



**SPECIAL MEETING OF COUNCIL
MINUTES**

Monday, December 17, 2018

7:00 PM

Lakeside Pavilion

315 Queen Street

Kingsville, ON N9Y 1Y8

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson Councillor Kimberly DeYong Councillor Laura Lucier
Members of Administration	J. Astrologo, Director of Corporate Services S. Kitchen, Deputy Clerk-Council Services P. Van Mierlo-West, CAO

A. CALL TO ORDER

Mayor Santos called the Special Meeting to order at 7:00 p.m.

B. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked those present to stand and observe a moment of silence and reflection to be followed by the playing of O'Canada.

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY INTEREST

Mayor Santos reminded Council that any declaration is to be made prior to each item being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

E. PRESENTATIONS/DELEGATIONS

Mayor Santos advised that the purpose of this Special Meeting is to obtain information regarding cannabis retail legislation as well as an opportunity for public input. He announced that there is a Town of Kingsville Cannabis Retail Survey form available at this meeting. He encouraged residents to complete the form and leave it with the Deputy Clerk, or return it to the Municipal Office before January 2, 2019.

1. Eric Nadalin, Manager, Chronic Disease and Injury Prevention, Windsor-Essex County Health Unit

Mr. Nadalin presented his PowerPoint presentation entitled "Municipal Considerations for Cannabis Retail" and the Windsor-Essex County Health Unit's recommendation to opt out of retail stores in this municipality to allow for time to conduct a more formal public and stakeholder engagement process, to integrate lessons from other Ontario municipalities, and to learn more about provincial regulations and create a local regulatory framework. He indicated that WECHU has not yet formalized recommendations to the Province.

2. Mary K. Durocher, Owner and Principal Consultant, Fox D Consulting--Retail Cannabis Legislation Presentation

Ms. Durocher presented her PowerPoint presentation pertaining to recreational Retail Cannabis Legislation. She recommended that the municipality opt-out of having cannabis retail stores within its jurisdiction at the present time, having in mind that a municipality that decides to prohibit cannabis retail stores may later reverse its decision; however, under the *Cannabis Licence Act, 2018* a decision by a municipality to allow cannabis retail stores is final and may not be subsequently reversed. Ms. Durocher responded to various questions from Council members.

Comments and questions from the audience:

Craig Wright, 225 Prince Albert St. N., asked if Ms. Durocher is a paid consultant. Ms. Durocher explained that Fox D Consulting is a regulatory consulting firm focusing on the cannabis market for applicants and producers across Canada, but is not a consultant for Ontario Greenhouse Vegetable Growers (OGVG). Mr. Wright asked for more information pertaining to the number of retail cannabis licences that will be allowed across Ontario. Ms. Durocher stated that because the Province has indicated there is a supply shortage, initially there will be only 25 licences issued to private entities across Ontario (approved by a lottery system), 7 of which will be situate in the West Region of Ontario for regions with a population of over 50,000.

L. Taylor, Wigle Grove, asked if the licensed producers would be able to open a retail store. Ms. Durocher informed that they could open one retail store location, but they would have to win the lottery, and any licensed producer cannot enter in the lottery system until 2020. Ms. Taylor stated that, knowing she will not have a dispensary until many years in the future, she would be supportive to Kingsville 'opting in' to obtain the tax dollars from the Province.

Nick Willemsma, 1038 Road 3 East, asked if the Town does choose to opt out, does it then "lose the tax dollars". Ms. Durocher indicated that the Town can opt in anytime, even after opting out. However, if the Town opts in now, it cannot opt out.

Joanne Rivard, 222 Sandybrook Way, asked for clarification regarding the 15-day public consultation process, specifically whether the consultation is similar to the LCBO liquor licensing public consultation. Ms. Durocher stated that the process is somewhat similar.

Gail Helmer, 112 Golfview inquired as to whether notice of the Cannabis Retail Survey form will be published in the local newspapers.

Kyle Renda, 269 Lansdowne Avenue indicated his support of the municipality opting in now, rather than waiting and hearing the repetitive discussions. Ms. Durocher suggested that she thinks the municipality would want to take the time to consult with members and other municipalities and learn from any potential mistakes that may occur from opting in at this time, when they have not taken into account all the variables and aspects that may not be available at this time.

Jim Shean, 50 Golfview and 16 McLean, indicated there is a lot of confusion and lack of clarity from the Province and he urged Council to opt out at the present time and take a good look at the situation at hand until all matters of concern have been fully answered from both sides.

Linda Lyman, 1039 Birch Avenue encouraged Council to opt-in, stating that she uses cannabis for health and wellness, that the rules are changing, and the plant has helped her deal with her health concerns.

Brian Dupuis, 195 Woodycrest Avenue asked about Ms. Durocher's comments pertaining to odours coming from agricultural-zoned property. Ms. Durocher explained that the Municipality of Leamington's by-laws specifically relating to cannabis are currently being challenged by the Local Planning Appeal Tribunal.

Mayor Santos again encouraged residents in attendance to complete the Cannabis Retail Survey. The Town will be reviewing the responses and Council

will consider a report from Administration and making a decision on this matter at its January 14, 2019 Regular Meeting.

F. CONFIRMATORY BY-LAW

1. By-law 132-2018

680-2018

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council reads By-law 132-2018 being a By-law to confirm the proceedings of Council of The Corporation of the Town of Kingsville at its December 17, 2018 Special Meeting a first, second and third and final time.

CARRIED

G. ADJOURNMENT

681-2018

Moved by Councillor Laura Lucier

Seconded by Councillor Thomas Neufeld

That Council adjourn this Special Meeting at 9:02 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo