

Public Notice | Have Your Say

Village of Pemberton Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017



Public Hearing
Jan. 31, 2017
7pm
Council Chambers
7400 Prospect St.



(604) 894.6135



admin@
pemberton.ca



pemberton.ca



What is Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017 about?

This bylaw proposes to define “Marihuana Operations” in the Village Zoning Bylaw and add “Marihuana Operations” to the list of Prohibited Uses of Land, Buildings and Structures and Water in order to ban the operation of medical marihuana dispensaries within the Village of Pemberton.

What is the significance of the proposed Zoning Amendment (Marihuana Operation) Bylaw No. 809, 2017?

Currently, medical marihuana dispensaries are not lawful in Canada. The Village is aware that the Federal Government is proposing imminent legislative changes that may legalize and regulate the retail sale of medical marihuana. Until this occurs, the Village of Pemberton proposes to prohibit the operation of medical marihuana dispensaries within the Village boundaries. Once the federal government has determined its approach, the use of marihuana operations in Pemberton will be reviewed in more depth as part of the Village’s overall review and update of their Zoning Bylaw, a process which is presently being undertaken and anticipated to be completed by December 31, 2017.

How do I get more information?

A copy of the proposed bylaw and relevant background documents may be inspected at the Village of Pemberton Office, 7400 Prospect Street from Tuesday January 24, 2017 to Tuesday January 31st, 2017 during the office hours of 8:30am to 4:30pm, Monday through Friday (statutory holidays excluded), and also online at www.pemberton.ca.

Ways to Have Your Say

Public Hearing: January 31, 2017 at 7pm, Council Chambers (7400 Prospect Street)

Write to Mayor & Council: Address letters to “Mayor and Council” at or before the Public Hearing via email (admin@Pemberton), fax (604.894.6136) or mail/in-person (Corporate & Legislative Services, Village of Pemberton, P.O. Box 100, Pemberton, BC, V0N 2L0)

Please note: Submissions received for the proposed Bylaw before 12:00pm on Wednesday, January 25, 2017 will be included in the Public Hearing information package for Council’s consideration.

The Public Hearing agenda package will also be available on the Village website at www.pemberton.ca with other associated information on Wednesday, January 25, 2017. Submissions received after 12:00pm on January 25, 2017 will be presented to Council at the Public Hearing. At the conclusion of the Public Hearing, no further information on this topic can be considered by Council.

Sheena Fraser, Corporate Officer

Meeting Minute Excerpts:

Regular Council Meeting No. 1437
Tuesday, October 4, 2016

CORRESPONDENCE

a) For Action

- i. **Correspondence from Mr. Joseph Le dated September 28**, requesting an amendment of the Village of Pemberton Zoning Bylaw, to allow medical cannabis dispensaries in the downtown core.

Moved/Seconded

THAT staff be directed to prepare a zoning amendment bylaw to define and regulate medical marijuana dispensary use within the Village of Pemberton.

CARRIED

Moved/Seconded

THAT a moratorium on the issuance of a Business Licence for a medical marijuana dispensary be put in place until the adoption of the zoning amendment bylaw respecting regulation of medical marijuana dispensaries.

CARRIED

Moved/Seconded

THAT correspondence be sent to Mr. Le advising of this direction.

CARRIED

Regular Council Meeting No. 1438
Tuesday, October 18, 2016

BUSINESS ARISING FROM THE October 4, 2016 MINUTES

a) Medical Marijuana Dispensaries

Council reviewed the October 4th meeting minutes with respect to the request to consider zoning amendments to allow for a medical marijuana dispensary. It was noted that at this time under Federal and Provincial law medical marijuana dispensaries are not legal. CAO Nikki Gilmore advised that under the Village of Pemberton Business Licence Bylaw any business within the Village of Pemberton must be able to demonstrate federal/RCMP approval. At this time medical marijuana dispensaries are illegal and as such the Village may shut down a business via a 274 statutory injunction.

Moved/Seconded

THAT in the event of the opening of an unauthorized medical marijuana dispensary within the Village of Pemberton, staff be authorized to seek a section 274, statutory injunction against the dispensary.

CARRIED

Regular Council Meeting No. 1439
Tuesday, November 1, 2016

Correspondence For Action:

Correspondence from Joseph Le, SWED Society, dated October 26, 2016, requesting an opportunity to meet with Mayor and Council to discuss medical marijuana dispensary operations.

