

**THE ONTARIO MUNICIPAL BOARD**

IN THE MATTER OF SECTION 35 OF THE  
PLANNING ACT, (R.S.O. 1970, C.349)

- and -

IN THE MATTER OF AN APPLICATION BY  
THE CORPORATION OF THE TOWN OF  
PELHAM FOR APPROVAL OF ITS RESTRICTED  
AREA BY-LAW #611 (1980).

## A F F I D A V I T

I, **MURRAY HACKETT**, of the Town of Pelham, Regional Municipality of Niagara, Town Clerk, make oath and say as follows:

1. I am the Clerk of the Corporation of the Town of Pelham and as such I have knowledge of the matters herein set forth.

2. On the 30th. day of August, 1980, I did cause there to be posted by registered mail and in envelopes addressed to the respective persons whose names and addresses are shown on the list attached hereto and marked as Exhibit "A" to this my affidavit, except for notice to the Regional Municipality of Niagara, which was sent by prepaid first class mail, the following:

(a) a copy of the notice for appointment for hearing, attached hereto and marked as Exhibit "B" to this my affidavit.

3. The said Exhibit "A" includes the names and addresses of all owners of land to which the by-law applies, of the one objector to the by-law and those persons or bodies specifically directed by the Ontario Municipal Board to be notified.

SWORN BEFORE ME AT THE TOWN OF PELHAM, )  
REGIONAL MUNICIPALITY OF NIAGARA, THIS )

1st. DAY OF OCTOBER, 1980 A.D.

A Commis-sioner, e.c., Ju- cial  
District of Niagara sou h for: the  
Corporation of the Town of Pelham.  
Expires June 15th 1981.

A COMMISSIONER, ETC.

MURRAY HACKETT

A P P O I N T M E N T F O R H E A R I N G

on

By-law #611 (1980)

sent by

Registered Mail.

1. Erdrin Hueniken, 713 Welland Avenue, FENNICK, Ontario L0S 1C0
2. Ieno Mori (In Trust), R. R. #2, NIAGARA-ON-THE-LAKE, Ontario
3. Peninsula Gardens limited, R. R. #2, NIAGARA-ON-THE-LAKE, Ontario

sent by  
Prepaid First Class Mail

1. Mr. D. J. Farley, Regional Municipality of Niagara, Planning & Development Department, 150 Berryman Avenue, P. O. Box 3025, ST. CATHARINES, Ontario L2R 7E9

THIS IS EXHIBIT "A" TO THE AFFIDAVIT

OF MURRAY HACKETT SWORN BEFORE ME THIS

1st. DAY OF OCTOBER, 1980 A.D.

LLOYD J. TUNNAIFFE

A Commissioner, etc., Judicial

District of Niagara South for the

Corporation of the Town of Pelham.

A COMMISSIONER, ETC.

Expires June 15th 1981.



R 80858

## Ontario Municipal Board

IN THE MATTER OF Section 35  
of The Planning Act (R.S.O.  
1970, c. 349),

- and -

IN THE MATTER OF an application  
by The Corporation of the Town  
of Pelham for approval of its  
Restricted Area By-law 611 (1980)

THIS IS EXHIBIT "B" TO THE AFFIDAVIT  
OF MURRAY HACKETT SWORN BEFORE ME THIS  
1st DAY OF OCTOBER, 1980 A.D.

LLOYD J. TUNNACLIFFE

A Commissioner, etc., Judicial  
District of Niagara South for the  
Corporation of the Town of Pelham.  
Expires June 15th 1981.

### APPOINTMENT FOR HEARING

THE ONTARIO MUNICIPAL BOARD hereby appoints Thursday, the  
2nd day of October, 1980, at the hour of eleven o'clock  
(local time) in the forenoon at the Municipal Building,  
Fonthill,  
for the hearing of all parties interested in supporting  
or opposing this application.

If you do not attend and are not represented at this hearing,  
the Board may proceed in your absence and you will not be  
entitled to any further notice of the proceedings.

In the event the decision is reserved, persons taking part  
in the hearing may request a copy of the decision from the  
presiding Board Member. Such decision will be mailed to  
you when available.

DATED at Toronto this 26th day of August, 1980.

SECRETARY