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FREE ISSUE

Hedge Road Landing to start construction soon, builder says

By MIKE ANDERSON

Alliance Holmes, the builder behind the delayed Hedge Road Landing development near Jackson's Point, says it expects to register the condominium with the Town of Georgina next month and will begin pulling building permits for the 144 homes it sold more than seven years ago.

"We are expecting to fund town fees within the next two weeks that will allow the executed development agreement to be circulated for agencies to clear conditions of approval and then registration can occur," said Alex Troop, President of Alliance Holmes in an email to The Post.

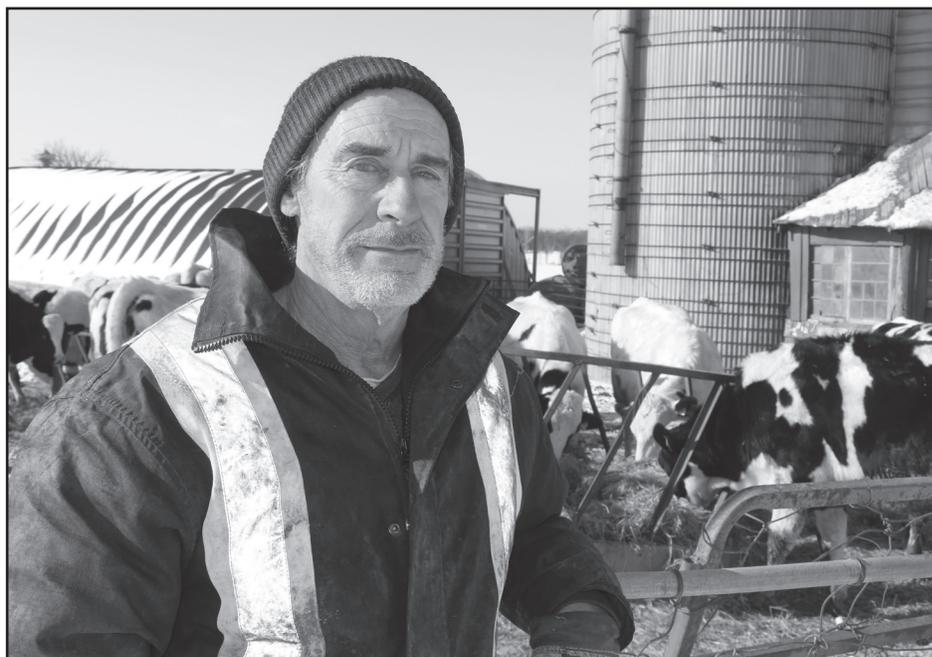
"Building permits will then follow after registration."

According to the Town, the builder must pay fees which include planning fees, building fees and development charges (DCs).

While the Town did not provide a detailed breakdown of those fees prior to publication, the DCs alone exceed \$13 million for the first phase of the development.

This is also not the first time the builder has indicated that construction would begin shortly. Last October, Troop told the Post that the development would be registered in 2021.

But a Town spokesperson, confirmed last week the condominium is still not registered



PHILIP WELLMAN

Small dairy farms disappearing in Georgina

By MIKE ANDERSON & SARAH GRISHPUL

While dairy farms were once a common sight in Georgina, their numbers have declined over the years.

When the Dairy Farmer's of Ontario, the provincial milk marketing board, was

established in 1965, there were more than 500 dairy farms in York Region, with 30 of those located in Georgina.

Today, York Region has less than 20 dairy farms and the Wellman farm on Ravencrest

CONTINUED ON PAGE 2

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HEDGE RD CONT. FROM PAGE 1

HRL BUILDING SITE

and no building permits have been issued. The draft plan for the development, originally approved in October 2006, has been extended several times. Council approved the last extension on October 6, 2021 for three years. It is due to lapse on October 19, 2024, extending the deadline for the builder. Still, the Town said most of the infrastructure, which includes services and roads, has been installed.

The Post spoke to several buyers who purchased homes in the development, but they would not consent to have their names published as they fear it might cause issues with the builder.

