

# WHAT WE HEARD: CANNABIS LEGALIZATION

## Workshops and Open Houses | November - December , 2017

### INTRODUCTION

On November 13 and 14 and December 13, 2017, City of Edmonton Administration held four stakeholder workshops to discuss the legalization of cannabis. The workshops were organized around small table discussions facilitated by City of Edmonton staff. The following stakeholders were invited to each workshop:

- **Session One** - members of the REACH Cannabis Coalition, which includes representatives from law and bylaw enforcement, Edmonton Fire Rescue Services, the Edmonton Chamber of Commerce, and utility companies
- **Session Two** - members of Business Improvement Associations and human resources-related cannabis consulting businesses
- **Session Three** - general stakeholders that inquired with the City about cannabis legalization and provided their email address for engagement opportunities
- **Session Four** - members of health and non-profit organizations, stakeholders involved in medical cannabis, and Indigenous communities

City staff also invited the public to attend Engage Edmonton events on November 14, 16, 23, 30 and December 30, 2017. Engage Edmonton events were open houses held throughout Edmonton and open to anyone. At these open houses attendees could learn about and provide feedback on multiple City projects, including cannabis legalization.

The discussions at both the stakeholder workshops and the open houses focused on four key topic areas that will help the City of Edmonton prepare for legalization:

- Where future cannabis stores should be allowed to locate
- What to consider for the application/licensing process for cannabis stores
- How smoking and vaping of cannabis in public should be restricted
- What key information stakeholders need to understand cannabis legalization

City staff received many questions at the stakeholder sessions and open houses that we do not have answers for yet. As we learn more from the federal and provincial government and work on updating City bylaw and processes, we will share more information at [www.edmonton.ca/cannabislegalization](http://www.edmonton.ca/cannabislegalization)

Check the website for:

- Frequently asked questions
- Legalization timeline
- Responsibilities of different levels of governments

## ENGAGEMENT SUMMARY

Below is brief summary of some of the key points we heard at the stakeholder workshops and Engage Edmonton events. Detailed comments are provided in the following pages.

- **Cannabis store locations** - Stakeholders expressed a range of opinions on location, but many noted the need for good visibility and not confining stores to industrial or out-of-the-way locations.
- **Separation from cannabis stores** - Most stakeholders agreed that separating cannabis stores from schools was important. There were different perspectives on what other places cannabis stores should be separated from and how large the distances should be.
- **Cannabis store application process** - Many stakeholders noted the need for an efficient, fair process, the desire for clear communication and information sharing with applicants as soon as possible, and the need for good review of security measures at stores.
- **Notification for new cannabis stores** - Many stakeholders stated that notification processes for new cannabis stores should be the same as any other development type and to be cautious of creating another hurdle in the application process. A few stakeholders wanted to see notification for information purposes even if there was not an opportunity to protest a new store opening.
- **Public smoking/vaping of cannabis** - Many stakeholders were in favour of creating more restrictive rules around where you can smoke or vape cannabis in public, however others felt cannabis should be treated the same as tobacco. Some stakeholders noted the challenges and resource requirements of enforcing restrictive public smoking laws.

These slides include some of the background information provided to participants, and the questions that were asked by City staff at the stakeholder workshops and the Engage Edmonton events.

## 1. CANNABIS STORE LOCATIONS

- Province has indicated stores will likely be private
- Cannot be sold with alcohol or pharmaceuticals
- Existing stores related to paraphernalia or medical cannabis will not automatically be able to sell cannabis
- There will be minimum separation distances between cannabis stores and places where children/youth gather

Cannabis Legalization  
Stakeholder Discussion - Nov 13, 2017

## 1. CANNABIS STORE LOCATIONS

- Where would cannabis stores fit the best in Edmonton?
- Should cannabis stores be separated from each other?
- How far away should cannabis stores be from places where children and youth gather?

Cannabis Legalization  
Stakeholder Discussion - Nov 13, 2017

## 2. APPLICATION PROCESS

FEDERAL	Establish cannabis potency and serving sizes Set rules for packaging and advertising
PROVINCE	manage distribution of cannabis from producers to stores Set rules for store management (hours of operation etc.)
CITY	<b>process development permit applications and business licenses for cannabis stores</b>

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Stakeholder Discussion - Nov 13, 2017

## 2. APPLICATION PROCESS

- What is most important to you about how the City deals with applications for cannabis stores?
- When and how should nearby property owners and the public be notified of a new cannabis store?

