

Shannon Larocque

From: Sue A <[REDACTED]>
Sent: Tuesday, February 19, 2019 1:18 PM
To: Shannon Larocque
Subject: Re: File NO: AM-01-19 770 Foss Road

Hi Shannon,

We also want to add to our earlier letter.

Where is the liability for this pond if someone visiting gets hurt or worse at this pond. Like I said our grandchildren, nieces & nephews visit. They are getting older & like to go out to our bush where this pond is located. They were here visiting this past weekend.

Thanks
Susan Alde / Henry Penner

From: Shannon Larocque <SLarocque@pelham.ca>
Sent: February 19, 2019 8:55 AM
To: Sue A
Subject: RE: File NO: AM-01-19 770 Foss Road

Hi Sue,

Thank you for sending your comments. We will ensure they are forwarded to Council for their information.

Shannon

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-----Original Message-----

From: Sue A <[REDACTED]>
Sent: Monday, February 18, 2019 2:37 PM
To: Shannon Larocque <SLarocque@pelham.ca>
Subject: File NO: AM-01-19 770 Foss Road

Hi Shannon

I spoke with you last week, about the pond on the property at 770 Foss Rd.

First of all we are against the greenhouse for the purpose of growing cannabis in our back yard. The smell is terrible. We have a number of neighbors who decided to have & raise families in this small country town. We also have grandchildren

that visit regularly.

How are we supposed to enjoy our backyard & barbecues with family & friends with an aroma like this.

I no longer will be able to hang my clothes & bedding out doors. Which I do at least 7 months out of the year. How would anyone be able climb in there bed at night or dry off after a shower with the way these things would smell. Never mind getting dressed & heading out to function some where. Imagine snuggling up with a child smelling like this.

We enjoying sitting out at night and watching the sky. We moved to the country area for these reasons and more. Our night sky has already diminished with 2 other large cannabis greenhouses not far from us. Our sky glows so bright at night, that you can hardly see the stars.

The traffic on our street has become somewhat of a highway with so many cars & high speed. Taking a country walk is like walking on the side of the highway.

We hear nonstop banging from greenhouse area now.

All said with looking at the blueprints, it clearly shows the pond on the west side of the property is at least 6 feet on our property at points. This being said, if this cannabis greenhouse gets the approval they will need to look purchasing the property that their pond is on.

We also think if there claim that these greenhouses will not give off the terrible aroma & light emissions then they should have an actual model to prove their claims as well.

We would have attended the meeting, but unfortunately we are working at this time.

Thanks

Sue Alde / Henry Penner

[REDACTED]

Fenwick, ON

L0S1C0

[REDACTED]

TOWN OF PELHAM

FEB 19 2019

RECEIVED



A Bachynski

FEB. 19/2019.

TOWN CLERK. RE: FILE AM-01-9

COULD YOU FORWARD ANY
INFORMATION PRESENT AND
ANY FUTURE DECISIONS OR
DEALINGS CONCERNING THE
FILE ABOVE AND PROPERTY
CONNECTED TO THE FILE
TO THE ABOVE ADDRESS.
-THANK YOU VERY MUCH-

(Tony)

Anthony Bachynski

REF. PROPERTY AT 7110 FOSS ROAD.
CURRENT ISSUE - AMENDMENT
TO CONDOM BY-LAW 4046 (2018)

Peter & Lynda Haakman

Jan 26, 2019

[REDACTED]

LOS 1C0

Nancy Bozzato, Clerk, Town of Pelham

PO Box 400, 20 Pelham Town Square, Fonthill ON

LOS 1E0

Dear Nancy,

As long time residents of the Town of Pelham, and owners of a three acre property at [REDACTED], we have concerns regarding Leviathan/Woodstock's request for an exemption to the Town of Pelham's interim control bylaw on cannabis related land uses, as it applies to its plans for intensification at 770 Foss Rd.

