THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY
BY-LAW NUMBER 02-03-132


WHEREAS, the Corporation of the Township of Laurentian Valley is desirous of entering into an Agreement with the Corporation of the City of Pembroke with respect to the proposed construction of a new Secondary Waste Water Treatment Facility;

AND WHEREAS, the Municipal Act, R.S.O. 1990, c.M.45 Section 102 authorizes every Council to pass such By-Laws and make such regulations for the health, safety, morality and welfare of the inhabitants of the Municipality in matters not specifically provided for by this Act and not contrary to law;

AND WHEREAS, the Council is of the opinion this Agreement would be in the best interest of the inhabitants of the Corporation of the Township of Laurentian Valley;

NOW THEREFORE, the Municipal Council of the Corporation of the Township of Laurentian Valley enacts as follows:

1. That Municipal Council of the Corporation of the Township of Laurentian Valley enter into an Agreement with the Corporation of the City of Pembroke in the form attached as Appendix “A” hereto.

2. That the Reeve and the Clerk be hereby authorized to enter into the Agreement referred to in Section 1 on behalf of the Corporation.

3. That By-Law Number 02-03-131 is hereby repealed.

4. That this By-Law shall come into full force and effect on the date of final passing thereof.

Read a FIRST and SECOND time this 25th day of March, 2002.

REEVE

CHIEF ADMINISTRATIVE OFFICER/CLERK

Read a THIRD time and FINALLY passed this 25th day of March, 2002.

REEVE

CHIEF ADMINISTRATIVE OFFICER/CLERK
APPENDIX "A"

THIS AGREEMENT made this 22nd day of March, 2002

BETWEEN:

THE CORPORATION OF THE
TOWNSHIP OF LAURENTIAN VALLEY
(Hereinafter called the "Township")
PARTY OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF PEMBROKE
(Hereinafter called the "City")
PARTY OF THE SECOND PART

WHEREAS representatives of the "City" and the "Township" have been involved in an extension negotiation process regarding outstanding issues with respect to the proposed construction of a new Secondary Waste Water Treatment Facility;

AND WHEREAS the "City" and the "Township" have come to an agreement with respect to the outstanding issues;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which is acknowledged and agreed to by each of the parties hereto, the parties hereto covenant and agree as follows:

1. The "City" and the "Township" agree to amend the "Sewage Service Agreement" between the "Township" and the "City" dated the 31st day of October, 1996 by adding the following sentence at the end of the existing Paragraph 4(d):

"The "Townships" and the "City" agree that Schedule "A" to this Agreement shall include the following properties:

PIN # 57141-0149 (LT)(PART OF) as described in paragraph 2 below
PIN # 57141-0137 (LT)
PIN # 57141-0135 (LT)
PIN # 57141-0136 (LT)"

Save and except as herein amended, all of the terms and conditions of the "Sewage Service Agreement" dated the 31st day of October, 1996 are hereby confirmed by the "City" and the "Township".

2. Upon an Application being received by the "Township" from the "City", the "Township" agrees to expeditiously proceed to close and convey to the abutting owners that part of PIN # 57141-0149 (LT) being a portion of Rankin Street which is currently unopened and located between properties described as PIN # 57141-0135 (LT) and PIN # 57141-0136 (LT). All costs related to the road closure procedure shall be paid by the "City" and shall
be added to the costs of the new Secondary Waste Water Treatment Facility. The “City” agrees to pay to the “Township” the sum of Sixty Thousand Dollars ($60,000.00) for the Rankin Street land and the payment of the said sum shall be added to the costs of the new Secondary Waste Water Treatment Facility.

3. The “City” agrees to rescind, on or before April 9, 2002, By-Law # 2001-61 and By-Law # 2001-62 passed on the 18th day of December, 2001.

4. The “Township” agrees to accept from the “City”, and expeditiously process, an Official Plan Amendment application and an accompanying Zoning By-Law Amendment application with respect to the following properties:
   - PIN # 57141-0149 (LT)(PART OF) as described in paragraph 2 above
   - PIN # 57141-0137 (LT)
   - PIN # 57141-0135 (LT)
   - PIN # 57141-0136 (LT)

to permit the construction of the new Secondary Waste Water Treatment Facility.

5. The “City” agrees to prepare and approve, prior to the issuance of any Building Permit and the commencement of construction on the new Secondary Waste Water Treatment Facility, a compensation policy for area landowners in consultation with the “Township”. For greater certainty, the “City” and “Township” agree as follows:

   a) that the general principles and definitions set out in the document Volume I-C Landowner Compensation Policy dated May 4, 2000 for the Township of Laurentian Valley, Alice & Fraser Landfill Expansion and Service Area Change and Ministry of Environment Guidelines that directly apply to this sewage treatment expansion shall be included in the compensation policy for area landowners. Notwithstanding the foregoing, the general principles and definitions in the Volume I-C Landowner Compensation Policy shall be used as a guideline to reflect that compensation will only be paid relating to the reduction in value of property in the “Impact Zone” as a result of the construction of the new Secondary Waste Water Treatment Facility.

   b) that within the defined impact zone, with a minimum distance of 50 meters, to address proven adverse impacts directly related by the sewage treatment plant expansion on the sale of property or homes within three years of opening the plant; and address the individual properties in the Township described as PIN #57141-0138 (LT) and PIN #57141-0139(LT) in a manner that the sale of these properties are not necessary to implement the compensation package.

   c) that the “City” and “Township” agree that the most recent current value
assessment prior to the commencement of construction on the new Secondary Waste Water Treatment Facility as established by the Municipal Property Assessment Corporation will be used as the benchmark for the value of the properties in the “Impact Zone”.

6. All notices, requests, demands or other communications by the terms hereto required or permitted to be given by one party to another shall be given in writing by personal delivery or fax or by first class mail, postage prepaid, addressed to such other party or delivered to such other party as follows:

The “Township” to:

460 Witt Road
R. R. #4
Pembroke, Ontario
K8A 6W7
Attention Chief Administrative Officer
Fax: 613-735-5820

The “City” to:

P.O. Box 277
1 Pembroke Street East
Pembroke, Ontario
K8A 6X7
Attention: Chief Administrative Officer
Fax: 613-735-3660

or at such other address as may be given by any of them to the others in writing from time to time and such notices, requests, demands or other communications shall be deemed to have been received when faxed or delivered, or if mailed seventy-two (72) hours after 12:01 a.m. on the day following the day of mailing thereof.

7. This agreement shall binding upon and enure to the benefit of the parties hereto and any successor municipal corporation due to amalgamation.

IN WITNESS WHEREOF the Parties hereto have set their hands and seals on the date and year first above written.

The Corporation of the Township of Laurentian Valley

[Signature]
Reeve: Jack Wilson

Chief Administrative Officer: Darrel Ryan
The Corporation of the City of Pembroke

[Signature]
Mayor: Bob Pilot

Chief Administrative Officer: Ray Brazeau