

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2005-99

**A by-law authorizing the signing
of a Development Agreement.**

WHEREAS C & H Properties Inc. has proposed the development of property comprised of 67, 71, 75 and 77 Sandwich Street South for use as a drug store/medical clinic;

AND WHEREAS By-law 2005-59 provided for the execution of a Development Agreement for a drug store/medical clinic ;

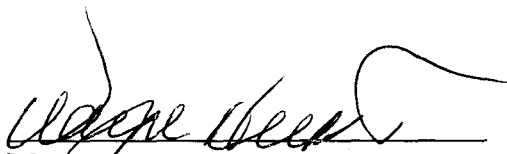
AND WHEREAS the Owner is requesting to amend the Development Agreement to allow for additional space in the medical clinic;

AND WHEREAS the Council of the Town of Amherstburg and Owner of the said property have agreed to the terms and conditions of an amending Agreement in the form annexed hereto;

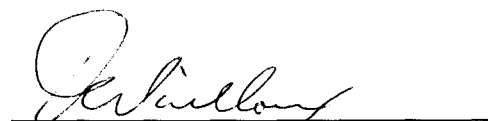
NOW THEREFORE the Council of the Corporation of the Town of Amherstburg Hereby Enacts as Follows:

1. That By-law 2005-59 is hereby amended in accordance with the attached agreement insofar as it relates to the Schedules referred to in the Agreement and attached thereto.
2. That all other provisions and regulations of By-law 2005-59 will apply.
3. This By-law shall come into force and effect on the date of final passage hereof.

Read a first, second and third time and finally passed this 28th day of November, 2005.



Mayor



Clerk

Certified to be a true copy of
By-law 2005-99 passed by the
Council of the Town of
Amherstburg on November 28, 2005.

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

Properties

PIN 70553 - 0109 LT
Description PT LT 15 E/S SANDWICH ST, 16 E/S SANDWICH ST, 17 E/S SANDWICH ST PL 6
AMHERSTBURG AS IN R975524; AMHERSTBURG
Address AMHERSTBURG

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 TOWN OF AMHERSTBURG
Address for Service 271 Sandwich St. S.
Amherstburg, Ontario

I, LORY BRATT, AMCT, PLANNING COORDINATOR, have the authority to bind the corporation.

This document is not authorized under Power of Attorney by this party.

Party To(s)

Capacity

Share

Name C&H PROPERTIES INC.
Address for Service C/O Agora Research Group
311 Westbridge Dr.
Kleinburg, Ont.

I, GERALD WILLIAMS, PRES., have the authority to bind the corporation

This document is not authorized under Power of Attorney by this party.

Statements

This notice is for an indeterminate period

Schedule: See Schedules

This document relates to registration no.(s)CE190311

Signed By

Armando Felice Antonio DeLuca 500-251 Goyeau Street acting for Applicant(s) Signed 2006 01 05
Windsor N9A 6V2
Tel 519-258-0615
Fax 5192586833

Submitted By

MOUSSEAU DELUCA 500-251 Goyeau Street 2006 01 05
MCPHERSON PRINCE Windsor N9A 6V2
Tel 519-258-0615
Fax 5192586833

Fees/Taxes/Payment

Statutory Registration Fee \$60.00
Tax Paid \$60.00

File Number

Applicant Client File Number : 23081

AMENDING DEVELOPMENT AGREEMENT

THIS AGREEMENT made in triplicate this 6 day of December 2005.

BETWEEN:

C & H Properties Inc.
hereinafter called "the Owner"
OF THE FIRST PART;

-and-

THE CORPORATION OF THE TOWN OF AMHERSTBURG
hereinafter called "the Corporation"
OF THE SECOND PART;

WHEREAS the lands affected by this Agreement are described in Schedule "A" attached hereto, and are hereinafter referred to as the "said lands".

AND WHEREAS the Owner warrants it is the registered owner of the said lands;

AND WHEREAS in this Agreement the "Owner" includes an individual, an association, a partnership or corporation and, wherever the singular is used therein, it shall be construed as including the plural;

AND WHEREAS the Official Plan in effect in Amherstburg designated parts of the area covered by the Official Plan as a Site Plan Control Area;

AND WHEREAS the Corporation passed By-law 2005-59 on June 27, 2005 providing for the execution of a Development Agreement for a drug store/medical clinic on the subject property;

AND WHEREAS the Owner is requesting to amend the Development Agreement to allow for additional space in the medical clinic;

NOW THEREFORE the Parties Hereto Agree To Amend The Agreement Dated June 27, 2005 as Follows:

1. Section 1 is hereby deleted and replaced with the following:

"The following Schedules, which are identified by the signatures of the parties to this Agreement, and which are attached hereto, are hereby made a part of this Agreement as fully and to all intents and purposes as though recited in full herein:

Schedule "A"- Legal description of the said lands
Schedule "B"- Site Plan/Landscaping Plan (revised)
Schedule "C"- Site Servicing Plan together with Stormwater Management Report (revised)
Schedule "D" – Grading Plan and Details (revised)
Schedule "E" - Elevations (revised)"

2. Section 4 is hereby replaced with the following:

"Schedule "C" hereto shows:

(a) Sanitary, Storm and Water Services together with the Stormwater Management Report dated November 4, 2005 prepared by Soscia Engineering Ltd."

3. In all other respects the said Development Agreement dated June 27, 2005 shall remain in full force and effect.

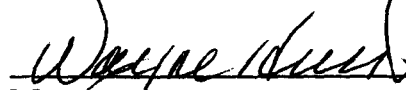
4. This agreement shall inure to the benefit of, and be binding upon the parties hereto, and their respective, heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Owner executed this Agreement.

