

Cannabis Retail Outlet Considerations

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Goals of Presentation

To provide the following information on cannabis:

- Cannabis Legalization in Ontario
- Public Health Concerns
- Regulations Around Obtaining and Consuming Cannabis
- Municipal Opt in/Opt out Considerations

Legalization Milestones

April 2017
Federal
cannabis
legislation
proposed

June 2018
Federal
Cannabis Act
passed

**September
2018**
New
provincial
cannabis
legislation
introduced

**December
2017**
Provincial
cannabis
legislation
passed

August 2018
New
provincial
cannabis
retail model
announced

October 2018
> Federal
Legalization
date
> Provincial
cannabis
legislation
passed

Cannabis in Ontario - Summary



Minimum age to buy, use, possess, or grow



Use in homes, many outdoor public spaces...



Serious impaired driving penalties. Zero tolerance for some drivers



30 g dried cannabis possession limit in public



Mixed public (online, OCS) and private (AGCO licensed) retail sales



Non-medical cannabis use prohibited in workplaces



Home cultivation of up to 4 plants per residence



Cannabis for medicinal use regulated by Health Canada

Cannabis - Public Health Concerns

Key Message

The extent of risks and harms are not entirely clear but we know that cannabis is not benign

Youth Use

- Youth especially vulnerable – the brain continues to develop until age 25

Drug-Impaired Driving

- Increases risk of being in a collision
- Impairment can last 6+ hours after use

Pregnant or Breastfeeding Mothers

- Negative impacts on fetus or child
- May lead to lower birth weight, development effects, increased likelihood of future substance use

Method of Consumption

- Smoking harms lungs
- Second-hand smoke
- Psychoactive effect delayed with edibles

Cannabis Regulations in Ontario

How can it be obtained?

Online and Wholesale

- Ontario Cannabis Retail Corporation (OCRC) exclusive wholesaler and online retailer
- Online sales began Oct 17
- Secure home deliveries through Canada Post
- First Nations able to prohibit home deliveries on reserve through resolution

Home Production

- People may grow up to four plants per residence

Retail Storefronts

- Coming April 2019 (25 stores)
- Private retailers licensed through the Alcohol and Gaming Commission (AGCO)
- First Nations Council resolution required before store authorization issued on reserve

Municipal Opt-Out Option

- | | |
|-----------------------------------|--|
| Deadline | <ul style="list-style-type: none">• January 22, 2019 through resolution |
| Alternative Process | <ul style="list-style-type: none">• Municipalities may opt-in at a later date through resolution• Once opted-in, decision is final |
| Process & Implications | <ul style="list-style-type: none">• Application to AGCO anticipated to begin in December• AGCO will keep a public list of municipalities that opt-out and cancel any pending store authorizations• Decisions to opt out impacts provincial funding allocations |

Municipal Funding

Allocation	\$40 million over 2 years
Minimum	\$10,000 to all municipalities
1st Payment	<ul style="list-style-type: none">• As soon as possible this year• Per household basis to all municipalities• Minimum \$5,000
2nd Payment	<ul style="list-style-type: none">• After January 22 opt-out deadline• Per household basis to host municipalities• \$5,000 to municipalities that opt-out
Other	<ul style="list-style-type: none">• 50/50 share of provincial portion of federal excise tax in excess of \$100 M in first two years for participating municipalities

Municipal Considerations - Retail

Siting and Licensing

- 150 meter setback from school property
- Required to be sited in existing commercial zones
- No limits on retail store density
- Retail stores to be exempted from municipal business licensing and land use planning by-laws

Hours of Operation

- Between 9:00 am and 11:00 pm Monday to Sunday

Municipal Considerations - Retail

Comment Process

- 15 day notification period for municipalities (lower and upper tier) and residents to provide written submissions to AGCO
- Public notice posted on building and AGCO website
- Comments are restricted to “matters of public interest”:
 1. Protecting public health and safety
 2. Protecting youth and restricting their access to cannabis
 3. Preventing illicit activities in relation to cannabis

Cannabis Regulations in Ontario

Places of Use

Smoking & Vaping Prohibited

- Enclosed public places and workplaces*
- Schools and childcare centres
- Restaurants and bar patios
- Public outdoor spaces prescribed by the Smoke-Free Ontario Act including playgrounds and sports fields
- Other areas as set out in applicable municipal by-laws

All modes Prohibited

- Workplaces
- Vehicles and boats (non-residential)

Municipal Considerations - Use

- Opportunity to enact stricter by-laws relating to smoking and vaping of cannabis
- Stricter by-laws may have costs and enforceability considerations
- Boards of Health responsible for enforcing the *Smoke-Free Ontario Act, 2017*; additional by-laws responsibility of municipal by-law enforcement
- Additional public education and awareness building may also be required

Thank You!

Questions?

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