

**Cannabis Control Committee  
Town of Pelham**

**Minutes of Meeting  
Wednesday, July 24th, 2019 - 5:00 p.m.**

**Pelham Town Hall Council Chambers, 20 Pelham Town Square, Fonthill**

- PRESENT:** Mike Ciolfi, Councillor - Town of Pelham  
Tim Nohara (**Chair**)  
Jim Jeffs  
Bill Heska  
Louis Damm  
John Langendoen  
Jim Steele  
Carla Baxter  
David Cribbs, CAO - Town of Pelham  
Barbara Wiens, Director, Community Planning & Development - Town of Pelham  
Shannon Larocque, Senior Planner, Community Planning & Development-Town of Pelham  
(**Secretary**)
- OTHER:** nil
- REGRETS:** Jodi Legros, Administrative Assistant, Community Planning & Development – Town of Pelham
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**1. Declaration of Quorum**

Chair declared quorum at 5:06 pm.

**2. Approve Agenda**

M. Ciolfi would like to add the recent sale of property on Balfour Street as item 6.1. T. Nohara would like to provide an update on the July 15, 2019 Council meeting as item 4.1. T. Nohara and B. Heska will provide an update on their discussions with Phil Gerard regarding odour monitoring as item 6.2.

Moved by C. Baxter, seconded by B. Heska that the agenda of July 24 as amended be approved.

Carried.

**3. Callum Shedden Response to Minutes of June 26, 2019**

B. Wiens advised that C. Shedden has not had an opportunity to provide a response. The item is deferred to the July 31, 2019 meeting.

**4. Approve Minutes of Meeting of July 3 & 10, 2019**

Discussion on the minutes of meeting of July 3, 2019. Members requested amendments and same were agreed to by all members.

T. Nohara requested an editable version of the July 10, 2019 minutes.

Moved by J. Jeffs, seconded by J. Langendoen that the minutes of July 3, 2019 be approved, as amended and that the approval of the July 10, 2019 minutes be deferred to the next meeting date of July 31, 2019.

Carried.

#### 4.1 **July 15, 2019 Council Meeting**

T. Nohara advised that Council deferred the decision on extension of the Interim Control By-law until September 23, 2019 at the recommendation of D. Cribbs. B. Wiens advised that a public meeting date has been set for Tuesday September 10, 2019 at 6:00pm at the Meridian Community Centre in the Accursi Room. A special meeting of Council will be held on September 23, 2019 to consider the proposed policies and regulations relating to cannabis as well as the extension to the interim control by-law.

#### 5. **Discussion with David Cribbs**

D. Cribbs advised that the Town must have an evidentiary record to demonstrate that it has acted in good faith prior to extending the Interim Control By-law if it is to withstand legal challenges. D. Cribbs indicated that Town staff will be coming forward with a number of policy and by-law amendments for discussion at the September 10, 2019 public meeting including an initial set of draft Official Plan and Zoning By-law Amendments, an amended Fence By-law, a Fortification of Land By-law and a Nuisance By-law. Town staff are not intending to disembowel the work of the Cannabis Control Committee, but rather to put forward complimentary things that the Committee is not yet working on. The Town would like constructive feedback from the Committee on these items as well as support if the proposed changes are agreeable to Committee members.

T. Nohara expressed concern that the Committee would not have time to adequately address the items staff are in the process of preparing including setbacks prior to the amendments being presented at the public meeting. D. Cribbs noted that the Official Plan and Zoning By-law can be amended again at a later date if Council deemed it necessary based on feedback from the Committee. L. Damm suggested that different setbacks be applied to different types of propagation facilities.

T. Nohara questioned whether the public would have to be consulted after the public meeting on further proposed amendments to draft by-laws presented at the public meeting, prior to Council considering their approval. B. Wiens and D. Cribbs indicated that would be dependent upon the degree of change and the desire of Council.

T. Nohara would like to understand the goals of the various policy and by-law amendments. Discussion ensued on potential results of the amendments. D. Cribbs indicated that Town staff will attempt to provide drafts to the Committee for discussion prior to the public meeting. B. Wiens advised that the by-laws will not be able to require items that contravene Health Canada requirements as the federal licence overrules local requirements. D. Cribbs advised that the by-laws cannot be so restrictive that they prevent a legal business from operating or establishing.

T. Nohara asked how the Committee would be able to address concerns about financial implications such as taxation. B. Wiens indicated that property tax classifications are under the jurisdiction of MPAC who is undertaking a review of cannabis facilities which may result in the creation of a new tax classification. Based on discussions with MPAC staff, their mandate is to have the review completed by the end of the year. There is the

ability to claw back 2 years of taxation after reassessment. The timing of this work is dependent on MPAC and they are aware of the urgency.

**6. Review Proposed Zoning By-Law Amendments**

S. Larocque provided an overview of the draft Zoning By-law Amendment prepared by staff and requested feedback from the Committee. T. Nohara to meet with S. Larocque and B. Wiens next week to have an in depth discussion and then report back to the Committee.

**6.1 Property on East Side of Balfour Street**

M. Ciolfi advised that a large property on the east side of Balfour Street has recently been sold and that cherry trees are being removed. Residents are concerned that the property will be used as a parking lot for CannTrust. B. Wiens and S. Larocque indicated that this would be in contravention of the Zoning By-law and that the Town would be able to take legal action against the property owner if a parking lot to service CannTrust were established in this location.

**6.2 Phil Gerard**

B. Heska advised that he was in receipt of technical information from Phil Gerard regarding odour monitoring. B. Heska and T. Nohara are working with Phil Gerard to scope information that will be presented to the Committee at a later date. B. Heska suggested that the presentation be deferred until after the September public meeting.

**7. Items for Discussion at Next Meeting**

L. Damm will present his research at the next meeting.

**8. Adjournment:**

Moved by J. Langendoen, seconded by J. Jeffs that the meeting be adjourned.

Carried.

The meeting adjourned at approximately 7:31 p.m.

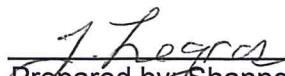
**Next meeting:** July 31, 2019 at 5:00 p.m.  
Fire Station #1 - 177 Highway 20 W, Fonthill

Signed by:



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Tim Nohara (Chair)



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Prepared by Shannon Larocque, Senior Planner,  
Community Planning & Development-Town of Pelham