

# **The Corporation of the Town of Tecumseh**

## **By-Law Number 2021-65**

Being a by-law to authorize the execution of a Site Plan Control Amending Agreement between The Corporation of the Town of Tecumseh and The TDL Group Corp.

**Whereas** The TDL Group Corp. (Owner) owns certain lands situated within the corporate limits of the Town of Tecumseh (Lands);

**And Whereas** a Site Plan Control Agreement (Original Agreement) between the Owner, Raymond Simrak, and The Corporation of the Town of Tecumseh (Corporation) was entered into, an execution copy of which was registered in the Land Registry Office for the Land Titles Division of Essex (No. 12) as Instrument No. CE90936 on September 10, 2003;

**And Whereas** the Original Agreement was further amended by a Site Plan Control Amending Agreement, an execution copy of which was registered in the Land Registry Office for the Land Titles Division of Essex (No. 12) as Instrument No. CE30790 on August 7, 2012;

**And Whereas** the Corporation has enacted a by-law designating the Lands as a site plan control area, pursuant to Section 41(2) of the *Planning Act, R.S.O 1990, c.P.13* (Act) and amendments thereto;

**And Whereas** where site plan control is in effect, Section 41 of the Act states that the approval of plans by a municipal council is required prior to development of the Lands, and that the municipality may require the owner to enter into an agreement with the municipality respecting certain prescribed matters;

**And Whereas** the Owner and the Corporation are desirous of further amending the Original Agreement;

**And Whereas** under section 5 of the *Municipal Act 2001, S.O. 2001 c.25*, the powers of a municipality shall be exercised by its Council by by-law.

**Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:**

1. **That** the Mayor and Clerk be hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh, to execute a Site Plan Control Amending Agreement between The Corporation of the Town of Tecumseh and The TDL Group Corp. dated the 17th day of August, 2021, a copy of which Site Plan Control Amending Agreement is attached hereto and forms part of this by-law; and to do such further and other acts which may be necessary to implement the said Site Plan Control Amending Agreement.

2. **And that** this by-law shall come into force and take effect upon the date of the third and final reading thereof.

**Read** a first, second, third time and finally passed this 14th day of September, 2021.

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Gary McNamara, Mayor

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Laura Moy, Clerk