

AGENDA

INTERGOVERNMENTAL AFFAIRS COMMITTEE

February 14, 2019, 9:30 AM LEGAL TRADITIONS COMMITTEE ROOM Members

> Mayor N. Nenshi Councillor G-C. Carra, Vice-Chair Councillor G. Chahal Councillor P. Demong Councillor J. Farkas Councillor R. Jones Councillor J. Magliocca

- 1. CALL TO ORDER
- 2. OPENING REMARKS
- 3. CONFIRMATION OF AGENDA
- 4. CONFIRMATION OF MINUTES
 - 4.1 Minutes of the Regular Meeting of the Intergovernmental Affairs Committee, 2019 January 17
- 5. <u>POSTPONED REPORTS</u> (including related/supplemental reports)

None

6. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

- 6.1 Alberta Urban Municipalities Association (AUMA) (Verbal), IGA2019-0174
- 6.2 Federation of Canadian Municipalities (FCM) (Verbal), IGA2019-0175
- 6.3 Calgary Metropolitan Region Board (CMRB) (Verbal), IGA2019-0176
- 6.4 Calgary Metropolitan Region Board (CMRB) Intermunicipal Servicing Committee (Verbal), IGA2019-0178

- 6.5 Calgary Metropolitan Region Board (CMRB) Land Use Committee (Verbal), IGA2019-0177
- 6.6 Intermunicipal Committees (IMC) (Verbal), IGA2019-0180
- 6.7 Standing Up for Canada's Responsible Energy Industry Progress Update (Verbal), IGA2019-0185
- 6.8 Cannabis Regulations Response and Update on Cannabis Legalization, IGA2019-0199
- 6.9 Regional-Based Mortgage Financing Stress Tests AUMA Request for Decision, IGA2019-0215

7. ITEMS DIRECTLY TO COMMITTEE

- 7.1 REFERRED REPORTS None
- 7.2 NOTICE(S) OF MOTION None
- 8. URGENT BUSINESS
- 9. CONFIDENTIAL ITEMS
 - 9.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES
 - 9.1.1 Provincial Advocacy Strategy, IGA2019-0208 Review By: 2019 December 31

Held confidential pursuant to sections 21 (harmful to intergovernmental relations), 23 (local public body confidences), 24 (advice from officials), and 25 (disclosure harmful to economic and other interests of a public body) of the *FOIP* Act.

- 9.2 URGENT BUSINESS
- 10. ADJOURNMENT

Members of Council may participate remotely, if required



MINUTES

INTERGOVERNMENTAL AFFAIRS COMMITTEE

January 17, 2019, 9:30 AM LEGAL TRADITIONS COMMITTEE ROOM

- PRESENT: Mayor N. Nenshi, Chair Councillor G-C. Carra, Vice-Chair Councillor G. Chahal Councillor P. Demong Councillor J. Farkas Councillor J. Farkas Councillor J. Magliocca *Councillor J. Gondek ALSO PRESENT: Deputy City Manager B. Stevens Acting Manager D. Shearer Acting City Clerk D. Williams Legislative Assistant L.Gibb
- 1. CALL TO ORDER

Councillor Carra called the Meeting to order at 9:30 a.m.

2. <u>OPENING REMARKS</u>

Councillor Carra provided opening remarks.

3. CONFIRMATION OF AGENDA

Moved by Councillor Janes

That the Agenda for the 2019 January 17 Regular Meeting of the Intergovernmental Affairs Committee be amended by adding Item 8.1, Campaign Financing Update (Verbal), VR2019-0004, as Urgent Business.

MOTION CARRIED

Moved by Councillor Farkas

That the Agenda for the 2019 January 17 Regular Meeting of the Intergovernmental Affairs Committee be confirmed, **as amended.**

MOTION CARRIED

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Regular Meeting of the Intergovernmental Affairs Committee, 2018 December 20

Moved by Councillor Jones

That the Minutes from the Regular Meeting of the Intergovernmental Affairs Committee held, 2018 December 20, be confirmed.

MOTION CARRIED

5. <u>POSTPONED REPORTS</u>

None

6. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTERS/

6.1 Alberta Urban Municipalities Association (AUMA) (Verbal) - IGA2019-0076

Moved by Councillor Magliocca

That Item 6.1, IGA2019-0076 be postpoped to the Call of the Chair.

MOTION CARRIED

Moved by Councillor Demong

That with respect to Report GA2019-0076, the following be approved:

That the Intergovernmental Affairs Committee receives the Alberta Urban Municipalities Association (AUMA) (Verbal) Report for information.

MOTION CARRIED

6.2 Federation of Canadian Municipalities (FCM) (Verbal) - IGA2019-0077

A document entitled, "Intergovernmental Affairs Committee", dated Thursday, 2019 January 17, was distributed with respect to Report IGA2019-0077.

Mayor Nenshi assumed the Chair at 9:42 a.m. and Councillor Carra returned to his seat in Committee.

Moved by Councillor Magliocca

That with respect to Report IGA2019-0077, the following be approved:

That the Intergovernmental Affairs Committee receives the Federation of Canadian Municipalities (FCM) (Verbal) Report for information.

MOTION CARRIED

6.3 Calgary Metropolitan Region Board (CMRB) (Verbal) - IGA2019-0078

Moved by Councillor Carra

That with respect to Report IGA2019-0078, the following be approved:

That the Intergovernmental Affairs Committee receive the Calgary Metropolitan Region Board (CMRB) Verbal Report for information.

6.4 Calgary Metropolitan Region Board (CMRB) - Land Use Committee (Verbal) -IGA2019-0079

Moved by Councillor Carra

That with respect to Report IGA2019-0079, the following be approved:

That the Intergovernmental Affairs Committee receive the Calgary Metropolitan Region Board (CMRB) - Land Use Committee Verbal Report for information.

MOTION CARRIED

MÓTION CARRIED

6.5 Calgary Metropolitan Region Board (CMRB) - Intermunicipal Servicing Committee (Verbal) - IGA2019-0080

Moved by Councillor Carra

That with respect to Report IGA2019-0080, the following be approved:

That the Intergovernmental Affairs Committee receive the Calgary Metropolitan Region Board (CMRB)-Intermunicipal Servicing Committee Verbal Report for information.

