



COUNCIL INFORMATION PACKAGE

SUMMARY

NOVEMBER 6, 2020

1. **C-262-2020**
Correspondence received October 30, 2020 from Norfolk County respecting Illicit Cannabis Operations.
2. **C-263-2020**
Correspondence received November 3, 2020 from Prince Edward County respecting a resolution of support regarding proposed changes to the Municipal Elections Act.
3. **C-264-2020**
Correspondence received November 3, 2020 from the municipality of St.-Charles respecting a resolution of support for the implementation of broadband in under-serviced areas.
4. **C-265-2020**
Correspondence received November 5, 2020 from the City of Port Colborne respecting a resolution designating the vulnerable aquifer Schedule B of Official Plan as a source water for rural residents of Port Colborne.



Norfolk County Office of the Mayor

October 26, 2020

The Right Honourable Justin Trudeau
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Health Canada
Address Locator 0900C2
Ottawa, Ontario
K1A 0K9

The Honourable Doug Ford
Premier of Ontario
Legislative Building
Toronto ON M7A 1A1

Ontario Provincial Police
General Headquarters
Lincoln M. Alexander Queen's Park Building
777 Memorial Avenue
Orillia, ON
L3V 7V3

Dear Right Honourable Prime Minister Trudeau and Premier Ford,

Re: Illicit Cannabis Operations

At their meeting of October 20, 2020 Norfolk County Council approved Resolution No. 6 of the Council-In-Committee meeting of October 13, 2020 which reads as follows:

Res. 6

WHEREAS illicit cannabis grow operations are a significant issue in many municipalities in Ontario;

AND WHEREAS there are often significant negative impacts from illicit cannabis operations upon surrounding communities and residents;

AND WHEREAS the intent of legalizing cannabis was to eliminate the 'black market' not allow it to expand with relative impunity;

AND WHEREAS Norfolk County estimates that there are approximately 70 cannabis operations in our municipality;

THEREFORE BE IT RESOLVED,

THAT the Mayor issue a letter to the Prime Minister of Canada, Premier of Ontario, Health Canada and the Ontario Provincial Police;

AND THAT Norfolk County Council request that solutions to the current crisis which may include but are not limited to; better regulation and tracking of the prescription of cannabis in Canada by doctors, increased regulatory and enforcement presence by Health Canada, increased OPP resources, increased funding to municipalities to deal with complaints and By-Law issues generated by illicit cannabis grow operations;

AND FURTHER THAT a copy of the submission by Debbie France be attached to the Mayor's letter.

Your attention to this important issue is appreciated.

Yours Truly,



Mayor Kristal Chopp
Norfolk County

cc. Toby Barrett- MPP Haldimand-Norfolk
Diane Finley – MP Haldimand-Norfolk
All Ontario Municipalities

Submission Debbie France

Cannabis Reference Material

Table of contents

- 1) General knowledge
- 2) Cannabis land use reports
- 3) Municipalities not permitting Cannabis grow ops on Agricultural lands
- 4) Municipal Panel & Roundtable Discussion with Local & Provincial Law Enforcement
- 5) Police Intervention - Massive illegal cannabis operation shut down
- 6) Police Intervention - Cannabis production allegedly fueling synthetic drug production labs
- 7) Police Intervention – raids involving production exceeding limits
- 8) Police Intervention - raids at the US/Canada border
- 9) Federal MP's who are actively requesting Health Canada to solve Cannabis issue
- 10) Municipal guide to Cannabis legislation (by FCM)
- 11) The final report of the task force on Cannabis legalization and regulation
- 12) Municipalities who have refused requests for exceptions to bylaws
- 13) Court cases - Bylaw violation
- 14) Nuisance bylaw amendment - Cannabis Odour
- 15) Municipalities that have requested assistance from Province

Note: The list of links in this document is a small representation of information mostly connected to news articles that show there are significant issues connected to Marijuana Cultivation in Agricultural areas throughout the Province of Ontario. We encourage anyone viewing this document to search and reach out in their municipality to discover how the issues are unfolding in the Municipality they call home. Further investigation is likely to uncover similar issues in areas throughout the Province of Ontario and across the Country. We expect that further investigation is likely to uncover other elected officials who have been actively trying to find solutions for the constituents they were elected to serve. We encourage anyone viewing this information to connect with the author of the letter that accompanies this list or they can email their contact information and concerns to debbiefrance@live.ca and a representative of this group will reply to help address their concerns.