Moved/Seconded

THAT Mr. Le be advised to make an application to appear before Council at a Regular Meeting by submitting an online Request to Appear Before Council form.

CARRIED

**Regular Council Meeting No. 1441
Tuesday, December 13, 2016**

DELEGATIONS

- a) **Joseph Le, S.W.E.D. Society** – overview of medical cannabis dispensary operations and products in relation to a zoning bylaw amendment.

Mr. Adam Blender, Director of Operations, and Ms. Ginny Stratton, Store Manager thanked Council for the opportunity to speak on this issue and noted that Mr. Le sent his regrets as he was unable to attend the meeting.

Mr. Blender spoke about the operations of the S.W.E.D Society, their commitment to provide medical cannabis to their members and the Society's operating guidelines including how the products are marketed and monitored.

Ms. Stratton provided updated information on the current status of the proposed legislation noting that the Federal Governments Task Force on Marijuana Legalization and Regulation released its final report, "*A Framework for Legalization and Regulations of Cannabis in Canada*" earlier in the day. Ms. Stratton spoke about how other communities have addressed medical marijuana dispensaries and referenced the City of Vancouver, Victoria and most recently Penticton and requested that the Village consider similar approaches.

Council had several questions related to the choice of Pemberton for a dispensary, testing protocols on products, where product is from, what will the store front look like if sale for recreation purposes is approved, other communities' approaches and the zoning amendment process.

Mayor Richman thanked Mr. Blender and Ms. Stratton for their presentation.

**Regular Council Meeting No. 1442 -DRAFT
Tuesday, January 17, 2017**

BYLAWS

a) First and Second Reading

**i. Village of Pemberton Zoning Amendment (Marihuana Operations)
Bylaw No. 809, 2017**

Moved/Seconded

THAT Zoning Bylaw No. 466, 2001, Amendment (Marihuana Operations) Bylaw No. 809, 2017 be given First and Second Reading.

CARRIED

Moved/Seconded

THAT a Public Hearing for Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017 be scheduled for 7:00 pm on Tuesday, January 31, 2017.

CARRIED

Moved/Seconded

THAT if Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017 is adopted, that the Village not accept any rezoning applications to permit a marihuana operation until the Zoning Bylaw Review process is completed (anticipated by December 31, 2017).

CARRIED

Date: January 17, 2017
To: Nikki Gilmore, Chief Administrative Officer
From: Lisa Pedrini, Planner
Subject: Zoning Amendment (Marihuana Operation) Bylaw No. 809, 2017

PURPOSE

This report presents a proposed Zoning Bylaw (Marihuana Operation) Amendment Bylaw No. 809, 2017, a Village-initiated amendment (OR121), to address medical marihuana dispensary and/or operations in Pemberton, for consideration of First and Second Reading.

BACKGROUND

In October 2016, Council received correspondence from Mr. Joseph Le, owner of the S.W.E.D Society, requesting an amendment of the Village of Pemberton Zoning Bylaw to explicitly allow medical cannabis dispensaries in the downtown core. As a result, Village Council passed the following resolutions:

Moved/Seconded

THAT staff be directed to prepare a zoning amendment bylaw to define and regulate medical marihuana dispensary use within the Village of Pemberton.

CARRIED

Moved/Seconded

THAT a moratorium on the issuance of a Business Licence for a medical marihuana dispensary be put in place until the adoption of the zoning amendment bylaw respecting regulation of medical marihuana dispensaries.

CARRIED

Moved/Seconded

THAT correspondence be sent to Mr. Le advising of this direction.

CARRIED

On October 18, 2016, Council reviewed the October 4th meeting minutes with respect to the Mr. Le's request to consider zoning amendments to allow for a medical marihuana dispensary. It was noted that at this time under Federal and Provincial law medical marihuana dispensaries are not legal. The Village of Pemberton Business Licence Bylaw stipulates that any businesses within the Village of Pemberton must be able to demonstrate federal/RCMP approval. Given that currently medical marihuana dispensaries are not legal, the Village may shut down such a business via the *Community Charter*, Section 274 Statutory Injunction. As a result, Council considered and passed the following resolution directing staff to seek an injunction if a dispensary operation should open for business:

Moved/Seconded

THAT in the event of the opening of an unauthorized medical marihuana dispensary within the Village of Pemberton, staff be authorized to seek a Section 274, statutory injunction against the dispensary.

