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Our Reference #: M-2020-11526

October 7, 2020

His Worship Fred Eisenberger
Mayor
City of Hamilton
Office of the Mayor
71 Main Street West, 2nd Floor
Hamilton, ON
L8P 4Y5

Email: mayor@hamilton.ca

Dear Mayor Eisenberger:

Thank you for your letter outlining the City of Hamilton's resolution regarding radial separation of authorized cannabis retail stores.

With respect to cannabis legalization, our government's top priorities are combatting the illegal market while keeping cannabis out of the hands of youth and our communities safe. As announced in December 2019, Ontario has moved to an open market for retail cannabis licensing because it is the most effective way to combat the illegal market and provides consumers with more choice, convenience and a safe, reliable supply of cannabis. The open market will naturally limit the number of viable cannabis stores based on consumer demand.

As you know, under the *Cannabis Licence Act, 2018*, authorized cannabis retail stores can 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 schools, and federally-funded First Nation schools off-reserve.

When determining whether to issue a Retail Store Authorization to a prospective operator, the Registrar of the Alcohol and Gaming Commission of Ontario takes into consideration any comments received from municipalities and its 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 Authorization 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 Hamilton City Council's concerns as we continue to monitor the evolution of cannabis legalization in the province and its impact on our communities. We are mindful of the 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, flowing style with a long horizontal stroke at the end.

Doug Downey
Attorney General

- c: The Honourable Doug Ford, Premier of Ontario
- Donna Skelly, MPP, Flamborough-Glanbrook
- Andrea Horwath, MPP, Hamilton Centre
- Paul Miller, MPP, Hamilton East-Stoney Creek
- Monique Taylor, MPP, Hamilton Mountain
- Sandy Shaw, MPP, Hamilton West-Ancaster-Dundas