



## THE CORPORATION OF THE TOWNSHIP OF AUGUSTA

### BY-LAW NUMBER 2833

#### A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF AUGUSTA AND CHANTAL BARIBEAU

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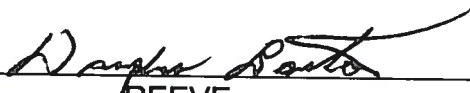
**WHEREAS** the Municipal Act, 2001 c. 25 S.O. 2001 section 8 allows for the Powers of a Natural Person and those powers may include the entering into an agreement.

**NOW THEREFORE** the Council of the Corporation of the Township of Augusta hereby enacts as follows:

1. That the Corporation of the Township of Augusta enter into an agreement with Chantal Baribeau.
2. That the CAO is hereby authorized to execute the agreement with Chantal Baribeau.

**READ** a first and second time this 14<sup>th</sup> day of June, 2010.

**READ** a third time and passed this 14<sup>th</sup> day of June, 2010.

  
REEVE

  
CLERK

**THIS AGREEMENT** made this **8th** day of **June, 2010**

**BETWEEN: THE Township of Augusta,**

hereinafter called the **"Corporation"**,

**OF THE FIRST PART**

- and -

**Chantal Baribeau**

hereinafter called the **"Owner"**,

**OF THE SECOND PART.**

**WHEREAS** the "Owner" is the Owner of the lands and premises described as Part of Lot 26, Concession 2, Township of Augusta, County of Grenville; with municipal address 2318 2<sup>nd</sup> Concession Rd, RR#1 Brockville, Ontario.

**AND WHEREAS** the Owner has applied for a building permit to construct a Facility for goalie training at 2318 2nd Concession Rd, RR#1 Brockville, as shown the plans attached hereto as Schedule "A";

**AND WHEREAS** the Owner shall undertake to submit an Application for Zoning By-Law Amendment to the Council of the Township of Augusta, with respect to a Rezoning of the property from A1 Restricted Rural to A2 General Rural to permit the goalie training facility.

**AND WHEREAS** the Council of the Township of Augusta will grant a decision on application for rezoning;

**AND WHEREAS** an appeal period to the decision of the Council of the Township of Augusta is required prior to final approval of its decision;

**AND WHEREAS** Section 8(3) of the Building Code Act, 1992, Chapter 23, S.O. allows the issuance of conditional permits and agreements relating thereto;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the mutual covenants hereinafter contained the parties hereto hereby covenant and agree as follows:

1. A building permit will be issued by the Chief Building Official of the Corporation for the footings and foundation with respect to the future construction of a Facility for Goalie Training as described in Schedule "A" hereto attached, prior to the rezoning of the property and the decision of the Council of the Township of Augusta, and prior to the end of the required appeal period.
2. The Owner hereby covenants and agrees to indemnify the Corporation and its servants and employees and save harmless the said Corporation and its servants and employees from all actions, causes of actions, claims and demands of every nature and kind whatsoever arising out of the said issuance of a building permit.
3. The Owner hereby covenants and agrees that should the Rezoning be denied by the Council of the Township of Augusta, or should an appeal to the Ontario Municipal Board with regards to the said Rezoning be allowed, the Owner is responsible to ensure that the drainage on the subject lands is reinstated to a condition that is acceptable to the Public Works Department of the Township of Augusta.

**IN WITNESS THEREOF** the Corporation has caused its Corporate Seal to be affixed as attested to by the hands of its proper Officers in that behalf and the Owner has hereunto set his hand and seal.

SIGNED, SEALED AND DELIVERED  
In the Presence of

THE Township of Augusta

PER:   
CAO

As to the execution by

  
**Chantal Baribeau**