CARRIED

On December 13, 2016, Mr. Adam Blender, Director of Operations for the S.W.E.D. Society, and Ms. Ginny Stratton, Store Manager for the proposed Pemberton Retail store attended as a Delegation at the Regular Council meeting. Mr. Blender spoke about the operations of the S.W.E.D Society, their commitment to provide medical cannabis to their members and the Society's operating guidelines including how the products are marketed and monitored. Ms. Stratton provided updated information on the current status of the proposed legislation noting that the Federal Governments Task Force on Marihuana Legalization and Regulation released its final report, "*A Framework for Legalization and Regulations of Cannabis in Canada*" earlier in the day.

Ms. Stratton also spoke about how other communities have addressed medical marihuana dispensaries and referenced the City of Vancouver, Victoria and most recently Penticton (which have adopted a Temporary Use Permit approach) and requested that the Village consider similar approaches. Council asked questions related to the choice of Pemberton for a dispensary, testing protocols on products, where product is sourced from, what will the store front look like if sale for recreational purposes is approved, other communities' approaches and the zoning amendment process. No Council resolutions were passed following the delegation's presentation.

DISCUSSION & COMMENTS

Council has asked staff to bring forward a Zoning Amendment Bylaw that addresses land use with respect to medical cannabis/marihuana dispensaries in Pemberton. Staff undertook research on the issue and sought a legal opinion with respect to the legality of medical marihuana dispensaries in general, and approaches to land use restrictions that could be applied in Pemberton.

The Village of Pemberton amended its Zoning Bylaw in 2014 to permit medical marihuana production facilities in the Industrial Zone (M-1) and Agriculture Zone (A-1). The facility must be used solely for the cultivation, growth, storage, distribution or destruction of marihuana under the current federal regulations. The Zoning Bylaw is silent on the retail sale of marihuana. Given that the dispensing of medical cannabis is not currently legal in Canada, it is in contravention to the Village's Business Licence Bylaw, and therefore the Village is unable to issue a business license to the S.W.E.D. Society if its intention is to offer for sale medical marihuana at a storefront. In the corridor, the District of Squamish recently amended their Zoning Bylaw and their Business Licence Bylaw to enable the use of dispensaries in their municipality, while the Resort Municipality of Whistler continues to permit medical cannabis production facilities but does not permit dispensaries.

New federal legislation legalizing aspects of cannabis use (medical and potentially recreational) is anticipated to be brought forward in the next few months. Based on the legal advice provided by the Village's Solicitor, staff is recommending that the Village of Pemberton put in place a blanket prohibition related to dispensary use prior to federal legislative changes, to ensure the Village has some control over the use before businesses establish themselves in the municipality. This approach can be seen as an interim means of banning medical marihuana operations prior to federal legislative changes, whereby business owners interested in setting up a dispensary in Pemberton would need to seek a site specific zoning amendment. This approach provides the Village more control over the operation and location of this type of land use, based on feedback from the community gained through the rezoning process.

As such, staff recommends that the Village amend the Village Zoning Bylaw No. 466, 2001 via the Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017, attached as **Appendix A**, which proposes to:

- (1) Add a definition of "marihuana operation" to **Section 104 – Definitions**, and
- (2) Add "marihuana operation" to the list of prohibited uses listed in **Section 202- Prohibited Uses of Land, Buildings and Structures and Water**.

Staff also recommends setting a date for the Public Hearing, and has suggested Tuesday, January 31, 2017 at 7:00pm as a potential date, in order to allow third reading to occur at the Regular Council meeting scheduled for Tuesday, February 7, 2017 and fourth and final, potentially at the Regular Meeting scheduled for Tuesday, February 21, 2017.

In the meantime, the Village will be monitoring and reviewing new information once it is available to understand future regulations/restrictions and guidelines that will be put in place federally once the sale and distribution of cannabis/marihuana for medical purposes is approved and legal. Once this happens, the issue can be explored in more depth as part of the ongoing Zoning Bylaw Review.

REFERRAL AGENCY COMMENTS

The attached Zoning Amendment Bylaw was referred to a list of external agencies and the Village's Advisory Land Use Commission. The following summarizes referral comments that were received.

