

CORPORATION OF THE TOWN OF RENFREW
BY-LAW NO. 70-2017

Being a By-law to authorize the Mayor and Clerk to execute an amendment to the Site Plan Agreement with 4173015 Canada Inc. (RioCan Renfrew Centre) in relation to the property located at 648 O'Brien Road.

WHEREAS Section 41 of the Planning Act, R.S.O. 1990, CHAPTER P.13, permits municipalities to pass by-laws to designate the whole or any part of the area covered by the Official Plan as a Site Plan Control Area; and

WHEREAS the Town of Renfrew has an approved Official Plan; and

WHEREAS Council enacted By-law No. 45-85, being a Site Plan Control Area By-law to regulate development such as that proposed by 4173015 Canada Inc.

NOW THEREFORE the Council of the Corporation of the Town of Renfrew enacts as follows:


1. THAT the Mayor and Clerk be authorized to execute a Site Plan Agreement with 4173015 Canada Inc. in relation to the property 648 O'Brien Road, subject to final approval by the Department of Development and Works.
2. THAT this By-law shall take effect and come into force immediately upon the passage thereof.

Read a first and second time this 10th day of October, 2017.

Read a third and final time this 10th day of October, 2017.



Don Eady, Mayor



Kim R. Bulmer, Clerk



**SITE PLAN AMENDMENT
AGREEMENT**

648 O'BRIEN ROAD

BETWEEN

4173015 CANADA INC.

AND

**THE CORPORATION OF THE
TOWN OF RENFREW**

OCTOBER 2017

THIS AGREEMENT MADE IN QUADRUPPLICATE,

BETWEEN: 4173015 CANADA INC

HEREINAFTER CALLED THE "OWNER"
OF THE FIRST PART

AND: THE CORPORATION OF THE TOWN OF RENFREW

HEREINAFTER CALLED THE "TOWN"
OF THE SECOND PART

WHEREAS RIOCAN Real Estate Investment Trust and the Corporation of the Town of Renfrew entered into a Site Plan Agreement dated the 18th day of August, 2008 and registered the 27th day of January, 2009 under Instrument Number RE99961;

AND WHEREAS 4173015 is the Owner of the land described in Schedule "B" annexed hereto;

AND WHEREAS the parties hereto agree to further amend the said Site Plan Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of one dollar (\$1.00) of lawful money of Canada paid by the Corporation of the Town of Renfrew to the Owner, the receipt whereof is hereby acknowledged by the Owner, the Owner and the Town agree as follows:

1. Instrument Number RE99961 shall be amended in that the following sections shall be added to the Site Plan Agreement:
 - "16. *The Owner agrees that the hours of operation for the loading dock of Building D1 shall be limited to daytime hours (7:00 to 19:00).*"
2. Section 3. under the Site Plan Agreement registered under Instrument Number RE99961 shall be replaced by the following:
 - "b) *The Owner undertakes, covenants and agrees to construct the building(s) and services and to maintain the subject lands in conformity with Schedule(s)"D" through "L" attached hereto.*"
3. Schedule "L" annexed hereto shall be added to the Site Plan Agreement (Instrument Number RE99961).
4. Schedule "C" in the original Site Plan Agreement (Instrument Number RE99961) shall be amended by adding the following:

"FINANCIAL REQUIREMENTS FOR BUILDING D1

The Owner shall deposit with the Town cash, certified cheque or letter of credit equal to one hundred percent (100%) of the estimated cost of the Work for Building D set out below. The said deposit to be submitted is in the amount of \$39,680.00 and based on the following estimates relevant to Schedules "L".

