

THIS AGREEMENT MADE THIS _____ DAY OF _____, 2024

BETWEEN: THE TOWN OF RIVERVIEW, a municipal corporation,
incorporated under the Legislative Assembly of the Province of New Brunswick
and located at 30 Honour House Court, Riverview, County of Albert, Province
of New Brunswick, E1B 3Y9,

hereinafter called the “Town” Of the First Part;

-and-

Corey Craig Enterprises, 713 Main Street, 2nd Floor, Moncton, NB E1C 1E3

hereinafter called the “Proponent” Of the Second Part

WHEREAS the Proponent has applied to redesignate the properties on Hillsborough Road bearing PIDs 05009949 and 00642736 from CU – Community Use to C - Commercial, and to rezone said properties from OS – Open Space to SC – Suburban Commercial in order to permit a drive-thru restaurant, service station, and future commercial development;

AND WHEREAS the Planning Advisory Committee has recommended that the Town rezone said property in accordance with, and subject to the provisions contained in section 59 of the *Community Planning Act*, and subject to certain terms and conditions herein set forth;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Proponent’s Covenants

The Proponent covenants and agrees to develop the lands in compliance with the following terms and conditions:

- a) That the first building, including the drive-thru restaurant, service station, and future expansion, be developed in substantial conformity with the site plan dated January 2024, attached hereto as Schedule B;
- b) That the permitted main uses of the property shall be limited to the following:
 - a. Bank or financial institution;
 - b. Brewery, distillery or winery;
 - c. Car wash, subject to conditional use approval;
 - d. Daycare centre;
 - e. Entertainment use;
 - f. Office use;
 - g. Personal service shop;
 - h. Pet service use;
 - i. Recreational use;
 - j. Restaurant;
 - k. Restaurant, including drive thru subject to conditional use approval;
 - l. Retail store;
 - m. Service station subject to conditional use approval; and
 - n. Veterinary clinic
- c) That nothing shall prohibit the proponent from applying for a variance under section 55 of the *Community Planning Act* for zoning provisions that are not addressed within the scope of this agreement; and
- d) That as-built drawings for engineering submissions shall be required within 30 days after construction of each building.

2. The Town’s Covenants

The Town covenants with the Proponent as follows:

- a) That the Town will undertake to carry out all necessary procedures to ensure that modifications to the zoning map shall conform with the attached Schedule A-13 subject to the terms herein contained and for the purposes stated herein.

3. Notices

Any notices under this agreement shall be sufficiently given by personal delivery by registered mail, postage prepaid, and mailed in a Canadian Post Office, addressed:

Proponent	Town
JAMIE SMITH COREY CRAIG ENTERPRISES 713 MAIN STREET, 2 ND FLOOR MONCTON, NB E1C 1E3	TOWN OF RIVERVIEW ATTN: TOWN CLERK 30 HONOUR HOUSE COURT RIVERVIEW, NB E1B 3Y9

4. The Proponent acknowledges and agrees that notwithstanding anything contained herein, the approval of the Town to the amendment to the zoning of the land is wholly conditional upon compliance by the Proponent with the terms and conditions herein, and further shall be of no effect until the zoning amendment is perfected pursuant to subsection 59(2) of the *Community Planning Act* of New Brunswick.

5. **Successors**

THIS AGREEMENT enures to the benefit of, and binds the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF the Town and the Proponent have caused their authorized officers and themselves to execute this agreement and to affix their seals, the day and year first above written;