Cannabis Articles

1) *General knowledge*

Article: Gaping hole in pot legislation is hitting Norfolk hard (Ontario Farmer Jan 24, 2020)
(Perhaps best article to understand entire issue)

<https://www.ontariofarmer.com/features/gaping-hole-in-pot-legislation-is-hitting-norfolk-hard/>

Article: Change is in the wind (Ontario Planners June 1, 2018)
(Outlines challenges for Municipalities from a planning perspective)

<https://ontarioplanners.ca/blog/planning-exchange/june-2018/change-is-in-the-wind>

Submission Debbie France Cannabis Reference Material

Article: Stench among concerns as Bradford council hears about cannabis cultivation in Holland Marsh (Barrie Today Jun 14, 2020)

(Outlines common complaints amongst those living nearby grow ops)

<https://www.barrietoday.com/local-news/bradford-council-hears-from-public-about-cannabis-cultivation-in-holland-marsh-2433271>

Article: County council concerned by marijuana licences (Belleville Intelligencer June 25, 2020)

<https://www.intelligencer.ca/news/local-news/county-council-concerned-by-marijuana-licences>

2) Cannabis land use reports

Article: Final Land Use Study on Cannabis Production in The Town of Pelham

(Explains potential issues between Municipal By-laws & Farm & Food Protection Act relating to Cannabis) Review sections... 3.1, 3.2, 3.3, 3.5, 3.7 to understand potential issues

<https://pelham-pub.escribemeetings.com/filestream.ashx?DocumentId=21743>

3) Municipalities not permitting Cannabis grow ops on agricultural lands

Article: Brighton sets limits on where cannabis production facilities can locate (Northumberland news Apr 9, 2019)

<https://www.northumberlandnews.com/news-story/9274359-brighton-sets-limits-on-where-cannabis-production-facilities-can-locate/>

Article: Prime agricultural land no place for cannabis, Oro-Medonte coalition says (Simcoe May 31, 2020)

<https://www.simcoe.com/news-story/10001301-prime-agricultural-land-no-place-for-cannabis-oro-medonte-coalition-says/>

4) Municipal Panel & Roundtable Discussion with Local & Provincial Law Enforcement

Article: East Gwillimbury Cannabis Production Facilities Panel Discussion OPP & YRP discuss organized crime's active involvement in Cannabis production and the risks that it poses to residents (YouTube video)

<https://youtu.be/Oisv7MEIV14>

Article: Hastings-Lennox & Addington Roundtable on Illicit Cannabis Operations – Fed MP Derek Sloan

<https://www.facebook.com/watch/?v=3216967588368948&extid=jTObBPn7swAbfxrz>

5) Police Intervention - Police shut down massive illegal cannabis operation, seize more than 100k plants (CBC News Aug 21, 2020)

Article: <https://www.cbc.ca/news/canada/hamilton/project-woolwich-cannabis-niagara-1.5695691>

6) Police Intervention - Cannabis production allegedly fueling synthetic drug production labs (Project Moon)

Article: More than \$45m in drugs and cash seized as twin drug gangs dismantled in York Region
(CP24 Aug 8, 2019)

<https://www.cp24.com/news/more-than-45m-in-drugs-and-cash-seized-as-twin-drug-gangs-dismantled-in-york-region-1.4541063>

7) Police Intervention – raids involving production exceeding limits

St. Catharines

Article: Niagara police bust \$34m illegal cannabis operation (Global News July 1, 2020)

<https://globalnews.ca/news/7128873/niagara-illegal-cannabis-grow-op/>

King Township

Article: Police seize \$4.7m in illegal drugs after search of former Joe’s Garden property in King
(York Region Oct 7, 2019)

<https://www.yorkregion.com/news-story/9633352-police-seize-4-7m-in-illegal-drugs-after-search-of-former-joe-s-garden-property-in-king/>

Article: 8 charged after \$400k worth of ‘excess cannabis’ found on King Township grow-op
(CBC News Oct 2, 2018)

<https://www.cbc.ca/news/canada/toronto/eight-charged-marijuana-trafficking-cannabis-farms-york-region-1.4847114>

Article: Police bust marijuana grow op in King Township worth \$6.5m, seize 4,000 plants
(CTV News Aug 3, 2018)

<https://toronto.ctvnews.ca/police-bust-marijuana-grow-op-in-king-township-worth-6-5m-seize-4-000-plants-1.4039863>

Stouffville

Article: Police bust cannabis grow op in excess of licence limits near Aurora
(YorkRegion Jan 29, 2019)

