

Alcohol and Gaming Commission of Ontario  
90 Sheppard Avenue East  
Suite 200-300  
Toronto, Ontario M2N 0A4

Tel: (807) 625-2230  
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September 28, 2020

RE: Application for Cannabis Retail Store Authorization for SUPERIOR GREENS – File# 1034294

To whom it may concern,

On January 14, 2019, Thunder Bay City Council approved a resolution to opt-in to allow cannabis retail stores. On August 26, 2019 City Council approved a [resolution](#) approving the City of Thunder Bay Siting of [Cannabis Retail Stores Policy](#), and delegating authority to the City of Thunder Bay's Drug Strategy Coordinator to coordinate and submit a formal response to the Alcohol and Gaming Commission of Ontario (AGCO) on cannabis retail store applications guided by the policy.

The Cannabis License Act, 2018 provides that the AGCO may not issue a retail store application deemed not to be in the "public interest", defined in s. 10 of Regulation [468/18](#) as meaning:

- a) Protecting public health and safety,
- b) Protecting youth and restricting their access to cannabis, and
- c) Preventing illicit activities in relation to cannabis.

Municipalities and the public have 15 calendar days to reply based on matters of public interest. Additionally, municipalities are able to provide additional feedback on distances and consideration for other sensitive uses as part of the public input process.

On September 14, 2020, the City of Thunder Bay became aware that SUPERIOR GREENS has made a new application for a Cannabis Retail Store Authorization at 421 VICTORIA AVE E in Thunder Bay. In consultation with other municipal departments and external agencies, the location of the proposed store at 421 VICTORIA AVE E was reviewed in the context of the Municipal Siting of Cannabis Retail Stores Corporate Policy; please find attached comments regarding this location.

Sincerely,



Krista Power  
City Clerk  
City of Thunder Bay  
[kpower@thunderbay.ca](mailto:kpower@thunderbay.ca)



Cynthia Olsen  
Drug Strategy Coordinator  
City of Thunder Bay  
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## City of Thunder Bay Municipal Response to Cannabis Retail Store Authorization to Alcohol and Gaming Commission of Ontario

**Business Name:** SUPERIOR GREENS

**Proposed Address:** 421 VICTORIA AVE E

**AGCO File Number:** 1034294

In consultation with other municipal departments and external agencies, the location of the proposed store at 421 VICTORIA AVE E was reviewed in the context of the City of Thunder Bay Siting of Cannabis Retail Stores Corporate [Policy](#).

In order to protect youth and promote public health and safety cannabis retail stores are discouraged where nearby properties are designed to serve youth and/or provide support to individuals with substance use and/or mental health challenges.

Cannabis retail stores should be located a minimum of 150 metres from the property line of all of the following:	Meets Corporate Policy?
- Any daycare facility; elementary, secondary or private school; college; university	No
- Any youth group home	Yes
- Any emergency shelter	No
- Any location where youth-focused programming is offered	No
- Any facilities where substance use and/or mental health challenges are treated	No
- Any community centre	Yes
- Any municipal library	Yes
- Any recreation facility, area, playground, and/or park	No
- Any LCBO or Beer Store	Yes

River and watercourse areas within the city of Thunder Bay have been identified as areas where substance use activity is concentrated, resulting in public health and safety concerns.

Cannabis retail stores should be located a minimum of 150 metres from:	Meets Corporate Policy?
- All rivers and watercourses	Yes

