

Cannabis use should be regulated across Region, says Council

By Brock Weir

Recreational cannabis use might be legal across the country, but just where you can light up is a more complicated issue. Following a motion from Mayor Tom Mrakas last week, Aurora called on the Region of York to develop a policy on cannabis use in public places that would be uniform throughout all nine municipalities within York Region. The motion also called on municipal staff to create an education/resource guide on cannabis to 'ensure residents and businesses are aware of the regulations' once they come into force.

Cannabis consumption is currently prohibited within 20 metres of a children's playground, publicly owned sports fields and on school property as per the Smoke Free Ontario Act, but municipalities have the ability to add further restrictions.

'There's a difference between having a retail store and public usage, so I think we need to deal with the public usage in public space,' said Mayor Mrakas at Council last week. 'Right now, the Region does have a working group and they are working on creating some bylaws. I thought it was necessary that we here let the Region know we believe the best thing for the Region and the Town of Aurora is to have a Region-wide bylaw when it speaks to the usage of cannabis in public spaces.'

Mayor Mrakas added he has also spoken with York Regional Police Chief Eric Jolliffe and it was agreed that a 'uniform, consistent bylaw right across' the Region would be in the best interests of enforcement.

'I think if we send this message to the Region, and I am sitting there at the Region [as Aurora's representative], we can have that discussion [and] get everyone on board to say this is something we need to do to make [a bylaw] more consistent across the Region. That way, it makes the working group's job a bit easier and lets them have an understanding that everyone, all nine municipalities, are on board in creating that consistent bylaw across the Region and they can bring back something that speaks to that.'

The Region's working group on cannabis consumption is currently chaired by Patricia De Sario, Solicitor for the Town of Aurora. In addition, consumption has been a hot-button issue for the nine CAOs of York Region municipalities.

Doug Nadorozny, CAO for the Town of Aurora, said coming up with a consistent policy was a high priority item.

'The idea behind the Regional bylaw is there is a concern even from a prosecution perspective that if we have nine different bylaws across the Region we're just going to find ourselves in a situation where we can't enforce them' because they're all going to be different and we're going to be scrambling with nine different sets of precedents and nine different sets of definitions,' said Mr. Nadorozny.

'This work is under the guidance of the Regional CAOs group and there is a lot of effort to move it along quickly. I am not going to say it is going to be done instantly, but it is a high priority for the group.'

Some Councillors, however, said they would like to see Aurora set its restrictions on cannabis consumption in public places now while the Region decides its next move.

'Sometimes it takes a while for things to get done with working groups at the Region,' said Councillor Wendy Gaertner. 'There is nothing against us passing this bylaw for the Town at the moment and then it just gets rolled into the Regional Bylaw because it might take months to get passed.'

Councillor John Gallo also raised questions, particularly on how far Council can go in setting restrictions on cannabis use in public places.

'The authority for passing a Smoking Tobacco or Cannabis bylaw falls under the Municipal Act,' replied Techa van Leeuwen, Director of Community Services for the Town of Aurora. 'The only caveat is we can't pass a bylaw that restricts the smoking of tobacco or cannabis on a public highway, which includes sidewalks.'

Councillor Gallo noted he was particularly disappointed this couldn't extend to sidewalks.

'I look forward to the Region drafting and putting something [forward] for all nine municipalities,' added Councillor Harold Kim, concluding the discussion by throwing his support behind the Mayor's motion.

The motion passed on a unanimous vote of 7 ? 0.