



## **MUNICIPAL POLICY STATEMENT ON CANNABIS**

### **1.0 Purpose & Vision**

- a) The purpose of this policy statement is to provide a format for the Township of Malahide to provide input to the Alcohol and Gaming Commission of Ontario (AGCO), as well as help prospective recreational cannabis retailers in their consideration of location of cannabis retail stores in Malahide Township.
- b) It is recognized the AGCO is the provincial authority responsible for licensing cannabis retail operators, authorizing cannabis retail locations and licensing senior store staff. Municipal governments have no licensing authority. The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, that the proposed store location is consistent with the public interest as defined in the regulations.
- c) The Township of Malahide has chosen to allow retail sales of recreational cannabis within commercial zones.

### **2.0 Principles for Cannabis Retail Store Locations**

- a) For the purposes of this policy statement, a cannabis retail store shall mean a store licensed or under application to be licensed by the AGCO.
- b) Land Use Planning: The provincial licensing process does not remove the requirement to comply with the zoning by-law and other municipal planning documents. The definitions within the municipality's Official Plan and Zoning By-law are applicable to all retail, including cannabis retail stores. Retail sale of cannabis from a provincially licensed store is legal and is a permitted use in the retail zones.
- c) Municipal Building Inspections: The Ontario Building Code applies to cannabis retail store locations. Therefore, where a building or sign permit is required, applications together with appropriate fees shall be submitted to the Township of Malahide Building Division. The building inspector will undertake duties as usual. Fire Code compliance is mandatory.

### **3.0 Cannabis Retail Stores and Sensitive Activities**

The goal is to help ensure public health and safety, protect of youth and reduce illegal sales, retail cannabis stores are discouraged where nearby properties are designed to serve youth, or the potential for illegal sales or health risk exist. It is recommended that a 150m distance be maintained from:

- i) Schools as outlined in O. Reg 468.18;
- ii) Facilities such as: nursery schools, day care centres, municipal libraries, parks, trailheads, and recreational facilities including community centres and arenas; and
- iii) Facilities that serve persons with mental health or addiction challenges.

Attached is a map showing the retail/commercial zones of the municipality and the activities identified in i), ii), and iii) above.

### **4.0 Comment Preparation & Submission**

Planning Staff when preparing comments to be submitted to the AGCO, shall have regard for:

- i) ensuring zoning allows a retail use as a permitted use and whether the zone provisions and regulations of the zone can be satisfied;
- ii) the separation distances listed for uses in 3.0 i), ii) and iii) of this Policy are met; and
- iii) the goal of 3.0 is met.

Where time limits do not allow a report to be brought before Township Council, the Director of Development & Community Services is delegated the responsibility to submit comments to the AGCO on behalf of the Corporation.

*Approved by Council  
March 21, 2019*