

**CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH/CARDINAL**

BY-LAW NO. 2019-39

**"BEING A BY-LAW TO AUTHORIZE AN AMENDMENT TO THE SITE PLAN
CONTROL AGREEMENT REGISTERED AS INSTRUMENT PR95926
AS AUTHORIZED BY BY-LAW 1988-34"**

WHEREAS the Council of the Corporation of the Township of Edwardsburgh entered into a Site Plan Control Agreement with Peter Antonakos by By-law 1988-34 at the regular meeting of Council on June 20th, 1988, which Agreement was registered on July 20, 1988 as Instrument No. PR95926; and

WHEREAS the property described in the Site Plan Control Agreement was conveyed to the Owner by Transfer/Deed GC50419 on January 15, 2018; and

WHEREAS Authority is granted under Section 41 of the Planning Act, RSO 1990, c.P. 13, as amended to the Council of the Corporation of the Township of Edwardsburgh/Cardinal to enter into and amend such agreements; and

WHEREAS the Council of the Corporation of the Township of Edwardsburgh/Cardinal wishes to amend Schedules "A" through "C" to reflect the change in description, ownership and new use of the property.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Edwardsburgh Cardinal enacts as follows:

1. That Schedules "A", "B", and "C" of Site Plan Control Agreement, authorized by By-law 1988-34 and registered on title as Instrument No. PR95926 on July 20, 1988 shall be deleted and replaced with the attached Schedule "A", "B", and "C" which shall form part of this Agreement.
2. That all other provisions of Site Plan Control Agreement Instrument No. PR95926 shall remain in force and effect.
3. That this by-law shall come into force and effect upon passing.

Read a first and second time in open Council this 22nd day of July, 2019.

Read a third and final time, passed, signed and sealed in open Council this 22nd day of July, 2019.

Mayor

Deputy Clerk

**CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH/CARDINAL**

**AMENDMENT TO SITE PLAN CONTROL AGREEMENT REGISTERED AS
INSTRUMENT PR95926 AS AUTHORIZED BY BY-LAW 1988-34**

THIS AGREEMENT made in triplicate this 29 day of Oct, 2019.

BETWEEN: H&D Petroleum Inc.

Hereinafter called the "Owner" of the first part

AND: The Corporation of the Township of Edwardsburgh Cardinal

Hereinafter called the "Township" of the second part

WHEREAS the Council of the Corporation of the Township of Edwardsburgh entered into a Site Plan Control Agreement with Peter Antonakos by By-law 1988-34 at the regular meeting of Council on June 20th, 1988, which Agreement was registered on July 20, 1988 as Instrument No. PR95926; and

WHEREAS the property described in the Site Plan Control Agreement was conveyed to the Owner by Transfer/Deed GC50419 on January 15, 2018; and

WHEREAS Authority is granted under Section 41 of the Planning Act, RSO 1990, c.P. 13, as amended to the Council of the Corporation of the Township of Edwardsburgh/Cardinal to enter into and amend such agreements; and

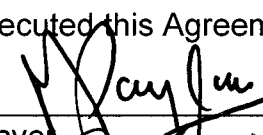
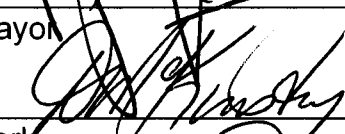
WHEREAS the Council of the Corporation of the Township of Edwardsburgh/Cardinal wishes to amend Schedules "A" through "C" to reflect the change in description, ownership and new use of the property.

NOW THEREFORE This Agreement witnesseth that, in consideration of other valuable considerations and the sum of one dollar (\$1.00) of lawful money of Canada now paid by the Owner to the Township (receipt whereof is hereby acknowledged) the parties hereby covenant and agree one with the other as follows:

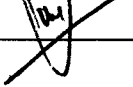
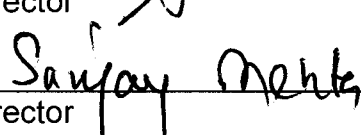
1. That Schedules "A", "B", and "C" of Site Plan Control Agreement, authorized by By-law 1988-34 and registered on title as Instrument No. PR95926 on July 20, 1988 shall be deleted and replaced with the attached Schedule "A", "B", and "C" which shall form part of this Agreement.
2. That all other provisions of Site Plan Control Agreement Instrument No. PR95926 shall remain in force and effect.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

THE CORPORATION OF THE TOWNSHIP
OF EDWARDSBURGH CARDINAL

) 
) Mayor
) 
) Clerk
We have authority to bind the
Corporation.

H&D PETROLEUM INC.

) 
) Director
) 
) Director
I/We have authority to bind the
Corporation.

