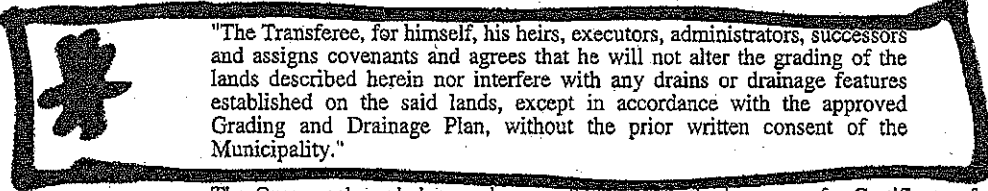


J.A. 4/06/06

of time prescribed by the Municipal Engineer shall be deemed to be an event of default under the terms of this Agreement.

No person shall change the grade of any lot or block on the Plan contrary to the provisions of this Agreement without the prior written approval of the Municipal Engineer. The Owner shall advise all purchasers of every lot or block on the Plan of the existence of the Grading and Drainage Plan and shall provide all such purchasers with a copy of the approved Grading and Drainage Plan.

The Owner covenants and agrees that all Agreements of Purchase and Sale for every lot and block within the Subdivision Lands shall contain the following clause, which clause shall be incorporated in all deeds with the express intent that it shall be a covenant running with the lands for the benefit of all other lands within the Subdivision Lands:



"The Transferee, for himself, his heirs, executors, administrators, successors and assigns covenants and agrees that he will not alter the grading of the lands described herein nor interfere with any drains or drainage features established on the said lands, except in accordance with the approved Grading and Drainage Plan, without the prior written consent of the Municipality."

The Owner acknowledges and agrees that prior to the issuance of a Certificate of Assumption by the Municipality for the Subdivision Lands, the Owner shall, at its sole expense, be responsible for the drainage of all lots and blocks within the Plan and shall, on the sale of any lots or blocks, reserve such rights as may be necessary to enable the Owner and/or the Municipality to enter on such lands and to undertake modifications to the surface drainage features of the said lots or blocks in accordance with the provisions of this Agreement or for the purpose of correcting any grading and drainage problems relative to the development of the Subdivision Lands.

The Municipality agrees that any revisions made to the grading of a lot or block which affects the drainage of such lot or block or other lands after the occupancy of the dwelling unit constructed on such lot or block and after the Owner has completed the grading of such lots or blocks to the satisfaction of the Municipality and the Final Certificate of Grading Conformity has been issued, shall not be the responsibility of the Owner but shall be the responsibility of the then owner of such lot or block.

Upon completion of the rough-grading of the Subdivision Lands, in accordance with the Grading and Drainage Plan, the Owner shall deliver to the Municipality a plan showing as-constructed elevations and grades for all major swales and shall deliver a certificate signed by a professional engineer or Ontario Land Surveyor certifying that the rough-grading has been completed in general conformance with the approved plans. Major swales consist of all swales shown on the Grading and Drainage Plan. For a swale to be considered rough-graded, the swale does not have to be sodded; but shall have been constructed to the approved cross section and to within 75mm of the elevations on the approved Grading and Drainage Plan. If satisfied with same, the Municipality shall issue an Interim Certificate of Grading Conformity.

No building permit will be issued for any lot or block within the Plan until an Interim Certificate of Grading Conformity has been issued and until an individual drainage plan for such lot or block has been submitted to the Municipality showing the proposed final grade elevation, the building location and the intermediate points of grade change, which individual drainage plan must be in conformity with the Grading and Drainage Plan and related road grades.

Upon completion of the final grading of the Subdivision Lands which shall include completion and sodding of all major swales, in accordance with the Grading and Drainage Plan, the Owner shall deliver to the Municipality a plan showing as-constructed elevations and grades for all major swales and shall deliver a certificate signed by a professional engineer or Ontario Land Surveyor certifying that the grading works have been completed in strict accordance with the approved plans. If satisfied with same, the Municipality shall issue the Final Certificate of Grading Conformity.

No person shall place or cause or permit to be placed any obstruction whatsoever within the Subdivision Lands or any part thereof which interferes with the drainage of the Subdivision Lands or any part thereof as contemplated by the Grading and Drainage Plan unless the prior written approval of the municipal council is obtained.