OWNER: C & H Properties Inc.


Gerald Williams - President

THE CORPORATION OF THE
TOWN OF AMHERSTBURG


Mayor Wayne Hurst


Clerk David Mailloux

Authorized and approved by
By-law 2005-99 enacted the
28th day of November, 2005.

SCHEDULE "A"

The following is a description of the land to which this instrument applies:

**Part of Lots 15, 16 and 17,
E/S Sandwich Street South, Plan 6
67, 71, 75 and 77 Sandwich Street South
in the Town of Amherstburg,
County of Essex
Province of Ontario**

PIN 70553-0109

SANDWICH STREET

ALPINE CURRENT HEDGE WITH DENSE BUSHY PLANTS MINIMUM 18" HIGH - TYPICAL WHERE SHOWN

NOTE: CONCRETE SIDEWALK TO RUN CONTINUOUS THRU ASPHALT DRIVEWAY - TYPICAL 2 LOCATIONS

CITY BOULEVARD TO HAVE RED MAPLE TREES AT 50 FOOT CENTERS WITH MINIMUM 2 1/2" CALIFER AND CANOPY STARTING AT 6 FEET - TYPICAL ALONG SANDWICH STREET BOULEVARD

Sobey's Entrance

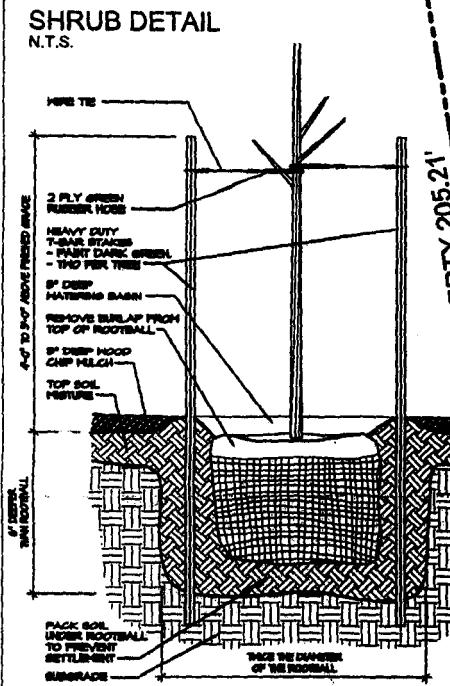
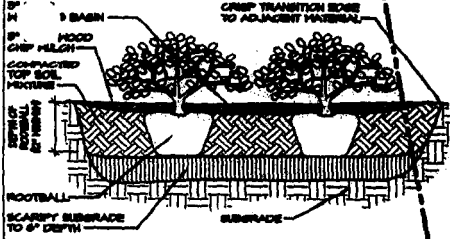
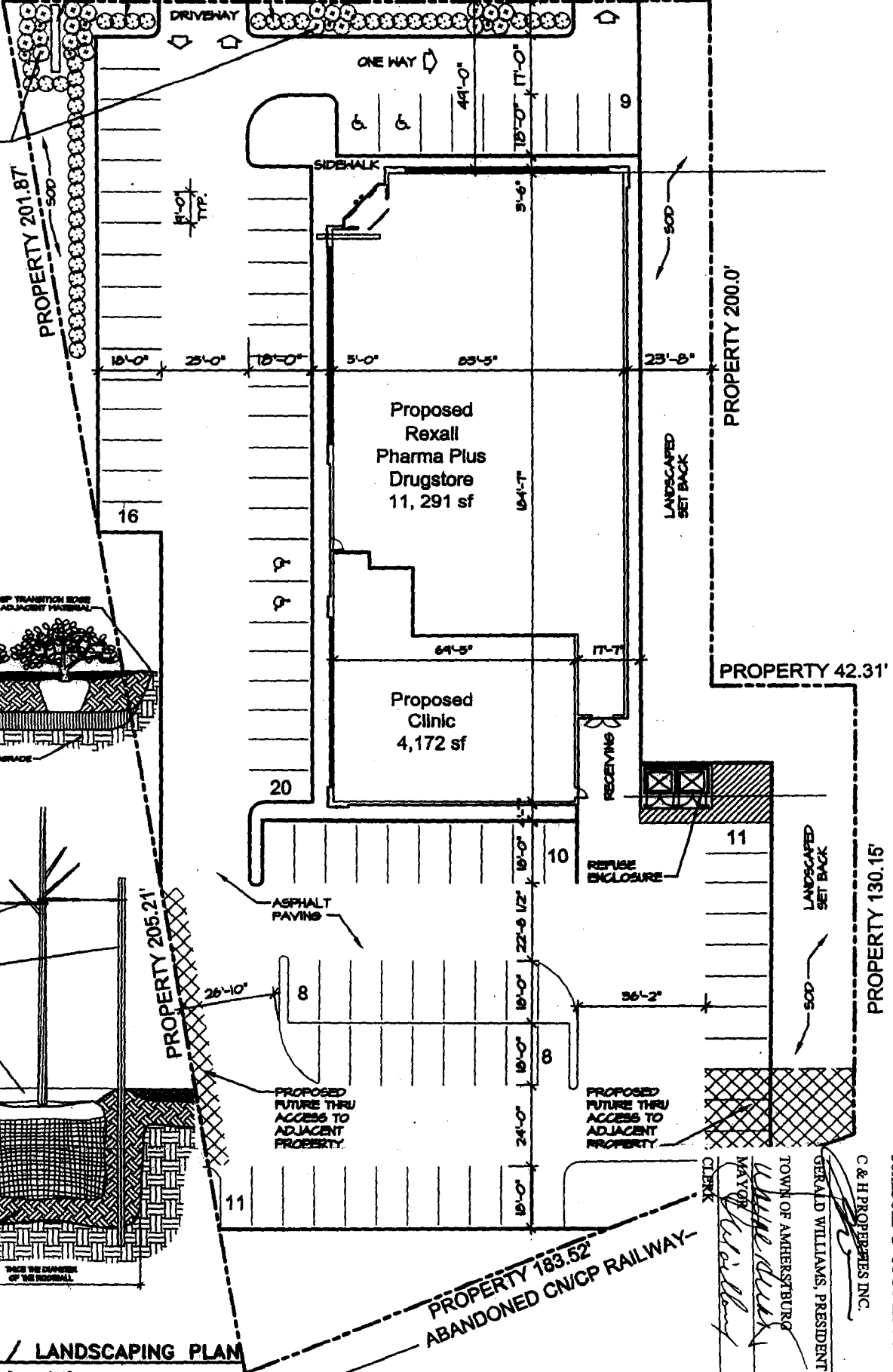
PROPOSED PYLON SIGN