After purchasing in 2015 with 2017-18 closing dates, they are hoping that their foundations will finally be excavated this spring.

Some, who sold their principal residences in anticipation that their new homes would be ready, are now either renting or have been living in their cottages for more than five years.

Many are also unhappy with how they have been treated by the builder, including some buyers who have been asked to pay a higher sale price or risk having their contracts cancelled and their deposits returned.

However, Troop has acknowledged that the cost of labour and materials had increased significantly threatening to make the project financially unviable.

“We have not asked for an increase in deposits, we have asked for an increase in the sale price which amounts to roughly

50 per cent of the increase in market value from the time the original sale was made,” he told The Post last October.

This may still be a good deal for buyers, as the final market value of the homes will far exceed the price they pay even with the additional sales increase.

But that is all contingent on Alliance Homes moving ahead with the development.

Some buyers are worried that the builder could still pull the plug. Those concerns were heightened last year when Alliance Homes declared Red Maple, a subdivision it was contracted to build in Collingwood, no longer viable, returning buyers’ deposits.

If the project is cancelled and deposits returned, buyers will be faced with a double whammy: losing out on their home’s appreciation and having to pay an estimated \$300 to \$400,000 more to purchase a comparable home.

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Letter to the editor: Money Not Well Spent

The Bradford Bypass and Highway 413 are being sold to Ontarians as time-savers, promising to shave 30 minutes off of commuters' trips.

Sounds great. But this doesn't add up.

Transportation Minister Caroline Mulroney admitted in a Globe and Mail article that the 30-minute figure comes with a catch. Drivers would save 30 minutes only if they traveled the full length of the highway, which few commuters would actually do. In reality, the average driver would save closer to 10-15 minutes.

Okay, 10-15 minutes still isn't bad. But this still doesn't add up because of something called "induced demand". This means when something new is built, more people will eventually start to use it (think "if you build it, they will come" from *Field of Dreams*). So in a few years, and \$6 billion in taxpayer money later, drivers will be right back where they started. Then what? More highways? More sprawl? More money spent to solve the problem?

Then there are the environmental costs, which would be irreversible. We would lose endangered species habitat and sensitive woodlands, rivers,

valleys, wetlands, conservation areas and forested areas. The 2021 report by the Auditor General of Ontario on conserving the natural environment warns of unchecked growth (like building highways and the resulting sprawl) and the harms it would cause. This kind of growth can contribute to air and water quality degradation as well as greenhouse gas emissions that contribute to climate change. The past 7 years have been the hottest on record. Do we really want to roll the dice and see what happens if we continue this trend?

Then there's the cost itself. These highways will cost \$6 billion, and that's just to build. What about maintenance and repairs over the next 10 years?

\$6 billion and more just to save 15 minutes - for the few years that even that would last.

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DAIRY CONT. FROM PAGE 1

Rd. is one of just six remaining dairy farms in Georgina.

Philip Wellman, who took over the farm from his father, is proud to be a dairy farmer but says it's a lot of hard work and not for everybody.

"I've milked cows since I was 13. I'm 66 now, so that's 53 years. And I decided anybody that milks cows for over 50 years is insane. And so I've passed the insane phase," he said.

"Back in the day, you started farming at 13, so I had to get up at six o'clock in the morning to help with milking the cows and then I'd leave mom and dad to finish the milking to give me enough time to eat a breakfast and wash a little bit, so I didn't stink in school."

According to Wellman, the work never stops on their dairy farm. Eighty cows need to be milked twice daily; then there's feeding and the barn to clean out.

Days start at 5:30 a.m., and the workweek is seven days. Vacations are only possible if they can hire a farmhand to take over. The Wellmans also operate a pasture-based dairy farm, which means the cows are allowed to graze and get daily exercise instead of being confined in stalls. But this means they must be let out and brought back into the barn.

Wellman admits it's a more labour-intensive and expensive way to dairy farm, but it is more sustainable and better for the cows.

