Agenda – Executive Policy Committee – March 17, 2020

REPORTS

Item No. 2 Medical Cannabis Production – Winnipeg Zoning By-law No. 200/2006

STANDING COMMITTEE RECOMMENDATION:

On March 2, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development recommended to the Executive Policy Committee:

1. That the Winnipeg Public Service raise matters concerned with medical cannabis production within the City of Winnipeg with the Federal Government.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

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J. Veitch, Principal Planner, and R. Hayer, Planner, Planning, Property and Development Department provided a verbal report on the matter.

STANDING COMMITTEE RECOMMENDATION:

On September 4, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development received the verbal report of the Winnipeg Public Service as information and granted an extension of time of up to 180 days for the Winnipeg Public Service to report back on the on the recommendation of the Lord Selkirk-West Kildonan Community Committee.

J. Kiernan, Director of Planning, Property and Development Department provided a verbal update on the matter.

On June 24, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development laid the matter over to its meeting on September 4, 2019 to allow the Winnipeg Public Service time to consult with the Liquor, Gaming and Cannabis Authority of Manitoba.

Councillor Eadie, Mynarski Ward, submitted a communication dated June 24, 2019 with respect to the matter.

On May 27, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development directed the Winnipeg Public Service and Legal Services to provide a verbal report in 30 days on the recommendation of the Lord Selkirk-West Kildonan Community Committee.

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION:

On May 7, 2019, the Lord Selkirk-West Kildonan Community Committee passed the following motion:

WHEREAS it is not the intention of this motion to disrespect and deny the right of medical cannabis users to produce their own medical cannabis;

AND WHEREAS the City of Winnipeg has a number of by-laws that disallow property owners from having negative effects on neighbours property such as out of control noxious weeds and inappropriate operations such as an adult service in a residential neighbourhood;

AND WHEREAS Health Canada's Access to Cannabis for Medical Purposes Regulations (ACMP) provides details on certifying individuals to produce medical cannabis, allowing one individual to produce medical cannabis for two individuals with a prescription and allowing up to four prescriptions per property;

AND WHEREAS Health Canada's ACMP website at https://www.canada.ca/en/health-canada/services/information-bulletin-safety-security-considerations-producing-cannabis-for-own-medical-purposes.html refers to a certified medical cannabis producer needing to follow provincial and local zoning and other rules such as building codes;

AND WHEREAS Health Canada's Safety and Security Considerations goes on to describe the need for a medical cannabis facility to put in ventilation systems, refrain from using certain pesticides and fertilizers, refrain from using various chemicals when producing products like cannabis oil, and ensuring security measures such as cameras and not allowing the property to provide any identification characteristics on the property to prevent break ins and other crimes from happening at the facility (A separate ventilation stack is identifiable.);

AND WHEREAS at some level of production, the medical cannabis operations become light manufacturing (M1) defined below in the Zoning By-law:

> "light manufacturing" means the assembly, fabrication, and/or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odours, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building, and may include an area occupied by outside operations or storage of goods and materials used in the assembly, fabrication, or processing.

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

THEREFORE BE IT RESOLVED that the Lord Selkirk West Kildonan Community Committee recommend to the Standing Policy Committee on Property and Development, Heritage and Downtown Development that the Winnipeg Public Service be directed to:

1. Contact and work with expert/professional cannabis growers to determine what number of plant production constitutes light manufacturing; and

2. Once this number of plant production is determined, Zoning and Permits notify medical cannabis producers in residential properties that they need to arrange to produce their cannabis in M1 zoned properties.