



**THE CORPORATION OF  
THE MUNICIPALITY OF WEST GREY  
REQUEST FOR PROPOSALS (RFP)  
FOR THE**

**FUTURE USE OF THE MUNICIPALLY-OWNED PROPERTY  
LOCATED AT 240 GARAFRAXA ST. N., DURHAM, ON**  
(Carnegie Library and former Durham branch, West Grey Library)

**2016 Real Estate Appraisal Range: \$180,000 - \$200,000**

**Reference #: RFP-2018-0809**

**RFP Issue Date:** Thursday, August 9, 2018  
**Site Meeting Date and Time:** Thursday, August 16, 2018 at 4 p.m.  
**RFP Closing Date and Time:** Monday, December 31, 2018 at 4 p.m.  
**RFP Closing Location:** West Grey Municipal Office, 402813 Grey  
Road 4, RR 2, Durham, ON., N0G 1R0,  
Attn: Mark Turner, Clerk, or email to:  
[mturner@westgrey.com](mailto:mturner@westgrey.com)  
**Contact:** Mark Turner  
Clerk  
**Notice:** Late Submissions Will Not Be Accepted

**The Corporation of the Municipality of West Grey**  
**REQUEST FOR PROPOSALS RFP-2018-0809**  
**Proposals for 240 Garafraxa Street N., Durham**  
**Carnegie Library Building, Former Durham branch, West Grey Library**  
**Proposal Instructions**

**1. PURPOSE OF THIS REQUEST FOR PROPOSALS**

- 1.1. The Municipality is seeking Proposals from qualified Respondents for the future use and/or disposition of the municipally-owned property and building located at 240 Garafraxa St. N. in the former Town of Durham. The property and building has served as the location of the Durham branch of the West Grey Public Library system. The building was a purpose-built library, and heritage designation for the Carnegie Building is underway. All Proponents should be aware that Council may elect to designate all, parts, or none of the building and the direction of Council regarding Heritage Designation is binding on future use.
- 1.2. This RFP is issued in accordance with Resolution #250-18 ratified by Council on August 8, 2018 as follows:

250-18 Moved by: Councillor Cutting  
Seconded by: Deputy Mayor Bell

“Resolved that, the Council of the Municipality of West Grey hereby approves seeking Requests for Proposals for the future use of the Carnegie Library building in Durham, as recommended by the Committee of the Whole, and as amended to extend the deadline date until December 31, 2018.”
- 1.3. West Grey Council is considering opportunities for the adaptive re-use of the Carnegie Library property and building in a manner that promotes economic development or community building and also supports the Municipality’s 2020 Action Plan vision to be a safe, unique and welcoming community at the heart of the Saugeen Rivers, providing opportunities for all.
- 1.4. Subject to Council authorization, it is the Municipality’s intent to negotiate required agreements, including a possible Agreement of Purchase and Sale, with the successful Respondent to facilitate future use of the property and building. All agreements shall be completed within the timelines established by the Municipality in its sole discretion. Acceptance by the Municipality of a Proposal that includes the purchase will be based on Council declaring the property surplus and approving the sale.
- 1.5. Property Location:  
Roll Number: 4205-260-001-18700 0000. 240 Garafraxa Street North, West Grey



Credit: <http://www.mtc.gov.on.ca/en/libraries/carnegie.shtml>

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- 1.6. This is a REQUEST FOR PROPOSAL (RFP), and is not a call for tenders. No contractual obligations whatsoever will arise between the Municipality and any Respondent who submits a Proposal in response to this RFP until and unless Council directs the Municipality and Respondent to enter into a formal, written Agreement of Purchase and Sale or a Lease or a Partnership enabling the Respondent to acquire the property identified in this RFP.
- 1.7. The Municipality makes no warranties or representations as to the environmental condition of the property or the condition of any structures on the property. It is the responsibility of the proponent(s) to satisfy itself as to the condition of the Property and the fitness of the property for any intended or proposed use. The Municipality assumes no liability for the condition of the Property whatsoever.
- 1.8. The Respondent acknowledges that any agreement of purchase and sale will be for a sale of the property on an "as-is-where-is" basis only. There will be no warranties or representations as to the environmental condition of the property by the Municipality.
- 1.9. Any Agreement of Purchase and Sale will require indemnities to hold the Municipality harmless and indemnify the Municipality against any third party claims and regulatory orders issued related to the property.