<https://www.yorkregion.com/news-story/9148816-police-bust-cannabis-grow-op-in-excess-of-licence-limits-near-aurora/>

8) Police Intervention - Cannabis busts at US/Canada border

Article: Canadian resident arrested in relation to massive cannabis bust at U.S. border
(Global News June 16, 2020)

<https://globalnews.ca/news/7070697/canadian-involved-significant-drug-seizure-u-s-border/>

9) Federal MP's mentioned in articles who are actively requesting Health Canada to solve Cannabis issue

Article: MP Finley brings the issue of unlicensed large-scale marijuana producers to Parliament (Norfolk Today July 27, 2020) - **Fed MP Diane Finley**
<https://www.norfolktoday.ca/2020/07/27/96986/>

Article: Stomp out cannabis criminality: Sloan (Quinte News July 2, 2020) - **Fed MP Derek Sloan**
<https://www.quintenews.com/2020/07/02/stomp-out-cannabis-criminality-sloan/>

Article: 'Stinks like 10000 skunks': Tottenham residents want more potent restrictions for medical-marijuana growers (Simcoe Feb 11, 2020) - **Fed MP Terry Dowdall**
<https://www.simcoe.com/news-story/9844540--stinks-like-10-000-skunks-tottenham-residents-want-more-potent-restrictions-for-medical-marijuana-growers/>

10) Municipal guide to Cannabis legislation (by FCM)

<https://fcm.ca/en/resources/municipal-guide-cannabis-legalization>

11) The final report of the task force on Cannabis legalization and regulation

<https://hoban.law/2017/01/the-final-report-of-the-task-force-on-cannabis-legalization-and-regulation/>

12) Municipalities who have refused requests for exceptions to bylaws

Article: Marijuana setback relief denied (Simcoe Reformer May 29, 2019)
<https://www.simcoereformer.ca/news/local-news/marijuana-setback-relief-denied>

Article: Council officially denies the marijuana micro-cultivation facility (NewTecTimes March 6, 2020)
<http://newtectimes.com/?p=24388>

13) Court cases - Bylaw/Zoning violations

Article: Cannabis producer pleads guilty to violating bylaw (Simcoe Reformer Feb 20, 2020)
<https://www.simcoereformer.ca/news/local-news/cannabis-producer-enters-guilty-plea>

Article: East Gwillimbury takes medical marijuana facility to court (York Region Aug 12, 2020)
<https://www.yorkregion.com/news-story/10134439-east-gwillimbury-takes-medical-marijuana-facility-to-court/>

14) Nuisance bylaw amendment - Cannabis odour

Article: Council enacts nuisance by-law addressing cannabis odour concerns

(Bradford Today Jun 19, 2020)

<https://www.bradfordtoday.ca/local-news/council-enacts-nuisance-by-law-addressing-cannabis-odour-concerns-2441245>

Article: Hamilton targets large-scale personal grow operations with nuisance bylaw amendment

(Global News Apr 23, 2020)

<https://globalnews.ca/news/6857506/city-of-hamilton-nuisance-bylaw-amendments-personal-grow-operations-cannabis/>

Article: Nuisance bylaw to deal with cannabis odour coming soon to Lincoln

(Niagara This Week Aug 3, 2020)

<https://www.niagarathisweek.com/news-story/10128119-nuisance-bylaw-to-deal-with-cannabis-odour-coming-soon-to-lincoln/>

Article: Pelham gives stamp of approval on odour bylaw to deal with cannabis operations

(Niagara This Week Mar 27, 2020)

<https://www.niagarathisweek.com/news-story/9918340-pelham-gives-stamp-of-approval-on-odour-bylaw-to-deal-with-cannabis-operations/>

Article: Niagara area town buys \$5,000 device to measure weed smell after repeated complaints from residents (Timmins Today Jul 7, 2020)

<https://www.timminstoday.com/around-ontario/ontario-niagara-area-town-buys-5000-device-to-measure-weed-smell-after-repeated-complaints-from-residents-2545977>

15) Municipalities that have requested assistance from Province

Article: Council supports request for more control over cannabis production in municipalities

(Bradford Today May 22, 2020)

<https://www.bradfordtoday.ca/local-news/council-supports-request-for-more-control-over-cannabis-production-in-municipalities-2366228>



From the Office of the Clerk
The Corporation of the County of Prince Edward
332 Picton Main Street, Picton, ON K0K 2T0
T: 613.476.2148 x 1021 | F: 613.476.5727
clerks@pecounty.on.ca | www.thecounty.ca

