

<b>TO:</b>	<b>CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON OCTOBER 6, 2020</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>MUNICIPAL IMPLEMENTATION OF AUTHORIZED CANNABIS RETAIL STORES</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the following report on municipal implementation of legalized cannabis retail stores **BE RECEIVED** for information.

<b>PREVIOUS REPORTS PERTAINING TO THIS MATTER</b>
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- Planning and Environment Committee – December 4, 2017 – Planning for Non-therapeutic Cannabis Retail Stores
- Community And Protective Services – December 10, 2018 – Municipal Implementation Of Legalized Cannabis – Cannabis Licence Act, 2018
- Planning and Environment Committee – January 7, 2019 – Cannabis Retail Stores

<b>BACKGROUND</b>
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At the January 15, 2019 Municipal Council meeting, the following was resolved:

That, on the recommendation of the Managing Director, City Planning and City Planner, with the concurrence of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the review of potential locations for Cannabis Retail Stores in the City of London:

- a) the attached proposed by-law (Appendix “A”) BE INTRODUCED at the Municipal Council meeting to be held on January 15, 2019 to repeal and replace By-law No. CPOL-232-15, as amended, being a By-law entitled “Siting of Cannabis Retail Stores in London” and replace it with a new Council policy entitled “Siting of Cannabis Retail Stores in London”; and,
- b) the attached proposed delegation by-law (Appendix “B”) BE INTRODUCED at the Municipal Council meeting to be held on January 15, 2019 to delegate to the Chief Building Official, or delegate, the authority to respond to circulation of cannabis retail site applications to the Alcohol and Gaming Commission of Ontario (AGCO).

The purpose of this report is to provide an update on the City of London’s responses to the Alcohol and Gaming Commission of Ontario (AGCO) when notified of a new Cannabis Retail Store application within London.

The current process is as follows:

- The Manager of Zoning and Public Property Compliance receives an email from the AGCO notifying that a new cannabis retail store authorization application has been received (Appendix “C”).
- A review of the property and surrounding area is conducted utilizing CityMap and Google Streetview to verify compliance with AGCO regulations and Council policy “Siting of Cannabis Retail Stores in London”.
- A standard response template is populated based on the aforementioned review and submitted to the AGCO through their web portal.
- The Mayor, Ward Councillor, City Manager, Managing Director, Development & Compliance Services & Chief Building Official and City Clerk are notified via an email from the Manager of Zoning and Public Property Compliance of the City’s AGCO submission.

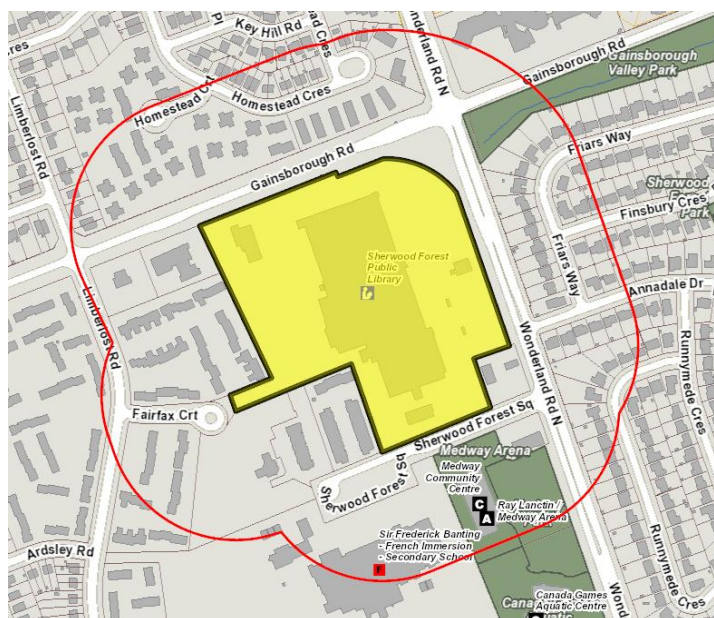
The following is a list from the AGCO’s website of Cannabis Retail Stores that are “Authorized to Open” or have an application “In Process”.

<b>Store Name</b>	<b>Address</b>	<b>Store Application Status</b>	<b>Open to Public</b>
Friendly Stranger London	1135 Richmond St	Authorized To Open	Yes
J. London	691 Richmond St, Suite 5	Authorized To Open	Yes
Lux Smoke Vape/Cafe	467 Wharncliffe Rd S	Authorized To Open	Yes
One Plant Masonville	94 Fanshawe Park Rd E, Unit 6	Authorized To Open	Yes
Spiritleaf	109 Fanshawe Park Rd E, Unit 9	Authorized To Open	Yes
Tokyo Smoke	666 Wonderland Rd N, Unit 6b	Authorized To Open	Yes
Tweed	1025 Wellington Rod, Unit A-2	Authorized To Open	Yes
423 Hamilton Road	423 Hamilton Rd	In Progress	N/A
Canna Cabana London	760 Hyde Park Rd, Unit 7b	In Progress	N/A
Cannabis Link	1175 Hyde Park Rd, Unit 2b	In Progress	N/A
Cannabis Link	1225 Wonderland Rd N, Unit 40a	In Progress	N/A
Cannabis Link	1295 Highbury Ave N, Unit A6B	In Progress	N/A
Cannabis Supply Co.	9 Southdale Rd E	In Progress	N/A

