

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW 2000-10-09

A By-Law to enter into an Agreement regarding control of Industrial Nuisances

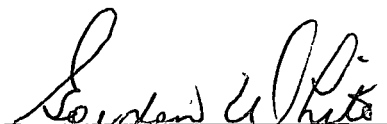
WHEREAS:-

1. A Municipality has authority under Chapter M45, Section 210 (134) of the Municipal Act R.S.O. 1990 to enter into agreements for the control of industrial nuisances.
2. In order to control industrial nuisances under operation of a sawmill, the Council of the Township of Westmeath is prepared to enter into an agreement with Colin Kidd for regulating the operation of a sawmill on Part-Lot 13, Concession 3, East of Muskrat Lake.

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

- 1) The Reeve and Clerk be authorized to sign the Agreement between the Municipal Corporation of the Township of Westmeath and Colin Kidd described as Schedule "A" attached to and forming part of this By-Law.

PASSED and ENACTED this 23rd Day of February, 2000


Reeve


Clerk

THIS AGREEMENT made this 15th day of February, A.D. 2000

B E T W E E N :

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

(herein called the "Corporation")

of the First Part

-and-

COLIN KIDD and GWENYTH KIDD

(herein called the "Owners")

of the Second Part

WHEREAS Colin Kidd, one of the Owners, wishes to locate and operate a commercial saw mill on a Portion of the North half of Lot 13, Concession 3, East of Muskrat Lake, Township of Westmeath, County of Renfrew;

AND WHEREAS the Official Plan of the Corporation of the Township of Westmeath, Section 2.3 Section 2 provides that for Agriculture-related commercial use required to be in close proximity to farm operations, pursuant to sub subsection (b) that the land be re-zoned for such use;

AND WHEREAS the Corporation has agreed not to take legal action to immediately enforce the by-law providing the Owners enter into an agreement to promptly apply for a re-zoning and to enter into a suitable site plan agreement.

AND WHEREAS the Parties agree that this is an agriculturally related commercial use and it is required to be in close proximity to local farm operations.

NOW THEREFORE IN CONSIDERATION of the sum of ONE DOLLAR (\$1.00) and the mutual covenants hereinafter agreed to, the Parties hereto agree as follows:

1. The Corporation agrees to suspend its enforcement of its Official Plan and Zoning By-Law provisions relating to this matter, providing the Owners immediately apply for a re-zoning of the site, being a portion of the North half of Lot 13 Concession 3, East of Muskrat Lake, Township of Westmeath, County of Renfrew and further agree to enter into a site plan acceptable to the Municipality with respect to the use and operation of the said site.
2. The Corporation agrees that the Owner, Colin Kidd, may continue his sawing operations in the meantime, on the understanding that further operations will be discontinued if the Zoning Application fails.
3. This agreement shall enure to the benefit of and be binding upon the parties hereto, their heirs, executors, successors and assigns forever.

IN WITNESS WHEREOF the Party of the First Part has hereunto affixed its corporate seal attested by the signatures of its proper officers and the Parties of the Second Part have hereunto set their hands and seals the 23rd day of February A.D. 2000.

SIGNED SEALED AND DELIVERED

in the presence of:

Colin Kidd
Colin Kidd

Gwenyth Kidd
Gwenyth Kidd

Lauri Campbell
Witness

CORPORATION OF THE TOWNSHIP OF WESTMEATH

Per: London White
Reeve

Randi Keith
Clerk