



The Regional Municipality of Durham

COUNCIL INFORMATION PACKAGE

April 9, 2021

Information Reports

2021-INFO-41 Commissioner and Medical Officer of Health – re: Latest National Data on the Overdose Crisis

Early Release Reports

2021-P-** Commissioner of Planning and Economic Development – re: Public Meeting Report - Application to Amend the Durham Regional Official Plan, submitted by Johnston Litavski Ltd. for Sunrise International Investments Inc. to permit the redevelopment of Bunker Hill Golf Course (formerly Kinsale Golf Course), in the City of Pickering. File OPA 2021-002

Early release reports will be considered at the May 4, 2021 Planning and Economic Development Committee meeting.

Staff Correspondence

There is no Staff Correspondence

Durham Municipalities Correspondence

There are no Durham Municipalities Correspondence

Other Municipalities Correspondence/Resolutions

1. **City of Toronto** – re: Resolution passed at their Council meeting held on March 10, 2021, regarding Supporting Canadian News Media
2. **City of Kitchener** – re: Resolution passed at their Council meeting held on March 22, 2021, regarding Planning Act Timelines

3. **Town of Caledon** – re: Resolution passed at their Council meeting held on March 30, 2021, regarding the Ontario Fire College Closure
4. **Town of Caledon** – re: Resolution passed at their Council meeting held on March 30, 2021, endorsing the 988-crisis line initiative, A 3-Digit Suicide and Crisis Prevention Hotline
5. **Township of Hudson** – re: Resolution passed at their Council meeting held on March 3, 2021, regarding Support for Fire Departments
6. **Town of Amherstburg** – re: Resolution passed at their Council meeting held on March 8, 2021, in support of the City of St. Catherine's request for permanent universal paid sick days for all workers in Ontario during the pandemic and beyond
7. **Town of Amherstburg** – re: Resolution passed at their Council meeting held on March 22, 2021 in support of Howick Township's request for Amendments to the Agricultural Tile Drainage Installation Act
8. **Town of Whitby** – re: Resolution passed at their Council meeting held on March 8, 2021, regarding the Extension and Expansion of Digital Main Street Program
9. **Town of Whitchurch-Stouffville** – re: Resolution passed at their Council meeting held on March 23, 2021, regarding Cannabis (Marijuana) Production Facilities

Miscellaneous Correspondence

1. **Nathan Cato, Director, Government Affairs, Canadian Pacific** – re: Response to Durham Region's letter of March 25, 2021, regarding rail traffic data

Advisory / Other Committee Minutes

There are no Advisory / Other Committee Minutes

Members of Council – Please advise the Regional Clerk at clerks@durham.ca, if you wish to pull an item from this CIP and include on the next regular agenda of the appropriate Standing Committee. Items will be added to the agenda if the Regional Clerk is advised by Wednesday noon the week prior to the meeting, otherwise the item will be included on the agenda for the next regularly scheduled meeting of the applicable Committee.

Notice regarding collection, use and disclosure of personal information:

Written information (either paper or electronic) that you send to Durham Regional Council or Committees, including home address, phone numbers and email addresses, will become part of the public record. If you have any questions about the collection of information, please contact the Regional Clerk/Director of Legislative Services.

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3111



The Regional Municipality of Durham Information Report

From: Commissioner & Medical Officer of Health
Report: #2021-INFO-41
Date: April 9, 2021

Subject:

Latest National Data on the Overdose Crisis

Recommendation:

Receive for information

Report:

1. Purpose

1.1 To provide an update on the joint statement from the Co-Chairs of the Special Advisory Committee on the Epidemic of Opioid Overdoses (SACEOO): [Latest National Data on the Overdose Crisis](#).

2. Background

- 2.1 SACEOO was created in December 2016 in response to increasing opioid-related overdoses and deaths.
- 2.2 The opioid overdose crisis has worsened during the COVID-19 pandemic with many communities across Canada reporting record numbers of opioid-related deaths, emergency calls and hospitalizations.

3. Previous Reports and Decisions

- 3.1 [#2019-INFO-14](#): Developing a Proposal for a Consumption and Treatment Service in Oshawa, dated March 1, 2019 and [#2019-INFO-20](#): Update on a Proposal for a Consumption and Treatment Service in Oshawa, dated April 5, 2019.
- a. On March 26, 2019, Oshawa City Council declined to endorse the proposal ([City Council Minutes, page 3](#)), therefore ending the proposal process.

- 3.2 Presentation re: The Opioid Crisis: A Complex, Multifaceted Health and Social Issue, delivered by Durham Region Health Department (DRHD) staff to Regional Council at the October 23, 2019 meeting ([Council Minutes, page 2 to 3](#)).
- 3.3 Notice of motion re: Opioid Overdose Emergency Resolution, carried at the October 23, 2019 Regional Council Meeting ([Council Minutes, page 18](#)).
- 3.4 [#2019-INFO-89](#): Opioid Information Videos to Help Address Stigma, dated November 29, 2019.
- 3.5 [#2020-INFO-114](#): Report on Opioid Related Deaths During the COVID-19 Pandemic, dated November 27, 2020.

4. Key Messages from the Joint Statement

- 4.1 The Public Health Agency of Canada (PHAC) released updated data on [opioid- and stimulant-related harms in Canada](#), showing that Canada's overdose crisis has worsened in 2020.
 - a. From April to September 2020, there were 3,351 apparent opioid toxicity deaths, representing a 74 per cent increase from the six months prior (1,923 deaths from October 2019 to March 2020).
 - b. Between July and September 2020, 1,705 Canadians died from apparent opioid toxicity, representing a 120 per cent increase from the same time frame in 2019.
 - c. Ninety-six per cent of deaths from January to September 2020 were accidental (unintentional).
- 4.2 Strategies to prevent overdose and help people who use substances or live with addiction include:
 - a. Supporting harm reduction measures.
 - b. Providing a safer supply of drugs to people at risk of overdose.
 - c. Increasing access to, distribution of and training on how to use take-home naloxone kits.
 - d. Strengthening awareness of how to reduce harms of opioids and other drugs.
 - e. Ending the stigma surrounding drug use.
- 4.3 The SACEOO statement attributes the worsening overdose crisis to an increasing toxicity of illegal drugs, increasing feelings of isolation, stress, anxiety and depression, and greater barriers in accessing health and social supports, including harm reduction efforts.
- 4.4 SACEOO's joint statement encourages people who use substances to:
 - a. Access the [Wellness Together Canada](#) portal which connects people to free substance use and mental health support, resources, and counselling.
 - b. Reduce the risk of harms by not mixing drugs and not using drugs alone.

- c. Connect with virtual supports (e.g., by phone lines or apps).
 - d. Call the local emergency number if witnessing an overdose, administer naloxone (if available), and stay until help arrives. The [Good Samaritan Drug Overdose Act](#) provides some legal protection to people seeking emergency help related to drug overdose.
- 4.5 SACEOO encourages people to reach out to loved ones experiencing a substance use issue with compassion and respect.

5. Relationship to Strategic Plan

- 5.1 This report aligns with Durham Region's Strategic Plan under the Community Vitality goal, 2.3: Influence the social determinants of health to improve outcomes for vulnerable populations.

6. Conclusion

- 6.1 Last year, Canada saw a significant increase in opioid-related deaths. The worsening of the overdose crisis is attributable to increasingly toxic drug supply, increasing feelings of isolation, stress, anxiety and depression, and greater barriers in accessing health and social supports.
- 6.2 Locally, the [Durham Region Opioid Information System](#) (DROIS) provides detailed information on:
- a. Calls to Region of Durham Paramedic Services (RDPS) associated with suspected opioid overdoses; there were approximately 725 calls in 2020, an increase from 591 in 2019.
 - b. A map of RDPS opioid overdose calls.
 - c. Annual numbers of opioid-related deaths; there were approximately 80 deaths between January to November 2020.
 - d. Monthly and annual opioid overdose Emergency Department visits.
- 6.3 One of DRHD's priorities is to update the [Durham Region Opioid Response Plan](#) in collaboration with key stakeholders including community partners, service providers and people with lived experience.
- 6.4 DRHD intends to host a planning session to update the Opioid Response Plan later this spring. Timelines will depend on the status of COVID-19 and DRHD's capacity to respond to COVID-19, including immunization.

Respectfully submitted,

Original signed by

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2564



EARLY RELEASE OF REPORT

**The Regional Municipality of Durham
Report**

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: #2021-P-**
Date: May 4, 2021

Subject:

Public Meeting Report

Application to Amend the Durham Regional Official Plan, submitted by Johnston Litavski Ltd. for Sunrise International Investments Inc. to permit the redevelopment of Bunker Hill Golf Course (formerly Kinsale Golf Course), in the City of Pickering. File OPA 2021-002

Recommendation:

That the Planning and Economic Development Committee recommends:

- A) That Commissioner's Report #2021-P-** be received for information; and
 - B) That all submissions received by referred to the Planning Division for consideration.
-

Report:

1. Purpose

1.1 On March 5, 2021, Johnston Litavski Ltd., on behalf of Sunrise International Investments Inc. submitted an application to amend the Regional Official Plan (ROP) to redesignate the subject site municipally known as 3695 Sideline 4, from 'Prime Agricultural Area' to 'Major Open Space Area'. The proposed amendment would permit the redevelopment of the existing 12-hole golf course to allow a 9-hole golf course, a clubhouse with banquet facility, golf dome for an indoor driving range,

a maintenance structure, putting green and associated golf cart routes, surface parking areas, stormwater management ponds, and landscaped open space.

- 1.2 A “Notice of Complete Application and Public Meeting” regarding the application has been advertised in the “Pickering News Advertiser” newspaper. Notice of this meeting has also been mailed to those who own land within 120 metres (400 feet) of the subject site and the notice was posted on the Region’s website. The report was made available to the public prior to the meeting.

2. Background

- 2.1 In December 2009, Regional Council approved Amendment #131 to the ROP which added Exception 9A.3.17 to the ROP’s Prime Agricultural policies to allow the 12-hole golf course with maintenance buildings, a club house with limited food service, and a separate indoor golf simulator, subject to the fulfilment of the following conditions:
 - a. submission of a site plan application to implement the golf course uses to the satisfaction of the City of Pickering;
 - b. the establishment of a program to monitor and report on the quality and quantity of surface water and groundwater for a minimum of 5 years following construction to the satisfaction of the Region, City of Pickering and Toronto Region Conservation Authority;
 - c. submission of a Sediment and Erosion Control Plan to the satisfaction of the Toronto and Region Conservation Authority;
 - d. appropriate arrangements for a conservation easement, to the satisfaction of the Toronto and Region Conservation Authority, to ensure the long-term stewardship of the creek and surrounding open space buffer;
 - e. approval of the sewage disposal system and Permit to Take Water by the Ministry of the Environment, Conservation and Parks; and
 - f. submission of a signed Record of Site Condition (RSC) to the Ministry of the Environment, Conservation and Parks (MECP) for the area of the fill pile and former commercial property. The RSC must be to the satisfaction of the Region and the City, including an Acknowledgement of Receipt of the RSC by the MECP.

3. Previous Reports and Decisions

- 3.1 On June 3, 2008, Planning Committee received Public Meeting Report 2008-P-51 which proposed a 12-hole golf course and associated accessory structures on the subject property.

3.2 On December 16, 2009, Regional Council approved Amendment #131 to the ROP through Commissioner's Report #2009-P-77.

4. Site Description

4.1 The subject site is approximately 29.6 hectares in size and is located on the north side of Highway 7, east of Sideline 4, just west of the Hamlet of Kinsale in the City of Pickering (see Attachment #1).

4.2 The site has a rolling topography due to fill that was deposited on the site by a previous owner, and prior to the existing golf course operation. Along with the 12-hole golf course, the site contains a detached maintenance structure, golf cart routes, a surface parking area and three stormwater management ponds (see Attachment #2). A valleyland feature, and an unnamed intermittent tributary of the Carruthers Creek traverses the property from north to south. An existing wetland feature is located on the eastern portion of the property, and wooded areas are on the west, east and southern portions of the property.

4.3 Uses surrounding the subject site include:

- a. North – agricultural land, hydro corridor and Highway 407;
- b. East – agricultural land, and the Hamlet of Kinsale;
- c. South – Highway 7, agricultural lands, and a country estate residential subdivision (Barclay Estates);
- d. West – rural residential, agricultural lands and a hydro corridor.

4.4 The applicant is proposing to redevelop the site from a 12-hole to a 9-hole golf course with a clubhouse/banquet facility, a golf dome for an indoor driving range, a maintenance structure, a putting green, along with associated golf cart routes, surface parking areas, stormwater management ponds, and landscaped open spaces. Access to the site will remain from the existing driveway on Sideline 4 (see Attachment #3).

4.5 The following reports were submitted with the application:

- Planning Justification Report (Johnston Litavski Ltd., February 2021);
- Agricultural Assessment Report (Miller Golf Design Group, February 2021);
- Environmental Impact Study (Beacon Environmental, February 2021);
- Functional Servicing Report (SCS Consulting Group, February 2021);
- Phase One Environmental Site Assessment (Golder, June 2020);

- Preliminary Hydrogeological Investigation (Golder, January 2021); and
- Transportation Study (WSP, February 2021).

4.6 Peer reviews will likely be conducted on the Agricultural Assessment report, and the Preliminary Hydrogeological Investigation report by consultant(s) selected by the Region, at the applicant's expense.

5. Policy Context

Provincial Policy Statement, 2020

5.1 The Provincial Policy Statement requires Prime Agricultural Areas to be protected for agriculture for the long term. Prime Agricultural Areas permit agricultural uses, agricultural-related uses and on-farm diversified uses.

5.2 Lands can only be removed from the Prime Agricultural Area designation for settlement areas or for settlement area boundary expansions through a Municipal Comprehensive Review in accordance with policy 1.1.3.8.

5.3 Non-agricultural uses that may be permitted in Prime Agricultural Areas only include the following:

- a. The extraction of minerals, petroleum resources and mineral aggregate resources; or
- b. Limited non-residential uses, provided that all of the following items are demonstrated:
 1. the land does not comprise of a specialty crop area;
 2. the proposed use complies with the minimum distance separation formulae;
 3. there is an identified need within the planning horizon for additional land to accommodate the use; and
 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid prime agricultural areas; and
 - ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe

- 5.4 The Growth Plan for the Greater Golden Horseshoe (“the Growth Plan”) identifies an Agricultural System for the Greater Golden Horseshoe, and prime agricultural areas will be designated in accordance with mapping identified by the Province.
- 5.5 Outside of the Greenbelt Area, the provincial mapping of the agricultural land base will be implemented through the Regional Official Plan. Lands designated prime agricultural areas identified in the ROP as of July 1, 2017 will be considered the agricultural land base.
- 5.6 The Region will be refining the provincial mapping of prime agricultural areas through Envision Durham, the Region’s Municipal Comprehensive Review. Such refinements may only occur through a Municipal Comprehensive Review process with the Region. Once in effect, this designation is meant to protect prime agricultural lands in the long-term for agricultural use.

Regional Official Plan

- 5.7 The subject site is currently designated ‘Prime Agricultural Areas’ subject to Exception 9A.3.17 in the ROP. Prime Agricultural Areas consist of areas where prime agricultural lands predominate. They also include areas of lesser agricultural significance (Canada Land Inventory Classes 4 to 7 soils) and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture.
- 5.8 Policy 9A.3.17 of the ROP provides the permissions for the existing golf course and associated uses on the subject site.
- 5.9 Policy 9A.2.7 of the ROP states that, “new and expanding major recreational uses, shall not be permitted in Prime Agricultural Areas”. The definition of major recreational uses includes golf courses. The existing golf course was permitted as an exception due to the amount of fill that existed on the property.
- 5.10 The application proposes to redesignate the site to “Major Open Space Area”. Major Open Space Areas include key natural heritage features or hydrologic features, prime agricultural lands as well as lands of lesser agricultural significance. Policy 10A.2.8 permits new and expanding major recreational uses within Major Open Space Areas by amendment to the ROP, or an area municipal official plan in accordance with the following policies:

- a. a hydrogeological study addressing the protection of water resources;
- b. a Best Management Practices report addressing design, construction and operation considerations; and
- c. that new natural self-sustaining vegetation be located in areas to maximize the ecological value of the area.

