

I am the owner/proprietor of Wood Street Ramen located at [REDACTED]

We have been excited about the addition of a cannabis retail store to our area and as our neighbour. We support their zoning application to the city and we look forward to Community Cannabis being co-located next to our business.

Signed

Tray King
Owner operator Wood St Ramen
Night Market



June 7, 2022

Mayor and Council
City of Whitehorse
2121 – 2nd Avenue
Whitehorse, Yukon
Y1A 1C2

Sent via email: [REDACTED]

Dear Mayor and Council,

Re: Cannabis Business License Rules and Regulations

It has been brought to the attention of the Whitehorse Chamber of Commerce the burdensome and lack of information available to start a Cannabis Retail store in Whitehorse, specifically in the following points: unclarity of rules and regulations, inconsistent buffer requirements for restricted retail, limited retail space and strict zoning and legalization and access.

The Whitehorse Chamber of Commerce strongly encourages the City of Whitehorse and the Government of Yukon to assess and look at ways to improve and amend the current Cannabis licencing regulation to create synergy on both levels of government. The lack of synergy and alignment between governments can cost, disincentive, and particularly burdensome for new business start-ups. Uncertainty in any industry is very problematic for investment and can deter local or outside investment into our community. It can also be extremely costly and frustrating to existing entrepreneurs trying to further develop business in our community.

It is our view that looking at ways to eliminate red tape and improving and aligning regulations from both levels of government is critical in supporting investment and entrepreneurs to advance economic opportunity for all industries in the City of Whitehorse and the Yukon.

The Whitehorse Chamber of Commerce appreciates your efforts in looking into this matter. Please do not hesitate to contact the WCC if you require further information.

Kind regards,

Lars Hartling
Chair, Whitehorse Chamber of Commerce

From: [Simard, Mélodie](#)
To: [Public Input](#)
Cc: [Marois, Mathieu](#)
Subject: FW: Proposed amendment to buffer zone
Date: Tuesday, July 26, 2022 4:15:38 PM

From: Gau, Mike [REDACTED]
Sent: Tuesday, July 26, 2022 3:58 PM
To: Simard, Mélodie [REDACTED]
Subject: FW: Proposed amendment to buffer zone

From: O'Farrell, Jeff
Sent: Tuesday, July 26, 2022 3:53 PM
To: Gau, Mike [REDACTED]; Braga, Valerie [REDACTED]
Donnithorne, Wendy [REDACTED]
Subject: FW: Proposed amendment to buffer zone

fyi

From: Tosh Southwick [REDACTED]
Sent: Tuesday, July 26, 2022 2:26 PM
To: Mayor&Council [REDACTED]
Subject: Proposed amendment to buffer zone

Hi to Mayor and Council, please forgive me if this is not the appropriate way to reach out and connect with you all on a matter, I could not find a specific process on the website.

I am writing to express my concerns and frankly shock that Council would consider amending the buffer zone for dispensaries in response to business owners request when they clearly did not do their due diligence in picking out a location for their new business and are looking to use their influence to privilege their new dispensary.

1st, I'm concerned that the ILC is being ignored as a school. It is a school, and it should not be shoved aside as one in order to support the opening of a business.

2nd, if the issue is the buffers then please have a review that goes through an actual open process rather than just changing it to appease a business. This is not what is done across the board so why would you do it here?

3rd, Shipyards park is right across the street, it is my understanding that the buffer is also supposed to be in place for play structures. When I inquired I was told that Ship yards is not considered a park, this seems beyond ridiculous and a response based on what is easier to work around than reality. I mean it's called Ship yards park...

Finally, I really encourage all of you to consider what kind of precedence and message this approach and blatant disregard for process and by laws an approval of this request could signal.

Thank you for taking the time to hear my concerns.

Tosh



From: [Taylor Lachapelle](#)
To: [Public Input](#)
Subject: Marble slab - new cannabis retail proposal input.
Date: Saturday, July 30, 2022 10:35:12 PM

To whom this may concern;

I don't think we need yet another cannabis outlet. We already have a multitude of shops.

My reasoning for this is because I myself know a lot of people who think Whitehorse is turning into Vancouver, marijuana wise. Everywhere we go, there's always someone smoking weed or there's always a shop for it. Whitehorse has new leaders now, so why don't they help by making it family friendly?

Marble slab was a great addition to Whitehorse for families. Now that they are gone, it makes zero sense to make that place into another dispensary.

I can say for sure that 60% of Whitehorse would much rather see marble slab turned into something useful for everyone, especially families. There are far too many places that have age restrictions or are just not family friendly, so personally I would be extremely disappointed in the city of Whitehorse for erecting another dispensary when we already have multiple successful ones.

--

Taylor LaChapelle, CEO of Yukon Nails.

From: [Al](#)
To: [Public Input](#)
Subject: Rezoning to allow new cannabis retail location
Date: Monday, August 1, 2022 2:17:01 PM

Thank you for the opportunity to participate with comments on this proposal.

We (my wife and I) are opposed to this location for a cannabis store for the following reasons:

1. there are five family restaurants nearby within a 100m radius - two sharing the same parking lot - one the same building - subjecting families who frequent these facilities really is inappropriate and does not fit within a family environment
2. there is a daycare within 150m
3. parking is at a premium in this location - it is already congested several periods during the day
4. patrons of this establishment may want to "light up" in their vehicles in the parking lot - setting a bad example for the children along with a very unpleasant odour emanating - will this be monitored by the by-law or the RCMP?
5. while Shipyards may not be an "official park" by it's very nature of having playground is recognized by the citizens as a park - it is too close to this location
6. the established rules of 150m from an educational facility should remain untouched - no exemptions should be permitted - Dept of Education has no authority to waive an interest
7. the article in the Whitehorse Star on the 22nd of July solicited 35 written submissions - over 95% were not in favour - we suggest that the COW look at these comments as they are public
8. no consideration should be given to the proponents for signing a lease ahead of any necessary approvals - that is on them - it should not be used as leverage
9. all of council should declare if they were lobbied by these people and what were their responses given - any council member who has a conflict of interest should be asked to abstain for voting or commenting at council on this proposal
10. no rezoning should be permitted that alters the 150m established benchmark - it sets a bad precedent for proposals

If the proponents wish to set up shop in a clear area that does not violate

individual rights or zoning then encourage them to look at those option like everyone else has.

Thank you

Al & Lynn Alcock



From: [Marois, Mathieu](#)
To: [Public Input](#)
Subject: FW: School Buffer Zones
Date: Tuesday, August 2, 2022 4:36:00 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)

FYI – see written submission below on Bylaw 2022-27 / ZBA Z-15-2022

I'll respond directly to Richard regarding his questions.



Mathieu Marois (he/him/il)
Senior Planner • Planning and Sustainability Services
City of Whitehorse • [REDACTED] • whitehorse.ca
*Working and living within the traditional territories of the
Kwanlin Dün First Nation and the Ta'an Kwäch'än Council.*

From: Olesh, Micah
Sent: Tuesday, August 2, 2022 12:07 PM
To: planning [REDACTED]
Cc: Richard Fuller [REDACTED]
Subject: FW: School Buffer Zones

Land and Building Services received the request below from Richard Fuller regarding information around the amendment to the restricted retail buffer zones. Would you please get back to Richard with any pertinent information you have?

Micah Olesh • *Development Officer*

City of Whitehorse • [REDACTED] www.whitehorse.ca

From: Richard Fuller [REDACTED]
Sent: Tuesday, August 2, 2022 10:36 AM
To: Olesh, Micah [REDACTED]
Cc: Development [REDACTED]
Subject: Re: School Buffer Zones

It is my intention to object to the amendment; the reasons for my apprehension are irrelevant as it relates to the questions I've posed, but it should be obvious to anyone who understands that reducing buffer zones between retail cannabis locations and schools will only increase

'normalisation' of the use of cannabis, and contradicts the Regulation's mandate to protect youth.

It is also my understanding that ONLY reason the protection of youth in the community is being compromised is to allow two individuals who did not do their proper due diligence to open a retail cannabis store 100m from a school. One of the individuals - Jordan Stackhouse - has a business called Elevator Yukon that claims to be a "full-service agency specializing in planning, research and management of all areas of local government and small business." And yet he was incapable of understanding the term 'property line to property line' prior to signing a lease on the property. It is astonishing that the City would 'reward' its former Economic Development Coordinator for his failure to research a property that is so close to a school for which the YLC has already refused two previous applications for being within the same buffer zone.

In the spirit of 'full disclosure' (on my part), I am employed by one of the two stores whose application was declined by the YLC. We knew full well we were within the buffer zone (we understood what 'property line to property line' meant, despite not having Mr. Stackhouse's "experience"), but our argument was that we did not consider the Independent Learning Centre to be a 'school' as defined in the Regulation (as we considered it neither an 'elementary school' nor a 'secondary school', which are the stipulations in the Regulation). When YLC ruled it was a school and was within the 150 m buffer zone (which we respected, given its 'youth protection' significance), we graciously accepted the decision.

A November 5, 2019 CBC article referencing the rejection of the applications states: "Yukon's Cannabis Control and Regulation Act states as one of its main purposes to "protect young persons and discourage their access to, and consumption of, cannabis. Awarding the new licences would run contrary to that objective, the board decided." That this would now change to benefit two private individuals is nothing short of shocking. The same article states: "Richard Fuller, COO of the Herbarry, said in an email to CBC that his company was also disappointed, but respects the board's decision. He also had high praise for how the board handled the application. 'I think their decision — despite not being in our favour — is a testament to the integrity of the application and licensing process. I think the people of Whitehorse — and the Yukon generally — should know that the [licensing board] has their best interests at heart'".

My quote clearly demonstrates that I respected the process, the buffer zone, and the protection of youth, so my objection is not about having another competitor in town - it is about my disappointment in the City's *desire* to reward two individuals who are clearly incompetent 'entrepreneurs', at the expense of the municipality's youth.

Clearly the 'integrity' has gone from this whole process, and it is obvious that the City, the YLC and Government of Yukon no longer has the people of Whitehorse's best interest at heart (well, 2 people, anyway...).

If the City approves the amendment, it should be embarrassed, particularly in light of Regina's recent decision to vote down 8-1 an amendment proposal to reduce the current 180m+ school buffer zone, and the Province of New Brunswick's mandate to put into law it's 300m school buffer zone.

The Administrative Report raises more questions than it answers, and of course the Bylaw itself contains no reference whatsoever to school buffer zones, because the City does not

regulate them. As such, I would be grateful if I could be provided me with a copy of the minutes of the meeting between City of Whitehorse staff and YG staff, please.

Kind Regards
Richard

On 2 Aug 2022, at 09:30, Olesh, Micah [REDACTED] wrote:

Hi Richard,

I think it may help us to best address your concern if you expand a bit on what is behind your apprehension with this amendment. The full administration report for the amendment is on our web site and going through it may answer some of the questions posed in your e-mail <https://www.whitehorse.ca/home/showpublisheddocument/16913/637934880589470000>.

In brief, the Yukon Government's legislation, the Cannabis Control and Regulation Act established the buffer zone around schools, but also contains a provision that a municipal bylaw may regulate the buffer zone. City of Whitehorse staff met with YG staff and reviewed the rationale behind the originally established 150 m buffer and looked at other jurisdictions with larger and smaller buffers and concluded that the buffer zone could be changed.

Sincerely,

<image001.jpg> **Micah Olesh** • *Development Officer*

City of Whitehorse • [REDACTED] www.whitehorse.ca

From: Richard Fuller [REDACTED]
Sent: Tuesday, August 2, 2022 8:32 AM
To: Development [REDACTED]
Subject: Re: School Buffer Zones

Hello, again; further to my earlier query, can you please explain the rationale behind why the City does not regulate school buffer zones, but does regulate buffer zones around parks with play structures, emergency shelters/substance abuse treatment centres and youth at risk facilities?

Kind Regards
Richard

On 2 Aug 2022, at 08:11, Richard Fuller [REDACTED] wrote:

Good morning; I am hoping you can clear up some confusion for me, as it relates to proposed Zoning Amendment at 2220 2nd Avenue in Whitehorse.

According to Bylaw 2022-27, and the attached 'buffer zone' map, my understanding is that the City of Whitehorse does not regulate *school* buffer zones. Can you please clarify who does regulate school buffer zones? And can you please explain how the City can make an amendment to the bylaw when it does not regulate the buffer zone it proposes to change?

Kind Regards
Richard Fuller

<image001.png>

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From: [Bailey Staffen](#)
To: [Public Input](#)
Subject: Buffer zone amendment
Date: Wednesday, August 3, 2022 3:31:45 PM

Hello Mayor and Council,

I am writing to you today to express my opposition to the buffer zone amendment you are considering for a cannabis store on 4th avenue.

I am concerned about the proximity of the store to the Independent Learning Center and to Shipyards Park. I understand all other cannabis businesses were strictly held to specific buffers and regulations, so I am curious why this business would be allowed an exception, especially when it concerns the health and wellbeing of our young and vulnerable student population.

Thank you very much for your time,
Bailey Staffen

From: [Tlingit Electric](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 6:42:45 PM

To whom it may concern,

I/we, Craig and Toni Welch, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Signed; Craig and Toni Welch



Sent from [Mail](#) for Windows

From: [REDACTED]
To: [Public Input](#)
Subject: Community Cannabis
Date: Wednesday, August 3, 2022 5:59:23 PM

To whom it may concern,

I, Dustin Parsons, support the city planners recommendation to allow Community Cannabis to operate its business in our community. I feel it's a suitable location in a core commercial area of downtown. I do not feel the decision impacts any users of the ILC, given that there are no sight lines or access to Community Cannabis from their location in NVD place. I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the city's commitment to the private sector. We should allow private businesses to have the best chance to thrive and have the opportunity to support local businesses whenever possible.

Thank you

Dustin Parsons

[REDACTED]

From: [Dawn Power](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 3:05:40 PM

To whom it may concern,

I/we, DAWN POWER, support the City planner's recommendation to allow Community Cannabis to operate its business in our community.

We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place.

We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Signed;

Dawn Power



From: [emily hoefs](#)
To: [Public Input](#)
Subject: Re: buffer zone amendment
Date: Wednesday, August 3, 2022 11:42:04 AM

Good morning Mayor & Council

I'm writing in regards to the buffer zone amendment you will be considering for the new cannabis space on 4th avenue.

I'm curious about the reasoning around making this exception for one business, particularly in such close proximity to some of Yukon's most vulnerable student population, when the territorial regulation is already in place for the other cannabis businesses in Whitehorse.

Respectfully,
Emily Hoefs

Sent from my iPhone

From: [Emily Weir](#)
To: [Public Input](#)
Subject: support for 2220 2nd Ave - community cannabis
Date: Wednesday, August 3, 2022 3:43:46 PM

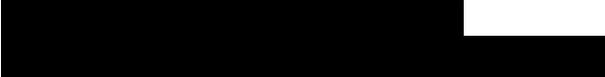
To whom it may concern,

I, Emily Weir, support the City Planner's recommendation to allow Community Cannabis to operate business in our community. I believe it is a suitable location in a core commercial area of downtown. I do not feel the location impacts any users of the Independent Learning Centre, given that there are no sight lines or access to the Community Cannabis business, from the ILC location in NVD space.

I believe giving flexibility in this situation is ultimately good for small businesses alike, including Community Cannabis, and shows the City's commitment to supporting the private sector, and supporting local small businesses to flourish in Whitehorse, such as Community Cannabis.

Thank you, Signed

Emily Weir, Palliative Registered Nurse



From: [Gisli Balzer](#)
To: [Public Input](#)
Subject: Relaxation of buffer zones for cannabis
Date: Wednesday, August 3, 2022 10:30:39 PM

Greetings Mayor and Council,

We are writing today to express our concern and opposition to proposed relaxation of prescribed buffer zones applicable to a cannabis retailer located on 2nd Avenue. We are interested in feedback as to why setbacks for this specific business are being reconsidered and why the buffer requirements might not be applied on a consistent and fair basis.

The prescribed buffer must have been informed by extensive research and review of buffers implemented by other jurisdictions within Canada. We have substantial concern regarding proximity of this retailer to both the Independent Learning Center and Shipyards park. Protecting our vulnerable population should be prioritized over expressed financial hardships of one business.

We are hopeful Mayor and Council will consider maintaining consistent implementation of buffer zones for all prospective cannabis retailers moving forward.

Kind Regards,
Gisli Balzer

From: [Glowy Twigge](#)
To: [Public Input](#)
Subject: Community Cannabis - Support for 2220 2nd Ave
Date: Wednesday, August 3, 2022 3:16:04 PM

To whom it may concern, I Glowy Twigge, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Glowy Twigge



From: [Josh B](#)
To: [Public Input](#)
Subject: support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 6:49:52 PM

To whom it may concern,

I, Joshua Beckett, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. I believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Not to mention the fact the the ILC is in a shared building and can hardly be considered a school in the traditional sense.

Josh Beckett



From: [Nicholas Clark](#)
To: [Public Input](#)
Subject: Support for 2200 2nd ave- Community Cannabis
Date: Wednesday, August 3, 2022 4:23:08 PM

To whom it may concern,
I, James Clark, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Signed,
James Nicholas Clark



From: [J Hamilton](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 4:13:21 PM

To whom it may concern,

I, Jenny Hamilton, support the City planner's recommendation to allow Community Cannabis to operate its business in our community.

I believe it is a suitable location in a core commercial area of downtown. I do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place.

I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Thank you for your time and if you have any questions, please contact me.

