

**THE CORPORATION OF
TOWNSHIP OF WHITEWATER REGION**

BY-LAW NUMBER 12-01-523

A By-Law authorizing the Township to enter into a Development Agreement with John Murdock and Darlene Murdock

WHEREAS John Murdock and Darlene Murdock is the owner of PT LT 24 CON 8, ROSS, TOWNSHIP OF WHITEWATER REGION;

AND WHEREAS John Murdock and Darlene Murdock has applied to the County of Renfrew for consent approval(s) of residential lot File Numbers B22/10(1), B23/10(2), B24/10(3) and such approval(s) dated the 5th day of April, 2011 have 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 John Murdock and Darlene Murdock 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 John Murdock and Darlene Murdock, 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 18th day of January, 2012

This By-law read a THIRD time and finally passed this 18th day of January, 2012



MAYOR



CAO/CLERK

SCHEDULE "A"

THIS AGREEMENT made this 18th day of January, 2012 between

JOHN MURDOCK
and
DARLENE MURDOCK
(hereinafter referred to as the "Owner")
- and -

The CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION
(hereinafter referred to as the "Municipality")

WHEREAS the Owner is the owner of the lands described as being Pt Lot 24, Concession 8, in the geographic Township of Ross now in the Township of Whitewater Region in the County of Renfrew.

AND WHEREAS the Owner has applied to the County of Renfrew for consent approval for a number of severances in Pt Lot 24, Concession 8, Ross, Township of Whitewater Region, as described in severance application Files B22/10(1), B23/10(2) and B24/10(3) and such approval haven been given on the 5th day of April, 2011 subject to certain conditions.

AND WHEREAS in order to Consent to your severance, Municipality requires that this agreement be registered on the title to all property owned by Owner in Pt Lot 24, Concession 8, in the Township of Ross;

NOW THEREFORE Owner on behalf of himself and all future purchasers and transferees from Owner hereby agree to the following terms and conditions:

1. No trees or vegetation should be removed from the slopes as their presence assists in decreasing the rate of erosion due to overland flows and wave and current action.
2. No drainage and discharge of sump pumps, swimming pools or other similar utilities should be directed over the slopes as this action would reduce the factor of safety against instability.
3. Final grading of the site should be carried out to promote drainage of the property away from the slopes along well constructed drainage swales and ditches.
4. That erosion control measures be undertaken along the shoreline of the retained and severed lots.

THIS AGREEMENT shall be binding on Owner and their respective heirs, executors, administrators and assigns.

Dated at Cobden, Ontario this 18th day of January, 2012

Michelle Wright
Witness

John Murdock
John Murdock

Darlene Murdock
Darlene Murdock

Shirley Hapel
Witness

Shirley Hapel
Witness

Township of Whitewater Region

Mayor

CAO