



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 216-77

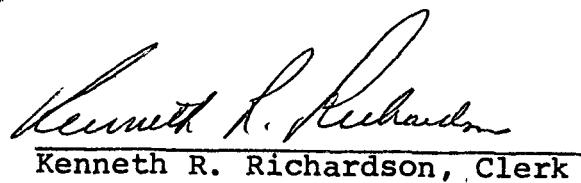
A By-law to authorize the execution of an ~~easement~~ between The Regional Municipality of Peel, and The Corporation of the City of Brampton, and Sentry Department Stores Limited.

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 ~~easement~~ between The Regional Municipality of Peel, and The Corporation of the City of Brampton, and Sentry Department Stores Limited, attached hereto as Schedule 'A'.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 22nd day of August 1977.

  
James E. Archdekin, Mayor

  
Kenneth R. Richardson, Clerk

PASSED August 22nd 19 77

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# BY-LAW

No. 216

A By-law to authorize the execution of an easement between The Regional Municipality of Peel, and The Corporation of the City of Brampton, and Sentry Department Stores Limited.

# This Indenture

made in duplicate the 22nd day of April  
one thousand nine hundred and seventy-seven.

## Between

THE REGIONAL MUNICIPALITY OF PEEL,  
and THE CORPORATION OF THE CITY OF  
BRAMPTON

Hereinafter called the Parties  
of the first part;

-and-

SENTRY DEPARTMENT STORES LIMITED

Hereinafter called the Party  
of the second part;

WHEREAS by a Grant of Easement dated the 16th day of September, 1971 and registered on the 5th day of November, 1973, as No. 288796VS in the Land Registry Office for the Registry Division of Peel (No.43) Sentry Department Stores Limited did grant unto The Water Commissioners of the Town of Brampton and unto The Corporation of the Town of Brampton a permanent easement over the lands described in Schedule "A" thereto, together with a temporary easement over the lands described in Schedule "B" thereto which said temporary easement was to be effective until certain work had been completed.

AND WHEREAS all work has been completed on this land and the said temporary easement is no longer required.

AND WHEREAS the City of Brampton is the successor in title to the Town of Brampton, according to the Regional Municipality of Peel Act, S.O. 1973 Chapter 60 as amended.

AND WHEREAS the Regional Municipality of Peel is the successor in title to The Water Commissioners of the City of Brampton, according to the Regional Municipality of Peel Act, S.O. 1973 Chapter 60 as amended.

**Witnesseth** that the said parties of the first part for and in consideration of other good and valuable consideration and the sum of ONE  
----- (\$1.00) ----- Dollars of

lawful money of Canada, to them in hand paid by the said party of the second part, at or before the sealing and delivery of these presents (the receipt whereof is hereby by them acknowledged) have granted, released and quitted claim and by these presents Do Grant, Release and Quit Claim, successor unto the said party of the second part its heirs and assigns for ever. All the estate, right, title, interest, claim and demand whatsoever both at law and in equity or otherwise howsoever and whether in possession or expectancy of them the said parties of the first part of, in, to, or out of All and Singular that certain parcel or tract of land and premises situate, lying and being in the City of Brampton, in the Regional Municipality of Peel (formerly in the Town of Brampton, in the County of Peel) and being composed of Part of the East Half of Lot 5, Concession 2, East of Hurontario Street and being a strip of land having a uniform and perpendicular width of 15.00 feet throughout and which may be more particularly described in Schedule "A" attached hereto.

& Durham  
Limited  
Toronto, Canada

Form No. 18-20

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Brampton, in the Regional Municipality of Peel (formerly in the Town of Brampton, in the County of Peel) and being composed of Part of the East Half of Lot 5, Concession 2, East of Hurontario Street and being a strip of land having a uniform and perpendicular width of 15.00 feet throughout and which may be more particularly described as follows:

PREMISING that the Northwesterly limit of said Lot 5 has an astronomic bearing of North 39 degrees 12 minutes East (derived from the meridian passing through the Southerly angle of Lot 1, Concession 1, East of Hurontario Street) and relating all bearings herein thereto;

COMMENCING at a point which may be located as follows:

