

THE CORPORATION OF THE TOWNSHIP OF PRINCE

BY-LAW NO. 2002-15

Being a by-law to authorize execution by the Reeve and Administrator of a Site Plan Control Agreement between the municipality and Thomas James Newman, Petra Marta Newman, Angelique Newman and Nick Parniak with respect to property located on Gagnon Road, being Parcel 9115 Algoma West Section

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PRINCE
HEREBY ENACTS AS FOLLOWS:

1. THAT the Reeve and Administrator be and they are hereby authorized to execute and affix the Corporate Seal to a Site Plan Agreement between the municipality and Thomas James Newman, Petra Marta Newman, Angelique Newman and Nick Parniak with respect to property located on Gagnon Road, being Parcel 9115 Algoma West Section, which Agreement is attached hereto as Schedule "A".
2. SCHEDULE "A"
Schedule "A" forms part of this by-law.
3. **PENALTY**
Pursuant to Section 320 of the Municipal Act, as amended, any person who contravenes a requirement of the Site Plan Control Agreement shall be liable for a fine not in excess of \$2,000.00 exclusive of costs.

READ THREE TIMES AND PASSED in open Council this ^{12th} ~~22nd~~ day of ^{November} ~~October~~ 2002.


Reeve


Administrator

THIS AGREEMENT made this day of October, 2002.

BETWEEN:

Schedule "A" to By-law 2002-15

THE CORPORATION OF THE TOWNSHIP OF PRINCE
hereinafter called the "Township" OF THE FIRST PART

-and-

THOMAS JAMES NEWMAN, PETRA MARTA NEWMAN
and ANGELIQUE NEWMAN
hereinafter called the "Owners" OF THE SECOND PART

-and-

NICK PARNIAK
hereinafter called the "Operator" OF THE THIRD PART

WHEREAS the Owners are the owners of lands described as Part 2, Plan 1R-3513, being Parcel 9115, Algoma West Section

AND WHEREAS the Owners were granted a Temporary Special Use Exception from the requirements of by-law 77-7 to operate a limited landscape operation on the subject property for a period of three (3) years from 21 May 2002 subject to a Development Control Agreement pursuant to the provisions of section 41 of the Planning Act;

THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants and agreements herein contained and subject to the terms and conditions hereinafter set out, the parties hereto agree each with the other as follows:

1. **Scope of Operation**
The scope of this operation involves the placement of soil on the property which has been excavated from other residential sites, spreading of same and preparation for re-sale.
2. **Hours of Operation**
The hours of operation are limited to 8:00 a.m. - 5:00 p.m., Monday to Friday and 9:00 a.m. - 1:00 p.m. Saturdays from May 01 to September 30
3. **Additives**
No chemical or organic additives will be used in connection with this operation.
4. **Preservation of Top Soil**
The operation will not involve the removal or stripping of existing top soil.
5. **Sediment Control**
Straw bales will be placed in the ditch and a buffer zone of approximately 21 metres will be established between the operation and the Carp River as set out on Site Plan attached hereto as Schedule "A". Sediment and erosion control measures will be implemented prior to work and maintained during the work phase, to prevent entry of sediment into the water. All disturbed areas should be stabilized upon completion of work. All materials and equipment used for the purpose of site preparation and project completion will be operated and stored in a manner that prevents any deleterious substance (e.g. petroleum products, silt, etc.) from entering the water.

