**REGULATORY REGISTRY FEEDBACK FORM**

**Potential for Cannabis Consumption Establishments and/or Cannabis Special Occasion Permits**

On December 12, 2019, the government announced that it is taking steps to move to an open market for retail cannabis sales in Ontario, as it originally intended. This will provide consumers with more choice and convenience and a safe and reliable supply of cannabis. For more information, please visit <https://news.ontario.ca/mag/en/2019/12/ontario-opening-cannabis-retail-market.html>.

As part of Ontario’s transition to an open market, the government would like your feedback on the potential implementation of additional cannabis business opportunities in the future, including:

* 1. facilitating the sale of cannabis for consumption in establishments like lounges and cafes (cannabis consumption establishments); and,
  2. cannabis special occasion permits (SOPs).

The government is collecting feedback at this time to inform potential decisions about opportunities in an open cannabis market in the future. No changes to the cannabis framework are expected at this time nor is there a current timeframe for any additional changes that may be informed by this feedback.

**Cannabis Consumption Establishments and Special Occasion Permits**

Cannabis consumption establishments and SOPs, if brought forward, could facilitate the purchase and consumption of cannabis in specified social settings (e.g. cafés, entertainment venues, festivals and events).

Cannabis Consumption Rules

Cannabis can be smoked or vaped in many outdoor public places and in private residences.

The *Smoke-Free Ontario Act, 2017* (SFOA, 2017) and the regulations under that Act prohibit the smoking of cannabis and the use of electronic cigarettes (e-cigarettes) to vape any substance (including cannabis) in enclosed workplaces and enclosed public places, as well as other prescribed places (e.g., restaurant and bar patios or within nine metres of these patios).

The SFOA, 2017 also prohibits drivers and passengers from consuming any form of cannabis (smoking, vaping, eating) in vehicles and boats that are being driven or will be driven, subject to certain exceptions.

The SFOA, 2017 is not the only source of smoking and vaping restrictions in Ontario. Additional restrictions on cannabis consumption may be found in municipal bylaws and the policies of employers and property owners.

The government is not considering changes to the SFOA regime as part of this consultation.

For more information on Ontario’s cannabis consumption rules, please visit [www.ontario.ca/cannabis](http://www.ontario.ca/cannabis).

Other Forms of Cannabis Products

On June 26, 2019, Health Canada published regulations for the production and sale of three new classes of cannabis products:

* *cannabis edibles* – cannabis products that can be consumed in the same manner as food (e.g. food or beverage)
* *cannabis extracts* – cannabis products that are produced using extraction processing methods or by synthesizing phytocannabinoids (e.g., oils, capsules, hash, wax)
* *cannabis topicals* – cannabis products that can be used on a body surface (e.g. lotion)

These new federal regulations came into force on October 17, 2019 and the new classes of cannabis products became available for sale in Ontario on January 6, 2020.

For more information on Health Canada’s rules for edibles, extracts and topicals, please visit: <https://www.canada.ca/en/health-canada/news/2019/06/health-canada-finalizes-regulations-for-the-production-and-sale-of-edible-cannabis-cannabis-extracts-and-cannabis-topicals.html>

Other Jurisdictions

At this time, no other Canadian jurisdiction has implemented a framework for cannabis consumption establishments, like lounges or cafes, or SOPs.

Some jurisdictions in the United States that have legalized recreational cannabis have allowed regulated cannabis consumption establishments and SOPs where individuals are permitted to consume recreational cannabis. However, it should be noted that in those states, the consumption of recreational cannabis is restricted to private residences only (i.e. cannabis consumption is not permitted in any public place). In these jurisdictions, cannabis consumption establishments/SOPs might assist in mitigating certain equity issues in a more restrictive consumption rules framework (e.g. tourism, individuals who are not permitted to consume cannabis in their private residence per condominium/building policies).

**Instructions**

Please provide your feedback to the questions below on this form and submit to [cannabis@ontario.ca](mailto:cannabis@ontario.ca).

