

The Corporation of the City of Kenora

By-Law Number 104 – 2026

A By-Law to Consent to the Assumption of a Lease Agreement

Whereas the Corporation of the City of Kenora entered into a lease agreement dated the 18 day of March, 2025 with P & S Gauthier Enterprises Inc. respecting the lands and premises municipally known as 821 Lakeview Drive; and

Whereas P & S Gauthier Enterprises Inc. and 1001317482 Ontario Inc. has requested that the City consent to the assignment and assumption of the Lease to E. Tella Enterprises Inc.; and

Whereas the Lease requires the prior written consent of the City before the Lease may be assigned, transferred, or otherwise assumed by another party;

Whereas Council of the City deems it advisable and in the municipal interest to consent to the assumption of the Lease by the Assuming Tenant, subject to the terms and conditions set out in this By-law and in the assumption agreement attached as Schedule “A”; and

Whereas sections 8, 9 and 11 of the Municipal Act, 2001, S.O. 2001, c. 25 provide municipalities with broad powers to govern their affairs and enter into agreements necessary or desirable for municipal purposes;

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

1. The City hereby consents to the assignment and assumption of the Lease from the P & S Gauthier Enterprises Inc. and 1001317482 Ontario Inc. to the Assuming Tenant, E. Tella Enterprises Inc. subject to the execution of an assumption agreement in a form satisfactory to the City.
2. The Assuming Tenant shall assume, perform, observe, and be bound by all covenants, obligations, terms, and conditions of the Lease from and after the effective date of the assignment and assumption.
3. The consent granted by this By-law shall not constitute a waiver of any rights, remedies, claims, defaults, or obligations arising under the Lease, except as expressly provided in the assumption agreement.
4. The Mayor and Clerk are hereby authorized and directed to execute, on behalf of the City, the assumption agreement substantially in the form attached as Schedule “A” to this By-law, together with any ancillary documents necessary to give effect to this By-law.
5. Schedule “A” attached hereto forms part of this By-law.
6. This By-law shall come into force and take effect on the date of its final passing.

By-Law Read a First and Second Time this 23rd day of June, 2026

By-Law Read a Third and Final Time this 23rd day of June, 2026

The Corporation of the City of Kenora:-

Andrew Poirier, Mayor

Heather Pihulak, City Clerk

By signing this bylaw on June 23, 2026, Mayor Andrew Poirier will not exercise the power to veto this bylaw.