



## Cornwall City Council

**DEPARTMENT:** Planning, Development and Recreation  
**REPORT NUMBER:** 2019-015-PDR  
**PREPARED BY:** Mark A. Boileau, General Manager, Planning, Development and Recreation  
**REPORT DATE:** May 22, 2019  
**MEETING DATE:** May 27, 2019 07:00 PM

**SUBJECT:** **Municipal Policy Statement for Private Retail Cannabis Stores; Part 3 - BIA Follow-up.**

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### **PURPOSE**

A draft Municipal Policy Statement for Private Retail Cannabis Stores was provided to Council on March 4, 2019 for its review. On March 25, Council reviewed a staff report which recommended adopting the Policy, however Council voted in favour of deferring the matter until Administration had the opportunity to consult with the two local BIA's. Both previous reports have been attached in this submission.

### **RECOMMENDATION**

That Council adopt the Municipal Policy Statement for Private Retail Cannabis Stores as presented, however excluding a buffer map.

### **BACKGROUND / DISCUSSION**

The City of Cornwall opted to allow Private Retail Cannabis Stores at its Council meeting of January 10, 2019. The Alcohol and Gaming Commission of Ontario (AGCO) is the provincial regulator that licenses cannabis retail operators and authorises retail stores. Municipal governments may consider setting out a policy statement identifying specific and significant locally sensitive considerations or uses to best represent the expectations of the community in allowing cannabis retail. This statement would provide direction to municipal staff input to the AGCO within its 15-day review period.

On February 20, 2019, a meeting was held with the following Department representatives to discuss an appropriate set of locational factors for a retail cannabis store policy for Cornwall:

Manon Levesque, City Clerk

Geoff Clarke, GM, Corporate Services

Mark Boileau, GM, Planning, Development and Recreation

Mary Joyce-Smith, DM, Planning

Shawna Spowart, Deputy Chief, Cornwall Police

Chad Maxwell, Sergeant, Community Patrol, Cornwall Police

Charles Bray, Deputy Chief Building Official

Stacey Ferguson, Administrator, Social and Housing Services.

The conclusion of our meeting was that, in order to 'help ensure public health and safety, protect youth, and reduce illegal sales' (as per the Ontario Government legislation) it would be prudent to ensure a reasonable buffer from cannabis stores to the following established uses:

- Schools
- Day Nurseries/Childcare Centres
- Libraries
- Hospitals
- Youth Facilities
- Mental Health/Addiction and Detox Centres.

It should be noted that the provincial cannabis retailing regulations already include a 150m buffer area for cannabis stores to keep them separated from schools.

As per the motion from Council on March 25, staff provided the request to the two BIA's concerning their comments on the proposed draft policy. Their comments are attached below.

Comments from the local BIA's (via Todd Lihou):

"Please consider this email a response to the request for feedback the Cornwall Downtown Business Improvement Area received in April. At its meeting of May 8, 2019 the DBIA reviewed the proposed rules, and report, completed by the City of Cornwall concerning the municipality's policy statement on retail cannabis stores.

At the meeting the management board expressed deep concern about the policies contained in the document as they relate to the legal sale and use of cannabis in Ontario. In short, the DBIA board believes that the legal sale of a product, any product, should be allowed within its borders and that of Central Business District (CBD).

The board passed the following motion:

**“Moved by John McDonald and seconded by Robert Prowse:**

**“Whereas the City of Cornwall is seeking input from the DBIA concerning new policies related to the sale of cannabis at retail stores in Cornwall;**

**“And whereas the new policies will strictly, if not completely, prohibit the sale of cannabis, a legal product, within the boundaries of the DBIA;**

**“Now therefore it be it resolved that the DBIA inform the City of Cornwall that the position of the board is that lawful retail operations and the lawful sale of cannabis/marijuana should be permitted anywhere within a CBD without restriction as provided by provincial legislation.”**

Unlike the DBIA, Le Village does not formally meet on a monthly basis, so in this particular case there has not been an opportunity for the board to officially weigh in.

That being said, I can tell you unofficially the individuals I have spoken to who sit upon the Le Village board, and members at large, have much the same opinion as those individuals downtown."

As indicated above, lawful retail operations cannot be permitted anywhere within the CBD; the Provincially established 150m. buffer from schools must be applied. The above comments from the BIA's were provided to the administrative committee who developed the draft policy, and its position has not changed. In order to ensure the protection of youth, public health and safety, and reduce illegal sales, it was felt that the policy should include buffers from the additional related uses. It should be noted that during its meeting of February 20, other municipal policies were considered, including the City of Kingston's and the Town of Ajax (attached). It will be noted that they have outlined similar buffers within their documents.

Finally, one change which is proposed from the original policy proposal is to make it textual only (without a buffer location map). The uses in the BIA's change from time to time, with respect to the suggested buffer locations, which would cause the map to be outdated and require change periodically.

**ATTACHMENTS**



Report - Private Recreational Cannabis Retail Stores.pdf



Report - Municipal Policy Statement for Private Retail Cannabis.pdf



Report - Municipal Policy Statement for Private Retail Cannabis Part 2.pdf



City of Kingston - City Council Agenda - Meeting 04-2019 - Report COU-19-021.pdf



Cannabis-in-Ajax---FINAL-REPORT-TO-COUNCIL.pdf



Cannabis Policy Statement and Map.pdf

Motion to adopt the Municipal Policy Statement for Private Retail Cannabis Stores with the only restriction for schools.