PROPERTY 199.0'

DRIVEWAY

VARIEGATED LEAF OSMOOD BUSHES MINIMUM 24" HIGH DENSE BUSHY PLANTS - TYPICAL WHERE SHOWN

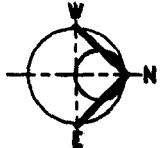
NOTE: DO NOT INSTALL SOD IN AREAS OF SHRUBS / HEDGES. INSTALL MINIMUM 5" DEPTH IN CLEAN WOOD CHIPS AROUND BASE OF SHRUBS / HEDGES - TYPICAL ALL LOCATIONS.



1 SITE / LANDSCAPING PLAN
A-1
SCALE: 1" = 30'-0"

Town of Amherstburg
Sandwich Street

October 25/05

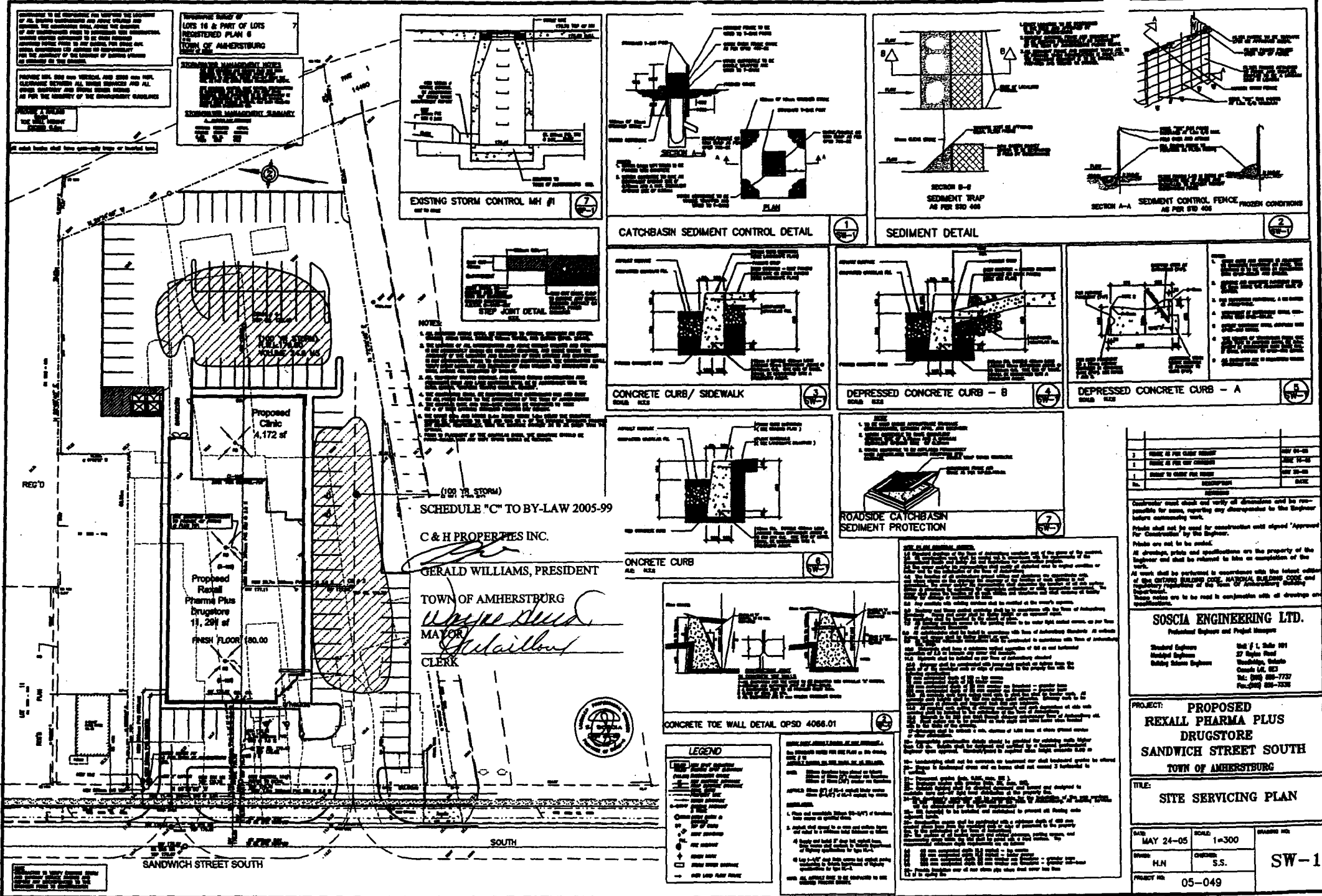


Site Data

Total Lot Area	67,825 sf (6,300.9 m2)
Total Building Area	15,463 sf (1,436.5 m2)
Total Building Height	Approx. 31' (9.4 m)
Total Parking Spaces	93 spaces

