



**Regular Meeting of Council
Addendum**

Date: February 24, 2020
Time: 6:30 pm
Location: Council Chambers Level 2, City Hall

Pages

8. Declarations of Interest:

8.1 Councillor Galbraith - Confidential update on a litigation matter (L-03-20)

12. Reports of Municipal Officers:

12.1 City Position on Expanded Cannabis sale and Consumption (MO-02-20) 1 - 4

12.2 CN's Proposed Milton Logistics Hub (L-7-20) 5 - 9

14. Motions:

14.1 Motion to Waive Notice

14.2 Motion to Reconsider

14.3 Motion to Amend Nelson Quarry Staff Direction (SD-29-19)



SUBJECT: City of Burlington Resolution on Expanded Sale and Consumption of Cannabis in public spaces.

TO: Mayor and Members of Council

FROM: Office of the Mayor

Report Number: MO-02-20

Wards Affected: All

File Numbers: 130-01

Date to Committee: February 24, 2020

Date to Council: February 24, 2020

Recommendation:

Due to the government of Ontario's current exploration of expanding the locations for sale and consumption of cannabis, I am bringing forward the following resolution:

WHEREAS the City of Burlington opted-in to allow the legal sale of cannabis in 2019 and recognizes authorized retailers as a legitimate part of our business community

AND WHEREAS the City of Burlington has no objection to the incremental business opportunities being explored by the government of Ontario announced on December 12, 2020 including the move to an open market for retail cannabis sales,

AND WHEREAS on February 10th, 2020, the government of Ontario announced they were launching consultations to provide consumers more choice and convenience on cannabis while giving the private sector enhanced ability to compete against and combat the criminal market;

AND WHEREAS the government of Ontario is asking Ontarians to share their feedback before March 10th, 2020 as they explore certain expanded cannabis-related business opportunities to help inform possible next steps;

AND WHEREAS the online consultation asks the public, businesses, health and other stakeholders to comment on potential new cannabis opportunities, including consumption venues such as cannabis 'lounges' where people could buy and consume cannabis and special occasion permits to allow purchase and use at events such as outdoor festivals and concerts;

AND WHEREAS smoking and vaping of any substances, including cannabis, in Burlington are prohibited in indoor public places and other designated areas under the Smoke-Free Ontario Act of 2017;

AND WHEREAS the City of Burlington conducted a public survey between February 14th and February 23rd seeking input on the future of cannabis sale and use in consumption venues such as cannabis 'lounges' and at public events such as outdoor festivals and concerts and found that, of 969 respondents:

- 50% were **in favour** of allowing the sale and consumption of cannabis in places like cannabis lounges and cafés (5% undecided, 45% not in favour)
- 57% were **not in favour** of allowing the sale and consumption of cannabis at festivals and events such as music or food festivals, etc. (3% undecided, 40% in favour)
- 67% felt that municipalities **should be able to** decide/govern the sale and consumption of cannabis in cafés and lounges (11% undecided, 23% not in favour)
- 72% felt that municipalities **should be able to** decide/govern the sale and consumption of cannabis at special events (7% undecided, 21% not in favour)

NOW THEREFORE BE IT RESOLVED THAT:

- The Council of the City of Burlington is open to the sale and consumption of edible cannabis products in additional locations such as cannabis lounges so long as these locations do not also permit the sale and consumption of alcohol nor conflict with our existing distance criteria for retail cannabis store locations.
- The City of Burlington does not support the sale or consumption of any cannabis products in public spaces or at public events such as outdoor festivals and concerts.
- We ask the government of Ontario to allow municipalities to make their own local decisions on these matters and permissions.
- We ask the government of Ontario to ensure that no additional permissions on the use of cannabis would be granted in such a manner as to contravene the Smoke-Free Ontario Act of 2017 or any Halton Region bylaws that exist at the time of their decision.

PURPOSE:

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture
-

Background and Discussion:

In order to be able to provide feedback to the province by their deadline of March 10th, the City of Burlington conducted a public survey online between the dates of February 14th and February 23rd to elicit public feedback about the locations of sale and consumption of cannabis in Burlington. This was done in response to the February 10th, 2020 notice from the government of Ontario that they are currently exploring the expansion of the sale & consumption of cannabis at additional locations such as cafes and lounges, and at public events.

Financial Matters:

Not applicable

Total Financial Impact

Not applicable

Source of Funding

Not applicable

Other Resource Impacts

Not applicable

Climate Implications

Not applicable.

Engagement Matters:

As per above, the public was consulted for their input via an online survey.

Conclusion:

Recommendation is for Council to approve the resolution.

Respectfully submitted,

Mayor Marianne Meed Ward

Appendices: (if none delete section)

- A. City of Burlington public survey results
- B. Smoke-Free Ontario Act, 2017

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council. Final approval is by the City Manager.



SUBJECT: CN's Proposed Milton Logistics Hub

TO: Mayor and Members of Council

FROM: Legal Services Department

Report Number: L-7-20

Wards Affected: All

File Numbers: 775-01

Date to Committee: n/a

Date to Council: February 24, 2020

Recommendation:

Council of the City of Burlington endorses the resolution approved by Halton Regional Council at its meeting held Wednesday, February 12, 2020 respecting the CN's proposed Milton Logistics Hub attached as Appendix A to L-7-20.

