

## MEMO / NOTE DE SERVICE



To/Destinataire	Registrar, Alcohol and Gaming Commission of Ontario	AGCO License File/N° de fichier: <b>1225910</b>
From/Expéditeur	Benjamin Cool-Fergus Planner Zoning & Interpretation Unit	
Subject/Objet	<b>Cannabis Retail Store Authorization Application</b>	Date: <b>15 July 2021</b>

A Cannabis Retail Store Authorization Application in the City of Ottawa has been issued for Public Notice by the Alcohol and Gaming Commission of Ontario. Per the *Cannabis License Act*, a municipality or any other interested party has 15 calendar days to reply based on matters of public interest.

The Provincial legislation provides that the AGCO may not issue a retail store authorization for applications deemed not to be in the “public interest”, which has been defined in s. 10 of Regulation [468/18](#) as meaning:

1. protecting public health and safety,
2. protecting youth and restricting their access to cannabis, and
3. preventing illicit activities in relation to cannabis.

Pursuant to [Council Direction](#) from December 13, 2018, City of Ottawa staff have reviewed the proposed application with respect to matters pertaining to the public interest. The Municipal Response is attached.

If you require any clarification or have any questions please do not hesitate to contact me directly.

Sincerely,

Benjamin Cool-Fergus  
Planner, Zoning & Interpretation Unit  
Economic Development and Long-Range Planning  
613 580 2400 x 27915  
[Benjamin.Cool-Fergus@ottawa.ca](mailto:Benjamin.Cool-Fergus@ottawa.ca)

**City of Ottawa Municipal Response to Cannabis Retail Store Authorization  
to Registrar, Alcohol and Gaming Commission of Ontario**

<b>Business Name:</b>	<b>Collective Growers</b>
<b>Proposed Address:</b>	<b>312 SOMERSET ST E</b>
<b>AGCO File Number:</b>	<b>1225910</b>

Pursuant to [Council Direction](#) from December 13, 2018, City of Ottawa staff have reviewed the proposed application and make the following observations pertaining to the public interest.

**Key Principle 1: Prevention of Clustering**

A 150 metre distance separation from other Licensed Cannabis Stores is in the public interest, as the Board of Health has noted concerns that excessive clustering and geographic concentration of cannabis retail outlets may encourage undesirable health outcomes.		<b>Applicable?</b>	
<b>a.</b>	Location is within 150 metres of the property boundary of a Cannabis Retail Store approved by the Alcohol and Gaming Commission	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>

**Key Principle 2: Separation from Sensitive Sites**

A 150 metre distance separation from sensitive uses including schools and facilities analogous to schools is in the public interest as these provide a community function or are locations where youth congregate. Separation may prevent the normalization of cannabis use.		<b>Applicable?</b>	
<b>a.</b>	Location is within 150 metres of the property boundary of a Public School or known location of a Private School, as defined by the Education Act	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>
<b>b.</b>	Location is within 150 metres separation distance from a publicly-owned and/or operated recreational facility	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>
<b>c.</b>	Location is within 150 metres separation distance from a publicly-owned and/or operated community centre	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>
<b>d.</b>	Location is within 150 metres separation distance from a publicly-owned and/or operated library	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>
<b>e.</b>	Location is within 150 metres separation distance from an active-use public park	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>

### Key Principle 3: Where Retail is a Permitted/Principal Use

Cannabis retail stores should be restricted to zones of a commercial focus where “retail store” is a principal use in the Zoning By-law. Locations where retail is secondary or accessory to another use are not appropriate, including locations in a residential context.		<b>Applicable?</b>	
<b>a.</b>	Location is in a zone where "retail store" is not permitted as a principal use in the Zoning By-law	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>
<b>b.</b>	Location is in a residential zone that allows retail, such as LC (local commercial) and small-c (neighbourhood commercial) designated zones.	<b>Yes</b> <input checked="" type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>
<b>c.</b>	Location is in a zone that has site-specific conditions and/or exceptions on "retail store" such that a stand-alone cannabis retail store as defined by the Cannabis License Act would not meet the provincial operating requirements.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>
<b>d.</b>	Location is in a zone where "retail store" is considered a legal non-conforming use.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>

### Key Principle 4: Additional Local Issues to be Noted

AGCO is requested to have regard to any additional local issues not captured by the above, and to take into consideration location concerns from other service providers where a cannabis retail store is proposed within 150m separation of those establishments.
<b>Staff Comments</b>
Staff note that the proposed establishment is located in a small-c neighbourhood commercial (R4UB-c) zone, which permits Retail Store as a use. <b>However, Council’s direction states that cannabis retail should not locate in small-c zones.</b>
<b>Ward Councillor Comments</b>
Currently, in Ward 12, we have ten cannabis retail stores already operating within a very small geographic area and a number of applications submitted.  Specific to the retail location in general, my concern is that this application is located in a neighbourhood commercial zone. And Council’s direction specifically states that cannabis retail should not be located in this zone.  This neighbourhood has a desire for local commercial – grocery, coffee shops and personal care services are preferred. Additionally, this location is also in close proximity to the Sandy Hill Community Centre, Francojeunesse school, Youville School, Viscount School, Betty Hyde Child Care, Rideau Sport

Centre community centre, Annie Pootookook Park which raises concerns regarding the eligibility criteria of this application.

Accessibility concerns persist with all cannabis store applications. Currently, any new building must meet accessibility standards, accessibility levels within AODA are limited for commercial buildings vs public-owned facilities, and further limitations exist for older heritage buildings. These are two issues, unlike the LCBO model. LCBOs are present in every community, and all stores are fully accessible. Cannabis stores should be required to have equal accessibility requirements. To add to that, I feel every cannabis shop should have a security guard on-site and additional exterior lighting to control the environment, ensure safe access and deter theft. Having an extra set of eyes and personnel guarding your store is never a bad thing. Security guards can help monitor clientele's behaviour and efficiently remove any risks or hazards as they arise.

I will once again raise the concern of creating a concentration of one type of retail store in Ward 12. With each application submitted, we continue to share our concerns about this type of retail shop concentration in one area of our City. If approved by the AGCO, the owner/operator contact information should be shared with myself and the local Community Association (Action Sandy Hill) to create a working relationship between the enterprise and community so all emerging issues can be addressed quickly.

Counting this application in total, I have submitted comments on 15 applications so far for my Ward, raising these same concerns. Specifically, there is a worry that if concentration continues, it creates economic distortion and retail lease rates have increased, even during the COVID pandemic. If this application is granted, the rights are established. And if this occurs, it could also create financial limits for other businesses to access these, local commercial spaces. It also brings up concerns around City of Ottawa zoning issues as we review the City's Official Plan. If this is approved, it raises planning policy questions and adds a risk within all neighbourhood commercial zones.

As the local City Councillor, my priority is to make sure that we protect our children and families as per the AGCO Cannabis Act review objectives. These should be weighted heavily when considering this license application, as they should have been with previous ones.