

## Schedule "B"

# Prospectus

Munro Lake Cottage Lot Sales

MUNRO LAKE

geographic Townships of Munro and McCool  
Territorial District of Cochrane



prepared for

8636354 CANADA INC.  
Matheson, Ontario

prepared by

TERRA TECHNICAL SERVICES LTD.  
Timmins, Ontario

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## Location

Munro Lake is located within the geographic Townships of Munro and McCool, in the Territorial District of Cochrane. The area is situated in unorganized territory of Northern Ontario with no municipal government. Munro Lake is situated approximately 30 minutes (35 km) northeast of the town of Matheson, Ontario via Hwy. 101 East. and what is now called the Blueberry Lake Road.

## Background

Munro Lake was named after the geographic Township of Munro on May 5, 1949 upon where the Lake is partly located. The Township is named after a J. P. Munro, a Member of Parliament for Renfrew North, Ontario. Munro Lake is part of the Perry Lake - Munro Lake Area which is a popular cottaging and recreational complex for local residents and tourists. According to Ministry of Natural Resources and Forestry records, there are about 70 cottage lots on Munro and 50 lots on Parry Lake.

The available lots are indicated in Schedules "A" and "C". There will be a minimum bid price as indicated on the aforementioned Schedule "A". There will be 5 lots available on the shore of Munro Lake which back on to Blueberry Lake Road. There will be 6 lots available on the back shore fronting on Blueberry Lake Road. Lots 7, 8 and 9 will have legal access (title) to the Munro Lake which are identified as Blocks F, E and D respectively, on the Plan of Subdivision 6M-499 (see Annex "C"). Lots 10, 11 and 12 will also have legal access (title) to Munro Lake which are identified as Blocks C, B and A respectively, on the Plan of Subdivision 6M-499 (see Annex "C").

## Cottage Lot Sale Process

The available cottage lots will be made available to the Public on Saturday, June 1, 2024 at the former Munro Lake (Joan Caron) Camp which is situated on Lot 2 within the cottage lot subdivision being offered for sale. The lots will be offered to the public by means of a "silent auction". The minimum upset price (reserve bid price) is indicated in Schedule "A". The bids will be accepted by the completion of the Cottage Lot Registration Form (see Schedule "E") for each lot. The highest bid will be accepted. There will be extra copies of the Cottage Registration Form at the auction. Interested persons can submit any number of bids for any number of the available cottage lots. The bidding will close at 3:00 pm. At this time the offers will be reviewed and the transactions completed with the highest bidders (Buyers) provided the opportunity to complete the Agreement of Purchase and Sale with the Seller (8636354 CANADA INC.). The Cottage Lot Registration Forms, with bids, will be retained by the proponents. Should the transaction for the highest bid accepted not go through, the next highest bidder will be offered the opportunity to purchase the said cottage lot. Successful bidders will be required to submit a \$1,000 non-refundable deposit to enter into an Agreement of Purchase and Sale. **Please note the upset price does not include the HST.** The HST will be added to the sale price upon entering into the Agreement of Purchase and Sale.



There will be an opportunity to view the lots prior to the auction. Should anyone wish to view the lots before the auction, they are free to do so. All lots are located adjacent to the Blueberry Lake Road. Each available lot is numbered accordingly with a sign and can be seen from the Road. Should anyone require assistance viewing the available lots, please contact the proponent, Doug Bender, at 705-232-0826. There will also be a question and answer period just before the bidding process commencing at approximately 12:00 noon on the Saturday June 1, 2024.

### **Road Access**

As previously stated, the cottage lots for sale are accessed by the Blueberry Lake Road which is approximately 8.3 km in length, to the subdivision, from Hwy. 101 East as indicated on the General Location Plan in Schedule "B". At the present time, there is all season (year round) road access to the cottage lots. The Blueberry Lake Road is maintained by the Munro Lake Locals Roads Board under the authority of the Ontario Ministry of Transportation (MTO). The local roads board assessment, at the present, time is \$175 per year per lot which is collected annually via the *Provincial Land Tax Act, R.S.O 1990* billing process.

### **Utilities - Hydro Electric Power**

Munro Lake is presently serviced by a Hydro One submarine (lake bottom) cable. The available lots will have electrical service hookups as the installation process is currently underway with Hydro One.

### **Utilities - Telephone & Internet**

Presently there are no land lines for telephone and internet as the present time. Depending on your provider, the lots are within cell phone range but it can be spotty. It is recommended that property owners acquire cell phone hubs, boosters or satellite phone/cells dishes for more reliable services.

### **Utilities - Water & Sewage**

All lots have been previously approved for at least a Class IV Sewage System. Each lot owner wishing to install the actual sewage system will need to make application to the Porcupine Health Unit. The successful bidders will receive an information package containing the contact information for the Health Unit.

All lots were previously approved for the installation of drilled water wells through the Ministry of Municipal Affairs and Housing approval process. There are local licensed drilling contractors that can do this type of installation.



## Taxes

As previously mentioned Munro Lake is located in unorganized territory, under no municipal jurisdiction. The only property taxes applicable, at this time, are levied under the *Provincial Land Tax Act, R.S.O. 1990*. Provincial land taxes are substantially lower than municipal taxes in Ontario. There is also local School Board Taxes.

## Restrictions on Title Agreement

A copy of the Ministry of Municipal Affairs and Housing (MMAH) Restrictions on Title Agreement is registered on each cottage lot parcel in the Land Registry Office in Cochrane, Ontario. The restrictions can be more or less considered a subdivision agreement. A copy of this agreement is indicated in Annex "D".

Also MMAH requires that we provide each new cottage lot owners with copies of the following documents for information purposes. The said publications will be provided to each successful cottager on a USB stick for future reference:

- "Environmental Impact Study for a Proposed Application of Subdivision - Munro Lake" by Blue Heron Environmental;
- "Stormwater Best Management" by the Ontario Ministry of the Environment, Conservation and Parks;
- "Stormwater Management Planning and Design Manual" by the Ontario Ministry of the Environment, Conservation and Parks;
- "Stormwater Best Management Practices for Camp Owners in Northeastern Ontario" by the Ontario Ministry of the Environment, Conservation and Parks;
- "Lakeshore Capacity Assessment Handbook" by the Ontario Ministries of the Environment, Conservation & Parks; Natural Resources & Forestry and Municipal Affairs & Housing;
- "Blue-green algae: Information for Cottagers and Homeowners" by the Ontario Ministry of the Environment, Conservation and Parks;
- "FireSmart Landscaping: Information on How to Protect Your Home from Wildfires With Landscaping Techniques" by the Ontario Ministry of Natural Resources & Forestry;
- "Wildland Fire Risk Assessment and Mitigation Reference Manual" the Ontario Ministry of Natural Resources & Forestry

We have also added information with respect to the installation of shoreland improvements such as docks and boat houses. The Cottagers's Package will contain Ministry of Natural Resources & Forestry (MNRF) guidelines and work permit applications for proposed shoreland works.



