



March 2, 2022

Kayla DeLeye  
Planning Division  
66 Grand River St. N.,  
Paris, Ontario N3L 2M2

Re: PS2-20-RC / ZBA33-20-RC

Dear Kayla,

Thank you for providing notification on the above application.

Six Nations of the Grand River Territory is within the most highly urbanized land in Canada. Development has occurred on Six Nations' traditional territory without consultation or consent of our Nation. The cumulative effects of this intense development has contributed to significant environmental degradation and, as a result, Six Nations has experienced severe impacts on our ability to exercise our Aboriginal and Treaty Rights that are not only set out in the treaties themselves, but are also recognized and affirmed in Section 35 of the *Constitution Act*, 1982.

Six Nations is concerned about any development relating to air, land, water and resources which occur throughout our treaty territory and any archeological issues associated with such development(s).

Also, when there is clear destruction of the natural environment, we require proponents to have an environmental enhancement plan. For instance, for every tree that is cut down, we require that ten more be planted as an environmental enhancement.

We object to the proposed zoning By-law amendment for this property. It is our position that the property's natural heritage features should be maintained and its natural heritage zoning designation remain in place.

A major concern is the proposed removal of the wetland. It is important to note that the purported size of the wetland (0.47 ha) is only 0.03 ha short of being disqualified for removal per GRCA 8.4.4. According, we ask that an independent environmental study be undertaken this spring to measure the size of the wetland to see if it is indeed just below the requirement.

In theory, a wetland less than 0.5 is required to be retained if it is "(c) part of a Provincially or municipally designated natural heritage feature" or "(g) confirmed habitat for a Provincially or regionally significant species as determined by the Ministry of Natural Resources and Forestry or as determined by the municipality". I understand GRCA/Brant County are willing to remove their designation, but there is potential for SAR bat habitat on the property and a survey has yet to be conducted. We request that this survey be completed before the county considers a zoning change.

There is one Butternut confirmed on the property which was subjected to a field test, determining the tree to be a hybrid. A Laboratory genetic test should be performed prior to any zoning change to determine the accuracy of the field testing.

We understand that the regionally-rare Sago Pondweed will be removed and relocated. Please let us know what percentage of these plants are expected to survive transplanting.

With respect to the Monarch butterfly observed, and the declaration that the property's habitat for it is not significant, we would like to know what the threshold for significance is.

With respect to the SAR Barn Swallow observed, the proponent's EIS claims "Suitable foraging habitat, including open and semi-open habitats, is present within the subject [property] and this habitat type is considered to have a high tolerance to alteration. The surrounding landscape also provides alternative foraging habitat for this species."

How high is this habitat's tolerance to alteration? Can it thrive under asphalt, concrete or steel? According to the site plan, the habitat looks like it will be completely wiped out instead of merely degraded.

Further, an ethical EIS would concede that the surrounding landscape will not be able to provide alternate habitat going forward: (a) the farmland to the west of the subject property is expected to be developed by this proponent during a "phase 2"; (b) the farmland to the north of the property is expected to become a subdivision (Google Maps already has the new street names inserted); (c) Highway 403 is the dominant feature to the south of the property; (d) From the pre-consultation application for 989 Rest Acres Rd., I understand the land to the east of the property is slated for commercial and residential development.

As a result, there will be no alternate habitat left on surrounding properties, contrary to what is stated in the EIS. Again, we ask that the property's natural heritage zoning be maintained.

Lastly, we bring your attention to the following passage from the EIS:

Protection of the wetland feature within the subject property was considered during the development planning process. If the wetland feature was retained and the remainder of the subject property was developed, this feature would become even more isolated and heavily impacted by anthropogenic activities than it already is, even if a development setback was applied. The proposed compensation habitat will be significantly larger in size than the existing wetland, be located in a more suitable area relative to the proposed development and capable of providing suitable habitat for additional species.

While we prefer that the subject property not be developed at all, we think a compromise can be reached with the proponent based on the above passage.

While adjacency to Powerline Road is not an ideal location for a wetland, it is far superior to the location where the proponent proposes building a new wetland, which is next to Highway 403 and an onramp. Though the latter location is closer to other natural areas, elevated traffic prevents safe connectivity. And at the end of the day, it is much better not to disturb the existing wetland or the species living in and nearby it.