5.11 Policy 10A.2.5 provides policies for the development of non-agricultural uses in Major Open Space Areas that require:

- a. where possible minimizing the use of prime agricultural lands, including Canada Land Inventory Classes 1, 2 and 3 soils;
- b. demonstrating that the use is appropriate for location in the Major Open Space Area;
- c. be encouraging locations on existing parcels of land appropriately sized for the proposed use;
- d. incorporating an appropriate separation distance from farm operations in accordance with Provincial Minimum Distance Separation formulae;
- e. being compatible with sensitive land uses in compliance with Provincial Land Use Compatibility guidelines, particularly issues of noise and dust must be addressed;
- f. being located on an existing opened public road and shall not compromise the design and function of the road;
- g. being serviced with an individual private waste disposal system and an individual private drilled well which meet Provincial and Regional standards;
- h. being sensitive to the environment be ensuring there will be no negative impact on key natural heritage or hydrologic features;
- i. maintaining or, where possible, enhancing the amount of natural self-sustaining vegetation on the site and the connectivity between adjacent key natural heritage or hydrologic features;
- j. being subject to local planning approvals including being zoned in a special zoning category for the use;
- k. avoiding the use of outdoor lighting that causes light trespass, glare and uplift;
- l. where applicable, meeting the requirements of the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan; and
- m. not adversely impacting the ability of surrounding agricultural operations to carry on normal farm practices.

6. Proposed Official Plan Amendment

6.1 The proposed Regional Official Plan amendment is proposing to redesignate the site to “Major Open Space Areas”, delete policy 9A.3.17 and add a new site-specific policy to permit a 9-hole golf course, a clubhouse with banquet facility, golf dome for an indoor driving range, a maintenance structure, putting green and associated golf cart routes, surface parking areas, stormwater management ponds, and landscaped open spaces on the subject site.

7. Consultation

7.1 The application has been circulated to the Ministry of Municipal Affairs and Housing, the City of Pickering, the Town of Whitby, the Town of Ajax, Regional Works Department, Regional Health Department, Durham Region Transit, Ministry of Transportation, Transport Canada, the Toronto and Region Conservation Authority, the Durham District School Board, the Durham Catholic School Board, Durham Environmental Advisory Committee, Durham Agricultural Advisory Committee, Hydro One, and Ontario Power Generation.

7.2 At the time of writing this report, comments have been received by Canada Post, the Durham District School Board, Durham Catholic School Board, Enbridge Gas and Enbridge Pipelines, and Ontario Power Generation, all indicating no concern with the proposed amendment.

8. Related Applications

8.1 The applicant submitted concurrent applications to amend the City of Pickering Official Plan (OPA 21-001/P) and Zoning By-law (A 05/21). These applications are currently under review by the City of Pickering and the relevant agencies.

9. Public Participation

9.1 A “Notice of Public Meeting” regarding this application has been advertised in the Pickering News Advertiser and mailed to all property owners within 120 metres of the proposed amendment. This report was also made available to the public prior to the meeting.

9.2 Anyone who attends or participates in a public meeting may present an oral submission and/or provide a written submission to the Planning and Economic Development Committee on the proposed amendment. Also, any person may make written submissions at any time before Regional Council makes a decision.

- 9.3 If a person or public body does not make oral submissions at a public meeting or does not make written submissions before the proposed official plan amendment is adopted, the person or public body:
- a. Is not entitled to appeal the decision of the Region of Durham to the Local Planning Appeal Tribunal (LPAT) (formerly the Ontario Municipal Board); and
 - b. May not be added as a party to the hearing of an appeal before the LPAT, as grounds to add the person or public body as a party.
- 9.4 Anyone who wants to be notified of Regional Council's decision on the proposed ROP Amendment must submit a written request to:

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and Economic Development
Planning and Economic Development Department
Regional Municipality of Durham
Durham Regional Headquarters
600 Rossland Road East
Whitby, ON, L1N 6A3

10. Future Regional Council Decision

- 10.1 The Planning and Economic Development Committee will consider the proposed ROP Amendment at a future meeting and will make a recommendation to Regional Council. Council's decision will be final unless appealed.
- 10.2 All persons who make oral submissions, or have requested notification in writing, will be given notice of the future meeting of the Planning and Economic Development Committee and Regional Council at which the subject application will be considered.

11. Relationship to Strategic Plan

- 11.1 Economic Prosperity and Service Excellence - In the processing of Regional Official Plan Amendment applications, the objective is to ensure responsive, effective and fiscally sustainable service delivery.

12. Attachments

Attachment #1: Location Sketch

Attachment #2: Existing Site Plan for Golf Course

Attachment #3: Preliminary Site Plan for proposed Golf Course

Respectfully submitted,

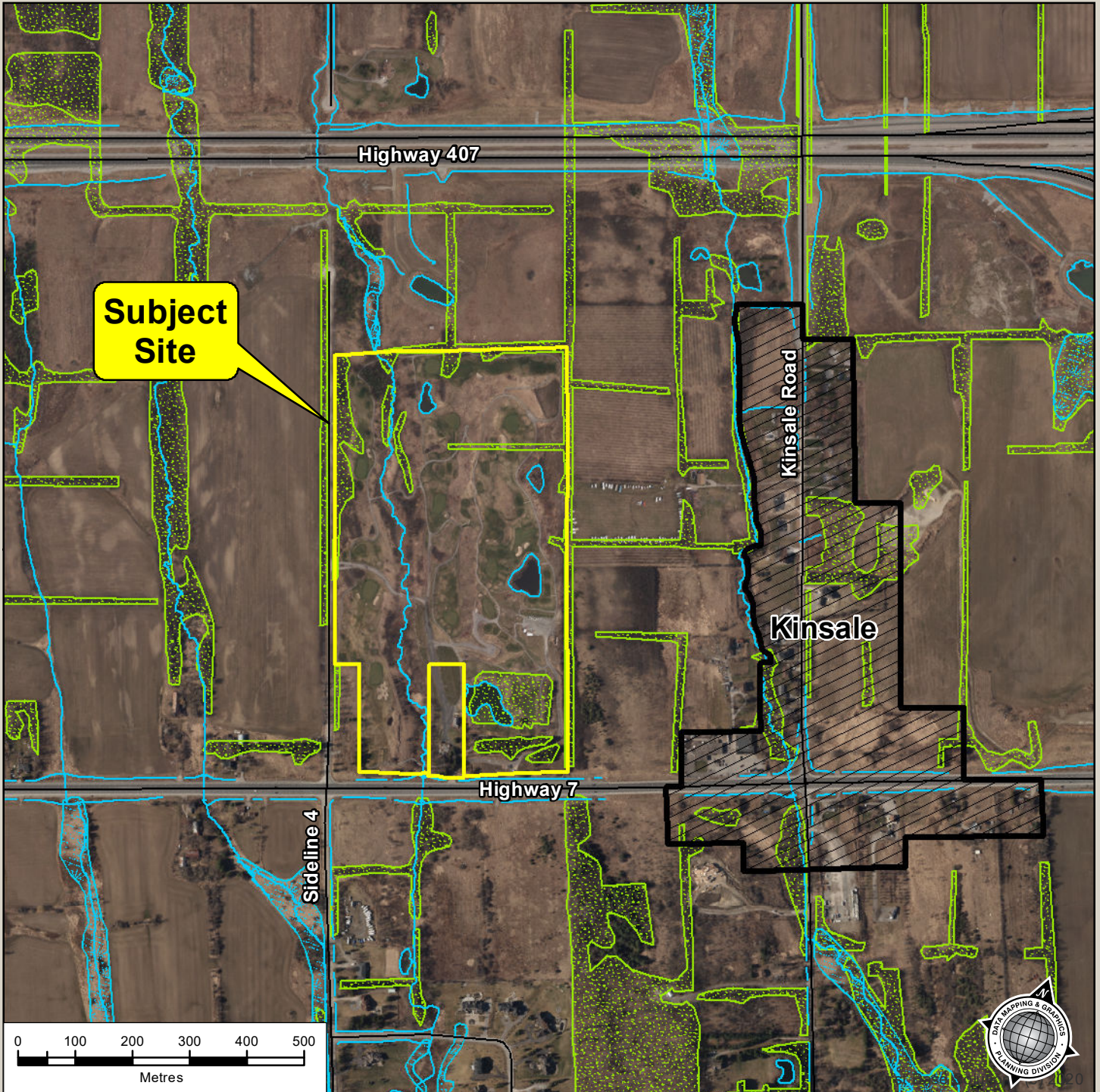
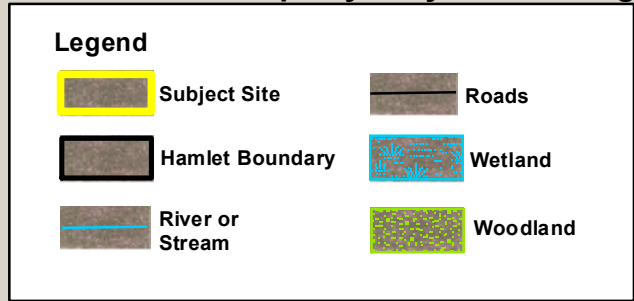
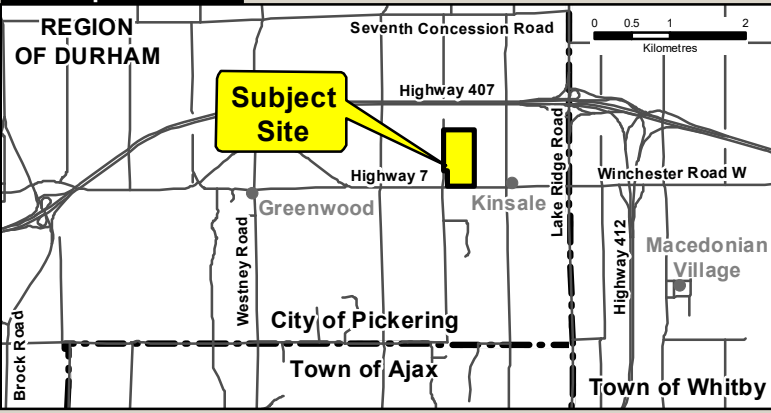
Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Elaine C. Baxter-Trahair
Chief Administrative Officer

Municipal Context



Data Sources:
 PARCEL DATA: Ownership © Teranet Inc. and its suppliers. Assessment © 2020 MPAC and its suppliers.
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
KINSALE GOLF CLUB MASTER PLAN



CLIENT:
KINSALE PROJECT
 Part of LOT 4 - CONCESSION 6, CITY OF PICKERING

DRAWING NAME:
MASTER PLAN

NOTES: ALL CONTOURS IN METRES
 PROPERTY = 70.01 AC/28 HECTARES

 SCALE = 1:1250

DRAWING VERSION - APRIL 30, 2008

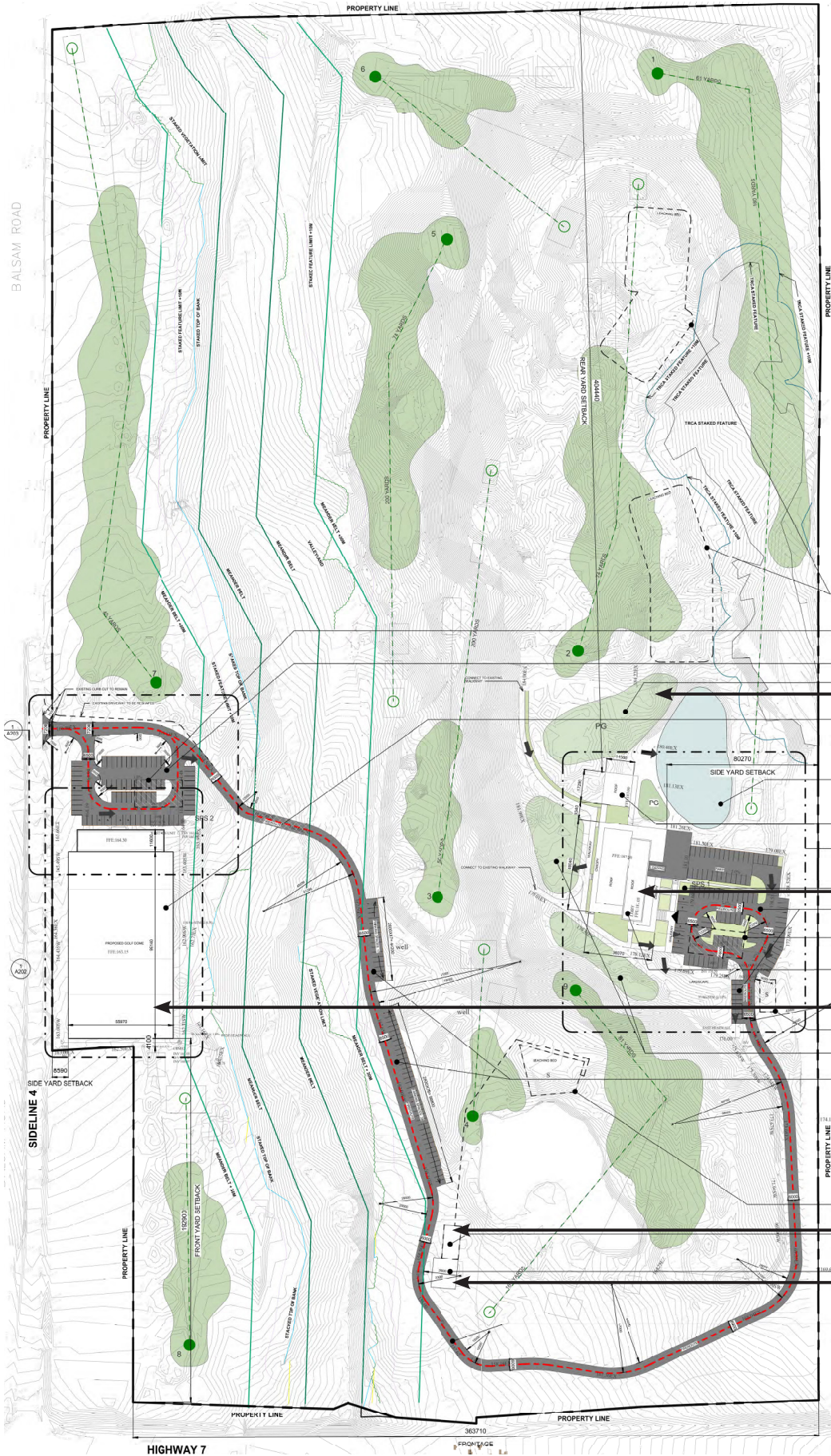
DRAWN BY: JM ISSUE DATE: MARCH 26, 2008

CHECKED BY: J.Miller PROJECT - KINSALE



Miller Golf Design Group
 103 HILLCREST DRIVE
 P.O. BOX 308, CLARKSBURG
 TOWN OF THE BLUE MOUNTAINS
 N0H 1J0
 519-599-6336

KINSALE GOLF CLUB
MP-1
 MASTER PLAN WITH PROPOSED GRADING



Proposed Putting Green

Proposed Clubhouse

Proposed Golf Dome

Existing maintenance house to remain

Proposed Maintenance Storage

City Council

Member Motions - Meeting 30

MM30.7	ACTION	Adopted		Ward: All
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Supporting Canadian News Media - by Mayor John Tory, seconded by Councillor Gary Crawford

City Council Decision

City Council on March 10, 2021, adopted the following:

1. City Council declare that a healthy and professional news media is essential to the proper functioning of democracy in our City and City Council urge nearby municipal councils and councils across Canada to recognize that a robust news media is essential to the proper functioning of democracy in their jurisdictions.
2. City Council advocate to the Provincial and Federal Governments the importance of local journalism and the need to ensure an ecosystem for a healthy news media to serve all Canadians.
3. City Council direct the City Manager to forward City Council's decision to the area municipalities, local Members of Parliament and Members of the Provincial Parliament, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.
4. City Council encourage all residents to support local journalism.