THIS AGREEMENT shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

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

SIGNED, SEALED AND DELIVERED
in the presence of

_____ as to the signature of Thomas James Newman

_____ Thomas James Newman

_____ as to the signature of Petra Marta Newman

_____ Petra Marta Newman

_____ as to the signature of Angelique Newman

_____ Angelique Newman

_____ as to the signature of Nick Parniak

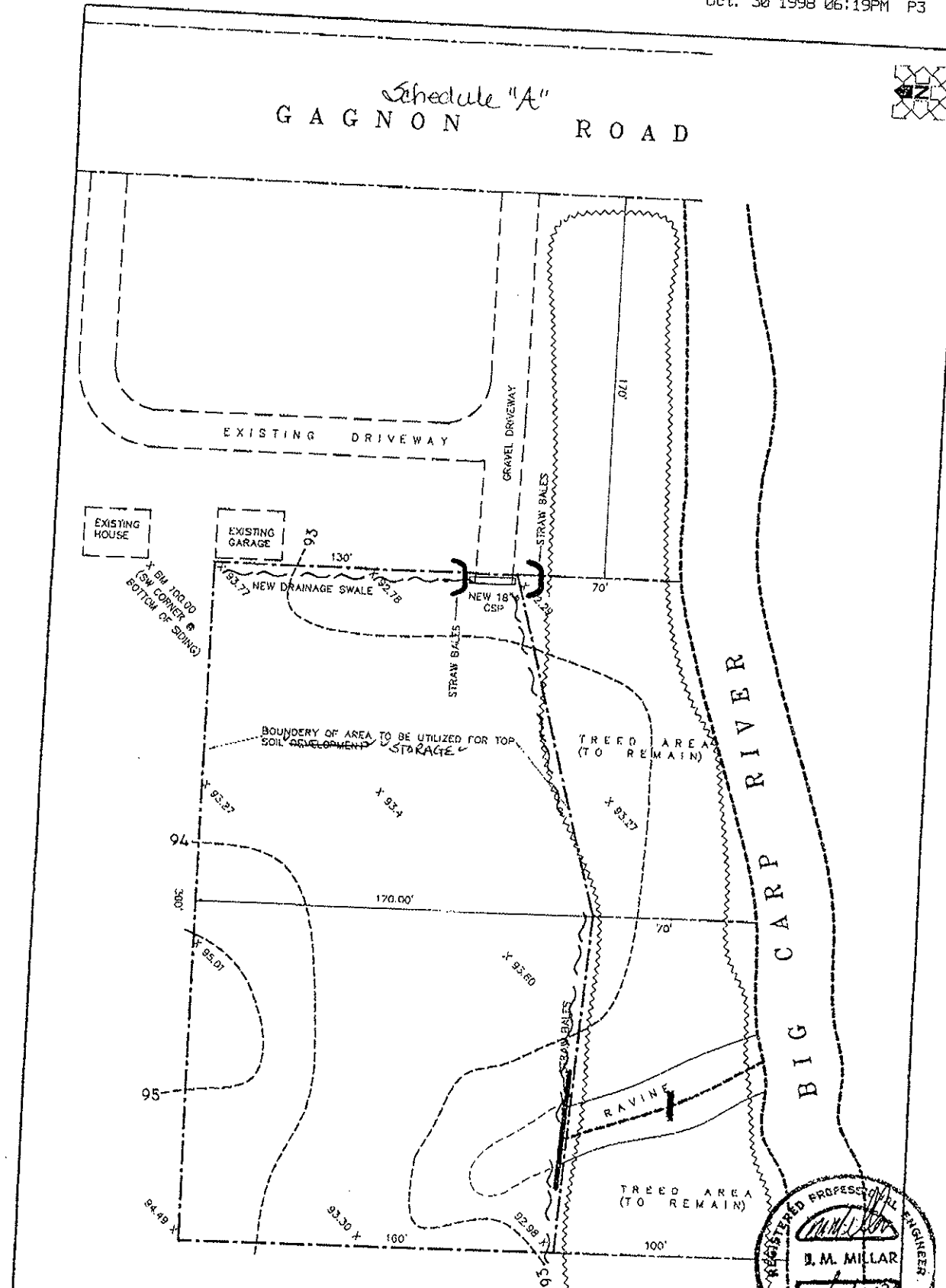
_____ Nick Parniak

THE CORPORATION OF THE
TOWNSHIP OF PRINCE

Per: _____
Lou Madonna, Reeve

Per: _____
Rachel Tyczinski, Administrator

Schedule "A" GAGNON ROAD



SITE PLAN -

NOTES

STRAW BALES TO BE PLACED TIGHTLY TOGETHER AND SECURED TO GROUND WITH 1"X2"X4' PICKETS
 AREA TO BE USED TO STORE AND MIX DRY ORDINARY SOILS TO PRODUCE A QUALITY TOP SOIL
 NO FERTILIZERS OR CHEMICALS WILL BE USED AT THIS SITE

