



**Public Meeting under the Planning Act**  
**Meeting Notes**

Meeting #: PCOW/04-2024  
Date: Wednesday, June 26, 2024  
Time: 6:00 PM  
Location: Meridian Community Centre - Accursi A and B  
100 Meridian Way  
Fonthill, ON  
L0S 1E6

Staff Present: David Cribbs, Jennifer Stirton, Shannon Larocque, Sarah Leach, Lindsay Richardson, Andrew Edwards, William Tigert

Consultant: Nick McDonald, President of Meridian Planning Consultants Inc.

**1. Call to Order**

William Tigert, Acting Director of the Community Planning and Development called the meeting to order at approximately 6:00 p.m.

**2. Land Recognition Statement**

Jennifer Stirton, Town Solicitor, read the land recognition statement into the record.

**3. Opening Remarks**

Mr. Tigert provided opening remarks and the notice requirements regarding this application.

**4. Planning Act Application: AM-05-2024**

**4.1 Planning Report and Presentation**

**4.1.1 Information Report – Cannabis Zoning By-law  
Amendment, 2024-0154-Planning**

**4.2 Consultant Overview**

Nick McDonald, President of Meridian Planning Consultants Inc., provided a presentation outlining the history of cannabis in the Town of Pelham. A copy is appended to the June 26th, 2024, addendum package, Engaging Pelham webpage, and is on file with the Clerk.

**4.3 Public Input**

Tim Nohara requested that any changes to the proposed zoning by-law amendment from now until Council’s consideration be published with tracked changes, along with a copy of Nick McDonald’s presentation. Mr. Nohara also inquired about the anticipated meeting date for the Council decision, to which

William Tigert, Acting Director of Community Planning and Development, responded July 10th. Additionally, Mr. Nohara asked if a municipality is prohibited from enacting a new zoning by-law if a zoning by-law amendment is before the Ontario Land Tribunal (OLT). Mr. Tigert indicated that he could provide a comprehensive answer at a later date.

As a former member of the Cannabis Control Committee (CCC), Bill Heska provided a detailed history of the committee's work and involvement with the Town on the cannabis file.

Bernie Law read his written correspondence, which is appended to the agenda package.

Jason Coxon expressed concern regarding cannabis odour and its exposure to children at school. He stated that he would like tax dollars to be spent fighting against the cannabis industry.

Tillie Clapp stated that Council needs to advocate for the residents, expressing disappointment in the lack of activity over the past two years. Ms. Clapp raised concerns about odour and its potential effect on home values, as well as the concerning shift in agriculture from tender fruit to cannabis.

Mr. Tigert stated that the draft zoning by-law before Council mirrors the work of the CCC and indicated that the Town continues to work with Redecan.

Larry Sztogryn identified adverse medical effects from cannabis odour and inquired if research had been conducted on the outgoing air from the cannabis facilities and all of its potential effects. Mr. Tigert responded that health considerations are dealt with at the federal level.

Dave Macfarlane inquired if specific inspections were completed related to the building permit and expressed concern that the federal government would address odour issues. Mr. Tigert mentioned the presence of the Odorous Industries Nuisance By-law at the Town level and indicated that Council plans to review the threshold. Mr. Macfarlane also asked if building permit applications require drawings and specifications, to which Mr. Tigert responded that the building permit process adheres to the Building Code.

Wendy Brule expressed concern about odour issues affecting Welland residents, as well.

Ben Cushnie echoed the comments of all residents and requested clarity on whether the new zoning by-law amendment affects any existing buildings. Mr. Tigert confirmed it does not and welcomed anyone with odour concerns to request delegate status at a meeting of Council.

Dave Schlott mentioned he was new to the issue and it seemed Council may have had leverage but chose a different path. Nick McDonald, Planning Consultant, clarified that CannTrust and

Redecan were established prior to the enactment of the Interim Control By-law and have legal non-conforming status; however, they cannot expand without permission from either the Committee of Adjustment or Council. Mr. Schlott urged Council to explore odour mitigation measures.

