



Welcome!

**Public
Open House
about
Recreational Cannabis
in the Town of
View Royal**



The Town's Current Regulations for Recreational Cannabis

The Town of View Royal regulates recreational (also known as non-medical) cannabis uses within its Zoning Bylaw. It does not currently permit the production, distribution, sale or home growing of recreational cannabis.

On April 17th, 2018 Council amended the Zoning Bylaw to add the following to the list of prohibited uses in the Town:

3.3.2.k) The production or distribution or sale of recreational marijuana, including the growing of marijuana plants for personal recreational use.

This regulation prohibits all land uses in the Town related to recreational cannabis. This regulation was put in place to allow the Town time to consider the federal and provincial legislation, and to create regulation informed by a comprehensive stakeholder engagement plan.



Federal Government's Role

The federal government is responsible for setting requirements for producers growing and manufacturing recreational cannabis. It establishes industry-wide rules and standards including types of cannabis permitted for sale, packaging, labelling and promotional requirements, serving sizes, potency, prohibiting certain ingredients, and tracking of seeds. Also responsible for setting minimum age limits for sales and consumption, with an emphasis on avoiding packaging and promotions which appeal to youth.

- Must be 18 years and older to possess or access cannabis.
- Maximum penalty of 14 years in prison for giving or selling cannabis to youth, or using a youth to commit a cannabis-related offense.
- Prohibitions to packaging and products which appeal to youth.
- Vending machine sales are prohibited.
- Sales of cannabis where it can be seen by youth is prohibited.
- 30 gram dried cannabis possession limit.
- Up to 4 plants can be grown in the home for personal use (provided licensed seed or seedlings are used), which can be further restricted by the province and local governments.
- Cannabis products can be made for personal use as long as no solvents are used (solvents are used to produce oils).
- Adults may purchase dried or fresh cannabis and cannabis oil from provincially-licensed retailers or online from a federally licensed producer.
- Other products, including edibles, will not be permitted for sale until rules for their production and sale are developed.

The Federal Government's overview of the issues can be found here:





BC Government's Role

The provincial government is responsible for regulating the distribution of recreational cannabis, including licensing distributors and retailers, setting more restrictive age restrictions and possession limits (than the federal government) if they see fit, setting additional regulation for home growing, and restricting where consumption can take place.

CANNABIS DISTRIBUTION ACT (CDA)

The Liquor Distribution Branch will be the wholesale distributor of non-medical cannabis in B.C. and will run provincial cannabis retail stores. The Cannabis Distribution Act establishes:

- A public wholesale distribution monopoly; and
- Public (government-run) retail sales, both in stores and online.

LIQUOR AND CANNABIS REGULATION BRANCH

The Liquor and Cannabis Regulation Branch (LCRB) will be responsible for licensing non-medical cannabis private stores and monitoring the non-medical cannabis retail sector.



BC Government's Role

The **CANNABIS CONTROL AND LICENSING ACT** is guided by the Province's priorities of protecting children and youth, promoting health and safety, keeping the criminal element out of cannabis, keeping B.C. roads safe, and supporting economic development.

- Sets 19 as the provincial minimum age to purchase sell or consume cannabis;
- Allows adults to possess up to 30 grams of cannabis in a public place;
- Adults cannot possess any more than 1,000 grams of dried non-medical cannabis, or its equivalent, in a non-public place, such as at home.
- Prohibits cannabis smoking and vaping everywhere tobacco smoking and vaping are prohibited, as well as at playgrounds, sports fields, skate parks, and other places where children commonly gather;
- Prohibits the use of cannabis on school properties and in vehicles;
- Authorizes adults to grow up to four cannabis plants per household, but the plants must not be visible from public spaces off the property, and home cultivation will be banned in homes used as day-cares;
- Establishes a cannabis retail licensing regime similar to the current licensing regime for liquor;
- Provides enforcement authority to deal with illegal sales;
- Creates a number of provincial cannabis offences which may result in a fine ranging from \$2,000 to \$100,000, imprisonment of three to 12 months, or both; and
- Where necessary, to comply with Charter Rights and human rights law, exemptions will provide to individuals who are federally authorized to purchase, possess and consume medical cannabis.

More information from the province can be found here:





Production of Recreational Cannabis

The federal government issues licenses for the production of non-medical (recreational) cannabis. The two modes of production the Town is primarily concerned with are:

- Growing of cannabis
- Processing and manufacturing of cannabis products

It is the license applicant's responsibility to comply with provincial and local government regulations relating to land uses.

