

Attachment 1 – Proposed Bylaw Amendments

Burnaby Zoning Bylaw, 1965

The following amendments to the Burnaby Zoning Bylaw, 1965 are proposed:

Section	Existing Text	Proposed Text
3	N/A	“CANNABIS STORE” means: (a) a government cannabis store; or (b) a licensee cannabis store.
3	“CANNABIS PRODUCTION FACILITY” means a building or portion thereof providing for the production, finishing, packaging, warehousing and/or distribution of cannabis.	“CANNABIS PRODUCTION FACILITY” means a building or portion thereof providing for the production, finishing, packaging, warehousing and/or distribution of cannabis cultivation, propagation, and harvesting of cannabis.
3	N/A	“CANNABIS PROCESSING FACILITY” means a building or portion thereof providing for the processing, packaging, analytical testing, warehousing and/or distribution of cannabis products, but does not include cultivation, propagation or harvesting of cannabis.
3	"BILLIARD HALL" means a commercial undertaking containing two or more billiard or pool tables available for the use of its patrons but does not include a liquor licence establishment for which a liquor primary licence is required under the Liquor Control and Licensing Act, an apartment building, a hotel or a club or lodge.	"BILLIARD HALL" means a commercial undertaking containing two or more billiard or pool tables available for the use of its patrons but does not include a liquor licence establishment for which a liquor primary licence is required under the Liquor Control and Licensing Act , an apartment building, a hotel, or a club or lodge.
3	"LICENSEE RETAIL STORE" means a store licensed under the provisions of the Liquor Control and Licensing Act to sell liquor for off-premises consumption and includes an agency store established under the provisions of the Liquor Distribution Act.	-repealed-
3	"LIQUOR STORE" means a government liquor store, a government beer store or a government wine store	"LIQUOR STORE" means:

	established under the provisions of the Liquor Distribution Act.	<p>(a) a government liquor store, government beer store or government wine store established under the provisions of the Liquor Distribution Act; or</p> <p>(b) a store licensed under the provisions of the Liquor Control and Licensing Act to sell liquor for off-site consumption and includes an agency store established under the provisions of the Liquor Distribution Act.</p>
<p>301.1(10)</p> <p>302.1(12)</p> <p>303.1(22)</p> <p>304.1(38)</p> <p>502.1(17)</p> <p>503.1(10)</p> <p>506.1(7)</p>	Liquor licence establishments in premises that were being lawfully used for that purpose on January 13, 2003.	Liquor licence establishments in premises that were being lawfully used for that purpose on January 13, 2003.
<p>301.1(18)</p> <p>302.1(24)</p> <p>303.1(34)</p>	<p>Uses Permitted:</p> <p>...</p>	<p>Uses Permitted:</p> <p>...</p> <p>(...) Liquor stores, provided each liquor store is located more than 1.0 km (3281 ft.) away from another liquor store.</p>
<p>301.1(19)</p> <p>302.1(25)</p> <p>303.1(35)</p>	<p>Uses Permitted:</p> <p>...</p>	<p>Uses Permitted:</p> <p>...</p> <p>(...) Cannabis stores, provided each cannabis store is located more than 1.0 km (3281 ft.) away from another cannabis store</p>
301.1A	<p>Uses Permitted in a C1f Zoning District:</p> <p>(1) Uses permitted in the Neighbourhood Commercial District C1.</p> <p>(2) Liquor licence establishments having the capacity to serve not more than one hundred (100) persons at one time.</p>	<p>Uses Permitted in a C1f Zoning District:</p> <p>(1) Uses permitted in the Neighbourhood Commercial District C1.</p> <p>(2) Liquor licence establishments. having the capacity to serve not more than one hundred (100) persons at one time.</p>
302.1A	<p>Uses Permitted in a C2a Zoning District:</p> <p>(1) Uses permitted in Community Commercial District C2.</p> <p>(2) Liquor stores.</p>	<p>Uses Permitted in a C2a Zoning District:</p> <p>(1) Uses permitted in Community Commercial District C2.</p> <p>(2) Liquor Stores. Liquor stores, provided each liquor store is located more than 1.0 km (3281 ft.) away from another liquor store.</p>

