

**THE CORPORATION OF
TOWNSHIP OF WHITEWATER REGION**

BY-LAW NUMBER 13-04-606

A By-Law authorizing the Township to enter into a Development Agreement with 2269805 Ontario Ltd.

WHEREAS 2269805 Ontario Ltd. is the owner of PT LT 11, CON B CLF, Westmeath, Township of Whitewater Region, more particularly described as Part Lot 11, Concession B, CLF being Parts 1, 2 and 3, Plan 49R-18080 Westmeath now in the Township of Whitewater Region;

AND WHEREAS 2269805 Ontario Ltd. has applied to the County of Renfrew for consent approval of residential lots File Numbers B64/12(1), B65/12(2) and B66/12(3) and such approval dated the 20th day of September, 2012 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 2269805 Ontario Ltd. 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 2269805 Ontario Ltd., 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.

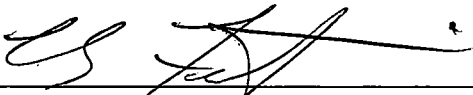
THIS BYLAW shall come into effect upon the passing thereof and subsequent registration at the Land Registry Office for the Registry Division for the County of Renfrew.

All By-Laws or parts of By-Laws previously passed that are inconsistent with the provisions of By-Law 13-04-606 are hereby repealed.

Passed this 1st day of May, 2013.



Jim Labow, MAYOR



Christine FitzSimons, CAO/CLERK

Schedule "A" to By-Law 13-04-606

THIS AGREEMENT made this 25th day of April, 2013

BETWEEN:

2269805 Ontario Ltd.

(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 lands legally described as being Part of Lot 11, Concession B, CLF, in the Geographic Township of Westmeath now in the Township Of Whitewater Region in the County of Renfrew, more particularly described in Schedule "A" attached hereto. (Hereinafter referred to as the "Lands").

AND WHEREAS the Owner has applied to the County Of Renfrew for consent to sever three residential lots (File Number B64/12(1), File Number B65/12(2) and File Number B66/12(3)) and such Consent was given on the 20th day of September, 2012 subject to certain conditions.

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

THEREFORE in consideration of the granting of severances, the Owner hereto covenants and agrees as follows:

1. All future purchasers of the Lands must be notified that water quality samples in the vicinity of the lots to be severed and the lot to be retained meet or exceed Ontario Drinking Water Standards for all parameters except hardness, sulphide, manganese and iron. These parameters may be treated with a water softener and/or manganese greensand filter systems. If water softeners are used, sodium ion water softeners may introduce undesirably high concentrations of sodium into the drinking water supply and a separate unsoftened water supply could be used for drinking and culinary purposes.
2. In accordance with the Ministry Of Environment requirements, the Medical Officer Of Health shall be notified when sodium levels are above 20 milligrams per litre in order for this information to be relayed to physicians.
3. Future wells at the Lands should be adequately disinfected by means of chlorination before use as a domestic supply.
4. A 30 metre wide natural vegetated buffer from the high water mark is to be protected from further vegetation clearing and site alteration. All the trees and understory vegetation should be maintained within this buffer, with the exception of removal of dead or dying trees, limbing of trees for water view purposes and allowance for a meandering path to the shoreline.
5. The Owner hereby acknowledges that the Lands are serviced by a private road, legally described in Schedule "B" attached hereto (hereinafter referred to as the "road"), which road is not maintained by the Municipality and for which the Municipality has no responsibility for maintenance or services. It is further acknowledged that the Municipality does not plan

to provide any road maintenance or services and that the road need only be suitable for the passage of emergency vehicles. The Owner shall ensure the road is maintained so that emergency vehicles can access the Lands.

6. Prior to the issuing of a building permit, a lot layout plan shall be required for the severed parcels showing the proposed well, house and septic locations to the satisfaction of the Township's Chief Building Official.
7. This Agreement shall be binding on subsequent purchasers and the parties' successors and assigns. The Owner shall register a Notice of the Agreement on the title of the Lands and shall notify any subsequent purchaser of the Lands of the existence of the Agreement by including a copy in any Agreement Of Purchase And Sale for the Lands.

Dated at Cobden, Ontario this 27 day of April, 2013.

2269805 Ontario Ltd.

ROMAN KANARUK
Witness

Catherine Timm
Per: Catherine Timm, President

[Signature]

Doug Lapointe
Per: Douglas Lapointe, Vice President
We have the authority to bind the Corporation.

Dated at Cobden, Ontario this 1st day of May, 2013.

The Corporation Of The Township
Of Whitewater Region

Christel Huel
Witness
Christel Huel
Witness

[Signature]
Per: James Labow, Mayor
[Signature]
Per: Christine FitzSimons,
Chief Administrative Officer
We have the authority to bind the Corporation.

SCHEDULE "A"

LEGAL DESCRIPTION OF THE LANDS:

Part Lot 11, Concession B, CLF being Parts 1, 2 and 3, Plan 49R-18080, Geographic Township Of Westmeath now in the Township Of Whitewater Region, County of Renfrew.

SCHEDULE "B"

LEGAL DESCRIPTION OF PRIVATE ROAD:

Part Lots 11 and 12, Concession B, CLF, Geographic Township Of Westmeath, Being Part 1, 49R-16945 and Part 1, Plan 49R-5943; Save And Except Parts 2 and 3, Plan 49R-16945, now in the Township of Whitewater Region, County of Renfrew.