"I'm basically letting them live the kind of life that they were created to live. I think I have very healthy cattle."

Wellman points to many reasons for the decline in dairy farms, including urban sprawl, people drinking less milk and the threat of foreign competition.

But he says the chief reason



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is that many dairy farmers are retiring, and their children are reluctant to take over the farm.

“Most of it would be the old farmer who got too old to milk cows, and the next generation got a better job doing something else,” he said.

Fortunately, that’s not the case for Wellman, who recently sold the farm to his son Ross, and now helps out part-time.

Still, he admits there’s no guarantee that Ross, who’s in his 30s, will carry on where he and his father left off.

Despite practicing sustainable dairy farming, recent changes to animal welfare regulations will require his son to build a new \$700,000 barn, which means taking on more debt, something he says his son doesn’t want to do.

He says Ross may be forced to sell off their 80 cows and try his hand at raising beef cattle instead.

Wellman believes dairy farming is no longer an attractive career option for young people.

Recent statistics seem to support this view.

According to the 2016 Census of Agriculture, 2,205 dairy farm operators in Ontario are over the age of 55, while only 1,030 are below 35.

Wellman says young people are not taking up dairy farming because it requires a significant capital investment.

Under the supply management system, dairy farmers must buy their quotas — a single cow currently costs \$25,000.

They also have to buy or rent farmland, purchase specialized equipment and pay feed and veterinary costs.

“Unless you have a parent or pile of money behind you,” he said. “It’s very difficult for young people to get into dairy.”

The pandemic hasn’t helped either, making everything more expensive.

“All our prices went up; some

things went up really bad,” he said.

While Wellman and his son grow their animal feed, mostly corn, oats and barley, the cost of seed and fertilizer has doubled.

“I grow a corn crop to put in the silo. Before the pandemic, it cost \$1,000 for fertilizer to plant 15 acres, and it will be double that this year.”

Those higher input costs have resulted in a 10 to 15 per cent spike in the retail price of milk and dairy products in 2022.

That’s because the Canadian Dairy Commission, the agency that sets the benchmark price for milk for provincial marketing boards, approved an 8.4 per cent increase in the farm gate price for raw milk last year, roughly about \$0.06 per litre.

Wellman says the price hikes are necessary to keep dairy farms in business, but he empathizes with families who must pay more for milk, butter and cheese at the supermarket.

“I feel for the young families that are just trying to feed their kids. Hopefully, when things flatten out after the pandemic, we can lower our prices,” he said.

But even with higher prices offsetting increased pandemic costs, Wellman is not optimistic about the future for small, family-run dairy farms.

He says the current conditions favour larger commercial dairy operations because they can rely on economies of scale, paying higher costs by producing higher milk volumes.

“Back in 1965, there would’ve been a whole lot of 100-acre dairy farms. We’re 300 acres here, and I’m likely the second smallest dairy farm in York Region right now,” he said.

“You have to ship enough milk that you can buy things. Otherwise, your equipment will get really old and break down, and then you’re going to be stuck.”

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Changes to the Succession Law Reform Act

The Succession Law Reform Act (SLRA) is the main piece of legislation that outlines the requirements of making a valid will.

Prior to January 1, 2022, if a person had made a will, and then got married, that will would automatically have been revoked. The only way to avoid the will being revoked upon marriage would have been to specifically state that it was made in the contemplation of the specific upcoming marriage.

As of January 1, 2022 the provisions in the SLRA that revoked a will due to a subsequent marriage were repealed. With the provisions repealed, if a person makes a will and subsequently gets married, and the marriage takes place after January 1, 2022, then that will is no longer automatically revoked.

Another change to the SLRA deals with separated spouses. Previous to January 1, 2022, if a couple is legally divorced, and one person (the Testator) had made a will during the marriage but never changed it after the divorce, the will would be read as if the ex-spouse had predeceased the Testator, which would revoke the appointment to be the estate trustee and any entitlements (unless stated otherwise in the will). Previously this rule only applied to divorced couples, not couples who are separated but not divorced.