302.1C	Uses Permitted in a C2f Zoning District: (1) Uses permitted in the Community Commercial District C2. (2) Liquor licence establishments having the capacity to serve not more than one hundred (100) persons at one time.	Uses Permitted in a C2f Zoning District: (1) Uses permitted in the Community Commercial District C2. (2) Liquor licence establishments. having the capacity to serve not more than one hundred (100) persons at one time.
302.1D	Uses Permitted in a C2h Zoning District: (1) Uses permitted in Community Commercial District C2. (2) Licensee retail stores.	Uses Permitted in a C2h Zoning District: (1) Uses permitted in Community Commercial District C2. (2) Licensee retail stores. Liquor stores, provided each liquor store is located more than 1.0 km (3281 ft.) away from another liquor store.
302.1E	Uses Permitted in a C2i Zoning District: (1) Uses permitted in Community Commercial District C2. (2) Government cannabis stores.	Uses Permitted in a C2i Zoning District: (1) Uses permitted in Community Commercial District C2. (2) Government Cannabis stores, provided each cannabis store is located more than 1.0 km (3281 ft.) away from another cannabis store
303.1A	Uses Permitted in C3a Zoning District: (1) Uses permitted in General Commercial District C3. (2) Liquor stores.	Uses Permitted in C3a Zoning District: (1) Uses permitted in General Commercial District C3. (2) Liquor Stores. Liquor stores, provided each liquor store is located more than 1.0 km (3281 ft.) away from another liquor store.
303.1H	Uses Permitted in C3h Zoning District: (1) Uses permitted in General Commercial District C3. (2) Licensee retail stores.	Uses Permitted in C3h Zoning District: (1) Uses permitted in General Commercial District C3. (2) Licensee retail stores. Liquor stores, provided each liquor store is located more than 1.0 km (3281 ft.) away from another liquor store.
303.1I	Uses Permitted in a C3i Zoning District: (1) Uses permitted in Community Commercial District C3. (2) Government cannabis stores.	Uses Permitted in a C3i Zoning District: (1) Uses permitted in Community Commercial District C3. (2) Government Cannabis stores, provided each cannabis store is located more than 1.0 km (3281 ft.) away from another cannabis store.
304.1C	Uses Permitted in a C4f Zoning District: (1) Uses permitted in the Service Commercial District C4. (2) Liquor licence establishments having the capacity to serve not more than one hundred (100) persons at one time.	Uses Permitted in a C4f Zoning District: (1) Uses permitted in the Service Commercial District C4. (2) Liquor licence establishments. having the capacity to serve not more than one hundred (100) persons at one time.
308.2(13)	Liquor licence establishments holding a liquor primary licence that were being lawfully used for that purpose on	Liquor licence establishments holding a liquor primary licence that were being lawfully used for that purpose on

