

The Corporation of the Town of Tecumseh

By-Law Number 2022-076

Being a by-law to authorize the execution of a Consent Agreement between The Corporation of The Town of Tecumseh and Raffaele Meo and Gina Meo

Whereas Raffaele Meo and Gina Meo (Owner) own certain lands situated within the corporate limits of the Town;

And Whereas the Owner has made application for a consent to sever a portion of their lands described in Schedule A of the Agreement and municipally known as 6780 Holden Road, Tecumseh (Lands);

And Whereas the Committee of Adjustment for the Town under file no. B-01-22 has given conditional consent to sever the lands described in Schedule "B" from the Lands as a severed lot 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, install a new access culvert and driveway across the open municipal drain (branch of the South Talbot and Holden Outlet Drain) in accordance with Section 78 of the Drainage Act, R.S.O. 1990, as amended, submit a Request for Improvements Form to the Town for the required new access culvert, and otherwise bear full 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 conditions and otherwise acknowledging the obligations remain outstanding to be fulfilled in the manner set forth below.

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

1. **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 11th day of October, 2022 between The Corporation of the Town of Tecumseh and Raffaele Meo and Gina Meo; 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. **Read** a first, second, third time and finally passed this 11th day of October, 2022.

Gary McNamara, Mayor

Jennifer Alexander, Acting Clerk