

Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3 519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

September 30th, 2022

Travis Sandberg, Intermediate Planner Town of The Blue Mountains 32 Mill St. – PO Box 310 Thornbury, Ontario N0H 2P0

Sent via email to: townclerk@thebluemountains.ca and planning@thebluemountains.ca

RE: Proposed Zoning By-law Amendment P3216
Portion of Bay Street West and Victoria Street North Road Allowances
Town of the Blue Mountains (geographic Town of Thornbury)
Tammy Abbotts OS Zone

Dear Mr. Sandberg,

This correspondence is in response to the above-noted zoning by-law amendment. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose of the application is to rezone a portion of the Bay Street W and Victoria Street N Road allowances from the Residential (R1-1) zone to the Open Space (OS) zone. It is noted that no additional technical changes to the overall development plan considered by the Ontario Land Tribunal (OLT) are proposed.

This zoning by-law amendment application stems from the OLT Decision on the "Abbotts Subdivision" (OLT Case No. OLT-22-002269). The County signed minutes of settlement on the Abbotts subdivision, which were approved by the OLT and required the following:

"Following an oral or written decision (whichever occurs first) by the Tribunal in the Appeals, the Town shall forthwith initiate a zoning by-law amendment in order to zone a tree protection area in a portion of the unopened road allowance as shown on Schedule "A" as "Open Space" ("Open Space ZBA")."

County staff are of the opinion that the proposed zoning amendment fulfills the abovenoted clause from the minutes of settlement.

Schedule A of the County Official Plan designates the subject lands as 'Primary Settlement Area'. Section 3.5(2) & 3.5(3) of the County Plan state;

Grey County: Colour It Your Way

"Land use policies and development standards in areas designated Primary Settlement Areas will be in accordance with local official plans and/or secondary plans.

This Official Plan promotes the development of Primary Settlement Area land use types for a full range of residential, commercial, industrial, recreational, and institutional land uses. These areas will be the focus of the majority of growth within the County."

The proposed zoning by-law amendment would zone the subject lands as 'Open Space'. County Planning staff would generally defer to the local Town Official Plan or Zoning By-law for any detailed provisions regarding open space lands.

Appendix A to the County Official Plan maps a former landfill site within 500 metres of the proposed zoning by-law amendment. There was a Ministry of the Environment, Conservation and Parks (MECP) Guideline D-4 Study completed for the Abbotts development. No further study is needed with respect to this former landfill site.

Appendix A to the County OP also identifies a portion of the lands within the 'Intake Protection Zones 1 & 3'. Section 8.11.2(1)(a) of the County Plan states;

"Intake protection zones (IPZ's) are areas of land and water, where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes."

These IPZ areas are typically concerned with commercial/industrial operations and the storage of fuel. In this case, there is no proposed commercial/industrial operation on the Open Space lands. County staff have no concerns.

County Planning staff have no further concerns with the above-noted zoning by-law amendment.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please contact me.

Yours truly,



Scott Taylor, MCIP, RPP Director of Planning

Page 3 September 30th, 2022

519-372-0219 ext. 1238 scott.taylor@grey.ca www.grey.ca From: Kyra Dunlop

To:

Cc: council; Town Clerk; SMT; Travis Sandberg; Planning Dept

Subject: FW: Providing comments - public meeting - oct 3 **Date:** September 27, 2022 11:01:35 AM

Attachments: <u>image002.png</u>

image003.png image001.png image004.png image005.png

Good morning,

I acknowledge receipt of your comments regarding the October 3, 2022 Council Public Meeting Re: Abbotts Open Space and confirm that I have forwarded the same to Council for their information and consideration. Your comments will summarized and read aloud by the Clerk and be attached to a followup staff report regarding this matter.



Kyra Dunlop

Deputy Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON NOH 2PO

Tel: 519-599-3131 ext. 306 | Fax: 519-599-7723

Email: kdunlop@thebluemountains.ca | Website: www.thebluemountains.ca

As part of providing <u>accessible customer service</u>, please let me know if you have any accommodation needs or require communication supports or alternate formats.

From: Jessica Blackman

Sent: Tuesday, September 27, 2022 10:50 AM **To:** Corrina Giles <cgiles@thebluemountains.ca> **Cc:** Kyra Dunlop <kdunlop@thebluemountains.ca>

Subject: Re: Providing comments - public meeting - oct 3

Hi Corrina,

Can you please provide the comments below to the council? I'm worried about being tied up with the specialist appointments and not getting a chance to speak / join.

