



# Municipal Considerations for Cannabis Retail

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# Presentation Outline

- 1. Cannabis in Windsor and Essex County**
- 2. WE Board of Health Resolutions**
- 3. Retail of Other Legal Substances**
- 4. Cannabis and Vulnerable Populations/Areas**
- 5. Opt In/Opt Out**



# Prevalence of Cannabis Use

## *Most commonly used illegal substance in Canada*

- Past year use: 12% (15 years+)
- Higher rates among:
  - Men (15%) vs. Women (10%)
  - Youth, 15-19 (21%) and Young Adults, 20-24 (30%) vs. Adults (10%)  
(Canadian Tobacco Alcohol and Drugs Survey, 2015)
- In **Windsor-Essex:**
  - Young Adults, 15-29 (23%) [95% CI: 14.6-31.4%] vs Adults, 18+ (9.5%) [95% CI: 7.9-11.3%]  
(WECHU Community Needs Assessment, 2016)



# Health Effects

Mental Health	Physical Health	Risk of Injury
Difficulty Concentrating	Coughing, Wheezing Shortness of Breath	Unintentional consumption/Poisoning
Poor Coordination and Psychomotor skills	Hyperemesis	Overdose
Impaired Memory	Bronchitis	Motor Vehicle Collision
Reduced Cognitive Function	Heart Disease	
Psychosis, Depression, Anxiety	Chronic Obstructive Pulmonary Disease (COPD)	
Addiction/Dependence <i>Cannabis Use Disorder</i>	Cancer	



# Windsor-Essex Board of Health Resolutions

## January 14, 2016

- Supporting a public health approach to cannabis legalization in Ontario with strong health-centered and age-restricted regulations to reduce health and societal harms associated with cannabis use.

## October 18, 2017

- Encouraging Windsor-Essex municipalities to develop strict licensing, planning, and zoning regulations
- Working with enforcement agencies and municipalities to support smoking prohibitions
- Promoting *Canada's Lower-Risk Cannabis Use Guidelines* to reduce harms of cannabis use

# Windsor-Essex Board of Health Resolutions

## October 18, 2018

- Municipalities OPT OUT of the cannabis retail model as proposed by the provincial government in their respective communities.
- The province establish limits on the number of retailers in a geographic area to prevent clustering and reduce retail outlet density.
- The province set additional regulations with respect to the proximity of retail outlets in relation to areas which may unfairly target vulnerable populations.
- The province providing for the ability of municipalities to create licensing and zoning regulations which would be reflective of the unique needs of individual communities.
- Municipalities amend existing smoke-free by-laws to include “cannabis” in the definition, and expand spaces where the use of substances is prohibited (e.g., cannabis consumption venues or vape lounges).



# Cannabis Retail in Ontario

- Minimum distance of 150 m (500 ft) between cannabis retail stores and schools.
- No cap on the number of retailers per municipality.
- Municipalities are prohibited from using licensing or land-use by-laws to control the placement or number of cannabis retail outlets.
- All private recreational cannabis retail storefronts to be stand-alone stores only.
- Retailers will not be permitted to allow anyone under the age of 19 to enter their stores.
- Zero-tolerance (enforced by AGCO) for any retailer who provides cannabis to anyone under the age of 19.



# Cannabis Retail in Ontario

- Private stores will be permitted to open between 9:00 a.m. and 11:00 p.m. on any day.
- AGCO will begin accepting applications on December 17, 2018 and private retailing will begin April 1, 2019.
- The government has committed to providing \$40 million over two years to help municipalities with the implementation costs of recreational cannabis legalization.



# AGCO - Licensing Framework

## *Retail Operator Licence*

- Allows you to operate one or more retail store in Ontario.

## *Retail Store Authorization*

- Permits store layout and location.
- 15-day public consultation window on location.

## *Cannabis Retail Manager Licence*

- Most responsible person for operations of store.