The Haudenosaunee have been environmental stewards of this land for thousands of years. While we appreciate that the proponent believes it is better to destroy and rebuild the wetland for ecological reasons, we ask the proponent to accept our environmental expertise and agree to keep the wetland in its present location.

As always, we request that any trees removed be replaced at a 10-1 ratio.

Sincerely,

Peter Graham  
Land Use Officer  
Six Nations of the Grand River

## DEVELOPMENT SERVICES DEPARTMENT REPORT

TO: Kayla DeLeye, Senior Planner  
FROM: Neil Miles, Development Technologist  
DATE: April 12, 2022  
RE: **PS2-20-RC – 3<sup>rd</sup> Planning Submission for Telephone City Aggregates/Panattoni (Industrial Subdivision)**  
**61 Bethel Road, Concession 2, Lots 11 & 12, 2R-1063**

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### COMMENTS:

- It is acknowledged that the provided Draft Plan (revision 2, February 11, 2022) features conceptual building envelopes and driveway configurations which are subject to change in the future detailed design phase. At that time, future detail will be required to ensure conformance with zoning requirements. As a result, County comments are expected to change to reflect future details.
- The recent Draft Plan proposal features the northern leg of Street 'A' straddling the northern property line on the adjacent lands. The splitting of road allowance onto the abutting property to the north needs further detail as it is partially constructed onto private property. The portion of road allowance on the subject lands should be a full 13 meters since a 26-meter road allowance is to be constructed. The design (straddling roadway on two separate properties) is presumptive and has created issues within the County previously.
- The most recent Draft Plan now features additional entrances proposed onto both Bethel and Pottruff Roads. As indicated previously, these additional entrances are not supported by County Staff and should instead be kept internally (onto Street 'A').
- The road alignment is encouraged to promote perpendicular connections at the intersections of Street "A" at Bethel and Pottruff Road.
- Road widening across the entire Bethel Road and Pottruff Road frontages, daylight triangles and 0.3 metre Reserves will be required, to the satisfaction of the County and stated in the Draft Plan Conditions. This will be addressed as Blocks within the Plan of Subdivision's M-Plan. Additional lands may be required to facilitate increased traffic movements as a result of development and will be further outlined by future iterations of the Traffic Impact Study.
- Daylight triangles will be adequately sized as per Geometric Design Standards (TAC) and outlined in the Draft Plan Conditions for the Subdivision and to the satisfaction of the County. The revised Draft Plan has yet to include a daylighting triangle at the Street A and Pottruff Road intersection. Justification needs to be provided for the current sizing of the daylighting triangles to confirm that current TAC standards have been followed.

### Servicing:

- The current watermain (shown on abutting property to the north) is not acceptable given the preliminary status of the development.
- This proposal is ultimately dependant upon the servicing alternatives set forth by the Paris Master Servicing Plan of which the Applicant's Engineer has reviewed and confirmed the servicing concept design is generally based upon. Through correspondence with the County's Operations Division, the Applicant's Engineer has relocated the Sanitary Pumping Station to be internal to the site along Street "A." Also, the proposed sanitary alignment noted as Option 3 has been indicated to be the preferred alignment, although the portion of alignment traversing the OPP lands needs to be confirmed (as shown on Figure 5 within the Preliminary Servicing Report).

- Currently there are no municipal services located along the frontage of Bethel Road and Pottruff Road to service the subject lands and as such extension of said services will be required by the Applicant, to the satisfaction of the County.
- Confirmation of municipal servicing capacity (i.e. water and wastewater) for the subject lands has yet to be determined. Capacity of water and wastewater required to service the development will be determined by updates to the County's Water and Wastewater Models.
- A cross sectional detail for the Street 'A' road crossing at the open drainage channel indicates potential issues of cover. Throughout future detailed design, adequate protection of the infrastructure will be addressed as the culvert sizing has yet to be determined.
- In order to support the elevation design of the sanitary stub to abutting lands (northerly) a full topographic survey needs to be conducted to confirm design invert elevation is adequate.