Darlene McDowell expressed that it is unacceptable how the cannabis industry continues to operate. She indicated that the CannTrust purchaser intends to continue producing cannabis. Ms. McDowell stated that by not protecting residents, the Town is essentially protecting cannabis producers. She emphasized that building permits should be expired or not renewed and voiced concerns about property value depreciation and adverse health effects.

Mike Hall asked for confirmation that the new by-law proposes 80m, 60m, and 40m setbacks. Nick McDonald responded that the by-law establishes zones permitting cannabis use, and producers must demonstrate that their facility is far enough from sensitive uses, which would be difficult. The setbacks would only apply once that is proven. Mr. McDonald clarified that setbacks are intended for visual purposes, not odour control. Mr. Hall emphasized that odour is a significant issue, as demonstrated by the discussions.

Mr. Hall expressed concern over the seemingly small setback requirements when Niagara-on-the-Lake has a requirement of 600m. Mr. McDonald explained that setbacks are applied only after the producer has demonstrated the facility will be far enough from sensitive uses, which could be approximately 300m-500m or more. Mr. Hall asked if the by-law would apply to the former CannTrust property. Mr. McDonald confirmed that it does not, as the property has legal non-conforming status. Mr. Tigert stated that Council plans to revisit the odour issue with the intent to exert more control. Mr. Hall questioned why this process was occurring. Mr. McDonald explained that the by-law approved by the OLT was inadvertently repealed upon enactment of the new zoning by-law, and this process is meant to facilitate the re-introduction of the policies approved by the OLT. He mentioned that if the by-law is appealed, it will return to the OLT.

Tillie Clapp expressed further concern regarding cannabis odour and recommended Council convene a public meeting relating to odour thresholds. Mr. Tigert assured that odour concerns have been heard by Council, who were present in the gallery.

Helene Gagnon asked for role clarification between the Town and the federal government. She inquired about the sale of the CannTrust property, the reason a building permit had been passed on, the progression at the OLT, the difference between hemp and cannabis, and the retail sale of cannabis.

Nick McDonald stated that the by-law will apply to future applications and that land use permission runs with the land, not

the person. He explained that Redecan wanted to expand operations and build additional office space, which the Town agreed to upon meeting certain criteria. However, Redecan did not provide what the Town was looking for. He stated the expansion would not be permitted under the new by-law.

Jennifer Stirton, Town Solicitor, clarified that the federal government is the regulator of all cannabis matters and has created two sets of regulations: one related to cannabis and one related to hemp. She explained that the federal government has downloaded the responsibility for retail stores to the province, which then offered municipalities the option to opt in or opt out. Municipalities can regulate land use and enforcement issues such as odour, which is addressed through the Odorous Industries Nuisance By-law that Council plans to revisit. Ms. Stirton added that the federal government also issues growers' licenses to cannabis producers. She advised the OLT process is outlined in the report appended to the June 26, 2024, Public Meeting agenda.

Ms. Gagnon asked if any producer could come into Pelham. Nick McDonald stated that the Official Plan Amendment requires that new cannabis usage requires rezoning, which involves an application to Council.

Barry Shannon asked if there were any actions the Town would take to revoke the building permit. Mr. Tigert responded that building permit issuance is a process under the Building Code, facilitated by the Chief Building Official, and is not something to be addressed at this meeting.

Stephen Cino recommended that the Town improve transparency around this process and keep residents well-informed.

Paul Bryant expressed health concerns from the cannabis odour and shared his level of frustration.

Mr. Brule expressed support for the work of the CCC. He stated that while certain things look good on paper, real-life experiences should be taken into account.

Ron Berkhout, Chief Operations Officer for the former CannTrust site, acknowledged all the concerns expressed. Mr. Berkhout extended an open invitation to anyone wishing to visit the site for a tour or conversation. He expressed his intent to be transparent and to address concerns and questions regarding expansion and permitting from a business perspective.