The Town has several tools available to regulate recreational cannabis production:

Zoning

The Town can zone properties and regulate the siting of structures around the growing and for the production and manufacturing of cannabis products. A possible exception to this is land designated as Agricultural Land Reserve (ALR), where there is a right to agricultural use on the land.

Development Permit Guidelines in the Official Community Plan

The Town has the ability to create and apply Form and Character Development Permit Guidelines for lighting, landscaping, screening, architectural design, parking, signage, etc.

More information on the federal governments licensing requirements here:





Retail Sale of Recreational Cannabis

The provincial government issues licenses for recreational cannabis retail stores. A cannabis retail store must be in a standalone business. The license requires input and a positive recommendation from a local government in whose area the proposed store is located.

Applicants for a recreational cannabis retail store license must submit a license application to the LCRB. When an application is received, the LCRB will notify the local government of the area where the proposed store will be located.

Upon receipt of notice, local governments can:

- choose not to make any recommendation in respect of the application for a cannabis retail store licence (Note: this would end a licence application)
- choose to make comments and recommendations in respect of an application for a cannabis retail store licence.

Note that:

- if the local government chooses to make a comments and recommendation on the licensee's application to the LCRB, it must gather the views of residents
- if it makes a recommendation to deny the application then the LCRB may not issue the licence
- if it makes a recommendation in favour of the application, then the LCRB has discretion whether or not to issue the licence, but must consider the local government's recommendation.



Retail Sale of Recreational Cannabis - Public Input

Gathering residents' views

If the local government decides to consider the notice of application and to provide comments and recommendations as to the location of the proposed retail store, it must gather the views of residents of the area if the location of the proposed store may affect nearby residents. It may gather resident's views by using one or more of the following methods:

- Receiving written comment in response to a public notice of the application
- Conducting a public hearing in respect of the application
- Holding a referendum, or
- Using another method the local government considers appropriate.

It is up to the local government to determine the area, relative to the licensee's application, where resident's views must be gathered.

Please note: Gathering the views of residents of the area/providing a recommendation to the LCRB must be unique to each provincial licence application. In other words, past recommendations cannot be used in a new licensing process. Each individual application must be considered separately by the local government.

What must the local government's recommendation include?

The recommendations and comments the local government provides to the LCRB must:

- be in writing (this may or may not be in the form of a resolution)
- show that the local government has considered the location of the proposed store
- include the views of the local government on the general impact on the community if the application is approved
- include the views of residents if the local government has gathered residents' views, and a description of how they were gathered
- include the local government's recommendation as to whether the application should be approved or rejected and provide the reasons upon which the recommendation is based.

The local government should also provide any supporting documents referenced in their comments.

More information:





Home Growing Recreational Cannabis

Growing cannabis plants at home is legal in Canada. Local and Indigenous government can also further restrict growing non-medical cannabis at home under existing powers to establish bylaws, which the Town of View Royal has done currently.

Adults 19+ can grow up to four non-medical cannabis plants per household. These plants cannot be grown in a space that is visible from a public place, like parks, streets, sidewalks, sports fields, and K-12 school properties. For example, you can grow plants on your balcony, or in your yard, as long as they're not visible from a public place.

Growing cannabis at home is banned in homes used as licensed child care.

Landlords and strata corporations can further restrict or prohibit growing non-medical cannabis on their properties.

The federal government has more information on safe home growing here:





Resources for Further Information



Cannabis in Canada: Get the Facts

<https://www.canada.ca/en/services/health/campaigns/cannabis.html>



British Columbia: Get Cannabis Clarity

<https://cannabis.gov.bc.ca/>



BC Liquor Distribution Branch Cannabis Updates

<https://www.bcldbcannabisupdates.com/>



Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores

https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/documents/local_government_role_in_licensing_cannabis_retail_stores.pdf



Safe Home Cannabis Growing

<https://www.canada.ca/en/health-canada/services/information-bulletin-safety-security-considerations-producing-cannabis-for-own-medical-purposes.html>



Town of View Royal Cannabis Information and Updates

<https://www.viewroyal.ca/EN/meta/new/2018-latest-news/cannabis-legalization.html>



Thank you!

Please take a moment to sign in (if you haven't done so already) to receive updates regarding recreational cannabis in View Royal.

Please also fill out and/or take a feedback form.