

Ontario Municipalities with Tobacco Retailer Licence Fees¹

	Name of Municipality	Initial Cost of Licence	Annual Renewal Fee	Attached Conditions and/or Comments
East TCAN				
1	Ottawa	\$877	\$877	<ul style="list-style-type: none"> Applicant must be 18 years of age and the operator of the business Applicant must provide proof that the premises is permitted to sell or offer tobacco for sale pursuant to the <i>Tobacco Control Act</i>² http://app06.ottawa.ca/online_services/forms/bylaws/business_license_application_en.pdf
2	Kingston	\$267	\$267	<ul style="list-style-type: none"> Licence required for health and safety reasons: safe storage of flammable materials and consumer protection – that provincial requirements are met for storage, sale and advertising of tobacco products A person is not eligible to hold a license if the property to be used for carrying on the trade, business or occupation does not conform with all applicable law, including but not limited to the property standards by-law that applies to the property, the <i>Tobacco Control Act</i>, the <i>Fire Protection and Prevention Act, 1997</i>, the fire code and the <i>Health Protection and Promotion Act</i> Review and approval required from Building Section, Zoning, Fire Department, KFL&A Health Unit & Kingston Police https://www.cityofkingston.ca/documents/10180/26367/Business+License+Application+2013.doc/ffaecd0f-4006-4caa-8c92-d0a074adb9de
3	Cornwall	\$40	\$40	<ul style="list-style-type: none"> Inspections required by the Zoning Department and the Eastern Ontario Health Unit http://www.cornwall.ca/en/planningandpermits/resources/bl-tobacco.pdf http://www.cornwall.ca/en/planningandpermits/resources/EOHU_BUSINESS_LICENSE_FORM.pdf

¹ Interpret fees with caution, as some municipalities publish a single fee which can include a processing fee, various inspection fees (zoning, health, etc.) and HST while other municipalities break down the total such that the portion that is the tobacco retailer licence fee can be seen.

² Note this Act was repealed by the *Smoke-Free Ontario Act*.

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Central East TCAN				
4	Vaughn	\$320	\$216	<ul style="list-style-type: none"> • Applicant must obtain a Clearance Zoning Search for Municipal License through the Building Standards Department • Applicant must submit articles of incorporation, partnership, or sole proprietor registration • A Master Business Licence or a Franchise Agreement is also required if the operating name is different from the legal name or if the business registration does not indicate the business location within the City of Vaughan • https://www.vaughan.ca/services/residential/licensing_and_permits/Forms/Municipal%20License%20application.pdf
5	Richmond Hill	\$297	\$297	<ul style="list-style-type: none"> • Applicant must provide copy of business registration, receive zoning clearance as well as clearance from York Regional Police • The 2 page tobacco sales application form is not available online
6	Markham	\$375	\$375	<ul style="list-style-type: none"> • Applicants must submit a 2 page application with basic personal and business information, and proposed business must comply with zoning for the specified location • https://www.markham.ca/wps/wcm/connect/markhampublic/c58a5d8d-7db9-4db8-ade3-766f54055134/SB--Tobacco-Sales.pdf?MOD=AJPERES&CACHEID=c58a5d8d-7db9-4db8-ade3-766f54055134
7	Brampton	\$221	\$221	<ul style="list-style-type: none"> • Applicant must submit completed application to the Zoning Section of the Planning, Design and Development Department for review and approval • Applicant must provide proof of insurance • http://www.brampton.ca/EN/Business/Licensing/Pages/Stationary-Licence-Requirements.aspx
8	Mississauga	\$274	\$199	<ul style="list-style-type: none"> • Applicant must submit articles of incorporation business registration as well as receive zoning/committee of adjustment approval • Where an Automatic Prohibition Order is issued by the Minister of Health for the sale of tobacco, the licence issued by the City is automatically revoked. • http://www7.mississauga.ca/documents/TW/forms/bl_form2015.pdf • http://www7.mississauga.ca/Documents/TW/businesslicensing/Bus_Req_M2013.pdf

