



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 119 - 2006

To declare surplus and authorize  
the transfer, release and  
abandonment of an easement

**WHEREAS** it is deemed expedient in the interest of The Corporation of the City of Brampton that a Sanitary Sewer and Watermain Easement over Part of Lot 14, Concession 6, EHS, Chinguacousy, designated as Part 1 on Plan 43R-27787 (the "Lands") be transferred, released and abandoned to the owner of the fee simple lands

**AND WHEREAS** the Lands were conveyed to the City for nominal consideration as a condition of development;

**AND WHEREAS** the City no longer requires the easement over the Lands;

**AND WHEREAS** the procedures required by section 268 of the *Municipal Act, 2001* have been carried out;

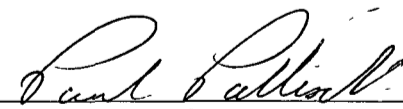
**AND WHEREAS** the Council of The Corporation of the City of Brampton has heard in person or by counsel, solicitor or agent, all persons claiming that their land will be prejudicially affected by this by-law and who applied to be heard;

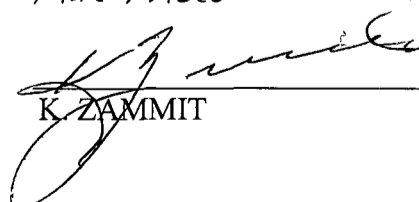
**NOW THEREFORE** the Council of The Corporation of the City of Brampton **ENACTS AS FOLLOWS:**

1. The lands described in Schedule "A" are hereby declared to be surplus.
2. The transfer, release and abandonment of the easement over the Lands described in Schedule "A" for nominal consideration to the owners of the fee simple lands is hereby authorized and the City Solicitor or her designate is hereby authorized to execute all documents and instruments as may be necessary to effect the transfer, release and abandonment of the easement over the Lands.

**READ a FIRST, SECOND and THIRD TIME and PASSED** in Open Council this 24<sup>th</sup> day of April, 2006.

Approved as to Form and Content <u>WCC</u> 06/04/12
---

  
~~SUSAN FENNELL~~ ~~MAYOR~~  
 PAUL PALLESCI ACTING MAYOR.

  
 K. ZAMMIT CLERK

**SCHEDULE A TO BY-LAW 119-2006**

**LEGAL DESCRIPTION OF THE LANDS**

Part of Lot 14, Conc. 6, EHS, Chinguacousy, designated as Part 1 on Plan 43R-27787



# Legal Services

**Date:** August 21, 2006

**To:** Mary Carr

**Subject: Transfer, Release & Abandonment of Watermain and Sanitary Sewer Servicing Easement**

Part of Lot 19, Plan 43M-1698, lying within the limits of  
Part 1 on Plan 43R-28245 (PIN No. 14220-3021)

Part of Lot 20, Plan 43M-1698, lying within the limits of  
Part 1 on Plan 43R-28245 (PIN No. 14220-3022)

Part of Latania Boulevard, Plan 43M-1698, lying within the limits of  
Part 1 on Plan 43R-28245 (PIN No. 14220-3048)

Part of Block 40, Plan 43M-1698, lying within the limits of  
Part 1 on Plan 43R-28245 (PIN No. 14220-3042)

Part of Bloomsbury Avenue, Plan 43M-1698, lying within the limits of  
Part 2 on Plan 43R-28245 (PIN No. 14220-3046)

Part of Crown Drive, Plan 43M-1698, lying within the limits of  
Part 1 and Part 2 on Plan 43R-28245 (PIN No. 14220-3047)

Our File No.: P1601

---

Attached for safekeeping is a copy of Instrument No. PR1119983 which was *electronically registered* on August 17, 2006 in the Land Registry Office. This a transfer, release and abandonment of a watermain and sanitary sewer easement from the Region and City to Gold Park (Castlemore) Inc.

