

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW NUMBER 23-74

A By-law to authorize the execution
of an agreement with Bramalea
Consolidated Developments Limited.
(Industrial #7 - Airport Noise Holding
Zone).

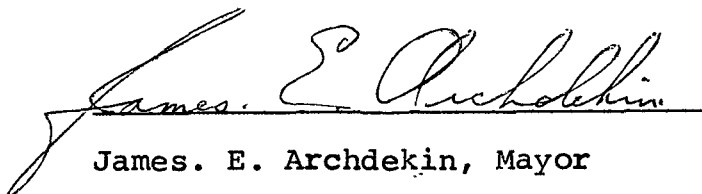
WHEREAS It is deemed expedient to enter into and execute an
agreement with Bramalea Consolidated Developments Limited;


NOW THEREFORE the Council of the Corporation of the City of
Brampton ENACTS as follows:

- 1) That the City of Brampton enter into and execute an
agreement, attached hereto as Schedule "A", with
Bramalea Consolidated Developments Limited.

- 2) That the Mayor and the Clerk are hereby authorized
to affix their signatures to the said agreement,
attached hereto as Schedule "A", with Bramalea
Consolidated Developments Limited.

READ A FIRST, SECOND and THIRD TIME and PASSED in Open Council
this 11th day of March, 1974.


James. E. Archdekin, Mayor


Kenneth R. Richardson, Clerk

THIS AGREEMENT made in duplicate the 11th day of ^{March}~~January~~, 1974.

B E T W E E N:

THE CORPORATION OF THE CITY OF BRAMPTON

(Hereinafter called "Brampton")

OF THE FIRST PART

-and-

BRAMALEA CONSOLIDATED DEVELOPMENTS LIMITED

(Hereinafter called "Bramalea")

OF THE SECOND PART.

WHEREAS Bramalea is the owner of certain lands in the City of Brampton, forming part of a subdivision known as "Industrial Area #7, Bramalea", which certain lands are described in Schedule "A" attached hereto (hereinafter called the "said lands");

AND WHEREAS By-law No. 861 as amended of the Township of Chinguacousy passed under Section 35 of The Planning Act and approved by the Ontario Municipal Board, zones the said lands for various industrial and commercial uses, all of which are subject to an airport noise holding category;

AND WHEREAS on January 1st, 1974, the said lands were annexed by Brampton pursuant to Bill 138 of the Legislature of Ontario;

AND WHEREAS Bramalea has applied for an amendment to By-law 861 as amended to remove the said airport noise holding category;

AND WHEREAS Bramalea entered into an agreement with the Corporation of the Township of Chinguacousy dated November 20th, 1972 and registered May 15th, 1973 as Instrument No. 260858VS for Chinguacousy relating to the development of the lands herein known as "Industrial Area #7, Bramalea";

AND WHEREAS Brampton is prepared to amend By-law 861 as amended to remove the airport noise holding category

upon the existing subdivision agreement respecting "Industrial Area #7, Bramalea" being amended as hereinafter set out;

NOW THEREFORE this agreement witnesseth that in consideration of One Dollar (\$1.00) of lawful money of Canada, now paid by each of the parties hereto to each of the other parties hereto and in consideration of the premises and of the mutual covenants herein contained, the parties hereby agree that the existing agreement dated November 20th, 1972 between Bramalea and the Corporation of the Township of Chinguacousy, registered May 15th, 1973 as Instrument No. 260858VS for Chinguacousy, be amended by the addition of the following after paragraph numbered 27:

28. Brampton covenants and agrees to enact a By-law to amend By-law 861 as amended to delete the airport noise holding category ("HA") from the zoning designations on the said lands and to use its best efforts to obtain Ontario Municipal Board approval thereto.

29. Bramalea covenants and agrees that no construction shall take place on the said lands except in accordance with the following minimum standards:

- (a) All exterior walls shall be of masonry or pre-finished metal siding insulated with a minimum of two inch fibreglass bats or walls of material equivalent in sound insulation.
- (b) All executive, professional and administrative office areas on any floor immediately below the roof, shall be carpeted and supplied with a dropped acoustic tile ceiling or equivalent in sound insulation. All windows and glazed doors shall be double insulated glass, or equivalent in sound insulation. An alternate treatment of glazed outside doors shall be the provision of a foyer entrance with second glazed inside door.
- (c) All buildings shall be supplied with a roof in accordance with specifications set out in Schedule "B" attached hereto or the equivalent in sound insulation.

30. Notwithstanding the provisions of an M5 zone in By-law 861 as amended, Bramalea covenants and agrees that no part of any building constructed on the said lands shall be used for the residence of a caretaker.

