

MEMO / NOTE DE SERVICE



To/Destinataire	Registrar, Alcohol and Gaming Commission of Ontario	AGCO License File/N° de fichier: 938755
From/Expéditeur	Marika Atfield Planner Zoning & Interpretation Unit	
Subject/Objet	Cannabis Retail Store Authorization Application	Date: April 15, 2020

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,

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

Business Name:	Spiritleaf
Proposed Address:	1250 Stittsville Main Street, Unit C10
AGCO File Number:	938755

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.		Applicable?	
a.	Location is within 150 metres of the property boundary of a Cannabis Retail Store approved by the Alcohol and Gaming Commission	Yes <input type="checkbox"/>	No <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.		Applicable?	
a.	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	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b.	Location is within 150 metres separation distance from a publicly-owned and/or operated recreational facility	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
c.	Location is within 150 metres separation distance from a publicly-owned and/or operated community centre	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
d.	Location is within 150 metres separation distance from a publicly-owned and/or operated library	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
e.	Location is within 150 metres separation distance from an active-use public park	Yes <input type="checkbox"/>	No <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.		Applicable?	
a.	Location is in a zone where "retail store" is not permitted as a principal use in the Zoning By-law	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b.	Location is in a residential zone that allows retail, such as LC (local commercial) and small-c (neighbourhood commercial) designated zones.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
c.	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.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
d.	Location is in a zone where "retail store" is considered a legal non-conforming use.	Yes <input type="checkbox"/>	No <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.
Staff Comments
Staff note that the proposed store is located within a commercial complex in a Traditional Mainstreet (TM9) zone, which permits Retail as a use. To comply with required zoning provisions, please note that at least 80 per cent of the windows and doors facing Stittsville Main Street must consist of transparent glazing.
Ward Councillor Comments
Ward Councillor Glen Gower’s comments as follows: Increasing access and normalization of cannabis consumption brings with it an increase in public health concerns, particularly for youth in our community. Regular use of cannabis, especially for youth, can lead to health and social harms, including changes to brain development in youth, poor lung health when smoked or vaped, mental health

illnesses and challenges, and physical and psychological dependence leading to cannabis use disorders.

This particular location is located in a retail area where youth regularly visit. If the AGCO authorizes the proposed retail location, they must provide additional funding and preventative measures to mitigate negative health effects. This should include stronger funding for preventative public health programs, and increased enforcement to ensure that young people are not entering the premise or loitering nearby to gain access to cannabis from an adult.

Also: The notice of application posted to the AGCO web site incorrectly listed the municipality as "Stittsville" rather than "Ottawa" (Stittsville is a municipal ward within the City of Ottawa). This error meant that the application did not show up on our municipality's regular scans of new applications, and therefore negatively impacted my ability to inform the community about the application in a timely manner.