

THE CORPORATION OF THE CITY OF KENORA

BY-LAW NUMBER 158 - 2009

A BY-LAW TO AMEND BY-LAW NUMBER 19-2005 BEING A BY-LAW TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF KENORA AND TWIN ELEVEN INVESTORS LTD.

WHEREAS Council adopted By-law Number 19-2005 on the 7th day of February, 2005; and

WHEREAS it is deemed necessary and expedient to amend the by-law with respect to a change to the Development Agreement; and

WHEREAS Twin Eleven Investors Ltd. is developing lands described as PLAN M248 LOTS 1 & 3 PCL 30826 LOT 2 PCL12722, 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 that the swimming pool component of the outdoor amenity space be removed, to be replaced with a deck, railing and retaining wall; 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** this by-law shall come into force and be in effect from and after the final passing thereof.
3. **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
4. **THAT** By-law Number 171-2005 be and is hereby amended.
5. **THAT** this By-Law shall come into force and thereupon shall be effective from the date of its final passing.

By-law Read a First & Second Time this 19 day of October, 2009

By-law Read a Third & Final Time this 19 day of October, 2009

THE CORPORATION OF THE CITY OF KENORA

PER: _____
LEONARD P. COMPTON, MAYOR

PER: _____
JOANNE L. MCMILLIN, CITY CLERK

ADDENDUM 3 TO DEVELOPMENT AGREEMENT

BETWEEN

CITY OF KENORA

AND

TWIN ELEVEN INVESTORS LTD.

Authorized by By-law No. - 2009 being a By-law to amend the Development Agreement:

(i) 2. (xiii) Deck/amenity area - The Owner shall construct a deck, railing and retaining wall, per Site Plan SP1-A REV 21, prepared by Ininew Project Management Ltd.; and

(iii) Addition of drawings Site sketch SP 1A revision 21, 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.

TWIN ELEVEN INVESTORS LIMITED:

Per: _____
Name:
Title

Per: _____
Name:
Title

We have the authority to bind the corporation.

THE CORPORATION OF THE CITY OF KENORA:

Per: _____
Name: L.P. Compton
Title: Mayor

Per: _____
Name: J. L. McMillin
Title: City Clerk

We have the authority to bind the corporation.