

10. Cannabis as an Alternative to Opiates and More Dangerous Drugs on the Downtown Eastside

At the Regular Council meeting on June 11, 2019, Council referred the following motion to the Standing Committee on Policy and Strategic Priorities meeting on June 12, 2019, to hear from speakers, with a start time of 3pm.

Submitted by: Councillor Bligh

WHEREAS

1. In 2015, following several days of Public Hearings, Vancouver City Council approved licensing rules for medical-cannabis dispensaries, including the creation of an exclusion zone in the Downtown Eastside where marijuana sales are prohibited except for sites with a property line on Hastings Street or Main Street;
2. The City's intention in creating an exclusion zone in the Downtown Eastside in 2015 was to limit the proximity of dispensaries to youth and vulnerable populations;
3. On October 17, 2018, the federal *Cannabis Act* came into effect, making recreational cannabis legal in Canada;
4. Prior to the October 17, 2018 legalization of cannabis in Canada, i.e., in June 2018, the federal government passed the bill to legalize recreational cannabis in Canada, leading the provincial governments – including B.C. – to implement new regulations for cannabis businesses to operate, and leading the City of Vancouver to update its Zoning and Development and License by-laws to ensure that Vancouver cannabis retailers operate in adherence to all regulations;
5. On December 20, 2018, a Special Meeting of Vancouver City Council was held for the purpose of receiving a report from the Mayor's Overdose Emergency Task Force and to consider recommendations for immediate action on the overdose crisis – recommendations Council unanimously supported;
6. On April 14, 2019, the City of Vancouver marked "the 1090th day since B.C. declared the increase in overdose deaths as a public health emergency" by declaring that the City would "fly the city's flag at half-mast on this day each year until B.C.'s provincial health officer rescinds the current state of public health emergency.";
7. Since April 14, 2016, more than 3,600 people have lost their lives to overdose in B.C., with more than 1,000 of these deaths occurring in Vancouver, driven by an increasingly toxic, unregulated drug supply that is contaminated by fentanyl, carfentanil, and other contaminants;
8. Recent scientific findings have raised the possibility that cannabis might have a beneficial role to play in the overdose crisis, with preliminary evidence linking cannabis to reductions in the risk of experiencing drug-related harms, notably through research conducted by UBC Professor M-J Milloy which showed that among 2,500 hard drug users in the Downtown Eastside, cannabis helped 20 per cent to stay with treatment after a six-month period;

9. Vancouver City Council and the City of Vancouver generally support the exploration of studies related to the opioid overdose crisis facing the city and the role of cannabis in potentially addressing the situation, including two related actions in the Mayor's Emergency Overdose Task Force currently underway;
10. The CBC quotes Dr. Keith Ahamad, Medical Director for the Regional Addiction Program at Vancouver Coastal Health, an addiction medicine clinician at St. Paul's Hospital, and a clinical researcher with the B.C. Centres on Substance Use, as stating that the Downtown Eastside exclusion zone makes no sense from a public health point of view and that the City's "... current drug policy... is obviously not working and actually worsening harm. It's literally bad drug policy.";
11. Health workers, addiction experts, and others working on the frontlines of the Downtown Eastside have reported that the situation on the Downtown Eastside has become much more dire since 2015, and have suggested that the exclusion zone created by the City of Vancouver in 2015 has only served to further stigmatize the Downtown Eastside instead of protecting its vulnerable population, leaving people at the epicentre of the opioid crisis with no low-cost, legal options if they want to use cannabis as an alternative to more dangerous drugs;
12. High Hopes Social Enterprise (HHSE), an organization that seeks to increase the general well-being of the DTES community and support the sustainability and resilience of its community and residents, has identified a need to enable low-cost, legal cannabis options on the Downtown Eastside for the most vulnerable people situated at the epicentre of the opioid crisis, people who may want to use cannabis as an alternative to more dangerous drugs but cannot afford market retail prices as stipulated by the province;
13. The Vancouver Overdose Prevention Society and High Hopes Social Enterprise (HHSE) make note of support for low-cost, legal cannabis options on the Downtown Eastside (potentially on the model of a community cannabis store with a social enterprise and research focus), from, among others:
 - **Professor Evan Wood**, MD, PhD, FRCPC, ABAM Dip, FASAM; Professor of Medicine, UBC; Canada Research Chair in Inner City Medicine; Director, British Columbia Centre on Substance Use; and Executive Director of the British Columbia Centre on Substance Use (BCCSU).
 - **Professor M-J Milloy**, PhD, Canopy Growth professor of cannabis science, Assistant professor, Department of Medicine, University of British Columbia; Research scientist, British Columbia Centre on Substance Use; New Investigator, Canadian Institutes of Health Research; Scholar, Michael Smith Foundation for Health Research.
 - **Dr. Mark Tyndall**, Executive Medical Director BC Centre for Disease Control
14. All cannabis retail stores require a Provincial licence to operate and are regulated and enforced by the BC Liquor and Cannabis Regulation Branch under the *Cannabis Control and Licensing Act*;

