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## McDonald, Heather M JAG:EX

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**From:** Schollen, Tasha GCPE:EX  
**Sent:** Monday, May 4, 2015 11:21 AM  
**To:** Sandstrom, Kurt JAG:EX; Fyfe, Richard J JAG:EX  
**Subject:** FYI - Marijuana

Just letting you know that Victoria Mayor Helps on BC1 saying Victoria is considering regulating pot dispensaries. Our messaging will stay the same....

- s.13
- 
- For now, what I can say is that possession of marijuana falls under federal legislation. It is prohibited under the Controlled Drugs and Substances Act, though there are exceptions for medicinal use.
- s.13

**If asked whether province has power to shut down pot businesses if they're operating illegally:**

- The Province has no such power.
- If medical marijuana businesses are operating contrary to the Controlled Drugs and Substances Act (Canada), that is a matter for the police.
- Similarly, if medical marijuana businesses are operating contrary to a municipal bylaw, it is up to the municipality to deal with any contravention.

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**Tasha Schollen** | Communications Director  
Ministry of Justice | Attorney General Communications Office  
Phone: 250-387-3672 | Cell: s.13

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**MINISTRY OF JUSTICE  
LEGAL SERVICES BRANCH  
BRIEFING NOTE**

Cliff: 414964

**PURPOSE:** For INFORMATION of Hon. Suzanne Anton

**ISSUE:** Legal ramifications – Vancouver proposed regulatory framework for marijuana businesses

**BACKGROUND:**

On Apr. 22, 2015, the City of Vancouver issued a news release announcing that it intends to propose a framework to regulate marijuana-related businesses. The proposal will be presented to Council during the week of Apr. 27, 2015.

The proposal will involve the creation of a new business licence category as well as clear zoning requirements to which all retail marijuana-related businesses would be required to adhere.

Specific points under the proposed framework include:

- 300m distancing from schools, community centers and neighbourhood houses
  - *Existing practice is 1000ft as established in WA and CO states*
- 300m distancing from other marijuana-related businesses
  - *(Existing practice is 1000ft as established in WA and CO states)*
- Implement a licensing fee (\$30,000) to recover costs from the significant burden across the City to manage and enforce new regulatory framework
- Operators must sign a Good Neighbour Agreement
- Operators require a Development Permit which would include a standard community notification process
- Geographic restrictions specific to unique areas in the city, limiting them to commercial areas

Possession of marijuana is prohibited under s. 4 of the *Controlled Drugs and Substances Act* S.C. 1996, c.19. That prohibition is subject to the regulations.

The *Marihuana for Medical Purposes Regulations* (MMPR) provide the only legal means through which Canadians can obtain access to dried marijuana for medical purposes. Under the MMPR, individuals who have the support of their healthcare practitioner can access marijuana for medical purposes from licensed producers. The client's proof of authority to possess marijuana for medical purposes may either be the label on the packaging or a separate document accompanying the shipment of dried marijuana provided by the licensed producer.

s.13

**LEGAL ANALYSIS:**

s.14

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**OTHER MINISTRIES IMPACTED/CONSULTED:**

No other ministries consulted.

**Prepared by:**

Richard Butler  
Barrister and Solicitor  
c/o Legal Services Branch  
(250)356-6559

**Approved by:**



Kurt Sandstrom  
Assistant Deputy Attorney General  
Legal Services Branch

**Attachment(s):**

None

***This document may contain information that is protected by solicitor client privilege. Prior to any disclosure of this document outside of government, including in response to a request under the Freedom of Information and Protection of Privacy Act, the Ministry in possession of this document must consult with the lawyer responsible for the matter to determine whether information contained in the document is subject to solicitor client privilege.***



## Anderson, Marika L JAG:EX

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**From:** Steenvoorden, Tom JAG:EX  
**Sent:** Wednesday, May 6, 2015 1:22 PM  
**To:** Lee, Sherri JAG:EX  
**Subject:** RE: Vancouver proposed bylaw

Sherri, here is some contacts in Vancouver:



s.15 is in charge of the organized crime section at VPD, his unit heads up the operational response to the dispensaries. He is receptive to providing any assistance needed.

Tom

---

**From:** Lee, Sherri JAG:EX  
**Sent:** Wednesday, May 6, 2015 11:12 AM  
**To:** Steenvoorden, Tom JAG:EX; Mas, Sophie B JAG:EX  
**Subject:** RE: Vancouver proposed bylaw

That's very helpful. Can you keep me in the loop if and when you get more info about this?

Thanks Tom!

---

**From:** Steenvoorden, Tom JAG:EX  
**Sent:** Wednesday, May 6, 2015 10:51 AM  
**To:** Lee, Sherri JAG:EX; Mas, Sophie B JAG:EX  
**Subject:** RE: Vancouver proposed bylaw

Good Morning. It just so happens that yesterday I was working on the same question regarding dispensaries in the City of Vancouver. I understand that the COV is only at the exploratory stage of examining the possibilities of the licencing fee and there is a public hearing scheduled for May 28<sup>th</sup>. I have attached some two documents which I took from the COV website and a press release from the VPD. I do have a call into the VPD to see if they can provide a contact.

Regards,

Tom

---

**From:** Lee, Sherri JAG:EX  
**Sent:** Wednesday, May 6, 2015 10:14 AM  
**To:** Steenvoorden, Tom JAG:EX; Mas, Sophie B JAG:EX  
**Subject:** Vancouver proposed bylaw

Hi Tom and Sophie. I see that Kjerstine is away so I'm sending this to you in the hopes that one of you might be able to help. At CCSO last week, the issue of marijuana dispensaries came up. [s.13]

[s.13] The media has been reporting that COV is proposing a bylaw to regulate the dispensaries, including where they can locate, and the requirement to pay a \$30K licensing fee. They are also reporting that Vancouver police have stated they will be focusing on enforcement priorities – such as public safety issues where a dispensary allegedly provides marijuana to youth. I was able to get the report from the COV website. [s.13]

[s.13]

Thank you.

Sherri

*Sherri Lee*

Senior Policy and Legislation Analyst, FPT Justice  
Criminal Justice and Legal Access Policy Division  
Justice Services Branch  
Ministry of Justice  
PO Box 9243 STN PROV GOVT  
Victoria, BC V8W 9J2  
Tel: 250 953-4261  
Fax: 250 356-6552

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## 2015/16 ESTIMATES NOTE

Medical Marijuana  
Dispensaries

## Suggested Response:

- The legislative responsibility for controlled drugs and substances, including marijuana, lies with the federal government. The federal *Controlled Drugs and Substances Act* provides for the control, import, production, export, distribution and possession of psychoactive substances in Canada.
- If medical marijuana businesses are operating contrary to the *Controlled Drugs and Substances Act*, that is a matter for the police.
- If medical marijuana businesses, including dispensaries, are operating contrary to a municipal bylaw, it is up to the municipality to deal with any contravention.

## Background:

- Under the existing *Marihuana Medical Access Regulations* (MMAR) there are three types of licences: authorization for individuals to possess marijuana for medical purposes, personal use production, and designated person production. Due to many concerns related to the MMAR, the federal government created a new regulatory regime - the *Marihuana for Medical Purposes Regulation* (MMPR) – to phase out the existing production licenses and introduce a system of commercial production.
- Commercial production of marijuana for medical purposes under the proposed MMPR is intended to reduce the risks to public health, security, and safety of citizens; and will require licenced producers to notify local governments, police, and fire of the location of the commercial production facilities to help ensure that the operations and facilities are compliant with federal and provincial legislation and local bylaws.
- On March 31, 2014, the MMAR was due to be repealed to complete the transition to the new MMPR, thus ending all personal use and designated person production licences. However, an injunction was granted on the repeal of the MMAR based on the allegation that it was unconstitutional to prevent individuals from producing their own marijuana. The two programs now run concurrently and will continue to do so until a court decision is rendered.
- Neither the MMAR nor the MMPR allow for store front operations that sell marijuana to the public. Under the MMPR, patients who are authorized to purchase medical marijuana will receive their product through the mail, directly from the commercial producer.
- On April 22, 2015, the City of Vancouver issued a news release announcing that it intends to propose a framework to regulate marijuana-related businesses.
- The proposal will involve the creation of a new business licence category as well as clear zoning requirements to which all retail marijuana-related businesses would be required to adhere.

