

# CANNABIS REGULATIONS

## PHASE 2 PUBLIC ENGAGEMENT SUMMARY REPORT

MARCH 2019



## EXECUTIVE SUMMARY

This report summarizes the input received on the proposed regulations governing the sale and use of non-medical cannabis in the District of North Vancouver. Feedback was gathered on proposed regulations regarding land use for retail stores and warehousing, business licensing, and public consumption through a public online survey and stakeholder and retail sector representative meetings.

### WHAT WE HEARD

Overall, those who participated in the survey and attended the engagement sessions agreed with the proposed regulations. The following points summarize the key results and themes of the feedback received through the public engagement conducted between July and September, 2018:

- 69% of survey respondents and 69% of stakeholders and retail sector representatives agreed with allowing cannabis stores in zones that allow liquor stores, with a 200 metre school buffer.
- 65% of survey respondents and 81% of stakeholders and retail sector representatives agreed with the proposed hours of operation (9 am to 9 pm) and the additional fee for cannabis business licenses.
- 81% of survey respondents and 86% of stakeholders and retail sector representatives agreed with amending the District's Smoking Regulation Bylaw to add vaping and cannabis to the smoking definition, and prohibit smoking in areas frequented by children, including transit stops, parks, playgrounds, beaches, Lynn Valley Village, and Maplewood Farm.

For those who disagreed with the proposed amendments and regulations, some overall themes of people's responses included:

- Wanting to see fewer barriers to the sale and use of non-medical cannabis, and regulations that matched the provincial guidelines for cannabis and current regulations for the sale and use of alcohol more closely
- Did not want to see the sale or use of cannabis in the District be allowed in any areas or wanted the number of locations to be limited
- Against the legalization of non-medical cannabis entirely

Additionally, some respondents wanted to see more education and awareness about the new regulations and the health risks of using cannabis.



# TABLE OF CONTENTS

- 1.0 CONTEXT.....1**
- 2.0 PLANNING PROCESS.....3**
- 3.0 OPPORTUNITIES FOR INPUT .....3**
  - 3.1 ENGAGEMENT NOTIFICATION ..... 4
  - 3.2 ONLINE SURVEY ..... 4
  - 3.3 RETAIL SECTOR WORKING SESSION ..... 4
  - 3.4 STAKEHOLDER SESSION..... 4
- 4.0 WHAT WE HEARD.....5**
  - 4.1 ONLINE SURVEY & STAKEHOLDER MEETINGS..... 5
    - 4.1.1 Demographics..... 5
    - 4.1.2 Land Use Regulations for Non-Medical Cannabis Retail Use ..... 6
    - 4.1.3 Land Use Regulations for Non-Medical Cannabis Warehousing..... 8
    - 4.1.4 Business Licensing Regulations for Non-Medical Cannabis Retail Use..... 9
    - 4.1.5 Public Consumption of Non-Medical Cannabis ..... 10
- 5.0 CONCLUSION ..... 11**
- 6.0 NEXT STEPS ..... 12**



# 1.0 CONTEXT

In advance of the legalization of non-medical cannabis, which occurred on October 17, 2018, District staff reached out to the public seeking feedback on proposed regulations for governing the sale and use of non-medical cannabis. The proposed regulations included policies regarding land use for retail stores and warehousing, business licensing, and public consumption.

Members of the public, the cannabis retail sector, and stakeholder groups were asked to provide their feedback on the proposed regulations. The results are summarized in this report.

As part of the consultation process, a dedicated web page ([DNV.org/Cannabis](http://DNV.org/Cannabis)) was created to provide the public with background information on the *Cannabis Act*, roles and authority of each level of government, and links to applicable Government of Canada and Province of BC web sites to find additional information. Screen captures of this information are included below and on the following page.

## Background information

### The Cannabis Act

On October 17, 2018, non-medical cannabis use will become legal in Canada, under the Cannabis Act.

