

Excerpt From The Minutes Of The Combined Meeting Of Council, Held 2018 April 5.

“8.2.1 Enabling Cannabis Retail Stores and Facilities – Land Use Bylaw, Bylaws 25P2018 and 26P2018, PUD2018-0056

Distributions with respect to Report PUD2018-0056:

- A PowerPoint presentation, submitted by Administration, entitled "PUD2018-0056 Land Use Bylaw Amendments: Enabling Cannabis Retail Stores and Facilities", dated 2018 April 05
- A document submitted by Administration, entitled “Standing Policy Committee on Planning and Urban Developments Amendments”;
- A document submitted by Administration, entitled “Amended Attachment 5 incorporating the Recommendations from the SPC on PUD Cannabis Store Guidelines”;
- A PowerPoint presentation submitted by Dr. Friesen et. al., entitled “City of Calgary Combined Meeting of Council”, dated 2018 April 05; and
- A document submitted by Larry Heather, entitled “Response to Cannabis Consumption Bylaw”, dated 2018 April 05.

A document submitted by Dr. Friesen, entitled “PUD2018-0056 Enabling Cannabis Retail Stores and Facilities – Land Use Bylaws”, dated 2018 April 05, was received for the Corporate Record.

The public hearing was called and the following persons addressed Council with respect to Bylaws 25P2018 and 26P2018:

1. Dr. Brent Friesen
2. Dr. Richelle Schindler
3. Michelle Fry
4. Dr. Jason Cabaj
5. Bart Karswell
6. Larry Heather

Council recessed at 12:02 p.m. and reconvened at 1:21 p.m. with Deputy Mayor Carra in the Chair.

Mayor Nenshi assumed the Chair at 1:22 p.m. and Councillor Carra returned to his regular seat in Council.

7. Kristoffer Moen
8. Greg Humphries
9. Danielle French
10. Ryan Kaye
11. Sabrina Di Ciritio

Moved by Councillor Woolley

Seconded by Councillor Magliocca

That Bylaw 25P2018 be introduced and read a first time.

MOTION CARRIED

Moved by Councillor Colley-Urquhart
Seconded by Councillor Jones

That Bylaw 25P2018 be amended as follows:

- on Page 4 of 9, Section 160.3, subsection (f), second line, by deleting the amount "300.0" following the words "located within" and substituting with the amount "400.0"
- on Page 5 of 9, Section 160.3, subsection (h), first line, by deleting the amount "100" following the words "located within" and substituting with the amount "300"
- on Page 5 of 9, under Section 160.3, add a new subsection (j) with the following and renumber accordingly:
 - "(j) in all **commercial, industrial** and **mixed use districts**, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located with 300.0 metres of a **parcel** that contains any of the following **uses**, when measured from the closest point of a **Cannabis Store** to the closest point of a **parcel** that contains any of them:
 - (i) Post-secondary Learning Institution;
 - (ii) Childcare facilities
- on Page 5 of 9, under Section 160.3, add a new subsection (k) with the following and renumber accordingly:
 - "(k) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 100.0 metres of a **Liquor Store**, when measured from the closest point of a **Cannabis Store** to the closest point of a **Liquor Store**"

ROLL CALL VOTE

For: (3): Mayor Nenshi, Councillor Colley-Urquhart, and Councillor Jones

Against: (11): Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Gondek, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION DEFEATED

Moved by Councillor Carra
Seconded by Councillor Gondek

That Bylaw 25P2018 be amended as follows:

- on Page 5 of 9, add a new Section 160.3, subsection (j) with the following and renumber accordingly:
 - "(j) in all commercial, industrial and mixed use districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located with 300.0 metres of a parcel that contains payday loan and pawnshop uses, when measured from the closest point of a Cannabis Store to the closest point of a parcel that contains payday loans or pawnshops"

ROLL CALL VOTE

For: (5): Mayor Nenshi, Councillor Carra, Councillor Colley-Urquhart, Councillor Farrell, and Councillor Gondek

