

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **RETAIL CANNABIS APPLICATIONS HELD PENDING ZONING
BYLAW AMENDMENT FOR MINIMUM SEPARATION DISTANCES**
PURPOSE: To provide Council with recommendations regarding the subject
private retail cannabis store applications.

REFERENCES

Address: 3722 Canada Way
Legal: Lot 1 District Lot 68 Group 1 New Westminster District Plan
EPP26126
Applicant: Local Burnaby Holdings Ltd. (Local Cannabis)
Attention: Gary Hehar
Current Zoning: Community Commercial District (C2)
Proposed Zoning: No Change

Address: 204-9855 Austin Road
Legal: Lot 79 District Lot 4 Group 1 New Westminster District Plan 36145
Except Plans BCP5531, EPP10716 and EPP60170
Applicant: Kelo Retail Corporation (Kelo Cannabis)
Attention: Tanya Gramuglia
Current Zoning: Comprehensive Development (CD) District, based on the
Administration and Assembly District (P2), General Commercial
District (C3) and Multiple Family Residential District (RM5s)
Proposed Zoning: No Change

RECOMMENDATIONS

1. **THAT** a recommendation be provided to the Liquor and Cannabis Regulation Branch that a retail cannabis licence be issued to Kelo Cannabis at 204-9855 Austin Road.
2. **THAT** a recommendation be provided to the Liquor and Cannabis Regulation Branch that a retail cannabis licence be issued to Local Cannabis at 3722 Canada Way.

1.0 POLICY SECTION

The subject applications align with the following policies:

- Corporate Strategic Plan (2022);
- Official Community Plan (1998);
- Economic Development Strategy (2007);
- Social Sustainability Strategy (2011);
- Community Energy and Emissions Plan (2016);
- Climate Action Framework (2020); and
- Community Safety Plan (2020).

2.0 BACKGROUND

2.1 On July 22, 2024, Council adopted a new Liquor and Cannabis Licensing Policy. The Policy introduced several changes to modernize the City's liquor and cannabis licensing regulations and improve application processing times, such as:

- eliminating rezoning requirements for several licence types including liquor primary establishments which includes liquor service in non-traditional businesses, retail liquor stores, and retail cannabis stores;
- eliminating the requirement for a Section 219 covenant for all licence types; and
- delegating authority to the General Manager Planning and Development, to provide comments and a recommendation to the LCRB for several application types.

On May 27, 2025, Council received a report titled "Retail Cannabis Applications for the Northwest, Northeast and Southeast Quadrants" and passed the following resolutions:

- **THAT** staff be directed to bring forward an amendment to the Zoning Bylaw to clarify that the 1.0 km (3,281 ft.) separation requirement from another cannabis store apply to within Burnaby boundaries only;
- **THAT** staff be directed to amend the policy framework to not limit the number of applications in this initial intake period to be limited to one per quadrant;
- **THAT** after the consideration of the applications for the Southeast quadrant has occurred, no other applications be supported until after the 2-year policy review has concluded [...] and
- **THAT** the recommendations to the Liquor and Cannabis Regulation Branch for the application for Kelo Cannabis located at 204-9855 Austin Road and Local Cannabis located at 3722 Canada Way be held, pending the outcome of consideration of the proposed Zoning Bylaw amendment.

On June 24, 2025, Council received a report titled “Proposed Zoning Bylaw Amendment – Liquor and Cannabis Store Distance Separation” and authorized the City Solicitor to bring forward the amendment to the Burnaby Zoning Bylaw, which was subsequently given First, Second and Third Reading at the July 8, 2025 Council meeting. The amendment bylaw is now on the Open Council agenda at this meeting for consideration of final adoption, and therefore Council may now consider the applications for retail cannabis for Kelo Cannabis located at 204-9855 Austin Road and Local Cannabis located at 3722 Canada Way.

- 2.2 Staff commentary on these two applications (3722 Canada Way and 204-9855 Austin Road) was provided in the May 27, 2025 report, and the recommendation to not approve the applications at that time was partially based on these locations not meeting the separation distance criteria which is the subject of the amendments. With these separation distance criteria removed, and Council noting that more than one application per quadrant can be supported, with no further applications to be supported until after a two-year policy review, staff now recommend that Council refer these applications to the Liquor and Cannabis Regulation Branch with the recommendation that a licence for retail cannabis be approved.

3.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

In line with Provincial requirements for local governments to gather the views of nearby residents as part of their assessment of retail cannabis licence applications, written notice was sent out to residents within a 30 m distance of each of the subject properties.

Notices were also previously published on the City of Burnaby’s website on March 13 and March 20, 2025, and signage was posted at the subject sites that invited respondents to submit written comments to the City of Burnaby Planning and Development Department.

A detailed summary of the public consultation feedback for each application can be found in Attachment 5 of the May 27, 2025 report titled “Retail Cannabis Applications for the Northwest, Northeast and Southeast Quadrants.”

4.0 FINANCIAL CONSIDERATIONS

There are no direct financial considerations associated with these applications.

Respectfully submitted,

E.W. Kozak, General Manager Planning and Development

ATTACHMENTS

- Attachment 1 – Sketch 1 (204-9855 Austin Road)
Attachment 2 – Sketch 1 (3722 Canada Way)

REPORT CONTRIBUTORS

This report was prepared by Carl Isaak, Director Neighbourhood Planning and Urban Design.