

Properties

PIN 28186 - 0235 LT Affects Part of Prop
Description PT LTS 28-29 CON 3 PT 2 45R-17389; TOWNSHIP OF DOURO-DUMMER
Address DOURO

Consideration

Consideration \$0.00

Applicant(s)

The notice is based on or affects a valid and existing estate, right, interest or equity in land

Name CARVETH'S MARINA LTD.
Address for Service c/o 426 Carveths Marina Road
Lakefield, Ontario K0L 2H0

A person or persons with authority to bind the corporation has/have consented to the registration of this document.
This document is not authorized under Power of Attorney by this party.

Party To(s) Capacity Share

Name TOWNSHIP OF DOURO-DUMMER
Address for Service 894 South Street, PO Box 92
Warsaw, Ontario K0L 3A0

This document is being authorized by a municipal corporation Township of Douro-Dummer, Heather Watson, Mayor and Martina Chait-Hartwig, Acting Clerk.
This document is not authorized under Power of Attorney by this party.

Statements

This notice is pursuant to Section 71 of the Land Titles Act.
The land registrar is authorized to delete the notice on the consent of the following party(ies) Township of Douro-Dummer Director of Development Services
Schedule: See Schedules
I Angus McNeil solicitor make the following law statement the agreement is being entered into pursuant to Section 53(12) of the Planning Act.

Signed By

Angus James McNeil 10 William St. South acting for Signed 2023 02 22
Lindsay Applicant(s)
K9V 3A4

Tel 705-324-6222
Fax 705-324-4168

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

STAPLES & SWAIN PROFESSIONAL CORPORATION 10 William St. South 2023 02 27
Lindsay
K9V 3A4

Tel 705-324-6222
Fax 705-324-4168

Fees/Taxes/Payment

Statutory Registration Fee \$69.00
Total Paid \$69.00

Mitigation Measures Agreement

THIS AGREEMENT made in duplicate this 10 day of February, 2023
BETWEEN:

CARVETH'S MARINA LTD.

Hereinafter called the Applicant

OF THE FIRST PART

AND

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER

Hereinafter called the Corporation

OF THE SECOND PART

WHEREAS the Applicant has applied to the Peterborough County Land Division Committee for consent to sever part of LT 29 CON 3, in the Township of Douro-Dummer, in the County of Peterborough, being described on Schedule "A" attached hereto.

AND WHEREAS the Committee file no. is B-91-21.

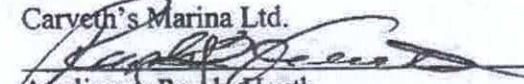
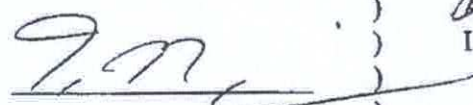
AND WHEREAS the said Peterborough County Land Division Committee or Planning Director has signified its decision to grant an approval subject to the condition that the Applicant shall enter into an agreement with the Corporation agreeing to abide by the said condition imposed by Committee and that such agreement shall be registered on title prior to the granting of the certificate of consent.

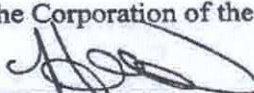
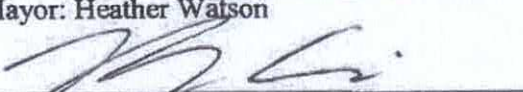
Now therefore this agreement witnesseth that in consideration of the covenants, provisos and conditions herein contained and pursuant to the condition imposed by the Committee, the Applicant agree with the Corporation both personally and on behalf of their respective heirs, executors, administrators, successors and assigns as follows:

1. This agreement, as per Schedule "B" attached hereto, and all conditions herein may be enforced by the Municipality by court action.
2. This agreement shall be registered upon the title of the said lands at the Land Registry Office at the sole expense of the applicant prior to the registration or delivery of any other document and prior to the issuance of certificate of consent to sever and in default thereof the consent to sever shall be deemed to have been refused.
3. The lands affected by this agreement are described in Schedule "A" attached hereto.
4. This agreement shall ensure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators and assigns.
5. The applicant shall be responsible for all costs of preparation, review, registration and release from title if the same is required.

