



PUBLIC HEARING MINUTES

JUNE 10, 11, 13 AND 22, 2015

A Public Hearing of the City of Vancouver was held on Wednesday, June 10, 2015, at 6:25 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting was recessed and reconvened on Thursday, June 11, 2015, at 6:06 pm, on Saturday, June 13, 2015, at 10:05 am, and on Monday, June 22, 2015, at 6:08 pm.

- PRESENT:**
- Mayor Gregor Robertson
 - Councillor George Affleck
 - Councillor Elizabeth Ball
 - Councillor Adriane Carr
 - Councillor Melissa De Genova
 - Councillor Heather Deal
 - Councillor Kerry Jang
 - Councillor Raymond Louie
 - Councillor Geoff Meggs
 - Councillor Andrea Reimer
 - Councillor Tim Stevenson
- ABSENT:**
- Councillor Heather Deal (Leave of Absence - Civic Business - June 10, 11 & 13, 2015)
 - Councillor Kerry Jang (Leave of Absence - June 10, 2015)
 - Councillor Raymond Louie (Leave of Absence - Civic Business - June 13, 2015)
 - Councillor Andrea Reimer (Leave of Absence - June 10, 2015)
 - Councillor Tim Stevenson (Leave of Absence - June 22, 2015)
- CITY MANAGER'S OFFICE:** Penny Ballem, City Manager
- CITY CLERK'S OFFICE:**
- Janice MacKenzie, City Clerk
 - Rosemary Hagiwara, Deputy City Clerk
 - Lori Isfeld, Meeting Coordinator (June 11, 2015)
 - Laura Kazakoff, Meeting Coordinator (June 10, 13, and 22, 2015)

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor De Genova

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the Zoning and Development By-law, the Downtown Official Development Plan, and the Downtown-Eastside/Oppenheimer Official Development Plan.

CARRIED UNANIMOUSLY
(Councillors Deal, Jang and Reimer absent for the vote - on Leave of Absence)

1. Text Amendment: Regulation of Retail Dealers - Medical Marijuana-Related Uses

An application by the Chief License Inspector and the General Manager of Planning and Development Services was considered as follows:

Summary: To amend the Zoning and Development By-law, the Downtown Official Development Plan and the Downtown-Eastside/Oppenheimer Official Development Plan to:

- create a new use and definition: "Medical Marijuana-related Use";
- establish minimum distancing requirements for Medical Marijuana-related Uses from sensitive uses and from other Medical Marijuana-related Uses; and
- allow the use in the following districts in the city: C-1, C-2, C-2B, C-2C, C-2C1, C-3A, C-5, C-5A, C-6, C-7, C-8, FC-1, HA-1, HA-1A, HA-2, HA-3, and in portions of the Downtown District (DD) and the Downtown-Eastside/Oppenheimer District (DEOD).

The General Manager of Planning and Development Services recommended approval.

Council also had before it a Memorandum dated June 8, 2015, from the Acting General Manager of Community Services, and the General Manager of Planning and Development Services, which clarified the proposed regulations as they pertain to minors and put forward housekeeping corrections to the proposed amendments to the Zoning and Development By-law as well as corrections and changes to the proposed amendments to the License By-law.

Opening Comments

Dr. Penny Ballem, City Manager, provided an overview of the proposed regulations, including a review of the changes put forward in the Memorandum dated June 8, 2015.

Dr. Patria Daly, Chief Medical Officer, Vancouver Coastal Health, provided a presentation regarding Vancouver Coastal Health's perspective on the regulation of medical marijuana retail outlets and reviewed their public health recommendations in this regard.

Dr. Ballem and Dr. Daly, along with Andreea Toma, Chief Licence Inspector, and Iain Dixon, Assistant Director of Legal Services - Enforcement and Prosecutions, responded to questions.

Summary of Correspondence

Council received the following correspondence regarding this application since referral to Public Hearing on April 28, 2015, to 15 minutes following the close of the speakers list on June 22, 2015:

- 21 letters and emails in general support
- 55 letters and emails in general opposition
- 63 emails opposed from one individual
- 85 letters and emails related to other matters, plus 5 petitions containing a total of 975 signatures (unaudited)

Speakers

The Mayor called for speakers for and against the application.

Council heard from speakers on June 10, 11, 13, and 22, 2015.

The following speakers expressed general support regarding medical marijuana dispensaries and many were in favour of some form of regulation. The majority expressed concerns regarding one or more of the proposed regulations, such as the ban on edible products, the \$30,000 business license fee, the location and distancing restrictions, the ban on ATMs, and the restriction regarding minors on premises. Several of the speakers expressed opposition to regulating dispensaries, and many speakers expressed support for the Compassion Club and other non-profit dispensaries.

