

**RESTRUCTURING PROPOSAL**

The Restructuring Proposal of the City of Mississauga, the Region of Peel, the Region of Halton and the Town of Milton is hereby approved by all four municipal councils for submission to the Minister of Municipal Affairs and Housing under section 173 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

**THE REGIONAL MUNICIPALITY OF PEEL, THE REGIONAL MUNICIPALITY OF HALTON, THE CORPORATION OF THE CITY OF MISSISSAUGA, THE CORPORATION OF THE TOWN OF MILTON**

**DEFINITIONS**

1. In this proposal:

"Annexed Lands" means the area comprised of the lands as shown on Schedule "A" to this proposal and as described in Schedule "B" to this Proposal;

"Effective Date" shall mean January 1, 2010;

"Peel" shall mean The Regional Municipality of Peel;

"Halton" shall mean The Regional Municipality of Halton;

"Mississauga" shall mean The Corporation of the City of Mississauga;

"Milton" shall mean The Corporation of the Town of Milton;

**ANNEXATION**

2. (1) On January 1, 2010 the portion of the Town of Milton and the Regional Municipality of Halton as shown on Schedule "A" and as described in Schedule "B" to this Proposal, is annexed to the City of Mississauga and the Regional Municipality of Peel.

(2) As of the Effective Date the annexed lands shall be removed from Ward 1 in Milton and form part of Wards 8, 9 & 10 in Mississauga, as shown on Schedule "C" and as described in Schedule "D" to this Proposal, and the residents of the Annexed Lands shall be entitled to vote in Mississauga in the regular

municipal elections to be held in November, 2010 in accordance with the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, Sched.

- (3) All real property, currently owned or benefiting Milton including any highway, street, fixture, easement or restrictive covenant running with the lands located within the Annexed Lands depicted in Schedule "A" shall vest in Mississauga on January 1, 2010.
- (4) All real property, currently owned or benefiting Halton including any highway, street, fixture, easement or restrictive covenant running with the lands located within the Annexed Lands depicted on Schedule "A" shall vest in Peel as of January 1, 2010. Assets of Milton Hydro Holding Inc. and its related companies are specifically excluded from this Proposal.
- (5) All assets and liabilities of Milton acquired or arising on or before December 31, 2009 with respect to the Annexed Lands are transferred to Mississauga on January 1, 2010.
- (6) All assets and liabilities of Halton acquired or arising on or before December 31, 2009 with respect to the Annexed Lands are transferred to Peel on January 1, 2010.
- (7) Notwithstanding subsections (4) and (6) above, that portion of Ninth Line within the Annexed Lands shall vest from the Region of Halton to the City of Mississauga and shall become a local road.
- (8) Notwithstanding subsections (4) and (5) above, any litigation commenced prior to the Effective Date, or after the Effective Date with respect to matters that occurred prior to the Effective Date with respect to the Annexed Lands, and related rights or liabilities, if any, remains the obligation of Milton and Halton as the case may be.

## COMPENSATION

3. (1) Peel and Mississauga shall on January 4, 2010 jointly pay the sum of \$3,290,000 on January 4, 2010 by way of lump sum payment to Halton. The payment shall be divided as between Peel and Mississauga as follows:
  - (a) Payment by Mississauga: \$1,230,000;
  - (b) Payment by Peel: \$2,060,000.
- (2) Such lump sum payment is to be distributed by Halton as follows:
  - (a) Payment to Milton: \$2,000,000;
  - (b) Payment to Halton: \$1,290,000.

## ASSESSMENT

4. For the purpose of the assessment roll to be prepared for Mississauga for taxation in 2010, the year of the annexation, the Annexed Lands shall be deemed to be part of Mississauga and the Annexed Lands shall be assessed on the same basis that the assessment roll for Mississauga is prepared.