Thanks,

Jess

Dear Council Members,

We have moved to the area as full time residents and are surprised to see additional negative impacts to the greenspace in our area being put forward so hastily. Please postpone the application

until we have all of the information available to make an informed and responsible decision.

As parents of 3 young children, including one who suffers from serious respiratory issues, we are very concerned about the Rezoning of the unopened road allowance directly adjacent to our property.

The previous plan, which protected the vegetation on the road allowance and pushed the road a little further south, was a balanced approach between development and the environmental concerns that come along with such endeavours. As you know, construction and development can create a great deal of negative environmental impacts and can cause a lot of health problems for those who live nearby. Removing more trees and vegetation will only make this worse, especially for those who already suffer from respiratory issues.

As stewards of our local environment, I ask you to consider the impacts of shrinking the protected area on the health and well being of existing and future residents. We need the road allowance to remain a tree buffer to mitigate the negative effects of development, including air pollution as a result of construction, in order to protect those that are living here.

There has been insufficient detail provided that is essential to make an informed decision. I would request that the application be postponed until the following details can be provided:

- -Size and location, including a survey, of the Open Space zone (is the size sufficiently large? Is there enough buffering for all of the neighbours on Lakeshore Drive?)
- -The number of trees that will be preserved vs. cut down
- -What vegetation is planned to augment / replace existing trees?
- -How will the trees that border this area be protected?
- -Who will maintain the Open Space?
- -Is an environmental study required? I would hope that this would be included.
- -How will drainage be impacted, especially with so many trees being cut down? This is a particular worry for all residents on Lakeshore Drive as we are in a high flood risk zone to begin with and already pay premium insurance because of the risks.

It seems that this application is being rushed through before the upcoming election without sufficient information or due diligence.

Additionally, I am aware of a conflict of interest with the existing unelected Councillor Bill Abbots having direct relation to Tammy Abbotts, who stands to benefit from this application. The Councillor should be required to recuse himself from voting on this application. To participate would be in violation of the Municipal Conflict of Interest Act.

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Sincerely,

Jessica Blackman

On Mon, Sep 26, 2022 at 10:10 AM Corrina Giles < cgiles@thebluemountains.ca > wrote:

Good morning Jessica,

Thank you for your email. We will include you on the list of virtual speakers. Yes, if the timing does not work for you, you are welcomed to provide your comments in writing.

Kind regards,



Corrina Giles, CMO

Town Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON NOH 2PO

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723 Email: cgiles@thebluemountains.ca | Website:

www.thebluemountains.ca

From: Jessica Blackman

Sent: September 26, 2022 12:08 AM

To: Corrina Giles < cgiles@thebluemountains.ca > **Cc:** Kyra Dunlop < kdunlop@thebluemountains.ca >

Subject: Re: Providing comments - public meeting - oct 3

Hi Corrina,

Thanks so much for getting back to me.

I have to be away that day for a specialist apt., so I will have to join virtually.

If the timing doesn't work out, is it possible to also submit written comments? Is there a form for this, or is a letter ok?

Thanks,

Jess

On Sun, Sep 25, 2022 at 7:29 PM Corrina Giles < cgiles@thebluemountains.ca > wrote:

Hi Jessica,

Thank you for your email. Do you wish to provide your comments in person or virtually? There is no requirement to register to provide your comments in person. If you wish to provide your comments virtually, we will include your name on the list of speakers, and will forward the link to you closer to the Public Meeting date.

Please let us know if you have any questions regarding the above.

Kind regards,



Corrina Giles, CMO

Town Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310,

Thornbury, ON NOH 2PO

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723 Email: cgiles@thebluemountains.ca | Website:

www.thebluemountains.ca

From: Jessica Blackman <

Sent: September 25, 2022 5:03 PM

To: Corrina Giles < cgiles@thebluemountains.ca > **Subject:** Providing comments - public meeting - oct 3

Hi there,

I would like to register to provide comments at the upcoming public meeting on Oct 3.

Best regards,

Jessica Blackman

From: Corrina Giles

To:

Cc: council; Adam Smith; Ruth Prince; Ryan R. Gibbons; Sarah Traynor; Shawn Carey; Shawn Everitt; Tim Hendry;

Will Thomson; Karen Long; Kyra Dunlop; planning@grey.ca; Shawn Postma; Travis Sandberg

Subject: RE: Abbots subdivision

Date: September 25, 2022 7:54:33 PM

Attachments: image001.png image003.png

Hello Mr. and Mrs. Stratton,

I acknowledge receipt of your comments as it relates to the <u>October 3, 2022 Public Meeting</u> and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the Public Meeting and attached to a followup staff report regarding this matter.

