

Municipal & Planning Tools	Approved by Council	Legally Challenged by Redecan, CannTrust and/or Woodstock Biomed
Official Plan Amendment (OPA)	Bylaw 4251 (2020) adopted OPA No.9 on 2020/07/13 https://www.pelham.ca/en/town-hall/resources/Documents/cannabis/4251-2020_Complete.pdf	The OPA/ZBA were appealed to the Ontario Land Tribunal (OLT). Hearings resume July 25-29, 2022.
Zoning Bylaw Amendment (ZBA)	Bylaw 4252 (2020) amended the Town's Zoning Bylaw 1136 (1987) on 2020/07/13 https://www.pelham.ca/en/town-hall/resources/Documents/By-law-4252-2020-Zoning-By-law-Amendment-for-Cannabis.pdf	Attend online: https://global.gotomeeting.com/join/660145013 Access Code: 660-145-013 Or call in (Toll Free): 1 888 299 1889 Decision to follow likely in the Fall 2022.
Odorous Industries Nuisance Bylaw (OINBL)	Bylaw 4202 (2020) was approved on 2020/03/23 and amended by Bylaw 4263 (2020) on 2020/07/27 https://www.pelham.ca/en/town-hall/resources/Documents/bylaws/4202-2020.pdf https://www.pelham.ca/en/town-hall/resources/Documents/bylaws/4263-2020.pdf	The OINBL was appealed to the Ontario Superior Court. Hearings likely not until 2023.
Site Plan Control Bylaw	Bylaw 4262 (2020) was approved on 2020/07/27 to amend the Site Plan Control Bylaw 1118 (1987)	In effect. No legal challenges.
Light Bylaw	A light bylaw was drafted but deferred	Pelham is waiting for legal challenges with other municipalities to be settled first.
Our legal, planning and odour experts are Aird & Berlis LLP, Meridian Planning Consultants, and PG Compliance Management Inc.		

Official Plan & Zoning Bylaw Amendments Overview Official Plan Amendment: <u>Purpose:</u> To establish permissions for indoor cannabis and industrial hemp cultivation subject to a zoning by-law amendment, and to establish approval criteria. (Outdoor cultivation in agricultural areas is allowed.) <u>Summary:</u> New facility approval requires adverse effects to be avoided or appropriately mitigated with setbacks determined on a case-by-case basis through peer reviewed odour and light studies and contingency mitigation plans, and subject to Site Plan Control in accordance with Section E1.4 of the Plan.	Odorous Industries Nuisance Bylaw Overview <u>Purpose:</u> To regulate certain matters related to odorous industrial facilities including cannabis, landfill, slaughter house and rendering operations. <u>Summary:</u> To avoid adverse effects (such as material discomfort or loss of enjoyment of your property) because of obnoxious odours, facilities are required to employ air filtration systems and take corrective action to prevent the escape of obnoxious odours. An odour contractor regularly measures and publishes odour levels, and Bylaw Enforcement take spot measurements in response to complaints to ensure odour levels are within specified limits. <u>Implementation</u> <ul style="list-style-type: none"> The Bylaw Enforcement Department is responsible for responding to odour complaints which can result in issuing fines for violations. A facility must add mitigations if needed from its Contingency Odour Mitigation Plan.
Zoning Bylaw Amendment: <u>Purpose:</u> To add two specific Agricultural-Cannabis and General-Industrial-Cannabis zones to regulate newly approved indoor and outdoor cannabis facilities. <u>Summary:</u> Sets 300m setback for outdoor uses; lot area, coverage, frontage, front yard, rear yard and side yard standards for indoor uses. Sets parking standards.	Site Plan Control Bylaw Amendment Overview <u>Purpose:</u> To ensure that indoor cannabis and hemp facilities are subject to site plan control. <u>Summary:</u> The prior exemption for cannabis and industrial hemp agricultural uses was removed. <u>Implementation</u> <ul style="list-style-type: none"> The Planning Department is responsible to process prior to issuing a building permit.
Implementation: <ul style="list-style-type: none"> The Planning Department is responsible for processing new cannabis facility applications. Required applicant studies will be peer reviewed by the Town's experts and shared with the public. Public Meetings inform residents and stakeholders & provide venue to hear concerns. Council must approve a Zoning Bylaw Amendment for an application to proceed. 	

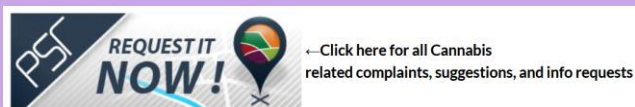
Odorous Industries Nuisance Bylaw

Filing an Odour Complaint with the Town

1. Using the web to file a complaint

Click the link to Town cannabis information

<https://www.pelham.ca/en/town-hall/cannabis.aspx>



Clicking the button which will raise a screen like this:

Create

What:
 Not selected yet

Where:
 Not defined yet

Image/Video/Document:
 No objects added yet

Info:
 No info yet

Use the buttons on the right to complete & file the complaint. The link below walks you through this step by step.

Note: Pelham is in the process of replacing the PSR system with a new one.
<https://thevoiceofpelham.ca/2020/10/29/featured-filing-cannabis-odour-complaints-with-the-town-a-how-to/>

2. File a complaint in person or by e-mail

Click the link below and print and complete the form

<https://www.pelham.ca/en/town-hall/resources/Documents/By-law-Services-Request-Form.pdf>

E-mail the form or drop it off using the addresses found on the form.

3. File a complaint by telephone

Call the Town of Pelham By-law Services Division
 Phone 905-892-2607 Ext 204

Official Plan and Zoning Bylaw Amendments

Attend Committee of Adjustment (COA) Meetings

Existing cannabis facilities wishing to expand can apply to the COA as they are non-conforming uses. By attending COA meetings, the public can voice concerns and influence outcomes. They can also appeal decisions. See sections E1.5 (Minor Variances), E2 (Non-Conforming Uses) of our Official Plan.

https://www.pelham.ca/en/business-and-development/resources/Documents/Planning_OfficialPlan/Official-Plan.pdf

Attend Public Meetings and Council Meetings

- Applicants for a newly proposed cannabis facility must go through a public process.
- The public can attend information meetings and voice concerns.
- Pre-consultation Meetings occur with Staff.
- The public can attend a Statutory Public Meeting and voice formal comments.
- The public can attend the Council Meeting and make submissions in writing where the Applicant seeks the required Zoning Bylaw Amendment.

Register for OPA/ZBA notifications

<https://subscribe.pelham.ca/subscribe>

Contact Us

Community Members:

Tim Nohara (Chair) timnohara@gmail.com

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Louis Damm louisdamm@icloud.com

Staff Member Barbara Wiens bwuens@pelham.ca

Councillor Bob Hildebrandt

Representative bhildebrandt@pelham.ca

Fall Election & New Cannabis Advisory Committee

- The CCC's mandate ends with the Fall election
- Residents may wish to promote and participate in a new cannabis advisory committee
- Contact your Councillor or a CCC member