

# The Corporation of the Township of Huron-Kinloss



## BY-LAW

2019-36

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### Being a By-Law to Adopt a Cannabis Retail Store Application Policy for the Township of Huron-Kinloss

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**WHEREAS** The Council for The Corporation of the Township of Huron-Kinloss deems it expedient to establish policies;

**AND WHEREAS** the Municipal Act S.O. 2001, c 25, Section 5(3), as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9, shall be exercised by By-Law;

**NOW THEREFORE** the Council of The Corporation of the Township of Huron-Kinloss enacts as follows:

- 1.0 That the Corporation of the Township of Huron-Kinloss Council hereby adopts a Cannabis Retail Store Application Policy as contained in the attached Schedule "A" to this By-Law.
- 2.0 This By-Law shall come into full force and effect upon final passage.
- 3.0 This By-Law may be cited as the "Cannabis Retail Store Application Policy By-Law"

**READ a FIRST and SECOND TIME** this 18<sup>th</sup> day of March, 2019.

**READ a THIRD TIME and FINALLY PASSED** this 18<sup>th</sup> day of March, 2019



Mitch Twolan, Mayor



Emily Dance, Clerk



## Policy & Procedures

Section: 5.0 General

Policy: Cannabis Retail Store Application Policy

By-Law: 2019-36

Date: March 18, 2019

Revision: [Click here to enter text.](#)

### Coverage:

Properties zoned General Commercial 'GC', Highway Commercial 'HC' and Hamlet Mixed Use 'HMU' in the Township of Huron-Kinloss Comprehensive Zoning By-Law

### Policy Statement:

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

The Township of Huron-Kinloss had chosen to allow retail sales of recreational cannabis in the General Commercial and Highway Commercial zones within the Township.

The following policy provides staff with guidance on commenting to the AGCO when notice on a specific proposed cannabis retail store site is provided on the site location.

### Legislative Authority:

Township of Huron-Kinloss Comprehensive Zoning By-Law, Canada Cannabis Act, Cannabis Licence Act, 2018 (O. Reg. 468/18), Education Act, Smoke Free Ontario Act

### Contents:

**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 Township'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.

**Building Inspections:** 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 CBO 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 children and youth.