

THE CORPORATION OF THE CITY OF KENORA

BY-LAW NUMBER 8 - 2009

**A BY-LAW TO AMEND BY-LAW NUMBER 171-2005 BEING A BY-LAW TO AUTHORIZE
A DEVELOPMENT AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF
KENORA AND TWIN ELEVEN INVESTORS LTD.**

WHEREAS Council adopted By-law Number 171-2005 on December 12, 2005; and

WHEREAS it is necessary to amend the by-law to meet changing requirements;

WHEREAS Twin Eleven Investors Ltd. is developing lands described as PLAN M248 LOTS 1 & 3 PCL_30826 LOT 2 PCL_12722, 40 Minnesota Street W. and PLAN M248 LOTS 4 ; 5 ;6 & 7 PCL 36910, 5 Bay Road for residential and commercial purposes; and

WHEREAS the proposed development requires new improvements, being a communications tower; and

WHEREAS Twin Eleven Investors Ltd. has previously entered into a development agreement, entered into by the City of Kenora and Twin Eleven Investors Ltd, by By-law No. 19-2005, as amended; and

WHEREAS the City of Kenora has approved the development of the lands, subject to terms and conditions;

NOW THEREFORE, the Council of the City of Kenora enacts as follows:

1. **THAT** the Mayor and Clerk of the Corporation of the City of Kenora are hereby authorized to execute a development/site plan amendment between The Corporation of the City of Kenora and Twin Eleven Investors Ltd., in accordance with the terms and conditions therein and affix the Seal of the Corporation thereto.
2. **THAT** Schedule A attached hereto is hereby made part of this By-Law as fully and to all intents as purposes as though cited in full herein
3. **THAT** this by-law shall take effect and come into force upon third and final reading.

BY-LAW read a FIRST & SECOND Time this 19th day of January, 2009

BY-LAW read a THIRD & FINAL Time this 19th day of January, 2009

THE CORPORATION OF THE CITY OF KENORA:

Per _____ **Leonard P. Compton, MAYOR**

Per _____ **Joanne L. McMillin, CLERK**

ADDENDUM 3 TO DEVELOPMENT AGREEMENT

**BETWEEN
CITY OF KENORA**

AND

TWIN ELEVEN INVESTORS LTD.

Authorized by By-law Number 8- 2009 being a By-law to amend the Development Agreement:

(i) 2. (xiii) Communications Tower - The Owner shall construct a communications tower per Site Plan S00, prepared by KGS Group and Site Plan SP1-A REV 20c, prepared by Ininew Project Management Ltd.; and

(iii) Addition of drawings : Site Sketch S00, prepared by KGS Group and Site sketch SP 1A revision 20C, prepared by Ininew Project Management Ltd.

IN WITNESS WHEREOF the Owner has affixed its corporate seal under the hands of its officers duly authorized in that behalf.

EXECUTED at the City of Kenora this _____ day of _____, 2009.

CORPORATION OF THE CITY OF KENORA

Per: _____
Name: Leonard P. Compton
Title: MAYOR

Per: _____
Name: Joanne L. McMillin
Title: CITY CLERK

TWIN ELEVEN INVESTORS LIMITED

Per: _____
Name:
Title

Per: _____
Name:
Title

We have the authority to bind the corporation.

We have the authority to bind the corporation.

SCHEDULE "A"