MOTION CARRIED

Instermunicipal Committees (IMC) (Verbal) - IGA2019-0081

Moved by Councillor Demong

That with respect to Report IGA2019-0081, the following be approved:

That the Intergovernmental Affairs Committee receive the Intermunicipal Committees (IMC) Verbal Report for information.

MOTION CARRIED

6.7 Calgary Airport Vicinity Protection Area Regulation Amendment - Verbal Update -IGA2019-0088 Councillor Carra declared a Pecuniary Interest and abstained from discussion and voting with respect to Report IGA2019-0088 and left the Legal Traditions Committee room at 9:56 a.m. and returned at 9:59 a.m.

Moved by Councillor Gondek

That Verbal Report IGA2019-0088 be postponed to today's Closed Meeting discussion, pursuant to Section 21 of the Freedom of Information and Protection of Privacy Act.

NOTION **CARRIED**

Councillor Carra declared a Pecuniary Interest and abstained from discussion and voting with respect to Report IGA2019-0088 and left the Legal Traditions Committee Room at 10:09 a.m. and returned to the Closed Meeting, at 10:26 a.m. upon discussion of the Item.

The Intergovernmental Affairs Committee rose and reported on this item following the Closed Meeting and Councillor Carra declared a Pecuniary Interest and left the Legal Traditions Committee Room at 11/17 a.m. and returned at 11:19 a.m. when the final vote was declared.

Administration in attendance during the Closed Meeting discussions with respect to Report IGA2019-0088.

Clerk's: D. Williams, L. Gibb. Advice. M. Bishoff, K. Cote. Observers: B. Stevens, D.Shearer, D. Corsin, A. McIntyre, A. Chan, N. Younger, N. Dharamsi, J. Clarke, T. Sakamoto, M. Surgeno, Sands.

Moved by Councillor Gondel

That with respect to Verbal Report IGA2019-0088, the folowing be approved:

1. That the Intergovernmental Affairs Committee receive this Verbal Report for information; and

2. That the closed meeting discussions remain confidential pursuant to Section 24 of the Freedom of Information and Protection of Privacy Act.

MOTION CARRIED

X VIEMS DIRECTLY TO COMMITTEE

1 REFERRED REPORTS

None

7.2 NOTICE(S) OF MOTION

None

- 8. URGENT BUSINESS
 - 8.1 Campaign Financing Update (Verbal), VR2019-0004

Moved by Councillor Magliocca

That with respect to Verbal Report VR2019-0004, the following the approved:

That the Intergovernmental Affairs Committee receive Verbal Report on Campaign Financing, VR2019-0004, for information.

MOTION CARRIED

9. <u>CONFIDENTIAL ITEMS</u>

Moved by Councillor Demong

That pursuant to Sections 21, 23, 24 and 25 of the Freedom of Information and Protection of Privacy Act, the Intergovernmental Affairs Committee now move into Closed Meeting, at 10:11 a.m. to discuss confidential matters with respect to the following item:

- 6.1 Calgary Airport Vicinity Protection Area Regulation Amendment Verbal Update, IGA2019-0088; and
- 9.1.1 2019 Provincial Election Review and Prioritization of Advocacy Positions, IGA2018-1283.

MOTION CARRIED

Committee moved into Public Meeting at 13, 17, a.m. with Mayor Nenshi in the Chair.

Moved by Councillor Chahal

That Committee rise and report.

MOTION CARRIED

- 9.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES
 - 9.1.1 Postponed 2019 Provincial Election Review and Prioritization of Advocacy Positions, IGA2018-1283

A confidential PowerPoint entitled "2019 Provincial Election Review and Rrioritization of Advocacy Positions", dated 2019 January 17 be received for the Corporate Record.

Administration in attendance during the Closed Meeting discussions with respect to Report IGA2018-1283:

Clerk's: D. Williams, L. Gibb. Advice: A. Chan, J. Clark, K. Cote. Observers: B.Steven, D.Shearer, D. Corbin, A. McIntyre, A. Chan, N. Younger, N. Dharamsi, J. Clarke, T. Sakamoto, M. Surgenor-Sands.

Moved by Councillor Carra

That with respect to Report IGA2018-1296, the following be approved:

That with the Intergovernmental Affairs Committee:

1. Recommend that Council approve Administration Recommendations 1 and 3 and 2, as amended by Attachment 6;

2. Forward the Report, Attachments, including the Amendments as discussed at today's closed meeting, to Council for endorsement, in principle; and

3. Direct that this Report, Attachments and the PowerPoint Presentation received remain confidential pursuant to Sections 21, 23, 24 and 25 of the Freedom of Information and Protection of Privacy Act.

9.2 URGENT BUSINESS

None

10. ADJOURNMENT

Moved by Councillor Magliocca

That this meeting adjourn at 11:21 a.m.

MOTION CARRIED

MOTION CARRIED

The following Item has been forwarded to the 2019 Repruary 04 Combined Meeting of Council:

Consent Closed Meeting

2019 Provincial Election - Review and Prioritization of Advocacy Positions, IGA2018-1283

The next Regular Meeting of the Intergovernmental Affairs Committee is scheduled to be held, 2019 Rebruary)14 CHAIR ACTING CITY CLERK

ISC: UNRESTRICTED IGA2019-0199

Cannabis Regulations Response and Update on Cannabis Legalization

EXECUTIVE SUMMARY

On 2018 October 17, Bill C-45, *The Cannabis Act*, came into force legalizing non-medical cannabis in Canada. Non-medical cannabis is now legal in limited forms, including dried flower and low-concentration oils. On 2018 December 22, Health Canada released proposed regulations for cannabis extracts, edibles and topicals and invited feedback from Canadians until 2019 February 20. The federal government has committed to legalizing further forms of cannabis including extracts, edibles and topicals by 2019 October 17. This report provides Administration's analysis of the anticipated municipal impact of the proposed federal regulations as well as an overview of cannabis legalization in Calgary since 2018 October 17.

