

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-

Ashish Goel, 13851524 Canada Inc., 23 David Court, Dieppe, NB E1A 0J7

hereinafter called the “Proponent” Of the Second Part

WHEREAS the Proponent has applied to rezone the property on Cleveland Avenue bearing PID 05121330 from SC – Suburban Commercial to CM – Commercial Mix in order to permit two six storey multi-unit buildings;

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 development shall be in general conformity with the site plan and building elevations attached as Schedules A-15-1 and A-15-2;
- b) That notwithstanding Table 12.3, the maximum height of the buildings shall be permitted to be a maximum of 21m, but shall not exceed six storeys;
- c) That notwithstanding the Schedule D parking requirements, the minimum parking ratio shall be 1.1 spaces per unit;
- d) That notwithstanding section 91(2)(b) of the zoning by-law, no landscaping buffer shall be required along the northern property boundary;
- e) That notwithstanding section 91(4)(b) of the zoning by-law, a 36.45% parking lot coverage shall be permitted;
- f) 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
- g) 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
ASHISH GOEL 13851524 CANADA INC. 23 DAVID COURT.	TOWN OF RIVERVIEW ATTN: TOWN CLERK 30 HONOUR HOUSE COURT

DIEPPE, NB E1A 0J7	RIVERVIEW, NB E1B 3Y9
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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

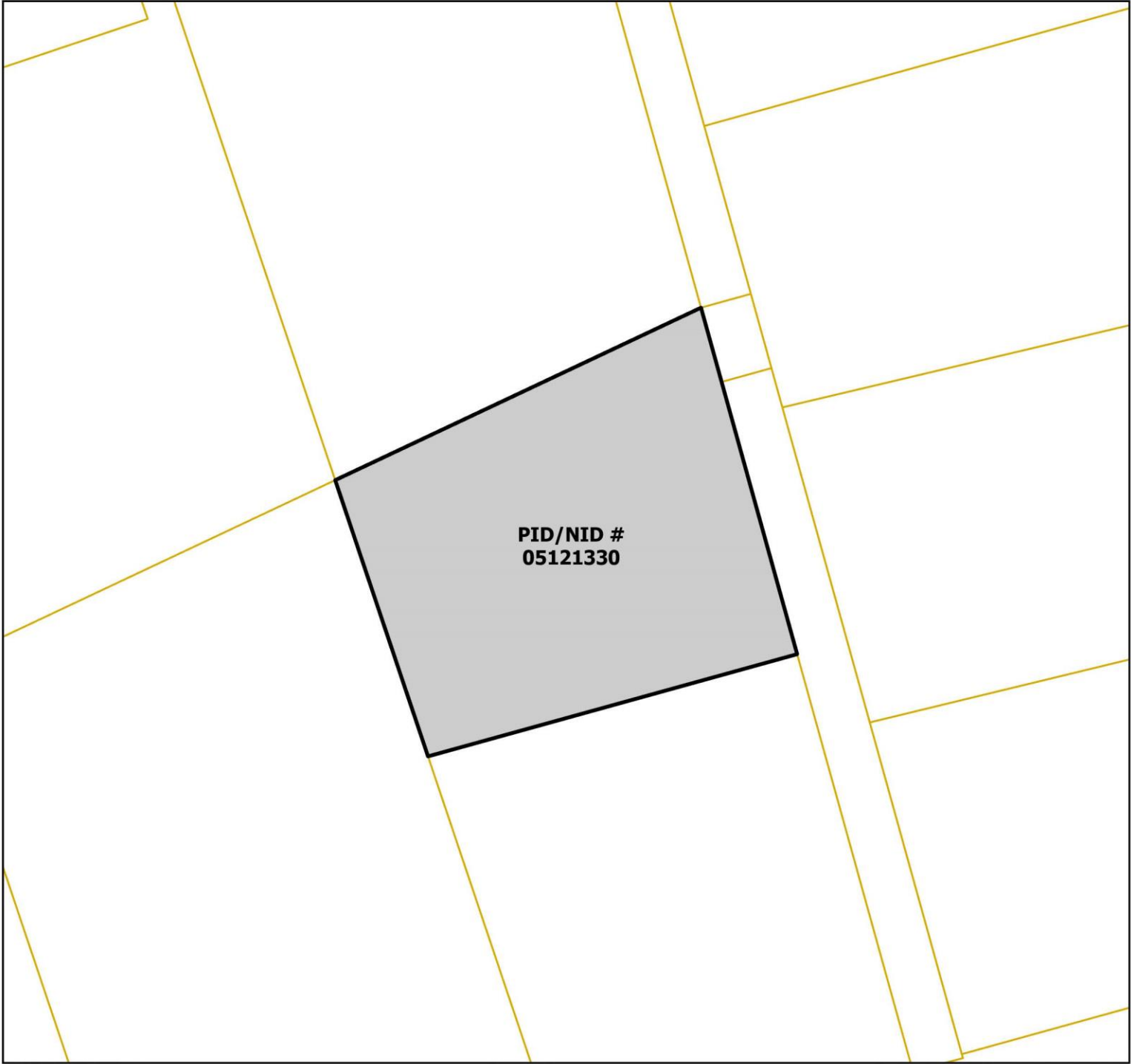
MAYOR

CLERK

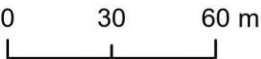
PROPONENT

ASHISH GOEL
13851524 CANADA INC.