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9	Wasaga Beach	\$160	\$132.50	<ul style="list-style-type: none"> • Prior to being issued a license, business locations must first be approved by the Building and Planning Departments regarding suitable zoning, parking, etc. and then be inspected by the Town's Fire and Property Standards Departments • Licence required to ensure that the business is not a nuisance to the surrounding properties and neighbourhood • Applicant must obtain approvals from the Zoning Department, Fire Department, Building Department, Property Standards Office and Public Health
Central West TCAN				
10	Oakville	\$176	\$176	<ul style="list-style-type: none"> • Oakville is unique in that it licenses 2 different types of tobacco retailers: tobacconists and “food shops – ancillary use” (convenience stores that do not prepare food on site) • The tobacconist licence is \$176 and applicants must complete a 1 page application providing basic information about the type of business as well as a Certificate of Occupancy obtained from Building Services and a Certificate of Public Liability Insurance in the amount of two million dollars • http://www.oakville.ca/assets/general%20-%20town%20hall/TobSellAppl.pdf • The food shop – ancillary use licence is \$237 and requires the same information as the tobacconist licence, plus a certificate issued by the Medical Officer of Health for the Region of Halton indicating compliance with all applicable provisions of the <i>Health Protection and Promotion Act</i> and its regulations • http://www.oakville.ca/assets/general%20-%20town%20hall/FoodShopAncAppl.pdf
		\$237	\$237	

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11	Hamilton	\$418	\$418 plus a health inspection fee of \$207 = \$625	<ul style="list-style-type: none"> • Hamilton is unique—the city requires a vendor licence for e-cigarette retailers as well as tobacco retailers • This reflects the Health Department's unique working relationship with the City's Licensing Department • Note that the cost of the licence listed here only reflects the actual licence fee; other costs include a processing fee, a health inspection fee and a zoning fee. • New licences are \$698 (no zoning required) or \$930 (with zoning fee) • Applicants must provide a Business Registration/Corporate Profile dated within 1 year of application, and must also receive a Zoning Verification Certificate or Addendum (if same category previously licensed within one year) (only if application is for a "Cigar" or "Tobacco" shop where this is the principal or only use) as well as a Health Inspection • https://d3fp1lf1m7bbt3.cloudfront.net/sites/default/files/media/browser/2017-04-19/establishment-licence-application-2017.pdf • https://d3fp1lf1m7bbt3.cloudfront.net/sites/default/files/media/browser/2016-02-01/business-license-reference-guide-apr2017-1.pdf
12	Burlington	\$260 \$140	\$260 \$140	<ul style="list-style-type: none"> • \$260 fee applies to convenience stores selling tobacco • For any other type of business wishing to sell tobacco, the fee is \$140 • In addition to providing basic personal information as well as business information on the one page application form, applicants must also submit proof of zoning approval, an inspection letter dated within the last 90 days, issued and signed by the Medical Officer of Health and documentation that demonstrates the applicant's right to possess or occupy the premises • Burlington is unique, in that "It shall be a condition of every licence that the licensee, or employees of an establishment licensed to sell tobacco, is prohibited from selling any matches, lighters, novelty lighters etc. to any persons under the age of 19 years • http://www.burlington.ca/en/services-for-you/resources/Applications,%20Licences%20and%20Permits/Application_-_Convenience_Store_-_Sales_of_Foodstuff_2016.pdf • http://www.burlington.ca/uploads/91/635575154676735581.pdf

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13	Waterloo	\$172	\$149	<ul style="list-style-type: none"> Applicants must complete a 2 page application with basic personal and business information Applications are subject to zoning approval http://www.waterloo.ca/en/contentresources/resources/government/Business_Licence_Applications/Business_Licence_Application_Tobacconist.pdf
South West TCAN				
14	London	\$410	\$120	<ul style="list-style-type: none"> For licensing purposes, tobacco vendors are categorized as food shops (convenience stores, grocery stores) Applicants must complete a 2 page application form and provide basic personal and business information https://www.london.ca/business/Permit-Licences/Business-Licensing/Documents/Business%20Licence%20Application.pdf
15	Chatham-Kent	\$235	\$145	<ul style="list-style-type: none"> Zoning approval from the Chatham-Kent Building Department and a completed health inspection by the Chatham-Kent Public Health Unit is required prior to the licence being issued http://www.chatham-kent.ca/SiteCollectionDocuments/Licensing/Business/Municipal%20Business%20Licence%20Application%202017.pdf http://www.chatham-kent.ca/Licensing/BusinessLicenses/Pages/TobaccoShop.aspx
16	Windsor	\$232	\$191	<ul style="list-style-type: none"> In addition to providing basic personal and business information on the 1 page application form, applicants must also secure building/zoning clearance http://www.citywindsor.ca/cityhall/licensingandregistration/Business-Licences/Documents/Tobacconist-Application-Form.pdf
North East TCAN				
17	Greater Sudbury	\$442	\$150	<ul style="list-style-type: none"> Applicants must submit an 8 page application with basic personal and business information https://www.greatersudbury.ca/linkservid/CAECD93-0A23-B575-0443E89D417486C1/showMeta/0/