15. There are currently four cannabis retail locations in the Downtown Eastside with approved Development Permits, all of which will be eligible and expected to apply for a provincial cannabis retail licence to operate as legal cannabis stores:
 - 529 E Hastings Street (Hastings and Jackson St)
 - 151 E Hastings Street (Hastings between Main and Columbia)
 - 369 Columbia Street (Hastings and Columbia)
 - 231 Abbott Street (Abbott and Cordova);
16. In order for the four cannabis retail locations noted above, all of which have received Development Permits from the City, to proceed to the license application phase with the provincial government, they will be required to close with no guarantee that they will be granted a license or any clear indication as to the timeframe for any license that may ultimately be issued, leaving the Downtown Eastside without any retail cannabis locations for those who may wish to use cannabis as an alternative to more dangerous drugs;
17. Despite the legalization of recreational marijuana in Canada, and regulatory structures in place provincially and at the City of Vancouver, there does not appear to be a regulatory option available that would enable low-cost, legal cannabis (potentially on the model of a community cannabis store with a social enterprise and research focus) for the Downtown Eastside and its most vulnerable residents who may want to use cannabis as an alternative to opiates and more dangerous drugs;
18. The City of Vancouver's recent April 14, 2019 News Release ("*Vancouver mourns the lives lost to overdose on third-year anniversary of B.C.'s public health emergency*") states: "The City is committed to addressing the issues that further exacerbate the struggles around substance use. A comprehensive approach to illicit substance use including prevention, harm reduction and treatment, will save so many lives. We call upon health professionals, all levels of government, and the public to join us in advocating for a safe drug supply, in Vancouver and elsewhere in Canada, to protect residents and prevent any more unnecessary deaths."

THEREFORE BE IT RESOLVED

- A. THAT Vancouver City Council direct staff to make recommendations to Council with respect to Section 11 of the City of Vancouver Zoning and Development By-law with proposals on how this zoning by-law could be amended to allow well-considered exceptions to the City's current prohibition on Cannabis Stores in the Downtown Eastside exclusion zone, consistent with the City's commitment to a comprehensive approach to illicit substance use, including prevention, harm reduction, treatment, and addressing the issues that exacerbate the struggles around substance use, and consistent with the dire, well-recognized nature of the opioid crisis and the immense, devastating impact it is having on the people of the City's Downtown Eastside in particular;

FURTHER THAT Vancouver City Council direct staff to engage with the Liquor and Cannabis Regulation Branch (LCRB) to indicate Vancouver City Council's desire to address unintended aspects of the City's current Zoning and Development By-law as it pertains to facilitating well-considered exceptions to the City's Zoning and Development By-law in relation to cannabis Stores in the

city, as well as engagement around the province's regulatory processes for licensing cannabis retail stores.

- B. THAT Vancouver City Council direct staff to make urgent recommendations to Council with respect to regulatory options and potential pathways that could enable low-cost, legal cannabis options for the Downtown Eastside (potentially on the model of a community cannabis store with a social enterprise and research focus) for those people who may want to use cannabis as an alternative to opiates and more dangerous drugs but cannot afford the market retail prices stipulated by provincial regulations for a cannabis retail store.

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