

**CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH CARDINAL**

**BY-LAW NO. 2019-17**

**"A BY-LAW TO AUTHORIZE THE EXECUTION OF  
A SITE PLAN CONTROL AGREEMENT"**

**WHEREAS:** The Council of the Corporation of the Township of Edwardsburgh/Cardinal deems it advisable to enter into a Site Plan Control Agreement with James Rust respecting development of a property described as:

2124 BROUSEVILLE RD  
SPENCERVILLE  
PT LT 21-22 CONCESSION 3  
EDWARDSBURGH/CARDINAL  
ROLL # 070170103012000  
PIN 68146-0260

**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 such agreement;

**NOW THEREFORE:** The Council of the Corporation of the Township of Edwardsburgh/Cardinal enacts as follows:

1. That the Mayor and Clerk are hereby authorized to execute an agreement with James Rust and that a signed copy of said agreement is attached hereto as Schedule "A".
2. This by-law comes into effect upon passing.

Read a first and second time in open Council this 22<sup>nd</sup> day of April, 2019.

Read a third and final time, passed, signed and sealed in open Council this 22<sup>nd</sup> day of April, 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Deputy Clerk

**THE CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH/CARDINAL  
SITE PLAN CONTROL AGREEMENT AS AUTHORIZED BY BYLAW 2019-17**

**THIS AGREEMENT** made in triplicate this 30 day of April, 2019

**BETWEEN:** JAMES RUST

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: Bylaw 2002-31, as amended, of the Corporation of the Township of Edwardsburgh designated all of the lands in the Township of Edwardsburgh to be subject to site plan control;

AND WHEREAS: The owner is the registered owner of the lands described in Schedule "A" to this agreement and which are situate within the Township of Edwardsburgh/Cardinal;

NOW THEREFORE THIS AGREEMENT WINESSETH THAT in consideration of other valuable considerations and the sum of two dollars (\$2.00) 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. This is an agreement made pursuant to the provisions of Section 41 of the Planning Act, RSO 1990. as amended, and applies to the lands described in Schedule "A" to this agreement which lands are hereinafter referred to as the owner's lands.
2. That the location of the buildings and structures to be erected on the owner's lands, location of other facilities and the external appearance and design of the buildings shall conform to the plans attached hereto as Exhibit "1" of Schedule "B" to this agreement; provided that minor changes to such plans may be made by the owner with the prior consent in writing of the Chief Building Official for the Corporation of the Township of Edwardsburgh/Cardinal.
3. That the owner shall satisfy the conditions, facilities and matters on the owner's lands as specified in Schedule "C" to this agreement to the satisfaction of the Chief Building Official for the Corporation of the Township of Edwardsburgh/Cardinal.
4. That the conditions, facilities and matters as shown on Schedule "B" and described in Schedule "C" shall be provided and maintained by the owner at his sole risk and expense and to the satisfaction of the Chief Building Official of the Corporation of the Township of Edwardsburgh/Cardinal.
5. That the covenants, agreements and conditions herein contained on the part of the owner shall run with the land and shall be binding upon the parties hereto, and their successors, assigns respective heirs, executors and administrators.
6. That it is understood and agreed that examination and acceptance of plans, drawings and contract document by any employee of the Corporation of the Township of Edwardsburgh/Cardinal or the satisfying of any requirements of this agreement by the owner does not constitute acceptance of this agreement by the Corporation of the Township of Edwardsburgh/Cardinal, until a By-law to authorize this agreement has been passed by the Council of the Corporation of the Township of Edwardsburgh/Cardinal and this agreement is signed by the persons authorized to do so by such Bylaw.

7. That the owner hereby agrees to pay all costs involved in the registration of this agreement and all other costs incurred by the Corporation of the Township of Edwardsburgh/Cardinal with respect to this agreement.

IN WITNESS WHEREOF the parties hereto have executed this agreement.

THE CORPORATION OF THE TOWNSHIP )  
OF EDWARDSBURGH/CARDINAL )

\_\_\_\_\_  
) Mayor

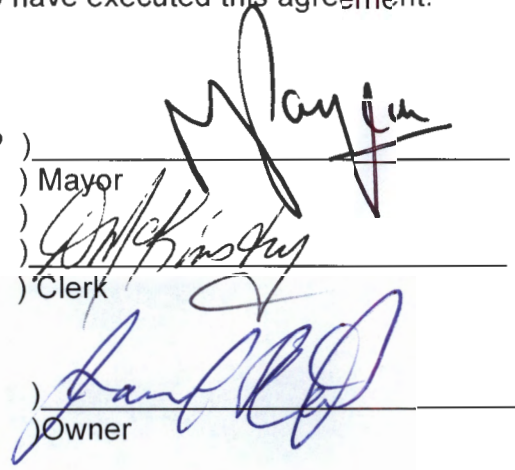
\_\_\_\_\_  
)

\_\_\_\_\_  
) Clerk

\_\_\_\_\_  
)

\_\_\_\_\_  
)

\_\_\_\_\_  
) Owner

The image shows three handwritten signatures in blue ink. The top signature is for the Mayor, the middle one for the Clerk, and the bottom one for the Owner. Each signature is written over a horizontal line that is part of the signature line for the Corporation of the Township of Edwardsburgh/Cardinal.

