

The Corporation of the Town of Tecumseh

By-Law Number 2018 – 63

Being a by-law to authorize the execution of a Site Plan Control Agreement between The Corporation of the Town of Tecumseh and Otis Properties Limited

Whereas Otis Properties Limited (Otis) owns certain lands situated within the Town of Tecumseh;

And Whereas The Corporation of the Town of Tecumseh (Corporation) has enacted a by-law designating the Otis 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 the Act and amendments thereto, states that the approval of plans by Municipal Council is required prior to development of the Lands, and that the municipality may require the owners to enter into an Agreement with the municipality respecting certain prescribed matters;

And Whereas as a condition of agreeing to development, the Corporation has requested Otis enter into a Site Plan Agreement;

And Whereas the proposed development of the Lands is in accordance with the Official Zoning Plan and Zoning By-Law of the Municipality as of the date of this Agreement;

AND Whereas the proposed development of the Otis lands is subject to a Service Agreement dated March 11, 1997 registered as instrument number LT222740 as amended by Amending Service Agreement dated August 19, 1997 registered as instrument number LT222741 herein respectively referred to as the Service Agreement and Amending Service Agreement and collectively referred to as the Servicing Agreements.

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 Site Plan Control Agreement between The Corporation of the Town of Tecumseh and Otis Properties Limited dated the 13th day of November, 2018, a copy of which Site Plan Control 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 Agreement;
2. **And That** this by-law shall come into force and take effect upon on the date of the third and final reading thereof.

Read a first, second and third time and finally passed this 13th day of November, 2018.

Gary McNamara, Mayor

Laura Moy, Clerk