ADMINISTRATION RECOMMENDATION:

That the Intergovernmental Affairs Committee request that the Mayor submit a response on behalf of The City of Calgary to Health Canada on the proposed federal regulations, as outlined in this report.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2017 July 24, Council approved The City's response to provincial engagement on cannabis legalization contained in Report IGA2017-0586. The response included: support for a privatized framework for retail cannabis sales, contingent upon the sharing of tax revenues with municipalities; advocacy for timely decisions by the provincial government to facilitate City processes; and advocacy for funding to support Calgary Police Service's role in legalization. A summary of The City's advocacy positions and comparisons to the proposed federal and provincial legislation is provided in Attachment 1.

BACKGROUND

In 2016, in anticipation of pending legalization, Administration established a working team of subject matter experts (SMEs) from across the organization, including representatives from Intergovernmental & Corporate Strategy, Law, Calgary Growth Strategies, Calgary Neighbourhoods, Calgary Community Standards, Calgary Transit, Human Resources, the Calgary Fire Department and the Calgary Police Service. This group identified issues of concern and potential impacts of legalizing cannabis to The City of Calgary, which formed the basis of The City's participation in both federal and provincial cannabis legalization engagement and the development of municipal advocacy positions. (Attachment 1)

On 2017 April 13, the Government of Canada introduced Bill C-45, *The Cannabis Act*, which came into force on 2018 October 17 to legalize and regulate certain forms of non-medical cannabis including: flower, low THC concentration oils, and seeds.

On 2017 November 10, the Government of Canada proposed an excise duty framework for cannabis products not to exceed \$1.00 per gram, or 10 per cent of the producer's sale price of that product, whichever is higher. It was also announced that provinces would receive a minimum of 75 per cent of the federal excise tax revenue and that the Goods and Services Tax (GST) would also be applied to retail cannabis sales.

On 2018 March 22, as part of the 2018-19 provincial budget, the Government of Alberta announced a 10 per cent tax on retail cannabis sales in Alberta to take effect upon legalization.

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ISC: UNRESTRICTED IGA2019-0199

Cannabis Regulations Response and Update on Cannabis Legalization

This tax was in addition to the 10 per cent federal excise tax, and was to be collected by the federal government and redistributed to the Government of Alberta.

On 2018 October 15, the Government of Alberta announced a Municipal Cannabis Transition Program (MCTP) to provide funding grants to municipalities to offset costs related to cannabis legalization. Under the MCTP, The City of Calgary is eligible to receive \$3.84M over two years. The City of Calgary submitted its application for MCTP funding on 2019 February 1. Over the timeframe covered by the MCTP, The City of Calgary is expected to spend \$10.44M in responding to cannabis legalization. A summary of the MCTP grant and the municipal costs is included in Attachment 2.

On 2018 November 22, the Alberta Gaming, Liquor and Cannabis Commission (AGLC) suspended the issuance of any further licences for cannabis retail stores due to a shortage of cannabis products.

On 2018, December 22 Health Canada released proposed regulations for cannabis extracts, edibles and topicals and invited feedback from Canadians until 2019 February 20.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Health Canada Feedback

The regulations for cannabis extracts, edibles, and topical products proposed by Health Canada focus primarily on packaging and labelling requirements and on ensuring that products will not be appealing to youth. An overview of the regulations being proposed is included in Attachment 3.

The bulk of the proposed regulations remain outside of the municipal purview, however, there are some opportunities to make the process more business-friendly and to ensure that municipal concerns are addressed:

- Ensuring that federal licensing is as straightforward as possible and that one operator/facility can obtain multiple licences. A straightforward licensing process would enable a single facility to provide a variety of services including the growing, production and processing of cannabis and would help to encourage entrepreneurial investment in the cannabis sector.
- Clarifying and streamlining the requirement that applicants notify municipalities of their application. Existing regulations require applicants to both apply for municipal Development and Building Permits as well as notify the municipality in writing of the intent to apply with the federal government to become a licensed producer. Incorporating the written notification into a municipal Development Permit application would reduce redundancy and confusion with applications.
- Clarifying the applicability of landfill setback requirements. The proposed regulations distinguish between edible cannabis products and food, as defined by the federal government. This distinction may have implications for provincial regulations, including the required setback for edible cannabis processing facilities from such uses as landfills and hazardous waste facilities. Health Canada should work with their provincial and municipal counterparts to ensure that concerns, such as setbacks for processing facilities, are carefully considered in the context of regulating edible cannabis products.
- Supporting the regulation requiring ventilation systems to remove odours. Proposed federal regulations include a requirement for ventilation filtration systems to prevent the

Cannabis Regulations Response and Update on Cannabis Legalization

escape of odours. This proposed regulation supplements existing municipal requirements and provides for federal oversight.

- Ensuring that equipment used in the production and refining of cannabis products is safe. Some methods of cannabis extraction, including Butane Hash Oil and Supercritical Carbon Dioxide extraction, present safety concerns such as flammable compounds or extreme pressures. The federal government should include sufficient regulatory safeguards to ensure that cannabis extraction facilities do not pose a safety risk.
- Supporting the identification of cannabis products through THC marking symbols on individually packaged edibles and products. The proposed federal regulation includes a stipulation that all products containing THC, including edibles and vape cartridges, display a standardized cannabis symbol. Identification of individual products with THC symbols will facilitate identification by municipal enforcement and aid in the application of federal, provincial and municipal laws.

In addition to the proposed regulations, Administration views the call for input as an opportunity to re-emphasize The City's advocacy position on funding related to the municipal regulation and enforcement of cannabis legalization. As far back as 2016 November, The City established an advocacy position that:

"... the federal government create a tax revenue proposal that includes funding being allocated to municipalities."

The federal government agreed to share an increased portion of the federal excise tax with provinces in order to offset municipal costs associated with legalization. However the funding announced by the provincial government under the MCTP is insufficient to cover these costs. As a result, Administration continues to advocate to both the federal and provincial governments for a funding model that acknowledges associated costs to the municipality. Municipal funding is critical in realizing the stated goals of the federal and provincial governments, which include the protection of public health, protecting youth and keeping profits out of the hands of the illicit market.

