

POSITION STATEMENT
Cannabis Legalization

April 30, 2018

SPPI is committed to keeping members informed on items of national, provincial and local significance which may affect Saskatchewan communities and the planning profession. This position statement is the second of a series of positions that SPPI will issue to members to state the Institute's official position. The focus of this position statement is cannabis legalization.

The federal government committed to legalizing cannabis for non-medical uses in 2018. All three levels of government – federal, provincial and municipal – have various responsibilities to implement this commitment. Much of the work to implement this commitment is in progress. This position statement reflects the information publicly available at the time the position statement was released.

On April 13, 2017, Bill C-45, the [Cannabis Act](#), was introduced in the House of Commons. The federal government will be responsible for:

- regulating the production of non-medical cannabis, possession limits, trafficking, advertising and tracking seed to sale;
- establishing minimum age and personal cultivation limits; and
- continuing to oversee the medical cannabis system.

On March 14, 2018, Bills 121 and 122, [The Cannabis Control \(Saskatchewan\) Act](#) and [The Cannabis Control \(Saskatchewan\) Consequential Amendments Act, 2018](#), were introduced in Saskatchewan's Legislative Assembly. The provincial government will be responsible for:

- regulating the sale, possession, consumption, distribution and transportation of non-medical cannabis;
- establishing a minimum age limit higher than that set by the federal government; and
- public and workplace safety.

In Saskatchewan, municipalities will be responsible for:

- determining zoning and issuing development permits for production and distribution facilities;
- determining building standards and issuing building permits for production and distribution facilities;
- business licensing; and
- municipal workplace safety.

Professional planners in Saskatchewan can help municipalities prepare for cannabis legalization. Specifically, professional planners can work with municipal Councils to engage citizens on their perspectives related to cannabis, and prepare amendments to planning bylaws, if necessary.

When preparing planning bylaw amendments, professional planners may consider the following:

- If a municipality supports the development of cannabis production and/or distribution facilities, including definitions related to cannabis in the municipality's zoning bylaw will be necessary. Definitions should be clear and appropriate to local circumstances.
- If a municipality supports the development of cannabis production facilities, an appropriate land use zone for this type of facility must be determined. Once the zone is selected, the use will need to be permitted or discretionary. For example, production facilities may be a permitted or discretionary use in an agricultural zone in rural municipalities. In urban municipalities, a production facility may be a permitted or discretionary use in an industrial zone.
- In Saskatchewan, 51 cannabis distribution facility permits will be available in 32 communities. If a municipality is eligible and supports the development of cannabis distribution facilities, an appropriate land use zone for this type of facility must be determined. Once the zone is selected, the use will need to be permitted or discretionary. For example, distribution facilities may be a permitted or discretionary use in a commercial zone in rural and urban municipalities.
- In order to evaluate applications and issue development permits, zoning bylaws must contain clear development standards for permitted and discretionary uses, as the case may be. With respect to cannabis production and distribution facilities, regulations may be established for:
 - minimum distance separations from sensitive uses, such as schools, daycares, recreational facilities and residential areas;
 - screening or buffers;
 - signage; and
 - parking.
- Opinions about morality concerning cannabis legalization are not appropriate when drafting planning bylaw amendments.
- Any First Nations person with a valid certificate of Indian Status card will be tax exempt when buying cannabis from a business located on reserve land. Furthermore, any First Nations owned and operated business on reserve land will not have to pay GST/HST on any cannabis product.

For more information on cannabis in Saskatchewan, visit:

<http://www.saskatchewan.ca/government/cannabis-in-saskatchewan>

For more information on preparing municipalities for cannabis legalization, visit:

<https://www.fcm.ca/home/issues/emergency-preparedness-and-response/cannabis-legalization.htm>