

**CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION
BY-LAW # 08 - 07 - 348**

**BEING A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF
WHITEWATER REGION TO AUTHORIZE THE MAYOR AND CHIEF
ADMINISTRATIVE OFFICER TO EXECUTE A SUPPLEMENTARY
SUBDIVISION AGREEMENT ON BEHALF OF THE CORPORATION WITH
ADRIAN VEREYKEN & SONS DEVELOPMENTS LIMITED**

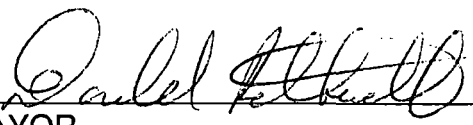
WHEREAS Section 51(26) of the Planning Act, R.S.O. 1990, Chapter P.13, provides that a municipality or approval authority, or both, may enter into agreements imposed as a condition to the approval of a Plan of Subdivision and the agreements may be registered against the land to which it applies and the municipality of the approval authority, as the case may be, is entitled to enforce the provisions of it against the owner and subject to registry Act and the Land Titles Act, any and all subsequent owners of the land;

AND WHEREAS it is deemed expedient to enter into such an supplementary agreement with Adrian Vereyken & Sons Developments Limited;

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF
THE TOWNSHIP OF WHITEWATER REGION ENACTS AS FOLLOWS:**

1. That the Mayor and Chief Administrative Officer be, and are, hereby authorized to execute the supplementary agreement hereto as Appendix 1 between the Corporation of the Township of Whitewater Region and Adrian Vereyken & Sons Developments Limited to affix thereto the Corporate Seal.
2. This By-law shall come into force and take effect upon the day of final passing thereof.

READ a first time, a second time and finally passed this third reading this
9th day of July, 2008.



MAYOR



CAO/Clerk

APPENDIX "1"

This Supplementary Subdivision Agreement dated the day of , 2008

BETWEEN:

ADRIAN VEREYKEN & SONS DEVELOPMENTS LIMITED

Herein called the "Owner"
OF THE FIRST PART

-and-

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

Herein called the "Township"
OF THE SECOND PART

WHEREAS the lands affected by this supplementary subdivision agreement are those lands shown as Phases 3 to 5 as set out in Schedule "B" attached hereto.

AND WHEREAS Adrian Vereyken & Sons Developments Limited entered in a subdivision agreement dated the 10th day of October, 2000 with respect to the development of certain lands consisting of part of Lot 6, Concession 5, East of Muskrat Lake, formerly in the Township of Westmeath, now in the Township of Whitewater Region, County of Renfrew, and shown as plan deposited as Plan 49R-12507 (the Subdivision Lands).

AND WHEREAS the Subdivision Agreement was registered against title to the said subdivision lands as Instrument Number RE39337 on 28th day of July 2005.

AND WHEREAS Adrian Vereyken & Sons Developments Limited entered in a Supplementary Subdivision Agreement dated the 3rd day of August, 2005 with respect to the development of the same lands for the purpose of revising the phasing, modifying the road cross section as well as other provisions in the subdivision agreement.

AND WHEREAS the First Phase of the Subdivision has been registered as Lots 1 to 11 inclusive, Blocks 12 to 15 inclusive and Meadow Drive as shown on Registered Plan 49M-9.

AND WHEREAS the Second Phase of the Subdivision has been registered as Lots 1 to 12 inclusive, Blocks 13 to 14 inclusive and Mapleview Court as shown on Registered Plan 49M-30.

AND WHEREAS the Owner and Township have agreed to revise the phasing as well as add additional provisions to the subdivision agreement.

AND WHEREAS the County of Renfrew have Changed the Conditions of Draft Plan Approval based on the letter dated May 7, 2008.

AND WHEREAS the following schedules hereto form part of this Supplementary Subdivision Agreement:

Schedule "A"	Plan of Subdivision
Schedule "B"	Phasing of Development

NOW THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00) of lawful money of Canada now paid by each of the parties to the other (the receipt of which is hereby acknowledged) the parties hereby covenant, promise and agree with each other as follows:

1. It is agreed and understood that Clause 11 (e) of the original Subdivision Agreement, which was amended by Clause 3 of the Supplementary Agreement, is hereby amended as follows:

“The Owner agrees with the Township that an equal interest in Block 60 be conveyed to the purchasers of Lots A, 29, 30, 31 and 32 and that an equal interest in Block 61 be conveyed to lots 33, 34, 35 and that an equal interest in Block 62 be conveyed to the purchasers of Lots 36, 37, 38, 39 and 40”