Chill Cannabis	649 Richmond St	In Progress	N/A
Cloud 29 Richmond	660 Richmond St, Unit 6	In Progress	N/A
Corner Cannabis - Fanshawe	1299 Oxford St E, Unit 79b	In Progress	N/A
Fire & Flower Cannabis Co.	685 Richmond St, Suite 109	In Progress	N/A
Forest City Marijuana	1470 Dundas St	In Progress	N/A
Lit Cannabis	25 Oxford St W, Unit 109	In Progress	N/A
Miss Jones	765 Exeter Rd, Unit C64	In Progress	N/A
Neat Cannabis Company	590 Oxford St E, Unit B	In Progress	N/A
Ronin Cannibus	434 Richmond St	In Progress	N/A
Spiritleaf 979 Wellington Road	979 Wellington Rd, Suite 106a	In Progress	N/A
The Cannabist Shop - Richmond	533 Richmond St	In Progress	N/A
Tree Tops Cannabis Co.	1070 Wellington Rd, Unit 17	In Progress	N/A

To date, Civic Administration has made 17 submissions to the AGCO. Of those submissions, one did not comply with Council’s “Siting of Cannabis Retail Stores in London” policy. The location was for 1225 Wonderland Rd N, Unit 40a and the property line of the cannabis retail store site was not a minimum of 150m away from the property line of any municipal library, pool, arena and/or community centre. As per the above table, this location status is listed as “In Progress” and as of the date of this report Civic Administration has not received any additional correspondence from the AGCO regarding that particular submission.

1225 Wonderland Road North



<b>CONCLUSION</b>
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The current review and submission process as outlined above is working well. It is anticipated that in addition to the existing seven open Cannabis Retail Stores in London, the number of stores will continue to grow, with additional stores being opened to the public by the end of 2020.

<b>PREPARED BY:</b>	<b>CONCURRED BY:</b>
<b>ADAM SALTON MANAGER, ZONING AND PUBLIC PROPERTY COMPLIANCE</b>	<b>PETER KOKKOROS, P.ENG. DEPUTY CHIEF BUILDING OFFICIAL</b>
<b>RECOMMENDED BY:</b>	
<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>	

Appendix "A"

Bill No. 35

2019

By-law No. CPOL.

A by-law to repeal and replace By-law No. CPOL-232-15, as amended, being a By-law entitled "Siting of Cannabis Retail Stores in London" and replace it with a new Council policy entitled "Siting of Cannabis Retail Stores in London".

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, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to repeal and replace By-law No. CPOL-232-15, as amended, being a By-law entitled "Siting of Cannabis Retail Stores in London" and replace it with a new Council policy entitled "Siting of Cannabis Retail Stores in London";

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

1. The policy entitled "Siting of Cannabis Retail Stores in London", attached hereto as Schedule "A" is hereby adopted.
2. By-law No. CPOL-232-15, as amended being a By-law entitled "Siting of Cannabis Retail Stores in London" is hereby repealed.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on January 15, 2019.

**Policy Name:** Siting of Cannabis Retail Stores in London

**Legislative History:** Enacted by Council Resolution on December 12, 2017 (By-law No. CPOL-232-15), amended by By-law CPOL-339-330 on June 26, 2018

**Last Review Date:** June 11, 2018

**Service Area Lead:** Managing Director, City Planning and City Planner

### **1. Policy Statement**

This policy is to establish a Council policy for the location and design for proposed locations of cannabis retail stores.

### **2. Definitions**

Not applicable

### **3. Applicability**

This policy applies to the matters to be considered by the Province or its Agents in the siting of cannabis retail stores in London.

### **4. The Policy**

It is a policy of the City of London that the following location and design measures be considered when siting a new cannabis retail store in London:

- 4.1 The property line of any cannabis retail store site be a minimum of 150m away from the property line of any municipal library, pool, arena and/or community centre; and,
- 4.2 A cannabis retail store site be designed to incorporate CPTED (Crime Prevention Through Environmental Design) principles into the site design of the facility and the entire site on which it is located.

Appendix "B"

Bill No. 35

2019

By-law No. A.7801-25

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.



Appendix "C"



## iAGCO - Applications Undergoing Public Notice

Subscription details:

**Email Address:** [asalton@london.ca](mailto:asalton@london.ca)

**Types of Applications:** Cannabis Retail Store Authorization

**Location:** London

The public notice offers the municipality and residents of the municipality in which the premises is located an opportunity to respond to the application within the time period identified on the posting and on the placard.

The following application(s) are now undergoing public notice:

### Cannabis Applications

City	Premises	Deadline for Objections / Submissions	File Number	Application Type	Areas	
LONDON	XXXXX 300 Dufferin Ave London, ON	YYYY-MM-DD	XXXXXX	<b>New Application</b> Cannabis Retail Store Authorization	Indoor Area	<a href="#">File Objection / Submission</a>

To unsubscribe, click [here](#).

Alcohol and Gaming Commission of Ontario  
90 Sheppard Avenue East, Suite 200  
Toronto ON M2N 0A4  
Tel.: 416-326-8700  
Toll free in Ontario: 1-800-522-2876  
Inquiries: [www.agco.ca/iagco](http://www.agco.ca/iagco)