**Schedule "A" - List of Available Cottage Lots with Upset Prices**

<b>Lot/Block №</b>	<b>Area (ha)</b>	<b>Frontage (m)</b>	<b>Minimum Bid Price</b>	<b>HST @ %13</b>	<b>Total Sale Price</b>
1	0.768	65.48	\$200,000	determined by successful bid	determined by successful bid
2	0.796	82.77	Not Available	-	-
3	0.397	41.56	\$250,000	determined by successful bid	determined by successful bid
4	0.467	44.13	\$150,000	determined by successful bid	determined by successful bid
5	0.520	42.54	\$150,000	determined by successful bid	determined by successful bid
6	0.553	41.94	\$150,000	determined by successful bid	determined by successful bid

<b>Lot №</b>	<b>Area (ha)</b>	<b>Lake Access Block № (ha)</b>	<b>Width (m)</b>	<b>Minimum Bid Price</b>	<b>HST @ %13</b>	<b>Total Price</b>
7	1.690	F (0.097)	57.79	\$75,000	determined by successful bid	determined by successful bid
8	1.737	E (0.096)	57.79	\$75,000	determined by successful bid	determined by successful bid
9	1.732	D (0.095)	57.79	\$75,000	determined by successful bid	determined by successful bid
10	1.664	C (0.093)	57.79	\$75,000	determined by successful bid	determined by successful bid
11	1.654	B (0.096)	57.79	\$75,000	determined by successful bid	determined by successful bid
12	1.653	A (0.099)	57.79	\$75,000	determined by successful bid	determined by successful bid

**Notes:**

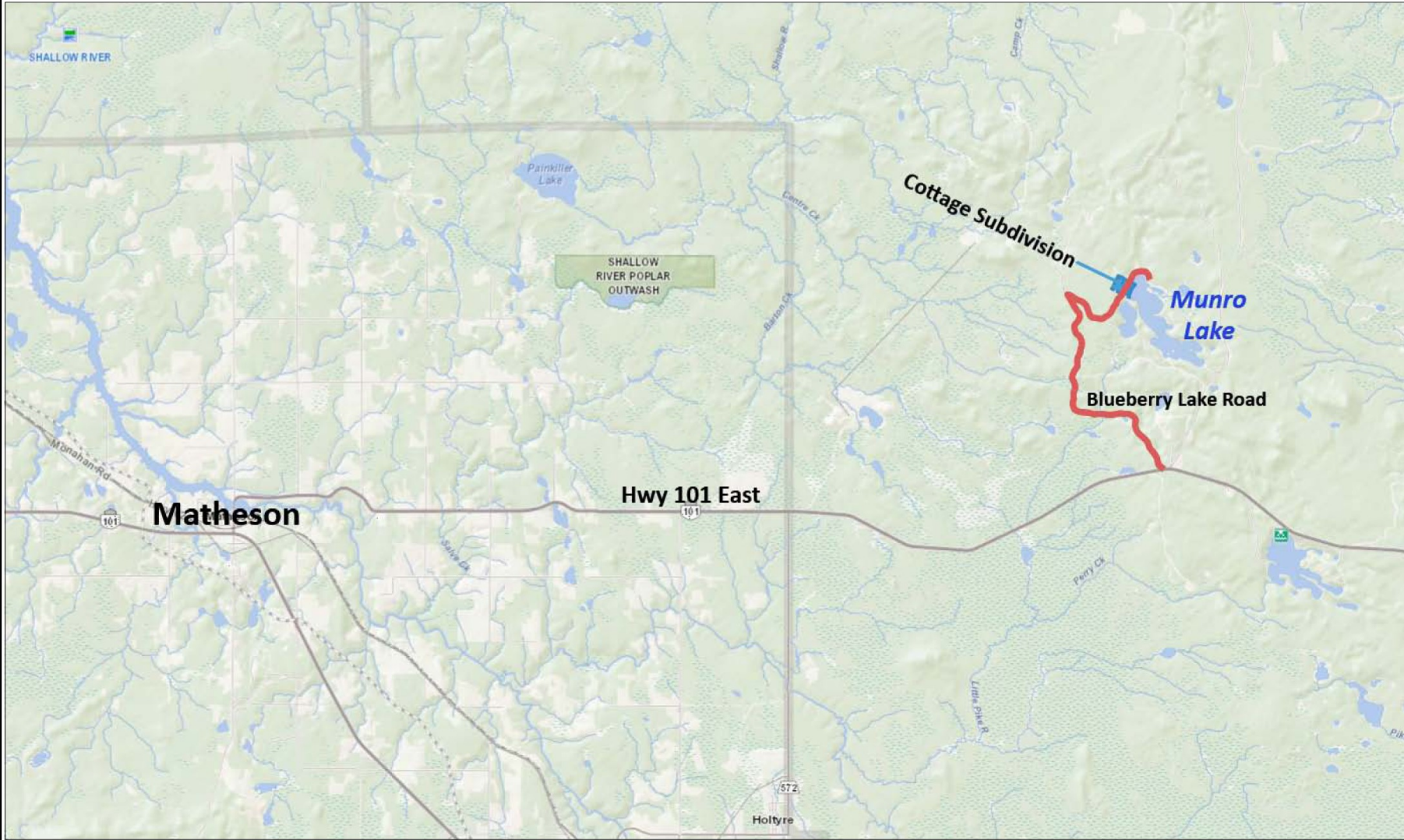
1. Lots 7 through to 12 inclusive, will each have legal access to Munro Lake by virtue of an access Block added to the title of their property as indicated above. These lots also have the Blueberry Lake Road traverse the east sections of these locations.
2. Lot 3 comes with a storage/garage on the location hence the higher bid price.
3. At any time prior to the day of the cottage lot sale, a lot may be sold and removed for the list of available cottage lots.

**Annex "B" - GENERAL LOCATION PLAN**

# Munro Lake Cottage Lot Subdivision Sale

## GENERAL LOCATION PLAN

Notes:



Legend	
	Building as Symbol
	Building to Scale
	Airport
	Helport \ Hospital Helport
	Seaplane Base
	Ferry Route
	Trail Head \ Trail
	Railway \ Train Station
	Railway with Bridge
	Railway with Tunnel
	Road (Major -> Minor)
	Winter Road
	Road with Bridge
	Road with Tunnel
	Primary, Kings or 400 Series Highway
	Secondary Highway
	Tertiary Highway
	District, County, Regional or Municipal Road
	Toll Highway
	One Way Road
	Road with Permanent Blocked Passage
	Road with Address Ranges
	Hydro Line, Communication Line or Unknown Transmission Line
	Natural Gas Pipeline, Water Pipeline or Unknown Pipeline
	Spot Height
	Index Contour
	Contour
	Wooded Area
	Wetland
	Waterbody
	Waterbody Elevation
	Watercourse
	Falls
	Rapids
	Rapids \ Falls
	Rocks
	Lock Gate
	Dam \ Hydro Wall
	International Boundary
	Provincial \ State Boundary
	Upper Tier \ District
	Municipal Boundary
	Lower Tier \ Single Tier Municipal Boundary
	Lot Line
	Indian Reserve
	Provincial Park
	National Park
	Conservation Reserve
	Military Lands



The Ontario Ministry of Natural Resources and Forestry shall not be liable in any way for the use of, or reliance upon, this map or any information on this map. This map should not be used for: navigation, a plan of survey, routes, nor locations.

