

Bill No. 35
2019

By-law No. A.-_____ -____

A by-law to delegate the authority to respond to circulation of cannabis retail site applications to the Alcohol and Gaming Commission (AGCO).

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 23.1 of the *Municipal Act, 2001* provides that a municipality may delegate its powers and duties to a person or body subject to the restrictions set out in that section of the *Municipal Act, 2001*;

AND WHEREAS The Corporation of the City of London (the "City") has by by-law adopted a Delegation of Powers and Duties Policy;

AND WHEREAS it is deemed expedient for the City to delegate the authority to provide responses to the circulation of cannabis retail store applications to the Alcohol and Gaming Commission (AGCO) within the prescribed commenting period;

AND WHEREAS Section 10 of Ontario Regulation 468/18, made under the *Cannabis License Act, 2018* identifies matters of public interest which include:

1. Protecting public health and safety.
2. Protecting youth and restricting their access to cannabis.
3. Preventing illicit activities in relation to cannabis;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. That the authority to respond to circulation of cannabis retail site applications to the Alcohol and Gaming Commission (AGCO) is hereby delegated to the Chief Building Official, or delegate.

2. Scope of Power:

The delegated authority to the Chief Building Official, or designate to develop a process and identify the staff and technical resources required to submit the City of London's formal response to a cannabis retail site application to the AGCO shall include:

- a) submissions whether the proposed cannabis retail store location is within 150 metres of a school or private school as defined by the *Education Act*;
- b) submissions whether the proposed cannabis retail store location is zoned to permit a retail store; and,

- c) comments with regards to the proposed site's conformity with the Council Policy entitled "Siting of Cannabis Retail Stores in London", as may be amended from time to time.

3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council January 15, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 15, 2019
Second Reading – January 15, 2019
Third Reading – January 15, 2019