Municipal Cannabis Update

At the time of writing, there are 75 licensed stores operating in Alberta, with 24 located in Calgary. A summary of the number of stores by municipality and province is included in Attachment 4.

Administration continues to work with the AGLC and business owners in order to address the current suspension on licences. At the time of writing, 159 applications have received a released Development Permit from The City for a cannabis retail store. Currently only 24 of these businesses have obtained a provincial licence. Administration continues to investigate options for those businesses that have met the municipal requirements but are unable to open until the AGLC lifts its suspension. Administration will return to Council in the coming months with a plan to address the potential for Development Permits to lapse due to the inability to commence the use as a result of the AGLC's suspension.

At the time of writing, there are two federally licensed cannabis production facilities in Calgary and released development permit applications for an additional six facilities.

Administration continues to monitor the impact of cannabis bylaws on people experiencing vulnerability and is scheduled to return to Council later in 2019 with reports monitoring the impact on both the vulnerable population as well as festivals and events in Calgary.

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Cannabis Regulations Response and Update on Cannabis Legalization

Stakeholder Engagement, Research and Communication

The municipal working group on cannabis legalization representing affected business units from across the Corporation has met in order to provide input from all affected areas. As the cannabis file continues to evolve, affected business units within The City meet on a regular basis to consider and respond to issues as they arise.

Strategic Alignment

The proposed federal and provincial legislation generally aligns with The City's previously established advocacy positions, with some exceptions, as outlined in Attachment 1.

The recommendations in this report align with Council Directive W1:

Council and Administration need to speak in a collective voice that improves communication with Calgarians to help them understand: the services The City delivers; how their taxes are invested; that their municipal government functions to serve Calgarians; and that their municipal government is well-run and efficient.

Social, Environmental, Economic (External)

Legalizing, regulating and restricting access to cannabis has social, environmental and economic implications. Administration's advocacy positions and proposed approach to municipal regulations will continue to consider the breadth of implications to City operations and Calgarians.

Financial Capacity

Current and Future Operating Budget:

The current proposal by the Government of Canada does not include a share of tax revenue for municipalities. The City continues to advocate for the sharing of revenues from the taxation of recreational cannabis with municipalities. Responsibilities delegated to municipalities from the provincial and federal legislative changes have resulted in the need for additional resources. The funding provided through the MCTP offered by the Government of Alberta is insufficient to offset the costs incurred by the municipality as a result of legalization. For the last several months, Administration has been tracking the financial impact on the affected business units. A summary of the costs to the municipality and funding offered in the MCTP is provided in Attachment 2.

Current and Future Capital Budget:

There are no capital costs associated with this report.

Risk Assessment

A downloading of responsibility from the federal and provincial governments, coupled with a lack of sufficient funding, will impact The City's ability to adequately resource and fund municipal priorities. To address this risk Administration is proposing continued advocacy to both the provincial and federal governments for a funding model which is sufficient to offset the costs to The City.

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REASON(S) FOR RECOMMENDATION(S):

Health Canada is seeking feedback on draft regulations intended to address public health and public safety risks posed by edible cannabis, cannabis extracts and cannabis topicals. The City has the opportunity to provide feedback until 2019 February 20. A submission from the Office of the Mayor would address both the proposed federal regulations and the impact of the current funding arrangement.

ATTACHMENT(S)

- 1. Attachment 1 The City of Calgary's Advocacy Position Comparison to proposed Federal and Provincial Legislation
- 2. Attachment 2 Municipal Costs and MCTP Eligible Funding
- 3. Attachment 3 Proposed Federal Regulations
- 4. Attachment 4 Number of Provincially Licensed Cannabis Retail Stores

City of Calgary Advocacy Positions	Federal and Provincial Cannabis Legislation
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 City of Calgary Advocacy Position IGA2016-0737 (2016 November 03) IGA2017-0586 (2017 July 24) 	 Government of Canada The Cannabis Act (2017 April 13) Proposed Approach to the Regulation of Cannabis (2017 November) Proposed Approach to the Regulation of Edibles, Concentrates and Topicals (2018 December) 	 Government of Alberta Alberta Cannabis Framework (2017 October 4) Bill 29: An Act to Reduce Cannabis and Alcohol Impaired Driving (2017 November 29) Bill 26: An Act to Control and Regulate Cannabis (2017 November 30) Updates to the Alberta Gaming, Liquor and Cannabis Regulation (2018 February 16) Municipal Cannabis Transition Program - MCTP (2018 October 15)
 Engagement and role clarity: Continue to engage municipalities throughout the legalization process to ensure clear delineation of roles and expectations between federal, provincial and municipal governments 	The Government of Canada continues to engage municipalities, primarily through the Federation of Canadian Municipalities (FCM) as well as Health Canada. The latest federal consultations focused on the Government of Canada's proposed regulations for cannabis edibles, concentrates and topicals. The Cannabis Act articulates the role of the Government of Canada in legalization as well as what provincial governments, together with municipalities, will be responsible for.	The City of Calgary has been in direct communication with the Alberta Cannabis Secretariat (ACS) since 2017 June, communicating City concerns and lending City expertise to inform provincial policy, legislation and regulations. This engagement with The City will continue leading up to legalization in order to finalize all provincial regulations with municipal implications and ensure continued coordination between the two governments. Continued engagement is required to address cannabis tax revenue distribution and to ensure The City receives the resources it needs to keep Calgarians safe and well-served. The Alberta Cannabis Framework and associated legislation and regulations outlines the responsibilities of the Government of Alberta, as well as authority for municipalities to regulate in the areas of business licensing, public consumption and land use.
 Authority of each order of government: Advocate for a national or province- wide licensing system 	Aligned with position. The Cannabis Act establishes a federal licensing system for production, and provincial (and possibly municipal) licensing for distribution and retail.	Aligned with position. Bill 26 allows for privately owned and operated cannabis retail stores. These stores will be provincially licensed through the Alberta Gaming and Liquor Commission (AGLC) but there is flexibility for additional municipal business licensing to govern these businesses according to local context. The City will continue to work closely with the AGLC to ensure alignment of provincial and City licensing.

