

The Corporation of the City of Kenora

By-Law Number 17 - 2011

A By-Law to Authorize Entering Into a Site Plan Agreement Between the Corporation of the City of Kenora and Her Majesty the Queen in the Right of Ontario as represented by the Minister of Infrastructure

.....
Whereas section 41(2) of the *Planning Act* enables a municipality where in an official plan an area is shown or described as a proposed site plan control area, the council of the local municipality in which the proposed area is situate may, by by-law, designate the whole or any part of such area as a site plan control area; and

Whereas section 41(4)(e) enables a municipality to approve plans for the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities, if an official plan and a by-law passed under subsection (2) are in effect in the municipality; and

Whereas the lands legally described as Parts 1 and 3 Plan 23R-9321, Concession 7 Jaffray, Parcel 42078 PIN 42174-0198 (LT) (and shown on Schedule A to the agreement), are designated pursuant to the City of Kenora Official Plan as being subject to site plan control; and

Whereas Bird Construction, Agent for Her Majesty the Queen in the Right of Ontario as represented by the Minister of Infrastructure has submitted to the City of Kenora, a site plan for the subject lands and the City of Kenora has approved such plan subject to entering into a Site Plan Agreement.

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

1. **That** the Mayor and the Clerk be and they are hereby empowered to execute the necessary agreement.
2. **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 22 day of February, 2011.

BY-LAW read a Third and Final Time this 22 day of February, 2011.

The Corporation of the City of Kenora:-

_____ Mayor
David. S. Canfield

_____ Clerk
Joanne L. McMillin