Moved By: Eric Bergeron, Councillor  
Seconded By: Claude E. McIntosh, Councillor

Amendment to the Motion

Motion to adopt the Municipal Policy Statement for Private Retail Cannabis Stores as amended to include stores not being located within 150 metres of schools, mental health, addiction and detox centres.

Moved By: Carilyne Hébert, Councillor  
Seconded By: Dean Hollingsworth, Councillor

Motion to Amend Carried

Main Motion as Amended Carried

**Approval**

May 22, 2019 03:29 PM

Mark A. Boileau  
General Manager, Planning, Development  
and Recreation

May 22, 2019 03:32 PM

Maureen Adams  
Chief Administrative Officer



## Cornwall City Council

**DEPARTMENT:** Corporate Services  
**REPORT NUMBER:** 2019-032-CL  
**PREPARED BY:** Manon L. Levesque, City Clerk and Mary Joyce-Smith, Division Manager, Planning  
**REPORT DATE:** March 18, 2019  
**MEETING DATE:** Mar 25, 2019 07:00 PM

**SUBJECT:** Municipal Policy Statement for Private Retail Cannabis Stores (Part 2)

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### **PURPOSE**

The purpose of this policy statement is to provide input to the Alcohol and Gaming Commission of Ontario (AGCO) as well as help prospective recreational cannabis retailers in their consideration of locations of cannabis retail stores in the City of Cornwall.

### **RECOMMENDATION**

That Council adopt the Municipal Policy Statement for Private Retail Cannabis Store as presented.

### **BACKGROUND / DISCUSSION**

The AGCO is the provincial authority that licences cannabis retail operators, authorizes cannabis retail locations, and licenses senior store staff. Municipal governments have no licensing authority.

The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, and whether the proposed store location is consistent with the public interest as defined in the regulations.

The Corporation of the City of Cornwall has chosen to allow retail sales of recreational cannabis. The following provides municipal staff with guidance on commenting to the AGCO when a notice of a specific proposed cannabis retail store site is provided on the site location.

Council received the Policy Statement on March 4, 2019, and it now being presented to Council for adoption.

## ATTACHMENTS



Cannabis Policy Statement and Map.pdf

Motion to defer this matter until Administration has had the opportunity to consult with the two Downtown Business Improvement Areas on the proposed Policy Statement.

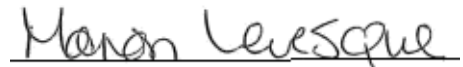
Moved By: Eric Bergeron, Councillor  
Seconded By: Claude E. McIntosh, Councillor

Motion to Defer Carried

## Approval

March 20, 2019 02:04 PM

Manon L. Levesque  
City Clerk

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March 20, 2019 02:32 PM

Mark A. Boileau  
General Manager, Planning, Development  
and Recreation

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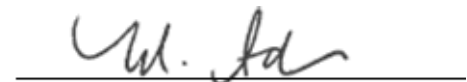
March 20, 2019 03:11 PM

Geoffrey Clarke  
General Manager, Corporate Services

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March 20, 2019 03:27 PM

Maureen Adams  
Chief Administrative Officer

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## Cornwall City Council

**DEPARTMENT:** Corporate Services  
**REPORT NUMBER:** 2019-019-CL  
**PREPARED BY:** Manon L. Levesque, City Clerk and Mary Joyce-Smith, Division Manager, Planning  
**REPORT DATE:** February 26, 2019  
**MEETING DATE:** Mar 04, 2019 05:00 PM  
  
**SUBJECT:** Municipal Policy Statement for Private Retail Cannabis Stores

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### PURPOSE

The purpose of this policy statement is to provide input to the Alcohol and Gaming Commission of Ontario (AGCO) as well as help prospective recreational cannabis retailers in their consideration of locations of cannabis retail stores in the City of Cornwall.

### RECOMMENDATION

That Council receive Report 2019-019-CL.

### BACKGROUND / DISCUSSION

The AGCO is the provincial authority that licences cannabis retail operators, authorizes cannabis retail locations, and licenses senior store staff. Municipal governments have no licensing authority.

The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, and whether the proposed store location is consistent with the public interest as defined in the regulations.

The Corporation of the City of Cornwall has chosen to allow retail sales of recreational cannabis. The following provides municipal staff with guidance on

commenting to the AGCO when a notice of a specific proposed cannabis retail store site is provided on the site location.

Administration is not requesting approval at this time and has provided the Policy Statement as information for Council's consideration. The Policy Statement will be presented to Council at a later date, which is anticipated to be March 25, 2019, at the Regular Council Meeting.

## ATTACHMENTS



Cannabis Policy Statement and Map.pdf

Motion to receive Report 2019-019-CL.

Moved By: Carilyne Hébert, Councillor  
Seconded By: Glen Grant, Councillor

Motion Carried

## Approval

February 27, 2019 11:51 AM

Manon L. Levesque  
City Clerk

Handwritten signature of Manon Levesque in black ink, written over a horizontal line.

February 27, 2019 12:12 PM

Mark A. Boileau  
General Manager, Planning, Development  
and Recreation

Handwritten signature of Mark A. Boileau in black ink, written over a horizontal line.

February 27, 2019 01:53 PM

Geoffrey Clarke  
General Manager, Corporate Services

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February 27, 2019 09:22 PM

Maureen Adams  
Chief Administrative Officer

Handwritten signature of Maureen Adams in black ink, written over a horizontal line.