### **Stormwater Management:**

- Consideration by the County will be given to the required size of Block 4 (SWM Pond), Blocks 1 and 2 (SWM Channel), which may result in an amendment to the Draft Plan. Throughout the detailed design stage, further detail is required to determine proper turning radii of the maintenance access path near the SWM Pond. Further detail and justification will be expected through a detailed Engineering submission to ensure outstanding SWM design specifications are confirmed at detailed design stage (i.e. further detail on pond sidewall slopes, acceptably-sized decanting area, outlet to bioswale being in close proximity to pond by-pass inlet, landscape buffer being located within the pond and across the pond access entrance).
- Further works and design supporting the subject land's Legal Storm Outlet will be required to be completed by the Applicant, to the satisfaction of the County and addressed through the Draft Plan Conditions.
- Through a revised submission of Engineering drawings and associated reports for the Subdivision, the sizing of the stormwater blocks will be identified, granted and conveyed/dedicated by the Owner/Developer to the County of Brant at no cost to the County and free from all encumbrances and outlined in the Draft Plan Conditions for the Subdivision.
- No provision for any form of storm outlet appears to be made for the lands to the north (i.e. no STM stub to the north on Street 'A' as the report claims the lands do not drain this way currently). Has a formal topographic survey of the adjacent and subject lands been conducted to confirm this? The current assertion seems to contradict the Paris Master Servicing Plan. This might force the developer to the north to be in a difficult legal outlet situation as there may be need for an emergency overland flow route from the northern lands along Street 'A.'. Also, the proposed elevation of the northern-most portion of the Street 'A' alignment is set to be constructed +/- 4.0 - 5.0 meters above the existing grade.
- SWM Pond access onto Pottruff Road needs to be gated and controlled by the County.
- Further engineering related comments will be provided for the Recommendation Report for the Plan of Subdivision Application (PS2/20/RC) and Zoning By-law Amendment (ZBA33/20/RC).

### **BACKGROUND:**

- Please note the subject lands are undergoing a related Rezoning Application (ZBA33-20-RC) in conjunction with the Subdivision Application (Telephone City Aggregates Subdivision PS2-20-RC).

## REPORT:

- Further engineering related comments, will be provided to future Engineering Submissions of the related and active Subdivision application (PS2-20-RC – Telephone City Aggregates Subdivision) which relates to the industrial development of the subject lands.
- The speed limit on Bethel Road fronting the subject lands is 60 km/hr. Reconstruction of Bethel and Pottruff Roads will be required as part of the servicing of the Development which will be to the satisfaction of the County. The Paris Master Servicing Plan may also outline further road improvements, therefore the proposed Street 'A' connections are required to maintain minimum sightline distances as per the TAC Design standards for "Sight Distance for Turning Movements from Stop."

## FINANCIAL CONSIDERATIONS:

- To be in conformity with the Paris Master Servicing Plan and considered with the Draft Plan Conditions for Plan of Subdivision Application (PS2/20/RC) and further detailed Engineering Submissions.

Respectfully Submitted,

*Neil Miles*

Neil Miles, C.E.T.  
Development Technologist

NM/nm

cc: file  
D. Lyons, Supervisor of Development Engineering  
D. Cunningham, Director of Development Engineering



P.O. Box 160  
26 Park Avenue  
Burford, ON N0E 1A0  
Phone: (519) 449-2451  
Fax: (519) 449-2454

5/12/2022

To: Ryan Cummins, Planner  
County of Brant, Development Services Department, Planning Division

**Re: Clean Water Act, 2006 – Source Protection Review – Rest Acres Road/Highway 24 & Bethel Road**

The Clean Water Act, 2006, was brought into effect “to protect existing and future sources of drinking water” for the province of Ontario. This is accomplished through the creation of Source Protection Plans that identify threats to drinking water sources and set out policies to help minimize and mitigate the risks associated with those threats.

The following property is located within the Lake Erie Source Protection Region and is governed by the policies of the Grand River Source Protection Plan that was approved on November 26, 2015, came into effect on July 1, 2016, and was updated February 15, 2022.

Property: Rest Acres Road/Highway 24 & Bethel Road  
County of Brant, ON  
**Assessment Roll Number: 292000401014500**

The property is located within a Wellhead Protection Area Q (WHPA-Q; Water Quantity) with associated stress of Significant for the Bethel Drinking Water System.