Under the Act, adults 18 or older will be legally able to:

- possess up to 30 grams of legal cannabis, dried or equivalent in non-dried form in public
- share up to 30 grams of legal cannabis with other adults
- buy dried or fresh cannabis and cannabis oil from a provincially-licensed retailer
- grow, from licensed seed or seedlings, up to 4 cannabis plants per residence for personal use
- make cannabis products, such as food and drinks, at home as long as organic solvents are not used to create concentrated products

## Learn more about legal cannabis use

### Government of Canada

[Get more details of the Cannabis Act](#)

[Get the facts about cannabis in Canada](#)

### Province of BC

[BC's approach to cannabis legalization](#)

[Bill 30: BC's Cannabis Control and Licensing Act](#)

[Nonmedical cannabis retail licencing](#)

["Don't Drive High": Public safety campaign](#)

Screen captures of background information and links to important web sites with more information, from [DNV.org/cannabis](http://DNV.org/cannabis)

### Which government regulates what?

While the federal and provincial governments will regulate much of the activity related to the production, sale, and use of cannabis, municipalities — including the District — have authority to make some of the decisions around how non-medical cannabis will be regulated, particularly related to public consumption, land use, and zoning.

Activity	Federal	Provincial	Municipal (DNV)
Possession limits	X		
Trafficking	X		
Advertisement & packaging	X		
Impaired driving	X	X	
Medical cannabis	X		
Seed-to-sale tracking system	X		
Production (cultivation and processing)	X		
Age limit (federal minimum)	X	X	
Public health	X	X	
Education	X	X	X
Taxation	X		X
Home cultivation (growing plants at home)	X		
Workplace safety		X	
Distribution and wholesaling		X	
Retail model		X	
Retail location and rules		X	X
Regulatory compliance	X	X	X
Public consumption		X	X
Land use/zoning		X	X

Screen capture of jurisdictional responsibilities from [DNV.org/cannabis](http://DNV.org/cannabis), with boxes highlighting municipalities' responsibilities



## 2.0 PLANNING PROCESS

The process to review and update the District’s cannabis regulations began in June, 2018 and included three phases, as shown below. Engagement with the community occurred between July and September, 2018. This report summarizes the feedback received through the online survey and stakeholder sessions.



## 3.0 OPPORTUNITIES FOR INPUT

In the second phase of this process, we asked key stakeholders and the broader public for their feedback on the proposed cannabis regulations. Feedback on the proposed regulations was collected through three methods:

- Online survey
- Retail sector working session
- Stakeholder meeting

Public engagement can occur across a range of participation levels, from informing to empowering. Different levels of engagement are appropriate at different times and for different projects. The goal for this engagement was to obtain public feedback on alternatives, which corresponds to the ‘Consult’ level on the International Association for Public Participation’s (IAP2) Spectrum of Public Participation. This means that we will keep you informed, and listen to and acknowledge your concerns and aspirations in developing final solutions. We will also report back to you on how your input influenced the decision.

### 3.1 ENGAGEMENT NOTIFICATION

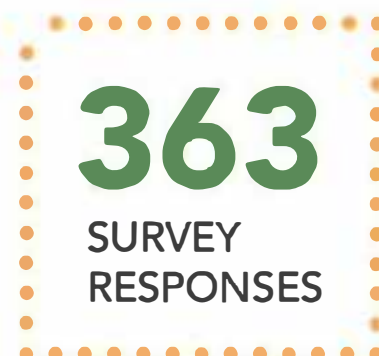
We used several methods to communicate the opportunities for input, including:

- North Shore News advertisements (Friday, July 20, Wednesday, July 25, and Sunday, August 5, 2018);
- The District’s website ([DNV.org](http://DNV.org)),
- Social media posts (DNV Facebook, Twitter, and LinkedIn)
- Paid social media ads (DNV Facebook); and
- The retail working session was advertised on the District’s website beginning on August 9, 2018, and an email invitation to attend the session was sent to cannabis retailers that had previously contacted the District.