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City of Calgary Advocacy Position IGA2016-0737 (2016 November 03) IGA2017-0586 (2017 July 24) 	 Government of Canada The Cannabis Act (2017 April 13) Proposed Approach to the Regulation of Cannabis (2017 November) Proposed Approach to the Regulation of Edibles, Concentrates and Topicals (2018 December) 	 Government of Alberta Alberta Cannabis Framework (2017 October 4) Bill 29: An Act to Reduce Cannabis and Alcohol Impaired Driving (2017 November 29) Bill 26: An Act to Control and Regulate Cannabis (2017 November 30) Updates to the Alberta Gaming, Liquor and Cannabis Regulation (2018 February 16) Municipal Cannabis Transition Program - MCTP (2018 October 15)
• Municipalities should have authority over the planning policy around the growing and sale of medical and recreational cannabis. For example, things like signage, location and size, among others	Aligned with position. The Cannabis Act includes the ability for provinces and territories, together with municipalities, to establish zoning rules for cannabis-based businesses. Flexibility is also provided in the bill to enable provinces and territories, together with municipalities, to tailor rules in their own jurisdictions.	Aligned with position. The municipal flexibility included in the regulations addresses the concerns raised by The City in discussions with the Secretariat. The updated regulations released in 2018 February provide minimum setbacks of 100m from provincial health care facilities, schools and parcels designated as a school reserve. Municipalities can vary these distances through bylaws and retailers must meet municipal Land Use Bylaw requirements.
Municipalities should have authority to regulate public and private nuisance factors related to cannabis use	Aligned with position. Specifically, the Cannabis Act gives provinces, together with municipalities, the ability to restrict where cannabis can be consumed.	Aligned with position. The City of Calgary will have authority to regulate public and private nuisance factors related to cannabis use. Provincial legislation allows for cannabis to be consumed in most public areas where tobacco can be consumed but allows municipalities to restrict further.
Support a privatized framework for legal retail cannabis sales similar to the existing retail alcohol store model	N/A	Aligned with position. Bill 26 allow for privately owned and operated, stand-alone cannabis retail stores that prohibit cannabis from being consumed in stores. This privatized retail system, similar to the existing retail alcohol model, allows municipalities flexibility to regulate and administer retail locations considering the local context.
contingent upon the sharing of tax revenues to compensate for the increased costs to The City.		Not aligned with position. The MCTP provides insufficient funding to offset the costs of cannabis legalization to The City of Calgary.
Restrict residential growing	Aligned with position. The Cannabis Act allows for a limit of four plants per residence grown for	Aligned with position. The Government of Alberta is allowing Albertans to grow up to four plants per

 City of Calgary Advocacy Position IGA2016-0737 (2016 November 03) IGA2017-0586 (2017 July 24) 	 Government of Canada The Cannabis Act (2017 April 13) Proposed Approach to the Regulation of Cannabis (2017 November) Proposed Approach to the Regulation of Edibles, Concentrates and Topicals (2018 December) 	 Government of Alberta Alberta Cannabis Framework (2017 October 4) Bill 29: An Act to Reduce Cannabis and Alcohol Impaired Driving (2017 November 29) Bill 26: An Act to Control and Regulate Cannabis (2017 November 30) Updates to the Alberta Gaming, Liquor and Cannabis Regulation (2018 February 16) Municipal Cannabis Transition Program - MCTP (2018 October 15)
	personal use. In addition, to address issues of local concern, the Act enables provinces to impose more restrictive limits on personal cultivation, including lowering the number of plants or restricting where plants may be cultivated.	household with seeds purchased from cannabis retail stores.
Discuss sharing federal tax revenues created by the legalization and regulation of cannabis across all three orders of government.	Not aligned with position. On 2017 November 10 the Government of Canada proposed an excise duty framework for cannabis products not to exceed \$1.00 per gram, or 10 per cent of the producer's sale price of that product, whichever is higher, with this tax room divided equally between the province or territory and the federal government. The Goods and Services Tax (GST) will also be applied. As part of this arrangement, it is the federal government's expectation that a substantial portion of the revenues from this tax room provided to provinces and territories will be transferred to municipalities and local communities, who are on the front lines of legalization. The Government of Canada has allocated funds to Health Canada, the RCMP, the Canada Border Services Agency and Public Safety Canada to ensure there is appropriate capacity to license, inspect and enforce all aspects of the proposed Cannabis Act and to undertake robust public education and	Not aligned with position. The MCTP announced on 2018 October 15 provided insufficient funding to offset the costs of legalization to The City of Calgary. Under the MCTP the proposed grant is for \$3.84M for 2018- 2019. As of 2018 November, The City had already spent in excess of \$3.7M and is expecting to see expenditure increase in 2019. The City has shared initial cost estimates with the Government of Alberta and continues to advocate for a share of cannabis tax revenue or other provincial funding sources to cover all ongoing costs and ensure Calgarians are safe and well-served.