The property has been reviewed by the Risk Management Office and this letter serves to inform the County of Brant that policy BC-MC-14.1 under the Grand River Source Protection Plan has been addressed. Please note the following:

1. The property is undeveloped. Development of any kind will constitute an activity that has the potential to reduce the recharge of an aquifer (threat 20) within an identified WHPA-Q.
2. The Updated Hydrogeological Assessment Rest Acres Road Industrial Park Brant County, Ontario prepared by Harden Environmental Services Limited, dated April 28, 2022 includes a detailed annual water balance and summarizes infiltration changes from pre- to post-development.
3. Pre-development recharge will be maintained via soak-away-pits, a grassy swale conveyance channel, and a bio-retention infiltration area. **At the detailed design stage, site plans outlining the location and details of these features must be provided to the Risk Management Office for review.**
4. The Site is not located within the proposed sodium ICA for the Bethel wells, however, it is recommended that Best Management Practices for protecting water quality continue to be incorporated into the Stormwater Management plans for the Site. For example, the Preliminary Stormwater Management Report prepared by Meritech Engineering dated January 2022, and the Updated Hydrogeological Assessment prepared by Harden

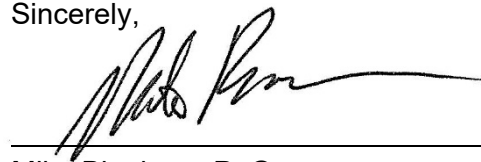
Environmental Services Limited, dated April 28, 2022 states that only water from rooftops will be infiltrated in the soak-away-pits.

If you would like to discuss the Source Protection Plan or the details of this letter, please contact our offices for clarification and assistance:

Risk Management Office  
Development Services Department, Planning Division  
66 Grand River St. N., Paris, Ontario, N3L 2M2  
Phone: 519-442-6324 ext-3051  
Email: [sourcewater@brant.ca](mailto:sourcewater@brant.ca)

Information on the Source Protection Program, including the science, policy and consultation processes, are available on the Lake Erie Source Protection Region website [www.sourcewater.ca](http://www.sourcewater.ca).

Sincerely,



Mike Bingham, P. Geo.  
Risk Management Official  
Senior Project Manager



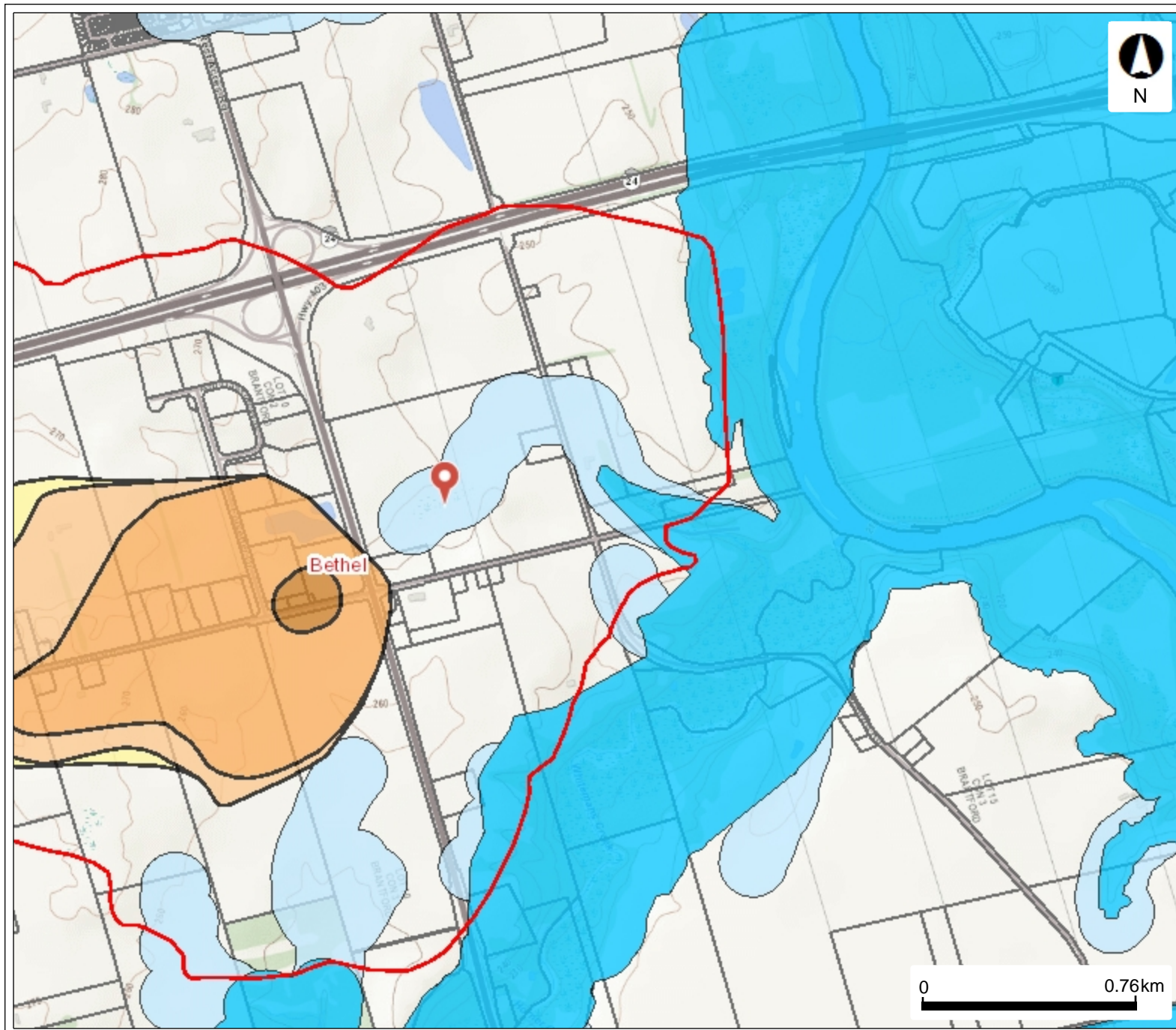
Rachael Doyle  
Source Protection Technologist