The closing date for providing feedback is March 10, 2020.

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| **Contact Information**  Please provide your name, title and the full name and address of your organization (if you are submitting comments on behalf of an organization).  *(please insert contact information)* | | | |
| **About You or Your Organization**  *(please check the appropriate box/boxes)*  ☐ Health organization  ☐ Educator  ☐ Law enforcement | | ☐ Municipality  ☐ Indigenous organization/community  ☐ Other \_\_\_\_\_\_\_\_\_\_ |  |
| **Region**  *(please refer to map and check appropriate box)*   * 1. Central Ontario * 2. Eastern Ontario * 3. Greater Toronto Area * 4. Northern Ontario * 5. Southeastern Ontario * 6. Southwestern Ontario * 7. Western Ontario * 8. Provincial |  | |  |
| **Cannabis Consumption Establishments/Special Occasion Permits** | | | |
| 1. **Taking into consideration the places of use rules for cannabis under the SFOA, 2017 (as outlined on page 1), should the government consider facilitating the sale of cannabis for consumption in establishments like lounges and cafes in Ontario? Why or why not?** | | | |
| *(insert comments – if necessary the box will expand as you type)* | | | |
| 1. **If cannabis consumption establishments were considered in Ontario, what other products should be permitted for sale in those establishments (e.g. cannabis accessories, food/beverage products that do not contain cannabis)?** | | | |
| *(insert comments – if necessary the box will expand as you type)* | | | |
| 1. **In Ontario, the Alcohol and Gaming Commission of Ontario (AGCO) oversees the administration of an alcohol SOP program, which allows for the sale and service of alcohol at special occasions, including large scale events that are open to the public, such as festivals.**   **Should the government consider establishing a similar SOP program for cannabis to be sold and consumed at festivals and events? Why or why not?**  **If yes, what conditions should be included (e.g. should alcohol consumption at the same event be restricted, should the event be age-restricted to 19+, what methods of cannabis consumption should be permitted)?**    **For more information on the current alcohol SOP program, please visit:** <https://www.agco.ca/alcohol/special-occasion-permits-private-event> | | | |
| *(insert comments – if necessary the box will expand as you type)* | | | |
| 1. **Are there any additional risks / opportunities created by cannabis consumption establishments or SOPs when compared to authorized cannabis retail stores?** | | | |
| **Cannabis Consumption Establishments:**  *(insert comments – if necessary the box will expand as you type)*  **SOPs:**  *(insert comments – if necessary the box will expand as you type)* | | | |
| 1. **What should be a municipality’s involvement, if any, in a potential framework for cannabis consumption establishments or SOPs?** | | | |
| *(insert comments – if necessary the box will expand as you type)* | | | |
| **We are interested in any other comments or suggestions you wish to make about cannabis consumption establishments and/or SOPs.** | | | |
| *(insert comments – if necessary the box will expand as you type)* | | | |
| **Please submit your feedback on the Regulatory Registry by March 10, 2020**  ***Privacy Statement***  Please note that unless requested and agreed otherwise by the Ministry of the Attorney General, all materials or comments received from organizations in response to this consultation will be considered public information and may be used and disclosed by the ministry to assist the ministry in developing potential amendments to the cannabis framework. This may involve disclosing materials or comments, or summaries of them, to other interested parties during and after the request for public comment process.  An individual who provides materials or comments and who indicates an affiliation with an organization will be considered to have submitted those comments or materials on behalf of the organization so identified. Materials or comments received from individuals who do not indicate an affiliation with an organization will not be considered public information unless expressly stated otherwise by the individual. However, materials or comments from individuals may be used and disclosed by the ministry to assist in developing potential amendments.  Personal information of those who do not specify an organizational affiliation, such as an individual's name and contact details, will not be disclosed by the ministry without the individual’s consent unless required by law. If you have any questions about the collection of this information, please contact the Legalization of Cannabis Branch at [cannabis@ontario.ca](mailto:cannabis@ontario.ca). | | | |