

COUNCIL INFORMATION PACKAGE

February 10, 2023

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February 3, 2023

The Honourable Omar Alghabra
Federal Minister of Transportation

Sent via email: omar.alghabra@parl.gc.ca

Dear County Honourable Omar Alghabra:

Please be advised that Brantford City Council at its meeting held January 31, 2023 adopted the following:

12.2.8 VIA Rail Cancellations

WHEREAS residents in the City of Brantford may choose to live in Brantford because of its convenient location in Southwestern Ontario; and

WHEREAS many residents commute to their places of employment outside of The City of Brantford, many of them relying on rail transit; and

WHEREAS in August 2021 the federal Minister of Transportation visited Brantford Via station and announced that the federal government would be pursuing opportunities to enhance passenger rail services in southwestern Ontario; and

WHEREAS in August 2022 the federal government announced they would be exploring options to improve passenger rail frequencies, on-time performance, and shorten travel times in Southwestern Ontario; and

WHEREAS since 2020 a number of passenger rail lines have been suspended or cancelled leaving residents of Brantford with fewer commuting options; and

WHEREAS there is a need for commuter rail travel options for City residents that depart from the downtown Brantford rail station; and

WHEREAS pre-pandemic line 82 served residents in Southwestern Ontario commuting to employment in downtown Toronto. Line 82 began in London at 6:30 am, stopped in Brantford at 7:30 and arrived at Toronto's union station at 8:30 making it very popular with commuters residing in London, Woodstock and Brantford; and

WHEREAS Via Rail has reinstated a number of Ontario rail lines that were suspending during the pandemic, not including Line 82; and

WHEREAS the announcement reinstating Line 82 has been unreasonably delayed, causing a great deal of angst and anxiety for rail line commuters; and

WHEREAS line 82 is an important transportation link for many residents in Southwestern Ontario and also for builders considering residential developments in the northern section of Brantford's downtown area, which developments are an important component of the downtown renewal action plan.

NOW THEREFORE BE IT RESOLVED:

- A. THAT the Council of The Corporation of The City of Brantford respectfully CALLS UPON the Government of Canada to resume, in good faith, investigations into opportunities to enhance passenger rail services in southwestern Ontario; and
- B. THAT the Council of The Corporation of The City of Brantford respectfully CALLS UPON Via Rail to reinstate line number 82 immediately; and
- C. THAT the Clerk BE DIRECTED to forward a copy of this resolution to The Federal Minister of Transportation, The Honourable Omar Alghabra, The City of Brantford Member of Parliament, The Honourable Larry Brock, Via Rail Canada and to each municipality impacted by the route cancellations, namely The City of London and The City of Woodstock.

I trust this information is of assistance.

Yours truly,



Chris Gauthier
Acting Clerk, cgauthier@brantford.ca

cc MP Larry Brock
VIA Rail Canada
Ontario Municipalities

OFFICE OF THE WARDEN

Corporation of the County of Huron
1 Courthouse Square
Goderich, Ontario N7A 1M2
www.HuronCounty.ca
Phone: 519.524.8394
Toll Free: 1.888.524.8394



February 1, 2023

Sent via email.

Re: Call to Action: Review of the Cannabis Act

Please note that on February 1, 2023 Huron County Council passed the following motion:

Moved by: Councillor G. Finch and Seconded by: Councillor M. Anderson

THAT:

The Council of the County of Huron approve the report by CAO Meighan Wark dated February 1, 2023 titled Report to Council: Cannabis Act Information as presented;
AND FURTHER THAT:

The Council of the County of Huron advocate for improvements to the Cannabis Act and current legislative framework for cannabis in Canada by sending the report titled *Report for Council: Cannabis Act Information*, including the correspondence found in the appendices, to the Western Ontario Warden’s Caucus (WOWC) for discussion and consideration;

AND FURTHER THAT:

The Council of the County of Huron approve forwarding Call to Action Letters to the following for support:

- Federation of Canadian Municipalities (FCM)
- All Municipalities in Ontario
- Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
- Premier of Ontario
- Provincial Minister of the Environment, Conservation and Parks
- Provincial Minister of Agriculture
- Provincial Minister of Municipal Affairs and Housing
- Member of Parliament
- Federal Minister of Agriculture and Agri-Food
- Federal Minister of Health

CARRIED

The County of Huron calls for a review and amendments to the Cannabis Act and the current legislative framework for cannabis in Canada.