~~3. UPON the deletion by Council of the 'H' symbol suffixed to the RR1-87-H Zone category, the uses and zone provisions of the RR1 Zone shall apply to the lands so zoned.~~

~~16.5.88 RR1-88 Zone (Pt. Lot 10, Conc. SSWL, Hallowell Ward)~~

~~Notwithstanding the provisions of this by-law to the contrary, within the RR1-88 Zone, the following provisions shall apply:~~

- ~~i. A contractor's shop or yard, existing on the date of passing of this by-law, shall be a permitted use in addition to the uses normally permitted in the RR1 Zone.~~

~~16.5.89 RR1-89 Zone (Kovacs, Lot 2, Plan 14, Hallowell Ward)~~

~~Notwithstanding the provisions of this by-law to the contrary, within the RR1-89 Zone, the following provisions shall apply:~~

- ~~i. Maximum Lot Coverage 17%~~

ZONE information

→ SECTION 17 RURAL RESIDENTIAL 2 (RR2) ZONE

No person shall within any Rural Residential 2 (RR2) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

17.1 PERMITTED RESIDENTIAL USES

- 17.1.1 one single detached dwelling

- 17.1.2 home business
- 17.1.3 a private home day care
- 17.1.4 a bed and breakfast establishment
- 17.1.5 group home
- 17.1.6 uses, buildings and structures accessory to the foregoing permitted uses

17.2 PERMITTED NON-RESIDENTIAL USES

- 17.2.1 outdoor furnace in accordance with the provisions of Section 4.32 of this By-law
- 17.2.2 maximum of one windmill in accordance with the provisions of Section 4.33 of this By-law
- 17.2.3 public uses or utilities in accordance with the provisions of Section 4.23 of this By-law

17.3 REGULATIONS FOR PERMITTED RESIDENTIAL USES

- 17.3.1 Minimum Lot Area 0.8 ha (1.97 ac.)
- 17.3.2 Minimum Lot Frontage 60 m (196.8 ft.)
- 17.3.3 Minimum Front Yard 15 m (49.2 ft.)
- 17.3.4 Minimum Exterior Side Yard 15 m (49.2 ft.)
- 17.3.5 Minimum Interior Side Yard 6 m (19.7 ft.)
- 17.3.6 Minimum Rear Yard 12 m (39.4 ft.)
- 17.3.7 Maximum Lot Coverage (all buildings and structures) 15 %
- 17.3.8 Minimum Landscaped Open Space 30 %
- 17.3.9 Maximum Height of Buildings 10 m (32.8 ft.)
- 17.3.10 Maximum Number of Dwelling Units Per Lot 1
- 17.3.11 Minimum Dwelling Unit Area ~~90 m² (970 sq. ft.)~~ 1500 SF M/F

17.4 GENERAL ZONE PROVISIONS AND PARKING, DRIVEWAY AND LOADING PROVISIONS

All provisions of Section 4, General Provisions and Section 5, Parking, Driveway and Loading Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Rural Residential 2 (RR2) Zone shall apply and be complied with.

following provisions shall apply:

- i. No development shall take place within 40 m (131.2 ft.) of the boundary of the Sawquin Creek marsh wetland.
- ii. A 10 m (32.8 ft) natural buffer shall be maintained adjacent to the boundary of the Sawquin Creek marsh wetland.

17.5.40 RR2-40 Zone (Pt. Lot 59, Conc. 2, Ameliasburgh Ward)

Notwithstanding any provisions of this By-law to the contrary, within the RR2-40 Zone, the following provisions shall apply:

- i. Minimum lot area 1.7 ha (4.2 ac)
- ii. Minimum lot frontage 118 m (387.1 ft.)
- iii. Minimum front yard 12.19 m (40 ft.)

17.5.41 RR2-41 Zone (Part of Lot 3, Concession 1, N.W.C.P., Hallowell Ward)

Notwithstanding any provisions of this By-law to the contrary, within the RR2-41 Zone, the following provisions shall apply:

- i. The following uses are also permitted:
 1. A merchandise service shop located in an accessory building existing at the date of passing of this by-law.
 2. A retail outlet located in an accessory building existing at the date of passing of this By-law.

17.5.42 RR2-42 Zone (Bronson & Parsons, Pt. Lot 33, Conc. 1, N.B.R., South Marysburgh Ward)

Notwithstanding any provisions of this By-law to the contrary, within the RR2-42 Zone, the following provisions shall apply:

- i. Lands within the Environmental Protection (EP) Zone, on the same lot, may be included in the calculation of lot area.
- ii. The buildings existing on the date of passing of this by-law, and future improvements thereto, are a permitted use provided that any future additions meet the setback requirements of the RR2-42 Zone.

* **17.5.43 RR2-43 Zone (Part of Lots 107 & 108, Conc. 3, Ameliasburgh Ward)**

Notwithstanding the provisions of this by-law to the contrary, within the RR2-43 zone, the following provisions shall apply:

- i. Minimum lot area 0.53 ha (1.3 acres)
- ii. Minimum lot frontage 52 m (170.6 ft.)