Summary

A healthy news media is the bedrock of a functioning democracy and civil society. Currently the Canadian news media environment is struggling with outlets closing and thousands of jobs lost. This starves Canadians of vital information about the actions of their local, provincial and national governments as well as holding their elected officials accountable.

The decline of traditional revenue streams has imperiled news media's ability to sustain itself. In light of these troubling developments, the Federal Government has made some financial assistance available to maintain outlets and jobs in Canadian news.

Local journalism matters and makes a vital difference in every part of our country – in big cities and small towns from coast to coast to coast.

During the COVID-19 pandemic, we have seen the importance of local news media in helping provide residents and businesses with vital information and to dispel misinformation.



CHRISTINE TARLING
 Director of Legislated Services & City Clerk
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 TTY: 519-741-2385

March 31, 2021

Honourable Steve Clark
 Minister of Municipal Affairs and Housing
 17th Floor, 777 Bay Street
 Toronto ON M5G 2E5

Dear Mr. Clark:

 Corporate Services Department Legislative Services Division	
Date & Time Received:	April 01, 2021 8:18 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

This is to advise that City Council, at a meeting held on March 22, 2021, passed the following resolution regarding Planning Act Timelines:

“WHEREAS the City of Kitchener, like many Ontario municipalities, is experiencing significant growth; and,

WHEREAS the City of Kitchener has conducted extensive work through its Development Services Review to remove red tape and improve public engagement; and,

WHEREAS the Province of Ontario's Planning Act provides a legislative framework for processing development applications including established timeframes which permit applicants to appeal to the Local Planning Appeal Tribunal if a Council fails to make a decision within a prescribed timeline; and,

WHEREAS the passing of Bill 108 in 2019 reduced the timelines for processing development applications before they can be appealed to the Local Planning Appeals Tribunal (LPAT) for a non-decision from those outlined in Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017 as follows:

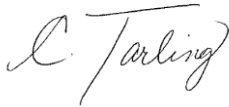
- from seven months (210 days) to four months (120 days) for Official Plan amendments;
- from five months (150 days) to three months (90 days) for Zoning By-law amendments; and
- from six months (180 days) to four months (120 days) for Plans of Subdivision; and

WHEREAS the shortened timeframes create unreasonable pressures on municipalities, even outside the context of navigating city business in a global pandemic, and result in reduced opportunities for meaningful public engagement and limited time for the public to provide written submissions on a development application;

THEREFORE BE IT RESOLVED that Kitchener City Council urge the Province of Ontario to review and reconsider the current timelines established for review of Planning Act applications before an appeal is permitted to the Local Planning Appeals Tribunal and to return to the timelines that were in effect under Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017;

THEREFORE BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Ontario Minister of Municipal Affairs and Housing, to the local MP's and MPP's, to the Federation of Canadian Municipalities, to the Association of Municipalities Ontario, and all other municipalities in Ontario."

Yours truly,



C. Tarling
Director of Legislated Services
& City Clerk

- c: Honourable Tim Louis, M.P.
Honourable Raj Saini, M.P.
Honourable Marwan Tabbara, M. P.
Honourable Bardish Chagger, M.P.
Honourable Bryan May, M.P.
Honourable Amy Fee, M.P.P.
Honourable Catherine Fife, M.P.P.
Honourable Belinda Karahalios, M.P.P.
Honourable Mike Harris, M.P.P.
Honourable Laura Mae Lindo, M.P.P.
Bill Karsten, President, Federation of Canadian Municipalities
Monika Turner, Association of Municipalities of Ontario
Rosa Bustamante, Director, Planning, City of Kitchener
Ontario Municipalities



Date & Time Received:	April 06, 2021 8:35 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	Sent via E-Mail: doug.fordco@pc.ola.org

Mayor

March 31, 2021

Honourable Doug Ford, Premier
Premier's Office, Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

RE: ONTARIO FIRE COLLEGE CLOSURE

I am writing to advise that at the Town Council meeting held on March 30, 2021, Council adopted a resolution to support the request made by the Township Augusta for the Province of Ontario to reverse their decision to close the Ontario Fire College.

The resolution reads as follows:

That the Province be requested to consider recognizing the Ontario Association of Fire Chiefs (O AFC) as the principle stakeholder to guide, direct, develop and deliver the long-term 'Modernization of Fire Services Training in Ontario';

That staff be directed to explore the opportunity for the Town of Caledon to become a Regional Training Centre to be able to deliver fire services training that is accessible, affordable and attainable; and

That a copy of this motion be provided to The Honourable Sylvia Jones, Solicitor General and MPP, Dufferin-Caledon, the Ontario Association of Fire Chiefs (O AFC), and municipalities in Ontario.

For more information regarding this request, please contact Darryl Bailey, Director, Fire and Emergency Services / Fire Chief by email to darryl.bailey@caledon.ca or by phone at 905.584.2272 ext. 4330.

Thank you for your attention to this matter.

Sincerely,

Allan Thompson
Mayor

cc: Honourable Sylvia Jones, Solicitor General / MPP Dufferin-Caledon, sylvia.jones@pc.ola.org
Ontario Association of Fire Chiefs (O AFC), richard.boyes@oafc.on.ca
Jon Pegg, Ontario Fire Marshal, ofm@ontario.ca
Darryl Bailey, Director, Fire and Emergency Services / Fire Chief, Town of Caledon, darryl.bailey@caledon.ca
All Ontario Municipalities

THE CORPORATION OF THE TOWN OF CALEDON



Corporate Services Department Legislative Services Division	
Date & Time Received:	April 06, 2021 8:37 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

Allan Thompson
Mayor

Sent via E-Mail to: Patty.Hajdu@parl.gc.ca

March 31, 2021

The Honourable Patty Hajdu
Federal Minister of Health
House of Commons
Ottawa, ON K1A 0A6

Dear Ms. Hajdu,

RE: SUPPORT FOR 988, A 3-DIGIT SUICIDE AND CRISIS PREVENTION HOTLINE

I am writing to advise that at the Town Council meeting held on March 30, 2021, Council adopted a resolution endorsing the 988 crisis line initiative to ensure critical barriers are removed to those in a crisis and seeking help.

The resolution reads as follows:

Whereas the Federal government has passed a motion to adopt 988, a National three-digit suicide and crisis hotline;

Whereas the ongoing COVID-19 pandemic has increased the demand for suicide prevention services by 200%;

Whereas existing suicide prevention hotlines require the user to remember a 10-digit number and go through directories or be placed on hold;

Whereas in 2022 the United States will have in place a national 988 crisis hotline;

Whereas the Town of Caledon recognized that it is a significant and important initiative to ensure critical barriers are removed to those in a crisis and seeking help;

Now therefore be it resolved that the Town of Caledon endorses this 988 crisis line initiative; and

That a letter demonstrating Caledon's support be sent to Kyle Seeback, MP, Dufferin-Caledon, the Honourable Sylvia Jones, MPP, Dufferin-Caledon, the Honourable Patty Hajdu, Federal Minister of Health, the Canadian Radio-television and Telecommunications (CRTC) and all municipalities in Ontario.

THE CORPORATION OF THE TOWN OF CALEDON

6311 Old Church Road, Caledon East, Caledon, ON, Canada L7C 1J6
T. 905.584.2272 | 1.888.225.3366 | F. 905.584.1444 | www.caledon.ca | allan.thompson@caledon.ca



Allan Thompson
Mayor

Thank you for your attention to this very important matter. We look forward to hearing from you.

Sincerely,

Allan Thompson
Mayor

Cc. Kyle Seeback, MP Dufferin-Caledon, Kyle.Seeback@parl.gc.ca
Honourable Sylvia Jones, MPP Dufferin-Caledon, sylvia.jones@pc.ola.org
Ian Scott, Chairperson and Chief Executive Officer, Canadian Radio-Television and
Telecommunications Commission (CRTC), iscott@telesat.com
All Ontario Municipalities

THE CORPORATION OF THE TOWN OF CALEDON

6311 Old Church Road, Caledon East, Caledon, ON, Canada L7C 1J6
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CORPORATION OF THE
TOWNSHIP OF HUDSON
 903303 HANBURY RD.
 NEW LISKEARD, ON P0J1P0
 (t) 705-647-5439 (f) 705-647-6373
www.hudson.ca admin@hudson.ca

March 31st, 2021

The Honourable Doug Ford
 Premier of Ontario
 Legislative Building
 Queen’s Park
 Toronto, ON M7A 1A1

Attention: Premier Ford

RE: Support for Fire Departments

 Corporate Services Department Legislative Services Division	
Date & Time Received:	April 06, 2021 12:14 pm
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

At the Township of Hudson’s Regular Meeting of Council held on Wednesday March 3rd, 2021, the following resolution 2021-049 was put forward and passed:

WHEREAS the role of Ontario’s 441 fire departments and their approximate 30,000 full, part-time, and volunteer firefighters is to protect Ontarians and their property; and

WHEREAS according to the Ontario Fire Marshal and Emergency Management’s latest data, in Ontario there was over 11,000 number of loss fires, 9,500 no loss fires, 784 injuries, 91 fatalities, and over \$820 million dollars of estimated loss in 2018; and

WHEREAS fire emergencies only make up a portion of the total calls for help received by fire and emergency service departments as they respond to nearly every public emergency, disaster, or 9-1-1 call; and

WHEREAS Ontario’s fire department infrastructure deficit continues to grow annually and is almost entirely borne by the municipality and local taxpayers with the majority having populations under 25,000; and

WHEREAS due to antiquated structures and equipment that do not meet current industry standards the safety of the Ontario public and Ontario firefighters is being jeopardized;

NOW THEREFORE the Council of the Corporation of the Township of Hudson resolves as follows:

1. **THAT** the Federal and Provincial Government includes apparatuses, training, equipment and structures for fire departments as eligible categories to any further infrastructure programs which will not only provide immediate stimulus to the local, provincial and federal economies given current economic uncertainty but also ensure the safety of Canadians and dedicated firefighters; and

2. **THAT** this resolution be forwarded to the Honourable Doug Ford Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Laurie Scott, Minister of Infrastructure, local MPP, local MP, the Ontario Fire Marshal, Jon Pegg, the Ontario Association of Fire Chiefs, and all Ontario Municipalities.

Please accept this for your consideration and any necessary action.

Sincerely,


Jordan Kemp
Clerk-Treasurer
Township of Hudson



The Corporation of The Town of Amherstburg

April 6, 2021

Honourable Doug Ford
Premier of Ontario
Email: premier@ontario.ca

 Corporate Services Department Legislative Services Division	
Date & Time Received:	April 07, 2021 1:34 pm
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

VIA EMAIL

Re: Support for Universal Paid Sick Days in Ontario

Dear Premier Ford,

At its meeting held on March 8, 2021, Council for the Town of Amherstburg passed the following:

Resolution # 20210308-073

“That Administration BE DIRECTED to send a letter of support regarding the City of St. Catherine's request for permanent universal paid sick days for all workers in Ontario during the pandemic and beyond.”

Enclosed is a copy of the correspondence from the City of St. Catharines for convenience and reference purposes.

Regards,

Tammy Fowkes
Deputy Clerk, Town of Amherstburg
(519) 736-0012 ext. 2216
tfowkes@amherstburg.ca

cc:

Rebecca Alfieri, Council and Committee Coordinator, St. Catharines
ralfieri@stcatharines.ca

Minister of Labour, Hon. Monte McNaughton
Minister.MLTSD@ontario.ca

Taras Natyshak
tnatyshak-co@ndp.on.ca

Chris Lewis
Chris.Lewis@parl.gc.ca

Association of Municipalities of Ontario (AMO)
amo@amo.on.ca

All Ontario Municipalities

February 9, 2021

The Honourable Doug Ford, M.P.P.
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Sent via email: premier@ontario.ca

**Re: Universal Paid Sick Days in Ontario
Our File 35.31.99**

Dear Premier Ford:

At its meeting held on February 1, 2021, St. Catharines City Council approved the following motion:

“WHEREAS workers in Ontario without paid sick leave often feel forced to work when unwell so they can feed and support their families and are at risk of losing a paycheque or even their jobs if they stay home; and

WHEREAS the Canada Recovery Sickness Benefit is temporary, not accessible to all and not usable for the crucial first few days of an illness; and

WHEREAS had legislated paid sick leave been in place before the global pandemic, lives would have been saved because infection rates would have been reduced; and

WHEREAS the lack of paid sick days has especially hurt Black, Indigenous, workers of colour, women and migrant workers who are over-represented in low-paying frontline jobs with few benefits and a reduced ability to work from home; and

WHEREAS the Ontario Medical Association, 11 GTHA Mayors and Chairs representing Ontario’s largest municipalities, the editorial board of the Toronto Star, the Toronto Board of Health, the Decent Work and Health Network, the Ontario Nurses Association, and several other professional associations representing thousands of healthcare workers have all called on the provincial government to legislate paid sick days;

THEREFORE BE IT RESOLVED that the City of St. Catharines endorses legislated sick leave and calls on the government of Ontario to permanently legislate universal paid sick days for all workers in Ontario during the pandemic and beyond, regardless of workplace size, type of work or immigration status; and

BE IT FURTHER RESOLVED that this motion be forwarded to the Premier of Ontario, Minister of Labour, all Regional MPPs, Niagara Region, and all Ontario Municipalities.”

If you have any questions, please contact the Office of the City Clerk at extension 1506.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:ra


Cc Minister of Labour, Hon. Monte McNaughton, Minister.MLTSD@ontario.ca
Jennifer Stevens, MPP - St. Catharines, JStevens-CO@ndp.on.ca
Jeff Burch, MPP - Niagara Centre, JBurch-QP@ndp.on.ca
Wayne Gates, MPP - Niagara Falls, wgates-co@ndp.on.ca
Sam Oosterhoff, MPP - Niagara West-Glanbrook, sam.oosterhoff@pc.ola.org
Niagara Region
Ontario Municipalities



The Corporation of The Town of Amherstburg

April 6, 2021

Honourable Ernie Hardeman
Minister of Agriculture, Food and Rural Affairs
Email: minister.omafra@ontario.ca

 Corporate Services Department Legislative Services Division	
Date & Time Received:	April 07, 2021 1:37 pm
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

VIA EMAIL

Re: Request for Amendments to the Agricultural Tile Drainage Installation Act

Dear Hon. Hardeman,

At its meeting held on March 22, 2021, Council for the Town of Amherstburg passed the following:

Resolution # 20210322 098

“That Administration BE DIRECTED to send correspondence in support of Howick Township’s request for Amendments to the Agricultural Tile Drainage Installation Act.”

Enclosed is a copy of the correspondence from Howick Township for convenience and reference purposes.

