

**THE CORPORATION OF THE TOWN OF WASAGA BEACH**

**BY-LAW NO. 2021-06**

A By-law to adopt a Policy Statement for Cannabis Retail Applications

**WHEREAS** pursuant to section 9 of the *Municipal Act*, 2001 S.O. 2001, chapter 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** pursuant to section 8. (1) of the *Municipal Act*, 2001 S.O. 2001, chapter 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** the Council of the Town of Wasaga Beach deems it necessary establish a policy to make the Town of Wasaga Beach position clear when responding to the Alcohol and Gaming Commission of Ontario (AGCO), as well as to help prospective recreational cannabis retailers, in the consideration of their applications to locate a cannabis retail store in the Town of Wasaga Beach

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:**

1. THAT the Cannabis Retail Policy, substantially in the same form as the Policy attached hereto as Schedule "A" and forming part of this By-law, be adopted.
2. THAT this By-Law shall come into force and take effect on the date of its final passing.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 26<sup>TH</sup> DAY OF JANUARY, 2021.**

**THE CORPORATION OF THE TOWN OF WASAGA BEACH**

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Nina Bifulchi, Mayor

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Dina Lundy, Director, Legislative Services & Clerk



**THE CORPORATION OF THE TOWN OF WASAGA BEACH  
POLICY MANUAL**

<b>SECTION NAME:</b> Planning & Development	<b>POLICY NUMBER:</b> 7-7
<b>POLICY:</b> Cannabis Retail Policy Statement	<b>REVIEW DATE:</b> January 2024
<b>EFFECTIVE DATE:</b> January 26, 2021	<b>REVISIONS:</b>
<b>ADOPTED BY BY-LAW:</b> By-Law No. 2021-06	<b>ADMINISTERED BY:</b> Economic Development

### **GENERAL POLICY STATEMENT**

The purpose of this policy statement is to make the Town of Wasaga Beach position clear when responding to the Alcohol and Gaming Commission of Ontario (AGCO), as well as to help prospective recreational cannabis retailers, in the consideration of their applications to locate a cannabis retail store in the Town of Wasaga Beach.

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, and that the proposed store location is consistent with the public interest as defined in the regulations.

The Town of Wasaga Beach has chosen to allow retail sales of recreational cannabis. The following provides municipal staff with guidance on commenting to the AGCO when notice of a specific proposed cannabis retail store is issued for a proposed site.

### **RELATIONSHIP TO OTHER APPLICABLE LAWS**

**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.

**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 and applicable inspections as usual. Fire Code compliance is also mandatory.

## **CANNABIS RETAIL STORE LOCATIONS AND SENSITIVE LAND USES**

For the purpose of this policy statement, a cannabis retail store shall mean a store licensed by the Alcohol and Gaming Commission of Ontario (AGCO) for the purpose of retailing cannabis in any form.

1. In order to help ensure public health and safety, protect youth and reduce illegal sales, retail cannabis stores are discouraged where nearby properties are determined to be sensitive by the Town as they are designed to serve youth or the vulnerable, including, but not limited to, schools (in accordance with the *Education Act*) and municipal facilities that cater to youth. Together, these are deemed sensitive land uses.
2. The separation distance from a cannabis retail stores to the above noted sensitive land uses shall not be less than 150 metres.
3. The CAO or the CAO's designate, will have the discretion to provide a copy of this Policy to the Registrar of the AGCO upon receipt of a cannabis retail store that has entered the 15-day public notice period. This will serve to highlight locations that fall within the sensitive land use buffer outlined in this Policy.
4. Cannabis retail stores shall be encouraged to locate in properly zoned areas, close to existing LCBO's, public transit, and distance themselves from other cannabis retailers in order to limit store concentration.
5. A cannabis retail store would generally be considered a 'retail commercial establishment' as per Town of Wasaga Beach Zoning By-law No. 2003-60.

## **POLICY ADMINISTRATION AND REVIEW**

This policy shall be administered by the Director of Planning and Economic Initiatives or their designate.

This policy will be reviewed every three (3) years or as required based on revisions to corporate practices or Provincial legislation.

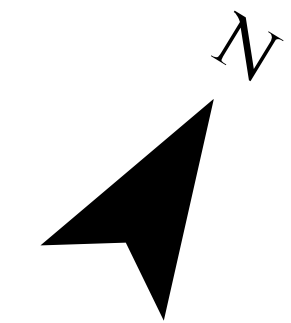


# Town of Wasaga Beach

## Recreational Cannabis Retail - Schedule A

### Zoning Permitted Retail Uses

0 0.75 1.5 3 Kilometres



 Zoning Permitted Retail Use

Nottawasaga Bay

Marl Lake

Jacks Lake

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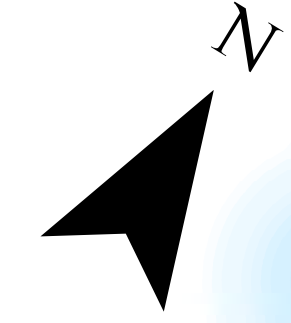





# Town of Wasaga Beach

## Recreational Cannabis Retail - Schedule B

### 150m Setback from Schools

0 0.75 1.5 3 Kilometres



-  School Lands
-  School Lands 150m Buffer
-  Zoning Permitted Retail Use

Nottawasaga Bay

Marl Lake

Jacks Lake

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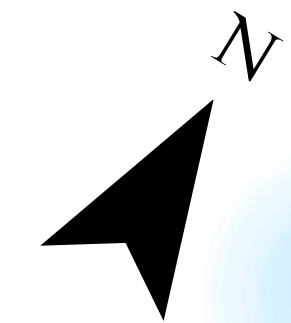


# Town of Wasaga Beach

## Recreational Cannabis Retail - Schedule C

### 150m Setback from Schools and Sensitive Uses

0 0.75 1.5 3 Kilometres



- Sensitive Uses
- Sensitive Uses - 150m Buffer
- School Lands
- School Lands 150m Buffer
- Zoning Permitted Retail Use

Nottawasaga Bay

Marl Lake

Jacks Lake

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