

# **Cannabis Legalization in the Regional Municipality of Wood Buffalo**

July 9, 2018

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# Considerations

- The Federal Government has announced that recreational Cannabis will be legal in Canada on October 17, 2018
- Senate has already approved Bill C-45
- Alberta Cannabis Framework and *Cannabis Act*
- Indigenous communities
- Alignment with federal, provincial laws, rules and guidelines
- Recommendations to Council will balance community engagement results with research and best practices

# Goals & Timelines

- Project launch: Fall, 2017 (Provincial roundtable)
- Engagement started in February, 2018 in alignment with Provincial regulations
- Extensive community engagement sessions, resident survey, stakeholder meetings
- Public Engagement was completed in May, 2018
- Proposed Bylaws were developed and presented to Council in June, 2018
- **First reading: June 12, 2018**
- **Public hearing: July 9, 2018**

# Federal Legislation

- Legalization of cannabis in **October, 2018**
- Minimum age of **18** to consume and possess
- Possession: **up to 30 grams** per adult
- Does not include edible cannabis or cannabis cafés
- Includes up to **four cannabis plants** per household

# Provincial Legislation

- **Production/distribution** facilities regulated by Alberta Gaming and Liquor Commission (AGLC)
- Must be **18 years of age** to consume, possess and/or purchase
- **Cannabis and accessories-only** retail stores
- Minimum **100 meters from schools**, and Provincial **health care facilities**
- Online sales – managed by AGLC
- **Public consumption** up to municipalities

# Municipal Legislation

- **Land Use Bylaw**
  - Separation Distance and Zoning for Cannabis Retail Stores
  - Separation Distance and Zoning for Cannabis Production Facilities
  - Restrictions for growing four Cannabis plants per household
- **Smoke Free Bylaw**
  - Public consumption: Like tobacco or alcohol?
- **Business Licensing Bylaw**
- **Economic Development**

# Public Engagement: Overview

- Visits to all rural communities along with five engagement sessions for Urban Service Area (**13 total sessions**)
- Over 2,700 survey responses
- Over 1,000 direct interactions with residents
- Stakeholder meetings, correspondence and discussions

# Public Engagement: Overview

- 57% concerned about cannabis use where youth will gather (33% not concerned, 10% other)
- 79% want minimum distances to extend beyond schools, hospitals to other public spaces
- **Public consumption:** 38% combination, 29% like alcohol, 28% like tobacco, 5% other
- 40% think it should be banned in public
- 66% think it will be positive for the economy (18% disagree, 16% other)
- One common theme: **Protect youth as much as possible**



# Expected Business Impact

- The Planning and Development department receives 2-3 inquiries per day about Cannabis retail stores
- AGLC has received about twelve applications for Cannabis retail stores in Fort McMurray
- Fort McMurray First Nation 468 announced its plans for a production facility

# Brief of LUB - Definitions

## Cannabis Retail Store

- **Cannabis Retail Store:** A development that is used exclusively for retail sales of Cannabis and products that contain Cannabis in any form or proportion
- **Discretionary Use:** Municipal Planning Commission (allows a development officer to consider an application on its merit and the decision is advertised in newspaper for anyone to appeal)
- **Added layer of community input**

# Brief of LUB: Definitions

**Cannabis Production and Distribution Facility:** A development that is principally used for one or more of the following uses:

- Growth, cultivation and production of Cannabis
- Processing, testing, manufacturing and assembling of Cannabis and any products/medicines that contain Cannabis in any form or proportion
- Storage, shipping/delivering and distribution of Cannabis and/or products containing Cannabis in any form or proportion

# Brief of LUB: Definitions (continued)

- **Discretionary Use:** Municipal Planning Commission (allows a development officer to consider an application on its merit and the decision is advertised in the newspaper for anyone to appeal)
- **Added layer of community input**