Jenny Hamilton



From: [Jenna E](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 1:58:12 PM

To whom it may concern,

I, Jenna Henderson, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place.

I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

[REDACTED]

Please contact me if you wish to discuss further regarding this topic.

[REDACTED]

--

Jenna Henderson

I respectfully acknowledge that I am living and working on the traditional territory of the Champagne and Aishihik First Nations.

From: [James Parsons](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 1:50:57 PM

To whom it may concern,

I, James Parsons, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector. Signed,

James Parsons



From: [Jen Szakszon](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Avenue - Community Cannabis
Date: Wednesday, August 3, 2022 5:18:02 PM

To Whom It May Concern,

I, Jennifer Szakszon, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. I believe it is a suitable location in a core commercial area of downtown.

I do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place.

I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and show the City's commitment to the private sector.

Sincerely,

Jennifer Szakszon

[REDACTED]

From: [Kathi Brent-Brakefield](#)
To: [Public Input](#)
Subject: support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 8:46:44 PM

To Whom it May Concern, and the support for intelligent bureaucracy should be everyone's concern....

I, Kathi Brent-Brakefield support the City Planner's recommendation to allow Community Cannabis to operate its business in our community. I believe it is a suitable location in a core commercial area of downtown. I do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Signed,

Kathi Brent-Brakefield

From: [Karly Kingston](#)
To: [Public Input](#)
Subject: Community Cannabis
Date: Wednesday, August 3, 2022 2:13:06 PM

To whom it may concern,

I, Karly Kingston, support the city planners recommendation to allow Community Cannabis to operate its business in our community. I feel it's a suitable location in a core commercial area of downtown. I do not feel the decision impacts any users of the ILC, given that there are no sight lines or access to Community Cannabis from their location in NVD place. I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the city's commitment to the private sector. We should allow private businesses to have the best chance to thrive and have the opportunity to support local businesses whenever possible.

Thank you

Karly Kingston



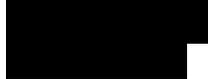
From: [Kalli Schneider](#)
To: [Public Input](#)
Subject: support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 8:49:11 PM

To whom it may concern,

I, Kalli Schneider support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Given that there is an adult store, a Salvation Army and an off sales within eyesight of an elementary school in our town, I believe the placement for community cannabis is appropriate.

Kalli Schneider

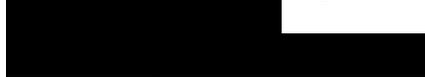


From: [Logan armstrong](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 1:35:28 PM

To whom it may concern, I Logan George Armstrong, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Thanks,

Logan Gorge Armstrong,



Sent from my Galaxy

From: [Lindsay Baxter](#)
To: [Public Input](#)
Subject: support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 4:04:34 PM

To whom it may concern,

I, Lindsay Baxter, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. I believe it is a suitable location in a core commercial area of downtown. I do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Sincerely,

Lindsay Baxter

From: [Michelle](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 3:46:11 PM

To whom it may concern:

I, Michelle Matheson, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Signed: Michelle Matheson

A black rectangular redaction box covering the signature of Michelle Matheson.

Michelle Matheson

A black rectangular redaction box covering contact information for Michelle Matheson.

From: [Miranda Staley](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 1:33:08 PM

To whom it may concern,

I, Miranda Staley, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. I believe it's a suitable location in a core commercial area of downtown. I don't feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. Community Cannabis also verifies ID and ages of all customers entering their store which means an underage student of ILC would not have any opportunity to enter the location. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector. Liquor and offsales have been allowed to be in close proximity to schools and daycares so I hope full consideration is given to these business owners, as I know they will do everything they can to keep the community safe.

Signed,
Miranda Staley



From: [Norma Risby](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 1:35:01 PM

To whom it may concern,

We Norma and Wayne Risby support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Thanks,

Wayne &
Norma

From: [Nonie](#)
To: [Public Input](#)
Subject: Letter of Objection
Date: Wednesday, August 3, 2022 5:52:08 PM

My family and I have been residents of Whitehorse for 36 years. We have followed the Yukon Government's consultative process over the past 5 years. In particular, we recall the expressions and concerns by STUDENTS about the exposure to cannabis, the normalization of cannabis and the giving of greater access to cannabis. And now the Yukon Government and the Mayor and City Council are potentially going to ignore the concerns of these students stating they cannot find a justification or greater harms for a reduced buffer zone!? A representative from the Yukon Liquor Corporation (YLC), as identified in the seriously-lacking Administrative Report, and as outlined in a CBC article from July 20, stated that the buffer zone is not a critical piece of youth protection, as other measures such as ID checks, visual and noise screening will be in place. These statements contravene the very essence of cannabis legalization. As a long time Yukoner, and as a mother who has raised two children here, I am not okay with this.

Does the City Administration, Mayor and Council, Minister Jeanie McLean, Minister Ranj Pillai and President Barry agree with spending taxpayers dollars to remove safeguards protecting students – reducing a buffer zone to be one of the lowest in the country – at a time Yukon's drug and alcohol rate is among the highest in the country? Do you really believe it is in the best interests of our community to benefit one business, at the expense of so many others? The first reading has taken place, and from my perspective, this is being fast-tracked. The proposed site is only 20-30 feet from Shipyards Park, a family venue which features a prominent play structure. Perhaps taxpayer dollars would be better spent rezoning Shipyards Park to be recognized as more than just "public waterfront", considering the scope of the park has evolved.

This is a very dangerous precedent by the City Administration and City Council to override Yukon Government's established buffer zone of 150 meters with little-to-no accurate data or understanding of why these buffer zones are imperative. Not to mention, the glaring fact that one of the City's own former employees and/or current contractors, Jordon Stackhouse, will benefit from this decision. Dan Schneider, a former YG employee at the original cannabis store and Manager at Herbarry for years, would also benefit. These men obviously did not conduct due diligence in choosing an appropriate retail cannabis location, and now are trying to get the laws to accommodate their own needs – when at least two retailers in the past were denied their applications due to proximity. How could they not have understood what "lot line to lot line" meant? Perhaps they

planned all along to see their friends from the City and municipal government protect their interests.

At least two years of consultations were undertaken by Yukon Government with Yukoners (including students) and other jurisdictions in Canada. In fact, this was claimed by the government to be one of the largest consultations in Yukon Government history. And section b) of the Act was created to protect young persons and discourage their access to and consumption of cannabis.

The YLC met with City Administration and they put forward an administrative report that states the YLC could not find a rationale for the specific distance or evidence of greater harm occurring between 100 and 150 meters in spite of the overwhelming research into this issue. A shop even 150 meters from a school is still a strong and constant reminder of what is being sold there. That is most likely why the city of Vancouver has a 250-meter buffer zone and the city of Edmonton has a 200-meter buffer zone. Reducing the buffer zone to 100 meters is giving more exposure or cannabis, normalizing cannabis and giving greater access to cannabis. And the fact that this is only being considered for one school – the Individual Learning Centre which caters to some of the city's most vulnerable youth – and to benefit just one location, is truly appalling.

There are so many concerns surrounding this application to Council. The City of Whitehorse should deny this request and wait for greater public consultation by the Yukon Government when they perform the legislative required 5-year review of the Cannabis Control and Regulation Act in 2023.

From: [Patrick](#)
To: [Public Input](#)
Subject: support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 6:05:48 PM

To whom it may concern, I Patrick Brazeau, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. I believe it is a suitable location in a core commercial area of downtown. I do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

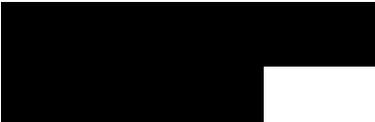
Patrick Brazeau 

Sent from my iPhone

From: [Peter West](#)
To: [Public Input](#)
Subject: support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 7:58:44 PM

To whom it may concern,
I, Peter A.J. West, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Peter A.J. West



From: [Shawn Pierce](#)
To: [Public Input](#)
Subject: Community cannabis
Date: Wednesday, August 3, 2022 2:48:21 PM

To whom it may concern,

I, Shawn Pierce, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. I believe it is a suitable location in a core commercial area of downtown. I do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Signed,

Shawn Pierce

A large black rectangular redaction box covering the signature area.

From: [terrance mccallum](#)
To: [Public Input](#)
Subject: Support for Community Cannabis
Date: Wednesday, August 3, 2022 5:12:57 PM

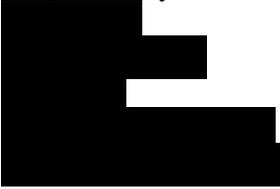
Support for 2220 @nd Ave Community Cannabis

To whom it may concern, I/we, Terrance McCallum, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small businesses and shows the City's commitment to the private sector. Signed,; Terrance McCallum [REDACTED]

From: [Taylor Schneider](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 3:37:56 PM

To whom it may concern, we, Jeremy Leamon and Taylor Schneider, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Signed,; Taylor Schneider and Jeremy Leamon



From: [Tricia Stevenson](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave -Community Cannabis
Date: Wednesday, August 3, 2022 1:26:18 PM

To whom it may concern,

I, Tricia Stevenson, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector. Signed,

Tricia Stevenson



From: [Will Beckett](#)
To: [Public Input](#)
Subject: support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 2:42:44 PM

To whom it may concern,

I, William Beckett, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. I believe it is a suitable location in a core commercial area of downtown. I do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Signed,

William Beckett



From: [Yukon Apparel](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Ave - Community Cannabis
Date: Wednesday, August 3, 2022 1:23:29 PM

To whom it may concern,

We, Yukon Apparel, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. As a nearby small business, we believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector and other small businesses like myself.

Signed,
Yukon Apparel Staff and Management

A black rectangular redaction box covering the signature of the sender.

From: [Dan Bushnell](#)
To: [Public Input](#)
Subject: support for 2220 2nd Ave - Community Cannabis
Date: Thursday, August 4, 2022 3:10:08 PM

To whom it may concern, I, Dan Bushnell support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

As a small business owner I seek all opportunities to foster and grow small independently owned business in our community. Thank you for your time and attention.

Please feel free to contact me,

If I can provide any assistance I'm moving this forward.

Dan Bushnell



From: [jenelle.Gray](#)
To: [REDACTED] : [Public Input](#)
Subject: Zoning Ammendment
Date: Thursday, August 4, 2022 11:28:53 AM

Good afternoon,

I am writing to you today in regards to the proposed zoning amendment for 2nd Avenue to allow for a Cannabis Dispensary to open.

I am reaching out to you today as a parent, a yukoner and a patron of the nearby establishments.

I am strongly opposed to the rezoning of this area to support any cannabis sales or distribution. As a parent, whose children frequent both the Fireweed market and Shipyards park I don't feel that it is reasonable to expose children any more than they already are. The reasonable and preset rules and regulations preventing this type of sales within established buffer zones was agreeable and I see no need to amend this to satiate one group of individuals (the owners). This brings no value to the City of Whitehorse and I feel that it will negatively impact our community.

Please reconsider this zoning amendment and do not allow for cannabis sales in breach of the current zoning rules.

I am strongly opposed to this proposition.

Regards,

Jenelle Gray

Zoning Amendment – 2220 Second Avenue	An application to amend the zoning of 2220 Second Avenue from CS – Service Commercial to CSx – Service Commercial (modified) to allow for a Retail Service, Restricted premise on a site located 100 m from a school. Admin Location Sketch Report Bylaw 2022-27
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Public
Hearing
scheduled
for
September
12, 2022.

Item had
First
Reading
on July 25,
2022.

From: [Stephen Wohlfarth](#)
To: [Public Input](#)
Subject: Support for 2220 2nd Avenue - Community Cannabis
Date: Wednesday, August 10, 2022 1:49:00 PM

To whom it may concern, I, Stephen Wohlfarth, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

While asking for a lone exemption for this one business is a tall order and puts pressure on city council, I do believe allowing the business to operate out of this location should be Approved. I also wish the City Council members to consider amending the current bylaw of 150 meters to 100 meters. This is to ensure no favoritism and also allow for previous business that may have denied do to this bylaw a chance to reapply and open their stores.

Signed;

Stephen Wohlfarth

[Redacted signature]

From: [Dennis Schneider](#)
To: [Public Input](#)
Subject: Re: Support for 2220 2nd Avenue - Community Cannabis
Date: Sunday, August 14, 2022 3:53:07 PM

To Whom It May Concern,

I, Dennis Schneider, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. I believe it is a suitable location in a core commercial area of downtown.

I do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place.

I believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector.

Sincerely,

Dennis Schneider

[REDACTED]

From: [Monica N](#)
To: [Public Input](#)
Subject: Public Support for Bylaw 2022-27
Date: Monday, August 15, 2022 4:42:44 PM

To whom it may concern,

I am writing today in support of the zoning amendment application at 2220 Second Avenue (Bylaw 2022-27).

Cannabis retail serves as a secure and safe access point for Yukoners and Whitehorse residents who use cannabis and is a necessity for community safety. Access to safe and reliable products was one of the key drivers for legalization. It is one of the best ways to reduce and eliminate the black market, which has many other negative impacts on communities, especially regarding youth. Increased access reduces the chance of citizens putting themselves in vulnerable situations. When access is not readily available, people who chose to use cannabis can find themselves in potentially dangerous or compromising situations. Legal Cannabis retail is integral to eliminating the black market and we have seen a significant shift in users accessing more and more legal cannabis (<https://www150.statcan.gc.ca/n1/pub/11-627-m/11-627-m2021043-eng.htm>). There is a clear correlation between safe, responsible use and legal access.

Legalization of cannabis has provided access to regulated, guaranteed, and safe products. Private retailers, like Community Cannabis, strive to provide a welcoming and comfortable environment, providing knowledge of the product customers chose to consume by creating a safe, educational and non-judgemental space.

Cannabis retail is a highly regulated industry and society is shifting, but there is still a lot of stigma attached to cannabis and its use. Yet, since legalization we have seen almost no negative impacts, jurisdictionally or nationally. Statistics collected by Stats Canada and Health Canada regarding the legalization of cannabis show positive trends (<https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/research-data.html>).

Regulating an industry creates clear control on the substance while supporting responsible use. Cannabis legalization has shown no direct increase to the negative impacts of cannabis. Education regarding responsible and knowledgeable use can help all users understand the impacts to our communities, and particularly youth and vulnerable populations. In fact, statistics Canada reported a reduced use of cannabis among youth aged 15-17 in Canada in the first few years of legalization (<https://www150.statcan.gc.ca/n1/pub/11-627-m/11-627-m2020014-eng.htm>).

As the legal cannabis market grows and diversifies, I think we will only see more positive trends away from underage use and the illicit market. The market has a long way to grow and cannabis retailers like Community Cannabis are just the business owners we want to see in communities like ours. They are committed to being a net contributor to our community by ensuring their staff have paid volunteer hours.

Community Cannabis is in this position due to a lack of transparency and regulators providing bad information. Their situation is completely understandable and their request for a zoning amendment is reasonable. Both the department of Education and the Yukon Liquor Corp have clearly stated that they have no issues with the zoning amendment, nor do they see the location of Community Cannabis as having a negative impact. They do not see a difference of impact between 100 m and 150 m school buffers, which is a testament to the responsible sale and use of cannabis in our communities. There are many ways to support the protection of youth and vulnerable populations, as is supported by the YLC who noted that there are many other pieces of critical youth protections in place besides the school buffers.

I hope to see the Council vote in favour of this zoning amendment in support of safe, responsible use and increased legal access to ensure our vulnerable populations are safe and protected from the black market.

Please confirm receipt of this email.

--

Monica Nordling

From: [Emm Charron](#)
To: [Public Input](#)
Subject: Letter of Objection Re: Community Cannabis
Date: Wednesday, August 24, 2022 2:23:20 PM

I am writing today to express my objection to Community Cannabis operating within 150 meters of the Individual Learning Centre and directly across the street from Shipyards park.

In a July, 2022 presentation to Mayor and Council, Mr. Stackhouse and Mr. Schneider (owners of Community Cannabis) stated that they reached out to the Yukon Liquor Corporation and did not receive a response to their questions about zoning. I find this statement to be disingenuous and misleading, as I was personally able to find the applicable bylaws as well as the Cannabis Control and Regulation Act with a simple Google search.

Changing bylaws for one business' decision to lease a space without either thoroughly consulting the Yukon Government's legislation, or actively ignoring it, sets a dangerous precedent. Mr. Stackhouse, as Economic Development Coordinator for the City of Whitehorse, should have been aware of the stipulation of "lot line to lot line" and the 150m buffer zone - and with whom to consult prior to leasing the intended business space. Two other dispensaries were denied their licenses in 2019 for being in contravention of the buffer zones for this exact school, which one can assume caused those owners to accrue additional costs while trying to open their businesses. They did not receive special treatment nor accommodation from Council. It is also my understanding that you are considering "spot zoning" which means quite literally that only this business will benefit from reducing safeguards to a legitimate Yukon school. How does approving this zoning amendment benefit any other Yukoner? It seems as though there is an underlying case of privilege and entitlement here. Furthermore, when asked by Council why these buffers existed, Mr. Stackhouse stated he did not know and could not provide a response. This is another example of not completing due diligence - it is common sense to understand that the purpose and intention of these buffer zones are to protect children and youth from having greater access. I find it very concerning that these men do not understand the fundamental foundations of cannabis legislation, and why the Yukon Government spent years consulting with various stakeholders - including youth - who expressed their concerns about increased consumption. Again, a simple Google search would reveal why the Canadian Medical Association, the Pediatric Association and other jurisdictions address the importance of buffer zones to schools - our youth being our most vulnerable populations affected by legalization.

