

# STAFF REPORT TO COUNCIL

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**DATE:** September 14, 2018

**TO:** **MAYOR AND COUNCIL**

**NAME AND TITLE:** Ian Wells, General Manager of Planning & Development

**SUBJECT:** Rezoning Application No. RZ100593 (Bylaw No. 8963, 2018)

Applicant: Jacqueline Marion  
Location: 1180 3<sup>rd</sup> Avenue

**ATTACHMENT(S):** - Location and Existing Zoning Map  
- Appendix "A" to Bylaw No. 8963, 2018

**RECOMMENDATION(S):**

THAT Council:

1. GIVE first two readings to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 8963, 2018".

**PURPOSE:**

The owner and operator of the Special Beauty Parlor & Day Spa has applied to rezone the subject property from C1: Downtown to C1I: Downtown in order to facilitate a Liquor Primary License. This rezoning application will allow the Special Beauty Parlor & Day Spa to offer clients alcoholic beverages in conjunction with their appointments. The Special Beauty Parlor & Day Spa intends to continue functioning as a beauty parlor and spa with liquor sales being provided solely to clients receiving those services.

**Background**

Site Characteristics

Location	1180 3 <sup>rd</sup> Avenue
Legal Description	Lot 13, Block 43, District Lot 343, Cariboo District, Plan 1268
Site Area	345 m <sup>2</sup>
Official Community Plan	Downtown
Growth Management Class	Growth Priority
Servicing	City services available

Zoning (see Appendix "A" to Bylaw No. 8963, 2018)

Current Use	Special Beauty Parlor & Day Spa
Current Zoning	C1: Downtown
Proposed Zoning	C1I: Downtown

Surrounding Land Use

North	Laneway / Commercial (Surplus Herby's)
South	3 <sup>rd</sup> Avenue / Liquor Primary (LAMBDA Cabaret)
East	Office (Outreach Centre)
West	Vacant Building / Dominion Street

### Relevant Applications

Liquor License Application No. LL100154: The applicant has applied for a Liquor Primary License with the Liquor and Cannabis Regulation Branch (LCRB). 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. 8963, 2018 and liquor license application (LL100154) 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 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 for a Liquor Primary License. As indicated above, the applicant has submitted an application (LL100154) to the LCRB for a liquor primary license.

#### **City of Prince George Liquor License Policy**

The City of Prince George Liquor Licensing Policy (LLP) establishes guidelines for the operation of licensed liquor establishments within the City. The LLP provides guidelines on hours of liquor service, occupant load, and location of Liquor Primary Establishments. The LLP provides direction to permit Liquor Primary Establishments within the downtown. The applicant has concurrently submitted a Liquor License Application to the City that will be evaluated in accordance with the LLP and provided to Council for consideration at a future date.

#### **Official Community Plan**

##### Future Land Use

The subject property is designated as 'Downtown' in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The 'Downtown' designation is intended to promote revitalization of downtown as the commercial, cultural and civic heart of the community; and support a diverse, socially integrated population. OCP policy supports downtown as the primary entertainment and cultural centre of the City (Policy 8.3.19).

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

#### **Zoning Bylaw**

The subject property is currently zoned C1: Downtown. The applicant is proposing to rezone the subject property located at 1180 3<sup>rd</sup> Avenue to C1I: Downtown in order to facilitate a liquor primary use at the Special Beauty Parlor & Day Spa. The intent of the C1 and C1I zone is to provide a mix of uses for the central business area of the city.

The C1 and C1I zones have the same purpose and development regulations. However, the C1I zone allows for Liquor Primary Establishments as the principal use. In order for a liquor primary use to occur in the downtown, the property must be zoned as C1I.

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

### **STRATEGIC PRIORITIES:**

The proposed application is consistent with Council's strategic priorities to advance progress in the Downtown.

### **OTHER CONSIDERATIONS:**

#### **Land Use Impacts**

Typical land use impacts associated with liquor primary uses include over proliferation of uses in the downtown, noise, parking and traffic. The proposed establishment will have a total occupancy of 48 persons within the building.

##### Proliferation of uses in the Downtown

As previously stated, the OCP identifies the downtown as the primary entertainment centre of the city. Currently, there is not an over proliferation of liquor primary uses within the area surrounding the subject property. There are twelve (12) properties in a dispersed manner zoned C1I: Downtown within 200 m of the subject property. Of these twelve (12) properties, only three (3) have an active Liquor Primary License.

##### Noise

The surrounding property is bordered by a laneway and commercial shopping to the north, 3<sup>rd</sup> Avenue to the south, vacant building to the west and office use to the east. Hours for the proposed use are from 10:00 am to 11:00 pm (Monday to Sunday). It is not anticipated that a liquor primary use will disrupt surrounding uses through increased noise and public nuisance.

### Parking and Traffic

The location provides flexibility for parking and traffic circulation along Dominion Street, George Street and 3<sup>rd</sup> Avenue, and is in close proximity to multiple surface parking lots.

As the proposed rezoning is consistent with OCP policy direction and is not expected to significantly impact the surrounding neighbourhood, Administration supports this application.

### **Referrals**

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

### Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 8963 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. 8963, 2018 be approved.

### **SUMMARY AND CONCLUSION:**

The applicant has applied to rezone the subject property in order to facilitate an application for a Liquor Primary License for the Special Beauty Parlor & Day Spa. The intent of the Liquor Primary License is to complement the services offered by the Special Beauty Parlor & Day Spa. Administration supports this rezoning application for the reasons outlined in this report.

### **RESPECTFULLY SUBMITTED:**

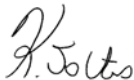


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Ian Wells, General Manager of Planning and Development

**PREPARED BY:** Kali Holahan, Planner

### **APPROVED:**



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Kathleen Soltis, City Manager

Meeting date: October 1, 2018