

The Corporation of the Town of Tecumseh

By-Law Number 2024-053

Being a by-law to authorize the execution of a Development Agreement between the Corporation of the Town of Tecumseh and 851381 Ontario Ltd.

Whereas 851381 Ontario Ltd. (Owner) owns certain lands situated within the corporate limits of the Town, said lands being more particularly described in Schedule “A” hereto (the “Lands”);

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 approval authority requires the Owner to enter into an agreement with the 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 Agreement;

And Whereas the Owner covenants and agrees to develop the Lands in accordance with this 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 28th day of May, 2024 between The Corporation of the Town of Tecumseh and 851381 Ontario Ltd., 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. **Read** a first, second, third time and finally passed this 28th day of May, 2024.

Gary McNamara, Mayor

Robert Auger, Clerk