Regards,

Tammy Fowkes
Deputy Clerk, Town of Amherstburg
(519) 736-0012 ext. 2216
tfowkes@amherstburg.ca

cc:

Carol Watson – Clerk, Township of Howick
clerk@howick.ca

Taras Natyshak – MP, Essex
tnatyshak-co@ndp.on.ca

Chris Lewis – MPP. Essex
Chris.Lewis@parl.gc.ca

Rural Ontario Municipal Association (ROMA)
roma@roma.on.ca

Ontario Federation of Agriculture (OFA)
paul.nairn@ofa.on.ca

Christian Farmers Federation of Ontario (CFFO)
cffomail@christianfarmers.org

Land Improvement Contractors of Ontario (LICO)
lico.secretary@cyg.net

Drainage Superintendents Association of Ontario (DSAO)
dsaochapter1@dsao.net

Association of Municipalities of Ontario (AMO)
amo@amo.on.ca

All Ontario Municipalities



44816 Harriston Road, RR 1, Gorrie On N0G 1X0
Tel: 519-335-3208 ext 2 Fax: 519-335-6208
www.howick.ca

December 3, 2020

The Honourable Ernie Hardeman
Minister of Agriculture, Food and Rural Affairs

By email only minister.omafra@ontario.ca

Dear Mr. Hardeman:

Please be advised that the following resolution was passed at the December 1, 2020 Howick Council meeting:

Moved by Councillor Hargrave; Seconded by Councillor Illman:

Be it resolved that Council request the Ministry of Agriculture, Food and Rural Affairs amend the Tile Drainage Installation Act and/or the regulations under the Act that would require tile drainage contractors file farm tile drainage installation plans with the local municipality; and further, this resolution be forwarded to Minister of Agriculture, Food and Rural Affairs, Huron-Bruce MPP Lisa Thompson, Perth-Wellington MPP Randy Pettapiece, Rural Ontario Municipal Association, Ontario Federation of Agriculture, Christian Farmers Federation Of Ontario, Land Improvement Contractors of Ontario, Drainage Superintendents of Ontario and all Ontario municipalities. Carried. Resolution No. 288/20

If you require any further information, please contact this office, thank you.

Yours truly,

Carol Watson

Carol Watson, Clerk
Township of Howick



**Background Information to the Township of Howick
Resolution No. 288-20 Requesting Amendments to the
Agricultural Tile Drainage Installation Act**

Rational for Proposed Amendments

Over the years, Howick Township staff have received many requests for tile drainage information on farmland. Usually these requests come after a change in ownership of the farm. Some of these drainage systems were installed recently but many are 30 to 40 or more years old. Many were installed by contractors who are no longer in business or who have sold the business and records are not available.

Information is generally available if the tile was installed under the Tile Drain Loan Program because a drainage plan is required to be filed with the municipality. If the tile system was installed on a farm without using the Tile Drain Loan Program, there likely are no records on file at the municipal office.

The other benefits to filing tile drainage plans with the municipality are identified in Section 65 of the Drainage Act.

- 65(1) – Subsequent subdivision of land (severance or subdivision)
- 65(3) – Drainage connection into a drain from lands not assessed to the drain
- 65(4) – Drainage disconnection of assessed lands from a drain
- 65(5) – Connecting to a municipal drain without approval from council

Section 14 of the Act states:

(1) “The Lieutenant Governor in Council may make regulations,

(a) providing for the manner of issuing licences and prescribing their duration, the fees payable therefor and the terms and conditions on which they are issued;

(a.1) exempting classes of persons from the requirement under section 2 to hold a licence, in such circumstances as may be prescribed and subject to such restrictions as may be prescribed;

(b) Repealed: 1994, c. 27, s. 8 (5).

(c) establishing classes of machine operators and prescribing the qualifications for each class and the duties that may be performed by each class;



Howick
TOWNSHIP

44816 Harriston Road, RR 1, Gorrie On N0G 1X0
Tel: 519-335-3208 Fax: 519-335-6208
www.howick.ca

- (d) providing for courses of instruction and examinations and requiring licence holders or applicants for a licence under this Act to attend such courses and pass such examinations;
- (e) prescribing the facilities and equipment to be provided by persons engaged in the business of installing drainage works;
- (f) prescribing standards and procedures for the installation of drainage works;
- (g) prescribing performance standards for machines used in installing drainage works;
- (h) prescribing forms and providing for their use;
- (i) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1990, c. A.14, s. 14; 1994, c. 27, s. 8 (4, 5).”

I believe it would be beneficial if a regulation required the installer, of agricultural drainage, to file a plan of the drainage system with the municipality following completion of the work.

While most of Section 14 deals with contractor, machine and installer licences, I think that Section 14(f) or 14(i) may allow a regulation change. This would be a better solution than an amendment to the Act.

Recommendations:

- Request by municipal resolution that the Ministry of Agriculture, Food and Rural Affairs amend the Tile Drainage Installation Act and/or the regulations, under the Act, that would require tile drainage contractors file all farm tile drainage installation plans in the Municipality where the installation took place
- Send the municipal resolution to:
 - Minister of Agriculture, Food and Rural Affairs
 - Lisa Thompson, MPP Huron Bruce
 - Randy Pettapiece, MPP Perth Wellington
 - Rural Ontario Municipal Association roma@roma.on.ca
 - [OFA](#)
 - [CFFO](#)
 - All Ontario municipalities
 - the Land Improvement Contractors of Ontario (LICO), and
 - the Drainage Superintendents Association of Ontario (DSAO)

Wray Wilson, Drainage Superintendent
Township of Howick
drainage@howick.ca

March 12, 2021

Via Email:

The Honourable Mélanie Joly
Minister of Economic Development and Official Languages
melanie.joly@parl.gc.ca

The Honourable Mary Ng
Minister of Small Business, Export Promotion and International Trade
Mary.Ng@parl.gc.ca

Re: Extension and Expansion of the Digital Main Street Program

Please be advised that at a meeting held on March 8, 2021, the Council of the Town of Whitby adopted the following as Resolution # 71-021:

Whereas the expansion of the Digital Main Street (DMS) program in 2020 has been a critical support in helping businesses adopt new technology during the COVID-19 pandemic; and,

Whereas the Digital Main Street Program in Whitby is administered by the Business Advisory Centre Durham (BACD) and the Downtown Whitby Business Improvement Area (BIA); and,

Whereas these new DMS programs have helped both nurture new technology based businesses in our region and provided virtual hands on support and solutions for businesses to access new customers while managing new COVID-19 health and safety measures; and,

Whereas the DMS base program has served 435 businesses across the region including 121 in the Town of Whitby, and the DMS ShopHERE program has served 585 businesses across the region including 107 in the Town of Whitby; and,

Whereas current funding for the DMS program ends in March 2021; and,

 Corporate Services Department Legislative Services Division	
Date & Time Received:	April 07, 2021 1:40 pm
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

Whereas our small business community faces ongoing barriers to technology adoption and lack of resources to implement these technologies that are necessary to remain competitive in light of COVID-19 impacts to their business; and,

Whereas Canada's economy will rely on entrepreneurs in both the technology and the main street business sectors to drive economic recovery, job creation and economic growth; and,

Whereas the DMS program can continue providing virtual hands on support to small business to accelerate the adoption of new technology solutions that keep our businesses competitive.

Therefore be it resolved that:

1. The Town of Whitby, in partnership with the Downtown Whitby BIA, and the Business Advisory Centre Durham, call on the provincial and federal governments to:
 - Work to renew and expand funding to the Digital Main Street Program as soon as possible to help our businesses adopt new technologies to support their digital transformation and adapt their business model due to COVID-19;
 - Explore opportunities to provide additional support to our main street business sector in adopting digital technologies and future proofing their business models; and,
 - Support Canada's technology sector to develop and bring to market new technologies that can support businesses in Canada and globally to adapt to the new business realities following the impacts of COVID-19 to both Business-to-Consumer (B2C) and Business-to-Business (B2B) business models.

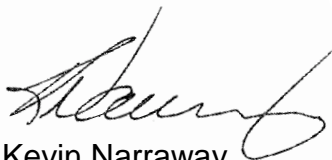
Further be it resolved that:

2. The Mayor on behalf of Council be directed to write a letter, jointly with the Downtown Whitby BIA, and the Business Advisory Centre Durham, advocating for the extension and expansion of the Digital Main Street Program to the Federal Minister of Economic Development and Official Languages and Minister of Small Business, Export Promotion and International Trade; and,
3. The Town Clerk be directed to send a copy of the letter and resolution, once approved, to:
 - Ryan Turnbull, Member of Parliament for Whitby
 - Lorne Coe, Member of Provincial Parliament for Whitby

- Durham Regional Council
- Members of the Ajax, Brock, Clarington, Oshawa, Pickering, Scugog, and Uxbridge Councils
- Federation of Canadian Municipalities (FCM)
- Association of Municipalities of Ontario (AMO)
- Ontario Big City Mayor's Caucus (OBCM)
- Mayors and Regional Chairs of Ontario (MARCO)
- GTHA Mayors and Chairs
- Ontario Chamber of Commerce (OCC)
- Whitby Chamber of Commerce
- 1855 Whitby
- Durham Economic Recovery Taskforce

Enclosed within, please find a letter from Mayor Mitchell on behalf of Council, the Downtown Whitby BIA, and the Business Advisory Centre Durham, advocating for the extension and expansion of the Digital Main Street Program.

Should you require further information, please do not hesitate to contact Sarah Klein, Director of Strategic Initiatives at 905-430-4338.



Kevin Narraway
Manager of Legislative Services/Deputy Clerk

Encl: Letter from Mayor Mitchell on behalf of Council, the Downtown Whitby BIA, and the Business Advisory Centre Durham

Copy: C. Harris, Town Clerk

Lorne Coe, M.P.P. - lorne.coe@pc.ola.org

Ryan Turnbull, M.P. ryan.turnbull@parl.gc.ca

Ralph Walton, Regional Clerk, Region of Durham - clerks@durham.ca

Brian Bridgeman, Commissioner of Planning and Economic Development Region of Durham - planning@durham.ca (Durham Economic Recovery Taskforce)

Federation of Canadian Municipalities - info@fcm.ca

Association of Municipalities of Ontario - amo@amo.on.ca

Dennis Croft, Chief Executive Officer, 1855 Whitby - denniscroft@1855Whitby.com

Natalie Prychitko, Chief Executive Officer, Whitby Chamber of Commerce
Natalie@whitbychamber.org

Mayor Cam Guthrie, Chair, Ontario Big City Mayor's Caucus (OBCM) - mayor@guelph.ca

Karen Redman, Chair Mayors and Regional Chairs of Ontario (MARCO) - kredman@regionofwaterloo.ca

Ontario Chamber of Commerce (OCC) - louiedipalma@occ.ca

N. Cooper, Director of Legislative and Information Services, Town of Ajax - clerks@ajax.ca

B. Jamieson, Clerk, Township of Brock - bjamieson@townshipofbrock.ca

J. Gallagher, Municipal Clerk, Municipality of Clarington - clerks@clarington.net

M. Medeiros, City Clerk, City of Oshawa - clerks@oshawa.ca

S. Cassel, City Clerk, City of Pickering - clerks@pickering.ca

L. Fleury, Acting Clerk, Township of Scugog - lfleury@scugog.ca

D. Leroux, Clerk, Township of Uxbridge - dleroux@town.uxbridge.on.ca

Durham Regional Chair John Henry, Regional Municipality of Durham - chair@durham.ca

Regional Chair Gary Carr, Regional Municipality of Halton - gary.carr@halton.ca

Regional Chair Nando Iannicca, Regional Municipality of Peel - nando.iannicca@peelregion.ca

Regional Chair Wayne Emmerson, Regional Municipality of York - emmerson@york.ca

Mayor Shaun Collier, Town of Ajax - shaun.collier@ajax.ca

Mayor Tom Mrakas Town of Aurora - tmrakas@aurora.ca

Mayor Patrick Brown, City of Brampton - Patrick.Brown@brampton.ca

Mayor John Grant, Township of Brock - jgrant@townshipofbrock.ca

Mayor Marianne Meed Ward, City of Burlington - mayor@burlington.ca

Mayor Allan Thompson, Town of Caledon - allan.thompson@caledon.ca

Mayor Adrian Foster, Municipality of Clarington - mayor@clarington.net

Mayor Virginia Hackson, Town of East Gwillimbury - vhackson@eastgwillimbury.ca

Mayor Margaret Quirk, Town of Georgina - mquirk@georgina.ca

Mayor Rick Bonnette, Town of Halton Hills - mayor@haltonhills.ca

Mayor Fred Eisenberger, City of Hamilton - mayor@hamilton.ca

Mayor Steve Pellegrini, Township of King - spellegrini@king.ca

Mayor Frank Scarpitti, City of Markham - mayorscarpitti@markham.ca

Mayor Gordon Krantz, Town of Milton - executiveservices@milton.ca

Mayor Bonnie Crombie, City of Mississauga - mayor@mississauga.ca

Mayor John Taylor, Town of Newmarket - jtaylor@newmarket.ca

Mayor Rob Burton, Town of Oakville - mayor@oakville.ca

Mayor Dan Carter, City of Oshawa - mayor@oshawa.ca

Mayor Dave Ryan, City of Pickering - mayor@pickering.ca

Mayor David Barrow, City of Richmond Hill - dave.barrow@richmondhill.ca

Mayor Bobbie Drew, Township of Scugog - bdrew@scugog.ca

Mayor John Tory, City of Toronto - mayor_tory@toronto.ca

Mayor Dave Barton, Township of Uxbridge - dbarton@uxbridge.ca
Mayor Maurizio Bevilacqua, City of Vaughan - maurizio.bevilacqua@vaughan.ca
Mayor Iain Lovatt, Town of Whitchurch-Stouffville - mayor@townofws.ca



**Town of Whitby
Office of the Mayor**
575 Rossland Road East
Whitby, ON L1N 2M8
whitby.ca

Don Mitchell
Mayor
905.430.4300 x2203
mayor@whitby.ca



March 23, 2021

The Hon. Mélanie Joly
Minister of Economic Development and Official Languages
House of Commons
Ottawa, Ontario K1A 0A6

The Hon. Mary Ng
Minister of Small Business, Export Promotion and International Trade
House of Commons
Ottawa, Ontario K1A 0A6

Re: Digital Main Street Program

Ministers,

On March 1st, 2021, Town of Whitby Council passed the enclosed resolution calling for the Federal government to expand funding for the Digital Main Street (DMS) program to support future proofing and digital adoption for local business.

The Town of Whitby's fundamental priority throughout the COVID-19 pandemic has both been to protect the health and safety of our residents, employers and employees; and to support our business community through its struggles with the economic impacts of COVID-19 public health measures.

The Town of Whitby, the Business Advisory Centre of Durham, and the Downtown Whitby Business Improvement Area have worked collaboratively to engage our business community and ensure they are receiving the support they need during this challenging time. The need for digital transformation of business models has been accelerated by the COVID-19 pandemic, not just in our retail and main street business sectors but also in our manufacturing and more traditional industries. The Town of Whitby welcomed the development of the DMS ShopHERE program in 2020, and the previous expansion of the DMS program across the province. These programs have been great supports for the local business community as it transformed their business model in light of the impacts of the pandemic and the acceleration of digital sales and servicing.

The expansion of the Digital Main Street (DMS) program in 2020 to include the DMS Future Proof components including DMS Labs, Transformation Teams and Community Collaboration projects administered has been a critical support in helping businesses adopt new technology during the COVID-19 pandemic. The support by the Federal government was announced in June 2020 with \$50M in funding from the Federal Economic Development Agency for Southern Ontario to support Ontario businesses to go digital. These new DMS programs have provided much needed virtual hands-on support and solutions for businesses to access new customers while managing COVID-19 health and safety measures.

With current funding for the DMS program coming to an end in 2021, our small business community faces ongoing barriers to technology adoption. Without the continuation of the DMS program, our business community will lack the necessary resources to implement technological advancements that are necessary for them to remain competitive during and after the COVID-19 pandemic. Canada's economy will rely on entrepreneurs in the technology, manufacturing and main street business sectors to drive economic recovery, job creation and economic growth. With your continued support, the DMS program can continue providing virtual hands-on support to small business to accelerate the adoption of new technology solutions that keep our businesses competitive.

