RECOMMENDATION: Council consider and resolve:
That the following items be added to the November 18, 2019 Regular Council Agenda as follows:

15. **BYLAWS FOR CONSIDERATION**

   (m) **Zoning Amending Bylaw 5861-2019-5050(355)**  
   A bylaw to allow the sale of retail cannabis as a permitted use in some specific existing commercial zones and set out spatial separations around schools and between other cannabis retail stores.  
   **Adoption**  
   **Page 2**

   (n) **Business Licence Amending Bylaw 5859-2019-3964(7)**  
   A bylaw to create a new “Cannabis Retail Store” definition, licence category, and annual business licence fee within the District of Mission.  
   **Adoption**  
   **Page 5**

   (o) **Land Use Application Procedures and Fees Amending Bylaw 5862-2019-3612(18)**  
   A bylaw to regulate the application process for proposed retail cannabis stores within the District of Mission.  
   **Adoption**  
   **Page 8**
DISTRICT OF MISSION

BYLAW 5861-2019-5050(355)

A Bylaw to amend "District of Mission Zoning Bylaw 5050-2009"

WHEREAS under the provisions of the 'Local Government Act', a Council may, by bylaw, divide the Municipality into zones and regulate the use of land, buildings and structures within such zones;

AND WHEREAS the Council of the District of Mission has adopted “District of Mission Zoning Bylaw 5050-2009” and amended same from time to time;

AND WHEREAS the Council of the District of Mission deems it advisable and in the public interest to amend the Zoning Bylaw:

NOW THEREFORE the Council of the District of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

1) This Bylaw may be cited for all purposes as "District of Mission Zoning Amending Bylaw 5861-2019-5050(355)".

2) "District of Mission Zoning Bylaw 5050-2009" as amended, is hereby further amended as follows:

a) by deleting in Section 102 the definition of "Marihuana Sales";

b) by deleting in Section 102 the definition of "Medical Marihuana Grow Operation";

c) by deleting in section 106 C. 1 i., "Medical Marihuana Grow Operation" as a prohibited use:

d) by deleting in section 106 C. 1 k., "Marihuana Sales" as a prohibited use:

e) by inserting in Section 102 a definition of "Cannabis" as follows:

   "Cannabis
   has the same meaning as defined under the Cannabis Act."

f) by inserting in Section 102 a definition of "Cannabis Act" as follows:

   "Cannabis Act
   means the Cannabis Act, S.C. 2018, c.29."

g) by inserting in Section 102 a definition of “Cannabis Control and Licensing Act” as follows:

   "Cannabis Control and Licensing Act
   means the Cannabis Control and Licensing Act, S.B.C. 2018, c. 29."

h) by inserting in Section 102 a definition of “Cannabis Production Facility” as follows:

   "Cannabis Production Facility
   means a Facility licensed by the Federal Government under the Cannabis Act and used solely for the cultivation, production, manufacturing, processing, testing, packaging and shipping of cannabis products."

i) by inserting in Section 102 a definition of “Cannabis Retail Store” as follows:

   "Cannabis Retail Store"
   means the sale of Cannabis that is authorized pursuant to the Cannabis Control and Licensing Act."

j) by inserting in Section 106, 13 Retail, “Cannabis Retail Store” into the existing table.
k) by inserting “Cannabis Retail Store” as a permitted use in the following zones:

i) Section 804 - Commercial Highway Zones
   • Commercial Highway One Zone (CH1)
   • Commercial Highway Two Zone (CH2)

ii) Section 805 - Commercial Gaming Zones
    • Commercial Community Gaming Zone (CCG)

iii) Section 903 - Core Commercial Waterfront Zones
    • Core Commercial Waterfront Zone (CCW)

iv) Section 803 - Commercial Neighbourhood Centre Zones
    • Commercial Neighborhood Centre One Zone (CNC1)

v) Section 806 - Commercial Gas Service Station Zones
    • Commercial Gas Service Station Zone (CGS)

vi) Section 807 - Commercial Vehicle Dealership Zones
    • Commercial Vehicle Dealership Zone (CVD)

vii) Section 1224 - CD24 Zone
     • Comprehensive Development 24 Zone (CD24) – Rexall Plaza

viii) Section 801 - Commercial Rural Zones
     • Commercial Rural Liquor Zone (CRL)

ix) Section 1301 - Silverdale Neighbourhood 1A Zone
     • Silverdale Neighbourhood 1A Zone (SN-1A)

x) Section 901 - Core Commercial Downtown One Zones
    • Core Commercial Downtown One Zone (CCD1)

and including the following restrictions:

i) to a maximum of one Cannabis Retail Store per property;

ii) not to be located within 250 m of a public or private school;

iii) not to be located within 150 m of another Cannabis Retail Store when located within the Mission City Downtown or Neighbourhood Centre designation.