MILLAR ENGINEERING
 145 INDUSTRIAL COURT "B" SAULT STE. MARIE, ONTARIO
 PH. 705-254-7640 FAX. 705-254-2555


SITE PLAN - FOR MR. N. PARNIAK - PROPOGAL
 GAGNON ROAD SAULT STE. MARIE, ONTARIO

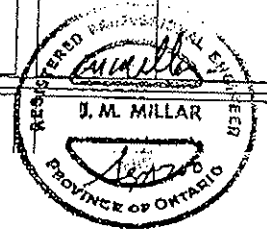
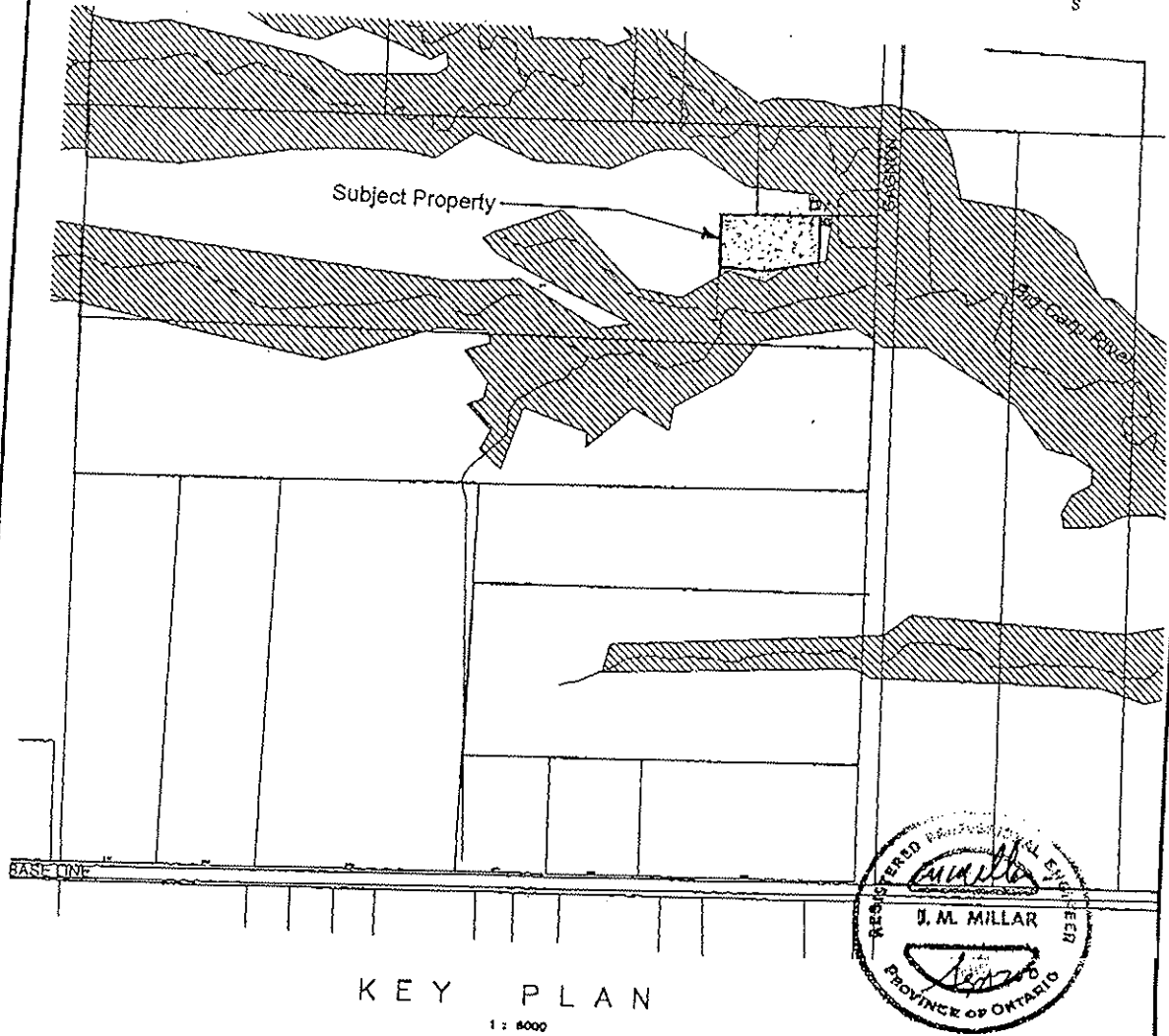
SCALE: 1" = 50'-0"	DATE: AUGUST 30, 2002
DWG BY: P.D.	CONTRACT: 0246

SPI
RS



Legend

 Fill Regulated Area



J.M. MILLAR CORPORATION
 ENGINEERS
 145 INDUSTRIAL COURT "B" SAULT STE. MARIE ONT
 PHONE- 705-254-7640 FAX- 705-254-2335

TITLE: KEY PLAN	
CONTRACT: 0246	SCALE: N.T.S.
DATE: SEPT 5, 2002	DWG NO: KI
DRAWN BY: P. DeCLERCK	

PROJECT-
MR. N PARNIAK -PROPOSAL
 GAGNON ROAD SAULT STE MARIE ONTARIO