**2. DEFINITIONS**

- 2.1. "Council" means the elected Mayor and Council of The Corporation of the Municipality of West Grey.
- 2.2. "Municipality" means The Corporation of the Municipality of West Grey.
- 2.3. "Property" or "lands" means the property located at 240 Garafraxa St. N., West Grey, Ontario as identified in Item No. 1.5 of this RFP.
- 2.4. "Respondent" means a party who is participating in this RFP process.
- 2.5. "Proposal" means a Proposal prepared by a Respondent in response to this RFP.
- 2.6. "Public Authority" means any government agency, commission, or other authority exercising an executive, legislative, regulatory or administrative function.
- 2.7. "RFP" means this Request for Proposal.

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**3. BACKGROUND**

**3.1. Property Overview**

240 Garafraxa St. N. is located in the core of the former Town of Durham, an urban centre in the Municipality of West Grey. The property is approximately 1,959 sq. ft in size and includes six parking spaces.

**3.2. Zoning and Official Plan Related Information**

Information related to an Official Plan and Zoning Summary for the property can be found on Appendix "A" attached to this RFP.

**3.3. Property History**

The property was acquired by the former Town of Durham when it opened in July 1912, following receiving a grant on January 6, 1911.

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**3.4. Taxation**

Based on 2018 Assessment, if this property were to be taxed at a Commercial Tax Rate in 2018, the estimated total tax amount would be as follows:

<b>Property Location:</b>	<b>Potential Commercial Zoning</b>	<b>Tax Rate</b>	<b>Tax Levy</b>
<b>240 Garafraxa St. N.</b>			
	Municipal Tax Levy	0.00805681	\$1,031.27
	County Levy	0.00469319	\$600.73
	Education Levy	0.0134	\$1,715.20
	Total Tax Levy	<u>0.02615</u>	<u>\$3,347.20</u>

**4. DOCUMENT TAKERS**

- 4.1. The RFP document is available only on the Municipality's website, [www.westgrey.com](http://www.westgrey.com).
- 4.2. RFP documents will not be mailed, faxed or emailed. Hard copies will be made available, on request, and must be picked up at the West Grey Municipal office, 402813 Grey Rd. 4, RR2 Durham.

**5. MANDATORY RESPONDENTS' MEETING**

- 5.1. Prior to submitting a Proposal, Respondents should visit the general location in order to familiarize themselves with the site conditions and the surrounding area.
- 5.2. Respondent's site meetings will be held at 240 Garafraxa St. N., Durham, Ontario on Thursday, August 16, 2018 at 4 p.m. Proponents are required to confirm their attendance.

Attendance is optional, but strongly recommended to provide Proponents the opportunity to determine the existing conditions and what may be encountered in their future plans.

- 5.3. By submitting a Proposal, Respondents represent and warrant that they have made their own determinations as to the existing conditions and those likely to be encountered in the future should their Proposal be accepted. In any event, by submission of a Proposal each Respondent warrants that they have been afforded such an opportunity and shall accept any condition that may be encountered on the subject property.

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**6. POSSIBLE SELECTION OF RESPONDENT**

- 6.1. The Municipality will consider all Proposals received and may enter into discussion with one (1) or more Respondents, without such discussions in any way creating a binding contact between the Municipality and any such Respondent.
- 6.2. All Proposals will remain open to acceptance by the Municipality for a period of 90 days from the closing date for the receipt of Proposals.
- 6.3. The Municipality reserves the right to request additional information and/or verbal information from Respondents and/or other parties and to independently verify any information received.