At the March 1st Whitby Town Council meeting the enclosed resolution was passed, calling on the Federal government to:

- Work to renew and expand funding to the Digital Main Street Program as soon as possible to help our businesses adopt new technologies to support their digital transformation and adapt their business model due to COVID-19;
- Explore opportunities to provide additional support to our main street business sector in adopting digital technologies and future proofing their business models; and
- Support Canada's technology sector to develop and bring to market new technologies that can support businesses in Canada and globally to adapt to the new business realities following the impacts of COVID-19 to both Business-to-Consumer (B2C) and Business-to-Business (B2B) business models.

As we move through the pandemic, please know that the Town of Whitby, the Business Advisory Centre of Durham, and the Downtown Whitby Business Improvement Area will continue to seek opportunities to work with you to help local residents and businesses.

Programs like Digital Main Street support our local business community in both sustaining their business in the short term and looking towards the future and ensuring Canadian businesses remain competitive globally. DMS has seen extensive use across the region including 435 businesses supported by the Digital Service Squad, and 585 businesses enrolled in the ShopHERE program.

Thank you in advance. If you have any questions, please feel free to contact Paul Pirri, Senior Manager Economic Development, Town of Whitby at pirrip@whitby.ca or (905) 424 9346. It would be a pleasure to hear from you.

Sincerely,



Don Mitchell
Mayor



Paul Pirri
Senior Manager
Economic Development



Teresa Shaver
Executive Director
BACD



Karey Anne Large
Executive Director
Downtown Whitby BIA


Copy:

Chris Harris, Town Clerk
Ryan Turnbull, Member of Parliament for Whitby
Lorne Coe, Member of Provincial Parliament for Whitby
Durham Regional Council
Members of the Ajax, Brock, Clarington, Oshawa, Pickering, Scugog, and
Uxbridge Councils
Federation of Canadian Municipalities (FCM)
Association of Municipalities of Ontario (AMO)
Ontario Big City Mayor's Caucus (OBCM)
Mayors and Regional Chairs of Ontario (MARCO)
GTHA Mayors and Chairs
Ontario Chamber of Commerce (OCC)
Whitby Chamber of Commerce
1855 Whitby
Durham Economic Recovery Taskforce



April 6, 2021

Health Canada
Address Locator 0900C2
Ottawa, Ontario
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 Corporate Services Department Legislative Services Division	
Date & Time Received:	April 07, 2021 2:03 pm
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Delivered by email
cannabis@canada.ca

RE: Cannabis (Marijuana) Production Facilities

Please be advised the above-noted matter was placed before Council at its meeting held on March 23, 2021 and the following resolution was passed:

- 1) That Council enact Cannabis Interim Control By-law 2021-023-ZO, for a period of 1-year, in order to undertake a Cannabis Cultivation and Production Regulatory Study to support the development of an appropriate regulatory municipal and planning process; and
- 2) That Council direct Staff to fund the Cannabis Regulatory Study in the amount of \$35,000, excluding HST, through the Ontario Cannabis Legalization Implementation Fund; and
- 3) That Council direct Staff to forward this report to Health Canada, all York Region MP's, Premier Doug Ford, Honourable Paul Calandra, MPP, Honourable Doug Downey, Attorney General of Ontario, the Alcohol and Gaming Commission of Ontario, the Regional Municipality of York, with the request that legislation be enacted to support local governments with regulation and enforcement of legal and illegal cannabis operators; and
- 4) That Council direct Staff to develop a standard internal procedure for cannabis related complaints; and
- 5) That Council direct Staff to distribute this report to AMO, FCM, all regions in Ontario, with a request to the Province of Ontario and the Federal Government to provide additional funding through the Ontario Cannabis Legalization Implementation fund for the development of local policies and legislation to enforce and to mitigate the negative impacts on residents caused by illegal cannabis cultivation facilities.

Please find attached a copy of Staff Report No. DS-008-21 regarding Cannabis (Marijuana) Production Facilities.



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If you have any questions, please contact Haiqing Xu, Director, Development Services at haiqing.xu@townofws.ca or 905-640-1910 x2431.

Yours truly,

Kristina Soolepp, Council Coordinator
(905) 642-4130

Attachments

cc. York Region MP's
Premier Doug Ford
Honourable Paul Calandra, MPP
Honourable Doug Downey, Attorney General of Ontario
Alcohol and Gaming Commission of Ontario
Regional Municipality of York
AMO
FCM
All regions in Ontario



Town of Whitchurch-Stouffville Council Report

Item 2

Subject: Cannabis (Marijuana) Production Facilities

Staff Report No. DS-008-21

Department: Development Services

Date: March 23, 2021

Recommendation:

- 1) That Council enact Cannabis Interim Control By-law 2021-023-ZO, for a period of 1-year, in order to undertake a Cannabis Cultivation and Production Regulatory Study to support the development of an appropriate regulatory municipal and planning process; and**
- 2) That Council direct Staff to fund the Cannabis Regulatory Study in the amount of \$35,000, excluding HST, through the Ontario Cannabis Legalization Implementation Fund; and**
- 3) That Council direct staff to forward this report to Health Canada, Premier Doug Ford, Honourable Paul Calandra, MPP, Honourable Doug Downey, Attorney General of Ontario, the Alcohol and Gaming Commission of Ontario, the Regional Municipality of York, with the request that legislation be enacted to support local governments with regulation and enforcement of legal and illegal cannabis operators; and**
- 4) That Council direct staff to develop a standard internal procedure for cannabis related complaints.**

1. Purpose:

The purpose of this report is to obtain Council direction on a process for regulating and enforcing cannabis (marijuana) production facilities, also referred to as cannabis production facilities in this report, within the Town of Whitchurch-Stouffville.

2. Executive Summary:

Following the legislative approvals by the Federal government to legalize recreational cannabis, the Town has faced an increase in the amount of interest to develop cannabis production facilities, along with complaints from the public regarding these facilities. Council has directed staff to report back with a task force strategy to address illegal cannabis grow operations. In this context, staff feel it is important to address cannabis from a regulatory and enforcement perspective. Staff have outlined the land use planning, regulatory and enforcement considerations in dealing with both legal and illegal cannabis production facilities, including a proposed framework for next steps.

3. Background:

In 2013, the Federal government released regulation regarding marijuana production known as the Marijuana for Medical Purposes Regulations (MMPR). Through a February 3, 2015 report to Council (Report #6), staff were given direction that Medical Marijuana Facilities only be permitted on lands designated Agricultural, Oak Ridges Moraine - Countryside Area and Oak Ridges Moraine - Linkage Area in the Town's Official Plan, subject to site-specific rezoning to permit the use and to establish the appropriate regulatory provisions. In the absence of other regulatory policies, staff have continued to advise interested individuals of this approach.

On October 17, 2018 Ontario passed Bill 36, the Cannabis Statute Law Amendment Act. This Act provides the legal structure for private cannabis retail in Ontario. The Act provides a licensing framework for the production, testing, packaging, labelling, delivery, transportation, sale, possession or disposal, importation and exportation of medical and recreational cannabis.

On November 20, 2018 staff brought forward a Council report outlining available details regarding both retail cannabis and public consumption and enforcement of recreational cannabis (see Report DS-059-18). After that date, more details were released pertaining to the regulations for the private sale of recreational cannabis. Staff provided a summary of the updated regulations in Report DS-061-18 on December 18, 2018. Following staff Report DS-021-19, Council made the decision to opt-in to allow private retail cannabis stores within the Town.

On October 20, 2020 Council directed staff to report back on the creation of a task force strategy to address illegal cannabis grow operations. The lack of a municipal framework

for both regulation and enforcement has created challenges in addressing cannabis related issues within the Town. Rather than create a task force, staff are recommending a hybrid approach, that will include a study in order to address the regulatory issues and the creation of internal procedures for addressing complaints. This will be completed with the help of a staff working group.

Over the last several years, Town staff have experienced an increased amount of inquiries as well as pre-consultations related to cannabis production facilities. Without a current comprehensive regulatory framework in place, staff have been applying the previous Council direction (Report #6, Amendments to Federal Medical Marijuana Access Regulations), as an interim solution in the consideration of cannabis production facilities within the Town. Due to an increase in interest related to cannabis production facilities, along with illegal production activities, it is now recommended that a clear direction and regulatory framework be established for the Town.

The Cannabis Act

The Federal government has updated the terminology related to cannabis. Previously, cannabis was referred to as “marihuana”. This changed after the release of the Access to Cannabis for Medical Purposes Regulations (ACMPR) in August 2016. This change of terminology has continued under the Cannabis Act, as the term “cannabis” is deemed to be more appropriate within a regulatory context over the term “marihuana”.

Cannabis is commonly used as a broad term to describe the products derived from the leaves, flowers and resins of the *Cannabis sativa* and *Cannabis indica* plants, or hybrids of the two. These products exist in various forms, such as dried leaves or oils. They are used for different purposes, including medical, non-medical, and industrial purposes. Under the Cannabis Act, cannabis is broadly defined and includes:

- Any part of the cannabis plant, other than mature stalks that do not contain leaves, flowers or seeds, the cannabis plant fibre, or the plant root.
- Any substance or mixture of substances that contains or has on it any part of a cannabis plant.
- Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

Marihuana (marijuana) is commonly used to refer to parts of a cannabis plant, such as the leaves or flowers. It not a defined term under the Cannabis Act. Under the Controlled Drugs and Substances Act, marihuana is referred to as a form of cannabis.

Under the Cannabis Act and regulations, cannabis may be produced in three ways:

- 1) By a licensed commercial producer for medical or recreational purposes;
- 2) By a registered or designated person for medical purposes; or,
- 3) By any adult for personal recreational use.

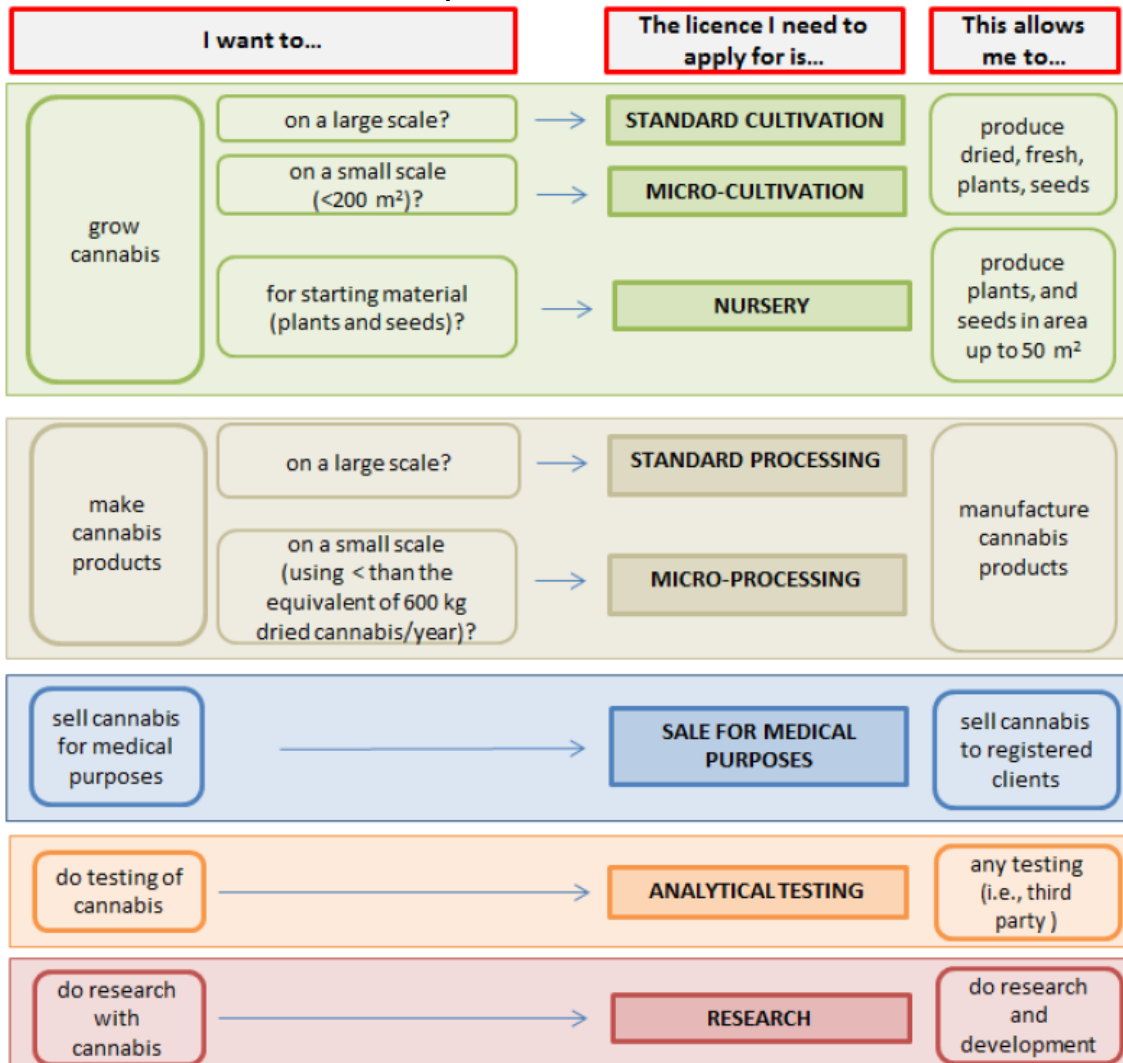
The Cannabis Act – License Classes

The Cannabis Act has established a series of license classes related to cannabis approvals, including:

- Cultivation;
- Processing;
- Analytical Testing;
- Sale (Medical Purposes);
- Research; and,
- Cannabis Drug.

As shown in Figure 1 below: Licenses under the Cannabis Act (Cannabis Licensing Application Guide – Government of Canada), there are a series of subclasses of licenses applicable to cannabis cultivation.

Figure 1: Licenses under the Cannabis Act (Cannabis Licensing Application Guide – Government of Canada)



Types of **Cannabis Cultivation** Licences (Indoors and Outdoors):

- **Micro-cultivation** permits:
 - production of dried and fresh cannabis, cannabis plants and cannabis plant seeds;
 - ancillary activities include drying, trimming and milling;
 - maximum cultivation area of 200m² (2,100 ft²) for a total of 400 plants.
- **Standard Cultivation** permits:
 - production of dried and fresh cannabis, cannabis plants, and cannabis plant seeds;
 - ancillary activities include drying, trimming and milling;
 - No maximum cultivation area. Facilities range in size from 2,000m² to 200,000m²:
 - Small: 2,000m² (21,000 ft.²) growing area with up to 4,000 plants
 - Medium: 20,000m² (210,000 ft²) growing area with up to 40,000 plants
 - Large: up to 200,000m² (2,100,000 ft²) with 400,000 plants.
- **Nursery** permits:
 - production of cannabis plants and plant seeds;
 - ancillary activities include drying;
 - Maximum permitted area for producing plants with the purpose of obtaining cannabis plant seeds is 50m².

Those approved under the cultivation license class, may conduct cannabis sales and distribute to other license holders and provincially authorized retailers.

Types of **Cannabis Processing** Licences (Indoors):

- **Micro-processing** – Permitted to process up to 600 kg of dried flower (or its equivalent) per year.
- **Standard Processing** – No maximum processing amount per year.

Those approved under the processing license class, may conduct cannabis sales and distribute to other license holders and provincially authorized retailers.

On a single site, applicants are permitted to receive a combination of license classes and subclasses, as described in Figure 2 below.

Figure 2: Combination of Licenses (Cannabis Licensing Application Guide – Government of Canada)

	Standard Cultivation	Micro-cultivation	Nursery	Standard Processing	Micro-processing	Sale ²	Analytical Testing	Research
Standard Cultivation				✓		✓	✓	✓
Micro-cultivation					✓	✓	✓	✓
Nursery						✓	✓	✓
Standard Processing	✓					✓	✓	✓
Micro-processing		✓				✓	✓	✓
Sale ²	✓	✓	✓	✓	✓		✓	✓
Analytical Testing	✓	✓	✓	✓	✓	✓		✓
Research	✓	✓	✓	✓	✓	✓	✓	

The Cannabis Act also permits individuals to grow up to 4 cannabis plants per residence either indoors or outdoors, regardless of the number of adults living in the residence. Individuals do not require a licence for cultivation of cannabis of a personal recreational nature. Since individuals are within their legal rights to grow 4 cannabis plants per residence, there is no regulation required for this purpose. Adults are only permitted to cultivate cannabis plants at the residence in which they ordinarily reside.