Kind regards,



Corrina Giles, CMO

Town Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON NOH 2PO

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

As part of providing <u>accessible customer service</u>, please let me know if you have any accommodation needs or require communication supports or alternate formats.

----Original Message----

From: Bill And Carol Stratton

Sent: September 24, 2022 4:04 PM

To: Corrina Giles <cgiles@thebluemountains.ca>

Subject: Abbots subdivision

I feel it's prudent that nothing be discussed until the new council has been elected! We are neighbours who will be impacted by these decisions.

Carol and Bill Stratton

Sent from my iPad

Dear Town Clerk,

Cathy Howell, Helmut Hock

Thornbury, Ontario N0H 2P0

Town of The Blue Mountains
32 Mill Street,
P.O. Box 310 Thornbury, Ontario NOH 2P0

RE: Application for Zoning By-Law Amendment: Bay Street West and Victoria Street North Road Allowances

As residents of Lakeshore Drive in Thornbury we object that the application to rezone a portion of the Bay Street West and Victoria Street North Road Allowances from R1-1 zone to Open Space zone is proceeding. It is premature for the Town to consider this application for several reasons:

- 1. With the election for Town Council only three weeks away and with only one Councillor seeking reelection, it is improper for the "lame duck" Council to decide on this matter.
- 2. Councillor Bill Abbotts, who is related to Tammy Abbotts (this application is because of the Abbotts Subdivision development) should recuse himself.
- 3. The Town has no policy or Planning Guide regarding Open Spaces and should not proceed before establishing a policy/planning guide.
- 4. The Application is incomplete. There is NO information provided in the Application regarding:
 - a. Actual size of the proposed land for rezoning is unknown.
 - b. How many trees will be preserved/cut down? What will replace them?
 - c. Have the border trees been marked and how will they be protected?
 - d. Is an environmental study required, has on been done?
 - e. How will this impact drainage for the properties located to the north of this area?
- 5. Who will maintain the open space?

Rushing this application through by the current Council for the reasons noted above is inappropriate. This Application should be deferred.

Should the Town decide to take the unethical move to proceed, at minimum the Town should ensure no trees are cut down on the unopened road allowances (Victoria St.and Bay St.) until the Site Development Plan is fully approved and the required permits are issued.

Respectfully

Cathy Howell, Helmut Hock

From: Corrina Giles

To:

Cc: council; Adam Smith; Ruth Prince; Ryan R. Gibbons; Sarah Traynor; Shawn Carey; Shawn Everitt; Tim Hendry;

Will Thomson; planning@grey.ca; Karen Long; Shawn Postma; Travis Sandberg

Subject: RE: Application to rezone a portion of the Bay Street W Road allowance from the R1-1 zone to the Open Space

(OS) zone prior to the municipal election.

Date: September 25, 2022 8:00:04 PM

Attachments: image001.png image003.png

Hello Mr. and Mrs. Turnbull,

I acknowledge receipt of your comments as it relates to the <u>October 3, 2022 Public Meeting</u> and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the Public Meeting and attached to a followup staff report regarding this matter.

Kind regards,



Corrina Giles, CMO

Town Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON NOH 2PO

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

From: david.turnbull@gmail.com <

Sent: September 23, 2022 5:04 PM

To: Corrina Giles <cgiles@thebluemountains.ca>

Subject: Re: Application to rezone a portion of the Bay Street W Road allowance from the R1-1 zone to the Open Space (OS) zone prior to the municipal election.

Town Clerk Corrina Giles <u>cgiles@thebluemountains.ca</u>

Dear Ms. Giles,

Re: Application to rezone a portion of the Bay Street W Road allowance from the R1-1 zone to the Open Space (OS) zone <u>prior</u> to the municipal election.

As a residents of the Harbour West community, my wife and I want to register our objections to the proposed passage of an application to rezone a portion of the Bay Street W Road allowance from the R1-1 zone to the Open Space (OS) zone <u>prior</u> to the municipal election.

Our reason for this is that the **OLT and Divisional Court proceedings are still pending** to decide the future of the Abbotts Subdivision application, therefore, since the current Town Council members will be replaced next month, the new council should have the opportunity to consider the courts decisions

before proceeding with this matter.

Town Council (all but one of whom are not standing for re-election) has no legitimacy to process this rezoning application in this 'lame duck' period immediately before the elections.

Additionally, the <u>unelected</u> Councillor Bill Abbotts is a relation to Tammy Abbotts, and **should be** required to recuse himself from voting on this ZBA.