- The news release cites a growth rate of 100 per cent per year in marijuana-related businesses in Vancouver.

Contact: Lisa Anderson	Phone: 604-660-1741	Mobile: s.17
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## Anderson, Marika L JAG:EX

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**From:** Anderson, Lisa R JAG:EX  
**Sent:** Monday, May 4, 2015 8:50 AM  
**To:** Lenz, Allison JAG:EX  
**Cc:** Rak, Tanya JAG:EX; Holmes, Kjerstine L JAG:EX  
**Subject:** RE: New PSB Minister's Estimate Note re: Marijuana Dispensaries

Thanks Allison – I recommend that you remove the highlighted bullet. No other changes.

Tanya, please send forward for Clayton's sign off.

---

**From:** Lenz, Allison JAG:EX  
**Sent:** Monday, May 4, 2015 8:26 AM  
**To:** Anderson, Lisa R JAG:EX  
**Cc:** Rak, Tanya JAG:EX; Holmes, Kjerstine L JAG:EX  
**Subject:** RE: New PSB Minister's Estimate Note re: Marijuana Dispensaries

Good morning Lisa,

Attached for your review is the estimates note on dispensaries. Let me know if, in Kjerstine's absence, I should have sent this through Tom first.

Please note the yellow highlighted bullet as I am wondering if we should remove it or change it. s.13

s.13

If you have any changes I would be happy to make them, just let me know.

Take care,  
Allison

---

**From:** Holmes, Kjerstine L JAG:EX  
**Sent:** Friday, May 1, 2015 4:37 PM  
**To:** Lenz, Allison JAG:EX  
**Cc:** Anderson, Lisa R JAG:EX; Rak, Tanya JAG:EX  
**Subject:** FW: New PSB Minister's Estimate Note re: Marijuana Dispensaries  
**Importance:** High

Hi Allison,

I have pulled together a quick draft of a Estimate's note on MJ dispensaries. Can I please ask you to polish it up and push it forward for review on Monday? Please note the expedited timelines and my apologies for the rush on this one.

Thanks,

Kjerstine

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**From:** Rak, Tanya JAG:EX  
**Sent:** Friday, May 1, 2015 3:44 PM  
**To:** Holmes, Kjerstine L JAG:EX  
**Subject:** RE: New PSB Minister's Estimate Note re: Marijuana Dispensaries

Just received the deadline date from Robert: end of day May 4. Thanks.

As per the attached email from Toby to Executive, we have been advised that our Estimates debate will begin this Wednesday May 6.

For those of you preparing requested new notes (having all financial numbers verified by CMSB) or revising existing ones (with track changes), we would appreciate having your documents by end of day on Monday May 4. Please let me know if this is not possible for you and we can discuss having your ADM walk the document into the debate.

---

**From:** Rak, Tanya JAG:EX  
**Sent:** Friday, May 1, 2015 3:43 PM  
**To:** Holmes, Kjerstine L JAG:EX  
**Subject:** RE: New PSB Minister's Estimate Note re: Marijuana Dispensaries

Hi Kjerstine, can you please let me know if this is something that you'll be providing? I just need to give Robert and ETA. Thank you!

---

**From:** Rak, Tanya JAG:EX  
**Sent:** Thursday, April 30, 2015 4:23 PM  
**To:** Holmes, Kjerstine L JAG:EX  
**Cc:** Engelbrecht, Karen JAG:EX  
**Subject:** FW: New PSB Minister's Estimate Note re: Marijuana Dispensaries

Hi Kjerstine,

Is this something we can pull together for Robert?

Thank you,  
Tanya

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**From:** Meseyton, Robert JAG:EX  
**Sent:** Thursday, April 30, 2015 4:13 PM  
**To:** Rak, Tanya JAG:EX  
**Subject:** New PSB Minister's Estimate Note re: Marijuana Dispensaries

Tanya:

At the Minister's Estimates Briefing yesterday the topic of Marijuana Dispensaries came up. There was concern this could come up in Estimates, but we do not have a note in the Minister's book. Is PSB preparing anything on this matter? Toby said he would check with GCPE as well.

I believe the last time a similar issue (Medical Marijuana) was discussed was in the Transition book for when MSA became our minister. My records indicate PSB lead the preparation of the note and JSB had some input.

Please let me know if you would be able to prepare a note and let JSB if you need anything from them. Jessica Dyson-Loewen and Cris Forrest are the Estimates contacts there. They are aware you may be contacting them if needed.

Thank you.

**Robert Meseyton**, BCom (Hon)  
Executive Assistant to  
Toby Louie, Executive Director  
Corporate Policy and Planning Office

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Ministry of Justice  
11th Floor, 1001 Douglas Street  
Victoria, BC V8W 2C5  
Phone: 250-387-0306  
E-mail: [Robert.Meseyton@gov.bc.ca](mailto:Robert.Meseyton@gov.bc.ca)



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**Anderson, Marika L JAG:EX**

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**From:** Harrison, Katrina JAG:EX  
**Sent:** Tuesday, May 12, 2015 4:36 PM  
**To:** Lenz, Allison JAG:EX  
**Cc:** McLean, Kimberley M JAG:EX  
**Subject:** FW: CLIFF Log ID 509545  
**Attachments:** 1722307.msg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Over to you with a due date of May 21, 2015 ☺

Katrina Harrison  
A/Correspondence Writer  
Policing and Security Branch, Ministry of Justice

**From:** CLIFF [<mailto:cliff.ops@gov.bc.ca>]  
**Sent:** Tuesday, May 12, 2015 11:58 AM  
**To:** Harrison, Katrina JAG:EX  
**Cc:** Anderson, Marika L JAG:EX  
**Subject:** CLIFF Log ID 509545

SG-Solicitor General **Referral Slip for ID:509545**

2015/05/12

<b>Log Type:</b> E-Mail	<b>Action:</b> Reply Direct E-Mail	<b>Due:</b> 2015/06/02
<b>Batch:</b>	<b>Subaction:</b>	

**Type:** Private Citizen  
Steve Finlay  
**Email:** [steve.finlay@leap.cc](mailto:steve.finlay@leap.cc)

**Written:** 2015/04/28 **Resp Type:**  
**Received:** 2015/05/12 **Entered By:** angeth  
m  
**Due:** 2015/06/02  
**Interim:**  
**Signed:** **Sign By:**  
**Approved:** **Approved By:**  
**Closed:** **File No.:**

**Address To:** Ministers Cadieux, MLA Hogg, SG, MLA Lake  
**Copy To:**  
**Drafter:**  
**MLA:**

**Issue:**  
**X-Ref:**  
**Electoral Dist:**

**Subject**

Cannabis dispensary regulation in Vancouver.

<b>Referral</b> SG-Solicitor General -> SG-Solicitor General
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<b>From:</b>	SG-Solicitor General	<b>Sent:</b>	2015/05/12	<b>Status:</b>	Completed	<b>Ref Action:</b>	Reply Direct E-Mail
<b>To:</b>	SG-Solicitor General	<b>Received:</b>	2015/05/12	<b>Reason:</b>		<b>Subaction:</b>	
<b>Assign To:</b>		<b>Completed:</b>	2015/05/12	<b>Due:</b>	2015/06/02	<b>File No.:</b>	

**Referral** SG-Solicitor General -> SG-Solicitor General -> PSPB-Correspondence

<b>From:</b>	SG-Solicitor General	<b>Sent:</b>	2015/05/12	<b>Status:</b>	Pending	<b>Ref Action:</b>	Reply Direct E-Mail
<b>To:</b>	PSPB-Correspondence	<b>Received:</b>		<b>Reason:</b>		<b>Subaction:</b>	
<b>Assign To:</b>		<b>Completed:</b>		<b>Due:</b>	2015/06/02 (Active (14))	<b>File No.:</b>	

**Anderson, Marika L JAG:EX**

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**From:** Minister, JAG JAG:EX  
**Sent:** Thursday, April 23, 2015 2:14 PM  
**To:** Thompson, Angella N JAG:EX  
**Subject:** Reply Direct please FW: RADIO STATION IN VANCOUVER IS RUNNING MARIJUANA ADS PROMOTING HOME DELIVERY. PROMOTION AND EXPOSING YOUTH AND CHILD TO DRUG PROMOTION.