At 8:00 pm, Sarah Leach, Deputy Clerk, confirmed no e-mails had been received concerning the subject application.

## **5. Closing Remarks**

Mr. Tigert provided closing remarks.

Recording Secretary: Sarah Leach

## Sarah Leach

---

**From:** Marc Brule [REDACTED]  
**Sent:** Saturday, June 15, 2024 5:28 PM  
**To:** Sarah Leach  
**Cc:** Wendy Brule  
**Subject:** Zoning By-law ammendment re. Cannabis

We are residents of Welland, living on Balsam St, just off of Foss Road. We have been tracking with the issues related to Redecan and the odour problems they have caused. We have experienced significant inconveniences, frustrations, and embarrassments because of the overwhelming odour that has permeated not only our yard, but also our home.

We have had to keep windows shut for much of the spring (we love the fresh air) because of the strong odour. We have had several guests to our house that have almost all commented, asking where that smell was coming from. Although this point is somewhat anecdotal, I have found that my asthma is exacerbated when the odour levels are high, resulting in more need for medication. This goes beyond inconvenience. This has disrupted and diminished the quality of our lives both indoors and outdoors.

That being the case, and even though we are not residents of Pelham, we would like to express our deep concern at the proposed by-law amendments (Section 5.2) regarding the setbacks for Cannabis producing facilities. If anything, something needs to be done to reduce, not increase the production that results in such an overwhelming odour.

Please take these thoughts and suggestions to heart. It has been a frustration for us over the past number of years.

On another note, we have had some issues with lights shining into our bedroom from their property, as if they are pointed directly toward our home.

Thank you for your ear and your help.

Sincerely,

Marc & Wendy Brule

[REDACTED]

## Sarah Leach

---

**From:** Kathryn Atherton [REDACTED]  
**Sent:** Monday, June 17, 2024 6:39 AM  
**To:** Sarah Leach  
**Subject:** ZBLA

Dear Ms. Leach,

My family and I have been impacted by the odors from the Redecan Grow-Op at Foss Road, Pelham and I have filed numerous odor complaints with the TOP over the last few years. I have also watched the Ontario Land Tribunal Hearing virtually.

I respectfully ask that your government work to protect communities from the adverse effects of the odors resulting from this industry.

Please consider the bylaw amendment listed below in your hearings and work to create communities that can live with this industry that has set up near residential neighbourhoods:

Currently, the proposed Zoning By-law Amendment re Cannabis (ZBLA) proposed setback distances for standard cannabis production are as follows: front 80 metres; side and rear 40 metres with the exception of fans being present, in which case it is 60 metres. These values are less than those recommended by the Cannabis Control Committee. For comparison, the Niagara-on-the-Lake By-law No. 500XN-20 4.2.1(a) states, ***“No lands, building or structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the Rural (A) Zone may be located closer to any sensitive land use than 600 metres from the property line of the nearest sensitive use”.***

Although I do not live in Pelham, my home, located at [REDACTED], Welland, is continually flooded with the putrid odors that are emitted from this factory.

Please consider the people of your community when making amendments to the setbacks for this industry that has been thrust upon communities that were built decades before the factory was built.

Thank you kindly,

Kathryn Atherton  
[REDACTED]

**Sarah Leach**

---

**Subject:** RE: Notice of Public Meeting

---

**From:** Tim Nohara [REDACTED]  
**Sent:** Sunday, June 16, 2024 10:31 PM  
**To:** Lindsay Richardson <LRichardson@pelham.ca>  
**Cc:** William Tigert <wtigert@pelham.ca>; Sarah Leach <SLeach@pelham.ca>  
**Subject:** RE: Notice of Public Meeting

Good evening Lindsay,

Thank you for this notice.