Cannabis Legalization  
Stakeholder Discussion - Nov 13, 2017

## 3. PUBLIC SMOKING

- Province has indicated smoking/vaping of cannabis will be allowed in similar public places as smoking tobacco
- Since cannabis lounges/cafes are not allowed right now, this provides a place to smoke outside of your home
- Cities have the opportunity to restrict smoking/vaping of cannabis more than the province if they choose to

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Stakeholder Discussion - Nov 13, 2017

## 3. PUBLIC SMOKING

- What do you think about allowing smoking and vaping of cannabis in public?
- Should cannabis be treated the same as tobacco or should it be more restricted?

Cannabis Legalization  
Stakeholder Discussion - Nov 13, 2017

## 4. YOUR QUESTIONS

- Cannabis legalization is a complicated process
- How we regulate and manage cannabis will evolve and change even after legalization
- We will work at providing useful information to you
- **We do not have all the answers, but we are learning together**

Cannabis Legalization  
Stakeholder Discussion - Nov 13, 2017

## 4. YOUR QUESTIONS

- What questions about cannabis legalization do you need answered?
- What gaps exist or what is confusing to you?
- What would be the best way for the City to share information with you?

[www.edmonton.ca/cannabislegalization](http://www.edmonton.ca/cannabislegalization) Cannabis Legalization  
Stakeholder Discussion - Nov 13, 2017

# CANNABIS STORE LOCATIONS

<b>Possible locations for cannabis stores</b>	<ul style="list-style-type: none"><li>● Some stakeholders thought the following locations would be appropriate for cannabis stores:<ul style="list-style-type: none"><li>○ Strip malls</li><li>○ Main streets</li><li>○ Downtown</li><li>○ Malls</li><li>○ Streets like Whyte Avenue, Jasper Avenue, 124 Street, and Stony Plain Road</li><li>○ Anywhere liquor stores are allowed</li><li>○ Industrial areas</li></ul></li><li>● Others thought that cannabis stores should be limited in entertainment districts like downtown and Whyte Avenue because the dangers of mixing alcohol and cannabis would create policing challenges</li><li>● The following criteria were thought to be important for deciding location<ul style="list-style-type: none"><li>○ Areas with lots of foot traffic</li><li>○ Good visibility and eyes on the street</li><li>○ Commercial areas, not in the middle of residential neighbourhoods</li><li>○ Good parking access</li></ul></li><li>● It was noted that cannabis stores could be a positive part of the community if they are well done and fit into the culture of the business area</li></ul>
<b>Clustering cannabis stores</b>	<ul style="list-style-type: none"><li>● There were different opinions about clustering cannabis stores together in specific locations</li><li>● Some felt that this would create a destination where people would know where to go to access cannabis and it was separate from bars and nightclubs</li><li>● Others were concerned about accessibility to stores and that clustering would require everyone to drive to purchase cannabis</li><li>● Some stakeholders thought spreading cannabis stores across the City to improve access would be a better model</li><li>● Some stakeholders noted that liquor and tobacco stores tend to cluster in areas with vulnerable populations and it is important to consider this when deciding where cannabis stores can be located<ul style="list-style-type: none"><li>○ Need to consider the perception of stores clustered and how that normalizes cannabis use</li></ul></li></ul>
<b>The number of cannabis stores</b>	<ul style="list-style-type: none"><li>● There was concern about locating too many cannabis stores in main street or Business Improvement Areas and the potential negative connotations if there was lots of cannabis stores on one block, rather than a diversity of businesses</li><li>● Some stakeholders want to see a limit on the number of stores that can open in Edmonton<ul style="list-style-type: none"><li>○ Some felt a cap would allow the City to proceed with caution and see what the impacts are and that online sales would still allow access to cannabis even if there are not that many stores open at first</li></ul></li><li>● Some thought piloting a smaller number of stores to start, perhaps based on a certain number per population would be a good tactic</li><li>● It was mentioned that if some municipalities in Alberta choose not to allow cannabis stores, Edmonton may see more store applications</li><li>● Many stakeholders did not like the idea of a cap on the number of stores for the following reasons:<ul style="list-style-type: none"><li>○ It could limit access, which would drive people to the black market</li></ul></li></ul>