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**From:** Tennant, Laura JAG:EX  
**Sent:** Thursday, April 23, 2015 1:52 PM  
**To:** Minister, JAG JAG:EX  
**Subject:** FW: RADIO STATION IN VANCOUVER IS RUNNING MARIJUANA ADS PROMOTING HOME DELIVERY. PROMOTION AND EXPOSING YOUTH AND CHILD TO DRUG PROMOTION.

Reply direct please.

Thank you

---

**From:** Minister, JAG JAG:EX  
**Sent:** Thursday, April 23, 2015 12:12 PM  
**To:** Lalonde, Jarett JAG:EX; Langlands, Kevin J JAG:EX; Tennant, Laura JAG:EX; Groot, Jeff GCPE:EX  
**Subject:** FW: RADIO STATION IN VANCOUVER IS RUNNING MARIJUANA ADS PROMOTING HOME DELIVERY. PROMOTION AND EXPOSING YOUTH AND CHILD TO DRUG PROMOTION.

This is addressed to Rob Ferrier ---

Sending along for your info.

Candice

---

**From:** PAMELA MCCOLL [<mailto:pjmccoll@shaw.ca>]  
**Sent:** Thursday, April 23, 2015 12:10 PM  
**To:** Ferrier, Rob L JAG:EX  
**Cc:** Minister, JAG JAG:EX; heather sperry  
**Subject:** RADIO STATION IN VANCOUVER IS RUNNING MARIJUANA ADS PROMOTING HOME DELIVERY. PROMOTION AND EXPOSING YOUTH AND CHILD TO DRUG PROMOTION.

Dear Rob Ferrier and the Ministry of Justice.

It has come to my attention that a radio station in BC is advertising for marijuana products that can be delivered to the home.

It is my clear understanding that it is not legal to advertise and pay for such advertising

Fox 99.3 is running ads for marijuana products and this is a public safety issue as children and youth can easily overhear the drug promotion messaging.

They are also making false claims about the benefits of marijuana for medical conditions which could very easily defer someone from seeking more appropriate medical attention and treatment.

I have copied Health Canada as they have developed regulations and restrictions on the advertising of marijuana products across Canada.

Thank you Pamela McColl  
1-778-354-3551

**City of Vancouver Proposal**  
**To Regulate Medical Cannabis Dispensaries**

Comments of  
**Canadian Medical Cannabis Partners Society**  
BC registration # S-0062717

The Canadian Medical Cannabis Partners Society (CMCP) submits the following comments to Vancouver City Council regarding the regulation of cannabis dispensaries. Our objective is to promote improvements in the proposed regulations which will (1) enable safe, dignified and affordable access to medical cannabis for patients who need it; and (2) better serve the City's public policy objectives.

CMCP is a non-profit volunteer organization of patients and advocates. Our mission is to convince provincial governments to develop and implement a medical cannabis program that meets the needs of patients for safe, dignified and affordable access.

**The City's effort to regulate is welcome and long overdue**

As Councillor Jang has noted, senior levels of government have completely failed to regulate the medical cannabis business. The federal government's policy of prohibition, modified only slightly by a restrictive and badly designed medical cannabis regime, leaves dispensaries ungoverned and uncontrolled, except for some generally unsuccessful efforts at self-regulation.

Vancouver Council deserves praise and recognition for understanding that prohibition does not eliminate the cannabis business, but rather places it outside any kind of control and oversight. Council also deserves commendation and thanks for courageously taking the initiative by starting to design a regulatory regime, thus assuming a responsibility that senior levels of government have abdicated. We cannot overstate our gratitude, appreciation and admiration for the city's courage, foresight, practicality and wisdom in this matter.

Nevertheless, some specific aspects of the proposed regulations, in spite of your good intentions, would not meet the needs of patients, and would not serve the city's fundamental purposes. The following sections explain these problematic aspects and provide our recommended changes.

**The high licence fee would disadvantage regulated dispensaries, thus promoting uncontrolled trade**

One of Council's most important objectives is to control some of the activities of cannabis dispensaries, so that actions that are against the public interest can be curtailed. Unfortunately, the proposed licence fee would strongly discourage cannabis suppliers from participating in the very scheme that is intended to create that control.

It is extremely important to understand that discouraging suppliers from operating under the City's regulations would not reduce the trade in cannabis. Instead, it would ensure that the vast majority of this trade would remain in the hands of unregulated and uncontrolled suppliers – exactly what the City wants to avoid.

Therefore, we strongly recommend that the \$30,000 annual licence fee be reduced to an amount that is much closer to the annual licence fee for a retail liquor store, which is currently \$372. We understand the desire for cost recovery, but that benefit is outweighed by the fact that the fee as proposed would give unregulated competitors a significant economic advantage over dispensaries who try to operate within the rules.

#### The minimum 300 metre distance between dispensaries would have negative effects

This provision is apparently based on the assumption that a large number of dispensaries in one area would not be in the public interest. While some limitation on “clustering” may be justifiable, such a tight restriction as the city proposes (combined with the high licence fee) would almost inevitably result in “regulatory capture”. “Regulatory capture” means a situation where a set of regulations unintentionally create a small cartel of suppliers who depend on those regulations to keep potential competitors out. Taxicab and limousine regulation in BC provides an excellent example of regulatory capture.

We note that the city's proposal predicts that lotteries will be necessary in many areas for determining which existing dispensary will be the fortunate “sole survivor”. This confirms our expectation that the minimum 300 metre distance is likely to restrict participation in the regulatory regime, thus promoting the development of a cartel.

While it might appear at first that cartelization would not be a serious problem, CMCP considers that it would have at least two negative consequences. First, it would reduce the regulated supply, which would benefit the unregulated and uncontrolled suppliers who will continue to exist. It is absolutely critical to recognize that the absence of a regulated dispensary in an area does NOT mean that cannabis will not be sold in that area. The absence of a regulated dispensary means only that all the cannabis in the area will be supplied by uncontrolled and unmanageable black marketeers.

Thus, while regulations must be applied to cannabis dispensaries in order to promote the public interest, these regulations must not be so restrictive and onerous that they drive most of the business back into the black market. If that happens, the public interest will clearly not be served at all. A modified restriction such as limiting the number of other dispensaries within 300 metres to one or two would provide a better balance than the one currently proposed.

The second negative consequence is that enforcing compliance with regulations could become more difficult. This outcome may seem unexpected, but there is a good reason for it. Specifically, if a dispensary were the only one in an area, many patients (those with limited mobility) would not have any convenient regulated alternative. If this dispensary violated the city's regulations, the patients would be

much more likely to fight against any effort to close the offending dispensary than they would if there were another dispensary in the area.

We have no objections to the proposed 300 metre “buffer zone” surrounding schools, because this appears to be the same as the restriction that currently applies to liquor stores. With regret, however, we must point out that this buffer zone will have no practical benefit. Within the buffer zone, and indeed within the schools themselves, cannabis will continue to be readily and easily available from the black market. Unfortunately, it is impossible for the city government alone to eliminate that black market, because it is created by Canada’s federal policy of prohibition.

#### The 300 metre buffer zone around community centres would disadvantage some patients

As already noted, many medical cannabis patients have limited mobility, for both medical and financial reasons. Many of these patients are likely to depend not only on a cannabis dispensary, but also on low-cost health-related services that are provided at community centres, such as exercise facilities. These patients should not be forced to travel unnecessary distances to obtain the services they need. Instead of a total restriction, the city could consider a rule requiring permission from the community centre for any dispensary that wishes to locate within the buffer zone.

#### The prohibition on selling edible cannabis products would disadvantage some patients

While some patients who need edible forms of cannabis can prepare their own at home, this is not true for everyone. Patients who are using cannabis to treat or moderate the symptoms of such conditions as multiple sclerosis, Parkinsonism, or severe depression may lack the coordination and strength to prepare their own food products. Especially if they cannot tolerate smoked cannabis, these patients benefit from being able to purchase cannabis edibles from a dispensary.