Whitehorse by-law 2019-08 clearly outlines buffer zones, the rationale for creating and maintaining them, and defines several key demographics of people intended to be protected under these bylaws. Section 6.19.3 to 6.19.5 in particular outline a minimum 100m buffer zone for lots designated as Parks and Recreation, Temporary Shelter Services, lots providing services to Youth, or people suffering from Substance Abuse. Mayor and Council should be looking at the bigger issue here - Shipyards Park has a large play structure within direct eyesight of the proposed Community Cannabis location. Our community should be applying for a zoning amendment to see Public Waterfront become the more appropriate Park with Play Structure zoning - and restricting any cannabis business from operating within 100 meters of Shipyards Park. The Individual Learning Center is a little over 100 meters from the proposed

site and exists to educate our most vulnerable youth. Has a formal survey been conducted by a professional surveyor to confirm this location is actually over 100 meters? Those in support of amending the buffer zone and allowing Community Cannabis to operate at the proposed site are expressing that the safety and well-being of these students in particular is not a concern to them. This is a direct contravention of the intention and spirit of all governing legislation. Superseding existing safeguards in place for youth protection sends a strong message to our community.

As a local cannabis advocate, I will always support legislation that supports the Cannabis industry UNLESS it jeopardizes the safety and wellbeing of cannabis consumers, the community, and vulnerable populations including youth and children. It is disheartening to witness City Administration and Council's willingness to put vulnerable students, substance users, and children at risk to help a colleague who was either negligent while considering locations or who simply hoped that his connections at the City could clear up the issue. In a meeting with Triple J's Canna Space owners on July 14, 2022, Mayor Laura Cabott stated that zoning amendments were not a priority for her office, meanwhile knowing full well that the Yukon Liquor Corporation had met with the City to discuss the issue of proximity and that zoning amendments were on the horizon.

As a Whitehorse citizen it is alarming and disheartening to see due legislative processes tossed aside to protect the personal interests and investments of two individuals. The Yukon Government sought public opinion on cannabis retail zoning prior to legalization, and are therefore already aware that the public supports larger buffer zones between schools and locations serving vulnerable populations.

It is unacceptable that a new member of the Yukon Liquor Corporation offered an ill-informed, erroneous and misleading statement to the un-named City planning employee – negligent information which formed the Administrator's Report and has likely misguided Mayor and Council. This YLC employee made a statement that no greater harms could be evidenced from a jurisdictional review – yet, no proper review occurred, no minutes were taken from the 10-minute zoom meeting between the City and Yukon Government, and no willingness to accept responsibility for her lack of science-based, medical-based information. She was provided with excerpts from the Yukon Government legislation only, yet gave her own rationale for an entire government department to have “no strong objection”. This is unacceptable.

I was also very alarmed to see recently on social media that Dan Schneider was openly refusing to take responsibility, blamed the Yukon Liquor Corporation for their predicament, then proceeded to bribe letters of support with future discounts in store. This is an inducement, and illegal. Another regulation contained in the Yukon Government legislation – had they bothered to read it. Does Council really wish to supersede properly-consulted, well-researched Yukon Government regulations to further the financial position of these two men?

Council should not be wasting tax payer dollars to fast-track a spot zoning amendment to help members of the Old Boys Club. Rather, I encourage you to put the same drive behind addressing housing and homelessness, the opioid crisis, food insecurity, lack of adequate mental health services and other pressing social issues.

I hope that council will reconsider changing the buffer zone for a friend in favor of protecting vulnerable populations.

Emm Charron

(They/Them)

From: [Cylar Stripes](#)
To: [Public Input](#)
Subject: Concern regarding the new proposed cannabis store in the old Marble Slab location - Cylar Dunbar
Date: Friday, August 26, 2022 3:45:24 PM

Dear Mayor and Council,

My name is Cylar Dunbar, and I am writing to express my sincere opposition to the spot zoning amendment being considered for Community Cannabis to open a cannabis operation 100.4 meters from an important school – the Individual Learning Centre. And more alarmingly, within feet of Shipyards Park – a park with a play structure, numerous family-oriented community events, the Fireweed Market, and daily daycare outings. Almost every day that I drive to work, I witness adorable toddlers and young children walking tethered together from their daycare to the park.

I write with a very unique perspective, as I am both a former student of the ILC, and a cannabis advocate. I believe it is imperative for Mayor and Council to understand the importance of safeguarding the students who attend ILC, moreover, to protect the many children and families who frequent Shipyards Park.

I feel very passionate about this issue. And here's why....

In high school, I was addicted to drugs and homeless. My substance abuse led me down a very dark path, almost certainly guaranteeing I would not be successful in the regular school systems available up here in the Yukon. I managed to enroll in the Individual Learning Centre, and with the support of the programming and teachers there, I successfully got my education back on track. I am a success story. I do not believe I would have made it, or stayed sober, if I had a cannabis shop just a hop skip away. Did you know you can actually see the existing Marble Slab sign directly from the ILC school windows? I used to go to Shipyards Park to have a smoke and decompress on my breaks from school. If I had to walk by a shop selling cannabis, I am confident that I would have been lured into scoring weed on a regular basis. This would have had the potential to completely derail my sobriety. Did someone from YLC actually state, per the City Administrator's report, that IDing inside the shop would be enough of a safeguard to protect youth? That's unbelievably naïve, and completely unfounded!

Many of the people I attended school with came from similar backgrounds. They weren't able to thrive in the public school system. They came from broken homes, homes where substance abuse was rampant. Homes where they endured physical and emotional abuses. Students at ILC were also bullied at other schools, or had learning disabilities. Regardless of the reason for attending, we all considered the ILC a safe space. My little sister just recently graduated from ILC, going to University this fall, and this is why I feel very protective of what is happening now.

Allow me to state for the record that it is a terrible idea for our Mayor and Council to consider removing safeguards (by reducing buffer zones) to benefit only two people, giving them special treatment. Where is the special treatment for the ILC students? I believe in equality for all – whether equality for genders, cultures, age demographics or the business community. I do not support having the rules changed to protect the financial well-being of two white, privileged men – especially when two other applicants were already denied on these same merits. And at the expense of the students at this school!? I do not support youth having greater access to cannabis or other drugs. There are many scientific, medical and social responsibility reasons that these buffer zones exist. Years of consultations between federal and territorial governments prove this. No medical or scientific data has been provided by the representative at YLC to validate “no greater harms”. The paragraph contained in the City Administrator's report is shameful and lacks any merit. Where is this jurisdictional review?

How did they determine there is no evidence to signify greater harm by reducing buffers. These statements are the exact opposite of the spirit and intention of cannabis legislation. I AM THE EVIDENCE of potential greater harms.

Jordon Stackhouse is/was an employee of the City. He was involved with Economic Development, and has bragged about his partnerships with the City Administration. Dan Schneider is the former employee of the original Yukon Government Cannabis Yukon retail shop. Both of these individuals knew the law, but are claiming ignorance now – and refusing to accept any responsibility. This is what is most upsetting. First, in front of council, they claimed that the YLC did not give them the information they requested. And they didn't know why these strict buffer zones existed. Now, in today's CBC article, they are claiming that the City mislead them with stating the buffer zone was only 100 meters. Which story is it? They should not be rewarded for conducting poor research on the laws, especially after self-proclaiming how smart they are. Buffer zones exist to protect youth, our most vulnerable population. No one but these two individuals, who refuse to accept responsibility for their actions and who do not understand why these buffer zones to schools are important, benefits from Council making this amendment.

I believe the City will lose all integrity and grace if they vote in favour of this buffer amendment. I cannot in good conscience support public servants who are willing to sacrifice the wellbeing of our community for these two people. Why not instead allow Yukon Government to conduct their 5-year review of the Cannabis and Control Act next year, engage in broader public consultation, and actually listen to the youth of this community?

In closing, I think it is also important to note that we already have four retail cannabis shops in Whitehorse. We do not need another one. The market is already oversaturated, and I know that some of these retailers are already hurting from covid, lack of tourism and issues with supply. By rewarding two government employees who were recently heard bragging that "fortune favours the bold" and who publicly attempted to bribe votes and letters of support with the lure of future discounts in their store, you are sending the message that you don't care about the business community who played by the rules, that reducing buffer zones (thereby removing safeguards for the students at the ILC) is more important than re-zoning Shipyards Park to be properly zoned as a park with a play structure, and that tax payers dollars should be allocated to help further the financial gains for these men. Is this really worthy of your vote? I think not.

Thank you for your consideration.

Cylar Dunbar
Concerned Post-ILC Student

From: [Executive Assistant](#)
To: [Public Input](#)
Subject: FW: Cannabis Store
Date: Friday, August 26, 2022 10:36:09 AM

From: [REDACTED]
Sent: Thursday, August 25, 2022 7:48 PM
To: Mayor&Council [REDACTED]
Subject: Cannabis Store

I have been following the story of the cannabis store that wishes to open for business in the old Marble slab space. This space is clearly in violation of the buffer zone legislation, and to change this law would be clearly viewed as favouritism to these two men.

I seriously don't buy their claim that they were given a wrong map, or that the legislation was unclear. I'm pretty sure both of these men are well aware of the rules are considering the positions they held, or hold in YG and COW.

It seems they consider themselves exempt from following the rules, and it appears they may have friends on city council and in Yukon Government to help them change the rules for their own benefit.

I understand that the research and debate that went into deciding this legislation was long and arduous, and although the rules seemed very restrictive to me at first, I eventually understood that the reasoning was well thought out, and I applaud all levels of government for being thoughtful and thorough.

And now to see this legislation casually tossed aside for two entitled men, that would be very unfair to all the other business owners and operators that have had to follow ALL the rules.

Not to mention how terrible it looks to amend laws for your buddies. This really looks terrible. Do the right thing. Don't allow this rule bending for a couple of guys who clearly should know better.

Regards,
Roxanne Magee
Whitehorse, Yukon

From: [Sandra Bigger](#)
To: [Public Input](#)
Subject: Fwd: Sandi's Letter
Date: Saturday, August 27, 2022 2:24:13 PM

To: Madame Mayor
Whitehorse City Councilors

Re: Public Input Into Cannabis Retailers Zoning Changes

After having read the various news articles regarding the reduction in cannabis buffer zones, specifically to benefit one prospective cannabis retail store, a number of issues come to mind. As a mother and grandmother, I feel compelled to address this issue with both the City of Whitehorse and with the Yukon Government.

All existing cannabis retailers in Whitehorse have had to comply with the existing legislation with a buffer zone of 150 meters from a school or play structure/park. A few applications for opening other cannabis retail shops have not been approved because the locations in question were within the 150 meter buffer zone. The Canadian and Yukon Governments established their legislation regarding cannabis sales after much debate and consideration for the protection of young people. As far as my research has been able to find, this existing buffer zone is quite standard in many provinces and municipalities. Years worth of research and discussion have taken place to come to the decision to implement a 150 meter buffer zone. The reason for the buffer zone is to protect young people from overexposure to cannabis, their access to cannabis and their use of cannabis. It is a means to deter young people from using cannabis until their brains are fully developed. Cannabis usage by minors has been scientifically shown to cause changes in the formation of their brain.

I find it extremely hard to believe that Dan Schneider and Jordan Stackhouse were unaware that their chosen location was not outside the buffer zone.

In this particular case, the Independent Learning Centre (ILC) is within 150 meters of the location Dan Schneider and Jordan Stackhouse have rented to house their new cannabis shop. Since Dan Schneider was the Manager of The Herbarium when its original location was not approved because the location was within the 150m buffer zone. It is far more plausible that these two gentlemen are using their past and present positions to circumvent the legislation standing in their way. Porkbarreling, or the process of influential people doling out favors to their friends and associates is far more realistic an explanation for the actions of Dan Schneider and Jordan Stackhouse. They likely planned on relying on their status and positions with those who have the ability to change the legislation to grease the wheels for them and let their business venture proceed.

The ILC is a legitimate school for students who require extra support, need a tailored learning environment and are the most vulnerable individuals in our school system. Reducing the buffer zone will send a message to our youth and their families that the wellbeing and development of these individuals are less important than those of others.

Even more concerning to me, regarding the proposed location for the cannabis shop to be opened by Dan Schneider and Jordan Stackhouse, is its proximity to Shipyards Park which is within 15 meters. Whether Shipyards park is zoned as waterfront or a park, it remains that young people of all ages frequent the area for sledding, festivals and to play on the play structure. The location is also surrounded by fast food establishments which cater to children

and young people. I can also imagine the confusion some young people will experience when they can't go into or near the store that used to be an ice cream store!

Jordan Stackhouse is the Economic Development Coordinator for the City of Whitehorse and Dan Schneider, until recently, was the manager of The Herbarium, and as such, should have known of the 150 meter buffer zone required from a cannabis shop to a school. Their failure to do their due diligence and correctly interpret the law does not justify allowing them to proceed with this business venture. Ignorance of the law does not lessen an individual's responsibility or culpability for the breaking of a law. In this particular case, on the part of Jason Stackhouse, the Economic Coordinator for Whitehorse, it could be construed as negligence and nepotism in the performance of his duties on behalf of the City of Whitehorse.

Any prospective cannabis retailer must also provide proof that they are the legal owners or tenants of the property where they intend to open a cannabis shop. This means any person or persons who intend to open a cannabis shop will be paying rent or a mortgage monthly from the time they hand in an application until their application is approved; a process which could take months to be approved. This is an expense that anyone attempting to open a cannabis shop in the Yukon would be required to bare.

In closing, it is my hope that my opinions and perspective will be taken into consideration in this serious concerning matter. The legislation presently in place was developed with great care and thought with regard for all residents in this country and territory by individuals with the credentials to do so. All laws and bylaws must be adhered to by ALL members of the community. They are NOT meant to be circumvented by a select few!

With Kind Regards,
Sandra Bigger

Sent from my Bell Samsung device over Canada's largest network.

From: [Executive Assistant](#)
To: [Public Input](#)
Subject: FW: proposed Cannabis store
Date: Monday, August 29, 2022 2:54:35 PM

From: Dan Bushnell [REDACTED]
Sent: Monday, August 29, 2022 1:34 PM
To: Mayor&Council [REDACTED]
Subject: proposed Cannabis store

To the City of Whitehorse,

I am writing today regarding the dispute over the proposed cannabis store in the old Marble Slab space.

I'm finding it difficult to watch a local, small business – yet again – get bogged down by a bureaucratic

detail that doesn't serve the community, specifically: the proximity of the proposed location to the

Independent Learning Centre (ILC).

This is not the first time I've weighed in on the proximity of a proposed cannabis store. As the owner of

Molotov and Bricks Tattoo on 307 Wood Street in downtown Whitehorse, I voiced concern about the

opening of Triple J's Canna Space on the corner of Wood St. and 3rd Avenue in 2019.

My concern came from direct experience with the short-lived liquor off-sales store in the space now

occupied by Wood Street Ramen. When that off-sales opened, people would be there at opening every

day, and would consume their purchase in the park across the street. Every business in the area was

broken into, robbed and vandalized during that time. Our building, which houses 3 small businesses, spent

thousands on increased security measures. The violence in and around Lepage Park was so frequent, I

would not let my grandchildren play on the lawn in front of the shop. A literal drunken brawl took down

a section of our fence.

So when I saw the proposal to open Triple J's Canna Space on the same block, I was concerned.

However, in the years since Triple J's Canna Space has been open, I have been proven resoundingly

wrong in these concerns. I have not seen ANY evidence that a negative incident can be attributed to the

existence of the pot store.

I would also like to point out that Triple J's is across from a park with an extensive slate of programming

in the summer, Arts in the Park, which attracts a wide range of people, including daycare groups. It is

also on the same block as Titan Gaming, which is a hub for youth in the city. From our shop,

we see a daily stream of students from the Wood Street School on their way to the Java Connection for lunch, which is adjacent to Triple J's. Not to mention the fact that Triple J's itself is a cluster of stores specifically geared towards youth culture, music and clothing. By the same logic that is preventing the new space in Marble Slab to open, the space in Triple J's would never have been allowed to open. Yet nothing negative has come of it that I can see. Please though, walk the alley behind Lepage park, drive behind the Chamber of Commerce building and observe that youth are getting a hold of alcohol. Be careful, because it is always littered with broken Smirnoff bottles. And ask our neighbor across the alley Antoinette, who was broken into multiple times where the thieves only took alcohol. It was the 7 th or 8 th time, when they finally caught someone and took them to court. Nothing came of it and the robberies continued. It is enraging to see such an accomplished chef and valued community member be targeted like that. The regulation preventing this new cannabis store from opening does not serve the community. There are much better things we as a society should focus on rather than whether youth from the ILC will be lured into smoking pot because this store will be fewer than x amount of yards from their door. The staff and owners are bound by law to check ID. That should be enough. If the City of Whitehorse doesn't agree, I would like to see the evidence.

--

Molotov and Bricks Tattoo



From: [Valerie Girard](#)
To: [Public Input](#)
Subject: Letter of Objection - Reduction Buffer Zone - Cannabis
Date: Wednesday, August 31, 2022 9:12:50 PM

Hi,

I am writing to Mayor and Council today, as I saw in a recent Yukon News article that you are looking for public input on whether to accept or deny an application by two men to open a marijuana shop across the street from Shipyards Park – and really close to the Individual Learning Centre (ILC). I do not support Mayor and Council authorizing this buffer zone reduction.