Sandra Viveiros

Legal Assistant, Legal Services

Tel: (905) 874-3335 Fax: (905) 874-2699

sandra.viveiros@brampton.ca

attachments

cc Rosanne Reda

David Kenth

Bill Latchford

**Properties**

<i>PIN</i>	14220 - 3021 LT	<i>Interest/Estate</i>	Fee Simple	<input checked="" type="checkbox"/> Remove Easement
<i>Description</i>	SERVIENT LANDS THAT PART OF LOT 19, PLAN 43M1698, LYING WITHIN THE LIMITS OF PART 1, PLAN 43R-28245 AS IN PR548823, CITY OF BRAMPTON, REGIONAL MUNICIPALITY OF PEEL			
<i>Address</i>	BRAMPTON			
<i>PIN</i>	14220 - 3022 LT	<i>Interest/Estate</i>	Fee Simple	<input checked="" type="checkbox"/> Remove Easement
<i>Description</i>	SERVIENT LANDS THAT PART OF LOT 20, PLAN 43M1698, LYING WITHIN THE LIMITS OF PART 1, PLAN 43R-28245 AS IN PR548823, CITY OF BRAMPTON, REGIONAL MUNICIPALITY OF PEEL			
<i>Address</i>	BRAMPTON			
<i>PIN</i>	14220 - 3048 LT	<i>Interest/Estate</i>	Fee Simple	<input checked="" type="checkbox"/> Remove Easement
<i>Description</i>	SERVIENT LANDS THAT PART OF LATANIA BOULEVARD, PLAN 43M1698 , LYING WITHIN THE LIMITS OF PART 1 , PLAN 43R-28245, AS IN PR548823, CITY OF BRAMPTON, REGIONAL MUNICIPALITY OF PEEL			
<i>Address</i>	BRAMPTON			
<i>PIN</i>	14220 - 3042 LT	<i>Interest/Estate</i>	Fee Simple	<input checked="" type="checkbox"/> Remove Easement
<i>Description</i>	SERVIENT LANDS THAT PART OF BLOCK 40, PLAN 43M1698, LYING WITHIN THE LIMITS OF PART 1 ON PLAN 43R-28245, AS IN PR548823, CITY OF BRAMPTON, REGIONAL MUNICIPALITY OF PEEL			
<i>Address</i>	BRAMPTON			
<i>PIN</i>	14220 - 3046 LT	<i>Interest/Estate</i>	Fee Simple	<input checked="" type="checkbox"/> Remove Easement
<i>Description</i>	SERVIENT LANDS THAT PART OF BLOOMSBURY AVENUE, PLAN 43M1698, LYING WITHIN THE LIMITS OF PART 2 ON PLAN 43R-28245, AS IN PR548823 CITY OF BRAMPTON, REGIONAL MUNICIPALITY OF PEEL			
<i>Address</i>	BRAMPTON			
<i>PIN</i>	14220 - 3047 LT	<i>Interest/Estate</i>	Fee Simple	<input checked="" type="checkbox"/> Remove Easement
<i>Description</i>	SERVIENT LANDS THAT PART OF CROWN DRIVE, PLAN 43M1698, LYING WITHIN THE LIMITS OF PARTS 1 AND 2 ON PLAN 43R-28245 AS IN PR548823 CITY OF BRAMPTON, REGIONAL MUNICIPALITY OF PEEL			
<i>Address</i>	BRAMPTON			

**Consideration**

Consideration \$2 00

**Transferor(s)**

The transferor(s) hereby transfers, releases and abandons the easement to the transferee(s)

*Name* THE REGIONAL MUNICIPALITY OF PEEL  
*Address for Service* 10 Peel Centre Drive,  
Brampton, Ontario  
L6T 4B9

This document is not authorized under Power of Attorney by this party  
This document is being authorized by a municipal corporation Mitch Zamojc, Commissioner of Public Works, pursuant to By-law No 39-2001

*Name* THE CORPORATION OF THE CITY OF BRAMPTON  
*Address for Service* 2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2

This document is not authorized under Power of Attorney by this party  
This document is being authorized by a municipal corporation THE CORPORATION OF THE CITY OF BRAMPTON by Sandra Viveiros

<b>Transferee(s)</b>	<b>Capacity</b>	<b>Share</b>
----------------------	-----------------	--------------

Name	GOLD PARK (CASTLEMORE) INC
Address for Service	55 Siltou Road, Unit 2, Woodbridge, Ontario

<b>Document(s) to be Deleted</b>		
----------------------------------	--	--

Registration No.	Date	Type of Instrument
PR548823	2003/11/27	Transfer Easement

<b>Statements</b>
-------------------

All the parties having an interest have consented to this release of easement  
Schedule See Schedules

<b>Signed By</b>				
------------------	--	--	--	--

Sandra Viveiros	2 Wellington St West Brampton L6Y 4R2	acting for Transferor(s)	Signed	2006 08 17
Tel	9058742000			
Fax	9058742699			
Sandra Smith	700-40 Sheppard Ave W North York M2N 6K9	acting for Transferee(s)	Signed	2006 08 17
Tel	4162259400			
Fax	4162254805			

<b>Submitted By</b>		
---------------------	--	--

GOLDMAN, SPRING, KICHLER & SANDERS LLP	700-40 Sheppard Ave W North York M2N 6K9	2006 08 17
Tel	4162259400	
Fax	4162254805	

