

# Presentation to Council

By Cannabis Control Committee (CCC)

Town of Pelham – 13 January 2020



# Agenda

- What has changed since our presentation to Council on 18 Nov 2019
- The Committee's Revised Plan
- Regulatory Framework Forecast with Revised Plan
- Revised Schedule for Revised Plan
- Assistance needed from Council

# What has changed since 18 Nov 2019

- We have received legal advice to assist our work.
- We have advanced our research.
- The Town has been challenged by three of our cannabis players either in Court or at LPAT, and the Committee hasn't even had any bylaws approved yet. This is to be expected. Our Revised Plan attempts to account for this.
- We have researched and debated various approaches.
- The Committee has unanimously decided to proceed with the Revised Plan that I will be discussing today.

# Our Revised Plan

- We use an Odourous Industries Nuisance bylaw in concert with an amended Zoning Bylaw (ZBL) ***for direct mitigation*** against adverse effects being experienced today.
- We also rely on Official Plan (OP) amendments and a small amendment to the Site Plan Control Bylaw, coupled with the previously approved Fence, Fortification, and Development Charges bylaws put forward by staff.
- The Mayor has attended a few of our meetings and in late November challenged us to complete our work early, by 31 March 2020. The Committee informally accepted that challenge and has been working even harder since then. I am happy to say, Mr. Mayor, that the schedule I will present meets your challenge.

# Regulatory Framework Forecast

- ✓ Direct Impact
- ✓ In-direct Impact

	Odour	Light	Traffic, Noise	Loss of Property Value	Loss of Precious Agricultural Lands	Adverse impacts including stormwater flow & contamination of ground (drinking) water and septic	Environmental Impacts including endangered species, habitat loss, agricultural co- existence & other ecological harm	Human Safety & Security (fire, police, ambulance)	Financial Costs to Community
Interim Control By-Law (4046) 2018 expiring 2020/07/15	<i>This chart forecasts the result our revised Plan hopes to achieve, builds on bylaws developed by staff and already passed by Council, and is informed by our research. Possible future legal challenges may weaken some of these.</i>								
Pelham Official Plan, 2014 as amended					✓		✓		
Zoning By-law 1136 (1987), as amended			✓	✓	✓	✓	✓		
Odourous Industries Nuisance By-Law	✓	✓	✓	✓					✓
Site Plan Control By- law 1118 (1987), as amended	✓	✓	✓	✓	✓	✓	✓	✓	✓
Site Plan Agreement	✓	✓	✓	✓	✓	✓	✓	✓	✓
Development Charges By-Law									✓
Fence/Fortification								✓	

# Revised Schedule

- The committee has worked hundreds of hours since ICBL extension
- Our work summary for the period ending 31 December 2019 is shown
- We have a revised Plan to execute in 2020.

Month 2019	Research	Work Product (updates)	Deliverables (Bylaws/OP)	Meetings
Sep	Cannabis Production <u>Odour</u> Monitoring/Mitigation Planning Law/Practices Environmental Issues Farming Compatibility Issues Sensitive Receptor Mapping	Facts Approach Regulation Package Work Plan Research Notes Town Maps	Development Charges  Interim Control Bylaw Extension  Council Presentation Fence, Fortification	CCC x2 Public Special Council
Oct	Cannabis Production <u>Odour</u> Monitoring/Mitigation Planning Law/Practices Environmental Issues Farming Compatibility Issues	Facts Regulation Package Work Plan Research Notes Legal Advice	Draft Cannabis Nuisance Draft <u>Odour</u> Comments from Staff Revisions	CCC x2 Council
Nov	<u>Odour</u> Monitoring/Mitigation Planning Law/Practices Environmental Issues Farming Compatibility Issues	Facts Regulation Package Work Plan Research Notes Legal Advice	Council Presentation 11/18  Cannabis & <u>Odour</u> Nuisance Bylaws undergoing further drafting following legal advice & comments from Enforcement & Staff	CCC x3 Council x1
Dec	Environmental Issues Farming Compatibility Issues	Facts Regulation Package Work Plan Research Notes	CCC & Staff investigated revised approaches to address concerns.  CCC has revised its go-forward Plan.  <b>The schedule that follows is for the CCC's revised Plan</b>	CCC x1

# Revised Schedule

- Our go-forward schedule is shown to the right.
- With Council and staff's help, we can have everything passed for 31 March 2020.

Month 2020	Research	Work Product (updates)	Deliverables (Bylaws/OP)	Meetings
Jan	Environmental Issues Farming Compatibility Issues MPAC Update / Costs Analysis	Facts Regulation Package Work Plan Research Notes	<ul style="list-style-type: none"> <li>Council Presentation 01/13</li> <li>Cannabis Nuisances Recommendation Report</li> <li>Proposed <u>Odourous</u> Industries Nuisance Bylaw</li> <li>Proposed Site Plan Control Bylaw amendment</li> </ul>	CCC x3  Council
Feb	Complete Research	Facts Regulation Package Work Plan Research Notes Legal Advice	<ul style="list-style-type: none"> <li>Draft Planning Report from staff</li> <li>Policy &amp; Priorities presentation and review of <b>Cannabis Nuisances Recommendation Report</b> and proposed <b>Odorous Industries Nuisance Bylaw</b> &amp; proposed <b>amendment to Site Plan Control Bylaw</b></li> <li>Proposed Bylaws provided to Council for consideration &amp; approval</li> </ul>	CCC x3  Policy & Priorities  Council
Mar		Facts Regulation Package Work Plan Research Notes	<ul style="list-style-type: none"> <li>OP/ZBL Recommendation Report &amp; Proposed OP/ZBL Amendments</li> <li>Policy &amp; Priorities presentation and review of <b>OP/ZBL Recommendation Report</b> and proposed <b>OP/ZBL Amendments</b></li> <li>Proposed OP/ZBL Amendments provided to Council for consideration &amp; approval</li> </ul>	CCC x2  Policy & Priorities  Council
Apr		Regulation Package Work Plan	Tidy up work products and assemble archive for ultimate transfer to Town	CCC x2
May to Jun		Regulation Package Work Plan Legal Advice	Consider additional bylaws / amendments should <u>Odourous</u> Industries Nuisance Bylaw and/or OP/ZBL Amendments be challenged to LPAT or to Court	CCC x2 Council
Jul	ICBL Expires 15 July 2020		Could end ICBL early if there are no appeals	

# Assistance needed from Council

- Staff have many demands on their time. The Committee especially needs staff's draft Planning Report expected for the first week in February. Delays in receiving that Planning Report will negatively impact our very tight schedule.
- We most likely will need a little more legal advice and budget. Thank you for making legal advice available to the Committee.