Our kids and community deserve better. I have spoken with people in my friends circle about this issue, and we unanimously agree that rewarding two men who did not conduct proper research before signing a lease is not in the best interests of anyone but those two men.

Giving youth greater access by permitting this shop to open in the old Marble Slab location, barely 100 meters from the ILC, and being so close to Shipyards Park, will have negative repercussions. And I am worried about it.

The City should not be prioritizing this application, or approving it, because these men are losing money from a lease that never should have been signed. They didn't do their due diligence and ignorance of the law is no excuse or defense!

Thank you for your consideration of my objection.

Kind Regards,

Valerie Girard

Whitehorse resident

From: [Richard Fuller](#)
To: [Public Input](#)
Subject: Fwd: Bylaw-2022-27-Admin-Report-2220-2nd-Avenue-Appendix-B.pdf
Date: Thursday, September 1, 2022 8:55:02 AM
Attachments: [Bylaw-2022-27-Admin-Report-2220-2nd-Avenue-Appendix-B.pdf](#)

Sent from my iPhone

Begin forwarded message:

From: Richard Fuller [REDACTED]
Date: 1 September 2022 at 08:01:18 GMT-7
To: [REDACTED]
Cc: Mike Gau [REDACTED]
Subject: **Bylaw-2022-27-Admin-Report-2220-2nd-Avenue-Appendix-B.pdf**

To Whom It May Concern

I note that with the exception of the subject bylaw amendment, every other proposed bylaw amendment at <https://www.whitehorse.ca/business-in-whitehorse/zoning/current-amendments/#1651593002424-fdb7d5c6-5a3a> contains the phrase:

"This bylaw shall come into force and effect upon the final passing thereof"

Can you please explain why this proposed amendment is exceptional in this regard (does not contain the proviso "this bylaw shall come into force and effect upon the final passing thereof"), and am I to infer that the amendment has been passed, despite only having had the first reading?

Sincerely
Richard Fuller

From: [Richard Fuller](#)
To: [Public Input](#); [Mayor&Council](#)
Subject: Formal objection to proposed bylaw amendment 2022-27 at 2220 2nd Ave. Whitehorse
Date: Wednesday, September 7, 2022 4:24:31 PM

To Whom it May Concern

Please find below a link to a PowerPoint presentation objecting to the proposed amendment to bylaw 2022-27 at 2220 2nd Ave. The presentation contains relevant photos and videos, and as such is too large a file to submit as an attachment, hence the link.

Thank you in advance for taking the time to consider this document, and I look forward to providing you with my in-person verbal input on September 12.

[PRESENTATION OBJECTING TO THE PROPOSED AMENDMENT TO BYLAW 2022-27](#)

Sincerely
Richard



Richard Fuller
The Herbary

P [REDACTED]
W theherbary.com

E [REDACTED]



Objection

Zoning Amendment 2220 2nd Ave.

Executive Summary

Please consider this presentation a formal objection to the application to amend bylaw 2022-27, at 2220 2nd Avenue. There are several important issues that must be considered by Council prior to deciding on the proposed amendment. This document serves to address these concerns and provide facts and clarifications, including:

- The purpose of the Cannabis Act
 - The importance of buffer zones and the protection of youth and the evidence to support them
 - A jurisdictional review of buffer zones
 - The proximity concerns to both ILC and Shipyards Park
 - The precedent for refusing two previous retail cannabis applications for being too close to ILC and the unfair competitive advantage that would be afforded to the proponents, should the bylaw be amended
 - The flawed, biased, inaccurate and misleading Administrative Report
 - The questionable testimony given by the proponents on July 18
 - The questionable tactics used by the proponents
 - The questionable 'optics' of favouring a former City employee and a former YLC employee despite their questionable judgement, apparent lack of research & due diligence; and lack of concern and understanding with respect to the importance of buffer zones and the protection of young persons
-

The Purpose of the Cannabis Act

Amongst other things, the purpose of this Act is to protect public health and safety and, in particular, to

- a) Protect the health of young persons by ***restricting their access to cannabis***;
 - b) Protect young persons and others ***from inducements to use cannabis***
-

The Importance of Buffer Zones

Rethinking Access to
Marijuana, 2017

“It is clear that locating cannabis stores away from schools, day cares and community centres is essential to protecting children from the normalization of Cannabis use.”

The Importance of Buffer Zones

Cannabis Legalization & Regulation: A Jurisdictional Review

Child Health BC, November
2017

*“The Canadian Paediatric Society’s position statement, released in February 2017, considered the regulation of cannabis as it relates to youth and young people and recommended that governments should...**Enact and rigorously enforce regulations** on the cannabis industry to limit the availability and marketing of cannabis to minors. These regulations must:*

- **Prohibit storefronts from being located close to schools, licensed child care centres, community centres, residential neighbourhoods and youth facilities.”**

The Importance of Buffer Zones

AHS Recommendations on Cannabis Regulations for Alberta Municipalities

February 2018

“Alberta Health Services recommends municipalities strengthen zoning regulations by using a combination of population and geographic based formulas to restrict the number and location of cannabis outlet licenses. In particular AHS recommends that municipalities:

- Limit the number of business licenses issued in the first phases of implementation.*
- Implement a 300-500m minimum distance restriction between cannabis retail outlets*
- **Implement a 300m distance between cannabis stores and schools, day cares and community centres.”***

The Importance of Buffer Zones

Municipal regulation of
cannabis and public
health in Canada: A
comparison of Alberta,
Ontario, and Quebec

April 29, 2022

*“The intent of applying minimum distances is to minimize exposure to cannabis retail establishments as **this can contribute to normalization**. As has been found with alcohol and tobacco, the more exposure to normalizing behaviours the greater the risk for initiation or increase in the frequency of use. While there are few studies specific to the proximity of cannabis stores to schools and places where youth gather, **it will be important for municipalities to continue to take a precautionary approach until further research is conducted to ensure harms are minimized**”.*

So, why are Buffer Zones Important?

The proponent, admittedly, does not understand that the importance of buffer zones around schools is for the protection of youth.

(1m 37 secs.)



1 min 37 secs

Press the 'Play' button in the middle of the image to start videos

Buffer Zones – a Jurisdictional Review

The vast majority of buffer zones across Canada tend to be at least 150m or more.

Far from looking to reduce buffer zones, the following should be noted:

- In January 2022, New Brunswick – after 4 years of being able to assess the effectiveness of buffer zones - formally passed into law a buffer zone of **300m** between schools and retail cannabis stores.
 - In January 2022, Vernon BC established a **250m** buffer zone between schools and retail cannabis stores.
 - Alberta mandates a minimum buffer zone, but more than **70 municipalities have chosen to increase it including Edmonton (200m) and Calgary (150m)**
-

Other Jurisdictions:

- Quebec, **250m** (**150m** in Montreal)
- Ontario, **150m**
- Manitoba, in its ‘Zoning for Cannabis’ guide suggests “typically, **150 to 300 metres** is established between cannabis-related facilities and schools, licensed day-cares, public recreational facilities and other cannabis-related uses”
- Vancouver, **300m**
- Mission BC, **250m**

The Proximity Issue - ILC

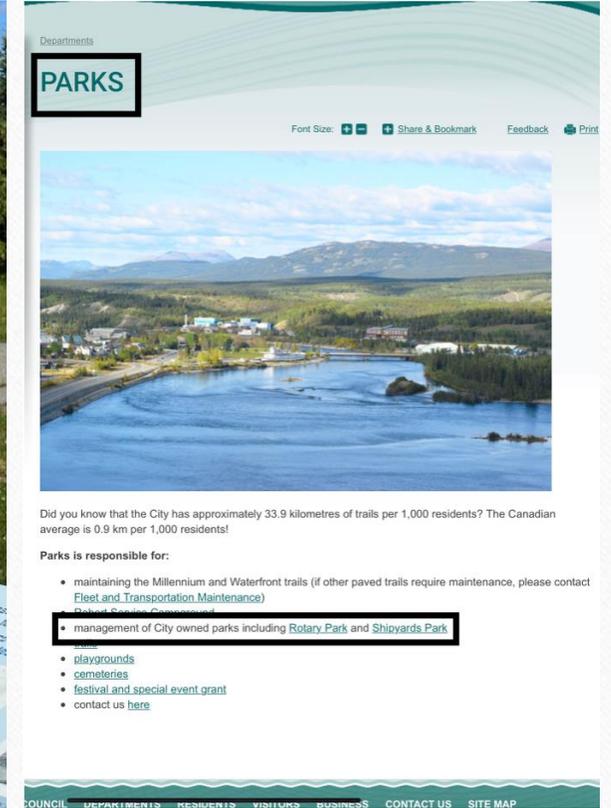
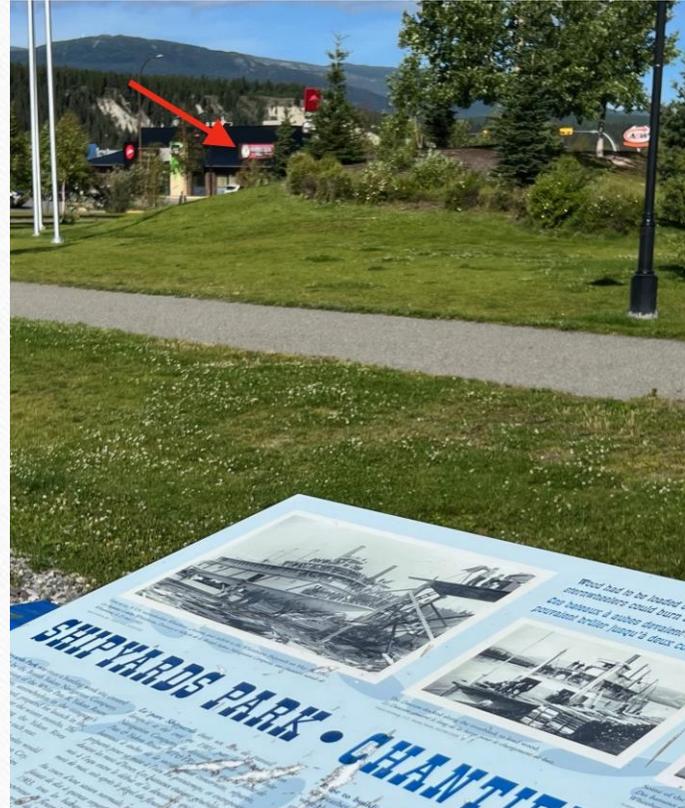
- This photo was taken from in front of the Individual Learning Centre (ILC)
- The store signage is clearly visible from the ILC, further re-enforcing the ‘normalization’ of cannabis use for youth in the community
- The ILC website states that “**numerous social, emotional, and economic challenges faced by our students have put up several barriers towards successful education.**” Surely placing a visible, retail cannabis store across from the school would be yet another social challenge and barrier towards the students’ successful education.



The Proximity Issue – Shipyards Park

When is a Park not a Park?

- Shipyards park is listed as a 'Park' on the government website
- It is managed by the Parks Department
- Members of the public can rent the 'Park'
- It has a massive play structure
- However, a "Park is not a Park" when a retail cannabis location wants to open within 20m of it, and it becomes 'Public Waterfront' due to antiquated zoning designations.
- The proximity to Shipyard's Park should be as much of a concern to Council – if not more - as the proximity to the ILC school.



The Proximity Issue – Shipyards Park

When is a Park not a Park?

- Melodie Simard, Director of Planning and Sustainability has stated that Shipyards Park is purposefully zoned 'public waterfront' because the play structure is so far from the Second Avenue sidewalk that the lot is the buffer itself. This makes absolutely no sense at all since any approach to the park provides visibility to all the business across the street.
- Ms. Simard also stated that by designating it a Park would be too restrictive for other restricted businesses potentially on First and Second Avenues. This a staggering comment: isn't the whole point of zoning parks to keep them at a safe distance *from* restricted businesses and not closer to them?
- It would be nothing short of outrageous if the City chose to ignore the proximity issue to Shipyards Park and granted the amendment due to a zoning 'loophole'.

Public comments to July 22nd Daily Star Article entitled: "Cannabis Retail Shop Pursued"

Susan on Jul 29, 2022 at 10:38 am

Well folks, it seems that these guys are going to get around the 100m from Parks requirement. Shipyards is zoned "Public Waterfront" and is not a park, according to COW development officers. In the 2 years since the playground was constructed, the City hasn't gotten around to considering a rezoning of this to reflect the evolving use. Isn't that interesting, given that Mr. Stackhouse is a former City and YG employee? I guess he had a lot of free time to check that out.

Rotary is a park and Shipyards, the most used park in Whitehorse is not?

This is the calibre of intelligence of our City officials.

Jonathon on Jul 23, 2022 at 8:00 am

I have nothing against weed, but everything against this location. This is the perfect loitering spot for anyone who doesn't care for the laws and wants to smoke in public spaces. You'll have more people hanging around shipyards park stinking up the place, half the cars in that parking lot already do this, let's not add more. On top of that the Tim Hortons parking lot can't take on the space for this. People will buy there weed and then "chill" in their cars for an hour or so with a box of doughnuts.

Good location business wise? Yes. Good location to disrupt the area in a negative way? Absolutely.

The 150m Buffer Zone Precedent and the Unfair Competitive Advantage

- The YLC Licensing Board has already rejected *two* previous retail cannabis applications (The Herbarry Inc. and Hobo) for being within 150m of the Individual Learning Centre, of which – had they done their due diligence - the proponents would have been aware of. The rulings stated:
 - “The Reg 184 s.11(1) minimum distance requirement applies to “an elementary or secondary school” that is within 150 metres of a proposed cannabis retail store licence site...as such, the Board does not find this Application to be in conformity with relevant enactments, and in particular section 11(1) of Reg. 184. In the Board’s opinion, to find otherwise would run contrary to a stated objective of the *CCRA*: **“to protect young persons and discourage their access to, and consumption of, cannabis.”**
 - If Council approves the amendment to reduce the buffer zone by 1/3 to 100m, it would emphatically and with blatant disregard, compromise and reduce the protection of young persons, contradicting the Federal Cannabis Act and the Cannabis Control and Regulation Act’s stated objective.
 - In addition, all the current dispensaries have sited their locations based on the existing buffer zone regulations. Making a single, ‘spot zone’ exception for Community Cannabis because they didn’t understand what a ‘lot line’ is, would provide them with an unfair, unwarranted and undeserved competitive advantage, since that area of town was never an option for Triple J’s, Ninetails, Fire and Flower or The Herbarry.
-

The flawed, misleading and biased Administrative Report

- The Administrative Report states YLC had ‘no strong objections’ with the proposed amendment. This is a serious mischaracterization, insomuch as it implies tacit approval, when in fact the YLC’s official stance is neutral in that the YLC ‘neither supports nor opposes’ the amendment. This is a very important distinction.
- The Administrative Report states YLC ‘researched the reasoning of the 150m buffer in the act’ and ‘could not find a rationale for the specific distance or evidence of greater harm occurring between 100 and 150m’. This is completely false. No such research has been conducted; a copy of the “research” was requested but was not forthcoming, because it does not exist.
- The Administrative Report states YLC ‘undertook a jurisdictional review of other legislation with school buffers’. This is again untrue; no jurisdictional review took place; a copy of the “review” was requested, but was not forthcoming, because it does not exist.
- The Administrative Report states YLC advised, ‘the buffer is not a critical piece of youth protection’, however a subsequent slide will show that in fact YLC implicitly states that buffer zones are in place to protect youth.



Amelie.Quirke-Toml... 13/08/2022

To: Richard & 1 more... >



Re: Buffer zone research and jurisdictional review document request

Hi Richard

The stance is that the Yukon Liquor Corporation neither supports nor opposes it. The City has described that in its administrative report as “no strong objection”.

Anything further you are unsure about should be raised with them, as appropriate for their process.

Thanks
Amelie

The flawed, misleading and biased Administrative Report

- Having had concerns about the YLC's supposed contribution to the Administrative Report, a request was made to access the meeting minutes, the jurisdictional review and research behind the reasoning of the 150m buffer zone. None of these exist.
- The 'meeting' was a 10-minute 'Teams' call between Judith Booth, Director of Licensing and Compliance Services for YLC, and an individual from Administration, whose name was not provided as Ms. Booth did not want to 'throw them under the bus'. I found this to be quite an extraordinary (and concerning) comment which only served to confirm my suspicions about the Administrative Report.
- Ms. Booth confirmed she received the information she passed on to Administration from Amelie Quirke-Tomlins, Director of Policy and Communications for YLC. The following slide is the full extent of that information, which I received after having submitted the ~~request~~ request for the meeting minutes, the research and the jurisdictional review:

The flawed, misleading and biased Administrative Report

Hi Richard

The City reached out requesting information, so I provided information to Judy in an email on June 23. It is pasted below for your convenience.

The Cannabis Control and Regulation General Regulation states that

11(1) Subject to subsections (2) and (3), a cannabis retail store must be located so that each point on each lot line of the premises of the cannabis retail store is more than 150 metres from each part of a building that is, or is part of, an elementary school or secondary school.

(2) A provision of a municipal bylaw prevails, to the extent of any inconsistency, over the requirements of subsection (1), in relation to the location of a cannabis retail store located within the municipality, within the meaning of the Municipal Act, if

*(a) the bylaw is validly adopted by the council of the municipality; and
(b) the bylaw is in force.*

School buffers are in place in most Canadian jurisdictions to protect youth. Distances vary from 100m to 300m.

