

Report Back on City of Nelson Open House (May 1, 2018) to Share Regulation Options for Cannabis Legalization at the Local Level

The purpose of the open house was to inform residents and businesses on:

- How their input helped guide the development of the regulation options
- Proposed regulations
- Next steps for the City

Approximately 40 people attended with 35 filling out a comment card choosing options for potential regulations and providing additional comments.

Participants provided comments on the topics of:

- Retail locations, caps and separation distances including both those promoting no caps and those promoting being strict and loosening regulations over time.
- Education on cannabis for City staff as well as public
- Having safe places to smoke
- Ensuring distance from schools, places youth frequent

Some people spoke to issues out of the City's control such as lounges, and loosening Federal and Provincial regulations related to growing on private property. The topics of tourism and local economy were mentioned as items for the City to consider.

Participants were asked to choose potential options for regulations. Based on those that attended, the most variation in responses was related to the retail locations, separation distances and potential caps on number of stores. The highest number of responses supported 150 metres separation distance between cannabis stores and schools, youth facilities, parks and playgrounds with no separation distances between cannabis stores. This option also had an overall cap of 5 stores, by area. The other responses were spread over the three other regulation options that included zero stores, 2-3 stores and up to 5 stores with separation distances between stores. There was an even split when asked if people supported a separation distance between stores or not.

On public consumption, the majority of people supported the Clean Air Bylaw with three designated downtown locations for smoking. Hours of operation for retail stores, similar to liquor stores (9am-11pm), were generally seen to be acceptable. With respect to growing on private property, most people supported following the Provincial regulations.

The results of the open house input will be reviewed as one piece of the broad public engagement so far, including: the survey results, stakeholder letters, interviews with other Cities and towns as well as feedback from City council and committees. The goal remains to have regulations in place for when cannabis is legal in Canada.

Regulation Options Responses from Open House Responses

| Retail locations, number of stores, separation distances | |
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| Regulation Options | Number of responses |
| 1 – 500 metres separation distance between cannabis stores and schools, youth facilities, parks and playgrounds. Total possible stores = 0. | 2 |
| 2 - 300 metres separation distance between cannabis stores and schools, youth facilities, parks and playgrounds. 300m separation distance between cannabis stores. Total possible stores = 2 or 3 | 6 |
| 3 - 150 metres separation distance between cannabis stores and schools, youth facilities, parks and playgrounds. 100 metres between cannabis stores. Overall cap of 5 stores, by area. | 6 |
| 4 – 150 metres separation distance between cannabis stores and schools, youth facilities, parks and playgrounds. No separation distances between cannabis stores. Overall cap of 5 stores, by area. | 13 |

| Do you think there should be a separation distance between cannabis stores? | |
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| Regulation Options | Number of responses |
| Yes | 16 |
| No | 16 |

| Public consumption | |
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| Regulation Options | Number of responses |
| Current Clean Air Bylaw. 3 locations in the downtown for smoking/vaping | 24 |
| More restrictive. No public consumption in the downtown anywhere. | 9 |

| Hours of operation | |
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| Regulation Options | Number of responses |
| Liquor store hours 9am-11pm | 21 |
| Similar to existing cannabis stores 9am-8pm | 6 |

| Growing on private property | |
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| Regulation Options | Number of responses |
| Stay with Provincial regulations, plants must not be visible from public spaces. | 28 |
| More restrictive. | 3 |

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| Written Comments |
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| retail locations should not be within 500m of a school |
| If clean air bylaws in places, it would be ideal to extend current park bylaws of no smoking to include school grounds |
| It would be nice if ingesting, even by smoking would be allowed in some places where one could get food, entertainment, drinks, perhaps in separate room |
| AS PRESIDENT of the Nelson District Teachers Association, I am in agreement with Hume PAC, No public consumption. I would like to see 500 m separation but a compromise is option #2. I am very concerned about youth access to cannabis, which means retail stores/access and public consumption, especially near school grounds when picking up/dropping off children. I have already experienced adults picking up and dropping off children at school and smoking cannabis in their cars, or while waiting on the side walk. |
| I think the medical staff would support no public consumption but I don't know this. Can't recall if this was discussed at meeting. |
| Growing on private property - less restrictive than provincial regs |
| scrap the cap, keep it real, there shouldn't be regulations concerning the distance between or amount of cannabis businesses. |
| Scrap the cap, empower small local businesses, kootneay grown cannabis can stimulate the local economy, take advantage of an opportunity. Look to the charter of rights and freedoms. No fear-based legislation. |
| Nice to see Nelson being proactive but why restrict? Let's have Pot tourism here. Non invasive. We can have festival, cannafest create jobs, side industries, etc. way less dangerous than brink. |
| 150 m from schools only, leave downtown open. |
| World cannabis culture, ethnic festival and craft tourism of local B&B&Bs, farms and potiques, get looped on the loop. |
| I feel that there should be room in these new laws to include or add vape only cafes and edible cafes. A place to enjoy your persal outside the home, i.e. Hot box café in Kensington Market, Toronto, Ontario. The future is not only smoking. We need to make history right .It should have the same laws as alcohol. We need to learn from the legislation of alcohol. How come someone can brew beer in their home that they bought the kit from the grocery store...just food for thought. Stop criminalizing to make money please. |
| No separation needed, commercial zoning (option 5) |
| 150 m separation from parks, etc is not required due to the anti youth measures already required in legislation. Any commercial zoning should be permitted. |

