

# STAFF REPORT TO COUNCIL

1100 Patricia Blvd. | Prince George, BC, Canada V2L 3V9 | www.princegeorge.ca

**DATE:** May 21, 2019

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

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

**SUBJECT:** Temporary Use Permit Application No. TU000046

Applicant: Zaga's Enterprises Ltd. for Redwood Square Ltd., Inc. No. 549030  
 Location: 1543 Victoria Street

**ATTACHMENT(S):**

- Location and Existing Zoning Map
- Temporary Use Permit No. TU000046
- Letter of Intent from the Applicant
- PowerPoint Presentation from the Applicant
- Liquor and Cannabis Regulation Branch Approval

**RECOMMENDATION(S):**

THAT Council APPROVE Temporary Use Permit No. TU000046 for the property legally described as Lot 1, District Lot 343, Cariboo District, Plan 22956.

**PURPOSE:**

The applicant has applied for a Temporary Use Permit to allow a Retail, Cannabis use on the subject property located at 1543 Victoria Street. The applicant has successfully completed the financial integrity check and security screening for a cannabis retail store required by the Liquor and Cannabis Regulation Branch (LCRB).

The purpose of this report is to facilitate a Retail, Cannabis use on the subject property through a Temporary Use Permit.

**Background**

Site Characteristics

Location	1543 Victoria Street
Current Use	Multiple Tenancy Building – Zaga's Hemp Shop; Northwest MedPure Natural Pharmacy; Dr. Terrance C Warawa Chiropractic; D'Lano's Family Restaurant; West Coast Vape.
Legal Description	Lot 1, District Lot 343, Cariboo District, Plan 22956
Site Area	3205 m <sup>2</sup>
Zoning	C2: Regional Commercial

Official Community Plan Bylaw No. 8383, 2011

Future Land Use	Neighbourhood Centre, Corridor; Business District, Service Commercial
Growth Management Class	Growth Priority

Surrounding Land Use

North	15 <sup>th</sup> Avenue; Parkwood Place
South	Lordco Parts Ltd.
East	Victoria Street; North Star Inn and Suites
West	Redwood Street; Value Village

### Cannabis License Application No. CN000003

The applicant has applied to the City for a Cannabis Retail License following the successful financial integrity check and security screening with the LCRB. The concurrent Staff Report to Council for Cannabis License Application No. CN000003 considers the proposed Retail, Cannabis use in accordance with City of Prince George Liquor and Cannabis License Policy, provides opportunity for public feedback, and requires a resolution from Council that will be forwarded to the LCRB.

### **POLICY/REGULATORY ANALYSIS:**

A Temporary Use Permit (TUP) is a tool to allow a short-term use that does not comply with the Zoning Bylaw. As per the *Local Government Act*, a TUP may be issued for a maximum of three (3) years, and may only be renewed once for an additional three (3) years. Following the expiration of the proposed TUP, the applicant must apply for a Zoning Bylaw amendment, cease the use, or relocate to a property that supports the proposed uses.

### **Zoning Bylaw**

The subject property is currently zoned C2: Regional Commercial. The intent of the C2 zone is to provide for major shopping centres and complementary residential uses. The applicant has applied for a TUP to allow a Retail, Cannabis store on the subject property located at 1543 Victoria Street.

The C2c: Regional Commercial zone allows Retail, Cannabis as a principal use, subject to a rezoning application. However, at this time, Administration is uncertain of the impacts a Retail, Cannabis use will have in certain areas of the community (i.e. Downtown) and recommends a TUP be issued for a Retail, Cannabis use to allow the City, and external agencies, the opportunity to better understand the extent of impacts this proposed use will have.

### **Official Community Plan**

The subject property is designated as Neighbourhood Centre, Corridors and Business District, Service Commercial in Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighbourhood Centre, Corridors designation is intended to encourage mixed use developments that incorporate retail and commercial uses including grocery or anchor stores and a diversified mixture of basic and specialty retail and personal services. The 'Business District, Regional Commercial' designation is intended to promote regional retail activity with large scale retail and auto-oriented shops. The proposed retail cannabis store aligns with the Business District, Service Commercial and Neighbourhood Centre, Corridors designations for the subject property.

Section 9.2 of the OCP outlines a number of considerations to avoid conflicts between different types of uses when considering a temporary use permit.

### Temporary Nature of Use

The applicant would like to permanently establish a Retail, Cannabis use on the subject property. Administration has suggested the applicant apply for a TUP to allow the City, and external agencies, the opportunity to better understand the impacts a Retail, Cannabis use may have in this area of the community.

### Compatibility of Adjacent Uses

The subject property is bound by Redwood Street, 15<sup>th</sup> Avenue, Victoria Street and a surface parking lot with Value Village, Parkwood Place, Victoria Medical Building and North Star Inn also nearby. It is approximately 200 metres from Ron Brent Elementary School and is within one (1) kilometre of Duchess Park Secondary School, Canada Games Plaza, Veterans Plaza, and Connaught Hill Park.

The subject property is located within a commercial complex adjacent to the Downtown which is comprised with a number of uses including health services, social services, restaurants, office, and retail.

### Impact on Natural Environment

The proposed use is not anticipated to negatively impact the natural environment.

### Intensity of Proposed Use

The C2 zone permits a number of retail uses as per Zoning Bylaw No. 7850, 2007. As identified above, Administration is supportive of this application to allow the City, and external agencies, the opportunity to better understand the impacts of Retail, Cannabis in this area of the community.

#### Inability to Conduct Proposed Use Elsewhere

Cannabis, Retail is permitted in the following zones, as per Zoning Bylaw No. 7850, 2007: C1c: Downtown; C2c: Regional Commercial; C4c: Local Commercial; and C6c: Highway Commercial. The applicant has applied for a TUP to allow Retail, Cannabis on the subject property following Administration's recommendation. Administration would like to gain a better understanding of the extent of impacts a cannabis retail use will have in certain areas of the community.

#### **OTHER CONSIDERATIONS:**

##### **Referrals**

This application was referred to internal City divisions and external agencies for comments. The RCMP has indicated an overall concern with cannabis retail uses being located within or adjacent to the Downtown. The RCMP has recommended that the City oppose any applications that look at adding cannabis (or liquor) in the downtown core.

##### **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 temporary use.

#### **ALTERNATIVES:**

1. Approve the permit
2. Approve the permit as amended
3. Refuse the permit
4. Defer or otherwise deal with the permit

Administration recommends that Temporary Permit No. TU000046 be approved.

#### **SUMMARY AND CONCLUSION:**

Administration recommends that Council approve the applicant's request for a TUP allowing Retail, Cannabis use for 3 years on subject property located at 1543 Victoria Street.

#### **RESPECTFULLY SUBMITTED:**

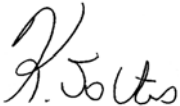


---

Ian Wells, General Manager of Planning and Development

**PREPARED BY:** Nicole Fraser, Planner

#### **APPROVED:**



---

Kathleen Soltis, City Manager  
Meeting date: June 10, 2019