To be clear, the County of Huron is not against or opposed to cannabis and we appreciate the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed, and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to higher levels of government so that continual improvements can be made over time.

It is in this spirit that we provide the following recommendation:

As a municipal government for one of Canada's most agriculturally productive regions and a popular tourism destination, we have been in the position to observe the last several years of legal cannabis production under the Cannabis Act as managed by Health Canada.

Under the current legislative and regulatory framework, we have observed, and continue to observe, serious odour impacts on local communities and residents from cannabis production facilities; including concerns from local medical practitioners about these impacts. Most often, these odour impacts arise from properties used for 'The Production of Cannabis for Own Medical Purposes by a Designated Person'.

In our local municipal experience, these facilities are often established without complying with local municipal zoning and nuisance by-laws, often contain hundreds of cannabis plants for each of the four assigned individuals, and usually do not include adequate odour controls to manage impacts on surrounding homes, public facilities, and the community at large.

To help manage public impacts of cannabis production facilities, we request that all production facilities, including facilities used by a designated person to produce cannabis for an individual's medical purposes, to require confirmation from the local municipality that the facility/site selected complies with all local municipal by-laws and regulations prior to an application being approved by Health Canada. We also request that Health Canada implement a system of minimum setbacks between cannabis production facilities and sensitive odour receptors, including homes and public facilities.

As an agricultural community, we have had extensive experience with the Ontario Ministry of Agriculture, Food and Rural Affairs' Minimum Distance Separation (MDS) Formula, an approach which has been used to successfully manage land use conflicts resulting from odour between livestock facilities and sensitive receptors for almost 50 years. We believe a system based on MDS would be appropriate to manage the

impacts of Health Canada's approved cannabis facilities, including both licensed commercial producers and designated growers for individuals.

In conclusion, we strongly recommend further notice and enhanced consultation with municipal governments when drafting and implementing legislation and regulations related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases, serious issues of non-compliance with local municipal by-laws.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen McNeil".

Glen McNeil
Warden, Huron County
On behalf of Huron County Council

Report for Council: Cannabis Act Information

Prepared: January 2023

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Background

On January 18, 2023, Huron County Council passed the following motion:

THAT:

The Council of the County of Huron request staff to prepare a report for Council on the Federal Cannabis Legislation Review with recommendations on options for Huron County to address their concerns with this legislation.

Cannabis Act: Information For Municipalities

According to The Government of Canada's *Information for Municipalities - Medical Use of Cannabis* there are two approved ways medical cannabis can be grown: *Licensed Producers* and *Personal and Designate Production*

1. Licensed Producers

Licensed producers are individuals or companies licensed by Health Canada to produce and sell cannabis for medical purposes. Licensed producers must meet stringent health and safety security requirements before producing and selling cannabis.

When applying to be a licensed producer under the Access to Cannabis for Medical Purposes Regulations (ACMPR), or when applying to amend a licence, an applicant must notify:

- The municipality
- Local fire officials
- Local law enforcement

Licensed producers must also notify these local authorities, within 30 days, after the issuance of a licence or the renewal, amendment, suspension, reinstatement, or revocation of their licence. These notification requirements are intended to provide local authorities with information about activities with cannabis conducted in their jurisdiction to allow them to take appropriate measures, as applicable.

Licensed producers are expected to obey all relevant federal, provincial and municipal laws and by-laws, including municipal zoning by-laws.

2. Personal and Designated Production

If a person wants to produce a limited amount of cannabis for his/her own medical purposes, he/she needs to register with Health Canada. He/she can also choose to designate another person to produce a limited amount of cannabis for him/her. A person can produce a limited number of marijuana plants under a maximum of two registrations (for one other person and him/herself, or two other people). Marijuana plants may be produced under a maximum of four registrations at one address.

A registered or designated person is permitted to produce marijuana plants indoors and/or outdoors, but not both at the same time. If a person wishes to produce marijuana plants outdoors, the boundary of the land on which the production site is located cannot have any points in common with the boundary of the land on which a school, public playground, day care facility or other public place frequented mainly by persons under 18 years of age.

The number of plants a person can grow is determined by the daily amount recommended by their health care practitioner and a set of formulas in the regulations.

Health Canada also recommends that registered and designated persons be discreet with their production.

Individuals who are registered with Health Canada to produce a limited amount of cannabis for medical purposes are expected to obey all federal, provincial and municipal laws and by-laws.