Supposedly, this prohibition is intended to protect minors. This appears to be entirely redundant, as the regulations prohibit minors from working in, purchasing products in, or entering dispensaries at all. CMCP also considers that a better way to address the possible psychoactive effects of edibles is to apply rigorous labelling regulations to these products, as proposed below.

#### The proposal should include labelling and testing requirements

The CMCP is aware that some patients have obtained inaccurately or falsely labelled cannabis or cannabis products from some existing dispensaries. From the patient’s point of view, one of the most important and valuable benefits of regulation would be enforcement of accurate labelling standards. In the CMCP’s view, it is essential that such standards be incorporated in the regulations, and that failure to comply with these standards be grounds for immediate suspension of a dispensary’s licence. In our view, this would be a far more effective and beneficial way to determine which dispensaries are allowed to operate than many of the other restrictions in the current proposal.



Labelling standards should include such provisions as the following:

- (1) Every type of dried cannabis or cannabis extract must have a label which accurately states the percentage by weight of each of the following: delta-9-tetrahydrocannabinol (THC), and cannabidiol (CBD).
- (2) Every edible product, including cannabis extracts in substances that can be used in cooking such as cooking oil, must have a label which accurately states the weight of THC and of CBD that is present in each unit of the product, or in a stated volume or weight of the product.
- (3) It may also be appropriate to require a warning label on every edible product which advises the consumer that the effects of orally ingested cannabis are not felt until half an hour or more after consumption, and that the consumer should always eat or drink a small amount and wait at least half an hour before consuming any more.
- (4) The dispensary is solely responsible for conducting testing (at its own expense) to ensure the accuracy of all labels. The city has the right to take samples of any product at any time for testing (i.e., spot checks). If the city's testing shows that actual percentage and/or weight differs by more than +/- 25% of the percentage and/or weight shown on the label, the dispensary's licence will be suspended until the dispensary is able to demonstrate that its labelling is accurate.

#### The prohibition on corporate ownership could increase the cost of regulation

It is not clear why the current proposal prohibits corporate ownership. This seems likely to increase the cost of enforcement and compliance, since every dispensary must be reviewed and regulated individually. If a corporation owns several locations, enforcement and compliance actions that are addressed to that corporation can deal with all of its locations at once. In addition, a corporation that owns several locations would be more likely to have the resources needed to comply with the type of labelling requirements that we consider essential.

#### The requirement for a police information check would exclude some competent suppliers

While we understand that a requirement for a police information check would be politically popular, a fairly significant problem could result. If the requirement means that no one with a criminal record would be allowed to own or work in a dispensary, it could exclude many of the people who know the most about using medical cannabis effectively. Those who have operated dispensaries for several years have learned a great deal about which strains and forms have worked well for their patients' conditions. These same people, however, are likely to have criminal records, simply because dispensaries have been and are illegal at the federal level.

The CMCP recommends that the regulatory regime include some flexibility with respect to criminal records. While it is reasonable to require disclosure of criminal records, the regulations should enable

the city to use its discretion to grant a licence if it is satisfied that the person with the record is not a potential threat to the public interest.

Once again, the CMCP thanks and commends the City of Vancouver for this intelligent and bold initiative. We are willing and able to work with you to help develop a regulatory system that will serve the best interests of patients and of all residents of Vancouver.

Sincerely,

Stephen Finlay

Government Relations Director  
Canadian Medical Cannabis Partners



**Anderson, Marika L JAG:EX**

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**From:** Harrison, Katrina JAG:EX  
**Sent:** Monday, May 4, 2015 12:01 PM  
**To:** Lenz, Allison JAG:EX  
**Cc:** Holmes, Kjerstine L JAG:EX; Anderson, Lisa R JAG:EX  
**Subject:** FW: RE: regarding marijuana dispensaries and marijuana advertising - 509112

Just a quick FYI to let you all know that the letter below was approved by CP and sent out via the JAG Policing and Security Branch generic mailbox today ☺

This CLIFF has now been closed and filed.

Thanks,

Katrina

**Katrina Harrison**  
**A/Correspondence Writer**  
**Policing and Security Branch, Ministry of Justice**

---

**From:** Harrison, Katrina JAG:EX **On Behalf Of** JAG Policing and Security Branch JAG:EX  
**Sent:** Monday, May 4, 2015 11:58 AM  
**To:** 'pjmccoll@shaw.ca'  
**Subject:** RE: regarding marijuana dispensaries and marijuana advertising - 509112

Ms. Pamela McColl  
Smart Approaches to Marijuana Canada  
E-mail: [pjmccoll@shaw.ca](mailto:pjmccoll@shaw.ca)

Dear Ms. McColl:

Thank you for your April 23<sup>rd</sup> and 24<sup>th</sup>, 2015 emails regarding marijuana dispensaries and marijuana advertising in Vancouver.

The legislative responsibility for controlled drugs and substances, including marijuana, lies with the federal government. The federal *Controlled Drugs and Substances Act* provides for the control, import, production, export, distribution and possession of psychoactive substances in Canada.

As you note in your correspondence, the City of Vancouver is proposing a regulatory framework for businesses operating as marijuana dispensaries. Should you have concerns or to request information regarding this proposal, I recommend you contact the Vancouver City Council as follows:

Vancouver City Council  
453 W 12th Ave  
Vancouver BC V5Y 1V4

If you have questions regarding Vancouver City Council's authority to regulate marijuana dispensaries under the *Vancouver Charter* or other relevant provincial legislation, I suggest you contact the Local Government Division of the Ministry of Community Sport and Cultural Development as follows:

Local Government Division  
Ministry of Community Sport and Cultural Development  
PO Box 9839 Stn Prov Govt  
Victoria BC V8W 9T1  
[lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)

In regards to marijuana that is required by individuals for medical purposes, Health Canada is responsible for managing the federal Medical Marihuana Access Program. If you have further questions or concerns regarding licenced commercial marijuana producers advertising their products, I would encourage you to contact the Marihuana Medical Access Division directly at::

Marihuana Medical Access Division  
Health Canada  
Address Locator: 3503B  
Ottawa ON K1A 1B9  
E-mail: [MMA-PAMM@hc-sc.gc.ca](mailto:MMA-PAMM@hc-sc.gc.ca)  
Telephone: 1-866-337-7705

Thank you for writing.

*Policing and Security Branch*  
*Ministry of Justice*  
*PO Box 9285, Stn Prov Govt*  
*Victoria BC V8W 9J7*  
*CLIFF# 509112*

**Anderson, Marika L JAG:EX**

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**From:** Harrison, Katrina JAG:EX  
**Sent:** Friday, April 24, 2015 3:21 PM  
**To:** Lenz, Allison JAG:EX  
**Subject:** FW: CLIFF Log ID 509146  
**Attachments:** 1720827.msg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Katrina Harrison  
A/Correspondence Writer  
Policing and Security Branch, Ministry of Justice

**From:** CLIFF [<mailto:cliff.ops@gov.bc.ca>]  
**Sent:** Friday, April 24, 2015 3:15 PM  
**To:** Harrison, Katrina JAG:EX  
**Cc:** Anderson, Marika L JAG:EX  
**Subject:** CLIFF Log ID 509146

SG-Solicitor General **Referral Slip for ID:509146**

2015/04/24

<i>Log Type:</i> <b>E-Mail</b>	<i>Action:</i> <b>Reply Direct E-Mail</b>	<i>Due:</i> <b>2015/05/14</b>
<i>Batch:</i>	<i>Subaction:</i>	

*Type:* Private Citizen  
Pamela McColl  
*Email:* [pjmccoll@shaw.ca](mailto:pjmccoll@shaw.ca)

*Written:* 2015/04/23 *Resp Type:*  
*Received:* 2015/04/24 *Entered By:* angeth  
m  
*Due:* 2015/05/14  
*Interim:*  
*Signed:* *Sign By:*  
*Approved:* *Approved By:*  
*Closed:* *File No.:*

---

*Address To:* SG *Issue:*  
*Copy To:* *X-Ref:* previous  
*Drafter:*  
*MLA:* *Electoral Dist:*

---

**Subject**

I have spent the day speaking with legal council across Canada and it is clear that the City of Vancouver's refusal to uphold the laws of Canada by not closing the illegal marijuana stores that are operating is in breach of their duty.

