

Priorities Committee Meeting_Jun13_2017

REPORT FOR INFORMATION**Proposed Cannabis Act and the Land Use Bylaw****Report Purpose**

To provide the Priorities Committee with an update relative to the County's Land Use Bylaw regarding the proposed future legalization of cannabis pursuant to the Cannabis Act.

Council History

March 10, 2015 – Council adopted Land Use Bylaw 6-2015 with an effective date of May 11, 2015.

Strategic Plan Priority Areas

Economy: n/a

Governance: n/a

Social: n/a

Culture: n/a

Environment: n/a

Other Impacts

Policy: n/a

Legislative/Legal: If it is approved by Parliament, the *Cannabis Act* could become law with a target date of July 2018.

Interdepartmental: Planning and Development Services will consult with other departments including R.C.M.P. and Enforcement Services, Emergency Services, Family and Community Services, Economic Development and Legislative and Legal Services during the drafting of amendments to the Land Use Bylaw.

Summary

The proposed federal *Cannabis Act* would create a strict legal framework for controlling the production, distribution, sale and possession of cannabis across Canada. The Act seeks to:

- restrict youth access to cannabis;
- protect young people from promotion or enticements to use cannabis;
- deter and reduce criminal activity by imposing serious criminal penalties for those breaking the law, especially those who import, export or provide cannabis to youth;
- protect public health through strict product safety and quality requirements;
- reduce the burden on the criminal justice system;
- provide for the legal production of cannabis to reduce illegal activities;
- allow adults to possess and access regulated, quality controlled legal cannabis; and
- enhance public awareness of the health risks associated with cannabis.

The current program for accessing cannabis for medical purposes would continue under the new Act. Cannabis will remain illegal as the bill moves through the legislative process. If it is approved by Parliament, the bill could become law with a target date of July 2018.

The federal, provincial and territorial governments would share responsibility for overseeing the new system. The federal government's responsibilities would be to:

- set strict requirements for producers who grow and manufacture cannabis;
- set industry-wide rules and standards, including:
 - the types of cannabis products that will be allowed for sale;
 - packaging and labelling requirements for products;
 - standardized serving sizes and potency;
 - prohibiting the use of certain ingredients;
 - good production practices;
 - tracking of cannabis from seed to sale to prevent diversion to the illicit market; and
 - restrictions on promotional activities.

The provinces and territories would license and oversee the distribution and sale of cannabis, subject to federal conditions. They could also:

- increase the minimum age in their province or territory (but not lower it);
- lower the possession limit in their jurisdiction;
- create additional rules for growing cannabis at home, such as lowering the number of plants per residence; and
- restrict where adults can consume cannabis, such as in public or in vehicles.

Municipal controls are only possible if other orders of government provide that role to them. If federal legalization occurs in the summer of 2018, implementation at the federal, provincial, and possibly the municipal level could require additional time.

The County currently reviews Development Permit applications for uses and businesses associated with cannabis through commercial licensed producers of medical cannabis, authorized by Health Canada.

Drug paraphernalia, retail is a defined use in the Land Use Bylaw which is currently not a listed use in any district and is excluded from the general retail use definition. Given this, retail stores in the County are not currently authorized to sell drug-related products/paraphernalia.

Administration will work collaboratively with other affected departments and will attend conferences and seminars as the regulations are developed by the provincial and federal governments to ensure we are up-to-date on this issue. Where appropriate and within parameters acceptable to the County, Planning and Development Services will review Land Use Bylaw amendments proposed by neighbouring municipalities to try and ensure consistency in regulation within the region.