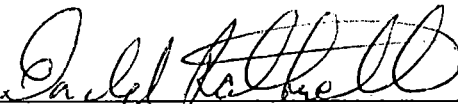
2. The Parties hereto agree that the Subdivision Phasing shall be modified as noted on Schedule “B”. The Phasing was originally noted in Clause 14 of the Subdivision Agreement and was modified as noted in Clauses 6 of the Supplementary Agreement. The Phasing shall now be as follows:
 - i. It is proposed that Phase III will include construction of Lakeridge Trail and municipal services for the development of lots A to C, 23 to 33 and Fern Gully Lane and municipal services for the development of lots D and E.
 - ii. It is proposed that Phase IV will include the construction of the Lakeridge Trail and municipal services for development of Lots 17 to 22 and 34 to 36. Meadow Drive from Lakeridge Trail to the limit of Phase 2 would be constructed with this phase. The dedication of the property for parkland purposes (Block 64) will be completed as part of the registration of these lots as well as the Open Space Block (Block 59). Also, the watermain shall be looped between Lakeridge Trail and Meadow Drive as part of this Phase.
 - iii. It is proposed that Phase V will include the development of Lots 10 to 16 and 37 to 39.
3. It is agreed that Schedule “F” of the original Subdivision Agreement and Schedule “B” of the Supplementary Agreement shall be deleted and be replaced with Schedule “B” attached to this agreement.
4. It is agreed that no building permits will be allowed for the lots or blocks on Phase IV or V until such time as the lots and blocks on these phases have been registered.
5. The Owner agrees to construct a water sampling station at the location of any temporary or permanent dead-end watermains that may result from the phasing of the project.
6. All other clauses and provisions and schedules shall be as per the original Subdivision Agreement registered as Instrument Number RE39337 and the Supplementary Subdivision Agreement registered as Instrument Number RE41778 in the Registry Office of the County of Renfrew.
7. The Owner shall pay to the Township the costs of any document review and advice to the Township with respect to preparation of this Supplementary Subdivision Agreement and Registry Office attendances and disbursements by the Township Solicitor related to registration of this Supplementary Subdivision Agreement.

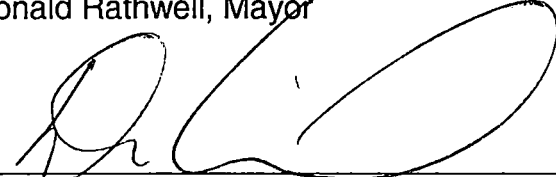
IN WITNESS WHEREOF the Party of the First Part has hereunto set his hand and seal the day and year first above written and the Party of the Second Part has hereunto affixed its corporate seal attested by the signatures of its proper officers duly authorized in that behalf.

