

The Corporation of the Township of North Huron

By-law No. 30-2021

A by-law to adopt a Cannabis Policy Statement for the Corporation of the Township of North Huron

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Printing Date: April 18, 2023

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The Corporation of the Township of North Huron

By-law No. 30-2021

Being a By-law to adopt a Cannabis Policy Statement for the Corporation of the Township of North Huron

WHEREAS pursuant to Section 8 (1) of the Municipal Act, 2001, S.O. 2001, c. 25 the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS pursuant to Section 9 of the Municipal Act, 2001, S.O. 2001, c. 25 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 Ontario Regulation 468/18 made under the Cannabis Licence Act, 2018 provides for the authorization and operation of cannabis retail stores;

AND WHEREAS the Alcohol and Gaming Commission of Ontario will have a 15-day window for public and municipal comments for each store site proposed by an approved operator;

AND WHEREAS it is deemed necessary and desirable that the Council of the Corporation of the Township of North Huron enacts a by-law to adopt a Cannabis Policy Statement for the Corporation of the Township of North Huron to allow for municipal comments to be provided in a timely manner as well as to help prospective recreational cannabis retailers, in the consideration of their applications to locate a cannabis retail store in the Township of North Huron;

NOW THEREFORE the Council of the Corporation of the Township of North Huron ENACTS the following:

1. That the "Cannabis Policy Statement" attached hereto as "Schedule A" is hereby adopted and shall form part of this by-law.
2. That this by-law shall come into force and take effect on the day of the final passing thereof.

Read a first and second time this 19th day of April, 2021.

Read a third time and passed this 19th day of April, 2021.

Bernie Bailey, Reeve

CORPORATE SEAL

Carson Lamb, Clerk

Municipal Cannabis Policy Statement

Background

- Bill C-45, the Cannabis Act came into effect on October 17, 2018. The Act legalizes access to recreational cannabis in Canada and controls and regulates how cannabis is grown, distributed and sold.
- In Ontario, the Cannabis Licence Act, 2018 and Ontario Regulation 468/18 provide the Registrar of the Alcohol and Gaming Commission of Ontario (AGCO) with the authority to establish standards and requirements respecting the licensing of retail cannabis stores.
- Under Ontario Regulation 468/18, municipalities are not authorized to pass by-laws under the Municipal Act, 2001 with respect to business licensing or under the Planning Act with respect to zoning, interim control or site plan control with respect to retail cannabis stores.
- Ontario Regulation 468/18 provided municipalities with a one-time opportunity to opt out of retail cannabis sales within the municipality.
- Under these standards, a licensee is required to comply with the Registrar's Standard for Cannabis Retail Stores as well as other applicable law.
- The AGCO will have a 15-day window for municipal comments respecting the proposed location of a retail cannabis store within a local municipality. Notice will be provided through the AGCO website and posted at the site of a proposed retail store.
- The AGCO Registrar is not obligated to decline a store licence where a municipality or a member of the public provides a submission that is not supportive of a proposed location.
- The Registrar has mandated a 150-metre setback from schools where no retail cannabis store would be permitted to be located.

Purpose and Vision

The purpose of this policy statement is to establish a document for the Township of North Huron to provide input to the Alcohol and Gaming Commission of Ontario (AGCO) during the 15-day commenting period. Additionally, this policy will help prospective recreational cannabis retailers in their consideration of locations for cannabis retail stores in the Township of North Huron.

Principles for Cannabis Retail Store Locations

The AGCO is the provincial authority that licenses cannabis retail operators, authorizes cannabis retail locations and licenses 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.

The Corporation of the Township of North Huron has chosen to allow retail sales of recreational cannabis. The following provides municipal staff with guidance on commenting to AGCO when notice on a specific proposed cannabis retail store site is provided on the site location.

Relationship to Other Applicable Law:

- **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 municipalities Official Plan and Zoning By-law are applicable to all retail, including cannabis retail stores. Retail sale of cannabis from a provincially licenses store is legal an is a permitted use in the retail zones.
- **Municipal Building Inspections:** While the licensing 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.

