

MINUTES
CANNABIS TASK FORCE MEETING
BOARD ROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2018-APR-19, AT 3:00 P.M.

Members: Councillor J. A. Kipp, Chair
Mercedes Beaudoin-Lobb
Dr. Paul Hasselback (entered at 3:14 p.m.)
Robert Laurie
Philippe Lucas
Dennis McMahon
Cpl Mahn Nguyen
Rob Whitton

Absent: Sgt Rob Christenson

Staff: Dale Lindsay, Director of Community Development
Bill Corsan, Deputy Director of Community Development (vacated at 4:44 p.m.)
Heidi Davidson, Manager of Permit Centre and Business Licencing
Lainya Rowett, Manager of Current Planning & Subdivision
David Stewart, Planner
Sky Snelgrove, Deputy Corporate Officer
Natasha Tiwana, Recording Secretary

1. CALL THE CANNABIS TASK FORCE MEETING TO ORDER:

The Cannabis Task Force Meeting was called to order at 3:01 p.m.

2. INTRODUCTION OF LATE ITEMS:

Councillor Kipp advised that Agenda Item #7- Question Period had been moved to follow Agenda Item #8- Other Business.

3. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda, as amended, be adopted. The motion carried unanimously.

4. PRESENTATIONS:

(a) Welcome/Introductions

- Councillor Kipp facilitated a round table introduction of members and staff;
- The members provided a brief summary of their background and staff; provided their roles related to the Cannabis Task Force;
- Dale Lindsay, Director of Community Development, said there are a number of presentations and background information including a new document put out by Federation of Canadian Municipalities (FCM);
- The Task Force will refer a lot to this FCM document as they move forward

Dr. Hasselback entered the Board Room at 3:14 p.m.

Task Force Work Plan

- The Task Force reviewed all items the on work plan;
- Meeting dates and the times of the future meetings will be discussed later on in the meeting

(b) An Overview of Proposed Cannabis Regulatory Framework

Kathryn Stuart, Stewart McDannold Stuart, Barristers & Solicitors, provided a power point presentation of the Regulatory Framework for Cannabis and an intro to BILL C-45 which included:

- a background to how we got here with the case law;
- info of what Province is proposing;
- zoning, business licensing and public health;
- Two different kinds of licenses - a) for personal b) growing for someone else;
- history from court cases between 2000 – 2017;
- provisions under Bill C-45 will affect current legislation for medical marijuana;
- 2017- Bill C-45 Federal Government approved and not dealing with medical marijuana;
- expect to have Bill C-45 and C-46 come into play later this year-2018;
- the act, Bill C-45, deals with possession, distribution, sales and production;
- not allowed to have budding, flowering plants in public or in organizations;
- distribution Rules- must be authorized by act and cannot sell more than 30 grams;
- production Offenses- every household(dwelling house definition) no more than 4 plants, no limitations on height, no cultivation or propagation unless licensed;
- policies will be established to accept or deny licenses for hemp, etc.;
- areas of Provincial jurisdiction- regulate retail and wholesale sales; ban on cultivation in dwelling used for daycare;
- looking at the tobacco control vapor act for offences/ penalties;
- Bill C-46 will deal with traffic offenses- Federally Governed;
- Liquor Distribution Branch will be the agency to handle licencing;
- online sales will be offered by Liquor Distribution Branch;
- not sold in Provincial Liquor Stores;
- no limit to number of stores that can be licensed;
- Province has decided minimum age for possession to be set at 19;

- medical marijuana cannot be sold in stores; continue to be sold online through Federally governed businesses;
- currently a prescription is required to purchase medical marijuana but unknown what safeguards will be in place for recreational online shopping;
- twenty-two commercial licenses throughout BC;
- under Medical Marijuana Access Regulations(MMAR) –small percentage have right to grow own but fair to say a few thousand in BC;
- no limit for purchase amount online but age limit is required;

(c) Zoning and Land Use Controls

David Stewart, Planner, Current Planning and Subdivision, provided a power point presentation on Zoning and Land Use Controls which included:

- zoning is primary way to regulate use of a property;
- only way to change use is through Council approval;
- I4 zone for operation of facility- Tilray is only business currently in Nanaimo;
- new business inquiry for production of marijuana would need to apply for rezoning;
- business licenses will not be sold until selling of marijuana is legal and a definition is defined;
- distribution needs to be similar to liquor but language needs to be changed;
- enforcement is an issue; who's inspecting, police working more, robberies for cash businesses.