Other Principles for Cannabis Retail Store Locations

Land Use Planning	The property is zoned “C5” – Central Business District Zone and designated as Strategic Core in the Official Plan. Retail store is a permitted use at this location under the “C5” Zone.
Police Calls for Service and Site Design	<p>A cannabis retail store should incorporate Crime Prevention through Environmental Design principles into the design of the facility and the entire site on which it is located.</p> <p>Upon analysis of police calls for service, the direct address of Superior Greens at 421 Victoria Avenue East is not subject to a high number of calls. The area directly around Superior Greens is subject to a higher police attendance compared to other previously proposed locations of cannabis retail stores, however the number of calls for service in the direct area has dropped in recent months. The top reportable and cleared by charge call types suggest the area is subject to some struggles with social issues but it appeared violence is not a prevalent concern.</p>
Municipal Building Inspections	The Building Code applies to retail stores, including cannabis retail stores. Where a building permit is required, the building inspector will undertake duties as usual. Fire Code compliance is also mandatory.
Municipal Enforcement	<p>Where a complaint is received with respect to Zoning By-law compliance, Licensing &amp; Enforcement staff will conduct an investigation as usual</p> <p>There are currently no enforcement compliance issues at 421 Victoria Ave. E. at this time</p>
Location Criteria	The subject site is an exterior lot with frontage on Victoria Avenue East and an exterior side yard on May Street North. There is an existing building on the property which is consistent with the existing downtown character. There is no parking on site, which is consistent with the downtown area and zoning requirements. There is on-street parking immediately in front of the building. The site is also within a 2 minute walk of a City-owned surface parking lot and within a 5 minute walk to a City-owned parking garage. There are public sidewalks along the street frontage which are immediately adjacent to the building. There is an adjacent signalized intersection at Victoria Avenue and May Street for crossing the street. There are two bus stops in the immediate vicinity of the subject site. There is the May & Miles stop on the #3M, #4, and #16 lines and there is the May & George stop on the #3M and #16 lines. The site is

	<p>also less than a 5 minute walk to the City Hall bus terminal where there are connections to 5 other bus lines. The site is suitable for the proposed use in terms of zoning, transit access, pedestrian access, and parking availability. Retail stores are desirable and encouraged in this Official Plan designation.</p> <p>This site is however, located within 150 metres of several youth focused facilities, a treatment centre, and Shelter House (emergency shelter), which are all considered sensitive uses in accordance with the City’s policy.</p>
<p>Density Criteria</p>	<p>This proposed location is further than 150 m away from any approved cannabis retail stores in Thunder Bay. However, this proposed location is less than 150 m away from another proposed cannabis retail store: RAINBOW THUNDER BAY CANNABIS ACCESSORIES, 428 VICTORIA AVE. E., THUNDER BAY, ON – File#944831</p>

**Comments:**

To protect youth and promote public health and safety, the municipality would not support cannabis retail stores located within 150 metres from identified sensitive use areas. Special consideration must be given to vulnerable populations (e.g., individuals with substance use and/or mental health challenges, children and youth, individuals experiencing homelessness or extreme poverty, etc.).

Research indicates that the closer retail outlets are to sensitive use areas, there is an increase in normalization among vulnerable populations.<sup>1</sup> Further, evidence shows that retail outlet proximity to youth-serving facilities increases normalization and substance use among this population.<sup>2,3</sup> Having a minimum distance buffer from youth-serving facilities can reduce role modeling of cannabis use and reduce youth access.<sup>4,5,6,7</sup>

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<sup>1</sup> Liem, S. (2018) Alcohol Policy Review: Opportunities for Ontario Municipalities. Available from: <https://opha.on.ca/getmedia/4e8f860f-6e34-4036-9fa6-a1311a35852e/Alcohol-Policy-Review-Full-Report-Final.pdf.aspx>

<sup>2</sup> Canadian Paediatric Society. Cannabis and Canada’s children and youth (2017) Ottawa, ON: Canadian Paediatric Society. Available from: <https://www.cps.ca/en/documents/position/cannabis-children-and-youth>

<sup>3</sup> 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-generalsreport.pdf>

<sup>4</sup> Government of Canada (2016). A framework for the legalization and regulation of cannabis in Canada: The final report of the task force on cannabis legalization and regulation. Available from: <http://www.healthycanadians.gc.ca/task-force-marijuana-groupeetude/framework-cadre/alt/framework-cadre-eng.pdf>