- It could result in a bad operator sticking around, instead of naturally being forced out if a better operator is allowed to open up nearby
- There will be different styles of cannabis stores catering to different markets so different kinds should be allowed near each other to serve different types of customers (daily user versus more boutique customer)
- It will be difficult to determine fairly who gets a license first if there is a maximum number permitted
- Instead of a cap, some stakeholders thought setting a maximum density of stores in an area would prevent clustering or stigmatized neighbourhoods without being too restrictive
- Others thought that the number of stores should be dictated by the market

## CANNABIS STORE LOCATIONS - SEPARATION DISTANCES

### General comments on separation

- There was general concern that requiring too large of separation distances, or requiring separation distances from too many uses, could limit the possible location and number of cannabis stores
  - There was concern about forcing cannabis stores into industrial areas or other isolated areas of the city
  - Some mentioned that if cannabis stores have to be separated from alcohol stores or daycares it will drastically limit the location options, since there are so many of these businesses already existing in Edmonton
  - Others thought there should be no separation distances and we should let the market decide
- There were conflicting opinions about whether cannabis stores should be treated the same as alcohol stores or not when it comes to separation distances
  - Some suggested cannabis stores should be separated from additional uses than what alcohol stores must be separated from in Edmonton
  - Others stated that the minimum separation distances should be the same as what is in the Zoning Bylaw for alcohol stores
- Some stakeholders noted the need to consider harm reduction when deciding on separation distances and number of stores and to proceed with caution in order to understand the impacts of cannabis store locations on drug addiction and mental health
- Some noted that if separation distances are not strict then the operating rules for stores need to be more strictly regulated so that cannabis is not too heavily promoted and the amount of new users is limited

### What uses cannabis stores should be separated from

- Many stakeholders were not as concerned about cannabis stores being separated from each other
- There was agreement that separation from schools was important, but there were different opinions on what other uses cannabis stores should be separated from, including:
  - If they are separated from pawn shops, they should also be separated from cash or money lending businesses
  - Places that sell tobacco should also have separation distances to be consistent

	<ul style="list-style-type: none"> <li>○ Should be separated from liquor, tobacco, stores that sell pharmaceuticals</li> <li>○ It is more important to be separated from junior and senior high schools as there is more of a draw for teenagers than from elementary schools or daycares where they are not allowed to leave the grounds anyway</li> <li>○ Should not have to be separated from daycares</li> <li>○ Look at other places children gather to potentially have separation distances</li> <li>○ Need to define clearly what is meant by child care areas, and consider including daycares, after school care etc.</li> </ul>
<b>Suggested separation distances</b>	<ul style="list-style-type: none"> <li>● Different separation distances were suggested, including: <ul style="list-style-type: none"> <li>○ 100 meter separation from places where children and youth gather is not enough</li> <li>○ Two to four kilometer radius from schools</li> <li>○ Same rules as adult businesses</li> <li>○ 150 meters away from liquor stores</li> <li>○ 300 meter separation distance between cannabis stores</li> <li>○ 500 meter separation like Vancouver between cannabis stores</li> <li>○ 250 to 400 meter separation from schools</li> <li>○ Use a simple metric such as one or two blocks apart</li> <li>○ Tailor separation distances to the impact (smaller separation from daycares and parks and larger separation from schools)</li> </ul> </li> </ul>