Our property is adjacent to the west side of the driveway to 770 Foss Rd, over which we have an easement, and our house is situated 55 ft off this lane, with the southeast corner of our lot being 100 ft from the proposed location of the security gate. Our concerns are that the marijuana operation:

- 1) will not be able to contain the pungent odours produced by this crop
- 2) will not consistently prevent light pollution
- 3) will not be able to contain excessive noise from ventilation and other equipment
- 4) will create a huge increase in traffic on the shared driveway when at full production, comparable to Canntrust and Redecan. Our security and safety would be negatively impacted and we would be inconvenienced sharing a driveway that is already encroaching on our property.
- 5) will substantially decrease our property value because of its intense industrial nature

The interim control bylaw was put in place to restrict the use of land for cannabis purposes in order to review and update policies. The proposal for 770 Foss Rd. as set out by Leviathan, is too close to us to proceed with development without careful and thorough analysis and consideration.

Sincerely,

Peter & Lynda Haakman





From: P Troup [mailto: [REDACTED]]
Sent: Tuesday, February 19, 2019 12:05 PM
To: Nancy Bozzato <NBozzato@pelham.ca>
Subject: Cannabis grow op on foss road, fenwick

We are responding to the notice we received regarding the Foss Rd, Grow op.

We live at [REDACTED] and are highly opposed to this. This is too close to town.
These grow ops should be in more rural areas away from houses.

It will lower our house value.

The smell is nauseating. How will we be able to enjoy our yards.

The bright lights at night will be annoying.

And what about the taxes they will pay. We pay more property tax than they will.

What is that all about.

And the traffic volume will increase. Church street is already a race track, people drive way too fast on this road. There are kids and dogs here. What will be done about that.

There is already 2 grow ops in fenwick how many do we need.

Time to stop the greed and take care of the people that live here.

Pati Troup and Ray Vandendogerd

From: Valerie Eves [mailto:]

Sent: Saturday, February 16, 2019 6:11 PM

To: Nancy Bozzato <NBozzato@pelham.ca>

Subject: Public Meeting on Feb. 25

I am submitting this for presentation at the meeting regarding the request for amendment to Interim Control By-law 4046 (2018) regarding cannabis related uses. I would like to present this publically.

Thankyou,

Valerie McCombs (Eves)

Good Evening Mr. Mayor and Councillors,

I am not an expert in technicalities regarding filtration systems, nor do I possess extensive knowledge of all the workings of the law. However, as a resident of Fenwick and, should Leviathan be successful in its endeavours to start up a new cannabis production facility on Foss Rd., I will be a very close neighbour to that facility.

I am here to appeal to Leviathan and council on a more personal level and to talk about integrity. I'm quite certain that this company has heard the message loud and clear from the community that they are not welcome here. However, they seem to be deaf in this matter. On the one hand they say that they want to be a good citizen and yet, at the same time, they really aren't showing any regard for the voice of the citizens who already live here. The bottom line is money. They know it and we know it. They are concerned about their shareholders and so they should be. Let me ask how it is that they think we are supposed to trust them when they call our by law "offensive" and then threaten to sue the town? It's not exactly a great way to introduce themselves to what they think is going to be their new community. We, as citizens, have very valid reasons for not wanting any more cannabis facilities in our town. I believe that they can understand our concerns but just don't care. Again, money is the bottom line. Are they prepared to reimburse us for the loss in our property value? At the last meeting they made the ridiculous statement that our property values would actually increase. What nonsense! On what are they basing this? This kind of industry does not belong in residential areas. Period. The increase in traffic in our very quiet neighbourhood will have a huge impact. They want to take advantage of the lower agricultural tax rate and the lower cost of electricity by being located in

