



**Update on The City of Calgary Advocacy Position on the  
Legalization and Regulation of Cannabis - IGA2017-0427**

Presentation to Intergovernmental Affairs Committee

2017 May 04

CITY OF CALGARY	
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**Background**

- In the 2015 Speech from the Throne, the Government of Canada committed to legalizing, regulating and restricting access to marijuana.
- In 2016 November, IGA Committee endorsed five advocacy positions to be used for engagement purposes with the federal and provincial governments.
- The City participated in federal engagement opportunities based on the approved advocacy positions.
- On 2017 April 13, the Government of Canada introduced Bill C-45, *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts* (The Cannabis Act).



## The Cannabis Act - Highlights

Effective Date: July 2018

Impaired Driving	Residential Growing	Youth	Taxes	Amount	Public Education
<ul style="list-style-type: none"> <li>Roadside swab &amp; blood test</li> <li>Escalating penalties dependent on level of THC</li> </ul>	<ul style="list-style-type: none"> <li>4 Plants maximum</li> <li>Per residence</li> <li>100cm height max</li> </ul>	<ul style="list-style-type: none"> <li>Emphasis on preventing youth access</li> <li>New laws re: selling to youths</li> </ul>	<ul style="list-style-type: none"> <li>TBD</li> </ul>	<ul style="list-style-type: none"> <li>30 Grams or Equivalent</li> </ul>	<ul style="list-style-type: none"> <li>No further Announcement</li> <li>9.6M\$ over 5 years</li> </ul>
<h3>Federal Responsibilities</h3> <ul style="list-style-type: none"> <li>National Framework: production, promotion</li> <li>Minimum conditions for distribution and sale</li> <li>Health and safety (Potency, serving sizes, ingredients, tracking)</li> </ul>			<h3>Provincial Responsibilities</h3> <ul style="list-style-type: none"> <li>Distribution and sale</li> <li>Compliance and enforcement*</li> <li>Amending legal age from 18</li> <li>Lowering # of plants</li> </ul>		

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## The Cannabis Act and The City's Advocacy Positions

In general, the proposed federal legislation appears to be aligned with The City of Calgary's advocacy positions.

However, Bill C-45 assigns authority to provincial governments to address key issues of concern to The City, including:

- Licensing cannabis related businesses
- Authority over planning policy around growing and selling
- Regulating public and private nuisance factors
- Sharing tax revenues with municipalities

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## Advocacy Position 1: Continuing to Engage Municipalities

City of Calgary Position	The Cannabis Act
Continue to be engaged throughout the legalization process to ensure clear delineation of roles and expectations between Federal, Provincial and Municipal governments in this regulatory system.	Aligned with position: <ul style="list-style-type: none"> <li>• Federal and provincial responsibilities are clear.</li> <li>• The City will work with the province and endeavor to clarify the municipal role in legalization.</li> </ul>



## Advocacy Position 2: Authority of Each Order of Government

City of Calgary Position	The Cannabis Act
Advocate for a national or provincial licensing system.	Aligned with position: <ul style="list-style-type: none"> <li>• federal licensing system for production; and</li> <li>• provincial (and possibly municipal) licensing for distribution and retail.</li> </ul>
The City could regulate public use of marijuana and nuisance factors related to recreational use.	Aligned with position but specific municipal role remains unclear – further collaboration with province required.
The City would like to regulate elements of marijuana growing and sales through the Land Use Bylaw and other related bylaws.	Aligned with position but specific municipal role remains unclear – further collaboration with province required.



### Advocacy Position 3: Prohibiting or Restricting Residential Growing

City of Calgary Position	The Cannabis Act
<p>Restrict Residential Growing to address concerns related to:</p> <ul style="list-style-type: none"> <li>• Damage to building envelope</li> <li>• Health and safety</li> </ul>	<p>Aligned with position:</p> <ul style="list-style-type: none"> <li>• limit of up to 4 1 metre plants per residence (no details on how to regulate or enforce)</li> <li>• Provinces can impose more restrictive limits to address issues of local concern</li> </ul> <p>Challenges related to enforcement</p>



### Advocacy Position 4: Sharing Federal Tax Revenues

City of Calgary Position	The Cannabis Act
<p>The federal government create a tax revenue proposal that includes funding allocated to municipalities</p>	<p>Not addressed in the bill. The federal government has committed to sharing more details on a new licensing fee and excise tax system in the coming months.</p> <p>Federal ministers stressed importance of addressing health and safety issues, but no indication on how support programs related to addictions and harm reduction will be funded.</p>





## Advocacy Position 5:

### Give Municipalities Time to Develop and Implement Necessary Local Regulations

City of Calgary Position	The Cannabis Act
Provide municipalities time to develop and implement necessary local regulations	Subject to parliamentary approval, the bill is expected to come into force by 2018 July.
	Timeline challenging for municipalities given that the bill assigns much of the regulatory framework and governance details under the Province's control.



## Provincial Response to The Cannabis Act

- Recognized the need to work closely with municipalities on zoning & location of retail shops
- Targeting a summer public consultation (i.e. age limits, health, safety)
- Currently assessing the full cost implications of legalization
- While "ambitious" the Province can meet the 2018 July deadline



## City of Calgary - Next Steps

- Re-mobilize Cross-Corporate Working Team to identify and draft municipal policies, regulations and bylaws that will be required for implementation
- Determine appropriate process and mechanism for directing The City's advocacy efforts to the Province and influencing provincial legislative or regulatory changes



## Administration Recommendation

That Intergovernmental Affairs Committee:

1. Approves the continued use of the advocacy positions on cannabis legalization and regulation as outlined in the Attachment for continued discussions with the federal and provincial governments;
2. Directs Administration to report back to Council through this Committee on the progress of discussions with the Government of Alberta; and
3. Directs Administration to report back to Council through the appropriate committee on the necessary amendments to municipal bylaws and other policy changes required to implement the legalization of cannabis.