

### Recreational cannabis

The Canadian cannabis market (adult use and medical) [is forecast](#) to reach \$9.2 billion by 2025, according to [the Canada Cannabis Report: 2018 Industry Report](#).

Recreational (non-medical) cannabis is regulated by three levels of government:

1. The federal government, which legalized recreational cannabis on October 17, 2018 through [Bill C-54, the Cannabis Act](#);
2. The provincial government which [established cannabis-related laws and regulations](#) through the [Cannabis Control and Licensing Act](#) (CCLA) governing the possession, use, and cultivation of recreational cannabis; and
3. Municipalities have the power to determine if cannabis is sold in their jurisdiction and can require business permits and regulate land use and zoning. As a result, rules differ in each municipality.

The provincial [Cannabis Control and Licensing Act](#):

- authorizes adults (age 19 and older) [to grow up to four cannabis plants per household](#) for personal use;
- amends the BC [Residential Tenancy Act](#) to ban cannabis smoking under existing leases that ban tobacco smoking. A residential tenancy agreement nabbing or limiting tobacco smoking that doesn't expressly permit smoking cannabis, is deemed to ban/limit cannabis smoking the same way tobacco smoking is prohibited or limited;
- bans personal cultivation of cannabis under existing leases, except for federally authorized medical cannabis;
- establishes for landlords with new leases entered into after October 17, 2018, the lease must state whether growing or smoking cannabis is banned/limited. If a lease doesn't, landlords and tenants may negotiate terms regarding growing and smoking of cannabis; and
- does not impose cannabis restrictions on strata councils, which can enact bylaws and rules restricting smoking or growing cannabis.

The province licenses and regulates all cannabis retail stores through the [BC Liquor and Cannabis Regulation Branch](#) under the CCLA.

It also monitors compliance of public and private recreational (non-medical) cannabis stores.

The province will not approve applications opposed by local government. If approved, private retail stores are required to have a provincial license to operate and to sell cannabis, seeds or plants.

- Prospective cannabis retailers must register their business with the province and declare they own or lease or have an agreement to own or lease a proposed retail location for at least 12 months.
- Prospective retailers must submit an application to the LCRB and is restricted to holding or an interest in eight cannabis retail stores.

Topical cannabis products [are now legal](#).

### Medical cannabis

Growing a limited amount of cannabis for health reasons:

- is legal under the [Access to Cannabis for Medical Purposes regulations](#) to Bill C-45;
- isn't contrary to tenancy agreements or strata bylaws;
- is legal so long as the grower follows [federal guidelines](#).

Landlords or strata councils attempting to restrict medical cannabis may be violating the [BC Human Rights Code](#) and Canada's [Charter of Rights and Freedoms](#). Concurrently, there may be existing obligations to other tenants, including provisions for the quiet use and enjoyment of property.

On July 13, 2018, the BC government amended Section 2 of the [Agricultural Land Reserve Use, Subdivision and Procedure Regulation](#) to change how cannabis production facilities in the Agricultural Land Reserve (ALR) qualify as a 'farm use'. The amendment specifies in a new Section 2(2.5) that growing cannabis in the ALR is a 'farm use' that can't be prohibited if grown lawfully in an open field; in a structure that has a soil base; in a pre-existing structure, or a structure that was under construction as of July 13, 2018; or in an existing licensed production facility. The updated Regulation treats recreational and medical cannabis the same. If a proposal to grow cannabis in the ALR doesn't comply with these criteria, a municipal zoning amendment application and a 'non-farm use' application to the Agricultural Land Commission is required.

### Municipalities – Cannabis bylaws: what you need to know

Municipal councils set their own restrictions as detailed in the [Cannabis Control and Licensing Act](#).

Within the Real Estate Board of Greater Vancouver's boundaries, 20 local governments have bylaws focused on cannabis and controlled substances or have sections of other bylaws, for example building bylaws, which focus on grow operations. There are a range of restrictions and rules.

Please contact your municipality to ensure you have the most recent information. If you have questions about this matrix, please contact Harriet Permut, manager of government relations at 604-730-3029 or [hpermut@rebgv.org](mailto:hpermut@rebgv.org).

## Cannabis (recreational / non-medical) bylaws and policies

	Anmore	Belcarra	Burnaby	Coquitlam	Delta	Gibsons
<b>Bylaw</b>	<a href="#">Anmore Controlled Substance Abuse Bylaw, 417, 2007</a>  Contact: Juli Halliwell <a href="mailto:juli.halliwell@anmore.com">juli.halliwell@anmore.com</a> 604-469-9877	<a href="#">Grow Operation, Health Nuisance and Safety Bylaw, No. 362, 2004</a>  Contact: Lorna Dysart <a href="mailto:ldysart@belcarra.ca">ldysart@belcarra.ca</a> 604-937-4100	<a href="#">Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 36, 2018</a>  Zoning bylaw sections <a href="#">C1</a> and <a href="#">C2</a>  <a href="#">Amendment bylaw No.36, 2018 - Bylaw No. 13928</a>  Contact: Pariffa Shafidazeh <a href="mailto:pariffashafidazeh@burnaby.ca">pariffashafidazeh@burnaby.ca</a> 604-294-7400	<a href="#">Zoning Amendment Bylaw 4865, 2018</a>  Contact: Chris McBeath, major project planner <a href="mailto:cmcbeath@coquitlam.ca">cmcbeath@coquitlam.ca</a> 604-927-3436	<a href="#">Cannabis Zoning Amendments Bylaw 7795, November 2018</a>  <a href="#">Summary of comments received during public consultation</a>  Contact: Marcy Sangret, Director of Community Planning & Development <a href="mailto:msangret@delta.ca">msangret@delta.ca</a> 604-946-3219	<a href="#">Zoning Amendment Bylaw 1065-46</a>  <a href="#">Cannabis legalization bylaw amendments</a>  Lesley-Ann Staats <a href="mailto:lstaats@gibsons.ca">lstaats@gibsons.ca</a> 604-886-2274
<b>Residential</b>						
<b>Notes</b>	Will there be a public engagement session?	Will there be a public engagement session?	<a href="#">Print this</a>	Coquitlam will have <a href="#">a public engagement strategy</a> to gather feedback before making an decisions.	<a href="#">General information</a> ; Delta <a href="#">prohibits</a> growing <a href="#">cannabis on ALR farmland</a> in cement floor greenhouses.	
<b>Permits up to 4 plants per resident for personal use</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Municipality may inspect property; issue notice to remedy; shut off water, electricity, and/or gas to property</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Owner must remediate and pass inspection</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Re-occupancy permit required</b>	TBA	Yes	Yes	Yes	Yes	Yes
<b>Owner/landlord must inspect rented property</b>	TBA	At least once every 3 months.	Yes	Yes	Yes	If former grow-op, at least once every 3 months.
<b>Penalties and fees added to property taxes</b>	Up to \$10,000 plus inspection and permit costs, fees and charges.	Up to \$10,000 plus inspection and permit costs, fees and charges.	Inspection and permit costs, fees and charge.	Up to \$10,000 plus inspection and permit costs, fees and charges.	Up to \$10,000 plus inspection and permit costs, fees and charges.	Up to \$10,000 plus inspection and permit costs, fees and charges.