## BY-LAWS

5. (1) On January 1, 2010, the by-laws of Peel and Mississauga extend to the Annexed Lands and the by-laws of Halton and Milton cease to apply to such area except:

- (a) Milton and Halton By-laws passed pursuant to:

- (i) the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles or pedestrians and the encroachment or projection of buildings, or any portion thereof upon or over highways;
- (ii) By-laws of Halton or Milton passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections;
- (iii) By-laws passed under section 10 of the *Weed Control Act*;
- (iv) By-laws passed pursuant to the *Local Improvement Act*;
- (v) By-laws passed under the *Development Charges Act*;
- (vi) By-laws of Milton passed under section 29 of the *Ontario Heritage Act* and;
- (vii) any By-law conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of Halton or Milton, as the case may be,

which By-laws shall be deemed to be By-laws of Peel or Mississauga as the case may be, and shall remain in force and effect until amended or replaced by the Council for Peel or Mississauga, as the case may be.

- (2) Any comprehensive zoning By-law or amendments thereto, and site plan control by-laws, passed pursuant to section 34 or 41 or predecessor of those sections of the *Planning Act*, or any Official Plan or amendments thereto of Halton or Milton that have been approved or adopted for the Annexed Lands pursuant to the provisions of the *Planning Act* shall be deemed to be part of the Zoning By-law,

site plan control by-laws and Official Plan for Peel or Mississauga, as the case may be, as of the Effective Date and shall remain in full force and effect in the Annexed Lands until amended or repealed or otherwise replaced by Peel or Mississauga pursuant to the provisions of the *Planning Act*. As a result of this section, any part of Milton's Zoning By-law and Halton's and Milton's official plans pertaining to the Annexed Lands, no longer forms part of Milton's Zoning By-law and Halton and Milton's Official Plans.

- (3) Any application to amend Milton's Zoning By-law or the Official Plan for Halton or Milton or appeals therefrom that was initiated prior to the Effective Date for the Annexed Lands shall be continued by Peel or Mississauga.