# Concerns for Municipalities

## **Consumption permitted in all areas not covered by *Smoke-free Ontario Act*.**

- Interaction with municipal smoking bylaws
- Smoking/loitering and nuisance concerns around retailers
- Fewer restrictions on where cannabis, tobacco and vapes can be used increases the risk of normalization, second-hand smoke exposure and impairment

## **Increased density and number of access points can lead to:**

- Increased consumption and associated harms
- Normalization of use
- Decreased success in attempts to abstain from use
- Undermining of health warnings

## **Exposure to vulnerable populations:**

- Children and youth
- Individuals seeking treatment for substance use
- Individuals susceptible to addiction or with mental illness
- Low income neighbourhoods



# Summary of Evidence from Tobacco and Alcohol Retail

## Retail outlet density contributes to increased consumption and harms.

1. Babor, T, Caetano R, Cassell S, Edwards G, Giesbrecht N, Graham K, Rossow I. (2010). Alcohol no ordinary commodity: Research and public policy (Second ed.). New York, USA: Oxford University Press. Ottawa, ON.
2. Popova S, Giesbrecht N, Bekmuradov D, Patra J. (2009). Hours and days of sale and density of alcohol outlets: impacts on alcohol consumption and damage: a systematic review. Alcohol Oct;44(5):500-16.
3. World Health Organization (2010). Global strategy to reduce the harmful use of alcohol. Available from: [http://www.who.int/substance\\_abuse/msbalcstrategy.pdf](http://www.who.int/substance_abuse/msbalcstrategy.pdf)
4. Borodovsky JT, Lee DC, Crosier BS et al. (2017). US cannabis legalization and use of vaping and edible products among youth. Drug Alcohol Depend 177:299-306. Available from: <https://www.ncbi.nlm.nih.gov/pubmed/28662974>
5. Mair C, Freisthler B, Ponicki WR, Gaidus A. NIHMS705271; The impacts of marijuana dispensary density and neighborhood ecology on marijuana abuse and dependence (2015). Drug Alcohol Depend 154:111-6. Available from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4536157>

## Retail outlet proximity to youth-serving facilities normalizes and increases substance use.

1. U.S. Department of Health and Human Services (HHS), Office of the Surgeon General (2016). Facing Addiction in America: The Surgeon General's Report on Alcohol, Drugs, and Health. Available from: <https://addiction.surgeongeneral.gov/surgeon-generals-report.pdf>
2. Canadian Paediatric Society. Cannabis and Canada's children and youth (2016) Ottawa, ON: Canadian Paediatric Society. Available from: <https://www.cps.ca/en/documents/position/cannabis-children-and-youth>.

## Retail outlet proximity to other sensitive areas may negatively influence vulnerable residents.

1. Mair C, Freisthler B, Ponicki WR, Gaidus A. NIHMS705271; The impacts of marijuana dispensary density and neighborhood ecology on marijuana abuse and dependence (2015). Drug Alcohol Depend 154:111-6. Available from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4536157>
2. Alberta Health Services (2018). AHS recommendations on cannabis regulations for Alberta municipalities. Available from: <http://rmalberta.com/wp-content/uploads/2018/05/Webinar-recording-Cannabis-and-Public-Health-AHS-Cannabis-Information-Package-for-Municipalities.pdf>

## Fewer restrictions on where substances can be used may increase the risk of normalization, second-hand smoke exposure and impairment.