	January 13, 2003, on sites without residential use, subject to the restriction that the first storey frontage of the liquor licence establishment on Hastings Street shall not exceed 7.5 m (24.60 ft.) in width.	January 13, 2003, on sites without residential use, subject to the restriction that the first storey frontage of the liquor licence establishment on Hastings Street shall not exceed 7.5 m (24.60 ft.) in width.
308.2A	Uses Permitted in a C8f Zoning District: (1) Uses permitted in the Urban Village Commercial District (Hastings) C8. (2) Liquor licence establishments having the capacity to serve not more than one hundred (100) persons at one time.	Uses Permitted in a C8f Zoning District: (1) Uses permitted in the Urban Village Commercial District (Hastings) C8. (2) Liquor licence establishments having the capacity to serve not more than one hundred (100) persons at one time.
309.2(23)	Uses Permitted: ...	Liquor licence establishments
309.2A (3)	Uses Permitted in a C9a Zoning District: ... (3) Liquor licence establishments having the capacity to serve not more than one hundred (100) persons at one time, subject to the condition that such use is included as part of a comprehensive development plan to which the provisions of the Comprehensive Development District apply.	Uses Permitted in a C9a Zoning District: ... (3) Liquor licence establishments having the capacity to serve not more than one hundred (100) persons at one time, subject to the condition that such use is included as part of a comprehensive development plan to which the provisions of the Comprehensive Development District apply.
401.1(23)	Cannabis production facility provided that the use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District.	Cannabis production facility. provided that the use is included as part of a comprehensive development plan subject to the CD (Comprehensive Development) District.
401.1(26) 402.1(27) 403.1(23) 404.1(21) 405.1(22)	Uses Permitted: ...	Uses Permitted: ... (...) Cannabis processing facility
402.1(26) 403.1(22)	Uses Permitted: ...	Uses Permitted: ... (...) Cannabis production facility.
506.1C(2)(i)	Liquor licence establishments in premises that were being lawfully used for that purpose on 2021 May 31.	Liquor licence establishments in premises that were being lawfully used for that purpose on 2021 May 31.

6.28(3)	It shall not include liquor licence establishments, liquor stores, licensee retail stores, government cannabis stores, and cannabis production facilities;	It shall not include liquor licence establishments, liquor stores, licensee retail stores, government cannabis stores, cannabis stores, and cannabis production facilities, and cannabis processing facilities;
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Burnaby Consolidated Fees and Charges Bylaw

2024 Fees: To implement the annual business licence fee for cannabis stores and the application fees for liquor licence applications and cannabis store applications for cannabis stores for the remainder of 2024, the following amendments to the Burnaby Consolidated Fees and Charges Bylaw are proposed, together with the repeal of the Burnaby Liquor Licence Application Fee Bylaw 2001:

1. SCHEDULE A2 - BURNABY BUSINESS LICENCE BYLAW

Add the following row in alphabetical order:

BUSINESS CATEGORY	Initial Licence Fee	Renewal Licence Fee	Shared Location Fee
Cannabis Store	\$3830.00	\$3830.00	N/A

2. SCHEDULE E4 – DEVELOPMENT PROCEDURES BYLAW

Add the following table to the end of Schedule E4:

LIQUOR LICENCE AND CANNABIS STORE APPLICATION FEES	Fee
Liquor licence applications (section 9.1)	
o New licence or location	\$1,012.50
o Amendments to existing liquor licences	\$514.50
Cannabis store applications (section 10.1)	
o New licence or location	\$2,025.00
o Amendments to existing retail cannabis licences	\$1,029.00

3. Repeal SCHEDULE E7 – LIQUOR LICENCE APPLICATION FEE BYLAW in its entirety

2025 Fees: To implement the increased fees effective January 1, 2025, the following amendments to the Burnaby Consolidated Fees and Charges Bylaw, Amendment Bylaw No. 2, 2024 are proposed:

1. SCHEDULE A2 - BURNABY BUSINESS LICENCE BYLAW

Add the following row in alphabetical order:

BUSINESS CATEGORY	Initial Licence Fee	Renewal Licence Fee	Shared Location Fee
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Cannabis Store	\$3962.00	\$3962.00	N/A
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2. SCHEDULE E4 – DEVELOPMENT PROCEDURES BYLAW

Add the following table to the end of Schedule E4:

LIQUOR LICENCE AND CANNABIS STORE APPLICATION FEES	Fee
Liquor licence applications (section 9.1)	
○ New licence or location	\$1,047.50
○ Amendments to existing liquor licences	\$532.50
Cannabis store applications (section 10.1)	
○ New licence or location	\$2,095.00
○ Amendments to existing retail cannabis licences	\$1,064.50