l) by inserting in Section 106 C. Prohibited Uses: Cannabis Production Facility, except as permitted by the Agricultural Land Reserve Use Regulations;

READ A FIRST TIME this 7th day of October, 2019
READ A SECOND TIME this 7th day of October, 2019
PUBLIC HEARING held this 21st day of October, 2019
READ A THIRD TIME AS AMENDED this 21st day of October, 2019
APPROVED by the Ministry of Transportation and Infrastructure this 29th day of October, 2019
ADOPTED this __ day of ___, 2019

PAMELA ALEXIS
MAYOR

JENNIFER RUSSELL
CORPORATE OFFICER
WHEREAS the Council of the District of Mission did, on the 7th day of May, 2007, enact a bylaw cited as “District of Mission Business Licence Bylaw 3964-2007”;

AND WHEREAS the Council of the District of Mission deems it advisable to amend the said Bylaw;

NOW THEREFORE the Council of the District of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "District of Mission Business Licence Amending Bylaw 5859-2019-3964(7)".

2. "District of Mission Business Licence Bylaw 3964-2007” as amended, is hereby further amended as follows:

   1. by deleting in Section 2 Interpretation the definition of “business” and replacing it with a new definition of “business” as follows:

   "business” means

   Each legal entity or person that actively carries on business within the District, as a sole proprietor, a corporation or a partner (each partner is a separate legal entity not the partnership itself) is deemed to be a distinct business. Businesses are verifiable in that each legal entity carrying on business is required to file a tax return in regards to their business activities. A business includes any of the following activities:

   (a) carrying on a commercial or industrial activity or undertaking of any kind, or

   (b) providing professional, personal or other services for purpose of gain or profit, or

   (c) providing any other services in exchange for money or other consideration, including non-profit services and/or businesses classified in Schedule “A” or Schedule “B”,

   but does not include an activity carried out on or by either the Federal or Provincial governments including corporations or agencies owned by them, or by any public transit authority.

2. by inserting in Section 2 Interpretation a new definition of “Cannabis” as follows:

   “Cannabis” has the same meaning as defined under the Cannabis Act, S.C. 2018 c. 29.

3. by inserting in Section 2 Interpretation a new definition of “Cannabis Control and Licensing Act” as follows:

   “Cannabis Control and Licensing Act” means the Cannabis Control and Licensing Act, S.B.C. 2018, c. 29.
4. by inserting in Section 2 Interpretation a new definition of “Cannabis Retail Store” as follows:

“Cannabis Retail Store” means the sale of Cannabis that is authorized pursuant to the Cannabis Control and Licensing Act.

5. by deleting clause 6.1 and replacing it with a new clause 6.1 as follows:

No licence shall be granted, issued, transferred or renewed to a person until that person has paid to the District the prescribed fee for the classification of business set out in Schedule “A” or Schedule “B”.

6. by deleting clauses 9.1, 9.2, 9.3 and 9.4 and replacing them with new clauses 9.1, 9.2 and 9.3 as follows:

9.1 Subject to the offence and penalties as provided under the Community Charter or Local Government Act, the following will apply:

(a) The Manager of Inspection Services and any person designated as a Bylaw Enforcement Officer pursuant to the “Bylaw Notice Enforcement Bylaw 5700-2018” is hereby authorized and empowered to enforce the provisions of this Bylaw by Bylaw Notice or as otherwise provided by this Bylaw.

(b) a violation of any of the provisions identified in this Bylaw will be subject to the procedures, restrictions, limits, obligations and rights established in the Bylaw Notice Enforcement Bylaw 5700-2018, in accordance with the Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60;

(c) a person who:

(i) contravenes, violates or fails to comply with any provision of this Bylaw;

(ii) permits or allows any act or thing to be done in contravention or violation of this Bylaw; or

(iii) fails or neglects to do anything required to be done under this Bylaw, has committed an infraction of, or an offence against, this Bylaw; and is liable on summary conviction to a fine of not more than Ten Thousand Dollars ($10,000.00); and

(d) each day such infraction is caused, or allowed to continue, constitutes a separate offence.

