

**CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH CARDINAL**

BY-LAW NO. 2022-17

**“BEING A BY-LAW TO AUTHORIZE AN AMENDMENT TO THE SITE PLAN
CONTROL AGREEMENT REGISTERED AS INSTRUMENT NO. GC70445
AS AUTHORIZED BY BY-LAW 2021-26”**

WHEREAS the Council of the Corporation of the Township of Edwardsburgh entered into a Site Plan Control Agreement with Kevin Burchell by Bylaw 2021-26 at the regular meeting of Council on May 25, 2021, which agreement was registered on June 23, 2021 as Instrument No. GC70445; and

WHEREAS the Township has received an application to amend the existing site plan control agreement for the lands in Schedule “A” of Bylaw 2021-26; 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 “B” and “C” to reflect changes to the original agreement, as amended.

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

1. That the Site Plan forming “Exhibit 1 – General Site Plan” of Schedule “B” of the Site Plan Control Agreement, authorized by bylaw 2021-26 and registered on title as Instrument No. GC70445 on June 23, 2021 shall be deleted and replaced with the attached General Site Plan, which shall form part of this agreement.
2. That the Grading and Drainage Plan prepared by Kollaard Associates Engineers now form “Exhibit 2 – Grading and Drainage Plan” of Schedule “B” of the Site Plan Control Agreement, authorized by bylaw 2021-26 and registered on title as Instrument No. GC70445 on June 23, 2021.
3. That Schedule “C” of the Site Plan Control Agreement, authorized by bylaw 2021-26 and registered on title as Instrument No. GC70445 on June 23, 2021 be amended by deleting and replacing Item 2 with the following statement, which shall form part of this agreement:

“That works recommended in the Grading and Drainage Plan forming Schedule B – Exhibit 2 shall be carried out prior to any operations on the site.”

4. That Schedule “C” of the Site Plan Control Agreement, authorized by bylaw 2021-26 and registered on title as Instrument No. GC70445 on June 23, 2021 be amended by adding the following requirements to Item 3 and Item 11, which shall form part of this agreement:
 3. Curbs or similar barriers shall be maintained on the west side of the parking area during months of operation so that public access is only by the approved 7m (23ft) entranceway on Walker Street.
The Canal Street entranceway shall be used as a Staff Entrance Only and marked as such.
 11. Parking stalls shall be visibly defined and barrier-free parking spaces shall be marked.
5. That all other provisions of Site Plan Control Agreement, authorized by bylaw 2021-26 and registered on title as Instrument No. GC70445 shall remain in force and effect.

6. That this by-law shall come into force and effect upon passing.

Read a first and second time in open Council this 28 day of February, 2022.

Read a third and final time, passed, signed and sealed in open Council this 28 day of February, 2022.

Mayor *[Signature]* *[Signature]* Clerk

**CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL
AMENDMENT TO SITE PLAN CONTROL AGREEMENT
REGISTERED AS INSTRUMENT NO. GC70445
AS AUTHORIZED BY BYLAW 2021-26**

THIS AGREEMENT, made in triplicate this 30 day of March, 2022

BETWEEN:

KEVIN BURCHELL
(the "Owner")

AND:

THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL
(the "Township")

WHEREAS: the Council of the Corporation of the Township of Edwardsburgh entered into a Site Plan Control Agreement with the owner of the lands described in Schedule "A" to the agreement of bylaw 2021-26, at the open Council meeting on May 25th, 2021, which agreement was registered on June 23, 2021, as Instrument No. GC70445.

