

City of Toronto Recommendations for Cannabis Legalization

Licensing & Standards Committee
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- On April 13, 2017, the federal government introduced legislation to legalize and regulate cannabis.
- Under proposed rules, the federal government would regulate cannabis production and the provincial government would regulate cannabis distribution and retail sales.
- Throughout the summer of 2017, the Province of Ontario has been conducting consultations to determine the potential impacts of cannabis legalization and to inform future legislation.
- On September 8, the province introduced their proposed plans for regulating the use and sale of cannabis.
- This report outlines a number of recommendations to the provincial and federal governments intended to formalize the City's positions in order to inform policy decisions and legislation.

Cannabis Act establishes the federal government's proposed legislation that legalizes the sale and possession of cannabis and establishes roles and responsibilities for other levels of government.

Subject to approval by Parliament, *Cannabis Act* will come into force no later than July 2018.

- Minimum age of purchase is 18 and older, but provinces may set higher minimum (19 in Ontario);
- Maximum of 30g of dried cannabis in individuals' possession in public places;
- Marketing and promotion restrictions similar to tobacco – cannot appeal to young persons;
- Prohibition on sale of cannabis that is mixed with caffeine, alcohol, or nicotine;
- Home cultivation permitted in limited quantities (4 plants/household);
- Packaging and labelling restrictions to limit appeal or encouragement of use;
- Medical access system will continue concurrently with recreational system;
- For now, the federal government has not permitted edible cannabis products. They have said that edibles may be permitted in the near future.

- On September 8, 2017, the provincial government announced its framework for cannabis legalization.
- The province plans to:
 - Establish a provincially-operated retail model, with stores operated by a subsidiary to the Liquor Control Board of Ontario (LCBO) that sell only cannabis (no co-location with alcohol);
 - Restrict places where cannabis can be used to private residences only;
 - Set minimum age of purchase at 19 years old;
 - Develop a prevention and harm reduction approach to educate the public;
 - Develop an enforcement strategy with municipalities, local police services, the Ontario Provincial Police (OPP) and the federal government to help shut down illegal retailers;
 - Hold an enforcement summit with police, public health experts, and stakeholders to inform enforcement efforts; and
 - Provide resources and guidelines for employers and labour groups around workplace safety issues relating to impairment.
- The province plans to open 80 stores by July 1, 2019, and 150 by 2020.
- Online sales of cannabis will be available, with age verification and security measures upon delivery.

City staff interdivisional working group

- Staff interdivisional working group on cannabis legalization to share updates, discuss concerns, and identify municipal needs that may arise in a legalized regime.
 - The interdivisional working group is chaired by Municipal Licensing and Standards (ML&S), and includes representatives from Toronto Public Health, City Planning, Toronto Fire Services, Toronto Building, Toronto Police Service, City Manager's Office, Corporate Finance, and Economic Development and Culture.

Collaboration with staff from other governments

- Staff engaged with the federal and provincial levels of government, including participation with the original federal Task Force.
- Staff engaged with other municipalities through the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) to discuss issues and considerations around cannabis legalization across Canadian municipalities.
- Staff participated in provincial consultations that have taken place in summer 2017.

City Council:

- Endorse the province's plans for a provincially-operated retail model for cannabis sales that does not permit sales by private entities.
- Request the province work with the City and the Toronto Police Service to develop appropriate enforcement strategies, including provincially funded and/or provided enforcement to support efforts to eliminate illegal cannabis sales.
- Request the province ensure that municipal concerns and input form a part of the consideration when determining locations of provincially-operated cannabis retail outlets.
- Request that higher levels of government ensure that the City is adequately funded on a full cost recovery basis for the City's role in legalization of cannabis.
- Request the province consult with the City when developing regulations related to consumption and home growing and that the province provide the City with detailed guidance and adequate resources and authorities to enforce regulations.
- Ask that higher levels of government earmark funding for public education, ongoing research and monitoring on cannabis use and health impacts, and evaluation of the new legal regime.

City Council request the Province of Ontario enhance the City's enforcement authorities and tools to:

- Prohibit sales of cannabis outside the legal regime and provide authorities for the City to enforce the prohibition;
- Authorize and establish higher maximum penalties/fines for offences relating to sales of cannabis outside of the legal regime;
- Provide the City with the appropriate authority to effectively combat illegal cannabis storefronts, such as the power to expediently issue or obtain closure orders for premises;
- Authorize the City to establish additional regulation and offences to address concerns related to cannabis, including illegal sales, consumption or other nuisance-related concerns, as may be required.

- Staff recommend that this report be shared with the federal and provincial governments for their consideration as they finalize their policies related to cannabis.
- The provincial government plans to table legislation for cannabis this Fall.
- The federal government has indicated that cannabis will be available for sale in July 2018.
- Staff will continue to participate in provincial consultation processes as it develops policy decisions.
- Staff will report on next steps for the City of Toronto, as needed, once the federal and provincial governments have finalized the regulatory frameworks for legalized cannabis.

Thank you.