



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW


Number 111-77

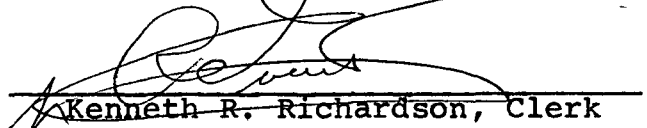
A By-law to authorize the execution of an Agreement between Kerbel Developments Limited, The Corporation of the City of Brampton, The Regional Municipality of Peel and Royal Trust Company Limited.

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

That the Mayor and Clerk are hereby authorized to execute an Agreement between Kerbel Developments Limited, The Corporation of the City of Brampton, The Regional Municipality of Peel and Royal Trust Company Limited, attached hereto as Schedule "A".

READ a FIRST, SECOND and THIRD TIME and Passed in Open Council this 24th day of May, 1977.


James E. Archdekin, Mayor


Kenneth R. Richardson, Clerk

THE LAND TITLES ACT

APPLICATION TO REGISTER NOTICE OF AGREEMENT

SECTION 78

TO THE LAND REGISTRAR AT BRAMPTON

THE CORPORATION OF THE CITY OF BRAMPTON, being interested in the lands entered in the register for the City of Brampton as Parcel(s) ~~Blocks~~ 'C'-1, PLAN M-133 AND A-1, ^{SECTION} ~~PLAN M-133~~ of which KERBEL DEVELOPMENTS LIMITED is the registered owner, hereby applies to have entered on the register for the said Parcel(s) Notice of an Agreement dated the 21st day of April, 1977 made between KERBEL DEVELOPMENTS LIMITED, THE CORPORATION OF THE CITY OF BRAMPTON, THE REGIONAL MUNICIPALITY OF PEEL, and ROYAL TRUST COMPANY LIMITED.

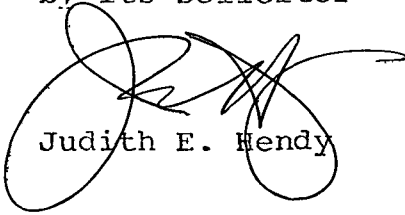
The evidence in support of this Application consists of:

1. The original agreement or an executed copy thereof.

DATED at BRAMPTON this 12th day of July 1977.

THE CORPORATION OF THE CITY OF BRAMPTON

by its Solicitor


Judith E. Hendy

MEMORANDUM OF AGREEMENT made in duplicate this 21st
day of April , 1977.

B E T W E E N:

KERBEL DEVELOPMENTS LIMITED,

a corporation incorporated under the laws
of the Province of Ontario,

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:

ROYAL TRUST COMPANY LIMITED,

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:

1. Levies 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.

2. Site Plan The lands located to the south of Clark Boulevard and to the west of Terese Road in the City of Brampton and more particularly described as Blocks C and O according to Registered Plan M-133 and Block A according to Registered Plan M-135 shall be developed only in accordance with the site plan annexed hereto as Schedule "A" to this agreement.

3. Condominium 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.

KERBEL DEVELOPMENTS LIMITED

per Clayton Kerbel

THE CORPORATION OF THE CITY OF BRAMPTON

James E. Archdekin
JAMES E. ARCHDEKIN, MAYOR

Kenneth R. Richardson
KENNETH R. RICHARDSON, CLERK

AUTHORIZATION BY-LAW
NUMBER 98-77
PASSED BY THE REGIONAL
COUNCIL ON THE 23rd
DAY OF June, 1977

THE REGIONAL MUNICIPALITY OF PEEL

Richard K. Trust
Acting Chairman
Richard K. Trust
Clerk

ROYAL TRUST COMPANY LIMITED

A. Vandenberg
A. Vandenberg
Manager, Mortgage Dept.

BLOCK 'B'
FUTURE TOWNHOUSE CONDOMINIUM

terese road

M-135
PLAN

School Site

Clark boulevard

BLOCK 'F'

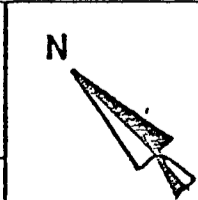
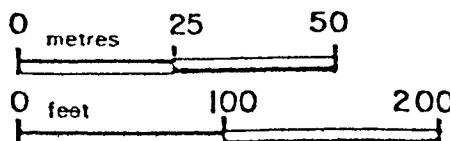
BLOCK 'O'

BLOCK 'D' park BLOCK 'D'

CONDOMINIUM AGREEMENT
Schedule 'A'

Legend

Scale



Drawn	b.k.
Date	March 24, 1977
File No.	C3E4.7
Dwg. No.	A

CITY OF
BRAMPTON
PLANNING
DEPARTMENT

DATED: April 21st, 1977.

KERBEL DEVELOPMENTS LIMITED
AND
THE CORPORATION OF THE CITY OF
BRAMPTON
AND
THE REGIONAL MUNICIPALITY OF PEEL
AND
ROYAL TRUST COMPANY LIMITED

A G R E E M E N T

*July 14/77
11:01 AM
130650
\$ 12.00*

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

PASSED May 24th, 19 77



BY-LAW

No 111-77

A By-law to authorize the execution of an Agreement between Kerbel Developments Limited, the Corporation of the City of Brampton, The Regional Municipality of Peel and Royal Trust Company Limited.