Advisory Land Use Commission

The Commission reviewed the proposed amendment to the Zoning Bylaw at their meeting held November 24, 2016 and passed the following recommendation:

Moved/Seconded

THAT the ALUC recommend to Council to support the proposed amendment bylaw (Marihuana Operation) as presented and;

THAT the ALUC recommend to Council to:

Consider establishing a policy for marihuana operations that includes criteria that would guide Council decision making once the federal legislation authorizes the sale of marihuana products.

CARRIED

RCMP

In an email, dated November 23, 2016, from Neil Cross, Inspector, Sea to Sky Detachment, it was stated that the Village's proposed approach would be consistent with the RCMP policing position as these activities are not legal and only facilities approved/regulated by Health Canada can operate commercial marihuana grow operations and can legally sell marihuana based on certain criteria that must be met. The email also notes that as future changes are made to the legislation then policing will adapt and investigate matters based on changes.

Vancouver Coastal Health Authority

In an email dated November 17, 2017, Peter Lu, Environmental Health Officer, Health Protection notes that the Medical Health Officer's comments on cannabis dispensaries is as follows: "*VCH does not regulate medicinal marihuana products and does not support the sale of food products containing cannabis. Also we do not inspect nor permit premises where medicinal marihuana food products are sold.*"

Other Referral Agencies

The Lil'wat Nation, Stl'atl'imx Tribal Police, School District No. 48, Lil'wat Nation, Sea to Sky Community Services, Pemberton and District Chamber of Commerce and Tourism Pemberton were all sent referral requests but did not provide responses.

COMMUNICATIONS

As per Section 466 of the *Local Government Act [RSBC2015]*, notice of public hearing will be issued in the local newspapers following first and second reading. Notice will also be provided through the eNEWS, posted on the Village Notice Boards and on the Village Website.

LEGAL CONSIDERATIONS

The *Local Government Act* Section 464 outlines the legal considerations for amending a Bylaw.

A legal opinion on how to address the use of marihuana operations has been sought from the Village's Solicitors.

IMPACT ON BUDGET & STAFFING

The bylaw has been prepared in-house and has been incorporated into the daily operations of the Department of Operations and Development Services.

The cost associated with advertising the public hearing will be approximately \$400 and can be accommodated in the Operations & Development preliminary budget.

INTERDEPARTMENTAL IMPACT & APPROVAL

The above noted project will not impact the day to day operations of the department and will be incorporated into the daily routine and can be accommodated.

There are no interdepartmental impacts or approvals required.

IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS

Consideration and adoption of Zoning Amendment (Marihuana Operations) Bylaw has no impact on other jurisdictions.

ALTERNATIVE OPTIONS

Alternative Options for consideration are as follows:

- (1) Do not give the attached Bylaw First and Second Reading and refer back to staff with suggested changes to the draft bylaw.

Staff does not support this recommendation as no issues with the present approach have been recognized by the referral agencies that responded.

- (2) Do not proceed with a Zoning Amendment at this time and delve deeper into this topic during the Zoning Bylaw Review.

This approach is not recommended as time is of the essence to put regulations in place before federal legislation is adopted. Once federal changes are adopted, then this issue can be addressed in more detail as part of the Zoning Bylaw Review along with the appropriate public engagement.

- (3) Do not make any changes to the Zoning Bylaw at this time that would prohibit potential Marihuana Operations in Pemberton until the public is more thoroughly consulted.

Given Council's direction, this amendment is an interim alternative to having no regulations in place, and allows a prohibition of the use knowing that more consultation with the community will be undertaken as part of the Zoning Bylaw Review.

- (4) Consider using Temporary Use Permits to regulate the establishment of marihuana operations.

This approach is not recommended. Temporary Use Permits are a valid planning tool to consider uses that are not permitted under the Zoning if the local government has a clear understanding of the appropriate conditions to attach to such a permit. This should include a thorough review and identification of which zones the use would be appropriate as a temporary use, and where and how operations could be conducted. Until this issue is explored in more depth, staff recommends using a prohibition with the option of a site specific rezoning application (once the Zoning Review is complete) rather than the TUP process to consider the use on a site by site basis.

POTENTIAL GOVERNANCE CONSIDERATIONS

As per the Village's Strategic Priorities, this initiative supports:

- Strategic Priority No. One: Economic Vitality – the Village values and supports a competitive and diversified economy with engaged corporate citizens;
- Strategic Priority No. Two: Good Governance –committed to citizen engagement, being an open, honest and accountable government, and fiscal responsibility; and
- Strategic Priority No. Four: Social Responsibility - the Village strives to create a strong and vibrant community recognizing the importance and benefits of both healthy and engaged citizens as well as an accessible and well managed natural environment.

