

The Corporation of the Town of Tecumseh

By-Law Number 2022-038

Being a by-law to authorize the execution of a Development Agreement between the The Corporation of the Town of Tecumseh and Old Castle Heights Inc.

Whereas Old Castle Inc. (Owner) owns certain lands situated in the corporate limits of the Town of Tecumseh;

And whereas the County of Essex, as approval authority, has given draft plan approval to the division of the lands in accordance with Section 51 of the *Planning Act, R.S.O. 1990, C.P.13* and amendments thereto;

And whereas in accordance with Section 51 (26) of the *Planning Act, R.S.O. 1990, c.P.13*, as a condition of the draft plan approval, the County of Essex requires the Owner to enter into an Agreement with The Corporation of the Town of Tecumseh (Town);

And whereas this Agreement is authorized by and its terms form part of a Town By-law and Section 446 of *The Municipal Act, S.O. 2001, c.25* and amendments thereto, provides certain remedies to the Town when authorized by By-law, said remedies being herein authorized;

And whereas the proposed development of the lands is in accordance with the Official Plan and Zoning By-law of the Town as of the date of this Development Agreement;

And whereas the Owner covenants and agrees to develop the lands in accordance with this Development 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 the Clerk be and they are hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh, to execute a Development Agreement dated the 24th day of May, 2022 between The Corporation of the Town of Tecumseh and Old Castle Heights Inc., a copy of which Development Agreement is attached hereto and forms part of this by-law, and do such further and other acts which may be necessary to implement the said Development Agreement.

2. **That** this By-law shall take effect as of and from the third and final reading hereof.

Read a first, second, third time and finally passed this 24th day of May, 2022.

Gary McNamara, Mayor

Laura Moy, Clerk