

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW No. 2019-013

BEING a by-law to adopt a Cannabis Retail Application Review Policy.

WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS Council deems it advisable to adopt a Cannabis Retail Application Review Policy for the Township of South Stormont.

NOW THEREFORE Council of the Township of South Stormont enacts as follows:

1. That the Cannabis Retail Application Review Policy attached hereto as Schedule "A" and forming part of this by-law be adopted effective February 20, 2019.
2. That any other by-law inconsistent with this by-law is hereby repealed.

READ AND PASSED in open Council signed and sealed this 20th day of February, 2019.



Mayor



Clerk



TOWNSHIP OF SOUTH STORMONT

Title: Cannabis Retail Application Policy Schedule "A" to By-law No. 2019-013	
Department: Planning/Economic Development	Date: February 20, 2019

1. POLICY STATEMENT

The Alcohol and Gaming Commission of Ontario (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, and that the proposed store location is consistent with the public interest as defined in the regulations.

The Township of South Stormont has chosen to allow retail sales of recreational cannabis and therefore wishes to establish a standard format for providing input to the AGCO and recreational cannabis retailers in their consideration of prospective cannabis retail store locations within the Township.

2. GOAL

To facilitate consistent and timely input to the AGCO on applications for prospective recreational cannabis retail store locations in the Township of South Stormont, in accordance with the guidelines outlined in this policy.

3. SCOPE

The provincial licensing process does not remove the requirement to comply with the zoning by-law and other municipal planning documents or by-laws such as Site Plan Control. 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.

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.

For the purposes of this policy, “**Cannabis Retail Store**” shall mean a recreational cannabis retail store licensed by the AGCO. Other uses within this section should be interpreted in accordance with the definition assigned under the Township’s Zoning By-Law.

4. GUIDELINES

This section is intended to provide Township staff guidance on their review and submission of input to AGCO regarding cannabis retail store applications.

1. In order to help ensure public health and safety, protect youth and reduce illegal sales, retail cannabis stores are discouraged where they would be located proximal to a site where one or more of the following uses has been substantially established:
 - licensed day care/nursery
 - group home
 - addiction counselling/treatment facility
2. Retail cannabis stores are discouraged where they would be located within 150 metres of a future school site identified by the Township of South Stormont or local school board.
3. Notwithstanding the authorization of a retail use under a special exception to the Township's Zoning By-Law, retail cannabis stores should be located in the following zones where retail is permitted as a primary use or accessory to a Cannabis Production and Processing facility:
 - General Commercial (CG)
 - Highway Commercial (CH)
 - Light Industrial (ML) accessory to a Cannabis Production and Processing facility
 - General Industrial (MM) accessory to a Cannabis Production and Processing facility
 - Heavy Industrial (MH) accessory to a Cannabis Production and Processing facility
 - Rural Industrial (MR) accessory to a Cannabis Production and Processing facility
4. Please refer to the following link for a general map of the zones listed in Section 3.

<https://southstormont.com/english/departments/planning-development/zoning-by-law.html>

Drafted By: Peter Young Director of Planning/EDO	Last Revision Date: <hr/>	Approved Date: <hr/> February 20, 2019
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