Cannabis Retail Stores and Sensitive Activities

In order to help ensure public health and safety, protect youth and reduce illegal sales, retail cannabis stores are discouraged where nearby properties are designed to serve youth or other sensitive facilities that service persons with mental health or addiction challenges including:

100-metres from:

- Wingham and District Hospital
- Wingham Community Psychiatric Services
- Alice Munro Library, Wingham
- North Huron Children's Centre, Wingham
- North Huron Westcast Community Complex, Wingham
- Cruickshank Park, Wingham
- Splashpad Park, Wingham
- Lions Pavilion, Wingham
- Riverside Park and Ball Diamonds, Wingham
- Wingham Ecological Park

- Belgrave Community Centre
- Belgrave Community Park
- Blyth & District Community Centre
- Blyth Campground
- Blyth Memorial Hall
- Horticulture Park, Blyth
- Blyth Butterfly Garden
- Blyth Memorial Park
- Blyth Skate Park
- Lions Park, Blyth

NOTE: Ontario Regulation restricts a cannabis retail store from being located within a distance of 150-metres of public and private schools. The Township cannot adopt a greater distance. The distance buffer would be measured from the property line, if the school is the primary or only occupant of a building; or the boundary of any space occupied by the school within the building, if the school shares space, like in a mall.

[Appendices](#)

