

May 25, 2021

To: The Council of North Glengarry

Re: Review of Open Air Fire By-Law

The members of the Glengarry Federation of Agriculture residing in the township of North Glengarry were disappointed in council's approach in regulating and restricting agricultural burning in the latest update to the open air burning by-law. We as an organisation have highlighted through various discussions over the course of the last year how, in its current form, the by-law is simply not practical in its implementation. While the by-law has been successful in its goal to reduce the instances of complaints relating to agricultural burning to zero, it should be noted that this is primarily due to the fact that it is nearly impossible to carry out burning operations in the county for the majority of agricultural operators under the current restrictions. Furthermore, the Glengarry Federation of Agriculture would go as far to suggest that this by-law is actually counter productive to the goals set out in the discussion surrounding land development (clear-cutting) relating to council's desire to clean up properties as quickly as possible once work has commenced to alleviate complaints of "eye sore" properties. We do however acknowledge council and staff's willingness to work towards regulation that meets both the desire to reduce instances of complaint while also creating a practical working environment for our agricultural operations.

The primary issue members of the Glengarry Federation of Agriculture have with this bylaw relate to the period of time set out that only permits agricultural burning from November through to the end of May. This time frame is the least conducive for burning and attempting to do so would cause greater instances of complaints were it attempted. During this time, the material is often saturated with snow and water, resulting in a cooler, smokier burn, that will be more persistent. Cooler evenings and nights during this time also result in conditions known as temperature inversions, which forces the smoke to accumulate in lower laying areas and does not permit the smoke to dissipate for long periods of time. The impractical nature of this time frame should also be noted as it is virtually impossible to access the work sites with the equipment required once the soil becomes saturated with late autumn rains, and then impassible with snow. Depending on the year, the terrain may not become passible again until well into April or May, at which point producers are busy preparing and planting other lands. As such, we ask that council remove the timeframe component of this by-law and allow developers to burn year-round, provided that conditions are safe to do so. We also ask that the size of the piles permitted be increased to something a little more realistic. Currently, the by-law limits the size of the piles to 6 cubic meters, while South Glengarry allows piles of up to 10 meters in diameter and height to be burnt. While increasing the limit to that found in South Glengarry may not be the solution for North Glengarry, finding a more realistic balance would help in cleaning up properties faster and reduce the amount of time that a burn event has the potential to generate complaints from neighbouring residents.

The membership of the Glengarry Federation of Agriculture realises that allowing burning to take place year-round causes concerns for complaints and acknowledges the concerns raised by staff who must respond to issues that may arise from the burning process. The primary comment that we heard through the consultation process was what staff should tell neighbouring residents that register

complaints with the township. The first goal of our members would be to avoid these instances altogether by setting out clear and enforceable guidelines in the bylaw for both developers and staff to follow when assessing the suitability of a site for burning. As such, we believe that if the burning period is extended into the period of concern, the following guidelines and points should be added to the permit process.

- An agent of the township should conduct a site visit to determine the suitability of a burn event.
- Suitability of a burn event shall be determined based on the state of the material to be burnt (dryness, amount of ground in the piles, ect)
- Restrictions on burning could be imposed based on the location and proximity of neighbouring properties (ie, burn events would not be permitted if the wind was out of a certain direction)
- Likelihood of a temperature inversion forming

It is our belief that the responsibility to mitigate complaints rests with both the municipality as the permitting agent and the landowner. Furthermore, each site will be different and should be assessed as such. Some sites may require a higher degree of restrictions, while others may be minimal. Based on the site visit, a permit would be issued and could include clear, enforceable guidelines that including but not limited to restrictions based on wind speed, direction, and time of day that the material can be burnt. It should also be noted that in the current by-law the permit is only valid for a two-week period and as such, a clear end date is established which should alleviate some concerns from neighbouring residents.

Addressing the issues in this by-law is but one piece of the puzzle in a wider conversation relating to land development in North Glengarry. Changes that are considered here must be in line with council's overall goal with the clear-cutting bylaw. A permit process and bylaw that allows for safe and rapid burns meets the goal of transforming properties with piled material to productive farmland in a short timeframe, which further reduces the instances of complaints.

With regards,



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