RECOMMENDATIONS

Recommendation One:

THAT Zoning Bylaw No. 466, 2001, Amendment (Marihuana Operations) Bylaw No. 809, 2017 be given First and Second Reading;

Recommendation Two:

THAT a Public Hearing for Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017 be scheduled for 7:00 pm on Tuesday, January 31, 2017;

Recommendation Three:

THAT if Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017 is adopted, that the Village not accept any rezoning applications to permit a marihuana operation until the Zoning Bylaw Review process is completed (anticipated by December 31, 2017).

Attachments:

Appendix A – Proposed Zoning Amendment (Marihuana Operations) Bylaw No. 809, 2017

Submitted by:	Lisa Pedrini, Village Planner
Manager Approval by:	Tim Harris, Manager of Operations and Development Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

VILLAGE OF PEMBERTON

BYLAW No. 809, 2017

Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 466, 2001

WHEREAS pursuant to Section 137 of the *Community Charter* a Council may amend its Zoning Bylaw from time to time;

WHEREAS pursuant to Section 479 of the *Local Government Act RS2015* a Council may prohibit any use or uses in a zone;

AND WHEREAS the Council of the Village of Pemberton deems it desirable to expressly prohibit the use of Marijuana Operations throughout the Village;

NOW THEREFORE the Council of the Village of Pemberton in open meeting assembled **ENACTS AS FOLLOWS:**

1. CITATION

This Bylaw may be cited as “Village of Pemberton Zoning (Marihuana Operation) Amendment Bylaw No. 809, 2017”

2. Village Zoning Bylaw No. 466, 2001 be amended as follows:

a) Section 104. Definitions:

i. by adding the following:

a. **marihuana operation:** means the cultivating, growing, producing, packaging, storing, distributing, dispensing, advertising, trading or selling of cannabis (marihuana) or its derivatives but excludes Medical Marihuana Production Facility.

b) Section 202. Prohibited Uses of Land, Buildings and Structures and Water:

i. by adding ‘Marijuana Operation’ to the list of Prohibited Land Uses as (1)(e).

READ A FIRST TIME this ___ day of _____, 2017.

READ A SECOND TIME this ___ day of _____, 2017.

NOTICE OF PUBLIC HEARING for **Village of Pemberton Zoning (Marihuana Operation) Amendment Bylaw No. 809, 2017** PUBLISHED IN THE _____ on this ____ day of _____ 2017 and PUBLISHED IN THE _____ on this ____ day of _____ 2017.

PUBLIC HEARING HELD this ____ day of _____, 2017.

READ A THIRD TIME this ____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

Mayor
Mike Richman

Corporate Officer
Sheena Fraser

From: postmaster@pemberton.ca [<mailto:postmaster@pemberton.ca>]
Sent: Wednesday, September 28, 2016 10:10 AM
To: Council Request
Subject: pemberton.ca - Writing to Mayor & Council Contact Submission

Website Form Submission

The following was submitted from the pemberton.ca **General Contact Form**.

Full Name: Joseph Le
Email Address: jl@swedsociety.com
P.O. Box #:
Street Address: 3450 East Hastings St
Town/City: East Vancouver
Province: BC
Postal Code: V5K2A6
Phone: 778-871-6690

Message: To the Honorable Mayor and Council of the Village of Pemberton,

As the Owner of S.W.E.D Society, I am writing to request Mayor and Council consider a change in local bylaws governing the licensing of businesses in the Village of Pemberton. I am asking to allow for the operation of medicinal cannabis dispensaries in the downtown core.

Several municipal governments have already taken steps to do the same, including the District of Squamish (July 2016), City of Vancouver (June 2015), and the City of Victoria (2016), with the City of Nanaimo soon to follow suit.

These communities have taken action to enable patient access to medicinal cannabis as well as to ensure that cannabis related businesses operate in a manner that does not in any way compromise public safety. We encourage the Village of Pemberton to take early action and emerge as a leader in its views and bylaws toward granting patients access to medicinal cannabis. As the Village of Pemberton already has Zoning Amendment (Medical Marihuana Production Facility) Bylaw No. 752 in place to allow for the operation of cannabis production facilities licensed through Health Canada, we feel amending bylaws to allow for operation of medicinal cannabis businesses is a natural progression for the community.

