



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT SERVICES

MISSION STATEMENT: *Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.*

Author's Name: Melissa Osborne	Report Date: May 17, 2022
Author's Phone: 519 736-5408 ext. 2137	Date to Council: May 24, 2022
Author's E-mail: mosborne@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Site Plan and Development Agreement- 225 Sandwich St N, Riverview Apartments Phase 1

1. **RECOMMENDATION:**

It is recommended that:

1. The Site Plan and Development Agreement with 1603941 Ontario Inc. for 225 Sandwich Street North **BE APPROVED** subject to being satisfactory in technical content to the Director of Development Services, financial content to the Director of Corporate Services and Chief Financial Officer and in form and legal content to the Director of Legislative Services/Clerk; and,
2. **By-law 2022-055** being a by-law to authorize the signing of the Development Agreement be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign the same.

EXECUTIVE SUMMARY:

N/A

2. **BACKGROUND:**

The Town is in receipt of an application for Site Plan Control in accordance with Section 41 of the Planning Act from 1603941 Ontario Inc. Accordingly, the applicant has made an application for site plan approval for a 114 unit apartment building. This matter has been before Council three times, March 28th for a public information session, April 25th for a statutory public meeting and May 9th, where the merits of the ZBA were discussed as well

as the site plan for the property. The site specific zoning was approved by Council on May 9th, 2022.

The property is legally described as Lots 286 to 291, Registered Plan 960 and Part of Lot 5, Concession 1 and Part of Park Avenue and Part of Ouellette Street on Registered Plan 960 and Part of Lot 285 and Part of Lot 292, Registered Plan 960 now designated as Parts 1, 2, 3, 4 on 12R-29017 and is municipally known as 225 Sandwich Street North. The subject land has 98.31 m of frontage on Sandwich Street North and 108.62 m depth along Brunner Avenue with a total area of 1.142 hectares. The subject land is located on the northeast corner of Sandwich Street North at Brunner Avenue.

3. DISCUSSION:

Site Plan Control is not a public process and does not require notification to neighbouring properties. Administration is required to review and approve all required studies for the property including storm water management and site servicing. Upon Council's approval of the recommendations in this report the applicants will be required to provide applicable fees and securities.

Administration has reviewed the site plan and provided the Development Agreement provisions, which deal with the normal site servicing issues, required approvals from various Ministries and Agencies and details relative to the site plan. The Development Agreement includes:

- Provisions of appropriate securities to guarantee the developer's obligations under the Agreement;
- Provisions for installation of all storm water management measures to the satisfaction of the Town of Amherstburg, and the Essex Region Conservation Authority;
- Compliance with the Town's current design standards for the construction of sewers, watermains, storm water, and other site services;
- Species at Risk mitigation has been taken into account;
- Acoustic Assessment Report recommendations have been taken into account;
- Record of Site Condition (RSC) has been taken into account;
- Developer's responsibilities to address parking and loading areas, minimum number of parking spaces, walkways, entrances, garbage and refuse storage, and servicing. The parking provided on the site plan is in accordance with the 1:1.25 apartment to parking space ratio;
- AODA standards have been taken into account;
- Development charges and parkland cash-in-lieu clauses have been included;
- Legal obligations for completion of the work and inspections, alterations to the plans, interpretation, and application of the agreement.

The proposed development conforms to the Town's design standards and site specific zoning, and the Agreement addresses site servicing matters in accordance with the requirements of the Planning Act. Furthermore, the agreement outlines the requirements of complying with the Ontario Building Code. All of these items are addressed in the attached Agreement.

4. RISK ANALYSIS:

The Site Plan Control process, regulated by Section 41 of the Planning Act serves to protect the municipality's interest as the Agreement will be registered on the title of the property. Section 41 of the Planning Act is applicable law to the Ontario Building Code and a permit cannot be issued until the Agreement has been executed. Building permits will not be available until all permits, clearances and approvals have been received by the Town in accordance with the provisions of the development agreement and to the satisfaction of the municipality.

5. FINANCIAL MATTERS:

The cost associated with the applications and planning processes are the responsibility of the developer. All fees and securities required to be paid by the owner have been included in the development agreement.

6. CONSULTATIONS:

The Town's Heritage Committee, the Development Services Department (Building Division), Infrastructure Services Department, and Fire Department along with Essex Power, Windsor Police Service, Amherstburg Accessibility Advisory Committee (AAAC), and Essex Region Conservation Authority (ERCA) were provided the complete drawings for comments, with comments incorporated into the development agreement.

7. CONCLUSION:

The Site Plan and Development Agreement for 225 Sandwich Street North and By-Law 2022-055 are recommended for Council approval.



Melissa Osborne
Director, Development Services

JM

DEPARTMENTS/OTHERS CONSULTED:

Name: Infrastructure Services

Phone #: 519 736-3664 ext. 2313

Name: Building division

Phone #: 519 736-5408 ext. 2136

Name: Fire Department
Phone #: 519 736-6500

Name: Windsor Police

Name: Amherstburg Accessibility Advisory Committee
Phone #: 519 736-0012 ext. 2272

Name: Essex Power
Phone #: 519-737-9811 ext. 271

Name: Essex Region Conservation Authority
Phone #: 519 776-5209

Report Approval Details

Document Title:	Site Plan and Development Agreement- 225 Sandwich St N, Riverview Apartments Phase 1.docx
Attachments:	- 2022-055 Development Agreement at 225 Sandwich St N- Riverview Apartment Phase 1.pdf
Final Approval Date:	May 18, 2022

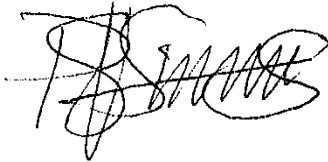
This report and all of its attachments were approved and signed as outlined below:



Melissa Osborne



Tracy Prince



Peter Simmons



Valerie Critchley