

Medical marijuana poses new problems for Metro Vancouver

BY TARA CARMAN, VANCOUVER SUN FEBRUARY 16, 2014



Pete Martin is in charge of quality control for MediJean.

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As hundreds of B.C. companies clamour to become licensed medical marijuana producers, a split is emerging among municipalities over whether such facilities should be allowed on agricultural land, confined to industrial areas, or banned entirely.

Municipalities are rushing to pass bylaws before April 1, when Health Canada will no longer permit medical marijuana users to grow their own supply. The only legal access after that deadline will be through government-licensed producers.

This has led to a proliferation of medical marijuana companies applying to Health Canada to become licensed producers. Of the more than 400 applications across Canada, about a quarter have come from B.C., Health Canada spokesman Sean Upton said.

To date, Health Canada's website lists seven authorized licensed producers of medical marijuana across the country. Two — Canna Farms Ltd. and ThunderBird Biomedical Inc. — are based in B.C. Neither returned calls on Friday. Canna Farms lists a Maple Ridge post office box as its address, and ThunderBird Biomedical's website says only that it is based on Vancouver Island.

Any company wishing to enter the business must obtain a municipal license and operate in compliance with local bylaws.

One such company is Richmond's MediJean, which has a license from Health Canada to grow medical marijuana for research and development, but not commercial, purposes.

MediJean has applied to Health Canada to become a licensed producer, but their facility is located in a city that recently passed a bylaw effectively banning such operations.

"There's issues of land use, safety, security, water, sewer, environment, and we're not sure what we're getting into," explained Terry Crowe, manager of policy planning for the City of Richmond. "So what we're going to do is prohibit them totally."

Richmond and the municipality of North Saanich on Vancouver Island have passed the most prohibitive bylaws around medical marijuana facilities, while a debate is brewing among other jurisdictions about whether such facilities should be allowed on agricultural land.

The Agricultural Land Commission stated in August that growing medical marijuana is "consistent with the definition of 'farm use' under the ALC Act" for land owners who are legally licensed to do so. Municipalities such as Maple Ridge agree that this is the best place for them.

Industrial land is relatively scarce in Maple Ridge, said Frank Quinn, the district's general manager of public works, and council would rather see that land used for businesses that create jobs.

"An activity such as medicinal marijuana, from our experience, doesn't necessarily equate to a lot of jobs. You can have a large building there with just a few people running it. It's fairly well automated."

But other municipalities are taking the opposite approach, opting to direct such businesses to industrial areas through zoning and keep them off farmland. In December of last year, mayors of Langley Township, Abbotsford, Delta and Kelowna wrote a letter to B.C. Agriculture Minister Pat Pimm asking for "support in our collective desire to prohibit establishment of medical (marijuana) operations in agricultural areas."

"It's not that I want to stop it, but let's treat it like any other industry," Langley Mayor Jack Froese told The Sun in December. "Others see it as purely an agricultural industry, and that's a difference of opinion. We will be asking the minister to make a decision on that."

The minister has not made any decision to date, spokesman Marc Black said in a statement Friday.

Delta has passed a bylaw restricting such companies to the city's industrial zones, and requiring them to apply for a rezoning permit.

"So that we have some idea where they're located, that they're not sitting next to maybe ... a bakery or something that would not be a good location," said Delta Mayor Lois Jackson.

Meanwhile, Richmond has left the door open to amending its bylaw should the right application come along.

It is an approach that MediJean's chief strategy officer, Anton Mattadeen, fully supports.

"It would be pretty difficult for any jurisdiction to suddenly wake up one day and they have this highly stigmatized substance that they all of a sudden have to deal with," he said in a telephone interview from Toronto. "Richmond's decision to manage this with rezoning ... I think is brilliant because ... it gives the municipality the ability to basically eyeball every single company that wants to come in and operate in this new industry."

Richmond's handling of MediJean's application could set a precedent for how municipalities regulate this contentious new industry.

Pete Martin, MediJean's operations and quality assurance manager, said the company has worked "hand-in-glove" with Richmond staff in their current research and development operations.

Richmond's Crowe noted that the facility is in an appropriately urban and industrial area of the city, right next to RCMP headquarters, "which is where you want to be," he said.

MediJean's rezoning application will come before council sometime in the coming weeks, and at that time council will decide whether or not to change their policy, Crowe said.

"They will set the bar."

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