



The Corporation of the Town of Pelham

By-law No. 24-2023

Being a By-law to authorize the execution of a subdivision agreement with Lally Homes Ltd. and the Corporation of the Town of Pelham – Emerald Trail Subdivision.

Lally Homes Ltd. and the Corporation of the Town of Pelham
File No. 26T19-01-2021

WHEREAS at the Council meeting held on March 22, 2023, the Municipal Council of the Town of Pelham approved the report regarding the execution of the Emerald Trail Subdivision Agreement, authorizing the entry into a Subdivision Agreement with Lally Homes Ltd. (the 'Developer') and the Corporation of the Town of Pelham detailing certain land conveyances, payments and dedications, and the conditions whereby development can occur;

AND WHEREAS it is deemed desirable to enter into the Subdivision Agreement for Emerald Trail Subdivision with Lally Homes Ltd. in order to control development of lands as described in Schedule 'A' of the Subdivision Agreement which is attached hereto and forms part of this by-law.

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

1. **THAT** the Subdivision Agreement attached hereto and made part of this by-law be and is hereby approved; and
2. **THAT** provided Lally Homes Ltd. first satisfies the requirements mentioned in the Agreement attached to and forming part of this by-law that are to be satisfied prior to or at the time of execution of the Subdivision Agreement by Lally Homes Ltd. and the Corporation of the Town of Pelham, then the Mayor and Clerk are hereby authorized and directed to execute the Subdivision Agreement attached hereto and forming part of this by-law and once executed by all parties, the Agreement shall be registered upon the title to the lands described in Schedule 'A' of the said agreement.
3. **THAT** the conveyances, payments, and dedications required by the said Subdivision Agreement, are authorized and approved.
4. **THAT** in the event minor modifications to the Subdivision Agreement are necessary to effect the intent herein, the Clerk of the Town of Pelham is hereby authorized to complete same in consultation with the Town Solicitor.
5. **THAT** this By-law shall come into force and effect on the date that it is enacted.

Read, enacted, signed and sealed this 5th day of April, 2023.

Marvin Junkin, Mayor

William Tigert, Town Clerk