



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

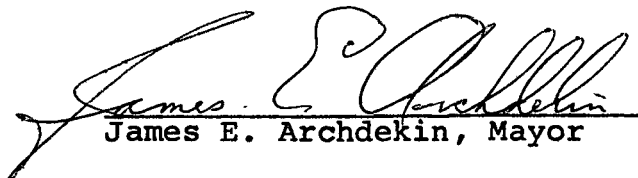
Number 114-76

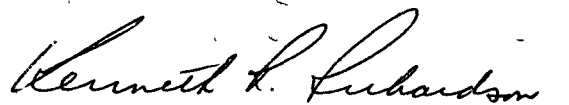
A By-law to authorize the execution of an Agreement between J. Charboneau and W. Charboneau and The Corporation of the City of Brampton.

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 J. Charboneau and W. Charboneau and The Corporation of the City of Brampton, attached hereto as Schedule "A".

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 10th day of May, 1976.

  
James E. Archdekin, Mayor

  
Kenneth R. Richardson, Clerk

THIS AGREEMENT made in duplicate this 26  
day of APRIL 1976.

B E T W E E N :

J. CHARBONEAU

and

W. CHARBONEAU

hereinafter called the 'Owners'

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~~

~~hereinafter called the 'Mortgagees'~~

~~OF THE THIRD PART~~

WHEREAS the Owners warrant that they are the owners of the lands shown on Schedule "A" annexed hereto and that the Mortgagees set out above are the only mortgagees of the said lands; **free and clear of all lien charge and encumbrance.**

AND WHEREAS the Owners have made application to the City to amend the zoning by-laws governing the lands shown on Schedule "A" to alter the permitted uses of the said lands;

*Handwritten signatures and initials*

AND WHEREAS the City deems that, it would not be proper or in the public interest to grant the said rezoning unless the matters and conditions hereinafter set out are provided for;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of One Dollar (\$1.00) paid by the City to the Owners, the receipt whereof is hereby acknowledged, and in consideration of the mutual covenants and conditions hereinafter set out, the parties hereto agree as follows:

1. The Owners agree that, provided that the zoning by-law and official plan amendment to be passed by the City / in accordance with the owners application and of Brampton for the purpose of rezoning the lands designated on Schedule "A" receive all necessary approvals, the Owners will dedicate to the City of Brampton the south-westerly seventeen feet (17'0") of the lands shown on Schedule "A" lying along the frontage of the said lands on Coleraine Drive for the purpose of road widening and the Owners agree that the said lands shall be conveyed to the City prior to the commencement of any new use on the property in accordance with the amended zoning. Provided that such-dedication shall reserve a right-of-way for access until such time as the lands are dedicated for road purposes.

1. (a) /\*

2. The Owners agree that no building permits will be applied for for any new buildings or extensions to the existing buildings until such time as the terms of this agreement have been complied with and the City has been supplied with confirmation from the Peel Regional Health Unit that the potable water supply is satisfactory and confirmation from the Regional Municipality of Peel that the sanitary disposal facilities proposed for the building are also satisfactory.

/\*

1. (a). The Owners agree that access to the lands shall only be from Coleraine Drive and that there shall be no access to the lands from Highway #50 and that they will convey a one foot reserve across the full frontage of the lands on Highway #50 to the City or to such person, firm or corporation as they shall be directed in writing by the City.



3. The Owners agree that no new buildings or extensions to existing buildings shall be erected nor shall any change to the existing grades be made until such time as drainage plans have been submitted to and approved by the City Engineer.

4. The Owners agree to provide suitable screening in the form of fencing and plantings to be approved by the City Director of Parks and Recreation and the Owners agree that the fencing and plantings shall be completed within one year of the date on which the by-law to permit the proposed use receives Ontario Municipal Board approval.