## Cornwall City Council

**DEPARTMENT:** Corporate Services  
**REPORT NUMBER:** 2019-001-CL  
**PREPARED BY:** Manon L. Levesque, City Clerk  
**REPORT DATE:** January 07, 2019  
**MEETING DATE:** Jan 10, 2019 05:00 PM - Special  
**SUBJECT:** Private Recreational Cannabis Retail Stores

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### PURPOSE

Municipal governments have a one-time opportunity to opt out of allowing retail cannabis stores in their communities. The decision to opt out must be made by January 22, 2019. Unless a municipal government opts out as per Ontario Regulation 468/18 s. 22, they opt in to recreational cannabis retail sale by default. This report has been prepared to provide information to Council in preparation to make a decision to allow retail cannabis stores in the municipality or opt out per the deadline required by the province.

### RECOMMENDATION

That Council receives this report and makes a decision by January 22, 2019 in accordance with the provincial regulation.

### BACKGROUND / DISCUSSION

#### Overview

The provincial government has committed to allowing private recreational cannabis retail stores throughout Ontario starting April 1, 2019. As recreational cannabis is a legal, controlled and regulated product, cannabis stores will be considered like any other type of retail and, as such, no zoning changes are

needed.

In legalizing cannabis for recreational purposes, the federal, provincial and municipal governments share three interrelated goals:

- protecting youth
- public health and safety
- ending illegal sales of cannabis

The provincial government has established a regulatory framework (O. Reg. 468.18) under the recently passed Cannabis Licensing Act, 2018 that provides further clarity on how these private businesses will be licensed and regulated by the Alcohol and Gaming Commission of Ontario (AGCO). These regulations deal with various elements of the retail regime including matters in which municipal governments may have an interest.

### **Key Points in the Regulations**

The regulations speak to how a license to open a cannabis store will be issued.

The AGCO process will begin with it reviewing and completing due diligence on applications from corporations and individuals seeking to sell recreational cannabis. The licensing regime will have three parts:

- operator approval
- retail site location approval
- store management licensing

Municipal governments have a one-time opportunity to opt out of allowing retail cannabis stores in their communities. The decision to opt out must be made by **January 22, 2019**. Unless a municipal government opts out as per Ontario Regulation 468/18 s. 22, they opt in to recreational cannabis retail sale by default.

To protect youth, the provincial cannabis retailing regulations include a 150-meter buffer area for cannabis stores to keep them separated from schools.

Municipal governments may consider setting out a policy statement identifying specific and significant locally sensitive considerations or uses to best represent the expectations of the community in allowing cannabis retail. This statement would provide direction to municipal staff input to the AGCO within its 15-day review period.

The AGCO cannabis licensing process, much like the process for liquor licensing applications, requires that a notice of a proposed cannabis store site be posted for comments from area residents and businesses before a site authorization is made. At this point, the municipal government will not be provided pre-notification

of the application, but can make comments about whether the proposal is in the public interest as described by regulation.

While there is no regulatory requirement for the AGCO to act on municipal input, it is reasonable that a Council could choose to set out any locally sensitive uses as part of the decision to allow cannabis retail stores or to opt out. Setting out these sensitive uses would specify the expectations of the community as cannabis retail sites are proposed. However, care needs to be taken so that this statement would not prohibit any cannabis retail store from locating in a municipality. Opting out is the appropriate mechanism for not permitting any stores in a municipality.

### **Ontario Cannabis Legalization Implementation Fund (OCLIF)**

In November 2018, the Province announced funding for all municipalities through the OCLIF. The Province will provide \$40 million in funding over 2 years to municipalities to help with the implementation costs of recreational cannabis legalization.

#### First Payment

In January 2019, the first payment (\$15 million) to all municipalities on a per household basis (not less than \$5,000) will enable municipalities to proceed with their planned legalization activities. Cornwall's allocation is \$56,315.

#### Second Payment

Following the January 22, 2019 deadline, a second payment (\$15 million) will be distributed, as follows.

- Municipalities who opted-in:  
to all municipalities on a per household basis (not less than \$5,000). This funding will support initial costs related to hosting retail storefronts.
- Municipalities who opted-out:  
will receive \$5,000 each.

The Province will send a funding allocation notice to municipalities by March 2019.

The Province is setting aside the balance (\$10 million) of the OCLIF to address costs from unforeseen circumstances.

Municipalities must use the funding it receives to address the costs that directly relate to the legalization of recreational cannabis. Examples of permitted costs include:

- increased enforcement (e.g. police, public health and by-law enforcement, court administration, litigation);
- increased response to public inquiries (e.g. 311 calls, correspondence);

- increased paramedic services;
- increased fire services; and
- by-law / policy development (e.g. police, public health, workplace safety policy).

If the Province's portion of the federal excise duty on recreational cannabis over the first 2 years of legalization exceeds \$100 million, the Province will provide 50% of the surplus only to municipalities that have not opted-out as of January 22, 2019. If a municipality opts-out by January 22, 2019, and opts back in at a later date, that municipality will not be eligible for additional funding.

Detailed information is provided in:

- attachment 3 OCLIF - Heads of Council Letter;
- attachment 4 OCLIF - Treasurer Letter; and
- attachment 5 Implementation Fund 2018 Allocation Table.

### **Store Location Approval Steps**

The AGCO will have a 15-day window for public and municipal government comments for each store site proposed by an approved operator. The legislation provides that municipal comments should focus on whether a proposed storefront location is in the public interest, as defined in the regulation. In the regulation, public interest is defined as public health or safety, protecting youth and eliminating the illegal market.

