

MEMO / NOTE DE SERVICE



To/Destinataire	Registrar, Alcohol and Gaming Commission of Ontario	AGCO License File/N° de fichier: 1159027
From/Expéditeur	Benjamin Cool-Fergus Planner Zoning & Interpretation Unit	
Subject/Objet	Cannabis Retail Store Authorization Application	Date: 27 April 2021

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

Business Name:	Shinybud Cannabis Co. 420 Kanata
Proposed Address:	420 Hazeldean Road, Unit 8
AGCO File Number:	1159027

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 establishment is located in a Arterial Mainstreet (AM2) zone, which permits Retail Store as a use.
Ward Councillor Comments
<p>I am not supportive of this application as I feel that ward 23 is becoming oversaturated with Cannabis Retail stores and this particular location is not a good fit for yet another store. This strip plaza is located a few steps from the very popular Gymnoshere where hundreds of kids come weekly for gymnastics lessons. Parents drop off their children and wait in their vehicles for the lessons to be completed and I suspect that I will start to hear from many of them who are opposed to a cannabis retail store so close by.</p> <p>In addition, this area is frequented daily by high school kids who go on their lunch breaks to the Pizza Pizza located at 420 Hazeldean Rd- so likely right beside or a store down from where this cannabis store is proposing to open. After school not only are there high school kids, but also children from the Glen Cairn Middle School who walk up to this mall as well.</p> <p>I feel that 4 cannabis stores that are already operational in my ward are more than enough and the location for this store is absolutely unacceptable given the proximity to the Gymnosphere nearby and the Pizza Pizza that is heavily frequented by local youth.</p>