I will plan on attending the Public Meeting and will provide verbal comments either virtually or in person if I can make it. Please register me for the virtual comments. Please keep me updated on any changes to the meeting and the ultimate decision.

My written comments\question for inclusion in the Public Meeting Agenda package are as follows:

I understand that “the Town of Pelham is initiating a Zoning By-law Amendment to incorporate regulations approved by the Ontario Land Tribunal (OLT) for cannabis and industrial hemp production in Pelham.”

Can you please send me the approved OLT regulations for cannabis and industrial hemp production in Pelham that you are proposing to incorporate into the Town’s Zoning By-law?

Best regards,

Tim J. Nohara  
Former Chair of the Cannabis Control Committee

## **COMMENTS FOR THE PROPOSED CANNABIS POLICIES AND REGULATIONS FOR THE TOWN OF PELHAM**

As concerned citizens of Pelham, we would like to address how the CANTRUST grow op facility is impacting us, and how the planned further expansion will affect our lives going forward.

We moved to Cherry Ridge Blvd in Fenwick over 6 years ago. We were looking at Pelham and the Niagara Region as a peaceful place to live for our retirement. This is a residential neighborhood but also conveniently located as it is close to all amenities, restaurants, wineries and golf courses. Our residence was previously surrounded by cherry orchards, farms and greenhouses growing flowers. We have grown to love this community and have become very involved.

Within a few years, we then realized that the floral greenhouse at the corner of Balfour and Highway 20, near the entrance of Fenwick, was being transformed. It became quite apparent by the amount of cars, security detail, specialized workers, money spent on installations and all the homes around the facility that quickly went up for sale, that our local florist was transitioning into a Cannabis grow up due to the new legalization of Cannabis in the country. At no point did we receive any kind of notification that this was taking place.

Since the opening of this grow op, there are very visible large orange clouds that can be seen from a very far distance coming from Hamilton or even St Catharines, not to mention the strong and unpleasant odor taking over that entire area when driving by. Then, the house on 1350 Balfour was purchased with the land behind it and all the cherry trees were cut for a future expansion of CANTRUST. When all the cherry trees were previously there, the grow op was more hidden, but once the removal of the trees took place, it has become very hard to miss due to the significant amount of commercial lights. So, our little paradise in the country is no more....

Meanwhile, as concerned citizens, we went to Townhall meetings at the Meridian centers to get some information about the grow-op facilities in Pelham. We have assisted to presentations where another Company was presenting new technologies to diminish the odor and the visible pollution. That is when we realized that the facility on Balfour didn't use any of that technology that was being presented. We were also upset that CANTRUST put up a new greenhouse on Highway 20 but didn't use any dark screen to avoid the excess lighting. (I don't think that it is normal to get up during the night and not have a need to turn on the light to go to the bathroom or the fridge because the orange "glow" is lighting up the house). We were also present at the meeting where the mandate was giving to the CCC to create some BYLAWS to stop the CANNABIS growers from impacting our life.

Following one of the meetings, CANTRUST invited the neighbourhood to an open house where their employees tried to convince us that they were not "bad guys". It was all smoke and mirrors. They didn't have the plans of the expansion structures but showed us the plans of the existing structures. We explained to them that we should be able to enjoy our backyard without that unpleasant smell, which has since been "perfumed" to try to diminish the odor. We asked for studies that prove that the new lavender "perfume" was not toxic however, those studies were never made accessible...They explained to us that they couldn't put the blackout cover on the existing greenhouses because they were filled with plants but that when the next phase would be done, they would transfer the plants to the new



greenhouse and fix it. That doesn't explain why the empty greenhouse on Highway 20 was never built with a blackout screen...

Basically, Pelham needs BYLAWS to force the growers to protect our quality of life. We think that Health Canada should require security standards to protect citizens and that no Cannabis grow op facilities should be given licenses in residential areas. I don't think that our City should spend our taxes on changing and enforcing new bylaws and on increased policing costs. I am glad we are doing it but it is because of an oversight of Health Canada. We moved here to pay less property taxes, so it would be also very important that the Cannabis growers should be charged commercial taxes and not agricultural taxes. They opened up here because of the low taxes and now are destroying our neighborhood's value.