If a municipal council accepts retail stores, a 'Municipal Cannabis Retail Policy Statement' should be adopted by council. Such a policy statement could address what it sees as significant local sensitive uses. This would give municipal staff direction in responding to the 15-day window during the commentary process. For example, a policy statement may identify specific sensitive uses and express some parameters to consider proximity to these sensitive areas, or may set out concerns regarding store concentration in certain areas of their communities.

Should Council decide to not opt out of the retail sales in Cornwall, the City Clerk will be the lead for proposed cannabis store notices from AGCO and to provide a one-window approach to coordinate municipal input within the 15-day commentary period. This will ensure AGCO has every opportunity to take note of municipal government considerations. This key contact will gather information from various municipal departments as necessary, provide maps and be able to convey council policy.

For alignment between the regulations and AGCO mandate, municipal comments in the process, whether through a municipal cannabis policy statement or not, must focus on the three provincial public interest objectives: public health and safety, protecting youth and ending illegal sales of cannabis.

## **Phased in Approach**

Ontario will be taking steps to ensure that private cannabis retail stores open in phases. In the initial phase, up to 25 licences will be issued so operators can open for business on April 1, 2019 and stay open.

The Alcohol and Gaming Commission of Ontario (AGCO) will implement a lottery system to determine who is eligible for the initial licences to legally operate a store in Ontario. All interested parties will be able to submit an expression of interest form online to the AGCO from January 7 to January 9, 2019. The expressions of interest will be put into a lottery pool for a draw. The draw will be conducted on January 11, 2019, with the results to be posted on the AGCO's website within 24 hours.

There will only be five (5) stores selected in the East Region. The East Region includes Stormont, Dundas & Glengarry; Prescott and Russell; Ottawa; Leeds and Grenville; Lanark; Frontenac; Lennox and Addington; Hastings; Prince Edward; Northumberland; Peterborough; Kawartha Lakes; Simcoe; Muskoka; Haliburton; and Renfrew.

Ontario Regulation 468/18 establishes that, until such time as more than 25 retail store authorizations may be issued, none may be issued to a cannabis retail store in a municipality with a population of less than 50,000.

The lottery process will be overseen by a third-party fairness monitor to ensure equality and transparency in the treatment of the expressions of interest, as well as an appropriate distribution of stores in each region of the province, which is set out in the regulation.

## **Planning, Development and Recreation**

In terms of the zoning implications for cannabis retail outlets, the province has restricted municipalities from passing a Zoning By-law that has the effect of distinguishing between a use of land, a building, or a structure that includes the sale of cannabis and a use of use of land, a building, or a structure that does not include for the sale of cannabis.

City Planning staff have determined that those zones that permit retail operations would be eligible to introduce a cannabis store subject to all other AGCO regulations. The Zoning By-law #751, 1969 as Amended, Definitions Section, 01-1-1, defines a "Retail Store" as:

"Retail Store" shall mean a building or part thereof in which service or merchandise is offered for sale to the public.

Retail stores are permitted in a variety of zones throughout the City. We have prepared a map (Attachment 6) indicating possible zones and areas that could support a cannabis outlet and are in compliance with the AGCO setback

regarding schools. Based on the forgoing, cannabis retail stores would generally be permitted in the following zones:

- Cotton Mills District Redevelopment (C.M.D.R) Zone - 03-14-2 e)
- Central Business District (CBD) Zone - 03-10-2 a)
- Commercial 10 (COM 10) Zone - 03-1-2 a)
- Commercial 11 (COM 11) Zone - 03-2-2 f)
- Commercial 12 (COM 12) Zone - 03-3-2 d)
- Commercial 51 (COM 51) Zone - 03-6-2 e)
- Commercial 70 (COM 70) Zone - 03-7-2 f)
- Community Commercial (C.C) Zone - 03-13-2 n)
- Community Commercial - Shopping Centre (CC-SC) Zone - 03-13A-3 z)

Highway Commercial (C.H) Zone - "Retail Store" use could be added to 03-11-2 in order for the use to establish in the zone if not located in a Regional 1 or 2 Shopping Centre (Housekeeping Exercise).

There may be other cannabis related industry and business opportunities that could develop as the industry expands for example:

- small scale production
- testing facilities for THC levels and quality control
- processing facilities for cannabis
- supply of agricultural and growing equipment
- clinical trials and research

As a result, the City may need to undertake some further amendments to the Zoning Bylaw to recognize these new uses and any additional requirements/regulations that may arise.

### **AGCO Setback Requirements as per Ontario Regulations 468/18**

A cannabis retail store cannot be located near a school or private school, as defined in the *Education Act*, if the proposed retail store is less than 150 metres away from the property line of the school or private school. This will be determined as follows:

- when the school or private school is the primary or only occupant of a building, 150 metres shall be measured from the property line of the property on which the school or private school is located.
- when the school or private school is not the primary or only occupant of a building, 150 meters shall be measured from the boundary of any space occupied by the school or private school within the building.

(The above rules do not apply if the private school is located on a reserve or if the private school only offers classes through the Internet.)

The City of Cornwall could consider developing a Policy Statement to address local sensitive land uses such proximity to clinics, hospitals and or addiction centres; however, the AGCO is not required to adhere to any municipal input or recommendations.

### **Economic Development**

Cannabis is a legal product, for which there exists demand from residents and visitors. As such the retail sale of cannabis presents an opportunity to realize positive local economic impact in terms of job creation (retail positions), tax assessment and the ancillary purchase of goods and services, including rent and utilities.

Local retail sales will also help to keep consumers shopping locally, stemming the outflow of dollars to other urban centres.

It will be in the interest of landlords to ensure that any tenant fits the merchant mix of their retail development and surrounding retail neighbourhood.

