

City Council**Notice of Motion**

MM16.3	ACTION			Ward: All
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Request the Province of Ontario Undertake a Comprehensive Review of the Cannabis Control Act, 2017 - by Councillor Paul Ainslie, seconded by Councillor Jennifer McKelvie

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Economic and Community Development Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Paul Ainslie, seconded by Councillor Jennifer McKelvie, recommends that:

1. City Council request the Province of Ontario to undertake a comprehensive review of the Cannabis Control Act, 2017 in consultation with municipalities, including roles and responsibilities, funding, and enforcement, and addressing unlicensed cannabis establishments.

Summary

I am writing to request City Council request the Province of Ontario to undertake a comprehensive review of the Cannabis Control Act, 2017. This review, in consultation with municipalities, is imperative to ensure effective regulation and enforcement of cannabis-related matters across our province.

While the Cannabis Control Act, 2017 established a framework for the legal sale and distribution of cannabis, there remain significant challenges, particularly regarding the proliferation of unlicensed cannabis establishments. It is evident that the current measures are not sufficient to deter these establishments from breaking the law and reopening despite enforcement efforts.

One of the major limitations lies in the fines imposed under the Cannabis Control Act, 2017. While fines can be issued, their effectiveness is constrained by the discretion of a Judge or Justice of the Peace. This inconsistency in penalties undermines deterrence and enforcement efforts.

Moreover, the enforcement measures available under the Cannabis Control Act of Ontario, including those carried out by the Municipal Licensing and Standards Cannabis Enforcement Unit, are constrained by the existing framework. Although property owners can be held accountable for illegal cannabis activities on their premises, there are challenges when property owners are directly involved in the operation of unlicensed cannabis dispensaries. In such cases, it becomes difficult to compel property owners to take action to evict or stop the sale of cannabis from unlicensed establishments.

Furthermore, the licensing of cannabis dispensaries through the Alcohol Gaming Commission of Ontario adds another layer of complexity to enforcement efforts. Without a streamlined regulatory process and clear enforcement mechanisms, municipalities struggle to effectively address the ongoing operation of unlicensed cannabis establishments.

Therefore, a comprehensive review of the Cannabis Control Act, 2017, must address these shortcomings and provide municipalities with enhanced tools and resources to combat illegal cannabis activities. This includes exploring options to strengthen enforcement measures, increase penalties for non-compliance, and improve collaboration between municipalities and provincial authorities.

In conclusion, I urge City Council to advocate for a thorough review of the Cannabis Control Act, 2017, to address the challenges associated with the proliferation of unlicensed cannabis establishments. By doing so, we can better protect public health and safety while upholding the integrity of the legal cannabis market in our province.

I kindly ask for your support in formalizing this request to the Province of Ontario. Together, we can ensure that our concerns are heard and addressed through meaningful legislative action.

Background Information (City Council)

Member Motion MM16.3