## Cannabis (recreational / non-medical) bylaws and policies

	Anmore	Belcarra	Burnaby	Coquitlam	Delta	Gibsons
<b>Unpaid costs, penalties and fees added to property taxes</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Municipalities may add a notation on the property title or has database</b>			Yes	Yes	Notion on file stays until the house is demolished. In person/by phone, property buyers can get answers re whether house was a grow op. With a signed purchase agreement or listing can have access to entire file.	Yes
<b>Commercial</b>						
<b>Retail requires a business license</b>	TBA	No	No		<a href="#">Prohibits retail cannabis in all zones</a> ; may consider industrial zones in future	<a href="#">Yes</a>
<b>Permits commercial and production of controlled substances</b>	No	No	Yes <a href="#">in industrial light district</a> M5, M5r, M5L; and in <a href="#">industrial districts and manufacturing districts</a> M, M1, M1r, M1L and M1k; thorough a comp development rezoning; production; greenhouses on ALR land.		No. Under the Delta Zoning Bylaw, Cannabis research and development and cannabis production uses are prohibited except for properties in the ALR grown in accordance with the provincial ALR Use, Subdivision and Procedure Regulation.  One industrial site was successfully rezoned to allow for medical cannabis production, and another industrial property is currently undergoing a similar rezoning application process to allow processing. Applications on industrial sites are dealt with on a case by case basis. Delta maintains that cannabis production is akin to an industrial use. However, due to Provincial regulations, Delta is unable to prohibit cannabis production activities in the ALR.	

## Cannabis (recreational / non-medical) bylaws and policies

	Lions Bay	Maple Ridge	New Westminister	North Vancouver City	North Vancouver District	Pemberton
<b>Bylaw</b>	<a href="#">Zoning and Development Bylaw No. 520, 2017</a> Contact: Peter DeJong, CAO <a href="mailto:cao@lionsbay.ca">cao@lionsbay.ca</a> 604-921-9333	<a href="#">Grow Operation Health Nuisance and Safety Bylaw, 6274, 2004</a> Contact: Christine Carter, Director of Planning <a href="mailto:ccarter@mapleridge.ca">ccarter@mapleridge.ca</a> 604-467-7469	<a href="#">Controlled Substance Property Bylaw, No. 6679, 2001;</a> <a href="#">Cannabis retail rezoning policy</a> Contact: Mike Watson <a href="mailto:mwatson@newwestcity.ca">mwatson@newwestcity.ca</a> 604-521-3711	<a href="#">Properties Involving Controlled Substances Bylaw, No. 7598, 2004</a> <a href="#">Recreational cannabis retail policy</a> Contact: Wendy Tse <a href="mailto:planning@cnv.org">planning@cnv.org</a> 604-983-7357	<a href="#">Properties Involving Controlled Substances Bylaw</a> <a href="#">Reviewing several changes</a> Contact: Karen Rendek <a href="mailto:rendekk@dnv.org">rendekk@dnv.org</a> 604-990-2311	<a href="#">Grow Operation Nuisance, Noxious or Offensive Trades, Health and Safety Bylaw No. 546, 2005;</a> <a href="#">Zoning Amendment, Cannabis Retail Bylaw 847, 2018</a> Contact: Lisa Pedrini <a href="mailto:lpedrini@pemberton.ca">lpedrini@pemberton.ca</a> 604-894-6135
<b>Residential</b>						
<b>Notes</b>	See <a href="#">Policy 1802</a>	Maple Ridge plans <a href="#">policies which will allow retail cannabis operations</a> though a Cannabis Retail bylaw.				
<b>Permits up to 4 plants per resident</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Prohibits manufacture of controlled substances</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Municipality may inspect property; issue notice to remedy; shut off water, electricity, and/or gas to property</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Owner must remediate and pass inspection</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Re-occupancy permit required</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Owner/landlord must inspect rented property</b>		At least once every 3 months			At least once every 3 months	At least once every 3 months
<b>Penalties and fees</b>		Inspection and permit costs, fees and charges	Up to \$5,000 plus inspection and permit costs, fees and charges	Up to \$5,000 plus inspection and permit costs, fees and charges	Up to \$10,000 plus inspection and permit costs, fees and charges	Up to \$10,000 plus inspection and permit costs, fees and charges
<b>Unpaid costs, penalties and fees added to property taxes</b>	Yes	Yes	Yes	Yes	Yes	Yes