<sup>5</sup> Wellington-Dufferin-Guelph Public Health Unit (2018). Cannabis is no Ordinary Commodity: Public Health Considerations for municipalities on cannabis retail outlets. Available from: <https://www.wdgppublichealth.ca/reports/cannabis-no-ordinary-commodity-public-health-considerations-municipalities-cannabis-retail>

<sup>6</sup> Simcoe-Muskoka District Health Unit (2019). Public Health Guidance for Municipalities on the Implementation of Legalization of Cannabis. Available from: [http://www.simcoemuskokahealth.org/docs/default-source/ify-communities/Public-Health-Guidance-for-Municipalities\\_Cannabis.pdf?sfvrsn=18](http://www.simcoemuskokahealth.org/docs/default-source/ify-communities/Public-Health-Guidance-for-Municipalities_Cannabis.pdf?sfvrsn=18)

<sup>7</sup> Association of Municipalities of Ontario (2018). Municipal Cannabis Update: Information to Help Municipal Staff Prepare Reports for Councils. Available from: <https://www.amo.on.ca/AMO-PDFs/Cannabis/Draft-Template-Municipal-Cannabis-Policy-Statement.aspx>

## Municipal Response – Superior Greens (421 Victoria Ave. E.)

The proposed store location for SUPERIOR GREENS – 421 VICTORIA AVE E is located within 150 metres from several sensitive use facilities:

[Shelter House Thunder Bay](#): Shelter House provides short-term relief to those in need of shelter, food, clothing, and access to resources to support their transition toward successful independent living. They provide an emergency shelter, a community kitchen with three free meals a day and 24hr access to food at the door, the Street Outreach Services program which provides services to homeless, intoxicated and high-risk people in the community, and operate the Kwae Kii Win Centre managed alcohol program.<sup>8</sup>

[William W. Creighton Attendance Centre](#): The Attendance Centre is a non-residential community based (alternative to custody) program which operates six days per week providing highly structured and closely supervised programming that addresses the identified risk/need factors of young persons. Youth are referred to the Attendance Centre by their Probation Officer as a condition of a court order including Probation, Extra-Judicial Sanction, or those serving the community portion of a Custody and Community Supervision Order. The Attendance Centre has a partnership with the education system for the provision of a classroom with a Board-certified teacher and Student Support Person (SSP).<sup>9</sup>

[People Advocating for Change through Empowerment \(P.A.C.E\)](#): P.A.C.E offers services for people struggling with mental health and addictions issues through peer support, advocacy and other supportive services.<sup>10</sup>

[Regional Multicultural Youth Association](#): The Multicultural Youth Centre provides a variety of services and resource materials for children and youth. It serves as a drop-in for youths who want information, friendship, advice, counselling or just a safe place to hang out.<sup>11</sup>

Urban Abbey Youth Refuge: While not yet operational, Urban Abbey took possession of the building located at the corner of Simpson St. and Victoria Ave. to develop a new youth shelter in Thunder Bay.<sup>12</sup>

Due to the close proximity of several sensitive use areas, including those that offer focused programming to vulnerable youth, the municipality is opposed to this proposed location for a cannabis retail store.

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<sup>8</sup> From Shelter House website: <http://www.shelterhouse.on.ca/services/> (Retrieved April 17, 2020)

<sup>9</sup> From William W. Creighton Youth Services website: <https://www.creightonyouth.com/services/attendance-centre/> (Retrieved April 17, 2020)

<sup>10</sup> From PACE website: <https://pace-tbay.net/> (Retrieved April 17, 2020)

<sup>11</sup> From Regional Multicultural Youth Council: Multicultural Association of Northwestern Ontario website: <http://my.tbaytel.net/manwoyc/about/centre.html> (Retrieved April 17, 2020)

<sup>12</sup> From CBC News website: <https://www.cbc.ca/news/canada/thunder-bay/thunder-bay-urban-abbey-gets-youth-shelter-building-1.5120349> (Retrieved September 25, 2020)

Map of Proposed Cannabis Retail Store and Proximity to Sensitive Use Areas