**It is important to note that as this is an RFP, and the selection of a preferred Proposal is at the Municipality's sole discretion. Please see Item No. 26 - Proposal Evaluation and Content below regarding selection criteria.**

- 6.4. Once staff has reviewed all Proposals, a staff report with recommendations will be submitted to Council in closed session for consideration. No contract can be entered into by the Municipality without the approval of West Grey Council, which has the sole legal authority to commit the Municipality to any contract or other legal obligation. Council may elect to accept, reject or modify West Grey staff recommendations.
- 6.5. No contractual, tort or other legal obligations are created or imposed on the Municipality or other individual, officer or employee of the Municipality by the RFP documentation or by submission or consideration of any Proposal by the Municipality.
- 6.6. There will be no binding agreement with the Municipality, unless and until a formal written agreement of purchase and sale has been negotiated, agreed to, and executed by the Municipality and the successful Respondent. **In its sole and absolute discretion, the Municipality has no obligation to accept any Proposals.**
- 6.7. For further clarification, the Municipality may reject any and all Proposals for any or no reason, and may at any time cancel this RFP by addendum and has a further right, prior to the fully executed agreement of purchase of sale or lease, to decide not to sell or lease the Property without liability for any loss, damage, cost or expenses incurred or suffered by any Respondent as a result of such cancellation. If the Municipality cancels this RFP, the Municipality may issue a new RFP at any time, or enter into discussions or negotiations with any party for the sale and development of the Property.
- 6.8. Any proponent awarded the property as a result of this RFP will, within thirty (30) days of Council's authorization, be required to enter into a Formal Agreement of Purchase and Sale or Lease satisfactory to the Municipality, which will incorporate or reflect all provisions set out in this RFP and others as may be determined by Council.

**7. REQUEST FOR PROPOSAL REQUIREMENTS**

**7.1. Proposal Closing**

Proposal submissions must be submitted at the West Grey Municipal Office or electronically **via email to: [mturner@westgrey.com](mailto:mturner@westgrey.com) by Monday, December 31, 2018 at 4:00 p.m., local time.**

It is the responsibility of the Respondent to confirm receipt of any Proposal(s).

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**7.2. Late Submissions**

Proposals received after the closing time and date will not be accepted. Proposals will not be opened in a public forum.

**7.3. Proposal Submission**

Respondents shall submit proposals to the West Grey Municipal Office or via email at [mturner@westgrey.com](mailto:mturner@westgrey.com) indicating in the subject line: “**2018-RFP-0809, 240 Garafraxa St. N.**”

Proposals must be complete, clear, consistent, well-organized and legible to facilitate evaluation. Proposal documents shall be written in English and formatted for printing on an 8.5 inch by 11 inch format utilizing Appendix “C-1” and Appendix “C-2” attached, plus any supplementary attachments deemed appropriate by the respondent.

**7.4. Scope of Proposal**

The Municipality of West Grey is accepting Proposals regarding the future use of the property and building located at 240 Garafraxa St. N., West Grey (Durham), Ontario. In this regard, the Municipality will consider all options for future use, including the potential sale of the property to the selected Respondent.

**7.5. Requirements of the Proposal**

The Municipality of West Grey requires a detailed Proposal addressing the following:

- Identify how the property and building will be utilized in the future;
- Identify any potential impacts and/or benefits to adjacent properties;
- Identify any potential or perceived community, economic and environmental benefits of the Proposal;
- Identify the impact of the Proposal on the Municipality in regard to asset ownership or asset management; financial implications; and any other potential impact identified by the Respondent;
- State any and all revenues and costs related to the project and identify which party would be responsible for same;
- Identify proposed project timelines and work schedule; and
- Supply two (2) references related to similar work undertaken by the Respondent, if available.

**7.6. Faxed or Electronic Proposals**

Proposals submitted by FAX will not be accepted and will be determined not to have been received.

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**8. PROPOSAL INQUIRIES**

- 8.1. Questions or clarification about this RFP should be directed to the Municipality's Contact Person only. Verbal representations, promises, statements or advice made by employees of the Municipality or a member of West Grey Council regarding this RFP shall not be relied upon.
- 8.2. It is each Respondent's responsibility to ensure that it seeks clarification on any matter relating to this RFP. Requests for clarification must be made in writing by e-mail only to the contact noted below. All inquiries shall be submitted no later than 72 hours prior to the closing date.