(d) City of Nanaimo Approach to License Retail (Liquor) Stores

David Stewart, Planner, Current Planning and Subdivision, provided a power point presentation on the City of Nanaimo Approach to License Retail Stores which included:

- Neilson-Welch liquor control strategy was discussed and will be taken into consideration when looking at licencing for marijuana;
- private retail liquor stores in Nanaimo require site specific zoning;
- Municipal zoning- not be close to school(only reference);
- Province has own criteria- buffer is now 1km, government stores (3 in Nanaimo) are overlapping private;
- grocery store sales- Council said site specific zoning is required, rezoning was drafted in 2015;
- City of Nanaimo criteria for distance is 150km, Province hasn't mentioned applying same criteria to marijuana sales, liquor sales only
- the Task Force to be prepared to create new Bylaws (i.e. Climbing Wall)
- liquor control strategy will be guideline to follow
- public use spaces, coffee shop or nightclub that will want to sell/ provide cannabis;

(e) Business Licence Bylaw Overview (Business Licence Bylaw 1998 No.5351)

Heidi Davidson, Manager, Permit Centre and Business Licensing, provided a power point presentation on business licensing and an overview of what is currently being followed. A discussion ensued regarding:

- Bylaw is outdated;
- licensing will depend on whether a permit is required;
- City of Nanaimo to have a plan for when dispensaries stop operations and whether they will be given a chance to meet code or bylaw;
- currently, dispensaries are illegal;
- Municipality needs to be looking at liability and non-conforming operation of businesses;
- rules and regulations must be realistic;
- dispensaries are earning \$10,000 per day, City of Nanaimo to fine \$100 a day isn't a significant amount;
- applications for dispensaries are to be submitted to the Province first before City will review;
- licensing for liquor has already come to a process that is parallel which provides opportunity.

(f) Smoking Bylaw Overview (Smoking Regulation Bylaw 1987 No. 3200)

Heidi Davidson, Manager, Permit Centre and Business Licensing, provided a power point presentation on an overview of City of Nanaimo Smoking Bylaw. A discussion ensued regarding:

- Municipal Act – relatively old;
- the difficulty will not be recreational smoking, it will be medical use and providing access for those users;
- the smoking bylaw for marijuana will need to be treated same as tobacco;
- possibly with a clause like 'service' dogs;
- tobacco legislation has been replaced by vapour legislation;
- base regulation on health, what society is doing, public concerns, etc.;
- Bill C-45 doesn't anticipate use of drinks, etc. We will see infused drinks, chocolate, etc. very soon.

5. OTHER BUSINESS:

(a) Discuss Future Meeting Dates

- Discussion took place regarding future meeting dates, time of meetings and what to discuss at future meetings.

It was moved and seconded that the Cannabis Task Force hold their next meeting on Thursday, May 10th and Wednesday, June 6th 2018. The motion carried unanimously.

6. QUESTION PERIOD:

- Karly Wilson, re: Will gray market stores be considered during the legislation process.

Bill Corsan, Deputy Director, vacated the Board Room at 4:44 p.m.

- Ben Hinton, re: Victoria currently is ahead of Nanaimo, will Nanaimo push through to catch up with other communities.
- Corey Waldron, re: Licencing for municipal licence be applied for and approved first or vice versa.
- Ben Hinton, re: Dispensaries currently open and whether any grandfathering will be allowed.
- Ben Hinton, re: Fees for licencing and if it will be like Vancouver or Victoria.

7. ADJOURNMENT:

It was moved and seconded at 4:50 p.m. that the meeting terminate. The motion carried unanimously.


CHAIR

CERTIFIED CORRECT:


CORPORATE OFFICER