

## REPORT

**REPORT TO:** Chair and Members of the Planning, Public Works and Transportation Committee

**REPORT FROM:** Susan Silver, Senior Advisor, Strategic Planning & Continuous Improvement

**DATE:** February 15, 2019

**REPORT NO.:** ADMIN-2019-0009

**RE:** Cannabis Retail Policy

### RECOMMENDATION:

THAT report No. ADMIN-2019-0009 dated February 15, 2019 regarding Cannabis Retail Policy be received;

AND FURTHER THAT the draft Cannabis Retail Policy, attached as Appendix A to this report, be approved.

AND FURTHER THAT the approved Policy be forwarded to the AGCO, the Region of Halton and City of Burlington.

### BACKGROUND:

On January 21, 2019, Council adopted resolution 2019-0009 which contained a recommendation to allow cannabis retail stores to be located in the Town of Halton Hills. With respect to locations of retail stores:

- Section 42 (1) (2) of the Cannabis Licence Act, 2018 S.O. 2018, c. 12, put restrictions on municipal by-law making authority for both business licensing and planning.
- The associated regulation (O. Reg 468/18) stipulates that retail stores will not be authorized if they are located less than 150 metres from a school or private school as defined in the Education Act.
- A resident of the municipality in which the proposed store is located and/or the municipality (upper and lower tier) representing the area in which the proposed store is located may make written submissions as to why the proposed store is

not in the public interest as set out in O.Reg 468/18. The registrar (Alcohol and Gaming Commission of Ontario) will provide 15 calendar days for written submissions to be made and may refuse to authorize the store if it is in the public interest to do so.

Planning memorandum MEM-PLS-2018-0013; Cannabis Retail Stores, provides additional details regarding the regulation of retail stores, including maps of retail zones and school buffers. The purpose of this report is to propose a policy which would enable staff to coordinate a municipal response within the 15-day comment period.

## **COMMENTS:**

### **Development of the draft policy**

In November 2018, AMO (Association of Municipalities Ontario) issued a [Municipal Cannabis Update](#), which included a draft municipal cannabis policy statement. For municipalities accepting retail stores, AMO suggested that a 'Municipal Cannabis Retail Policy Statement' be adopted by Council. Such a policy statement could address what it sees as significant local sensitive uses and give municipal staff direction in responding during the 15-day comment period. The template provided by AMO has been used in the formation of the attached draft policy.

In addition to the AMO suggestion, input was also gathered during the public engagement regarding cannabis, specifically via the online LetsTalk survey. Residents were asked what, if any, additional uses should be considered when determining appropriate locations for retail stores. Understanding that any appeals to a store location must be limited to issues of public interest as defined by O.Reg 468/18, the attached draft policy has incorporated issues that may be linked to:

- Protecting public health and safety
- Protecting youth and restricting their access to cannabis
- Preventing illicit activities in relation to cannabis

### **Ongoing monitoring**

In December 2018, the Province announced that only 25 retail authorizations would be granted initially, with a maximum of six allocated to the Greater Toronto Area (GTA). This limitation was imposed via O.Reg 497/18 and remains in effect until December 13, 2019 (Sec. 8.3) after which it would be expected that additional applications may be made to the AGCO. If limits are revoked, resources will have to be reviewed and processes put in place to ensure applications to the AGCO can be responded to within the appropriate timeframes allotted. Until that time, staff continue to monitor and as of the writing of this report, no applications have been made to locate a retail store in Halton Hills and four of six applications for the GTA have been processed by the AGCO (Brampton, Oshawa, Burlington and Ajax).

**RELATIONSHIP TO STRATEGIC PLAN:**

Supports the strategic direction to Provide Responsive, Effective Municipal Government for the effective and efficient delivery of municipal services.

**FINANCIAL IMPACT:**

Any direct costs associated with implementation of the policy at this time will be funded from monies received under the OCLIF (Ontario Cannabis Legalization Implementation Fund). The Town of Halton Hills has received \$27,747 from Payment #1 and \$33,949 from Payment #2 for a total of \$61,696.

Future financial impacts will depend on resources required to monitor retail store applications beyond the initial six licenses granted in the GTA.

**CONSULTATION:**

Staff from various departments forming the Cannabis Legalization Working Group, including Planning, Clerks, and Communications were consulted during the development of the draft policy.

**PUBLIC ENGAGEMENT:**

Results from the letstalkhaltonhills survey regarding Cannabis have been referenced to inform the draft policy.

**SUSTAINABILITY IMPLICATIONS:**

The recommendation outlined in this report is not applicable to the Strategy's implementation.

**COMMUNICATIONS:**

A [Cannabis information page](#) has been created on the Town website where more information is provided, including links to additional resources. The policy will be posted when approved.

**CONCLUSION:**

Retail cannabis stores are allowed in Halton Hills. The draft Cannabis Retail Policy, attached as Appendix A, was developed to ensure the town can provide comment to the AGCO within the 15 day notice and appeal period and provides a framework for staff to evaluate proposed locations.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "R Cockfield". The signature is fluid and cursive, with the first name "Richard" being more legible than the last name "Cockfield".

**Richard Cockfield, Manager of Strategic Planning & Continuous Improvement**

A handwritten signature in black ink, appearing to read "Brent Marshall". The signature is fluid and cursive, with the first name "Brent" being more legible than the last name "Marshall".

**Brent Marshall, Chief Administrative Officer**