### **Recreation Division**

The smoking of cannabis in public parks is a concern for the Recreation Division. Current legislated restrictions for smoking cannabis are similar to that for smoking cigarettes. ie. must be 9m from a public buildings and 20m from a play structure. The concern is that children's play activities are not only restricted to these areas of our parks (ie. within 20m of play structure). Children commonly engage in play activities throughout our park spaces and therefore could be exposed to second hand cannabis smoke outside of these restricted areas. Also, we expect that many of the parents of the children who access our park spaces will object to any permitted use of cannabis within proximity to their children.

### **Cornwall Community Police Service**

The Alcohol and Gaming Commission of Ontario (AGCO) has provided Standards and requirements for retail locations including:

- store premises, equipment and facilities, including surveillance and security
- the prevention of unlawful activities
- advertising and promotional activities
- training related to the responsible use and sale of cannabis
- the protection of assets
- record-keeping and measures to maintain confidentiality and security of records
- compliance with the federal cannabis tracking system

Cornwall Community Police Service's recommendation is that, if the City of Cornwall opts in to having a licenced retail cannabis location, the By-Law

governing that retail location needs to be worded so as to ensure strict compliance with the AGCO Standards as well as any Zoning or Business restrictions the City of Cornwall wishes to impose.

As previously noted, only 25 licences will be available Province wide due to a national shortage of legally produced cannabis products.

Given the current absence of legal retail locations and, the likelihood that Cornwall will not be selected in the above noted lottery for a retail location in the near future, the Cornwall Community Police Service's areas of focus and enforcement role is:

- the alleged illegal sale and distribution of cannabis, particularly occurrences involving the sale of cannabis to youth
- incidents of drug-impaired driving and other Criminal Code offences
- youth (under the age of 19) who are possibly possessing or consuming cannabis, regardless of the location
- cannabis consumption in a motor vehicle or on a vessel (boat)

### **Corporate Services - Human Resources**

The "Fit For Duty" Corporate Policy, which will cover the use of cannabis, alcohol, etc. is currently being reviewed and will be implemented shortly.

### **Cornwall SDG Paramedic Services**

Paramedic Services is of the belief that retail locations will not have any effect on emergency services. It is anticipated that cannabis retail stores will not have any more effect on emergency call volume than the retail sale of alcohol.

### **Fire Services**

The Cornwall Fire Services recommend that the By-law governing retail locations will include provisions providing for strict compliance with the Alcohol and Gaming Commission of Ontario Standards and that all new businesses operating within the City will advance through the City's Business Licensing process in order to ensure that they operate in code compliant buildings.

## **ATTACHMENTS**



Attachment 1: Cannabis Licence Act, 2018.pdf



Attachment 2: Bill 36, Cannabis Statute Law Amendment Act, 2018.pdf



Attachment 3: Ontario Cannabis Legalization Implementation Fund - Heads of Council Letter.pdf



Attachment 4: Ontario Cannabis Legalization Implementation Fund - Treasurer Letter.pdf



Attachment 5: Implementation Fund 2018 Allocation Table.pdf



Attachment 6: Map showing possible locations as per O.Reg 468.18 Cannabis\_SchoolsOnly.pdf



Attachment 7: Registrar's Standards for Cannabis Retail Stores.pdf

Motion to receive Report 2019-001-CL.

Moved By: Maurice Dupelle

Seconded By: Justin Towndale

Motion Carried

Motion that the City of Cornwall opt-in to allow the establishment of retail cannabis stores in the municipality.

Moved By: Glen Grant, Councillor

Seconded By: Eric Bergeron, Councillor

A recorded vote on this matter resulted as follows:

**Votes For = 11**

Bernadette Clement, Mayor

Claude E. McIntosh, Councillor

Elaine MacDonald, Councillor

Syd Gardiner, Councillor

Dean Hollingsworth, Councillor

Carilyne Hébert, Councillor

Maurice Dupelle, Councillor

Glen Grant, Councillor  
Todd Bennett, Councillor  
Justin Towndale, Councillor  
Eric Bergeron, Councillor

Motion Carried

**Approval**

January 09, 2019 09:12 AM

Geoffrey Clarke  
General Manager, Corporate Services



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January 09, 2019 10:02 AM

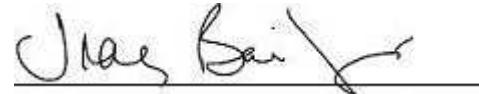
Mark A. Boileau  
General Manager, Planning, Development  
and Recreation



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January 09, 2019 10:04 AM

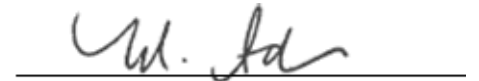
Tracey Bailey  
General Manager, Financial Services



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January 09, 2019 10:09 AM

Maureen Adams  
Chief Administrative Officer



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## City of Kingston Cannabis Policy Statement

### Purpose & Vision

The purpose of this policy statement is to provide a format for the City of Kingston's input to the Alcohol and Gaming Commission of Ontario (AGCO), as well as help prospective recreational cannabis retailers in their consideration of the location of cannabis retail stores in the City of Kingston.

The AGCO is the provincial authority that licenses cannabis retail operators, authorizes cannabis retail locations and licenses senior store staff. The City of Kingston has no licensing authority.

The AGCO regulates and reviews all aspects of the retail operation, including municipal and public input. In specific, municipalities may submit comments to assess if the proposed store location is consistent with the public's interest as defined in the regulations.