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Projection: Web Mercator





**Annex “C” - PLAN OF SUBDIVISION 6M-499**

INTEGRATION COORDINATE TABLE		
OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING THE PRECISE POINT POSITIONING (PPP) SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE), NAD83 (CSRS) (2010).		
COORDINATE VALUES ARE TO RURAL ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF O.REG 216/10.		
OBSERVED REFERENCE POINTS	NORTHING	EASTING
4	5382110.33	562133.69
8	5382005.45	561570.47
9	5381800.62	561977.83
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

THIS FINAL PLAN OF SUBDIVISION IS APPROVED UNDER SECTION 51(58) OF THE PLANNING ACT R.S.O. 1990, THIS 25th DAY OF December 2023

*Megan Grant*

MEGAN GRANT, TEAM LEAD  
COMMUNITY PLANNING AND DEVELOPMENT  
MUNICIPAL SERVICES OFFICE NORTH  
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING  
MMAH FILE NO. 56-T-182756

PLAN 6M-499

I CERTIFY THAT THIS PLAN 6M-499 IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF COCHRANE (No. 6) AT 11:06 O'CLOCK ON THE 21 DAY OF December 2023 AND ENTERED IN THE REGISTER FOR PIN 65367-0072 AND REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. CB191285

*Megan Grant*  
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF COCHRANE (No. 6)

THIS PLAN LAYS OUT ALL OF PIN 65367-0072.

PLAN OF SUBDIVISION OF LOCATION AL 900 BEING PART OF LOT 2 CONCESSION 4 GEOGRAPHIC TOWNSHIP OF MUNRO DISTRICT OF COCHRANE TULLOCH GEOMATICS INC. SCALE 1:1250

12.5m 0 12.5m 62.5m

**BEARING NOTE:**  
BEARINGS ARE UTM GRID DERIVED FROM SIMULTANEOUS GPS OBSERVATIONS FROM MONUMENT 9 TO 8, HAVING A BEARING OF N63°18'W USING THE PRECISE POINT POSITIONING (PPP) SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010).

**METRIC:**  
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

GROUND DISTANCES SHOWN HEREON CAN BE CONVERTED TO UTM GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999599.

**CONVERGENCE NOTE:**  
FOR BEARING COMPARISONS, A ROTATION OF 0°34'00" COUNTER CLOCKWISE WAS APPLIED TO PLANS M-239 COCHRANE AND 6R-2498 TO CONVERT TO GRID BEARINGS.

**LEGEND:**

- DENOTES FOUND MONUMENT
- DENOTES PLANTED MONUMENT
- SIB DENOTES STANDARD IRON BAR 0.025 X 0.025 X 1.20
- IB DENOTES IRON BAR 0.015 X 0.015 X 0.60
- AL DENOTES J.A. LONERGAN O.L.S.
- AM DENOTES A.M. MACKAY O.L.S.
- ORP DENOTES OBSERVED REFERENCE POINT
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- M DENOTES MEASURED
- S DENOTES SET
- P DENOTES PLAN M-239 COCHRANE
- P1 DENOTES PLAN 6R-2498

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- (1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- (2) THE SURVEY WAS COMPLETED ON THE 25th DAY OF AUGUST, 2023.

OCTOBER 2, 2023  
DATE

*Paul Quesnel*  
PAUL QUESNEL  
ONTARIO LAND SURVEYOR

SINUOUS BOUNDARY TIES		
UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010)		
POINT	NORTHING	EASTING
500	5382095.2	562111.9
501	5382074.6	562099.2
502	5382061.8	562085.6
503	5382027.5	562054.2
504	5382001.5	562042.7
505	5381997.1	562030.1
506	5381979.7	562012.8
507	5381962.2	562005.7
508	5381940.5	562001.7
509	5381919.4	561999.4
510	5381898.1	561997.4
511	5381874.8	561994.9
512	5381856.9	561983.1
513	5381836.0	561976.6

SCHEDULE OF AREAS	
LOT/BLOCK	AREA (ha)
1	0.768
2	0.796
3	0.397
4	0.467
5	0.520
6	0.553
7	1.690
8	1.737
9	1.732
10	1.664
11	1.654
12	1.653
13	0.099
14	0.096
15	0.093
16	0.095
17	0.096
18	0.097
ROAD	0.697