BEGINNING at the most Northerly angle of said Lot 5;

THENCE South 44 degrees 17 minutes 30 seconds East and along the Northeasterly limit of said Lot 5 a distance of 27.18 feet more or less to the intersection of the Northeasterly projection of the Southeasterly limit of a 27 foot road widening in favour of the Corporation of The Town of Brampton and registered in the Registry Office for the Registry Division of the said County of Peel as number 56469;

THENCE South 39 degrees 12 minutes West and along the last mentioned projection and limit 67.13 feet more or less to a Northerly angle of Part 2 as shown on a plan and deposited in the said Registry Office as number RD-226;

THENCE North 87 degrees 27 minutes 30 seconds East and along the Northerly limits of said Part 2 and Part 1 as shown on said Plan number RD-226 a distance of 66.58 feet;

THENCE South 44 degrees 17 minutes 30 seconds East and along the Northeasterly limit of said Part 1 and a 42.57 foot Southeasterly projection thereof 281.99 feet more or less to the point of commencement;

THENCE North 72 degrees 19 minutes West 152.61 feet;

THENCE South 74 degrees 33 minutes 30 seconds West 121.32 feet;

THENCE South 52 degrees 19 minutes 30 seconds West 148.65 feet;

THENCE South 43 degrees 54 minutes West 122.96 feet;

THENCE North 50 degrees 48 minutes West 20.07 feet more or less to the intersection of the Southeasterly limit of said Part 2 of deposited plan number RD-226;

THENCE South 43 degrees 54 minutes West and along the last mentioned limit 15.05 feet more or less;

THENCE South 50 degrees 48 minutes East 35.12 feet;

THENCE North 43 degrees 54 minutes East 135.68 feet;

THENCE North 52 degrees 19 minutes 30 seconds East 144.60 feet;

THENCE North 74 degrees 33 minutes 30 seconds East 113.91 feet;

THENCE South 72 degrees 19 minutes East 176.33 feet more or less to the intersection of the Southeasterly projection of the said Northeasterly limit of said Part 1 of deposited Plan RD-226;

THENCE North 44 degrees 17 minutes 30 seconds West and along the last mentioned projection 31.92 feet more or less to the point of commencement;

HEREIN described parcel contains by admeasurement 0.202 acre, more or less.

HEREINBEFORE DESCRIBED PARCEL IS SHOWN on a plan of survey prepared for the Brampton Water Commission and shown as parcel "B" and numbered 200-25.

Together with the appurtenances thereunto belonging or appertaining TO HAVE and TO HOLD the aforesaid lands and premises with All and Singular the appurtenances thereto belonging or appertaining unto and to the use of the said part of the second part its <sup>successors</sup> ~~heirs~~ and assigns forever, subject nevertheless to the reservations, limitations, provisoes and conditions expressed in the original Grant thereof from the Crown.

In Witness Whereof  
hands and seals.

Signed, Sealed and Delibered

IN THE PRESENCE OF

AUTHORIZATION BY-LAW  
NUMBER 112-77  
PASSED BY THE REGIONAL  
COUNCIL ON THE 14<sup>th</sup>  
DAY OF July 1977.

the said parties hereto have hereunto set their  
THE REGIONAL MUNICIPALITY OF PEEL

Per: L.H. [Signature]  
CHAIRMAN

Per: [Signature]  
ACTING CLERK

THE CORPORATION OF THE CITY OF  
BRAMPTON

Per: [Signature]

Per: [Signature]

IN THE MATTER OF SUBSECTION 3 OF SECTION 5 OF  
THE LAND SPECULATION TAX ACT, 1974

**AFFIDAVIT**

I, Bruce Eric Stansfield of the Village of  
(print name)  
Unionville, Town of Markham  
(print address)

**MAKE OATH AND SAY THAT:**

1. I verily believe that the disposition of designated land evidenced in the attached instrument or writing is exempt from the tax imposed by subsection 1 of section 2 of the above Act by virtue of the disposition being:

describe nature of disposition

Made by a Quit Claim Deed, the purpose of which is the releasing of a temporary easement created in favour of the Transferors by Instrument No. 288796 VS dated the 16th day of September, 1971 and registered on the 5th day of November, 1973 in the Land Registry Office for the Registry Division of Peel (No. 43) and the proceeds of this disposition do not exceed \$100.00,

