

Schedule 4 to the Minutes of the  
Council Meeting for Public  
Hearings held on Monday,  
December 16, 2013.

From the desk of  
**Ralph Schwartzman**

633-5960 No. 6 Road  
Richmond, BC  
V6V 1Z1  
604-278-0912

November 6, 2013

City of Richmond  
Honourable Mayor Brody and Richmond Councillor members

To whom it may concern,

**RE: Richmond approval of Medical Marihuana Grow Operation**

Our group CanCanna is currently in the process of applying to Health Canada for a Commercial license to produce medical marihuana under the new guide lines of the Federal Government. Our proposed site would be located in the Municipality of Richmond specifically 5960 #6 Road. Is it possible to get a clarification on the statement made to Council at the Public Hearing November 5 that the following municipalities have prohibited the production of medical marihuana?

- 1) Chilliwack
- 2) Pitt Meadows
- 3) Abbotsford

We reviewed the Public meetings for the above mention municipalities and have found conflicting information. Please find enclosed the documentation of our findings:

**Chilliwack**

August 20, 2013 Council Meeting  
Council amending the definition of Special Industrial (M6) Zone to include a new subparagraph allowing medical marihuana grow operation.

Zoning Bylaw 2001 No. 2800 Subsection 11

11.06 M6 (SPECIAL INDUSTRIAL) ZONE

**(2) PERMITTED USES**

The following added USES shall be the only USES permitted in this ZONE unless specifically permitted elsewhere in this BYLAW by GENERAL or SPECIAL REGULATIONS.

(o) MEDICAL MARIHUANA GROW OPERATION (AB#3947)

The issue was once again brought up by the council on September 3, 2013 as Bylaw No. 3947 and carried unanimously.

That the following bylaws be now reconsidered, finally passed and adopted,  
that they be signed and the corporate seal affixed thereto:

"Zoning Bylaw Amendment Bylaw 2013, No. 3947"

(Text amendment – RZ000810)

## Pitt Meadows Oct 1, 2013 Council Meeting

### From the Video of the Council Meeting:

1:18:00; Mayor requests reading of report regarding the handling of Medicinal Marihuana Grow Operations (MMGO) and how it would impact their zoning regulations. The reading suggests that MMGO be prohibited from agricultural zones, but suggests putting MMGO in industrial zones. The reader mentions that the city has to have a location that accommodates MMGO and feels it would be better regulated in an industrial zone to allow proper inspection and protocol, as well as proper taxation for the facilities. The reader also suggests looking into the establishment of a new industrial zone that is not currently available to any properties in the Pitt Meadows Municipality.

The Mayor says that anyone interested in pursuing such ventures must apply through the proper channels and meet before council in a public hearing. The Mayor mentions that the federal government says that the municipalities have the accommodate MMGO.

### Minutes from Oct 1<sup>st</sup> Council Meeting regarding Medical Marihuana Growing Facilities:

Councillor G. O'Connell requested the recommendations be voted on separately.

MOVED by Councillor G. O'Connell, SECONDED by Councillor T. Miyashita, THAT Council, upon the recommendation of Council in Committee:

A. Receive into the record the report dated September 13, 2013 from the Director of Operations and Development Services/Deputy CAO. ([http://pittmeadows.ca/granicus.com/MetaViewer.php?meta\\_id=59071&view=&showpdf=1](http://pittmeadows.ca/granicus.com/MetaViewer.php?meta_id=59071&view=&showpdf=1))

CARRIED

MOVED by Councillor B. Bell, SECONDED by Councillor T. Miyashita, THAT Council, upon the recommendation of the Council in Committee:

B. Direct staff to prepare a bylaw for Council's consideration that would accommodate the production of medical marihuana within an industrial zoning designation.

CARRIED with Councillor G. O'Connell voting in the negative.

MOVED by Councillor B. Bell, SECONDED by Councillor J. Elkerton, THAT Council, upon the recommendation of the Council in Committee:

C. Direct staff to forward a copy of this report to the Agricultural Land Commission, the Ministry of Agriculture, and the Mayor to send lobbying letters to all UBCM municipalities and provincial MLAs.