C & H PROPERTIES INC.
GERALD WILLIAMS, PRESIDENT
TOWN OF AMHERSTBURG
MAYOR
CLERK

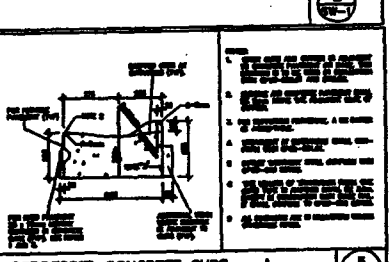
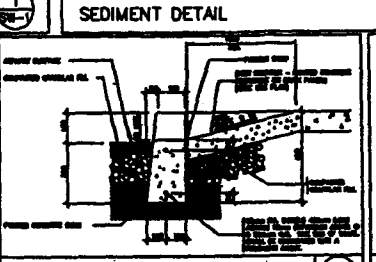
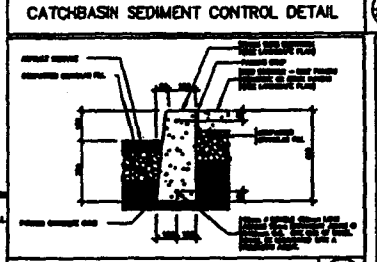
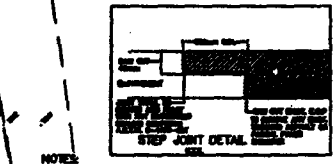
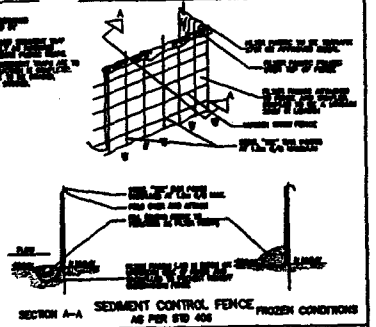
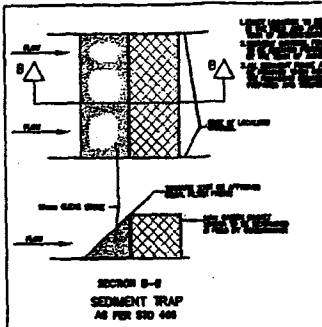
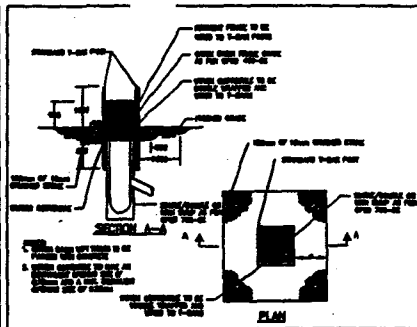
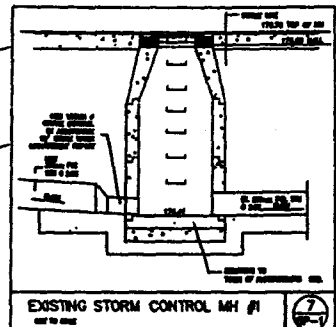
SCHEDULE "B" TO BY-LAW 2005-99



NOTICE TO BE OBSERVED ON THE PART OF ALL ENGINEERS AND ARCHITECTS AND ALL CONTRACTORS AND ALL OTHERS CONCERNED WITH THE DESIGN AND CONSTRUCTION OF THE WORK SHOWN ON THIS PLAN:

PROVIDE AND MAINTAIN AND KEEP OPEN FOR ALL SEASONING AND ALL OTHERS CONCERNED WITH THE DESIGN AND CONSTRUCTION OF THE WORK SHOWN ON THIS PLAN.

ENGINEERING MANAGEMENT SERVICES
ENGINEERING MANAGEMENT SERVICES
ENGINEERING MANAGEMENT SERVICES



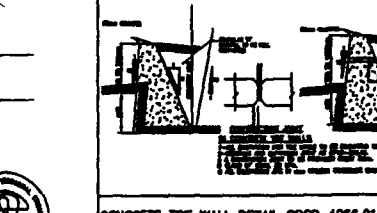
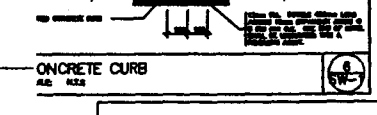
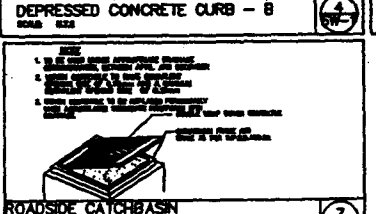
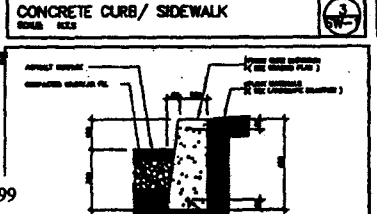
NOTES:

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE TOWN OF AMHERSTBURG STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE TOWN OF AMHERSTBURG STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
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SCHEDULE "C" TO BY-LAW 2005-99

C & H PROPERTIES INC.
GERALD WILLIAMS, PRESIDENT

TOWN OF AMHERSTBURG
MAYOR
CLERK



LEGEND

- 1. Proposed Building
- 2. Proposed Parking
- 3. Proposed Driveway
- 4. Proposed Stormwater Management
- 5. Proposed Sidewalk
- 6. Proposed Concrete Curb
- 7. Proposed Depressed Concrete Curb
- 8. Proposed Sediment Trap
- 9. Proposed Sediment Control Fence
- 10. Proposed Concrete Toe Wall