Community Expressed Concerns

Recently, some concerns regarding the Cannabis Act and local growing practices have been expressed by community members. Some of the topics of concern expressed have included:

- Excessive noise produced by ventilation units
- Serious odour impacts from production
- Health concerns from neighbouring property owners
- Questions regarding zoning requirements for Cannabis operations, particularly in regards to areas zoned residential
- The current lack of a Minimum Distance Separation (MDS) between licensed facilities/designate growers, and homes, public facilities

Impact to the Municipality

Community concerns regarding the Cannabis Act have an impact on the municipality. These impacts include the costs associated with Council and staff time and legal fees. There is also a potential for community disruption pertaining to licenses issued under the Federal Medical Cannabis Registration process.

It is important to note that the municipality's concerns expressed in this report are not against or opposed to cannabis. The County of Huron appreciates the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to other levels of government so that continual improvements can be made over time.

Advocacy Efforts to Date

On October 5, 2022 a letter was sent to the Cannabis Act Legislative Review Secretariat of Health Canada. The letter offered requested feedback on the Cannabis Act and a recommendation for a Minimum Distance Separation to protect residential areas.

See Appendix A.

Recommendations for Further Advocacy

Report for Council: Cannabis Act Information (this report)

Further advocacy could be accomplished by sending this report, including the correspondence found in the appendices, to the Western Ontario Warden's Caucus (WOWC) for discussion and consideration.

A Call to Action Letter could be sent on behalf of WOWC, and all WOWC member municipalities could be invited to send similar letters to the agencies and individuals outlined below.

Call to Action Letter

A sample Call to Action Letter for Huron County can be found in Appendix B. Once approved by Council, letters could be sent to:

- Federation of Canadian Municipalities (FCM)
- All Municipalities in Ontario
- Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
- Premier of Ontario: Doug Ford
- Provincial Minister of the Environment, Conservation and Parks: David Piccini
- Provincial Minister of Agriculture: Lisa Thompson
- Provincial Minister of Municipal Affairs and Housing: Steve Clark
- Member of Parliament: Ben Lobb
- Federal Minister of Agriculture and Agri-Food: Marie-Claude Bibeau
- Federal Minister of Health: Jean-Yves Duclos

Further Resources

The Cannabis Act: The Facts

<https://www.canada.ca/en/health-canada/news/2018/06/backgrounder-the-cannabis-act-the-facts.html>

The Cannabis Act

https://laws-lois.justice.gc.ca/eng/annualstatutes/2018_16/FullText.html#:~:text=The%20objectives%20of%20the%20Act,operating%20outside%20the%20legal%20framework

Cannabis Information for Municipalities

<https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/information-municipalities.html>

Ontario: Cannabis Control Act

<https://www.ontario.ca/laws/statute/17c26>

Correspondence Received by Council

Correspondence to Council, January 2023: Bonnie Shackelton

<https://agendas.huroncounty.ca/agendapublic/AttachmentViewer.ashx?AttachmentID=7134&ItemID=5394>

Appendix A

Copy of the letter sent to the Cannabis Act Legislative Review Secretariat of Health Canada on October 5, 2022

Appendix B

Sample Call to Action Letter

OFFICE OF THE WARDEN

Corporation of the County of Huron
1 Courthouse Square
Goderich, Ontario N7A 1M2
www.HuronCounty.ca
Phone: 519.524.8394
Toll Free: 1.888.524.8394



October, 5, 2022

To: Cannabis Act Legislative Review Secretariat
Health Canada
Address locator 03021
Ottawa, Ontario
K1A 0K9

On October 5, 2022, Huron County Council passed the following motion:

THAT:

The Council of the County of Huron send correspondence to Health Canada requesting consultation when implementing legislation on cannabis regulation as there is a direct impact on municipal operations and sometimes non compliance to municipal by-laws;

AND FURTHER THAT:

The Council of the County of Huron recommends the inclusion of a system of Minimum Distance Separation to protect residential areas;

AND FURTHER THAT:

This correspondence be circulated to Huron County local municipalities for support.

Thank you for requesting feedback on the Cannabis Act and the current legislative framework for cannabis in Canada. As a municipal government for one of Canada's most agriculturally productive regions, and a popular tourism destination, we have been in the position to observe areas for improvement during the last several years of legal cannabis production under the Cannabis Act as managed by Health Canada.

Under the current legislative and regulatory framework, we have observed, and continue to observe, serious odour impacts on local communities and residents from cannabis production facilities; including concerns from local medical practitioners about these impacts. Most often, these odour impacts arise from properties used for 'The Production of Cannabis for Own Medical Purposes by a Designated Person'.

