

The Corporation of the Town of Tecumseh

By-Law Number 2021 - 83

Being a by-law to authorize the execution of a Site Plan Control Amending Agreement between The Corporation of the Town of Tecumseh and Cojopa Investments Inc.

Whereas Cojopa Investments Inc. (Owner) owns and has developed certain lands within the corporate limits of the Town of Tecumseh (Lands);

And Whereas a Site Plan Control Agreement between Zold Holding Inc. 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 Registry Division of Essex (No. 12) as Instrument No. R1478670, on November 19, 1999, respecting said development (Original Agreement);

And Whereas the Original Agreement was 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. LT0364925 on August 27, 2002, respecting said development releasing abutting lands being Part 1 on 12R-19742 and establishing a mutual driveway;

And Whereas the Owner has applied to further amend the Original Agreement to facilitate improvements to the Tim Horton drive thru lanes;

And Whereas The Corporation has enacted a by-law designating the Lands as a site plan control area, pursuant to the *Planning Act, R.S.O 1990, c.P.13* (Act) and as a condition to the approval of the plans and drawings referred to in subsection 41(4) of the Planning Act, require an agreement be entered into by virtue of subsection 41(7) (c) of the Planning Act;

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 Cojopa Investments Inc. dated the 26th day of October, 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 26th day of October, 2021.

Gary McNamara, Mayor

Laura Moy, Clerk