Cannabis Control Committee
Town of Pelham

Minutes of Meeting
Wednesday, September 30, 2020 – 5:00 p.m.
Teleconference

PRESENT: Bob Hildebrandt, Councillor - Town of Pelham
Tim Nohara (Chair)
Bill Heska
John Langendoen
Louis Damm
Jim Jeffs
Carla Baxter
David Cribbs, CAO - Town of Pelham (arrived at 5:11 pm)
Barbara Wiens, Director, Community Planning & Development - Town of Pelham
Shannon Larocque, Senior Planner, Community Planning & Development - Town of Pelham
Jodi Legros, Administrative Assistant, Community Planning & Development - Town of Pelham (Secretary)

REGRETS: Jim Steele

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1. **Declaration of Quorum**

   Chair declared quorum at 5:03 p.m.

2. **Approve Agenda**

   An item was added as #7 to the Agenda for discussion regarding an email received by J. Jeffs relating to a cannabis operation on Sawmill Road.

   Moved by B. Heska, seconded by J. Langendoen that the Agenda of September 30, 2020 be approved.

   CARRIED

3. **Approval of Minutes of July 22, 2020**

   Moved by J. Langendoen, seconded by L. Damm that the Minutes of July 22, 2020 be approved, as amended.

   CARRIED

4. **Staff update relating to Local Planning Appeal Tribunal (LPAT), Court and Normal Farm Practices Protection Board (NFPPB) actions**

   B. Wiens confirmed the Town received appeals by three appellants to the Official Plan and Zoning By-Law Amendments. These amendments were passed by Council in July 2020. LPAT will be in contact at a later date to schedule a Case Management Conference meeting.

LPAT has scheduled a Case Management Conference meeting for October 21 with respect to the LPAT appeal by Redecan Pharm previously filed regarding the extension of the Interim Control By-law. This is the first step in the process that deals with matters relating to the management of a hearing, i.e. identification of the parties and participants, issues, scheduling, exchange of witness statements, etc. and is handled by the legal counsel. Evidence is not provided at Case Management Conference meeting. This is also a virtual meeting.

As to the Court action concerning the Interim Control By-law and the NFPPB complaint relating to the Odorous Industries Nuisance By-law, the Town awaits the next steps. Lawyers will advise once they receive an update.

5. Staff update relating to Odorous Industries Nuisance By-Law

Phil Girard was the successful consultant after the Town went to tender to hire a consultant to design the neighbourhood ambient odour monitoring program (AOMP) by a third party. The project kick-off meet was held and T. Nohara and B. Heska attended. T. Nohara and B. Heska are providing sensitive receptor site information to P. Girard. P. Girard will have the design of the AOMP drafted and in the hands of the Town a few weeks, which will be used in the scope of work for hiring the third party environmental contractor who will implement the AOMP . By-law Enforcement staff are responsible for project managing this work.

C. Baxter brought up concerns relating to the time of monitoring and issues with filing an odour complaint.

B. Wiens noted By-Law Enforcement have the Nasal Ranger and currently go out and measure at different times of the week.

D. Cribbs noted that once a complaint is received by the Town, Town staff open a file and investigate, but cannot offer an instantaneous level of response, the Town does not have that capacity. He further noted that he wants to enhance his public complaints system.

L. Damm explained that it is likely during the fall that the most intense odour will be at dusk and dawn for plant management reasons trying to avoid dew points. D. Cribbs noted that By-law is capable of responding outside of business hours and have the intention of doing so.

The ambient odour monitoring program will be conducted by a third party once retained. That program will use random testing day and night.

Considerable discussion took place around the need to get information out to the public on how to file a complaint with the Town to mitigate the present confusion that is out there. T. Nohara agreed to draft a letter and circulate to staff for feedback before having it posted in The Voice newspaper.

6. Discussion of Cannabis Control Committee Work Plan for Fall 2020

The Committee circulated a draft work plan and discussed items for their Fall agenda. Included in the agenda will be suggested edits to the Dark Sky By-Law for the Town to consider. The Agenda also includes supporting the full implementation of the Odorous Industries Nuisance By-law and the development of a Resident Guide. The Committee estimates this work will keep them busy through the spring of 2021.

7. Discussion of email received by J. Jeffs email relating to Sawmill Road operation.

J. Jeffs received a phone call and email from a concerned resident relating to growing in a hoop house on Sawmill Rd. D. Cribbs and B. Wiens confirmed the Town does not have planning control. The Niagara Escarpment Commission is the planning approval authority for this location. It was also noted that NEC permits agricultural uses in this area and they do not make a distinction of cannabis being different than any other crop. D. Cribbs confirmed that the Town does have bylaw control throughout the Town; for example, the Odorous Industries Nuisance Bylaw also applies to the Niagara Escarpment lands.

8. Items for Discussion at Next Meeting – meetings to be arranged

Committee and staff agreed to set the next two meetings for Wednesday, October 28 and November 25, 2020 by teleconference with a 6:00pm start time.

9. Adjournment

Moved by J. Jeffs, seconded by C. Baxter that the meeting be adjourned.
The meeting adjourned at approximately 6:17 p.m.

CARRIED

Signed by:

Edited by: Tim J. Nohara

Tim Nohara (Chair)

J. Legros

Jodi Legros, Administrative Assistant,
Community Planning & Development-Town of Pelham (Secretary)