### **TAX COLLECTION AND ASSESSMENT**

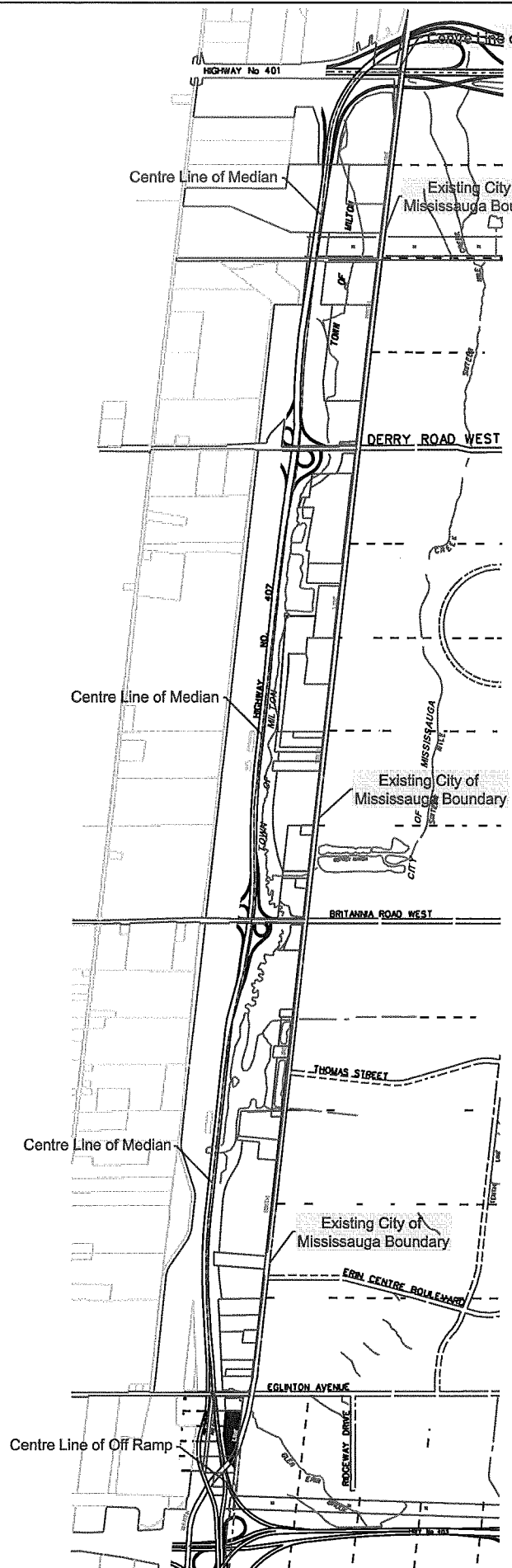
6.
  - (1) All real property taxes, charges or rates levied under any general or special Act in the Annexed Lands that are uncollected as of December 31, 2009 shall be deemed to be taxes due and payable to Mississauga and shall be collected by Mississauga. After collection, Mississauga shall forward to Peel, Peel's share just as if the amounts collected under this paragraph are taxes, charges or rates levied elsewhere in Mississauga.
  - (2) Milton will issue, prior to November 15, 2009, notice to each affected landowner, instructing them that Milton shall no longer be collecting taxes in the Annexed Lands as of December 31, 2009 and that all outstanding taxes as of that date should be remitted to Mississauga. The notice shall be in a form and content satisfactory to Mississauga.
  - (3) Prior to January 15, 2010, the Clerk of Milton shall prepare and furnish to the Clerk of Mississauga a special collector's roll showing all outstanding taxes as of December 31, 2009 and the persons assessed for them with respect to the Annexed Lands.
  - (4) Mississauga shall pay to Milton prior to February 1, 2010, an amount equal to the outstanding taxes, as shown on the collector's roll furnished by the Clerk of Milton.
  - (5) Prior to January 15, 2010, the Clerk of Milton shall prepare and furnish to the Clerk of Mississauga in respect of the Annexed Lands, a schedule detailing the local improvement charges and/or drainage charges for the Annexed Lands.
  - (6) Mississauga shall pay to Milton prior to February 1, 2010, an amount equal to the present value of the outstanding local improvement charges and/or drainage charges as shown on the schedule furnished by the clerk of Milton. Any outstanding local improvement charges and/or drainage charges after December 31, 2009 shall be collected by Mississauga.

**DISPUTE RESOLUTION**

7. (1) Mediation: A dispute arising out of the interpretation of this Agreement may be resolved through mediation by way of a mediator agreed to by the municipalities to this Agreement. If the municipalities cannot agree on a mediator or the dispute is not resolved through mediation, the matter in dispute shall be referred to arbitration as provided herein.
- (2) Arbitration: A dispute arising out of the interpretation of this Agreement may be referred to arbitration in accordance with the provisions of the *Arbitration Act, 1991*. The appointment of the arbitrator and the conduct of the arbitration will be governed by the provisions of the *Arbitration Act, 1991*.
- (3) Where a dispute is referred to arbitration under subsection (2) the decision of the arbitrator shall be final.
- (4) The costs associated with the mediation or arbitration proceedings shall be shared equally between all parties to the mediation or arbitration.

**DATED** this            day of            , 2009.

Schedule "A" to Schedule "A"  
to By-law 106-2009



NOTE: THIS SKETCH IS FOR THE USE BY THE CITY OF MISSISSAUGA, TRANSPORTATION AND WORKS DEPARTMENT AND IS NOT INTENDED FOR USE BY ANY OTHER PARTIES UNLESS EXPRESSED WRITTEN CONSENT IS OBTAINED.

NOTE: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR ANY PURPOSES EXCEPT AS NOTED IN THE TITLE.