Appendix 1: Wingham Ward Map

Appendix 2: Blyth Ward Map

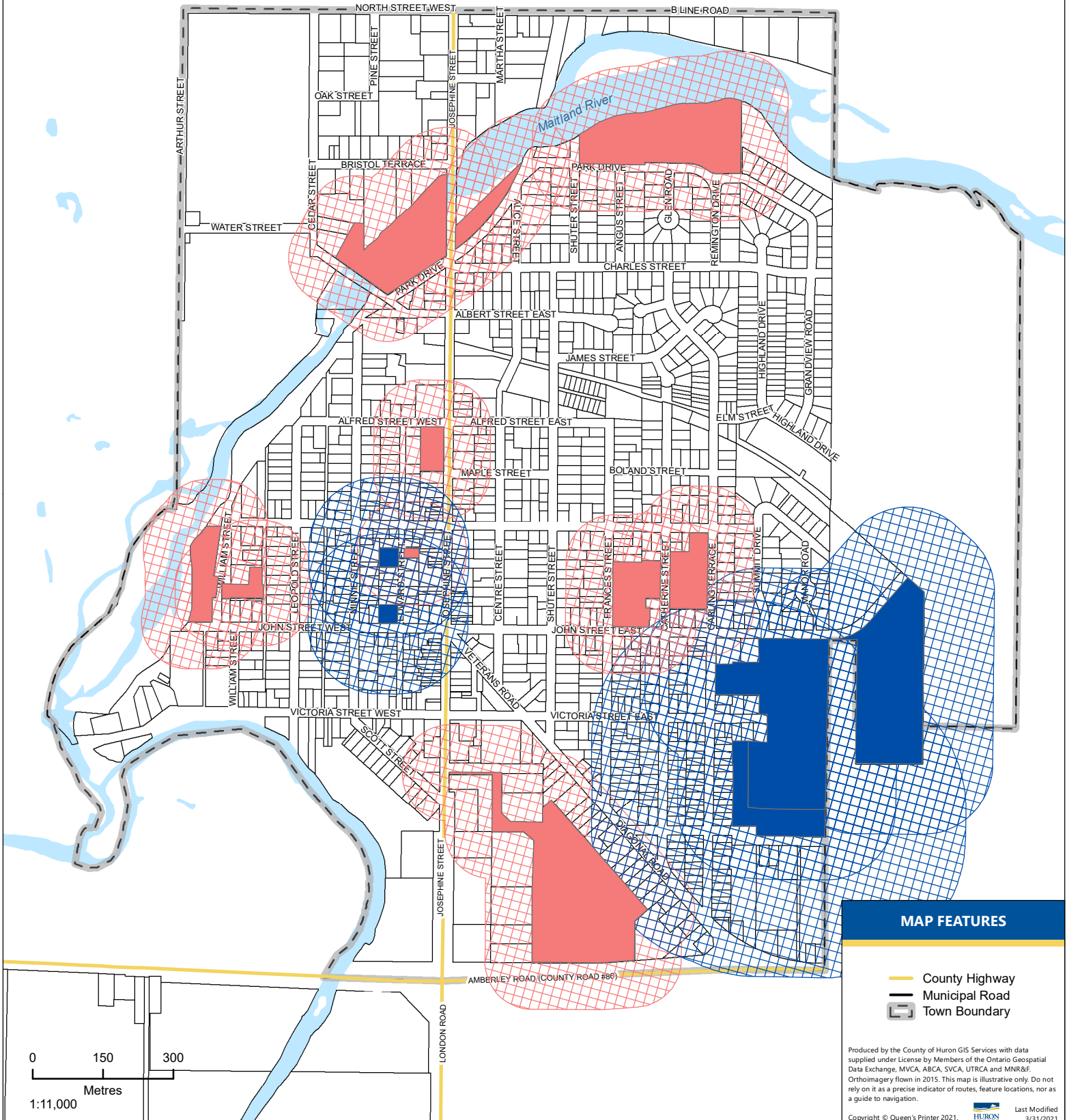
Appendix 3: East Wawanosh Ward Map

WINGHAM

Municipal Cannabis Policy Mapping



- Community Zones
- Schools
- 100m Buffer
- 150m School Buffer



MAP FEATURES

- County Highway
- Municipal Road
- Town Boundary

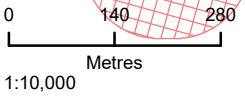
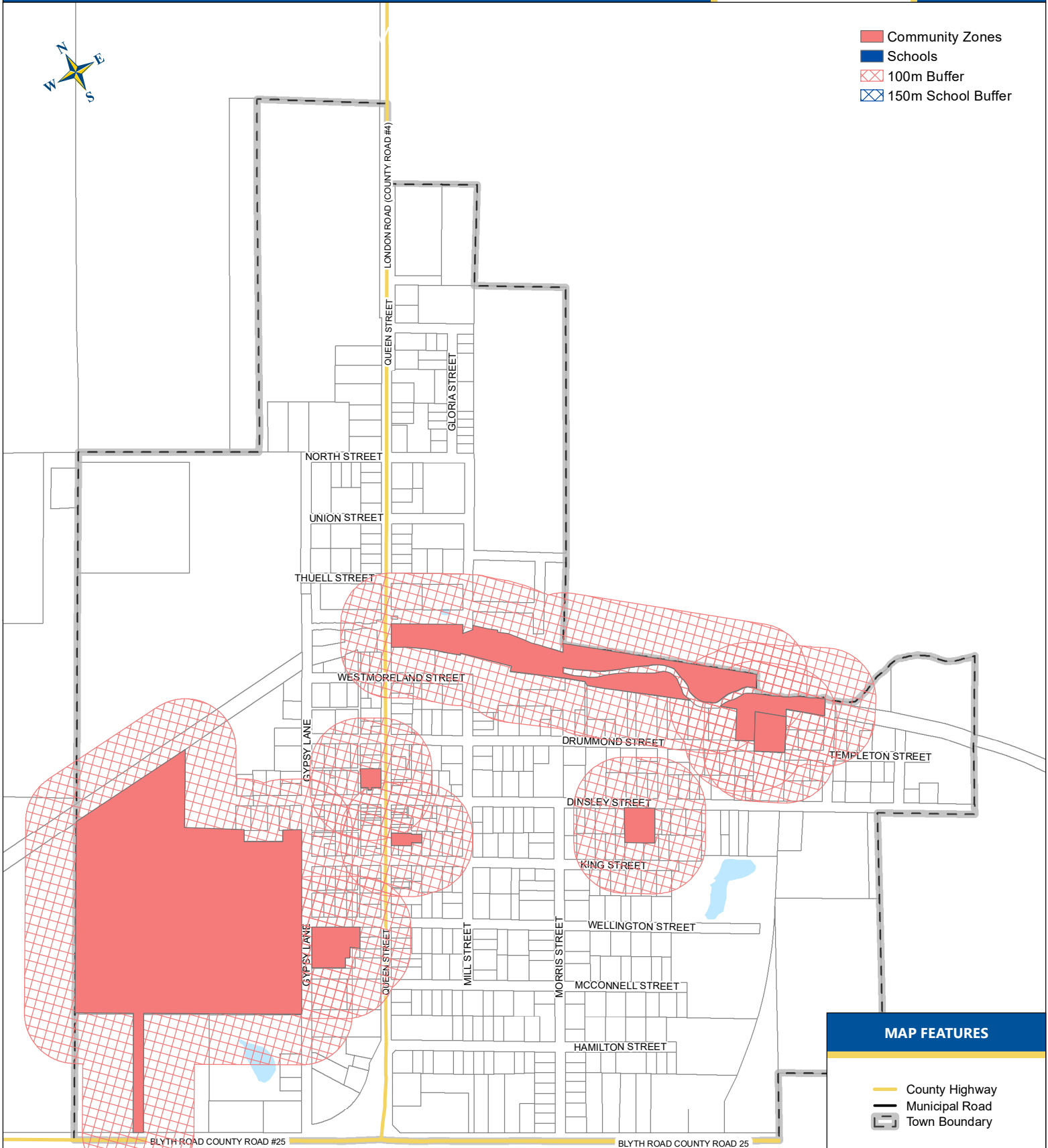
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BLYTH