Now, the expansion of those facilities, especially the Balfour one should be stopped for the following reasons:

- The extra traffic created by the workers will damage the roads: more taxes \$ for the residents??!!
- More pollution from extra cars and paving agricultural land for parking lots as extra parking spaces will be necessary: destroying our air quality and green spaces.
- The electricity used by grow-ops will put a burden on the electrical grid and decrease the sustainability of the whole electrical system: The consumption of electricity should be constantly monitored.
- The amount of water used could affect our water pressure: the consumption should be monitored and paid accordingly.
- The overall amount of greenhouses gases produced carbon-dioxide which has a major environmental impact: effect on global warming that should be measured for each kilogram of cannabis produced.
- Health threat from chemical (pesticides, fertilizer, herbicides) that can be harmful to the environment and to humans: detrimental impacts on the respiratory system.
- Septic tanks and waste removal must be inspected and monitored constantly: to avoid any contamination, most of the issues need to be continuously monitored and measured.
- Fire or explosion hazards? no public data available.

More research studies and data collection are required to measure and understand the impact of policies related to cannabis. We need initial and continual funding by governments from sales taxes reinvestment into harm reduction.

<https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2016-r009/index-en.aspx#pubhea-1>

<https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/resources/roles-responsibilities-under-cannabis-act.html>

<https://www.canada.ca/en/health-canada/corporate/about-health-canada/proactive-disclosure/briefing-documents/ministerial-briefing-volume-1-overview-health-portfolio.html>

I am a very concerned resident of Pelham looking for transparency about the Cannabis Zoning By-Laws.

After thousands of volunteer hours spent by the members of the Control Cannabis Committee (CCC) from our community and time and money spent on Town staff legal fees why cancel all that work and taxpayers' dollars by not issuing the Final Notice with the OLT, the most efficient and quick way to wrap things up. We are at the finish line and by not meeting the June 17 deadline, (OLT is asking to be notified 3 business days prior so deadline is really June 12) all our protections past and future by the existing By-laws will be removed. I don't think that you are realizing all the major unintended consequences that omitting that important action will create in Pelham.

After reading this letter and the ones from other concerned residents, I hope you will reconsider that All of you should have a personal urgent consultation with Aird & Berlis who know the file inside-out to discuss the effects that having the staff initiate a technical process to amend the Comprehensive Zoning By-Law is eliminating all the protections we have presently and starting over a process that was already won in court. It is not as many residents were all told: "just a change of tactics but not of objective because of circumstances change". There will be a big void of coverage and we are wondering what the underlining goal is. Looking deeper at all the negative effects and having a second legal piece of advice from Air & Berlis on this matter is of the biggest importance for our community and will save the taxpayers time and money in the long term.

The Public consultation meeting on June 26, 2024, is all smoke and mirrors as the deadline of June 17 (June 12) will already be passed and once the OLT final order is cancelled there will be no return. If you issue the OLT final notice before June 17 (June 12), you can still ask the residents for their opinions and concerns in the Town Hall meeting and although odour and distance are the most important problems, other issues such as Air quality, Light mitigation, Traffic Impact, Water used & pressure, Electricity consumption, Land paving, Septic tanks and/or transportation, etc. could and needs to be discussed. The CCC has spent hours looking at studies and listening to specialists and we need to make good use of their expertise and legal accomplishments.

My neighbourhood learned by chance that the 1396 Balfour Street grow op facility where the operations were stopped with the bankruptcy had been sold recently to a group from BC and that they were hiring staff, planning to restart their activities, extend their facilities and adding new buildings. In our quest for answers, we have not received any transparency. We have been told that the sale hasn't been registered with the Town yet. Amazing as there are cars there every day and even cutting the grass there today. We requested and received documents from 2018-2024 under the Freedom of Information act.

