

# The Corporation of the City of Kenora

## By-Law Number 10 - 2023

### A By-Law to Authorize the Execution of an Extended Lease Agreement between the Corporation of the City of Kenora and Tbaytel for the Keewatin Water Tower located at 701 5th Street

**Whereas** the Corporation of the City of Kenora authorized a lease agreement between the Corporation of the City of Kenora and Tbaytel for a telecommunications site agreement for a cellular tower on the Keewatin Water Tower located at 701 5<sup>th</sup> Street on April 23, 2013; and

**Whereas** the Agreement includes three (3) five (5) year extensions to the original lease wherein the 2018 extension, By-law 41-2018, will expire on April 30<sup>th</sup>, 2023; and

**Whereas** the Corporation of the City of Kenora has agreed to extend the lease agreement for the cellular tower; and

**Whereas** Council hereby authorizes an extension to the lease agreement for a second period commencing May 1, 2023 until April 30, 2028; and

**Whereas** the Corporation of the City of Kenora and Tbaytel have agreed to the second of three automatic renewal terms of five years commencing May 1, 2023 and ending April 30, 2028 with the third automatic renewal available at that time; and

**Whereas** in accordance with telecommunications site agreement authorized by bylaw number 40-2013, the annual rent shall be set at 110% of the annual rent of the previous term, being \$8,470.00 + HST;

**Now Therefore** the Council of the Corporation of the City of Kenora enacts as follows:

- 1. That** the Mayor and Clerk of the Corporation of the City of Kenora be and are hereby authorized to execute an extended lease Agreement between the Corporation of the City of Kenora and Tbaytel, in accordance with the terms and conditions established in bylaw 40-2013 therein and affix the Seal of the Corporation thereto.
- 2. That** the conditions and agreements contained within the original lease agreement contained in bylaw number 40-2013 remain in effect with this extension.
- 3. That** this by-law shall come into force and be in effect from and after the final passing thereof.

**By-Law Read a First and Second Time this 15<sup>th</sup> day of February, 2023**

**By-Law Read a Third and Final Time this 15<sup>th</sup> day of February, 2023**

**The Corporation of the City of Kenora:-**

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**Andrew Poirier, Mayor**

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**Heather L. Pihulak, City Clerk**