Licence Requirements

The Town does not have to fulfill any requirements for an applicant to receive a Federal license. As part of the requirement to obtain a license, Section 7(1) of the Cannabis Act requires that applicants provide written notice to the local government, local fire authority and the local police force before submitting an application to the Minister. As such, Town staff should be receiving a written notice from any applicant interested in a Federal license for cannabis.

To date, the Town has not received formal written notice from any interested applicant. In the experience of Staff, there have been several pre-meetings prior to any formal submission of pre-consultation applications, along with four formal pre-consultation applications. This is in addition to many inquiries related to cultivation, processing and packaging of cannabis in both the Town’s agricultural and industrial areas.

Additionally, in accordance with the Cannabis Act, license holders are required to notify the municipality when a new license has been issued within 30 days of the issuance of the licence.

The Cannabis Control Act, 2017

Each province is responsible for the regulation of the purchase and sale of cannabis under its jurisdiction. In Ontario, there are two options to purchase recreational cannabis - either

from the online Ontario Cannabis Store or from privately-run dealers in a retail store that has been authorized. The privately-run authorized dealers are licensed by the Alcohol and Gaming Commission of Ontario (AGCO). As part of the AGCO process, the Town has opted-in to allow cannabis retail stores in the Municipality.

Local Municipalities

Local municipalities are responsible for the implementation and local planning and enforcement regulations related to cannabis production. As mentioned above, the Town currently does not have a comprehensive regulatory framework in place, apart from the 2015 Council direction. There is need at this time for further Council direction, along with policies and regulations that provide comprehensive guidance on the Town's position on cannabis production facilities. The [Municipal Guide to Cannabis Legalization](#) developed by the Federation of Canadian Municipalities (FCM), outlines possible municipal approaches in terms of policy options available through the Official Plan and regulatory options available through the Zoning By-law for commercial cannabis cultivation and processing. Below is a summary of some of the options available to local municipalities in regulating cannabis facilities from a planning perspective:

Official Plan Policy Options:

- Simply allow the activities to occur within the rubric of existing land use regulations, as agricultural or industrial activities in the case of production and industrial or manufacturing activities in the case of processing.
- Carve the activities out from existing permitted use categories, to be permitted only at locations specified in the regulations or under the authority of a special use permit.
- Carve the activities out from existing permitted use categories, with an exception for existing cannabis production operations that were established under the medical cannabis regime.
- Prohibit the activities entirely, as activities that the local government simply does not wish to permit within its jurisdiction, if the enabling legislation permits prohibition of uses.

Zoning By-law Regulatory Options:

- Make no regulatory change or amend existing regulations to make it clear that activities related to the commercial production or processing of cannabis are included in permitted or permissible use categories.
- Amend existing permitted or permissible use categories to exclude commercial cannabis production or processing activities, except at specific locations or under the authority of a special permit.
- As immediately above, but limit production to the scale that is appropriate to supply cannabis for medical uses.
- Add these activities to a list of prohibited uses or amend all permitted or permissible use categories that could conceivably include them, to specifically exclude the activities.

4. Analysis and Options:

This section provides an outline and analysis of the land use and enforcement considerations regarding cannabis production facilities in the context of the development of a regulatory framework for the Town. The considerations outlined in this section are based on the research conducted and approaches being taken by other local area municipalities. This may not be a comprehensive list and may not necessarily reflect the ultimate recommended approach. Attachment 1 to this report provides an overview of the different approaches being taken by other municipalities.

4.1 Land Use Planning Considerations

a) Cannabis as a Normal Farm Practice

In some cases, the opinion of owners/potential owners of cannabis facilities is that the growing of cannabis compares to a typical agricultural operation and thus should be protected under the Farming and Food Production Protection Act, 1998.

According to the Farming and Food Production Act, 1998, a normal farm practice is defined as a practice that,

- a) is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances, or
- b) makes use of innovative technology in a manner consistent with proper advanced farm management practices;

This interpretation means that an individual who is growing cannabis cannot be liable for nuisance in an agricultural operation carried as a “normal farm practice”. In order to overcome any issue surrounding the enforcement of cannabis, municipalities have amended their Zoning By-laws with explicit definitions and regulations to clearly state the applicable standards for cannabis facilities. By explicitly defining and stating the applicable standards, municipalities have more power to enforce cannabis facilities and apply fines and penalties as required.

b) Cannabis Facility Regulation

In order to develop appropriate policies and regulations regarding cannabis production facilities regulation, there are a number of decisions that will be required regarding how cannabis can and should be cultivated within the municipality. For example, other municipalities have chosen to permit outdoor growing of cannabis or only permit cannabis in greenhouses or other indoor facilities. If the Town chooses to only permit cannabis growth in greenhouses or other indoor facilities, the facility will be required to provide proof of compliance with federal licensing and odour abatement.

Another consideration is where cannabis production facilities should be permitted. In some municipalities, cannabis has been permitted in industrial areas since greenhouse facilities take up large amounts of land and it is deemed to be incompatible within the agricultural designation.

As per Section 40 of the Cannabis Act, an authorized license holder must not conduct any activity that is authorized by the license in a dwelling. Accordingly, the Town is able to provide guidance on residential uses not being permitted through the regulation.

Section 41 of the Cannabis Act clarifies that only cannabis cultivation, propagation and harvesting may occur outdoors while testing, storage, packaging and labeling of cannabis cannot occur outdoors. These requirements can be accommodated through the Zoning By-law.

In matters of local regulation, it may be beneficial to the Town to distinguish between different forms of cannabis production facilities and associated regulations. This would also mean that the Town should consider creating land use regulations for cannabis production and cannabis processing as separate activities.

The production of cannabis for non-medical use at a commercial scale is an activity that has some similarities to certain agricultural uses carried out in greenhouses, usually but not necessarily in Agricultural zones. As a result, greenhouse agriculture is at times permitted in Business Park zones and Industrial zones. Since there are two main scales of cannabis cultivation – micro-cultivation and standard cultivation, it is up to the local municipality to decide whether the scales should be distinguished through the regulatory zoning process. The distinction may be made through the basis of the cultivation area or the product volume or weight.

Since cannabis cultivation is deemed to be an intensive form of agriculture, a typical cannabis production facility needs a supply of water for irrigation, electricity for lighting, and energy for heating. For any application, it is vital for the proper assessment of adequate utilities available to ensure appropriate land use management consideration. Thus, consideration for the capacity of the utility systems needed to support the permitted land uses is required when determining if cannabis cultivation and processing is permitted in Agricultural zones, Industrial zones, or any other zones.

Furthermore, the Town can also use the Zoning By-law to regulate outdoor storage, the landscaping of land or buildings, signage, and access and parking for cannabis cultivation production facilities.

c) Security & Safety

All cannabis cultivation facilities are required through the regulations to meet certain security requirements. Security considerations for each prospective site outlined in the *Cannabis Act* include:

- The site must be designed to prevent unauthorized access.
- The site boundary must be monitored by a visual recording device which is capable of recording any unauthorized access attempt. It should also be able to detect any attempt or actual unauthorized access to the site and any attempt or actual tampering with the system.
- Operation and storage areas must be surrounded by a physical barrier that prevents unauthorized access and the entry and exit point of the grow area must also be monitored at all times by a visual recording device.
- The license holder for micro-cultivation, micro-processing or nursery must ensure that the site and storage areas have a physical barrier to prevent unauthorized access and, is designed in a manner that prevents unauthorized access.

All cannabis production facilities require heightened security that is typically associated with high-value crops.

Additionally, it is important that the commercial-scale processing of cannabis be considered in the development of a regulatory framework. For example, the extraction of cannabis oil can involve the use of butane, which is explosive at ordinary temperatures. Commercial scale processing of cannabis may be considered in the development of the regulatory framework which may include but not be limited to appropriate zoning, planning and building criteria.

For this industrial-type activity, appropriate zones may be Industrial zones or in buildings with specific design and construction characteristics which would need to be regulated through the planning and building process of applications. Moreover, all appropriate fire safety regulations are required to be adhered to.

d) Lighting

Lighting is an important requirement to grow cannabis. At different stages of growth of the cannabis plant cycle, more or less lighting is required. As part of the cannabis production facility design, some facilities are designed to take advantage of the natural light through the installation of skylights with retractable blackout blinds while others solely use artificial light. Lighting may also be required externally for the exterior security of the cannabis production facility itself. In some municipal experiences, the lighting used for security has been seen as a nuisance, particularly when the facilities are located in rural and agricultural areas.

Through the development approvals process, options available to the Town that other municipalities have requested include the request for photometric plans and a review the building and site design to ensure that the proposed lighting is within the site and does not negatively impact neighbouring properties.

Additionally, applicants will need to ensure that there are adequate utilities available to support cannabis facilities.

e) Landscaping

Appropriate landscape requirements can create buffer and increase the visual aesthetic of cannabis production facilities. This may be included as a requirement of the development application approvals process. The requirement of landscaping may also help in reducing nuisance related complaints. Fencing may also be required as part of the landscaping to ensure the safety of a property. The requirement for a landscaping plan through the development approvals process can facilitate this component of a potential facility.

f) Water Requirements

Depending on the nature of the cannabis cultivation and facility design, cannabis production facilities may require significant amounts of water which is typically similar to other agricultural uses. For any operation taking 50,000 litres of water a day or more from surface or ground water services, a Permit to Take Water is required from the Ministry of Environment, Conservation and Parks (MOECP). As part of the process, all permit holders are required to collect and record the volumes of water taken daily and submit records annually to the Ministry.

As the MOECP classifies wastewater from greenhouses as sewage, an Environmental Compliance Approval (ECA) from the Ministry may also be required for wastewater and/or storm water discharge from greenhouses or agricultural buildings where cannabis crops are grown indoors. In cases where the wastewater is discharged directly into a sanitary sewer, exemptions are provided.

Due to the requirement of water, the Town may need to prohibit cannabis facilities in certain areas in the Zoning By-law.

In the experience of other municipalities, there have been concerns that excess water may be contaminated by means of unauthorized municipal water connections that risk back-flow into the municipal water services. Additionally, there is also concern of implications of septic with high employment at a facility.

g) Minimum Distance Separation

Another planning related consideration is the distance of cannabis facilities from other potential sensitive land uses. In such a case, the development of minimum

distance separation requirements for cannabis production facilities from uses identified as sensitive could be beneficial. Regulations can be imposed to restrict the location of cannabis cultivation and processing facilities from being established within a specific distance of schools, parks, daycares, community centres, recreational facilities, residential uses, estate residential areas, and other cannabis facilities.

In the Town's current Zoning By-law, uses of a sensitive nature can be found in all zones. A comprehensive review of the zones would be required to establish parameters for minimum distance of separation requirements.

In addition to implementing setbacks through the Zoning By-law, another approach that can be considered is to either locate cannabis production facilities in certain areas or distance cannabis facilities from one another by imposing minimum distances between each facility.

Through a review of other municipalities, most require a setback of 150 metres for cannabis production facilities near existing sensitive land uses or from specific zone in the Zoning By-law. In some cases, mainly dependent on appropriate air filtration systems in indoor cannabis facilities, some municipalities require a setback of 300 metres. Setback requirements also differ based on whether indoor or outdoor cultivation is permitted.

In order to implement setback regulations, a mapping exercise would need to be undertaken to determine if there is an appropriate amount of land parcels available after the implementation of the zoning regulations and setbacks.

4.2 Enforcement and Regulation Considerations

In addition to the regulatory context that can be dealt with through the planning process, the enforcement context is also a required consideration. Despite the fact that cannabis is regulated by the federal and provincial levels of government, local municipalities and local law enforcement are essentially responsible at the implementation level. However, there are limitations to that enforcement which is causing gaps in dealing with illegal cannabis operations.

a) Building Code & Enforcement

Municipal enforcement roles are required for inspection and compliance with provincial building codes and Municipal By-laws. This also includes disputes over nuisance issues. As a result, considerations for what will be enforced and how that work aligns with municipal partners to ensure appropriate levels of support is an important consideration.

Illegal cannabis production often results in building code compliance issues as it is common to see shoddy construction, overloaded or bypassed electrical wiring, private security measures that block required fire exits, unauthorized municipal water connections that risk back-flow into municipal water services and, persistent mould and air quality issues that endure even after cannabis production has ended.

Should the Town implement further regulation as a result of the recommended study, there may be an opportunity for the Town to recover investigation and enforcement costs from the building owners as outlined in the By-law.

Although one of the goals of legalizing non-medical cannabis is to undermine unlawful production, illegal facilities continue to persist. The Town continues to be required to inspect illegal cannabis production facilities operating without Federal permits or operating at a scale that exceeds the Federal authorization.

In conducting inspections, the Town is required to protect the safety of inspectors and act within the authority given to inspect and enforce By-laws without allowing the inspection to become an unlawful search and seizure for the purposes of enforcing Federal laws. If the Town is able to ensure that the work aligns with municipal partners, staff may coordinate such inspections with police and provincial health inspectors. Involving the police will ensure the safety of Town inspectors.

Staff have had discussion with key Town departments (Fire, Building, and By-law) and the Town's external partner (YRP) regarding cannabis production facilities. When required, Town staff, along with York Regional Police are able to follow-up on complaints that have been made through the correct channels. Ultimately, depending on the complaint, Health Canada also has the ability to enforce and if needed issue a withdrawal of the cannabis license approval.

In the current context, any complaint received requires coordination between key Town departments – the Building Department, By-law Enforcement, Fire & Emergency Services, and York Regional Police (YRP). In cases where a cannabis facility is determined to be a legal operation, Town staff are able to inspect the site as required. In the case that the cannabis facility is determined to be an illegal operation, Town staff coordinate with YRP and rely on the YRP's expertise and resources in order to investigate the site accordingly.

Generally, Town staff have limited enforcement powers. In the event of a complaint, By-law Officers are able to conduct an exterior inspection, however, By-law Officers require the permission or consent of the property owner to enter any dwelling/structure. Building Inspectors on the other hand require a complaint that specifically raises structural safety concerns to trigger a response and inspection. In the case of Fire, staff require a complaint specific to health and safety which would then trigger an inspection.

As the Town's mechanism of enforcement is limited, staff rely heavily on the resources and support of YRP to ensure that all complaints are resolved appropriately. Once YRP staff have visited the site in question, Town staff are then able to follow-up and do work as required on the site.

b) Nuisance

In many municipal cases, a public nuisance and/or odour By-law has been used to provide the Municipality with powers to regulate and enforce cannabis production. In general, the goal of such a by-law is to ensure the deterrence of any public nuisance that inadequately regulated growing of cannabis otherwise would create. Such By-laws use the powers granted through Section 128 & 129 of the *Municipal Act, 2001* as an authority for the regulation of cannabis facilities. As such, the Municipality has the authority to address:

- Unregulated odour;
- Potential criminal activity by the growers;
- Potential trespassing to steal cannabis; or,
- Adverse impacts on agriculture and the environment from growers without a stake in the community who employ harmful growing practices, such as excessive fertilizer usage and unmanaged storm water run off.

A Nuisance By-law is a tool that can be used as specific regulation in relation to cannabis cultivation and processing businesses for the prevention of nuisance by requiring the annual maintenance and documentation of odour control equipment.

