

**THE CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2016-96**

**By-law to authorize the execution of an Amending Development Agreement
between Nasr Limited and
the Corporation of the Town of Amherstburg
680 Front Road South, Amherstburg**

WHEREAS under Section 8 of the Municipal Act 2001, S.O., 2001, c. 25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

AND WHEREAS under Section 9. (1) (a) and (b) of the Municipal Act 2001, S.O., 2001, c. 25, as amended, Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS By-law 2016-98 provided for the execution of a Development Agreement for a rowhouse type affordable housing development;

AND WHEREAS the Corporation of the Town of Amherstburg and the Owner have agreed to minor modifications to the site plan and elevations in the Development Agreement;

AND WHEREAS the Corporation of the Town of Amherstburg and owners of said property have agreed to the terms and conditions of a Development Agreement in the form annexed hereto;

NOW THEREFORE the Corporation of the Town of Amherstburg enacts as follows:

1. THAT By-law 2016-98 is hereby further amended with the attached agreement;
2. THAT all other provisions and regulations of By-law 2016-98 will apply.
3. THAT this By-law shall come into force and take effect immediately upon the final passing thereof at which time all by-laws that are inconsistent with the provisions of this by-law and the same are hereby amended insofar as it is necessary to give effect to the provisions of this by-law.

Read a first, second and third time and finally passed this 24th day of October, 2016.



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER

AMENDING DEVELOPMENT AGREEMENT

THIS AGREEMENT made in quadruplicate this 24th day of October, 2016.

BETWEEN: NASR LIMITED

(Hereinafter collectively called "**Owner**")

OF THE FIRST PART;

- and -

THE CORPORATION OF THE TOWN OF AMHERSTBURG

(hereinafter called the "**Corporation**")

OF THE SECOND PART;

Hereinafter collectively referred to as the "**Parties**"

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

AND WHEREAS the Owner warrants it is the registered owner of the 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, including the Lands, as a Site Plan Control area;

AND WHEREAS the Corporation passed By-law 2015-98 on September 14, 2015 for the execution of a Development Agreement for a rowhouse affordable housing development on the subject property;

AND WHEREAS the Owner is requesting to amend the Development Agreement to allow for modifications to the parking space configuration, garbage enclosure, building facades and removal of one building from the site plan, in accordance with the amended Site Plan attached hereto as Schedule "B" and hereinafter referred to as the "Site Plan";

AND WHEREAS the Corporation requires the Owner to enter into an Amending Development Agreement and have agreed to the terms and conditions of the amending agreement in the form annexed hereto:

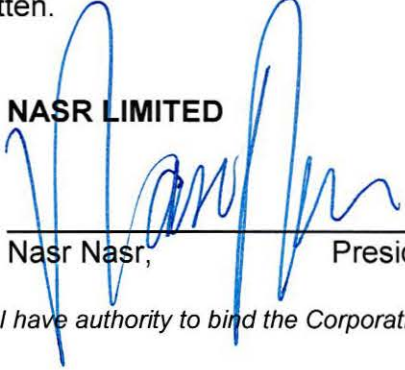
NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises, along with the sum of FIVE (\$5.00) DOLLARS of lawful money of Canada, now paid by each of the Parties hereto to each of the other parties hereto, the receipt and sufficiency of which are hereby acknowledged, the Owner hereby covenants and agrees with the Corporation as follows:

1. Section 1 is hereby amended by replacing the following schedules:
SCHEDULE "B"- SP-2, as built, September 20, 2016
SCHEDULE "D"- A-101, as built, September 20, 2016
SCHEDULE "F"- A-201, as built, September 20, 2016
SCHEDULE "G"- A-300, as built, September 20, 2016

2. In all other respects the said Development Agreement dated September 14th, 2015 shall remain in full force and effect.
3. 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 and the Corporation (the latter under the hands and seals of its officers duly authorized in this regard), have executed this Agreement as of the date first above written.


OWNER: NASR LIMITED

Per  _____ President

I have authority to bind the Corporation

**THE CORPORATION OF THE
TOWN OF AMHERSTBURG**

Per  _____ Mayor

Per  _____ Clerk

We have authority to bind the Corporation

Authorized and approved by By-law
No. 2015-98 enacted the 24th day of
October, 2016.

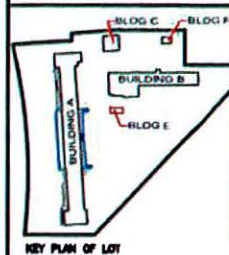
SCHEDULE "A"

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

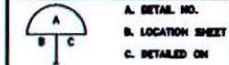
Part Lot 5, Concession 1
designated as Part 2, 12R-2312
Town of Amherstburg,
County of Essex
and Province of Ontario
PIN 70570-0239

VIJAY VASANTGADKAR ARCHITECT INC.

