

**CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION
BY-LAW # 12 – 09 – 557**

**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 a 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 attached hereto 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 5th day of September, 2012.



MAYOR



CAO/Clerk

This Supplementary Subdivision Agreement dated the day of , 2012

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 4 and 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 into 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 Adrian Vereyken & Sons Developments Limited entered into a further Supplementary Subdivision Agreement dated the 9th day of July, 2008 with respect to the development of the same lands for the purpose of revising the phasing 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 Third Phase of the Subdivision has been registered as Lots 1 to 16 inclusive, Blocks 17, 18 and 19, Meadow Drive, Lakeridge Trail and Fern Gully Lane as shown on Registered Plan 49M-49.

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 has 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:

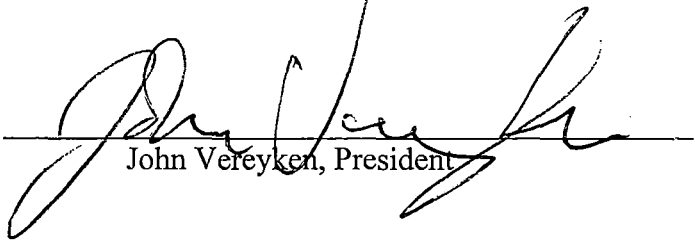
Schedule "A" Plan of Subdivision
Schedule "B" Phasing of Development

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:

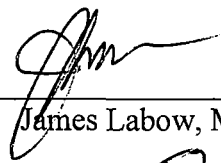
1. The Parties hereto agree that the Subdivision Phasing shall be modified as noted on Schedule "B". The Phasing was originally noted in Clause 14 of the Subdivision Agreement and was modified as noted in Clause 6 of the Supplementary Agreement dated the 3rd day of August, 2005 and further modified in Clause 2 of the Supplementary Agreement dated the 9th day of July, 2008. The Phasing shall now be as follows:
 - i. It is proposed that Phase IV will include the development of Lots 10 to 22, inclusive, and Block 54.
 - ii. It is proposed that Phase V will include the development of Lots 34 to 39, inclusive, and Blocks 59, 61, 62, and 64
2. It is agreed that Schedule "F" of the original Subdivision Agreement and Schedule "B" of the Supplementary Agreement dated the 3rd day of August, 2005 and Schedule "B" of the Supplementary Agreement dated the 9th day of July, 2008 shall be deleted and be replaced with Schedule "B" attached to this agreement.
3. It is agreed that the geotechnical investigation referred to in Clause 6 (iv) of the Supplementary Agreement dated the 5th day of August, 2005 has been completed and is not a requirement for final approval of this proposed Phase IV.
4. It is agreed that no building permits will be allowed for the lots or blocks on Phase V until such time as the lots and blocks on that phase have been registered.
5. All other clauses and provisions and schedules shall be as per the original Subdivision Agreement registered as Instrument Number RE39337, the Supplementary Subdivision Agreement registered as Instrument Number RE41778 and the Supplementary Agreement registered as RE90465 in the Registry Office of the County of Renfrew.
6. 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.

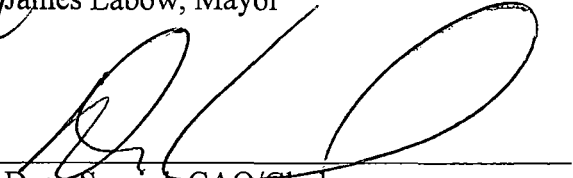
IN WITNESS WHEREOF the Party of the First Part has hereunto set his hand and seal the day and year first above written and the Party of the Second Part has hereunto affixed its corporate seal attested by the signatures of its proper officers duly authorized in that behalf.