AND WHEREAS the Township has received an application to amend the Site Plan Control Agreement authorized by bylaw 2021-26;

AND WHEREAS the Township deems it appropriate to permit the Agreement of bylaw 2021-26, as amended, to continue to operate subject to the terms and conditions within;

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 (the receipt whereof is hereby acknowledged) and in consideration of the mutual covenants hereinafter expressed, the parties hereto covenant and agree one with the other as follows:

1. That the Site Plan forming "Exhibit 1 – General Site Plan" of Schedule "B" of the original Agreement of bylaw 2021-26 be replaced with the attached General Site Plan.
2. That the attached Grading and Drainage Plan prepared by Kollard Associates Engineers now form "Exhibit 2 – Grading and Drainage Plan" of Schedule "B" of the original Agreement of bylaw 2021-26
3. That item 2 of Schedule "C" to the original agreement of bylaw 2021-26, which requires that owner to provide a Grading and Drainage Plan, now be replaced with the following statement:

**AMENDMENT TO SITE PLAN CONTROL AGREEMENT
BETWEEN KEVIN BURCHELL
AND THE TOWNSHIP OF EDWARDSBURGH CARDINAL**

The works recommended in the Grading and Drainage Plan forming Schedule B – Exhibit 2 shall be carried out prior to any operations on the site.

4. That the following requirements will be added to item 3 of Schedule "C" to the original agreement:

Curbs or similar barriers shall be maintained on the west side of the parking area during months of operation so that public access is only by the approved 7m (23ft) entranceway on Walker Street.

The Canal Street entranceway shall be used as a Staff Entrance Only and marked as such.

5. That the following requirements will be added to item 11 of Schedule "C" to the original agreement:

Parking stalls shall be visibly defined and barrier-free parking spaces shall be marked.

6. That all other terms and conditions of the original Agreement of bylaw 2021-26 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.