As of January 1, 2022, the SLRA is amended to treat separated spouses the same way as divorced spouses. There are specific requirements listed in the SLRA that must be met in order to qualify as separated spouses. This provision will only apply to separations after January 1, 2022. If a couple had separated but not divorced before January 1, 2022, a new will should be made.

Additionally, the SLRA has changed its conditions surrounding invalid wills. There are strict rules with which a will must comply to be considered valid (such as having the correct witnesses). The change to the SLRA states that if the Superior Court of Justice is satisfied that the will, that was not properly executed or made, nevertheless sets out the intentions of the deceased, the Courts can now validate wills as if they had been properly executed or made. If you have any questions regarding the changes to the Succession Law Reform Act, give our office a call, and one of our lawyers would be happy to answer them.

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The Georgina Community Action Table offers grants

By MICHELLE POIRIER

The first round of grant recipients for The Georgina Community Action Table Project (Georgina CAT) will be announced next week, and round two will be up by the end of March.

The Georgina CAT is a community-driven collaborative table that came out of York Region's Community Safety and Well-Being Plan.

The priorities that matter most to Georgina have been identified as mental well-being and employment/income generation supports.

Sandra Hanmer, Georgina CAT Project Coordinator, said they have partnered with the United Way to offer quick action grants.

"We've got \$45,000 in total. \$15,000 will go to residents, and the other \$30,000 will go to agencies. The applications have to focus on ideas that are going to further the community well-being initiative, either mental well-being or employment and income generation," Hanmer said.

Planning anything with COVID-19 has been difficult, but Hanmer said they have had some amazing ideas come through that will bring out and engage the community.

Hanmer said a community

survey is open to residents who would like to share their thoughts and ideas to improve these areas of focus.

She said many organizations and individuals are participating in either the Georgina CAT Project Table or the Mental Well-Being Working Group and the Employment/Income Generation Working Group to address the issues in the focus areas.

"Things like trying to create a place for anyone who is looking for mental well-being support as sort of a one-stop access with information on Georgina specific service providers," she said.

Hanmer said they are also creating support teams in high schools and creating peer groups to further mental well-being. They're also looking at job fairs, ways to help people get ready for the working world, and offering Georgina-specific information on employment services and agencies to further employment and income generation.

For information on Georgina CAT, the grant applications, the community survey, the event calendar and other celebratory events visit the Linking Georgina website www.acloserlookgeorgina.ca/linkinggeorgina. And if residents have any questions, they can email Hanmer at sandra@routesc.org.

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COMMUNITY LUNCH AT THE LINK

The Good Food Collective community lunches are back

By MICHELLE POIRER

After the COVID-19 lockdown put a hold on community lunches, The Good Food Collective has resumed their in-person lunches every other Wednesday at The Link in Sutton.

The Good Food Collective is a collaboration between the Georgina Food Pantry, Community Living Georgina, and Routes Connecting Communities.

The weekly community lunches are open to everyone.

“The sit-down lunch is a pay-what-you-can model. So, if you’re a high-income person, you might pay a little more for the meal. If you’re low income, you might just not pay that day; that’s your choice. It’s just that collective contribution and the idea of people from diverse backgrounds sitting together and eating,” Niv Balachandran, Executive Director of Routes, said.

She said they had good attendance before the lockdown and could share information about other programs and services with the residents in attendance.

The next community lunch will be on March 9 from 12:00 p.m.

to 1:30 p.m., and it will be grilled corn and potato chowder with a chicken salad wrap and crudité.

“There are a lot of people looking for this because it’s not just to provide a healthy nutritious meal with locally sourced ingredients, it’s also the idea of people eating together, connecting and reducing isolation, which is huge, especially in the pandemic we’re facing,” Cesar Caneo, Executive Director of the Georgina Community Food Pantry, said.

The Good Food Collective also offers weekly take-out lunches from their World Flavours Catering menu; these are ethnic meals provided at \$5.00 per meal. The meals are offered opposite Wednesdays to the community lunches at The Link, and you must call and pre-order. The next take-out meal will be a South American chicken wrap with chimichurri sauce, available for pick-up on March 2.