ADRIAN VEREYKEN & SONS DEVELOPMENTS LIMITED

)
)Per: 
) John Vereyken, President

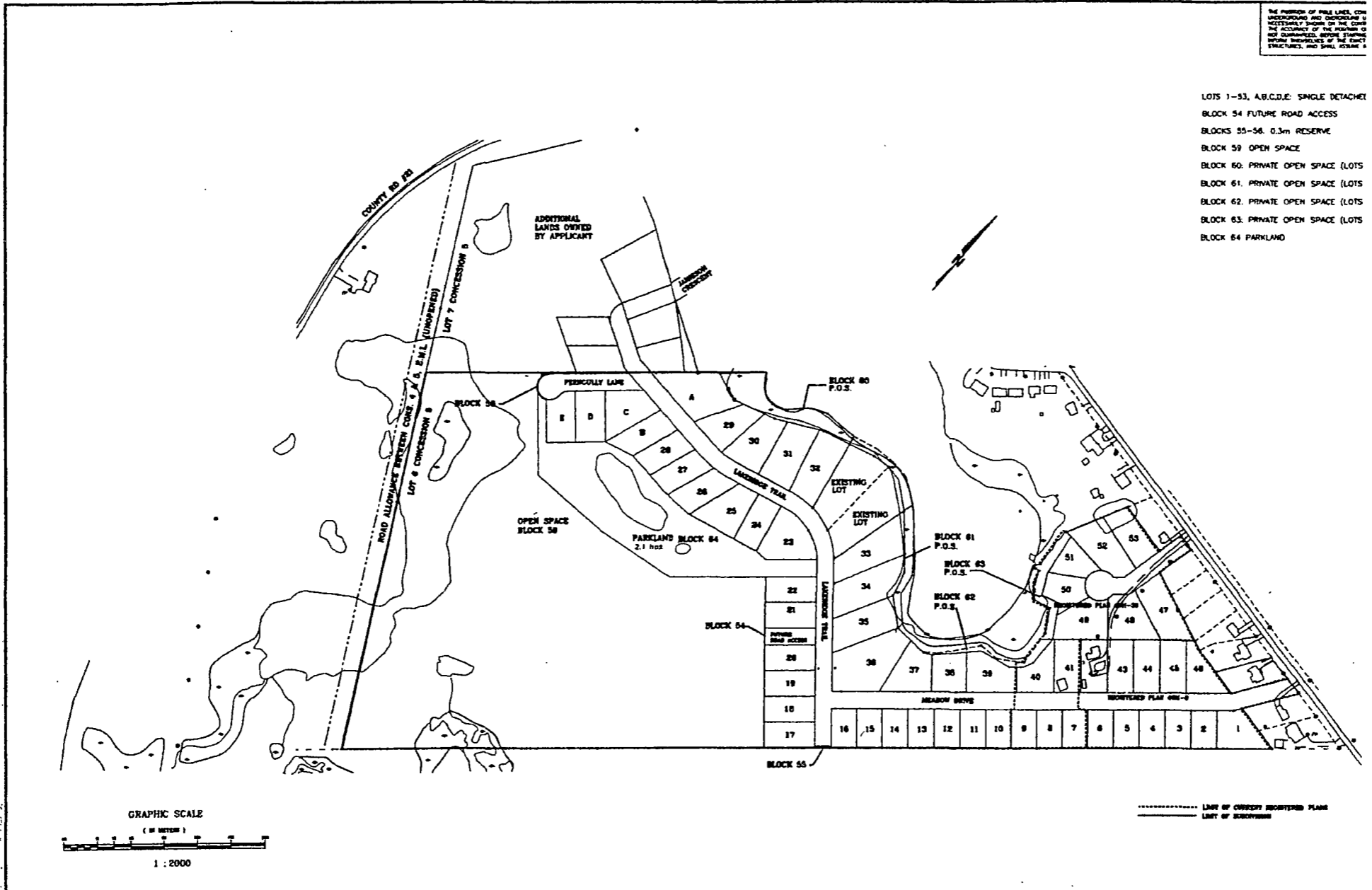
THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

)
)Per: 
) James Labow, Mayor

)
)Per: 
) Dean Sauriol, CAO/Clerk

THE POSITION OF PAVE LINES, CURBS, UNDERGROUND AND OVERGROUND UTILITIES IS SHOWN ON THE PLAN. THE ACCURACY OF THE POSITION IS NOT GUARANTEED, ABOVE STATIONS BEING INDICATED BY THE EXISTING STRUCTURES, AND SHALL REMAIN A

- LOTS 1-53, A,B,C,D,E: SINGLE DETACHED
- BLOCK 54 FUTURE ROAD ACCESS
- BLOCKS 55-56, 0.3m RESERVE
- BLOCK 59 OPEN SPACE
- BLOCK 60: PRIVATE OPEN SPACE (LOTS
- BLOCK 61: PRIVATE OPEN SPACE (LOTS
- BLOCK 62: PRIVATE OPEN SPACE (LOTS
- BLOCK 63: PRIVATE OPEN SPACE (LOTS
- BLOCK 64 PARKLAND



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

NO.	DATE	BY	REVISION
1	2008-04-10	SCW	ISSUE OF DRAFT PLAN FOR REVIEW TO CLIENT
2	2008-04-10	SCW	ISSUE OF DRAFT PLAN FOR REVIEW TO CLIENT
3	2008-04-10	SCW	ISSUE OF DRAFT PLAN FOR REVIEW TO CLIENT
4	2008-04-10	SCW	ISSUE OF DRAFT PLAN FOR REVIEW TO CLIENT

Jp2g Consultants Inc.
 ENGINEERS · PLANNERS · PROJECT MANAGERS
 PEMBROKE · OTTAWA

DESIGNED	SCW
DRAWN	PLR
CHECKED	SCW
APPROVED	SCW
SCALE	HORIZ. 1:2000

A.VEREYKEN AND SONS LTD.
 DRAFT PLAN OF SUBDIVISION
 REVISION APRIL 2008

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 55, 56, 57, 58 and 60 all inclusive, previously registered as 49M-49
PHASE IV	Lots 10 to 22 and Block 54 all inclusive
PHASE V	Lots 34 to 39 and Blocks 59, 61, 62 and 64 all inclusive