

**THE CORPORATION OF
TOWNSHIP OF WHITEWATER REGION**

BY-LAW NUMBER 15-01-764

A By-Law authorizing the Township to enter into a Development Agreement with Addison Smith and Margaret Smith

WHEREAS Addison Smith and Margaret Smith are the owners of PT LT 12 CON 1, EML, WESTMEATH, TOWNSHIP OF WHITEWATER REGION;

AND WHEREAS Addison Smith and Margaret Smith have applied to the County of Renfrew for consent approval(s) of residential lot(s) File Number(s) B66/14(1), and such approval(s) dated the 20th day of August, 2014 have been granted subject to the execution and registration of a Development Agreement between the Owner and the Township 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 Addison Smith and Margaret Smith have 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 Addison Smith and Margaret Smith, 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.

Passed this 21st day of January, 2015


MAYOR Hal Johnson


CAO/CLERK Christine FitzSimons

Schedule "A"
Development Agreement

Between:

The Corporation of the Township of Whitewater Region
"Hereinafter referred to as the Municipality of the First Part"
And
Addison Smith and Margaret Smith
"Hereinafter referred to as the Owner of the Second Part"

WHEREAS Section 51(26) of the Ontario Planning Act provides for the Municipality to enter into an Agreement as a condition of the approval of the 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 consent has been granted for the creation of a lot being legally described as Part 2 on Reference Plan 49R-18446 and Part of Lot 12 Concession 1 East of Muskrat Lake, Geographic Township of Westmeath, now in the Township of Whitewater Region, pursuant to Section 53 of the Planning Act by the Land Division Committee of the County of Renfrew which decision dated the 20 day of August 2014 provides for the registration of a Development Agreement with the Municipality as a condition of the granting of severance and which Agreement will be binding on all subsequent purchasers of the land.


NOW THEREFORE in consideration of the approval of the grant of subdivision by the Municipality and the terms and conditions hereinafter set out the Parties hereto agree as follows:

1. That the Medical Officer of Health be notified of high sodium levels.
2. That the proposed lot be provided with an Ontario Building Code approved tertiary treatment system such as Ecoflo or Bionest.
3. That the Hydrogeological evaluation dated January 29, 2014 (contained within the Planning Justification Report prepared by Jp2g Consultants Inc. dated March 28, 2014) be registered on title to the property.

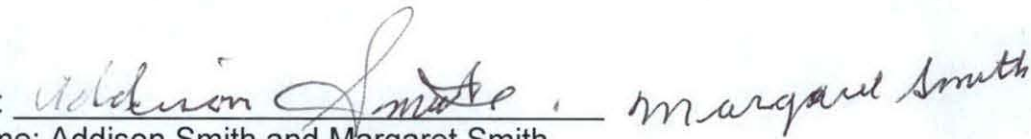
A Dated at Cobden, ON this 21st day of January, 2015.

The Corporation of the Township of Whitewater Region

Per: 
Name: Hal Johnson
Title: Mayor

Per: 
Name: Christine FitzSimons
Title: Chief Administrative Officer/Clerk

Dated at Cobden, ON this 26th day of JANUARY, 2015

Per: 
Name: Addison Smith and Margaret Smith
Title: Owners