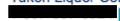
One of the purposes of the *Cannabis Control and Regulation Act* and Regulations is to protect young persons and discourage their access to, and consumption of, cannabis. Other examples of legislation in place to protect Yukon youth are (paraphrased from the legislation—for accurate wording please read the legislation):

- It must **not** be reasonably possible for a person who is in a part of the cannabis licensed premises that is not the dedicated cannabis area, or who is outside the licensed premises, to **see** into the dedicated cannabis area;
- It must **not** be reasonably possible for a person who is in a part of the cannabis licensed premises that is not the dedicated cannabis area, or who is outside the licensed premises, to **hear** any activity occurring in the dedicated cannabis area;
- Licensees must ID check any individual who appears to be a young person wanting to purchase cannabis;
- Licensees must prevent young persons from being present in the dedicated cannabis area of their licensed premises and provide the Yukon Liquor Corporation with reports on the measures they have taken to prevent young persons being in the cannabis area;
- The licensee must operate the licensed premises in a way that prevents young persons from being present in the dedicated cannabis area;
- There are federal Cannabis Act restrictions on the promotion of cannabis, particularly promotions appealing to youth.

If you have concerns about this for the City's current zoning amendment process, you may bring your concerns to the City.

Thanks
Amelie

<image001.png>

Amelie Quirke-Tomlins
Director, Policy and Communications
Yukon Liquor Corporation
 | Yukon.ca

The flawed, misleading and biased Administrative Report

- It is completely outrageous that such a report could be submitted, referencing research and reviews that were never conducted and do not exist. The over-riding concern is that Council will be unduly influenced by the flawed, misleading, inaccurate and biased Administrative Report. Indeed, at the July 25, 2022 meeting, Council raised a question based on the inaccurate YLC “no strong objection” quote.
- Again, by saying ‘no concerns were raised by YG’ implies tacit approval. As a neutral body, the YG can – and did – only comment on current legislation (as per the Amelie Quirke-Tomlins email), as this amendment is a matter for the City.
- I can categorically state that there was no additional follow-up done by Administration since the June 28 meeting (as confirmed by Judith Booth), so the answer to Council’s question here is only based on the contents of the Administrative Report.
- It is alarming that Council have not been provided accurate information, in the appropriate context.



COUNCIL QUESTIONS & ANSWERS

Meeting date: July 25, 2022

1. Crosstown water main

What is the total length of the Crosstown water main?

Answer

Total length of the Crosstown water main is 5 km.

2. Subdivision Whistle Bend Phase 9

What is the timeline for development of the Transportation Master Plan (TMP)? What if any arterial road upgrades are being planned and what is the approximate timing for those?

Answer

The TMP is anticipated to be completed in spring, 2023.

Range Road North reconstruction is scheduled for design 2023 and construction 2024. This includes Range Road from Crow Street to just past the existing bus turnaround. This timing may be tweaked through the 2023-2026 capital planning to align with some ongoing planning being done by YG and KDFN.

Mountain View Drive improvements are being assessed as part of the TMP which needs to be completed first, including the option of twinning Mountain View Drive. Timing will be confirmed after the TMP is finished, and by Yukon Government, who will be responsible to do the work.

3. Zoning Amendment 2220 2nd Avenue

With respect to the note that the Yukon Government (YG) had no strong concerns, what concerns, if any, did they have, and were there any suggested mitigations for those?

Answer

No concerns were raised by YG. They advised that it would be important to keep various YG departments apprised about the progress on the Zoning Bylaw amendment by including them in the public hearing mailing list.

The Questionable Testimony

- During their presentation at the July 18 meeting, the proponents provided testimony that could be construed as misleading.
- The proponents stated there was ‘no clarity’ and ‘did not have any information’ regarding distance, from by YG.
- This is false, as it is clearly stated in the Cannabis Control and Regulation Act (next slide) which was provided to me within 20 minutes of requesting it from YG. One can only assume that the proponent has not read the Act, which would be concerning in itself...



14 Seconds

The Questionable Testimony

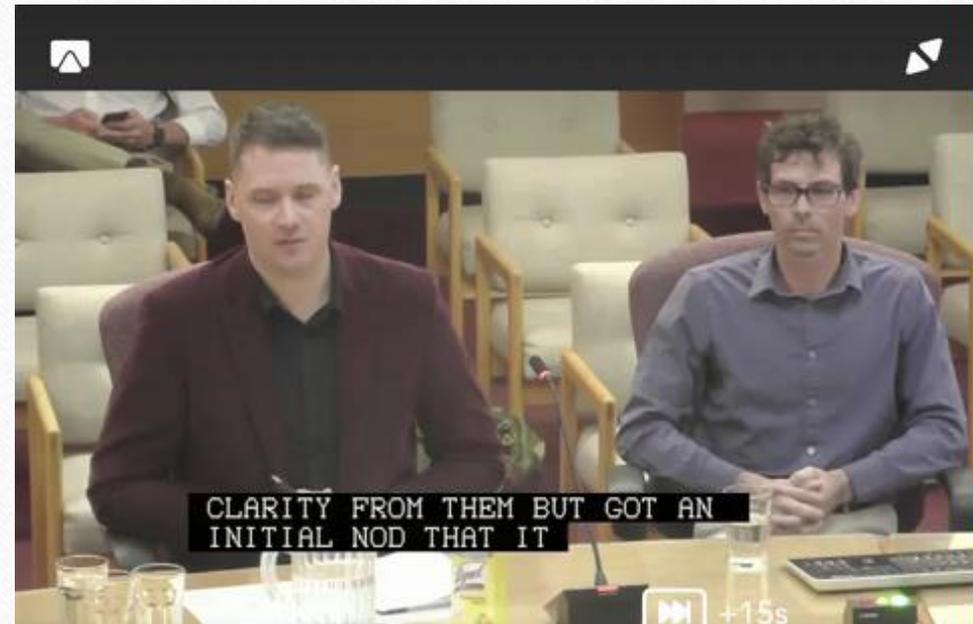
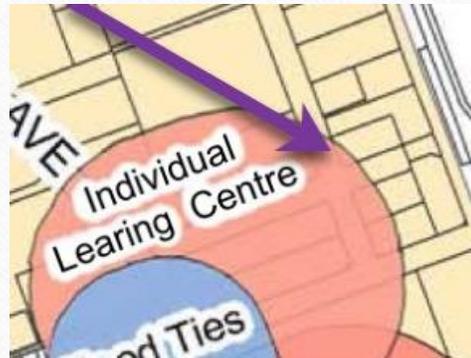
- Mr. Stackhouse was once the Economic Development Coordinator for the City of Whitehorse, and now has a business “specializing in planning, research and management of all areas of local government and small business.”
- As such, it is incredulous that he would not be capable of understanding the concept of ‘each point on each lot line’.
- It should be noted that Mr. Stackhouse also admitted there was a lack of clarity from YG, but proceeded with signing a lease anyway, when he could have easily used the services of a land surveyor to determine the distance.

11 Location of cannabis retail stores

(1) Subject to subsections (2) and (3), a cannabis retail store must be located so that each point on each lot line of the premises of the cannabis retail store is more than 150 metres from each part of a building that is, or is part of, an elementary school or secondary school.

The Questionable Testimony

- Mr. Stackhouse states that the map provided by the City shows the proposed location is “outside the buffer zone”.
- This is false, as the map clearly shows the lot line of the proposed location is inside the buffer zone.



10 seconds

The Questionable Testimony

- Mr. Stackhouse was queried about other locations they may have considered, and he mentioned the 'industrial area' but was dismissive of its potential.
- It should be noted that Mr. Schneider was the Manager of The Herbary, which is located in the industrial area. He would have most certainly known that the industrial area is indeed a viable option, since it is also the area where the original government cannabis store was located and is well-known across the city as an area of town where retail cannabis can be acquired.

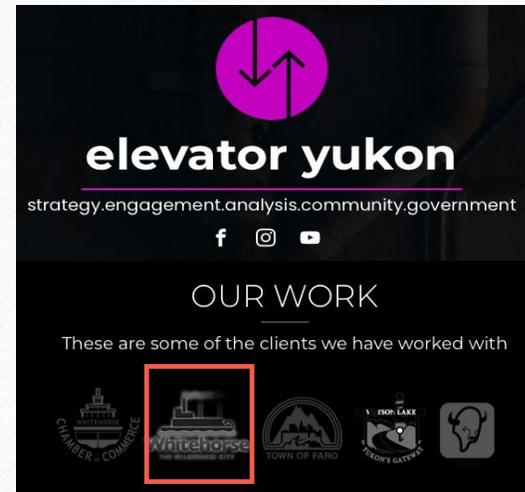


23 seconds

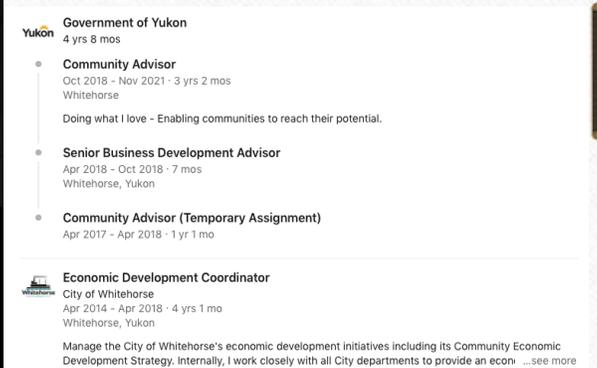
The Questionable Optics

- Many of those opposed to the amendment are concerned about a potential conflict of interest, considering the City of Whitehorse has worked with Mr. Stackhouse's current business (Elevator Yukon), as well as his former tenure with the Government of Yukon.
- 'Favouritism', 'Cronyism' and 'Influence Peddling' are some of the terms being used to describe the concerns.
- Despite what one would think would be a real possibility of *not* being granted a change to the bylaw, construction continues unabated at Community Cannabis, despite that fact the proponents are concerned about how much money has already gone into the project. Instead of pausing construction until a formal decision is made, why continue to spend even more money unless you are confident of a decision in your favour? All these factors are being considered by a much wider audience.

Elevator Yukon website



Mr. Stackhouse's LinkedIn Profile



The Questionable Optics

Public comments in response to July 22nd Daily Star Article entitled: “Cannabis Retail Shop Pursued”

Anie on Jul 26, 2022 at 10:57 am

I think council should ask for staff notes regarding every interaction with the applicants. Something isn't right here.

Juniper Jackson on Jul 24, 2022 at 11:35 am

Does the City need another outlet for cannabis? So.. No. Just no. They signed a lease prior to getting a zoning permit, knowing that location was not zoned. Hmm, that kind of smacks of prior knowledge, maybe some assurance ahead of time that Council would pass an amendment? How many councilors did Stockhouse and Scheinder talk to about the possibility of approval before leasing? It IS the Liberal way. Interesting to see where this card falls. I would like to know about prior meetings with Councilors though.

David Dixon on Jul 23, 2022 at 10:11 pm

Hi: I am glad to see there are others who can smell the stench of favouritism in this store. City Hall is considering changing the zoning regulation to allow this cannabis store within 150 meters of a school to open. I agree that the parking lot common to Tim Hortons and Pizza Hut is already too busy as Enviroybe is also there. The owners who rented this old Marble Slab Creamery space should have done their research and not signed a lease there as they should have known that this would violate this bylaw of opening within 150 meters of a school. DON'T grant them an exemption. I don't care how much money they are losing. It is there own fault. NEVER them or anyone else to violate this bylaw. PERIOD!!!!!!

Absolutely without a doubt, if this amendment is granted it will be because of the connections Mr. Stackhouse has made through his prior employment with both the City and YG.

The Questionable Tactics

- In addition to the questionable testimony and optics, there are other concerns as well.
- The attached Facebook plea by Mr. Schneider is using what could be considered under the Cannabis Act as illegal inducements by offering discounts, in order to get people to support the amendment.
- It should be noted that Mr. Schneider implicitly states that 'this error comes down to a lack of information from the regulators, at no time could we access the required documentation or speak with anyone who could tell us how to determine this buffer'; this is misleading, to say the least...
- Also, his template letter to the City says, "there are no sight lines...to the Community Cannabis business"; this is also not true, as demonstrated by the image on slide 12.

Dan Schneider Facebook Post



It was only after we submitted our application that YG informed us our lot line is 37m too close to the back of NVD place. This 37m has led to months of delays and significant expense for our small business in having our location comply with the rules. It has been a long, expensive, and frustrating journey.

However, we are now at a point where the City is finally considering this request and I am asking for your help and support so we can get our business's doors opened.

All you need to do to help is please take 3-5 minutes of today to write the City of Whitehorse an email

Here's how to do it:
Email: publicinput@whitehorse.ca

Email Title: support for 2220 2nd Ave - Community Cannabis

Email Body: To whom it may concern, I/we, NAME, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector. Signed,; NAME/ADDRESS/CONTACT. If you could do this, and let me know if you did, I would super grateful to you. It would help me immensely and I would be happy to reciprocate with a store discount, or a favour, or a hug in return.

Thanks,
Dan

Summary

- Buffer zones are in place to protect youth. The closer retail cannabis stores are to schools, the more ‘normalized’ cannabis use becomes, which ultimately increases cannabis use. This is a fact. Research clearly indicates that reducing buffer zones would be irresponsible.
 - A buffer zone of 100m would mean Whitehorse would have one of the smallest buffer zones in the country (along with having the highest number of cannabis stores in the country, per capita), increasing the normalization of cannabis use to the detriment of the youth in the community.
 - The Administrative Report has been shown to be misleading and inaccurate, raising serious doubts regarding the process used to adequately inform Council who are responsible for making important decisions, and serious concerns about conflicts of interest.
 - The Individual Learning Centre is attended by many at risk and vulnerable youths, certainly more so than the ‘average’ secondary school. Passing an amendment to allow a visible retail cannabis store 100m away would send a very poor message to the community, and certainly one that says, “we do not consider the protection of youth in our community to be a priority”.
 - The proximity to Shipyards Park is a huge concern. The park is ‘public waterfront’ in zoning terminology *only*; for all intents and purposes it is a park and siting a cannabis store here would be an embarrassment for Whitehorse.
 - In closing, the proponents refuse to take responsibility or accountability for the situation they are in, blaming the regulator and expecting the City to rectify a situation brought about by their own lack of judgement, poor business sense, and lack of due diligence. To amend this bylaw would be at the expense of the youth in the community, families using Shipyards Park, and the currently licensed retail cannabis stores that have been held to a different, higher, standard. The proponents’ questionable testimony and tactics, along with their hubris and disregard for – and lack of understanding of - the importance of buffer zones, should not be rewarded with this bylaw amendment.
-

From: [REDACTED]
To: [Public Input](#)
Subject: Formal Objection to Spot Zoning Amendment re: 2220 Second Avenue
Date: Friday, September 9, 2022 1:44:35 PM
Attachments: [Formal Objection to Spot Zoning Amendment to Reduce Buffer Zones and Remove Safeguards for Students.docx](#)

Please find enclosed my objection on the spot zoning amendment being considered by Mayor and Council.

Warmly,

Mrs. Jordi Mikeli-Jones
CEO, Triple J's Collective / Canna Space

[REDACTED]



A Yukoner Who Cares: My Background for Context

I am fiercely proud to call Yukon home. I am a die-hard Yukoner who has lived in Whitehorse, and Lake Laberge, for a combined 37 years. I have dedicated most of my life to improving the welfare of all Yukoners. I was awarded the prestigious honour of *Volunteer of the Year* by the City of Whitehorse for my decades-long, unwavering commitment to helping Yukon animals in need (though the Humane Society and my own non-profit organization, Kona's Coalition.) I have also won the Commissioner's Award for Public Service for my volunteer efforts. I have made a difference in the lives of thousands of animals, and their respective families, by personally raising over \$500,000 for abused, abandoned and injured animals throughout the Yukon. I accomplished this by organizing and producing more than 300 events (all fundraisers!) over the past 25 years, including ten years operating Sunstroke Music Festival at Shipyards Park, six years with Moonstroke Music Festival, the first five years producing Simapalooza, the inaugural years producing the Canada Day Skate Comp, countless golf tournaments, fashion shows, fun runs, etc. I donated 100% of my time and 100% of the profits. I volunteered for six years with Humane Society Yukon, resigning as President to forge my own path with Kona's Coalition. I successfully petitioned government to see important changes to the Animal Protection Act. I was the Founding President of Kona's Coalition, Yukon Roller Girls, Soulstice Music Society, Northern Cannabis Business Alliance – to name a few. I have operated multiple businesses in Whitehorse, including Triple J's Music, Tattoos and Piercing (now Triple J's Collective), established in 2004. I am the President and CEO of Triple J's Canna Space – the first privately licensed cannabis retail operation North of 60 – established in April, 2019. I have invested, and continue to invest through my Triple J's Community Investment Fund, tens of thousands of dollars into Yukon programming and infrastructure. I am committed to building community partnerships with many non-profit organizations to promote inclusivity, diversity, protect animal welfare, and to enhance protections for women, youth and the environment.

I paint this picture for you, not to highlight my resume, rather to offer an intimate understanding of the devotion and commitment I have made to our community. My heart, soul and livelihood are intertwined with the health and vitality of our city. This level of allegiance and loyalty can only truly be authenticated from nearly 40 years as a Yukon advocate and volunteer. I am very protective of this city that I grew up in...and where I continue to raise my daughter. As public servants, I know you share my values for keeping our city safe.

It is with this passion that I express my objection to the passing of a spot zoning amendment to reduce a safeguard by allowing a cannabis retail operation "within 100 meters" of a school.