The City of Kingston has chosen to allow retail sales of recreational cannabis. The following provides municipal staff with guidance on commenting to the AGCO when a notice on a specific proposed cannabis retail store site is provided on the site location.

### Principles for Cannabis Retail Store Locations

#### Relationship to Other Applicable Law:

**Land Use Planning:** The provincial licensing process does not remove the requirement to comply with the zoning by-law and other municipal planning documents. The definitions within the City of Kingston's Official Plan and Zoning By-Laws are applicable to all retail, including cannabis retail stores. Retail sale of cannabis from a provincially licensed store is legal and is a permitted use in the retail zones.

**Municipal Building Inspections:** While the licensing of the store operation is the responsibility of the AGCO, the Building Code applies to cannabis retail store locations. Therefore, where a building permit is required, the building inspector will undertake duties as usual. Fire Code compliance is also mandatory.

For the purposes of this policy statement, a cannabis retail store shall mean a store licenced by the AGCO.

#### Cannabis Retail Stores and Sensitive Activities:

In order to help ensure public health and safety, protect youth and reduce illegal sales, retail cannabis stores are discouraged from being located within 150 metres of properties that are designed to serve youth, including youth activity centres, playgrounds, childcare facilities, as well as other sensitive facilities that serve persons with mental health or addiction challenges.

Cannabis retail stores should not abut a liquor store and should have a minimum distance from other cannabis retail stores. Stores should ideally be part of a commercial centre that provides appropriate traffic circulation and parking on site.

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**ATT-1: Appendix A – Town of Ajax Cannabis Policy Statement**

The following cannabis policy statement is based on a template developed by the Association of Municipalities of Ontario (AMO) and is being used as a standard template to guide decision-making and commenting across Ontario including Hamilton and Ottawa.

As stated in the attached report, the Town's cannabis policy statement reflects the desires of the Town and Council, and is not binding to the AGCO.

**Town of Ajax  
Cannabis Policy Statement**

For the purpose of this Policy Statement, a Cannabis Retail Store shall mean a store licensed by the Alcohol and Gaming Commission of Ontario (AGCO).

1. In order to help ensure public health and safety, protect youth and reduce illegal sales, retail cannabis stores should generally not be located within 150 metres of:
  - Schools
  - Alcohol and Detox Centres
  - Day Nurseries/Child Care Centres
  - Libraries
  - Community Centres
  - Mental Health/Addiction Centres
  
2. In the interest of public health and safety, cannabis retail stores should not be permitted in the following:
  - Areas that already have a high concentration of cannabis retail stores (i.e. the “clustering” of stores should be avoided)
  - Locations that have insufficient parking or transit access
  - Locations that are in predominantly residential area



# The Corporation of the City of Cornwall Municipal Policy Statement for Private Retail Cannabis Stores

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## Purpose and Vision

The purpose of this policy statement is to provide input to the Alcohol and Gaming Commission of Ontario (AGCO) as well as help prospective recreational cannabis retailers in their consideration of locations of cannabis retail stores in the City of Cornwall.

The AGCO is the provincial authority that licences cannabis retail operators, authorizes cannabis retail locations, and licenses senior store staff. Municipal governments have no licensing authority.

The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, and whether the proposed store location is consistent with the public interest as defined in the regulations.

The Corporation of the City of Cornwall has chosen to allow retail sales of recreational cannabis. The following provides municipal staff with guidance on commenting to the AGCO when a notice of a specific proposed cannabis retail store site is provided on the site location.

## Principles for Cannabis Retail Store Locations

### Relationship to Other Applicable Law

**Land Use Planning:** The provincial licensing process does not remove the requirement to comply with the Zoning By-law and other municipal planning documents. The definitions within the municipality's Official Plan and Zoning By-law are applicable to all retail, including cannabis retail stores. Retail sales of cannabis from a provincially licensed store are legal, and are a permitted use in the retail zones.

Municipal Building Inspections: While the licensing of the store operation is the responsibility of the AGCO, the Building Code applies to cannabis retail store locations, therefore, where a building permit is required; the building inspector will undertake duties as usual. Fire Code compliance is also mandatory. For the purposes of this policy statement, a cannabis retail store shall mean a store licensed by the AGCO.

## 1. Cannabis Retail Stores and Sensitive Activities

In order to help ensure public health and safety, protect youth and reduce illegal sales, retail cannabis stores are discouraged where nearby properties are designed to service youth.