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| <p>Signage, how is anyone going to know what they are buying if information restricted to availability and price? How is anyone going to know what store it is if signage cannot suggest that the store sells cannabis? Security: do the drugstores have to submit a security plan or the liquor stores or the banks? if not, why do cannabis stores? Caps: isn't rather arbitrary? why not 6,7,8 or more? there are more than 40 places you can buy alcohol. Designated smoking areas: they seem very few and far between, what about tourists? one of the areas will be gone if something is built on the old esso station site. The compassion club: non-profit operating for years under a previous court permission or decision. Should be treated entirely differently and exempted from the punitive license fee. And why is the license fee so punitive? It should be less than an alcohol licesnse fee as it causes less expense than alcohol consumption.</p> |
| <p>Distances a part seems silly if solution would just be applying for a variance. Key messages: would have been nice to see input from all who particpiated in survey / wrote letters. Would have liked to have seen possiblity for other options. Private property should be allowed to grow as they please. Vape lounges and other cannabis businesses are good idea, should allow. Community know for this/thrives upon this, should support this. Would like to see local businesses thrive, not taking money back to big cities, more local businesses built. Make spaces for public consumption.</p> |
| <p>Don't over regulate</p> |
| <p>Once bylaws are in place, enforce the bylaws stingently, no matter what they are. Higher more staff to police. Levy fines when needed, mainly businesses.</p> |
| <p>no reason to restrict amount of stores, the market will determine amount. Should provide some outside smoking areas, eatables should not be allowed until exact dosages can be defined.</p> |
| <p>Any cannabis stores that are downtown should not be in shopping areas. People come downtown to shop and or window shop and like to see a mix of shops. Starting with more restrictive regulations and relaxing them if needed is better than trying to make regulations more restrictive at a later date.</p> |
| <p>Visible is fine, please don't over regulate. Stop your reefer madness.</p> |
| <p>option 5: no spearation and stay ouf of school zone. Be reasonable, from door to door, not parcel to parcel. This community has many parks, be reasonable with limits.</p> |
| <p>This bylaw is void of all facts. The option I support is the status quo.</p> |
| <p>close illegal medical dispensaries. Open max of 4 retail locations, 2 max on Baker St between 100-700 blocks.</p> |
| <p>Thank you for all the work, I do not support a cap, I support 80m from sensitive, 150-300m separation distances. There are many different liquor licenses/no cap.</p> |
| <p>Needs a status quo option. Let the market decide. Survey results are only small indication of what citizens want. A lot of low info voters. Do not overrate the survey results.</p> |
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| Comments listed as <i>Other Ideas</i> at Open House on the wall |
| <ul style="list-style-type: none"> ▪ Cap and separation distances <ul style="list-style-type: none"> ○ Scrap the cap ○ Cap creates scarcity, pseudo monopoly black market ○ Scrap distance regulations between cannabis businesses ○ Cap on micro-breweries? ○ There is no cap on liquor licenses ○ Compare same laws as alcohol ○ 40 places near Baker street to buy beer, only 5-6 for cannabis? ○ Nelson shouldn't treat cannabis worse than alcohol, we need sensible regulations ○ Door to door separation – instead of property zone ○ Separation from door-to-door instead of parcel to parcel ○ Add option of 'status quo' ○ Keep the distance required – limits simply to school zones, not to the downtown core ○ No Cap – current medical cannabis bilaw (80m sensitive, 150 E/W separation seems to work) ○ Let the market decide ○ 150 metres from parks, 7m stores ▪ Encourage education about cannabis <ul style="list-style-type: none"> ○ City staff should receive a proper education concerning cannabis before legislating ○ It is easier to change restrictive regulations to make them less restrictive than doing it the other way around ▪ Free the weed <ul style="list-style-type: none"> ○ Cannabis heals, alcohol kills ○ What will happen to cannabis stores when people discover how easy it is to grow ▪ There needs to be some place to smoke, e.g. coffee shops <ul style="list-style-type: none"> ○ Cannabis safe spaces |