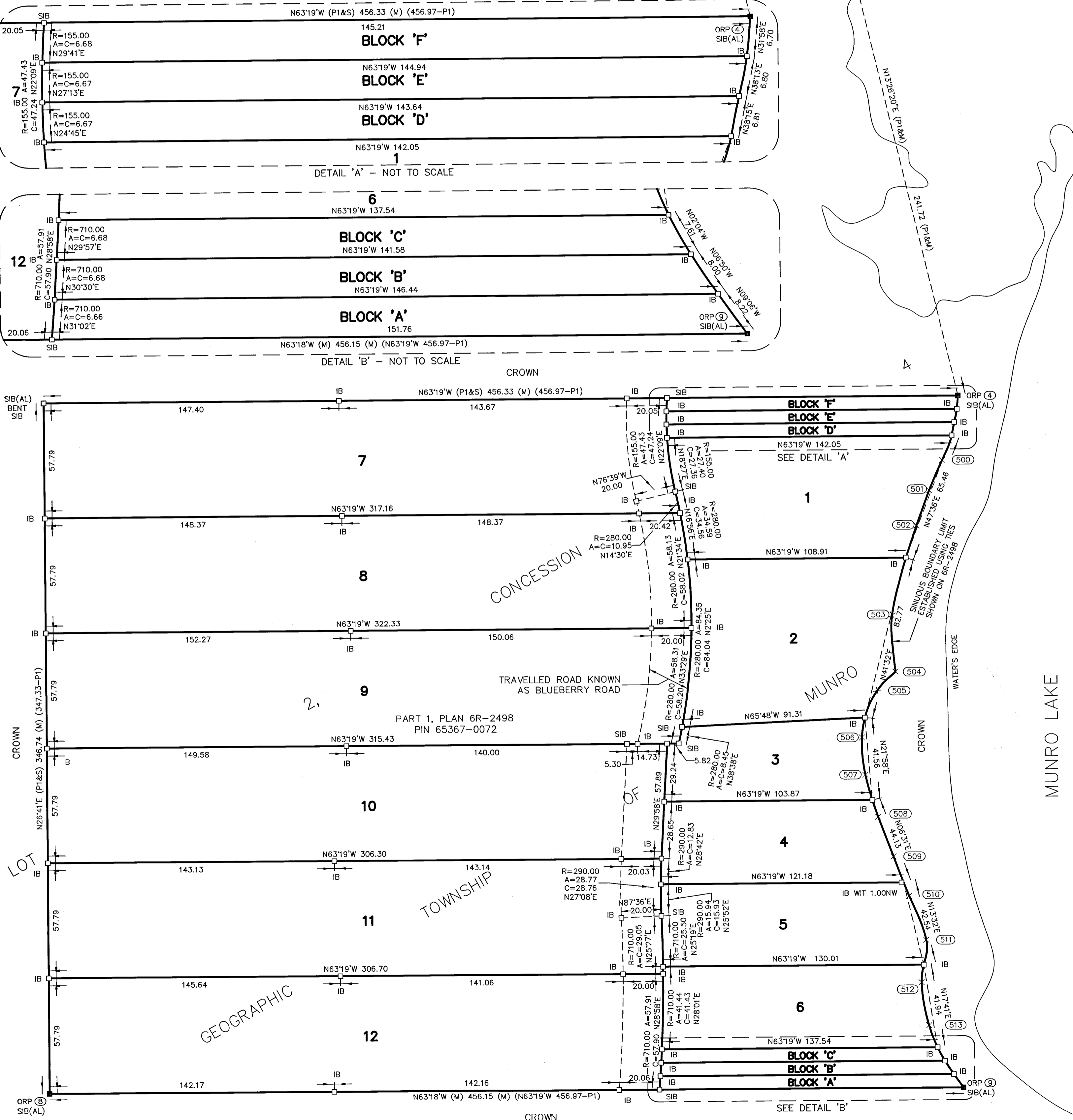
**OWNER'S CERTIFICATE**

THIS IS TO CERTIFY THAT:

- (1) LOTS 1 TO 12 AND BLOCKS 'A' TO 'F' ALL INCLUSIVE HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.

Oct 03/2023  
DATE

*Doug Bender*  
DOUG BENDER  
8636354 CANADA INC.  
"I HAVE THE AUTHORITY TO BIND THE CORPORATION"



**Annex “D” - SUBDIVISION AGREEMENT  
(Restrictions on Title)**

**SUBDIVISION AGREEMENT**

**MINISTER OF MUNICIPAL AFFAIRS AND HOUSING**

**and**

**8636354 CANADA INC.**

**Consent File No. 56-T-182756**

December 13, 2023

**THIS is a SUBDIVISION AGREEMENT** made on the 13<sup>th</sup> day of December, 2023,

**B E T W E E N :**

**THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING**

(hereinafter called the “Ministry”)

- and -

**8636354 CANADA INC.**

(hereinafter called the “Owner”).

**WHEREAS** the Owner warrants and represents that it is the owner of the lands and premises described in Schedule “A” attached hereto (hereinafter referred to as the “Lands”) which are located in the geographic Township of Munro, in the Territorial District of Cochrane, which is an unincorporated township/District not within a municipality or subject to a planning board;

**AND WHEREAS** the Owner applied to the Ministry for approval of a Plan of Subdivision so that 12 new Lots and 6 new Blocks created by the registration of the Plan of Subdivision can be used for resource-based recreational uses (which may include a recreational dwelling);

**AND WHEREAS** the *Planning Act* requires land use planning decisions to be consistent with the *Provincial Policy Statement 2020* (“PPS”);

**AND WHEREAS** the PPS does not permit permanent residential uses in the unincorporated territory in areas adjacent to and surrounding municipalities;

**AND WHEREAS** the Ministry granted an approval of a Draft Plan of Subdivision pursuant to subsection 51 (31) of the *Planning Act*, subject to the Owner entering into this Subdivision Agreement (“Agreement”) to ensure the lots and blocks created by the registered Plan of Subdivision will not be used or developed in a manner contrary to the PPS;

**AND WHEREAS** this Agreement is binding upon, and may be enforced against, current and future owners of the Lots and Blocks created by the registration of the Plan of Subdivision.

**NOW THEREFORE** in consideration of the mutual covenants herein and other good and valuable consideration, the Parties agree as follows:

**PART I – SUBJECT LANDS**

1. The Owner acknowledges that the Lands are subject to this Agreement.
2. The Lands will be divided through the registration of the Plan of Subdivision into 12 Lots numbered 1 to 12 and six Blocks (Blocks A, B, C, D, E, F).
3. Lots 7 to 12 shall be tied to Blocks A to F as follows:
  - a. Block A shall be tied to Lot 12, such that Block A shall neither be transferred nor charged except together with Lot 12 and Lot 12 shall neither be transferred nor charged except together with Block A;
  - b. Block B shall be tied to Lot 11, such that Block B shall neither be transferred nor charged except together with Lot 11 and Lot 11 shall neither be transferred nor charged except together with Block B;

- c. Block C shall be tied to Lot 10, such that Block C shall neither be transferred nor charged except together with Lot 10 and Lot 10 shall neither be transferred nor charged except together with Block C;
- d. Block D shall be tied to Lot 9, such that Block D shall neither be transferred nor charged except together with Lot 9 and Lot 9 shall neither be transferred nor charged except together with Block D;
- e. Block E shall be tied to Lot 8, such that Block E shall neither be transferred nor charged except together with Lot 8 and Lot 8 shall neither be transferred nor charged except together with Block E; and
- f. Block F shall be tied to Lot 7, such that Block F shall neither be transferred nor charged except together with Lot 7 and Lot 7 shall neither be transferred nor charged except together with Block F.

## **PART II – SCOPE OF AGREEMENT**

- 4. This Agreement defines certain duties, liabilities, obligations and conditions associated with the approval of the Plan of Subdivision to create the 12 new Lots and 6 new Blocks.
- 5. The attached Schedule “B” – List of Standard and Site-Specific Requirements and Notification Provisions forms part of this Agreement.

## **PART III – LEGISLATIVE AUTHORITY**

### *Subdivision Agreement under the Planning Act*

- 6. As a condition of approving the Plan of Subdivision, the Minister has authority under subsection 53(27) to require the Owner to enter into this Agreement imposed as a condition to the approval of a Plan of Subdivision, and to require the registration of this Agreement on title so it is binding upon and can be enforced against the current Owner of the Lands and future owners of Lots 1 to 12 and Blocks A to F.

## **PART IV - PROVINCIAL POLICY STATEMENT**

- 7. The parties acknowledge that subsection 3(5)(a) of the *Planning Act* requires land use planning decisions to be consistent with the *Provincial Policy Statement, 2020* (“PPS”), and that the following PPS policy applies to the Lands:
  - (a) **Policy 1.1.6.4** – In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings) shall be permitted.
- 8. The Owner agrees to adhere to the foregoing PPS policy with respect to the use, development and site alteration of the Lands.