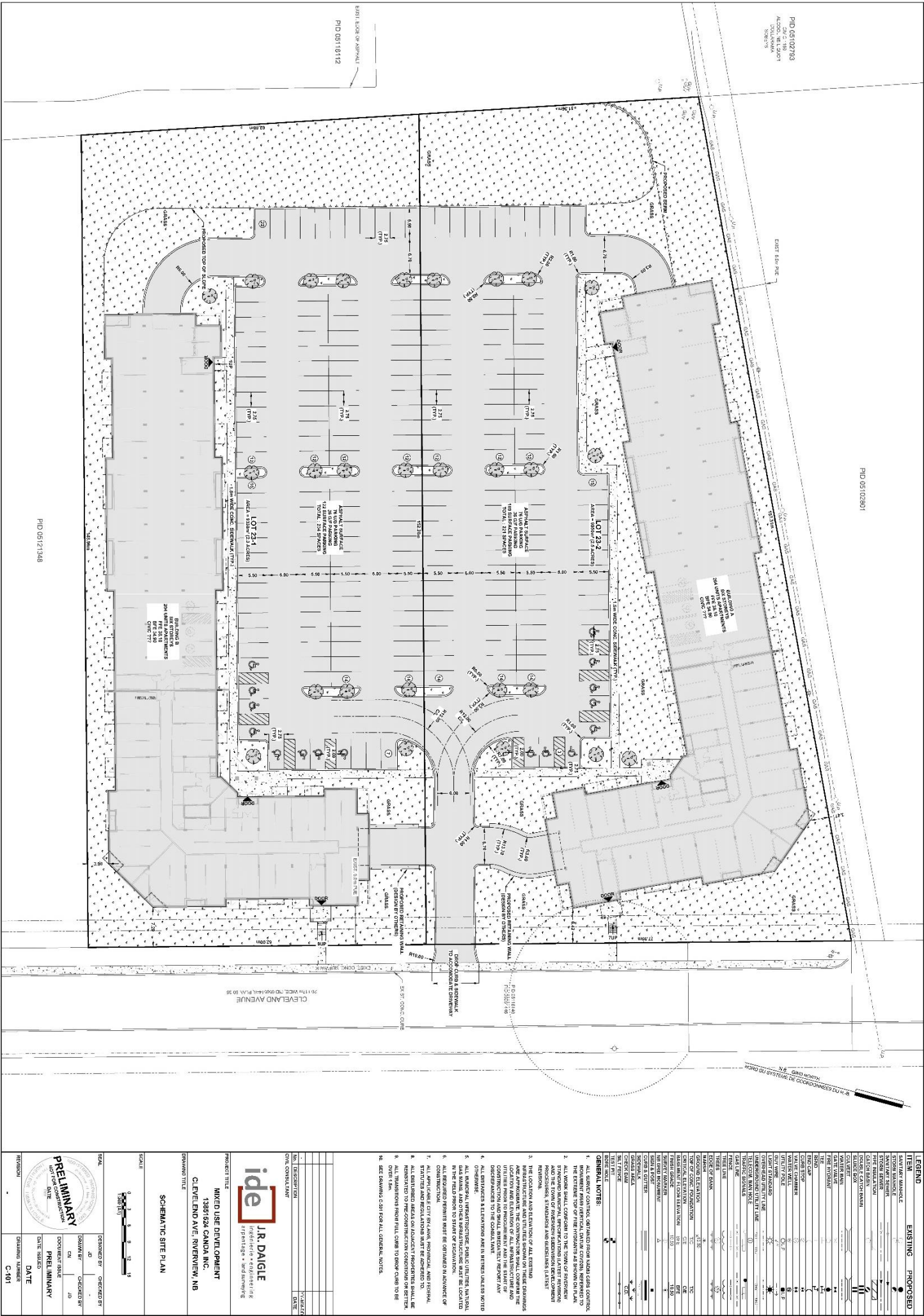
Schedule / Annexe A-15
Riverview
ZONING MAP / CARTE DE ZONAGE
Date: 2/14/2024



Legend
 Schedule A-15 - Rezone from SC - Suburban Commercial to CM - Commercial Mix



SCHEDULE A-15-1



2. WINDY HILL ROAD PROJECTS 23-04E - M.I.S. PRO 00121330 CLEVELAND AVE (SPTT) 23-04E - DESIGN - CAD 23-04E - PREL V7.2.WC - C-101 (CHANGED PLAN)