Site Works of Building D1

Site Plan Securites Template				
Item	Quantity	Unit	Cost	Total
SECTION A - Earthworks				
Remove Asphalt	690	m2	\$ 4.00	\$ 2,760.00
Fill below building	461	m2	\$ 20.00	\$ 9,220.00
				\$ -
TOTAL SECTION A - Earthworks				\$ 11,980.00
SECTION B - Watermain				
				\$ -
8" water line	7	m	\$200.00	\$ 1,400.00
				\$ -
TOTAL SECTION B - Watermain				\$ 1,400.00
SECTION C - Sanitary Sewer				
One new manhole	1	each	\$3,500.00	\$ 3,500.00
				\$ -
TOTAL SECTION C - Sanitary Sewer				\$ 3,500.00
SECTION D - Storm Sewer				
				\$ -
Remove catch basin	1	each	\$ 500.00	\$ 500.00
				\$ -
TOTAL SECTION D - Storm Sewer				\$ 500.00
SECTION E - Roadways				
				\$ -
Asphalt repair around building	230	m2	\$ 10.00	\$ 2,300.00
				\$ -
TOTAL SECTION E - Roadways				\$ 2,300.00
SECTION F - Landscaping				
				\$ -
N/A				\$ -
				\$ -
TOTAL - SECTION F - Landscaping				\$ -
SECTION G - Electrical				
				\$ -
N/A				\$ -
				\$ -
TOTAL - SECTION G - Electrical				\$ -
SECTION H - Miscellaneous				
				\$ -
Noise wall		lump sum	\$ 20,000.00	\$ 20,000.00
				\$ -
TOTAL - SECTION H - Miscellaneous				\$ 20,000.00
SUB-TOTAL				\$ 39,680.00
As-Built Holdback				\$ 1,984.00

IN WITNESS WHEREOF the Owner hereunto set his Hand and Seal or affixed its Seal duly attested to by its proper officers in that behalf.

DATED AT THE RENFREW ^{TOWN OF} ~~OCTOBER~~ THIS 24TH DAY OF OCTOBER, 2017.

SIGNED, SEALED AND DELIVERED in the presence of:

4173015 CANADA INC.



Per:
Title: John Ballantyne
SVP, Asset Management

Per:
Title:

"We have the authority to bind the Corporation"

DATED AT THE TOWN OF RENFREW THIS 31ST DAY OF OCTOBER, 2017.

SIGNED, SEALED AND DELIVERED in the presence of:

THE CORPORATION OF THE TOWN OF RENFREW


Don Eady, Mayor
Kim R. Bulmer, Clerk

SCHEDULE "B"

DESCRIPTION OF THE LANDS TO WHICH THIS AGREEMENT APPLIES

PIN 57611 - 0399 LT

Description PT LOT 10 CON 3 HORTON, PTS 2, 7 & 8, 49R15636; TOWN OF RENFREW

PIN 57611 - 0360 LT

Description PART OF LOT 10 CONCESSION 3, HORTON, PARTS 3, 5 & 6, 49R15636; TOWN OF RENFREW

SCHEDULE "L"**PLANS**

The following plans/drawings apply to this Site Plan Agreement and, except with the authorization of the Director of the Department of Development and Works, the development of the lands, the construction of all Works shall occur in accordance with these plans/drawings:

The following approved plans shall be deemed to form part of Schedule "B" of this agreement:

Plans:

Drawing No.	Drawing Description	Prepared by	Current Revision Date DD/MM/YYYY
Giant Tiger – Renfrew Store No. 12 Proposed Addition	Site Plan	Tony Gardynik Architects Inc.	10/10/2017
Giant Tiger – Renfrew Store No. 12 Proposed Addition & Renovation	Site Servicing Plan	Jasel Engineering Inc.	11/10/2017

The original plans can be viewed at the Corporation of the Town of Renfrew at the following address: 127 Raglan Street South, Renfrew, Ontario, K7V 1P8

Properties

PIN 57611 - 0399 LT
Description PT LT 10 CON 3 HORTON, PTS 2, 7 & 8, 49R15636; TOWN OF RENFREW
Address RENFREW

PIN 57611 - 0360 LT
Description PART LOT 10 CONCESSION 3, HORTON, PARTS 3, 4, 5 & 6, 49R15636; RENFREW. SUBJECT TO AN EASEMENT IN FAVOUR OF THE CORPORATION OF THE TOWN OF RENFREW OVER PART 4 PLAN 49R15636 AS IN LT14233.
Address RENFREW

Consideration

Consideration \$2.00

Applicant(s)

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

Name 4173015 CANADA INC.
Address for Service RioCan Yonge Eglinton Centre
2300 Yonge Street, Suite 500
Box 2386
Toronto, Ontario
M4P 1E4

I, John Ballantyne, S.V.P. Asset Management, have the authority to bind the corporation.
This document is not authorized under Power of Attorney by this party.

