

The Corporation of the Municipality of Brockton



By-Law 2024-046

Being a By-Law to Authorize Entering Into a Subdivision Agreement with Walker Hill Development Inc.

Whereas the *Municipal Act S.O. 2001, c 25*, Section 5(3), as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by By-Law;

And Whereas Section 51(26) of the *Planning Act, R.S.O. 1990* provides that a municipality or approval authority, or both, may enter into agreements imposed as a condition to the approval of a plan of subdivision and the agreements may be registered against the land to which it applies and the municipality or the approval authority, as the case may be, is entitled to enforce the provisions of it against the owner and, subject to the Registry Act and the Land Titles Act, any and all subsequent owners of the land;

And Whereas Walker Hill Development Inc. wishes to enter into a Subdivision Agreement with the Municipality of Brockton to provide for the development of a Subdivision (Walker Hill) legally described as Part of PART LOT 32, CONCESSION 1, NORTH OF DURHAM ROAD, BRANT, PARTS 3 AND 4, PLAN 3R-10756; SUBJECT TO AN EASEMENT OVER PART 4, PLAN 3R-10756 AS IN R34232; SUBJECT TO AN EASEMENT OVER PART 4, PLAN 3R-10756 AS IN R35700; MUNICIPALITY OF BROCKTON; being part of PIN 33196-0614 (LT); LRO #3; and more particularly identified on the Plan as Phase 1, being Lots 1 – 4, Block 45 – 49, and the part of Harmony Drive that connects Old Durham Road to Walker Hill Crescent (up to the northerly boundary limit of Lot 1 and Lot 2).

Now Therefore the Council of The Corporation of the Municipality of Brockton enacts as follows:

- 1.0 That the Council for The Corporation of the Municipality of Brockton hereby authorizes the entering into of a Subdivision Agreement with Walker Hill Development Inc. for the development of a the first Phase of a Subdivision in the Municipality of Brockton, formerly in the Town of Walkerton, County of Bruce, Province of Ontario, a copy of which is attached as Schedule "A" hereto and forming part of this By-Law;
- 2.0 That the Clerk and Chief Administrative Officer shall be authorized to make minor amendments to the attached Subdivision Agreement as may be advised by the municipal engineers and/or solicitors and as agreed to by the parties.
- 3.0 That the Mayor and Clerk are hereby authorized and directed to fully execute the Subdivision Agreement attached hereto and forming a part of this By-law and are further authorized to sign any documents related to the agreement, or to the registration of the agreement in the Land Registry Office, and to affix the Corporate Seal thereon upon receipt of all necessary documentation and securities.
- 4.0 This By-Law shall come into full force and effect upon final passage.
- 5.0 This By-Law may be cited as the "Walker Hill Development Inc. Subdivision Agreement By-Law".

Read, Enacted, Signed and Sealed this 7th day of May, 2024.

Mayor – Chris Peabody

Director of Legislative and Legal Services (Clerk) –
Fiona Hamilton