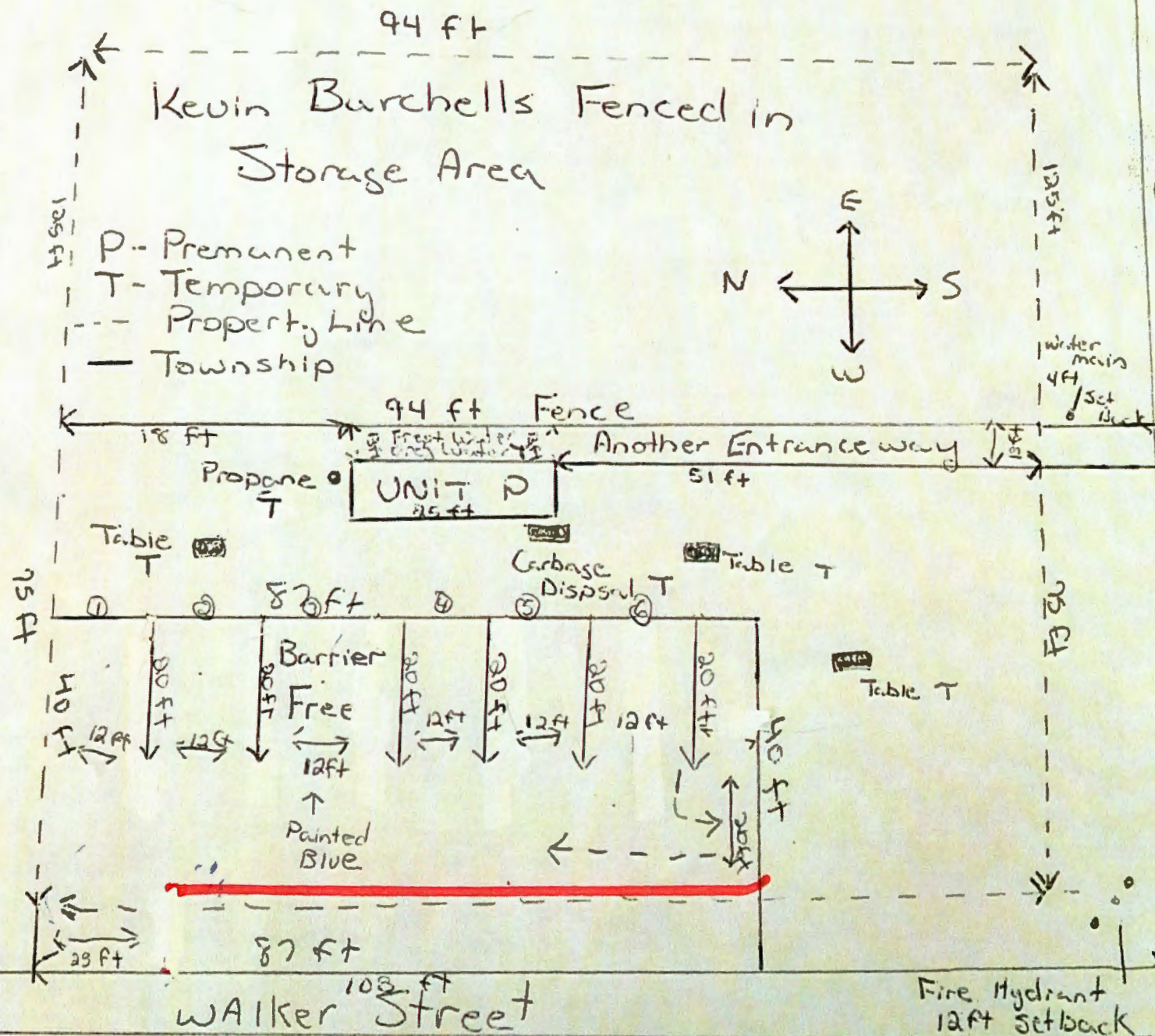
KEVIN BURCHELL

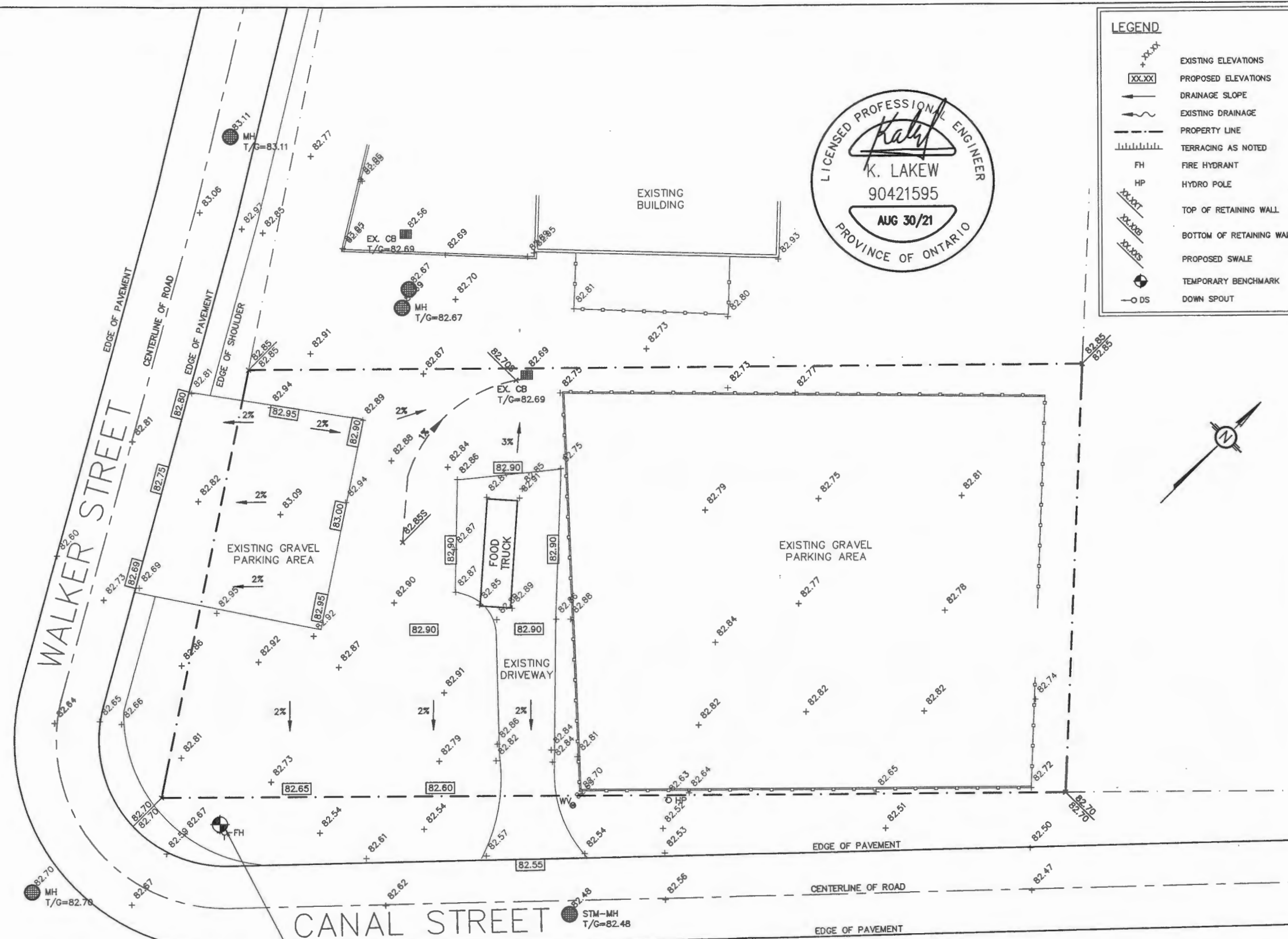
Owner

I have the authority to bind the Corporation.

DATED AT Spencerville, ON this 30 day of March, 2022

WEST End of MALL





ACKNOWLEDGEMENT AND DIRECTION

TO: WARREN LEROY
(Insert lawyer's name)

AND TO: AULT & AULT
(Insert firm name)

RE: AMENDING NOTICE ("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 Ontario 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, Ontario, this 11 day of April, 2022.

WITNESS

(As to all signatures, if required)

THE CORPORATION OF THE TOWNSHIP OF
EDWARDSBURGH/CARDINAL

x

Patrick Sayeau
PATRICK SAYEAU - MAYOR

x

David Grant
DAVID GRANT - CAO

Properties

PIN

68152 - 0058 LT

Description

PT LT 6 CON 1 EDWARDSBURGH; PT LT 9 W/S WEST ST PL 1 CARDINAL PT 1
15R10633; S/T PR116401; EDWARDSBURGH/CARDINAL

Address

CANAL ROAD
CARDINAL

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

THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL
Acting as a company

Address for Service

18 Centre Street, Spencerville, Ontario, 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 David Grant CAO.

Statements

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

This notice may be deleted by the Land Registrar when the registered instrument, GC70445 registered on 2021/06/23 to which this notice relates is deleted

This notice is for an indeterminate period

Schedule: See Schedules

Properties

PIN 68152 - 0058 LT
Description PT LT 6 CON 1 EDWARDSBURGH; PT LT 9 W/S WEST ST PL 1 CARDINAL PT 1
15R10633; S/T PR116401; EDWARDSBURGH/CARDINAL
Address CANAL ROAD
CARDINAL

Consideration

Consideration \$0.00

Applicant(s)

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Address for Service 18 Centre Street, Spencerville, Ontario,
K0E 1X0

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Schedule: See Schedules

Signed By

Amanda Jayne Spink Pietersma Box 428, 522 St. Lawrence St. acting for Signed 2022 04 12
Winchester Applicant(s)
K0C 2K0

Tel 613-774-2670

Fax 613-774-2266

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. 2022 04 12
Winchester
K0C 2K0

Tel 613-774-2670

Fax 613-774-2266

Fees/Taxes/Payment

Statutory Registration Fee \$66.30

Total Paid \$66.30

File Number

Applicant Client File Number : 1369-372