## **PART V – RESTRICTIONS ON LAND USE, SITE ALTERATION AND DEVELOPMENT**

### *Use of Lands*

- 9. Lots 1-12 may only be used for resource-based recreational uses, which may include a recreational dwelling.
- 10. Lots 1-12 shall not be used for permanent residential, or commercial or industrial uses.
- 11. Blocks A, B, C, D, E, and F, may only be used for recreational purposes that are accessory to Lots 7 – 12. No recreational dwellings, garages, other accessory structures or individual on-site sewage or water systems are to be erected or installed on the Blocks.

***Development and Site Alteration***

12. The List of Standard and Site Specific Requirements and Notification Provisions attached as Schedule “B” form part of this agreement.

**PART VI - ADMINISTRATION**

***Postponement and Subordination***

13. The Owner will at its own expense, obtain and register such documentation from its mortgagees or encumbrancers as may be deemed necessary by the Ministry to postpone and subordinate their interest in the Lands to the interest of the Ministry to the extent that this Agreement shall take effect and have priority as if it had been executed and registered before the execution and registration of the document or documents giving to the mortgagees and/or encumbrancers their interest in the Lands.

***Registration of Subdivision Agreement and Section 118 Restrictions***

14. The Owner’s lawyer will prepare the documents necessary to register this Agreement on title to the Lands to the satisfaction of the Ministry.
15. Prior to the transfer of any Lots and Blocks, the Owner shall cause to be registered against title to Lots 7 - 12 and Blocks A- F, restrictions under section 118 of the *Land Titles Act* that no transfer shall be made or charge created unless written consent of the Manager, Community Planning and Development, Municipal Services Office North-Sudbury, Ministry of Municipal Affairs and Housing is obtained, which consent will be provided where the Lots and Blocks in question are transferred or charged in the manner set out in section 3 of this Agreement.
16. The Owner’s lawyer will prepare the documents necessary to register the section 118 restrictions set out in section 15 of this Agreement, and the wording of the restrictions shall be to the satisfaction of the Ministry.
17. The covenants, agreements, conditions and undertakings herein shall run with Lots 1 to 12 and Blocks A to F and shall be binding upon the Owner, future owners, successors, assigns, and occupiers, and shall be to the benefit of the Ministry and its lands and highways.

***Enforcement***

18. In addition to any other remedy the Ministry may have at law, it is entitled to enforce this Agreement in accordance with subsection 51(27) of the *Planning Act*.

***Other Applicable Laws***

19. Nothing in this Agreement relieves the Owner from complying with all applicable laws, regulations, and orders of any governmental body which may have jurisdiction over the Lots and Blocks.
20. The Owner acknowledges that the construction of any buildings or structures on the Lands that fall within the *Building Code Act, 1992* or Ontario Building Code, including any sewage treatment and dispersal system, must comply with the requirements set out in the Act and the Code.

***Interpretation of Agreement***

21. The Owner and the Ministry agree that:
  - (a) the part numbers and headings, subheading and section, subsection, clause and paragraph numbers are inserted for convenience of reference only and shall not affect the construction or interpretation of this Agreement;
  - (b) this Agreement shall be construed with all changes in number and gender as may be required by the context;

- (c) every provision of this Agreement by which the Owner is obligated in any way shall be deemed to include the words “at the expense of the Owner” unless the context otherwise requires, including the payment of any applicable fees or taxes (including GST);
- (d) references herein to any statute or any provision thereof include such statute or provision thereof as amended, revised, re-enacted and/or consolidated from time to time and any successor statute thereto;
- (e) all obligations herein contained, although not expressed to be covenants, shall be deemed to be covenants;
- (f) whenever a statement or provision in this Agreement is followed by words denoting inclusion or example and then a list of or reference to specific items, such list or reference shall not be read so as to limit that generality of that statement or provision, even if words such as “without limiting the generality of the foregoing” do not precede such list or reference;
- (g) that all covenants and conditions contained in this Agreement shall be severable, and that should any covenant or condition in this Agreement be declared invalid or unenforceable by a court of competent jurisdiction, the remaining covenants and conditions and the remainder of the Agreement shall remain valid and not terminate thereby.

***No Expectations of Public Services***

- 22. The 12 new Lots and 6 new Blocks are in an unincorporated territory and there are no expectations that Provincial or other public services (e.g., collection of waste) or infrastructure (e.g. water and waste water) will be provided.

***Waste Disposal***

- 23. Any domestic waste generated on the Lands shall be disposed of at a Ministry of the Environment, Conservation and Parks approved Waste Disposal Site.

***Whole Agreement***

- 24. This Agreement including the schedules annexed hereto, set forth all of the covenants, promises, agreements conditions and understanding between the Owner and the Ministry and there are no covenants, promises, agreements, conditions or understandings either oral or written, between them other than as set forth in this agreement.
- 25. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this agreement shall be binding upon the Owner or the Ministry unless reduced to writing and signed by both of them. It is further understood and agreed that all of the agreements and provisions contained in this Agreement are to be construed as covenants on the part of the party so agreeing to them.

***Notice***

- 26. If any notice is required to be given by one of the parties to this Agreement to the other with respect to this Agreement, such notice shall be mailed or delivered to:

- (a) to the Owner at:

8636354 Canada Inc.  
15 Silmono Court  
Maple, ON L6A 2T7

- (b) to the Ministry at:

Ministry of Municipal Affairs and Housing  
Municipal Services Office N (Sudbury)  
159 Cedar Street, Suite 401  
Sudbury, ON P3E 1B1

or such other address of which the parties have notified the other in writing, and any such notice mailed or delivered or sent by email to the Manager of Community Planning and



Development shall be deemed good and sufficient notice under the terms of this Agreement.

**Waiver**

- 27. The failure of the Ministry at any time to require performance by the Owner of any obligation under this agreement shall in no way affect its right thereafter to enforce such obligation, nor shall the waiver by the Ministry of the performance of any obligation hereunder be taken or be held to be a waiver of the performance of the same or any other obligation hereunder at any later time. The Ministry shall specifically retain its rights at law to enforce this agreement.

**Extension of Time**

- 28. Time shall be of the essence in this Agreement. Any time limits specified in this agreement may be extended with the consent in writing of both the Owner and the Ministry, but no such extension of time shall operate or be deemed to operate as an extension of any other time limit, and time shall be deemed to remain of the essence of this agreement notwithstanding any extension of any time limit.

**No Challenge to Agreement**

- 29. The parties covenant and agree with each other not to call into question or challenge, directly or indirectly, in any proceeding or action in court, or before any administrative tribunal, the party's right to enter into and enforce this agreement. The law of contract applies to this agreement and the parties are entitled to all remedies arising from it, notwithstanding any legislative provision interpreted to the contrary. The parties agree that adequate consideration has flowed from each party to the other and that they are not severable. This provision may be pleaded by either party in any action or proceeding as an estoppel of any denial of such right.