Taking early action will allow the Village of Pemberton to ensure that any medical cannabis related retail business that operates in the area is governed by stringent regulations. We recommend that Mayor and Council consider the following as security, health and safety guidelines for the adoption and development of a bylaw:

All cannabis-related businesses must not:

- allow individuals under the age of 19 on the premises
- allow consumption of cannabis on, near or around the premises
- advertise, other than minimal storefront signage which can include a maximum of two signs

Storefront cannabis retailers and cannabis-related businesses with cannabis onsite must, in addition to the above:

- install and maintain an air filtration system to ensure odour impacts on

neighbouring properties are minimized

- submit the following as part of their business licence application:
 - o a security plan
 - o criminal background checks for the business license applicant and every on-site manager
 - o proof of a security alarm contract
 - o proof of ownership or legal possession of the premises, including written consent of the landlord if the premises are leased
- implement the following security measures:
 - o video surveillance cameras must be installed and monitored
 - o a security and fire alarm system must be installed and monitored at all times, and
 - o valuables must be removed from or locked in a safe on the business premises at all times when the business is not in operation

Storefront cannabis retailers must, in addition to the above:

- post health and safety warning signs on the premises
- ensure the premises is only used for the sale of medicinal cannabis and accessory uses.
- ensure the windows are not blocked in order to deter criminal activity while the business is open to the public

At our S.W.E.D. locations throughout Canada, we operate by these guidelines each and every day our doors are open. We would be happy to prepare a business license application modeled on the above guidelines. We wish to demonstrate the ways in which our business conforms to these best practice standards, and how we would operate if granted a business license by the Village of Pemberton.

To share a bit more about us, S.W.E.D. is a company dedicated to providing the highest quality medicine, service, and experience to registered medicinal cannabis patients. We strive to enhance the lives of our patients, while changing the perception of cannabis as a viable and safe medicine for an array of conditions. We believe in the healing powers of cannabis as well as its ability to relieve pain in ways chemically manufactured pain relievers cannot. Our goals are to:

- Create and maintain an atmosphere in our dispensaries based on professionalism, compassion, security, and privacy;
- Help eliminate negative stigmas attached to medicinal cannabis, dispensaries and people in need through industry-leading service;
- Set the highest standard for customer service in the medicinal cannabis industry;
- Continuously work to understand the needs of our customers, making sure they have the most safe and comfortable experiences with medicinal cannabis;
- Provide a wide variety of the highest grade medicinal cannabis products for our patients at all of our dispensaries; and to
- Help keep our local communities safe, clean, and peaceful.

S.W.E.D. dispenses medicinal cannabis only to licensed dispensary card holders that are 19 years of age or older. We also sell gifts, glassware and other accessories pertaining to cannabis. S.W.E.D. is the first upscale medicinal cannabis dispensary chain in Canada, offering superior product, onsite access to medical professionals, a comfortable yet professional environment, and an inviting store for customers to shop in.

We are opening multiple locations across Canada and have already opened five stores in Toronto and one store in Vancouver. In fact, in Vancouver, we are one of

few dispensaries to be selected by the City of Vancouver to operate in the downtown core and as a result are in the process of opening another location on Robson St. in accordance with the City's guidelines. We look forward to the opportunity to discuss opening another location in the Village of Pemberton. We are excited about working with the Village of Pemberton to be a pioneer in the movement to create local bylaws which grant patients access to medicinal cannabis.

Kind regards,

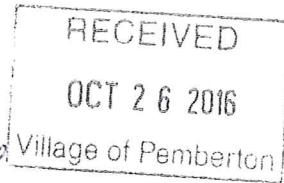
Joseph Le

**Received at Regular Council Meeting No. 1437
Tuesday, October 4, 2016**

S.W.E.D.*

Received by Council
Meeting No.
Date

Rig
1439
Nov 1/16



Mayor Richman and Council
c/o Ms. Sheena Fraser
Village of Pemberton
7400 Prospect St, PO Box 100
Pemberton, V0N 2L0

October 24, 2016

Re: Zoning Bylaw Amendment Request – Medicinal Cannabis Dispensaries
Attention: Sheena Fraser

To the Honorable Mayor and Council,

We would like to extend our thanks to Ms. Fraser for her correspondence dated October 12, 2016 in response to the request for a Zoning Bylaw Amendment to allow for operation of medicinal cannabis dispensaries in the Village of Pemberton.

