

Town of Greater Napanee Municipal Policy Statement on Cannabis



Adopted by Council: Resolution #70/19 on February 12, 2019

Effective Date: February 12, 2019

1.0 Purpose & Vision

- a) The purpose of this policy statement is to provide input related to proposed cannabis retail outlets 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 The Town of Greater Napanee.
- b) It is recognized that the AGCO is the provincial authority that licences cannabis retail operators, authorizes cannabis retail locations and licenses senior store staff. The AGCO regulates and reviews all aspects of the retail operation including municipal and public input and that the proposed store location is consistent with the public interest as defined in the regulations.
- c) The Town of Greater Napanee has chosen to allow retail sales of recreational cannabis within retail-permitting zones. The following provides staff with guidance on commenting to the AGCO when notice of a proposed cannabis retail store site is provided.

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 by the AGCO.
- b) 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-permitting zones.
- c) While the licencing of the store operation is the responsibility of the AGCO, the Building Code applies to cannabis retail store locations. Therefore, where a building permit is required, the building inspector will undertake duties as usual. Fire Code compliance is also mandatory.

3.0 Cannabis Retail Stores and Sensitive Activities

- a) The goal of this Policy is to ensure: public health and safety is addressed, protection of youth is achieved, and illegal sales are diminished. Retail cannabis stores are discouraged where nearby properties are designed to serve youth including: youth centres, registered day cares, playgrounds, public parks, recreation facilities, as well as other sensitive facilities that provide any type of mental health or addiction services.
- b) Cannabis retail stores should not be permitted within 150m of the sensitive areas listed below:
 - i. Navigable waterways where launches, public docking, patios, public green space, or gathering spots of children are encouraged;
 - ii. Public Parks, Recreation Facilities, Playgrounds;
 - iii. Churches or Sunday Schools;
 - iv. Registered Day Cares or Youth Centres;
 - v. Places providing any type of Mental Health or Addiction Services;
 - vi. Shelters, Protective Residential Locations, Warming Centres;
 - vii. Municipal Offices;
 - viii. Public Farmers' Market Spaces;
 - ix. Interchanges of roads owned or controlled by the MTO;
 - x. Police Stations, Fire Departments or Ambulance Services;
 - xi. Correctional Facilities, Youth Detention Facilities and Probation and Parole Offices; and
 - xii. Locations for remembrance gatherings such as Funeral Homes, Cemeteries and War Memorials.
- c) Attached is a map showing the retail-permitting zones of the municipality and the sensitive uses identified in Section 3.0 b).

4.0 Comment Preparation & Submission

- a) When preparing comments to be submitted to the AGCO, planning staff shall have regard for:
 - i. Ensuring zoning allows a retail establishment as a permitted use and whether the provisions of the zone can be satisfied;
 - ii. The separation distances listed in Section 3.0 b) of this Policy are met; and
 - iii. The goal of Section 3.0 a) is met.
- b) Time limits do not make it practical to bring a report before Council, the Director of Development Services, or designate, is delegated the responsibility to submit comments to the AGCO on behalf of the Corporation. Regular updates are to be provided to Council regarding correspondence with the AGCO.