November 3, 2020

Please be advised that during the Committee of the Whole meeting on October 29, 2020 the following motion was carried;

RESOLUTION NO. CW-407-2020

DATE: October 29, 2020
MOVED BY: Councillor MacNaughton
SECONDED BY: Councillor St-Jean

Resolution by Councillor MacNaughton regarding Bill 218, Supporting Ontario's Recovery and Municipal Elections Act, 2020 is proposing changes to the Municipal Elections Act of 1996

WHEREAS municipalities in Ontario are responsible for conducting the fair and democratic elections of local representatives; and

WHEREAS Government of Ontario, with Bill 218, Supporting Ontario's Recovery and Municipal Elections Act, 2020 is proposing changes to the Municipal Elections Act of 1996

- to prohibit the use of ranked ballots in future Municipal Elections, and
- extend nomination day from the end of July to the second Friday in September; and

WHEREAS each municipal election is governed by the Municipal Elections Act which was amended in 2016 to include the option to allow Municipalities to utilize ranked ballots for their elections and shorter nomination periods; and

WHEREAS London, Ontario ran the first ranked ballot election in 2018 and several other municipalities since have approved bylaws to adopt the practice, or are in the process of doing so including our regional neighbours in Kingston via a referendum return of 63%; and



From the Office of the Clerk
The Corporation of the County of Prince Edward
332 Picton Main Street, Picton, ON K0K 2T0
T: 613.476.2148 x 1021 | F: 613.476.5727
clerks@pecounty.on.ca | www.thecounty.ca

WHEREAS the operation, finance and regulatory compliance of elections is fully undertaken by municipalities themselves; and,

WHEREAS local governments are best poised to understand the representational needs and challenges of the body politic they represent, and when looking at alternative voting methods to ensure more people vote safely, it becomes more difficult to implement these alternatives with the proposed shorter period between Nomination day and the October 24, 2022 Election day;

NOW THEREFORE BE IT RESOLVED THAT Corporation of the County of Prince Edward Council send a letter to the Ministry of Municipal Affairs and Housing urging that the Government of Ontario continues to respect Ontario municipalities' ability to apply sound representative principles in their execution of elections;

AND THAT the Corporation of the County of Prince Edward Council recommends that the Government of Ontario supports the freedom of municipalities to run democratic elections within the existing framework the Act currently offers;

AND THAT this resolution be circulated to all Ontario Municipalities, AMO and AMCTO.

CARRIED



Catalina Blumenberg, **Clerk**





La Corporation de la Municipalité de / The Corporation of the Municipality of
ST. CHARLES

C.P. / Box 70, 2 King Street East St.-Charles ON
Tel: 705-867-2032 Fax: 705-867-5789

POM 2W0
www.stcharlesontario.ca

Received November 3, 2020
C-264-2020

MOVED BY: Councillor Monica Loftus

SECONDED BY: Councillor Richard Lemieux

RESOLUTION NO. 2020-179

WHEREAS Council for the Corporation of the Municipality of St.-Charles wishes to support Resolution Number CX93-20 from Grey County;

AND WHEREAS the Corporation of the Municipality of St.-Charles recognized that the need for reliable access to affordable broadband is required for education and business purposes to ensure continuity and success;

AND WHEREAS reliable broadband will continue to play an essential role in economic and social recovery across Ontario post-pandemic;

AND WHEREAS not all residents of the Municipality of St.-Charles are within a connectivity coverage area and that rural areas often receive inadequate or disproportionately low levels of service;

AND WHEREAS while it is important for the Provincial Government to look at both the number of people and the number of businesses that can be serviced by broadband expansion, it is essential, that the Province provide broadband service to areas that have a small number of people, yet cover a vast geographical area;

AND WHEREAS the need for broadband infrastructure improvement is immediate;

BE IT RESOLVED THAT the Corporation of the Municipality of St.-Charles representing our residents and business owners alike, call to action Premier Ford; the Minister of Environment, Conservation and Parks, the Honourable Jeff Yurek to champion the implementation of broadband in the under-serviced areas of the Municipality of St.-Charles..