194 Lawrence St. Suite 40 Toronto, Ontario M5S 1T3
 TEL: (416) 593-1000
 FAX: (416) 593-1001
 EMAIL: vijay@vijaygadkar.com



7. AS BUILT	SEPT. 20/14	
8. REFUSE BIN ENCLOSURE	SEPT. 7/14	
9. PERMIT	DEC. 6/14	
4. SITE PLAN CONTROL	AUG. 27/14	
3. REVISED	JULY. 16/14	
2. NUMBER OF PARKING REV	JULY. 2/14	
1. SITE PLAN CONTROL	APR. 1/14	
No.	ISSUED FOR	DATE



- ALL DIMENSIONS TO BE CHECKED AND VERIFIED ON THE JOB SITE.
 - ANY AND ALL DIMENSIONS TO BE REPORTED TO THE ARCHITECT / ENGINEER.
 - ALL DIMENSIONS EXCEPT THE PROPERTY OF THE ARCHITECT.
 - DO NOT SCALE DRAWING.

PROJECT NAME AND LOCATION
SLUVE HAVEN

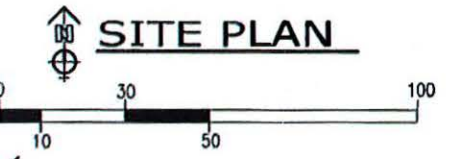
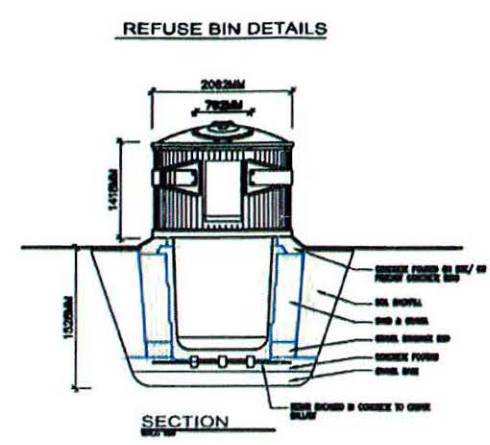
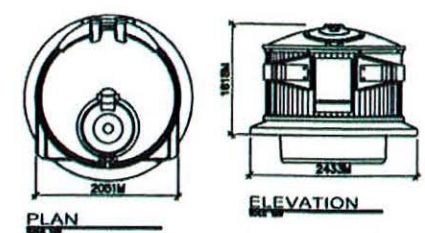
AMHERSTBURG ONTARIO.

PROPOSED SITE PLAN

PROJECT NUMBER	1438
DATE	MARCH 2015
DRAWN BY	AM
CHECKED BY	V. V.
DRAWING NO.	

SP-2

LEGAL DESCRIPTION
 PART OF LOTS 5
 CONCESSION 1
 TOWN OF AMHERSTBURG
 COUNTY OF ESSEX, ONTARIO



PARKING REQUIREMENT
 - BUILDING A = 14 UNITS
 - BUILDING B = 9 UNITS
 - BUILDING C = 1 UNITS
 TOTAL NO. OF UNITS = 24 UNITS
 PARKING REQUIRED 1 SPACE PER UNIT
 PARKING REQUIRED FOR LAUNDROMAT = 1 PER 25sq.mts
 PARKING REQUIRED = 26 SPACES
 PARKING PROVIDE = 28 SPACES

DIMENSION OF PARKING SPACES
 2.8 METERS(9FT) X 5.5 METERS(18FT)
DIMENSION OF BARRIER FREE SPACES
 3.7 METERS(12FT) X 6.0 METERS(19FT)

AREAS	SQ.FT (sq.mts) PERCENTAGES		TOTAL AREA
	EXISTING AREA	PROPOSED AREA	
SITE AREA	=	= 73,344 sq.ft (6813sq.mts)	
BUILDING A	=	= 7,381 sq.ft (685sq.mts)	10%
BUILDING B	= 3426 sq.ft (318sq.mts)	= 6,415 sq.ft (595sq.mts)	8%
BUILDING C	= 596 sq.ft (55.4sq.mts)	=	2%
BUILDING E	= 270 sq.ft (25sq.mts)	=	1%
BUILDING F	=	= 100 sq.ft (9.2sq.mts)	1%
LANDSCAPE AREA	=	= 39,480 sq.ft (3667sq.mts)	53%
PAVEMENT AREA	=	= 18,923 sq.ft (25sq.mts)	25%
			100%