a more populated area. Where they belong is out in very rural land where they aren't bothering anybody. They have all of their own interests at heart. They are hoping to cash in on the opportunity to make millions and don't care that they are doing this on the backs of the residents who are paying a much higher rate of property tax than they do while at the same time , losing value in their own property. Can they justify this? Do they even care? This community is sending a loud message and it is that we do NOT want them here and yet their greed makes them continue to push harder and try to get an exemption from a very valid by law that was put in place to protect the town that they don't care about. I'm sorry if I'm not seeing integrity in this company or the individuals who are in high positions and poised to make millions if it weren't for some pesky, unimportant residents who lived here long before they came along. So, I am trying to appeal to their sense of fairness and caring. They tell us that they will be "different" than the other facilities and yet have no proven record of this. We are just to believe them and be guinea pigs in this great experiment. They can promise the moon to us but can they deliver? I suggest that they go somewhere far, far away and then come back and report to us when they have all the glitches worked out.....and there will be glitches. There always are. I would ask Leviathan to please have a heart and get the dollar signs out of their eyes and think about what the residents of this lovely community really want and why we are putting roadblocks in their way. They can go ahead and try to sue the town. They are saying more about their own integrity than anything. All the more reason not to trust them.

I believe we are reasonable people. It would be nice if they just cut their losses and moved on to a more appropriate location.

Valerie McCombs, resident of Fenwick

Dear Mayor Junkin and Councillors,

Feb.20, 2019

During 2 weeks of February, the members of the Pelham Community Preservation Coalition went door to door to approximately 1,000 households in the Town of Pelham to circulate flyers and get signatures on a petition. The petition to the Town of Pelham Council asks Council to **“create by-laws to control cannabis production in the Town of Pelham and its impacts on the residents”**. The overwhelming majority of residents support the message and many thanked our members for taking action. A number of concerned residents said that they were considering putting their houses up for sale before the market value of their properties dropped, due to the increasing number of cannabis grow-ops in the area.

Tonight’s Public Meeting was called because Leviathan submitted an Interim Control By-law (ICB) exemption application to the Town of Pelham. This application for exemption should not be under consideration at all. The existing buildings at the site have been demolished. According to the ICB, no person shall “Use any land, building or structure for any agricultural, commercial or industrial cannabis purpose whatsoever, except for a use that lawfully existed on the date of the passage of this By-law”. That makes it pretty clear that Leviathan has no valid reason to request an exemption.

In its letter to shareholders, Leviathan states that it “intends to utilize, state-of-the-art technology deploying a fully sealed greenhouse facility, with multiple additional protections layered on top of one another to fully mitigate any odour and light issues”.

The issues of light and odour are only 2 of the many concerns of residents. The site in question is in a residential area on Foss Road, with many young children living in the area. The Town of Pelham Planning Act 2014 states under B2.1.3. 12 Greenhouses that, **“Any proposal to develop a greenhouse or hoop house will be subject to Site Plan Control to ensure lighting, traffic, landscaping and other planning and design matters can be addressed prior to the issuance of a building permit”**. Considering just one of those issues, being traffic, Foss Road has narrow shoulders and deep ditches which are poorly drained. There has been an increase in traffic volume since Redecan and CannTrust opened cannabis production facilities (CPF). The addition of another CPF will cause an even greater increase in traffic. We now have 6 CPFs in Pelham, with the related increase in traffic, odour, light pollution and decrease in property values. Six is more than enough.

Leviathan states that it “faced an out-of-the-blue procedural challenge in the form of an interim control by-law issued by the Town Council of Pelham (which was shortly thereafter voted out of office). The suggestion is that Councillors were voted out of office because they introduced the interim control by-law, which is absolutely ludicrous. The By-law was introduced because

cannabis producers were appearing out-of-the-blue and renovating greenhouses and paving over large areas of agricultural land, with no site plan approval. Many municipalities introduced interim control bylaws.

Leviathan states that it wants “to reach an amicable solution with a community of which we intend to be a vital part for decades to come”. This statement is preceded by, “Should Council deny our exemption application, the Company will immediately commence legal action against the Town of Pelham to quash the offensive by-law”.

This seems like an unusual approach to initiate an “amicable solution with a community”.

In consideration of Leviathan’s lack of any valid reason for exemption from the Interim Control By-law and the overwhelming support of residents of Pelham to control cannabis production in the Town of Pelham and its impacts on the residents, we strongly urge Council to deny the By-law exemption to Leviathan.

