

**Cannabis Control Committee  
Town of Pelham**

**Minutes of Meeting  
Wednesday, March 24 – 5:00 p.m.  
Zoom Video Conference**

**Present:** Tim Nohara (Chair)  
Carla Baxter  
Louis Damm  
Bill Heska  
Jim Jeffs  
Jim Steele  
Bob Hildebrandt, Councillor - Town of Pelham  
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)

**Regrets:** John Langendoen

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**1. Declaration of Quorum**

Chair declared quorum at 5:03 p.m.

**2. Approve Agenda**

Moved by B. Heska, seconded by J. Jeffs that the agenda of March 24, 2021 be approved.

CARRIED

**3. Approve Minutes of January 20, 2021 and February 17, 2021**

Moved by J. Steele, seconded by L. Damm that the minutes of January 20, 2021 be approved, as amended.

CARRIED

Moved by C. Baxter, seconded by J. Steele that the minutes of February 17, 2021 be deferred to the next meeting date.

CARRIED

#### **4. Implementation of Odorous Industries Nuisance By-law (4202-2020)**

##### **a. Discuss and approve revised proposed amendments to the OINBL in light of Phil Girard's comments of February 24, 2021**

It was noted there was extensive discussion during the meeting on February 17, 2021 with respect to the circulated amendments relating largely to the lowering of odour thresholds. T. Nohara was to have a further discussion with P. Girard to obtain clarification on certain matters. He did so and circulated to committee members comments from P. Girard dated 24 February 2021 on the proposed amendments.

T. Nohara reviewed the revised proposed amendments to the Odorous Industries Nuisance By-law based on P. Girard's notes and comments. One additional revision was requested to improve the definition of odour unit.

Moved by B. Heska, seconded by J. Steele to approve the proposed revisions to the Odorous Industries Nuisance By-law subject to review by legal counsel, Aird & Berlis.

CARRIED

##### **b. Discuss licencing provisions to be added to OINBL**

B. Wiens circulated draft licencing provisions incorporated into the OINBL for discussion at a later date. Licencing requirements have been added to OINBL in addition to recitals in order to capture the licencing piece. Legal counsel also made edits to section 32.

J. Stirton, Town Solicitor will attend a future meeting to review the licencing provisions with the committee.

T. Nohara highlighted the amendments for review by the committee.

##### **c. Establish schedule to bring amendments to the OINBL to Council including full completion of implementation of OINBL**

T. Nohara reviewed the edits to the Schedule for Completing Implementation of OINBL.

P. Girard will be completing the odour monitoring design RFP (estimated for the end of April). T. Nohara to provide a summary of resident addresses that have indicated to committee members that they are willing to have odour monitoring conducted on their properties to town staff. Town staff will provide

authorizations/liability waivers to private property owners for land access to take odour readings from individual private properties.

The committee will obtain advice from legal counsel relating to proposed amendments to the OINBL. The Chair recommended an additional meeting on April 7<sup>th</sup> and May 5<sup>th</sup> to keep discussion on issues moving forward.

Committee and town staff discussed timelines for the OIBNL implementation. D. Cribbs noted licencing fees cannot be created until the municipality can determine what the cost would be.

T. Nohara inquired about how the AOMP (Ambient Odour Monitoring Program) fees would be specified. D. Cribbs noted the fees would be specified in the Fees and Services By-law which is amended each year to set various fees. We would first need to determine what the AOMP costs are by selecting the AOMP contractor, and then amend the Fees and Services Bylaw accordingly after making a submission to Council.

Committee requested that the Town communicate to cannabis producers the request to produce their respective odour mitigation plan in accordance with the OINBL.

The Committee would like to communicate an update to council, cannabis producers and residents. D. Cribbs advised Marc Macdonald, Town of Pelham Communications and Public Relations Specialist, can attend a meeting in order to take some points to publish an update to town residents and producers.

## **5. Update on Legal Actions**

The Town does not have any updates on any legal actions at this time.

## **6. Updates concerning Draft Light By-law with provisions to include skyglow**

No updates at this time.

## **7. Collaboration with Provincial Joint Forces Cannabis Enforcement Team (PJFCET)**

T. Nohara noted that one of the committee's priorities this year is to take a closer look at the issues around designated growers as they are popping up in the Town.

It was noted that Health Canada has published a draft guidance with respect to challenges concerning designated growers and they are looking for stakeholder feedback. D. Cribbs asked the committee to provide a submission. T. Nohara agreed to take the lead on this.

T. Nohara noted that law enforcement teams recognize there are legal and jurisdictional gaps and they have challenges with enforcement of criminal element as it relates to designated growers. T. Nohara has had discussions with Insp. Jim Walker of the OPP who heads PJFCET and there is interest to meet to share learned experiences with designated growers and for Pelham to share our cannabis regulatory framework with them. D. Cribbs noted that the Town has no jurisdiction with respect to the criminal enforcement. The committee indicated support for a meeting with the PJFCET for educational purposes prior to the end of April. This would provide information that could inform our submission to Health Canada which is due May 7, 2021.

L. Damm explained that designated growers are financially hurting licenced growers because the designated growers are not regulated and are not following the standards that licenced growers are following.

**8. Next Meeting:** April 7, 2021 at 5:00 pm via Zoom

## **9. Adjournment**

Moved by J. Jeffs, seconded by J. Steele that the meeting be adjourned.

The meeting adjourned at approximately 6:53 p.m.

CARRIED

Edited and Signed by:

*Tim J. Nohara*

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Tim Nohara (Chair)

*Jodi Legros*

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Prepared by: Jodi Legros, Administrative Assistant  
Community Planning & Development-Town of Pelham