SCHEDULE "B" TO BY-LAW 2016-96

NASR LIMITED

Nasr Nasr, President

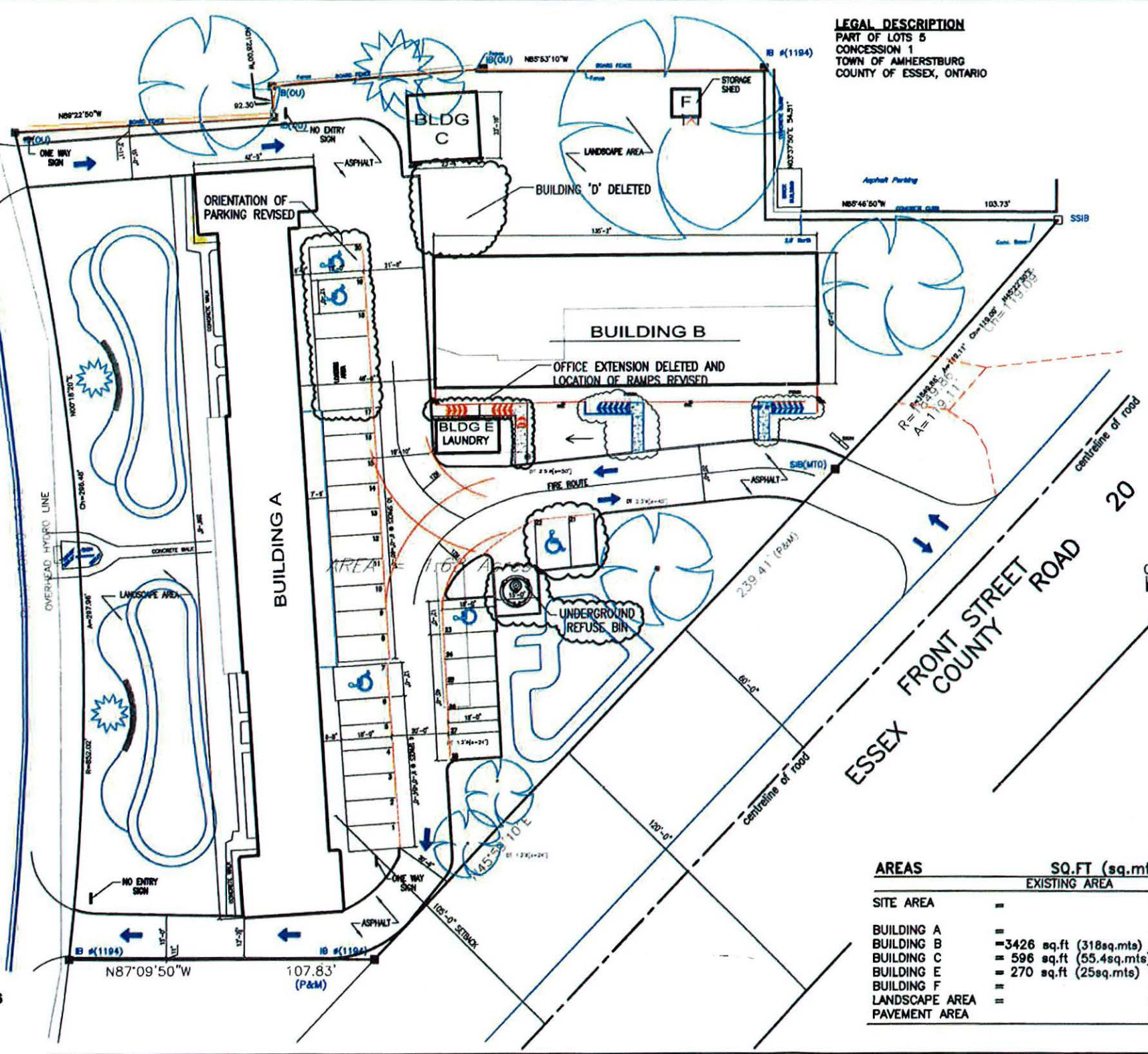
TOWN OF AMHERSTBURG

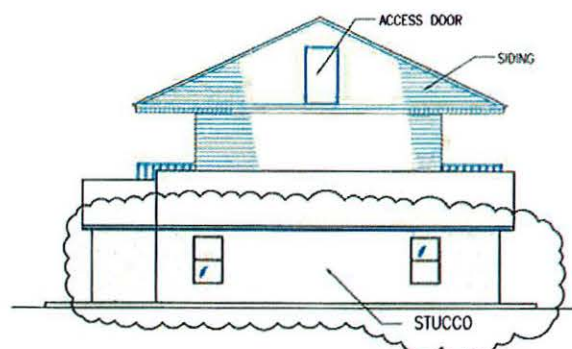
Mayor- Aldo DiCarlo

Clerk- Paula Parker

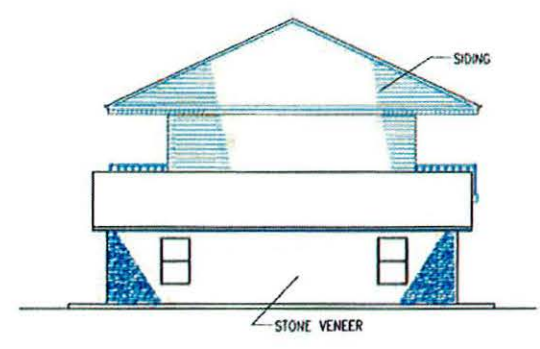
