

THE CORPORATION OF THE CITY OF BRAMPTON

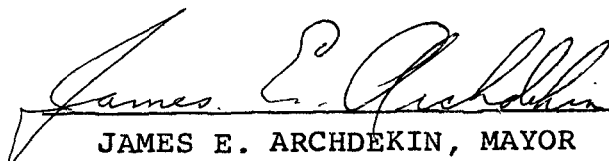
BY-LAW NUMBER 160-75

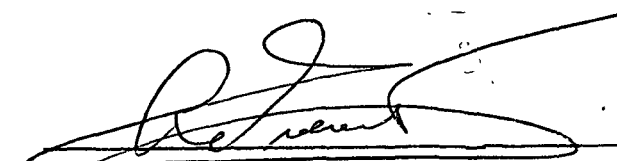
A By-law to authorize the execution of an Agreement between Industrial Steam Limited, Goldfan Holdings Limited, Toronto-Dominion Bank, Regional Municipality of Peel and the Corporation of the City of Brampton.

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

1. That the Mayor and the Clerk are hereby authorized to execute an agreement between Industrial Steam Limited, Goldfan Holdings Limited, Toronto-Dominion Bank, Regional Municipality of Peel, and the Corporation of the City of Brampton, in the form annexed hereto.

READ A FIRST, SECOND AND THIRD TIME AND PASSED
IN OPEN COUNCIL THIS 25th day of August, 1975.


JAMES E. ARCHDEKIN, MAYOR


R. A. EVERETT, DEPUTY CLERK

THIS AGREEMENT made this 22nd day
of August, 1975

B E T W E E N:

INDUSTRIAL STEAM LIMITED as to an
undivided two-thirds (2/3) interest
and GOLDFAN HOLDINGS LIMITED as to
the remaining one-third (1/3) interest
both Corporations duly incorporated
under the laws of the Province of Ontario,
having their Head Office in the Municipality
of Metropolitan Toronto,
(hereinafter called the "Developer")

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 CORPORATION OF THE REGIONAL MUNICIPALITY
OF PEEL

(hereinafter called the "Region")

OF THE THIRD PART

A N D

TORONTO DOMINION BANK of the City of Toronto,
in the Municipality of Metropolitan Toronto
(hereinafter called the "First Mortgagee")

OF THE FOURTH PART.

WHEREAS an Engineering Agreement was executed on
the 27th day of November, 1973 between the Developer and
the Town of Mississauga and the Public Utilities Commission
of the Town of Mississauga and the Mortgagees affecting
lands in a proposed subdivision described in Schedule "A1"
to that Agreement.

AND WHEREAS the Regional Municipality of Peel Act 1973 incorporated and established the Region and the City.

AND WHEREAS the lands affected by the said Engineering Agreement which were formerly within the Town of Mississauga are now located in the City of Brampton.

AND WHEREAS the Region is the successor to the Public Utilities Commission of the Town of Mississauga and is also now the authority having jurisdiction with respect to sanitary sewer services to the lands affected by the Engineering Agreement and is also the authority having jurisdiction with respect to certain roads abutting the said lands which are now Regional roads.

AND WHEREAS the City is in all other respects the successor to the Town of Mississauga with respect to the provisions of the said Engineering Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of other valuable consideration and the sum of One Dollar (\$1.00) of lawful money of Canada now paid by each of the City and the Region to the Developer (the receipt whereof is hereby acknowledged) and in consideration of the premises and of the mutual covenants herein;

1. The parties hereto hereby confirm and agree to be bound by the provisions of the Engineering Agreement recited above which was executed on the 27th day of November, 1973, including all schedules thereto, except insofar as it or the schedules are amended hereby.
2. The parties hereto agree that the Engineering Agreement recited above is hereby amended by the addition of the following clauses:
 - (a) The Developer shall enter into such agreements as may be necessary with the proper authority having jurisdiction over hydro services to the lands, with respect to electrical distribution systems and necessary appurtenances to service the lands and such other matters including the payment of levies as the said authority shall require, provided, however, that the electrical distribution system shall be underground. The City shall not be obligated to issue any building permits until provided with confirmation by the authority that the agreements provided for by this clause have been entered into or other satisfactory arrangements have been made.

(b) That the Developer agrees to obtain a detailed analysis of noise related to the use of Malton Airport, including approaches and departures, and shall insure that the necessary analysis of noise-reduction requirements shall have full regard for the policy statement on the subject released to the public by the Minister of Municipal Affairs on October 9, 1969, relating the requirements to those for lands in noise sensitivity zone IV of that statement and the City shall not be obligated to issue any building permits until provided with confirmation that this condition has been complied with.