ADRIAN VEREYKEN & SONS DEVELOPMENTS LIMITED

)
)Per: _____
) John Vereyken, President

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

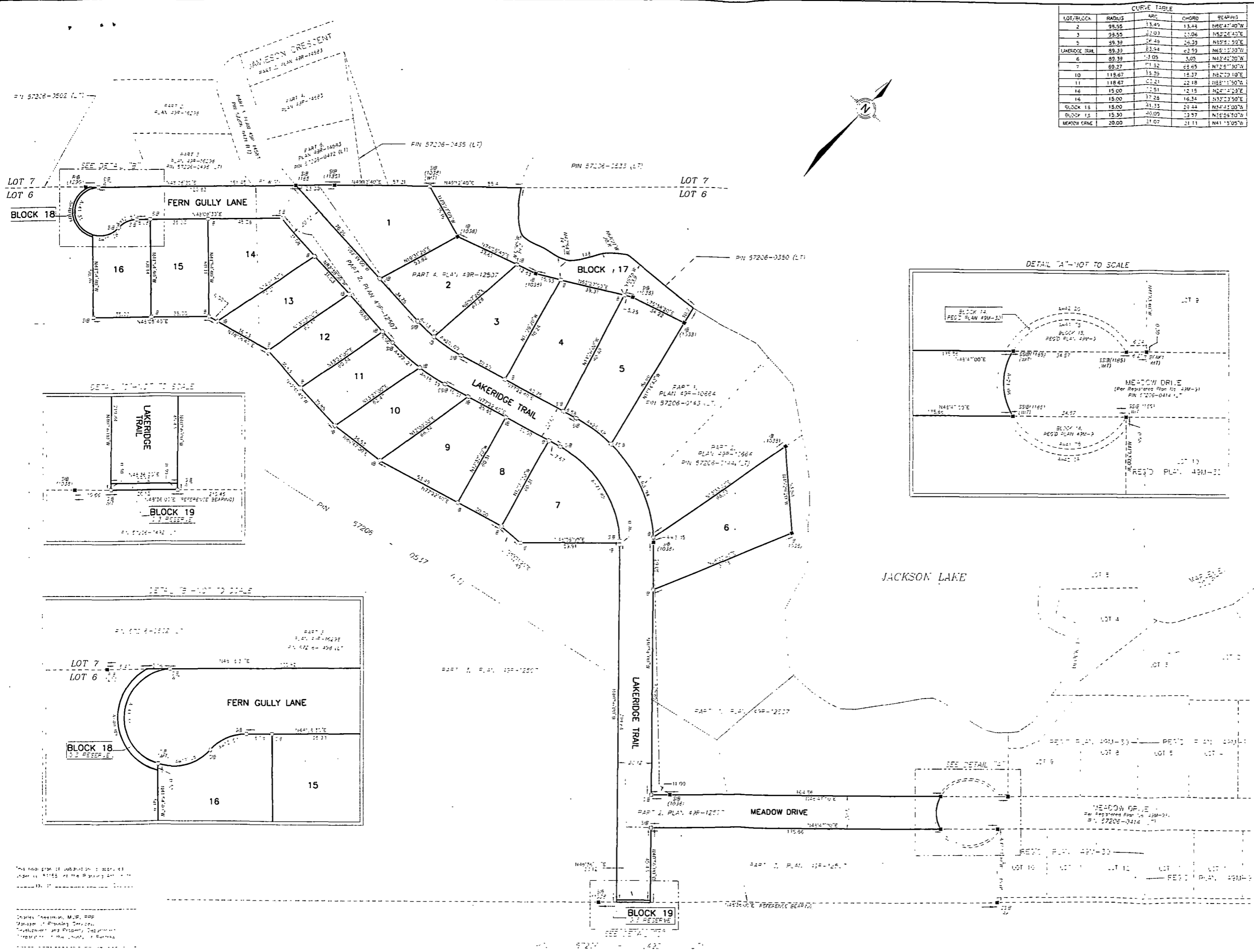
)
)Per:  _____
) Donald Rathwell, Mayor

)
)Per:  _____
) Dean Sauriol, CAO/Clerk

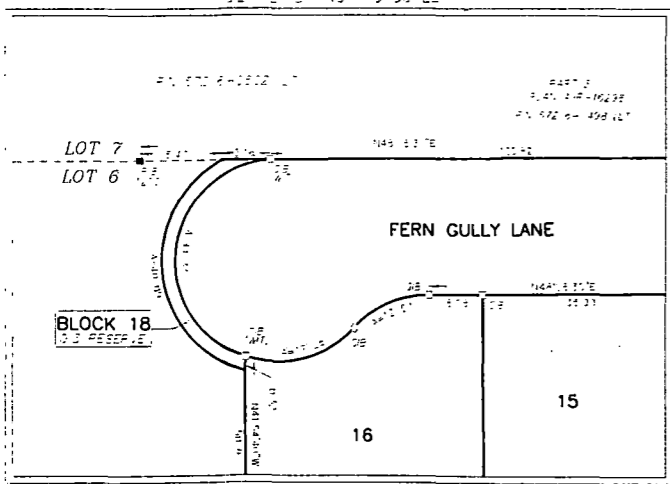
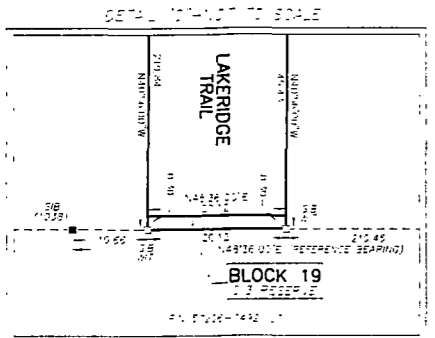
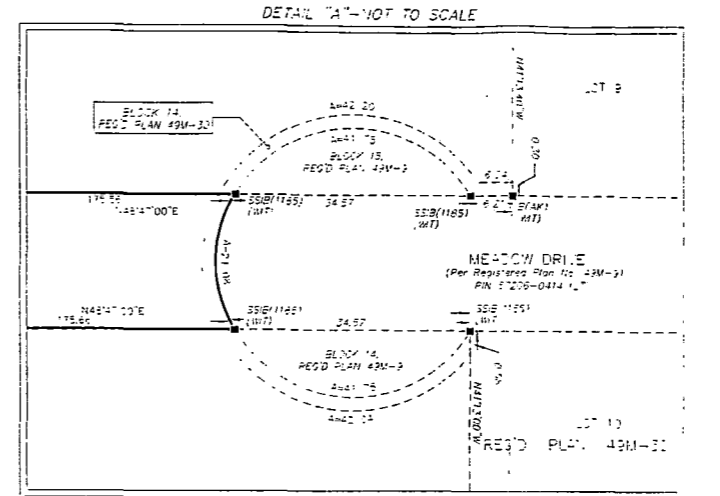
SCHEDULE "A"
PLAN OF SUBDIVISION – SUBDIVIDED LANDS
AND LANDS TO BE SUBDIVIDED LANDS
(49M-9 AND 49M-30 NOT INCLUDED OTHER THAN
BLOCK 13 AND 14, PLAN 49M-9)

