



DISTRICT OF NORTH SAANICH

BYLAW NO. 1576

A BYLAW TO AMEND “DISTRICT OF NORTH SAANICH BUSINESS BYLAW No. 1349, 2013”

WHEREAS Section 8 (6) of the *Community Charter* authorizes the adoption of a Business License and Business Regulation Bylaw by a Municipality;

AND WHEREAS Section 41 of the *Liquor Control and Licensing Act* authorizes municipalities by bylaw to impose fees associated with providing recommendations for on an application for the issue or amendment of a licence under this Act in order to recover costs incurred by the local government in assessing the application;

AND WHEREAS Section 35 of the *Cannabis Control and Licensing Act* authorizes municipalities by bylaw to impose fees associated with providing recommendations for on an application for the issue or amendment of a licence under this Act in order to recover costs incurred by the local government in assessing the application;

NOW THEREFORE the Council of the District of North Saanich, in open meeting lawfully assembled, ENACTS AS FOLLOWS:

AMENDMENTS

1. District of North Saanich Business Bylaw No. 1349, 2013 is amended as follows:

(a) Section 2 is amended to add the following definitions:

‘Cannabis Retail’ means the use of land or buildings providing for the sale of cannabis to the ultimate consumer for personal consumption, not for resale purposes, and is not included in any other type of commercial or retail use permitted in Zoning Bylaw No. 1255.

‘Cannabis Paraphernalia’ means any product, equipment, thing or material of any kind primarily used to produce, process, package, store, inject, ingest, inhale or otherwise introduce into the human body a controlled substance as defined in the Controlled Drugs and Substances Act.

‘Fees and Charges Bylaw’ means the bylaw adopted by the Municipality for the purpose of establishing fees and charges.

‘License Referral Cost-Recovery Fee’ means a fee established in accordance with S. 41 of the Liquor Control and Licensing Act or S. 35 of the Cannabis Control and Licensing Act.

‘Liquor Store’ means a retail store providing for the sale of alcoholic beverages for off-site consumption as licensed through the Liquor Control and Licensing Act.

'Provincial License' means a license issued or being considered for issuance or being considered for amendment by the Provincial Liquor and Cannabis Regulation Branch in accordance with the Liquor Control and Licensing Act or the Cannabis Control and Licensing Act.

(b) Add the following Titles and Sections after Section 32:

OPERATIONAL RESTRICTIONS FOR CANNABIS RETAIL, CANNABIS PARAPHERNALIA, AND LIQUOR STORE BUSINESSES

33. No Liquor Store business may operate within the Municipality except between the hours of 7 a.m. and 11 p.m. daily.

34. No Retail Cannabis business may operate within the Municipality except between the hours of 9 a.m. and 11 p.m. daily.

35. The sale of Cannabis Paraphernalia is prohibited except as an accessory sale associated with a Retail Cannabis business and only in accordance with all applicable provincial regulations and guidelines.

36. A Retail Cannabis business must not advertise the sale of Cannabis or Cannabis Paraphernalia in a location that can be viewed by patrons or the public prior to the business completing age-verification of patrons.

36.1. For the purpose of this Section, no Cannabis or Cannabis Paraphernalia may be displayed in such a way that is visible from an entry, window, or any other location that is visible to the public.

ADDITIONAL FEES FOR THE PROVISION OF REVIEWING AND PROVIDING RECOMMENDATIONS FOR PROVINCIAL LICENSING OF LIQUOR STORES AND CANNABIS RETAIL BUSINESSES

37. In accordance with S. 41 of the Liquor Control and Licensing Act, any application for a new Liquor Store Provincial License, including new applications or amendments to an existing licence, will provide a fee to the Municipality as established in the Fees and Charges Bylaw for the purpose of allowing the Municipality to recover costs associated with providing recommendations to the Provincial Liquor and Cannabis Regulation Branch regarding the Provincial License.

38. In accordance with S. 35 of the Cannabis Control and Licensing Act, any application for a new Retail Cannabis Provincial License, including new applications or amendments to an existing licence, will provide a fee to the Municipality as established in the Fees and Charges Bylaw for the purpose of allowing the Municipality to recover costs associated with providing recommendations to the Provincial Liquor and Cannabis Regulation Branch regarding the Provincial License.

39. Upon notification of a referral request for a Provincial License, the Corporate Officer will:

- a. Identify if the Municipality has opted-out of providing recommendations and if so will complete the request indicating the Municipality has opted-out of providing recommendations;
- b. If the Municipality hasn't opted-out or cannot opt-out, the Corporate Officer will contact the applicant and request payment of the License Referral Cost-Recovery Fee;
- c. Once the License Referral Cost-Recovery Fee is paid by the applicant, the Corporate Officer will undertake the necessary public consultation requirements by either:
 - i. Scheduling a Public Hearing to seek community input; or,
 - ii. Providing notification of the application in one edition of a local newspaper along with the means by which to provide input on the application and a deadline for providing input.
- d. Once the public consultation has been completed, the Corporate Officer will evaluate the public consultation feedback and provide recommendations to the Province for the application.

(c) Renumber Sections from 33-35 to 40-42 to accommodate the above amendments.

(d) Amend Schedule A to add the following Business Categories:

- "11) Cannabis Retail"
- "12) Liquor Store"

CITATION


2. This Bylaw may be known and cited for all purposes as "North Saanich Business Bylaw No. 1349, (2013) Amendment Bylaw No. 1576, (2024)".

READ A FIRST TIME the 23rd day of September, 2024

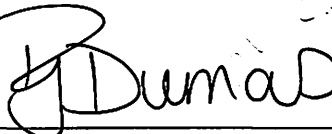
READ A SECOND TIME the 23rd day of September, 2024

READ A THIRD TIME the 23rd day of September, 2024

FINALLY ADOPTED the 7th day of October, 2024



MAYOR



CORPORATE OFFICER