

PA Consultation Document: Cannabis

Contact Information	
City	London
Organization	Middlesex-London Health Unit
Stakeholder Name	Linda Stobo, Program Manager Chronic Disease Prevention and Tobacco Control Melissa Knowler, Public Health Nurse Substance Use Portfolio
Stakeholder Email	linda.stobo@mlhu.on.ca melissa.knowler@mlhu.on.ca
Stakeholder Phone	519-663-5317 ext. 2388 519-663-5317 ext. 2252

Please enter feedback on page 2.

Once complete please return to David.Artemiw@ontario.ca.

Stakeholder Feedback	
<p data-bbox="191 261 863 293">License Eligibility and Allocation / Contracting</p> <p data-bbox="191 293 863 467"><i>Should there be province-wide restrictions on where a retail outlet can be placed? (e.g. restrictions around proximity to a school, proximity to another private store, number of stores per region, etc.)</i></p> <p data-bbox="191 500 863 673"><i>Other than private residences, should there be other spaces where cannabis can be used (e.g. lounge, bar)? If so, should those establishments be regulated and how should they be regulated? (e.g. licences)</i></p>	<p data-bbox="863 261 1919 293">Retail Outlet Restrictions</p> <p data-bbox="863 293 1919 673">Best practice evidence from tobacco control literature provides insight regarding product accessibility and its impact on tobacco use initiation. Greater availability of retail outlets and density of retail outlets increases consumption, increases the normalization of use, decreases ability to succeed in quit attempts and undermines health warnings. Consideration needs to be given to vulnerable populations (e.g., children and youth, those with co-addictions, etc.) and the inequitable impact that chosen site locations may have on particular populations within a community. Similarly, we see alcohol availability as a contributor to alcohol normalization, alcohol use, and resulting alcohol harm. We have less evidence to draw upon for cannabis; however, it is fair to assume that the same precautionary approach should apply.</p> <p data-bbox="863 706 1919 803">Proactive planning, including comprehensive provincial regulations around density and proximity to vulnerable populations, will help to ensure that the risks are minimized.</p> <p data-bbox="863 836 1919 901">Utilizing our past history with other substances, the following are some recommendations to consider when siting cannabis store locations:</p> <ul data-bbox="926 917 1919 1505" style="list-style-type: none"> <li data-bbox="926 917 1919 1088">• require retail cannabis location to be at a minimum of 500m away from any youth-oriented services including elementary schools, secondary schools, municipal libraries, community centres, playgrounds and sporting fields, the Boys and Girls Club, the YMCA, and other family-oriented centres; <li data-bbox="926 1088 1919 1226">• require retail cannabis locations to be at a minimum of 500m away from any other vulnerable populations site (e.g., addiction services, mental health services, methadone clinics, hospitals and healthcare centres, and payday loan stores); <li data-bbox="926 1226 1919 1291">• require retail cannabis locations to be at a minimum 500m away from and alcohol, tobacco or cannabis-related businesses; <li data-bbox="926 1291 1919 1356">• provide an opportunity for each community to have input into store locations prior to approvals of store sites; and, <li data-bbox="926 1356 1919 1505">• limit the number of cannabis stores provincially, on a per capita basis, and implement density and distance controls to prevent stores from clustering, while also keeping buffer zones around well-defined areas where children and youth frequent.

Cannabis Consumption Lounges

- **Licensed cannabis consumption lounges that would allow smoking or vaping of cannabis should not be permitted.** Ontario has a history of enacting policies that aim to protect children, youth and employees from second-hand tobacco smoke and the potential harms from exposure to vapour through provincial legislation and municipal bylaws. The proposed *Smoke-Free Ontario Act, 2017* will expand that protection to include vapour and medical cannabis smoke. Permitting smoking and vaping of cannabis in licensed cannabis lounges would be a step backwards from the gains that we have made to normalize a smoke-free culture. Through amendments to the *Smoke-free Ontario Act* and municipal bylaws, we have substantially reduced exposure to smoke and the use of smoking products in public spaces and workplaces.
- **The licensing of cannabis lounges for the consumption of edible products requires more consultation and careful consideration.** It has been proposed that the legalization of the retail sale of edible cannabis products would not occur until 2019 after extensive effort by the Government to establish the edible product framework. Therefore, it is difficult to provide comment on edible cannabis lounges until that framework is established. Ontario is committed to “a safe and sensible framework to govern recreational cannabis in the province”. Once the edible product framework has been drafted, stakeholders will be better positioned to provide comment from a public health perspective.

Multi-Unit Housing

- Health Canada recommends a ban on smoking in multi-unit housing. An unintended consequence of prohibitions on the use of cannabis in public spaces is an increase in second-hand smoke exposure within multi-unit dwellings. Since there is no safe level of exposure to second-hand smoke, where feasible, multi-unit housing providers should be provided with exemptions under Ontario’s proposed *Cannabis Act* to allow for the provision of a designated smoking area outside on the grounds, keeping in mind location and child/youth exposure.

