

The Corporation of the Township of Whitewater Region
By-law Number 18-11-1114

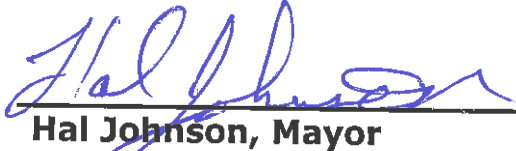
A by-law to authorize the Corporation of the Township of Whitewater Region to enter into a Development Agreement with Joseph Kowalski (B38/18)

Whereas, the Council of the Township of Whitewater Region has reviewed the attached agreement and is of the opinion that the attached agreement is desirable;

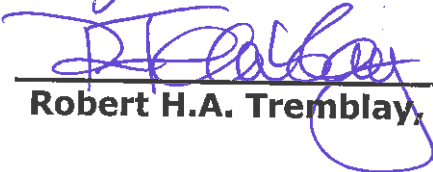
Now Therefore the Council of the Township of Whitewater Region enacts as follows:

1. That the Mayor and Chief Administrative Officer/Clerk-Treasurer are hereby authorized to execute the attached agreement to this by-law on behalf of the Corporation of the Township of Whitewater Region.
2. That the agreement attached hereto shall form a part of this by-law.
3. This by-law shall not take effect until a certified copy has been registered in the Registry Office for the Land Titles Office of Renfrew.

Read a first, second and third time and finally passed this 7th day of November, 2018.



Hal Johnson, Mayor



Robert H.A. Tremblay, Clerk

THIS AGREEMENT made this 7 day of November, 2018

BETWEEN: **Joseph Edward Kowalski**
(hereinafter called the "Owner")

PARTY OF THE FIRST PART

AND

The Corporation of the Township of Whitewater Region
(hereinafter called the "Municipality")

PARTY OF THE SECOND PART

WHEREAS the Owner hereby warrants that they are the owner in fee simple of the lands described in Schedule "A" attached hereto (hereinafter called the "Subject Lands")

AND WHEREAS the Owner has applied to the Land Division Committee for the County of Renfrew (Application B37/18(1)) for consent pursuant to the provisions of the Planning Act, R.S.O., 1990, Chapter P.13.

AND WHEREAS the aforesaid application for consent was granted by the Land Division Committee subject that the Owner entering into an agreement with the Municipality regarding the matters hereinafter set out;

AND WHEREAS this Agreement is being entered into between the Owner and the Municipality in satisfaction of a Development Agreement in the above noted Land Division Committee file pursuant to Sections 53 (12) and 51 (26) of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE this Agreement witnesseth that in consideration of the premises and other good and valuable consideration (the receipt and sufficiency of which is acknowledged by the parties hereto) the parties hereto agree as follows:

1. The Owner acknowledges and agrees that this Agreement shall apply to the Subject Lands.
2. The Owner acknowledges and agrees to the following:
 - a. That private road standards and maintenance are the responsibility of the owner.
 - b. That the existing access roads known as Voyageur Bay Road and Pettigrew Road are subject to an existing road agreement between Joseph Edward Kowalski and the Township of Whitewater Region passed by by-law number 16-10-897 of Council of the Township of Whitewater Region on December 7, 2016 and the terms of said agreement are binding upon the parties hereto and their respective successors and permitted assigns and successors on title.
 - c. That the dwelling, well and septic system on the residential lot be constructed according to the site plan attached as Schedule "B" to this agreement.
 - d. That any enlargement of the dwelling or significant alteration of the location of the dwelling or septic system from the current site plan shall be supported by an amended site plan, prepared by a qualified professional in accordance with the requirements of the Ontario Building Code to the satisfaction of the Township's On-Site Sewage Inspector/Building Inspector.

- 3 The Owner hereby consents and agrees that this Agreement shall be registered on title to the Subject Lands at the sole expense of the Owner and that the Township Clerk be so notified of the registration.
- 4 The Owner hereby warrants to the Municipality that the recitals to this Agreement are true.
- 5 This Agreement shall enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors, successors in title and assigns.

IN WITNESS WHEREOF the parties hereto hereby set their hands and the corporate parties hereto hereby set their corporate seals attested to by the hands of the proper signing officers duly authorized in that regard.