I am genuinely concerned with City Council's potential decision to supersede an existing Yukon Government regulation to benefit only two men. I am compelled to formalize my objection to Council as a mother who has a daughter who frequents the play structure at Shipyards Park. I am compelled as a Yukon citizen who has helped shape the culture of our community. I am compelled as a friend to concerned parents who have children attending the ILC, and to past students who expressed sheer worry and fear for younger students who are impressionable and already at risk. I am compelled as a woman who sees two privileged, entitled men getting a pass for not conducting thorough research and diligence and who refuse to accept responsibility – instead blaming either the City or the Yukon Government (depending on which media source or government official they are speaking with). I am compelled to object as a business owner who has seen a marked downfall in sales since the start of 2022. I am compelled as a pioneer and trailblazer of cannabis legalization who was immersed in cannabis implementation, working in tandem with multiple government levels, departments, tiers, ministers, politicians, mayors, councillors, municipal and territorial government employees. I am compelled as a human with integrity who recognizes inequality and misrepresentations. I am compelled as a Yukoner who wishes to put the best interests of her community first.

How does this benefit our community?

At the heart of the matter, we must consider the impact to our community. I pose these questions to Council – who benefits from this spot zoning amendment? Do you feel that any Yukoner (other than the two who stand to enjoy financial gains) will benefit? Is potentially compromising the safety of our community's most vulnerable students worth

flexing the legislative power afforded to you? Is this truly the spirit of what was intended when the legislation was drafted? Is there integrity involved with rewarding two men who did not perform due diligence, despite their untrue claims to the contrary? Is this a feel-good zoning amendment that you wish to be remembered for, a legacy for this Mayor and Council? If your answer is no to any of these questions, or you have some doubts, I urge you to VOTE NO on this unfair, unnecessary zoning amendment.

1. An Analysis of July 18, 2022 Standing Meeting

In the first minute that Jordan Stackhouse speaks to Council, he identifies proudly that he used to work for the City of Whitehorse, and is involved with community development. He currently, through his business Elevator Yukon, offers community development consulting.

Next, Dan Schneider introduces himself as the former Manager of Cannabis Yukon and former Manager of the Herbarium in the same location. He states: "I've been involved with the cannabis industry since Day 1."

Any third person listening to their introductions are immediately in disbelief about the optics and gravity of this situation. Jordan has boasted about working for the City as the Economic Development Coordinator (four years), and he currently features the City of Whitehorse logo on his Elevator Yukon website. An educated person would ask themselves what special preferences and advantages are being afforded to these individuals? **Whether real or perceived, an inequality exists**. From this perspective, if you are white, male, entitled and privileged – and currently partner with or previously worked for the City of Whitehorse – you can get the laws changed to suit your needs. I have personally discussed the optics of this with hundreds of people over the past month. I am not alone in my perception of this case.

If Dan Schneider had been truly "involved since Day 1" – he should be aware of the very legislation, as a Yukon Government worker, he was implementing as their retail manager. I did not see Dan at a single meeting in the years, months and days leading up to legalization. Day 1 actually started in 2015 when Prime Minister Justin Trudeau announced the Liberal Party's mandate to legalize cannabis.

We at Triple J's have been involved since before legalization, since the inaugural announcement was made federally. We worked in tandem with multiple Yukon Government departments and all political parties. We provided consultation services to government, and worked extremely closely with our ministers. We were the first privately licensed North of 60. We did not have the luxury or courtesy of having a municipal government change zoning bylaws. We were held to a greater standard of care, scrutiny and restriction. We paved the road for all those who opened after us. We set a high precedent and support safeguards for youth protections. As parents and as business owners, we do not feel it is acceptable for any retailer to request a reduction in buffer zones from a school because they think the laws should not apply. They did not conduct due diligence in reviewing the act, or hiring a surveying company to conduct a proper measurement, or retaining the services of a lawyer who could have reviewed the lease prior to them signing. **IGNORANCE IS NOT A DEFENCE TO THE LAW** and should not be a merit for passing this zoning amendment.

Jordan goes on to brag about his MBA, and discusses the tight regulations of this industry. He himself states that legislation and these regulations have been around for five years. He states "Dan and I are pretty smart." "Well, maybe we wouldn't be here today if we were a little smarter". (That's a fact!) They are good manipulators. If they were as smart as he proclaims, they would have read Section 11 of the Act, they would have known that "lot line to building" was an important distinction, and further, they would have invested a few hundred dollars (of the thousands they claim to be losing) in a proper survey prior to signing a lease.

Jordan goes on to state: "We went into this with our eyes wide open. We knew there was the various buffers. We knew what the City regulates, and we knew Yukon Government was responsible for school buffers." He states twice that "We did our due diligence. We contacted the city to see if we met their requirements, and they stated yes. We then went to YG to ask the same question, and didn't get as much clarity, but got an initial nod.....The City map showed that we were

outside the buffer zone. After we submitted our application, Yukon Government advised us we were too close and explained how they measure from the back lot line. The problem with that is that they did not offer us enough clarity – they did not have any policy, map, information or webpage that would tell an applicant how to determine the distance. They did not tell us what is an appropriate place to have a cannabis retail and what is not.”

This is absurd, and I am here to refute these misleading allegations. If they had their eyes wide open, and they knew about the buffers, what the City regulates, and that the Yukon Government was responsible for buffers – then they would have found everything needed, as have the other seven privately licensed retailers in the Yukon. They are dishonestly claiming that YG did not offer them enough clarity and that they could not get the information they needed. There are maps, policies, information and webpages created for the sole purpose of helping applicants. All the information is available to them. I find the Yukon Liquor Corporation and the Cannabis Licensing Board to be very forthcoming with information, and I have received expedient responses any time I request information.

It is NOT the responsibility of Yukon Government, or the employees of Yukon Liquor Corporation, to tell a private business where to set up shop. They have manipulated their response to solicit sympathy. I hope you can see through this weak attempt at covering up the fact that they did NOT perform proper research prior to signing a lease. If they were smart, they would have read all the previous license applications and board decisions currently hosted on the Yukon Government website. They would have learned there were two previous denials of applications specific to the Individual Learning Centre and proximity. They would have taken extra precautions to ensure their lot line was “more than 150 meters” from the ILC school building. At least that is what I would have done.

The City map highlights 100.4 meters. This is BARELY 100 meters, and I would be curious what a professional surveying and engineering company would reveal – perhaps it is 99.7 meters? Jordan and Dan are claiming it is 113 meters. Which number is it? A professionally engineered third-party survey is warranted for review.

The legislation is clear on “lot line to building”. These smart guys did not read the legislation. It is not the role of Yukon Government to guide private businesses on where to open their locations. It is the responsibility of the business owners to conduct their own research AND SURVEY their distance. They did not perform this most basic function.

Jordan goes on to state: “The Government wording in the legislation is MUST, so we are not going to give you any flexibility. So we were forced to come here [come before council]. We are not looking for an exception. We are here, through no fault of our own, we are asking for a small zoning exception.”

Once again, he contradicts himself. And refuses to accept responsibility or fault for their predicament.

Councillor Kirk Cameron opens with the first question, in an attempt to get some context, he asks where the front door of the building faces. For the record, it is important to note that the sign and front door of their proposed location can be seen from the windows of the ILC school.

Councillor Cameron goes on to discuss that he doesn’t understand why other similar restricted and alcohol-related businesses are allowed to open so close to other schools in Whitehorse. He asked whether Jordan and Dan knew why this would be different, and why Council should be turning their minds to help them with this?

Jordan responds that “we are dealing with the laws of five years ago where there was trepidation of government around making a previously illegal substance legal – and that’s understandable.” And while he has personal views, “but today we are still dealing with those regulations from five years ago and I don’t know whether we have seen any negative impact from legalization.”

He has clearly missed the point of the 33 references to protecting youth contained in the legislation. And perhaps the reason that, from his perspective there has been no negative impact, is because SAFEGUARDS ARE PUT IN PLACE TO PROTECT YOUTH, STUDENTS from accessing cannabis and having it normalized right in front of them?

Jordan states that cannabis is the only restricted industry, and that “I don’t understand it at all with all the buffers. We just heard from the man before about how alcohol tears apart our communities. And I agree with that, but don’t understand at all why cannabis is restricted, but I won’t share my views on that.”

If more safeguards were created when alcohol prohibition was lifted, perhaps we would not have the substance use issues among people, particularly young people, as we do now. Again, the point is that “he doesn’t understand at all” and this is of utmost concern. Yukon has the highest consumption rate of alcohol and drugs per capita in our Country. We have a crisis on our hands.

*“While there are few studies specific to the proximity of cannabis stores to schools and places where youth gather, it will be important for municipalities to take a precautionary approach until further research is conducted to ensure harms are minimized.” Municipal Regulation of Cannabis and Public Health in Canada: A Comparison of Alberta, Ontario and Quebec. **April 29, 2022.***

Clearly, reducing buffer zones is the opposite of taking a precautionary approach. The Yukon government is bound to conduct a 5-year review of the Cannabis Control and Regulation Act. I urge Mayor and Council to vote against rushing this preferential spot zoning amendment until such time as a proper research and consultation is conducted to, in fact, ensure harms are minimized.

Councillor Curtaneau then asks whether they had considered other locations. They stated that they had looked at one next to Quiznos, but they knew it was too close to the ILC building.

I note that we spent 1.5 years looking for our current location. There were numerous hopeful, would-be locations which fell through. These men spent only a few months looking for a location. They set their sights on Marble Slab because of the incredible exposure they would have. Had we known that Shipyards Park and Rotary Park were zoned Public Waterfront (and not a PARK WITH A PLAYSTRUCTRE as we feel they should rightfully be zoned), we may have selected a different location.

Mayor Cabott then asked a brilliant follow up question with regard to Jordan’s claims that they got the go-ahead to proceed – did they get anything in writing from the City of Whitehorse and Yukon Government that they were complying with the regulations? He stated that they “got a Development Permit from the City...Yukon Government does not have a process for this. They do not provide you an ability to vet a location or provide an opportunity to ask questions about the process or anything like that before we have an application ready.”

Again, he takes another opportunity to pass the fault on to Yukon Government.

Mayor Cabott clarifies that the issue is the distance that the proposed store is from a school, and asked again whether they got anything in writing? Jordan states: “We were all good on the city buffers, with Yukon government, they don’t provide you with anything in writing. We did have a meeting with them, and they would not provide us with any information on where an appropriate location would be.”

Again, this is not the jurisdiction of Yukon Government to give special guidance on where an operator should open their business. Their role is to enforce and abide by the legislation voted into law through formal consultation with all stakeholders, and after much debate in the Legislature.

He states that there are minutes for this meeting with YLC, which formed part of their Amendment Application – however, I cannot find anywhere on the City of Whitehorse website where this application is for review, as I would like to understand what was actually stated in this meeting, and by whom. I did, however, find that a Zoning Amendment Bylaw has already been drafted to permit this zoning amendment. This is very upsetting to see, and reads as though Council has already made up their minds? This is either an incredible blunder in process, or a slap in the face for the many community members who object to this special treatment and have not yet had their voices heard.

Councillor Cameron then poses the question of time frame, and what is important to them. Jordan responds by saying they are incurring \$7,000 - \$9,000 a month in expenses.

For the record, we invested over \$2,000,000 before we had zoning in place. We received no special spot zoning advantages, and had no guarantees. We followed the Yukon Government regulations, and found a location that met all of the criteria. We went up against the Chief Medical Officer of Health in front of council, and received unanimous support for the original restricted retail bylaws and zoning buffers. It took us 1.5 years to find the right location. Since the start of 2022, we have incurred tremendous losses compared to last year. Please, do not for a moment, take pity on these individuals for their minimal expenses.

Jordan goes to flatter Mayor and Council and the City Employees by complimenting them on how great they are to work with. "Very professional, very thorough." Is he referring to his friends in the City? Does he expect that flattery will sway votes?

Melodie Simard, in her submission to Council on July 18, stated that administration had contacted the Department of Education who advised they had no strong objection on buffer changes in general, and that any proposed change would need to be individually examined for how it may affect a local school community. Who stated this? Which employee of the Department made this statement, and where are the minutes to reflect the conversation?

Melodie goes on to talk about Section 11 of the Act, and specifically, Section 11.2 of the Act which grants power for a municipal bylaw to prevail.

The intent of legislators when including this provision was with the smaller, rural communities in mind. It was not for elected City of Whitehorse officials to reduce protections for students for no other reason or benefit than for the financial gains of two white, privileged men.

There is not an existing Whitehorse municipal bylaw on school buffer zones. Jordan and Dan are asking the city to create a brand-new bylaw on school buffer zones, one that better suits them, and for this brand new bylaw to supersede the existing safety buffer of 150 meters.

Melodie twice states that the proponents have made an application to be "**within 100 meters**". Is this correct? It is no longer within 150 meters, they are asking to be less than 100 meters? What exactly is in their application? The public deserves to know.

I quote from Melodie's words in her presentation: "An application to amend the zoning of 2220 2nd Avenue from CS to CSX to allow for a retail service restricted premises on a site **within 100 meters** of a school."

Melodie goes on to state that this location is more than 100 meters from a neighbourhood park with a play structure. This is erroneous. Despite the improper zoning given to Shipyards Park, it meets every definition of a neighbourhood park with a play structure.

She redefines the recommendation of Administration to permit the zoning amendment for a cannabis retail operation to be WITHIN 100 METERS of a school.

Dan Boyd was quick to see this and point out that the distinction is important. Melodie clarified that they are exactly on the 100 meter mark by only a few centimeters. Where is the professionally engineered survey on this?

Councillor Curtineau asks Melodie whether a conversation should be conducted with YG to rethink for consistency. Melodie responds by stating that the municipality can on its own choose to adopt a regulation on buffers around schools without having the consent of the Yukon Government. It is not a step that is required, and they have chosen not to do that so far.

Yukon government spent years consulting with stakeholders throughout Yukon, working with the municipal government, hosting years of meetings with First Nations, youth organizations, taking direction from the federal government, Health Canada – and then heavily debating it in the Legislative Assembly.

Mayor Cabott also strikes an important point when she raises the context of “no strong objection”, adding “there is not much reference or solid data here. We need clarity.”

I call attention to the many pages of discussion found at Hansard, dating back to 2018, and specifically in the 34th legislative assembly. All political representatives brought forward concerns about the protection of youth. It was one point everyone could agree on, that safeguards were important to ensure youth were not given greater access nor have cannabis normalized. I have personally connected with all leaders of the opposition parties on this issue, and they share my concerns. Kate White was adamant that these buffers are not reduced, as she was a champion for youth protection as it related to cannabis. I assure you that members of our government absolutely DO HAVE A STRONG OPINION against this spot zoning amendment.

Mayor Cabott then brought forward an important distinction – the City’s current zoning does restrict operation within 100 meters of a zoned PR – Parks and Recreation that includes a play structure. The proposed retail store is across Second Avenue from Shipyards Park. Less than 100 meters. She asks whether to look at it as a park.

Melodie responds by stating: “It does not come into play because it is zoned Public Waterfront, the reason we made a differentiation we didn’t include PW zone, the lots within the zones are quite large...within the lot itself it provides enough buffers. They are pretty far from the sidewalk..so there’s your 100 meters right there. There wasn’t a need. If we did, we would sterilize all of front avenue and second avenue. A lot of that land is not close to a play structure.”

However, this location IS close and well within 100 meters of the play structure itself. There was also no play structure four years ago when this zoning designation was made. I take issue with this weak reasoning.

2. Shipyards Park

I would like to refer to the Analysis, Page 2 of the Public Hearing Report on Zoning Amendments for Private Cannabis Retail Sales, April 1, 2019, under **Buffers Are Inadequate**: *“The purpose of the buffers is to reduce the normalization of cannabis sales for children and those with substance abuse issues. The purpose of the buffers is to ensure that there is no direct sightline to parks containing play structures, temporary shelters or locations where substance abuse or counselling services are offered.”*

“The rationale behind buffering from parks with play structures is that children may be attending them in an unsupervised situation...”

At page 4, under **Number of Stores**, it states: *“It was recommended that the City limit the total number of stores, in part to limit the risk of harm to children. As stated in the letter to the City, CAPE recommends a MAXIMUM of 2 alcohol outlets per 15,000 people. The regulations placed on cannabis retail stores by both the Yukon Government and the City will essentially place a limit on the number of stores that will be able to operate. By restricting this use to Downtown and Marwell, as well as including buffers from a variety of other uses, the geographic potential for stores is already limited and **COULD BE FURTHER LIMITED IF COUNCIL CHOSE TO CREATE ADDITIONAL BUFFER REQUIREMENTS.** We already have four physical retail operations plus a fifth Yukon Government online store for Whitehorse alone, plus two additional community operations.*

The administrative recommendation at the end of this report states the definition of **PLAY STRUCTURE means permanent equipment, installed and/or maintained by the City, for use by children or youth of any age. Typical examples include climbing structures, swings or slides”**

On the City of Whitehorse website it states that: *Shipyards Park is located along the banks of the Yukon River and 2nd Avenue. This park was designed to be enjoyed year-round and offers a large open space for festivals and community events. The entire park or the following areas within the park, gazebo firepit, riverfront firepit and covered stage can be booked during public hours of operation.*

Contained within the *2018 Master Parks and Recreation Plan*, it lists priorities and guiding principles for the City of Whitehorse – highlighting: *The Health and Wellness of Community, Health and Wellness of Citizens, and Health and Wellbeing of our places and spaces.*

Further, at Action Item #18, it states: Undertake regular assessments of parks and recreation assets and use the results to inform capital planning and lifecycle replacement. It is time to make a re-assessment of Shipyards Park.