The subject has not since been brought up in any subsequent meeting.

## Abbotsford Executive Meeting

As of October 21, 2013, Abbotsford Executive Council Committee are in the process of creating a new bylaw prohibiting the use of any land within the municipal boundaries of the city of Abbotsford for federally licensed medical marijuana grow operations. The staff is directed to prepare a report about the proposed bylaw amendment, but it has yet to be passed.

To conclude we feel that there might be some misinformation that has been presented to Richmond City Council and think it only fair that all the information is accurate.

On behalf of CanCanna we would like to thank you for looking into these inconsistencies. Can you please confirm that Richmond will have a positive acceptance for MEDICAL MARIHUANA GROW OPERATION facilities based on an individual bases.

We look forward to your response.

Best regards,

Ralph Schwartzman



# City of Richmond

6911 No. 3 Road  
Richmond, BC V6Y 2C1  
www.richmond.ca

December 10, 2013  
File: 12-8060-02-53/Vol 01

Planning and Development Department  
Policy Planning  
Fax: 604-276-4052

Ralph Schwartzman  
633 - 5960 No. 6 Road  
Richmond, BC V6V 1Z1

Dear Mr. Schwartzman:

**Re: Managing Medical Marijuana Production Facilities in Richmond**

This letter responds to your correspondence (dated November 7, 2013) to Mayor and Council in regards to the management of Medical Marijuana Production and Research and Development Facilities in Richmond.

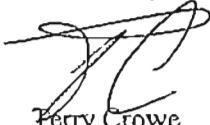
In your letter, specific concerns were noted about clarifying the existing zoning regulations for the production of medical marijuana in Chilliwack, Pitt Meadows and Abbotsford as communicated in the City staff report considered by Planning Committee on November 5, 2013. City staff have reviewed the information contained in our staff report and examined the current information on regulations for production of medical marijuana in the above three referenced municipalities mentioned in your letter.

Of the three cities referenced, Chilliwack is the only one that has adopted zoning regulations related to medical marijuana grow operations (adopted September 3, 2013). The Pitt Meadows Council has directed their staff to review medical marijuana production in industrial areas and this review is in process. Abbotsford is in the process of reviewing zoning regulations specific to medical marijuana production. In addition, the Township of Langley is also in the process of considering land use regulations to address medical marijuana production. I suggest that you contact these municipalities directly to obtain the latest information about how they intend to manage licensed medical marijuana facilities.

At the upcoming December 16, 2013 Public Hearing (7 pm – Richmond City Hall, Council Chambers), Council will consider a zoning bylaw amendment (Bylaw 9071) that will define Medical Marijuana Production and Medical Marijuana Research and Development Facilities and prohibit these uses city-wide. This approach does not preclude Council from considering rezoning applications on a case-by-case basis. Attached to this letter is an excerpt of the November 12, 2013 Council meeting minutes and a copy of the proposed zoning amendment Bylaw 9071 (Attachment 1).

Should you have any questions, please feel free to contact me (604-276-4139;  
tcrowe@richmond.ca).

Yours truly,



Perry Crowe  
Manager, Policy Planning

KE:cas

pc: Mayor and Council  
Joe Erceg, General Manager, Planning and Development  
Wayne Craig, Director of Development  
Kevin Eng, Planner 1



City of  
Richmond

Minutes

Regular Council  
Tuesday, November 12, 2013

- (4) *staff be authorized to take all necessary steps to raise title to the road closure area of ±5,907 square feet and transfer it to Hotel Versante Ltd or its designate for \$700,000 plus applicable taxes; and*
- (5) *staff be authorized to take all necessary steps to complete all matters detailed herein including authorizing the Chief Administrative Officer and the General Manager, Finance and Corporate Services to negotiate and execute all documentation required to effect the transaction, including executing all required Land Title Office documentation.*

ADOPTED ON CONSENT

19. **MANAGING MEDICAL MARIJUANA PRODUCTION FACILITIES,  
AND RESEARCH AND DEVELOPMENT FACILITIES IN  
AGRICULTURAL AND URBAN AREAS**