GENERAL NOTES:

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE TOWN OF AMHERSTBURG STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
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NO.	REVISION	DATE
1	ISSUE FOR PERMIT	MAY 24-05
2	ISSUE FOR PERMIT	MAY 24-05
3	ISSUE FOR PERMIT	MAY 24-05
4	ISSUE FOR PERMIT	MAY 24-05

SOSCIA ENGINEERING LTD.
 Professional Engineers and Project Managers

Standard Engineers: 27 Bay Street, Windsor, Ontario N9A 4E3
 Municipal Engineers: 27 Bay Street, Windsor, Ontario N9A 4E3
 Building Science Engineers: 27 Bay Street, Windsor, Ontario N9A 4E3

TEL: (519) 253-7727
 FAX: (519) 253-7728

PROJECT: PROPOSED
**REXALL PHARMA PLUS
 DRUGSTORE
 SANDWICH STREET SOUTH
 TOWN OF AMHERSTBURG**

TITLE: SITE SERVICING PLAN

DATE	SCALE	SHARING NO.
MAY 24-05	1=300	
DRAWN: H.N.	CHECKED: S.S.	SW-1
PROJECT NO.	05-049	

SOSCIA
ENGINEERING LTD.

PROFESSIONAL ENGINEERS & PROJECT MANAGERS

**STORMWATER MANAGEMENT REPORT
FOR**

**REXALL PHARAMA PLUS
TOWN OF AMHERSTBURG**

Nov 04, 2005

SCHEDULE "C" TO BY-LAW 2005-99 CONTINUED

27 ROYTEC ROAD, UNIT 1, STE 101, WOODBRIDGE, ONTARIO, L4L 8E3, TEL: (905) 856-7737, FAX: (905) 856-7338

SOSCIA
ENGINEERING LTD.

PROFESSIONAL ENGINEERS & PROJECT MANAGERS

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- 1.0 DESIGN CRITERIA
- 2.0 SITE DESCRIPTION
- 3.0 DETENTION VOLUME CALCULATION
- 4.0 ORIFICE CALCULATIONS
- 5.0 AVAILABLE DETENTION VOLUME
- 6.0 SUMMARY

APPENDIX

TABLE NO. 1

GRAPH NO. A

SOSCIA

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PROFESSIONAL ENGINEERS & PROJECT MANAGERS

STORMWATER MANAGEMENT REPORT FOR REXALL PHARAMA PLUS TOWN OF AMHERSTBURG

1.0 DESIGN CRITERIA

The stormwater drainage from the proposed development be controlled to a maximum release rate of a 5 year predevelopment flow (112.5 L/S) for all storm events. In accordance with this policy , all post-development flows from the subject site to the new control MH # 1 will be controlled .

Refer to Drawing SW-1. The proposed storm system as shown will route storm drainage from the parking area to the new MH # 1 via CBS

2.0 SITE DESCRIPTION

The subject property is bounded by sandwich street south to the west , existing residential to the north, CN rail to the east and existing commercial to the south , existing industrial to the south The site has an area of some 0.6312 hectare. At present, the site is vacant land (undeveloped).

Presently there are no existing underground storm sewer structures within the subject site.

On this basis the site description is as follows:

Post-DEVELOPMENT FLOW CONDITIONS:

Roof	=	1436.5 m2
Pavement / Walkway	=	3277.5 m2
Landscape area	=	1598 m2
Total Site Area	=	6312.0 m2

$$\begin{aligned} \text{Co-Efficient} &= \frac{(1436.5 \times 0.95) + (1598 \times 0.625) + (3277.5 \times 0.95)}{(6312)} \\ \text{(Post Development)} &= 0.87 \end{aligned}$$

3.0 DETENTION VOLUME CALCULATION

In accordance with the stormwater drainage criteria policies, excess runoff will be controlled on-site. The surface parking area generates much of the storm runoff from the subject development; in turn, it provides an opportunity for the necessary on-site storm-flow detention. This area will be served by gravity storm sewer system that will outfall to the new MH # 1. Hence existing drainage routes will be maintained.

In order to ensure that the total storm drainage to the existing system does not exceed the maximum release rate of 113.6 L/S, the new 150mm orifice control will be installed at the inlet pipe of MH # 1. This device will operate as a flow orifice and restrict all outflows up to the 100-Year post-development flow.

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PROFESSIONAL ENGINEERS & PROJECT MANAGERS

-2-

As result access runoff shall be therefore provided on the site pavement in the amount of 135.0 m³ for the 100-Year storm event as shown in appendix A. (refer to drawing SW-1.)

Allowable site runoff:

Pre-DEVELOPMENT FLOW CONDITIONS:

Roof & pavement	=	2278.0	m ²
Landscape area	=	4034	m ²
Total Site Area	=	6312.0	m ²

$$\begin{aligned} \text{Co-Efficient} &= \frac{(4034 \times 0.25) + (2278 \times 0.9)}{(6312)} \\ \text{(Post Development)} &= 0.48 \end{aligned}$$

$$Q_s = 137.7 \times 0.48 \times 0.613 \times 2.778$$

$$Q_s = 112.5 \text{ l/s}$$

$$\begin{aligned} \text{Required Site Storage}^* &= 100 \text{ year storage} - \text{Allowable Flow} \\ &= 87.5 \text{ m}^3 \end{aligned}$$

* Note: see table # 1 and Graph no. C in Appendix "A"

4.0 ORIFICE CONTROL CALCULATIONS:

Based on a H.W.L. of 179.60 and an orifice Control invert of 176.41 , the quantity control of the site can be achieved using the proposed 150 mm diameter pipe as an orifice control tube

