

**Cannabis Control Committee
Town of Pelham**

**Minutes of Meeting
Wednesday, December 16, 2020 – 5:00 p.m.
Zoom video conference**

PRESENT: Bob Hildebrandt, Councillor - Town of Pelham
Tim Nohara (Chair)
John Langendoen
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: Bob Lymburner, Fire Chief - Town of Pelham

1. Declaration of Quorum

Chair declared quorum at 5:03 p.m.

2. Approve Agenda

B. Heska added Item 8 to the Agenda.

Moved by B. Heska, seconded by J. Steele that the Agenda of December 16, 2020 be approved.

CARRIED

3. Minutes

Moved by B. Heska, seconded by J. Steele that the Minutes of November 25, 2020 be deferred to the next meeting date.

4. Legal action updates

Town staff have not been informed of any movement on the appeal of the Official Plan/Zoning By-Law Amendments or the court application relating to the Interim Control By-Law.

The Town had a prehearing on December 7, 2020 relating to the appeal of the development charges by-law.

The Town solicitor will take carriage of the Interim Control By-law violation by Woodstock Biomed and the November 30, 2020 Court date was put over to February 3, 2021. A potential court date for trial is anticipated.

5. Implementation of Odorous Industries Nuisance Bylaw

a. Report of visit to CannTrust

L. Damm attended the CannTrust facility with P. Girard and Town Sr. By-Law Officer, C. Genesse. The facility was very accommodating and the tour included two of eight grow zones, mechanical room, harvesting, process tables and product storage with participation from the CEO, VP and two growers. The facility is operating at less than 50% capacity and indicated it is working hard to get back to 100%. L.Damm discussed their challenges with odour control with the committee and noted P.Girard has worked with the facility in the past. L.Damm advised the tone of the tour was to resolve the issue together. No odour measurements were taken during the visit.

The committee is interested to review the Material Safety Data Sheets (MSDS) associated with their odour neutralizer which the facility advised they were willing to share. B. Lymburner noted the odour neutralizer is not flammable and therefore MSDS is not a requirement of the Fire Dept., but he would ask CannTrust for them since they offered and they are of interest to the committee.

b. Report on Enforcement's Odour Measurements; and

c. Report on Number of PSR Odour Complaints in November

B. Lymburner advised By-Law has obtained 45 days' worth of odour sampling information and completed over 30 random samples with the nasal ranger. In addition, they received 5 complaints from residents who have not previously filed a complaint and 11 complaints from residents who have filed previous complaints.

By-law Staff are undertaking random odour sampling with the majority taken during the morning and night. The By-law Officer records if they can detect odour themselves prior to testing with the nasal ranger. On one occasion, the nasal ranger reading reached a level of 3. By-law Officers do not take odour sampling outside the municipality.

B. Lymburner confirmed he will be meeting with P. Girard to discuss the ambient odour monitoring program and the terms of reference for the odour monitoring program will be issued once the budget is approved in early January.

6. Review of Draft Light Bylaw with provisions to include Skyglow

a. Staff comments on draft circulated last month; and

b. Committee discussion to identify elements needed to complete the draft

Two draft by-law documents with comments/notes were circulated at the November meeting, one based on a staff-generated dark sky by-law and the other which the CCC generated that addresses cannabis skyglow alone. Staff preferred the former. It was agreed to include skyglow in the dark sky by-law as opposed to having a separate skyglow by-law. Town staff indicated it was ready to bring the dark sky by-law to Council however the Committee noted that it would like more time to review and propose changes. Town staff noted they had reviewed the comments and edits circulated by the committee and were fine to move forward with them.

T. Nohara noted the CCC had more work to do to complete its proposed amendments to the dark sky by-law as reflected in the circulated document. Since dark sky bylaw will affect all greenhouses, not just cannabis greenhouses which have been the source of skyglow complaints, we have to take our time and get this right to avoid unintended consequences.

Comments were provided by J. Jeffs and B. Heska.

J. Langendoen noted that the Pelham Greenhouse Growers are concerned over the impact that a by-law restricting skyglow will have on Pelham greenhouse operations if not drafted properly to reflect the significant differences in light between them and cannabis growers. He also indicated that Flowers Canada is concerned. Pelham Greenhouse Growers association wants to be consulted on proposed by-law regarding skyglow.

L. Damm noted that Flowers Canada has sent a letter earlier this same day and wanted to help. He indicated that Flowers Canada believes the flower industry has been caught in the wind of cannabis.

B. Heska shared research noting the usage of light differences associated with cannabis greenhouse operations.

D. Cribbs noted skyglow cannot solely focus on the cannabis industry but acknowledged that care must be taken.

The Committee will discuss to identify elements needed to complete the draft. T. Nohara noted this will take time to get it right.

7. Designated Growers

- a. Update on Norfolk LPAT Settlement – J. Jeffs provided an update on Norfolk LPAT settlement hearing that he and B. Heska attended.
- b. Questions to Aird & Berlis – T. Nohara provided overview of response by Aird & Berlis regarding designated growers.
- c. Correspondence to Dean Allison, MP – T. Nohara informed the Committee that he corresponded with D. Allison, MP requesting information on the number of designated growers and their addresses in the Town.
- d. Correspondence with residents – T. Nohara informed the Committee regarding correspondence received from residents regarding designated growers, which included residents who reached out to L. Damm with their concerns

8. Letters from Municipalities relating to cannabis

B. Heska inquired what Council actions were with regards to the 8 motions from other municipalities relating to cannabis matters that were included on the December 14th Council agenda. Councillor Hildebrandt indicated he requested these motions be included on the Council agenda for information. B. Wiens indicated that Council received the motions for information.

9. Next Meeting: January 20, 2021 at 5:00 pm.

10. Adjournment

Moved by L. Damm, seconded by J. Langendoen that the meeting be adjourned.
The meeting adjourned at approximately 7:26 p.m.

CARRIED

Signed by:

Edited Tim J. Nohara
By: Tim Nohara (Chair)

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