### 3.2 ONLINE SURVEY

The online survey asked the public for input on proposed bylaw amendments to the District’s zoning, business licence, and smoking bylaws. The survey was open for three weeks on the District website, [DNV.org/Cannabis](http://DNV.org/Cannabis), from July 20, 2018 to September 7, 2018. In total, 363 partially or fully completed responses to the online survey were received.



### 3.3 RETAIL SECTOR WORKING SESSION

A working session with the retail sector was held on August 28, 2018 at District Hall. An invitation to sign up for the retail working session was posted on the District website on August 9, 2018. In total, 10 representatives from the retail sector attended the event.

### 3.4 STAKEHOLDER SESSION

A stakeholder meeting with representatives from the City of North Vancouver, District of West Vancouver, Vancouver Coastal Health (VCH – Medical Health Officer, representatives from the Regional Tobacco Reduction Program), RCMP, School District #44, Squamish First Nation, and North Vancouver Chamber of Commerce was held on September 7, 2018. In total, 10 stakeholders attended the event.



# 4.0 WHAT WE HEARD

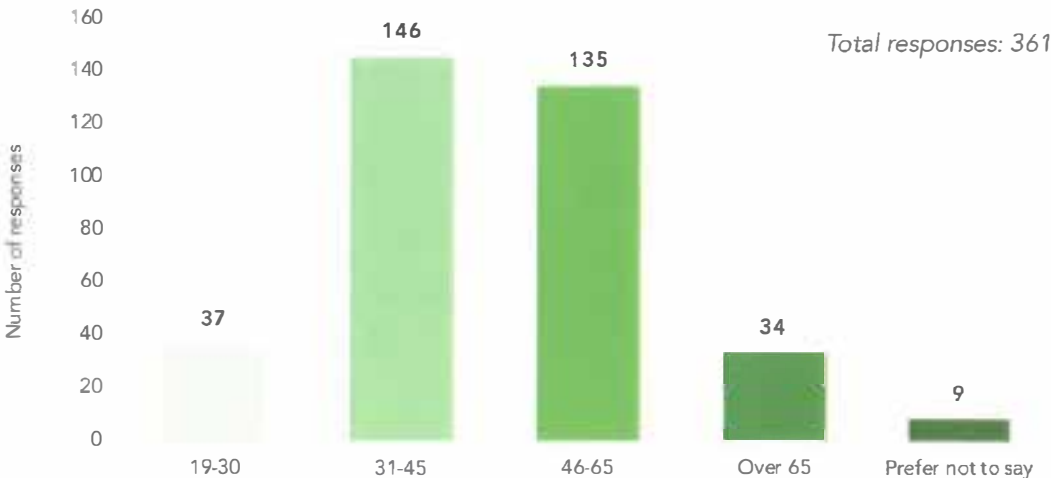
## 4.1 ONLINE SURVEY & STAKEHOLDER MEETINGS

A total of 363 partially or fully completed responses were received for the online survey. The number of responses to each question varied slightly because respondents may have chosen not to answer every question. Attendees of the stakeholder session and retail sector working session were also asked to complete a paper survey. In total, 16 completed paper surveys were received. Finally, a small number of emails providing feedback on the proposed regulations were also received.

In both the online and paper surveys, background information was provided to give respondents context for each question. The background information for each question is summarized in this report, and accompanies each set of related questions.

### 4.1.1 Demographics

Survey respondents were from a range of age groups, with the highest percentage (40%) indicating they were between the ages of 31-45. Demographics were not collected for stakeholder and retail sector meeting participants.







### 4.1.2 LAND USE REGULATIONS FOR NON-MEDICAL CANNABIS RETAIL USE

The province is permitting local governments to decide whether they wish to have cannabis retail stores in their municipalities.

