



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: L. Silani, Director of Development & Strategic Initiatives

Department: Development and Strategic Initiatives

Date of Report: March 12, 2021

Report Number: DS-06-2021

Subject: Cannabis Retail Stores

Recommendation

That the report of the Director of Development & Strategic Initiatives dated March 12, 2021 (DS-06-2021) regarding Cannabis Retail Stores be received, and that the Corporation of the Town of LaSalle opt-in to hosting retail cannabis stores, and that the Clerk be authorized to send correspondence to the Alcohol and Gaming Commission of Ontario advising that the Council of the Town of LaSalle passed a resolution on March 23, 2021 to opt-in to being a host for retail cannabis stores.

Report

On January 8, 2019 Council passed the following resolution:

“That the report of the Chief Administrative Officer dated December 18, 2018 (CAO-01-2019) regarding the legalization of cannabis use and retail sales be received, that the Corporation of the Town of LaSalle opt-out of hosting retail cannabis sales, and that the Clerk be authorized to send a letter to the Alcohol and Gaming Commission of Ontario advising that the Council of the Town of LaSalle at their meeting held on Tuesday, January 8, 2019 passed a resolution to opt-out of cannabis sales, and further that this matter be revisited in one year.”

Town Staff have prepared this report to provide Council with an update as to what has taken place in our region and throughout the province in the subsequent two years, with respect to authorizations that have been granted to allow new cannabis retail stores to open. The information that is contained in this report is meant to assist Council in its deliberations with respect to its stated intention to revisit the 2019 opt-out decision.

The Province of Ontario has given the AGCO (Alcohol and Gaming Commission of Ontario) the responsibility for regulating Ontario's cannabis retail stores under the Cannabis License Act, 2018, and Regulation 468/18. As the provincial regulator for privately run recreational cannabis stores, the AGCO licenses eligible retail store operators, authorizes cannabis retail store locations, and regulates the sale of cannabis in the approved retail stores.

To date, the AGCO has granted approval to more than 480 cannabis retail stores in over 100 communities located throughout the province.

According to data provided by the AGCO, a total of 28 authorized cannabis retail store locations have been approved by the Province of Ontario in our region, as follows:

- 2 in Amherstburg;
- 5 in Chatham;
- 2 in Essex (one of which is in Harrow);
- 1 in Lakeshore;
- 1 in Leamington;
- 2 in Sarnia;
- 15 in Windsor

There are also more than 30 applications that are in various stages of the provincial review/approval process, to obtain authorization to open additional cannabis retail stores in our region – including two applications that are at the public notice stage in the Town of Kingsville.

With the exception of the Town of Tecumseh and the Town of LaSalle, all other municipalities in our region have passed resolutions allowing cannabis retail stores to open within their respective communities.

As part of the Cannabis License Act as adopted by the Province, cannabis retail stores are not permitted to be located within 150 metres of a school. The provincial legislation prohibits municipalities from adopting any further locational restrictions under the Planning Act. A cannabis retail store is to be treated in the same way as any other retail store and would be allowed to locate wherever a retail store is permitted, save and except that it cannot be located within 150 metres of a school.

The AGCO has established a set of standards for cannabis retail stores, pertaining to matters related to: store premises/surveillance/security; training of employees; advertising and promotion; and prevention of unlawful activities. Public notice is required to be given for an application that is submitted to the AGCO. Residents and the host municipality have 15 calendar days to make written submissions to the AGCO,

following which the applicant is provided 5 calendar days to respond to those submissions.

A cannabis retail store authorization may be issued by the AGCO, unless they find that it is not in the public interest to do so. Under subsection 10 of Ontario Regulation 468/18, the following matters are considered to be of public interest: (i) protecting public health and safety; (ii) protecting youth and restricting their access to cannabis; and (iii) preventing illicit activities in relation to cannabis.

It should be noted that under Section 41 of the Cannabis License Act, 2018, a municipality that has previously passed a resolution to prohibit cannabis retail stores from being located within the corporate limits of their municipality may by resolution lift that prohibition and permit such stores to open and to apply for licensing in accordance with the regulations and standards set forth by the Province of Ontario/AGCO.

We have consulted with staff from various municipalities in our region, and they are satisfied that the existing rules, standards and approval processes enacted by the AGCO has resulted in store locations that are appropriate and in keeping with the legislation as adopted by the Province of Ontario.

We trust that this information is of assistance to members of Council, and we are available to answer questions.

Consultations

Staff from various municipalities in the Windsor-Essex Region were consulted with

Financial Implications

N/A

Prepared By:



Director, Development and
Strategic Initiatives

L. Silani

Link to Strategic Goals

1. Enhancing organizational excellence - Not Applicable
2. Strengthen the community's engagement with the Town - Not Applicable
3. Grow and diversify the local economy - Yes
4. Build on our high-quality of life - Not Applicable
5. Sustaining strong public services and infrastructure - Not Applicable

Communications

N/A

Notifications

N/A

Report Approval Details

Document Title:	Cannabis Retail Stores.docx
Attachments:	
Final Approval Date:	Mar 15, 2021

This report and all of its attachments were approved and signed as outlined below:


Chief Administrative Officer

Joe Milicia