

REPORT FROM THE DEPUTY CLERK AND ACCESSIBILITY COORDINATOR

DESCRIPTION

Re: Draft Personal Recreational Cannabis By-law

RECOMMENDATION

That the report from the Deputy Clerk and Accessibility Coordinator be received;

And that the amended draft Personal Recreational Cannabis By-Law be approved by Council for adoption and implementation.

BACKGROUND

Multiple amended versions of this draft By-Law along with proposed interim measures have been brought forward as a result of the request to Council to address the ongoing issues regarding cannabis growth location within the community. This topic has gone through multiple levels of review and input including committee, OPP and police board in which an expert on the Cannabis Legislation and legalization process was invited to attend and provide feedback, staff and the City's solicitor advice in written form expressing concerns regarding the personal production of recreational cannabis municipal By-Law. Public education and awareness has been brought forth as an alternate option to implementing a potentially unconstitutional by-law although was not favoured by the committee therefore, it has been requested this topic be addressed once again in the form of an official By-Law. It is important to keep in mind that all medical cannabis related items are still regulated under the Medical Cannabis Act, all commercial operations will abide the AGCO rules and regulations.

ANALYSIS

Attached is an amended draft By-Law for the purposes of regulating the personal recreational cultivation of cannabis within the City of Elliot Lake. It is recommended that Council approve the attached amended By-Law as presented representing the needs and wants of both community members and Council.

At the November 7th By-Law and Planning Committee meeting the following amended was made;

That the following language be added into the By-Law:

"The boundary of the land on which the production site is located does not have any point in common with the boundary of the land on which is located a school, public playground, daycare facility, or other public place frequented mainly by persons under 18 years of age."

The question of enforcement and the ability to enforce will be addressed on a case by case basis by the Municipal Enforcement Officer on duty wherein it may be problematic, contacting police remains the most viable option as this has been provincially legislated. This drafted By-Law will need to be sent to the Attorney General for review and approval.

FINANCIAL IMPACT

Schedule fees/fines as applicable once approved and implemented.

LINKS TO STRATEGIC PLAN

The implementation of this By-Law aligns with the City's Strategic Plan through health and community wellness.

SUMMARY

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