

## MEMO / NOTE DE SERVICE



To/Destinataire	Registrar, Alcohol and Gaming Commission of Ontario	AGCO License File/N° de fichier: <b>445624</b>
From/Expéditeur	David Wise Program Manager Zoning & Interpretation Unit	
Subject/Objet	<b>Cannabis Retail Store Authorization Application</b>	Date: <b>March 1st, 2019</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,

David Wise, MCIP, RPP  
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Economic Development and Long-Range Planning  
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**City of Ottawa Municipal Response to Cannabis Retail Store Authorization  
to Registrar, Alcohol and Gaming Commission of Ontario**

<b>Business Name:</b>	<b>HOBO Recreational Cannabis Store</b>
<b>Proposed Address:</b>	<b>391 Bank Street</b>
<b>AGCO File Number:</b>	<b>445624</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 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>
<p>Staff note that the application is located on a Traditional Main Street and is subject to the conditions of use pertaining to a Retail Store as described in <a href="#">s.197(1)</a>, including direct pedestrian access and a minimum of 50% transparent windows and active entrances. Glazing, frosting and use of spandrels to obscure visibility over greater than 50% of the storefront is not in accordance with the conditions of a retail store in this zone.</p> <p>We note the <i>Registrar’s Standards for Cannabis Retail Stores</i> provides the following direction:</p> <p><b>12. Licensees must ensure that cannabis and accessories are not visible from the exterior of the premises.</b></p> <p>The City emphasizes “active frontage” storefronts with use of transparent windows, minimal glazing, spandrels etc. and requires a high degree of interaction between the sidewalk and inside the store on Main Streets and high pedestrian traffic commercial areas. This is to avoid the development of a blank façade that does not provide a positive benefit to the streetscape. The retail operator is reminded that as a retail store,</p>

the requirements of the TM Zone apply and are subject to inspection and enforcement by City of Ottawa By-law enforcement to provide compliance with the intent and requirements of the By-law. The use of internal partitions or other means of compliance with Registrar’s standards are encouraged, so as to ensure conformance with Zoning requirements.

**Ward Councillor Comments**

“I would like to see a traffic impact analysis prior to licensing, as well as a resolution to the zoning conditions described in the Staff Comments above.”