

**THE CORPORATION OF
TOWNSHIP OF WHITEWATER REGION**

BY-LAW NUMBER 09-012-407

A By-Law authorizing the Township to enter into a Development Agreement with Ronald and Constance McNeil

WHEREAS Ronald and Constance McNeil are the owner of Part Lot 3, Concession 1, ROSS, TOWNSHIP OF WHITEWATER REGION;

AND WHEREAS Ronald and Constance McNeil have applied to the County of Renfrew for consent approval of residential lot File Number(s) B220/07, and such approval dated the 4th day of December, 2008 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 under Section 51 (26) 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 Ronald and Constance McNeil 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 Ronald and Constance McNeil, 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 2nd day of December, 2009

This By-law read a THIRD time and finally passed this 2nd day of December, 2009


MAYOR


CAO/CLERK

AGREEMENT

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

"Hereinafter referred to as the Municipality"

- AND -

Ronald and Constance McNeil

"Hereinafter referred to as the Owner"

WHEREAS the Owner is the owner of lands legally described as being Part of Lot 3, Concession 1 in the Geographic Township of Ross 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. B220/07 such approval haven been given on the 4th day of December.

AND WHEREAS the Ontario Planning Act in Sections 53(12) and Section 51(26) provide fro 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.

AND THEREFORE of the granting of severance the owner hereto covenant and agree as follows:

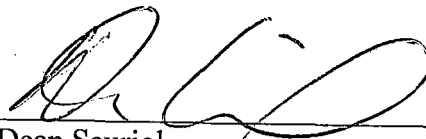
1. All future property owners must be notified that a tertiary level sewage treatment systems be used that minimizes total phosphorus concentrations in the effluent.
2. That there should be no disturbance to the remaining vegetated areas within the area of the water setback of both the retained and severed lands be protected from further vegetation clearing and site alteration. All the trees and understory vegetation should be maintained, with the exception of a pedestrian access to the lake.
3. Best Management practices concerning land use should be employed in the area between the house and the septic system to allow re-vegetation of the agriculture area.
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 Cobden, Ontario this 2nd day of December, 2009.

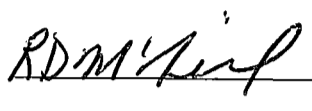
Region

The Corporation of the Township of Whitewater

Per: Donald Rathwell
Name: Donald Rathwell
Title: ~~Reeve~~ Mayor

Per: 
Name: Dean Sauriol
Title: Chief Administrative Officer

Dated at ^{Cobden}~~Pembroke~~, Ontario this 3rd day of December, 2009.

 
Ronald & Constance McNeil