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18	North Bay	\$50	\$50	<ul style="list-style-type: none"> Applicants must submit a 2 page application with basic personal and business information As per Bylaw 2012-225, Schedule Q, the definition of tobacco is as follows: "Tobacco shall mean a product composed in whole or in part of tobacco, including tobacco leaves, and any extract of tobacco leaves. It includes cigarette papers, tubes, filters and snuff but does not include any food, drug or device that contains nicotine to which the <i>Food and Drugs Act</i> applies" https://www.cityofnorthbay.ca/media/1907/application-tobacco-sales-licence.pdf?v=636010001800000000
19	Hearst	Under \$30 ³	Under \$30	<ul style="list-style-type: none"> https://www.hearst.ca/en/town-hall/by-laws/busines-licensing/ http://www.hearst.ca/wp-content/uploads/2015/10/business-permit-e.pdf
North West TCAN				

Summary

- There are very few municipalities in Ontario that require a tobacco vendor licence, and fewer still that use a vendor licence as a tobacco control measure to reduce availability.⁴
- Vendor licence fees vary considerably, from \$877 in Ottawa to under \$30 in Hearst. A licence fee should be high enough to ensure that it is regarded as more than a cost of doing business.
 - The fee in Ottawa has increased from \$150 in 2003; over this same 14 year period, the number of tobacco vendors has decreased 45% from approximately 800 to approximately 439.⁵ Not only has the number of vendors decreased, but the population of Ottawa has also increased,

³ The business licence for Hearst is currently being renewed and the clerk could not provide a specific dollar amount.

⁴ For more information on tobacco retail reform as a public health measure, consult "Reforming the Retail Landscape for Tobacco: Why we should do it & how it can be done." http://nsra-adnf.ca/wp-content/uploads/2016/07/ReformingRetailLandscape_Final.pdf.

⁵ City of Ottawa. Personal communication with Dana Periard 31 March 2017.

resulting in both a decrease in vendor density as well as the number of tobacco vendors per capita. However, other than the high fee, Ottawa does not impose additional conditions on applicants such as mandatory training.

- Also of note is the City of Hamilton, where the total fee for 2017 is \$698. Hamilton's Public Health Department works in close collaboration with the City's Licensing Department.
- Hamilton is the only municipality in Ontario that requires e-cigarette vendors be licensed, and the fee is the same as that for a tobacco vendor licence. It is the opinion of the Smoking and Health Action Foundation that because nicotine is addictive and youth protection needs to be a priority, licensing e-cigarette vendors is desirable. However, because e-cigarettes offer a less harmful alternative to tobacco for adult smokers, e-cigarette vendor licence fees should not be as high as tobacco vendor licence fees, while still being high enough to fulfill a public health function.
- Very few municipalities impose conditions on tobacco vendor licence applicants beyond the provision of basic personal and business information
 - An exception is Burlington that prohibits licence holders from selling matches, lighters, novelty lighters and related paraphernalia to minors under 19.
 - In Mississauga, where an Automatic Prohibition Order is issued by the Minister of Health for the sale of tobacco, the licence issued by the City is automatically revoked.
- Despite being a uniquely lethal consumer product that kills half of long-term users, tobacco remains readily available 24/7 in convenience stores and gas stations across Ontario. Much is needed to be done to reform the tobacco retail landscape, including the implementation of more municipal tobacco vendor licences, and with meaningful conditions that fulfill public health regulatory goals.
- In addition, provincial legislation could be passed to ban any type of tobacco industry payment or benefit to retailers. Canada is considered a "dark market" because of the tight restrictions on tobacco advertising and promotion. Tobacco manufacturers have therefore increasingly relied on retailers to communicate with customers and help boost sales, recognizing them as an essential component of their marketing strategies. With the advent of plain and standardized tobacco packaging, banning tobacco industry payments and benefits to retailers will become even more important, as manufacturers will no doubt further increase their reliance on retailers to communicate with customers about their products. Quebec was the first province to adopt such legislation, which went into effect in November 2016.