SKETCH SHOWING LANDS  
TO BE ANNEXED TO MISSISSAUGA

NOT TO SCALE

<p><b>MISSISSAUGA</b> Leading today for tomorrow</p>	<p>MISSISSAUGA &amp; WORKS DEPT. TRANSPORTATION &amp; WORKS DEPARTMENT</p>
	<p>DATE: 02/01/09 DRAWN BY: [illegible] CHECKED BY: [illegible]</p>

**Schedule "B"**

**Legal Description**

In the Town of Milton, Regional Municipality of Halton (originally the Geographic Township of Trafalgar):

Commencing at a point where the centreline median of Highway 401 is intersected by the existing westerly limit of the City of Mississauga;

Thence southerly along the existing westerly limit of the City of Mississauga (being the east limit of the original road allowance for Ninth Line), approximately 9,345 metres to the point where the said City limit intersects the centreline of the on-ramp to the eastbound Highway 407 lanes from the westbound Highway 403 lanes;

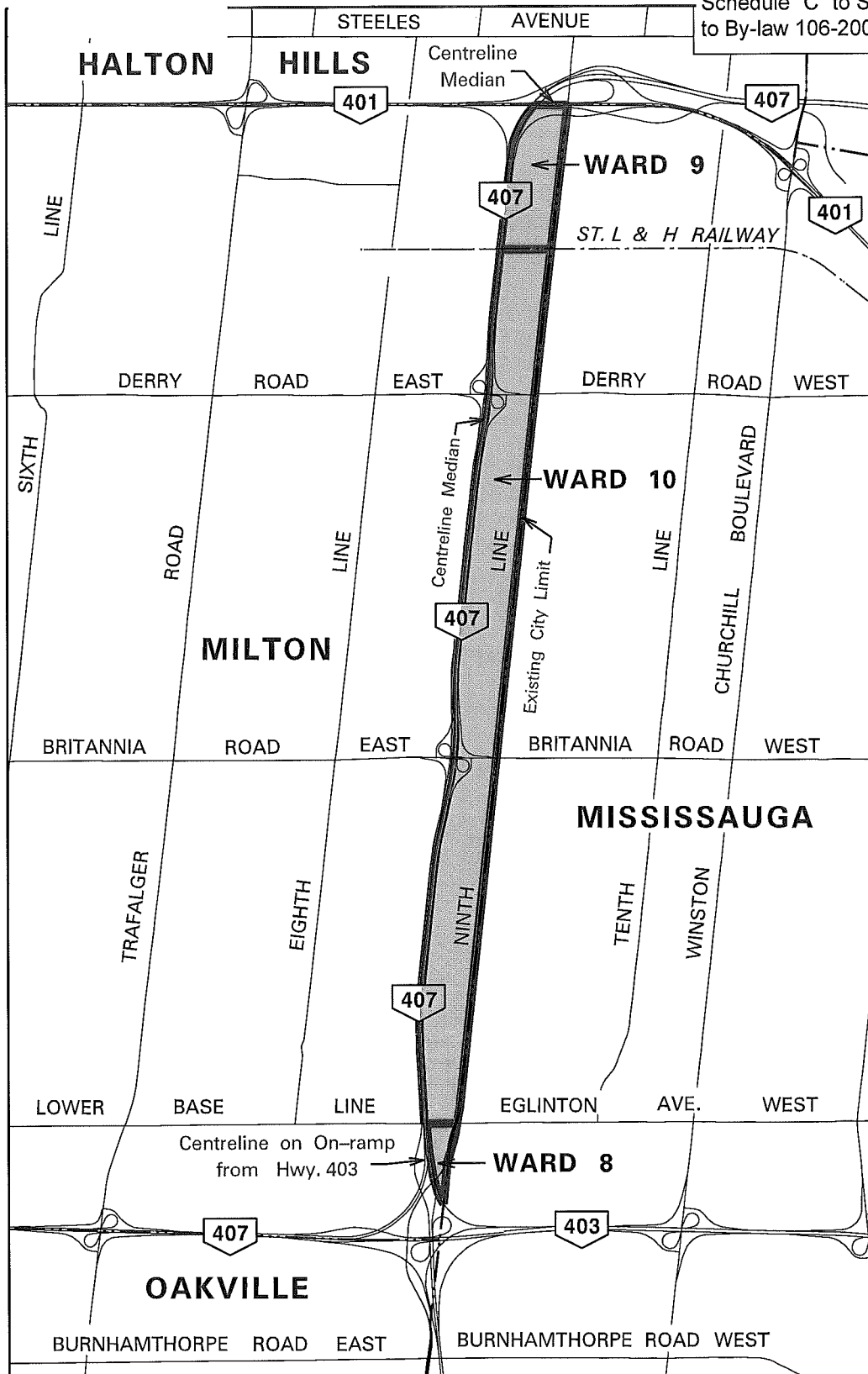
Thence north westerly along the centreline of the said on-ramp approximately 700 metres to a point where the centreline of the said on-ramp intersects the centreline of Lower Base Line Road;