We are aware of multiple daycares and schools who bring young children daily to Shipyards Park during PRIME-TIME use, as well as the ILC within the 100-meter buffer zone. It is our understanding that the Montessori school is also going in the new building behind Raven's Inn – we have yet to determine if this is within the 100-meter buffer zone to Community Cannabis.

I hosted Sunstroke Music Festival for 10 years at Shipyards Park. During this decade, we worked closely with the RCMP and the medical community (St. John's First Aid and the Hospital). I was advised numerous times that the RCMP attended to Shipyards Park daily to deal with vulnerable, impaired and intoxicated individuals. Adding cannabis accessibility to an already difficult area to manage, where many people congregate with substance use issues, will be comparable to adding fuel to a flame.

When the consultation went forward on municipal zoning for restricted businesses, the spirit and intent of these zoning regulations were to prevent children and the community at large (especially those with substance use issues) from being exposed publicly to cannabis. I recall Mayor Cabott leading the charge when she was a Councillor to develop these zoning parameters/boundaries. While I now have come to understand that the City chose to deem the Shipyards Park Public Waterfront, it is noteworthy to highlight that this was done PRIOR TO A PLAYSTRUCTURE BEING ERECTED. The scope has evolved, and so too should the zoning.

I do not find Melodie Simard's response on why the City deemed Shipyards Park to be Public Waterfront to be acceptable, or evidence-based. To claim that because the play structure is not visible from any point on Second Avenue, the park itself creates its own buffer? And that they didn't want to be prohibitive for businesses potentially around First and Second Avenues? This flies in the face of the mandate for legalization cannabis at all levels of government. Community Cannabis in the Second Avenue location is less than 100 meters from the play structure itself. Is the City really resting the merits of this amendment on and improperly zoned land use?

My fundamental concern as a parent, community member, city advocate, taxpayer, volunteer, business owner, and building owner is that my daughter (and thousands of other children) will face far greater exposure, and lose protection/safety.

I met with Mayor Cabott on July 14, 2022. I brought forward my concerns about Shipyards Park's play structure in proximity to the proposed location of Community Cannabis. I did not think to bring forward the knowledge we had that the location was too close to a Yukon School, as that was the jurisdiction of Yukon Government, and to be considered by the Cannabis Licensing Board. (**It is important to note that I have other objections, not mentioned in this letter, that I plan to bring forward to the Cannabis Licensing Board. There are other contraventions of the legislation which will be highlighted at that hearing. I felt it was prudent to note that even if Council passes this amendment, there will be more objections filed with the Yukon Government Licensing Board.)

3. Individual Learning Centre (ILC)

Anyone who has lived in the Yukon long-term, or attended school in Whitehorse, is familiar with the ILC. We know that the students attending this school, whether virtually or physically, have barriers unlike other students. Often, they have experienced trauma, systemic issues, emotional/physical/psychological abuse, learning disabilities, difficult home environments, stressful school environments, to name but a few challenges.

From the ILC Website: “The unique relationships built between staff and students greatly contribute to the success of the students at the ILC. The number one philosophical goal for the ILC remains “to establish a relationship with every student and to continue to engage with this student”. The numerous social, emotional, and economic challenges faced by our students have put up several barriers towards successful education. The mission of the ILC is to remove as many barriers as possible by creating an environment of acceptance, understanding and support allowing for academic achievement to follow. The importance of relationship building is reinforced through the quote: “If we do not establish a significant relationship with each and every student we will not have success.” (Bill Bennett, Team Leader ILC 2013).”

In keeping with the mandate to remove barriers and create an environment of support, it is the government’s responsibility to offer every opportunity for success to these youth. I have personally connected with multiple parents and students of ILC. These parents have kids currently attending, or previously graduated. I have had hard discussions with youth (now adults) who faced serious homelessness, abuse and drug addiction – and who found a haven at the ILC. I have been told outright that if the cannabis store was there when they attended school, it most certainly would have derailed their sobriety and their success in school. They are the evidence of greater harm, and this should not be taken lightly or overlooked.

I am aware that ILC teachers have called Councillors to express their concerns and objection to this reduction of a buffer zone.

Does it honour these children, who have already had to fight to get to school, to now have a cannabis retailer’s sign and front door be visible from the windows at the learning centre? Does it set them up for success, when they are already struggling with substance use issues, to have cannabis accessibility less than 100 meters from their desk?

It is offensive and unacceptable for a government employee – or anyone for that matter – to state that the buffer is not a critical piece of youth protection, so long as IDing and visual, noise screening remain. It should be obvious to anyone that reducing buffer zones between retail cannabis locations and schools will only increase ‘normalization’ of the use of cannabis, and contradicts the federal and territorial government’s mandate to protect youth.

4. Negligent, Flawed, Grossly Under-Researched Administrative Report – A Proper Jurisdictional Review

This is a flawed report, one I consider to be misleading, misinformed and negligent. Judy Booth is a new employee to Yukon Government in the last few months. She has made a significant error (fraudulent claim) in reporting that any jurisdictional review took place, and that no greater harms are evident by reducing a buffer to a school.

At the July 18, 2022, Standing Committee Meeting, Councillor Ted Laking states that this issue doesn’t concern him much. “It’s laid out in the Administrative Report quite well is the 150 was based off YG’s legislation and then our administration met with YG, they didn’t even know why they picked that. They went and did research that no greater harms occur. They didn’t even know the rationale. That speaks to the rational fear that was referred to in an earlier delegation.”

Councillor Cameron agrees with Councillor Laking in that he is not concerned by the risks. He wants to see them get help right away as they are “bleeding” and he doesn’t see anything wrong with moving forward on this.

We need a full stop here.

This Administrative Report is missing vital information, and is completely misleading. It is understandable that these Councillors would be left with the impression that YG did not even know why they picked 150 meters, and did not know the rationale behind buffers. You were not provided with any information. The negligence demonstrated by Judy Booth in responding on behalf of the Yukon Government is serious, and warrants notice to the President and Minister responsible for the Yukon Liquor Corporation.

I am aware that no minutes of the June 28, 2022, 10-minute call were taken. No jurisdictional review was conducted. Judy Booth has refused to provide us with the name of the individual she spoke to from the City for fear of “throwing them under the bus”. We have confirmed that the only information she solicited was from Amelie in Policy at YLC. Amelie simply responded by outlining the relevant sections of the Cannabis Control and Regulation Act. That was the extent of Judy’s review.

Public health research was conducted and reported in: *Pre-Legalisation Patterns and Trends of Cannabis Use Among Canadian Youth: Results from the COMPASS Prospective Cohort Study*. The study examined changes in youth cannabis use over the time prior to legalization to explore the impact of the beginning federal discourse around legalization during the 2016/2017 school year.

The report states, “*There is evidence that legalization can lead to gradual increases in use, more high-frequency use, a drop in the average age at first use and increased use of more potent forms of cannabis. As Canadian youth already use cannabis at a higher rate than Canadian adults or youth globally, any increase in use prevalence or frequency due to legalization is cause for concern.*” “*...we ... characterize our results further by relying on the normalization theory framework, which posits that the interplay between six factors—access, trying and usage rates, attitudes, cultural accommodation and governmental response—can normalise drug use.*” In this context, reducing the buffer zone would increase access (as it relates to ‘normalization’, access is not restricted to the physical access to cannabis itself, but also access to where it is sold), and the ‘governmental response’ – in this case, approving a reduction in the buffer zone – would be responsible for further normalizing cannabis use amongst youths.

The study goes on to state: “*Indicators for the normalization of cannabis use have been prevalent in Canada for some time... the increased availability of cannabis is likely to have normalized and facilitated access for youth...perceived access drives use...*”

The evidence also pointed out that “*lifetime and past-year use rates were particularly high among Aboriginal students, who also reported the most weekly use. This is in line with existing evidence reporting similar results for both American and Canadian Aboriginal youth, who are more likely to start younger and use cannabis more regularly than white adolescents, especially if male... This is a concerning development that may warrant close future monitoring, and interventions to mitigate the effects of cannabis legalization for these adolescents are likely to be needed.*” This is of particular concern given that the Independent Learning Centre hosts many First Nations students, and reducing the buffer zone will only increase access to the most vulnerable.

Where Judy Booth has fallen short in her efforts to rationalize the significance of buffer zones, I will draw your attention to the February 10, 2018 Alberta Health Services Report entitled: *AHS Recommendations on Cannabis Regulations for Alberta Municipalities*. In its ‘Detailed Recommendations’ section, the following can be found:

“Location and Number of Stores

Alberta Health Services recommends municipalities strengthen zoning regulations by using a combination of population and geographic based formulas to restrict the number and location of cannabis outlet licenses. In particular, AHS recommends that municipalities:

- *Limit the number of business licenses issued in the first phases of implementation.*

- *Implement a 300-500m minimum distance restriction between cannabis retail outlets*
- ***Implement a 300m distance between cannabis stores and schools, daycares and community centers.***

Density limits reduce neighbourhood impacts and youth access (Canadian Centre for Substance Abuse, 2015; Freisthler & Gruenewald, 2014). Research on alcohol and tobacco use highlights the need for stronger controls on density and minimum distances (Ammerman et al., 2015; Chen, Gruenewald & Remer, 2009; Livingston, 2011; Popova et al., 2009; Rowland et al., 2016;) For example, the physical availability of medicinal marijuana dispensaries impact current use and increase frequent use (Morrison et al., 2014). Similarly with liquor stores, higher densities are associated with high-risk consumption behaviours—especially among youth, facilitating access and possession by adolescents, as well as increased rates of violence and crime (Ammerman et al., 2015). In addition, U.S. researchers have found that medical cannabis outlets are spatially associated with market potential which points to a form of “environmental injustices in which socially disadvantaged are disproportionately exposed to problems.” Therefore, jurisdictions should ensure that communities with fewer resources (e.g., low income, unincorporated areas) are not burdened with large numbers of stores and prevent clustering among liquor, tobacco and cannabis stores (Morrison et al., 2014). Other US research shows that zoning laws for location are an effective way to prevent overpopulation of cannabis stores in undesirable areas (Thomas & Freisthler, 2016). Summary tables of some US state and city buffer zones can be found in Nementh and Ross (2014).

It is clear that locating cannabis stores away from schools, daycares and community centers is essential to protecting children from the normalization of Cannabis use (Rethinking Access to Marijuana, 2017)”.

The 300m recommendation from a Health Authority cannot be ignored and is based on sound, detailed research and rationale.

Similarly, Child Health BC published “Cannabis Legalization & Regulation: A Jurisdictional Review” in November 2017. In it, *“The Canadian Paediatric Society’s position statement, released in February 2017, considered the regulation of cannabis as it relates to youth and young people and recommended that governments should...**Enact and rigorously enforce regulations** on the cannabis industry to limit the availability and marketing of cannabis to minors. These regulations must:*

- *Prohibit storefronts from being located close to schools, licensed childcare centres, community centres, residential neighbourhoods and youth facilities.”*

While there are many further recommendations, prohibiting storefronts from being located close to schools was at the top of the list. Reducing the buffer zone to 100m would certainly not be a “rigorous enforcement of regulations” and as such would be in direct opposition the Canadian Paediatric Society’s position statement.

As recently as April 29, 2022, a report titled *Municipal regulation of cannabis and public health in Canada: A comparison of Alberta, Ontario, and Quebec* stated:

*“Specifically, there is a high need to evaluate the efficiency and trade-offs of separation distances between cannabis retailers and youth-oriented places to prevent initiation of use and consumption or normalization. The intent of applying minimum distances is to minimize exposure to cannabis retail establishments as this can contribute to normalization. As has been found with alcohol and tobacco, the more exposure to normalizing behaviors the greater the risk for initiation or increase in the frequency of use. While there are few studies specific to the proximity of cannabis stores to schools and places where youth gather, **it will be important for municipalities to continue to take a precautionary approach until further research is conducted to ensure harms are minimized**”.*

Clearly, reducing buffer zones is the *opposite* of taking a precautionary approach. Moreover, the report goes on to say, *“In the same line of thought, public health authorities and researchers need to work with municipalities as confounding*

factors specific to the municipality's characteristics may have to be taken into account in both bylaw development and research efforts."

Any research the YLC may have done was incomplete at best. And the supposed YLC 'default position' that it "could not find a rationale for the specific distance or evidence of greater harm occurring between 100 and 150m" is bitterly disappointing when this recent research specifically states a precautionary approach should be taken.

It should be noted that The Yukon Government spent two years in consultation with other jurisdictions across Canada, as well as with Yukoners, on the development and implementation of cannabis legislation. They claimed it was among the largest consultations in Yukon Government history. A November 5, 2019 CBC article entitled "Licencing Board snubs out 2 proposed pot shops in Whitehorse" reports: "*the Cannabis Licensing Board found no problems with either proposed store — except for their proximity to the learning centre. Under Yukon's cannabis regulations, a pot store has to be at least 150 metres from any elementary or secondary school.*", and "*Yukon's Cannabis Control and Regulation Act states as one of its main purposes to "protect young persons and discourage their access to, and consumption of, cannabis." Awarding the new licenses would run contrary to that objective, the board decided.*"

On January 28, 2022, a CBC article references the Province of New Brunswick's implementation of a 300m buffer zone between retail cannabis stores and schools:

*"The New Brunswick government is going to **give more teeth to a guideline that legal cannabis stores have to be located far away from schools.***

Finance Minister Ernie Steeves says an earlier Liberal policy of locating stores **at least 300 metres from schools is going to be written into a formal policy** as the province begins allowing privately run licensed cannabis stores.

He said the guideline was used in choosing locations for the first 20 Cannabis N.B. stores that opened in 2018, but had no force of law.

'That was never formalized in regulation or in policy either,' Steeves said during a legislative committee hearing on his bill.

'Through this initiative we will be looking to formalize and put this into policy and in practice too.'

The province of New Brunswick has had four years to consider their school buffer zone policy and have made a commitment to their constituents to not only keep the 300m buffer zone, but to formalize it into law.

Buffer zones across Canada tend to be at least 150m or more, including:

- Ontario, 150m
- Manitoba, in its 'Zoning for Cannabis' guide suggests "typically, 150 to 300 metres is established between cannabis-related facilities and schools, licensed day-cares, public recreational facilities and other cannabis-related uses"
- Quebec, 250m (150m in Montreal)
- New Brunswick, 300m
- Vancouver, 300m
- Vernon BC established a 250m buffer zone in January 2022
- Mission BC, 250m
- Merritt BC has mandated it will not review its buffer zone, which is 150m
- Alberta mandates a minimum 100m buffer zone, but more than 70 municipalities have chosen to increase this including Edmonton (200m) and Calgary (150m)

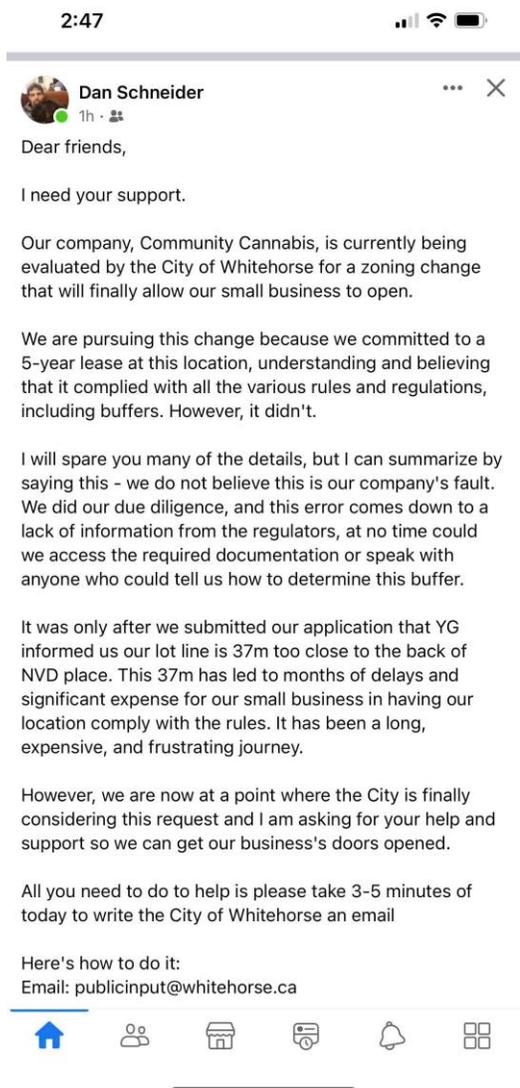
Although there are a few instances of 100m buffer zones from schools, why would the City of Whitehorse want to proactively stoop to one of the lowest buffer zones in the country when there is so much evidence to show that doing so would erode the commitment to protect young persons and discourage their access to, and consumption of, cannabis? It does not reflect well that precedent has been established *twice* for refusing licenses due to the proximity to the Independent Learning Centre, but the City, Department of Education and YLC are now willing to make an exception for a former City employee, and current City contractor.

Illegal Bribing of Letter of Support

As I have already brought to the attention of the Deputy Mayor, Michelle Friesen, Dan Schneider has been publicly offering bribes of future discounts in their Community Cannabis store if people are willing to write letters of support for them. This is not okay, and contravenes the Federal Act to Legalize Cannabis. I attempted to get clarity from Judy Booth on the matter, and she refused to provide a legal opinion. The very role of our government is to enforce the legislation they created. As a result of her unwillingness to take a stance, these individuals are not being held to the same standard of law....once again.

