

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW No. 91-15

A By-Law to enter into a Site Plan Agreement with Rita D. Phillips  
in Part of Lot 18 Concession 1 WML

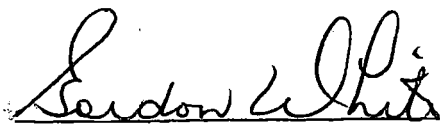
WHEREAS:

- 1) Under the provisions of Section 40 (7)(c) of the Planning Act 1983 as amended, a Municipality has authority to enter into Site Plan agreements, dealing with, and ensuring the provision of all facilities, works, or matters described in a Site Plan Agreement.
- 2) The Corporation of the Township of Westmeath deems it expedient to enter into a Site Plan Agreement with Rita D. Phillips regarding a restaurant and gas bar development in part of lot 18 Concession 1 WML.

Now therefore the Corporation of the Township of Westmeath ENACTS as follows:-

1. The Site Plan Control Agreement entitled Schedule 'A', an agreement between the Corporation of the Township of Westmeath and Rita D. Phillips, is attached to, and forms part of this By-Law.
2. The Reeve and Clerk are hereby authorised to sign the aforementioned Site Plan Control Agreement on behalf of the Corporation.
3. The Corporation of the Township of Westmeath will recover, under the authority of Section 325 of the Municipal Act, through municipal taxes, the costs of any works it may have to perform, should the owner fail to complete the described under the Site Plan Control Agreement.

PASSED and ENACTED this 5th day of June 1991.

  
Reeve

  
Clerk

Schedule "A"

CORPORATION OF THE TOWNSHIP OF WESTMEATH

SITE PLAN CONTROL AGREEMENT

GAS BAR and RESTAURANT Part of Lot 26 Concession NFA

IN ACCORDANCE with section 40 of the Planning Act, this Agreement is made in triplicate on this 5th day of June, 1991, by and between the following parties:

Owner: Rita D. Phillips

Township: Corporation of the Township of Westmeath

Each of whom, for good and valuable considerations, covenant one to the other as follows:

1. the owner agrees:
  - (a) that she owns the land which is subject of this Agreement and is described on the site plan;
  - (b) that the work done on the land will be in accordance with this Agreement and according to any permits, licences or approvals obtained from the Province of Ontario, the Township of Westmeath, the County of Renfrew, the Renfrew County and District Health Unit, Ontario Hydro and abutting owners, as may be required;
  - (c) that this Agreement can be registered by the Township against the land to which it refers;
  - (d) that she will make no changes to work described under this Agreement without the written approval of the Township;
  - (e) that she will pay such reasonable fees as may be invoiced to the Township in connection with this Agreement;
  - (f) to commence construction of the said development within 12 months of the date of signing.
2. The OWNER, prior to the execution of this Agreement by the Township will:
  - (a) have paid all outstanding taxes;
  - (b) have deposited with the Township any deeds, easements, deposits, levies and security required by this Agreement; and
  - (c) have secured the approval, in writing, of the Township to any plans and specifications required by the Township under this Agreement.
3. The TOWNSHIP agrees:
  - (a) That the project to be developed under this Agreement conforms to the Official Plan and Zoning By-Laws of the Township;

cont'd/

- (b) that it has enacted a Site Plan Control By-Law covering the subject property;
- (c) that it approves the Site Plan and all schedules attached to this Agreement; and
- (d) that the Owner can proceed with the project in accordance with this Agreement and the Building Permit(s) issued by the Township.

4. The PARTIES agree:

- (a) that the following schedules form part of this Agreement:
  - i) Schedule "A" - Copy of Site Plan
  - ii) Schedule "B" - Deeds, Deposits, Levies Security and Easements required by the Township.
- (b) that this Agreement will take priority over any subsequent registration against the subject lands.

IN WITNESS WHEREOF the Parties have hereto affixed their corporate seals attested to by the hands of their duly authorized officers.

Executed by Owner on the 5 day of June, 1991

Executed by the Township on the 5 day of June, 1991

SIGNED, SEALED AND DELIVERED

In the Presence of

|                                                  |                                                                         |                                                                                                                |
|--------------------------------------------------|-------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <p><i>[Signature]</i></p> <p><i>D/Reeve.</i></p> | <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> | <p><i>Barclay &amp; Phila Reeve</i></p> <p><i>Randi Keith, Clerk</i></p> <p><i>Sta A. Phillips, owner.</i></p> |
|--------------------------------------------------|-------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|