Municipality of West Grey Contact Person:  
Mark Turner, Clerk  
[mturner@westgrey.com](mailto:mturner@westgrey.com)

**9. ADDENDA**

- 9.1. If required, addenda will be posted on the Municipality's website [www.westgrey.com](http://www.westgrey.com). It is the Respondent's ultimate responsibility to ensure all addenda have been received.
- 9.2. Respondents shall be required to acknowledge receipt of addenda in their submission.

**10. VALID AUTHORITY**

- 10.1. All Proposals must be signed by the Respondent. Any corporate Respondent must ensure that the Proposal is signed by its authorized signatory or signatories.

**11. ASSIGNMENT**

- 11.1. Respondents shall not assign their Proposal or any rights in respect of the same to any other party. Such an assignment or purported assignment will immediately invalidate the Respondent's Proposal.

**12. CONFIDENTIALITY**

- 12.1. All documents submitted to the Municipality in response to this RFP or as part of any subsequent negotiation will become the property of the Municipality, and will not be returned.

**13. FREEDOM OF INFORMATION**

- 13.1. Any personal information required as part of the Proposal is received under the authority of the Municipality. This information will be an integral component of the Proposal submission.
- 13.2. All written Proposals received by the Municipality become a public record. Once the Corporation accepts a Proposal all information contained in them is available to the public, including personal information.

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- 13.3. Questions about collection of personal information and the Municipal Freedom of Information and Protection of Privacy Act, 1989, R.S.O. 1990, Chapter M.56, as amended, should be directed to:

Mark Turner, Clerk  
Municipality of West Grey  
402813 Grey Road 4, RR2  
Durham, ON N0G 1R0  
519-369-2200 ext. 229

- 13.4. The Clerk has been designated by the Municipality to carry out the responsibilities of the Act.

**14. ACCEPTANCE OF RFP CONDITIONS**

- 14.1. Unless otherwise documented in the Respondent's Proposal, all conditions contained in this RFP are assumed to have been accepted by the Respondent including but not limited to any and all addenda recorded by the Municipality during the RFP process.
- 14.2. The conditions in this RFP along with any and all addenda recorded by the Municipality during this RFP process will form part of the Respondent's Proposal. By submitting its Proposal to the Municipality, each Respondent represents and warrants to the Municipality that the information in its Proposal is accurate and complete.

**15. MATERIAL CHANGE AFTER THE RFP CLOSING DATE**

- 15.1. Subsequent to the receipt of Proposals by the Municipality, Respondents shall promptly advise the Municipality of any changes that could materially affect the Respondent's ability to undertake the purchase of the Property.

**16. LAWS, REGULATIONS, STANDARDS PERMITS & APPROVALS**

- 16.1. Respondents shall comply with all laws and regulations of all Public Authorities having jurisdiction, including those of the Municipality. Respondents shall obtain, at their expense, copies of all applicable laws, codes, by-laws, regulations and standards of all Public Authorities having jurisdiction with respect to the Property (if applicable), and shall satisfy themselves with respect to the need for any Permits and other approvals.

**17. RESPONSIBILITY OF RESPONDENTS**

- 17.1. Respondents are responsible for informing themselves as to the contents of this RFP and related attachments. Respondents are responsible to ensure that they have obtained and considered all information necessary to understand the requirements of the RFP process and submittal of their Proposal. The Municipality will not be responsible for any loss, damage or expense incurred by Respondents as a result of any inaccuracy or incompleteness in this RFP, or as a result of the Respondents misunderstanding or misinterpreting the terms and conditions of the RFP.
- 17.2. Any proposals received that do not comply with the Official Plan or Comprehensive Zoning By-law will be subject to any and all Official Plan and Zoning By-law public processes required under the Planning Act. Any and all costs and risks associated with these requirements are the responsibility of the Proponent.

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**18. NO CLAIMS AGAINST THE MUNICIPALITY**

18.1. By participating in this RFP process, Respondents acknowledge and agree that the Municipality and its officials, employees, agents and consultants will not be liable to any Respondent for any claims, direct or indirect, whether for costs, expenses, losses or damages, or loss of anticipated profits, or for any other matter whatsoever, incurred by the Respondent in preparing and submitting a Proposal, or participating in negotiations leading to a contract of purchase and sale, or any other activity related to or arising from this RFP process.