Cheryl Rose
Oana Nicoara
Brina Levitt
Kirk Tousaw, Tousaw Law Corp.
Dana Larsen, Sensible BC
Maryann Abbs
Andrew Muir
Shega A'Mula, CEO, Canadian Association of Medical Cannabis Dispensaries
Christine Medilek, Herbal Dispatch
Neil Belot, Executive Director, Canadian Medical Cannabis Industry Association
Michael Tripper
Neil Magnuson
Karli Thiessen
Hilary Black
Robert Laurie, AD Lucem Law Corp.
Frederick Pritchard
David Malmo-Levine
Joseph Fortt, CEO, Burnaby-South Marijuana Party
Darcy Delaney
Jamie Shaw, BC Compassion Club Society
John Holborn

Jeremy Jacob
Meynard Aubichon
Karen Colville
Steve Finlay, Canadian Medical Cannabis Partners
Tony Ali
Andrea Dobbs
Bruce Myers
Jeane Andrews
Jim Ryder
Dan Sutton
Michael Burnside, Chief Justice of the Unincorporated Deuteronomical Society
Andrew Courtney
Cindy Heemeryck
Rick Beulah
Paul Hunt, Green Cross Society of BC
Bobby Hazelton
Rohan Gardiner, Manager, Green Cross Society of BC
Rielle Capler
Mohammed Alsaleh
Cheryl Boegeman
Jeff Pare
Josue Martinez
Ruth McMillan
Dori Dempster
Adolfo Gonzalez
Tim Sproule
Michael Barrett
Casper LeBlanc
Kim O'Leary
Dr. Nadine Gourkow
Destiny Millns
Amanda DuGray
Paul Pedersen
Jeremiah Vandermeer
Bev and Greg Bentley
Don Briere
Wonser De-Gbon
Shelley Madsen
Janice McLean
Natalie Laismeiter
Colleen Mitchell
Patricia Taylor
Keiron Tearle
Carol Gwilt
Dwight Villeneuve
John Berfelo
Natalie Lincoln
Ian Waddell

Rob
Milton Mancia
Jaylee Thomas-Nickel
Gabriele Jerousek
Tyler Shepher
Cam O'Neil
Dieter MacPherson
Brian Couche
Xenoa Skinteh
Deric Jones
Cori Peterson
Maria Crossan
Silja Leung
Mick Mann
Mark Bogdanoff
Emerald Asuncion
Amani Evans
Rosy Mondin
Ajia Moon
Dave Taylor
Terry Roycroft
Tom Tate
Seung Lee, Green Panda Dispensary
Brittney Hutnik
Tomas Holmes
Carly Macintosh
Jovian Francey
Sacha Canow, President, Karuna Health Foundation
Katey Asaph
Nicky Young

The following speakers were generally opposed to or expressed concerns regarding medical marijuana dispensaries. Comments included the large number of businesses which have opened and the negative impacts on other businesses and residents, the illegal nature of the dispensaries, and concerns regarding health and safety.

Connor Fesenmaier, Smart Approaches to Marijuana Canada
Stephani Agg
Francesca Dappen
Patricia Barnes, Hastings North Business Improvement Association
Claudia Laroye, Marpole Business Improvement Association

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At approximately 10 pm, it was

MOVED by Councillor Affleck

THAT the length of the meeting be extended to finish asking questions of speaker 17, then recess.

CARRIED UNANIMOUSLY

(Councillors Deal, Jang and Reimer absent for the vote - on Leave of Absence)

On June 10, 2015, Council recessed at 10:25 pm and reconvened on June 11, 2015 at 6:06 pm;

On June 11, 2015, Council recessed at 10:06 pm and reconvened on June 13, 2015, at 10:05 am;

On June 13, 2015, Council recessed at 12:35 pm and reconvened at 1:05 pm, then recessed again at 4 pm and reconvened on June 22, 2015, at 6:08 pm.

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On June 22, 2015, the Council also had before it a memorandum dated June 19, 2015, from the Acting General Manager of Community Services, and the General Manager of Planning and Development Services, in which staff responded to questions posed by Councillors during the course of the Public Hearing, and corrected a typographical error in a proposed by-law amendment put forward in the June 8, 2015, memorandum.

On June 22, 2015, the speakers list closed at 9:31 pm, and receipt of public comments was therefore closed at 9:46 pm.

Closing Comments

Penny Ballem, City Manager, along with Andreea Toma, Chief License Inspector, Thor Kuhlman, Senior Policy Analyst, Licenses and Animal Control, and Iain Dixon, Assistant Director of Legal Services - Enforcement and Prosecutions, Legal Services, responded to questions.

MOVED by Councillor Jang

THAT decision on the application "Text Amendment: Regulation of Retail Dealers - Medical Marijuana-Related Uses" be referred to the Regular Council meeting following the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, June 24, 2015, as Unfinished Business.

CARRIED UNANIMOUSLY

(Councillor Stevenson absent for the vote - on Leave of Absence)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Jang

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote - on Leave of Absence)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote - on Leave of Absence)

ADJOURNMENT

MOVED by Councillor De Genova
SECONDED by Councillor Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote - on Leave of Absence)

The Public Hearing adjourned on June 22, 2015, at 9:50 pm.

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