" ORIFICE CALCULATIONS "

$$Q = C \times A (2gh)^{1/2}$$

Where: Q = Flow Discharge (l/s)

C = Orifice Co-Efficient (0.82)

A = Area of Orifice (m²)

g = Gravitational Constant (m/s²)

h = Difference in Elevation (100 yr. HWL - Orifice Elev.)

$$Q = 0.1125 \text{ m}^3/\text{s}$$

$$C = 0.82$$

$$A = \text{m}^2$$

$$g = 9.81 \text{ m/s}^2$$

$$h = 3.16 \text{ m}$$

$$0.1125 = 0.82 \times A (2 \times 9.81 \times 3.16)^{1/2}$$

$$A = 0.01759 \text{ m}^2 = 150 \text{ mm diameter}$$

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ENGINEERING LTD.

PROFESSIONAL ENGINEERS & PROJECT MANAGERS

-3-

5.0 AVAILABLE DETENTION VOLUME

Based on a high water level of 179.60 available stormwater detention has been located surrounding the catch basins No roof storage is being provided

Based on the results of Graph No. A required detention for the entire site is 87.5 m³ whereas, the site storage of 94.8 m³ has been provided.

6.0 SUMMARY:

The storm water management for this site has been premised around providing storm water management controlled to 180 l/s/ha.

As part of the site storm water requirements all post development storage is provided on depressed pavement area.

The total required stormwater storage required is 87.5 m³ whereas 94.8m³ is provided.

In conclusion, the post development flow from this development shall be controlled to the maximum release rate and in accordance with the requirements of the design criteria

PREPARED BY:

SOSCIA ENGINEERING LTD.

Sandro Soscia P. Eng.



SOSCIA
ENGINEERING LTD.

PROFESSIONAL ENGINEERS & PROJECT MANAGERS

" APPENDIX A "

27 ROYTEC ROAD, UNIT 1, STE 101, WOODBRIDGE, ONTARIO, L4L 8E3, TEL: (905) 856-7737, FAX: (905) 856-7338

SOSCIA
ENGINEERING LTD.

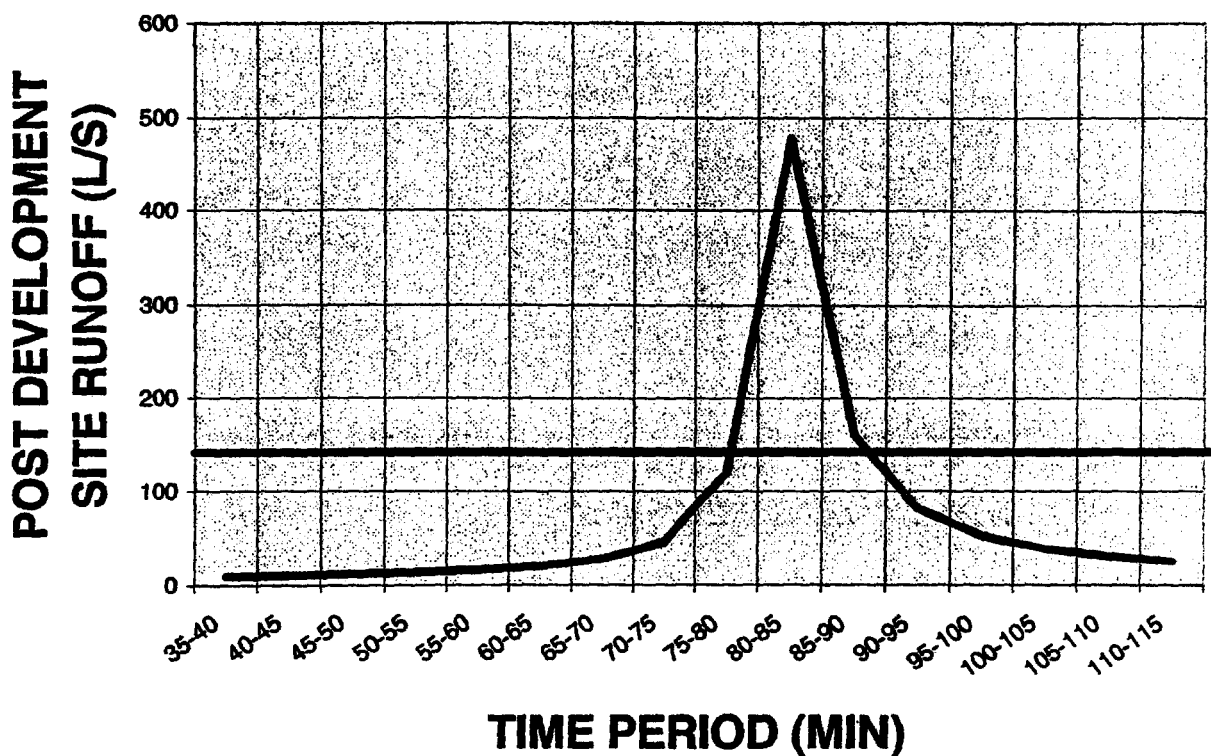
PROFESSIONAL ENGINEERS & PROJECT MANAGERS

TABLE NO.1

POST DEVELOPMENT FLOWS
100 YEAR STORM

TIME PERIOD (MIN)	INTENSITY (mm/hr)	POST DEVELOPMENT SITE RUNOFF (L/S)
35-40	5.98	9
40-45	6.7	10
45-50	7.64	12
50-55	8.92	14
55-60	10.75	16
60-65	13.61	21
65-70	18.71	29
70-75	30.27	46
75-80	79.16	121
80-85	313.44	478
85-90	105.37	161
90-95	53.06	81
95-100	34.82	53
100-105	25.8	39
105-110	20.48	31
110-115	16.99	26