#### Option 1

One approach recommended by staff is to allow non-medical cannabis retail stores in zones that permit the retail sale of liquor. Specifically, these zones include: C2, C9, C10, CD4, CD21, CD45, CD47, CD68, CD80, CD90, CD94, C1L, and Lot B at 1515 Barrow, but excluded the Public House C6 zone. This option included considering a buffer of either 200 or 300 metres from elementary and high schools to limit exposure to children and youth. It is important to note that with this approach, permission would not be guaranteed, as it would still be subject to public input.

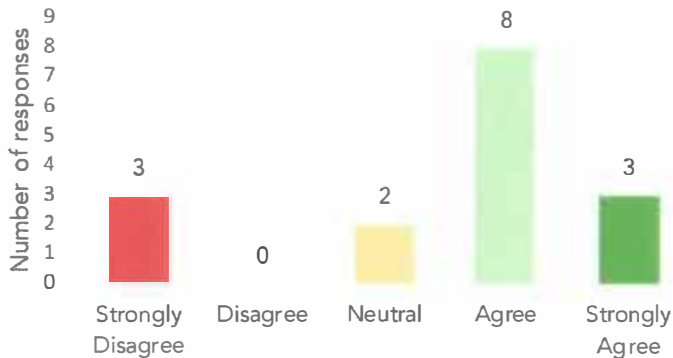
#### Option 1

A total of 69% of respondents (248 responses out of 360) agreed with the recommendation to allow cannabis stores in zones that allow liquor stores (with a 200m school buffer). Stakeholders and representatives of the retail sector responded similarly, with 69% of responses (11 people out of 16) agreeing or strongly agreeing with this approach.

Do you agree with this recommendation to allow cannabis stores in zones that allow liquor stores (with a 200m school buffer)?



Do you agree with this approach for cannabis retail use (Option 1)?





Of the respondents who did not agree, the primary reasons given were:

- The buffer zone around schools should be increased to a greater distance
- There should be no buffer zone around schools, since liquor is not subject to the same regulation and it is illegal to sell to minors regardless of where a store is located
- Not enough locations are eligible and those that are eligible are too concentrated
- The number and location of eligible lots needs to be restricted further

Suggestions given by respondents included:

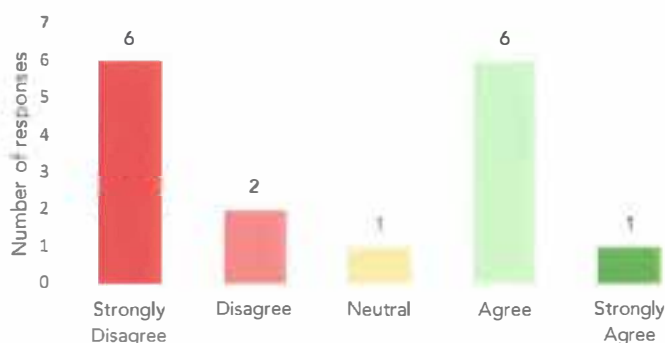
- Distribute the eligible locations more equitably across the District
- Limit the number of retail locations allowed in the District

### **Option 2**

An alternative approach is to consider rezoning applications for cannabis retail stores on a case-by-case basis. This would result in Council needing to approve amendments to the zoning bylaw for each individual application.

Stakeholders and retail sector representatives were asked directly about Option 2, and the response was relatively evenly split, with 8 people *disagreeing* or *strongly disagreeing* with this approach and 7 people *agreeing* or *strongly agreeing*. Of the survey respondents who commented on the proposed retail location regulations, close to half expressed that the sale of cannabis should not be allowed in the District or that the District should limit the number of eligible locations further.

Do you agree with this approach for cannabis retail use (Option 2)?



