

REPORT

REPORT TO: Mayor Bonnette and Members of Council

REPORT FROM: Susan Silver, Senior Advisor, Strategic Planning & Continuous Improvement

DATE: October 22, 2018

REPORT NO.: Rpt-ADMIN-2018-0033

RE: Cannabis Consultation Plan

RECOMMENDATION:

THAT report No. ADMIN-2018-0033 dated October 22, 2018 regarding Cannabis Consultation Plan be received;

AND FURTHER THAT in accordance with the Town's Public Engagement Charter, staff be directed to launch a public consultation regarding Cannabis cultivation, processing, and retail sale;

AND FURTHER THAT this engagement be open for the period of January 14, 2019-March 22, 2019;

AND FURTHER THAT there be an online component as well as an opportunity for in person consultation as outlined in this report;

AND FURTHER THAT staff report back to Council with results of consultation after engagement closes in March;

AND FURTHER THAT given the short time frame imposed by the Province to opt-out of cannabis retail storefronts by January 22, 2019, staff report back to Council on December 17 with a resolution to opt-out giving Council the option to opt back in after January 22, 2019 once public input can be considered on the matter, in keeping with the Town's Public Engagement Charter;

AND FURTHER THAT staff report back to Council to provide additional information on the impacts of the regulation in support of Bill 36, Cannabis Statute Law Amendment Act, 2018.

BACKGROUND:

On September 10, 2018, Council received two reports: ADMIN-2018-0028: Cannabis Legalization Working Group and PLS-2018-0068: Cannabis Cultivation and Processing.

The topics of cannabis cultivation, processing, retail sale and consumption were addressed across these two reports. It was noted that as more information became known about how the Provincial government intended to regulate particularly brick and mortar stores and move forward with potential amendments to the Smoke Free Ontario Act (SFOA), Council would be kept informed.

The purpose of this report is to provide Council with additional information and seek approval to begin a public engagement on the matter(s) of cannabis production and retail sale.

COMMENTS:

On September 27, 2018, **Bill 36**, an *Act to enact a new Act and make amendments to various other Acts respecting the use and sale of cannabis and vapour products in Ontario* was introduced in the Legislative Assembly of Ontario and received Royal Assent on October 17, 2018.

Bill 36 provides some clarity with respect to:

- Opt-out provision available to municipalities including a deadline of January 22, 2019
- Amendments to the Smoke Free Ontario Act (previously paused) changing consumption rules from being allowed only in private residences to being allowed anywhere tobacco products are consumed
- Authorizing the Alcohol and Gaming Commission of Ontario (AGCO) to act as Registrar to license and regulate retail brick and mortar operations in the Province
- Establishing restrictions on a municipalities right to pass by-laws pertaining to business licenses or land use designations related to cannabis retail stores

As of the writing of this report, regulations providing additional details have not yet been issued and will be necessary to fully assess and understand impacts. Staff will report back when more information is known to summarize potential impacts under the regulations.

Enforcement and Education

In regards to enforcement and education, the Town has been working with its municipal counterparts, Halton Regional Police Service and Halton Regional Health Department to understand and share communications. These resources have been added to the Town's Cannabis Information web page. Of particular interest is the change under the Smoke Free Ontario Act which now permits smoking or vaping of cannabis in the same areas where tobacco products may be consumed. Staffs are continuing to work with public health to ensure information about and responsibilities for enforcement are clear and concise.

Need for Consultation

With the provincial deadline of January 22, 2019 now known, it is up to municipalities to make formal decisions regarding opting out and provide notice to the Registrar of any resolution passed to that end.

In accordance with the [Halton Hills Public Engagement Charter](#) and its three pillars of transparency, notification and participation, staff is recommending that a public consultation program be enacted to inform and gather feedback from the community on the following subject areas:

- Cannabis Retail Stores (input to opt-out decision)
- Cannabis Production Facilities (as per PLS-2018-0068)

It is recommended that this consultation begin January 14, 2019 and continue until March 22, 2019. This timeframe has been set to allow for fulsome and complete consultation on the matter, taking into account the desire to engage as many residents as possible.

Opt-out Consideration

If consultation is seen as a critical input in the ultimate decision of whether or not to opt-out, then given the tight timelines to conduct the consultation and summarize the results, it is recommended that Council be prepared to consider a resolution at the December 17th Council meeting to opt-out. According to Bill 36, any municipality that passes such a resolution may, by further resolution, lift the prohibition and permit cannabis retail stores going forward. Opting out in December may be viewed as an interim step, allowing for confirmation or reversal of such a decision at a future date.

Consultation Approach

The Public Engagement Matrix (a tool for fulfilling the principles of the Charter) provides a spectrum of engagement options. Recognizing the legislative limitations regarding cannabis decision-making options, staff suggests that the engagements are to *inform* the public as well as *consult*, noting that the latter seeks to 'provide an opportunity for the public to share views, values and priorities'.

The following consultations are suggested to provide the community online and in-person opportunities to participate.

Consultation Method	Level of Engagement	Date
Council Presentation	Inform	December 17, 2018
Online survey using the Town's engagement platform (letstalk)	Consult	January 14, 2019 – March 22, 2019
Public Open House (including participants from HRPS and Public Health)	Inform, Consult	January 2019 (Exact date TBD)
Statutory Meeting	Inform	TBD*

**Requisite statutory public meeting pertaining to Official Plan amendments for production facilities will take place after Council receives direction report from Planning.*

Encouraging participation to the consultations will be integral to success. Communications will include a media release, website post, social media and an email blast to engagement platform users. Town Council may also choose to promote the engagement opportunity to their specific stakeholder groups.

RELATIONSHIP TO STRATEGIC PLAN:

The report relates to the Town's Strategic Plan Priority under Communications to continue to provide timely, transparent communications to the community.

FINANCIAL IMPACT:

There are minor costs expected to promote the consultation and notify the public via various channels. There will also be costs nominal associated with the Open House. Total costs are expected to be under \$800 and funded from the Strategic Planning Operating Budget.

CONSULTATION:

Staff from Recreation and Parks, Planning, Communications, Finance as well as the Cannabis Legalization Working Group were consulted to gather and confirm information contained in this report.

PUBLIC ENGAGEMENT:

The premise of this report is to initiate a public engagement. This is being done in accordance with the Town's approved Public Engagement Charter.

SUSTAINABILITY IMPLICATIONS:

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report is not directly applicable to the Strategy's implementation.

COMMUNICATIONS:

A [Cannabis information page](#) has been created on the Town website where more information is provided, including links to additional resources. This page will be continuously updated as more information becomes available.

CONCLUSION:

As reported at the September 10th Council meeting, the legalization of cannabis has numerous impacts and public consultation in adherence to the Public Engagement Charter is anticipated. The engagement recommended in this report will supplement any statutory requirements (as applicable). Fulsome consultation will provide the community with an opportunity to make their views known with respect to both production and retail operations. Council will continue to be kept informed and can expect additional reports coming forward in December to address details around retail operations as well as any new information coming from pending regulations.

Reviewed and Approved by,



Richard Cockfield, Manager of Strategic Planning & Continuous Improvement



Brent Marshall, CAO