

The Corporation of the City of Kenora

By-law Number 158 - 2021

A By-law to Enter into a Site Plan Agreement Between The Corporation of the City of Kenora and Canadian Pacific Railway Company

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 By-laws 189-2010 designated lands subject to Site Plan Control and 79-2016 provides policy for implementation of Site Plan Control; and

Whereas the lands described on Schedule A, are designated pursuant to the City of Kenora Official Plan as being subject to site plan control;

Whereas the Owner intends to develop a portion of the lands for marina purposes and for purposes of a commercial parking lot serving the marina area;

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 Agreement attached and terms of the conditions set out in the agreement.
2. **That** this By-Law shall come into force and be in effect from the day after the final passing thereof.

By-law read a First and Second Time this 21st day of December, 2021

By-law read a Third and Final Time this 21st day of December, 2021

The Corporation of the City of Kenora:-

Daniel Reynard, Mayor

Heather Pihulak, City Clerk