

Public Notice

Committee of Adjustment

APPLICATION # B-202-0020

Ward #8

DEFERRED NOTICE OF AN APPLICATION FOR CONSENT

An amended application for consent has been made by 2441925 ONTARIO LTD.

Purpose and Effect

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 1.229 hectares (3.04 acres), together with easements for parking, access, sanitary and water servicing and storm servicing. The proposed severed lot has a frontage of approximately 43.7 metres (143.37 feet), a depth of approximately 76.35 metres (250.50 feet) and an area of approximately 0.334 hectares (0.825 acres). The effect of the application is to establish two separate lots from the existing lot to facilitate future development of the newly created (severed) lot with a new 8 storey office building with 2 levels of underground parking. The retained lands will continue to be occupied by a banquet hall.

Location of Land:

Municipal Address: 2 Auction Lane

Former Township: Toronto Gore

Legal Description: Part of Lot 5, Concession 7 ND

Meeting

The Committee of Adjustment has appointed TUESDAY, January 24, 2023 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton, for considering the application.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property, or an owner of a neighbouring property. OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS. You may attend the meeting in person to express your views about this application or you may be represented by an agent or counsel for that purpose. If you do not attend the meeting, a signed written submission shall be accepted by the Secretary-Treasurer prior to or during the meeting and such submission shall be available for inspection at the meeting by any interested person. If you do not attend the meeting, the Committee may proceed and make a decision with respect to this application in your absence. WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a possible Ontario Land Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment Decision may be appealed to the Ontario Land Tribunal by the applicant, the Minister, a specified person or a public body.

PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

YES

LAST DAY FOR RECEIVING COMMENTS: JANUARY 19, 2023

NOTE: IT IS LIKELY THAT COMMITTEE MEMBER(S) WILL CONDUCT A SITE INSPECTION RELATED TO THE APPLICATION PRIOR TO THE MEETING.

Other Planning Act Applications

The land which is the subject of the application is the subject of an application under the Planning Act for:

NO Official Plan Amendment: Zoning By-law Amendment: NO File Number: File Number:

Minor Variance:

File Number: A-2022-0039 and a-2022-0349

Decision and Appeal

Any person or public body may, not later than 20 days after the giving of the notice of decision, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a notice of appeal, accompanied by the fee prescribed under the Ontario Land Tribunal Act, 2021. The appeal form is available from the Ontario Land Tribunal website at https://olt.gov.on.ca/appeals-process/forms/

If a person or public body, that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent, does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, then the Ontario Land Tribunal may dismiss the appeal.

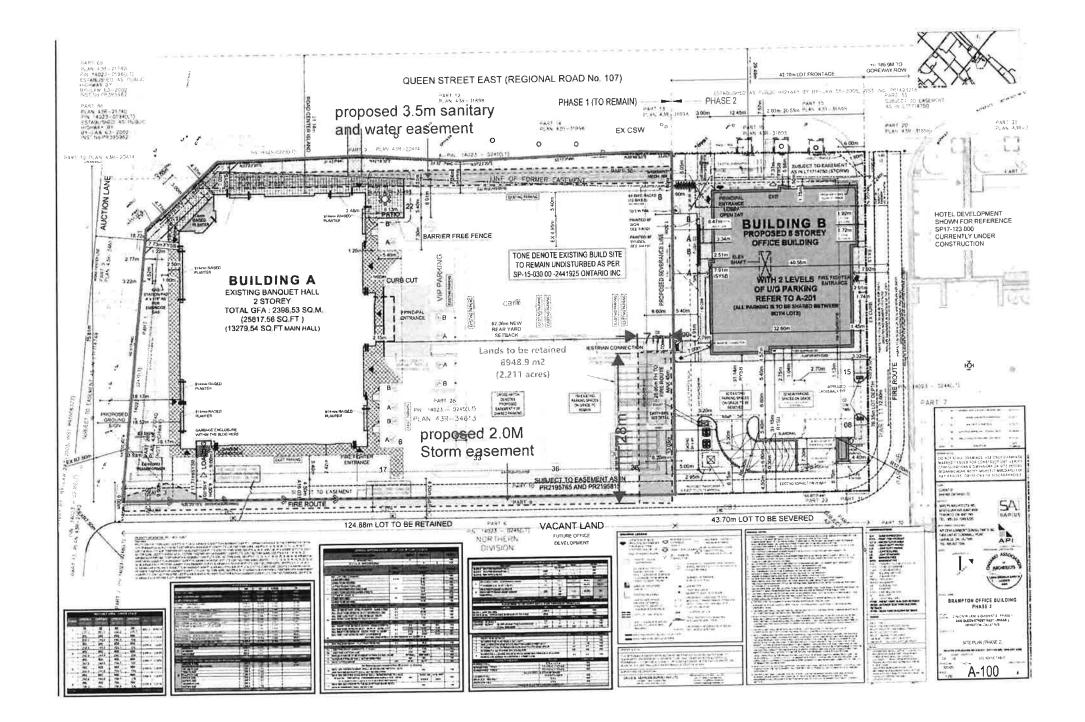
DATED AT THE CITY OF BRAMPTON THIS 5th Day of January, 2023