PURPOSE:

Vision to Focus Alignment:

Background and Discussion:

The Halton Municipalities have been engaged in the Canadian Environmental Assessment Agency's review of the Proposed CN Milton Logistics Hub project over the last several years. The Halton Municipalities participated in the Review Panel hearing process for the Proposed CN Milton Logistics Hub during the spring/summer of 2019. The Review Panel released its report on the Proposed CN Milton Logistics Hub on January 27, 2020. On February 12, 2020, members of Burlington City Council attended the meeting of Regional Council at which time they were provided with a detailed briefing on the results of the CEAA Panel Review of the Proposed CN Milton Logistics Hub and its conclusions. A copy of the public presentation can be accessed by the following link.

<https://edmweb.halton.ca/OnBaseAgendaOnline/Documents/DownloadFile/CN%20Presentation%20->

[%20February%2012%2c%202020%20Council.pdf.pdf?documentType=1&meetingId=4096&itemId=116376&publishId=63874&isSection=False&isAttachment=True](#)

Strategy/process

Regional Council at its meeting held February 12, 2020 passed a public resolution attached to this report as Appendix A. It is in the continued interests of the City of Burlington to continue to support the Halton Municipalities in its opposition to the Proposed CN Milton Logistics Hub Project and for Council to endorse the resolution passed by Regional Council.

Options Considered

The City of Burlington could disengage from this process however it is in the continued best interests of the City to continue to engage in this matter with the other Halton Municipalities.

Financial Matters:

N/A

Total Financial Impact

N/A

Source of Funding

N/A

Other Resource Impacts

The City Manager and the Executive Director of Legal Services and Corporation Counsel have been engaged with their counterparts in the Halton Municipalities in this matter.

Climate Implications

The Review Panel concluded that the proposed CN Milton Logistics Hub is itself likely to cause significant adverse environmental effects on air quality and on human health as it relates to air quality and is also likely to cause significant cumulative environmental effects on air quality, human health, wildlife habitat and the availability of agricultural land. The Review Panel conclusions on Project effects and cumulative effects fails to fully address the significance of all effects.

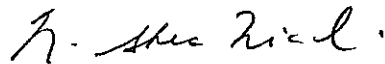
Engagement Matters:

The public participated in the hearings that were conducted before the Review Panel.

Conclusion:

It is recommended that the City of Burlington continue to work with the other Halton Municipalities in a coordinated approach, and that Council endorse the resolution that was approved by Regional Council on February 12, 2020 as attached as Appendix A.

Respectfully submitted,



Nancy Shea Nicol

Executive Director of Legal Services & Corporation Counsel

(905) 335-7600 Ext. 7616

Appendices:

- A. Resolution approved by Regional Council at its meeting held Wednesday, February 12, 2020 respecting the Proposed CN Milton Logistics Hub.

Notifications:

Clerk – Region of Halton

Clerk – Town of Oakville

Clerk – Town of Milton

Clerk – Town of Halton Hills

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council. Final approval is by the City Manager.





The Regional Municipality of Halton

THE FOLLOWING RESOLUTION WAS APPROVED BY REGIONAL COUNCIL AT ITS MEETING HELD WEDNESDAY, FEBRUARY 12, 2020

WHEREAS as outlined in Report LPS69-19 re: "Proposed CN Milton Logistics Hub" and Report LPS78-19 re: "CEAA Panel Review of the Proposed CN Milton Logistics Hub" the Halton Municipalities participated in the Review Panel hearing process for the proposed CN Milton Logistics Hub during the spring/summer of 2019;

WHEREAS the submissions of the Halton Municipalities included detailed expert predictions that the Proposed CN Milton Logistics Hub was likely to cause multiple significant adverse environmental effects;

WHEREAS the Review Panel released its report on the Proposed CN Milton Logistics Hub on January 27th, 2020;

WHEREAS the Review Panel concluded that the proposed CN Milton Logistics Hub is itself likely to cause significant adverse environmental effects on air quality and on human health as it relates to air quality and is also likely to cause significant adverse cumulative environmental effects on air quality, human health, wildlife habitat and the availability of agricultural land;

WHEREAS the Review Panel conclusions on Project effects and cumulative effects fail to fully address the significance of all effects;

NOW THEREFORE BE IT RESOLVED:

THAT the Federal Government be told that based on the submissions provided by the Halton Municipalities and other agencies, the panel conclusions on those effects that it fully addressed, and the additional significant effects that are likely to occur, the Minister must refer this matter to cabinet and support cabinet in concluding that the significant effects of this Project are not justified in the circumstances, and refuse any federal approval of the Proposed CN Milton Logistics Hub;

THAT the Regional Chair be authorized to send a letter to the Prime Minister, the Minister of the Environment, the Federal Cabinet, the leaders of the federal Opposition parties and all Halton area Members of Parliament informing them that, on the basis of the significant adverse effects likely to occur from this

Project, and information before the Panel that challenges any justification for these significant effects, Halton Region does not support any federal approval of the Proposed CN Milton Logistics Hub;

THAT Halton Region continue to participate in the EA process by presenting the interests and concerns of Halton and the Halton municipalities to the Federal government;

THAT staff be authorized and directed to take any and all actions related to the proposed CN Milton Logistics Hub as outlined in closed session;

THAT a copy of this resolution and the public presentation provided to Regional Council be forwarded to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville and Conservation Halton, Halton MP's and MPP's, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the Premier of Ontario, the Ontario Ministry of Municipal Affairs and Housing, and the Attorney General of Ontario for their information.
