



November 23, 2020

SENT VIA EMAIL

RE: Support of Municipality of Tweed Resolution 343 regarding Cannabis Production Facilities, the Cannabis Act, and Health Canada Guidelines

Please be advised that the Council of The Corporation of the Municipality of Leamington, at its meeting held Tuesday, November 17, 2020 enacted the following resolution:

No. C-355-20

WHEREAS federal parliament passed the Cannabis Act S.C. 2018, c. 16; and

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

WHEREAS Health Canada issues registrations and certificates for individual medicinal cannabis production without municipal consultation and regardless of land use planning regulations or other municipal regulations that may be in place; 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; 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 section 128 of the Municipal Act, 2001, S.O. 2001, c. 25 authorizes a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances; and

WHEREAS The Corporation of the Municipality of Leamington has passed Comprehensive Zoning By-Law 890-09 and By-law 35-18, regulating certain matters related to cannabis which limits Part II Cannabis Facilities to Industrial Zones; and

WHEREAS The Corporation of the Municipality of Leamington has not been consulted by Health Canada prior to the issuance of registrations or certificates for the production of cannabis by individuals within the Municipality; and

NOW THEREFORE BE IT RESOLVED THAT The Corporation of the Municipality of Leamington requests that immediate action be taken by all levels of government to require that those individuals who may be issued a registration or certificate to produce medical cannabis adhere to the same strict regulations and legislation as licensed pharmaceutical companies and industries;

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

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

AND FURTHER, that all properties which are the subject of an application to produce cannabis be disclosed in advance to the municipalities within which the property is situated; 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



Sincerely,
Brenda M. Percy, Clerk

cc: The Right Honourable Justin Trudeau, Prime Minister
 Health Canada
 Honourable Doug Ford, Premier
 Honourable Steve Clark, Minister of Municipal Affairs and Housing
 Ontario Provincial Police
 Association of Municipalities of Ontario
 All Ontario Municipalities