

# **The Corporation of the Town of Essex**

## **By-Law Number 2147**

### **Being a By-Law to Amend Site Plan Control Agreement between:**

#### **The Corporation of the Town of Essex and**

#### **UCG Land INC.**

**WHEREAS** the Owner and the Corporation executed a Site Plan Agreement (By-Law #1979) made the 21<sup>st</sup> day of December, 2020, and said Site Plan Agreement was registered on title under S.71 of the Land Titles Act on December 21, of 2020.

**AND WHEREAS** By-Law number 1979 was amended by By-Law number 2082 on November 1, 2021.

**AND WHEREAS** the Owner has requested an amendment to the Site Plan Agreement which the Corporation has agreed to allow for the construction of two (2) new ancillary dwellings for the purposes of housing farm labourers on the lands legally described as PT LT 4 Plan 178, in the Town of Essex, County of Essex, and known municipally as 1110 Ridge Road.

**AND WHEREAS** the subject lands are designated as a site plan control area pursuant to Section 41 of the Planning Act, R.S.O. 1990 and Amendments thereto;

**AND WHEREAS** pursuant to Section 41 of the Planning Act, R.S.O. 1990 and Amendments thereto, municipalities may enter into such agreements;

**NOW THEREFORE THIS AGREEMENT WITNESSETH THAT** in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, the parties agree as follows:

1. The Owner hereby consents to the registration of this Amendment to the Site Plan Agreement on title at its sole expense and at the sole discretion of the Corporation.
2. That the existing site plan dated July 5, 2021 referenced in the Site Plan Agreement registered on title on December 21, 2021 and amended by By-Law Number 2082 be deleted and replaced with the site plan dated January 24, 2022.
3. That all reference to the site plan dated July 5, 2021 in the Site Plan Agreement made on December 21, 2020 and amended on by By-Law 2082 be deleted and replaced with reference to the site plan dated January 24, 2022.
4. That the following be added as a condition to the Site Plan Agreement made on December 21, 2020 and amended by By-Law Number 2082:
  - a. That the Owner implement all recommendations of the Acoustical Report prepared by Shurjeel Tunio, P.Eng, and dated March 25, 2022 respecting the

construction of two (2) new ancillary dwellings adopted by amending zoning by-law, By-Law 2146.

- 5. All of the terms and covenants in the said Site Plan Agreement are hereby confirmed in full force and effect save and except for the amendments noted in Item 4 listed above as such other modifications as are necessary to make said paragraphs applicable to the Site Plan Agreement.

Now therefore be it resolved that the Council of the Town of Essex enacts as follows:

That the Mayor and Clerk be directed to affix their signatures, on behalf of the Corporation of the Town of Essex, to Schedule 1 attached hereto and forming part of this By-Law, for the purpose of executing the Amended Site Plan Control Agreement.

**Read a first, a second and a third time and finally passed on April 19, 2022.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

In Witnesseth Whereof, the said parties hereunto affixed their signatures and corporate seals attested to by the hands of their proper officers, duly authorized in that behalf.

Signed, sealed and delivered in the presence of:

**The Corporation of the Town Of Essex**

**Per:** \_\_\_\_\_  
**Mayor**

**Per:** \_\_\_\_\_  
**Clerk**

**Per:** \_\_\_\_\_  
**Robert Haynes**

I have the authority to sign on behalf of UCG Land  
INC