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, RE99961 registered on 2009/01/27 to which this notice relates is deleted
This notice is for an indeterminate period
Schedule: See Schedules
This document relates to registration number(s)RE99961

Signed By

Joel Dennis Farber 77 King Street West Suite 3000 PO acting for Signed 2017 11 10
Box 95 TD Centre Applicant(s)
Toronto
M5K 1G8

Tel 416-864-9700
Fax 416-941-8852

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

Submitted By

FOGLER, RUBINOFF LLP 77 King Street West Suite 3000 PO 2017 11 10
Box 95 TD Centre
Toronto
M5K 1G8

Tel 416-864-9700
Fax 416-941-8852

Fees/Taxes/Payment

Statutory Registration Fee \$63.65
Total Paid \$63.65

The applicant(s) hereby applies to the Land Registrar.

File Number

Applicant Client File Number : 05/5313



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LAND
REGISTRY
OFFICE #49

57611-0360 (LT)

PAGE 1 OF 2
PREPARED FOR Farber123
ON 2017/11/10 AT 13:15:49

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PROPERTY DESCRIPTION:

PART LOT 10 CONCESSION 3, HORIZON, PARTS 3, 4, 5 & 6, 49R15636; RENFREW. SUBJECT TO AN EASEMENT IN FAVOUR OF THE CORPORATION OF THE TOWN OF RENFREW OVER PART 4 PLAN 49R15636 AS IN LT14233.

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
DIVISION FROM 57611-0339

PIN CREATION DATE:
2002/10/23

OWNERS' NAMES
4173015 CANADA INC.

CAPACITY SHARE
NC

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHRD
** PRINTOUT		INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **				
** SUBJECT,		ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:				
**		SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *				
**		AND ESCHEATS OR FOREFEITURE TO THE CROWN.				
**		THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF				
**		IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY				
**		CONVENTION.				
**		ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.				
** DATE OF CONVERSION TO		LAND TITLES: 1998/07/13 **				
49R10406	1990/12/20	PLAN REFERENCE				C
49R14363	2000/04/03	PLAN REFERENCE				C
LT14233	2000/04/20	TRANSFER EASEMENT	\$2	J & T SCHWARZKOPF HOLDINGS INC.	CORPORATION OF THE TOWN OF RENFREW	C
		CORRECTIONS: 'TRANSFER' CHANGED FROM 'CORPORATION OF THE TOWN OF RENFREW' TO 'CORPORATION OF THE TOWN OF RENFREW' ON 2000/05/03 BY MARGARET O'BRIEN.				
49R14732	2001/08/17	PLAN REFERENCE				C
49R15636	2004/12/03	PLAN REFERENCE				C
		REMARKS: Pt 4 S/T LT14233				
RE29843	2004/12/16	NOTICE	\$2	LOBLAW PROPERTIES LIMITED	1415092 ONTARIO INC.	C
RE30004	2004/12/20	NOTICE	\$2	RIOCAN HOLDINGS INC.	LOBLAW PROPERTIES LIMITED	C
RE30519	2005/01/10	TRANSFER		RIOCAN HOLDINGS INC.	4173015 CANADA INC.	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.



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57611-0360 (LF)

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 2 OF 2
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ON 2017/11/10 AT 13:15:49