**POST DEVELOPMENT FLOWS
(100 YEAR STORM)**



“ STORAGE CALCULATIONS “

Where: Q = Flow Discharge (l/s)

$$Q=112.5 \text{ l/s}$$

Therefore the STORAGE REQUIRED

$$V= 87.5 \text{ M3}$$

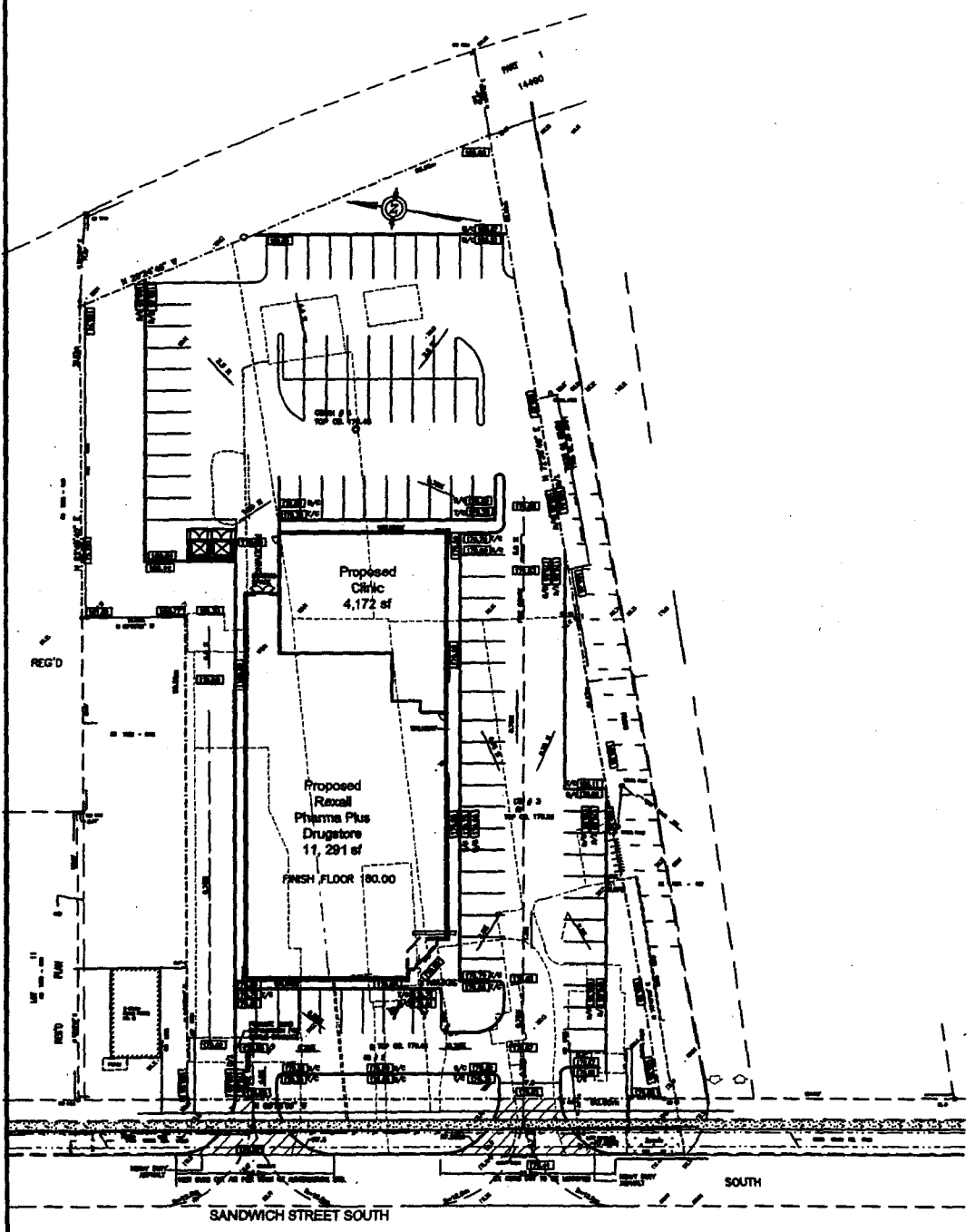
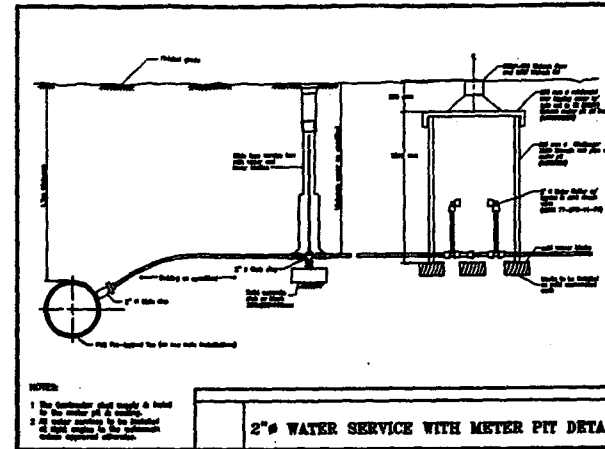
SCHEDULE "D" TO BY-LAW 2005-99

C & H PROPERTIES INC.