**Regulation 505/74**

as provided for by section 1/, clause \_\_\_\_\_, subclause \_\_\_\_\_, of the above Act.  
Property Agent for

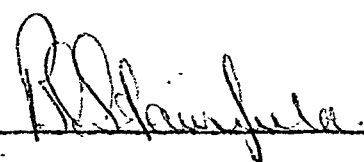
delete this paragraph if inapplicable

2. I am/the transferor making the disposition referred to in paragraph 1 hereof. Since the acquisition of my interest in the designated land that is referred to in paragraph 1 hereof and that is being disposed of to the transferee named in the attached instrument or writing, no disposition with respect to such designated land has occurred prior to the disposition to the said transferee.

delete this paragraph if inapplicable

~~82X2XAXX... I am/the transferor making the disposition referred to in paragraph 1 hereof and that is being disposed of to the transferee named in the attached instrument or writing, no disposition with respect to such designated land has occurred prior to the disposition to the said transferee.~~

Sworn before me at the City  
of Brampton  
in the Regional Municipality  
of Peel  
this 25th

  
\_\_\_\_\_

day of July, 19 77.  
John J. Rowley, J. Com. ... etc.,  
Judicial District of Peel, for the  
Regional Municipality of Peel.  
Expires ...  
A Commissioner, etc.

# THE LAND TRANSFER TAX ACT, 1974

## Affidavit of Residence

IN THE MATTER OF THE CONVEYANCE OF Part of the East Half of Lot 5,  
Concession 2, East of Hurontario Street, in the City of Brampton,  
*(insert brief description of land)*  
in the Regional Municipality of Peel.

TO Sentry Department Stores Limited  
*(insert names of all transferees)*

I, \_\_\_\_\_ of \_\_\_\_\_  
*(print name and address)*

### MAKE OATH AND SAY THAT:

1. I am (place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent):

(a) A person to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed;

(b) One of the trustees named in the above-described conveyance to whom the land is being conveyed;

(c) ~~A transferee named in the above-described conveyance;~~  
**An Officer of**

(d) An agent authorized in writing to act for \_\_\_\_\_ who is a person  
*(insert name of principal)*  
described in paragraph \_\_\_\_\_ above *(insert only one of paragraph (a), (b), or (c) above);*

(e) The solicitor acting in this matter for \_\_\_\_\_ who is a person  
*(insert name of client)*  
described in paragraph \_\_\_\_\_ above *(insert only one of paragraph (a), (b) or (c) above);*

and as such, I have personal knowledge of the facts herein deposed to.

2. None of the transferees to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed is, within the meaning of the Act, a non-resident person (strike out this paragraph if inapplicable).

~~3. The following persons to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed are non-resident persons within the meaning of the Act:~~

*(insert the name and place of residence – or in the case of a corporation, the place of incorporation – of any transferee who is a non-resident person. If space is insufficient, attach a list of those transferees who are non-resident persons )*

4. I have read over and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clause f and g of subsection 1 of section 1 of the Act.

Sworn before me at the

of

in the

of

this

day of

1977.



AFFIDAVIT OF SUBSCRIBING WITNESS

I,
of the
in the
make oath and say:
I am a subscribing witness to the attached instrument and I was present and saw it executed
at
by

\*See footnote

I verily believe that each person whose signature I witnessed is the party of the same name referred to in the instrument.

SWORN before me at the

in the

this day of 19

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC

Where a party is unable to read the instrument or where a party signs by making his mark or in foreign characters add "after the instrument had been read to him and he appeared fully to understand it". Where executed under a power of attorney insert "(name of attorney) as attorney for (name of party)", and for next clause substitute "I verily believe that the person whose signature I witnessed was authorized to execute the instrument as attorney for (name)".