## Cannabis (recreational / non-medical) bylaws and policies

	Lions Bay	Maple Ridge	New Westminister	North Vancouver City	North Vancouver District	Pemberton
<b>Municipalities may add a notation on the property title or has database</b>	Yes		No notation on property title. There is an internal data-base. A potential homeowner can request a "comfort letter" through the planning department.	No. There's a file and property owners can verify if there has been a grow-op.		No notation on title. There is a database of properties on file which buyers can check.
<b>Commercial</b>						
<b>Retail requires a business license</b>	No. As per <a href="#">Policy No. 1802 - Non-Medical Cannabis Retail Store</a> prohibits cannabis production and retail stores	Yes, as per <a href="#">Cannabis retail store processing and evaluation criteria</a> ; also 7.7 of the <a href="#">Business licensing and Regulation Bylaw 6815-2011</a>	Yes. <a href="#">Must complete site-specific rezoning process</a>  See: <a href="#">Cannabis retail rezoning policy</a> <a href="#">Cannabis retail use distance guidelines</a> <a href="#">Cannabis rezoning application evaluation checklist</a> <a href="#">Cannabis retail store application submission requirements</a>	Yes, see, <a href="#">Recreational cannabis retail application</a>	Yes, see <a href="#">Proposed rules for locating cannabis stores</a> ; additional <a href="#">regulations for distribution</a>	Yes. See <a href="#">Non-medical cannabis retail policy</a>
<b>Commercial production and manufacture</b>	No	Prohibits commercial production on ALR land in cement floor greenhouses. Allows production in industrial zones.	Yes in <a href="#">heavy industrial districts (M-2)</a> . Must be 200 ft. from schools or residential zones.			Cannabis production facilities are permitted in M-1 (industrial park) zoning. Current moratorium on permitting any new cannabis production facilities due to lack of water supply. Cannabis production facilities are permitted in the A-1 (Agriculture) Zone. Does not specify whether they are meant to be in the dirt or a cement floor greenhouse, but defer to the Agricultural Land Commission's rules and regulations.

## Cannabis (recreational / non-medical) bylaws and policies

	Pitt Meadows	Port Coquitlam	Port Moody	Richmond	Squamish	Vancouver
<b>Bylaw</b>	<a href="#">Grow Operation Bylaw No. 2202, 2005</a> Contact: Colin O'Bryne <a href="mailto:colinobryne@pittmeadows.ca">colinobryne@pittmeadows.ca</a> 604-465-5454	<a href="#">Controlled Substances Nuisance Bylaw No. 3672, 2007</a> Contact: Pardeep Purwal <a href="mailto:purewalp@portcoquitlam.ca">purewalp@portcoquitlam.ca</a> 604-927-5411	<a href="#">Controlled Substances Nuisance Bylaw No. 2523, 2002</a> Contact: Jess Daniels <a href="mailto:jedaniels@portmoody.ca">jedaniels@portmoody.ca</a> 604-469-4500	<a href="#">Property Maintenance and Repair (Grow op) Bylaw 7897, 2005</a> Contact: John Hopkins <a href="mailto:jhopkins@richmond.ca">jhopkins@richmond.ca</a> 604.276.4000	<a href="#">Nuisance (Controlled Substance) Bylaw No. 1893, 2006</a> Contact: Jessie Fletcher <a href="mailto:jfletcher@squamish.ca">jfletcher@squamish.ca</a> 604-892-5217	<a href="#">Zoning and Development Bylaw No. 3575, 1956</a> Contact: 604-873-7611
<b>Residential</b>						
<b>Permits up to 4 plants per resident</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Prohibits manufacture of controlled substances</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Municipality may inspect property; issue notice to remedy; shut off water, electricity, and/or gas to property</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Owner must remediate and pass inspection</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Re-occupancy permit required</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Owner/landlord must inspect rented property</b>	At least once every two months			At least once every 3 months	At least once every 3 months	Yes
<b>Penalties and fees</b>	Up to \$10,000 plus inspection and permit costs, fees and charges	Up to \$10,000 plus inspection and permit costs, fees and charges	Up to \$10,000 plus inspection and permit costs, fees and charges	\$3,500 inspection fee for each safety inspection, plus other inspection and permit costs, fees and charges	\$1,700 plus inspection and permit costs, fees and charges	
<b>Unpaid penalties and fees added to property taxes</b>	Yes	Yes	Yes	Yes	Yes	
<b>Municipalities may add a notation on the property title or has database</b>	No notation on title. There is a database of properties on file which buyers can check	No notation on title. There is a database of properties on file which buyers can check	No notation on title. There is a database of properties on file which buyers can check	Yes. Limited info available. No notation on title, but can provide yes/no answer whether a grow op has existed on a property		No notation on title unless the property has been a grow op more than once

