

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW NUMBER 90-34

A By-Law to enter into an agreement with Galvacor Tri-Care Inc. for construction of a protective buffer.

- WHEREAS:
1. The Council of a local Municipality has authority under Section 40(7)(c) of the Planning Act 1983 to enter into an agreement with a property owner to ensure the construction of a protective buffer.
 2. The Council of the Corporation of the Township of Westmeath deems it expedient to enter such an agreement with Galvacor Tri-Care Inc.

NOW THEREFORE The Council of the Corporation of the Township of Westmeath ENACTS as follows:

1. That the Corporation of the Township of Westmeath enter into an agreement, known as Schedule 'A' and forming part of this by-law with Galvacor Tri-Care Inc.
2. That Galvacor Tri-Care Inc. agrees to construct a protective buffer within 12 months of the date of this agreement.
3. That the Reeve and Clerk be authorized to sign the agreement on behalf of the Corporation.

This by-law shall come into force of the date of passing.

PASSED and ENACTED this 18th day of July, 1990.


Reeve


Clerk

THIS SUPPLEMENTAL AGREEMENT made this 3rd day of July 1990

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH
Hereinafter called the PARTY OF THE FIRST PART

- and -

GALVACOR TRI-CARE INC.
Hereinafter called the PARTY OF THE SECOND PART

WHEREAS the Party of the First Part and the Party of the Second Part herein have entered into an Agreement for the approval and maintenance of the water works system and waste disposal system located on the lands owned by the Party of the Second Part and referred to in Schedule "A" attached to the Agreement.

WHEREAS the Party of the Second Part wishes to obtain approval for the site plan agreement which agreement provides for the construction of a protective buffer as required by the Ministry of Municipal Affairs for the Province of Ontario.

NOW THEREFORE THIS AGREEMENT witnesseth that:

1. The Party of the First Part agrees to grant to the Party of the Second Part an "occupancy permit" notwithstanding that the protective buffer has not yet been erected as required by the Corporation of the Township of Westmeath. at the Little Lakes Senior Citizen Complex.

12 mos. *

2. The Party of the Second Part agrees to construct the said buffer within a period of ~~six~~ ^{twelve} months of the date of this Agreement in accordance with the plans and specifications attached hereto as Schedule "B".

3. In the event that the Party of the Second Part fails to construct the said berm as provided for in this Agreement within the ~~six~~ month time frame the Corporation of the Township of Westmeath shall have the right to enter upon the property and construct the same and all costs incurred by the Municipality shall be chargeable to the Party of the Second Part and shall be paid forthwith under the same terms and conditions as the Agreement providing for maintenance of water and sewage services to which this Agreement is supplementary.

4. It is further understood that in the event that the Corporation of the Township of Westmeath is required to construct the said berm that it shall at its election, be able to reimburse itself from the \$20,000.00 security fund held by the Municipality to insure the maintenance of water and septic tank services.

5. This Agreement applies to the land set forth in Schedule "A" hereto and particularly locally known as the Little Lake Senior Citizen Complex.

6. It is agreed and declared that this Agreement and the covenants provisions and conditions shall enure to the benefit of and be binding upon the respective heirs, executors, administrators, successors and assigns of each of the parties hereto.

IN WITNESS WHEREOF the parties hereto have hereunto set their respective seals.

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH:

Gordon White
REEVE

Randi Keith
CLERK

GALVACOR TRI-CARE INC.

[Signature]
PRESIDENT

Fern Prins
SECRETARY



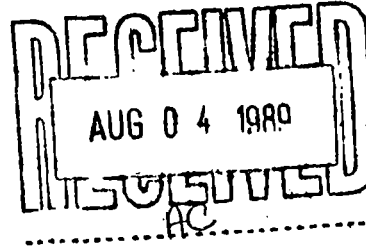
Ministry of Natural Resources
Ministère des Richesses naturelles

Schedule "B" to By-Law 90-34

Box 220, Riverside Drive
Pembroke, Ontario
K8A 6X4

(613) 732-3661

July 31, 1989



Mrs. Pat Burn
Clerk-Treasurer
Westmeath Township
R.R. #1
Beachburg, Ontario
K0J 1C0

Dear Mrs. Burn:

SUBJECT: Amendment No. 12 to the Official Plan
Township of Westmeath

In response to a letter received from Dr. Galipeau dated July 20, 1989, we have reviewed the new clause (Section 4 - 2(b)(i)) added to the subject amendment and recommend the following measure to address this concern.

An earth berm, centred in the proposed 112 foot buffer zone, approximately 5 to 6 feet in height, and with slopes not exceeding 30 percent, should be constructed.

We further recommend that this berm be planted with a mixture of tree species. Our forest management staff would be pleased to assist in this regard, upon request.

If you have any further questions please do not hesitate to contact this office.

Yours sincerely,

G. D. Yarranton
Lands and Parks Supervisor
Pembroke
D. A. Hammond/nm