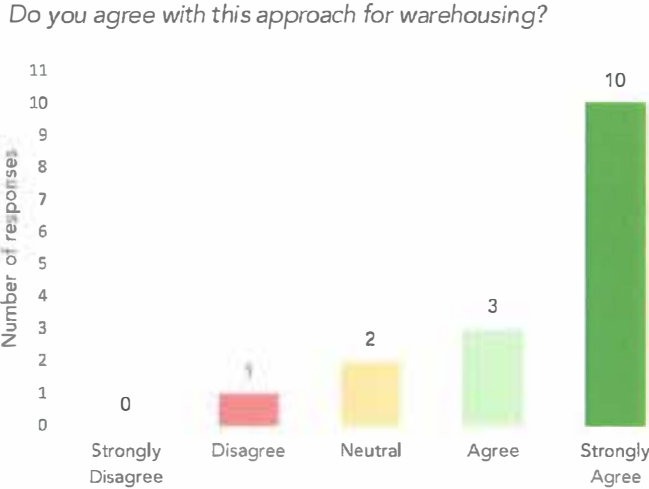
Stakeholders and retail sector representatives acknowledged that with Option 2, the District would have more control over the number and proximity of retail locations. However, they also raised that this would be time-consuming and expensive for the District, and could be appear to be an unfair process.



### 4.1.3 LAND USE REGULATIONS FOR NON-MEDICAL CANNABIS WAREHOUSING

The BC Liquor and Cannabis Distribution Branch is responsible for the distribution of cannabis from licensed producers to both public and private retail locations. The District is considering allowing government cannabis warehouses to distribute cannabis in all zones that permit warehousing and warehouse use.

Stakeholders and retail sector representatives were asked for their thoughts on warehousing and distribution of non-medical cannabis. Of the 16 surveys received, 13 people (81%) agreed or strongly agreed with the proposed approach for warehousing non-medical cannabis.



Although not directly asked, some respondents to the public survey mentioned that they did not agree with the BC Liquor and Cannabis Distribution Branch being in charge of distribution, and would rather see it handled by private enterprise.

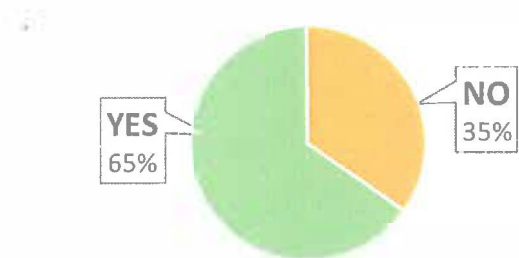
## 4.1.4 BUSINESS LICENSING REGULATIONS FOR NON-MEDICAL CANNABIS RETAIL USE

The public was asked whether or not they agreed with the following proposed amendments to business licencing regulations:

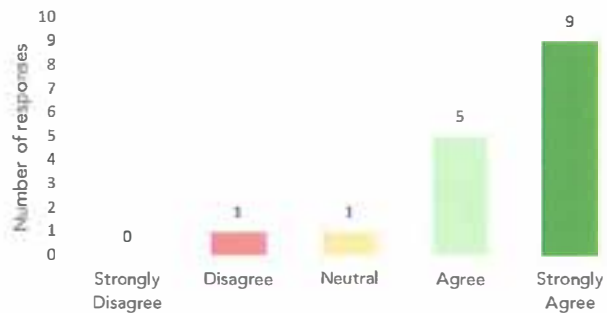
- Amending the existing District Business Licence Bylaw to include retail cannabis stores as a new business class
- Restricting cannabis store hours of operation to 9 am to 9 pm
- Creating a new fee for cannabis business licences that will cover the cost of staff time required to oversee new cannabis businesses

A total of 65% of respondents (228 responses out of 350) agreed with the proposed amendments. Stakeholders and representatives of the retail sector were more in favour of the proposed amendments than the public, with 88% of responses (14 people out of 16) agreeing or strongly agreeing with this approach.

Do you agree with this recommendation for licensing and store hours?



Do you agree with this approach for business license regulations for cannabis retail use?



Of the respondents who did not agree, the primary reason that was given was:

- Hours of operation should be longer (9 am to 11 pm) to match the provincial guidelines and current regulations for liquor store hours

Other suggestions included:

- Limiting store hours at first, and then relaxing them after some time passes
- Having extended store hours only on the weekend

Several respondents also commented that the District should not impose high fees and taxes, as that will result in higher prices for consumers, which will continue to drive people to unlicensed sellers.



