

The Corporation of the Town of Tecumseh

By-Law Number 2024-076

Being a by-law to authorize the execution of an Agreement with Amico Infrastructures and the Town for the Temporary Reuse Site and Permanent Naturalized Municipal Park

Whereas Amico Infrastructures Inc. (Owners) own certain lands situated within the corporate limits of the of the Town of Tecumseh (Municipality), said lands being the more or less a 36 acre property located at the intersection of South Talbot Road and Howard Avenue but as more particularly described herein;

And whereas the Owners have an existing Fill Permit in respect of the site that is at or near capacity such that the Owners intend to make an application for a new Fill Permit to be issued by the Municipality in respect of the site so as to allow the site to continue to be used for the temporary importation of excess soils; and that the Owners acknowledge and agree that such application for a new Fill Permit will be subject to the terms and conditions of a Memorandum of Understanding Agreement (Agreement) attached hereto and forming part of this By-law;

And whereas in accordance with the terms and conditions of the Agreement, the Owners intend to convey the site to the Municipality for future municipal parkland purposes with such conveyances to be in such a manner and upon such terms and conditions as or to be specified in this Agreement with the Municipality and/or as more detailed in a Site Plan Control Agreement to be prepared for this Site;

And whereas Council is desirous to enter into an Agreement with Amico Infrastructures Inc for the Temporary Reuse Site and Permanent Naturalized Municipal Park;

And whereas pursuant to the *Municipal Act*, S.O. 2001, c.25 s.5(3), the powers of a municipality shall be exercised 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 are hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh to execute an Memorandum of Understanding (Agreement) with the AMICO Infrastructures Inc dated the 10th day of September, 2024, a copy of which 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 Agreement.
2. **That** this by-law shall come into full force and take effect on the date on the third and final reading thereof.

Read a first, second, third time and finally passed this 10th day of September, 2024.

Gary McNamara, Mayor

Robert Auger, Clerk