

**Report to
Rapport au:**

**Ottawa Board of Health
Conseil de santé d'Ottawa
18 September 2017 / 18 septembre 2017**

**Submitted on September 11, 2017
Soumis le 11 septembre 2017**

**Submitted by
Soumis par:**
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2017-OPH-HPP-0002

**SUBJECT: OTTAWA PUBLIC HEALTH SUBMISSION IN RESPONSE TO PUBLIC
CONSULTATION – LEGALIZATION OF CANNABIS IN ONTARIO**

**OBJET: SOUMISSION DE SANTÉ PUBLIQUE OTTAWA EN RÉPONSE À LA
CONSULTATION SUR LA LÉGALISATION DU CANNABIS EN
ONTARIO**

REPORT RECOMMENDATIONS

That the Board of Health for the City of Ottawa Health Unit:

- 1. Receive for information the Medical Officer of Health's submission to the Province of Ontario in response to the online consultation survey regarding Ontario's approach to cannabis legalization, as outlined in Document 1, attached;**

2. Adopt a formal Ottawa Board of Health position on the legalization of cannabis in Ontario, based on the recommendations outlined in Document 1, attached; and
3. Authorize the Chair of the Board of Health to work with the Medical Officer of Health on a further submission to the Province of Ontario on the legalization of cannabis in Ontario, based on an analysis of the Province's recently announced framework.

RECOMMANDATIONS DU RAPPORT

Que le Conseil de santé de la circonscription sanitaire de la ville d'Ottawa :

1. Reçoive à titre informatif la version préliminaire du mémoire rédigé par le médecin chef en santé publique pour le gouvernement de l'Ontario en réponse à une consultation en ligne sur l'approche du gouvernement relativement à la légalisation du cannabis en Ontario, comme décrit dans le document 1 en annexe ;
2. Adopte la position officielle du Conseil de santé relativement à la légalisation du cannabis en Ontario, fondée sur les recommandations présentées dans le document 1 en annexe ;
3. Autorise le président du Conseil de santé à travailler de concert avec le médecin chef en santé publique à la préparation et la présentation d'un autre mémoire au gouvernement de l'Ontario sur la légalisation du cannabis en Ontario, fondé sur l'analyse du cadre récemment rendu public par le gouvernement.

BACKGROUND

At its meeting of October 17, 2016, the Board of Health received a report titled [Ottawa Public Health Submission to the Federal Task Force – Toward the Legalization, Regulation and Restriction of Access to Marijuana](#). In discussion this report, the Board adopted the following motion:

Motion 11/02

Moved by Member Leikin

WHEREAS the federal government is expected to introduce legislation in spring 2017 further to the current work of the Task Force on Marijuana Legalization and Regulation; and

WHEREAS the legislation that the Federal Government is expected to table in 2017 may not fully address all the public health concerns identified by Ottawa Public Health and/or other public health agencies through the summer 2016 public consultation process;

THEREFORE, BE IT RESOLVED THAT staff report back to the Board with an analysis of the legislation at an appropriate time in 2017, with the objective of a potential further submission from the Board of Health to the federal government as part of the legislative process;

AND BE IT FURTHER RESOLVED THAT staff monitor any provincial developments on this issue and the implications for Ottawa Public Health policy and practice and report to the Board as appropriate.

Further to the above-reference motion, at its meeting of June 17, 2017, the Board considered a subsequent report titled [Legalization of Cannabis – A Public Health Approach to Minimize Harms of Use](#).

This subsequent report provided an overview of Bills C-45 and C-46 and called for the Board to make recommendations to the federal government with respect to regulating and restricting access to edible cannabis products within the current legalization time frame and strengthening restrictions on packaging and labelling. In considering this report, the Board adopted the proposed recommendations as well as the following Directions:

1. That the Board of Health communication to the federal government, further to recommendation 2, include reference to issues within provincial jurisdiction on which the Board is on record as having supported a certain position, such as minimum age, alignment with the *Smoke-Free Ontario Act*, etc., and that a copy of this submission also be sent to the provincial government.
2. That the Board of Health communication to the federal government also include reference to public health measures that should be in place prior to legalization, such as public education, health promotion, marketing, etc.

3. That staff look into what would need to be put into place, at the municipal level, in order to protect Ottawa residents from potential legislative and/or regulatory loopholes with respect to cannabis smoking in public.