Caneo said the ethnic menus use food as a tool to create a more inclusive community.

Balachandran agrees it helps to raise awareness about other

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“When we did the trial at the beginning, we did a survey, and some people said, ‘I’ve never tried this food before, and at a \$5.00 price point, it allows me to try,’” Balachandran said.

She said that the low price point opens a lot of different cuisines to residents.

“The intention is to turn it into full-blown catering, where the residents keep all the profits of the catered menu, so we’re working towards that concept and ideal,” Balachandran said.

“Right now, they’re cooking

together, and cooking ethnic meals, and so what we’ve heard so far is for a lot of residents it’s the first time they’ve cooked some of these things, some of the ingredients are new to them.”

If a resident does not have a way to get to the community lunch or pick-up their take-out meal, Routes can arrange a ride there and back if booked ahead of time.

For more information on the community lunches or Flavours Catering, you can call (905) 722-4616 or visit www.goodfoodcollective.ca.



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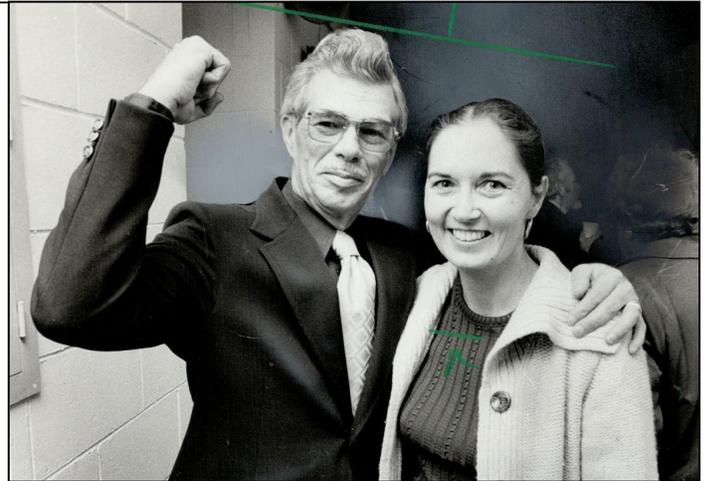
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JOE DALES CELEBRATES WIN WITH WIFE JANET

A look back at the tumultuous municipal election of 1978

By KAREN WOLFE

As we prepare for a provincial election in June and a municipal election in October, I am reminded of another time in our voting history when the outcome of an election in Georgina not only made front page news right across the country, it has been held up as the only time in Ontario's history when a judge ordered the removal of every elected official on council.

This iconic election was held on December 6, 1976. A litany of accusations, finger pointing, skulduggery and downright illegal shenanigans brought the results into question and launched a legal investigation and court challenge that would conclude 18 months later on July 11, 1978.

Let me set the stage.

For years, a local doctor George Burrows, and a local lawyer, Joe Dales were political adversaries and the position of Mayor in Georgina had gone back and forth between the two in each election since the day of amalgamation in 1971. Back then, municipal elections were held every two years.

By the time we get to election day on December 6, 1976, Joe Dales was the incumbent Mayor and George Burrows was once again competing against him on

the ballot. It was a tough-fought election but after all the counting had been done, Dr. Burrows emerged the winner by a margin of only 53 votes and recaptured the seat of Mayor which he held back in 1972. Also winning the day was Keith Larsen as Regional Councillor, Bruce Welch (Ward 1); Doug Peters (Ward 2); Howard Shillington (Ward 3); John McLean (Ward 4); Jean Noble (Ward 5); Ken Smockum (Ward 6 was acclaimed); and John Hastings (Ward 7).

It should not escape your notice that back in 1976, the ballot identified candidates running in seven wards - a detail that will become a much bigger issue further along in this story.

