

City of Calgary Advocacy Positions | Federal and Provincial Cannabis Legislation

City of Calgary Advocacy Position <ul style="list-style-type: none"> IGA2016-0737 (2016 November 03) IGA2017-0586 (2017 July 24) 	Government of Canada <ul style="list-style-type: none"> 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 <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> Continue to engage municipalities throughout the legalization process to ensure clear delineation of roles and expectations between federal, provincial and municipal governments 	<p>The Government of Canada continues to engage municipalities, primarily through the Federation of Canadian Municipalities (FCM) as well as Health Canada.</p> <p>The latest federal consultations focused on the Government of Canada's proposed regulations for cannabis edibles, concentrates and topicals.</p> <p>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.</p>	<p>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.</p> <p>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.</p>
Authority of each order of government: <ul style="list-style-type: none"> 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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<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 Municipalities should have authority to regulate public and private nuisance factors related to cannabis use 	<p>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.</p> <p>Aligned with position. Specifically, the Cannabis Act gives provinces, together with municipalities, the ability to restrict where cannabis can be consumed.</p>	<p>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.</p> <p>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.</p>
<p>Support a privatized framework for legal retail cannabis sales similar to the existing retail alcohol store model...</p> <p>contingent upon the sharing of tax revenues to compensate for the increased costs to The City.</p>	N/A	<p>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.</p> <p>Not aligned with position. The MCTP provides insufficient funding to offset the costs of cannabis legalization to The City of Calgary.</p>
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

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	<p>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.</p>	<p>household with seeds purchased from cannabis retail stores.</p>
<p>Discuss sharing federal tax revenues created by the legalization and regulation of cannabis across all three orders of government.</p>	<p>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.</p> <p>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</p>	<p>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.</p> <p>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.</p>

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	awareness activities. There have been no federal budget allocations to municipalities.	
Advocate for provincial regulations and funding models that clarify and support the Calgary Police Service's role in enforcing drug-impaired driving.	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: <i>An Act to Reduce Cannabis and Alcohol Impaired Driving</i> outlines new rules including: <ul style="list-style-type: none"> Expanded zero tolerance program for Graduated Drivers Licenses 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: <ul style="list-style-type: none"> 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.

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	rules has happened at the same time as conversations with the provincial government.	