The June 17, 2017 report also included a brief overview of areas within provincial jurisdiction, namely: establishing the distribution model, setting additional regulatory requirements (increase minimum age, decrease personal possession and home growing limits), restricting public consumption and amending traffic safety laws. In terms of “next steps”, the report also sought the Board’s support for OPH staff to:

- Respond to forthcoming federal consultation opportunities;
- Seek to participate in future provincial engagement opportunities;
- Engage stakeholders in discussions about local implications; and
- Seek opportunities to build capacity and knowledge of public health, health care and social service providers on cannabis use and engage with clients who use cannabis.

On July 12, 2017, the Ontario Ministry of the Attorney General announced a public consultation process on cannabis legalization in Ontario. In doing so, the Ministry published a consultation paper and launched an online survey, which contained 15 questions on the topics of: minimum age for purchase, use and possession; restricting locations of use; road safety; sale and distribution model; and public education. Respondents could complete the online survey or make written submissions via email or regular mail and the consultation deadline was July 31, 2017.

Given the timelines associated with the above-referenced public consultation process, the Medical Officer of Health made a draft submission, derived from staff’s professional review and analysis of some of the best available research on cannabis, lessons learned from the regulations of tobacco and alcohol and discussions with the Ontario Public Health Unit Collaboration on Cannabis¹. This draft submission was circulated to Members of the Board of Health, however the recommendations contained therein had not, at that point, been formally considered or approved. Accordingly, the purpose of this report is to seek the Board’s formal approval of a series of recommendations within provincial jurisdiction.

¹ The Ontario Public Health Unit Collaboration on Cannabis is a group of substance misuse professionals from 34 health units who have joined together to promote a comprehensive public health approach to cannabis legalization

DISCUSSION

Cannabis is a drug that can cause negative health and social impacts. In order to minimize these impacts, a public health approach should be taken to legalization. This approach requires a long-term commitment to evidence-informed decisions about regulations that protect health. There are many lessons from which to draw that should inform a legal framework for cannabis, including the successes and shortfalls from the regulations of tobacco and alcohol provincially, nationally and internationally. Further, a public health approach to legalization should include investments in health assessment, surveillance, and research, health promotion/protection activities, and sufficient supports for early identification and treatment. These investments are needed prior to the implementation of a legal framework for cannabis in Ontario.

The Medical Officer of Health's submission to the Province of Ontario, attached at Document 1, provides a summary of Ottawa Public Health's (OPH) recommendations as well as the rationale for same.

Through this report, OPH is recommending that the Board of Health for the City of Ottawa Health Unit:

- 1. Receive for information the Medical Officer of Health's draft submission to the Province of Ontario in response to the online consultation survey regarding Ontario's approach to cannabis legalization, as outlined in Document 1, attached;**
- 2. Adopt a formal Ottawa Board of Health position on the legalization of cannabis in Ontario, based on the recommendations outlined in Document 1, attached; and**
- 3. Authorize the Chair of the Board of Health to work with the Medical Officer of Health on a further submission to the Province of Ontario on the legalization of cannabis in Ontario, based on an analysis of the Province's recently announced framework.**

Next Steps

On September 8, 2017 the Ontario government announced its plan for the regulation of recreational cannabis use in Ontario. An initial review of the [proposed framework](#) indicates that it aligns with many of OPH's recommendations, in particular those pertaining to the restrictions on where cannabis can be used, raising the minimum legal age above the federal recommendation, and having a government controlled distribution

system. OPH will be conducting a more fulsome analysis of the framework and will present this to the Board.

Further to recommendation 3, and in order to ensure timely feedback to the Province, the Chair of the Board of Health would work with the Medical Officer of Health for formulate a further submission, which would be reported to the Board at a subsequent meeting.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

No public consultation was undertaken in preparing this report.

LEGAL IMPLICATIONS

There are no legal impediments associated with this report's recommendations.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

This report supports the City Council priority with respect to Health and Caring Communities. It also supported the Ottawa Public of Health Strategic Priority with respect to Advancing Healthy Public Policy.

SUPPORTING DOCUMENTATION

Document 1 – Medical Officer of Health Draft submission to the Province of Ontario in response to the online consultation survey regarding Ontario's approach to cannabis legalization

DISPOSITION

Following the adoption of this report, the Chair of the Board of Health for the City of Ottawa Health Unit may make a further submission to the Province of Ontario regarding Ontario's approach to cannabis legalization.