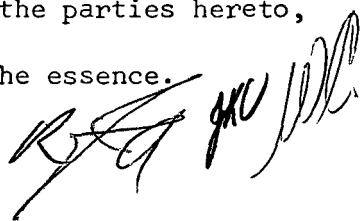
5. The Owners agree to pay to the City, in addition to normal permit fees with respect to administrative, planning, engineering and legal costs incurred by the City and the Region an amount of Six Hundred Dollars (\$600.00). All fees collected under this section shall be pro-rated between the City and the Region.

~~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.~~

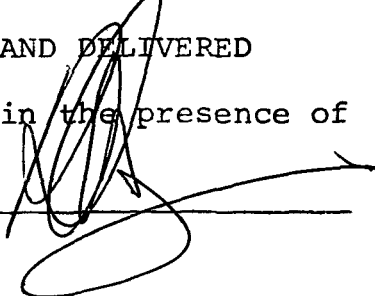
6. In the event that the said rezoning is not completed on or prior to the 1st. day of November 1976 then this agreement shall be null and void.

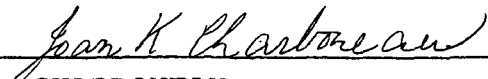
7. The owners shall be entitled to assign this agreement to any purchaser of the lands described in Schedule "A" and upon such purchaser assuming the obligations of the owners hereunder the owners shall no longer be liable hereunder.

8. This agreement shall enure to the benefit of the parties hereto, thier heirs, successors and assigns, and time shall be of the essence.



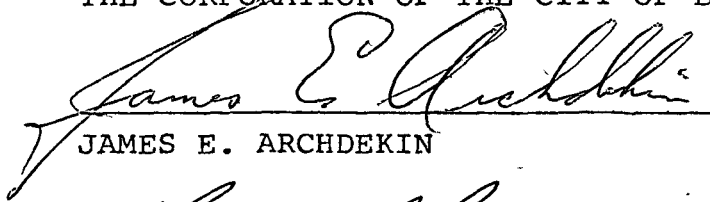
IN WITNESS WHEREOF THE Owners have hereunto set their hands and seals and the City of Brampton has caused to be affixed its corporate seal attested by the hands of its proper officers duly authorized in that regard.

SIGNED, SEALED )  
AND DELIVERED )  
in the presence of )  