In our local municipal experience, these facilities are often established without complying with local municipal zoning and nuisance by-laws, often contain hundreds

of cannabis plants for each of the four assigned individuals, and usually do not include adequate odour controls to manage impacts on surrounding homes, public facilities, and the community at large.

To help manage public impacts of cannabis production facilities, we request that all production facilities, including facilities used by a designated person to produce cannabis for an individual's medical purposes, require confirmation from the local municipality that the facility/site selected complies with all local municipal by-laws and regulations prior to an application being approved by Health Canada. We also request that Health Canada implement a system of minimum setbacks between cannabis production facilities and sensitive odour receptors, including homes and public facilities.

As an agricultural community we have had extensive experience with the Ontario Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation (MDS) Formula, an approach which has been used to successfully manage land use conflicts resulting from odour between livestock facilities and sensitive receptors for almost fifty years. We believe a system based on MDS would be appropriate to manage the impacts of Health Canada's approved cannabis facilities, including both licensed commercial producers and designated growers for individuals.

In conclusion, we strongly recommend enhanced consultation with municipal governments and request further notice and consultation with the County of Huron when drafting and implementing legislation and regulations dealing with matters related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases serious issues of non-compliance with local municipal by-laws.

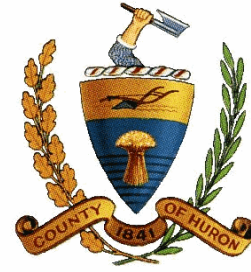
Sincerely,



Glen McNeil
Warden, Huron County
On behalf of Huron County Council

OFFICE OF THE WARDEN

Corporation of the County of Huron
1 Courthouse Square
Goderich, Ontario N7A 1M2
www.HuronCounty.ca
Phone: 519.524.8394
Toll Free: 1.888.524.8394



{insert date}

To: {insert recipient}

Re: Call to Action: Review of the Cannabis Act

On {insert date}, Huron County Council passed the following motion:

THAT:

{insert motion}

AND FURTHER THAT:

{insert motion}

The County of Huron calls for a review and amendments to the Cannabis Act and the current legislative framework for cannabis in Canada.

To be clear, the County of Huron is not against or opposed to cannabis and we appreciate the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed, and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to higher levels of government so that continual improvements can be made over time.

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In conclusion, we strongly recommend further notice and enhanced consultation with municipal governments when drafting and implementing legislation and regulations related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases, serious issues of non-compliance with local municipal by-laws.

Sincerely,



Glen McNeil
Warden, Huron County
On behalf of Huron County Council

From: [Prime Minister | Premier Ministre](#)
To: [Hordyk, Debbie](#)
Subject: Office of the Prime Minister / Cabinet du Premier ministre
Date: Thursday, February 09, 2023 3:35:53 PM
Attachments: [image001_UniqueID_22.png](#)
[Release of Federal and Provincial Documents Related to the Former Mohawk.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Arjoon:

On behalf of Prime Minister Justin Trudeau, I would like to acknowledge receipt of your correspondence of January 25, 2023, regarding a resolution passed by the City of Burlington in relation to the release of federal and provincial documents related to the former Mohawk Institute Residential School.

Thank you for providing the Prime Minister with the opportunity to review the resolution. Your courtesy in bringing this information to his attention is appreciated. Please be assured that your correspondence, offered on behalf of the Council of the City of Burlington, has been carefully reviewed.

Once again, thank you for writing to the Prime Minister.

A. Noël
Executive Correspondence Officer/Agente de correspondance
Executive Correspondence Services/
Services de la correspondance de la haute direction

>>> From : Debbie Hordyk Debbie.Hordyk@burlington.ca Received : 26 Jan 2023 10:11:12 AM >>>

>>> Subject : Release of Federal and Provincial Documents Related to the Former Mohawk Institute Residential School >>>>

Good Day,

Attached for your information is correspondence regarding the Release of Federal and Provincial Documents Related to the Former Mohawk Institute Residential School, this motion was passed at the City of Burlington Council meeting held on January 24, 2023.

Kind regards,
Debbie
Debbie Hordyk
Administrative Assistant to the City Clerk
Office of the City Clerk
(905) 335-7600 ext.7805
debbie.hordyk@burlington.ca<<mailto:debbie.hordyk@burlington.ca>>
[cid:image001.png@01D93164.20A9F480]

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