31. Bramalea further covenants and agrees that the provisions of paragraphs 29 and 30 hereof shall be inserted in the deeds or leases to all lands sold or leased within the said lands in the form of restrictive covenants and to enforce the same on request by the City. Provided that in the event Bramalea does not act within 14 days upon the request of Brampton to enforce the restrictive covenants Brampton may take such action as it deems necessary in the name of Bramalea or in the name of Brampton to enforce the said restrictive covenants and any costs incurred by Brampton in so doing shall be re-paid to Brampton by Bramalea forthwith.

32. This amending agreement shall be null and void and of no effect in the event the amending by-law referred to in paragraph 28 hereof does not become effective on or before December 31, 1974.

33. This agreement shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals under the hands of their proper officers duly authorized in that behalf on the day and year first above written.

BRAMALEA CONSOLIDATED DEVELOPMENTS
LIMITED

Per: *[Signature]*

Per: *[Signature]*

THE CORPORATION OF THE CITY OF
BRAMPTON

Per: *James E. [Signature] Mayor*

Per: *[Signature] C. 1. 6. 26*

Schedule "A"

Description of Part of Lots 2, 3, 4 & 5,
Concession 6, East of Hurontario Street,
Township of Chinguacousy

J.A.

*J.A.
in the City of
Brampton
Regional Municipality
of Peel, formerly*

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Chinguacousy, in the County of Peel, and Province of Ontario, being composed of Parts of the East and West Halves of Lots 2, 3, 4, and 5, Concession 6, East of Hurontario Street, in the said Township, more particularly described as follows:

BEARINGS HEREIN are astronomic and are referred to the Ontario Co-ordinate System Zone 10, Central Meridian 79 degrees, 30 minutes West Longitude;

COMMENCING at a point in the interior of the east half of Lot 5 aforesaid, which may be located as follows:

BEGINNING at the most easterly angle of Lot 5, Concession 6, East of Hurontario Street, aforesaid;

THENCE Southwesterly along the southeasterly limit of Lot 5 aforesaid, 17.11 feet to a point in the limit of the road allowance between the Townships of Chinguacousy and Toronto Gore as widened by Plan No. 21847;

THENCE North 43 degrees, 59 minutes, 10 seconds West along the last mentioned widened limit, 3.66 feet to a point of bend therein;

THENCE North 44 degrees, 01 minute, 10 seconds West continuing along the aforesaid widened limit, 648.57 feet to a point therein;

THENCE South 43 degrees, 58 minutes, 00 seconds West 1,207.98 feet to the point of commencement;

THENCE South 44 degrees, 22 minutes, 40 seconds East 5,710.91 feet to a point;

THENCE South 39 degrees, 43 minutes, 20 seconds West 1,733.76 feet to a point;

THENCE North 44 degrees, 22 minutes, 40 seconds West 6,197.92 feet to a point;

THENCE Northerly along a curve to the right having a radius of 100.00 feet, an arc distance of 147.39 feet to a point, the chord of the said arc having a length of 134.41 feet measured on a course North 02 degrees, 09 minutes, 10 seconds West;

THENCE North 40 degrees, 04 minutes, 10 seconds East 692.87 feet to a point;

THENCE South 48 degrees, 35 minutes East 63.81 feet to a point;

THENCE North 40 degrees, 04 minutes East 900.00 feet to a point;

THENCE South 45 degrees, 00 minutes, 00 seconds East 500.00 feet to a point;

THENCE North 43 degrees, 58 minutes East 38.82 feet more or less to the point of commencement.

PREPARED BY: J. D. BARNES LIMITED, Surveyors

March 19, 1973

Certified Correct:

J. A. Middleton
J. A. Middleton, O.L.S.

Specifications for 400 lb roof
requirement for Industrial #7

ATERNATIVE ROOF

The roof insulation is to be 1" thick rigid Fesco Board secured to the roof deck with fire resistant adhesive, Lexuco or equal.

The roofing is to be built of 4 plys of 15# perforated felt mopped solid with asphalt.

Three plys of asbestos felt mopped solid with asphalt may be used as an equal.

The gravel is to be clean and dry and applied at the rate of 400 lbs. per 100 sq. ft.

The roofing asphalt is to conform to the C.S.A. specification A. 123-7, 140⁰F. melting point.

All flashings are to be 26 gauge galvanized iron except over prefinished siding in which case flashings shall be the same as the prefinished siding.

Dated 11th March 1974

**CITY OF
BRAMPTON**

THE CORPORATION OF THE
CITY OF BRAMPTON

- and -

344253 *vs*

No.
Registry Division of Peel (No. 43)

I CERTIFY that this instrument is registered as of

12:34 P.M.

MAR 3 1975

in the

Registry Office
at Brampton,
Ontario.

Nora Porter
REGISTERED

BRAMALEA CONSOLIDATED
DEVELOPMENTS LIMITED

A G R E E M E N T

Judith E. Hendy
City Solicitor
City of Brampton
24 Queen Street East
Brampton, Ontario
L6V 1A4