## 2. Location of Cannabis Retail Stores

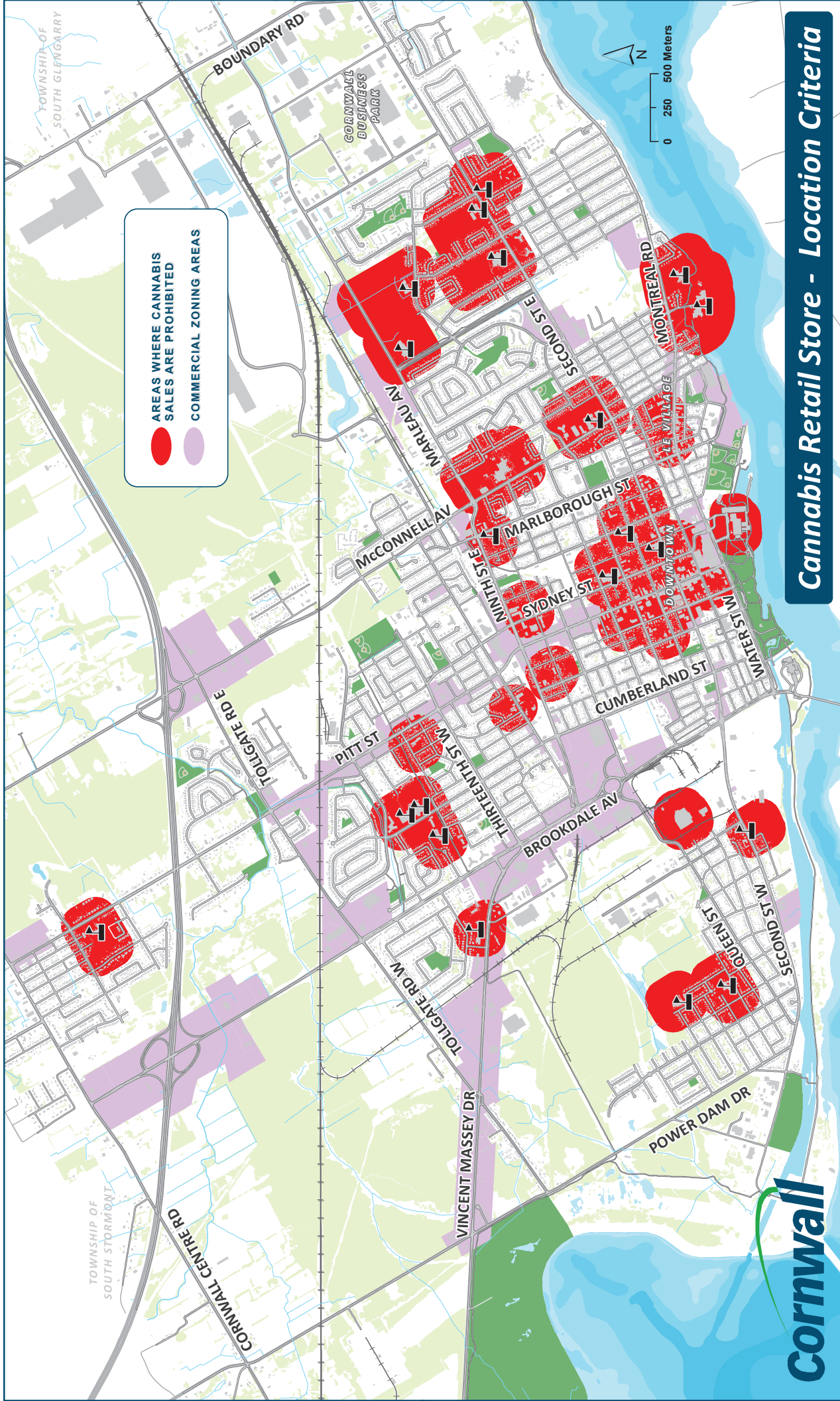
The Corporation of the City of Cornwall recommends a distance between cannabis stores themselves and stores that sell alcohol of 150 metres to avoid “concentration”.

The Corporation of the City of Cornwall enacts that retail cannabis stores are discouraged within 150 metres of properties including:

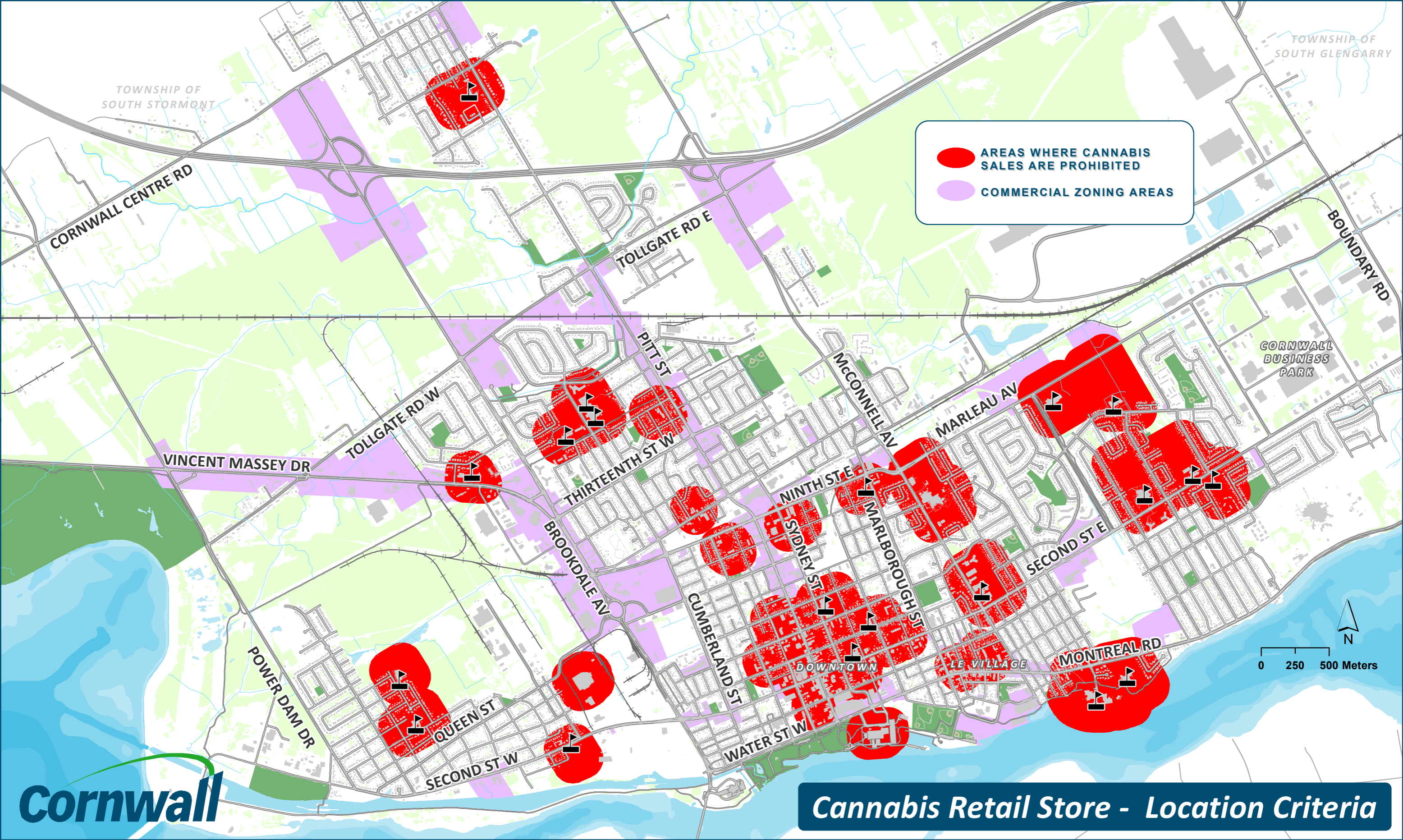
- Schools
- Day Nurseries / Childcare Centres
- Libraries
- Hospitals
- Youth Facilities
- Mental Health / Addiction and Detox Centres

