

Province to Introduce Private Cannabis Retail Legislation – With Municipal Opt Out

The Honourable Caroline Mulroney, Attorney General and the Honourable Vic Fedeli, Minister of Finance [announced](#) details today of plans to allow private cannabis retail in Ontario. After a month of broad consultations with stakeholders, including municipal governments, on private cannabis retail and a municipal opt out, the Ministers advised that the government is introducing new cannabis legislation on September 27, 2018 to authorize the Alcohol and Gaming Commission of Ontario (AGCO) to license private cannabis stores in Ontario communities. Licensed stores will open on April 1, 2019. The province will operate on-line cannabis retail starting on October 17th.

AMO supports private cannabis retail for the jobs and economic benefits it can offer to communities. However, municipalities and the communities they serve will experience the impacts of cannabis legalization first-hand. While the province will control licensing and siting of stores, AMO believes that the licensing process and on-going store operations must reflect community and local government concerns for the industry to be successful. The AGCO will have a 15-day comment period for the public, communities and municipal governments to provide input on proposed locations before granting a license.

Municipal governments can opt out of cannabis sales in their communities by January 22, 2019. Councils will need additional information to make informed decisions in the best interests of their communities. Councils that opt out of private sales can opt back in at a later, yet to be stated, date. All municipal governments will receive at least \$10,000 to support transition to legal cannabis and the province will announce the full funding allocation in the future.

The legislation will require cannabis stores to observe minimum distances from schools in place of local planning controls. Beyond the 15-day commentary period, it is uncertain how the license process may address other local sensitivities. In addition to private cannabis retail stores, the Ministers announced that the province would harmonize cannabis with the current rules for places of use for tobacco under the [Smoke Free Ontario Act, 2006](#).

AMO will be analysing the legislation and regulation making authority in the coming days and will advise members further as the regulatory process unfolds.