Comments may be sent to and information may be obtained between 8:30 a.m. to 4:30 p.m. Monday to Friday from:

Jeanie Myers, Secretary-Treasurer City of Brampton Committee of Adjustment City Clerk's Office, Brampton City Hall 2 Wellington Street West Brampton, Ontario L6Y 4R2

Phone: (905)874-2117 Fax: (905)874-2119

Jeanie.myers@brampton.ca





Under the authority of the Emergency *Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically and/or as a hybrid meeting (both inperson and electronically).

Electronic/Hybrid Hearing Procedures How to get involved in the Hybrid Hearing

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **January 24, 2023** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

How to Participate in the Hearing:

All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm**, **Thursday**, **January 19**, **2023**.

- Advance registration for applicants, agents and other interested persons is required by one or two options;
 - Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at <u>cityclerksoffice@brampton.ca</u> or <u>jeanie.myers@brampton.ca</u> by 4:30 pm Thursday, January 19, 2023.
 - 2. To participate in-person, please email the Secretary—Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by 4:30 pm Thursday, January 19, 2023.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Thursday**, **January 19**, **2023**. City staff will contact you and provide you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

 All Hearings will be livestreamed on the City of Brampton YouTube account at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx or http://video.isilive.ca/brampton/live.html

If holding an electronic/hybrid rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

NOTE Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act* (*MFIPPA*), collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

December 14, 2022

13-2020 - 0020 AMENDED

Committee of Adjustment City of Brampton 2 Wellington Street West Brampton, ON L6Y 4R2

Re: AMENDMENT TO CONSENT APPLICATION FOR SEVERED LANDS (2 Auction Lane)

I am writing with respect to the consent application for 2 Auction Lane that was deferred at the November 15, 2022 Committee of Adjustment meeting, in conjunction with the concurrent minor variance applications for the retained and severed lands. These applications were deferred to allow for confirmation of the details of the required servicing easements to be registered on the retained lands in response to the concerns raised by City Building and Engineering staff with respect to the proposed reciprocal blanket servicing easements.

I am writing to request that the consent application be amended to include the establishment of the following easements on the retained lands as illustrated on the revised reference plan submitted in support of these applications:

- 1. 3.5-metre wide sanitary and water servicing easement along the north side of the retained lands; and
- 2. 2.0-metre wide storm servicing easement along the south side of the retained lands.

No other amendments are required to the consent application or minor variance applications for the retained and severed lands. Please let me know any additional information required or questions you have.