 City of Calgary Advocacy Position IGA2016-0737 (2016 November 03) IGA2017-0586 (2017 July 24) 	 Government of Canada The Cannabis Act (2017 April 13) Proposed Approach to the Regulation of Cannabis (2017 November) Proposed Approach to the Regulation of Edibles, Concentrates and Topicals (2018 December) 	 Government of Alberta Alberta Cannabis Framework (2017 October 4) Bill 29: An Act to Reduce Cannabis and Alcohol Impaired Driving (2017 November 29) Bill 26: An Act to Control and Regulate Cannabis (2017 November 30) Updates to the Alberta Gaming, Liquor and Cannabis Regulation (2018 February 16) Municipal Cannabis Transition Program - MCTP (2018 October 15)
Advocate for provincial regulations and funding models that clarify and support the Calgary Police Service's role in enforcing drug-impaired driving.	awareness activities. There have been no federal budget allocations to municipalities. Aligned with position with concerns. In its 2018 budget, the Government of Canada pointed to investments of \$546 million over five years to implement and enforce the new federal legislative and regulatory framework. This includes previously announced money to support law enforcement and border efforts to detect and deter drug-impaired driving and enforce the proposed cannabis legalization and regulation. Provinces and territories will be able to access up to \$81 million over the next five years for new law enforcement training, and to build capacity to enforce new and stronger laws related to drug-impaired driving. While a good start, additional funding would be required to cover policing costs for municipalities.	 Aligned with position with concerns. Bill 29: An Act to Reduce Cannabis and Alcohol Impaired Driving outlines new rules including: Expanded zero tolerance program for Graduated Drivers Licens34ing Expanded provincial administrative sanctions for drivers with blood drug/alcohol concentration over the new criminal limits proposed by the federal government 90-day, fixed-term licence suspension for drivers found over federal criminal limits. To date, the Government of Alberta has not allocated additional money to support the Calgary Police Service's role in enforcing drug-impaired driving.
 Timing: Give The City of Calgary and other municipalities time to develop and implement necessary local regulations. Advocate that the province provide their Cannabis Framework in a timely a fashion to facilitate The City's engagement process. 	Subject to parliamentary approval and Royal Assent, the Government of Canada intends to provide regulated and restricted access to cannabis in the summer of 2018. Meeting this deadline will be challenging for Calgary and other municipalities given that so much of the regulatory framework and governance details for recreational cannabis will be under provincial control. This timeline has meant operational activity on municipal bylaws and	Aligned with position with concerns. The final Alberta Cannabis Framework and associated provincial legislation clarifying the municipal role in legalization was released in 2017 November. The release of the updated Alberta Gaming, Liquor and Cannabis Regulation in 2018 February provided the clarity required for The City to develop and implement comprehensive and appropriate City bylaws. However, the approach to cannabis tax revenue distribution in Alberta and funding for municipalities remains outstanding.

IGA2019-0199 Cannabis Regulations Response and Update on Cannabis Legalization ATT 1 ISC: UNRESTRICTED

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 City of Calgary Advocacy Position IGA2016-0737 (2016 November 03) IGA2017-0586 (2017 July 24) 	 Government of Canada The Cannabis Act (2017 April 13) Proposed Approach to the Regulation of Cannabis (2017 November) Proposed Approach to the Regulation of Edibles, Concentrates and Topicals (2018 December) 	 Government of Alberta Alberta Cannabis Framework (2017 October 4) Bill 29: An Act to Reduce Cannabis and Alcohol Impaired Driving (2017 November 29) Bill 26: An Act to Control and Regulate Cannabis (2017 November 30) Updates to the Alberta Gaming, Liquor and Cannabis Regulation (2018 February 16) Municipal Cannabis Transition Program - MCTP (2018 October 15)
	rules has happened at the same time as conversations with the provincial government.	



Municipal Costs and Municipal Cannabis Transition Program (MCTP) Eligible Funding (2018 April 1 - 2019 December 31)

Note that municipal expenses for 2019 are estimates. Includes only costs eligible for MCTP Funding.



We want to hear from you! Have your say at Canada.ca/Cannabis

Proposed	Fodoral	Regulations
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Government of Canada

t Gouvernement du Canada Disclaimer. This is not a complete list of proposed regulatory rules for each class of cannabis. It is also not a complete list of product examples. For more information on the proposed amendments to the Canabb Regulators, please visit Canada.ca/Cannabis

Canada

		EDIBLE CANNABIS (SOLID)	EDIBLE CANNABIS (BEVERAGE)	CANNABIS EXTRACT (INGESTED)	CANNABIS EXTRACT (INHALED)	CANNABIS EXTRACT (CONCENTRATED THC)	CANNABIS TOPICAL
>	THC LIMIT	 10 mg of THC per package 	 10 mg of THC per container 	 10 mg of THC per unit (such as a capsule) or dispensed amount 1000 mg of THC per package 	 1000 mg of THC per package 	 1000 mg of THC per package 	 1000 mg of THC per package
gulations	PRODUCT RULES	 No added vitamins, minerals Limits on caffeine No added alcohol 	 No added vitamins, minerals Limits on califeline No added alcohol 	 No added vitamins or minerals No sugars, colours or sweeteners No nicotine or caffeine 	 No sugars, colours or sweeteners No nicotine or caffeine 	 No sugars, colours or sweeteners No nicotine or caffeine 	 For use on skin, hair and nails Only cosmetic grade ingredients Not for use in eyes or on damaged skin
rederal Reg	PACKAGING	 Child-resistant Plain 	 Child-resistant ■ Plain 	Maximum package size of 90 mL for Uquid extracts Child-resistant Plain Must have dispensing device If not in unit form	 Maximum package size of 90 mL for liquid extracts Child-resistant Plain 	 Maximum package size of 7.5 g Child-resistant Plain 	 Child-resistant Plain
Proposed	LABEL	 Standardized cannabis symbol for products containing THC Health Warning Message THC/CBD content Ingredient list Allergens Nurrition Facts Table 	 Standardized cannabis symbol for products containing THC Health Warning Message THC/CBD content Ingredient list Altergens Nutrition Facts Table 	 Standardized cannabis symbol for products containing THC Health Warning Message THC/CBD content Ingredient list Altergens Intended Use 	 Standardized cannabis symbol for products containing THC [on tablet and directly on the vape cartridge] Health Warning Message THC/CBD coment Ingredient list Allergens Allergens Intended Use 	 Standardized cannabis symbol for products comaining THC Health Warning Message THQ/CBD coment Ingredient list Altergens Intended Use 	 Scandardized cannabis symbol for products containing THC Health Warning Message THC/CED content Ingredient list Altergens Intended use Directions for use Warning statement about not swallowing or using on broken skin
	OTHER	 Must not be appealing to kids No health or dietary claims No elements that would associate product with alcoholic beverages or brands of alcohol 	 Must not be appealing to kids No health or direary claims No elements that would associate product with alcoholic beverages or brands of alcoholic 	 Must not be appealing to kids No health claims No elements that would associate product with alcoholic beverages or brands of alcohol 	 Must not be appealing to kids No health claims No elements that would associate product with alcoholic beverages or brands of alcohol 	 Must not be appealing to kids No health claims No elements that would associate product with alcoholic beverages or brands of alcohol 	 Must not be appealing to kids No health or cosmetic claims No elements of atwould associate product with alcoholic beverages or brands of atcoholic

