

CITY OF BURNABY

BYLAW NO. 14702

A BYLAW to amend Burnaby Development
Procedures Bylaw 2022

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY DEVELOPMENT PROCEDURES BYLAW 2022, AMENDMENT BYLAW NO. 2, 2024.**

2. Burnaby Development Procedures Bylaw 2022, as amended, is further amended:

(a) at Section 2, Definitions, by repealing the definitions of “applicant”, “application form”, “owner’s authorization form”, and “site” and replacing them with the following:

“**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**”

(b) at Section 2, Definitions, by adding the following 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”

(c) at Part 9: SEVERABILITY, by renaming it as **“Part 11:SEVERABILITY”** and renumbering section 9.1 as section 11.1;

(d) by adding the following as Parts 9 and 10:

“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.*”

Read a first time this day of , 2024

Read a second time this day of , 2024

Read a third time this day of , 2024

Reconsidered and adopted this day of , 2024

MAYOR

COPRORATE OFFICER