

## Windsor-Essex County Health Unit (WECHU)

### BOARD OF HEALTH

#### Resolution Recommendation – October 5 2018

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#### PROPOSED MOTION

**Whereas**, the federal government has passed the *Cannabis Act, 2017* to legalize non-medical cannabis, coming into effect on October 17<sup>th</sup>, 2018, and

**Whereas**, the Ontario government has amended the provincial *Cannabis Act, 2017* to permit a privatized retail model in Ontario, and

**Whereas**, cannabis smoke contains many of the same carcinogens, toxins, and irritants found in tobacco smoke with the added psychoactive properties of cannabinoids like THC, and

**Whereas**, increased density and clustering of cannabis retailers may result in increased access, consumption, and increased risk for chronic disease, mental illness, and injury, and

**Whereas**, Ontario municipalities will have the one-time opportunity to OPT OUT of cannabis retail outlets in their communities, and

**Now therefore be it resolved that**, the Windsor-Essex County Board of Health encourages all Windsor-Essex municipalities to OPT OUT of the cannabis retail model as proposed by the provincial government in their respective communities.

**FURTHER** that the Windsor-Essex County Board of Health encourages the provincial government to establish limits on the number of retailers in a geographic area to prevent clustering and reduce retail outlet density.

**FURTHER** that, the Windsor-Essex County Board of Health for the Windsor-Essex County Health Unit encourages provincial government to set additional regulations with respect to the proximity of retail outlets in relation to areas which may unfairly target vulnerable populations.

**FURTHER** that, the provincial government provide local public health units with dedicated funding for public education and health promotion activities as well as the enforcement of cannabis-related regulations under the Smoke-free Ontario Act and **FURTHER** that the Windsor-Essex County Board of Health for the Windsor-Essex County Health Unit encourages all Windsor-Essex municipalities to amend existing smoke-free by-laws to include “cannabis” in the definition, and expand spaces where the use of substances is prohibited (e.g., cannabis consumption venues or vape lounges).

**FURTHER** that, previous Resolutions passed by the Windsor-Essex County Board of Health are shared with the newly elected provincial government.

**Further** that the Windsor-Essex Board of health suggests the province providing for the ability of municipalities to create licensing and zoning regulations, which would be reflective of the unique needs of individual communities in addition to increasing the number and distance of buffer zones proposed for retail outlets from vulnerable areas.

**AND FURTHER** that this resolution be shared with the Honorable Prime Minister of Canada, local Members of Parliament, the Premier of Ontario, local Members of Provincial Parliament, Minister of Health and Long-term Care, Federal Minister of Health, the Attorney General, Chief Medical Officer of Health, Association of Local Public Health Agencies, Ontario Boards of Health, Ontario Public Health Association, the Centre for Addiction and Mental Health, and local community partners.

#### APPENDIX

##### *Municipal engagement activities to date*

<b><i>Summary of Activities</i></b>		
<b>Date</b>	<b>Municipality</b>	<b>Activity</b>
November, 2017	Windsor	Presented to city administrators A Public Health Perspective for the Location of Cannabis Retail Storefronts in the City of Windsor: Windsor-Essex County Health Unit Recommendations recommends a minimum distance of 500m to be set between cannabis businesses or production facilities and sensitive areas such as schools, low-income areas, and mental health and addiction treatment facilities.
May 28, 2018	Leamington	Provided a letter in support of the recommended regulations set out in Council Report LLS-28-18, regarding the regulation of cannabis production and distribution. In addition to supporting the restrictions outlined in the report for the regulation of cannabis production and distribution within the municipality, WECHU provided additional insight into the health implications associated with cannabis exposure and additional measures which should be considered in protecting residents from second-hand cannabis smoke and smoking behaviour, including

		recommendations for the siting of cannabis-related businesses.
June 20, 2018	Windsor	Participated in meeting with representatives from the City of Windsor administration, Ontario Cannabis Store Vice President and Community Engagement Team, and Windsor Police to discuss proposed cannabis retail locations, operations, and safety of operational measures and provide feedback from a public health perspective.
	Amherstburg	Contributed feedback and recommendations for the <i>Amherstburg Parks Master Plan</i> to establish minimum distance requirements between existing alcohol and cannabis outlets and between all new alcohol/cannabis outlets to playground, youth facilities and recreation areas.
June, 2018	Kingsville	Contributed feedback and recommendations for the <i>Town of Kingsville Official Plan Review: Issues and Policy Directions Report</i> to set minimum distances between cannabis-related businesses and sensitive land use areas.
July 18, 2018	LaSalle	Participated in meeting to discuss legalization implications and needs for the municipality, and present recommendations for zoning of cannabis related businesses and ways to strengthen existing by-laws (e.g. municipal smoking by-laws).
August, 2018	Kingsville	Contributed feedback and recommendations for the <i>Town of Kingsville Application for Zoning By Law Amendment (4.46 Medical Marihuana Production Facilities)</i> . Recommendations included establishing minimum distance requirement be increased to no less than 500m between marihuana production facilities and lands zoned for residential, recreational, institutional use and Lake Erie. It was also recommended that facilities should operate with an odour

		abatement protocol to eliminate noxious odour and conduct environmental impact assessments and provide reports to the municipality.
August 29, 2018	Tecumseh	Attended meeting to provide recommendations for zoning and siting of retail locations and recommend ways to strengthen existing by-laws (e.g. municipal smoking by-laws).
September 28, 2018	All municipalities	Presented recommendations for licensing, zoning, and by-law amendments from a public health perspective to all municipal CAOs. Provided recommendations on how to best approach the private retail model implementation in Windsor-Essex and the importance of a unified approach across municipalities.