Respectfully,

Dr. Jim Jeffs, Chair

Pelham Community Preservation Coalition

Comments to be presented by Tim J. Nohara, President & CEO of Accipiter Radar Technologies Inc., at the Public Meeting for a Request for Amendment to Interim Control By-law (4046) (2018) Regarding Cannabis Related Uses 25 February 2019

Mr. Mayor, Councillors and fellow Residents:

My name is Tim Nohara. I have been a resident of Pelham since 1995, along with my large extended family who live, and in many cases work here. I am also the President & CEO of Accipiter Radar Technologies Inc., a business that has successfully grown in Pelham while respecting the character, by-laws and regulations of our Town and the concerns of our neighbours.

I wish to provide a local business-person's perspective to the Mayor, Council and to residents with respect to the proposed Amendment to Interim Control By-law (4046) (2018) Regarding Cannabis Related Uses.

Businesses are and should be regulated, within reason, to ensure they do not negatively impact residents, the Town, and other local businesses in an unequitable fashion.

The Cannabis Production industry is new upon our Town, our province, and our country. And there can be no doubt that our Town, which has the obligation and authority to regulate within its boundaries, has been caught off guard with the rapid arrival of Cannabis producers here.

The Interim Control By-law (4046) (2018) was passed last fall and provides a one-year moratorium on new or expanding cannabis development in order to give Pelham the opportunity to study the Cannabis Production industry and its impacts with a view towards rapidly developing and implementing by-laws and regulations to ensure a reasonable and equitable harmony between Cannabis producers and those who live and work in Pelham. This effort is intended to be carried out and completed in less than eight months from now.

I believe that Council has already directed staff on Feb 4, 2019, to develop a Terms of Reference for a new Cannabis Advisory Committee that is intended to be brought to Council for consideration at the March 18th Policy and Priorities Committee Meeting. The Committee will then be formed and will be able to quickly study, develop and recommend appropriate by-laws and regulations.

In light of the above, it seems as though we have the cart before the horse, doesn't it?

Why would we approve an exemption to the moratorium on Cannabis development, BEFORE we complete the important work of the Cannabis Advisory Committee?

Why would we grant this particular cannabis business an exemption?

The disrespectful comments and threats that have been directed by this public company towards our Town should illustrate to everyone precisely why the moratorium needs to stand until suitable by-laws and regulations are in place.

If the Mayor and Council approve any exemptions to Interim Control By-law 4046 (2018), before appropriate by-laws and regulations can be put in place, that action would seem to counter reason and show bad faith towards addressing the serious concerns of residents in Pelham.

Thank you.

Shannon Larocque

From: Linda Zavitz <[REDACTED]>
Sent: Friday, February 22, 2019 11:13 AM
To: Shannon Larocque
Subject: Re: concerns re: cannabis

> On 21 Feb 2019, at 21:12, Linda Zavitz <[REDACTED]> wrote:

>

> Hi Shannon,

>

> Just quick follow-up to our conversation this afternoon. What has been permitted to date cannot be changed I suspect but I hope moving forward that the town will deny the exception requested at the Monday night meeting and if there is future development that it will take place in an industrial zoning with enhanced revenue for the town.

> Lin Zavitz

> [REDACTED]

> [REDACTED]

Feb. 20, 2019

Dear Mayor Junkin and Councillors,

Cannabis is not just another crop. The skunk-like odour and light pollution from a cannabis greenhouse are unlike any other agricultural crop. We are not concerned about the legalization of cannabis but are concerned about odour and light pollution. However, our **main concern is the existence, permitted size and presence to a residential neighbourhood of an industrial like grow-op facility and how it would affect life in our town.**

What will be the pressure on the towns infrastructure costs?

The town of Leamington has been struggling to upgrade infrastructure services to keep pace with greenhouse construction. On Oct. 16, 2018 CBC News reported Leamington was trying to find money for a new \$80 million sewer line. Their mayor said Leamington has too small a tax base for this cost. They were looking for help from the federal and provincial governments. Looking at the Niagara Region Master Servicing Plan from 2016, it stated the 736 Foss Rd. pumping station had a projected deficit and the trunk sewer line was approaching maximum capacity. At last weeks budget meeting, we learned both projects have been delayed. The sewer ends at the railway on Foss Rd., so if Leviathan joined these costs could increase. Other impacts without site plan approval involve road maintenance, extra hydro demands, water usage, and the high water table levels in Fenwick.

