



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW


Number 146-77


A By-law to authorize the execution of an Agreement between Flowertown Shopping Centre Limited, Tip Top Construction Limited, carrying on business in partnership under the firm name and style of Darcel Construction Company, the Corporation of the City of Brampton, The Regional Municipality of Peel and the Bank of Montreal.

The Council of The Corporation of the City of Brampton
ENACTS as follows:-

That the Mayor and the Clerk are hereby authorized to execute an Agreement between Flowertown Shopping Centre Limited, Tip Top Construction Limited, carrying on business in partnership under the firm name and style of Darcel Construction Company, the Corporation of the City of Brampton, The Regional Municipality of Peel and the Bank of Montreal, attached hereto as Schedule "A".

READ, a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 13th day of June, 1977.


James E. Archdekin, Mayor


Kenneth R. Richardson, Clerk

MEMORANDUM OF AGREEMENT made in duplicate this 1st
day of April , 1977.

B E T W E E N:

FLOWERTOWN SHOPPING CENTRE LIMITED and
TIP TOP CONSTRUCTION LIMITED, carrying
on business in partnership under the
firm name and style of DARCEL CONSTRUCTION
COMPANY,

hereinafter called the 'Owner',

OF THE FIRST PART,

A N D:

THE CORPORATION OF THE CITY OF BRAMPTON,

hereinafter called the 'City',

OF THE SECOND PART,

A N D:

THE REGIONAL MUNICIPALITY OF PEEL,

hereinafter called the 'Region',

OF THE THIRD PART,

A N D:

BANK OF MONTREAL,

hereinafter called the 'Mortgagees',

OF THE FOURTH PART.

WHEREAS the Owner warrants that it is the owner of
the lands shown on the survey annexed hereto as Schedule "A";
and further warrants that the Mortgagees are the only
mortgagees of the said lands;

AND WHEREAS an agreement was entered into between
Bramalea Consolidated Developments Limited, Kerbel Developments
Limited, Darcel Construction Company, and the City and the
Region and certain mortgagees dated the 3rd day of October,
1975;

AND WHEREAS the Owner has applied to the City for site plan approval of a condominium townhouse project for the said lands and the City is of the opinion that such approval would not be proper and in the public interest unless assurances are given by the Owner that the matters and things referred to in this agreement will be done in the manner hereinafter set forth;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the covenants herein contained and in consideration of the City taking the necessary steps to permit the development of the lands described herein and more particularly shown on Schedule "A" annexed hereto, the parties hereto agree each with the other as follows:

Levies

1. The agreement dated the 3rd day of October, 1975 as recited above remains in full force and effect except insofar as the same is specifically amended by this agreement and the Owner agrees that all levies required under the aforementioned agreement shall be paid with respect to the lands described herein.

Site Plan

2. The lands located to the south of Clark Boulevard and to the east of Terese Road in the City of Brampton and more particularly described as Blocks B, P, Q, T and U according to Registered Plan M-133 shall be developed only in accordance with the site plan annexed hereto as Schedule "A" to this agreement.

Condominium

3. The Owner agrees that the lands shown on Schedule "A" shall be developed and the units thereon marketed under a condominium corporation. The Owner also agrees and undertakes to file with the City of Brampton, prior to application for condominium registration, the proposed by-laws and declaration for

the condominium corporation, which by-laws and declaration shall be consistent with the City of Brampton condominium policy and/or the approved site plans for the development of the lands shown on Schedule "A".

Street
Name
Signs

4. The Owner agrees that all private streets shown on Schedule "A" shall be named with names to be approved by the City and the Region, and the Owner agrees to erect street name signs on the roads shown on Schedule "A" and on the abutting public streets in locations and in accordance with specifications to be approved by the City Engineer.

One foot
Reserves

5. The City agrees to reconvey to the Owner those portions of the one foot reserves abutting the lands shown on Schedule "A" which lie in the locations of the approved access points as shown on Schedule "A". The Owner shall, at its own expense, prepare all necessary surveys, R-Plans, and conveyances, and shall bear the cost of all registrations in connection with the said reconveyance.

Mortgagees

6. The Mortgagees join herein to consent to the terms herein and covenant and agree that in the event that the lands become vested in the said Mortgagees or any of them, they shall be required to comply with the terms herein to the same extent as if they had joined as Owners.