  
J. CHARBONEAU

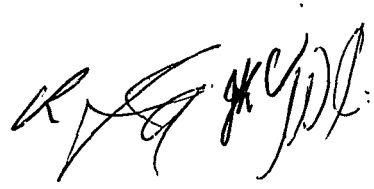
  
W. CHARBONEAU

THE CORPORATION OF THE CITY OF BRAMPTON

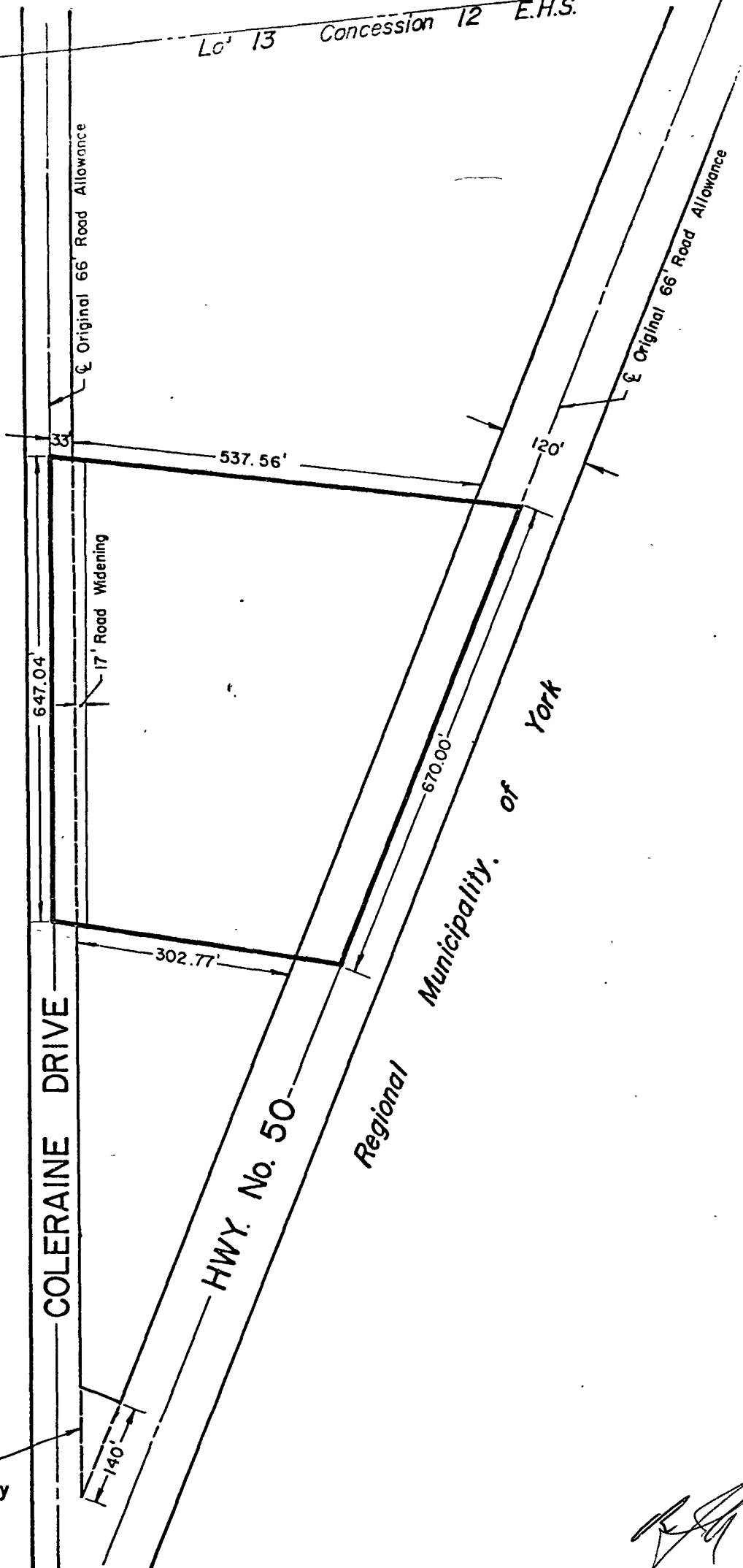
  
JAMES E. ARCHDEKIN MAYOR

  
KENNETH R. RICHARDSON CLERK

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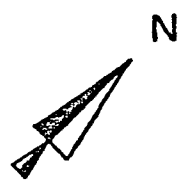


Lot 13 Concession 12 E.H.S.



*[Handwritten signature]*

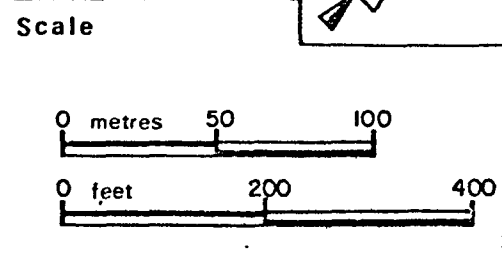
**SCHEDULE 'A'**  
**CITY OF BRAMPTON PLANNING DEPARTMENT**  
**DEVELOPMENT AGREEMENT**



Drawn	ps
Date	Mar. 17, 1976
File No.	C12E13.1
Dwg. No.	A

**Legend**

Area of Amendment



**CITY OF**  
**BRAMPTON**  
**PLANNING**  
**DEPARTMENT**

DATED:

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J. CHARBONEAU  
and  
W. CHARBONEAU

AND

THE CORPORATION OF THE CITY  
OF BRAMPTON

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A G R E E M E N T

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JUDITH E. HENDY  
CITY SOLICITOR  
CITY OF BRAMPTON

PASSED May 10, 19 76

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# BY-LAW

No. 114-76

A By-law to authorize the execution  
of an Agreement between J. Charboneau  
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