

Frequently Asked Questions

If Council opts-in, what does this mean for Haldimand County?

If Haldimand County opts-in to the Province's retail cannabis model, retail cannabis stores will be permitted to operate within the community. Once a municipality opts in, the decision is non-reversible.

If Council opts-out, what does this mean for Haldimand County?

If Haldimand County opts-out of the Province's retail cannabis model, retail cannabis stores will NOT be permitted to operate within the community. If the County opts-out it retains the ability to opt-in at a later date, however, it will not be eligible for the maximum funding offered by the Ontario Cannabis Legalization Implementation Fund (OCLIF). More on that below.

If Council opts-out, where can I legally purchase cannabis?

Online through the Province of Ontario online store – the Ontario Cannabis Store – and in other communities that have opted-in. However, retail stores in communities that have opted-in will not be operational until on or after April 1, 2019. Until that time, the only location to legally purchase recreational cannabis is through the Province's website.

Are there financial incentives to opting in or out of the Province's cannabis retail model?

All municipalities in Ontario will receive two payments from OCLIF, regardless of their decision to opt-in or out. The funds may be used to cover the costs of enforcement, public education and other matters related to the legalization of cannabis.

If Haldimand County opts-in, it will receive two payments from OCLIF – \$51,941 (minimum) in early January, and an additional \$51,941 (minimum) in March. Additionally, the County would receive a share of the Province's portion of the federal excise duty on recreational cannabis should it exceed \$100 million over the first two years of legalization. The Province has committed to splitting this money 50/50 with all municipalities who opt-in.

If Haldimand County opts-out, it will still receive two payments from OCLIF – \$51,941 (minimum) in early January, and an additional \$5,000 (approximate) in March. Should the County opt-out, it will not be eligible to receive any of the funds generated from the Province's portion of federal excise duty.

Are there restrictions on where retail cannabis store could be located? What about their hours of operation? Is there a minimum age limit for purchasing cannabis at a retail store?

Under the *Cannabis License Act*, 2018, retail cannabis stores must comply with the setback requirement of 150 metres (492.1 feet) from both public and private schools. Store hours are identified as Monday to Sunday, 9:00 am to 11:00 pm, which generally aligns with the permissions in place for the sale of liquor/alcohol. You must be 19 years or older to legally purchase cannabis from a cannabis retail stores.

Will cannabis be sold where tobacco products are usually sold, such as convenience stores?

No. The *Cannabis License Act*, 2018 legislation requires that cannabis may only be sold in a cannabis retail store. There is a requirement for these stores to be located as stand-alone stores only (i.e. cannabis cannot be on a shelf of an existing retail use such as a convenience store or within a liquor or beer store) and the products they sell are limited to cannabis, accessory uses to cannabis, and shopping bags. Cannabis edible products are not anticipated to be permitted to be sold until October 2019.

Who will handle licensing and regulating cannabis stores?

The Alcohol and Gaming Commission of Ontario (AGCO) will be the licensing and regulating body for cannabis retail stores.

The AGCO will designate inspectors to carry out inspections and ensure compliance with the *Cannabis License Act* and regulations; however, who these inspectors will be and if there will be enough appointed is unknown. The role of investigators is to determine if there is a contravention or failure to comply with the Cannabis License Act and regulations.

Does the County have any say in where retail stores are located? What about resident input?

A municipality cannot pass any zoning by-laws, interim control by-laws or establish site plan control, under the *Planning Act*, that would ultimately distinguish a building, structure or use of land that includes the sale of cannabis. This means that the decision making authority relative to the location and land use regulation of these retail stores will rest with the AGCO, not Haldimand County.

When the AGCO receives a licensing application for a retail cannabis store in Haldimand County, the AGCO is required by legislation to inform the County and provide a 15-day window for commenting and input. Both the County and public would have 15 days to provide comments to the AGCO, through the AGCO's online web portal iAGCO (only), but ultimately, the AGCO determines if the location of a retail cannabis store is in the 'public interest' (i.e. protecting public health and safety, protecting youth and restricting their access to cannabis, and preventing illicit activities).

Where can cannabis be consumed?

Any location that a cigarette can be consumed under the *Smoke-Free Ontario Act, 2017* unless otherwise stated in a municipal by-law.

Smoking cannabis is *permitted* in: a private residence; outdoor public places; controlled areas such as in long term care facilities, some retirement homes etc.); however, lease agreements and municipal by-laws can restrict smoking locations.

Smoking cannabis is *prohibited* in: enclosed, public places; enclosed workplace; on school grounds or within 20 metres (65.6 feet) of a playground; indoor common areas in condos, apartments and secondary school dorms; a child care centre or where child home care is provided; within 9 metres (29.5 feet) of a restaurant or bar; within 20 metres (65.6 feet) of community recreational facilities.

Regardless of whether Haldimand County opts-in or opts-out, can I grow cannabis at my home?

Yes. The federal *Cannabis Act, 2018* allows four (4) plants per residence, not per person.

What about access for medical cannabis?

This access will generally remain the same. Medical cannabis can only be purchased from: a federally licensed producer online, by written order, or over the phone and via mail delivery. The cannabis retail stores will only sell recreational cannabis.