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POLICIES AND PROCEDURES

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Corporate Policy

POLICY STATEMENT:

The City of Thunder Bay has chosen to allow cannabis retail stores as defined by the *Cannabis Act*, 2017. The following provides municipal staff with guidance on commenting to the Alcohol and Gaming Commission of Ontario (AGCO) when a notice on a specific proposed cannabis retail store site within the City of Thunder Bay is provided.

For the purpose of this Policy Statement, a cannabis retail store shall mean a store licensed by the AGCO.

In order to protect youth and promote public health and safety cannabis retail stores are discouraged where nearby properties are designed to serve youth and/or provide support to individuals with substance use and/or mental health challenges. Cannabis retail stores should be located a minimum of 150 metres from the property line of all of the following:

Any daycare facility; elementary, secondary or private school; college; university

Any youth group home

Any emergency shelter
Any location where youth-focused programming is offered
Any facilities where substance use and/or mental health challenges are treated
Any community centre
Any municipal library
Any recreational facility, area, playground, and/or park
Any LCBO or beer store

River and other watercourse areas within the city of Thunder Bay have been identified as areas where substance use activity is concentrated, resulting in public health and safety concerns. Cannabis retail stores should be located a minimum of 150 metres from all rivers and watercourses as identified in Schedule A to this Policy.

PURPOSE:

The purpose of this Policy Statement is to provide guidance for the City of Thunder Bay's input to the AGCO as well as help prospective recreational cannabis retailers in considering the location of cannabis retail stores in Thunder Bay.

The AGCO is the provincial authority that licenses cannabis retail operators, authorizes cannabis retail locations and licenses senior store staff. The City of Thunder Bay has no licensing authority.

The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, to determine whether store locations are contrary to public interest as defined in the regulations.

GUIDELINE

Principles for Cannabis Retail Store Locations

Land Use Planning: The provincial licensing process does not remove the requirement to comply with the City's Official Plan and Zoning By-law. The policies of the Official Plan and the regulations of the Zoning By-law are applicable to all retail stores, including cannabis retail stores. The retail sale of cannabis from a provincially licensed store is legal and is permitted in all zones where a retail store is a permitted use. Areas zoned to permit retail stores that are located a minimum of 150 metres from identified sensitive uses are shown in Schedule A to this policy. The AGCO is encouraged to consult all current zoning regulations during the site selection process.

Site Design: A cannabis retail store site should incorporate Crime Prevention through Environmental Design principles into the design of the facility and the entire site on which it is located.

Municipal Building Inspections: While the licensing of the store operation is the responsibility of the AGCO, the Building Code applies to retail stores including cannabis retail stores. Therefore, where a building permit is required, the building inspector will undertake duties as usual. Fire Code compliance is also mandatory.

Municipal Enforcement: While the licensing of the store operation is the responsibility of the AGCO, enforcement of the City's Zoning By-law is the responsibility of the municipality. Where a complaint is received with respect to Zoning By-law compliance, Licensing & Enforcement staff will conduct an investigation as usual.

Location Criteria: Cannabis retail stores should be located in a commercial area where there is appropriate traffic circulation and on-site parking or transit access. Cannabis retail stores should not be permitted in areas where the predominant land use is residential. Schedule A to this policy shows properties within the city where it would be appropriate to locate a cannabis retail store. The locations of recreational facilities and other sensitive areas are also shown. The properties identified as being appropriate for cannabis retail stores are a minimum of 150 metres from the property boundary of each of the sensitive uses or areas identified as high risk. The information contained in Schedule A is subject to change without notice.

Density Criteria: Cannabis retail stores should not be permitted in areas that already have a high concentration of cannabis retail stores.

REFERENCE:

Corporate Report R 125/2019 (City Manager's Office – Corporate Strategic Services)

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