<p>Store Operations</p> <p><i>Should there be restricted hours of sale?</i></p> <p><i>How should pricing be structured to combat the illegal market? Should there be a minimum retail price for cannabis products?</i></p> <p><i>Should staff working in stores require provincially mandated training as a condition of employment and store licensing?</i></p> <p><i>Who should deliver staff training? (e.g. Ontario Cannabis Store, accredited third party)</i></p>	<p>Business Regulation and Retail</p> <ul style="list-style-type: none"> • Set minimum standards and guidelines provincially, and license provincially (using liquor licensing as an example) so that there are common rules and regulations across Ontario, in line with the evidence that we can draw upon from tobacco and alcohol sales. • Ensure price/tax is based on THC levels (higher price/tax for products with higher THC) to help deter price-sensitive consumers, such as youth, from purchasing. • Establish provincial maximum THC and minimum CBD thresholds to eliminate high potency product availability. • While balancing the need to redirect consumers from the illegal market to the regulated market, there remains the need to establish a provincial minimum price to ensure that cannabis products remain sensitive to pricing measures, including taxation. Pricing measures are the single most effective way to prevent initiation and to reduce consumption. • Mandate that cannabis retail operators must complete standardized cannabis education as part of their application process, and ensure that standardized evidence-based health education is provided at point of sale. • Training should be standardized at a provincial level with requirements for ongoing re-certification to ensure it is consistent and current. • Limit hours of operation to restrict availability late at night and early in the morning (e.g. no earlier than 10:00 a.m., and no later than 9:00 p.m.). • Enact legislation that mandates that cannabis retail operators restrict youth under the age of 19 years from entering their stores. • Restrict signage and advertising to minimize visibility and promotion to youth from outside the store and enact provincial legislation that bans the promotion of cannabis and cannabis-related products, including promotion and sponsorship activities within places of entertainment. • Enforce youth possession, supply and sales restrictions utilizing best practices from tobacco control (e.g. test shopping and mandated annual inspections). • Cannabis retail establishments should be restricted to selling only cannabis and products related to the use of cannabis. Stores that are in the business of selling pharmaceuticals and/or other strictly regulated products, like lottery, alcohol and tobacco, should not be permitted to sell cannabis to minimize
--	---

	<p>product normalization and exposure to other products that can result in problematic use.</p> <ul style="list-style-type: none"> Public Health has a wealth of experience related to the enforcement of vendor compliance with tobacco and e-cigarette retailer legislation (e.g. test shopping, mandated annual inspections, and the provision of retailer obligations under the law). If Public Health is called upon to support cannabis retail enforcement activities at the local level, funding for additional staff and training would be required.
<p>Role of Municipalities <i>Should municipal/First Nation community approval be required prior to licensing?</i></p> <p><i>Should municipal/First Nations communities be able to zone for private stores?</i></p> <p><i>Should municipalities/First Nations communities be able to set further restrictions on the operation of stores beyond those set by the provincial government and/or regulator, to account for local circumstances? These restrictions could include, but are not limited to:</i></p> <ul style="list-style-type: none"> <i>location (e.g. distance buffers from schools, daycares, community centres);</i> <i>hours of operation; and</i> <i>number of stores per municipality/community.</i> <p><i>How should municipalities best police private stores and eliminate illegal dispensaries?</i></p> <p><i>Should the province make public education training available to municipalities and First Nations communities? Should this training be delivered by the province and/or by an accredited third party?</i></p>	<p>Community Approval Providing an opportunity for each community to have input into store locations prior to approvals and licensing of store sites is imperative.</p> <p>There are several potential planning issues that should be addressed at a municipal/First Nation community level prior to siting cannabis retail stores to protect the health and safety of our community. The Middlesex-London Health Unit is committed to a public health approach to the legalization of cannabis, which includes a closely regulated retail market, and welcomes the opportunity to work collaboratively with our municipalities, our First Nation communities and our enforcement partners.</p> <p>Attached to this submission is a letter from the Middlesex-London Health Unit to the City of London to help inform the development of the “<i>Siting of Cannabis Retail Stores in London Bylaw</i>”.</p> <p>Consumption of Cannabis The prohibitions on the public use of non-medical cannabis need to be promoted to support voluntary compliance. In addition, the restrictions need to be adequately enforced to promote compliance when education is inadequate.</p> <p>There are lessons that can be drawn upon from tobacco control:</p> <ul style="list-style-type: none"> Research has confirmed that e-cigarette use among youth increases the likelihood of youth smoking tobacco, potentially leading to a lifetime of smoking cigarettes, with all of the risk that this entails. It is recommended that provincial legislation be enacted that prohibits the use of vaping products, whether or not it contains cannabis, nicotine or tobacco, in the same public locations where smoking tobacco is already restricted to reduce the risk and prevent normalization of smoking and vaping to the youth population.