1. Smoke-Free Ontario Scientific Advisory Committee, Ontario Agency for Health Protection and Promotion (Public Health Ontario). Evidence to guide action: Comprehensive tobacco control in Ontario (2016). Toronto, ON: Queen's Printer for Ontario; 2017. Available from: [https://www.publichealthontario.ca/en/eRepository/SFOSAC%202016\\_FullReport.pdf](https://www.publichealthontario.ca/en/eRepository/SFOSAC%202016_FullReport.pdf).
2. Sparacino, CM, Hyldborg PA & Hughes TJ. Chemical and biological analysis of marijuana smoke condensate. NIDA Res Monogr 99(1990): 121-40.
3. Smoke-Free Ontario Scientific Advisory Committee. Evidence to Guide Action: Comprehensive Tobacco Control in Ontario (2010). Toronto, Ontario: Ontario Agency for Health Protection and Promotion. Retrieved from <http://otru.org/wp-content/uploads/2012/06/Evidence-to-Guide-Action-2010.pdf>
4. Linkenbach, J. The Main Frame: Strategies for Generating Social Norms News. Montana, US: Montana State University, 2002.
5. Smoking and Health Action Foundation. Secondhand Marijuana Smoke: Health effects of exposure (2016). Smoking and Health Action Foundation. Retrieved from: <https://nsra-adnf.ca/key-issue/secondhand-marijuana-smoke/>



# Concerns for Municipalities

## Lessons learned from Tobacco and Alcohol control:

- Retail outlet density contributes to increased consumption and harms.
  - Positive association between alcohol outlet density and excessive alcohol consumption and related harms.
- Retail outlet proximity to youth-serving facilities normalizes and increases substance use.
  - Schools with a greater number of retailers surrounding them have higher smoking rates.
- Retail outlet proximity to other sensitive areas may negatively influence vulnerable residents.
  - Higher concentration of tobacco retailers in lower income neighbourhoods.
- Less restrictions on where substances can be consumed increases the risk of normalization, exposure, and impairment.



# WECHU Recommendations:

## *Opt Out*

- One time window to **OPT-OUT** of retail stores in your municipality
- Can opt back in at later date
- ***Deadline – January 22<sup>nd</sup>, 2019***
  - 3 months from election, but shortly after swearing in of new council

### **Opt Out Allows for:**

- Time to conduct a more formal public and stakeholder engagement process
- Integrate lessons learned from other Ontario municipalities
- Learn more about provincial regulations and create a local regulatory framework that is reflective of the best interests of Windsor-Essex Residents

# *Thank You*

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# REFERENCES

- Association of Municipalities of Ontario. (2018). Provincial framework: Federal cannabis legalization. Retrieved from [https://www.amo.on.ca/AMO-PDFs/Cannabis/Provincial-Cannabis-Framework\\_AMO\\_May-4-2018.aspx](https://www.amo.on.ca/AMO-PDFs/Cannabis/Provincial-Cannabis-Framework_AMO_May-4-2018.aspx)
- Canadian Centre on Substance Abuse. (2016). Clearing the smoke on cannabis: Highlights. Retrieved from <http://www.ccdus.ca/Resource%20Library/CCSA-Clearing-the-Smoke-on-Cannabis-Highlights-2016-en.pdf>
- Federation of Canadian Municipalities. (2017). Cannabis legalization primer: How municipalities can get ready. Retrieved from [https://fcm.ca/Documents/issues/Cannabis\\_Legislation\\_Primer\\_EN.pdf](https://fcm.ca/Documents/issues/Cannabis_Legislation_Primer_EN.pdf)
- Federation of Canadian Municipalities. (2018). Municipal guide to cannabis legalization. Retrieved from <https://fcm.ca/Documents/issues/Cannabis-Guide-EN.pdf>
- Government of Canada. (2017). Canadian cannabis survey 2017: Summary. Retrieved from <https://www.canada.ca/en/health-canada/services/publications/drugs-health-products/canadian-cannabis-survey2017-summary.html>
- Government of Canada. (2017). Canadian Tobacco Alcohol and Drugs Survey (CTADS): 2015 summary. Retrieved from <https://www.canada.ca/en/health-canada/services/canadian-tobacco-alcohol-drugs-survey/2015-summary.html>
- Government of Canada. (2018). Cannabis legalization and regulation. Retrieved from <http://www.justice.gc.ca/eng/cj-tp/cannabis/>
- Government of Ontario. (2018). Cannabis legalization. Retrieved from [www.ontario.ca/cannabis](http://www.ontario.ca/cannabis)
- Locally Driven Collaborative Project, cycle 2. (2014). Addressing Alcohol Consumption and Alcohol-Related Harms at the Local Level: A resource for public health professionals in Ontario. Retrieved from [http://www.oninjuryresources.ca/downloads/news/LDCP\\_report\\_rev\\_Oct\\_14\\_6.pdf](http://www.oninjuryresources.ca/downloads/news/LDCP_report_rev_Oct_14_6.pdf)
- National Academies of Sciences, Engineering, and Medicine. (2017). The health effects of cannabis and cannabinoids: The current state of evidence and recommendations for research. Retrieved from <https://www.nap.edu/read/24625/chapter/1>



