

Marihuana Production

Zoning Amendment Bylaw and Business
Regulation Amendment Bylaw

March 18, 2014

RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way
Whistler, British Columbia
Canada VON 1B4
www.whistler.ca

TEL 604 932 5535
TF 1 866 932 5535
FAX 604 935 8109



Background

- Marihuana for Medical Purposes Regulation (MMPR) comes into effect April 1, 2014
- MMPR replaces current “personal use production licenses” and “designated person production licenses” with supply of medical marihuana to prescription holders by licensed commercial producers.
- Licensing of commercial producers is through Health Canada.
- In advance of April 1, 2014, Health Canada has been granting authorizations for “research and development activities” related to commercial growing of marihuana.

Commercial License Activities

- Marihuana grown indoors
- Harvesting and packaging marihuana and destroying marihuana that has passed its 'best before' date
- Maintaining an inventory of marihuana for distribution
- Conducting ongoing research and development activities of a minor nature
- Conducting related administrative duties including maintaining record required by Health Canada

Commercial License Activities

- No retail sales are permitted:
 - Licensed producers may sell marijuana only to persons having a doctor's prescription for the drug
 - Deliver the drug to the customer only by a shipping method that involves a means of tracking the package during transit and the safekeeping of the package during transit (registered mail or courier)
 - Producers may accept both written and verbal orders, but s.118 of MMPR prohibits transfer of possession of marijuana to customer by means other than shipping it to them

License Applications and Approvals

- One existing facility - 560 square metres (6028 SF) facility located in units 111, 112 and 113 - 1330 Alpha Lake Road.
- Commercial license approved by Health Canada on February 26, 2014.
- Licensed producers are subject to local government land use regulations.
- Building permits authorized July 2012 under existing zoning for nursery and greenhouse use.

Council Direction

- November 19, 2013 Council resolution
“That Council direct staff to initiate preparation of a zoning amendment bylaw to regulate activities related to the research, development, production and distribution of medical marihuana.”
- S.929 of Local Government Act grants authority to with-hold building permits and business licenses contrary to bylaw under preparation

RMOW Zoning Option / Business Regulations

- Define marihuana production and distribution as a specified land use permitted for approved location only.
- Recognize existing location for this use, limit to existing size of 560 square metres (6028 SF).
- Amend the Business Regulation bylaw to establish controls and restrictions related to security and odour control for the business license holder.
 - ✓ An air filtration system must be used to prevent the escape of odours.
 - ✓ Security provisions would prevent unauthorized access to marihuana and visually record areas where marihuana is present to record any illicit conduct.

Council Resolution

- **That** Council consider giving first and second readings to Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014;
- **That** Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014; and further,
- **That** Council consider giving first, second and third readings to Business Regulation Amendment Bylaw No. 2043, 2014.