



July 15, 2020

Councillor Gord Perks  
 Chair, Toronto and East York Community Council  
 100 Queen Street West  
 Toronto, Ontario  
 M5H 2N2

**Re: Councillor Fletcher's Letter and Motion to the TEYCC - Cannabis Stores**

Dear Chair and Members of the Toronto and East York Community Council:

I am writing in strong support of Councillor Paula Fletcher's letter and motion to the Toronto and East York Community Council with respect to the concentration and location of cannabis stores along streets within her ward.

In my community of Davenport we have been experiencing the same situation and many residents and existing businesses have expressed their concerns in this regard. While most have indicated they do not oppose cannabis stores, they are very dismayed by the concentration of numerous stores along certain streets within a short space as well as other concerns respecting locations.

In this regard, I had reached out to provincial ministers to convey these concerns and I am attaching to this letter both my correspondence and the response received.

I fully share the concerns of Councillor Fletcher and residents of my community and strongly support the need for municipalities to have increased input and approval with respect to cannabis outlets within our City.

I encourage you to support Councillor Fletcher's motion.

Yours truly,

Ana Bailão  
 Deputy Mayor,  
 Chair, Planning and Housing Committee  
 Councillor – Ward 9, Davenport

Attach/



May 20<sup>th</sup>, 2020

Honourable Doug Downey  
Attorney General of Ontario  
11<sup>th</sup> Floor, 720 Bay Street  
Toronto, Ontario  
M7A 2S9

Honourable Rod Phillips  
Ontario Minister of Finance  
7<sup>th</sup> Floor, 7 Queen's Park Crescent  
Toronto, Ontario  
M7A 1Y7

**Re: Concentration of Cannabis Stores**

Dear Attorney General Downey and Minister Phillips:

I am writing with respect to concerns that have arisen with regard to the concentration of cannabis retail operations within specific areas of my Ward 9 Davenport community and in similar communities across the City of Toronto.

My concerns, and those of many residents of my community and communities across the City, relate specifically to the provincial *Cannabis Control Act* and the *Cannabis Licence Act*. We recognize that municipalities, including Toronto, had until January 22<sup>nd</sup>, 2019 to either opt in or out of the authorization process to permit cannabis retail establishments within their cities. While the City of Toronto opted in based on practical and realistic considerations there has since that time been growing concerns about the inability of municipalities to effectively regulate the location of these retail operations, more specifically the congregation of these outlets.

We recognize that provisions were added to ensure that these cannabis retail outlets were not situated within an unacceptable distance of schools and this is of course a fully necessary provision of the law. However, it is clear that further mechanisms must be established to allow municipalities such as Toronto to exercise increased control of where these outlets can operate, most importantly with respect to the congregating of stores in a limited area.



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Within my own community we are witnessing situations where several cannabis outlets are locating within a very short distance of each other.

These cannabis retail establishments have substantially more resources available to them than other retailers and therefore invariably are positioning themselves in a manner that undermines the opportunities for more diverse retail environments particularly along main streets with storefronts exiting onto these thoroughfares. The fact that multiple cannabis outlets are locating in a relatively small space is having impacts on existing retail and creating concerns for residential communities adjacent to them.

I would emphasize that those residents and retailers expressing concerns to me are not opposed to cannabis retail outlets in their communities, in fact they understand and accept that this is a reality now with which they are prepared to accept. However, as noted the concern is with regard to congregating outlets in relatively small areas.

As you know, under existing provincial legislation, municipalities such as Toronto have very little or no means, outside of school considerations, to impact decisions concerning locations of cannabis outlets.

By way of this letter, I am asking that the province review and reconsider the legislation that deals with cannabis retail outlets in the context of providing to municipalities the tools to manage the issue of congregating establishments. To reiterate, the objective is not to prevent establishments from opening in a given area but to afford municipalities such as Toronto the tools to ensure that beyond school considerations they can prevent a congregation of these outlets in a relatively small area. Properly located, these cannabis outlets can operate collaboratively with local communities and Business Improvement Associations. However, under the law as it is presently constituted this is simply not the case.

I look forward to hearing from you promptly on this issue as we are experiencing these concerns in the present time and would like to be able to address these practices as soon as possible.

Yours truly,

Ana Bailão  
Deputy Mayor,  
Chair, Planning and Housing Committee  
Councillor – Ward 9, Davenport



**anabailão**  
**TORONTO** **DAVENPORT**  
CITY COUNCILLOR



cc. Mayor John Tory  
City of Toronto

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Our Reference #: M-2020-5755

June 15, 2020

Ms. Ana Bailão  
Deputy Mayor  
Chair, Planning and Housing Committee  
Councillor, Ward 9 - Davenport  
City of Toronto  
Toronto City Hall  
100 Queen Street West, Suite C42  
Toronto, ON  
M5H 2N2

Email: [councillor\\_bailao@toronto.ca](mailto:councillor_bailao@toronto.ca)

Dear Ms. Bailão:

Thank you for your letter communicating your concerns regarding the role of municipalities in siting cannabis retail stores, and the concentration of stores in your community.

As you mentioned in your letter, requirements under the *Cannabis Licence Act, 2018*, allow cannabis retail stores to be located anywhere that other retail operations are permitted, provided they are compliant with the provincial school distance buffer, which is a minimum distance of 150 meters between cannabis retail stores and schools, including public schools, private, and federally-funded First Nation schools off-reserve.

As you are aware, the Alcohol and Gaming Commission of Ontario (AGCO) is the provincial regulator responsible for issuing cannabis Retail Operator Licences (ROLs) and Retail Store Authorizations (RSAs). When determining whether to issue an RSA, the Registrar takes into consideration any comments received from municipal residents as part of the 15-day public notice process. The public notice process is intended to enable the local community to provide its views respecting whether the issuance of an RSA would be in the “public interest” as defined in section 10 of Ontario Regulation 468/18 under the *Cannabis Licence Act, 2018*.

We appreciate your sharing your concerns with us as we continue to monitor the evolution of cannabis legalization in the province and its impact on our communities. We are mindful of the

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important role of municipalities in the effective implementation of cannabis legalization and value your role as an essential partner in this process.

Thank you again for writing.

Sincerely,

A handwritten signature in black ink that reads "Doug Downey". The signature is written in a cursive style with a long, sweeping underline that extends under the word "Downey".

Doug Downey  
Attorney General

c: The Honourable Rod Phillips, Minister of Finance  
His Worship John Tory, Mayor, City of Toronto