The slim margin of victory for Dr. Burrows on voting day was immediately called into question and a recount was ordered. During the recount, Mr. Dales picked up 22 votes, Dr. Burrows lost 22 votes but picked up six for a win by a slimmer margin of only 37 votes. The final tally was 3,771 for Dr. Burrows and 3740 for Joe Dales.

With such a small margin of victory, new allegations of election fraud and voting irregularities and improprieties surfaced. Mayor-elect Burrows, a practicing

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physician was accused of signing proxy ballots from nursing home patients. In addition, charges emerged suggesting ballot boxes either had too many ballots or too few based on the voters' lists and it was alleged that ballots were given to voters who were not on a list of voters but entitled them to vote at another voting station. At one polling station, it was reported that the returning officer cut the ballots before returning them to the box after they had been counted.

But the allegations of election fraud were not the only problems with the results of the December 6, 1976 election. Georgina residents, Bob Garden and Larry Dolson could not figure out why there were candidates running in seven wards, when the last time they looked, Georgina only had six wards.

Since amalgamation, Ward 1 (a Keswick ward) had been represented by two councillors. But leading up to the 1976 election, council had funded an \$11,000 study looking for recommendations pertaining to the administration of the organization and the role of council and committees.

On May 26, 1975, the company contracted to conduct the study produced a report and had it reviewed in committee. The committee's recommendations were then discussed at council. One of the issues highlighted was the population inequity in Ward 1 compared to other wards. It was pointed out that potential candidates running in Ward 1 were at a disadvantage due to the costs of running a campaign in a ward with twice as many voters than in other wards. "We are merely drawing the situation to your attention and suggest that, unless there were other reasons unknown to the Committee, that the interests of Ward 1 residents might best be served by splitting this ward into 1 and 1A with approximately 2,500 voters in

each new ward area," council was told.

At that council meeting, the following resolution was passed..."And whereas there are considerable inequalities in population in the various wards under the present ward system; therefore be it resolved that Council is in favour of forming seven (7) more equal wards than presently exist, and the Mayor is hereby authorized to convene a Committee of the Whole of Council in the near future to readjust present ward boundaries to meet the above criteria."

The Mayor may have had every intention of discussing the issue at the Committee level as instructed and if he did, recommendations may have come to council for its approval—but there are no minutes that I have been able to find that bears out that scenario. And apparently, I am not the only one who went looking for these records.

Because when Mr. Dobson and Mr. Garden cried foul at the results of the 1976 election, one of their complaints dealt with the failure of council to notify anyone, specifically the Ontario government and Ontario Municipal Board, that ward 1 had been divided into two wards. And when no records could be produced to prove they had been notified, a writ was filed in court claiming the 1976 election was illegal and void.

The prospect of having the results of the entire election thrown out was too much for the newly elected council. They quickly got in touch with the residing MPP of the day and asked him to support a private member's bill to convince the Ontario legislature to legitimize the division of Ward 1 and make it retroactive to a time prior to the 1976 election. Nice try but no go.

In the end, Queen's Park did approve the division but they wouldn't back-date it. They said

Ask The Expert

with Steven Sands



Q: In a marital separation where spouses are joint owners on title to their matrimonial home, and one spouse wants to put the home up for sale on the market, is there a right of first refusal permitting one spouse to force the other spouse to buy the other's interest instead of a sale?

A: The answer is "no" if the other spouse does not consent to such right of first refusal, according to a recent Ontario Court of Appeal ruling in a case. The Court of Appeal reaffirmed its previous ruling in 1992 in another case and stated that the Courts do not have jurisdiction to make such orders. It went on to say "...a right of first refusal is a substantive right that has economic value. It falls outside the boundaries of what is ancillary or what is reasonably necessary to implement the order for sale of the matrimonial home. It distorts the market for the sale of the matrimonial home by eliminating the need to compete against any other prospective purchaser, thus potentially reducing the amount the joint owning spouse realizes on the sale. In the absence of consent, the right of first refusal should not have been granted in this case. If the [spouse asking for a right of first refusal] seeks to purchase the matrimonial home, [he/she] must compete with any other interested purchaser".