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Deputy City Manager's Office Report to Intergovernmental Affairs Committee 2019 February 14

ISC: UNRESTRICTED IGA2019-0215

Regional-Based Mortgage Financing Stress Tests AUMA Request for Decision

EXECUTIVE SUMMARY

Albertans have been hit hard financially in recent years due to many factors including volatile oil prices, a lack of market access for our oil and gas sectors, high unemployment rates and subpar job growth, high downtown office vacancy in particular in Calgary, and increased taxes including the carbon tax. These effects are compounded by the unintended consequences of the new *B20 - Residential Mortgage Underwriting Practices and Procedures* (B20), which came into effect on 2018 January 1. B20 is negatively affecting jobs, economic activity, and the ability for first-time homebuyers to enter the market.

Council directed Administration through Notice of Motion C2019-0157 on Reviving Calgary's Real Estate and Construction Industries to bring forward resolutions on this issue for consideration at the 2019 meetings of the Alberta Urban Municipalities Association (AUMA) and Federation of Canadian Municipalities (FCM).

ADMINISTRATION RECOMMENDATION:

That the Intergovernmental Affairs Committee recommend that Council direct Administration to submit the attached request for decision to the Alberta Urban Municipalities Association (AUMA) Municipal Leaders' Caucus from 2019 March 27 to 28, to advocate that the Governments of Canada and Alberta and political parties in Parliament and the Legislature consider the impacts of the *B20 – Residential Mortgage Underwriting Practices and Procedures* and considering policy changes to allow regional-based mortgage financing stress tests.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2019 February 4, Council directed Administration to prepare resolutions for consideration at the 2019 meetings of the Alberta Urban Municipalities Association (AUMA) and Federation of Canadian Municipalities (FCM) to gain broader support for advocacy on regional-based mortgage financing stress tests through Notice of Motion C2019-0157 on Reviving Calgary's Real Estate and Construction Industries.

BACKGROUND

AUMA's Spring Municipal Leaders' Caucus is taking place in Edmonton from 2019 March 27 to 28. Requests for decision may be brought forward to the Municipal Leaders' Caucus by member municipalities on emerging issues that cannot wait to be debated at the AUMA Convention in September.

Requests for decision require endorsement by the sponsoring Council prior to submission to AUMA. During the Municipal Leaders' Caucus, the sponsoring municipality presents the request for decision. Voting on the request for decision occurs with one vote per municipality through their Mayor or designate. If the request for decision is passed, it is assigned to the appropriate AUMA committee for further action.

Regional-Based Mortgage Financing Stress Tests AUMA Request for Decision

INVESTIGATION: ALTERNATIVES AND ANALYSIS

AUMA Resolution

A resolution for advocacy on regional-based mortgage financing stress tests could be taken to AUMA's Convention instead of the Spring Municipal Leaders' Caucus. AUMA states that resolutions at Convention tend to have a higher profile than requests for decision at Municipal Leaders' Caucus due to the higher member turnout at Convention and the more formal process for their adoption and implementation. However, the AUMA Convention does not occur until September 2019, meaning a delay in advancing advocacy on this issue. As a result, Administration recommends submitting a request for decision to the Spring Municipal Leaders' Caucus.

FCM Resolution

Council also directed Administration to prepare a resolution for consideration by FCM. The deadline for submission of resolutions to either the March 2019 FCM Board Meeting or June 2019 Annual Conference has passed. It would be possible to propose an "emergency resolution" for consideration at the Annual Conference. However, such a resolution would have to first be submitted to a monthly meeting of FCM's Executive Committee and would have to meet FCM's criteria. These criteria are that the issue imposes a significant, immediate and direct impact on municipal operations, or that the issue can be resolved in the near term through an open federal decision-making window that will close before the resolution could be considered as part of the next deadline period.

Preliminary conversations with FCM staff suggest that this issue would not satisfy these criteria, particularly when it could be brought to the September Board Meeting three months later. Administration therefore recommends that Intergovernmental and Corporate Strategy in consultation with City of Calgary Finance prepare a resolution for Intergovernmental Affairs Committee and Council approval no later than May 2019 to be forwarded for consideration to FCM's September Board Meeting.

In the meantime, ICS will continue to work with FCM staff to monitor this issue, including work tied to a related resolution sponsored by the City of Victoria and passed at the FCM's 2018 Annual Conference calling on the Government of Canada to assess and publicly report on the effectiveness of its recent measures intended to stabilize the housing market and, if needed, take further action to encourage the use of residential property to provide housing, and discourage speculation, "flipping," commodity investment and other market distortions that contribute toward a sharp escalation in the price of housing.

While this City of Victoria resolution is more focused on housing affordability, as opposed to the industry's contribution to the local economy, there is some overlap. FCM staff are expected to present an update on this item to the meeting of the FCM Subcommittee on Social and Economic Development at the March 2019 Board Meeting. Administration will provide an update on this work and its relationship to The City's own work at a subsequent meeting of the Intergovernmental Affairs Committee.

Deputy City Manager's Office Report to Intergovernmental Affairs Committee 2019 February 14

ISC: UNRESTRICTED IGA2019-0215

Regional-Based Mortgage Financing Stress Tests AUMA Request for Decision

Stakeholder Engagement, Research and Communication

Intergovernmental and Corporate Strategy, working in consultation with Finance, has prepared the proposed AUMA request for decision based on the direction provided by Council, will prepare an FCM resolution, and continue to monitor progress on the related FCM resolution.

Strategic Alignment

Advocacy on regional-based mortgage financing stress tests supports the 2019-2022 Council Directives for One Calgary, specifically related to A Prosperous City and A City of Safe and Inspiring Neighbourhoods.