SIGNED, SEALED AND DELIVERED

THE TOWN OF RIVERVIEW

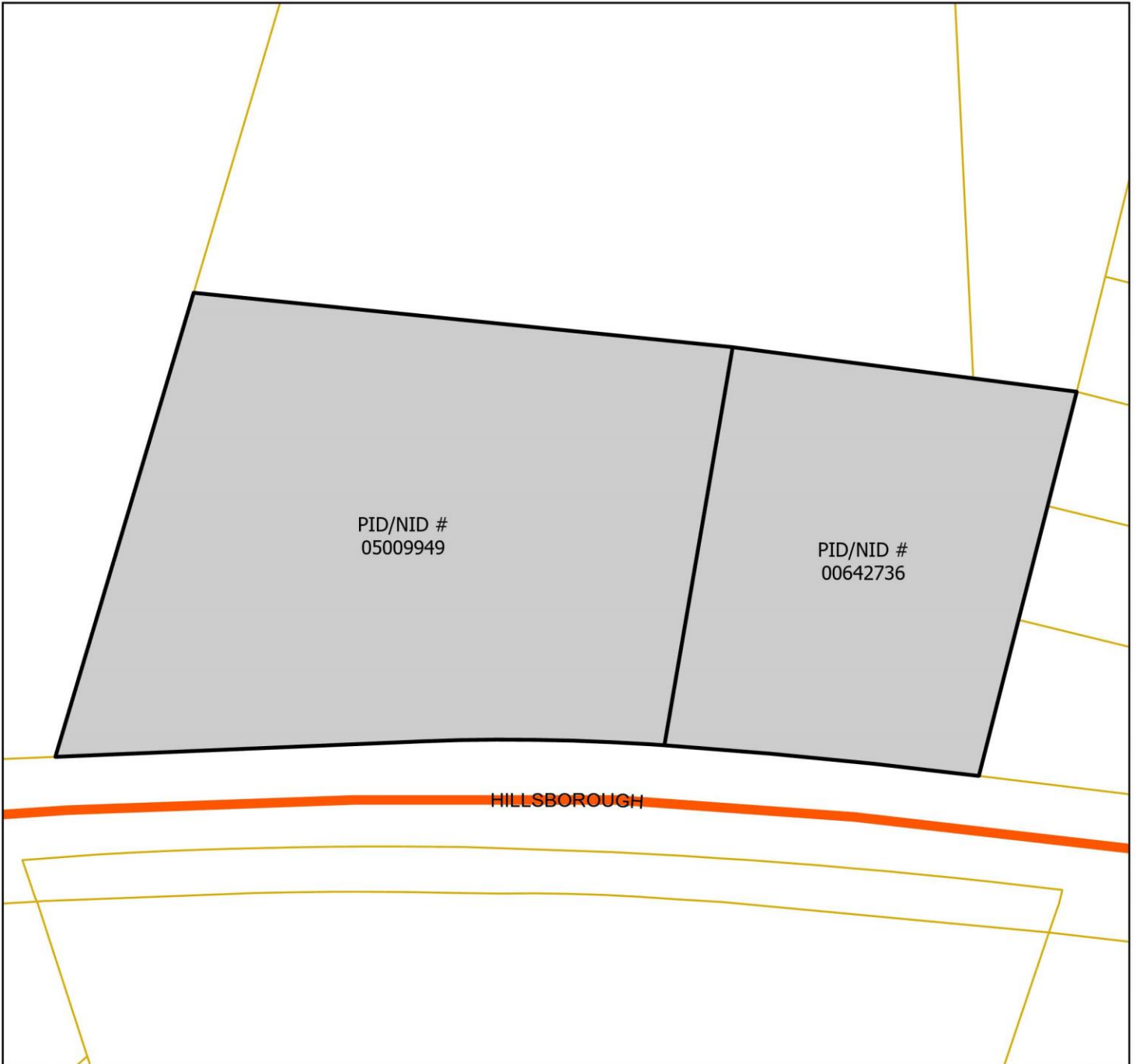
MAYOR

CLERK

PROPONENT

JAMIE SMITH
COREY CRAIG ENTERPRISES

Schedule / Annexe A-14
Riverview
ZONING MAP / CARTE DE ZONAGE
Date: 2/14/2024



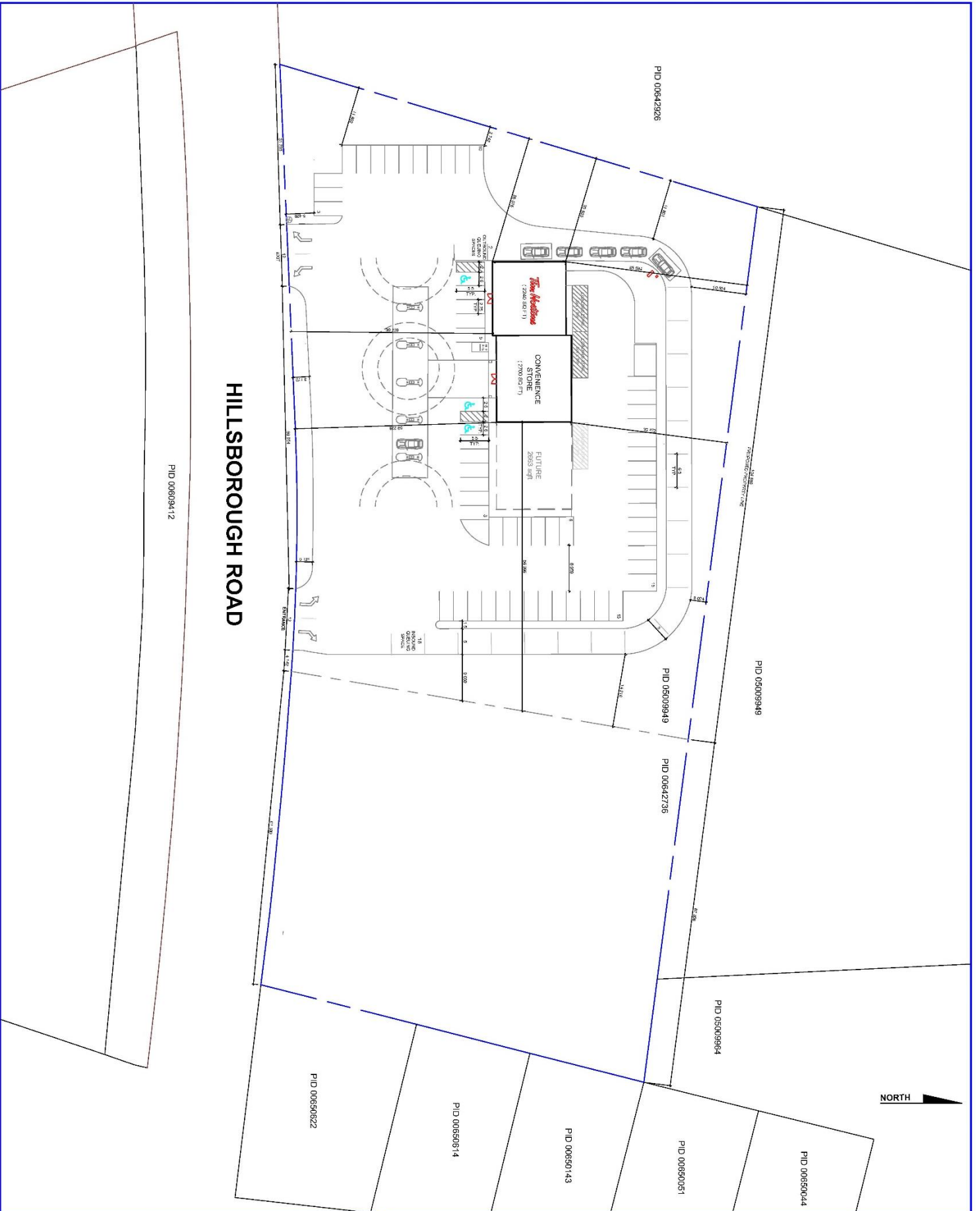
Legend

 Schedule A-14 - Rezone from OS - Open Space to SC - Suburban Commercial



0 15 30 m

SCHEDULE B



HILLSBOROUGH ROAD

PID 00609412

		PROJECT EAST RIVERVIEW DEVELOPMENT Hillsborough Road Riverview NB	
PRELIMINARY SITE PLAN			
SCALE : NTS DATE : JAN 2024	DRAWN BY : MP FILE NAME : HILLSBOROUGH RD DEV SITE PLAN	CHECKED BY : JR	DWG NO : C1