Landscaping

7. The Developers agree to submit plans indicating landscaping, the preservation of existing trees and the type and location of fences to be approved by the Planning and Parks and Recreation Departments with all plans to be approved prior to issuance of building permits and all work to be completed prior to occupancy

of any building, except for buildings to be occupied between November 1st and June 15th in any year in which case all work shall be completed by June 30th following such occupancy.

IN WITNESS WHEREOF THE PARTIES HERETO have hereunto affixed their corporate seals attested by the hands of their proper officers duly authorized in that behalf.

FLOWERTOWN SHOPPING CENTRE LIMITED and TIP TOP CONSTRUCTION LIMITED, carrying on business in partnership under the firm name and style of DARCEL CONSTRUCTION COMPANY

per Allan Kerbel
per Ben Perrot

THE CORPORATION OF THE CITY OF BRAMPTON

James E. Archdekin
JAMES E. ARCHDEKIN, MAYOR

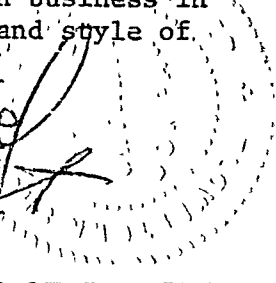
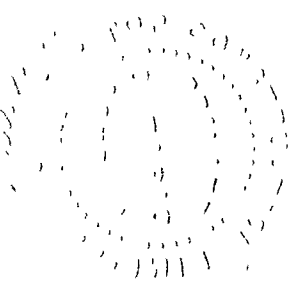
Kenneth R. Richardson
KENNETH R. RICHARDSON, CLERK

THE REGIONAL MUNICIPALITY OF PEEL

BANK OF MONTREAL

Vice-President

Assistant Secretary



Approved
[Signature]
Manager

[Handwritten mark]



SCHEDULE "A"

pertinent information

lot 7

lot area net 0.444 ac = 41,500 sq ft
 gross 0.137 ac = 41,507 sq ft
 max density 17 u/a net = 100 units

proposed

body counts per floor 20 u/a 107,014 sq ft = 26.2%
 17,526 sq ft = 26.4%
 parking & driveway 49,578 sq ft = 25.3%
 24,173 sq ft = 28.0%
 total 41,500 sq ft = 100.0%
 41,507 sq ft = 100.0%

parking

in unit 27 u/a 160 cars 100%
 in unit driveway 150 cars 100%
 visitors 32 cars 20%
 total 342 cars 220%

DRAFT PLAN OF CONDOMINIUM OF
 BLOCKS B, C, D AND U, PLAN M-133
 CITY OF BRAMPTON
 REGIONAL MUNICIPALITY OF PEEL
 SCALE 1" = 40'

