

	COUNCIL POLICY	
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CHAPTER:		
SECTION:		
SUBJECT: Storefront Marijuana Retailer Rezoning		
AUTHORIZED BY:		
EFFECTIVE DATE:		REVISION DATE:

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 to allow for a storefront marijuana 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 rezoning 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 marijuana by the federal government and the unregulated proliferation of storefront marijuana retailers. It is intended to address potentially adverse community impacts of storefront marijuana retailers, including inappropriate exposure of minors to marijuana and undesirable concentration of storefront marijuana retailers.

B. DEFINITIONS

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

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

C. POLICY STATEMENTS

Rezoning Considerations

1. A storefront marijuana 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 marijuana retailer should be at least 200 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary or secondary school.
3. A storefront marijuana retailer should be at least 200 m (in a straight line from closest lot line to closest lot line) from another lot where a storefront marijuana retailer is permitted, whether or not a storefront marijuana retailer is active or not. A reduced distance may be warranted in locations such as a large urban village, town centre or Downtown.

4. The off-street parking requirements applicable to retail stores as outlined in Schedule C of the Zoning Regulation Bylaw will apply to storefront marijuana retailers.
5. Only one storefront marijuana 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.

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