It is not up to the City of Vancouver to make laws but rather to enforce Provincial and Federal Law. They are not willing to do this and they have been critical of the Federal Government when in fact it is they that should be using law enforcement to close these facilities.

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**Log Notes**

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2015/04/24 Include in previous

<b>Referral</b> SG-Solicitor General -> SG-Solicitor General					
From:	SG-Solicitor General	Sent:	2015/04/24	Status:	Completed
To:	SG-Solicitor General	Received:	2015/04/24	Reason:	
Assign To:		Completed:	2015/04/24	Due:	2015/05/14
				File No.:	
				Ref Action:	Reply Direct E-Mail
				Subaction:	

<b>Referral</b> SG-Solicitor General -> SG-Solicitor General -> PSPB-Correspondence					
From:	SG-Solicitor General	Sent:	2015/04/24	Status:	Pending
To:	PSPB-Correspondence	Received:		Reason:	
Assign To:		Completed:		Due:	2015/05/14 (Active (14))
				File No.:	
				Ref Action:	Reply Direct E-Mail
				Subaction:	

## Anderson, Marika L JAG:EX

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**From:** Minister, JAG JAG:EX  
**Sent:** Friday, April 24, 2015 8:34 AM  
**To:** Thompson, Angella N JAG:EX  
**Subject:** Pamela McColl - Two further emails to be addedFW: Federal Government Critical of City of Vancouver's Plan to Allow Pot Stores

---

**From:** PAMELA MCCOLL [mailto:pjmccoll@shaw.ca]  
**Sent:** Friday, April 24, 2015 7:15 AM  
**To:** Minister, JAG JAG:EX  
**Subject:** Fwd: Federal Government Critical of City of Vancouver's Plan to Allow Pot Stores

Smart Approaches to Marijuana Canada replies to City of Vancouver's proposal to license illegal marijuana stores.

The City of Vancouver is charged with upholding not creating Canadian law. Irregardless if they do move to a licensing system for illegal marijuana stores they are bound to uphold and enforce Canadian law and to prosecute the operators of these enterprises. Their job may be easier once they have the names and details of the operators and have taken their \$30,000. Taking money from illicit business operations does not fit with the plans of good government.

We applaud the Federal Minister for writing to the City of Vancouver and for reiterating the fact that marijuana remains an unproven product in terms of medical benefits. These stores are operating and pushing their products by making false claims and unsubstantiated claims that put the public at risk. They are also willfully denying the contraindications for the use of marijuana something the medical marijuana licensees under the Health Canada program are forced to reveal when supplying drugs.

The stores in Vancouver are currently advertising on a popular Vancouver radio station which is also not permitted due to exposure to youth and young children to such messaging.

We do not support the City of Vancouver position that there issue is a gray issue or that they were forced to act due to a lack of Federal direction. They were elected to uphold the law and they are clearly not willing to do that after allowing these stores to operate and multiple for over the past year since the new marijuana for medical purposes program came into being.

Pamela McColl  
Smart Approaches to Marijuana Canada



Page 70 to/à Page 71

Withheld pursuant to/removed as

NR



## Anderson, Marika L JAG:EX

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**From:** Harrison, Katrina JAG:EX  
**Sent:** Thursday, April 23, 2015 2:59 PM  
**To:** Lenz, Allison JAG:EX  
**Subject:** FW: CLIFF Log ID 509112  
**Attachments:** 1720682.msg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Same writer, we could probably reply in one response? ☺

Katrina Harrison  
A/Correspondence Writer  
Policing and Security Branch, Ministry of Justice

**From:** CLIFF [<mailto:cliff.ops@gov.bc.ca>]  
**Sent:** Thursday, April 23, 2015 2:43 PM  
**To:** Harrison, Katrina JAG:EX  
**Cc:** Anderson, Marika L JAG:EX  
**Subject:** CLIFF Log ID 509112

SG-Solicitor General **Referral Slip for ID:509112**

2015/04/23

<i>Log Type:</i> <b>E-Mail</b>	<i>Action:</i> <b>Reply Direct E-Mail</b>	<i>Due:</i> <b>2015/05/13</b>
<i>Batch:</i>	<i>Subaction:</i>	

*Type:* Private Citizen  
Pamela McColl  
*Email:* [pjmccoll@shaw.ca](mailto:pjmccoll@shaw.ca)

*Written:* 2015/04/23 *Resp Type:*  
*Received:* 2015/04/23 *Entered By:* angetho  
*Due:* 2015/05/13  
*Interim:*  
*Signed:* *Sign By:*  
*Approved:* *Approved By:*  
*Closed:* *File No.:*

---

*Address To:* SG *Issue:*  
*Copy To:* *X-Ref:*  
*Drafter:*  
*MLA:* *Electoral Dist:*

---

***Subject***

I am writing to ask that you consider intervening in the motion before the City of Vancouver that would see the licensing of illegal marijuana stores.

It is illegal to sell marijuana from storefronts in Canada as you will be well aware.

**Referral** SG-Solicitor General -> SG-Solicitor General

From: SG-Solicitor General Sent: 2015/04/23 Status: Completed Ref Action: Reply Direct E-Mail  
To: SG-Solicitor General Received: 2015/04/23 Reason: Subaction:  
Assign To: Completed: 2015/04/23 Due: 2015/05/13 File No.:

**Referral** SG-Solicitor General -> SG-Solicitor General -> PSPB-Correspondence

From: SG-Solicitor General Sent: 2015/04/23 Status: Pending Ref Action: Reply Direct E-Mail  
To: PSPB- Correspondence Received: Reason: Subaction:  
Assign To: Completed: Due: 2015/05/13 (Active (14)) File No.:

## Anderson, Marika L JAG:EX

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**From:** Minister, JAG JAG:EX  
**Sent:** Thursday, April 23, 2015 2:36 PM  
**To:** Thompson, Angella N JAG:EX  
**Subject:** FW: Marijuana in Vancouver

Hi Angella,

Can we please include this one as well.

Candice

---

**From:** PAMELA MCCOLL [<mailto:pjmccoll@shaw.ca>]  
**Sent:** Thursday, April 23, 2015 9:23 AM  
**To:** Minister, JAG JAG:EX  
**Subject:** Marijuana in Vancouver

Dear Hon Suzanne Anton

I am writing to ask that you consider intervening in the motion before the City of Vancouver that would see the licensing of illegal marijuana stores.

It is illegal to sell marijuana from storefronts in Canada as you will be well aware.

There are currently 81 stores currently operating in the City of Vancouver.  
They are operating without adequately warning their customers of risks and dangers associated with use.

These organization are also making false claims about the benefits of their products.

I am writing to ask that the BC Government become involved in this issue with the goal of shutting down these organization. These organizations pose a threat to public safety.

Pamela McColl  
Smart Approaches To Marijuana Canada

604 563-0055



**Anderson, Marika L JAG:EX**

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**From:** Harrison, Katrina JAG:EX  
**Sent:** Thursday, April 23, 2015 2:57 PM  
**To:** Lenz, Allison JAG:EX  
**Subject:** FW: CLIFF Log ID 509113  
**Attachments:** 1720687.msg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Over to you? ☺

**Katrina Harrison**  
A/Correspondence Writer  
Policing and Security Branch, Ministry of Justice

**From:** CLIFF [<mailto:cliff.ops@gov.bc.ca>]  
**Sent:** Thursday, April 23, 2015 2:47 PM  
**To:** Harrison, Katrina JAG:EX  
**Cc:** Anderson, Marika L JAG:EX  
**Subject:** CLIFF Log ID 509113

SG-Solicitor General **Referral Slip for ID:509113**

2015/04/23

<i>Log Type:</i> <b>E-Mail</b>	<i>Action:</i> <b>Reply Direct E-Mail</b>	<i>Due:</i> <b>2015/05/13</b>
<i>Batch:</i>	<i>Subaction:</i>	

*Type:* Private Citizen  
Pamela McColl  
*Email:* [pjmccoll@shaw.ca](mailto:pjmccoll@shaw.ca)

*Written:* 2015/04/23 *Resp Type:*  
*Received:* 2015/04/23 *Entered By:* angeth  
m  
*Due:* 2015/05/13  
*Interim:*  
*Signed:* *Sign By:*  
*Approved:* *Approved By:*  
*Closed:* *File No.:*

---

*Address To:* SG *Issue:*  
*Copy To:* *X-Ref:*  
*Drafter:*  
*MLA:* *Electoral Dist:*

**Subject**

It has come to my attention that a radio station in BC is advertising for marijuana products that can be delivered to the home.