Regards,

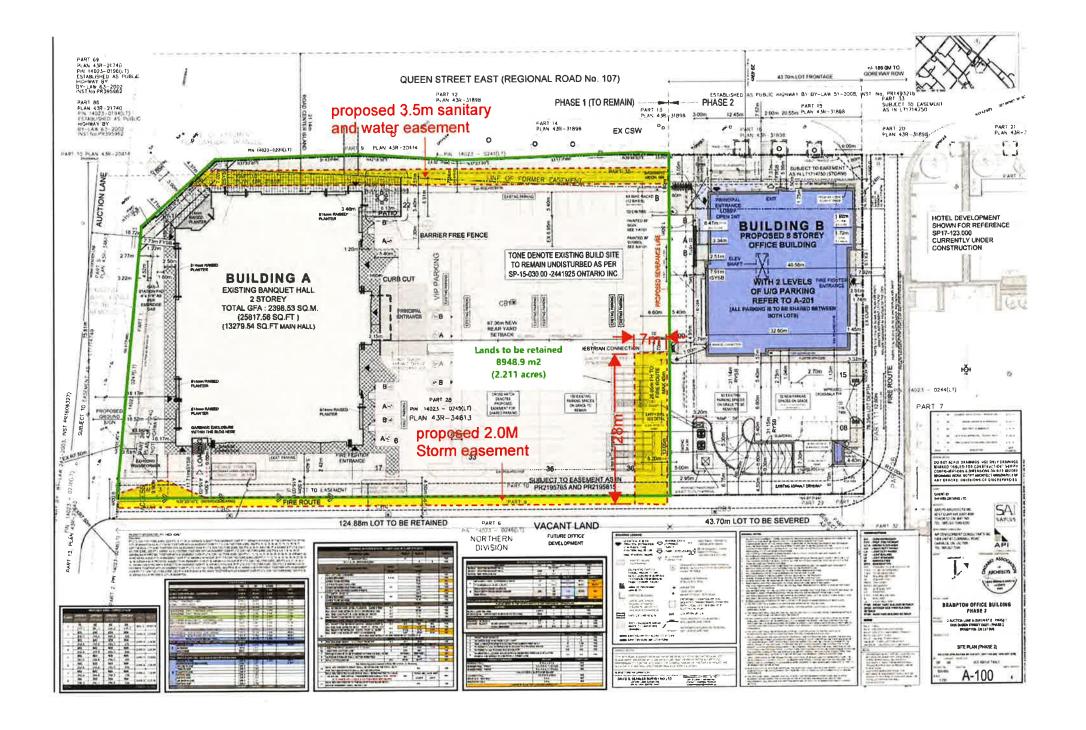
Michael Barton, MCIP, RPP

President

MB1 Development Consulting Inc.

michael@mb1consulting.com

(905) 599-9973



October 18, 2022

B-2022-0020

Committee of Adjustment City of Brampton 2 Wellington Street West Brampton, ON L6Y 4R2

Re: Consent and Minor Variance Applications – 2 Auction Lane, Brampton

I am writing to update the Committee of Adjustment applications submitted for 2 Auction Lane. As previously noted, minor variance application A-2022-0039 was submitted to the Committee of Adjustment on behalf of the owner of 2 Auction Lane (the "Subject Property"). This application was deferred at the March 29, 2022 Committee of Adjustment hearing with the requirement that the application return to the Committee no later than December 6, 2022. The Subject Property is currently occupied by a 2-storey banquet hall with a total gross floor area of 2,398.53 m² (25,817.56 ft²) and a large surface parking area. The Owner is proposing to construct a new 8-storey office building with 2 levels of underground parking while retaining the banquet hall. These buildings and uses will also share the existing surface parking spaces.

Application A-2022-0039 requested the following minor variances:

- To provide 302 parking spaces on site whereas the by-law requires a minimum of 527 parking spaces;
- To permit a rear yard depth of 1.72m (5.64 ft.) to a proposed office building whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines;
- To permit a rear yard depth of 4.42m (14.50 ft.) to a proposed enclosed stairwell, whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines.

Since the meeting where this application was heard and subsequently deferred by the Committee of Adjustment, the Owner has made the decision to sever the Subject Property with the banquet hall to remain on the retained lands and the new office building to be constructed on the severed lands. Therefore, application A-2022-0039 has been revised to reflect the minor variances required for the retained lands and a new minor variance application submitted for the severed lands, in conjunction with the consent application.

The following variances are now requested under application A-2022-0039 (retained lands):

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot;
- To permit minimum landscaped area 4.3 metres (6 metres required) along Queen Street; and
- To permit garbage and refuse storage not screened within an enclosure.

