

**THE CORPORATION OF  
TOWNSHIP OF WHITEWATER REGION**

**BY-LAW NUMBER 09-08-395**

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**A By-Law authorizing the Township to enter into a Development Agreement with Mr. Donald Matthews**

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**WHEREAS Donald Matthews** is the owner of PT LT 9, Con "A" Coulonge Lake Front, WESTMEATH, TOWNSHIP OF WHITEWATER REGION;

**AND WHEREAS** Donald Matthews has applied to the County of Renfrew for consent approval of residential lot File Number(s) B242/06(1) and B243/06(2), and such approval dated the 17<sup>th</sup> day of February, 2009 has been granted subject to the execution and registration of a Development Agreement between the Owner and the Township be on title;

**AND WHEREAS** Section 53(12) of the Planning Act, R.S.O. 1990, c.P.13, affords council the same powers with respect to a consent as the approval authority has with respect to an approval of a plan of subdivision under Section 51 (25) of the Planning Act;

**AND WHEREAS** Section 51(26) of the Planning Act provides for the Municipality to enter into an Agreement as a condition of the approval of subdivision of a lot which Agreement may be registered on title and is enforceable by the Municipality against all subsequent purchases of the land;

**AND WHEREAS** Donald Matthews has asked the Council of the Corporation of the Township of Whitewater Region to enter into a Development Agreement;

**NOW THEREFORE** the Council of the Corporation of the Township of Whitewater Region hereby ENACTS AS FOLLOWS:

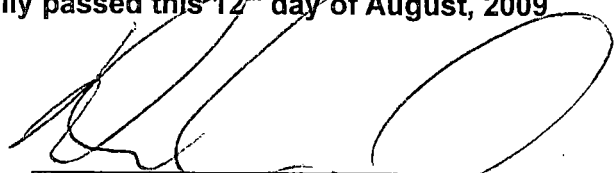
1. **THAT** The Corporation of the Township of Whitewater Region enter into a Development Agreement with Mr. Donald Matthews, which agreement is attached and marked as Schedule "A" to this By-law.
2. **THAT** the Council of the Township of Whitewater Region hereby authorize the execution of the Development Agreement.
3. **THAT** the Mayor and CAO/Clerk be authorized to execute the said Development Agreement together with all documents relating thereto, and further, to make such other motions as may be necessary to complete this matter.

THIS BYLAW shall come into effect upon the passing thereof and subsequent registration at the Land Registry Office for the Registry Division for the County of Renfrew.

**This By-law given FIRST and SECOND reading this 12<sup>th</sup> day of August, 2009**

**This By-law read a THIRD time and finally passed this 12<sup>th</sup> day of August, 2009**

  
MAYOR

  
CAO/CLERK

## AGREEMENT

**BETWEEN:**

**The Corporation of the Township of Whitewater Region**

**“Hereinafter referred to as the Municipality”**

**- and -**

**Donald Matthews**

**“Hereinafter referred to as the Owner”**

**WHEREAS** the Owner is the owner of lands legally described as being Part of Lot 9, Concession A, CLF in the Geographic Township of Westmeath now in the Township of Whitewater Region in the County of Renfrew in accordance with Schedule “A” attached hereto.

**AND WHEREAS** the Owner has applied to the County of Renfrew for consent approval of residential lot File No. B242/06(1) such approval haven been given on the 17<sup>th</sup> day of February 2009 subject to certain conditions.

**AND WHEREAS** the Ontario Planning Act in Sections 53(12) and Section 51(26) provide for the municipality to enter into an Agreement as a condition of approval of the sub-division which agreement may be supported by Notice on Title.

**THEREFORE IN CONSIDERATION** of the granting of severance the Owner hereto covenant and agrees as follows:

1. All future property owners must be notified that the bedrock water quality may exhibit hardness, iron and manganese. Water softeners and manganese greensand filters should be adequate to lower hardness, iron and manganese to within Ontario Drinking Water Standards (ODWS).
2. That in accordance with Ministry of Environment requirements, the Medical Officer of Health should be notified where sodium levels are above 20 milligrams per litre in order for this information to be relayed to physicians.
3. That the remaining vegetated areas within the area of the water setback of both the retained and severed lands be protected from further vegetation clearing and site alteration. All the trees and understory vegetation should be maintained, with the exception of a narrow path and cleared area for docking, if required.