SIGNED, SEALED AND DELIVERED
in the presence of

Witness C. Miller
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Joseph E. Kowalski
 Per: Joseph Edward Kowalski

 THE CORPORATION OF THE
 TOWNSHIP OF
Hal Johnson
 Per: Hal Johnson, Mayor

Robert Tremblay
 Per: Robert Tremblay, CAO/Clerk

SCHEDULE "A"

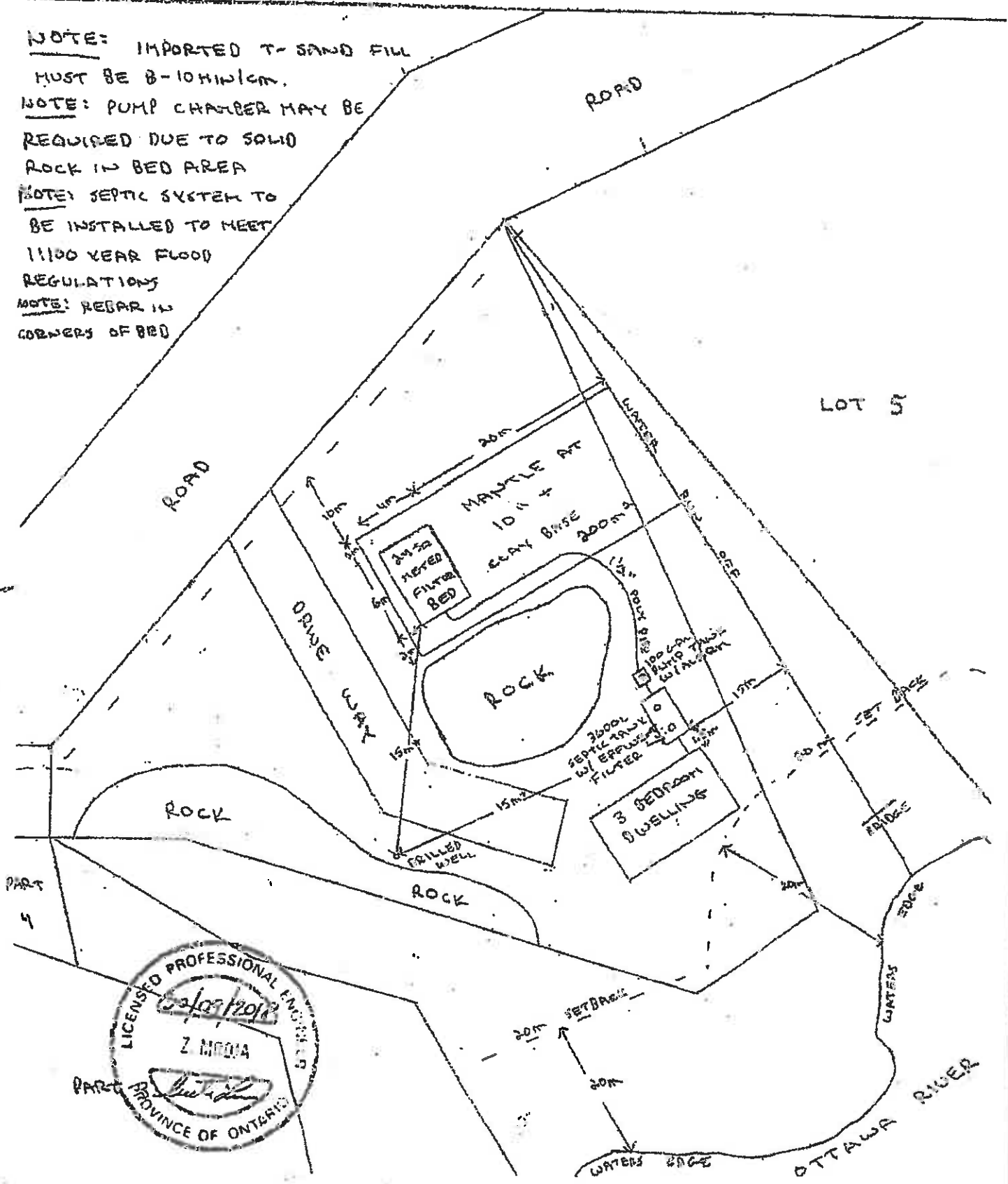
Part 1 on Plan 49R-19290, together with a right-of-way over Parts 1 and 2 on Plan 49R-19286 within Part Lots 12 & 13, Concession 12, geographic Township of Ross, Township of Whitewater Region.

VOYAGEUR BAY - JOE KOWALSKI

LOT 4 1.08 ACRES 0.44 ha

CEL (613) 585-2291

- NOTE: IMPORTED T-SAND FILL MUST BE 8-10MM/CM.
- NOTE: PUMP CHAMBER MAY BE REQUIRED DUE TO SOLID ROCK IN BED AREA
- NOTE: SEPTIC SYSTEM TO BE INSTALLED TO MEET 1100 YEAR FLOOD REGULATIONS
- NOTE: REBAR IN CORNERS OF BED



Schedule "B"