

**DISTRICT OF NORTH VANCOUVER
PUBLIC HEARING**

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REPORT of the Public Hearing held in the Council Chambers of the Municipal Hall, 355 West Queens Road, North Vancouver, B.C. on Tuesday, May 13, 2014 commencing at 7:00 p.m.

Present: Mayor R. Walton
Councillor R. Bassam
Councillor R. Hicks
Councillor M. Little

Absent: Councillor D. MacKay-Dunn
Councillor L. Muri
Councillor A. Nixon

Staff: Mr. B. Bydwell, General Manager – Planning, Properties, and Permits
Mr. B. Dwyer, Manager – Development Services
Ms. J. Paton, Manager – Development Planning
Mr. N. Letchford, Deputy Municipal Clerk
Mr. E. Wilhelm, Community Planner
Ms. L. Brick, Confidential Council Clerk

Bylaw 8047: The District of North Vancouver Rezoning Bylaw 1308

Purpose of Bylaw:

A proposal to prohibit medical marihuana production and distribution within the District

1. OPENING BY THE MAYOR

Mayor Walton welcomed everyone and advised that the purpose of the Public Hearing was to receive input from the community and staff on the proposed bylaw as outlined in the Notice of Public Hearing.

2. INTRODUCTION OF BYLAWS BY CLERK

Ms. Natasha Letchford, Deputy Municipal Clerk, introduced the proposed bylaw and advised that all those who consider that their interest in property may be affected by the proposed bylaw are welcome to speak.

3. PRESENTATION BY STAFF

Presentation: Mr. Erik Wilhelm, Community Planner

Mr. Erik Wilhelm, Community Planner, provided an overview of the proposal which would prohibit medical marihuana production and distribution within the District.

Mr. Wilhelm advised that the Marihuana Medical Access Regulation (MMAR), which was introduced in 2001:

- Allowed the growing of medical marihuana within residences; and,
- Allowed the designation of someone else to produce medical marihuana on behalf of a permit holder.

The concerns with this legislation included a lack of Health Canada oversight, mould in homes, and safety

concerns for residents and the community.

The new regulation, Marihuana for Medical Purposes Regulation (MMPR), was adopted on April 1, 2014 with the following changes:

- Production is not permitted within residences;
- No on-site sales and product is distributed through a secure courier;
- Security, product quality, and air quality are ensured;
- Commercial scale operations;
- Able to distribute across Canada; and,
- Health Canada oversight.

The proposed bylaw will amend the Zoning Bylaw to prohibit MMPR commercial production/distribution facilities in the District. Commercial medical marihuana production and distribution facilities would require site specific rezoning.

The rezoning process would allow neighbourhood concerns to be appropriately addressed and include the examination of security measures, building design, air quality, and neighbourhood suitability.

4. REPRESENTATIONS FROM THE PUBLIC

- 4.1 Mr. Martin Drobny, 4000 Block Mountain Highway: IN FAVOUR**
- Spoke in support of the new Health Canada regulations and the proposed District bylaw;
 - Commented that the regulations will improve the safety and security of production sites and address the flaws of the previous regulation; and,
 - Spoke to the air quality filtration systems which will be required by Health Canada.
- 4.2 Mr. Corrie Kost, 2800 Block Colwood Drive: IN FAVOUR**
- Spoke regarding the authority of the regulating body;
 - Spoke in favour of the proposed bylaw, but commented that more flexibility may be needed; and,
 - Commented on the regulations being imposed in other communities.
- 4.3 Mr. Mark Vanous, 18000 Block Waltzen Court, Delta: IN FAVOUR**
- Commented on the Health Canada standards for security and air purification; and,
 - Requested that guidelines be developed which could assist applicants when making applications for rezoning.

5. QUESTIONS FROM COUNCIL

In response to a Council query regarding air quality standards, staff advised that the Health Canada approval process requires applicants to submit detailed designs of the air purification system which will address odour. The Health Canada approval process also lists stringent requirements for security measures and employment information.

Council discussion ensued regarding the proposed bylaw and the lack of specific regulations for rezoning for commercial production and distribution of medical marihuana; staff noted that the current Zoning Bylaw prohibits commercial agriculture and the proposed bylaw will amend the Zoning Bylaw to include the production and distribution of marihuana as commercial agriculture. Staff advised that the second step in the process will be to research and develop specific guidelines outlining the process and criteria for consideration of rezoning applications.

6. COUNCIL RESOLUTION

MOVED by Councillor LITTLE
SECONDED by Councillor BASSAM

THAT the April 8, 2014 Public Hearing be closed;

AND THAT "The District of North Vancouver Rezoning Bylaw 1308" be returned to Council for further consideration.

CARRIED
(7:38 p.m.)

CERTIFIED CORRECT:

Confidential Council Clerk