

MEMO / NOTE DE SERVICE



To/Destinataire	Registrar, Alcohol and Gaming Commission of Ontario	AGCO License File/N° de fichier: <b>1155557</b>
From/Expéditeur	Benjamin Cool-Fergus Planner Zoning & Interpretation Unit	
Subject/Objet	<b>Cannabis Retail Store Authorization Application</b>	Date: <b>20 May 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>Purple Meadow Cannabis</b>
<b>Proposed Address:</b>	<b>366 Rideau Street</b>
<b>AGCO File Number:</b>	<b>1155557</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 checked="" type="checkbox"/>	<b>No</b> <input 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>
Staff note that the proposed establishment is located in an Traditional Mainstreet (TM6) zone, which permits Retail Store as a use.
Staff note that the proposed location is across the street from the Rideau Branch of the Ottawa Public Library, within the 150 metre exclusion buffer set out by Council.
<b>Ward Councillor Comments</b>
Currently, there are three cannabis retail stores approved on Rideau Street. In Ward 12, we have nine cannabis retail stores already operating. If this application is approved, it would be the fourth shop on Rideau Street, and in general, creates a concentration of one type of retail store in one area – namely the Byward Market and Rideau Street.
With each application submitted, we continue to share our concerns about this type of retail shop concentration in one area of the City. Once again, I will reiterate that this type of concentration does not reflect our long-term vision and goals of a mix-commercial district for the downtown core.
Counting this application in total, I have submitted comments on 12 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 may rise. And if this occurs, it could also create financial limits for other businesses to access these commercial retail vacancies.

Additionally, my concerns about accessibility requirements 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. LCBO's are present in every community, and all stores are fully accessible. Cannabis stores should be required to have equal accessibility requirements.

The community and I also have concerns about this site, at 366 Rideau Street. This store has accessibility issues and is in close proximity – less than 150 metres of a public library and is less than 100 metres from a community health centre, the Sandy Hill Community Health Centre. The centre serves a vulnerable group of individuals and focuses and offers on-site treatment for drug addictions.

This location has had issues with individuals accessing the rear yard for drug use and criminal activity. There would need to be proper fencing installed to the rear yard and adequate lighting on the side and front of the property to eliminate these issues.

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' behaviour and efficiently remove any risks or hazards as they arise.

In addition to the comments previously made, another reason why we object to this proposed cannabis retail store is that it would be extremely close to two elementary schools in our community.

We have one school, Ste-Anne Elementary, located at 235 Beausoleil Drive in Lowertown, and another one, Francojeunesse Pavilion Elementary school, located at 339 Wilbrod Street in Sandy Hill.

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. I think this location breaks the distancing regulations for proximity to school to consider a cannabis license so near to two schools.