Nuisance By-laws can apply to both legal and illegal cannabis cultivation facilities. This allows for the regulation of the nuisance regardless of the legal status or whether federal licenses have been issued.

c) Odour

Cannabis production facilities need to adhere to all requirements to diminish the impacts of odour emissions as odour issues rank high in terms of nuisance related complaints received by local municipalities. Typically, cannabis production facilities can result in an increase of odour/nuisance complaints. Complaints around odour are very difficult to regulate and remediate.

Since cannabis related odours are hard to quantify objectively in terms of strength or character, setting regulatory standards is challenging. Odour is also particularly difficult to control as it is subjective person to person. Typically, the cannabis plant is known to produce odour once the plant begins to flower. The odour is most noticeable during the harvest period of the plant.

The usefulness of odour testing labs for regulatory purposes is questionable and testing may be onerous and expensive. Even if and when the quantification of odour can be satisfactorily addressed, the source of an odour can be challenging to prove to the standard needed in court. Thus, it is preferred to have proactive approaches to cannabis-related odour and nuisance abatement. For example, odour impact assessments and control plans can be included in the requirements for the required development approvals of cannabis facilities in circumstances where these are authorized and warranted.

Further basic locational criteria, zoning setbacks, landscaping, buffer and other similar requirements may be considered for certain types of facilities that are anticipated to cause odour and other nuisances.

In addition, through the development approvals process, the Town has the opportunity to require the submission of an odour management plan in order to demonstrate that the odours will not be noticeable in sensitive areas.

For indoor cannabis cultivation odour, it is most appropriate that cannabis production facilities are required to implement Town approved odour controls determined through an odour management plan. Typically, cannabis cultivation production facilities utilize industrial grade carbon air filtration systems or H13 high efficiency particulate air (HEPA) filters to reduce and/or treat the emission of pollen particulate and odours from the facility before it is released into the environment. If indoor cannabis production facilities are equipped with an appropriately designed and installed air filtration system, there is a potential for odours found outside of the building to be reduced.

For outdoor cannabis cultivation odour, greater setbacks for sensitive land uses can be considered if outdoor cannabis cultivation is permitted. Setbacks may help in reducing the amount of odour to neighbouring properties.

4.3 Staff Safety

Through conversation with key Town departments, staff have found that the main concern for all departments, is staff safety and security. Upon receiving a cannabis related complaint, the priority in all cases is to first ensure staff safety and security for complaints on both legal and illegal cannabis facilities. Town staff have identified that moving forward, staff require training and resources to ensure the safety of individuals completing inspections.

4.4 Financial Considerations

There is concern about economic implications of cannabis facilities on municipalities. In some municipalities, there are cases where residential owners are paying more in taxes than producers of cannabis. This is because agriculture does not have a high tax base compared to residential. There is concern that residents may move out of an area when cannabis operations move in

Furthermore, there is concern about additional cost to municipalities when producers don't pay their 'share' of taxes. This is because cannabis facilities typically experience low agriculture tax rates, high use of infrastructure but no development charges and, other exemptions to cannabis producers.

Additionally, the Town may want to consider an alternative avenue to gain revenue from cannabis production and processing facilities. To date, there is no precedence of this from other municipalities. If the Town does choose to pursue this revenue mechanism, it will be a made-in Stouffville option unique to the Town.

4.5 Assistance from Upper Levels of Government Required

Other municipalities have raised similar concerns regarding cannabis cultivation and processing, as have been outlined in this report. The Municipality of Tweed passed a resolution dated August 25, 2020 (Attachment #2). The resolution is directed at the need of support from the Federal and Provincial level regarding clarification, regulation, and enforcement of cannabis at the municipal level. Staff are in support of this resolution and agree that further clarification on cannabis is needed from Health Canada. Staff agree that better engagement is needed from the Alcohol and Gaming Commission of Ontario and that the Federal and Provincial Government should provide support and resources to municipalities for cannabis enforcement. Staff also request that Federal and Provincial Governments provide local area municipalities with enforcement support for legal and illegal cannabis operations.

4.6 Next Steps & Recommended Options

Interim Control By-law

As outlined above, there are many considerations that need to go into the regulation and enforcement of cannabis. The Town is currently lacking a comprehensive approach in this matter and requires both land use planning regulations and clear enforcement direction. In order to provide a proper comprehensive review of all of the land use matters, staff are recommending that Council enact an Interim Control By-law on cannabis cultivation and production facilities within the Town.

During a scan of municipal approaches to cannabis production facilities, a common Council direction has been the passing of a 1-year Interim Control By-law and if required,

extending the Interim Control By-law to 2-years. This has provided staff with the ability to conduct a comprehensive land use planning study and develop an appropriate approach for zoning of cannabis production facilities.

There is a considerable amount of work required to assess the land use planning considerations as mentioned in this report. An Interim Control By-law will ensure that staff can undertake a more comprehensive assessment of cannabis cultivation and processing within the context of the Town. This temporary pause on planning applications for cannabis cultivation and production facilities in the Town will allow staff to carry out a study to develop the regulatory framework for cannabis in the Town.

Staff recognize that the Interim Control By-law will only capture cannabis operators that are approaching the Town through the legal regulatory process. The Interim Control By-law will be unable to capture any illegal cannabis facility operators in the Town. However, the Interim Control By-law can be enforced at the building permit level for any applicants seeking building permits for cannabis production facilities. In order to complete a comprehensive study on the regulatory framework for cannabis in the Town, staff request that Council follows the approach of other local area municipalities and directs staff to immediately implement the Interim Control By-law. The implementation of such By-law will provide staff with the opportunity to formulate tools of enforcement for both legal and illegal cannabis operators through the study.

Cannabis Cultivation and Production Regulatory Study

Staff recommend that a Cannabis Cultivation and Production Regulatory Study be undertaken to address the land use planning considerations outlined in this report. The scope of the work can include a review and update of the Nuisance By-law or determine if it is appropriate to have a separate cannabis-specific Nuisance By-law, draft Official Plan, Zoning By-law and Site Plan Control By-law amendments. A mapping exercise will also be undertaken to determine the availability of parcels following the regulatory constraints placed by the Town.

In addition to the above components, the Town would require the completion of a background report to review and analyze the policy implications related to cannabis cultivation and processing.

Other items to address will include defining sensitive land uses in the Town as it relates to cannabis. Through this process, the Town will be able to consider areas to permit the use subject to setbacks and other requirements and, areas to prohibit the use.

Consideration for the creation of a Cannabis By-law for a Town-wide cannabis governing approach would also be undertaken as part of the scope of the project. Subject to further scoping, the purpose of this By-law would be to provide Town Enforcement Officers and Inspectors with the ability to enter cannabis cultivation and processing facilities without a warrant after receiving complaints and to check for compliance on regulatory matters.

Additionally, the study may also be able to examine possible financial opportunities from having cannabis production processing facilities in the Town. This will require working with Finance staff to build a viable, made-in-Stouffville option to capture such opportunities. Such mechanisms may include requiring additional fees or securities in the Site Plan Agreement in order support the Town with cost recovery and support Town staff with costs associated with training and equipment.

There are two options to consider in undertaking such a study at this time:

Option A: Retain a Consultant

To achieve the next steps, staff recommend Council consider retaining a consultant to undertake a potential study for cannabis cultivation and processing. Retaining a consultant will especially be helpful in completing the required technical work while analyzing where to permit cannabis cultivation and processing in the Town.

Retaining a consultant will enable Planning staff to create a comprehensive process to address new and innovative approaches to cannabis within the Town. As recreational cannabis cultivation and processing has only recently gained Federal approvals, similar to other local Municipalities, Town staff have found that there is no precedence for the Town to follow. The Region has allowed local Municipalities to decide their own approach and the Federal and Provincial level governments have only produced guiding material. As such, any approach taken will be a built-in-Stouffville approach and retaining a consultant will provide staff with the opportunity to explore innovative solutions for the Town. A consultant may also support the Town by working alongside staff to create an approach that best fits the Town to common nuisance concerns due to cannabis and determine appropriate economic considerations for the Town.

Option B: Town to Lead Project

Alternatively, the Town may use staff resources to conduct a comprehensive study and complete the required components to address cannabis cultivation and processing facilities in the Town. From a resource perspective, this is not the preferred approach as it will result in a much longer project timeframe in comparison to retaining a consultant. Town staff also do not have all of the necessary technical knowledge in-house to undertake such an exercise. Additionally, as there have now been other similar studies undertaken by other municipalities, there are consultants who may have very specific subject matter expertise that would prove to be beneficial to the Town.

Internal Processes and Procedures

Establish Working Group

In order to promote cross-departmental and cross-agency collaboration, staff recommend the establishment of a Cannabis Working Group. The Working Group will include key Town departments – Building, By-law, Fire, and Planning, and the Town's external partners YRP, TRCA, LSRCA and others as identified. The Working Group will be a

means for Town staff to identify resources and share information and updates on cannabis related activity.

Establish Internal Complaint Process

Through discussion with Fire, Building, and By-law departments, Staff have recognized that the Town should consider an internal process of developing a standard procedure for cannabis related complaints. Under the direction of Council, Staff can work with customer service and other front-line customer service support departments to ensure that all cannabis related complaints are directed internally to the Fire department and externally to YRP. Once any cannabis related complaints are directed to the correct channels, staff will be able to follow-up to complaints and respond accordingly.

5. Financial Implications:

It is estimated that the cost to undertake a Study with the expertise of a consultant will be in the order of \$35,000. Staff recommend that this be funded through the Ontario Cannabis Legalization Fund. The Town of Whitchurch-Stouffville has received funds through this program that was established to help Ontario municipalities with the implementation costs of recreational cannabis legalization.

The direction from the Ontario Cannabis Legalization Fund, states that Municipalities are required to fall within the guidelines of the examples of permitted costs to be permitted to use the Fund. Since the staff are proposing By-law and policy development in order to regulate cannabis facilities in the Town, staff would be permitted to use the funds as it falls within the examples of permitted costs. As mentioned previously, the funds will be used to retain a consultant who would support the Town in completing technical work required for the study.

As outlined in this report, the Study will require the consultant to have extensive subject matter and technical knowledge and experience related to cannabis and a regulatory framework. A scope of work may include:

- A comprehensive mapping of all the land parcels in the Town to determine the availability of lands with the regulatory context in place,
- Determining the appropriate setbacks or minimum distance of separation between sensitive uses in the Town,
- Determining if the Town should consider both outdoor and indoor cannabis or apply restrictions to limit the production to just one,
- Creation of zoning regulations and performance standards
- Consideration of standards to reduce nuisance caused by odour,
- Development of policies and tools to support Town staff in enforcement of legal and illegal cannabis facilities, and
- Determination of the resources and support Town staff require to enforce legal and illegal cannabis cultivation and production in the Town.

As per the guidelines which outline the permitted use of the funds from the Ontario Cannabis Legalization Fund, the Town would be able to carry out the proposed work program as it directly relates to By-law and policy development.

6. Alignment with Strategic Plan:

1. Expanding the tax base through a growing, diversified economy
Building and maintaining a tax base that supports the highest quality program and service delivery.
 - Update the Economic Development strategy and continue to attract businesses to locate in WS
 - Identify expansion areas for Industrial / Commercial growth

7. Attachments:

1. Review of Municipal Approaches to Cannabis
2. Municipality of Tweed Cannabis Resolution

8. Related Reports:

- December 18, 2018 – DS-061-18 – Cannabis
- November 20, 2018 – DS-059-18 – Cannabis
- February 3, 2015 – Report #6 – Amendments to Federal Medical Marijuana Access Regulations (D26)

Author: Zahrah Khan, Policy Planner II
Meaghan Craven, Manager, Policy Planning

For further information on this report, please contact the Department Head: Haiqing Xu, Director, Development Services at 905-640-1910 or 1-855-642-8697 ext. 2431 or via email at haiqing.xu@townofws.ca.

Review of Municipal Approaches to Cannabis

Municipality	Permitted Areas	Use	Comments
Town of Pelham	Agriculture General Industrial	Cannabis-related Use – Indoor Industrial Hemp-related Use - Indoor	<ul style="list-style-type: none"> • OPA/ZBA completed • Interim Control By-law from (October 2018 – July 2020) • Defined ‘cannabis-related use – indoor’, ‘cannabis-related use – outdoor’, industrial hemp-related use – indoor’, ‘industrial hemp-related use – outdoor’, ‘sensitive land use’ • Setback (outdoor) from a sensitive land use - 300 m (984 ft) • Indoor cannabis cultivation permitted • 1 parking space per 100 m² (1076.39 ft²) of gross floor area • Minimum lot area for micro-processing and micro-cultivation is 3 ha • Minimum lot area for standard processing and standard cultivation is 10 ha • Maximum lot coverage in an Agricultural zone is 30% • No storage area permitted within 30 m of a street or the lot line of an adjacent lot with a residential use • Odour By-law

Municipality	Permitted Areas	Use	Comments
Town of Halton Hills	Agriculture Protected Countryside	Cannabis Cultivation – Outdoor	<ul style="list-style-type: none"> • OPA/ZBA completed • Interim Control By-law (1-year) • Defined ‘cannabis analytical testing facility’, ‘cannabis cultivation – indoor’, ‘cannabis cultivation – outdoor’, ‘cannabis drug production facility’, ‘cannabis processing facility’, ‘cannabis research facility’ • Setback (outdoor cultivation) from lot lines minimum 50 m • Minimum setback to sensitive land uses is 150 m • Minimum parking space requirement (net floor area) <ul style="list-style-type: none"> • 1/30 m² for the first 1,000m², 1/100 m² for the floor area between 1,000 and 5,000m² plus 1/200m² in excess of 5,000m² • Site Plan Control requirement • Outdoor cultivation, storage or processing is not permitted • Indoor cannabis cultivation permitted
	Urban Employment Rural Employment	Cannabis Analytical Testing Facilities Cannabis Cultivation -Indoor, Cannabis Cannabis Drug Production Facilities Cannabis Processing Facilities Cannabis Research Facilities	

Municipality	Permitted Areas	Use	Comments
Norfolk County	General Industrial Light Industrial Rural Industrial Agricultural	Cannabis Production and Processing	<ul style="list-style-type: none"> • ZBA completed • Defined 'cannabis', 'cannabis production and processing', 'air treatment control system' • 'Medical Marihuana Production Facility' is replaced with 'Cannabis Production and Processing' • Amended the definition of farm, gardening centre, and wholesale outlet to specifically exclude a cannabis production and processing use • Cannabis Production Processing building in the Industrial zone containing an air treatment control system cannot be closer than; <ul style="list-style-type: none"> • 70 m to any Residential, Institutional, or Open Space zone • 150 m to any dwelling, public school, private school, place of worship, or day care nursery • Cannabis Production Processing building in the Agricultural zone containing an air treatment control system cannot be closer than; <ul style="list-style-type: none"> • 70 m to any Residential, Institutional, or Open Space zone • 150 m to any dwelling, public school, private school, place of worship, or day care nursery • Cannabis Production Processing building that does not contain an air treatment control system located in a Agricultural or Industrial zone cannot be located closer than 300 m to any dwelling, public school, private school, place of worship, or day care nursery • Outdoor storage is prohibited • Site Plan Control required • Security building or structure does not need to comply with minimum setbacks and may be located in the front yard

Municipality	Permitted Areas	Use	Comments
Town of Bradford West Gwillimbury	Agriculture Marsh Agriculture Rural Natural Heritage System Two	Agricultural Use	<ul style="list-style-type: none"> • Interim Control By-law (2-years, currently in place) to prevent cannabis micro-cultivation operations on lands zoned Agricultural, Marsh Agricultural, Rural, Natural Heritage System Two • All cannabis growing facilities that require a Health Canada license are subject to Site Plan Control • Prepared Draft Nuisance By-law • Preparing Draft ZBA to permit cannabis cultivation facilities in Agricultural and Rural zones and prohibit cannabis cultivation facilities in the Marsh Agricultural, Rural, Natural Heritage System One and, Natural Heritage System Two zones • Proposed in Draft ZBA: <ul style="list-style-type: none"> • Minimum 150 metre setback from sensitive land uses (school, day care, playground, sporting venue, park, recreational area, residence, place of worship, community centre or any other place where people regularly gather or sleep • Minimum 150 metre setback from Settlement Area Boundary • Enclosed security fence having a minimum height of 1.8metre • Hooped style, free-standing greenhouses or other temporary style structures that are not adequately constructed as to prevent unwanted emissions, would not be permitted. • Minimum lot area 2 ha for Agricultural Cannabis Micro-Cultivation Facility

