

**Cannabis Control Committee  
Town of Pelham**

**Minutes of Meeting  
Wednesday, January 29, 2020 - 5:00 p.m.  
Fire Station 1, 177 Highway 20 W, Fonthill**

**PRESENT:** Mike Ciolfi, Councillor - Town of Pelham  
Tim Nohara (**Chair**)  
Jim Jeffs  
Bill Heska  
Jim Steele  
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**)

**OTHERS:** Mayor Junkin  
Bob Lymburner, Fire Chief - Town of Pelham  
Public (4)

**REGRETS:** John Langendoen, Louis Damm and Carla Baxter

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1. **Declaration of Quorum**

Chair declared quorum at 5:05 pm.

2. **Approve Agenda**

Committee added the Odourous Industries Nuisance Bylaw amendment, Recommendation Report review, and nasal ranger information to Item 4.

Moved by J. Steele, seconded by J. Jeffs that the agenda of January 29, 2020 as amended, be approved.

CARRIED

3. **Minutes**

- Moved by J. Jeffs, seconded by J. Steele that the minutes of December 11, 2019 be approved, as amended.
- Moved by B. Heska, seconded by J. Steele that the minutes of January 8, 2020 be approved, as amended.
- Moved by B. Heska, seconded by J. Steele that the minutes of January 15, 2020 be deferred to the next meeting date.

CARRIED

4. **Working Group Discussion**

- **Odourous Industries Nuisance By-law**

T. Nohara distributed and reviewed the committees' two proposed amendments to their Odourous Industries Nuisance By-law.

D. Cribbs noted concerns with the 'adverse effect' definition and suggested deleting "precious" and "garbage".

Moved by T. Nohara, seconded by J. Jeffs to further amend the draft Odourous Industries Nuisance By-law striking 'precious' from agricultural lands in 1a(v), and 'garbage' in 1a(vii). CARRIED

D. Cribbs expressed a concern relating to the reference of 'loss in property value' noted in 1a(ii). T. Nohara noted that the Municipal Act (see Section 447.1 (b)(iv)) supports the inclusion of property values which should remain given the committee's understanding that MPAC will be reviewing in future this impact.

D. Cribbs noted concerns with the 2km vicinity. T. Nohara noted the 2km value will be explained in the discussion on the Recommendation Report..

D. Cribbs noted community expectations are high and the importance of setting an odour strength level in 4(g)(i) where the Town would essentially act.

Moved by B. Heska, seconded by J. Steele to amend the draft by-law as noted.

CARRIED

#### • Recommendation Report by the Committee

T. Nohara distributed and reviewed the committee's Recommendation Report being brought to Council Monday, February 3, 2020. Page 7 of the draft report provides indication of the influence area, using address locations of over 800 residents who signed a petition. The figures presented superimpose a 2km radius around the CannTrust and Redecan facilities. The committee noted that we could have specified an even larger area in light of odour complaints.

Odour monitoring discussion took place between committee members and staff. D.Cribbs and the Fire Chief advised a person must be 100% accurate beyond a reasonable doubt that odour is coming from a specific facility. The Fire Chief noted the more parameters in place makes it very difficult to enforce. Simplifying the process makes it easier to prove. You must be confident that it is defensible and enforceable.

The committee feels strongly that a professional third party contractor should carry out the ambient odour monitoring program which is done by other industries in Ontario. When the ambient monitoring data is used in Court, an odour expert should be used to address the program and the data. Councillor Cioffi is in agreement with the committee's suggestion. B. Wiens noted other industries were regulated therefore requiring Ministry of Environment review. The Pelham facilities are not regulated. The Fire Chief is inquiring how it would be enforced by By-law staff.

Moved by B. Heska, seconded by J. Steele to approve the committee's 2<sup>nd</sup> Draft Recommendation Report.

CARRIED

#### • Nasal Ranger



B. Heska met with Phil Girard. He also borrowed a nasal ranger and attended at CannTrust during the week to test levels which were low this week however noting there was little activity at the facility. Highest measurements were located at Balsam Park in Welland.

• **Official Plan and Zoning By Law Amendments**

T. Nohara noted staff provided a great model for the committee to start with but they will be providing their own zoning and official plan amendments. He indicated the Committee was exploring different options and wanted to engage Meridian Planning Consultants and get some initial feedback before presenting options; he advised he hoped this would be provided no later than the February 12 committee meeting.

5. **Draft Land Use Planning Report**

B. Wiens distributed a copy of Staff's Draft Land Use Planning Report being brought to Council February 18, 2020.

Motion to receive Staff's Draft Land Use Planning Report was approved by J. Steele, seconded by B. Heska.

6. **Next meeting Date:** Wednesday, February 5, 2020 - Fire Station 1.

7. **Adjournment:**

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

The meeting adjourned at approximately 6:58 p.m.

CARRIED

Signed by:

Edited by: Tim Nohara (Chair)

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