

REQUEST TO APPEAR BEFORE COUNCIL FOR THE TOWN OF PELHAM

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The Council Chambers Is equipped with a laptop and projector. Please Check your audio/visual needs:

☐ Laptop ☐ Speaker ☐ Internet ConnectionPLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:
Regular Council: 1st and 3rd Monday of the month; 5:30 p.m. (except summer schedule)

DATE: 2 November 2020

Please identify the desired action of Council that you are seeking on this issue:

To receive the presented information from the Cannabis Control Committee

I have never spoken on this issue before. Key points of my deputation are as follows:

(Written presentation must accompany the request)I will present a summary of the CCC's work through 31 July 2020I will present a proposed work plan for the CCC for the Fall/Winter/Spring term 2020/21

In accordance with the Procedure By-law, Requests to Appear before Council with respect to a matter already on Council's Agenda shall submit a written request to the Clerk no later than 12:00 noon, eight business days prior to the meeting of Council. Delegation requests to address Council on matters not already on the Agenda of Council must be submitted at least fourteen (14) days before the date and time of the Meeting of Council. Delegations shall only be heard at regular Meetings of Council, unless specifically invited by Council to a Meeting of a Committee of Council.

All requests must include a copy of the presentation materials as detailed in the deputation protocol. Failure to provide the required information on time will result in a deferral or denial. Delegations are limited to ten (10) minutes.

I have read and understand the deputation protocol included with this form; and, that the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas and on the Town's website.

I also understand that presentation materials must be submitted with this deputation form. Electronic presentations must be e-mailed to NJBozzato@pelham.ca in accordance with the deadlines outlined above.



Signature

18 October 2020

Date

Presentation to Council

By Cannabis Control Committee (CCC)

Town of Pelham – 02 November 2020





Agenda































- Results from our 14 months ending 31 July 2020
- Regulatory Framework Forecast updated
- Assistance needed from Council
- Our plans for the Fall/Winter/Spring 2020/21

Results from our 14 months to 31 July 2020

- Extension of Interim Control By-law
 - Redecan Pharm has appealed to LPAT
- Extensive research conducted on all aspects relating to regulating cannabis
- Odorous Industries Nuisance Bylaw 4202 (2020) passed on 23 March 2020
 - By-law 4263(2020) Amended 4202 (2020) on 27 July 2020 to include AMPS fines
 - Odour expert retained
 - Implementation is still underway
 - Redecan Pharm has filed a complaint to the Normal Farm Practices Protection Board (NFPPB)
- Official Plan Amendment No.09 (By-law 4251 (2020)) passed on 13 July 2020
 - Regional Approval granted on
 - CannTrust, Redecan Pharm and Woodstock Biomed have appealed to LPAT
- Zoning By-law Amendment (By-law 4252 (2020) to amend By-law 1136 (1987)) passed on 13 July 2020
 - CannTrust, Redecan Pharm and Woodstock Biomed have appealed to LPAT
- Site Plan Control By-law amendment (By-law 4262 (2020) to amend By-Law 1118 (1987)) passed 27 July 2020 to subject indoor cannabis and hemp related uses to site plan control
- Council provided expert legal, planning and odour experts to help us pioneer this defensible regulatory package – The residents of Pelham thank you for your leadership 😊

Regulatory Framework Forecast

 Direct Impact
 In-direct Impact

	Odour	Light (Skyglow)	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 results we will achieve if we defend our legal actions, and fully implement our by-laws. The ICBL does not have effect in Niagara Escarpment Commission controlled areas.</i>								
Pelham Official Plan, 2014 as amended									
Zoning By-law 1136 (1987), as amended									
Odorous Industries Nuisance By-Law									
Site Plan Control By-law 1118 (1987), as amended /Agreement									
Light By-Law (TDB)									
Development Charges By-Law									
Fence/Fortification									

All

New

New

All

New

All

New

All

Assistance needed from Council

- Simply to stay the course with respect to the approved regulatory framework, and let our lawyers and experts defend us and our defensible work product they helped us develop.
- These legal actions will take time but will not be an unusual burden on staff because our outside legal counsel, planners and experts are handling them for us.
- There are of course legal fees to be paid which residents support, given the adverse effects they have had to suffer. I do want to commend Councillors Haun & Hildebrandt and all of Council for endorsing a resolution on October 5th, 2020 seeking financial assistance for cannabis related legal fees from our neighbours, the Province and the Federal Government. The CCC through its research has seen first-hand how justified your request is. Thank you.
- If you have any questions, please don't hesitate to ask – we remain at your service

Defending our By-laws

- Our by-laws are bringing us back to the middle in terms of fairness & balance.
- The big guys are challenging us little guys in “Court” as expected. But in Court, size isn’t supposed to matter. A judge/board will rule on fairness and law.
- We can live with that.

- Thank you Council & staff for standing with the residents of Pelham



Our By-laws will restore
balance & fairness

- We are almost there, but we have a little more work to do to get this done.

02 November 2020

Provided to Council

FALL/WINTER/SPRING 2020/21 WORK PLAN FOR CANNABIS CONTROL COMMITTEE - SUMMARY

1. OINBL – Assist the Town with completing implementation
 - a. Work with Odour expert retained by the Town and Enforcement to design the Odour Ambient Neighbourhood Monitoring Program so that it supports the OINBL and OPA/ZBA as intended
2. Light Bylaw
 - a. Work with staff to improve the draft Light Bylaw
 - b. The current draft does not deal with the skyglow – develop provisions to do so
 - c. Key features to mitigate the skyglow nuisance are:
 - Define what constitutes skyglow
 - Define timeframe to bring facilities with skyglow into compliance
 - Define Part II violations as included in the OINBL
3. Develop a Residents Guide for Pelham's Cannabis Regulatory Framework.
 - a. This Guide will benefit residents in understanding and using the Cannabis Regulatory Framework we have implemented in the Town of Pelham to deal with issues that may arise in the future.
 - b. It will explain in plain English what the regulatory framework is and how a resident can participate by filing proper complaints with our Town's Enforcement Department and by participating in the various public planning meetings.
4. Support the information needs of the Town with respect to the defence of the three LPAT appeals launched against our OPA/ZBA
5. Support the information needs of the Town with respect to the defence of the Redcan complaint to the Normal Farm Practices Protection Board (NFPPB) regarding our OINBL
6. Review our present by-laws specifically with respect to designated grow-ops, identify gaps and research and propose possible improvements.