DALHOUSIE STREET

FRONT STREET
 ESSEX COUNTY ROAD 20

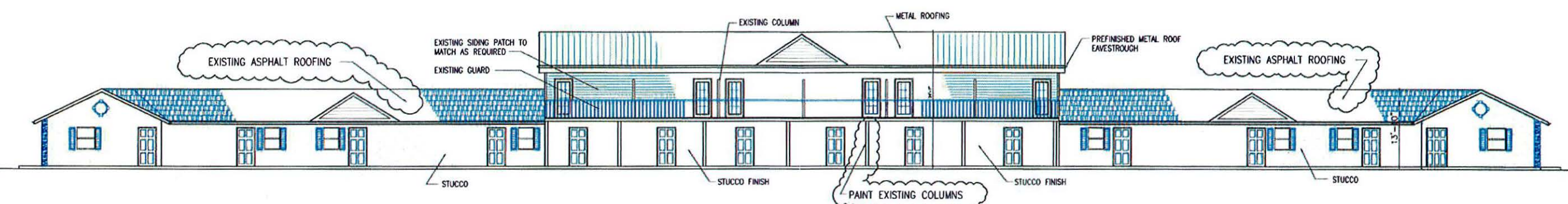
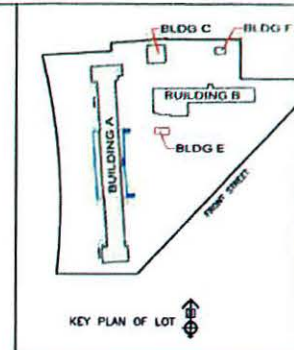




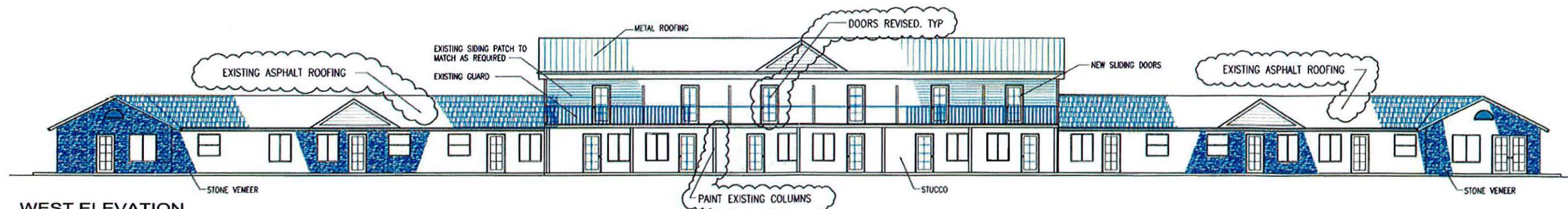
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

