

STAFF REPORT TO COUNCIL

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DATE: August 29, 2018

TO: **MAYOR AND COUNCIL**

NAME AND TITLE: IAN WELLS, GENERAL MANAGER OF PLANNING AND DEVELOPMENT

SUBJECT:

- Amendment to the City of Prince George Zoning Bylaw No. 7850, 2007 (Rezoning Application No. RZ100555, Bylaw No. 8974);
- Amendment to the City of Prince George Business License Bylaw No. 7851, 2007 (Bylaw No. 8975, 2018);
- Amendment to the City of Prince George Comprehensive Fees and Charges Bylaw No. 7557, 2004 (Bylaw No. 8976, 2018); and
- Amendment to the Liquor Licensing Policy - City of Prince George Council Procedure

Applicant: City of Prince George

ATTACHMENT(S):

- Exhibit "A" to RZ100555
- Exhibit "B" – City of Prince George Council Procedure – Liquor and Cannabis Licensing Policy
- City of Prince George Council Procedure – Liquor and Cannabis Licensing Policy (annotated version)

RECOMMENDATION(S):

THAT Council:

1. GIVE first two readings to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 8974, 2018".
2. GIVE first two readings to "City of Prince George Business Regulation and Licensing Bylaw No. 7851, 2007, Amendment Bylaw No. 8975, 2018".
3. GIVE first two readings to "City of Prince George Comprehensive Fees and Charges Bylaw No. 7557, 2004, Amendment Bylaw No. 8976, 2018".
4. Approve the City of Prince George Council Procedure – Liquor and Cannabis Licensing Policy, attached as Exhibit "B" to this report dated August 29, 2018 from the General Manager of Planning and Development.

PURPOSE:

The purpose of this report is to outline the bylaw amendments necessary in order to facilitate a “retail, cannabis” use in the City of Prince George Zoning Bylaw No. 7850, 2007 (Zoning Bylaw).

Administration is proposing to amend the Zoning Bylaw to include “retail, cannabis” as a permitted use within select commercial zones. Further, the existing language regarding regulations for Medical Marijuana Production Facilities will be updated to reflect current terminology. It is important to note that the amendments provided in this report will not pre-zone properties for a “retail, cannabis” use. Each proposed “retail, cannabis” use will require a separate rezoning application.

The proposed inclusion of “retail, cannabis” within the Zoning Bylaw will trigger consequential amendments to City of Prince George Business License Bylaw No. 7851, 2007 (Business License Bylaw), City of Prince George Comprehensive Fees and Charges Bylaw No. 7757, 2004 (Fees and Charges Bylaw), and City of Prince George Council Procedure – Liquor Licensing Policy. The consequential amendments are outlined in Exhibit “A”, and would need to occur in conjunction with the inclusion of “retail, cannabis” within the Zoning Bylaw.

POLICY/REGULATORY ANALYSIS:

As previously indicated, there are a number of bylaw amendments needed in order to facilitate the inclusion of “retail, cannabis” as a permitted use. This section will provide an overview of the amendments needed to the Zoning Bylaw, Business License Bylaw, Fees and Charges Bylaw, and City of Prince George Liquor Licensing Policy.

City of Prince George Zoning Bylaw No. 7850, 2007 (Zoning Bylaw)

The amendments proposed for the Zoning Bylaw will facilitate a “retail, cannabis” use for certain commercial zones and will update the term “medical marijuana”.

A detailed list of the amendments is provided in Exhibit “A” to this report. In general, the amendments include the following:

- Adding the definition of “retail, cannabis”;
- Replacing the term “medical marijuana” with “cannabis” as it relates to definitions and specific regulations (i.e. Section 5 of the Zoning Bylaw); and
- Adding a lower case “c” to the following zones: C1: Downtown; C2: Regional Commercial; C4: Local Commercial; and C6: Highway Commercial.

The proposed amendments to the Zoning Bylaw under Amendment Bylaw No. 8974, will not pre-zone any property for a “retail, cannabis” use. The amendments proposed will only create and define the “retail, cannabis” use, and provide specific regulations regarding the use.

In order for a property to be zoned for a “retail, cannabis” use, a rezoning application must be submitted and considered by Council through a typical rezoning process.

City of Prince George Liquor and Cannabis Licensing Policy – Council Procedure (LCLP)

Amendments to City of Prince George Council Procedure – Liquor Licensing Policy are also needed to include guidelines on “Cannabis Retail”.

Please find attached to this report the proposed City of Prince George Council Procedure – Liquor and Cannabis Licensing Policy (LCLP). A red-lined version of the LCLP has also been included with this report for ease of referencing the proposed changes.

Specifically, the proposed LCLP would assist Administration in reviewing applications for “Cannabis Retail” and identifies the procedure and information that would be addressed through a Staff Report to Council for a cannabis retail use (i.e. proximity to certain uses, public consultation, community impact, and hours of operation).

City of Prince George Business License Bylaw No. 7851, 2007 (Business License Bylaw)

Administration recommends adding “Cannabis Retail” and “Cannabis Production Facilities” as business types to the Business License Bylaw.

Administration also recommends adding specific business regulations for a Cannabis Production Facility and Cannabis Retail use to Section 4 of the Business License Bylaw (please see Exhibit “A”). These specific regulations currently exist in the Zoning Bylaw; however, are more appropriately included within the Business License Bylaw.

City of Prince George Comprehensive Fees & Charges Bylaw No. 7557, 2004 (Fees and Charges Bylaw)

In order to facilitate a Business License fee for “cannabis retail” and “cannabis production facility”, a couple of amendments to the Fees and Charges Bylaw are necessary.

Administration recommends adding the following uses and fees to Section A-2: “Business License” of the Fees and Charges Bylaw:

- Cannabis Retail - \$5,000
- Cannabis Production Facility - \$5,000

These fees are consistent with the rates being charged by other BC municipalities for these business types.

Administration also recommends that “Cannabis License Application” section be added to Schedule A-5(a) of the Fees and Charges Bylaw.

This section will provide an overview of the fees and charges applicable to a land use application involving cannabis. The fees mirror the Liquor License application fees and charges (please see Exhibit “A”).

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 Nos. 8974, 8975, and 8976 be approved.

SUMMARY AND CONCLUSION:

Administration proposes amendments to the Zoning Bylaw, Business License Bylaw, Fees and Charges Bylaw, and Council Procedure Liquor Licensing Policy in order to facilitate “retail, cannabis” as a permitted use. The necessary amendments are summarized in Exhibit “A” and Exhibit “B” attached to this report.

RESPECTFULLY SUBMITTED:

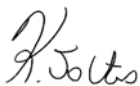


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APPROVED:



Kathleen Soltis, City Manager
Meeting date: September 17, 2018