

SETTLEMENT AGREEMENT

BETWEEN:

KAREN & JIM LOGAGIANES  
(Hereinafter "LOGAGIANES")

- And -

LAKE WASEOSA RATEPAYERS ASSOCIATION  
(Hereinafter "the LWRA")

SETTLEMENT AGREEMENT

WHEREAS LOGAGIANES filed separate applications for consent to create a total of three (3) shoreline residential lots (the "LOTS"), which applications were approved by the Town of Huntsville Committee of Adjustment;

AND WHEREAS DWAYNE VERHEY, in his capacity as <sup>Secretary</sup> ~~President~~ of the LWRA did, solely on behalf the LWRA, appeal the decisions of the Committee of Adjustment to the Ontario Municipal Board (the "OMB");

AND WHEREAS LOGAGIANES and the LWRA deem it reasonable, appropriate and expedient to avoid any necessity for an OMB hearing by entering into this Agreement.

NOW THEREFORE IN THE CONSIDERATION OF THE SUM OF TWO DOLLARS (\$2.00) mutually exchanged, LOGAGIANES and the LWRA do agree as follows:

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1. LOGAGIANES agrees to not make an application for a zoning by-law amendment or a minor variance that would have the effect of reducing the present minimum easterly side yard setback of 10 metres and minimum 6 metre deep vegetative buffer on the most easterly of the three LOTS.
2. LOGAGIANES agrees that the private road that is to be constructed to provide access to the LOTS shall have:
  - a. A minimum road surface width of 6.1 metres and 1.2 metre wide shoulders;
  - b. A minimum grade of 0.5%;
  - c. A maximum grade of 12%;
  - d. Minimum intersection radii of 8 metres; and
  - e. A minimum cross-fall of 2.5% so as to accommodate surface run-off.
3. LOGAGIANES agrees that no additional application for consent to create a shoreline residential lot will be filed with the Huntsville Committee of Adjustment so long as Jim Logagianes and/or Karen Logagianes have an ownership interest in any of the lands adjacent to the LOTS, except as next described.
4. Notwithstanding the preceding clause, the LWRA agree that LOGAGIANES may file an application for a consent for the purpose of severing their existing dwelling located at 1479 South Waseosa Lake Road. LOGAGIANES acknowledge that any such application is to be evaluated on the planning merits and that, in so agreeing herein to such application, the LWRA has not, in anyway, forsaken its right to comment to the Committee of Adjustment, either in favour of, or in opposition to, such application.

  
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5. LOGAGIANES agrees to forthwith donate the sum of One Thousand Dollars (\$1,000) to the LWRA, which funds are to be used by the LWRA only to assist with the testing or monitoring of lake water quality and/or to assist the LWRA in having provisions of its Lake Plan incorporated into the Official Plan of the Town of Huntsville.
6. That upon the execution of this Agreement, the LWRA will forthwith withdraw the current appeals to the OMB and to the extent that there may be any question that the current appeals were not made by DWAYNE VERHEY solely on behalf of the LWRA, the LWRA agrees to secure a letter addressed to the OMB from DWAYNE VERHEY withdrawing the appeals before the LWRA signs this Agreement.
7. Upon receiving notice from the OMB that the Hearing scheduled for November 20<sup>th</sup>, 2014 has been cancelled, an executed copy of this Agreement will be provided to the Town of Huntsville Planning Department for its files.
8. The LWRA and LOGAGIANES each agree that time is of the essence and so, to come into effect, this Agreement is to be signed by both parties and delivered to the other party before noon on Monday November 3<sup>rd</sup>, 2014.

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DATED at Huntsville this 31<sup>st</sup> day of October, 2014.

LOGAGIANES

  
By Jim Logagianes

  
By Karen Logagianes

LAKE WASEOSA RATEPAYERS  
ASSOCIATION

  
Per: BRIAN GRAY

Title: PRESIDENT

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Per:

Title:



DATED at Huntsville this 31st day of October, 2014.

LOGAGIANES

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By Jim Logagianes

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By Karen Logagianes

LAKE WASEOSA RATEPAYERS

ASSOCIATION

Brian Gray

Per: Brian Gray

Title: President, LWRA

Roxanne Bickell-Talbot

Per: Roxanne Bickell-Talbot

Title: Vice-president, LWRA