Promoting a future sale or discount to a select group of people in a non-age-gated forum, where minors had access to review, is considered an inducement. And it is not legal.

Here are those social media posts:



Email Title: support for 2220 2nd Ave - Community Cannabis

Email Body: To whom it may concern, I/we, NAME, support the City planner's recommendation to allow Community Cannabis to operate its business in our community. We believe it is a suitable location in a core commercial area of downtown. We do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place. We believe giving flexibility where it makes sense and where it is allowed is ultimately good for small business and shows the City's commitment to the private sector. Signed,; NAME/ADDRESS/CONTACT. If you could do this, and let me know if you did, I would super grateful to you. It would help me immensely and I would be happy to reciprocate with a store discount, or a favour, or a hug in return.

Thanks,

Dan

First, they refuse once again to take responsibility. "We do not believe this is our company's fault. We did our due diligence and this error comes down to a lack of information from the regulators, at no time could we access the required documentation or speak with anyone who could tell us how to determine this buffer." This is a fabrication intended to gain sympathy, and it is infuriating to read.

Second, by offering "to reciprocate with a store discount or a favour", he has created an inducement. This illegal under the Federal Cannabis Act, not just our territorial legislation.

Third, "we do not feel that the location impacts any users of the ILC, given that there are no sight lines or access to the Community Cannabis business from their location in NVD place." Here is the photo taken directly from the window of the ILC.



Three strikes and you are out!

“We believe giving flexibility where it makes sense and where it allowed is ultimately good for small business and shows the City’s commitment to the private sector.” It does NOT make sense, it is NOT currently allowed, and this is NOT good for small business, this will NOT demonstrate your commitment to the private sector. This is a huge slap in the face to those of us who had to follow the rules, and never compromised the integrity and safety of school buffer zones.

Oversaturation of Market

In closing, I would like to highlight that Whitehorse does not need another cannabis retailer. I can advise that the existing retailers are already experiencing dramatic losses since the start of 2022, when another retailer opened on Main Street. There are currently four retailers, plus the Yukon Government online site, in Whitehorse. We are experiencing these losses on the heels of trying to recover from the detriment of COVID and zero tourism.

One of the original community cannabis stores, The Pot Hole in Carmacks, Yukon, was forced to close this year due to stagnant sales, strict regulations and other unforeseen issues affecting tourism (such as COVID).

I am aware from the many communications that took place between us and the last Mayor that the intention of Council was to see an approximate limit of three private retailers to service our community. With five, we are already over saturated. The market cannot sustain the existing weight of five retailers, with a sixth on the horizon, we will be left hurting, and potentially looking at laying off staff. If we have to compete with another shop in a prime location who received an unfair advantage (reward) despite their mistruths, misleading statements, lack of due diligence and refusal to accept responsibility.

I do not believe you should, in good conscience, with the facts laid out in my letter of objection, vote to support or pass this amendment. Please, follow your heart and do not be swayed by a manipulation of the facts from these two men who stand to profit immensely, and a new YG employee who did not conduct proper research.

Thank you for reading and considering my objection.

Warmly,

Jordi Mikeli-Jones

From: [REDACTED]
To: [Public Input](#)
Subject: Submission regarding cannabis shop rezoning -- Time sensitive!
Date: Sunday, September 11, 2022 5:23:01 PM
Importance: High

Please accept this as my submission regarding the proposed rezoning of the former Marble Slab location on Second Avenue to allow for a cannabis retail shop.

I present three concerns.

First, I would like to remind the counsel that while cannabis is legal in Canada, it remains (with the exception of a medical application) to be a fundamentally destructive force in our society. I point to three sources to clarify this fact:

The **Canadian Government's official position** on the safety of cannabis states:
Cannabis affects the same biological system in the brain that is responsible for brain development.^{Footnote11}

Youth and young adults are more likely to experience harms from cannabis because their brains develop until about age 25. The earlier you start consuming cannabis, the more harm it can do.^{Footnote11}

Starting as a teen, consuming frequently (daily or near daily) and over a long time (several months or years) increases the risk of mental health problems. These problems include dependence and disorders related to anxiety and depression.^{Footnote11}

Frequent use of cannabis over a long time can also harm important aspects of your thinking, like learning and memory. Stopping use can help improve these deficits. However, some of these harms may persist for months or years, or may not be fully reversible.

<https://www.canada.ca/en/services/health/campaigns/cannabis/health-effects.html>

Harvard Medical School states:

Long-term cannabis users' IQs declined by 5.5 points on average from childhood, and there were deficits in learning and processing speed compared to people that did not use cannabis.

...

The impact of cannabis on cognitive impairment was greater than that of alcohol or tobacco use. Long-term cannabis users also had smaller hippocampi (the region of the brain responsible for learning and memory).

<https://www.health.harvard.edu/blog/cognitive-effects-of-long-term-cannabis-use-in-midlife-202206142760>

Second, I would ask the counsel what message is being sent to the staff and students of the Individual Learning Center if counsel concludes that they do not merit the same protections offered the other high schools in Whitehorse? Many of the students at the ILC would be considered "at risk" young people – at risk for substance use, failing to complete school etc. If anything, we should be considering moves that make cannabis less accessible to our more vulnerable students, not more accessible. Would counsel be suggesting that these students are somehow worth less protection than students who are functioning in the regular school system? And consider the other social aspects of this application – it is right across from the most active park in the city. As well, the parking lot of the proposed shop is shared with a pizza establishment and a very popular Tim Horton's. This is prime hangout territory for our youth. In a nutshell, the proposed location for the cannabis store is a risky environment because of the number of areas where youth congregate.

Third, In 1999, our own Dr. Brendan Hanley stated to this counsel, Allowing substances to be sold in areas where children and youth congregate, **increases normalization of the products** and the likelihood that youth will consume at younger ages, and consume larger amounts. Evidence from alcohol and tobacco has shown this to be the case, and we would expect a similar trend to exist.

<https://www.ckrw.com/news/local-news/whitehorse-city-council-hears->

[cannabis-concerns/](#)

We have done an excellent job in our society of hiding the two other legal but destructive substances in our society. Superstore, for instance announces their tobacco entrance merely as “C-Shop”, and Save On Foods, adorns their otherwise unmarked door with a small door sign saying “Lighters, Matches and More”, and an age limit declaration. Alcohol availability is announced with the simple expression “off sales”. But are we as subtle with the more dangerous cannabis? No! Rather, we invite cannabis shops to advertise on the Rush, the most popular radio station with our Youth. We invite them to announce their stores with large signs using colloquial jargon such as “Herbary”, and “Fire and Flower”.

In conclusion, I ask you to recognize that cannabis is a substance that, while legal, is a destructive force in our society. I ask that you recognise that to approve this zoning application is to devalue the students of the Individual Learning Center. But beyond the question of this specific zoning application, I ask the counsel to revisit the city’s stance on all promotion of cannabis. I ask that the city require the storefronts of the cannabis shops to adopt a similar subtlety to that of the tobacco shops. I ask that all public marketing of any facility that sells cannabis be prohibited. These changes would reflect Dr. Hanley’s declaration that normalization of the produce will increase the likelihood that youth will consume at younger ages, and consume larger amounts.

Thank you for considering these requests. In a nutshell I am requesting that the rezoning not be approved. Although I have every sympathy for the business owners who have invested substantially, I believe that this is one of those times where the higher value of protecting our youth must be upheld.

Unfortunately, I will not be in town on Sept. 12, 2022, which is why I am submitting this letter.

Sincerely,

Bruce Fast



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From: [Executive Assistant](#)
To: [Public Input](#)
Subject: FW: Amendment to the Yukon Government's Cannabis Control and Regulation Act
Date: Monday, September 12, 2022 8:13:24 AM

From: Blaise Shilleto [REDACTED]
Sent: Sunday, September 11, 2022 10:36 PM
To: Mayor&Council [REDACTED]
Subject: RE: Amendment to the Yukon Government's Cannabis Control and Regulation Act

Dear Mayor and Council,

My name is Blaise Shilleto. I am a former teacher and Team Leader at the Individual Learning Centre (ILC) on Ray St. I have concerns and questions regarding the proposed amendment to the Yukon Government's Cannabis Control and Regulation Act, which states a cannabis retail location must be more than a 150 m from a secondary school. As a former ILC staff member I have a vested interest in the school, the well-being of the students attending there, and the staff.

Firstly, I would like to know to why City Council would consider amending a Bylaw that exists for the protection of youth? As you may or may not be aware students attending the ILC are some of the most vulnerable and at risk youth in our community. ILC students range in age from 16-21 or a bit older. They do not always have someone readily available outside of the school to advocate on their behalf and to look out for their physical and mental well being. Having a Cannabis store within a **150 m** of the ILC would not be in the best interest of the students.

Secondly, are you able to tell me if it is a prospective business' responsibility to do their due diligence around bylaws, permits, regulations, building codes, other parameters, etc., before building or leasing a space? If so, then the prospective business should have been aware that the former Marble Slab property was too close to an existing school for a Cannabis retail location. The ILC is a long established school (2005) within the Yukon Government's Department of Education and has been in its current location since October 2015. The ILC serves between 120-160 students per school year.

ILC students stand to be negatively impacted by the proposed amendment. This Bylaw, as it currently stands, was created with the best interests of youth in and their protection in mind. I find it concerning that City Council is entertaining a change to this particular Bylaw, thereby putting at risk youth at even higher risk.

Before voting on the proposed amendment, I would ask that you carefully consider the short term and long term impacts on current and future ILC students, their brain development, mental and physical health a change to the bylaw would could bring about. Vote with student safety, well-being and protection in mind. The current bylaw is in place for a reason. If the bylaw is applicable to all the other Whitehorse secondary schools, it should apply to the ILC as well. If your child attended the ILC, would you want them having access to cannabis 150 m from their school?

I am hoping to attend the City Council Meeting September 12, 2022, but in case I am not able to be there in person please accept this email in my absence.

Thank you for your time and consideration.

Sincerely,

Blaise Shilleto.

From: [Executive Assistant](#)
To: [Public Input](#)
Subject: FW: Proposed amendments to the Cannabis Legislation in regards to buffer zones.
Date: Monday, September 12, 2022 4:07:53 PM
Attachments: [image002.png](#)
Importance: High

From: Louis-Roch Gagnon [REDACTED]
Sent: Monday, September 12, 2022 3:14 PM
To: Mayor&Council [REDACTED]
Cc: [REDACTED]
Subject: Proposed amendments to the Cannabis Legislation in regards to buffer zones.
Importance: High

Mayor and Council,

As General Manager of the Fire and Flower Cannabis Shop, I have waited to comment regarding the recent application for a new cannabis shop and possible modification of the buffer rules as more information came to light.

I have real concerns about this store's application and support my colleagues/competitors in their disapproval of the location of the shop. More concerning to me is the seemingly inappropriate expediency of this Council to approve changes to the buffer zone when one considers that an applicant was employed by the City's Economic Development Department. I must tell you that the optics do not look good and brings to question the integrity and impartiality of this Council.

On face value, you have one applicant previously employed by a denied applicant for a similar location, and another, an Economic Development officer with the City of Whitehorse. Two individuals who are without doubt, well versed with the rules and regulations involved in the opening of a cannabis shop and also well aware of the past decisions of the Cannabis Licensing Board for the opening of a shop in that location. And yet knowing this, they chose this specific location and moved forward with a lease and the associated cost, which leaves one wondering if some sort of assurances were made to them? I note that two previous proposals were considered in the same approximate area in question, and both denied due to the location's proximity to a school. How is it that those two proposals were denied, without the city proposing buffer changes for them as well? Why are these new applicants afforded this luxury? What is the difference between these applications? Have there been new market conditions that we are unaware of? Have there been sudden changes to the retailing of Cannabis that have precipitated an immediate amendment to the prescribed rules?

I want to be very clear that this is not about competition, none of my colleagues, nor I, approached the YLC/CLB to disapprove the recent opening of a Cannabis shop on Main Street.

They followed and met all the YG and Municipal guidelines and rules. I am certain they, like many before, looked at potential spaces and because of the guidelines chose a different venue.

And though it is not relative to the present situation, a serious question needs to be asked and studied, in allowing unfettered openings of cannabis stores. This has become an issue in other municipalities and cities across Canada as they investigate limiting storefronts due to market saturations, loss of revenues, bankruptcies, lost employment, the increased availability cannabis in the community which creates health and addiction concerns, neighbourhood, and real estate valuations. Provincial Governments, moved by concerned citizens, are preparing legislation on restricting the amount of cannabis retailers allowed in certain municipalities should cities fail to do so.

I believe that Downtown Whitehorse is well served by Cannabis, any new shops should be encouraged to move outward towards the suburban centres, such as Granger, Porter Creek and Whistle Bend, which are presently underserved, and of course not without a say by the communities affected.

And though the YLC advised, in the Administrative Report, “that the buffer is not a critical piece of youth protection, regarding schools”, an observation that I wholeheartedly disagree with, to only limit the effect of a storefront by its proximity to a school is short-sighted. What is more important is to consider how it affects the immediate community and how that community interacts with the proposed area.

Moving the buffer for an obviously favoured applicant does not take into consideration other stakeholder in this area and is careless and irresponsible on the part of the Council. When one considers that:

- Besides the ILC, The Independent Learning Centre, there are two Montessori Daycare-Schools in the area; the Montessori Borealis Aurora Casa on Ogilvie and Front streets, and the Bambinos Bilingual Montessori Daycare on Ogilvie and 3rd street.
- Shipyards Park, literally across from the proposed location, is well used by families, schools, teams, and associations for events private and public.
- A recent addition, the City's newly constructed Jumpstart Playground is literally across the street in full view of the potential storefront. What exactly was the jumpstart the city had in mind?
- The area is known as a “fast food lane” used by many families and children and young adults.

To move the buffer zone from 150 metres to 100 metres and then determine that the location is now safe and benign is inane: The school is still in the same location and the students are still equally exposed. The Independent Learning Centre *caters to at-risk youth* who require a tailored approach to learning, and add to that the Daycares/Montessori schools, parks, and playgrounds, you are putting vulnerable and impressionable youth and children at risk.

- Should children associate the sale of Burgers, Donuts, Pizza, and Groceries on equal par with the sale of Cannabis?
- Should families and children be exposed while playing in the park to cannabis use and inebriated users? Whereas buyers at other storefronts tend to return to private dwellings to consume, having a park literally less than 20 metres away will no doubt add to the increase consumption in the park and could possibly make the park unusable and unsafe to families.

You also have the Yukon Governments Liquor Store, and in a recent ruling by the Cannabis Licensing Boards on a denied applicant for a similar location, the CLB concluded that opening a cannabis store so close to a liquor store should be further consider and/or studied, I quote:

“There may indeed be an issue with the colocation of proposed cannabis retail locations and existing liquor retail outlets worth considering in future applications. Protecting health and safety is a stated purpose of the CCRA alongside protecting young persons and preventing their access to cannabis. The Board takes this mandate seriously.”

What studies, besides an Administrative Report, has the city provided? In that report, the Board of Education determined that:

“The Government of Yukon’s Department of Education also advisedthat any proposed change needs to be examined individually in how it may affect the local school community.”

Where is the study? And I challenge the Administrative Report assertion that it is up to the Board of Education to submit data to the city; They are not the ones changing the buffer zones. It’s up to the city to determine the effect of their changes *before applying them*.

In conclusion, we accept that changes are inevitable, and that there will be new cannabis storefronts in the future, as well, it is understood that as the retailing of cannabis progresses, there will be market and community needs that will cause either an easing of some and /or a continuation of other controls by the Yukon Government. There an update is scheduled for the very near future. And these changes are being done cautiously and as a studied approach with all the stakeholders involved, and not at the whim of, or as a favour to, by the City Council.

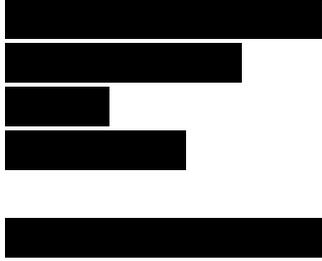
As City Councilors, your decisions should, and must always be made regarding what is best for ALL the Citizens of the City of Whitehorse, not just for a few. Is the changing of the protective buffer zone rules in one area, for one shop, for the purpose of selling more Cannabis really in the best interest of our citizens, our families, and our youth and children?

Regards

Louis-R Gagnon

General Manager

Fire & Flower



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From: [Executive.Assistant](#)
To: [Public.Input](#)
Subject: FW: New Cannabis store
Date: Monday, September 12, 2022 4:40:39 PM

From: Dan Bushnell [REDACTED]
Sent: Monday, September 12, 2022 4:33 PM
To: Mayor&Council [REDACTED]
Subject: New Cannabis store

Hello, I am writing today with further comment about the proposed Cannabis store beside the Night Market and how disturbing I found the CBC article quoting the owner of the Herbery. As a small business owner in Whitehorse I find it very difficult when chain store owners from out of province actively work to block businesses owned by Whitehorse residents.

I continuously think about folks who live here, shop here, pay taxes here and participate in this community being held down by folks who have no interest in this community other than what they can take from it.

We in Whitehorse often say "shop local" because we see the value in supporting this community. I understand that all businesses here provide employment opportunities, and I am interested in more folks having the opportunity for employment not less. I also have no interest in someone bullying members of this community and trying to prevent them being able to provide for their families all so they can make enough to open their seventh Money Mart in Ontario.

I sincerely hope that Mayor and council work to create more opportunities for locally owned business and not less.