The only possible exception (in the absence of the parties' agreement to any right of first refusal) under Ontario law is under Section 10 of the Ontario Family Law Act, which exception is limited to cases where there has been an application to the Court to determine a question of ownership or possession of the home. If the parties did not raise any question of ownership or possession the Court does not have the jurisdiction to order a right of first refusal.

Furthermore, if a spouse wants to force the sale of the home, that spouse usually applies for such relief from the Court (i.e. the Ontario Superior Court of Justice) under the provisions of another Ontario law known as the Partition Act, which states, in part: "All joint tenants, tenants in common, and coparceners, all doweresses, and entitled to dower, tenants by the curtesy, mortgagees or other creditors having liens on, and all parties interested in, to or out of, any land in Ontario, may be compelled to make or suffer partition or sale of the land, or any part thereof, whether the estate is legal and equitable or equitable only. R.S.O. 1990, c. P.4, s. 2."

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ELECTION CONT. FROM PAGE 11

the new ward boundaries would not take effect until the next municipal election in 1978.

And so the writ to have the election ruled illegal was filed in the courts in March 1977 by Bob Garden who was leading a group of over 100 ratepayers. Named in the writ were: Mayor George Burrows, Regional Councillor Eric Larsen and Councillors Bruce Welch, Howard Shillington, Dough Peters, John McLean, Jean Noble, Ken Smockum, John Hastings and Town clerk, Evelyn Waggett.

Almost immediately, Councillor John Hastings retired from council and Mahlon Beach replaced him.

Time was moving on and throughout the legal wrangling that ensued, questions were being raised about the validity of council decisions should the election be deemed invalid. Council had been in office carrying on the Township's business for more

than 18 months when, on July 11, 1978 Judge Ward Allen finally ruled on the case. "My decision is to declare void the election of all of the individual defendants whose elections were called into question in these proceedings save and except Mr. Smockum who was elected by acclamation." That exception also applied to Mahlon Beach who had only come to council in 1977 when John Hastings retired.

Judge Allen declared the 1976 election null and void because the intended change in Ward 1 boundaries was never put into full force and effect. He also found that claims of inappropriate proxy ballots and polling list irregularities had been proven in court.

Within a day of the judgement, the administration of Georgina was put into the hands of a provincially appointed Interim Trustee, Mr. Allen Masson. He

continued managing the town's affairs with the cooperation of Mr. Smockum, Mr. Beach and the chief administration officer, Wayne Woods until the regularly scheduled municipal election in 1978.

When the smoke had cleared from the following election on November 13, 1978, Joe Dales, who ran against four other candidates (Bob Pollock, Howard Shillington, Howard Anderson and Sylvia Brown) claimed the chain of office as Mayor. Filling out the rest of council seats were: Regional Councillor Michael McDonald, Ward 1 Councillor Bernard O'Grady; Ward 2 Councillor Merlyn Winch, Ward 3 Councillor John Rogers, Ward 4 Councillor John McLean, Ward 5 Councillor James Phillips, Ward 6 Councillor Ken Smockum and Ward 7 Councillor Nevil Ross.

This story has been relegated to the annals of history, but at the

time it was a great lesson in civics. Fortunately for Georgina, our claim to fame does not rest here nor is it a reflection of where we have been since or where we can expect to go in the future. We are Georgina Proud!

COMING EVENTS

Lake Simcoe Gardeners - Zoom Meeting, February 28, 7 to 8:30 p.m.

Join speaker Cathy Kavassalis for "Different Kinds of Herbs - Savoury, Sensual, Poisonous." Please join our interesting club - \$20.00 annually or give the membership as a gift. We always have interesting speakers, contests, etc. and fun too! Contact information: diane@diane.ingersollassociates.com

Georgina-Brock Garden Club - Spring Is Coming, Pefferlaw Lions Hall, Mon, Mar 14, 7:30pm

Renowned Horticulturalist, Ken Brown, presents Spring Is Coming, an informative and entertaining look at your garden's new beginnings, indoors and outdoors, veggies and flowers.



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