SCHEDULE "D" TO BY-LAW 2016-96

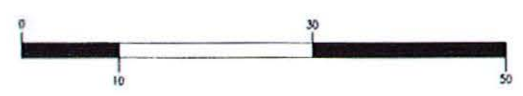
NASR LIMITED

Nasr Nasr, President

TOWN OF AMHERSTBURG

Mayor- Aldo DiCarlo

Clerk- Paula Parker



4		
3	AS BUILT	SEPT. 20/16
2	SITE PLAN CONTROL	AUG. 27/15
1	REVIEW	MAR. 11/15
No.	ISSUED FOR	DATE

A.	DETAIL NO.
B.	LOCATION SHEET
C.	DETAILED ON

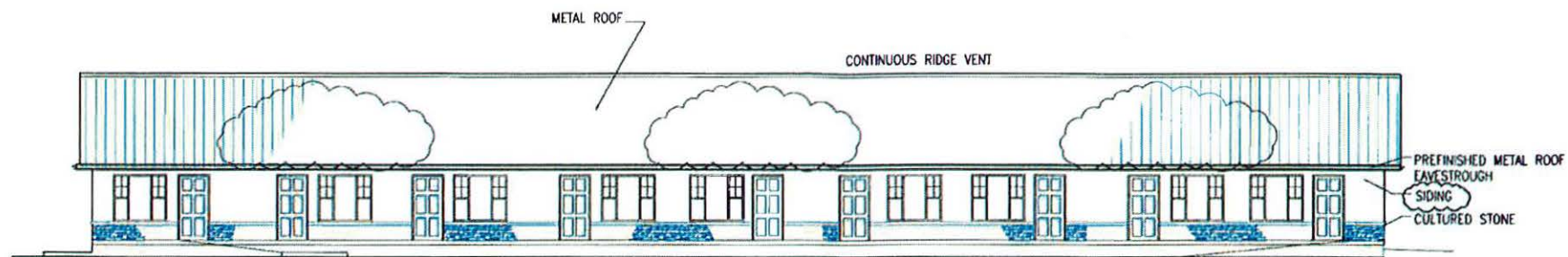
PROJECT NAME AND LOCATION:
BLUE HAVEN
 680 FRONT STREET
 AMHERSTBURG ONTARIO

DRAWING:
ELEVATIONS - BLDG A

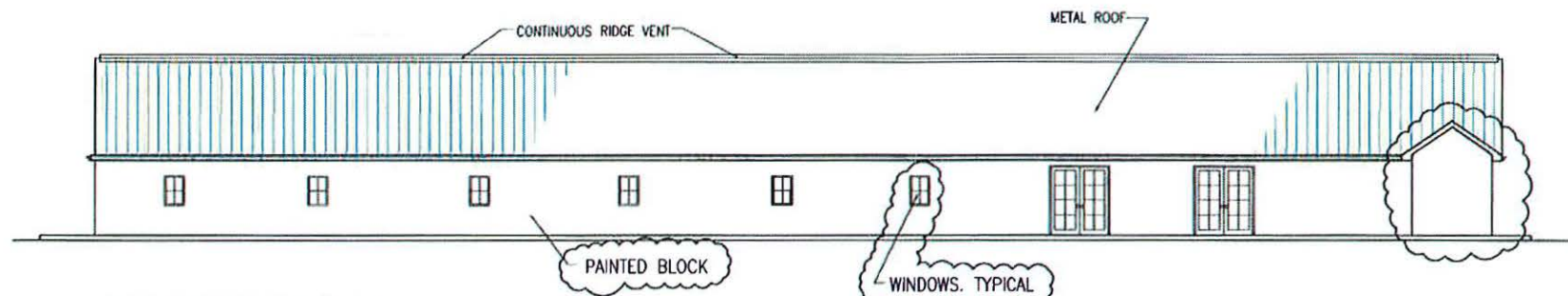
PROJECT NUMBER	1438
DATE:	MARCH 2015
DRAWN BY	AM
CHECKED BY	V. V.

DRAWING NO.
A-101
 BUILDING A

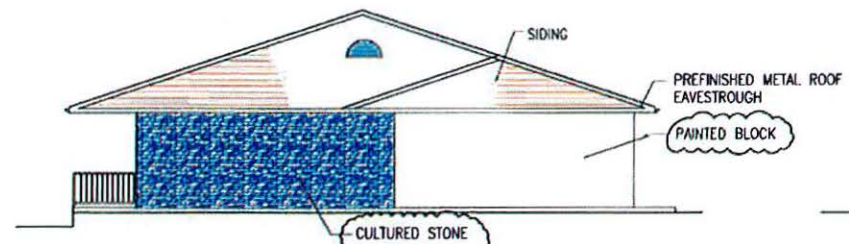
- ALL DIMENSIONS TO BE CHECKED AND VERIFIED ON THE JOB SITE.
 - ANY AND ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT / OWNER.
 - ALL DIMENSIONS REMAIN THE PROPERTY OF THE ARCHITECT.
 - DO NOT SCALE DRAWINGS.