## CANNABIS STORE APPLICATION PROCESS

<b>General thoughts on the application process</b>	<ul style="list-style-type: none"> <li>● Stakeholders shared their hope that the City will issue licenses to applicants that have everything together so that the permitted businesses will be successful and reflect well on the whole cannabis industry</li> <li>● Many stakeholders wanted to see a process set up for accepting and reviewing applications for cannabis stores prior to July 2018, so that stores could open their doors when legalization happens and meet market demand</li> <li>● Some stakeholders favoured a lottery system for awarding business licenses, while others were against a lottery system</li> <li>● Many stakeholders were interested in a scoring system for cannabis licenses that awarded points based on a list of attributes, such as having financial backing organized, knowledge of the industry, good record check etc.</li> <li>● Should look to other jurisdictions to learn what works well</li> </ul>
<b>Elements of a good application process</b>	<ul style="list-style-type: none"> <li>● There was concern that if the application process was too difficult it would push cannabis sales to stay in the black market</li> <li>● Stakeholders stated they were looking for an application process that included the following elements: <ul style="list-style-type: none"> <li>○ Clearly outlined process that is closely followed</li> <li>○ A way to check quickly if a location you want to open a store at will be a no-go or not (a list of automatic fails)</li> <li>○ Information on what is required to be successful in getting a license</li> <li>○ Clear communication with the applicant throughout the process</li> <li>○ Guidelines for how long the permitting process takes</li> <li>○ A list of of all required costs up front to help with securing financing</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Affordable licenses</li> <li>○ Well-trained staff</li> <li>○ Requirement of a \$50,000 Letter of Credit per store</li> <li>○ City review of applications that happens concurrently with provincial licensing process</li> <li>○ An online system for processing applications</li> <li>○ An online registry where applicants could indicate interest in different store locations</li> </ul>
<p><b>Fairness in the application process</b></p>	<ul style="list-style-type: none"> <li>● There was a suggestion to limit the number of stores that can be opened by one operator/business owner to prevent monopolies <ul style="list-style-type: none"> <li>○ Another suggestion was to have a certain percentage of permits issued to larger corporations and a certain percentage issued to smaller mom and pop stores</li> </ul> </li> <li>● Some stakeholders suggested giving priority to Alberta business owners first in the application process</li> <li>● There was concern that large established producers will open their own retail chains, which would be very difficult for small businesses to compete with</li> <li>● There was concern about a market for selling licenses and some suggestions for preventing this: <ul style="list-style-type: none"> <li>○ The person applying for a cannabis store license needs to be the operator (not the owner of the location)</li> <li>○ It should be illegal to assign a cannabis license to someone else</li> <li>○ There should be a requirement to have a landlord's commitment</li> </ul> </li> </ul>
<p><b>Store Design</b></p>	<ul style="list-style-type: none"> <li>● There was debate over controlling the design of cannabis stores versus treating them the same as any other business in Edmonton <ul style="list-style-type: none"> <li>○ Some stakeholders thought store facades should not include flashing signs and should appear 'classy'</li> <li>○ Some suggested tight sign regulations so that stores are discreet (similar to how they are designed in Denver, Colorado)</li> <li>○ Other suggested opaque windows so that people are not able to see the product unless they go inside the store</li> <li>○ Some noted that stores should not appeal to youth in any way</li> <li>○ Others stated that it would be unfair and prevent an efficient licensing process to have extra design requirements for cannabis stores</li> </ul> </li> <li>● There was a note that stores should have HVAC and purification systems to deal with odours, even from dry cannabis</li> <li>● Some thought, if properly ventilated, tasting rooms should be permitted in cannabis stores</li> <li>● Stores should be handicap accessible</li> </ul>
<p><b>Security measures</b></p>	<ul style="list-style-type: none"> <li>● There was lots of discussion around the security measures for new cannabis stores, including: <ul style="list-style-type: none"> <li>○ Using patron management plans similar to what is used for bars</li> <li>○ Require site security plans as part of the licensing process</li> <li>○ Require verifiable training of staff, such as a certificate program with safe serving knowledge</li> <li>○ Complete criminal record and background checks on everyone involved in the business and also affiliates to ensure there are not criminal connections</li> <li>○ Include internal area within stores where IDs are checked before you enter the area with cannabis products (buzz in option)</li> </ul> </li> </ul>

- Look at tracking clients or having a customer registry, although this does raise privacy concerns
- Stores should be designed to Crime Prevention Through Environmental Design (CPTED) standards
- There was a caution though, that applicants should not be unfairly treated in the application process based on a past record and some indicated that if applicants had only possession charges, and not violent records, they should not be excluded from opening a cannabis store
- There was also a note that security is very important because stores may face many robbery attempts
- It was suggested that a liaison team be created with policy and industry on it to create and share safety guidelines

## NOTIFICATION OF NEW CANNABIS STORES

### General comments on notification

- It was noted that the City needs to look at the purpose of notification:
  - Is the point to affect the decision to permit a cannabis store or not?
  - Is it for information purposes only?
  - How do you deal with the public feedback if people are in opposition to a cannabis store opening?
- There was a suggestion that new cannabis stores could host a public session before or after opening to ensure transparency and deal with public misinformation

