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Abbotsford mayor says municipalities need control over location of grow operations

Bruce Banman expects other cities will join in petitioning Health Canada

B. C. municipalities will vote next month on a resolution by the City of Abbotsford to petition Health Canada for the right to dictate where medical marijuana growing facilities are located across the province.



TED S. WARREN/ THE ASSOCIATED PRESS FILE

Federal government regulations are being challenged that require all licensed medical marijuana users to mail- order their pot from government sanctioned, centralized facilities.

The resolution, which will go to the Union of B. C. Municipalities in late September, follows new Health Canada regulations that prohibit licensed medical marijuana users from growing pot in their homes. The federal government regulations now require all licensed medical marijuana users to mail- order their pot from government sanctioned,

centralized facilities. Those regulations have been challenged in court, and are suspended awaiting trial.

Mayor Bruce Banman said his city doesn't want to see centralized grow operations located on agricultural land in Abbotsford, noting it is one of B. C.'s largest cities and some areas would take at least 15 minutes for police and fire to reach in an emergency.

The resolution, which calls for the UBCM to petition Health Canada, suggests municipalities should have the right to decide if and where the new facilities are built to "permit these properties to be inspected to ensure safety of all residents and to bring the properties into compliance with relevant provincial and local government regulations."

"We should be able to control where any proposed medical marijuana grow- ops be placed or have the right to deny them outright," Banman said. "Much of our land borders the United States. There was already one tunnel dug. We need to ensure our neighbours to the south don't have a large marijuana factory right next to their border. What if somebody comes to rob or burgle the product?"

Banman noted Health Canada in the past has refused to provide the location of those licensed to use or grow medical marijuana, citing privacy concerns. This has posed problems for city, police and fire officials who want to ensure the electrical and building codes are up to scratch, as well as investigate issues related to home invasions, fires and toxic mould.

Health Canada maintains there were fewer than 100 people authorized to possess marijuana for medical purposes when the program was introduced in 2001, but that number has grown to nearly 40,000.

Banman said 830 of those licences are in Abbotsford, yet city officials don't know where the plants are being grown.

Those with medical marijuana licences have the option to grow their own pot in their homes, have someone else grow it for them or access the pot from a commercial facility. Those licences were slated to expire under the new regulations, but a Federal Court judge granted an injunction earlier this year to a group of patients who sued Health Canada over the program because they are concerned about cost and quality of a commercially grown product.

Meanwhile, Health Canada continues to accept licence applications for larger medical marijuana facilities. About 14 are listed on the Health Canada website as being approved across Canada, including in Whistler, Richmond and Delta, while another 100 to 200 applications are pending in the province, according to Health Canada.

Banman noted his city has no idea how many of those applications, if any, may be pending in Abbotsford.

"We have an obligation to ensure residents in the surrounding areas are safe. We want a record of where these grow- ops are located so if they come up for sale again, we can ensure that they're safe."

Banman said he expects other cities will support Abbotsford's petition, saying "we are not alone in this."

Metro Vancouver municipalities have already scored one win over the new regulations after complaining medical marijuana facilities should not be allowed to have farm tax status even if they were located on agricultural land. The provincial government created a new business classification for the federally licensed facilities after municipalities raised concerns they would lose significant tax dollars under the scheme while having to pay more for increased regulation of the facilities in their jurisdictions.

Under the new rules, medical marijuana production on the Agricultural Land Reserve will still be an allowable farm use, but will not be eligible for farm tax status.

The UBCM will be held in Whistler Sept. 22- 26.

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