



## Court Rules in Favour of City on Cannabis Rezoning

Date: Monday, January 29, 2017

For Immediate Release

VICTORIA, B.C. — The BC Supreme Court has ruled in favour of City Council's decision to decline the rezoning application for the Green Dragon Medicinal Society at 541 Herald Street. The decision confirms that City Council followed appropriate procedure when it concluded that a storefront cannabis retailer was not an appropriate land use in this location. The court also approved the City's request for injunction. This ruling means the Green Dragon is required to cease operation. Green Dragon Medicinal Society's Facebook post indicated that they "are closed for good". Bylaw officers attended at the premises on Monday morning and confirmed that the cannabis retailer was closed.

In his decision, Chief Justice Hinkson stated:

"In my opinion, the conclusion by a municipal council, without holding a public hearing, that a storefront cannabis retailer operation in proximity to a location where children and young people will be found in numbers should not be permitted, is a decision that falls within the range of reasonable outcomes on an application by such a retailer for rezoning.

I am also satisfied that in rejecting Green Dragon's application and in declining to submit it to a public hearing, the City met its statutory procedural obligations and there was no breach of any common law procedural fairness obligations."

This is the first injunction granted to the City ordering the closure of an unauthorized cannabis retailer operating in the City. The City is actively proceeding with court actions against other unauthorized cannabis retailers.

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