What happened is very obscure and alarming to our community. We discovered that after the building permit was expired, a new permit was issue for 5 buildings, despite our By-Laws prohibiting it. The timing of the dismissal of Ms. Barbara Wiens is also concerning. The Cannabis license was relinquished to Health Canada when the company went bankrupt. With the OLT Final order in place a new license wouldn't be issued to the new owners by Health Canada unless they meet all the Town By-Laws conditions. If we don't issue the OLT final order, that protection will disappear, and we are wondering who is/ will be benefiting from that irreparable situation. The truth will eventually come out, but time is of the essence given deadlines and due dates.

Action needs to happen NOW, before it is too late. Nobody, including yourself, likes to be kept in the dark or taken for a ride. Please do your personal due diligence as we believe that after knowing all the facts your decision might change because we know you care for the residents and taxpayers and were just misinformed.

## Sarah Leach

---

**From:** Sterling Jiménez [REDACTED]  
**Sent:** Tuesday, June 18, 2024 8:08 AM  
**To:** Sarah Leach; Brian Eckhardt; Bob Hildebrandt; diana.huson@niagararegion.ca; John Wink; Kevin Ker; marvin.junkin@niagararegion.ca; Marvin Junkin; Shellee Niznik; Wayne Olson  
**Cc:** [REDACTED]  
**Subject:** Proposed Cannabis Zoning Bylaw (ZBLA).-

Dr. Sterling Jimenez Romero, [REDACTED]  
[REDACTED]  
[REDACTED]

June 18, 2024

Major Honorable Marvin Junkin  
20 Pelham Town Square,  
P.O. Box 400, Fonthill, ON

Dear Major Honorable Marvin Junkin and Esteemed Members of the Council,

I am writing to express my deep concerns regarding the proposed Cannabis Zoning Bylaw ZBLA. After carefully reviewing the document, I found the proposed setback distances for standard cannabis production on page 94 to be particularly alarming. Specifically, the proposed distances are as follows: front 80 metres; side and rear 40 metres, with the exception of fans being present, in which case it is 60 metres. These values fall significantly short of those recommended by the Cannabis Control Committee.

For comparison, the Niagara-on-the-Lake By-law No. 500XN-20 4.2.1(a) stipulates: "No lands, building or structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the Rural (A) Zone may be located closer to any sensitive land use than 600 metres from the property line of the nearest sensitive use." This discrepancy raises serious concerns about the potential impact on our community.

The proposed setbacks in ZBLA do not account for the severe and ongoing issue of odour management, which greatly affects our quality of life. Even the 600 metres stipulated by the Niagara-on-the-Lake by-law can be considered inadequate without proper odour control measures.

As a resident of [REDACTED], I am already bearing the brunt of the extreme odour contamination generated by the Redecan facility on Foss Road. After participating in the last Ontario Land Tribunal decision, I was expecting that the council would be issue a final OLT Notice, causing Redecan to lose the negotiated Agricultural Cannabis (A-CAN) zoning on their 182 Foss Road property as well as the automatic right to build a 1,000 square metre office building and a 11,200 square metre warehouse on the property.

When I purchased my property last year, I paid a premium for the peace and quiet the area offered. Unfortunately, the value of my property has since plummeted due to the pervasive and pungent odours emanating from nearby cannabis production facilities. This situation has been a source of considerable distress for myself and my family.

I strongly believe that the priority of the council should be the well-being and quality of life of its residents, rather than the profits generated by cannabis companies for their stockholders. Our community deserves to live in a clean, odour-

free environment, and it is the responsibility of the council to ensure that adequate measures are in place to protect us from the adverse effects of cannabis production.