3. Repeal SCHEDULE E7 – LIQUOR LICENCE APPLICATION FEE BYLAW in its entirety

Burnaby Development Procedures Bylaw 2022

To implement the procedures for the review of liquor licence applications and retail cannabis store applications to reflect the Liquor and Cannabis Licensing Policy, the following amendments are proposed:

1. Section 2.1 - amend the following definitions to read as follows:

- “applicant”** means an **owner**, or **agent**, of a **site** that is the subject of an application for a **permit**, a **liquor licence application**, or a **cannabis store application**, as applicable
- “application form”** means a form, in form and content established by the **General Manager Planning and Development**, for, as applicable:

 - (a) a **permit** under this **bylaw**;
 - (b) a **liquor licence application**; or
 - (c) a **cannabis store application**

“owner’s authorization form”

means a form, in form and content established by the **General Manager Planning and Development**, by which an **owner** designates an **agent** as the representative of the **owner** in respect to, as applicable:

- (a) a **permit** under this **bylaw**;
- (b) a **liquor licence application**; or
- (c) a **cannabis store application**

“site”

means the land or lands that is the subject of an application for, as applicable:

- (a) a **permit** under this **bylaw**;
- (b) a **liquor licence application**; or
- (c) a **cannabis store application**

2. Section 2.1 – add the following definitions in alphabetical order:

“cannabis store application”

means an application for a recommendation from the **City** under section 33 of the *Cannabis Control and Licensing Act* in respect to a cannabis store licence or amendment to a cannabis store licence

“liquor licence application”

means an application for a recommendation from the **City** under section 38(3) of the *Liquor Control and Licensing Act* in respect to a liquor licence or an amendment to a liquor licence

3. Part 9: Severability – amend to renumber as **“Part 11: Severability”**

4. new Parts 9 and 10 – add the following provisions:

PART 9: LIQUOR LICENCE APPLICATIONS

9.1 A **liquor licence application** shall:

- (a) be made on an **application form** signed by the **applicant**;
- (b) if the **applicant** is not the **owner** of the **site**, be accompanied by an **owner's authorization form** signed by the **owner**; and
- (c) be accompanied by the application fee for a **liquor licence application** as set out in in the Burnaby Consolidated Fees and Charges Bylaw.

9.2 Pursuant to section 154(1)(b) of the *Community Charter* and section 40 of the *Liquor Control and Licensing Act*, **Council** delegates to the **General Manager Planning and Development** its powers and duties under section 38(3) of the *Liquor Control and Licensing Act* to provide comments on and make a recommendation to the Liquor and Cannabis Regulation Branch regarding a **liquor licence application**.

9.3 Despite the delegation of powers and duties set out above in section 9.2 of this **bylaw**, the **General Manager Planning and Development** may refer any **liquor licence application** to **Council** for comments and a recommendation to the Liquor and Cannabis Regulation Branch. If the **General Manager Planning and Development** intends to recommend that a **liquor licence application** not be approved, such application shall be referred to **Council** for a determination with respect to the comments and recommendation to be provided to the Liquor and Cannabis Regulation Branch.

9.4 The **applicant** of a **liquor licence application** may seek reconsideration by **Council** of the comments and recommendation of the **General Manager Planning and Development** made pursuant to section 9.2 of this **bylaw** by giving notice in writing to the Corporate Officer within seven (7) days of being notified in writing of the **General Manager Planning and Development's** comments and recommendations.

PART 10: CANNABIS STORE APPLICATIONS

10.1 A **cannabis store application** shall:

- (a) be made on an **application form** signed by the **applicant**;
- (b) if the **applicant** is not the **owner** of the **site**, be accompanied by an **owner's authorization form** signed by the **owner**; and

- (c) be accompanied by the application fee for a **cannabis store application** as set out in in the Burnaby Consolidated Fees and Charges Bylaw.

10.2 **Council** shall provide comments on and make a recommendation to the Liquor and Cannabis Regulation Branch in respect to a **cannabis store application** in accordance with section 33 of the *Cannabis Control and Licensing Act*.