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
RE50216	2006/03/17	BYLAW		THE CORPORATION OF THE TOWN OF RENFERW		C
		REMARKS: BY-LAW 2-2006 TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE AN AGT WITH RIOCAN HOLDINGS INC. RELATING TO PHASE 1 OF THE DEVELOPMENT OF A NEW RETAIL FACILITY AT 640 O'BRIEN RD, PT LT 10, CON 3, PTS 2, 3, 4, 5, 6, 7, 8, 49R-15636				
RE64789	2007/01/22	NOTICE OF LEASE		4173015 CANADA INC.	REITMANS (CANADA) LIMITED	C
RE83117	2008/02/05	BYLAW		THE CORPORATION OF THE TOWN OF RENFERW		C
		REMARKS: BY-LAW 58-2007 TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH RIOCAN HOLDINGS INC., RELATING TO PHASE 2 OF THE DEVELOPMENT OF A NEW RETAIL BUILDING AT 646 O'BRIEN ROAD, PT LT 10, CON 3, DESC. AS PTS 2, 3, 5, 6, 7, 8, 49R15636				
RE84381	2008/03/11	NOTICE OF LEASE		4173015 CANADA INC.	PIZZA PIZZA LIMITED	C
RE99961	2009/01/27	BYLAW		THE CORPORATION OF THE TOWN OF RENFERW		C
		REMARKS: BY-LAW 30-2008 TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH RIOCAN REAL ESTATE INVESTMENTS TRUST RELATING TO PHASE 3 OF THE DEVELOPMENT OF A NEW RETAIL FACILITY, BUILDING D AT 640 O'BRIEN ROAD (PART OF LT 10, CON 3, DESC. IN AS PTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 49R15636)				
RE226282	2017/11/10	NOTICE	\$2	4173015 CANADA INC.		

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57611-0399 (LT)

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 1 OF 2
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* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 10 CON 3 HORTON, PTS 2, 7 & 8, 49R15636; TOWN OF RENFERM

PROPERTY REMARKS: PLANNING ACT CONSENT ON RE30003.

ESTATE/QUALIFIER: RECENTLY:

FEE SIMPLE DIVISION FROM 57611-0349

FIN CREATION DATE:
2004/12/31

LT CONVERSION QUALIFIED

OWNERS' NAMES CAPACITY SHARE
4173015 CANADA INC. NC

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHRD
**	PRINTOUT	INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED)	**			
**	SUBJECT,	ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO				
**		SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *				
**		AND ESCHEATS OR FOREFEITURE TO THE CROWN.				
**		THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF				
**		IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY				
**		CONVENTION.				
**		ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.				
**	DATE OF CONVERSION TO LAND TITLES:	1998/07/13 **				
LT27244	2001/06/15	BYLAW		THE CORPORATION OF THE TOWN OF RENFERM	THE DEVELOPMENT OF PT LT 10, CON 3,	C
		REMARKS: 37-2000 A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH 1415092 ONTARIO INC. FOR THE				
		PT 1, 49R14294, KNOWN AS 780 O'BRIEN ROAD (TIN HORTON'S).				
LT29346	2001/08/03	NOTICE OF LEASE	\$1	1415092 ONTARIO INC.	THE TDL GROUP LTD.	C
		REMARKS: NOTICE OF LEASE				
RE24108	2004/08/17	BYLAW		THE CORPORATION OF THE TOWN OF RENFERM	TO THE DEVELOPMENT OF A NEW	C
		REMARKS: 35-2004 A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE AN AGT WITH LOBLAW PROPERTIES LIMITED RELATING				
		RETAIL FACILITY AT 680 O'BRIEN RD. PT LT 10, CON 3, PT				
		1, 49R14294, EXCEPT PT 1, 49R15487				
49R15636	2004/12/03	PLAN REFERENCE				C
		REMARKS: PT 4 S/T LT14233				
RE30004	2004/12/20	NOTICE	\$2	RIOCAN HOLDINGS INC.	LOBLAW PROPERTIES LIMITED	C
		REMARKS: NOTICE				
RE30519	2005/01/10	TRANSFER		RIOCAN HOLDINGS INC.	4173015 CANADA INC.	C
		REMARKS: TRANSFER				
RE50216	2006/03/17	BYLAW		THE CORPORATION OF THE TOWN OF RENFERM		C

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57611-0399 (LT)

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REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
RE64789	2007/01/22	NOTICE OF LEASE	4173015 CANADA INC.		REITMANS (CANADA) LIMITED	C
RE83117	2008/02/05	BYLAW		THE CORPORATION OF THE TOWN OF RENFREW		C
RE84381	2008/03/11	NOTICE OF LEASE	4173015 CANADA INC.		PIZZA PIZZA LIMITED	C
RE99361	2009/01/27	BYLAW		THE CORPORATION OF THE TOWN OF RENFREW		C
RE145367	2011/11/15	LR'S ORDER		LAND REGISTRAR, LRO #49		C
RE226282	2017/11/10	NOTICE	\$2	4173015 CANADA INC.		C

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