SCHEDULE "A"
Site Plan Control Agreement

TO AGREEMENT EXECUTED THE 29 day of Oct, 2019

BETWEEN: H&D PETROLEUM INC.

AND: THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL

DESCRIPTION OF THE PROPERTY

2025 – 2029 County Road 44
Pt Park Lt 3 E/S Kemptville Road, 4 E/S Kemptville Rd, 5 E/S Kemptville Rd, 6 E/S
Kemptville Rd, 7 E/S Kemptville Rd, 8 E/S Kemptville Rd Pl 9 Johnstown, Pt 1
15R639 & Pt 1 & 2 15R6618; s/t interest in PR195945; s/t EG16079;
Edwardsburgh/Cardinal
PROPERTY ROLL # 070170102010600
PIN 68149-0151

SCHEDULE "B"

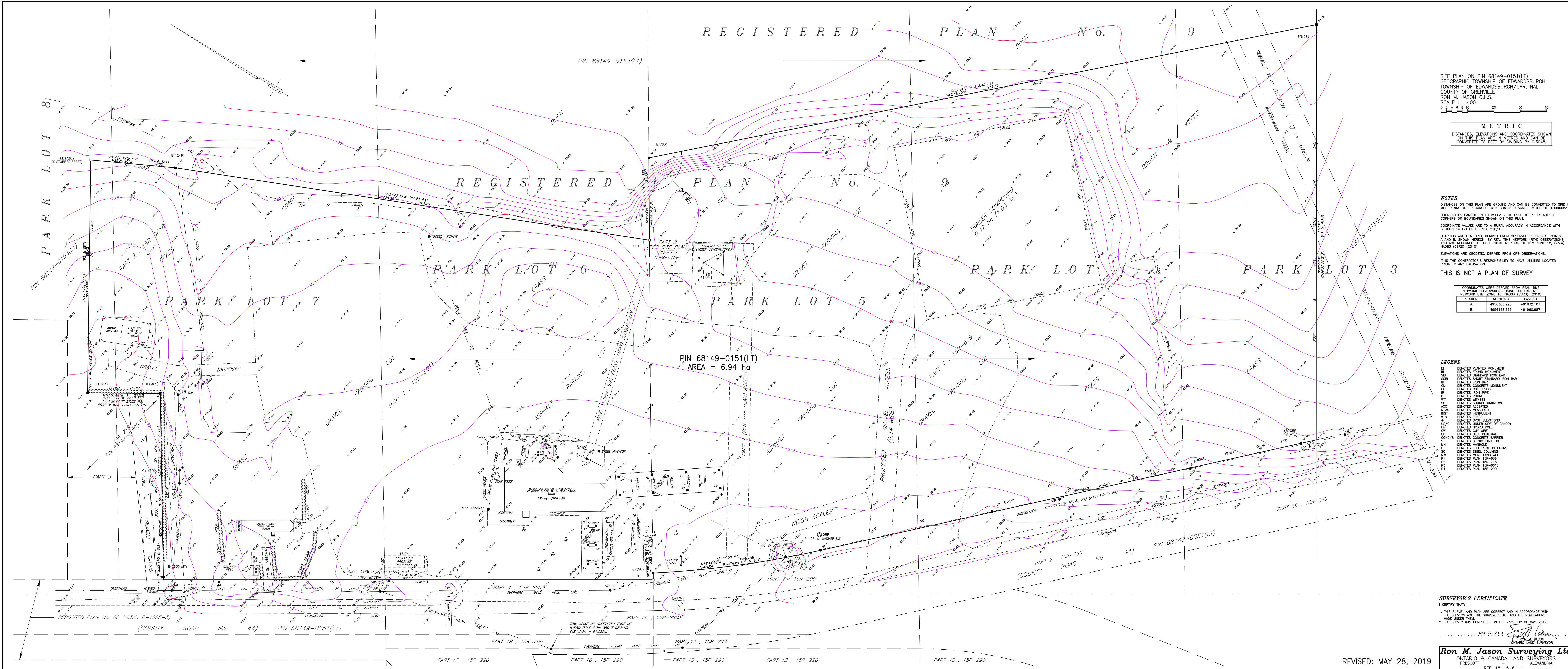
Site Plan Control Agreement

TO AGREEMENT EXECUTED THE 29 DAY OF Oct, 2019

MASSING AND CONCEPTUAL PLAN SITE PLAN

EXHIBITS: The following Exhibits attached hereto shall form part of this Schedule:

