

AGREEMENT

THIS AGREEMENT made in quadruplicate this 24th day of October, 2017.

BETWEEN:

**Jeffrey John Robinson, Cathryn Ann Robinson and Cole Jeffrey Robinson
hereinafter called the "Owners"**

- and -

Jeff Metzger hereinafter called the "Purchaser"

-and-

**Town of Minto
Hereinafter called the "Owner"**

WHEREAS, the Owner and the Purchaser wish to sign an agreement related to the development of the subject lands pursuant to resolution COW 2016-12 passed by Town of Minto Council passed May 3, 2016;

AND WHEREAS, the Town has an easement crossing the subject lands and a one foot reserve adjacent to Jane Street and is prepared to discharge the easement and one foot reserve subject to the owner and Purchaser signing an agreement with the Town to provide for a process that would allow for proper development of the subject lands;

AND WHEREAS the lands were rezoned by By-law 2016-44 to an agricultural exception zone to allow for limited development of the land on existing four lots that make up the subject lands;

AND WHEREAS the Town has reconstructed Jane Street and provided service laterals for six lots so as to allow for more efficient urban development of the lands and is only prepared to release the easement and one foot reserve to achieve a minimum six lots on the subject lands that are to be connected to the services installed by the Town;

AND WHEREAS Triton Engineering Services Limited has prepared a Site Plan A6837 last revised September 2017 for the purchaser which is generally acceptable to the parties to this agreement and has been reviewed by the Maitland Valley Conservation Authority;

NOW, THEREFORE, in consideration of the faithful performance of the terms, covenants, and conditions and the mutual obligations of the parties as set forth herein, the parties agree as follows:

1. The Owner and the Purchaser agree that the form of development applicable to the subject lands shall be as set out in the Triton Engineering Services Limited Site Plan A6837 last revised September

2017 so as to comply with the Council resolution COW 2016-12 both of which are referenced in Schedule "A" to this agreement.

2. The Town agrees to the discharge of the easement and lifting of the one foot reserve to permit construction of one home on Lot 3 or 4 of the subject lands subject to the following conditions:
 - a) The Owner or Purchaser submitting a complete building permit application including all plans, drawings, forms, fees, charges and other such material needed for the Chief Building Official to issue a building permit;
 - b) The Owner or Purchaser paying \$3,833 for water and sewer connections installed by the Town from the water and sewer mains on Jane Street to the lot line, and any applicable frontage charges payable to the Town for that portion of the subject lands where created by lot line adjustment or severance;
 - c) The Owner or Purchaser obtaining approval from the Maitland Valley Conservation Authority for the home to be located on the subject lands;
 - d) The home to be located on the subject lands complies with the requirements of the Town's Zoning By-law as amended including By-law 2016-44 where applicable.
 - e) The Owner or Purchaser submitting an application and applicable fee to rezone the subject lands to permit construction of the six homes on the lots as set out in the Site Plan prepared by Triton Engineering Services Limited drawing A6837 last revised September 2017.
3. Prior to any further homes being constructed on the subject lands besides the one permitted under section 2 above, the Owner or the Purchaser shall submit complete applications for lot line adjustment or severance to the Wellington County Land Division Committee along with the required fees in order to create the necessary separate lots to permit development in accordance with the Site Plan prepared by Triton Engineering Services Limited drawing A6837 last revised September 2017 except however parcels labelled on the said Site Plan as 7, 8, and 9 shall remain as one parcel joined to either Lot 1, 2 or 3 shown on the Site Plan with frontage on Jane Street.
4. Upon the completion of the rezoning referred to in section 2e) and fulfilling all the conditions of severance pursuant to applications referenced in section 3, the Town will consider further release of the easement and one foot reserve as the case may be once the conditions set out in section 2a) through have been met.
5. The Town at its sole discretion may permit one additional home to be constructed one additional lot prior to the rezoning referenced in section 2e) and the severance referred to in section 3 being completed so long as the conditions set out in section 2a) through 2d) are met to the satisfaction of the Town.
6. In the event the Wellington County Land Division Committee does not approve the applications for severance the Town at its sole discretion may choose to allow the development of the subject lands for four residential dwellings or appeal the decision of the County Land Division Committee.
7. The Town agrees to process any permits and approvals required by this agreement in accordance with its standard practices and procedures in a prompt and efficient manner and upon signing of this agreement by the Owner and Purchaser.

8. The Owner and the Town agree that the lands subject of this agreement are located in the Province of Ontario, County of Wellington, Town of Minto more particularly described as follows:

Property on Jane Street Palmerston with municipal addresses 401, 411, 417 and 423 now Town of Minto Part Lot 22, Concession 1, former Geographic Township of Minto

9. The Owner agrees to comply with all other municipal codes and requirements of the Town and other applicable agencies as may be required during the processing of this matter including but not limited to the Maitland Valley Conservation Authority and the Wellington County Land Division Committee.
10. Owner agrees to the registration of this agreement against the title of the lands if required by the Town.

IN WITNESS WHEREOF, the parties have executed this agreement on the 24th day of October, 2017 at Town of Minto in the County of Wellington, Province of Ontario.

“OWNERS”

Witness

Cathryn Ann Robinson

Witness

Jeffrey John Robinson:

Witness

Cole Jeffrey Robinson:

“PURCHASER”

Witness

Jeff Metzger

TOWN OF MINTO:

Bill White, CAO/Clerk

George Bridge, Mayor

I/we have the authority to bind the Corporation
Schedule "A"
Approved Resolution of Council May 3, 2016

MOTION: COW 2016-112

That Council receives the C.A.O. Clerk's April 27, 2016 report regarding Access Request, Jeff Metzger, Lot 77, Jane Street Palmerston, and that Council approve in principal access across the one foot reserve and discharge of the easement subject to an agreement being reached with Jeff Metzger to establish a procedure acceptable to Wellington County Planning to allow a house location and servicing that might allow for future urban development.

Approved Plan

Site Plan prepared by Triton Engineering Services Limited drawing A6837 dated April 2017 last revised September 2017 except however parcels labelled on the said conceptual drawing as 7, 8, and 9 shall remain as one parcel joined to either Lot 1, 2 or 3 with frontage on Jane Street.