3. The parties hereby agree that Schedules "B" and "C" to the Engineering Agreement recited above shall be deleted and replaced with the new Schedules "B" and "C" annexed hereto.

IN WITNESS WHEREOF the parties have hereunto affixed their respective corporate seals attested to by the hands of their proper Officers duly authorized in that regard.

DEVELOPERS:

INDUSTRIAL STEAM LIMITED
Per:

Walter Lawrence Vice President
Leslie Kent Ass't Secretary

GOLDFAN HOLDINGS LIMITED
Per:

Leslie Kent Secretary

MORTGAGEES:

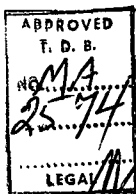
TORONTO-DOMINION BANK

Per:

B. L. Young
ASSISTANT GENERAL MANAGER

~~FONWATCH INVESTMENTS LIMITED~~

~~Per:~~



OK for signature
[Signature]

THE CORPORATION OF THE CITY OF BRAMPTON

Per:

James G. Archibald C/S
Mayor
[Signature]
Clerk

THE CORPORATION OF THE REGIONAL MUNICIPALITY OF PEEL

Per:

[Signature] C/S
Chairman
Richard H. Frost
Clerk

AUTHORIZATION BY-LAW
NUMBER.....156-75.....
PASSED BY THE REGIONAL
COUNCIL ON THE 14th.....
DAY OF August, 1975.....

APPROVALS:

THE CORPORATION OF THE REGIONAL MUNICIPALITY OF PEEL

[Signature]
Commissioner of Public Works

THE CORPORATION OF THE CITY OF BRAMPTON

City Engineer

SCHEDULE "B"

- (a) Transfer of One-Foot Reserves to the Regional Municipality of Peel - Blocks K, H and E.
- (b) Transfer of One-Foot Reserves to The Corporation of the City of Brampton - Blocks C, D, F, G, I and J.
- (c) Transfer and Grant of Easement to The Corporation of the City of Brampton - Parts of Lots 5, 6, 11, 12, 13, 14, 15 and 24 and Parts of Block A and B as shown on Plan M- (City of Brampton, Regional Municipality of Peel), registered in the Office of Land Titles at Brampton and designated as Parts 1, 2, 3, 4, 5, 6, 7, and 10 on a Plan of Survey of Record in the said Office as 43R-
- (d) Transfer and Grant of Easement to the Regional Municipality of Peel - Parts of Lots 11, 12, 24 and Parts of Blocks A and B, as shown on Plan M- (City of Brampton, Regional Municipality of Peel), registered in the Office of Land Titles at Brampton and designated as Parts 3, 4, 5, 8 and 9, on Plan of Survey of Record in the said Office as 43R-
- (e) Transfer and Grant of Easement to The Corporation of the City of Brampton and the owner or owners of Lot 24 from time to time granting access from Lot 24 to Melanie Drive - Parts of Lots 11 and 12, Plan M- (City of Brampton, Regional Municipality of Peel) and designated as Parts 5 and 6 on a Plan of Survey of Record in the said Office as 43R-
- (f) Blocks A and B to be dedicated to the Ministry of Transportation and Communications forming part of the future Highway 407.
- (g) Transfer to the Region of the Fifty-foot daylighting radii at the intersection of Melanie Drive and Steeles Avenue.

All as attached hereto

SCHEDULE "C"

- (a). Blocks A and B according to Plan M- registered in the Office of Land Titles at Brampton, unsuitable for building permits until Amendment to the Land Use Regulations made under the Parkway Belt, Planning Development Act, 1973, has been passed.
- (b). Blocks A and B to be dedicated to the Ministry of Transportation and Communications forming part of the future Highway 407.
- (c). Transfer and Grant of Easement of Parts 5 and 6 as designated in Reference Plan 43R- to The Corporation of the City of Brampton and the owners of Lot 24 from time to time granting access from Lot 24 to Melanie Drive to be used only in the event that the access to Torbram Road from Lot 24 is removed, revised or relocated in accordance with the request of The Corporation of the City of Brampton and/or The Ministry of Transportation and Communications.

DATED: 22nd August, 1975.

INDUSTRIAL STEAM LIMITED and
GOLDFAN HOLDINGS LIMITED

-and-

THE CORPORATION OF THE CITY
OF BRAMPTON

-and-

THE CORPORATION OF THE REGIONAL
MUNICIPALITY OF PEEL

-and-

THE TORONTO-DOMINION BANK

A G R E E M E N T

ROSENFELD, SCHWARTZ, MALCOLMSON,
LAMPKIN & LEVINE,
Barristers & Solicitors,
65 Queen Street West, Suite 1900,
Toronto, Ontario, M5H 2M5.