<b>Fees/Taxes/Payment</b>	
---------------------------	--

Statutory Registration Fee	\$60 00
Land Transfer Tax	\$0 00
Total Paid	\$60 00

<b>File Number</b>
--------------------

Transferor Client File Number CITY FILE NO P1601

**LAND TRANSFER TAX STATEMENTS**

In the matter of the conveyance of 14220 - 3021 SERVIENT LANDS  
THAT PART OF LOT 19, PLAN 43M1698, LYING WITHIN THE LIMITS OF  
PART 1, PLAN 43R-28245 AS IN PR548823, CITY OF BRAMPTON,  
REGIONAL MUNICIPALITY OF PEEL  
14220 - 3022 SERVIENT LANDS  
THAT PART OF LOT 20, PLAN 43M1698, LYING WITHIN THE LIMITS OF  
PART 1, PLAN 43R-28245 AS IN PR548823, CITY OF BRAMPTON,  
REGIONAL MUNICIPALITY OF PEEL  
14220 - 3048 SERVIENT LANDS  
THAT PART OF LATANIA BOULEVARD, PLAN 43M1698 , LYING WITHIN  
THE LIMITS OF PART 1 , PLAN 43R-28245, AS IN PR548823, CITY OF  
BRAMPTON, REGIONAL MUNICIPALITY OF PEEL  
14220 - 3042 SERVIENT LANDS  
THAT PART OF BLOCK 40, PLAN 43M1698, LYING WITHIN THE LIMITS  
OF PART 1 ON PLAN 43R-28245, AS IN PR548823, CITY OF  
BRAMPTON, REGIONAL MUNICIPALITY OF PEEL  
14220 - 3046 SERVIENT LANDS  
THAT PART OF BLOOMSBURY AVENUE, PLAN 43M1698, LYING WITHIN  
THE LIMITS OF PART 2 ON PLAN 43R-28245, AS IN PR548823 CITY OF  
BRAMPTON, REGIONAL MUNICIPALITY OF PEEL  
14220 - 3047 SERVIENT LANDS  
THAT PART OF CROWN DRIVE, PLAN 43M1698, LYING WITHIN THE  
LIMITS OF PARTS 1 AND 2 ON PLAN 43R-28245 AS IN PR548823 CITY  
OF BRAMPTON, REGIONAL MUNICIPALITY OF PEEL

BY THE REGIONAL MUNICIPALITY OF PEEL  
THE CORPORATION OF THE CITY OF BRAMPTON  
TO GOLD PARK (CASTLEMORE) INC

1 STEVEN A KICHLER

I am

- (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed,
- (b) A trustee named in the above-described conveyance to whom the land is being conveyed,
- (c) A transferee named in the above-described conveyance,
- (d) The authorized agent or solicitor acting in this transaction for GOLD PARK (CASTLEMORE) INC described in paragraph(s) (C) above
- (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for \_\_\_\_\_ described in paragraph(s) ( ) above
- (f) A transferee described in paragraph( ) and am making these statements on my own behalf and on behalf of \_\_\_\_\_ who is my spouse described in paragraph( ) and as such, I have personal knowledge of the facts herein deposed to

**3 The total consideration for this transaction is allocated as follows:**

(a) Monies paid or to be paid in cash	2 00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0 00
(ii) Given Back to Vendor	0 00
(c) Property transferred in exchange (detail below)	0 00
(d) Fair market value of the land(s)	0 00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0 00
(f) Other valuable consideration subject to land transfer tax (detail below)	0 00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	2 00
(h) VALUE OF ALL CHATTELS -items of tangible personal property	0 00
(i) Other considerations for transaction not included in (g) or (h) above	0 00
(j) Total consideration	2 00

4

Explanation for nominal considerations  
s) other re-conveyance of sanitary and sewer easement no longer required by municipality

5 The land is not subject to an encumbrance

**PROPERTY Information Record**

A Nature of Instrument	Transfer Release & Abandonment
	LRO 43 Registration No PR1119983 Date 2006/08/17
B Property(s)	PIN 14220 - 3021 Address BRAMPTON Assessment - Roll No
	PIN 14220 - 3022 Address BRAMPTON Assessment - Roll No
	PIN 14220 - 3048 Address BRAMPTON Assessment - Roll No

**LAND TRANSFER TAX STATEMENTS**

PIN 14220 - 3042	Address BRAMPTON	Assessment -
		Roll No
PIN 14220 - 3046	Address BRAMPTON	Assessment -
		Roll No
PIN 14220 - 3047	Address BRAMPTON	Assessment -
		Roll No