**Governing Law**

- 30. This Agreement shall be interpreted under and be governed by the laws of the Province of Ontario.

**Successors and Assigns**

- 31. This Agreement is binding upon and enforceable by and against the parties, their heirs, executors, administrators, successors, and assigns. The agreement and all the covenants by the Owner shall be binding on all future owners of the each of Lots 1 to 12 and Blocks A to F pursuant to subsection 51 (27) of the *Planning Act*.

IN WITNESS WHEREOF the parties have executed this agreement.

**THE MINISTER OF MUNICIPAL  
AFFAIRS AND HOUSING**

**Witness:**


\_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
Name:

**8636354 CANADA INC.**

**Witness:**

DocuSigned by:  
  
1016D6E719E74A0...

DocuSigned by:  
  
9A1D5200AC8746D

Per: Harold Massi  
Title: Director  
I have authority to bind the Corporation.

Name: Anthony Durante

**SCHEDULE "A"**

***LEGAL DESCRIPTION OF LANDS***

Parcel 15299 South East Cochrane; Part of Lot 2, Concession 4, Location AL900 (designated as Part 1, on Reference Plan 6R2498) and being all of PIN 65367-0072 (LT), in the geographic Township of Munro, in the Territorial District of Cochrane

## SCHEDULE “B”

### *LIST OF STANDARD AND SITE-SPECIFIC REQUIREMENTS AND NOTIFICATION PROVISIONS*

- A. Although surface water may be used from Munro Lake, it should not be used as a source of potable water unless it is disinfected and/or treated to meet the Ontario Drinking Water Quality Standards as set by the Ministry of the Environment, Conservation and Parks.
- B. New wells must be installed in accordance with the requirements of Ontario Regulation 903 (Wells) under the *Ontario Water Resources Act*. Water quality and quantity testing should be completed for the new lot in accordance with Ministry of the Environment, Conservation and Parks “Technical Guideline for Private Wells” (1996) and conducted by a qualified professional. If water from test wells exhibit values for health and aesthetic parameters that are above the Ontario Drinking Water Standards, the water must be treated prior to consumption. Upon well installation, a qualified professional should also demonstrate that there is an adequate quantity of groundwater available to meet the requirements of the residence without interference to adjacent properties.
- C. Approval must be obtained from the local Health Unit for all sewage systems that require a permit, including greywater systems but excluding pit privies. The importation of suitable fill may be required to construct sewage treatment systems to the satisfaction of the Porcupine Health Unit. The Health Unit can also provide information on construction requirements, including minimum distances required between sewage systems and sources of potable water.
- D. Approvals from Fisheries and Oceans Canada under Section 35 of the *Federal Fisheries Act* are required for projects, in and around water involving fish habitat, which may or may not require a Work Permit from the Ministry of Natural Resources and Forestry (MNRF). Proponents should conduct a self-assessment using the DFO website: <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html> to determine any DFO approval requirements. DFO can be contacted at:

Fish Habitat Biologist  
Fisheries and Oceans Canada, Ontario-Great Lakes Area  
867 Lakeshore Road  
Burlington, ON L7R 4A6  
Email: English: [fisheriesprotection@dfo-mpo.gc.ca](mailto:fisheriesprotection@dfo-mpo.gc.ca)  
French: [protectiondespeches@dfo-mpo.gc.ca](mailto:protectiondespeches@dfo-mpo.gc.ca)  
Tel: 1- 855- 852- 8320  
Fax: 905- 336- 6285

- E. A permit approval under the *Public Lands Act* or the *Lakes and Rivers Improvements Act* may be required for any waterfront structures from the MNRF. No shoreline alterations, dock construction, break waters, submerged water line, water crossings, or any other water related work shall be undertaken without first contacting the approval authority. Depending on the nature of the work, a work permit may or may not be required or issued.

The MNRF also provides online information on work permits:  
<http://www.ontario.ca/page/crown-land-work-permits>.

- F. Landowners are to have regard to the following key management techniques for development adjacent to lakes:
- i. Employ best management practices including those identified in Section 5.0 of the Ministry of the Environment, Conservation and Park’s *Lakeshore Capacity Assessment Handbook* (<https://www.ontario.ca/document/lakeshore-capacity-assessment-handbook-protecting-water-quality-inland-lakes>);
  - ii. Identify and avoid sensitive features in designing lot layouts;
  - iii. Reduce lot grading and limit creation of impervious surfaces (i.e. roads, roofs, parking areas, patios etc.) to reduce stormwater runoff and encourage natural infiltration;
  - iv. Preserve a substantial buffer of riparian vegetation along the lakeshore to limit soil erosion, encourage evapotranspiration and reduce stormwater runoff;

- v. Use proven technologies to control drainage and runoff from roof leaders, foundation drains and areas where ditching is required;
  - vi. Maximize setback distances of septic system from lakes to ensure the greatest benefit of soils to retain excess phosphorus; consider the use of technologies for the abatement of septic phosphorus loading which have been demonstrated to be effective over the long-term.
- G. Buildings, including those in unorganized territories, have been required to comply with the Ontario Building Code since December 31, 1975. At this time in unorganized territory, building permits and the payment of permit fees are not required. Inquiries about the Building Code should be made to:

Buildings and Development Branch  
Ministry of Municipal Affairs and Housing  
17th Floor, 777 Bay St.  
Toronto, ON M5G 2E5  
Telephone: (416) 585-7041  
Fax: (416) 585-6470  
codeinfo@ontario.ca

- H. Please notify the Ministry of Citizenship and Multiculturalism (MCM) (at [archaeology@ontario.ca](mailto:archaeology@ontario.ca) or 416-314-7620) if archaeological resources are impacted by any ground disturbing work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the *Ontario Heritage Act* and the Standards and Guidelines for Consultant Archaeologists.

If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MCM should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.