(File Ref. No. 12-8060-20-9070/9072) (REDMS No. 4026259, 4013196, 4020951, 4023122)

- (1) *That the City of Richmond requests that Health Canada not issue any medical marihuana facility licenses in the City of Richmond under the federal Marihuana for Medical Purposes Regulations (MMPR);*
- (2) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9071 (Medical Marihuana Regulation) be introduced and given first reading; and*
- (3) *That Bylaw 9071 be forwarded to the Agricultural Land Commission for comment in advance of the Public Hearing.*

ADOPTED ON CONSENT



---

Richmond Zoning Bylaw 8500  
Amendment Bylaw 9071 (Medical Marihuana Regulation)

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning Bylaw 8500 is amended by:

i. Inserting the following text into Section 3.4 – Use and Term Definitions:

**“Medical Marihuana Production Facility**

Means a facility for the growing and production of medical marihuana in a fully enclosed **building** as licensed and lawfully sanctioned under Health Canada’s *Marihuana for Medical Purposes Regulations* (as amended from time to time), including the necessary supporting accessory uses related to processing, testing, research and development, packaging, storage, distribution and **office** functions that are directly related to and in support of growing and cultivation activities.

**Medical Marihuana Research and Development Facility**

Means a facility for the research and development of medical marihuana only in a fully enclosed **building** as lawfully sanctioned by Health Canada under the *Controlled Drugs and Substances Act* (as amended from time to time).”

ii. Repeal the definition of farm business in Section 3.4 – Use and Term Definitions and replace it with the following:

**“Farm business**

Means a business in which one or more of the following farm activities are conducted, and includes a farm education or farm research institution to the extent that the institution conducts one or more of the following farm activities:

- a) growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;
- b) clearing, draining, irrigating or cultivating land;
- c) using farm machinery, equipment, devices, materials and

structures;

- d) applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying;
- e) conducting any other agricultural activity on, in or over agricultural land;
- f) intensively cultivating in plantations, any
  - i) specialty wood crops, or
  - ii) specialty fibre crops prescribed by a Minister of the Province of BC;
- g) conducting turf production in an **Agricultural Land Reserve** with the approval under *Agricultural Land Commission Act* of the Provincial Agricultural Land Commission;
- h) aquaculture as defined in the *Fisheries Act* when carried on by a person licensed, under part 3 of that Act, to carry on the business of aquaculture;
- i) raising or keeping game, within the meaning of the *Game Farm Act*, by a person licensed to do so under that Act;
- j) raising or keeping fur bearing animals, within the meaning of the *Fur Farm Act*, by a person licensed to do so under that Act;
- k) processing or direct marketing by a farmer of one or both of
  - i) the products of a farm owned or operated by the farmer, and
  - ii) within limits prescribed by a Minister of the Province of BC, of products not of that farm,
 to the extent that the processing or marketing of those products is conducted on the farmer's farm, but

**farm business** does not include:

- a) an activity, other than grazing or hay cutting, if the activity constitutes a forest practice as defined in the *Forest and Range Practices Act*;
- b) breeding pets or operating a kennel;
- c) growing, producing, raising or keeping exotic animals, except types of exotic animals prescribed by a Minister of



the Province of BC;

- d) a medical marijuana production facility; and
- e) a medical marijuana research and development facility.”

iii. In Section 3.4 – Use and Term Definitions, repeal the existing definition of office and replace with the following text:

“Office

Means a facility that provides professional, management, administrative, consulting or monetary services in an office setting, including research and development, which includes offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies, but excludes the servicing and repair of goods, the sale of goods to the customer on the site, the manufacture or handling of product and a medical marijuana research and development facility.”

iv. Insert the following text into Section 5.13.4 – Uses Permitted in All Zones:

“c) A medical marijuana production facility and medical marijuana research and development facility is not permitted.”

2. This Bylaw may be cited as “Richmond Zoning Bylaw 8500, Amendment Bylaw 9071”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

CITY OF RICHMOND
APPROVED by <i>WC</i>
APPROVED by Director or Solicitor <i>WC</i>