1



The following variances are requested under the new application for the severed lands:

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit minimum landscaped area of 3.25 metres (6 metres required) along Queen Street;
- To permit garbage and refuse storage not screened within an enclosure;
- To permit minimum lot area of 0.3344 ha;
- To permit minimum lot width of 43.7 m;
- To permit minimum east interior side yard setback of 1.72 m;
- To permit a rear yard setback of 4.5 m to the parking ramp;
- To permit maximum lot coverage of 36.5%; and
- To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot.

The proposed site plan for the Subject Property, consent reference plan and the reference plans showing the limits of the proposed severed and retained lands have been provided with these applications. The following documents have also been included:

- The updated traffic and parking study providing the justification for the requested parking variances;
- Copies of the previous minor variance decision and staff report on this property; and
- The proposed building elevations.

The proposed parking supply will be shared between the retained and severed lands and a reciprocal easement will be required for this parking arrangement. It is also anticipated that easements will be required for access and servicing, which will be established as part of the consent application.

Please let me know any additional information required or questions you have with respect to these applications and/or the development proposal.

Regards,

Michael Barton, MCIP, RPP

President

MB1 Development Consulting Inc.

michael@mb1consulting.com

(905) 599-9973

2

MB1 Urban Planning 2 Auction Lane – Consent and Minor Variance Applications

October 18, 2022

Committee of Adjustment City of Brampton 2 Wellington Street West Brampton, ON L6Y 4R2

Re: Consent and Minor Variance Applications – 2 Auction Lane, Brampton

I am writing to update the Committee of Adjustment applications submitted for 2 Auction Lane. As previously noted, minor variance application A-2022-0039 was submitted to the Committee of Adjustment on behalf of the owner of 2 Auction Lane (the "Subject Property"). This application was deferred at the March 29, 2022 Committee of Adjustment hearing with the requirement that the application return to the Committee no later than December 6, 2022. The Subject Property is currently occupied by a 2-storey banquet hall with a total gross floor area of 2,398.53 m² (25,817.56 ft²) and a large surface parking area. The Owner is proposing to construct a new 8-storey office building with 2 levels of underground parking while retaining the banquet hall. These buildings and uses will also share the existing surface parking spaces.

Application A-2022-0039 requested the following minor variances:

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- To permit a rear yard depth of 4.42m (14.50 ft.) to a proposed enclosed stairwell, whereas the by-law requires a minimum yard depth of 6.0m (19.68 ft.) to all lot lines.

Since the meeting where this application was heard and subsequently deferred by the Committee of Adjustment, the Owner has made the decision to sever the Subject Property with the banquet hall to remain on the retained lands and the new office building to be constructed on the severed lands. Therefore, application A-2022-0039 has been revised to reflect the minor variances required for the retained lands and a new minor variance application submitted for the severed lands, in conjunction with the consent application.

The following variances are now requested under application A-2022-0039 (retained lands):

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit parking provided on the adjacent severed lot to be used in conjunction with uses established on the retained lot;
- To permit minimum landscaped area 4.3 metres (6 metres required) along Queen Street; and
- To permit garbage and refuse storage not screened within an enclosure.

1

MB1

Urban Planning 2 Auction Lane – Consent and Minor Variance Applications

The following variances are requested under the new application for the severed lands:

- To permit a minimum parking requirement of 302 spaces to be shared among the severed and retained lands (584 spaces required);
- To permit minimum landscaped area of 3.25 metres (6 metres required) along Queen Street;
- To permit garbage and refuse storage not screened within an enclosure;
- To permit minimum lot area of 0.3344 ha;
- To permit minimum lot width of 43.7 m;
- To permit minimum east interior side yard setback of 1.72 m;
- To permit a rear yard setback of 4.5 m to the parking ramp;
- To permit maximum lot coverage of 36.5%; and
- To permit parking provided on the adjacent retained lot to be used in conjunction with uses established on the severed lot.

The proposed site plan for the Subject Property, consent reference plan and the reference plans showing the limits of the proposed severed and retained lands have been provided with these applications. The following documents have also been included:

- The updated traffic and parking study providing the justification for the requested parking variances;
- Copies of the previous minor variance decision and staff report on this property; and
- The proposed building elevations.