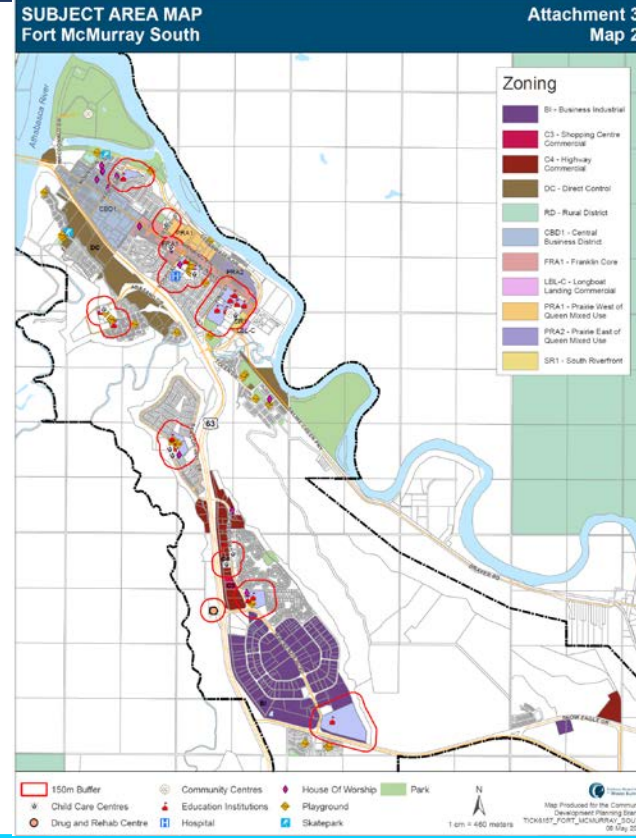
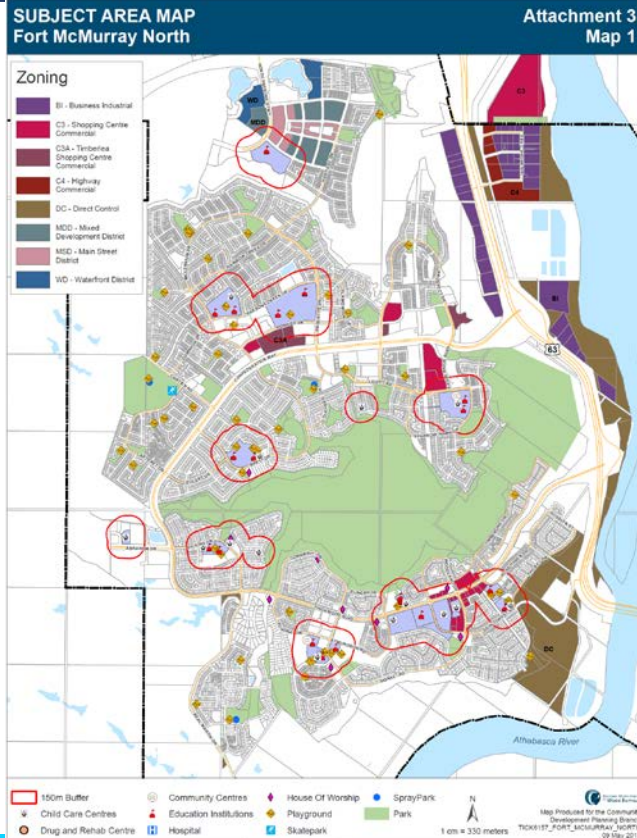
# Separation Distances

1. Balanced approach for development opportunities and restrictions
2. Maps with 50 meters, 100 meters, 150 meters, 200 meters and 300 meters separation distances around schools, day cares, health facilities, alcohol/drug rehabilitation centres and other public spaces were created to analyze locations