# REFERENCES

- Parachute Vision Zero Network (2018). Cannabis and drug impaired driving: What's happening in Canada right now? Retrieved from [https://static1.squarespace.com/static/58e54d1c4402436420372909/t/5a9ed91371c10bfaf031754f/1520359701449/PVZN-Case\\_Study\\_04-Cannabis\\_and\\_impaired-driving.pdf](https://static1.squarespace.com/static/58e54d1c4402436420372909/t/5a9ed91371c10bfaf031754f/1520359701449/PVZN-Case_Study_04-Cannabis_and_impaired-driving.pdf)
- Smoke-Free Ontario Scientific Advisory Committee [SAC], Ontario Agency for Health Protection and Promotion (Public Health Ontario). Evidence to guide action: Comprehensive tobacco control in Ontario (2016). Toronto, ON: Queen's Printer for Ontario; 2017.
- Smoking and Health Action Foundation. (2016). Secondhand marijuana smoke: Health effects of exposure. Retrieved from [https://nsra-adnf.ca/wp-content/uploads/2016/11/health\\_effects\\_of\\_exposure\\_to\\_secondhand\\_mj\\_smoke\\_2016-final2.pdf](https://nsra-adnf.ca/wp-content/uploads/2016/11/health_effects_of_exposure_to_secondhand_mj_smoke_2016-final2.pdf)
- Tilson M. (2011). Reducing availability of tobacco products at retail: Policy analysis. Non-Smokers' Rights Association. Accessed from: [https://nsra-adnf.ca/wpcontent/uploads/2016/07/Reducinq\\_Retail\\_Availably\\_policy\\_analysis\\_final\\_2011.pdf](https://nsra-adnf.ca/wpcontent/uploads/2016/07/Reducinq_Retail_Availably_policy_analysis_final_2011.pdf)
- Warner, T., Roussos-Ross, D., & Behnke, M. (2014). It's not your mother's marijuana: Effects on maternal-fetal health and the developing child. Retrieved from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4254522/pdf/nihms626138.pdf>
- Windsor-Essex County Health Unit (2016). Community needs assessment report. Windsor, Ontario.
- World Health Organization. (2016). Cannabis : The health and social effects of nonmedical cannabis use. Retrieved from [http://www.who.int/substance\\_abuse/publications/cannabis\\_report/en/](http://www.who.int/substance_abuse/publications/cannabis_report/en/)





# WECHU Recommendations: *Proximity and Density*

That Cannabis-related businesses be:

- no less than **500m** from any *school, library, park, recreational centre* and any other *youth-serving facility*,
- no less than **500m** from *subsidized or low-income housing*,
- no less than **500m** from *correctional facilities, addiction and mental health facilities, hospitals and places of worship*, and
- no less than **500m** from any *alcohol, tobacco, or other cannabis-related business* (i.e., cannabis consumption lounges or production facility)



# WECHU Recommendations: *Other Considerations*

That municipalities:

- Establish limits on the *number* of retailers in a geographic area to prevent clustering and reduce retail outlet *density*.
- Amend existing smoke-free by-laws to explicitly *include the word “cannabis”* in their definition of smoking.
- Work *collaboratively* with public health and school boards to consider impacts of legalization across different sectors.