I urge you to reconsider the proposed setback distances and to align them more closely with the recommendations of the Cannabis Control Committee. Additionally, I request that stricter odour management protocols be enforced to safeguard our community from the detrimental effects we are currently experiencing.

Thank you for your attention to this matter. I hope you will take my concerns, as well as those of other affected residents, into serious consideration when finalizing the Cannabis Zoning Bylaw ZBLA.

Yours sincerely,

**Sterling Jimenez,** [REDACTED]  
[REDACTED]  
[REDACTED]

## Sarah Leach

---

**To:** Darlene McDowell  
**Subject:** RE: Cannabis Governance

> -----Original Message-----

> From: Darlene McDowell [REDACTED]  
> Sent: Sunday, June 16, 2024 2:17 AM  
> To: Marvin Junkin <MJunkin@pelham.ca>  
> Cc: Marvin Junkin <marvin.junkin@niagararegion.ca>; Wayne Olson  
> <wayneolson191@gmail.com>; bobhildebrandt@gmail.com; John Wink  
> <JWink@pelham.ca>; Shellee Niznik <SNiznik@pelham.ca>; Brian Eckhardt  
> <BEckhardt@pelham.ca>; diana.huson@niagararegion.ca; Kevin Ker  
> <KKer@pelham.ca>; Sarah Leach <SLeach@pelham.ca>  
> Subject: Re: Cannabis Governance

>

> Mayor Junkin and Council

>

> I understand we are either at the last opportunity to voice our concerns regarding the OLT rulings for odor control (NOT 6 but 2) and setback which are far more than the mere 40 or 60 metres (possibly 300 or 600?) from residential homes.

>

> We need to ensure bylaws developed by the CC with expert assistance and passed by Town council are followed and adhered to.

>

> Residents in Fenwick elected many of you and we need your support.

>

> Darlene McDowell.

**Sarah Leach**

---

**Subject:** RE: Town Hall Meeting Jun 26th.

---

**From:** bernie law [REDACTED]  
**Sent:** Saturday, June 22, 2024 2:11 PM  
**To:** Sarah Leach <SLeach@pelham.ca>  
**Subject:** Re: Town Hall Meeting Jun 26th.

Thank you for your e-mail of Friday Jun 21 st.

We have a very serious problem here in Pelham regarding the growing of Cannabis. This Cannabis production company has created two very offensive measures in our town. The Law family have lived in Pelham since 1926, and we wish to support the growth of Fonthill going forward to reside in a clean environment.

These companies took advantage of our agricultural by-laws for growing vegetables and started growing cannabis in our local green houses.

The residents of Pelham have to live with excessive evening light and odour coming from the cannabis growing facilities for years, and we are here today to ask our Elected officials to enact the powers to stop these Cannabis Production Companies from operating in Pelham.

Respectfully Submitted

Bernie Law

[REDACTED]  
Fonthill.

## Sarah Leach

---

**From:** Amanda [REDACTED]  
**Sent:** Saturday, June 22, 2024 1:19 PM  
**To:** clerks pelham  
**Subject:** Zoning Bi Law Cannabis review

To whom it may concern...

I am very appalled at the lack of action being taken when it comes to protecting the residents of Pelham from the stinking odour of Cannabis producers like Redacan and setbacks and bi laws that have taken so long to get anything done without success.

The set backs are no where near what they should be to protect residents.

There is so much land where there is no housing, that is where these companies should only be allowed to set up business. At the very least we should be inline with what the NOTL bylaws are I don't see what is so difficult about that !!

These companies should be miles and miles away from any residential housing.

The Zoning bylaws have done nothing and again very disappointed in our elected officials. If these lands where zoned commercial which is what they should be NOT AGRICULTURAL that would be a step in the right direction.

Lastly the testing for the smell is just not working. The levels that are set are to high that they do not bring resolution to the problem of smell and therefore no fines to the companies. When will our elected officials start doing what is best for residents and get tough on these companies. ?

Tired of waiting....