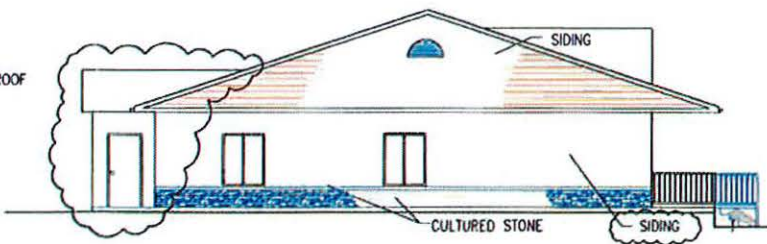
SOUTH ELEVATION - BUILDING B



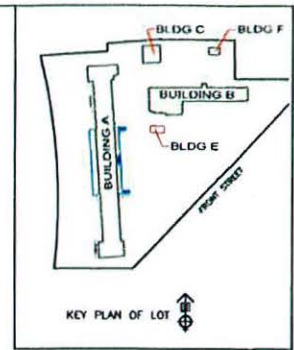
NORTH ELEVATION - BUILDING B



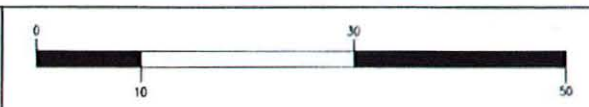
EAST ELEVATION - BUILDING B



WEST ELEVATION - BUILDING B



KEY PLAN OF LOT



4		
3	AS BUILT	SEPT. 20/14
2	SITE PLAN CONTROL	AUG. 27/15
1	REVIEW	MAR. 11/15
No	ISSUED FOR	DATE