*Encl: Source Protection Map*

P:\4400 to 4499\4479-001 Brant - Risk Mgmt Officer Ins Serv\Lndwnr Cntct Dtbs\292000401014500 - Rest Acres Rd Lot 11 Conc 2 (61 Bethel Rd)\Industrial Subdivision\2022\2022-05-12 Source Protection Review\_Rest Acres\_LTR.docx



# Rest Acres/Hwy 24 & Bethel Road



## Legend

- Wellhead Protection Area Q1
- Wellhead Protection Area
  - A
  - B
  - C
  - C1
  - D
  - F
- Intake Protection Zone 1
- Intake Protection Zone 2
- Intake Protection Zone 3
- Assessment Parcel with Address

This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Environment, Conservation and Parks (MECP) shall not be liable in any way for the use or any information on this map. of, or reliance upon, this map.

## County of Brant Operations

**DATE:** March 28, 2022  
**TO:** Kayla DeLeye, Senior Planner  
Ryan Cummins, Planner  
**FROM:** Operations Division  
Mark Maxwell  
**CC:** Development Engineering Division  
**RE:** **PS2-20-RC, ZBA33-20 Panatoni (TCA), Rest Acres Road, Paris  
Zoning By-Law Amendment and Plan of Subdivision Application**

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Operations staff have reviewed the above noted development applications and have the following comments:

### Wastewater

- The location and dimension for the proposed sanitary pumping station property appear to be satisfactory. The location of an access to the pumping station will need to be confirmed.
- More detailed information regarding anticipated sanitary flows will be required to properly size the wet well and pump equipment. The estimates that have been used in the Servicing Report may result in an oversized facility and significant operational issues if the industries that are developed on the subject lands are low water users.
- As the pumping station will also need to service lands to the north of the subject property, a more detailed topographic survey of the lands will be required to confirm the accuracy of the contours that have been used to date.
- The pumping station, sewers and forcemain will be funded as detailed in the Development Charges Update Study, September 24, 2021 (Figure 4-4, Project Number 19-154), which includes direct contributions from benefitting developments.
- The preferred sanitary sewer alignment between Bethel Road and Street A is Option 3 described in the Servicing Report.
- Detailed design and construction of the pumping station will be completed by the County of Brant. Detailed design and construction of the sanitary sewer and forcemain required on Bethel Road will also be completed by the County of Brant.
- All wastewater effluent must comply with the County's Sewer Use By-Law.

### Water

- An upsized transmission watermain will be required through the subject development lands, per the Paris Master Servicing Plan.
- Detailed design and construction of the watermain on Bethel Road will be completed by the County of Brant.
- The subject lands will be within a new pressure zone within the Paris water system. This will require the installation of pressure reduction equipment at the interface between pressure zones, to be completed by the County of Brant.
- The requested fire flows cannot currently be provided by the Paris water system. Currently, a fire flow of 56.8L/s for a 2-hour duration can be provided. The County is currently working on a project that will increase fire flows to south Paris. Fire flows to the subject lands will increase once the Highway 403/Pottruff Road watermain crossing is installed.