unit break-down

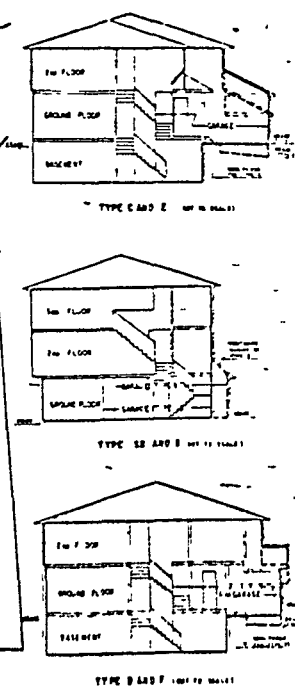
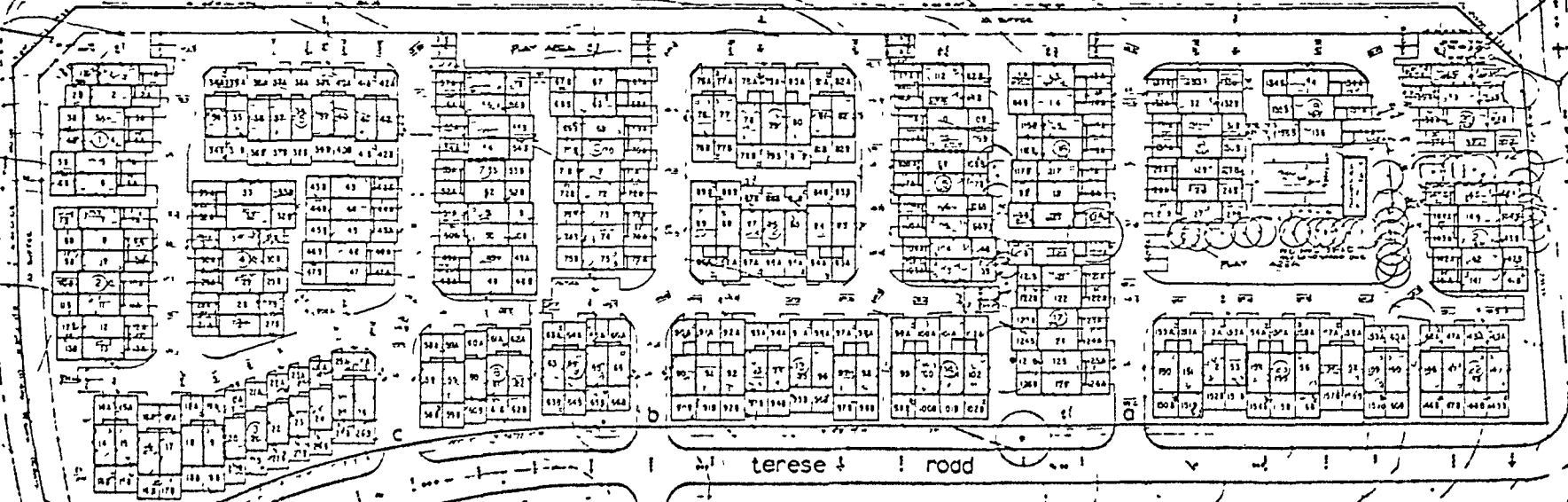
parcel	a	b	c	total
unit B 30r 31storey	36	32	58	126 = 100%
unit C 10r 21storey	8	0	2	10 = 100%
unit D 40r 21storey	8	8	7	23 = 100%
total units	48	50	67	165 = 100%

- 1) See note 1 on page 1
- 2) See note 2 on page 1
- 3) See note 3 on page 1
- 4) See note 4 on page 1
- 5) See note 5 on page 1
- 6) See note 6 on page 1
- 7) See note 7 on page 1
- 8) See note 8 on page 1
- 9) See note 9 on page 1
- 10) See note 10 on page 1

dixie road

clark boulevard

terese road



SECTION 33(2), PLANNING ACT, ADDITIONAL INFORMATION

1. ALL UNITS IN THIS PLAN ARE TO BE CONSIDERED AS RESIDENTIAL UNITS.
 2. ALL UNITS IN THIS PLAN ARE TO BE CONSIDERED AS RESIDENTIAL UNITS.
 3. ALL UNITS IN THIS PLAN ARE TO BE CONSIDERED AS RESIDENTIAL UNITS.
 4. ALL UNITS IN THIS PLAN ARE TO BE CONSIDERED AS RESIDENTIAL UNITS.

OWNER'S CERTIFICATE

AS THE OWNER OF THIS LOT I DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PARCEL CONSTRUCTION COMPANY

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION IN THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]
 SURVEYOR

NOTE

ALL UNITS IN THIS PLAN ARE TO BE CONSIDERED AS RESIDENTIAL UNITS.

legend

- ① - UNIT NUMBER
- ② - UNIT NUMBER
- ③ - UNIT NUMBER
- ④ - UNIT NUMBER
- ⑤ - UNIT NUMBER

DRAFT
 CONDOMINIUM

residential 11 for 7 housing development

by development to be approved

by development to be approved



FILED

74

1

26

DATED: 1977.

DARCEL CONSTRUCTION COMPANY
AND
THE CORPORATION OF THE CITY OF
BRAMPTON
AND
THE REGIONAL MUNICIPALITY OF
PEEL
AND
BANK OF MONTREAL

A G R E E M E N T

JUDITH E. HENDY,
City Solicitor,
The Corporation of the City of
Brampton,
24 Queen Street East,
BRAMPTON, Ontario.
L6V 1A4

PASSED June 13 1977



BY-LAW

No. 146-77

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