## Cannabis (recreational / non-medical) bylaws and policies

	Pitt Meadows	Port Coquitlam	Port Moody	Richmond	Squamish	Vancouver
<b>Commercial</b>						
<b>Retail requires a business license</b>	Yes. <a href="#">Details here.</a>	No. Cannabis retail sales are currently prohibited. Requires site-specific rezoning for cannabis related uses, including manufacturing and retail sales.	Staff are <a href="#">preparing guide-lines for retail cannabis stores; and a business license regime.</a>  Port Moody is in the <a href="#">pro-cess of a public consulta-tion process.</a>	No. Richmond <a href="#">prohibits the retail sale of cannabis</a>	Yes, <a href="#">details here.</a> Fee: \$5,000	Vancouver requires cannabis retailers <a href="#">to have a municipal development permit and a business license</a> and display a <a href="#">cannabis store designation.</a> <a href="#">Map of approved retailers.</a> To stop illegal cannabis shops, Vancouver has <a href="#">issued injunctions.</a>
<b>Permits commercial production and manufacture</b>	<a href="#">Prohibits cultivation on ALR property</a>	Council approved a policy to provide guidance on consideration of appropriate locations for cannabis uses.  On agricultural lands, permits agricultural uses in accordance with the definition of farm use in the ALR Act and Regulation which defines cannabis production as a farm use when cultivated outdoors in a field or inside a structure that has a base consisting entirely of soil. Cultivation other than this prohibited unless considered through applications for a non-farm use and zoning bylaw amendment.		Yes. Richmond has one licensed medical commercial production facility. <a href="#">Richmond unsuccessfully attempted</a> to prohibit cannabis cultivation on cement floor greenhouses, attempting to <a href="#">regulate when it didn't have the power.</a>	In all industrial zones. The facilities should also not cause glare, light, noise or odour that will affect neighbouring properties.	

	West Vancouver	Whistler
<b>Bylaw</b>	Controlled Substances Nuisance Bylaw No. 4417, 2005; <a href="#">Proposed Cannabis Regulations; Zoning Bylaw No. 4662, 2010. Amendment Bylaw 4982, 2018</a> Contact: May Birmingham <a href="mailto:mbermingham@westvancouver.ca">mbermingham@westvancouver.ca</a> 604-925-7055	<a href="#">Smoking Regulation Bylaw No. 2136, 2017</a> Contact: Jake Belobaba <a href="mailto:planning@whistler.ca">planning@whistler.ca</a> , <a href="mailto:jbelobaba@whistler.ca">jbelobaba@whistler.ca</a> 604-935-8171
<b>Residential</b>		
<b>Permits up to 4 plants per resident</b>	Yes	Yes
<b>Municipality may inspect property; issue notice to remedy; shut off water, electricity, and/or gas to property</b>	Yes	Yes
<b>Owner must remediate and pass inspection</b>	Yes	Yes
<b>Re-occupancy permit required</b>	Yes	Yes
<b>Owner/landlord must inspect rented property</b>	Yes	
<b>Penalties and fees added to property taxes</b>	Yes	Yes
<b>Municipalities may add a notation on the property title or has database</b>	Yes	Yes
<b>Commercial</b>		
<b>For retail requires a business license</b>	Does not permit. <a href="#">Adopted proposed Zoning Bylaw Amendment prohibiting retail cannabis operations.</a>	Does not permit. <a href="#">Whistler is adopting zoning regulations</a> re recreation cannabis that prohibits cannabis retail.
<b>Permits commercial production and manufacture</b>	No	<a href="#">Limit commercial to a single site</a> in the Function Junction.