

City of Calgary Advocacy Position	Background	Cannabis Act Regulation
<p>Continue to engage municipalities throughout the legalization process to ensure clear delineation of roles and expectations between federal, provincial and municipal governments</p>	<ul style="list-style-type: none"> The federal government should continue to engage municipalities throughout the legalization process to ensure clear delineation of roles and expectations between federal, provincial and municipal governments. All orders of government need to work together to create and enforce an effective set of regulations. Additional, ongoing information sharing between all orders of government is critical. 	<p>Aligned with position. Federal government responsibilities will include:</p> <ul style="list-style-type: none"> Setting the minimum age to restrict access to legal sales of cannabis to people 18 years of age or older, although provinces will be provided with the flexibility to increase the minimum legal age in their jurisdictions Restricting the number of plants to four allowed to be grown in a residence Establishing stiff criminal penalties for those operating outside the legal system Creating rules to limit how cannabis and cannabis accessories can be promoted, packaged, labelled and displayed, to protect youth Instituting a federal licensing regime for cannabis production Establishing industry-wide rules on the types of products that will be allowed for sale, standardized serving sizes and potency, the use of certain ingredients and good production practices, as well as the tracking of cannabis from seed to sale to prevent diversion to the illicit market Creating minimum federal conditions that provincial and territorial legislation for distribution and retail sale would be required to meet Establishing the ability for the federal government to license distribution and sale in any province or territory that does not enact such legislation Enforcing the law at the border, while maintaining the free flow of legitimate travel and trade. <p>Provincial governments, together with municipalities will be responsible for:</p> <ul style="list-style-type: none"> Licensing the distribution and retail sale in their respective jurisdictions, and carrying out associated compliance and enforcement rules Setting additional regulatory requirements to address issues of local concern Establishing provincial and territorial zoning rules for cannabis-based businesses Restricting where cannabis may be consumed Amending provincial and territorial traffic safety laws to address driving while impaired by cannabis

<p>Authority of each order of government:</p> <ul style="list-style-type: none"> • Advocate for a national or province-wide licensing system 	<ul style="list-style-type: none"> • The City advocates that the federal or provincial government build a national licensing system with some flexibility for municipalities to add other licensing requirements as needed. • If the federal government chooses to only regulate the growing of cannabis, The City could focus licensing on retail sales and consumption locations. • If the federal and provincial governments choose not to build a licensing system, The City would create new business licensing categories to support the oversight of cannabis related businesses and encourage responsible business practices through administration and enforcement of licensing bylaws. • The requirement of a business licence facilitates approvals from other agencies (such as Fire, Planning, AHS, AGLC, etc.). 	<p>Aligned with position. The bill establishes a federal licensing system for production, and provincial (and possibly municipal) licensing for distribution and retail.</p>
<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • Preserving municipal authority in planning matters would allow Council to consider and potentially mitigate the impacts of cannabis-related businesses to adjacent businesses and residents. • Planning policy and regulation can control the process for approving grow operations and sales outlets, and can restrict size, location and proximity to uses like schools, payday lenders • Specific approaches will depend on the details of the federal legislation and the role of the provinces. 	<p>Aligned with position but specific municipal role remains unclear. Requires further discussions with the Province. The bill 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.</p>

<ul style="list-style-type: none"> • Municipalities should have authority to regulate public and private nuisance factors related to cannabis use 	<p>Aligned with position but specific municipal role remains unclear. Requires further discussions with the Province. Specifically, the bill gives provinces, together with municipalities, the ability to restrict where cannabis can be consumed.</p>
<ul style="list-style-type: none"> • The City is considering nuisance factors related to the legalization of cannabis and could amend existing bylaws to accommodate these concerns. • Enforcement efforts may require new tools and resources to adequately measure, educate and enforce neighbourhood nuisances, such as second-hand smoke. • For example, The City could preserve existing municipal authority to regulate where cannabis cannot be smoked or vaped, under municipal bylaws such as the Smoking Bylaw and Transit Bylaw. • The City would engage citizens regarding potential bylaw amendments if municipal oversight for nuisance factors is granted, once the federal regulation is announced. 	<p>Aligned with position. The bill allows for a limit of four plants per residence grown for personal use, with each plant not to exceed 1 metre in height. In addition, to address issues of local concern, the bill enables provinces to impose more restrictive limits on personal cultivation, including lowering the number of plants or restricting where plants may be cultivated.</p>
<ul style="list-style-type: none"> • Restrict residential growing 	<ul style="list-style-type: none"> • Growing cannabis in residential dwellings at the current federal permitted volumes for medical cannabis will cause damage to the building envelope including the risk of mould growth. • Some residential grow operations may increase electrical power consumption and introduce commercial growing equipment, which increases the risk of fire. • Administration recommends restricting the scale of residential growing for health and safety reasons. • The City recommends disclosure of former large scale growing sites to ensure that these are restored to habitable residential uses. • Allow a residential property's history as a grow operation to be available to potential home buyers. • Rules for ventilation systems and exhaust standards should be in place. These systems are important for removing contaminants from the space and help to control and remove odors.

<p>Discuss sharing federal tax revenues created by the legalization and regulation of cannabis across all three orders of government</p>	<ul style="list-style-type: none"> • It is expected that municipalities will have a role in regulation and enforcement of a legal cannabis regime. • Revenues from the legalization of cannabis could be used to support an increase in operational staff that may be needed to regulate and enforce the growth and use of cannabis. • The City advocates that the federal government create a potential tax revenue proposal that includes dividends to all three orders of government. The potential funds allocated to municipalities could support enforcement efforts that may require new tools and resources to adequately measure, educate and enforce neighbourhood nuisances and public safety. • The City also advocates similar tax revenue proposals for other sin taxes. 	<p>Unknown at this time. The federal government has committed to share more details on a new licensing fee and excise tax system in the coming months. To date, no funding decisions have been communicated, apart from \$9.6 million announced in Budget 2017 to develop a comprehensive public education and awareness campaign over five years</p>
<p>Give The City of Calgary and other municipalities time to develop and implement necessary local regulations</p>	<ul style="list-style-type: none"> • Until there is more clarity on how the Government of Canada will structure federal cannabis regulations, The City of Calgary will not be able to fully understand how existing City rules will be impacted and what new regulations are necessary. • The City advocates that the legalization and regulation of cannabis be conducted through a phased approach to allow for conversations with Calgarians and stakeholders, bylaw amendments, staff training and system upgrades. 	<p>Subject to parliamentary approval and Royal Assent, the Government of Canada intends to provide regulated and restricted access to cannabis no later than 2018 July. 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 the Province's control. This timeline will likely mean operational activity on municipal bylaws and rules will be happening at the same time as conversations with the Province.</p>