
Subject: Cannabis Workshop Summary

Report to: Planning and Economic Development Committee

Report date: Wednesday, March 11, 2020

Recommendations

1. That Regional Council **ENDORSE** the letter to Ontario Ministry of Agriculture, Food and Rural Affairs (Attached as Appendix 2 of Report PDS 7-2020);
2. That staff **CIRCULATE** this letter to the Ontario Ministry of Agriculture, Food and Rural Affairs; and
3. That staff **CIRCULATE** a copy of this report to the local area municipalities.

Key Facts

- The purpose of this report is to share feedback heard from the facilitated Cannabis Workshop held on December 11, 2019, as directed by Planning and Economic Development Committee.
- The workshop consisted of two presentations and table discussions moderated by Regional staff. Table discussions focussed on concerns municipalities have related to growth of the cannabis industry, regulatory tools being used to permit development, and what Provincial guidance for the industry could include.
- There were approximately 40 attendees including elected officials and regional and local representatives from planning, by-law, building, fire departments.

Financial Considerations

Costs associated with the workshop were accommodated within the Planning and Development Services 2019 Operating Budget.

Analysis

Background

At the October 9, 2019 Planning and Economic Development Committee meeting, staff were authorized to coordinate a facilitated cannabis workshop with local municipalities to discuss operational and land-use concerns related to cannabis cultivation and production facilities and identify regulatory tools to address these concerns.

The half-day workshop was held at Balls Falls Centre of Conservation on Wednesday, December 11, 2019 from 1:30-3:30pm. The workshop was facilitated by Niagara Region's Innovation and Business Excellence staff.

Attendees included elected officials and planning, by-law, building, and fire staff from the following local area municipalities:

- Town of Fort Erie
- Town of Grimsby
- Town of Lincoln
- City of Niagara Falls
- Town of Pelham
- City of Port Colborne
- City of St. Catharines
- City of Thorold
- Township of Wainfleet
- City of Welland
- Township of West Lincoln

Workshop Format

The workshop consisted of two presentations and moderated table discussions.

- Economic Development staff presented on the "Current Status of Cannabis Operations in Niagara" providing a general overview of federal licenses for cannabis, commercial licensed producers in Niagara, the roles and responsibilities of all levels of government for regulating cannabis, and designating a person to produce medical cannabis.
- The workshop heard a presentation from Dr. Sara Epp, Assistant Professor in Rural Planning and Development at the University of Guelph on a research-funding proposal to OMAFRA: "Assessing Land Use Planning Tools to Mitigate Odour and Lighting Nuisances Related to Cannabis Production." If funded, this research would commence in May 2020 and conclude April 2023.

Regional staff, working through a series of questions with stakeholders, moderated the table discussions. Questions included concerns municipalities have with cannabis, the tools municipalities have used to regulate cannabis, and provincial guidance material municipalities would like to see. Highlights of the responses heard at each table were reported back to all attendees through a general discussion.

Table Discussion Feedback

The following is a summary of the feedback received during the table discussions. Please refer to Appendix 1 for a full summary of the feedback.

The concerns that municipalities highlighted included the following:

- lack of information and regulations;
- traffic concerns with large production facilities;
- enforcement concerns;
- odour and light concerns;
- cannabis and its compatibility to rural character;
- water and wastewater implications;
- crime and security concerns;
- retrofitting buildings for cannabis use;
- tax implications;
- concern with cannabis as a 'normal farm practice'; and
- concern with growing cannabis in greenhouses.

The tools municipalities have been using to regulate cannabis facilities include site plan control, interim control by-laws, and zoning. Overall, there is a mixed consensus on the effectiveness of these tools due to a number of reasons, including:

- no unified approach to regulation across Niagara;
- the tools have not been implemented for long enough to measure effectiveness;
- uncertainty of the land classification for cannabis; and
- the expense and difficulty of enforcement.

Guidance material or provincial clarification that municipalities would like to see include:

- clarification on enforcement;
- best practices for managing odour and light;
- clarification on how cannabis fits within the agricultural sector;
- clarity on production facilities vs. growing operations;
- land use compatibility with cannabis; and
- consistency with rules across the sector.

Conclusion

The workshop provided stakeholders a collective opportunity to identify concerns related to cannabis cultivation and production facilities experienced across Niagara and identify opportunities that require clarification from the Province.

Recognizing the regulation of cannabis occurs at the local municipal level, the Region, on behalf of Niagara local area municipalities, encourages the Province to develop guidance materials on cannabis cultivation and production facilities (see Appendix 2). Guidance materials for cannabis would provide greater clarity and consistency for municipalities across Ontario and benefit growers, producers, local area municipalities, and residents.

Alternatives Reviewed

The alternative would be for Committee and Council to not endorse and direct the attached letter to the Ministry of Agriculture, Food, and Rural Affairs and the Ministry of Municipal Affairs, and not circulate this report to the local area municipalities. This is not recommended.

Relationship to Council Strategic Priorities

This report supports Council's strategic priority of Supporting Businesses and Economic Growth by working together with local area municipalities' planning departments and leveraging partnerships with post secondary institutions.

Other Pertinent Reports

CWCD 420-2019 Facilitated Cannabis Workshop

Prepared by:

Katie Young
Planner
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Erik Acs, MCIP, RPP, Manager of Community Planning, Kelly Provost, Economic Development Officer, and reviewed by Doug Giles, Director of Community and Long Range Planning.

Appendices

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| Appendix 1 | Cannabis Workshop Consultation Summary |
| Appendix 2 | Letter re: Guidelines Needed to Reduce Cannabis Facility Land Use Conflicts |