***ADDITIONAL LIST OF STANDARD AND SITE-SPECIFIC REQUIREMENTS AND NOTIFICATION PROVISIONS PURSUANT TO NOTICE OF DECISION, DATED SEPTEMBER 1, 2021***

Servicing:

- i. Approval must be obtained from the Porcupine Health Unit (PHU) for all sewage systems that require a permit, including greywater systems but excluding pit privies. The importation of suitable fill may be required to construct sewage treatment systems to the satisfaction of PHU. The PHU can also provide information on construction requirements, including minimum distances required between sewage systems and sources of potable water, and further information regarding Ontario Building Code requirements.
- ii. For lots 1-6 with frontage on Munro Lake, septic systems shall be installed a minimum of 30 m from the high-water mark to allow for reasonable natural attenuation capacity.
- iii. Per Section 8 of the Report titled "*Procedure D-5-3, D-5-4, D-5-5 and Land Use Change Assessments Munro Lake Recreational Cottage Lots, Draft Plan of Subdivision*" by Hutchinson Environmental Sciences Ltd., all septic systems should be constructed on upland, well-drained areas to avoid potential interaction with seasonal higher-than-expected shallow groundwater.
- iv. Wells must be installed in accordance with the requirements of Ontario Regulation 903 (Wells). Per Section 8 of "*Procedure D-5-3, D-5-4, D-5-5 and Land Use Change Assessments Munro Lake Recreational Cottage Lots, Draft Plan of Subdivision*" by Hutchinson Environmental Sciences Ltd, well construction should consider the following to protect groundwater quality:
  - (i) Steel 159 mm diameter casings with 4.8 mm thick walls, installed from 0.5 m above ground surface to the approximate depth of the desired screened interval (as determined by the well driller), with 0.2 m or more casing overlapping the underlying screened interval; and

- (ii) Stainless steel no. 14 slot, 120 mm diameter screen, 2.0 m long.
- v. For lots 1-6 with frontage on Munro Lake, if surface water from Munro Lake is used, the water should not be used as a source of potable water unless it is disinfected and/or treated to meet the Ontario Drinking Water Quality Standards (<https://www.ontario.ca/page/drinking-water>).

Road Maintenance:

- i. Blueberry Lake Road is under the jurisdiction of the Blueberry-Munroe Lake Local Roads Board.
- ii. The Ontario Ministry of Transportation Unincorporated Roads Program provides funding for Local Roads Boards. Costs are shared equally, although the Province may limit the amount of funding it will provide in the future and the landowner(s) may contribute a greater share.

Waste Disposal:

- i. All domestic waste must be appropriately handled and disposed of at an approved waste disposal facility. There are currently two disposal sites that can accept domestic waste including the Arnold Township Waste Disposal Site & McEvay Township Waste Disposal Site. Both facilities are seasonal and will only accept waste during operational periods. The Arnold Township Waste Disposal Site is open from April 1-November 15 and the McEvay Township Waste Disposal Site is open from May 1-October 31 annually. Outside of these periods, it is up to the individual landowners to dispose of domestic waste appropriately.

Habitat of Threatened and Endangered Species:

- i. Eastern Whip-poor-will (EWPW) habitat may exist on or adjacent to the subject property. To ensure that there are no impacts on EWPW, it is recommended that there be no tree clearing from May 1st to August 15th.
- ii. Species at Risk (SAR) bat habitat may also be present on the subject property. Impacts to SAR bats can be avoided by not clearing the subject property from May 1st to August 31st.
- iii. Blanding's Turtle habitat may be present on or near the subject property. The Ministry of the Environment, Conservation and Parks (MECP) recommends that habitat mapping and/or targeted SAR surveys be conducted for this species once development proposals are available. Prior to development, landowners are directed to contact MECP's Species at Risk Branch to discuss development proposals to help determine the potential requirements under the *Endangered Species Act* (ESA).

The following information will be required to determine whether future activities will adversely impact SAR or their habitat and whether an authorization will be required:

- (i) Location of property where the activity is to take place (e.g. lot, concession, GPS coordinates)
- (ii) Presence/absence and location of species at risk species and/or species at risk habitat on the property
- (iii) Development activity footprint
- (iv) Type of activities planned (e.g. site clearing)
- (v) Timing for all planned activities

Other Species Considerations:

- i. Per the following sections of the report titled "*Environmental Impact Study for a Proposed Application of Subdivision – Munro Lake*" by Blue Heron Environmental, the following is recommended:

Section 6.3.1 Breeding Birds:

- (i) Vegetation Clearing and grubbing activities related to the development of the lots shall occur outside of the Breeding Bird Season (August 15th – April 10th).

Section 6.3.2 Bald Eagles Nests:

- (i) Should a Bald Eagle become a common sighting or stick nest be observed, clearing activities shall stop immediately and the MECP contacted within 5 business days;
- (ii) Should a stick nest be located in the study area, a 500m buffer should be placed around the nest where no clearing activities are to occur and contact MECP within 5 business days.

Section 6.3.3 Mammals:

- (i) Should a den-like feature be observed with young, clearing and development must stop and the MECP contacted; and
- (ii) Should a Cougar or Wolf be observed with young, clearing and development must stop and the MECP contacted.

Section 6.3.5 Invasive Species:

- (i) Should any substrate or aggregate be planned for removal and transportation to a Provincial Park or any other restricted areas under the *Invasive Species Act*, the property should be reassessed for the presence of invasive species and activities listed under prohibitions under the act (Section 7 and 8) prior to transporting the material to restricted areas.

Fish Habitat:

- i. Per Section 6.3.4 of the report titled “*Environmental Impact Study for a Proposed Application of Subdivision – Munro Lake*” by Blue Heron Environmental, the following shall be adhered to protect fish habitat:
  - (i) No vegetation clearing or other development activities shall occur within 20m of the highwater mark of Munro Lake;
  - (ii) Development shall be limited within the 20m buffer to a mulched 2m access trail to the lake;
  - (iii) shore and a docking structure constructed within the suitable docking envelope identified;
  - (iv) An application for shoreline structures will be submitted for approval by the Ministry of Natural Resources and Forestry (“MNRF”); and
  - (vi) A 20m vegetation buffer from the high-water mark of the lake will be left in a natural state.

Waterfront Structures:

- i. A permit approval under the *Public Lands Act* or the *Lakes and Rivers Improvements Act* may be required for any waterfront structures from the Ministry of Natural Resources and Forestry (“MNRF”). No shoreline alterations, dock construction, break waters, submerged water line, water crossings, or any other water related work shall be undertaken without first contacting the approval authority. Depending on the nature of the work, a work permit may or may not be required or issued.

The MNRF also provides online information on work permits:

<http://www.ontario.ca/page/crown-land-work-permits> and for information about occupational authority: <https://www.ontario.ca/page/buy-or-rent-crown-land#section-3>.

Wildland Fire:

- i. The subject lands contain forest fuel types which may indicate risk for wildland fire. Please refer to the Ministry of Natural Resources and Forestry (“MNRF”) *Firesmart Landscaping Guide and the Homeowners Firesmart Manual* for information about steps you can take to help protect your property from wildland fire. For information on enacting fire safe strategies around your property please visit the following link: <https://www.ontario.ca/page/firesmart>.

Protection of Water Quality:

- i. Sewage systems should be located as far as possible from the shoreline (minimum of 30 metres for waterfront lots) of Munro Lake. The further a tile field is placed from a water body, the greater the intervening land base, with the capacity to intercept and retain phosphorous.
- ii. Buildings and other structures should also be setback as far as possible from the shoreline (minimum 30 metres) and a 15-metre vegetative buffer from the shoreline should be established and maintained.
- iii. Lot 7-12 which do not front on Munro Lake are also encouraged to locate the sewage system as far back from the shoreline as possible.
- iv. Landowners should implement Best Management Practices (BMP) for low impact development and should utilize erosion and sediment controls during construction phases of development.

