

Cannabis Business Licence Bylaw Amendments and Signage Update Report

ISSUE

This report provides an update on Administration's Sign Regulation Review and addresses regulations associated with cannabis retail stores and cannabis production facilities. This report also provides information on past City Council enquiries related to "dark sky compliance" principles associated with digital forms of signage.

The Sign Regulation Review is a multi-phase project intended to update the existing sign regulations contained in Bylaw No. 8770, Zoning Bylaw, as well as in other bylaws and regulations. Administrative items, reformatting and amendments involving development standard changes are being addressed through this review. This report addresses items that require changes in policy, where direction has been given by the Standing Policy Committee on Planning, Development and Community Services to undertake a review of that item, including cannabis signage and dark sky compliance principles.

RECOMMENDATION

That the Standing Policy Committee on Planning, Development and Community Services recommend to City Council that the City Solicitor be requested to prepare amendments to Bylaw No. 9525, The Cannabis Business Licence Bylaw, 2018 to remove requirements for signs, windows, the minimum number of employees, age and regulation related to consumption, as outlined in this report.

BACKGROUND

Appendix A (Sign Regulations) to [Bylaw No. 8770, Zoning Bylaw, 2009](#) (Zoning Bylaw) regulates signage for the purpose of permitting businesses and other organizations to advertise, while ensuring standards of public safety and community aesthetics are maintained. The Sign Regulations contain development standards for a variety of sign types, including those for digital types of signage such as electronic message centres (EMCs) and digital billboards. Current development standards require these sign types be equipped with a dimmer switch to adjust sign brightness in accordance with direction from the Bylaw Inspector, though no firm measurement for brightness currently exists.

At the April 25, 2016 City Council meeting, Councillor Jeffries [inquired](#):

"Can the Administration please report back on the following items related to digital billboards:

- Do digital billboards comply with dark sky principles and if not, what can be done to improve billboard performance?; and
- What can be done to regulate the intensity of light given off by digital billboards?"

[Bylaw No. 9525, The Cannabis Business Licence Bylaw, 2018](#) (Cannabis Business Licence Bylaw) regulates signage associated with cannabis retail stores and cannabis production facilities.

The Standing Policy Committee meeting on Planning, Development and Community Services, at its [meeting](#) on March 8, 2021, resolved:

“That the Cannabis Retail Bylaw, No. 9525 be referred to the planned signage review.”

This report provides an update on Administration’s review of the Sign Regulations. This report also addresses the noted signage-related inquiries and motions, addressing the first item in part and second item in full.

DISCUSSION/ANALYSIS

Sign Regulation Review Update

Administration’s review of the Sign Regulations is being completed over two project phases which focuses on the following:

- Phase 1 – “housekeeping” amendments, formatting changes, a restructuring of the Sign Regulations to improve user readability, development standards for new sign types, requirements for engineered sign drawings, billboard and electronic message center (EMC) separation distances, changes to when certain sign types require a Sign Permit; and
- Phase 2 – development standards for digital signs and project development signs and a review of the portable signage framework.

In general, project goals aim to provide greater clarity for stakeholders and reduce timeframes associated with sign permit applications. Proposed regulations also aim to provide greater consistency for larger sign types and in ensuring appropriate regulations are in place for sign placements located near environmentally sensitive and heavy traffic areas.

Stakeholder engagement on items related to Phase 1 will occur during Q1 2024, with City Council consideration of any proposed amendments anticipated in Q2 2024.

Stakeholder engagement on items related to Phase 2 will occur during Q3 2024, with City Council consideration of any proposed amendments anticipated for Q4 2024.

It should be noted that project timing may change as a result of staffing capacity being impacted by bylaw amendments as part of Housing Accelerator Fund considerations.

Dark Sky Compliance Considerations

The term “dark sky compliance” refers to lighting efforts designed to reduce light pollution, minimizing glare and impacts on the night sky. Dark Sky compliant lighting is designed to direct lighting to the ground, minimizing occurrences of light trespass.