	<ul style="list-style-type: none"> • Municipalities have a rich history of enacting smoke-free bylaws to address the health concerns of second-hand smoke. To avoid varying levels of protection from second-hand cannabis smoke exposure between municipalities, an opportunity exists to level the playing field by expanding the prohibition on the smoking or holding of lit tobacco, as outlined under the <i>Smoke-free Ontario Act (SFOA)</i>, to include <i>the smoking or holding of lit cannabis, whether or not it is used for medical purposes</i>. The <i>SFOA</i> outlines employer and proprietor obligations that support the promotion and enforcement of the regulations, which addresses community, municipal and provincial concerns regarding the public use of cannabis in workplaces and public places, including places where children and youth frequent.
Additional Comments/Other Issues	<p>Research and Evaluation</p> <ul style="list-style-type: none"> • Ensure there is a plan for a provincial cannabis legalization monitoring strategy, with appropriate, common, population-level indicators to monitor the impacts of policy implementation. <p>Public Health Funding</p> <ul style="list-style-type: none"> • Dedicated public health funding to support prevention, harm reduction and protection/enforcement strategies to mitigate harms associated with cannabis use is required. • Public Health has a wealth of experience related to the enforcement of vendor compliance with tobacco and e-cigarette retailer legislation (e.g. test shopping, mandated annual inspections, and the provision of retailer obligations under the law). If Public Health is called upon to support cannabis retail enforcement activities at the local level, funding for additional staff and training would be required.

November 21, 2017

Orest Katolyk
Chief Municipal Law Enforcement Officer
London City Hall
300 Dufferin Avenue
London, ON
N6A 4L9

Re: City of London identified as site for stand-alone cannabis store by July 2018

Dear Orest,

The City of London was identified in the Ministry of Finance's November 3rd, 2017 announcement as one of the initial 14 Ontario municipalities scheduled for a stand-alone cannabis store by July 2018. It is the Middlesex-London Health Unit's understanding from that announcement that staff from the Ministry of Finance and the LCBO will meet with City of London staff to discuss the guidelines and process for siting stores and consideration of local interests. We would like to offer our public health perspective as it pertains to establishing cannabis retail locations and the potential community impact that locations may have, and future considerations as the retail market expands over the next few years.

Best practice evidence from tobacco control literature provides insight regarding product accessibility and its impact on tobacco use initiation. Greater availability of retail outlets and density of retail outlets increases consumption, increases the normalization of use, decreases ability to succeed in quit attempts and undermines health warnings. Consideration needs to be given to vulnerable populations (e.g., children and youth, those with co-addictions, etc.) and the inequitable impact that chosen site locations may have on particular populations within a community. Similarly, we see alcohol availability as a contributor to alcohol normalization, alcohol use and resulting alcohol harm. We have less evidence to draw upon for cannabis; however, it is fair to assume that the same precautionary approach should apply.

Although we understand that only one cannabis store has been identified for the City of London currently, it is quite feasible that there will be others in the future. Proactive planning, including comprehensive by-laws, will help to ensure that the risks are minimized for our community throughout the Ontario government's safe and sensible approach to cannabis legalization. We hope that we are able to share our public health knowledge and past experiences as we forge into this new future.

Utilizing our past history with other substances, the following are some recommendations to consider when siting the City of London's first cannabis store location:

- require retail cannabis locations to be at a **minimum of 500m away** from any **youth-oriented services** including elementary schools, secondary schools, municipal libraries, community centers, playgrounds and sporting fields, the Boys and Girls Club, and other family-oriented centres;
- require retail cannabis locations to be at a **minimum of 500m away** from any other **vulnerable population site** (e.g., addiction services, mental health services, methadone clinics, hospitals and healthcare centres, and payday loan stores); and,
- require retail cannabis locations to be at a **minimum of 500m away** from any **alcohol, tobacco or cannabis-related businesses**.

.....//1/2

We look forward to the opportunity to sit down with you and our City partners to work together as we prepare for the legalization of cannabis. There are challenges and opportunities at the local level and we are happy to assist, as we can, to share resources and to minimize harm and negative health impacts, now and into the future.

As we have mentioned, plans are underway to host a municipal knowledge exchange day in the new year, to bring together municipal staff and elected officials from across Middlesex County and the City of the London, local police services, the Health Unit, and the Association of Municipalities of Ontario to facilitate dialogue. We are also extending invitations to the Cannabis Secretariat at the Ministry of Health and Long-Term Care with hopes to get the most up to date information to contribute to our discussions and to identify potential local implications. We are happy to receive input from you directly to inform the agenda and timing.

If you have any further questions or wish to discuss the recommendations cited above, please don't hesitate to contact us.

Sincerely,



Linda Stobo
Program Manager
Chronic Disease Prevention and Tobacco Control
linda.stobo@mlhu.on.ca



David Pavletic
Program Manager
Food Safety and Healthy Environments
david.pavletic@mlhu.on.ca