

**From:** Caroline Duncan  
**Sent:** Monday, May 12, 2014 6:09 AM  
**To:** DNV Input  
**Subject:** Marijuana bylaw

Does this 'amendment' mean that it has always been legal to grow Marijuana for 'medical' reasons In the District of North Vancouver, B.C. ???? Alot of your 'By-laws' need reviewing and revising if this is the case. We are already upset with some of your ridiculous By-laws and Building Codes that afford no protection to the established Homeowner during new construction.

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**From:** Laurie Charlesworth  
**Sent:** Sunday, May 11, 2014 7:27 PM  
**To:** DNVCouncil  
**Subject:** Rezoning Bylaw 8047

Dear Sirs and Madam.

I gather from the documents posted on the DNV website that the above-captioned bylaw is intended to address only the issue of commercial production of medical marijuana within the District. I applaud your decision to allow the *status quo* to prevail in regard to personal production, although I note that the documents are somewhat confusing. For example, the Recommendation in the March 31, 2014 Report to Council states that the bylaw "initiates amendments ... to prohibit medical marihuana production ...", while the Reason for Report section specifies that the amendment would "prohibit the **commercial** (emphasis mine) production ... of medical marihuana".

I believe this issue is resolved by the bylaw itself and it's allowance that the "prohibition does not apply to anyone who is legally entitled to continue to grow ... marihuana ... pursuant to a licence issued under the Marihuana Medical Access Regulation." My concern, however, is with how this will apply subsequent to the Court case pending following the March 21, 2014 ruling of Mr Justice Manson of the Federal Court. For example, should the Court rule that the MMPR must be revised to allow the continuation of some form of personal production licences, it would appear that the bylaw, with its reference to the MMAR, would then operate to disallow personal production within the District.

I urge Council to deal with this potential issue proactively, and thank you for your consideration of this submission.

Yours truly,

Laurie M Charlesworth

# Regulation of Medical Marijuana

Corrie Kost – 2851 Colwood Dr. North Vancouver

## Some principled statement to consider:

- Medical marijuana is a health issue and thus belongs under provincial control (not federal)
- BC controls alcohol and tobacco – so why not medical marijuana?
- The legality of marijuana and other controlled substances falls under federal jurisdiction
- BC has jurisdiction over the “administration of justice”
- UBCM allegedly voted to support marijuana decriminalization (as did the Canadian Medical Association)
- Some municipalities are opposed to production of medical marijuana within their borders

# Regulation of Medical Marijuana

Some principled statement to consider:

- BC must approve any municipal regulations that might affect farming on Agricultural Land Reserves (ALR) within municipal borders.
- The provincial agricultural land commission, which controls the ALR as an arms-length provincial government entity, has said medicinal marijuana would be considered a "permitted farm use."

# Regulation of Medical Marijuana

An example to prohibit:

“There’s issues of land use, safety, security, water, sewer, environment, and we’re not sure what we’re getting into,” explained Terry Crowe, manager of policy planning for the City of Richmond. “So what we’re going to do is prohibit them totally.”

Read more:

<http://www.vancouver.sun.com/business/Medical+marijuana+poses+problems+Metro+Vancouver/9515031/story.html#ixzz31T4Lkazb>

# Regulation of Medical Marijuana

An example to regulate:

District of Mission:

Adopted Sep23/2013, under the new Health Canada “Marijuana for Medical Purposes Regulations” (MMPR) the consideration of applications for Medical Marijuana Grow Operations on a case by case basis when certain criteria are met.

These criteria were spelled out in detail, but, seem overly restrictive (eg. requiring a minimum of 9.8 acres of industrial land) and sometimes appearing contradictory (eg. 150m from residential uses while when adjacent to a residential use, buildings must be a minimum 30m from the property line).

# Regulation of Medical Marijuana

## DNV proposal:

- Medical Marijuana production facilities would not be permitted without a rezoning (and required public hearing)
- Distribution of medical marijuana to the consumer would **only** be permitted to occur through secure mail delivery services.
- Although an applicant would be required to provide details on security measures, business model, employment information, air purification systems, etc – no standards are provided.
- Storefront distribution of medical marijuana would be prohibited. It is not clear that this would negate internet authorized purchasing and delivery.
- It is not clear that Bylaw 8047 requires more clarity on application requirement to be legal.

# Regulation of Medical Marijuana

Questions Policy Makers Must Eventually Confront:

Ref: <http://www.sciencedaily.com/releases/2014/04/140421112607.htm>

- Should vertical integration be allowed, or should there be separate licenses for growing, processing and selling marijuana?
- What rules are needed to make sure a marijuana product is safe?
- Should marijuana be sold in drug stores or only in specialized venues?
- Should taxes be assessed per unit of weight, as a percent of the price or on some other basis, such as the amount of psychoactive ingredients in marijuana?



# Regulation of Medical Marijuana

Questions Policy Makers Must Eventually Confront:

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- “Based on the national experience with alcohol and tobacco, it seems prudent from a public health perspective to open up the marijuana market slowly, with tight controls to test the waters and prevent commercialization too soon while still making it available to responsible adults”
- “A variety of strategies used to control alcohol and tobacco may be appropriate for regulation of marijuana. Those include keeping prices artificially high to curb use, adopting a state-run monopoly on sales and distribution, limiting the types of products sold, restricting marketing efforts, and restricting consumption in public spaces.”
- The message is to think ahead and anticipate possible consequences. Outright bans rarely solve problems.