I am pleased to hear that Mayor and Council voted to direct staff to prepare a zoning amendment bylaw to regulate medicinal cannabis dispensaries in the Village of Pemberton and understand that business licenses for such a business are not able to be issued in the meantime.

I would like to ensure I am proactive in contributing to the zoning bylaw amendment process and would greatly appreciate it if I could please be provided with an outline of what the process entails and opportunities for engaging in the process.

In addition, I would like to offer to schedule a private presentation for Mayor and Council, as well as key staff from the Village of Pemberton, in order to provide a comprehensive understanding of dispensary operations and medicinal cannabis products. I feel that this will provide a valuable opportunity for learning as well as a foundation for building a positive long term relationship with the Village of Pemberton. Please note that I am able to schedule the presentation around the availability of Mayor and Council.

I am also open to hosting educational/informational events within Pemberton or to contributing to currently scheduled events to provide the general public with further information about the work that we do to provide those in need with access to medicinal cannabis products. If there is an opportunity for us to collaborate in this area, please do let me know.

I can be reached at any time via email at jl@swedsociety.com or at (778) 871-6690.

Kind regards,

Joseph Le
S.W.E.D. Society
3450 E Hastings St
Vancouver, BC V5K 2A6



Mayor Richman and Council
c/o Ms. Sheena Fraser
Village of Pemberton
7400 Prospect St, PO Box 100
Pemberton, V0N 2L0

RECEIVED
OCT 26 2016
VILLAGE OF PEMBERTE

October 26, 2016

Re: Zoning Bylaw Amendment Request – Medicinal Cannabis Dispensaries
Attention: Sheena Fraser

To the Honorable Mayor and Council,

In follow up to my correspondence dated October 24, 2016, in which I offered to provide Mayor, Council and key Village of Pemberton staff with a private presentation in regards to medicinal cannabis dispensary operations and products, I would also like to offer to:

- i) Host an Information session at a Committee of the Whole Meeting, or
- ii) Present as a delegation at the Regular Council Meeting scheduled for 9 am on November 15, 2016.

It would be greatly appreciated if Mayor and Council could please consider this offer and advise me as to their preference for a presentation from our team.

Kind regards,

A handwritten signature in black ink, appearing to read "Joseph Le".

Joseph Le
S.W.E.D. Society
3450 E Hastings St
Vancouver, BC V5K 2A6

The Mayor

Village of Pemberton

Sir:

I write to you as the Chair of the Residential Strata Council EPS-876 also known as the "Elements" located at 7445 Frontier Street, Pemberton. We have recently become aware one of the commercial properties on the main floor is undergoing structural improvements in support of opening a Marihuana Dispensary, or similar business. At a recent Strata Council Meeting the residential owners directed me to write to the Village Council and voice our opposition to the establishment of this business in our building.

While the Strata Council takes no position on the legitimacy of the operation of such businesses, we do note the Federal and Provincial administration/regulation of these businesses is ambiguous at best. Accordingly, the ability for competent authorities to inspect and regulate Marihuana dispensaries is effectively non-existent. This grey area in the law gives rise to a degree of uncertainty whether these businesses are operated in safe and responsible manner. The residents are particularly concerned the product offered for sale at the dispensary will be consumed on or near the common property of the Strata thereby impacting the use and enjoyment of our residences. Some of our residents are sensitive to tobacco smoke originating from the street and common strata property which has substantially increased since the Liquor Store opened. The prospect of additional Marihuana smoke is viewed with some angst.

We also understand some insurance companies have given notice that coverage will be suspended if a Marihuana dispensary is operating in a residential building (Vancouver Sun; April 4, 2015). This has also created a level of apprehension amongst the residential owners of the Elements.

Notwithstanding the foregoing, the Strata Council respects the choice of the individual to consume Marihuana or not. Our position is that this choice should not negatively impact others and the sale of this product is better located in a commercial area. I would be delighted to discuss our perspective in more detail. I can be reached at [REDACTED] or email [REDACTED].

Regards,

Brad Desmarais

**Received at Regular Council Meeting No. 1442
Tuesday, January 17, 2017**