

**Cannabis Control Committee  
Town of Pelham**

**Minutes of Meeting  
Wednesday, November 25, 2020 – 6:00 p.m.  
Zoom video conference**

- PRESENT:** Bob Hildebrandt, Councillor - Town of Pelham  
Tim Nohara (Chair)  
Bill Heska  
Louis Damm  
Jim Jeffs  
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  
Jodi Legros, Administrative Assistant, Community Planning & Development - Town of Pelham  
(Secretary)
- OTHER:** Phil Girard, P.Eng, PG Compliance Management Inc. – the Town's retained Odour Expert  
Bob Lymburner, Fire Chief - Town of Pelham
- REGRETS:** John Langendoen
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**1. Declaration of Quorum**

Chair declared quorum at 6:00 p.m.

**2. Approve Agenda**

Committee agreed to reverse items 3 and 4, and items 8 and 9. An additional item was included as #10 for committee updates on legal actions.

Moved by C. Baxter, seconded by B. Heska that the revised Agenda of November 25, 2020 be approved.

CARRIED

**3. Presentation from Phil Girard and Bob Lymburner on the design of the Ambient Odour Monitoring Program (AOMP)**

P. Girard presented a draft overview of the Ambient Odour Monitoring Program that is being designed to be conducted by a third-party environmental contractor. He presented a receptor grid and measurement protocol with respect to Redecan, and discussed revisions with the group. He will also generate one for CannTrust after obtaining feedback.

There was plenty of discussion and questions from Committee members (including B. Heska, L. Damm, C. Baxter and T. Nohara) and P. Girard on appropriate odour unit thresholds, measuring of masking agents, the need to measure upwind and downwind, the receptor locations where readings are to be taken, the frequency of readings, the need to conduct odour readings at a

location for longer periods, and the potential costs to implement the program. P. Girard noted his own concerns with the present draft protocol on slides 5 and 11 of his presentation, including his concern that the four (4) and six (6) odour unit limits are too high to be protective and need to be lowered.

The Committee noted the excellent cooperation it had received from neighbours surrounding both major facilities in the Town. The neighbours are more than willing to allow their properties to be used for taking odour measurements.

D. Cribbs noted having the 3 cannabis producers bear the costs through licencing is theoretically open to challenge.

B. Lymburner confirmed By-law Staff are now taking random odour readings at night and during the day and record odour units and weather conditions. To date, measuring has not exceeded level 4. On request from T. Nohara, B. Lymburner agreed to report back to the Committee with a presentation of their measurement data to help inform review.

P. Girard noted that if we are able to get cooperation from Redecan and CannTrust allowing him to take on-site odour measurements which could be used to model the community odour impact, and then work cooperatively to identify more effective odour controls, the costs of the AOMP could be diminished or potentially eliminated.

B. Lymburner advised the facilities are very cooperative and he will contact them to make arrangements for some members to attend at the facilities.

#### **4. Approval of Minutes of October 28, 2020**

Moved by J. Steele, seconded by B. Heska that the Minutes of October 28, 2020 be approved, as amended.

CARRIED

#### **5. Staff schedule for completing implementation of Odorous Industries Nuisance Bylaw (OINBL)**

Discussion of next steps towards completion of OINBL Implementation was discussed. Mr. Girard's AOMP design work needs to be completed first. An RFP needs to be prepared and competed to hire an environmental contractor to implement the AOMP. A 4 to 5 week response time is likely. A cannabis licence bylaw is needed to charge the cannabis producers the annual cost of the AOMP as required by the OINBL.

D. Cribbs noted a workable draft of a cannabis licence bylaw can be ready around the beginning of March and perhaps provided to Council by April 2021.

#### **6. Cannabis Control Committee interim recommendations to staff to improve cannabis odour complaint process**

The Committee circulated a written document with the Agenda package which presented three suggestions that the Committee believes are straight forward to implement to improve the PSR system that residents are struggling with. T. Nohara reviewed these three suggestions. Town staff indicated they will review these three primary suggestions presented by the Committee.



## **7. Light By-law discussion of two approaches**

The Committee circulated with the Agenda package two written approaches to drafting a bylaw which addresses cannabis skyglow. The first approach uses a bylaw reviewed/drafted by Aird & Berlis which originally included both odour and skyglow nuisances. T. Nohara provided a draft where the odour portions were removed, leaving only skyglow. This draft was presented and the Committee indicated its preference for this approach because it is virtually ready to go and it won't have any unintended consequences as it is focused specially on the cannabis skyglow which is causing the adverse affects.

B. Wiens indicated that Council requested a Dark Sky By-Law which is not specific to the cannabis industry.

Town staff recommend that cannabis skyglow be incorporated into the Dark Sky By-Law rather than having two separate by-laws. The Committee agreed with this approach. The Committee had reviewed the draft Dark Sky By-Law originally provided by staff and included comments on areas which required further Committee attention. The Committee had begun research and would continue in the coming weeks.

Town Staff indicated they would review the comments made in the draft By-law by the Committee. The Committee indicated as noted in the comments of the circulated draft By-law that Aird & Berlis would need to review the final Dark Sky By-law draft.

## **8. Designated Growers in Pelham discussion**

The Committee noted the concern of residents with respect to designated growers, including a new one near Metler and Balfour (Old Miners Brothers) which is not under NEC control, and which the Committee believes should be caught by the Interim Control Bylaw.

The Town indicated it is not aware how many designated growers are in Pelham. B. Wiens confirmed the Town is not informed of same by Health Canada. T. Nohara indicated he would reach out to Aird & Berlis to discuss whether our Interim Control By-law applies to designated growers. T. Nohara noted he would also reach out to our MP to request from Health Canada the number and ideally addresses of designated growers in Pelham.

## **9. Residents Guide**

T. Nohara reviewed the Table of Contents. The Committee will continue to work on the guide. They are determining the nature of the guide and have created a table of contents.

## **10. Legal action updates**

LPAT acknowledged receipt of the appeals of the Official Plan/Zoning By-Law Amendments and there is now a file number.

Town has not received the issues list relating to the Redecan Interim Control By-Law case; the deadline is November 30, 2020.

## **11. Next Meeting:** December 16, 2020 at 5pm

## 12. Adjournment

Moved by B. Heska, seconded by C. Baxter that the meeting be adjourned.  
The meeting adjourned at approximately 8:27 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)