A	DETAIL NO.
B	LOCATION SHEET
C	DETAILED ON

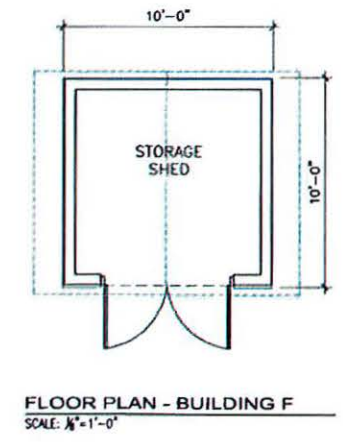
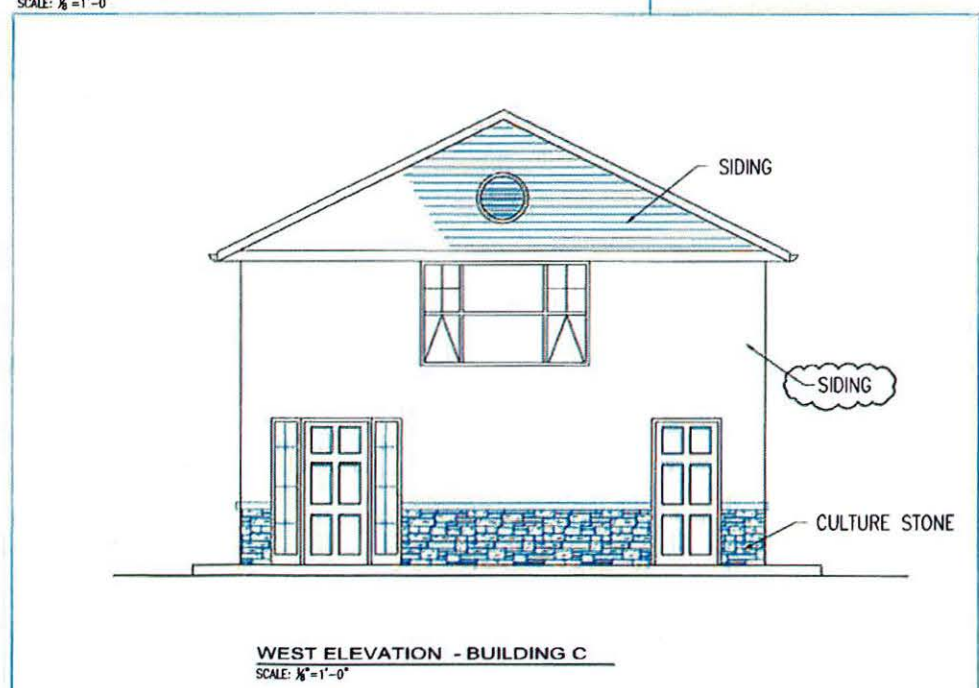
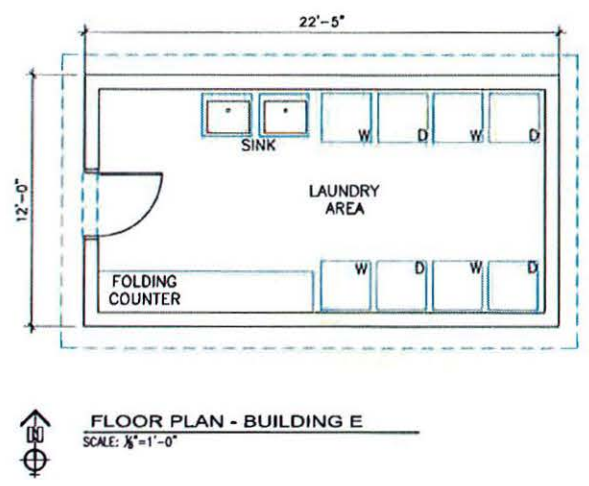
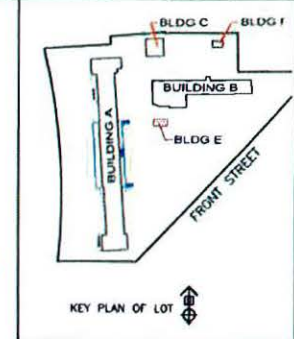
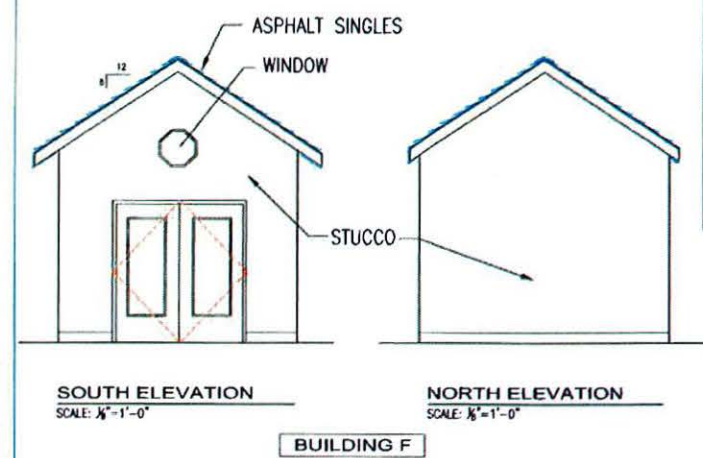
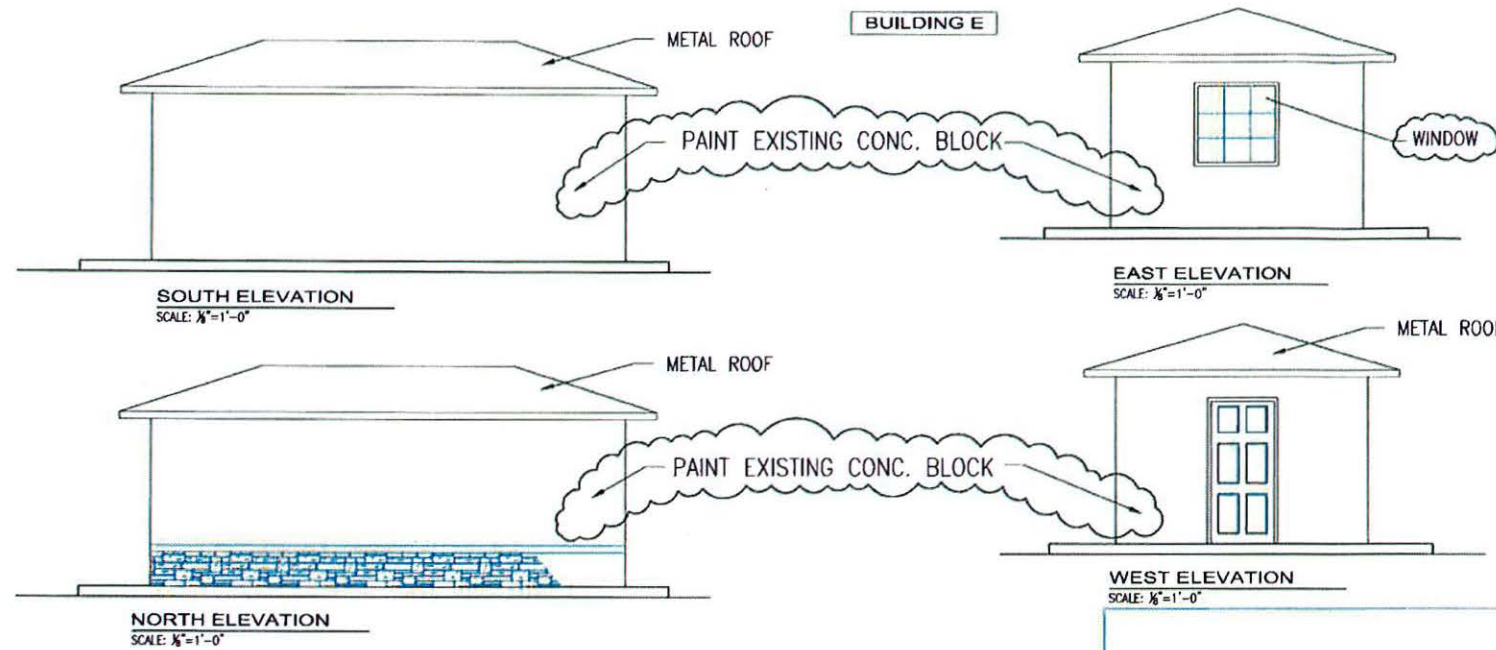
PROJECT NAME AND LOCATION
BLUE HAVEN
 680 FRONT STREET
 AMHERSTBURG ONTARIO.

