

THE CORPORATION OF
TOWNSHIP OF WHITEWATER REGION

BY-LAW NUMBER 11-05-488

A By-Law authorizing the Township to enter into a Development Agreement with Mr. Art Jamieson

WHEREAS Art Jamieson is the owner of PT LT 10, Con 4 EML, Village of Beachburg, TOWNSHIP OF WHITEWATER REGION;

AND WHEREAS Art Jamieson has applied to the County of Renfrew for consent approval of residential lot File Number(s) B183/10(1) and B184/10(2), and such approval dated the 7th day of April, 2011 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 Art Jamieson 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. Art Jamieson, which agreement is attached and marked as Schedule "A" to this By-law. *+ Schedule "B" P1 Q*
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 18th day of May, 2011

This By-law read a THIRD time and finally passed this 18th day of May, 2011

MAYOR

CAO/CLERK

AGREEMENT

BETWEEN: The Corporation of the Township of Whitewater Region

"Hereinafter referred to as the Municipality"

- and -

Art Jamieson

"Hereinafter referred to as the Owner"

WHEREAS the Owner is the owner of lands legally described as being Part of Lot 10, Concession 4, EML in the Geographic Village of Beachburg now in the Township of Whitewater Region in the County of Renfrew in accordance with Schedule "A" and Schedule "B".

AND WHEREAS the Owner has applied to the County of Renfrew for consent approval of residential lot File No. B183/10(1) and B184/10(2) such approval haven been given on the 7th day of April 2011 subject to certain conditions.

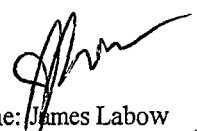
AND WHEREAS the Ontario Planning Act in Sections 53(12) and Section 51(26) provide for the municipality to enter into an Agreement as a condition of approval of the sub-division which agreement may be supported by Notice on Title.

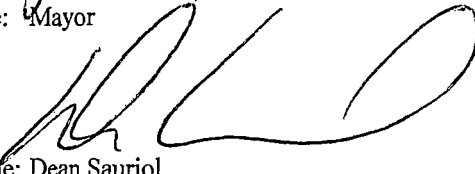
THEREFORE IN CONSIDERATION of the granting of severance the Owner hereto covenant and agrees as follows:

1. All future property owners must acknowledge and agree to insert wording in all offers to purchase and sale or lease agreements advising prospective purchasers or tenants of the severed parcel that there are number of agricultural operations in the area which from time to time may manifest certain conditions such as odour and noise
2. 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.

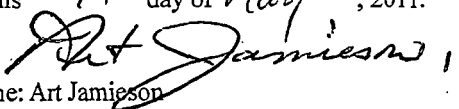
Dated at Cobden, Ontario this 18th day of May, 2011.

The Corporation of the Township of Whitewater Region

Per: 
Name: James Labow
Title: Mayor

Per: 
Name: Dean Sauriol
Title: Chief Administrative Officer

Dated at Cobden, Ontario this 19th day of May, 2011.

Per: 
Name: Art Jamieson
Title: Owner

SCHEDULE "A"

Description for file B183/10(1) is as follows:

Part Lot 10, Concession 4, East of Muskrat Lake being Part 1, 49R-16604, Westmeath,
Township of Whitewater Region

SCHEDULE "B"

Description for file B184/10(2) is as follows:

Part Lot 10, Concession 4, East of Muskrat Lake being Part 1, 49R-10902 save and except Part 1, 49R-16604 and Part 2, 49R-11128, Westmeath, Township of Whitewater Region