### Roads

- Road improvements will be required along Bethel Road and Pottruff Road. Detailed design and construction may be completed by the County of Brant. Road improvements will be funded following the Development Charges Update Study, September 24, 2021 (Appendix D, Local Service Policy).
- Road widenings on Bethel Road and Pottruff Road will be required to complete the necessary road improvements.
- A Traffic Impact Study is being completed by the County of Brant that considers all proposed developments within the vicinity of the Rest Acres Road corridor. Traffic data and projections from the TIS prepared for the subject property will be used to inform the County's TIS.
- As previously noted, all entrances are to be internal to the development from Street A. Several of the private entrances onto Bethel Road and Pottruff Road shown on the latest plan would not meet the County's Entrance Guidelines.

### Stormwater

- All stormwater management works are to be completed by the developer.

### General

- The water, wastewater and road upgrades and studies noted above will be funded by development charges and by direct contributions from affected developers. The applicant will be required to enter into a cost sharing agreement for their contribution towards these projects and a contribution to the County TIS.
- With the exception of the sanitary pumping station, all works internal to the development will be completed by the developer.

Please feel free to contact the undersigned with any questions.

Regards,



Mark Maxwell  
Project Engineer

**From:** [circulations@wsp.com](mailto:circulations@wsp.com)  
**To:** [Alyssa Seitz](#)  
**Subject:** ZBLA (ZBA33-20-RC) & Draft Plan of Subdivision (PS2-20-RC), North of Bethel Rd. & East of Rest Acres Rd.,  
County of Brant.  
**Date:** Wednesday, March 2, 2022 7:00:40 AM

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**2022-03-02**

**Alyssa Seitz**

**Brant**

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Attention: Alyssa Seitz

Re: ZBLA (ZBA33-20-RC) & Draft Plan of Subdivision (PS2-20-RC), North of Bethel Rd. & East of Rest Acres Rd., County of Brant.; Your File No. ZBA33-20-RC,PS2-20-RC

Our File No. 92761

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The Owner is advised to contact Bell Canada at [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

Please note that WSP operates Bell's development tracking system, which includes the intake of municipal circulations. WSP is mandated to notify Bell when a municipal request for comments or for information, such as a request for clearance, has been received. All responses to these municipal circulations are generated by Bell, but submitted by WSP on Bell's behalf. WSP is not responsible for Bell's responses and for any of the content herein.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca)

Should you have any questions, please contact the undersigned.

Yours truly,

Ryan Courville  
Manager - Planning and Development  
Network Provisioning  
Email: [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca)

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Formerly Energy+ Inc. and Brantford Power Inc.

June 8, 2022

County of Brant  
Planning Services Department  
66 Grand River Street North  
Paris, ON N3L 2M2  
Attn: Ryan Cummins

Re: PS2-20/RC  
Rest Acres/Bethel/Potruff

Via E-Mail

**Revised – Application for Draft Approval - Plan of Subdivision**

**File No:** PS2-20/RC  
**Municipality:** County of Brant  
**Location:** Rest Acres Rd, Bethel Rd., Potruff Rd  
**Owner/Applicant:** Panattoni Subdivision

We have reviewed the material contained in your letter of June 2022, with respect to the Application for Draft Approval - Plan of Subdivision and wish to have the following included as our conditions:

- 1) The Owner/Applicant will be required to enter into an Agreement with GBE. to establish the terms and conditions to provide electrical service and will be responsible for 100% of the cost for servicing the development. Please allow a minimum of six (6) months for determination of servicing needs.
- 2) The Owner/Applicant must grant easements to our satisfaction.
- 3) The Owner/Applicant will be responsible for all costs associated with the upgrade and/or relocation of existing electrical plant if required as a result of this development.
- 4) That the Corporation of the County of Brant be advised by GBE. that our conditions have been satisfied.

Should you require additional information, do not hesitate to contact me at your convenience.

Kindest Regards,  
GrandBridge Energy  
*Helen Robinson*  
Helen Robinson  
Engineering Legal Co ordinator, Engineering Department.  
/hr



(519) 621-3530  
1 (877) 871-2215



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Cambridge, ON N1R 5X6



[grandbridgeenergy.com](http://grandbridgeenergy.com)