**SCHEDULE "A"**  
**Site Plan Control Agreement**  
TO AGREEMENT EXECUTED THE 30 DAY OF April, 2019.

**BETWEEN:** JAMES RUST

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

**DESCRIPTION OF THE PROPERTY**  
2124 BROUSEVILLE RD  
SPENCERVILLE  
PT LT 21-22 CONCESSION 3  
EDWARDSBURGH/CARDINAL  
ROLL # 070170103012000  
PIN 68146-0260

**SCHEDULE "B"**  
**Site Plan Control Agreement**  
TO AGREEMENT EXECUTED THE 30 DAY OF April, 2019

**MASSING AND CONCEPTUAL PLAN SITE PLAN**

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

Exhibit 1 - (Appendix "A") Site Plan



# METRIC

DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

195m NOTIFICATION RADIUS FROM PROPOSED TOWER

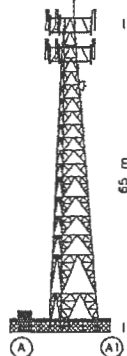
LOT 22

LOT 21

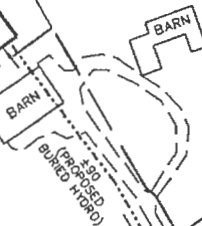
PIN 68146-0260 (LT)

CONCESSION 3

TYPICAL ELEVATION PLAN NOT TO SCALE



PROPOSED LEASE AREA (15mX15m)



PIN 68146-0261 (LT)

PIN 68146-0343 (LT)

PIN 68146-0259 (LT)

PROPOSED HYDRO ROUTE

BROUSEVILLE ROAD

SKETCH SHOWING LEASE AREA OF  
**PART OF LOT 22  
CONCESSION 3**  
(GEOGRAPHIC TOWNSHIP OF EDWARDSBURGH)  
**TOWNSHIP OF EDWARDSBURGH/CARDINAL**  
UNITED COUNTIES OF LEEDS AND GRENVILLE

ADDRESS:  
2124 BROUSEVILLE ROAD  
SPENCERVILLE ON  
K0E 1X0

SCALE 1:2000

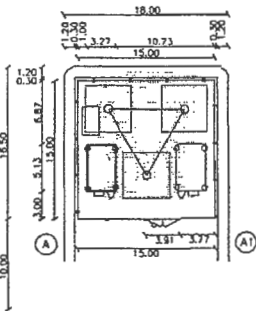


J.D. BARNES LIMITED

PROPOSED STRUCTURES:  
65m STEEL SELF SUPPORT TOWER  
COMPOUND (15mX15m)

TOWER:  
LATITUDE NAD83: N 44° 48' 8.6"  
LONGITUDE NAD83: W 75° 29' 11.8"  
ELEVATION: ±85m

TYPICAL COMPOUND LAYOUT PLAN SCALE 1:500



**J.D. BARNES LIMITED**  
LAND INFORMATION SPECIALISTS  
140 RENFREW DRIVE SUITE 100 MARKHAM ON L3R 6B3  
T: (905) 477-3600 F: (905) 477-3882 www.jdbarnes.com

DRAWN BY: JY	CHECKED BY: MF	REFERENCE NO: 17-15-130-01
DATED: 01/18/2019		FILED: 17-15-130-01 (Drawing) SNC0096-2124Brouseville-Sketch.dgn
PLOTTED: 1/18/2019		

**SCHEDULE "C"**  
**Site Plan Control Agreement**  
TO AGREEMENT EXECUTED THE 30 DAY OF April, 2019

1. ACCESS FACILITIES  
a) Access to the site will be via a private driveway owned and maintained by the owners, as per site plan forming Exhibit No.1 of Schedule "B".
2. FLOODLIGHTING  
a) Access driveways on the owner's land are to be illuminated to the requirements of the Chief Building Official.
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 No.1 of Schedule "B" to this Agreement.
5. ELEVATIONS  
a) As per Building Elevation Plans forming Exhibit No.1 of Schedule "B" to this Agreement.

## ACKNOWLEDGEMENT AND DIRECTION

**TO:** Stephen Ault  
(Insert lawyer's name)

**AND TO:** AULT & AULT  
(Insert firm name)

**RE:** Site Control Agreement ("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

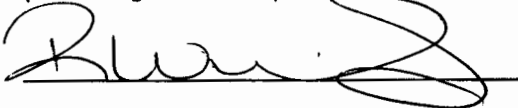
The Document(s) described in the Acknowledgement and Direction are the document(s) selected below which are attached hereto as "Document in Preparation" and are:

- ☐ 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, ON this 2 day of MAY, 2019.

**WITNESS**

(As to all signatures, if required)



\_\_\_\_\_  
THE CORPORATION OF THE TOWNSHIP OF  
EDWARDSBURGH/CARDINAL

  
\_\_\_\_\_  
PATRICK SAYEAU, MAYOR

  
\_\_\_\_\_  
DEBRA MCKINSTRY, CAO

\_\_\_\_\_  
WE HAVE AUTHORITY TO BIND THE CORPORATION



**Properties**

PIN 68146 - 0260 LT  
Description PT LT 21-22 CON 3 EDWARDSBURGH AS IN PR124022; TOWNSHIP OF EDWARDSBURGH/CARDINAL  
Address 2124 BROUSEVILLE RD  
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

Name THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL  
Acting as a company  
Address for Service 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

PIN68146 - 0260    LT

DescriptionPT LT 21-22 CON 3 EDWARDSBURGH AS IN PR124022; TOWNSHIP OF EDWARDSBURGH/CARDINAL

Address2124 BROUSEVILLE RD  
SPENCERVILLE

Consideration

Consideration\$0.00

Applicant(s)

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NameTHE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL

Address for Service18 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

Signed By

Carolyn Marie Hedge

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

acting for  
Applicant(s)

Signed2019 05 08

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 05 08

Tel613-774-2670

Fax613-774-2266

Fees/Taxes/Payment

Statutory Registration Fee\$64.40

Total Paid\$64.40