CARRIED

I, Tammy Godden, Clerk of the Municipality of St.-Charles, do certify the foregoing to be a true copy of Resolution No. 2020-179 passed in a Regular Meeting

CITY OF PORT COLBORNE

Municipal Offices
66 Charlotte Street
Port Colborne, Ontario
L3K 3C8
www.portcolborne.ca



PORT COLBORNE

Corporate Services Department, Clerk's Division

November 5, 2020

Ann-Marie Norio

Regional Clerk, Niagara Region
1815 Sir Isaac Brock Way
Thorold, ON L2V 4T7

Sent via E-mail

Dear Ms. Norio:

Re: Resolution – Designating the Vulnerable Aquifer Schedule B of Official Plan as a Source Water for Rural Residents of Port Colborne

Please be advised that, at its meeting of October 26, 2020, the Council of The Corporation of the City of Port Colborne resolved as follows:

That Council recognizes the Aquifer as identified in Schedule B3 of the Official Plan as a source water for the rural residents of the City; and

That the Director of Planning and Development be directed to amend the Official Plan to include the Aquifer such that the Aquifer receives the same consideration and protection from susceptible threats of contamination or adverse impact as the intake protection zones (IPZ-1 and IPZ-2); and

That the Region of Niagara, Township of Wainfleet, City of Welland, Town of Fort Erie and Niagara Peninsula Conservation Authority be notified of the City's action and be requested to pursue similar updates to their municipal planning documents in order to protect the aquifer.

A copy of the above noted resolution is enclosed for your reference. Your favourable consideration of this request is respectfully requested.

Sincerely,

A handwritten signature in cursive script that reads "Amber LaPointe".

Amber LaPointe
City Clerk

Encl.

ec: Township of Wainfleet, City of Welland, Town of Fort Erie, and Niagara Peninsula Conservation Authority



Memorandum

To: Mayor Steele and Members of Council

From: Councillor Harry Wells

Date: October 26, 2020

Re: **Designating the Vulnerable Aquifer Schedule B3 of Official Plan as a source water for rural residents of Port Colborne**

The City has received a significant number of requests from citizens urging and pleading the decision makers for the City to protect the vulnerable aquifer identified in Schedule B3 of the City's Official Plan (OP). The rural community of Port Colborne and other settlements in Ontario and New York state depend on this same aquifer to supply them their everyday need for fresh consumable water.

We are surrounded by high quality fresh water and because of this many of us take it for granted until we turn on the tap and no water comes out or the water that does come out is not suitable for consumption. A mere 0.014% of all water on Earth is both fresh and easily accessible with 97% of the remaining water being saline, and a little less than 3% being difficult to access. We are so fortunate to have this quality and quantity of fresh water and we as decision makers for the City are accountable to make the appropriate decision to protect it. This Council has to take the lead in acknowledging that water is a scarce and precious resource and that protecting the quality of the aquifer is a necessity, not an option.

The Provincial Policy Statement (PPS) calls for the protection of resources, public health and safety, and the quality of the natural environment. The policies of the PPS represent minimum standards and the PPS recognizes and expects Planning authorities and decision-makers to go beyond these minimum standards to address matters of importance to their community, as long as doing so does not conflict with any policy of the PPS. The policies of the PPS are expected to be complemented by City generated policies and plans regarding matters of interest to the City such as protecting the Aquifer.

The Clean Water Act regulates the municipal drinking water system and addresses Intake Protection Zones and *recognizes that the people of Ontario are entitled to expect their drinking water to be safe*. The Niagara Peninsula Source Protection Plan, and the City's OP and Zoning By-law (ZBL) establish levels of protection for identified intake protection zones for the City's urban drinking water system but, presently there are no policies for private water supply for rural residents. The issue being the Aquifer is not

privately owned and is accessible to the public. The current Regional Official Plan calls on the City to develop and adopt Local Official Plans and Secondary Plans containing more detailed environmental policies in conformity with Provincial and Regional policies and Plans.

The City is responsible for its local water distribution network and local sewer collection system so it should also be responsible for protecting the City's rural source of water the Aquifer. The *Niagara Peninsula Conservation Authority's*, Niagara Drinking Water Source Protection Plan States "We all need and deserve safe drinking water and, in this regard, it is in everyone's interest to ensure that our drinking water is safe and secure".

I am requesting that Council approve the following motion;

That Council recognizes the Aquifer as identified in Schedule B3 of the Official Plan as a source water for the rural residents of the City; and

That the Director of Planning and Development be directed to amend the Official Plan to include the Aquifer such that the Aquifer receives the same consideration and protection from susceptible threats of contamination or adverse impact as the intake protection zones (IPZ-1 and IPZ-2); and

That the Region of Niagara, Township of Wainfleet, and Town of Fort Erie be notified of the City's action and be requested to pursue similar updates to their municipal planning documents in order to protect the aquifer.

Thank you for your consideration,

Harry Wells
Ward 4 Councillor