IN WITNESS WHEREOF the Applicant has affixed their respective Hands and seals and the Corporation has affixed its corporate seal under the hands of its Mayor and Clerk.

SIGNED, SEALED AND DELIVERED

In the presence of)
) Carveth's Marina Ltd.
) 
) Applicant: Randy Hauth
) I have authority to bind the Corporation
) 

)
) The Corporation of the Township of Douro-Dummer
) 
) Mayor: Heather Watson
) 
) Acting Clerk: Martina Chait-Hartwig

SCHEDULE "A"

Description of Severed Parcel:

PT LTS 28-29 CON 3 PT 2 45R-17389; TOWNSHIP OF DOURO-DUMMER (being part of PIN:
28186-0235 (LT))

SCHEDULE "B"

Mitigation Measures

1. All required permits and approvals should be obtained prior to any Site alterations or construction. Note that there are no wetlands within 30 m of the proposed severance, and they conform to provincial policy.
2. It is recommended that future development be located as far as possible from the escarpment feature.
3. All foundational work (eg. rock blasting, excavation) should take place from May to September to avoid potential impacts to hibernating Eastern Hog-nosed Snakes.
4. Site plans developed for the proposed severance and residential dwelling should include the location of Wildlife Exclusion Fencing (around the perimeter of future building envelopes), and the location of the escarpment and 15 m hazard setback.
5. Wildlife Exclusion Fencing should be erected prior to the earlier of May 1 or the commencement of any Site alteration or development. This should be maintained in proper working order until the Site has been successfully revegetated or all loose substrate have been stabilized. All fencing should be removed following construction.
6. Wildlife Exclusion Fencing should consist of light-duty silt fencing, staked at regular intervals, trenched in at least 20 cm, and with an above-ground height of at least 60 cm. Fencing with synthetic mesh backing should be avoided as wildlife can be entangled and killed by such materials.
7. Workers should be aware if the nesting season for turtles which extends from May 15 to August 15, with hatchling emergence through until September 30. Should any nesting turtles be encountered, work should stop immediately and the turtle should be left to finish nesting undisturbed. The turtle should be photographed and the nest marked to ensure it is not disturbed during construction until it has hatched (late August-September). If a nest is laid in a stockpile or other area that requires disturbance, Cambium should be contacted to determine if the nest can be relocated.
8. All future site preparation, storage and stockpiling, and construction on the new severance should be conducted at least 15 m away from the escarpment.
9. Not vegetation removal should occur within the 15 m escarpment setback; tree removal within the setback should be limited to the removal of hazard trees, if required.
10. Vegetation clearing at the Site should occur outside the peak breeding bird season, which extends from April 15 to August 15 in this area (as per Environment and Climate Change Canada Guidelines).
11. If vegetation clearing is to occur between April 15 and August 15, the vegetation should be investigated by a qualified biologist to confirm if any nests are present.
12. The construction area should be investigated daily for the presence of breeding birds and nests containing eggs and/or young. Nests discovered on Site should be left undisturbed until young have fledged or the nest is determined to be inactive.
13. Construction activities involving earthworks (ie. grading, excavation) should be scheduled to avoid dates of heavy rainfall events and high runoff volumes (eg. spring melt, spring/summer/fall rainstorms).
14. All machinery, equipment, construction materials and stockpiles should be stored within the construction area throughout the construction period, outside of the escarpment setback and forested areas protected by the Wildlife Exclusion Fencing.
15. Though not identified in the field inventories, any subsequently identified SAR discovered on the property will be left undisturbed as dictated by the *Endangered Species Act, 2007*. If any SAR individuals are encountered, they should be photographed and allowed time to move out of harm's way. SAR observations should be reported to the Natural Heritage Information Centre.
16. It is recommended that educational information on the characteristics and habitat needs of Eastern Hog-Nosed Snake be distributed to future buyers of the severed lot in order to improve their perceptions of this often misunderstood species.

Properties

PIN 28186 - 0235 LT Affects Part of Prop
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Party To(s)

Capacity

Share

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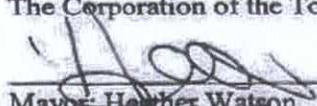

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