

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

## **By-Law Number 2021 - 87**

Being a by-law to authorize the execution of a Consent Agreement between The Corporation of the Town of Tecumseh and Clement Lachance and Jeannette Laura Bernadette Lachance

**Whereas** Clement Lachance and Jeanette Laura Bernadette Lachance (Owners) own certain lands situated within the corporate limits within the Town;

**And Whereas** the Owners have made application for a consent to sever a portion of their lands described legally as Part of Lot 148, Concession Road 3 Sandwich East, Town of Tecumseh, County of Essex, designated as Part 3, Plan 12 R 13756, known municipally as 11945 Intersection Road, Tecumseh (Lands);

**And Whereas** the Committee of Adjustment for the Town under File No. B-09/20 has given conditional consent to sever a portion of land from the Lands in accordance with Section 53 of *The Planning Act, R.S.O. 1990, c.P13* and amendments thereto;

**And Whereas** as a condition of the consent, the Committee of Adjustment for the Town has required the Owners, prior to the severance being finalized, to install a new access culvert and driveway across the Lachance Drain, in accordance with section 78 of the *Drainage Act, R.S.O. 1990*, as amended, and otherwise bear responsibility for all costs related thereto;

**And Whereas** delays beyond the control of the Owner and otherwise arising by reason of the procedures required under the Drainage Act leave the Owner unable to complete all work within the one-year time frame permitted under the Planning Act.

**And Whereas** the Town and Owners wish to enter into a Consent Agreement in accordance with Section 53(12) and 51(26) of the *Planning Act, R.S.O. 1990*, and amendments thereto, as an alternate means of fulfilling the condition and otherwise acknowledging the obligations remain outstanding to be fulfilled.

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

1. **That** That the Mayor and the Clerk are hereby authorized and empowered on behalf of the Council of the Corporation of the Town of Tecumseh, to execute the Consent Agreement, dated the 9th day of November, 2021 between the Corporation of the Town of Tecumseh and Clement Lachance and Jeanette

Laura Bernadette Lachance; a copy of which Consent 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 Consent Agreement and to register the Consent Agreement against the Lands in the Essex Land Registry Office .

2. **That** this by-law shall come into full force and take effect on the date of the third and final reading.

**Read** a first, second, third time and finally passed this 9th day of November, 2021.

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Gary McNamara, Mayor

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Laura Moy, Clerk