

Ontario Unveils Plans for Retail Cannabis Sales

Cameron A. Mingay

October 2, 2018

On Thursday, September 27, 2018, the Government of Ontario introduced new legislation to regulate the sale and recreational use of cannabis. The proposed legislation provides a full-framework for the regulation of cannabis retail following its legalization.

As of October 17, 2018, consumers 19 years of age and older will be permitted to purchase cannabis via an online retail channel provided by the Ontario Cannabis Store (OCS). The OCS online platform will include a verification system to ensure the safe delivery of cannabis products to consumers' homes.

The Province will begin a consultation process in advance of implementing a strictly regulated private retail model for cannabis sales that will be set to launch by April 1, 2019. The government will meet with municipalities, Indigenous communities, law enforcement, public health advocates, businesses and consumer groups, as well as representatives of the other provinces to ensure Ontario's private retail model remains safe while helping to eliminate the illegal market.

The government will provide municipalities with a one-time window under which they can elect to opt-out of permitting brick-and-mortar retail stores within their boundaries. Municipalities will have a deadline of January 22, 2019 to decide whether they choose to opt-out.

The Province will not limit the number of stores permitted to sell recreational cannabis in Ontario. However, the proposed legislation provides flexibility, leaving the door open for the Province to restrict the number of licences a single entity can hold, an approach adopted by other Canadian provinces.

The new plan also eases the Province's stance on where recreational cannabis use will be permitted. Under the proposed legislation, smoking cannabis will be allowed in the same locations as cigarettes. Smoking in enclosed public spaces and workplaces, as well as vehicles and boats, will still not be permitted under the new rules.

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.