It is my clear understanding that is is not legal to advertise and pay for such advertising

**Referral** SG-Solicitor General -> SG-Solicitor General

From: SG-Solicitor General Sent: 2015/04/23 Status: Completed Ref Action: Reply Direct E-Mail  
To: SG-Solicitor General Received: 2015/04/23 Reason: Subaction:  
Assign To: Completed: 2015/04/23 Due: 2015/05/13 File No.:

**Referral** SG-Solicitor General -> SG-Solicitor General -> PSPB-Correspondence

From: SG-Solicitor General Sent: 2015/04/23 Status: Pending Ref Action: Reply Direct E-Mail  
To: PSPB-Correspondence Received: Reason: Subaction:  
Assign To: Completed: Due: 2015/05/13 (Active (14)) File No.:



## Anderson, Marika L JAG:EX

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**From:** Minister, JAG JAG:EX  
**Sent:** Monday, May 11, 2015 11:32 AM  
**To:** Thompson, Angella N JAG:EX  
**Subject:** Reply Direct please - FW: Cannabis dispensary regulation in Vancouver  
**Attachments:** submission to Vanc council.docx

---

**From:** Tennant, Laura JAG:EX  
**Sent:** Monday, May 11, 2015 11:21 AM  
**To:** Minister, JAG JAG:EX  
**Subject:** FW: Cannabis dispensary regulation in Vancouver

Reply direct please.

Thank you

---

**From:** Minister, JAG JAG:EX  
**Sent:** Friday, May 8, 2015 11:14 AM  
**To:** Tennant, Laura JAG:EX  
**Subject:** FW: Cannabis dispensary regulation in Vancouver

Hi Laura,

Action please – many thanks,

Candice

---

**From:** Anton.MLA, Suzanne [<mailto:Suzanne.Anton.MLA@leg.bc.ca>]  
**Sent:** Friday, May 8, 2015 10:21 AM  
**To:** Minister, JAG JAG:EX  
**Subject:** FW: Cannabis dispensary regulation in Vancouver

## Yulin Shih

Constituency Assistant to  
Honourable Suzanne Anton, Q.C.  
MLA, Vancouver-Fraserview  
Office: (604) 660-2035 | Direct: (604) 660-2228

**From:** Steve Finlay [<mailto:steve.finlay@leap.cc>]  
**Sent:** April 28, 2015 9:46 AM  
**To:** Cadieux.MLA, Stephanie; Plecas.MLA, Darryl; Hogg.MLA, Gordon; Anton.MLA, Suzanne; Lake.MLA, Terry  
**Cc:** Joy Davies; Jennifer Collett  
**Subject:** Cannabis dispensary regulation in Vancouver

Dear Sirs and Mesdames,

We are writing to you, as ministers and members of the Government of British Columbia, to propose that you seriously consider the opportunity to become leaders in the area of cannabis regulation at the provincial level, just as the City of Vancouver is doing at the municipal level. We are the Canadian Medical Cannabis Partners Society (CMCP), an incorporated non-profit organization that represents the interests of patients. Our primary goal is to persuade provincial governments to regulate medical cannabis properly within the provinces' health care systems.

(A note to Mr. Plecas: In this particular matter, I do not represent Law Enforcement Against Prohibition (Canada), as I did in our previous discussions.)

In our view, there are two important lessons to be learned from Vancouver's actions. First, other levels of government are not forced to wait and do nothing merely because the federal government refuses to act. Regulations can be designed and applied within the powers of each level of government.

Second, cannabis advocates and the so-called "cannabis culture" will, for the most part, respond cooperatively and positively to governments that introduce reasonable regulatory initiatives. Of course, there are exceptions; several radicals have made statements that do not contribute to a useful dialogue. But the majority of medical cannabis advocates strongly support the overall objectives of the City of Vancouver. To illustrate this, I have attached the CMCP's own submission, which was delivered to Vancouver City Hall on April 27.

We ask that you consider studying the situation to determine what could be done at the provincial level to enable medical cannabis to be an effective and well managed element within BC's health care system. We have prepared our own high level proposal for provincial action, which some of you may have seen. We would be very pleased to discuss this question with representatives of your government at any time.

--

Steve Finlay  
Government Relations Director - Canadian Medical Cannabis Partners

## Anderson, Marika L JAG:EX

---

**From:** Holmes, Kjerstine L JAG:EX  
**Sent:** Thursday, April 23, 2015 11:18 AM  
**To:** Lenz, Allison JAG:EX  
**Subject:** FW: IN - Marijuana Regulation  
**Attachments:** IN\_Vancouver Marijuana regulation\_22 Apr 2015\_FINAL.DOCX

Hi Allison,

Any concerns on the messaging in the attached IN?

Kjerstine

---

**From:** Sitter, Donna GCPE:EX  
**Sent:** Thursday, April 23, 2015 10:55 AM  
**To:** Holmes, Kjerstine L JAG:EX  
**Subject:** IN - Marijuana Regulation

Kjerstine, can you please review thanks - and who else should see it.

---

**From:** Groot, Jeff GCPE:EX  
**Sent:** Thursday, April 23, 2015 10:40 AM  
**To:** Sitter, Donna GCPE:EX; Indridson, Ian GCPE:EX  
**Cc:** Carwithen, Kelsie GCPE:EX; Schollen, Tasha GCPE:EX  
**Subject:** FW: IN - Marijuana Regulation

Donna/Ian, can you run this past PSD just to make sure they're good with it?

---

**From:** Carwithen, Kelsie GCPE:EX  
**Sent:** Thursday, April 23, 2015 10:40 AM  
**To:** Jabs, Ryan GCPE:EX; Groot, Jeff GCPE:EX; Edwardson, Jamie GCPE:EX; Gleeson, Kelly T GCPE:EX; Rhodes, Gillian GCPE:EX  
**Cc:** Schollen, Tasha GCPE:EX; Cador, Jennifer GCPE:EX  
**Subject:** RE: IN - Marijuana Regulation

Updated IN with the following messages:

### **If asked whether province has power to shut down pot businesses if they're operating illegally:**

- The Province has no such power.
- If medical marijuana businesses are operating contrary to the Controlled Drugs and Substances Act (Canada), that is a matter for the police.
- Similarly, if medical marijuana businesses are operating contrary to a municipal bylaw, it is up to the municipality to deal with any contravention.

---

**From:** Carwithen, Kelsie GCPE:EX

**Sent:** Thursday, April 23, 2015 8:35 AM

**To:** Jabs, Ryan GCPE:EX; Groot, Jeff GCPE:EX; Edwardson, Jamie GCPE:EX; Gleeson, Kelly T GCPE:EX; Rhodes, Gillian GCPE:EX

**Cc:** Scholien, Tasha GCPE:EX; Cador, Jennifer GCPE:EX

**Subject:** IN - Marijuana Regulation

Hi folks – here is our marijuana regulation IN.

Cheers,

**Kelsie Carwithen**, Communications Manager

Ministry of Justice, Attorney General Communications Office

Phone: 250-952-7302 Cell: s.17

## MARIJUANA REGULATION

### CITY OF VANCOUVER

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**MANDATE:** Ensure B.C. law is upheld.

**TOP MESSAGES:**

- I am aware of a recent proliferation of marijuana-related businesses and that the City of Vancouver is proposing a regulatory framework for them.
- My understanding is that the proposal has not yet been presented to Council. I am not going to speculate on Vancouver's proposal before having had a chance to study it.
- For now, what I can say is that possession of marijuana falls under federal legislation. It is prohibited under the Controlled Drugs and Substances Act, though there are exceptions for medicinal use.
- This is a complex issue and I look forward to receiving further details.