9.2 Except for seasonal business, if a licensee continues to carry on business within the District of Mission and does not renew and pay for their licence prior to February 1st of each licence period (January 1st to December 31st), a late payment fee calculated at 25% of their annual licence fee as specified in Schedule “A” or Schedule “B” attached hereto will be applied to a maximum of $250.00.
9.3 Except for seasonal business, if a licensee continues to carry on business within the District of Mission and does not renew and pay for their licence prior to March 1st of each licence period (January 1st to December 31st), a late payment fee calculated at 50% of their annual license fee as specified in Schedule “A” or Schedule “B” attached hereto will be applied to a maximum of $500.00.

7. by inserting after Schedule “A” a new Schedule “B” as follows:

SCHEDULE “B”
Annual Business Licence Fees by Classification

<table>
<thead>
<tr>
<th>Classification</th>
<th>Annual Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cannabis Retail Store</td>
<td>$5,000.00</td>
</tr>
</tbody>
</table>

READ A FIRST TIME this 7th day of October, 2019
READ A SECOND TIME this 7th day of October, 2019
READ A THIRD TIME this 21st day of October, 2019
ADOPTED this ___ day of ___, 2019

PAMELA ALEXIS  JENNIFER RUSSELL
MAYOR  CORPORATE OFFICER
WHEREAS the Council of the District of Mission did, on the 5th day of August, 2003, enact a bylaw cited as “District of Mission Land Use Application Procedures and Fees Bylaw No. 3612-2003”;

AND WHEREAS the Council of the District of Mission deems it advisable to amend the said Bylaw;

NOW THEREFORE the Council of the District of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "District of Mission Land Use Application Procedures and Fees Amending Bylaw 5862-2019-3612(18)".

2. "District of Mission Land Use Application Procedures and Fees Bylaw No. 3612-2003" as amended, is hereby further amended as follows:

1. by deleting the Miscellaneous Fees table from Schedule “A” and replacing it with a new Miscellaneous Fees table as follows:

<table>
<thead>
<tr>
<th>Miscellaneous Fees</th>
<th>$380.00 plus all District’s direct legal costs associated with reviewing Agreements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of Phased Development Agreements</td>
<td></td>
</tr>
<tr>
<td>Liquor Primary, new licence (exclusive of rezoning)</td>
<td>$3,619.00</td>
</tr>
<tr>
<td>Liquor Primary Licence Amendment (change to existing licence, increased seating capacity, patio endorsement, hours of operation)</td>
<td>$1,236.00</td>
</tr>
<tr>
<td>Food Primary Licence Amendment (extension of liquor service hours past midnight, or for patron participation)</td>
<td>$1,236.00</td>
</tr>
<tr>
<td>Retail Cannabis Store, new licence (exclusive of rezoning)</td>
<td>$3,619.00</td>
</tr>
<tr>
<td>Retail Cannabis Store Licence Amendment (amendment/change to existing licence)</td>
<td>$1,236.00</td>
</tr>
<tr>
<td>Temporary change to a Liquor Primary, Food Primary or Retail Cannabis Store Licence (temporary change to any condition/restriction on the licence)</td>
<td>$420.00</td>
</tr>
<tr>
<td>Change of Applicant/Owner on a development application file</td>
<td>$103.00</td>
</tr>
<tr>
<td>OCP Background Reports &amp; Planning Studies (cost per each document)</td>
<td>$51.50</td>
</tr>
<tr>
<td>OCP/Zoning Research Letters (cost per property)</td>
<td>$259.50</td>
</tr>
</tbody>
</table>
## Miscellaneous Fees Continued

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Document Amendment/Discharge</td>
<td>$402.00</td>
</tr>
<tr>
<td>Development Inquiry Fee (written comments provided following development meeting)</td>
<td>$319.00</td>
</tr>
<tr>
<td>Request by Developer to have staff attend a developer initiated Public Information Meeting (cost per staff member, per hour)</td>
<td>$195.00</td>
</tr>
<tr>
<td>Strata Conversion/Phase Strata Development</td>
<td>$1,551.00</td>
</tr>
<tr>
<td>plus per unit (estimated 16 unit average)</td>
<td>$98.00</td>
</tr>
<tr>
<td>Fee for copy of a legal plan</td>
<td>$3.00</td>
</tr>
</tbody>
</table>

READ A FIRST TIME this 7\textsuperscript{th} day of October, 2019

READ A SECOND TIME this 7\textsuperscript{th} day of October, 2019

READ A THIRD TIME this 21\textsuperscript{st} day of October, 2019

ADOPTED this ___ day of ___, 2019

\begin{flushright}
PAMELA ALEXIS
MAYOR

JENNIFER RUSSELL
CORPORATE OFFICER
\end{flushright}