Against: (9): Councillor Chahal, Councillor Chu, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Jones, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION DEFEATED

Moved by Councillor Magliocca

Seconded by Councillor Chu

That Bylaw 25P2018 be amended as follows:

- on Page 5 of 9, under Section 160.3(i), add a new subsection (iv) with the following:
"(iv) any place of worship"

ROLL CALL VOTE

For: (4): Councillor Chu, Councillor Jones, Councillor Magliocca, and Councillor Sutherland

Against: (10): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Gondek, and Councillor Woolley

MOTION DEFEATED

Moved by Councillor Chu

Seconded by Councillor Colley-Urquhart

That Bylaw 25P2018 be amended as follows:

- on Page 5 of 9, under Section 160.3, add a new subsection (m) with the following:
"(m) Maximum operating hours from 10:00 am to 12:00 am"

ROLL CALL VOTE

For: (5): Mayor Nenshi, Councillor Chu, Councillor Colley-Urquhart, Councillor Farrell, and Councillor Jones

Against: (9): Councillor Carra, Councillor Chahal, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Gondek, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION DEFEATED

Moved by Councillor Woolley

Seconded by Councillor Magliocca

That Bylaw 25P2018 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 25P2018 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 25P2018 be read a third time.

MOTION CARRIED

That Bylaw 26P2018 be introduced and read a first time.

MOTION CARRIED

Moved by Councillor Carra
Seconded by Councillor Davison

That with respect to Report PUD2018-0056, the following Motion Arising be adopted:

That Council direct administration to consider amendments to the bylaw and/or district and/or use rules for cannabis stores to consider the pros and cons of separation distances from pay day lending operations and/or pawn shops and/or places of worship and report back to Council through the SPC on Planning and Urban Development, no later than 2018 June.

MOTION CARRIED

Moved by Councillor Farkas
Seconded by Councillor Demong

That Council's decision with respect to Recommendation 5 to Report PUD2018-0056 be reconsidered and further, that the following be adopted:

The Development Authority should encourage early ongoing communication between a Cannabis Store business applicant and operators and the surrounding neighbours. A Good Neighbour Agreement is encouraged to build relationships responsive to the needs of the community and the business operator. A Good Neighbour Agreement should result in an increase understanding by:

1. Supplying basic information about the nature of the business and its operation;
2. Identifying a process for regular communication with the business's neighbours; and
3. Providing a method of resolving compatibility issues.

ROLL CALL VOTE

For: (3): Councillor Colley-Urquhart, Councillor Demong, and Councillor Farkas

Against: (11): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Davison, Councillor Farrell, Councillor Gondek, Councillor Jones, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION DEFEATED

Moved by Councillor Farkas
Seconded by Councillor Carra

That with respect to Report PUD2018-0056, the following Motion Arising be adopted:

That Council encourages the Development Authority to encourage early ongoing communication between a Cannabis Store business applicant and operators and the surrounding neighbours by:

1. Supplying basic information about the nature of the business and its operation; and
2. Identifying a process for regular communication with the business's neighbours.

ROLL CALL VOTE

For: (6): Mayor Nenshi, Councillor Carra, Councillor Colley-Urquhart, Councillor Demong, Councillor Farkas, Councillor Farrell

Against: (8): Councillor Chahal, Councillor Chu, Councillor Davison, Councillor Gondek, Councillor Jones, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION DEFEATED

Council recessed at 3:16 p.m. and reconvened at 3:49 p.m. with Mayor Nenshi in the Chair.

Moved by Councillor Chahal

Seconded by Councillor Farrell

That with respect to Report PUD2018-0056, the following Motion Arising be adopted:

That Council request that the Mayor write to the Provincial Cannabis Secretariat to review signage and screening of retail cannabis stores to promote exterior visibility, viewing and safety.

MOTION CARRIED