**If asked whether government will tax marijuana sales:**

- s.13

**If asked about police enforcement of marijuana:**

- The Province doesn't make operational decisions for police, who decide independently on investigations.
- They have the ability to use discretion in their day-to-day operations as they work in the best way possible to uphold the law.

## MARIJUANA REGULATION

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### CITY OF VANCOUVER

#### **If asked whether province has power to shut down pot businesses if they're operating illegally:**

- The Province has no such power.
- If medical marijuana businesses are operating contrary to the Controlled Drugs and Substances Act (Canada), that is a matter for the police.
- Similarly, if medical marijuana businesses are operating contrary to a municipal bylaw, it is up to the municipality to deal with any contravention.

# MARIJUANA REGULATION

## CITY OF VANCOUVER

### BACKGROUND:

On Apr. 22, 2015, the City of Vancouver issued a news release announcing that it intends to propose a framework to regulate marijuana-related businesses. The proposal will be presented to Council during the week of Apr. 27, 2015.

The proposal will involve the creation of a new business licence category as well as clear zoning requirements to which all retail marijuana-related businesses would be required to adhere.

The release cites a growth rate of 100 per cent per year in marijuana-related businesses in Vancouver.

Specific points under the proposed framework include:

- 300m distancing from schools, community centers and neighbourhood houses
  - *Existing practice is 1000ft as established in WA and CO states)*
- 300m distancing from other marijuana-related businesses
  - *(Existing practice is 1000ft as established in WA and CO states)*
- Implement a licensing fee (\$30,000) to recover costs from the significant burden across the City to manage and enforce new regulatory framework
- Operators must sign a Good Neighbour Agreement
- Operators require a Development Permit which would include a standard community notification process
- Geographic restrictions specific to unique areas in the city, limiting them to commercial areas

Program Area	Deputy / ADM	GCPE
Richard Butler – Apr. 22/15	Kurt Sandstrom – Apr. 22/15 Richard Fyfe – Apr. 22/15	J. Cadot – Apr. 22/15 K. Carwithen – Apr. 22/15 T. Scholien – Apr. 23/15





**\*\*To be sent from PSB mailbox\*\***

Ms. Pamela McColl  
Smart Approaches to Marijuana Canada  
E-mail: [pjmccoll@shaw.ca](mailto:pjmccoll@shaw.ca)

Dear Ms. McColl:

Thank you for your April 23<sup>rd</sup> and 24<sup>th</sup>, 2015 emails regarding marijuana dispensaries and marijuana advertising in Vancouver.

The legislative responsibility for controlled drugs and substances, including marijuana, lies with the federal government. The federal *Controlled Drugs and Substances Act* provides for the control, import, production, export, distribution and possession of psychoactive substances in Canada.

As you note in your correspondence, the City of Vancouver is proposing a regulatory framework for businesses operating as marijuana dispensaries. s.13

s.13

City of Vancouver  
453 W 12th Ave  
Vancouver, BC V5Y 1V4

If you have questions regarding Vancouver City Council's authority to regulate marijuana dispensaries under the *Vancouver Charter* or other relevant provincial legislation, s.13  
you contact the Local Government Division of the Ministry of Community Sport and Cultural Development. s.13

[Insert contact info here]

s.13

In regards to marijuana that is required by individuals for medical purposes, Health Canada is responsible for managing the federal Medical Marijuana Access Program. If you have further questions or concerns regarding licenced commercial marijuana producers advertising their products, I would encourage you to contact Health Canada directly. s.13

s.13

at:

Marihuana Medical Access Division  
Controlled Substances and Tobacco Directorate  
Healthy Environments and Consumer Safety Branch  
Health Canada  
Address Locator 3503B  
Ottawa, Ontario, Canada K1A 1B9

E-mail: MMAP-PAMM@hc-sc.gc.ca  
Telephone: 1-866-337-7705  
Facsimile: 613-952-2196

Thank you for writing.

*Policing and Security Branch  
Ministry of Justice  
PO Box 9285, Stn Prov Govt  
Victoria BC V8W 9J7  
CLIFF# 502916*

SG-Solicitor General

Referral Slip for ID:509144

2015/05/14

<b>Log Type: E-Mail</b>	<b>Action: Reply Direct E-Mail</b>	<b>Due: 2015/05/14</b>
<b>Batch:</b>	<b>Subaction:</b>	

Type: Private Citizen  
 Pamela McColl  
 Email: pjmccoll@shaw.ca

Written: 2015/04/24

Received: 2015/04/24

Due: 2015/05/14

Interim:

Signed:

Approved:

Closed: 2015/04/29

Resp Type:

Entered By: angethom

Sign By:

Approved By:

File No.:

Address To: SG

Issue:

Copy To:

X-Ref: 509112, 509113 and 509146 + previous

Drafter: Allison Lenz

MLA:

Electoral Dist:

Subject

\*\*\*\*Ms.McColl sent in 4 emails which will be replied to in one email under CLIFF 509112\*\*\*\*

Smart Approaches to Marijuana Canada replies to City of Vancouver's proposal to license illegal marijuana stores. The City of Vancouver is charged with upholding not creating Canadian law. Irregardless if they do move to a licensing system for illegal marijuana stores they are bound to uphold and enforce Canadian law and to prosecute the operators of these enterprises

**Log Notes**

2015/04/24 Combine with previous

**Attachments**

Title: Pamela McColl - Two further emails to be addedFW Federal Government Critical of

Version: 1 Last Update: 2015/04/24

File: pamela mccoll - two further emails to be addedfw federal government critical of city of vancouver's

<b>Referral SG-Solicitor General -&gt; SG-Solicitor General</b>				
From: SG-Solicitor General	Sent: 2015/04/24	Status: Completed	Ref Action: Reply Direct E-Mail	
To: SG-Solicitor General	Received: 2015/04/24	Reason:	Subaction:	
Assign To:	Completed: 2015/04/24	Due: 2015/05/13	File No.:	

<b>Referral SG-Solicitor General -&gt; SG-Solicitor General -&gt; PSPB-Correspondence</b>						
<b>From:</b>	SG-Solicitor General	<b>Sent:</b>	2015/04/24	<b>Status:</b> Completed	<b>Ref Action:</b> Reply Direct E-Mail	
<b>To:</b>	PSPB-Correspondence	<b>Received:</b>	2015/04/24	<b>Reason:</b>	<b>Subaction:</b>	
<b>Assign To:</b>		<b>Completed:</b>	2015/04/29	<b>Due:</b>	2015/05/13	<b>File No.:</b>
<b>Referral Comments</b>						
2015/04/29 PSPB-Correspondence - This response will be drafted by Allison Lenz as a part of one email response from PSB replying to CLIFFs 509112, 509113, 509144 and 509146 all written by Ms. McColl						
- Closing this log: please refer to CLIFF 509112 for response						
2015/04/24 PSPB-Correspondence - fwd to Allison Lenz for review						

Ms. Pamela McColl  
Smart Approaches to Marijuana Canada  
E-mail: [pjmccoll@shaw.ca](mailto:pjmccoll@shaw.ca)

Dear Ms. McColl:

Thank you for your April 23<sup>rd</sup> and 24<sup>th</sup>, 2015 emails regarding marijuana dispensaries and marijuana advertising in Vancouver.

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As you note in your correspondence, the City of Vancouver is proposing a regulatory framework for businesses operating as marijuana dispensaries. Should you have concerns or to request information regarding this proposal, I recommend you contact the Vancouver City Council as follows:

Vancouver City Council  
453 W 12th Ave  
Vancouver BC V5Y 1V4

If you have questions regarding Vancouver City Council's authority to regulate marijuana dispensaries under the *Vancouver Charter* or other relevant provincial legislation, I suggest you contact the Local Government Division of the Ministry of Community Sport and Cultural Development as follows:

Local Government Division  
Ministry of Community Sport and Cultural Development  
PO Box 9839 Stn Prov Govt  
Victoria BC V8W 9T1  
[lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)

In regards to marijuana that is required by individuals for medical purposes, Health Canada is responsible for managing the federal Medical Marijuana Access Program. If you have further questions or concerns regarding licenced commercial marijuana producers advertising their products, I would encourage you to contact the Marijuana Medical Access Division directly at::

Marihuana Medical Access Division  
Health Canada  
Address Locator: 3503B  
Ottawa ON K1A 1B9  
E-mail: [MMAP-PAMM@hc-sc.gc.ca](mailto:MMAP-PAMM@hc-sc.gc.ca)  
Telephone: 1-866-337-7705

Thank you for writing.