Gerald Williams
GERALD WILLIAMS, PRESIDENT

TOWN OF AMHERSTBURG

Wanda Reed
MAYOR
Chadwick
CLERK



No.	DESCRIPTION	DATE
1	ISSUE FOR PERMIT REVIEW	MAY 24-05
2	ISSUE FOR PERMIT REVIEW	MAY 24-05
3	ISSUE TO CLIENT FOR REVIEW	MAY 25-05

Contractor must check and verify all dimensions and be responsible for same, reporting any discrepancies to the Engineer before commencing work.
Prices shall not be used for construction until signed 'Approved For Construction' by the Engineer.
Prices are not to be used.
All drawings, prints and specifications are the property of the Engineer and shall be returned to him on completion of the work.
All work shall be performed in accordance with the latest edition of the ONTARIO BUILDING CODE, NATIONAL BUILDING CODE and regulatory jurisdiction of the Town of Amherstburg Building Department.
These notes are to be read in conjunction with all drawings or specifications.

SOSCLA ENGINEERING LTD.
Professional Engineers and Project Managers

Sheldon Engineers Unit # 1, Suite 101
Michael Engineers 27 Bayview Road
Building Science Engineers Woodville, Ontario
 Canada L4L 8K3
Tel: (905) 889-7727
Fax: (905) 889-7208

PROJECT: **PROPOSED
REXALL PHARMA PLUS
DRUGSTORE
SANDWICH STREET SOUTH
TOWN OF AMHERSTBURG**

TITLE: **GRADING PLAN
& DETAILS**

DATE: MAY 24-05	SCALE: 1=300	ISSUED FOR:
DRAWN: HLN	CHECKED: S.S.	SW-2
PROJECT NO: 05-049		



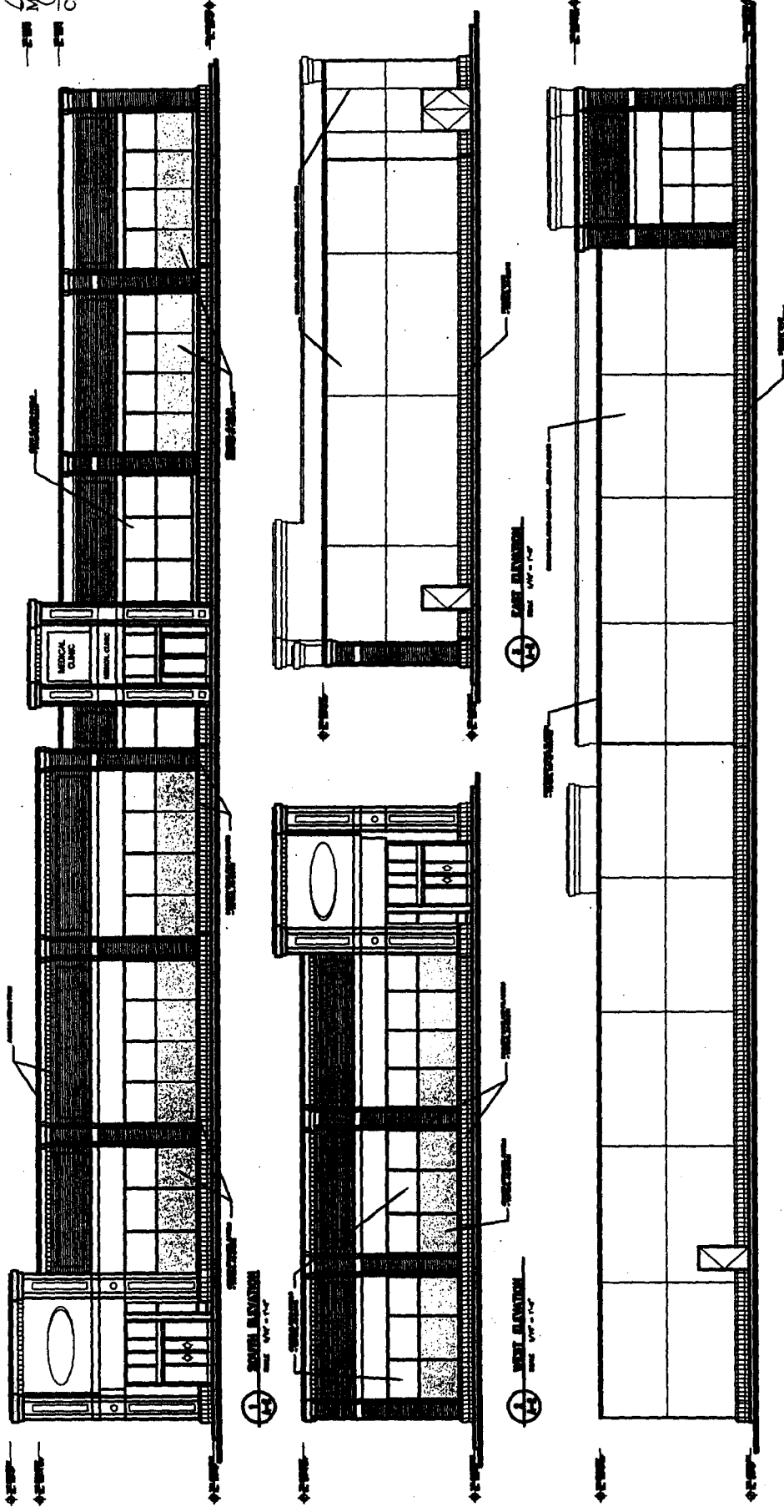
C & H PROPERTIES INC.

GERALD WILLIAMS, PRESIDENT

TOWN OF AMHERSTBURG

MAYOR

CERK



⊕ MEDICAL ELEVATION

⊕ MEDICAL ELEVATION

⊕ MEDICAL ELEVATION

PROPOSED REXALL / MEDICAL CLINIC

AMHERSTBURG, ONTARIO

BUILDING ELEVATIONS