Exhibit 1 - Site Plan



SITE PLAN ON PIN 68149-0151(LT)
GEOGRAPHIC TOWNSHIP OF EDWARDSBURGH
TOWNSHIP OF EDWARDSBURGH/CARDINAL
COUNTY OF GRENVILLE
RON M. JASON O.L.S.
SCALE : 1:400
0 2 4 6 8 10 20 30 40m

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

NOTES
DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY
MULTIPLYING THE DISTANCES BY A COMBINED SCALE FACTOR OF 0.9998083.
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH
CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.
COORDINATE VALUES ARE TO A RURAL ACCURACY IN ACCORDANCE WITH
SECTION 14 (2) OF O. REG. 216/10.
BEARINGS ARE UTILITY GRID, DERIVED FROM OBSERVED REFERENCE POINTS
A AND B, SHOWN HEREON, BY REAL TIME NETWORK (RTN) OBSERVATIONS
AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 18, (75W)
NAD83 (CORS) (2010).
ELEVATIONS ARE GEODETIC, DERIVED FROM GPS OBSERVATIONS.
IT IS THE CONTRACTOR'S RESPONSIBILITY TO HAVE UTILITIES LOCATED
PRIOR TO ANY EXCAVATION.

THIS IS NOT A PLAN OF SURVEY

COORDINATES WERE DERIVED FROM REAL-TIME NETWORK OBSERVATIONS USING THE CAN-NET NETWORK UTM, ZONE 18, NAD83, (CORS) (2010)		
STATION	NORTHING	EASTING
A	4956303.998	461832.107
B	4956168.633	461960.987

- LEGEND
- DENOTES PLANTED MONUMENT
 - DENOTES FOUND MONUMENT
 - SB DENOTES STANDARD IRON BAR
 - IB DENOTES SHORT STANDARD IRON BAR
 - CB DENOTES CONCRETE MONUMENT
 - CC DENOTES CUT CROSS
 - WT DENOTES WITNESS
 - WT DENOTES WITNESS
 - SU DENOTES SOURCE UNKNOWN
 - MEAS DENOTES MEASURED
 - REST DENOTES RESTORATION
 - + DENOTES SPOT ELEVATIONS
 - HP DENOTES HYDRO POLE
 - HP DENOTES UNDER SIDE OF CANOPY
 - BP DENOTES BELL PEDESTAL
 - CONC/B DENOTES CONCRETE BARRIER
 - STL DENOTES SEPTIC TANK LID
 - WT DENOTES WITNESS
 - EC DENOTES ELECTRICAL PLUG-INS
 - STL DENOTES STEEL COLUMNS
 - MW DENOTES MONITORING WELL
 - P1 DENOTES PLAN 15R-639
 - P2 DENOTES PLAN 15R-718
 - P3 DENOTES PLAN 15R-6818
 - P4 DENOTES PLAN 15R-290

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS
MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 23rd DAY OF MAY, 2019.

MAY 27, 2019
Ron M. Jason
ONTARIO LAND SURVEYOR
ALEXANDRIA

REVISED: MAY 28, 2019

SCHEDULE "C"
Site Plan Control Agreement

TO AGREEMENT EXECUTED THE 29 day of Oct, 2019

BETWEEN: H&D PETROLEUM INC.

AND: THE CORPORATION OF THE TOWNSHIP OF
EDWARDSBURGH/CARDINAL

1. ACCESS FACILITIES

- a) As per site plan forming Exhibit 1 OF Schedule "B". No additional entrance ways shall be established without the consent of the Roads Super Intendent and the United Counties of Leeds and Grenville, if on a County Rd.
- b) The road width from the centreline to the edge of property shall be a minimum of 13.1 metres, which is to be confirmed through field measurements by an OLS. If the distance is less than 13.1 metres, the difference is to be conveyed to the Corporation of the United Counties of Leeds and Grenville at the cost of the applicant.

2. DRAINAGE

- a) Drainage of the lands shall be directed overland toward existing ditches.
- b) The drainage ditches shall be properly maintained to ensure the free flow of water. Where required, detritus or other materials which might block drainage flows or cause ponding shall be immediately removed.
- c) Drainage ditches along roadway corridors shall be maintained in accordance with the requirements of the appropriate road authority.

3. REFUSE STORAGE AND DISPOSAL

- a) The owner shall be responsible for the disposal of refuse from his property.

4. LOCATION OF BUILDING STRUCTURES AND FACILITIES

- a) As per Site Plan forming Exhibit 1 of Schedule "B" to this Agreement.

5. ADDITIONAL RENOVATIONS

- a) Prior to the commencement of any work on additions or alterations to existing structures on the property, as per Site Plan forming Exhibit 1 of Schedule "B" to this Agreement, a building permit must be issued by the Chief Building Official.

