

Cannabis Control Committee  
Town of Pelham

**Minutes of Meeting**  
**Wednesday, January 8, 2020 – 5:00 p.m.**  
**Fire Station #1, 177 Highway 20 W., Fonthill**

**Present:** Mike Cioffi, Councillor – Town of Pelham  
Tim Nohara **(Chair)**  
Bill Heska  
Jim Jeffs  
Louis Damm  
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  
2 Members of Public (Welland & Pelham residents)

**Regrets:** John Langendoen  
Carla Baxter  
Jim Steele

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**1. Declaration of Quorum**

Chair declared quorum at 5:07 p.m.

2. Barb Wiens distributed a legal opinion for members to review for discussion at the next meeting.

**3. Approve Agenda**

Moved by J. Jeffs, seconded by B. Heska that the agenda of January 8, 2020 be approved.

CARRIED.

**4. Minutes**

- Chair provided executed Minutes of November 6 and November 13, 2019 to the Secretary.
- Moved by B. Heska, seconded by L. Damm that the minutes of November 27, 2019 be approved, as amended.
- Moved by J. Jeffs, seconded by L. Damm that the minutes of December 11, 2019 be deferred to the next meeting date.

CARRIED.

## **5. Odourous Industries Nuisance By-Law**

T. Nohara returned the draft nuisance by-law to the committee for discussion. It included all prior amendments which were made by the committee in addition to new changes by the committee. T. Nohara reviewed the amendments, and it was noted that input from Phil Girard is being sought regarding frequency that a facility exceeds two odour units. T. Nohara presented to Bob the odour measurement at the property line that was added in response to the comments enforcement staff provided; and discussed consideration of AMPS to the penalty section but noted that our AMPS bylaw would first need to be amended. D. Cribbs indicated that the use of language such as 'in the vicinity' is too vague and would be better to have defined distance. The Committee is seeking staff input prior to finalizing the draft by-law. T. Nohara to provide a digital version to Town staff.

## **6. Discussion on approaches to Official Plan/Zoning By-law amendments**

The Committee asked a series of questions to planning staff that stem from their review of the staff proposed Official Plan and Zoning By-law amendments presented at the December 11<sup>th</sup> meeting, along with their own Official Plan and Zoning By-law amendments which are currently under development and debate. T. Nohara noted that he hoped to bring a high-level overview to them to the next meeting on January 15<sup>th</sup> for discussion. Staff noted the legal opinion provided should be reviewed in advance as it may answer questions and result in changes.

## **7. Committee input on Draft Official Plan and Zoning By-law Amendments**

The Committee noted that it provided its input on the staff proposed Official Plan and Zoning By-law amendments presented at the December 11<sup>th</sup> meeting, in writing by e-mail on December 15<sup>th</sup> and December 18<sup>th</sup>, 2019. The biggest issue for the Committee is the need for setbacks vs. only determining setbacks on a case by case basis. T. Nohara also commented on the use of "Odour producing crops". S. Larocque suggested tabling some items until members review the legal opinion.

## **8. Proposed Public Meeting Date**

Staff indicated that a Public Meeting date in May was being considered. The Committee questioned the need for an additional Public Meeting in accordance with the *Planning Act*. Staff noted it is a requirement under the Planning Act when changes are being made to the Official Plan or Zoning By-Law and given the changes being proposed by staff to the Official Plan and Zoning By-law as compared to what was presented in September were material with the result that a further meeting is warranted. Staff also indicated that Council direction was to consult with the community and there is a need for transparency.

The Committee felt that a Public Meeting date in May would be too late; and noted that it hadn't presented its proposed changes to the Official Plan and Zoning By-law so it was premature to conclude that there would be material changes from the drafts provided at the September 10, 2019 Public Meeting. Councillor Ciolfi requested February however staff indicated that this date is not possible. D. Cribbs requested that the Committee and Staff correspond on a date for a Public Meeting. The Committee agreed that this was prudent so that a meeting date was available if needed.

## **9. Next Meeting: January 15, 2020 at 5:00 pm – Fire Station 1, 177 Highway 20 West, Fonthill.**

## 10. Adjournment

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

The meeting adjourned at approximately 7:06 p.m.

CARRIED.

Signed by:

Edited Tim Nohara  
by: Tim Nohara (Chair)

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