

August 28, 2019

Dear Ms. Nancy Bozzato, Town of Pelham Clerk

Re: Cannabis Growing Facilities in the Town of Pelham, Public Meeting

As a resident of the North Pelham area, I would like to respectfully submit concerns I have regarding the cannabis growing facilities operating in the Town of Pelham. I have read the information provided on your website.

Cannabis growing should be deemed as pharmaceutical operations, commercial operations or industrial operations, thereby having to comply with the regulations which govern these types of operations. It is a controlled product.

Concerns about the air quality and obnoxious odor, can be rectified significantly by known methods, need to be put in place immediately. In the circular "Being a by-law to regulate certain matters related to cannabis production facilities", under "Cannabis Production Facilities", section 4e, "...use a system which filters air to prevent the escape of obnoxious odours", is limiting. There are methods which are not "filters" which would be beneficial alone or in conjunction with filters. The by law may be perceived as limiting. Also, please see notes from Public Health Ontario below. It has been demonstrated in the literature that facilities in other countries are expected to treat the exhausting air so there are no perceptible odours outside the exterior of the building. This must be an absolute, with no subjectivity in the language.

Concerns regarding water issues need to be addressed. Many of us in rural areas rely on a well for our water. There are concerns regarding the removal of large quantities of water by cannabis growing facilities. There are concerns regarding contamination of the water table and soil from effluents produced by the facilities.

We have located the Balfour Road facility while travelling over the Burlington Skyway and we have seen the light in the night sky from our home, which is near Effingham road. There is little doubt that this light was visible from space! In the circular "Being a by-law to regulate certain matters related to cannabis production facilities", under 1h "Light Trespass" means the shining of a light by a luminaire beyond the boundaries of a property on which it is located "and 1g "Glare" means light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see, or produce a sensation of discomfort." The light emission needs to be controlled and it should not be subjective.

Concerns regarding the pesticides used, the disposal of the material and reporting obligations need to be addressed.

A license to grow cannabis, or a license(permit) to expand a grow operation should include the absolute compliance of the above issues as well as the full compliance with Federal, Provincial and Municipal laws/bylaws being demonstrated as well as other issues which may be brought forward by the community.

Any violation of the Federal, Provincial or Municipal laws and by laws governing cannabis growing facilities and the license (permit) to run these facilities needs to be dealt with decisively. Currently we have a local facility which allegedly was growing part of the cannabis crop without proper licensing in place and with a clear attempt to cover up this transgression.

There is no going back in the cannabis issue, but we can expect the best possible situation if all levels of government would participate in enacting the required laws and by laws which are absolute, not subjective, and fully expect the cooperation of the cannabis growers to demonstrate respect and responsibility to the community (Town of Pelham, Region of Niagara) in which they operate.

Sincerely

Josephine Pignataro

[REDACTED]  
[REDACTED]

#### **From Government of Ontario site –**

Health Canada's proposed cannabis regulations do not specifically address energy use or water consumption. The rules would require that legal cannabis products meet quality standards, be produced in sanitary environments and be tested for contaminants and the presence of unauthorized pesticides.

In a statement, Health Canada said cannabis facilities, like all industrial facilities, will be subject to Environment and Climate Change Canada rules including pollutant release reporting obligations, water pollutant prohibitions and carbon pollution pricing.

"At this time, however, Environment and Climate Change Canada is not planning any new regulations specifically focused on this sector," it said.

## **From Public Health Ontario site -**

The city of Denver, Colorado has released a Best Management Practices document for commercial medical cannabis producers, wherein a number of odour control technologies are described. Carbon filtration has been recommended as the best control technology for cannabis cultivation facilities and producers of cannabis-infused products. Other recommended technologies include negative ion generators/electrostatic precipitators, air scrubbers, masking agents, and the use of negative pressure to keep odours within the facility. Regardless of which technologies are used to control odour, it is important that these systems are properly maintained according to specifications to provide optimal performance.

Applications for cannabis cultivation facilities in Alaska must submit an operating plan that includes odour control to ensure that cultivated cannabis does not emit odour detectable by the public from outside the facility. Similarly, regulatory permit applications for medical cannabis facilities in Hollister, California are evaluated based on an adequate odour management plan which must include a detailed description of the ventilation system that will be used in the facility. In Sacramento, California, permitted cannabis producers are required to prevent all odours generated from the cultivation and storage of cannabis from escaping from the buildings on the cultivation site, such that the odour cannot be detected by a reasonable person of normal sensitivity outside the buildings.

The upcoming legalization of cannabis in Canada is expected to result in an increase in cannabis production or cultivation in both large- and small-scale commercial facilities, and private residences. There is a potential that operation of these facilities will result in the release of odour and odorous compounds into the surrounding environment. However, environmental odours are regularly encountered from agricultural and industrial operations and odour control technologies are both readily available and widely used in these industries.

Although regulations and guidelines are still being developed for the province of Ontario, other jurisdictions have already legalized cannabis production and developed best practices and procedures to address odour issues. In general, cannabis production facilities can implement and maintain appropriate ventilation and filtration systems to satisfy applicable local odour nuisance standards. A formal system for residents to document and report nuisance odours can facilitate the enforcement of these standards or municipal bylaws. As part of the permitting process, odour control plans can be reviewed to determine whether emissions are adequately treated such that cannabis odours are not perceptible outside the exterior of the building.