The proposed parking supply will be shared between the retained and severed lands and a reciprocal easement will be required for this parking arrangement. It is also anticipated that easements will be required for access and servicing, which will be established as part of the consent application.

Please let me know any additional information required or questions you have with respect to these applications and/or the development proposal.

Regards,

Michael Barton, MCIP, RPP

President

MB1 Development Consulting Inc.

michael@mb1consulting.com

(905) 599-9973

B1 Urban

2

2 Auction Lane - Consent and Minor Variance Applications





APPLICATION NUMBER:

"B"-2022-0020

The personal Information collected on this form is collected pursuant to subsection 53(2) of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

APPLICATION

Consent

(Please read Instructions)

NOTE: Pursuant to subsection 53(2) of the PLANNING ACT, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a)	Name of Owner/Ap	plicant	Sukhdeer	Sand	hu/24419	25 Ontario Ltd.	_
	Address 2494	4 Miss	sissauga Ro	oad, Mi	SSISSAUG	a L5H2L5	_
			A				
	Phone # 410	68989	080		Fax #		
	Email						==
(b)	Name of Authorize	ed Agent	Michael Bartor	n c/o MB1 [Development Co	onsulting Inc.	_,
	Address 1489 Ab	beywood	Drive, Oakville, ON	L6M 2M6			_
							_
	Phone # 905-599	-9973			Fax#		
	Email michael	@mb1con	sulting.com				
		<u></u>					
2.	The type and the addition, an easen					ransfer for a creation of a new lot, l	ot
					reciprocal parki	ng shared between the retained and seve	red
	lands, m	nutual acc	ess and site servici	ing.			_
	•						
3.	If known, the name	of the pers	on to whom the lan	d or an inte	rest in the land i	s to be transferred, charged or leased.	
	Unknown at this tir	ne					
4.	Description of the	subject l	and ("subject land	d" means t	the land to be s	severed and retained):	
	a) Name of Street	Auctio	n Lane			Number 2	_
	b) Concession No.	7				Lot(s) 5 (Part)	_
	c) Registered Plan I	No				Lot(s)	_
	d) Reference Plan N	10				Lot(s)	_
	e) Assessment Roll	No. 10-1	2-0-002-13640-0000	s	Geographic	or Former Township Toronto Gore	_
5.	Are there any eas	ements o	r restrictive cover	nants <mark>af</mark> fec	ting the subjec	et land?	
	Yes 🗸	onto co ill-	No ustrated on draft ref	ference pla	n		
	Specify: Easeme	enro do Illi	Jou alou off dialities	or crioe pia			_

6.

. Desci	ription of severed land: (in metric units)		
a)	Frontage 43.7 m Depth	76.35 m	Area3344.3 m2
b)	Existing Use vacant (surface parking)	_ Propose	ed Use 8-storey office building
c)	Number and use of buildings and structu	res (both existing	g and proposed) on the land to be severed:
	(existing) vacant - surface parking area (no	structures or bu	ildings)
	(proposed 8-storey office building with 2 lev	vel of undergroun	d parking
	A	Existing	Proposed
d)	Access will be by:		П
	Provincial Highway		
	Municipal Road - Maintained all year		
	Other Public Road		
	Regional Road		□
	Seasonal Road		
	Private Right of Way		
e)	If access is by water only, what park approximate distance of these facilities f	ing and dockin from the subject	g facilities will be used and what is the land and the nearest public road?
f)	Water supply will be by:	Existing	Proposed
•	Publicly owned and operated water system	en 🗸	
	Lake or other body of water		
	Privately owned and operated individual or communal well		
	Other (specify):		
g)	Sewage disposal will be by:	Existing	Proposed
	Publicly owned and operated sanitary sewer system	7	
	Privy		
	Privately owned and operated individual or communal septic system		
	Other (specify):		
_			
7. Des	cription of retained land: (in metric units)		Area 8948.9 m2
a)		th 124.88 m	
b)	Existing Use 2-storey banquet hall	•	sed Use 2-storey banquet hall to remain
c)			ng and proposed) on the land to be retained:
	(existing) 2-storey banquet hall with surfa	ace parking	
	(proposed Existing structures and uses to	remain	