#### 4.1.5 PUBLIC CONSUMPTION OF NON-MEDICAL CANNABIS

The province is generally allowing the use of non-medical cannabis in public spaces where tobacco smoking and vaping is permitted, with the exception of areas frequented by children, including community beaches, parks, and playgrounds. Cannabis use is also banned in vehicles.

The proposed amendments to public consumption regulations in the District included:

- Adding cannabis and vaping under the definition of 'smoking' in the existing District Smoking Regulation Bylaw

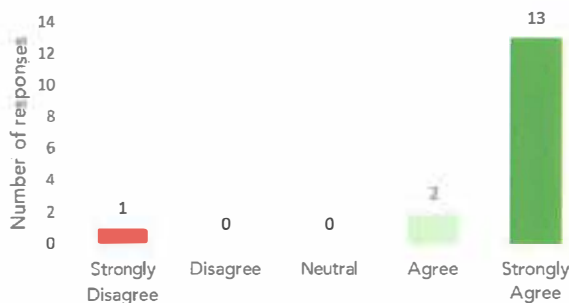
This means that businesses will be required to post a sign remind people to smoke at least six metres away from doors, windows, and air intakes. Since the District Smoking Regulation Bylaw also prohibits smoking within 6 metres of transit stops, Lyn Valley Village, and Maplewood Farm Vancouver, the proposed amendment would mean that cannabis use would also be banned in these locations. Vancouver Coastal Health is responsible for enforcing this bylaw.

A total of 81% of respondents (285 responses out of 350) agreed with the proposed amendments. Stakeholders and representatives of the retail sector were more in favour of the proposed amendments than the public, with 94% of responses (15 people out of 16) agreeing or strongly agreeing with this approach.

*Do you agree with our recommendations for the public consumption of cannabis?*



*Do you agree with this approach for public consumption of cannabis?*



Of the respondents who did not agree, the primary reason that was given was:

- Smoking (or vaping) cannabis should not be allowed in public places at all; it should be treated like alcohol and should only be allowed in people's private residences
- Distance from openings should be increased (stakeholder responses indicated that the



distance should be increased to 9 metres)

Other concerns included:

- Smoking of cannabis in multi-family buildings; some respondents wanted to see it banned in these types of housing units
- Smelling cannabis from neighbours using it on their property
- Whether Vancouver Coastal Health has the capacity to enforce the bylaws

## 5.0 CONCLUSION

Overall, those who participated in the survey and attended the engagement sessions agreed with the proposed regulations.

- 69% of survey respondents and 69% of stakeholders and retail sector representatives agreed with allowing cannabis stores in zones that allow liquor stores, with a 200 metre school buffer.
- 65% of survey respondents and 81% of stakeholders and retail sector representatives agreed with the proposed hours of operation (9 am to 9 pm) and the additional fee for cannabis business licenses.
- 81% of survey respondents and 86% of stakeholders and retail sector representatives agreed with amending the District's Smoking Regulation Bylaw to add vaping and cannabis to the smoking definition, and prohibit smoking in areas frequented by children, including transit stops, parks, playgrounds, beaches, Lynn Valley Village, and Maplewood Farm.

For those who disagreed with the proposed amendments and regulations, some overall themes of people's responses included:

- Wanting to see fewer barriers to the sale and use of non-medical cannabis, and regulations that matched the provincial guidelines for cannabis and current regulations for the sale and use of alcohol more closely
- Did not want to see the sale or use of cannabis in the District be allowed in any areas or wanted the number of locations to be limited
- Against the legalization of non-medical cannabis entirely

Additionally, some respondents wanted to see more education and awareness about the new regulations and the health risks of using cannabis.



## 6.0 NEXT STEPS

This report will be shared with Council. The feedback received on business licensing regulations and land use regulations for non-medical cannabis will be incorporated in the recommended approach forwarded for Council consideration in March, 2019.





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