Digital billboards and EMCs, which is a sign type that uses computer-generated messages, graphics or animation, do not meet dark sky compliance principles as a result of the outward orientation of these sign types and inability to shield lighting that is being produced. An external scan and review of industry literature suggests a range of practices on the regulation of digital signage through having specific development standards on luminance/illuminance settings, time-of-day restrictions in which signs must be turned off, minimum distances from sensitive areas, etc. While dark sky compliance principles are not applicable in this case, potential development standards are being reviewed as part of Phase 2 of the Project to help balance the impacts of digital signage in consideration of impacts on natural areas, traffic safety and land use compatibility. As noted above, further reporting on this item and Phase 2, in general, is targeted for Q4 2024.

Additional Dark Sky Compliance Considerations

Saskatoon Light and Power utilizes dark sky compliant lighting in roadways, where feasible and approximately 25% of street light fixtures meet dark sky compliant principles.

The development of city-wide dark sky compliance guidelines was also identified as part of the City of Saskatoon's Green Infrastructure Strategy, though it is noted funding for this project has not been allocated.

Cannabis Bylaw Considerations

City Council, at its Public Hearing [meeting](#) held on June 25, 2018, adopted the Cannabis Business Licence Bylaw, to ensure all retail stores operating under the anticipated provincial licensing framework would be required to obtain a municipal business licence, and be in compliance with all municipal bylaws, including land use regulations contained in the Zoning Bylaw.

Administration recommended adopting the Cannabis Business Licence Bylaw, and amendments to the Zoning Bylaw in advance of federal legalization. This facilitated a predictable regulatory framework for businesses planning to enter the market through the provincial lottery system to apply for building and development permits and be able to be licensed and open on or after federal legalization. At the time the regulations were drafted, the only other municipalities which had adopted licensing bylaws were those that had been licensing stores prior to federal recreational legalization. As a result of assuming responsibilities that would ultimately be taken on by the federal or provincial government, the municipal regulatory framework in Canada at the time was robust and comprehensive. This included regulating the content of signage and advertisements at cannabis retail stores, as well as adopting Crime Prevention Through Environmental Design (CPTED) best practices, such as prohibiting exterior windows from being blocked and ensuring no fewer than two staff members were present when the business was open.

Public engagement conducted at the time concluded that exposure by minors and vulnerable members of the community to cannabis marketing and advertising was a top concern. Regulating signage was a way to address this concern.

Following the federal legalization framework and provincial licensing framework coming into force, municipalities have generally not included development standards and regulations regarding signage, advertisements and crime prevention best practices in their licensing bylaws. A jurisdictional scan comparing municipal, Government of Canada and Province of Saskatchewan regulations in this area has been provided (see Appendix 1).

Administration is recommending amending the bylaw by removing requirements which limit signs at cannabis related businesses to the business name in alpha numeric characters. Federal regulations limit advertisement in the cannabis industry similar to that of the tobacco industry. Marketing materials cannot appeal to children and youth by depicting cartoons, cannabis products or glamorizing consumption. However, it is noted that images of cannabis leaves are not prohibited. Should municipal regulation in this area be amended, it is expected cannabis leaves will be featured heavily in the signage and marketing of cannabis retail stores.

Administration is also recommending amending the bylaw to remove regulations for cannabis retail stores addressed by other orders of government, related to window coverings, the number of employees, the age of persons working at or attending the premises, consumption of cannabis and to replace with a section that businesses must comply with all provincial and federal regulations pertaining to cannabis.

COMMUNICATIONS AND ENGAGEMENT

Engagement with cannabis retail stores was conducted in October 2023. Businesses were generally in agreement with the removal of these regulations, citing duplication and possible confusion with regulations from other orders of government, and greater consistency with regulations in other Canadian municipalities. Some businesses raised concerns about removing sign regulations, and the pressures local businesses will face to change their signage. While the bylaw would not require businesses to update their signs to include logos, these businesses felt it would become necessary to do so to remain competitive with other stores (see Appendix 2).

FINANCIAL IMPLICATIONS

There are no financial implications. The Sign Regulation Review is being conducted with existing operating budget resources.

OTHER IMPLICATIONS

There are no other implications.

NEXT STEPS

If proposed changes related to cannabis retail stores are approved, relevant business owners will be notified of all changes. Additional reporting on the Sign Regulation Review will proceed to the Municipal Planning Commission and City Council in Q2 2024 on Phase 1 of this project, and in Q4 on Phase 2 of the project.

APPENDICES

1. Jurisdictional Scan of Cannabis Retail Store Regulations
2. Cannabis Retail Store Survey Results

REPORT APPROVAL

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