SCHEDULE "B"
PHASING OF DEVELOPMENT

- PHASE I Lots 1 to 6 and 42 to 46 all inclusive, previously registered as 49M-9
- PHASE II Lots 7 to 9, 40, 41, 47 to 53 and Block 63 all inclusive, previously registered as 49M-30
- PHASE III Lots A to E, 23 to 33 and Blocks 56, 60 all inclusive
- PHASE IV Lots 17 to 22 and 34 to 36 and Blocks 54, 55, 59, 61 and 64 all inclusive
- PHASE V Lots 10 to 16 and 37 to 39 and Block 62 all inclusive



LOT/BLOCK	RADIUS	ARC	CHORD	BEARING
2	98.55	13.45	13.48	N86°41'40"W
3	98.55	22.03	22.06	N50°26'40"E
5	98.39	24.48	24.30	N85°11'50"E
LAKERIDGE TRAIL	89.33	83.94	62.52	N68°12'30"W
6	89.39	13.05	13.05	N43°42'30"W
7	89.27	11.32	11.32	N73°41'30"W
10	118.67	15.29	15.27	N82°22'10"E
11	118.67	22.21	22.18	N88°11'50"W
14	15.00	12.51	12.16	N24°11'33"E
15	15.00	17.28	16.34	N32°17'50"E
BLOCK 18	15.00	21.33	20.44	N44°51'00"W
BLOCK 12	15.00	20.09	19.57	N19°24'30"W
MEADOW DRIVE	20.00	31.07	31.11	N41°50'50"W



CERTIFICATE OF REGISTRATION

PLAT _____
 I certify that this Plan _____ is registered in the Land Registry Office for the Land Division of Renfrew No. 49 at _____ Block of the _____ and entered in the parcel register for PIN 57206-3537.
 The required consents are registered as per document No. _____

 Land Registrar

This Plan comprises part of the land identified by PIN 57206-3537 (LT)
PLAN OF SUBDIVISION
 OF PART OF
LOT 6, CONCESSION 5
 EAST OF MCKERRAT LAKE
 GEOGRAPHIC TOWNSHIP OF WESTWATER
 AND PART OF
BLOCK 14,
REGISTERED PLAN 49M-30
 TOWNSHIP OF WHITWATER REGION
 COUNTY OF RENFREW
 SCALE 1:1000

 ADAM KASPRZAK SURVEYING LTD.

BEARING NOTE
 BEARINGS ARE STRIKING AND ARE REFERRED TO THE SOUTHERLY END OF PART 3 BLOCK ON PLAN APPROVED DURING THE BEARING OF THIS NOTE.
DISTANCE NOTE
 DISTANCES SHOWN IN THIS PLAN ARE IN METRES AND MAY BE CONSIDERED TO BE BY CURVES BY 1:1000

OWNER'S CERTIFICATE
 THIS IS TO CERTIFY THAT
 1. LOTS 7 TO 16, BLOCK 14, LOT 6, CONCESSION 5, TOWNSHIP OF WESTWATER, COUNTY OF RENFREW, ONTOARIO, INCLUDING AND THE STREETS NAMED MEADOW DRIVE, LAKERIDGE TRAIL AND FERN GULLY LANE HAVE BEEN Laid Out IN ACCORDANCE WITH MY INSTRUMENT DATED _____
 2. THE STREETS ARE HEREBY DEDICATED AS PUBLIC HIGHWAYS OF THE TOWNSHIP OF WHITWATER REGION.
 DATED THE DAY OF APRIL 2018

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT
 1. THIS SURVEY AND PLAN ARE CORRECT AND ACCURATE
 2. THE SURVEY WAS MADE IN ACCORDANCE WITH THE LAND SURVEY ACT AND THE REGULATIONS THEREUNDER
 3. THE PLAN IS THE COMPLETE AND CORRECT REPRESENTATION OF THE SURVEY
 DATE APRIL 2018

- LEGEND**
- 1. LOT
 - 2. BLOCK
 - 3. CONCESSION
 - 4. TOWNSHIP
 - 5. COUNTY
 - 6. ROAD
 - 7. CURVE
 - 8. BOUNDARY
 - 9. CORNER
 - 10. BEARING
 - 11. DISTANCE
 - 12. AREA
 - 13. PERIMETER
 - 14. PERCENTAGE
 - 15. PERMITS
 - 16. REGISTERED PLAN
 - 17. REGISTERED PLAN
 - 18. REGISTERED PLAN
 - 19. REGISTERED PLAN
 - 20. REGISTERED PLAN