

From: [AMO Communications](#)
To: [Ann Wright](#)
Subject: AMO Policy Update - Bill 36 Ontario Cannabis Statute Law Amendment Act - Ready for Legislative Approval
Date: October-15-18 7:15:54 PM

October 15, 2018

Bill 36 Ontario Cannabis Statute Law Amendment Act – Ready for Legislative Approval

Next Steps for Municipal Governments

A. What is Happening?

The Standing Committee on Social Policy completed its work today and the Bill will be report to the Legislature for 3rd Reading and anticipated Royal Assent for October 17th. Many groups, including AMO recommended changes to clarify elements of the framework, the Committee made only one change. It clarifies that the amount of cannabis sold at one time to an individual is limited to 30 grams, in line with individual possession limits under federal legislation.

Bill 36 will be the framework for sales, retailer licensing, store licensing, places of use and other cannabis rules on Wednesday, barring any unforeseen events. While the Committee did not accept the amendments AMO proposed, AMO will now focus on the regulation-making process to try to safeguard municipal input to the AGCO on siting and buffers from sensitive sites. For more information on AMO's Submission to the Committee, see [AMO's Recommended Amendments to Bill 36](#).

B. What Do You Need To Do? Next Steps for Municipal Governments

Municipal staff need to become familiar with Bill 36 and the legal framework for recreational cannabis. Municipal staff need to understand the Bill and be ready to respond to inquiries about where people are able to use cannabis in public and manage nuisance complaints. See AMO's [Cannabis Briefing](#) for more on the *Smoke Free Ontario Act* and how it deals with places to smoke. A council may review its bylaw to be more restrictive.

Staff should also begin to research the information needed by council to take a decision on whether to opt-out of retail licensing which is required before January 22, 2018. To ensure sufficient time is available for council's decision-making, staff will need to consider a work-back schedule taking into account the council meeting schedule and procedural by-law. AMO will continue to inform members of any

significant developments that affect municipal council decisions and local services including the status and content of any regulations that put the legislative framework into effect.

Remember, Bill 36 exempts retail stores from municipal business licensing and land use planning. The Standing Committee chose not to explicitly require only areas zoned for commercial use as eligible for cannabis retail operations. We are hopeful that we can achieve this in the days ahead and a clear process for input to AGCO on cannabis retail store siting. In the meantime, AMO recommends that the appropriate municipal staff begin looking at siting considerations.

Ontario municipal governments will share at least \$40 million of the provincial portion of the federal cannabis excise tax to help manage the transition to legal recreational cannabis. Individual municipalities will have access to at least \$10,000 and more if cannabis retail stores are to be located in their communities. The no opt out contribution is a rate per household. AMO is seeking clarity on the amount and hold back for those that may opt out initially but opt in sometime in the future.

It is likely that municipal costs for legal recreational cannabis may exceed the municipal allocation of \$40 million as front line policing (e.g., roadside and illegal dispensary), public health, by-law enforcement, paramedic and other services feel impacts. Ontario municipalities will share on a 50-50 basis with the province if the federal cannabis excise tax is above \$100 million in the first two years of legalization.

C. What Else Do You Need To Know?

On October 17th, the federal government will lift criminal prohibitions on cannabis subject to certain limits. In Ontario, people will be able to grow, possess and use cannabis as set out in federal and provincial laws. People in Ontario can smoke or vape cannabis anywhere they can currently smoke tobacco. Public Health Units are responsible for enforcing places of cannabis and tobacco use including prohibitions on use in enclosed workplaces, near playgrounds and restaurant and bar patios, among others. Municipal governments are able to set stricter rules for use of tobacco and cannabis. Councils will need to consider community needs along with likely increase enforcement costs where more restrictions occur.

Retail establishments, licensed by the Alcohol and Gaming Commission of Ontario (AGCO), will open on or after April 1, 2019. AGCO operator license applications open in December 2018 with store site licenses to follow after councils decide whether to ban sales. Police forces are responsible for unlicensed storefronts. Current storefront operators that wish to avoid legal action or to obtain a license must close by the Wednesday to be eligible for an AGCO license.

Ontarians can buy cannabis on-line from the Ontario Cannabis Store (OCS) starting

this Wednesday. The OCS will deliver cannabis to adults 19 and over anywhere in Ontario, including municipalities that choose not to host a retail store. Identification checks are required for delivery and packages cannot be left at the door. The OCS has created a cannabis learning resource for Ontario residents that focuses on the health and biological effects of the drug to help people better understand the risks of the product. It offers a great deal of information.

AMO Contact:

Craig Reid, Senior Advisor, creid@amo.on.ca, 416-971-9856 ext. 334.

DISCLAIMER: Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

OPT-OUT: If you wish to opt-out of email communications from AMO, please click [here](#).