**19. ERRORS AND OMISSIONS**

19.1. The Municipality shall not be held liable for any errors or omissions in any part of this RFP. The Municipality has used considerable efforts to ensure an accurate representation of information in this RFP, however, the information contained in the RFP is supplied solely as a guideline for Respondents.

19.2. The information is not guaranteed or warranted to be accurate by The Municipality, nor is it necessarily comprehensive or exhaustive. Nothing in the RFP is intended to relieve the Respondents from forming their own opinions and conclusions with respect to the matters addressed in the RFP.

**20. CANADIAN CURRENCY**

20.1. All monetary references in a Proposal must be in Canadian currency.

**21. LEGAL ACTION**

21.1. The Municipality may, in its absolute discretion, reject a Proposal submitted by a Respondent if the Respondent, or any officer or director of a corporate Respondent, is or has been engaged in legal action against the Municipality and/or its elected officials and/or appointed officers and employees or any of them in relation to:

- Any other contract or services; or
- Any matter arising from the Municipality's exercise of its powers, duties or functions under the Municipal Act, Planning Act or any other enactment;

21.2. Within five (5) years prior to the closing date of this Proposal.

21.3. For the purpose of this section, the word "legal action" includes, without limitation, mediation, arbitration, or hearing before an administrative tribunal or lawsuit filed in any court.

21.4. Without limiting the Municipality's sole discretion, in determining whether or not to reject a Proposal pursuant to this clause, the Municipality may consider such factors as whether the legal action is likely to affect the Respondent's ability to work with the Municipality and its employees, agents, other consultants, contractors and representatives or any of them and whether the Municipality's past experience with the Respondent in this matter that resulted in the legal action indicates that the Municipality is likely to incur increased staff and legal costs or either of them in the administration of this contract if it is awarded to the Respondent.

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**22. INDEMNIFICATION**

22.1. The Respondent shall indemnify and save harmless the Municipality, its employees and agents from and against all claims, demands, losses, costs, damages, actions, suits or other proceedings by whomsoever made, brought or executed by, or attributed to any such damages, injury or infringement as a result of activities under this Proposal.

**23. GOVERNING LAWS**

23.1. This RFP and subsequent contract/agreements will be interpreted and governed by the laws of the Province of Ontario.

**24. PURCHASE CONTRACT OR LEASE AGREEMENT**

24.1. The successful Respondent, if any, will be required to enter into an Agreement of Purchase and Sale or Lease, depending on the nature of the Proposal.

**25. TITLE AND ENCUMBRANCES**

25.1. Respondents are responsible to ascertain and satisfy themselves regarding the state of title, charges and encumbrances. Documentation may be available from the Land Registry Office.

**26. PROPOSAL EVALUATION AND CONTENT**

26.1. In selecting the successful Respondent, the evaluation may consist of, but shall not be limited to the following (not in any particular order or precedence):

26.1.1. Proposed purchase price, if applicable;

26.1.2. Proposed lease rates, if applicable;

26.1.3. Any and all proposed conditions set out in the Proposal.

26.1.4. Community, economic and environmental benefits resulting from future use of the property and building;

26.1.5. Potential impacts and/or benefits to adjacent properties;

26.1.6. Impact of the Proposal on the Municipality in regard to asset ownership or asset management; financial implications; and any other potential impact identified by the Respondent;

26.1.7. Revenues and costs related to the project and identify which party would be responsible for same;

26.1.8. Project timelines and work schedule;

26.1.9. References related to similar work undertaken by the Respondent, if available.

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- 26.1.10. Consistency of the Proposal with the Municipality's Official Plan, adherence to zoning, viability etc.); and
- 26.1.11. Proposals must include complete contact information for the Respondent including name, address, telephone, emailaddress.

**27. HARMONIZED SALES TAX (HST)**

- 27.1. (HST) is applicable to the requirements of this Proposal and should be shown separately on the Schedule of Fees.

