

January 1, 2019
DRAFT

Restrictive Covenants

The following restrictive covenants are hereby annexed to the lands described in this Application (hereinafter referenced as the "Lands") for a period to expire 50 years from (insert date of the conveyance of SRA) and the benefit shall run with land now owned by the Corporation of the Township of Seguin (the "Township") being

"Insert legal description of other shore road allowances that Township will not be selling in the foreseeable future, parkland on the lake or some similar lands".

The covenants shall be binding upon and enure to the benefit of the respective heirs, executors, administrators, successors, and assigns of the owners of the lands and the owner of the Township lands.

These covenants are intended to enhance and preserve the economic, environmental and social values of the foregoing lands and to benefit the foregoing lands by protecting and preserving the natural state of the shoreline and shorelands of _____ Lake.

But for the imposition of the following restrictions and the intention of the parties for such restrictions to bind future owners of said lands, the Corporation of the Township of Seguin would not convey this shore road allowance to the abutting property owner.

USES, BUILDINGS, STRUCTURES

1. No part of the Lands shall be used for:

Renewable Energy Facilities

The purpose of installing, erecting, maintaining, and/or operating a renewable energy generation facility or project unless such renewable energy facility is exempt from the operation of these restrictive covenants (being encumbrances upon land) by operation of the applicable Provincial Legislation and Regulations governing, regulating and/or authorizing the installation, erection, maintenance and/or operation of renewable energy general facilities and/or projects.

Aeronautics

The storage or placement of any aircraft, including but not limited to airplanes, helicopters, gliders, etc. and/or any building or structure designed to, intended for, capable of and/or used for housing aircraft.

Landscaping

The creation of landscaped water features such as reflecting pools, waterfalls and other non-naturally occurring watercourses or water features.

Recreational Installations or Features

The establishment of slides, "zip" or rappelling lines and platforms, diving platforms or towers, unless the foregoing are located:

- a) on a dock permitted under the then applicable Township Zoning By-law, attached to the lands, and
- b) where such of the foregoing recreational installation features is or are located on that portion of the permitted dock which is located directly, on, over or above the water.

Boathouses and Docks

The erection of a boathouse and/or dock unless such boathouse and/or dock complies with the Township's Comprehensive Zoning By-law 2006-125 as it read and was in force on the date the Lands were conveyed by the Township to the owner. For further clarity, notwithstanding that the owner may apply under the provisions of the *Planning Act*, to vary or amend the provisions of By-law 2006-125 to permit a boathouse and/or dock :

- that is not permitted as the provisions read on the date the Lands were conveyed; or
- that exceeds any regulated dimension which is stated as a maximum in such provisions as they read on the date the Lands were conveyed, or
- that reduces any regulated dimension which is stated as a minimum in such provisions as they read on the date the lands were conveyed

such approval does not supercede the privity of this restrictive covenant and the Township's authority to enforce such restrictive covenant.

Buildings other than Boathouses or Docks

The erection of any building or structure, whether or not such building or structure requires a building permit, unless such building or structure complies with the Township's Comprehensive Zoning By-law 2006-125 as it read and was in force on the date the Lands were conveyed by the

Township to the owner. For further clarity, notwithstanding that the owner may apply under the provisions of the *Planning Act*, to vary or amend the provisions of By-law 2006-125 to permit a building or structure:

- that is not permitted as the provisions read on the date the Lands were conveyed; or
- that exceeds any regulated dimension which is stated as a maximum in such provisions as they read on the date the Lands were conveyed, or
- that reduces any regulated dimension which is stated as a minimum in such provisions as they read on the date the lands were conveyed

such approval does not supercede the privity of this restrictive covenant and the Township's authority to enforce such restrictive covenant. For further clarity the foregoing restriction shall be read to include any buildings or structures entirely located above the ground within or suspended from trees or poles.

2. GENERAL

The foregoing restrictions apply notwithstanding any other restrictions imposed by Municipal By-law. Furthermore, for clarity, despite any conclusions by a court or other tribunal of competent jurisdiction otherwise that a Municipal By-law(s) does not prohibit the above, these restrictive covenants continue to operate to bind the land and prohibit the foregoing until such time as the Township, by by-law authorizes the deletion/ release or by by-law authorizes the modification of the restrictive covenant pursuant to section 3 below.

3. MODIFICATION

The Township or any successor municipal corporation, with the consent of the owner of the Lands, may alter or modify these restrictions in respect of the lands or any part thereof and such alteration or modification shall be evidenced by a municipal by-law. Furthermore as a condition of the alteration or modification of these restrictive covenants the Owner agrees to the registration of a new restrictive covenant to give effect to the foregoing alteration or modification.

I accept and agree to the terms the draft restrictive covenant agreement;

Owner

Owner

Date: _____