Amended, Jan. 1975

THE LAND TRANSFER TAX ACT, 1974

AFFIDAVIT OF VALUE OF THE CONSIDERATION

IN THE MATTER OF THE CONVEYANCE made

by: The Regional Municipality of Peel and The Corporation of
the City of Brampton
to: Sentry Department Stores Limited

Identify the parties to the conveyance

on the 22nd day of April 1977
I, Bruce Eric Stansfield
of the Village of Unionville
in the Town of Markham

MAKE OATH AND SAY THAT:

- 1. I am Property Agent for the Grantor named in the within (or annexed) conveyance.
2. I have a personal knowledge of the facts stated in this affidavit.
3. (1) The total consideration for this transaction has been allocated as follows:
(a) Land, building, fixtures and goodwill \$ 1.00
(b) Chattels — items of tangible personal property (see note) \$ Nil
TOTAL CONSIDERATION \$ 1.00
(2) The true consideration for the transfer or conveyance for Land Transfer Tax purposes is as follows:
(a) Monies paid in cash \$ 1.00
(b) Property transferred in exchange (Detail Below) \$ Nil
(c) Securities transferred to the value of (Detail Below) \$ Nil
(d) Balances of existing encumbrances with interest owing at date of transfer \$ Nil
(e) Monies secured by mortgage under this transaction \$ Nil
(f) Liens, legacies, annuities and maintenance charges to which transfer is subject \$ Nil
(g) Other (Detail Below) \$ Nil
TOTAL CONSIDERATION (should agree with 3(1) (a) above) \$ 1.00

This affidavit may be made by the purchaser or vendor or by anyone acting for them under power of attorney or by an agent accredited in writing by the purchaser, or vendor or by the solicitor of either of them or by some other person approved by the Minister of Revenue.

All blanks must be filled in.

- 4. If consideration is nominal, is the transfer for natural love and affection? NO
5. If so, what is the relationship between Grantor and Grantee? N/A
6. Other remarks and explanations, if necessary This conveyance is made to release a temporary easement granted in Instrument No. 288796 VS.

SWORN before me at the City
of Brampton, Region of Peel
this 25th day of July 1977

Judicial District of Peel, for the
Regional Municipality of Peel,
Expires

(Signature)

NOTE TO PARAGRAPH 3(1) (b): Chattels - Retail sales tax is payable on the valuation of items shown in 3(1) (b) unless otherwise exempted under the provisions of The Retail Sales Tax Act, R.S.O. 1970, c.415, as amended.

For the purpose of this affidavit insert above only the value of chattels, the total value of which in the opinion of the deponent exceeds \$100.00 This does not exonerate a purchaser from the payment of Retail Sales Tax on any tangible personal property as part of this transaction. When chattels are purchased as part of this transaction with a value of less than \$100.00, the applicable tax should be paid by the purchaser to the Treasurer of Ontario and remitted to the Minister of Revenue.

I/WE

of the

in the

make oath and say:

When

executed the attached instrument,

I/WE

at least eighteen years old.

I was married / divorced / widower.

was my wife / husband.

We were married to each other.

We held the land as Joint Tenants / Trustees / Partnership Property.

(SEVERALLY) SWORN before me at the

in the

this day of

19

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

\* Where affidavit made by attorney substitute: "When I executed the attached instrument as attorney for (name), he/she was (marital status, and if married, name of spouse), and when he/she executed the power of attorney, he/she had attained the age of majority".

Dated April 22nd 19 77

THE REGIONAL MUNICIPALITY OF PEEL and THE CORPORATION OF THE CITY OF BRAMPTON

TO

SENTRY DEPARTMENT STORES LIMITED

Address:

Quit Claim Deed

Pt. E. 1/2 Lot 5, Con. 2, EHS, City of Brampton, Regional Municipality of Peel

Dye & Durham Co Limited, 160 Bartley Drive, Toronto

ASSESSMENT ROLL NO. ....

ADDRESS OF PROPERTY.

LAWRENCE, LAWRENCE, STEVENSON & WEBBER, Barristers & Solicitors, 43 Queen St. W., Brampton, Ontario. L6Y 1L9

REGISTRATION FEE	
LAND TRANSFER TAX	
RETAIL SALES TAX	