

**THE CORPORATION OF THE
MUNICIPALITY OF ARRAN-ELDERSLIE**

**BY-LAW NO. 49-2024
BEING A BY-LAW TO AUTHORIZE THE SIGNING OF A DEVELOPMENT
AGREEMENT BETWEEN THE MUNICIPALITY OF ARRAN-ELDERSLIE
AND 2504970 ONTARIO LIMITED**

Whereas the *Municipal Act, 2001*, s. 9 sets out that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this Act or any other Act.

And Whereas the *Municipal Act, 2001* authorizes a municipality to pass by-laws with respect to the matters identified in s. 11(2), subject to the rules set out in s. 11(4).

And Whereas 2504970 Ontario Limited is the Developer (“hereinafter referred to as the “Developer”) and the owner of the Land described in Schedule “A” to the Development Agreement and proposes to develop it;

And Whereas the Developer declares that it is the registered owner of the lands located at 3437 Bruce Road 3 (Queen Street North) Paisley, is undertaking certain improvements to its buildings located upon the Lands, including the installation of an engineered fire suppression system;

And Whereas the Fire System cannot operate effectively using the existing 4” watermain that currently services the Lands along Bruce Road 3 (the “Existing Watermain”), and requires an 8” watermain in order to have sufficient flow and operability of the Fire System;

And Whereas the Municipality is the owner and operator of the Existing Watermain, which is located within, or about, that highway known as Bruce Road 3 (Queen Street North), which is under the jurisdiction of The Corporation of the County of Bruce;

And Whereas the Owner has requested to have a portion of the Existing Watermain upgraded to an 8” watermain (the “New Watermain”), on the terms and conditions contained herein, which New Watermain shall be approximately eighty-six metres in length (86m), and shall be at the sole expense of the Owner, using the Contractor (as hereinafter defined);

And Whereas the Municipality has agreed to permit the Owner to undertake the works in relation to the New Watermain, on the condition that the Owner, via the Contractor, also complete those additional works as required by the Municipality, as set forth herein, and including without limitation, the replacement of three (3) service line connections and one (1) fire hydrant (the “Municipal Upgrades”), for which the Municipality shall reimburse the Owner the costs as further described herein;

And Whereas the County of Bruce has agreed to permit the Owner to undertake the works in relation to the use of the highway known as Bruce Road 3;

And Whereas the Council of the Municipality of Arran-Elderslie deems it necessary to enter into a Development Agreement with the Developer;

NOW THEREFORE the Council of the Corporation of the Municipality of Arran-Elderslie Enacts as Follows:

1. That the Mayor and Clerk are hereby authorized to sign the Development Agreement.
2. That a copy of the said Development Agreement is attached hereto and designated as Schedule A to this By-Law.
3. That this By-Law shall come into effect upon final passage.

READ a FIRST and SECOND time this 15th day of October, 2024.

READ a THIRD time and finally passed 15th day of October, 2024.

Steve Hammell, Mayor

Christine Fraser-McDonald, Clerk