4. The Owner agrees that this Agreement will be binding on subsequent purchases and further agrees to register Notice of the said Agreement on title of the subject land and further agrees to notify any subsequent purchaser of the existence for this Agreement.

Dated at Pembroke, Ontario this                      day of August 2009.

The Corporation of the Township of Whitewater Region

Per: \_\_\_\_\_  
Name: Donald Rathwell  
Title: Reeve

Per: \_\_\_\_\_  
Name: Dean Sauriol  
Title: Chief Administrative Officer

Dated at Pembroke, Ontario this                      day of August 2009.

\_\_\_\_\_  
Donald Matthews

## **SCHEDULE "A"**

Part of Lot 9, Concession A, Coulonge Lake Front, Designated as Parts 13 & 15 on Plan 49R-17043; S/T right-of-way over Part 14 on Plan 49R-17043; T/W right-of-way over Part 16 on Plan 49R-17043 as in RE67982; Geographic Township of Westmeath, Now in the Township of Whitewater Region, County of Renfrew, Being Part of PIN 57199-0348 (LT)

## **AGREEMENT**

**BETWEEN:**

**The Corporation of the Township of Whitewater Region**

**“Hereinafter referred to as the Municipality”**

**- and -**

**Donald Matthews**

**“Hereinafter referred to as the Owner”**

**WHEREAS** the Owner is the owner of lands legally described as being Part of Lot 9, Concession A, CLF in the Geographic Township of Westmeath now in the Township of Whitewater Region in the County of Renfrew in accordance with Schedule “A” attached hereto.

**AND WHEREAS** the Owner has applied to the County of Renfrew for consent approval of residential lot File No. B243/06(2) such approval haven been given on the 17<sup>th</sup> day of February 2009 subject to certain conditions.

**AND WHEREAS** the Ontario Planning Act in Sections 53(12) and Section 51(26) provide for the municipality to enter into an Agreement as a condition of approval of the sub-division which agreement may be supported by Notice on Title.

**THEREFORE IN CONSIDERATION** of the granting of severance the Owner hereto covenant and agrees as follows:

1. All future property owners must be notified that the bedrock water quality may exhibit hardness, iron and manganese. Water softeners and manganese greensand filters should be adequate to lower hardness, iron and manganese to within Ontario Drinking Water Standards (ODWS).
2. That in accordance with Ministry of Environment requirements, the Medical Officer of Health should be notified where sodium levels are above 20 milligrams per litre in order for this information to be relayed to physicians.
3. That the remaining vegetated areas within the area of the water setback of both the retained and severed lands be protected from further vegetation clearing and site alteration. All the trees and understory vegetation should be maintained, with the exception of a narrow path and cleared area for docking, if required.

4. The Owner agrees that this Agreement will be binding on subsequent purchases and further agrees to register Notice of the said Agreement on title of the subject land and further agrees to notify any subsequent purchaser of the existence for this Agreement.

Dated at Pembroke, Ontario this                      day of June, 2009.

The Corporation of the Township of Whitewater Region

Per: \_\_\_\_\_  
Name: Donald Rathwell  
Title: Reeve

Per: \_\_\_\_\_  
Name: Dean Sauriol  
Title: Chief Administrative Officer

Dated at Pembroke, Ontario this                      day of June, 2009.

\_\_\_\_\_  
Donald Matthews

**SCHEDULE "A"**

Part of Lot 9, Concession A, Coulonge Lake Front, Designated as Parts 9 & 11 on Plan 49R-17043; S/T right-of-way over Part 10 on Plan 49R-17043; T/W right-of-way over Part 12 on Plan 49R-17043 as in RE67982; Geographic Township of Westmeath, Now in the Township of Whitewater Region, County of Renfrew, Being Part of PIN 57199-0348 (LT)