Municipal Cannabis Policy Mapping



- Community Zones
- Schools
- 100m Buffer
- 150m School Buffer



MAP FEATURES

- County Highway
- Municipal Road
- Town Boundary

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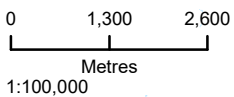
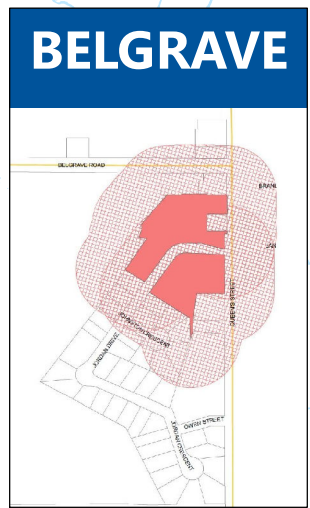
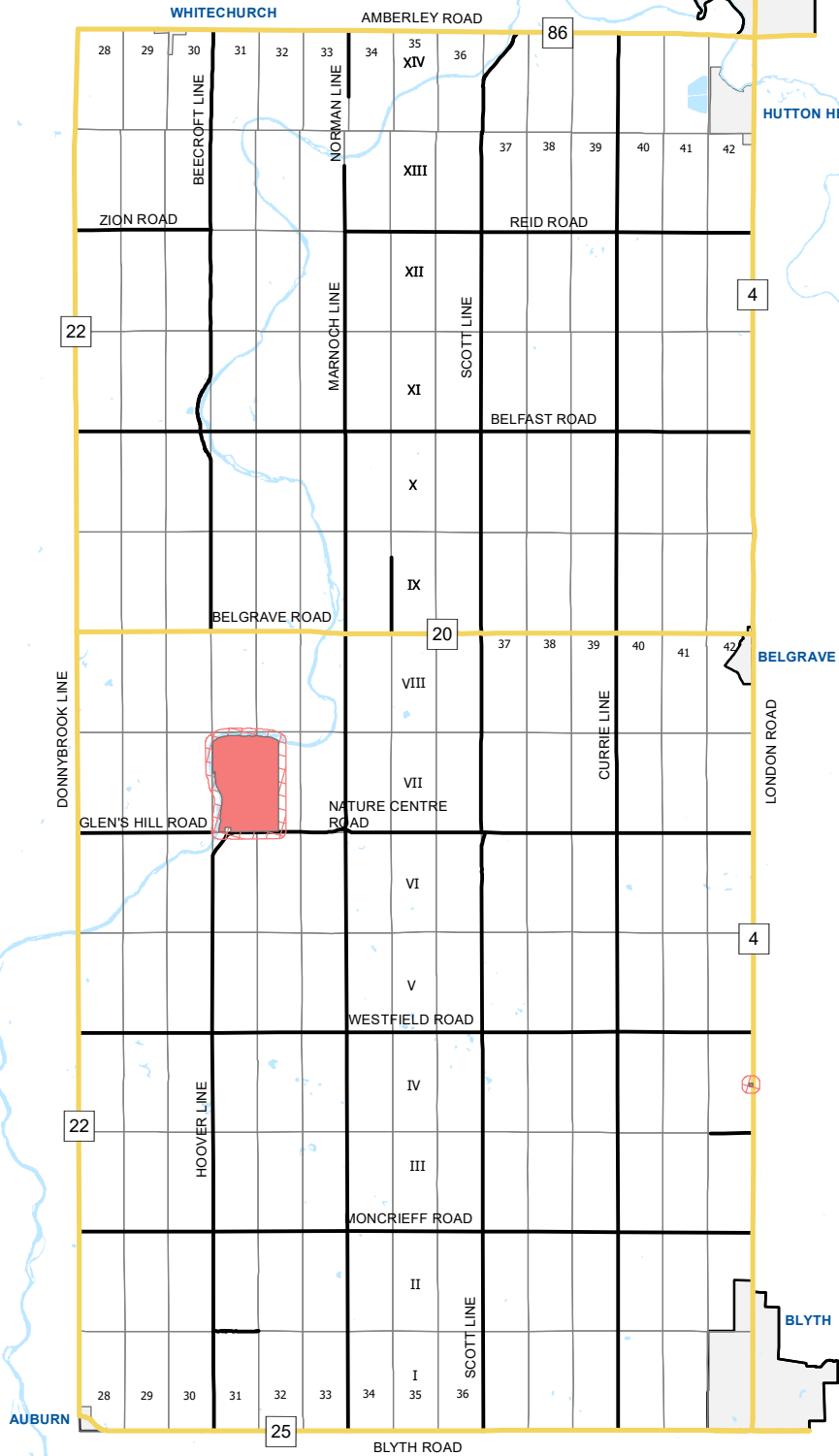
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EAST WAWANOSH

Municipal Cannabis Policy Mapping



- Community Zones
- Schools
- 100m Buffer
- 150m School Buffer



MAP FEATURES

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- Municipal Road
- Municipal Boundary

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