Building in Unincorporated Areas:

- i. All buildings, including those in unorganized territories, have been required to comply with the Ontario Building Code since December 31, 1975.

At this time in unorganized territory, building permits and the payment of fees are not required. Inquiries about the Building Code should be made to:

Ontario Building Code  
Ministry of Municipal Affairs and Housing  
17th Floor, 777 Bay Street  
Toronto, ON M5G 2E5  
Telephone: (416) 585-7041  
<https://www.ontario.ca/page/ontarios-building-code>

Archaeological Considerations:

- i. Should deeply buried cultural relics be found during construction activities, please notify the Ministry of Citizenship and Multiculturalism (“MCM”) directly at [archaeology@ontario.ca](mailto:archaeology@ontario.ca) or 416-314-7620. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the *Ontario Heritage Act* and the *Standards and Guidelines for Consultant Archaeologists*.

If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MCM should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.

***FUTURE MUNRO LAKE COTTAGE LOT OWNERS  
STORM WATER MANAGEMENT – BEST PRACTICES***

**Introduction:**

As a direct result of the Ministry of Municipal Affairs and Housing's Draft Plan Approval of Subdivision (MMAH File 56-T-182756) for the Munro Lake Proposal, the proponents (8636354 CANADA INC.) are required to provide a technical report identifying how future landowners' can implement stormwater management best practises prior to, during and after development. The best practise will be based upon the excising geological terrain conditions, recommendations by Blue Heron Environmental Solutions for Environmental Management Inc, Ministry of the Environment, Conservation and Park's (MECP) Stormwater Best Management Practices for Camp Owners in Northeastern Ontario and Ontario's Stormwater Management Planning and Design Manual.

It is important at this time to put the proposal into perspective. This is a seasonal recreational development in an unorganized area of Ontario as opposed to an urban residential subdivision where stormwater effects on paved roads, sidewalks, driveways, lawns, garages and residential buildings need to be considered for adequate drainage infrastructure. The recommendations for this proposal will focus on seasonal recreational development on the subject lands to reduce stormwater runoff and encourage natural infiltration.

**Background:**

The proposed subdivision is located in a glaciofluvial landform with esker/esker complexes, dominated by a sandy, gravelly material. The local relief is mainly moderate with the drainage of the dominant landform consisting of dry conditions.

The Blueberry Lake Road, which accesses the proposed cottage subdivision, [was previously] maintained by the Ontario Ministry of Transportation (MTO) and the local landowners, using the said road, under a 50/50 cost sharing agreement. The Agent of Record represents the local landowners on the Blueberry Lake Road. A testament to the excellent drainage qualities of the local terrain is there are no culverts or drainage ditches, on the said road, at this time. The Blueberry Lake Road has been in existence for decades.

**Recommendations:**

- Maintain a minimum no-development (improvements) setback distance from the lake of 30 metres (including the setback to sewage systems);
- It is recommended to maintain a 30-metre natural state vegetation buffer from the high water mark of Munro Lake, with the exception of stable access trail to the lakeshore for suitable docking facilities. In Ontario the lot owner has a riparian right of access to shorelands;
- Utilize docks and swim platforms for access to the lake instead of clearing aquatic and shoreline vegetation;
- Any shoreland structures to be considered for location on the 20 metre (66 foot) Crown shorelands should be submitted to the Kirkland Lake District Office of the Ministry of Natural Resources and Forestry for approval;
- Maintaining native vegetation as ground cover instead of a lawn is especially beneficial since it does not require the application of pesticides or phosphorus-rich fertilizers that can add to water quality problems. Avoid the use of fertilizers that can be easily transported into nearby water bodies through runoff and can lead to algae blooms;
- Do not bring in sand to create a beach; this will cause an unstable shoreline prone to erosion and runoff issues. This action may also cause legal issues with the Ontario and Federal governments. Munro Lake already has a sandy wet beach;
- Reduce lot grading as much as possible and limit the creation of impervious surfaces (ie.: roads, roofs, parking areas, patios, etc.) to reduce stormwater runoff and encourage natural infiltration;



- Consider installing cottage down spouts in the opposite direction from the shorelands to increase infiltration time and reduce surface runoff.

#### LIST OF REFERENCES

- 1979 Ministry of Natural Resources, Ontario Geological Survey, Northern Ontario Engineering Geology Terrain Study & Data Base Map, Iroquois Falls, NTS 42A/NE - Map 5027, Scale 1:100,000, Hubert A. Lee;
- 2003 Stormwater Management Planning and Design Manual, Queen's Printer for Ontario;
- 2017 Environmental Impact Study for a Proposed Application of Subdivision - Munro Lake, Blue Heron Solutions for Environmental Management Inc., Timmins, Ontario, Corsen, Angie, M.Sc.;
- 2017 Blueberry Lake Road Special Agreement, Project <sup>1</sup> U5378015, Ministry of Transportation, 500 Rockley Road, New Liskeard, Ontario;
- 2021 Stormwater Best Management Practices for Camp Owners in Northeastern Ontario, Ministry of the Environment, Conservation and Parks, Northern Region, Technical Support Section, Surface Water Unit;
- 2021 Notice of Decision On Application for Approval of Draft Plan of Subdivision, Subsection 51(37) of the *Planning Act*, Ontario Ministry of Municipal Affairs and Housing, Municipal Services Office North, Sudbury, Ontario, Little, Anna Manager - Community Planning and development.

**ANNEX "E" - MUNRO LAKE COTTAGE LOT REGISTRATION FORM  
(Silent Auction Bid)**

**"PLEASE PRINT"**

**Cottage Lot Number:** \_\_\_\_\_ **Bid Price: \$** \_\_\_\_\_

**Last Name(s):** 1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

**Given Names in Full:** 1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

**Primary Mailing Address:** \_\_\_\_\_

\_\_\_\_\_

**Municipality:** \_\_\_\_\_

**Postal Code:** \_\_\_\_\_

**Home/Business Phone:** \_\_\_\_\_

**Cell Phone:** \_\_\_\_\_

**E-Mail:** \_\_\_\_\_

**DECLARATION:**

I/We are eighteen (18) years of age or older and can hold land in Ontario;

I/We have read and understand this Prospectus and the Restrictions on Title Agreement (Annex "E") imposed by the Ontario Ministry of Municipal Affairs and Housing; and

I/We agree to submit a \$1,000 non-refundable deposit should I/We be the successful bidder for this cottage lot. "This is to discourage frivolous bidders from entering into an Agreement of Purchase & Sale and to cover the costs of the auction and administration of the same."

1 \_\_\_\_\_  
**Signature** \_\_\_\_\_ **Date:** \_\_\_\_\_

2 \_\_\_\_\_  
**Signature** \_\_\_\_\_ **Date:** \_\_\_\_\_

3 \_\_\_\_\_  
**Signature** \_\_\_\_\_ **Date:** \_\_\_\_\_