c	d)	Access will be by:		Existing		Proposed	
		Provincial Highway					
		Municipal Road - Main	tained all year	V		7	
		Other Public Road					
		Regional Road					
		Seasonal Road					
		Private Right of Way					
•	e)	If access is by wate approximate distance	r only, what parking of these facilities fro	g and doo m the sub	cking facilitie ject land and	es will be used a the nearest publi	and what is the c road?
	f)	Water supply will be t	nv:	Existing		Proposed	
	'')	Publicly owned and o		_			
		Lake or other body of				_	
		Privately owned and					
		or communal well				_	
		Other (specify):					
	g)	Sewage disposal will	be by:	Existing		Proposed	
	J,	Publicly owned and o	perated sanitary	V		7	
		Privy					
		Privately owned and or communal septics	-				
		Other (specify):					
8.	What is t	he current designation	of the land in any ap	plicable zo		and official plan?	ŭ
	Zoning B	by Law	SC-1923		SC-1923		
		,	00 1020	•	00 1020	•	
	Official Plans City of Brampton		Business Corridor	Business C		orridor	
	Re	gion of Peel	Urban System	-	Urban Syste	m	
9.	section !	subject land ever been 51 of the Planning Act umber of the application.	or a consent under s	ection 53 o	of the Act and	val of a plan of s d if the answer is	subdivision under yes and if known,
	File #		Status/Decision				
10.	Has any	land been severed from	n the parcel originally	y acquired	by the owne	r of the subject la	nd?
	Yes 🗆	No 🗸					
	Date of	Transfer		Land Us	e		

1.	If known, is/was the subject	File Number	Status					
	Official Plan Amendment							
	Zoning By-law Amendment							
	Minister's Zoning Order	CA-16-031	Approved					
	Minor Variance	A-2022-0039	CONCURRENT					
	,	A - 2022 - 0349						
	Validation of the Title	-	0 					
	Approval of Power and Sale	-						
	Plan of Subdivision	-	-					
2.	is the proposal consistent w	ith Policy Statements issued (under subsection 3(1) of the <i>Planning Act?</i> Yes No					
3.	is the subject land within an	area of land designated unde	rany Provincial Plan? Yes 🔽 No 🗖					
	If the answer is yes, does the	e application conform to the a	pplicable Provincial Plan? Yes 🚺 No 🔲					
5.	if the applicant is not the oving authorized to make the a AGENTS" form attached).	vner of the subject land, the v application, shall be attached	rritten authorization, of the owner that the appli I. (See "APPOINTMENT AND AUTHORIZATION	icant I OF				
Date	ed at the	of						
thi	is day of	, 20_						
			Check box if applicable:					
	Signature of Applicant, or Authorized Agent, see note on next page I have the authority to bind the Corporation							
	Signature of Applicant, or Authorized	d Agent, see note on next page						
	Signature of Applicant, or Authorized	d Agent, see note on next page DECLARATION	the Corporation					
	Signature of Applicant, or Authorized I, Michael Barton	100 TO 100 P	the Corporation					
	I, <u>Michael Barton</u>	DECLARATION of the Town	the Corporation	ed in t				
Co	I, <u>Michael Barton</u> nunty/District/Regional Municipalit	DECLARATION of the Town	of Oakville solemnly declare that all the statements contains	ed in t				
catio	I, <u>Michael Barton</u> nunty/District/Regional Municipalit on are true and I make this as if n	of the Town of the Town by of Halton nade under oath and by virtue of	of Oakville solemnly declare that all the statements contains	ed in t				
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Co catio	I, Michael Barton punty/District/Regional Municipality on are true and I make this as if no perform me at the C. T. Or of Order Catalog of Order Signature of a Confinissioner, etc. LSO 74 FOR OFFI	DECLARATION of the Town by of Halton made under oath and by virtue of Quelph 2022 CEUSE ONLY - To Be Comple	of Oakville solemnly declare that all the statements contains "The Canada Evidence Act". Signature of applicant/solicitor/authorized agent, etc. Submit by Email	ed in t				
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