We request that this application be postponed until the following details can be provided:

- o Size and location, including a survey, of the Open Space zone. Is the size sufficiently large? Is there enough buffering for all the neighbours on Lakeshore Drive?
- o How many trees will be preserved/cut down?
- What vegetation is planned to augment/replace the existing trees?
- o How will border trees will be protected?
- o Who will maintain this Open Space?
- o Is an environmental study required?
- o How will this impact drainage, especially when the trees are cut down?
- · A further reason for deferral of this application is:

The Town has NO policy or Planning Guide regarding Open Spaces. Such a policy or guide needs to be developed. It is customary for Towns and Cities to have such Planning Guides.

Finally, if despite our objections, Council decides to proceed anyway, we should request that the Town prevent any trees on the unopened road allowances (Victoria St. and Bay St.) from being cut down until the Site Development Plan is fully approved, and until the necessary Building Permits are issued.

Respectfully submitted,

Cecile and David Turnbull

From: Corrina Giles

To:

Karen Long; Adam Smith; Shawn Postma; planning@grey.ca; Kyra Dunlop; Krista Royal; Travis Sandberg Cc:

Subject: FW: Abbotts Subdivision Public Meeting Date: September 25, 2022 7:36:09 PM

Attachments: image001.png

image003.png

Hello Peter,

Thank you for your email. There is no requirement to register to provide your comments in person. If you change your mind and wish to appear virtually, please let us know and we will include your name on the list of speakers and will forward the link to join the Public Meeting.

By way of copy, I am requesting that the Planning Department include your name on the list of those wishing to receive the Council decision in this matter.

Please let us know if you have any questions regarding the above.

Kind regards,



Corrina Giles, CMO

Town Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON

NOH 2PO

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

From: Peter Samson

Sent: September 25, 2022 11:27 AM

To: Corrina Giles <cgiles@thebluemountains.ca>; Town Clerk <townclerk@thebluemountains.ca>

Subject: Abbotts Subdivision Public Meeting

in Thornbury. I would like to register to speak in My name is Peter Samson, I live at person at the Public Meeting regarding the Abbotts Subdivision rezoning on October 3rd. I would also like to be informed of any future decision by Council on this matter. Thank you.

Pete



From: To: Cc: Subject:

ons; Sarah Traynor; Shawn Carey; Shawn Everitt; Tim Hendry; Will Thomson; Karen Long; planning@grey.ca; Shawn Postma; Travis Sandberg; Kyra Dunlop; Krista Royal

RE: Written comments for meeting Oct 3rd. September 27, 2022 1:01:38 PM

Good afternoon Mr. Temple.

I acknowledge receipt of your comments in response to the October 3 Public Meeting Notice and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the October 3 Public Meeting and attached to a followup staff report regarding this matter.

Kind regards,



Corrina Giles, CMO

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON NOH 2P0 Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723 Email: cgiles@thebluemountains ca | Website: www.thebluemountains.ca

formats.

As part of providing accessible customer service, please let me know if you have any accommodation needs or require communication supports or alternate

----Original Message----

From: Trevor Temple Sent: September 27, 2022 10:58 AM

To: Corrina Giles <cgiles@thebluemountains.ca> Subject: Written comments for meeting Oct 3rd.

Town Council Members,

My name is Trevor Temple and for the last 18 years I reside at

I am totally against the application for rezoning of Bay St West and Victoria St., at this time.

I do not feel as a resident that we have received enough information and the city has not done enough research into the area in question.

When I checked, the Town has no policy regarding Open Spaces, so how can the city change the zoning at this time.

My main concerns are what amount of tres will be cut down, will new trees be replanted, or will the area bee completely striped of trees, etc.

It is very damp in those woods. In any case, without the mature trees, or with new trees planted a comprehensive Drainage plan needs to be engineered by a third party first, for all to see what is involved, the costs of the project and who will be responsible to make sure the drainage plan is completed to spec.

All this should be undertaken before any zoning or further movement is proceeded on this property.

Thank you.

Trevor Temple

From: Corrina Giles

To:

Cc: council; Adam Smith; Ruth Prince; Ryan R. Gibbons; Sarah Traynor; Shawn Carey; Shawn Everitt; Tim Hendry;

Will Thomson; Karen Long; Krista Royal; Kyra Dunlop; planning@grey.ca; Shawn Postma; Travis Sandberg

Subject: RE: Rezoning Bay Street West

Date: September 27, 2022 12:59:39 PM

Attachments: <u>image001.png</u> image002.png

Good afternoon Mr. and Mrs. Chesworth,

I acknowledge receipt of your comments in response to the October 3 Public Meeting Notice and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the October 3 Public Meeting and attached to a followup staff report regarding this matter.

