCRB. To satisfy the LCRB requirements, Bylaw No. 9181, 2020 and liquor license application LL100174 will have a combined public hearing where the views of the residents will be collected and a resolution passed by Council.

POLICY / REGULATORY ANALYSIS:

Liquor and Cannabis Regulation Branch (LCRB)

The applicant is applying for a Manufacturing License to brew product on-site. Should a manufacturer wish to provide further liquor service (i.e. lounge area), the Liquor and Cannabis Regulation Branch (LCRB) requires a manufacturer to apply for a Manufacturer's Lounge Endorsement. This would allow patrons to purchase and consume product made on-site (as well as a limited amount of products not made on-site). As identified above, the applicant has applied for a Lounge Endorsement, under a separate application (LL100174), which will be presented to Council in the near future.

Official Community Plan

Future Land Use

The subject property is designated as *Business District – Light Industrial* in Schedule B-6: Future Land Use of the Official Community Plan. This designation is intended to accommodate light industrial uses with low noise and air emissions. The OCP indicates that the City should support intensification of existing light industrial lands and should permit retail sales, food and beverage service when ancillary to the primary uses and where service will support the immediate area (Policy 8.3.92, 8.3.97).

The applicant's proposal to add "liquor primary establishment, minor" as a secondary use for the subject property is consistent with the "Business District, Light Industrial" designation as the proposed secondary use represents redevelopment of an existing industrial lot, is ancillary to the primary use (i.e. Brewery & Distillery, Minor), and will serve the immediate area and the entire city. Therefore, Administration is supportive of this application.

Growth Management

The subject property is designated as "*Infill*" on Schedule B-4: Growth Management of the Official Community Plan. This designation is intended to support the redevelopment of existing serviced lands within the City of Prince George.

As this proposal is consistent with OCP Policy direction for the Infill area, Administration is supportive of this application.

Zoning Bylaw

The subject property is zoned as M1: Light Industrial. The intent of this zone is to provide a mix of business and light industrial uses. The M1: Light Industrial zone permits 'brewery & distillery, minor' as a permitted use. The Zoning Bylaw defines 'brewery & distillery, minor' as:

The brewing, distilling, storage and manufacturing of beverage products with an alcoholic content exceeding 1% by volume. Production manufacturing and selling of any liquor product(s) must be licensed by the Liquor Control and Licensing Act. All processes, functions and mechanical equipment associated with this use must be contained indoors. The total area for manufacturing shall be limited to a maximum of 250 m². This use may include the accessory retail of:

- a) Liquor products manufactured on-site; and*
- b) Merchandise specific to the brewery & distillery function and company.*

The applicant proposes to add “liquor primary establishment, minor” as a secondary use on the subject property in order to facilitate the provision of a 30 occupant lounge. A ‘liquor primary establishment, minor’ is defined in the Zoning Bylaw as “*a place or premises, licensed under the Liquor Control and Licensing Act, where liquor is served for consumption on site, with a maximum indoor occupant load of 125 persons...*”

The provision of a lounge area would have similar land use considerations as a restaurant use, which is permitted in the M1: Light Industrial zone (i.e. parking, traffic and noise). The subject property is located within the Carter Light Industrial area which has parking availability and is adjacent to mix of industrial and commercial businesses that are not expected to be impacted by noise. Furthermore, the operation of the lounge is within the existing building which would alleviate potential noise impacts that may result from the patrons.

As the proposed “liquor primary establishment, minor” use is secondary to the permitted “brewery & Distillery, minor” use and the proposal is consistent with the OCP, Administration supports this application.

OTHER CONSIDERATIONS:

Referrals

This application was referred to internal City divisions and external agencies for comments. The following comments were received during the referral process.

Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9181, 2020 requires the Ministry of Transportation and Infrastructure’s approval prior to Final Reading and adoption.

Council Procedures during COVID-19 Pandemic

As per the requirements set out in the *Local Government Act* and “City of Prince George Development Procedures Bylaw No. 7635, 2005”, the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interests may be affected by these applications. Members of the public may provide representations to Council by written submission or telephone. Written submissions received in response to the public notice for these applications will be provided to Council for their consideration during the public hearing and prior to third reading of the proposed bylaws.

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. 9181, 2020 be approved.

SUMMARY AND CONCLUSION:

To facilitate a manufactures longue endorsement in order to permit the on-site sale of liquor at a brewery, the applicant has applied for a site specific zoning amendment to add 'liquor primary establishment, minor' as secondary use on the subject property. Administration supports this application for the reasons outlined in this report.

RESPECTFULLY SUBMITTED:

Ian Wells, Acting Deputy City Manager

PREPARED BY: Tristin Deveau, Planner

APPROVED:

Walter Babicz, Acting City Manager

Meeting Date: 2021/06/28