

Brighton, Cramahe residents upset with marijuana growers

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Brighton resident Robert McIntosh says a greenhouse where marijuana is being grown produces an odour that makes it very unpleasant to go outside his home a half-kilometre away. - John Campbell/Torstar



Cramahe Township Mayor Mandy Martin says it's time the municipality did something to address residents' concerns about sites where marijuana is being grown. - John Campbell/Torstar

CRAMAHE TOWNSHIP — Mayor Mandy Martin's had enough.

She's ready to take on marijuana growers who are causing problems for residents, from the stench given off by the plants to the way the owners operate their businesses.

Martin raised “a really big flag” about grow ops “sprouting up all over” when council met on July 2.

“Sooner or later we're going to have to pick our battle,” she said.

“We can't take them all on, financially,” but there's one site in particular she'd like to tackle first, to show the township means business.

Residents are “very concerned,” she said in an interview. The marijuana sites are often guarded, dogs come out when people walk by, and the plants have “a very pungent odour.”

“What is really ticking people off more than anything is the sense that people are getting away with something when they themselves have to go through hoops to get a building permit or a severance,” Martin said.

[Health Canada issues licences](#) for marijuana cultivation in which case compliance becomes the issue, but when marijuana is being grown illegally it's even more problematic.

“We're in this grey area” where “nobody seems to want to take control of it,” said Martin. “It's very loosey-goosey.”

Without enforcement, “people start taking liberties.”

Finding the answer “has to be a legal battle,” she said, “because nobody at the moment seems to know who should be enforcing what or where or when.”

But with council's support, she intends to find out.

Waging a legal battle, however, is “not cheap to do,” she said.

“It can cost you \$250,000 just to proceed.”

But “if we let this stuff go on, what is the message we're sending?”

“It's a terrible thing when people feel helpless,” said Martin.

And “terrified,” she added.

Identical concerns have been raised in Brighton.

Robert McIntosh and his wife live around the corner from a greenhouse on Boes Road that grows marijuana.

“It became an issue for us last summer when the smell got really, really bad, especially at night,” he said.

“At its peak, it's so bad you don't want to breathe the air. You just have to stay indoors.”

“We haven't used our pool this year because of that,” he said.

“It's well-documented that a lot of people are having the same kind of problems throughout the country, with the smell.”

McIntosh said he visited the site last fall to complain about the odour. He met two men there who said they'd do “nothing” to fix it.

He wrote MP Kim Rudd and was told the operation isn't licensed by Health Canada so “there's nothing they can do,” he said.

He also contacted the OPP only to have an officer tell him “they're not going to do anything about it.”

Brighton Mayor Brian Ostrander said “there's really nothing the municipality can do” if sites growing marijuana are federally licensed.

“If they're illegal, that's a matter for the police to deal with,” he said. “And we would expect that enforcement would take place.”

Kawartha Lakes OPP Const. Carrie Lanning, filling in for Northumberland OPP's media relations officer while she's on holidays, said the provincial police force has specialized units that deal with complaints about places that grow marijuana.

If police determine the operation is legal, “normally we don't act as a compliance entity” to ensure requirements set out in a licence are being met, she said.

If illegal, the unit has “officers who deal directly and specifically with these types of situations,” Lanning said.

“It's not always a quick process,” Lanning said, and the legalization of recreational marijuana has complicated matters.

“It's a brand new situation that we all find ourselves in,” she said. “We don't have case law to fall back on.”

“With new legislation comes growing pains. Everybody has to work together.”

Brighton's bylaw enforcement officer Allen Magee said the marijuana operation on Boes Road “is pretty smelly” but noted foul odour is not an offence under local bylaws.

“If they've got garbage and stuff ... that needs to be disposed of properly, I can intervene,” he said.

Cramahe Township's compliance co-ordinator, Holly Grant, said she's received “lots of complaints about stench” produced by marijuana plants, but “there's nothing you can do to enforce smell, unfortunately.”

She lives in Castleton where residents sometimes can't open their windows because the smell of manure spread on fields is so powerful.

“Over time you just become immune to it,” said Grant.

She and interim chief administrative officer Arryn McNichol were to devise a course of action for council to consider.

McIntosh said he's considering asking the Municipal Property Assessment Corporation to lower his assessment because it's been devalued by “nuisance” odour.