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**APPENDIX "A"**

**240 Garafraxa Street, West Grey**  
**(Durham)**

Roll Number:	4205-260-001-18700 0000	<b>MPAC Property Type</b>	732 - Library
Address:	240 Garafraxa Street North	<b>MPAC Year Assessed:</b>	2018
Market Value Assessment (2016)	\$180,000 - \$200,000	<b>MPAC Value Assessment:</b>	\$123,000

<b>ITEM</b>	<b>DETAIL</b>
<b>Legal Description:</b>	<b>PLAN 500 PT LOT 19 WGR RP16R10764 PART 4 AND 5, DURHAM, WEST GREY</b>
<b>Lot Area:</b>	<b>9,268 sq. ft.</b>
<b>OP Main Designation:</b>	<b>Institutional</b>
<b>Land Use Classification (Zoning):</b>	<b>Institutional (I)</b>
<b>Lot Frontage:</b>	<b>66.0 Ft</b>
<b>Lot Depth:</b>	<b>140 Ft.</b>
<b>Road Maintenance:</b>	<b>Provincial Year Round</b>
<b>Road Type:</b>	<b>Provincial Highway</b>
<b>Features:</b>	<ul style="list-style-type: none"> <li>• Paved Driveway</li> <li>• Two-Storey Building</li> </ul>
<b>By-Law Restrictions:</b>	<b>Attached as Appendix B</b>
<b>Date of Acquisition:</b>	<b>1911</b>
<b>Method of Acquisition:</b>	<b>Municipal Building</b>
<b>Water:</b>	<b>Municipality of West Grey</b>
<b>Waste Services:</b>	<b>Municipality of West Grey</b>
<b>Previous Use:</b>	<b>Municipal Library</b>
<b>Nearest Intersection:</b>	<b>Garafraxa Street and George Street</b>

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<b>ITEM</b>	<b>DETAIL</b>
<b>Number of Structures:</b>	<b>1</b>
<b>Structure Size (Floor Area):</b>	<b>1,958 Sq. Ft.</b>
<b>Structure Size (Maximum Height):</b>	<b>15 Ft.</b>
<b>Structure Size (Perimeter):</b>	<b>177 Ft.</b>
<b>Structure Construction (Date):</b>	<b>1911</b>

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APPENDIX "B"

## SECTION 28 - I - INSTITUTIONAL ZONE

### 28.1 PERMITTED USES

- Institutional uses
- Medical Clinic
- Day Nursery
- Home for the Aged
- Rest Home
- Hospital
- Nursing Home
- Places of Worship
- School
- Public Buildings
- Private Clubs
- Accessory uses, buildings and structures in accordance with Section 6.1, including auditoriums and assembly halls.

### 28.2 REGULATIONS

#### 28.2.1 LOT AREA, Minimum

With full municipal services	615 m <sup>2</sup> (6620 ft <sup>2</sup> )
With private services	0.4 ha (1 ac)

#### 28.2.2 LOT FRONTAGE, Minimum

With full municipal services	20 m (65.6 ft)
With private services	30 m (98.4ft)

#### FRONT YARD, Minimum

7.5 m (24.6 ft) plus any applicable distance required by the applicable Road authority regulations as specified in Section 6.31 of this By-law.

#### INTERIOR SIDE YARD, Minimum

(half) the Building height; where (half) the building height is less than 3 m (9.8 ft), the minimum interior side yard shall be 3 m (9.8 ft)

#### 28.2.5 EXTERIOR SIDE YARD, Minimum

7.5 m (24.6 ft) plus any applicable distance required by the applicable road authority regulations as specified in Section 6.31 of this By-law.

#### 28.2.6 REAR YARD, Minimum

7.5 m (24.6 ft)

#### 28.2.7 LOT COVERAGE, Maximum

40%

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**28.3 OTHER PROVISIONS**

Off-street parking requirements, buffer and garbage storage areas shall be in accordance with the requirements of the applicable regulations of Section 6 - General Provisions of this By-law.



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APPENDIX "C-2"

Respondent(s) Proposal For Future Use and/or Disposition of the Property Located at  
240 Garafraxa Street, West Grey (Durham)

RESPONDENT'S INFORMATION

Respondent's Name: (Print) \_\_\_\_\_

Respondent's Signature: \_\_\_\_\_

Respondent's Address: \_\_\_\_\_

Respondent's Phone: \_\_\_\_\_

Respondent's E-Mail: \_\_\_\_\_

Dated: \_\_\_\_\_