6. PROPANE CYLINDER EXCHANGE FACILITY

- a) All standards, requirements, and approvals of the TSSA be obtained by the applicant to the satisfaction of the Township
- b) Development of the noted propane cylinder exchange facility will be subject to the approval of a "Level 1 Risk and Safety Management Plan" by the Fire Chief.

ACKNOWLEDGEMENT AND DIRECTION

TO: Samantha Berry
(Insert lawyer's name)

AND TO: AULT & AULT
(Insert firm name)

RE: Site Control Agreement - H & D Petroleum ("the transaction")
(Insert brief description of transaction)

This will confirm that:

- I/We have reviewed the information set out in this Acknowledgement and Direction and in the documents described below (the "Documents"), and that this information is accurate;
- You, your agent or employee are authorized and directed to sign, deliver, and/or register electronically, on my/our behalf the Documents in the form attached.
- You are hereby authorized and directed to enter into an escrow closing arrangement substantially in the form attached hereto being a copy of the version of the Document Registration Agreement, which appears on the website of the Law Society of Upper Canada as the date of the Agreement of Purchase and sale herein. I/We hereby acknowledge the said Agreement has been reviewed by me/us and that I/We shall be bound by its terms;
- The effect of the Documents has been fully explained to me/us, and I/we understand that I/we are parties to and bound by the terms and provisions of the Documents to the same extent as if I/we had signed them; and
- I/we are in fact the parties named in the Documents and I/we have not misrepresented our identities to you.
- I, _____, am the spouse of _____, the (Transferor/Chargor), and hereby consent to the transaction described in the Acknowledgment and Direction. I authorize you to indicate my consent on all the Documents for which it is required.

DESCRIPTION OF ELECTRONIC DOCUMENTS

The Document(s) described in the Acknowledgement and Direction are the document(s) selected below which are attached hereto as "Document in Preparation" and are:

- ☐ A Transfer of the land described above.
- ☐ A Charge of the land described above.
- ☐ Other documents set out in Schedule "B" attached hereto.

Dated at Spencerville, this 11th day of November, 2019.

WITNESS

(As to all signatures, if required)

[Signature]

THE CORPORATION OF THE TOWNSHIP OF
EDWARDSBURGH/CARDINAL

[Signature]
PATRICK SATEAU, MAYOR

[Signature]
DEBRA MCKINSTRY, CAO

WE HAVE AUTHORITY TO BIND THE CORPORATION

Properties

PIN68149 - 0151 LT

DescriptionPT PARKLT 3 E/S KEMPTVILLE RD, 4 E/S KEMPTVILLE RD, 5 E/S KEMPTVILLE RD, 6 E/S KEMPTVILLE RD, 7 E/S KEMPTVILLE RD, 8 E/S KEMPTVILLE RD PL 9
JOHNSTOWN PT 1, 15R639 & PT 1 & 2, 15R6618 S/T INTEREST IN PR195945; S/T EG16079; EDWARDSBURGH/CARDINAL

Address2033 COUNTY RD 44
SPENCERVILLE

Consideration

Consideration\$0.00

Applicant(s)

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

NameTHE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL

Acting as a company

Address for ServiceP.O. Box 129
18 Centre Street
Spencerville, ON
K0E 1X0

This document is not authorized under Power of Attorney by this party.

This document is being authorized by a municipal corporation Patrick Sayeau, Mayor and Debra McKinstry, CAO.

Statements

This notice is pursuant to Section 71 of the Land Titles Act.

This notice is for an indeterminate period

Schedule: See Schedules

Properties

PIN68149 - 0151 LT

DescriptionPT PARKLT 3 E/S KEMPTVILLE RD, 4 E/S KEMPTVILLE RD, 5 E/S KEMPTVILLE RD, 6 E/S KEMPTVILLE RD, 7 E/S KEMPTVILLE RD, 8 E/S KEMPTVILLE RD PL 9
JOHNSTOWN PT 1, 15R639 & PT 1 & 2, 15R6618 S/T INTEREST IN PR195945; S/T EG16079; EDWARDSBURGH/CARDINAL

Address2033 COUNTY RD 44
SPENCERVILLE

Consideration

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Schedule: See Schedules

Signed By

Amanda Jayne Spink Pietersma

Box 428, 522 St. Lawrence St.
Winchester
K0C 2K0

acting for
Applicant(s)

Signed2019 11 14

Tel613-774-2670

Fax613-774-2266

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

Submitted By

AULT & AULT

Box 428, 522 St. Lawrence St.
Winchester
K0C 2K0

2019 11 14

Tel613-774-2670

Fax613-774-2266

Fees/Taxes/Payment

Statutory Registration Fee\$65.05

Total Paid\$65.05