

	COUNCIL POLICY	
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CHAPTER:		
SECTION:		
SUBJECT: Storefront Cannabis Retailer Rezoning		
AUTHORIZED BY:		
EFFECTIVE DATE: October 27, 2017		REVISION DATE: October 27, 2017

A. PURPOSE

The purpose of this policy is to outline the criteria that may be considered by City Council as part of a rezoning application or temporary use permit application to allow for a storefront cannabis retailer at a particular location. This policy is intended to guide applicants and City staff as part of the application process but it is not intended to fetter Council’s discretion when dealing with individual applications, each of which will be evaluated on its own merits.

This policy was established in response to the anticipated legalization, or partial legalization, of cannabis by the federal government and the unregulated proliferation of storefront cannabis retailers. It is intended to address potentially adverse community impacts of storefront cannabis retailers, including inappropriate exposure of minors to cannabis and undesirable concentration of storefront cannabis retailers.

B. DEFINITIONS

Applicant means an applicant for a rezoning that would allow for a storefront cannabis retailer at a particular location.

Storefront cannabis retailer means premises where cannabis is sold or otherwise provided to a person who attends at the premises.

C. POLICY STATEMENTS

Rezoning Considerations

1. A storefront cannabis retailer should be in an established or planned retail location to minimize nuisance to nearby residential neighbours. This may be within a large urban village or town centre as identified in the Official Community Plan, within a commercial area identified in a neighbourhood plan or in a location zoned for other retail use.

2. A storefront cannabis retailer should be:
 - a. at least 200m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school.

 - b. at least 400 m (in a straight line from closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, whether or not a storefront cannabis retailer is active or not.

3. This Policy does not limit Council from considering variances to the separation distances noted in (2) based on circumstances related to a specific application.
4. The off-street parking requirements applicable to retail stores as outlined in Schedule C of the Zoning Regulation Bylaw will apply to storefront cannabis retailers.
5. Only one storefront cannabis retailer will be allowed per lot.

Application Process

6. The applicant must undertake all of the standard processes required for a rezoning application, except that the requirement to arrange and participate in a Community Meeting in relation to a rezoning application is waived unless it involves the construction of a new building, as allowed under section 8 of the Land Use Procedures Bylaw, 2016.
7. The City will refer the application to School District #61 and Victoria City Police for up to 30 days to ensure that their comments are considered in Council's decision.
8. All applications for rezoning under this Policy shall be forwarded to the Neighbourhood Association in which the subject property is located, for information and comments they may wish to provide.
9. The notification distance for Council's opportunity for public comment for Temporary Use Permit Applications to permit a storefront cannabis retailer is 100m.

D. REFERENCES

City of Victoria Land Use Procedures Bylaw, 2016, Bylaw No. 16-028
City of Victoria Zoning Regulation Bylaw, Bylaw No. 80-159

E. REVISION HISTORY

1. February 17, 2017
2. July 13, 2017
3. October 27, 2017