

Legalizing cannabis: policy issues for local elected officials

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This presentation ...

- Shifting paradigm/new deal
- Land use management and zoning
- Business licensing and regulation
- Public consumption
- Bylaw enforcement



Legalizing Cannabis: Policy Issues for Local Elected Officials

Shifting paradigm

- Production, trade, possession largely decriminalized
- Cannabis as a legal commodity
- *Charter of Rights* cases of limited significance
- Ordinary local government policies will have traction: land use, business regulations
- Multi-jurisdictional regulatory environment
- New activities >> new regulatory structures



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Land Use Management & Zoning

- Commercial production
- Retail sales
- Personal cultivation



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Commercial Production

- Federal licensing and quality control
- Micro & regular production scales
- Domestic and export markets
- Agricultural or light industrial use
- Assessment issues
- Production vs. processing (micro & regular)
- ALR issues



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Retail Sales

- Federal restrictions: age limit (18), tracking system, no vending machines or appeal to youngsters
- Provincial restrictions: who may sell cannabis at retail
- General retail sales land use categories in land use regulations; winking out cannabis retail sales
- Location, density, spacing rules
- Lawful non-conforming retail sales uses



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Personal Cultivation

- Federal 4-plant limit, indoors or outdoors
- BC not likely to prohibit
- Normal accessory use of dwelling unit?
- Regulatory considerations:
 - Other regulators: landlords, strata corps
 - Building standards issues: do they remain at this scale of production?
 - Nuisance issues – odours etc.
 - Viability of enforcement



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Business Licensing and Regulation

- Purposes of licensing: enforcement of substantive regulations, municipal revenue
- Business licensing categories: cannabis production, processing, retail sales, consumption venues (cannabis cafés)
- Regulation of business practices
 - Licensing conditions in bylaw e.g. hours of operation
- Delegation of authority to impose licensing conditions



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Public Consumption

- Regulation of use of public places: parks, civic buildings and other premises
- Public health bylaws: second-hand smoke
- Exemptions for cannabis cafés and lounges (note zoning and business licensing issues as well)
- Occupational health & safety a provincial responsibility



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Enforcement

- Jurisdiction Issues
 - Federal and provincial standards and enforcement
 - Other interested parties: landlords, strata corporations
- Enforcement Priorities
 - Longstanding grow operations – zoning, building standards, remedial action orders
 - Flouting of zoning and business licence bylaws for retail premises
 - Complaint-driven enforcement (nuisance etc.)



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Questions?

