

THE CORPORATION OF TOWNSHIP OF  
WHITEWATER REGION

BY-LAW NUMBER 16-12-902

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A By-Law authorizing the Township to enter into a Development Agreement with Graham Ball, Robert John Booren, Rachel Hearn Boratto and Matthew John Shaw Stanfield

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WHEREAS Graham Ball, Robert John Booren, Rachel Hearn Boratto and Matthew John Shaw Stanfield are the owners of PT Lt 6 & 7, Concession 12 Being all that Pt Lying W of Grant's Settlement Rd as in R209893, and further designated as Parts 1-9 on Reference Plan 49R-18793 ROSS, TOWNSHIP OF WHITEWATER REGION;

AND WHEREAS Graham Ball, Robert John Booren, Rachel Hearn Boratto and Matthew John Shaw Stanfield have applied to the County of Renfrew for consent approval(s) of residential bt(s) File Number(s) B126/12(1)-B130/12(5) such approval(s) dated the 17 day of September, 2015 have been granted subject to the execution and registration of a Development Agreement between the Owners 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 Graham Ball, Robert John Booren, Rachel Hearn Boratto and Matthew John Shaw Stanfield 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 Graham Ball, Robert John Booren, Rachel Hearn Boratto and Matthew John Shaw Stanfield, 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 \_\_\_\_ day of December, 2016

  
\_\_\_\_\_  
Mayor Hal Johnson

  
\_\_\_\_\_  
Marsha Hawthorne Acting AGO/Clerk  
Dep. CLERK.

Schedule "A" to By-Law

Development Agreement

**Between:**

**The Corporation of the Township of Whitewater Region**

**"Hereinafter referred to as the Municipality of the First Part"**

**-AND-**

**Graham Ball, Robert John Booren, Rachel Hearn Boratto,**

**Matthew John Shaw Stanfield**

**"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 pursuant to Section 53 of the Planning Act by the Land Division Committee of the County of Renfrew which decision dated the 17 day of September 2015 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.


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

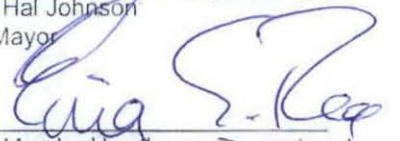
1. That this development agreement under sections 53(12) and 51(26) of the Planning Act be entered into between the owner and the Township with the following clauses:
  - a) that the "Hydrogeological Evaluation" report prepared by Morey Associates, dated August 6, 2015 be made available to the lot purchaser as a guide to development;
  - b) that the minimum well depth be 82 metres;
  - c) that on-site storage of well water may be required to meet peak daily demands;
  - d) that future wells should be constructed with casing through the upper portion of bedrock and set at least 1 metre into the sound bedrock;
  - e) that the annulus of the casing should be grouted using a pressure injection method
  - f) that casing and grouting should extend to at least 6 metres below the existing ground survey. Well casing should be extended a minimum of 0.4 metres above the final finished ground surface at the well; and
  - g) that the well should be located at least 18 metres from the raised septic fields, and up gradient of septic fields.
2. That this Agreement may be executed in several counterparts which, taken together, shall constitute a single document.
3. That signed copies of this Agreement, attached schedules and

related documents may be transmitted by facsimile, electronic mail or such similar devices and the reproduction of signatures by facsimile, electronic mail or such similar devices will be treated as binding as if originals.

Dated at Cobden, ON this \_\_\_\_\_ day of \_\_\_\_\_, 2016

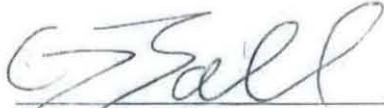
The Corporation of the Township of Whitewater Region

Per:   
Name: Hal Johnson  
Title: Mayor

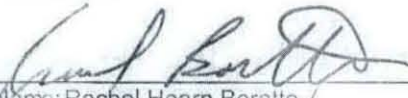
Per:   
Name: Marsha Hawthorne  
Title: Acting AGO/Clerk **DEPUTY CLERK.**

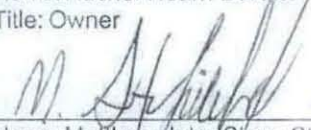
We have authority to bind the Corporation.

Dated at Pembroke, ON this 29 day of September, 2016

  
Name: Graham Ball  
Title: Owner

  
Name: Robert John Booren  
Title: Owner

  
Name: Rachel Hearn Boratto  
Title: Owner

  
Name: Matthew John Shaw Stanfield  
Title: Owner