### Support for notification

- Business Improvement Associations noted that they would like to be notified just for information purposes
- Some felt that 60 meters is too small of a notification area
- It was suggested that people in the cannabis industry should be notified of new store applications
- There was also a suggestion that community members should provide input on the number of stores in their neighbourhood
- There was a suggestion that there should be requirements for pre-consultation before stores open to have meaningful engagement with surrounding community

### Concerns with notification

- Some stakeholders were concerned that every cannabis store application will be appealed by the public and that this would be a huge barrier to stores being successful
- Some suggested that cannabis sales should be a permitted use in zones (permitted uses that comply with all rules must be approved), rather than a discretionary use (Development Officer can decide to approve or refuse based on the context of the Site), so that cannabis stores cannot be appealed by the public
- Stakeholders thought that the opportunity for feedback on the application should only be provided by those immediately impacted
- Many stakeholders noted that notification and signs for cannabis stores should be consistent with the City processes for other types of development
  - Stakeholders stressed that cannabis stores should not be treated differently in terms of notification



# PUBLIC SMOKING/VAPING OF CANNABIS

## General comments on smoking cannabis in public

- Many stakeholders noted that legalizing edibles and allowing cannabis lounges will minimize public smoking challenges
- Some felt that vaping should be allowed in more places than smoking cannabis because it has a much smaller impact in terms of smoke and odour
- Others noted that there is new technology all the time related to how you can consume cannabis that does not result in much smoke or impact to others
- There was general agreement that there should be good education materials in stores and on packaging that explain the different kinds of cannabis products and the varying impacts on health of smoking versus ingesting cannabis
- There was some concern that second hand smoke is toxic and we need to consider exposure to children and people with health issues
- Some stakeholders were concerned that it will be difficult for apartment dwellers or tourists to use cannabis recreationally if lease agreements or hotels will not allow smoking
- It was noted that if smoking cannabis is restricted in Edmonton more than the province, there could be court challenges
- Some stakeholders were concerned with odours and smoke on private property, particularly in condo/apartment buildings

## Why and where smoking cannabis should be restricted

- There were a range of opinions on how restrictive government should be on allowing smoking cannabis in public, including that it should be:
  - Banned in public, similar to alcohol
  - Treated the same as tobacco/cigarette smoke
  - Allowed only in designated areas where minors are not allowed
  - Not allowed in parks, at public events or at festivals
  - Not allowed in front of cannabis stores
  - Guided by common courtesy
  - Not restricted for medical cannabis users - they should have a license to smoke anywhere
  - Allowed if the product does not contain THC because that is what causes impairment
  - Only restricted in parks if playgrounds are part of the park or youth are present
- The following were the main concerns with cannabis smoking or vaping in public:
  - Cannabis odour is very strong (worse than tobacco)
  - Difficult for people with health concerns, such as asthma
  - Do not want youth exposed to cannabis smoke
  - Second-hand cannabis smoke can actually impair people, unlike tobacco
  - If people are lingering outside of cannabis stores smoking it will create the wrong image for cannabis retail stores and the industry in general

## Enforcement challenges with public smoking of cannabis

- Some stakeholders supported more resources for designated staff to enforce smoking/vaping laws and stricter fines
- Other stakeholders felt that there were too many enforcement challenges, including:
  - By the time peace officers receive complaints it is too late to follow up



- Smoking complaints are a low priority compared to other policing matters
- Not a good use of resources to spend on enforcing smoking laws
- Concerned that it will force people using cannabis in public into back alleys and desolate places

## MAIN QUESTIONS/INFORMATION NEEDED

- Many stakeholders wanted more information on the application and business licensing process for cannabis stores, including:
  - Security requirements from the province and the municipality
  - Licensing fees and timelines
  - Advertising guidelines/restrictions
  - Insurance requirements
  - Building code requirements
  - How the provincial and municipal processes will interact
- Some stakeholders noted the need for education materials on growing cannabis safely at home, including what is allowed and not allowed legally, and what are the consequences for growing unsafely or trying to extract cannabis oils at home
- Some stakeholders noted that there are many assumptions about cannabis that will need to be addressed and that education materials are needed on a wide range of topics and could be targeted to different stakeholders
- It was noted that coordination with the province is important to ensure consistent messaging and sharing of information about cannabis legalization
- Some stakeholders wanted more clarification on how the government is managing medical cannabis and why medicinal cannabis is taxed