# Separation Distances

Retail Stores	Production Facilities
<ul style="list-style-type: none"><li>• 150 meters from schools, hospitals, alcohol/drug rehabilitation centres and day cares in the Urban Area</li><li>• 100 meters from schools and playgrounds in Hamlets</li></ul>	<ul style="list-style-type: none"><li>• 300 meters from schools, health facilities, and alcohol/drug rehabilitation centres</li></ul>
<ul style="list-style-type: none"><li>• Not immediately adjacent/abutting Residential Areas but on the main floor of mixed use buildings</li></ul>	<ul style="list-style-type: none"><li>• 300 meters from Residential Area</li></ul>
<ul style="list-style-type: none"><li>• The Development officer will have the authority to vary separation distances up to 10%</li></ul>	

# Separation Distance: 150 Meters



# Comparative Analysis: Retail Stores

Provincial Legislation	Calgary LUB	Edmonton proposed LUB	Red Deer LUB	Grand Prairie LUB	RMWB Proposed LUB
100 m separation distance from Provincial health care facilities	Not stated – will be required to meet 100 m Provincial separation distance	100 m separation distance from health care facilities	300 m separation distance from Provincial health care facilities	100 m separation from Provincial health care facilities	150 m from Provincial health care facilities
N/A	Stated a 150 m separation distance from emergency shelters	N/A	DC 19 excluding Cannabis Retail Store as a use in this District	100 m from addiction treatment centers	150 m from alcohol/drug addiction centers
100 m separation distance from schools	150 m separation distance from schools, no separation distance from post-secondary schools	200 m separation distance from schools and libraries	300 m from K-12 schools; 100 m for post-secondary, vacant SR parcels and private schools	300 m from High School; 150 m for elementary schools	150 m from lot containing Elementary, Junior High and High schools
N/A	No separation distances stated	100 m separation distance from: <ul style="list-style-type: none"> <li>public parks</li> <li>recreation facilities</li> </ul>	300 m from indoor recreation facilities	N/A	N/A
N/A	300 m separation distance between cannabis stores	200 m separation distance between cannabis stores	300 m separation distance between cannabis stores	180 m separation distance in central Commercial District	N/A



# Comparative Analysis: Retail Stores

Provincial Legislation	Calgary LUB	Edmonton Proposed LUB	Red Deer LUB	Grand Prairie LUB	RMWB Proposed LUB
N/A	10 m separation distance: <ul style="list-style-type: none"> <li>Child care services</li> </ul>	100 m separation distance from liquor stores	300 m separation distance from daycares	10 m separation distance from liquor stores	150 m from daycares
N/A	Districts with Cannabis Retail Sales – Commercial, Industrial, Mixed Use	Districts with Cannabis Retail Sales – Commercial, Mixed Use	Districts with Cannabis Retail Sales – C1, C4	Districts with Cannabis Retail Sales: Commercial and Industrial	Districts with Cannabis Retail Sales: Mixed use, Commercial and Industrial
N/A	Development Authority	Development Authority	Development Authority	Development Authority	Development Authority

# Cannabis Retail Store Legislation in BC

1. City of Victoria
  - 200 meters from schools
  - 400 meters from another Cannabis store
2. City of Vancouver
  - 300 meters from schools and community centers
  - 300 meters from another Cannabis store

# Restrictions: Conditions of Permit

- No consumption inside store/facility
- No outdoor storage in facilities
- Complaints related to odour (smell from fresh and dried cannabis, cannabis plants and products containing cannabis) must be dealt with within 48 hours

# Restrictions: Growing Plants

- In Single Family Housing, (including single detached, semi detached and row houses) 4 plants can be grown in:
  - House
  - Accessory Structure
  - Backyard
- In Multi-Family Housing such as apartments and condominiums, up to 4 plants can be grown within the private unit
- Growing Cannabis plants on Common Property (including balconies or exclusive use areas) will not be allowed

# Restrictions: Public Consumption

- Consuming Cannabis in any form (including smoking and vaping) in public places will not be allowed

**Questions?**

**Thank you**