*Policing and Security Branch  
Ministry of Justice  
PO Box 9285, Stn Prov Govt  
Victoria BC V8W 9J7  
CLIFF# 509112*

## **Thompson, Angella N JAG:EX**

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**From:** Minister, JAG JAG:EX  
**Sent:** Friday, April 24, 2015 8:34 AM  
**To:** Thompson, Angella N JAG:EX  
**Subject:** Pamela McColl - Two further emails to be addedFW: Federal Government Critical of City of Vancouver's Plan to Allow Pot Stores

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**From:** PAMELA MCCOLL [mailto:pjmccoll@shaw.ca]  
**Sent:** Friday, April 24, 2015 7:15 AM  
**To:** Minister, JAG JAG:EX  
**Subject:** Fwd: Federal Government Critical of City of Vancouver's Plan to Allow Pot Stores

Smart Approaches to Marijuana Canada replies to City of Vancouver's proposal to license illegal marijuana stores.

The City of Vancouver is charged with upholding not creating Canadian law. Irregardless if they do move to a licensing system for illegal marijuana stores they are bound to uphold and enforce Canadian law and to prosecute the operators of these enterprises. Their job may be easier once they have the names and details of the operators and have taken their \$30,000. Taking money from illicit business operations does not fit with the plans of good government.

We applaud the Federal Minister for writing to the City of Vancouver and for reiterating the fact that marijuana remains an unproven product in terms of medical benefits. These stores are operating and pushing their products by making false claims and unsubstantiated claims that put the public at risk. They are also willfully denying the contraindications for the use of marijuana something the medical marijuana licensees under the Health Canada program are forced to reveal when supplying drugs.

The stores in Vancouver are currently advertising on a popular Vancouver radio station which is also not permitted due to exposure to youth and young children to such messaging.

We do not support the City of Vancouver position that there issue is a gray issue or that they were forced to act due to a lack of Federal direction. They were elected to uphold the law and they are clearly not willing to do that after allowing these stores to operate and multiple for over the past year since the new marijuana for medical purposes program came into being.

Pamela McColl  
Smart Approaches to Marijuana Canada

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Withheld pursuant to/removed as

NR

SG-Solicitor General

Referral Slip for ID:509146

2015/05/14

<b>Log Type: E-Mail</b>	<b>Action: Reply Direct E-Mail</b>	<b>Due: 2015/05/14</b>
<b>Batch:</b>	<b>Subaction:</b>	
Type: Private Citizen Pamela McColl Email: pjmcoll@shaw.ca	Written: 2015/04/23 Received: 2015/04/24 Due: 2015/05/14 Interim: Signed: Approved: Closed: 2015/04/29	Resp Type: Entered By: angethom  Sign By: Approved By: File No.:
Address To: SG Copy To: Drafter: Allison Lenz MLA:	Issue: X-Ref: 509112, 509113 and 509144 + previous  Electoral Dist:	
<b>Subject</b>		

\*\*\*Ms.McColl sent in 4 emails which will be replied to in one email under CLIFF 509112\*\*\*

I have spent the day speaking with legal council across Canada and it is clear that the City of Vancouver's refusal to uphold the laws of Canada by not closing the illegal marijuana stores that are operating is in breach of their duty.

It is not up to the City of Vancouver to make laws but rather to enforce Provincial and Federal Law. They are not willing to do this and they have been critical of the Federal Government when in fact it is they that should be using law enforcement to close these facilities.

#### Log Notes

2015/04/24 Include in previous

#### Attachments

Title: Pamela McColl - Two further emails to be addedFW Federal Government Critical of Version: 1 Last Update: 2015/04/24  
File: pamela mccoll - two further emails to be addedfw federal government critical of city of vancouver's

<b>Referral SG-Solicitor General -&gt; SG-Solicitor General</b>			
From: SG-Solicitor General	Sent: 2015/04/24	Status: Completed	Ref Action: Reply Direct E-Mail
To: SG-Solicitor General	Received: 2015/04/24	Reason:	Subaction:
Assign To:	Completed: 2015/04/24	Due: 2015/05/14	File No.:

<b>Referral SG-Solicitor General -&gt; SG-Solicitor General -&gt; PSPB-Correspondence</b>			
From: SG-Solicitor General	Sent: 2015/04/24	Status: Completed	Ref Action: Reply Direct E-Mail
To: PSPB-Correspondence	Received: 2015/04/24	Reason:	Subaction:
Assign To:	Completed: 2015/04/29	Due: 2015/05/14	File No.:
<b>Referral Comments</b>			
2015/04/29 PSPB-Correspondence - This response will be drafted by Allison Lenz as a part of one email response from PSB replying to CLIFFs 509112, 509113, 509144 and 509146 all written by Ms. McColl - Closing this log; please refer to CLIFF 509112 for response			
2015/04/24 PSPB-Correspondence - forwarded to Allison Lenz for review			



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DUPLICATE

SG-Solicitor General

Referral Slip for ID:509112

2015/05/14

<b>Log Type: E-Mail</b>	<b>Action: Reply Direct E-Mail</b>	<b>Due: 2015/05/13</b>
<b>Batch:</b>	<b>Subaction:</b>	

Type: Private Citizen  
Pamela McColl  
Email: pjmcoll@shaw.ca

Written: 2015/04/23

Resp Type:

Received: 2015/04/23

Entered By: angelthom

Due: 2015/05/13

Interim:

Signed: 2015/05/04

Sign By:

Approved:

Approved By:

Closed: 2015/05/04

File No.:

Freq. Wr

Address To: SG

Issue:

Copy To:

X-Ref:

509113, 509144, 509146

Drafter:

MLA:

Electoral Dist:

Subject

\*\*\*This writer wrote in multiple times within a short period of time, in order to respond effectively we have drafted one letter in response to her 4 emails (all of the incoming emails are attached to this log.)\*\*\*

I am writing to ask that you consider intervening in the motion before the City of Vancouver that would see the licensing of illegal marijuana stores.

It is illegal to sell marijuana from storefronts in Canada as you will be well aware.

**Attachments**

Title: 509113 Incoming

Version: 1 Last Update: 2015/04/29

File: 509113 incoming.msg

Title: 509144 Incoming

Version: 1 Last Update: 2015/04/29

File: 509144 incoming.msg

Title: 509146 Incoming

Version: 1 Last Update: 2015/04/29

File: 509146 incoming.msg

Title: 509112 Incoming

Version: 1 Last Update: 2015/04/29

File: fw marijuana in vancouver.msg

**Referral SG-Solicitor General -> SG-Solicitor General**

From: SG-Solicitor General	Sent: 2015/04/23	Status: Completed	Ref Action: Reply Direct E-Mail
To: SG-Solicitor General	Received: 2015/04/23	Reason:	Subaction:
Assign To:	Completed: 2015/04/23	Due: 2015/05/13	File No.:

**Referral SG-Solicitor General -> SG-Solicitor General -> PSPB-Correspondence**

From: SG-Solicitor General	Sent: 2015/04/23	Status: Completed	Ref Action: Reply Direct E-Mail
To: PSPB-Correspondence	Received: 2015/04/23	Reason:	Subaction:
Assign To:	Completed: 2015/05/04	Due: 2015/05/13	File No.:

**Referral Comments**

2015/05/04 PSPB-Correspondence - approved by ADM Pecknold

- emailed to Ms. McColl via the JAG Policing and Security Branch generic mailbox (imported to CLIFF)
- emailed Allison Lenz, Kjerstine Holmes and Lisa Anderson to notify them that this letter has been approved and sent
- filed and closed

2015/04/30 PSPB-Correspondence - drafted by Allison Lenz, approved by Lisa Anderson and Kjerstine Holmes

- formatted by Katrina Harrison
- forward to ADM Pecknold for approval

2015/04/23 PSPB-PSD-INFRFN - fwd to Allison Lenz for a reply direct email response

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