Amanda Johnston

## Sarah Leach

---

**From:** Bill Heska [REDACTED]  
**Sent:** Monday, June 24, 2024 2:29 PM  
**To:** Sarah Leach  
**Cc:** Bob Hildebrandt  
**Subject:** Zoning By-Law Amendment re Cannabis

Good morning Sarah,

I have prepared these comments to be presented at the meeting on Wed. June 26, 2024 Public Planning meeting.

A bit of history- the details of all the communication can be found on the minutes of CCC meetings.

- 1 I was member of the former CCC (Cannabis Control Committee) chaired by Tim Nohara that was appointed by the Town back in 2019. We started meeting with Town staff and after several months of meetings the CCC realized the Town staff had limited knowledge of this industry, and we recommended to Town Council that the Town hire outside consultants for legal and planning experience in the cannabis. As a result Arid Berlis and Meridian Planning Consultants were hired. The challenge for Pelham was that the Town was pioneering By-laws for a new industry in our Municipality, Ontario, and Canada. Our first efforts were to establish Zoning and Official Planning amendments for the industry. After many meetings and iterations the Town Council finally approved on 2020/07/13 .
- 2 An Odorous Industry Nuisance By-Law (OINBL) By-Law 4202 (2020) was developed with the assistance of an PPG Compliance Management (Odour) Consultant. The Town Council approved 2020/03/23, and it was amended by By-Law 4263 (2020) and approved on 2020/07/27.
- 3 The Site Plan Control By-law was approved 2020/07/27

The appeal of the OPA and ZBA by the Cannabis growers led to a OLT hearing January 24- 26, 2022 (only Redecan participated) and July 25, 2022. As a result of this action the CCC was not able to act, and had to wait the ruling which the OLT made Aug. 23/2022. The CCC presented a detailed Closing Memo to Council dated Aug 09, 2022 which provided details of status of CCC progress which was to provide information for the new Council to be elected Oct. 18, 2022.

After several months of NO Council activity on the cannabis issue, the CCC found that the issue had not been communicated by Town staff to the new Council. In fact the issue was not even considered in the new Council's Strategic Plan. The Town staff were asked to follow-up, and Redecan declined to provide documentation for the Minutes of Settlement by June 17, 2024.

At the Council Meeting on May 29, 2024, the CAO David Cribbs submitted a Report to Council on the Cannabis Zoning By-Law Amendment, 2024-0133 - Town Solicitor. The Town staff had told the CCC that the Zoning and Official Plan amendments would be combined in the with old Bylaws- no issues. It was total shock to the former CCC and they were not briefed on the communication that led the report. There was total lack of transparency, and it appears the Town staff misinformed or failed to identify the issue before Council approved the amendments in July 2020. There was a lot of discussion when the amendments were being drafted because there was no clear hi-lighting of changes and the dates on amendments. On June 6, 2024, Lindsay Richardson did supply the Zoning By-Law Amendments re Cannabis for Council to review with changes and additions in red and with a concordance- it can be done. What versions were actually circulated to outside consultants for review? The Town staff has given Council advice and as a result they have dropped the OLT final action. The citizens of Pelham have been waiting for more than 6 years for action (since 2018) on



the cannabis issue and have seen NO ACTION. The Council needs to direct Town staff to make necessary changes to get positive ACTION on the Cannabis issue in Pelham.

Regards,

Bill Heska

**Sarah Leach**

---

**From:** Georgio Panici [REDACTED]  
**Sent:** Tuesday, June 25, 2024 4:55 PM  
**To:** clerks pelham  
**Subject:** Cannabis Zoning Meeting June 26

Dear Clerk

For the record I am vehemently and 100% opposed to any further expansion of this CannTrust Cannabis facility. The existing odour issue has become worse and there appears to be no resolve to residents complaints about the odour.

Kindest Regards,

**Georgio Panici,** [REDACTED]  
Resident of the Town of Pelham  
[REDACTED]