Thence westerly along the centreline of Lower Base Line Road approximately 20 metres to a point where the centreline of Lower Base Line Road intersects the centreline median of Highway 407;

Thence northerly along the centreline median of Highway 407 approximately 8,700 metres to a point where the centreline median of Highway 407 intersects the centreline median of Highway 401;

Thence easterly along the centreline median of Highway 401 approximately 280 metres, to the point of commencement.

Schedule "C" to Schedule "A"  
to By-law 106-2009



SKETCH SHOWING PROPOSED WARD BOUNDARIES  
WITHIN LANDS TO BE ANNEXED FROM MILTON



Produced by Transportation and Works Department, GEOMATICS





**Schedule "D"**

**Lands to be Annexed to Wards 8, 9 and 10**

**Lands to be Annexed to Ward 8**

COMMENCING at the intersection of the centreline of Lower Base Line Road with the westerly limit of the City of Mississauga (being the east limit of the original road allowance for Ninth Line);

THENCE southerly along the existing westerly limit of the City of Mississauga (being the east limit of the original road allowance for Ninth Line), to a point where the said City limit intersects the centreline of the on-ramp to the eastbound Highway 407 lanes from the westbound Highway 403 lanes;

THENCE north westerly along the centreline of the on-ramp to the eastbound Highway 407 lanes from the westbound Highway 403 lanes to a point where the said centreline intersects the centreline of Lower Base Line Road;

THENCE easterly along the centreline of Lower Base Line Road to the point of commencement.

**Lands to be Annexed to Ward 9**

COMMENCING at a point where the centreline median of Highway 401 is intersected by the existing westerly limit of the City of Mississauga (being the east limit of the original road allowance for Ninth Line);

THENCE southerly along the existing westerly limit of the City of Mississauga (being the east limit of the original road allowance for Ninth Line) to a point where the said City limit intersects the centreline of the St. Lawrence and Hudson Railway Company lands;

THENCE westerly along the centerline of the St. Lawrence and Hudson Railway lands to a point where the said centreline intersects the centreline median of Highway 407;

THENCE northerly along the centreline median of Highway 407 to a point where the said centreline median intersects the centreline median of Highway 401;

THENCE easterly along the centreline median of Highway 401 to the point of commencement.

Lands to be Annexed to Ward 10

COMMENCING at a point where the centerline of the St. Lawrence and Hudson Railway Company lands is intersected by the existing westerly limit of the City of Mississauga (being the east limit of the original road allowance for Ninth Line);

THENCE southerly along the existing westerly limit of the City of Mississauga (being the east limit of the original road allowance for Ninth Line), to a point where the said City limit intersects the centreline of Lower Base Line Road;

THENCE westerly along the centreline of Lower Base Line Road to a point where the said centreline intersects the centreline median of Highway 407;

THENCE northerly along the centreline median of Highway 407 to a point where the said centreline median intersects the centerline of the St. Lawrence and Hudson Railway Company lands;

THENCE easterly along the centerline of the St. Lawrence and Hudson Railway Company lands to the point of commencement.