DRAWING
ELEVATIONS - BLDG B

PROJECT NUMBER	1438
DATE	MARCH 2015
DRAWN BY	AM
CHECKED BY	V. V.

DRAWING NO
A-201
 BUILDING B

SCHEDULE "F" TO BY-LAW 2016-96
NASR LIMITED
 Nasr Nasr, President
TOWN OF AMHERSTBURG
 Mayor- Aldo DiCarlo
 Clerk- Paula Parker



SCHEDULE "G" TO BY-LAW 2016-96

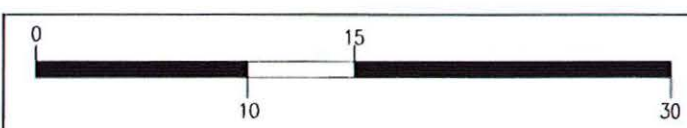
NASR LIMITED

Nasr Nasr, President

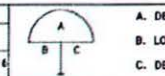
TOWN OF AMHERSTBURG

Mayor- Aldo DiCarlo

Clerk- Paula Parker



4		
3	AS BUILT	SEPT. 20/14
2	SITE PLAN CONTROL	AUG 27/15
1	REVIEW	MAR 11/15
No	ISSUED FOR	DATE



A. DETAIL NO.
B. LOCATION SHEET
C. DETAILED ON

PROJECT NAME AND LOCATION
BLUE HAVEN
680 FRONT STREET
AMHERSTBURG ONTARIO.

DRAWING
FLOOR PLAN- BLDG C,E&F

PROJECT NUMBER	1438
DATE	MARCH 2015
DRAWN BY	AM
CHECKED BY	V. V.

DRAWING NO
A-300
BUILDING C,E&F

- ALL DIMENSIONS TO BE CHECKED AND VERIFIED ON THE JOB SITE.
- ANY AND ALL DISCREPANCIES TO BE REPORTED TO THE ARCH. / ENGINEER.
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- DO NOT SCALE DRAWINGS.

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

yyyy mm dd

Page 1 of 2

Properties

PIN 70570 - 0239 LT
Description PT LT 5 CON 1 MALDEN PT 2, 12R2312 & PT 1, 12R8916; AMHERSTBURG
Address 680 FRONT ROAD SOUTH
AMHERSTBURG

Consideration

Consideration \$ 1.00

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 Street South
Amherstburg, Ontario
N9V 2A5

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

This document is being authorized by a municipal corporation REBECCA BELANGER, MCIP, RPP, Manager of Planning Services for the Corporation of the Town of Amherstburg..

Party To(s)

Capacity

Share

Name NASR LIMITED
Address for Service 1543 Elsmere Avenue
Windsor, Ontario
N8X 4H2

This document is being authorized by a municipal corporation REBECCA BELANGER, MCIP, RPP, Manager of Planning Services for the Corporation of the Town of Amherstburg..

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 is for an indeterminate period

Schedule: See Schedules

Signed By

Thomas Robert Porter 500-251 Goyeau Street acting for Signed 2016 11 04
Windsor Applicant(s)
N9A 6V2

Tel 519-258-0615
Fax 519-258-6833

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

Submitted By

MOUSSEAU DELUCA MCPHERSON PRINCE 500-251 Goyeau Street 2016 11 04
Windsor
N9A 6V2

Tel 519-258-0615
Fax 519-258-6833

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

yyyy mm dd Page 2 of 2

Fees/Taxes/Payment

Statutory Registration Fee	\$62.85
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Total Paid	\$62.85
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