Cannabis is not just another crop. If it were why does our Federal government require extremely high security for this highly sought after drug. Cannabis is classified as an agricultural crop but the federal government requires them to have 10 ft. high barbed wire topped fences, full site motion detection, security cameras outside and inside, staff checks, vaults to store dried product, 2yrs. of video retention, etc. Where do you see a winery or tomato greenhouse with this security? Niagara Regional Police have had incidents at a couple of licensed medical facilities. For example; on Sept. 17, 2018 Niagara Police say a 45 yr. old man was seriously shot at a licensed facility in rural Niagara Falls. On January 17, 2019 the Niagara Police Service site stated "It should be noted that organized crime exists within Ontario and it has an effect on public safety and on the economy of the province through criminal ventures. The infiltration of organized crime into the legal marketplace and diversion of cannabis to illicit markets should be a concern for everyone." Such a facility should be located in an industrial area, NOT on a street with many children.

It is unknown how light and odour affects our health but it does affect our sense of well-being and our ability to use and enjoy our homes when they are located next to a grow-op. Many of my neighbours are so distraught that they think about moving away, leaving behind invested time and resources, memories and plans, and their attachment to a place; their home. They do not want council to approve an exemption to Leviathan.

Respectfully,
Sandy Jeffs

Shannon Larocque

From: Nancy Bozzato
Sent: Wednesday, February 27, 2019 1:29 PM
To: Barbara Wiens; Shannon Larocque; Holly Willford
Subject: FW: Interim control by-law 4046
Attachments: AM-01-19.Notice-of-Public-Meeting.770FossRd.pdf

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|---|--|--|---|
|  <small>Vibrant · Creative · Caring</small> | Nancy Bozzato, Dipl.M.M. <i>Town Clerk</i> Administration Services | e: njbozzato@pelham.ca p: 905.892.2607 x315 pelham.ca | 20 Pelham Town Square P.O. Box 400 Fonthill, ON L0S 1E0 |
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From: Natalie Diduch [mailto:]
Sent: Wednesday, February 27, 2019 9:21 AM
To: Nancy Bozzato <NBozzato@pelham.ca>
Subject: Interim control by-law 4046

Hi Nancy,

Hope you're doing well!

Please include me in your notification list of council decision on amendment of this by-law.

I had hoped to attend Monday's public meeting.

Thanks and take care!

Natalie

Shannon Larocque

From: no-reply@publicservicerequest.com
Sent: Monday, March 11, 2019 10:55 AM
To: Shannon Larocque
Subject: Service Request Changed-# [REDACTED]

Hello Shannon Larocque

An action (Contact Citizen) has been added to Service Request # [REDACTED]

Service : Planning / Zoning Property-Development-Issue

Desc. : The cannabis production on Balfour Street at the previous Balfour Greenhouses is extremely disruptive to the previously enjoyed rural location here in Pelham. What once was a desirous location to which to move, is now a blight on the community and has now earned a reputation as the Orange blob in the night sky AND the skunk smell as we now pass by. Why has town council decided to take a once esteemed town community into one of disrepute because we have non-desirable industry riddled through our countryside and along our residential boundaries? Is this what we call foresight and responsible planning? No, it is short-sighted because it brings temporary infrastructure development and jobs, but makes it that homeowners and business don't want to locate in these areas. It decreases land values and causes current, long-standing residents who care about their community, to throw up their hands in despair and disregard, wanting to move away rather than give to their community. Pay attention, put a halt to such further development, and plan a way to, if at all, at least bring in such development with strict and precise gaurds and measures of responsibility. Stop the stink. Stop the bright night lights. Stop the offense. Regards, Rob Enter [REDACTED]
[REDACTED], Fenwick [REDACTED]

[Click here to view the request](#)

Thank you.

The Team at PublicServiceRequest.com