Social, Environmental, Economic (External)

Advocacy on regional-based mortgage financing stress tests supports a robust housing market that provides social and economic benefit to communities and neighbourhoods, the building and real estate industries, and local homebuyers, especially first-time buyers.

Financial Capacity

Current and Future Operating Budget:

At least one member of Council must attend the AUMA Spring Municipal Leaders' Caucus to present the request for decision. The cost for attendance at the two-day Municipal Leaders' Caucus is \$165 plus travel and accommodation.

Current and Future Capital Budget:

This report is not expected to have impacts to the capital budget.

Risk Assessment

If the request for decision is not approved by Council, or approval is delayed beyond AUMA's submission deadline of 2019 March 1, the next opportunity for consideration will be the AUMA Convention held 2019 September 25 to 27, causing a delay in advocacy on this issue.

REASON(S) FOR RECOMMENDATION(S):

Council directed Administration through Notice of Motion C2019-0157 on Reviving Calgary's Real Estate and Construction Industries to bring forward resolutions on this issue for consideration at the 2019 meetings of AUMA and FCM.

ATTACHMENT(S)

1. Attachment 1 – AUMA Member Request For Decision on Regional-Based Mortgage Financing Stress Tests



MEMBER REQUEST FOR DECISION SPRING 2019 MUNICIPAL LEADERS' CAUCUS

DATE:

2019 February 07

TOPIC:

Regional-Based Mortgage Financing Stress Tests

RECOMMENDATION:

The Council from The City of Calgary requests that the AUMA Board advocate:

- 1) To the Government of Canada and all other Political Parties that are represented in Parliament to a) Urgently review the effects of the B20 – Residential Mortgage Underwriting Practices and Procedures stress test on regional markets; and
 - b) Urgently eliminate or tailor regional-based policies, including but not limited to, stress tests that reflect the needs of local economic and market conditions.
- 2) To the Government of Alberta and all other Political Parties that are represented in Legislature to
 - a) Urgently consider the adoption of Alberta-based mortgage approval requirements for Alberta Credit Unions and make any necessary changes (policy or otherwise) to implement this request.

BACKGROUND:

The Office of the Superintendent of Financial Institutions (OSFI) is an independent federal government agency that regulates and supervises more than 400 federally regulated financial institutions, including all banks in Canada, and reports directly to Parliament through the Minister of Finance. OSFI's B20 - Residential Mortgage Underwriting Practices and Procedures (B20) came into effect on January 1, 2018, in a one-size fits all policy that applies to all federally regulated institutions across the country.

The main objectives of B20 were to:

- 1) Create a minimum qualifying rate or a "stress test" for mortgages;
- 2) Require lenders to enhance their loan-to-value (LTV) measurement and limits so they will be dynamic and responsive to risk, and
- 3) Place restrictions on certain lending arrangements that are designed to circumvent LTV limits.

B20 was created to deal with the unstable real estate markets in Vancouver and Toronto where red flags emerged in recent years because of the combination of unsustainable price appreciation and high-debt ratios. Municipal and provincial governments in British Columbia and Ontario

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implemented region-specific strategies to increase housing affordability in the Vancouver and Toronto markets such as the foreign buyers' tax, empty house tax, and restrictions on short-term rentals which started to cool these markets down before the implementation of B20.

While credit unions and ATB Financial do not fall under the OSFI mandate, they have chosen to follow B20 to-date.

ANALYSIS:

Albertans have been hit hard financially in recent years due to many factors including volatile oil prices, a lack of market access for our oil and gas sectors, high unemployment rates and subpar job growth, high downtown office vacancy in particular in Calgary, and increased taxes including the carbon tax. The unintended consequences of B20 have compounded these effects, negatively affecting jobs, economic activity, and the ability for first-time homebuyers to enter the market.

A robust housing market provides significant social, and economic benefits to Alberta's communities and neighbourhoods and needs a system that facilitates the borrowing and lending of capital and is responsive to variations in the local and regional contexts. Canada Mortgage and Housing Corporation (CMHC) identifies numerous regional real estate markets across the country that have unique market characteristics. However, B20 does not recognize this variation to allow tailored solutions that reflect the needs of local economic and market conditions.

Potential first-time homebuyers that have lower incomes, such as the customer demographic for organizations like Attainable Homes, have been adversely affected by B20. The new policy increases Gross Debt Service Ratio (GDSR) and Total Debt Service Ratio (TDSR) by 5% and 8% respectively, reducing the number of new home buyers substantially. B20 has caused many borrowers to seek capital in the private markets where interest rates and terms are heavily in favour of the lender.

B20 has impacted the real estate and construction sectors. In Canada in 2015, housing construction, renovation, repairs, and maintenance activities contributed \$133 billion to the economy (7% of GDP), and the real estate, rental, and leasing industry contributed \$278 billion to the economy (14% of GDP).

B20 has had many unintended consequences in markets outside of Vancouver and Toronto such as:

- 1) Exacerbating the slowdown in otherwise stable and buoyant real estate markets in cities such as Calgary where annual growth in real estate price from 2014-2017 was around 0%;
- 2) A reduction in construction creating fewer jobs in this and related industries;
- 3) An overall net decrease in Calgary homeowners' property valuations; and

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4) A reduction in economic activity (GDP).

The Calgary Real Estate Board (CREB) recently released a report with alarming statistics for the Calgary real estate market showing residential sales shrunk by 15% in 2018 relative to 2017 and were



down 20% compared to the ten-year average. Benchmark prices were also down by several percentage points during the same period. Some economists have suggested the main reason for these declines has been B20.

Resale activity in the Alberta real estate market started showing signs of improvement in 2016-2017, but B20 has contributed to further setbacks with the sales-to-new-listings ratio (SNLR) remaining far below the balanced market threshold. New home construction is following a trend that is similar to the resale market, with recent data suggesting continued weakness in activity.

All municipalities in Alberta are affected by the new B20 rules and their unintended negative impacts on jobs, economic activity, and the ability for first-time homebuyers to enter the market. This resolution calls on the federal and provincial governments to mitigate these unintended consequences by reviewing the current impacts of B20 and considering policy changes to allow regional-based mortgage financing stress tests.