Kind regards,



Corrina Giles, CMO

Town Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON NOH 2PO

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

As part of providing <u>accessible customer service</u>, please let me know if you have any accommodation needs or require communication supports or alternate formats.

----Original Message-----

From: Alan & Wendy Chesworth

Sent: September 27, 2022 12:22 PM

To: Corrina Giles <cgiles@thebluemountains.ca>

Subject: Rezoning Bay Street West

The Town Clark,

As residents of Lakeshore Drive for 22 years, we have reviewed the rezoning application and strongly urge the council to defer a decision until all of the facts have been considered. Namely:- that the size and location of the Open Space be of sufficient size to provide an

adequate buffer to all of the neighbours on Lakeshore Drive.

To ascertain how many trees will be preserved and how many cut down.

To establish how the bordering trees will be protected and who will maintain the Open Space. Finally, to ensure that the removal of a number of trees will not impact on drainage.

Given the complexities of these issues, we would consider it prudent for the decision to be deferred for consideration by the new council after the Fall elections.

Yours sincerely
Alan and Wendy Chesworth

Thornbury

Sent from my iPad

From: <u>Corrina Giles</u>

То:

Sandberg; Shawn Postma; planning@grey.ca

council; SMT; Karen Long; Kyra Dunlop; Travis

<u>Sandberg, Snawn Fostina, pianningwyrey.u</u>

Subject: RE: Application to rezone a portion of the Bay Street W Road allowance from the R1-1 zone to the Open Space

(OS) zone

Date: September 26, 2022 10:26:41 AM

Attachments: image001.png

image003.png

Good morning Mr. Blackman,

I acknowledge receipt of your comments in response to the October 3 Public Meeting Notice, and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the October 3 Public Meeting and attached to a followup staff report regarding this matter.

Kind regards,



Corrina Giles, CMO

Town Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON NOH 2PO

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

From: Blackman, Mark <

Sent: September 26, 2022 9:43 AM

To: Corrina Giles <cgiles@thebluemountains.ca>

Cc: Jessica Wise Blackman (

Subject: Application to rezone a portion of the Bay Street W Road allowance from the R1-1 zone to the Open Space (OS) zone

Hello,

Can you please submit the following written comments in advance of the applicable Town Council meeting on October 3rd.

We recently moved to with our 3 young kids (9,7,4) - We were surprised to learn that our back yard might be more affected by the proposed development than we anticipated.

We love our greenspace, and are ok with development, but I believe there must be a suitable buffer. It appears that not enough diligence has been performed in advance.

I'm also getting updated on the local residents group advocacy. They have encouraged me to send the below, to which we support.

We believe it is premature for the Town to consider approval of this application for the reason that it is incomplete. There is insufficient detail on which to form an opinion or make a decision. We request that this application be postponed until the following details can be provided:

- Size and location, including a survey, of the Open Space zone. Is the size sufficiently large? Is there enough buffering for all the neighbours on Lakeshore Drive?
- How many trees will be preserved/cut down?
- What vegetation is planned to augment/replace the existing trees?
- How will border trees will be protected?
- Who will maintain this Open Space?
- Is an environmental study required?
- How will this impact drainage, especially when the trees are cut down?

A further reason for deferral of this application is that Town Council (all but one of whom are not standing for re-election) has no legitimacy to process this rezoning application in this 'lame duck' period immediately before the elections.

• Additionally, the unelected Councillor Bill Abbotts is a relation to Tammy Abbotts, and should be required to recuse himself from voting on this ZBA.

Finally, if despite our objections, Council decides to proceed anyway, we should request that the Town prevent any trees on the unopened road allowances (Victoria St. and Bay St.) from being cut down until the Site Development Plan is fully approved, and until the necessary Building Permits are issued.

Thank you for your consideration. Mark

Mark Blackman, CFA, CFP | Senior Portfolio Manager & Financial Planner | Blackman Wealth Management Group | RBC Wealth Management | **RBC Dominion Securities Inc.** | 181 Bay Street, Suite 2200, Toronto, ON M5J2T3 | Transit: 90421 | T: 416-842-6394 | F: 416-842-7282

Carrie Zhang, Associate Advisor | T: 416-842-3917 | carrie.z.zhang@rbc.com

Hayden Jones, Associate | T: 416-842-1039 | hayden.jones@rbc.com www.blackmanwealth.ca

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