Municipality	Permitted Areas	Use	Comments
Town of Georgina	Restricted Industrial General Industrial Rural Business Park 3	Designated Cannabis Production Facility Licensed Cannabis Production Facility	<ul style="list-style-type: none"> • Prepared Draft ZBA • Interim Control By-law (1-year) • Defined 'air treatment control', 'cannabis production facility, designated', 'cannabis production facility, licensed', 'gatehouse', 'registered person' • Deleted 'Marihuana Production Facility', 'Research and Development Facility' • Parking requirement <ul style="list-style-type: none"> • Cannabis production facility licensed <ul style="list-style-type: none"> ▪ 2 spaces, plus 2 spaces per 95m² of non-residential floor area • Cannabis production facility, designated <ul style="list-style-type: none"> ▪ 2 spaces, plus 1 space per 95m² of non-residential floor area • Outdoor cultivation is prohibited • Designated or licensed cannabis production facility which contains air treatment control, minimum setback 150 m from Residential, Estate Residential, Institutional, Transitional, Rural zones • Designated or licensed cannabis production facility that does not contain air treatment control, minimum setback 300 m from Residential, Estate Residential, Institutional, Transitional, Rural zones • Designated or licensed cannabis production facility, minimum setback of 300 m from private or public school • Open storage prohibited in Rural zone

Municipality	Permitted Areas	Use	Comments
Township of King	Rural General	Agricultural Cannabis Production Facility Medical Cannabis Production Site	<ul style="list-style-type: none"> • Defined 'industrial cannabis production facility', 'agricultural cannabis production facility', 'medical cannabis production site', 'sensitive and use', 'air treatment control' • Minimum lot area for Rural General is 10 ha • Agricultural cannabis production facility or medical cannabis production site that is equipped with air treatment control has a setback of minimum of 150 m from a sensitive land use or any residential zone, institutional zone or open space zone • A medical cannabis production site that is not equipped with air treatment control has a setback of 300 m from sensitive land use or any residential zone, institutional zone or open space zone
	General Industrial Employment General	Industrial Cannabis Production Facility Medical Cannabis Production Site	

Municipality	Permitted Areas	Use	Comments
Town of Milton	Employment General Industrial Extractive Industrial Business Park Agricultural Rural	Cannabis Production and Processing Facility	<ul style="list-style-type: none"> • Defined 'cannabis production and processing facility' • Deleted 'medical marijuana production facility' • Minimum setback when located in an general industrial, extractive industrial or business park zone <ul style="list-style-type: none"> • Residential, institutional or open space zone 70 m • Residential or institutional use 70 m • Minimum setback when located in an agricultural or rural zone <ul style="list-style-type: none"> • Residential, institutional or open space zone 150 m • Residential use on a separate lot or an institutional use 150 m • Outdoor storage prohibited • Site Plan Control required • Update to Property and Standards By-law • Applicants required to submit: <ul style="list-style-type: none"> • Odour and Dust Impact Assessment • Light Impact Assessment • Transportation Impact Study • Hydrogeological Studies • Agricultural Impact Assessment

Municipality	Permitted Areas	Use	Comments
Town of Lincoln	Agricultural		<ul style="list-style-type: none"> • Defined 'cannabis production facility' • Interim Control By-law (1.5-year) • Site Plan Control required • Prohibited in a residential zone • Prohibited on any lot containing a dwelling • Minimum setback of 150 m required to any residential or institutional zone, parks, open space zone, any residential lot in an agriculture zone (i.e. a residential lot with a lot area of 4.0 ha or less), day nursery, school, community centre, place of entertainment, place of assembly, place of worship, long term care home, retirement home or cultural facility • Parking requirement is 1 parking space per 100m² of gross floor area • Outdoor storage prohibited • Minimum separation distance between cannabis production facilities is 1000m when located in an agricultural zone • Minimum lot area must be greater than 6.0 ha • No other use permitted on a lot with a cannabis production facility or within the building other than the growing of accessory agricultural crops • Minimum setback for all structures associated with a cannabis production facility is 30 m from all property lines • Building or structure used for security purposes can be located in the front yard and does not have to comply with the required minimum from yard setback • Loading spaces must be in a wholly enclosed building

Municipality	Permitted Areas	Use	Comments
Township of Brock	Restricted Industrial General Industrial Rural Industrial	Cannabis Production and Processing	<ul style="list-style-type: none"> • Interim Control By-law (2-years, extended March 2020) • Defined 'air treatment control', 'cannabis', 'cannabis production and processing', 'cannabis micro-cultivation', 'sensitive land use' • Site Plan Control required • Open storage prohibited under the cannabis production and processing use • Building or structure used for security purposes for cannabis production and processing does not need to comply with the required minimum front yard, side yard, and rear yard setbacks. • Setback of 300m from sensitive use for cannabis production and processing use not equipped with air treatment control located in rural, rural buffer, restricted industrial, general industrial, and rural industrial • Setback of 150m from sensitive use for cannabis production and processing use equipped with air treatment control located in restricted industrial, general industrial, rural industrial • Setback of 150m from residential, community facility, recreation, and open space zone for cannabis production and processing in rural and rural buffer • Setback of 70m from residential, community facility, recreation, and open space zone for cannabis production and processing in restricted industrial, general industrial and rural industrial
	Rural Rural Buffer	Cannabis Micro-Cultivation	

Municipality	Permitted Areas	Use	Comments
Municipality of Tweed	Rural Industrial	Cannabis Production Facility	<ul style="list-style-type: none"> • Defined 'cannabis production facility' • Cannabis production facility must be in a fully enclosed facility • Outdoor storage not permitted • Loading spaces must be in a fully enclosed facility • Security fencing must be installed around the facility • No use shall produce odour, glare, or noise that creates a nuisance • Setback of 70 m from residential, commercial, and community facility zone • Setback of 70 m from public school, private school, place of worship, and day nursery • On private water supply, the owner is required to confirm sufficient water for daily usage and adequate fire suppression. • On a private septic system or other on-site disposal system, the owner is required to confirm that the discharge from the facility can be safely treated in a private septic system alternative

Municipality	Permitted Areas	Use	Comments
City of Hamilton (Draft By-law)	Industrial Rural Agricultural	Cannabis Growing and Harvesting Facility	<ul style="list-style-type: none"> • Defined 'agricultural processing establishment – stand alone', 'agriculture', 'cannabis growing and harvesting facility' • Deleted 'medical marihuana growing and harvesting facility' • References to 'medical marihuana' deleted and replaced with 'cannabis' • Minimum setback of 150 m from a lot line of residential, institutional, commercial and mixed use zone • Minimum setback of 150 m from residential dwelling, building used for farm labour residence, mobile home, educational establishment, residential care facility, place of worship, day care, park in a rural classification zone • Outdoor storage prohibited

Municipality	Permitted Areas	Use	Comments
Town of Caledon (Draft By-law)	Prestige Industrial Serviced Industrial	Cannabis Production Facility	<ul style="list-style-type: none"> • Defined 'cannabis', 'cannabis production facility' • Deleted 'cannabis', 'marihuana', 'medical marihuana production facility' • Setback of 150 m from <ul style="list-style-type: none"> • Residential or institutional zone • Villages, hamlets, palgrave estate residential community • Lots containing school, day nursery, community centre or training facility aimed primarily at children less than 16 years of age • No open storage • Loading spaces in the rear and enclosed within the building • Site Plan Control required

Municipality	Permitted Areas	Use	Comments
Township of Cramahe	General Industrial Agricultural Rural Oak Ridges Moraine Countryside	Cannabis Production and Processing	<ul style="list-style-type: none"> • Interim Control By-law (extended 2-years) • Defined 'air treatment control', 'cannabis', 'cannabis production and processing' • Setback of 150 m of facility equipped with air treatment control from residential, community facility, open space and sensitive land uses • Setback of 300 m of facility not equipped with air treatment control from residential, community facility, open space and sensitive land uses • Setback of 300 m of agricultural, rural, and oak ridges moraine countryside cultivating cannabis from residential, community facility, open space and sensitive land use • Building or structure for security of the facility may be located in the front yard and does not have to comply with the required minimum front yard, side yard, and rear yard setbacks • Open storage prohibited • Site Plan Control required

Municipality of Tweed Council Meeting



Resolution No. 343
Title: County of Hastings and County of Lennox & Addington
Date: Tuesday, August 25, 2020

Moved by J. Flielera
Seconded by J. Palmateera

WHEREAS the Government of Canada passed the *Cannabis Act S.C. 2018, c. 16* legislation legalizing properties to grow a maximum of 4 plants without a licence; and

WHEREAS Health Canada issues licences for medicinal cannabis production that are specific to set properties without municipal consultation and regardless of land use zoning by-laws; and

WHEREAS pharmaceutical companies and industries are required to follow strict regulations and governing legislation to produce medicinal products including *Narcotic Control Regulations C.R.C., c 1041* and *Controlled Drugs and Substances Act (Police Enforcement) Regulations SOR/9-234*; and

WHEREAS Municipalities are authorized under the *Planning Act, R.S.O. 1990, C. P 13* to pass a comprehensive zoning by-law that is in compliance with the appropriate County Official Plan which must be in compliance with the Provincial Policy Statement, Under *The Planning Act, 2020*; and

WHEREAS the Provincial Policy Statement, Official Plan and Zoning By-Law in effect for each area is designed to secure the long-term safety and best use of the land, water and other natural resources found in that area's natural landscape; and

WHEREAS the Municipality of Tweed has passed *Comprehensive Zoning By-Law 2012-30* and further amended it by the *Cannabis Production By-Law 2018-42*, limiting cannabis production facilities to rural industrial zoned lands with required setbacks from residential zoned properties; and

WHEREAS the Municipality of Tweed has not been consulted by Health Canada prior to the issuance of licences for properties not in compliance with the Municipal zoning by-laws for a cannabis production facility; and

WHEREAS the Province needs to amend legislation to establish a new Provincial Offence Act fine regime that creates an offence(s) when unlicensed cannabis operations break planning and environmental regulations, ignore Building Code requirements and build without a permit at a fine of at least \$100,000 per offence;

NOW THEREFORE BE IT RESOLVED THAT the Municipality of Tweed requests that immediate action be taken by all levels of government for medical cannabis licencing to follow similar regulations and guidelines as all other pharmaceutical industries;

AND FURTHER, that the Association of Municipalities of Ontario advocate with the Federation of Canadian Municipalities for advocacy to the Government of Canada for similar regulations and guidelines for medical cannabis licencing in alignment with other pharmaceutical industries;

AND FURTHER, that the distribution of medical cannabis be controlled through pharmacies in consistency of all other medications;

AND FURTHER, that Health Canada withhold licencing until the potential licence holder can provide evidence of acceptable zoning of the intended property in question;

AND FURTHER, that licenced locations be disclosed in advance to the municipalities hosting the licenced locations; and

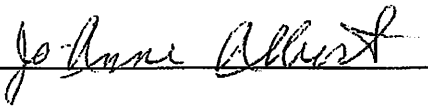
AND FURTHER, that this resolution be circulated to the Prime Minister of Canada, Health Canada, the Premier of the Province of Ontario, the Minister of Municipal Affairs and Housing, the Ontario Provincial Police, the Association of Municipalities of Ontario, and all upper, lower and single tier municipalities within the Province of Ontario.

Carried

Defeated by a Tie

Defeated

Mayor






Nathan Cato
Director
Government Affairs

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81 Metcalfe Street
Ottawa Ontario
Canada K1P 6K7

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April 7, 2021

Mr. Ralph Walton,
Regional Clerk/Director of Legislative Services
Regional Municipality of Durham
Corporate Services Department - Legislative Services
605 Rossland Rd. E., Level 1
PO Box 623
Whitby, ON L1N 6A3

 Corporate Services Department Legislative Services Division	
Date & Time Received:	April 08, 2021 8:08 am
Original To:	CIP
Copies To:	
Take Appropriate Action	<input type="checkbox"/> File <input type="checkbox"/>
Notes/Comments:	

Dear Mr. Walton:

Thank you for your letter of March 25, 2021, regarding rail traffic data. I am pleased to respond on behalf of Canadian Pacific ("CP").

Your letter requests that CP provide rail traffic data to noise consultants. While we appreciate that developers may be undertaking impact analysis for potential development in close proximity to railway infrastructure, rail traffic volume on any part of our North American network is a function of market demand. Traffic volumes fluctuate regularly as market demand for goods and commodities shifts or as export patterns change. Consequently, any rail traffic data is only a "snapshot" in time and should not ever be relied upon to take decisions with respect to development near rail infrastructure that would have a long life expectancy. In any event, CP considers its traffic data proprietary and confidential.

That being said, CP has at times provided traffic data to some developers and noise consultants. Unfortunately, we found this practice was inconsistent, and in some cases, developers were using the data to justify the avoidance of important noise and vibration mitigation measures for developments in close proximity to rail infrastructure.

Given the nature of rail traffic, CP recommends that developers, municipalities, and other stakeholders, adopt and respect the Proximity Guidelines established jointly by the Railway Association of Canada and the Federation of Canadian Municipalities. The guidelines describe the minimum standards and mitigation measures that should be incorporated for any development in close proximity to railway infrastructure. They also set out the railway consultation process for specific projects. The guidelines are available online at www.proximityissues.ca.

Railway infrastructure is heavy industrial property that forms the backbone of Canada's national supply chain, with Canadians from coast to coast depending on the food, medicine, heating oil, and other critical freight that CP transports every day. Railways, including CP, are considered essential services by the federal governments of both Canada and the United States, and every provincial and state government across our North American network.

CP trains move traffic 24 hours a day, seven days a week, in the service of our customers and by extension the needs of Canada's economy. Any development near railway infrastructure should assume the potential for frequent train activity at any time of the day and any day of the year.

Please do not hesitate to contact me should you have any questions.

Sincerely,



Nathan Cato
Director, Government Affairs
Canadian Pacific

c.c.: The Honourable Omar Alghabra, federal Minister of Transport
N. Cooper, Clerk, Town of Ajax
B. Jamieson, Clerk, Township of Brock
J. Gallagher, Clerk, Municipality of Clarington
M. Medeiros, Clerk, City of Oshawa
S. Cassel, Clerk, City of Pickering
L. Fleury, Acting Clerk, Township of Scugog
D. Leroux, Clerk, Township of Uxbridge
C. Harris, Clerk, Town of Whitby
Jennifer O'Connell, MP (Pickering/Uxbridge)
Mark Holland, MP (Ajax)
Ryan Turnbull, MP (Whitby)
Dr. Colin Carrie, MP (Oshawa)
Erin O'Toole, MP (Durham)
Jamie Schmale, MP (Haliburton/Kawartha Lakes/Brock)
Philip Lawrence, MP (Northumberland-Peterborough South)
Peter Bethlenfalvy, MPP (Pickering/Uxbridge)
Rod Phillips, MPP (Ajax)
Lorne Coe, MPP (Whitby)
Jennifer French, MPP (Oshawa)
Lindsey Park, MPP (Durham)
Laurie Scott, MPP (Haliburton/Kawartha Lakes/Brock)
David Piccini, MPP (Northumberland-Peterborough South)
Association of Municipalities Ontario (AMO)
Federation of Canadian Municipalities (FCM)
B. Bridgeman, Commissioner of Planning and Economic Development