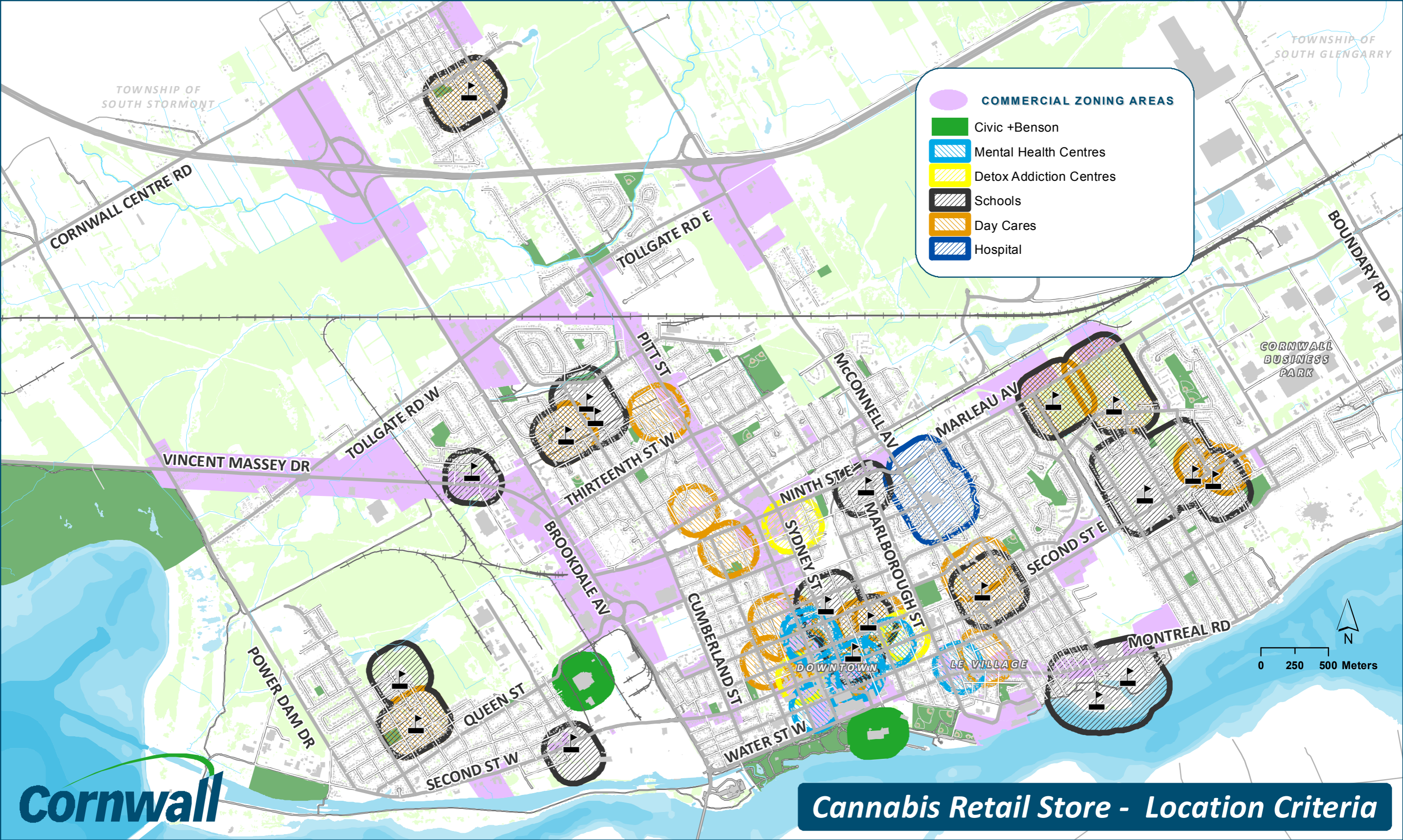
## 3. Map

Attached is a map showing the retail/commercial zones of the municipality and the activities identified in Section 1 above.



**Cannabis Retail Store - Location Criteria**





**COMMERCIAL ZONING AREAS**

- Civic +Benson
- Mental Health Centres
- Detox Addiction Centres
- Schools
- Day Cares
- Hospital