C Address for Service 55 Silton Road,  
Unit 2,  
Woodbridge, Ontario

D (i) Last Conveyance(s)

PIN 14220 - 3021	Registration No	PR1029573
PIN 14220 - 3022	Registration No	PR1029574
PIN 14220 - 3048	Registration No	PR548823
PIN 14220 - 3042	Registration No	PR1026081
PIN 14220 - 3046	Registration No	PR548823
PIN 14220 - 3047	Registration No	PR548823

(ii) Legal Description for Property Conveyed Same as in last conveyance? Yes  No  Not known

E Tax Statements Prepared By Sandra Smith  
700-40 Sheppard Ave W  
North York M2N 6K9

**CONSENT OF CHARGE**

IN THE MATTER OF A RELEASE AND ABANDONMENT OF EASEMENT  
OVER PART OF LOTS 19 AND 20, BLOCK 40, PART OF LATANIA  
BOULEVARD, BLOOMSBURY AVENUE, AND CROWN DRIVE ALL ON PLAN  
43M-1698 AND BEING PARTS 1 AND 2 ON 43R-28245.

FANSHORE INVESTMENTS INC. the Chargee under a Charge registered as  
Instrument No PR 1029618 hereby consents to the registration of the above-  
mentioned Release and Abandonment of Easement.

DATED THIS 2<sup>nd</sup> day of August, 2006.

FANSHORE INVESTMENTS INC.

Per:

  
Peter Cipriano, A.S.O.

I am authorized to bind the Corporation.



**CONSENT OF CHARGE**

IN THE MATTER OF A RELEASE AND ABANDONMENT OF EASEMENT  
OVER PART OF LOTS 19 AND 20, BLOCK 40, PART OF LATANIA  
BOULEVARD, BLOOMSBURY AVENUE, AND CROWN DRIVE ALL ON PLAN  
43M-1698 AND BEING PARTS 1 AND 2 ON 43R-28245.

CANADIAN IMPERIAL BANK OF COMMERCE, the Chargee under a Charge  
registered as Instrument No. PR.423671 hereby consents to the registration of  
the above-mentioned Release and Abandonment of Easement.

Dated this 9 day of August, 2006

CANADIAN IMPERIAL BANK OF COMMERCE

Per:   
Name: **SAM BERTUCCI**  
Position: **Risk Analyst**

Per:   
Name: **ANN MARIE MERRICK**  
Position: **Asst. General Manager**

**WE HAVE AUTHORITY TO  
BIND THE CORPORATION.**

CONSENT OF CHARGE

IN THE MATTER OF A RELEASE AND ABANDONMENT OF EASEMENT  
OVER PART OF LOTS 19 AND 20, BLOCK 40, PART OF LATANIA  
BOULEVARD, BLOOMSBURY AVENUE, AND CROWN DRIVE ALL ON PLAN  
43M-1698 AND BEING PARTS 1 AND 2 ON 43R-28245.

PASQUALE D'AGOSTINI and MARIA D'AGOSTINI, the Chargees under a  
Charge registered as Instrument No PR 383968 hereby consent to the  
registration of the above-mentioned Release and Abandonment of Easement.

DATED THIS 2<sup>nd</sup> day of August, 2006.

  
PASQUALE D'AGOSTINI

  
MARIA D'AGOSTINI

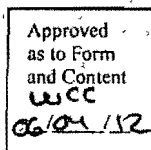
CERTIFICATE

Subsection 268(6) of the *Municipal Act, 2001*, S.O. 2001, c. 25

I, <sup>P/W</sup> KATHY ZAMMIT, of the Town of Caledon, in the Regional Municipality of Peel, hereby certify that, to the best of my knowledge and belief:

1. I am employed as City Clerk for The Corporation of the City of Brampton and as such, I have knowledge of the facts herein contained.
2. On April 24, 2006, the Council of the City of Brampton passed By-law /20-2006 a by-law declaring surplus the easement interests in Part of Lot 14, Concession 7 ND (Toronto Gore) designated as Parts 1 and 2 Reference Plan 43R-28245 on Plan 43M-1602 and authorizing the transfer, release and abandonment of the easement over said lands to the fee simple owners.
3. Procedural by-law 273-2005, as required under subsection 268(1) was in force in the municipality at the time the by-law required by subsection 268(3) was passed.
4. To the best of my knowledge the requirements of section 268 of the *Municipal Act, 2001* and the City's by-law 273-2005, as amended, governing the sale and disposition of land, have been carried out.

DATED this 24th day of April, 2006



  
K. Zammit  
City Clerk