

October 2, 2009



**CITY COUNCIL
COMMITTEE REPORT**

TO: Planning and Property Committee

FR: Jeffrey Port, City Planner

RE: Amendment #4 to Development Agreement – Islandview Condominiums

BACKGROUND:

On February 7, 2005, the City of Kenora approved By-Law No. 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.

The developer subsequently applied to the City of Kenora to amend the development agreement on several occasions to permit; (i) smaller parking stalls and parking realignment, (ii) to permit the construction of a generator building and deck area and (iii) permit the construction of the communications tower.

A further application has now been made, as requirement of new owner, the Condominium Corporation, for the deletion of the pool area, to be replaced by a deck, railing and retaining wall.

The proposed amendment has been reviewed, and approved, by affected City Departments. The Condominium Corporation has no objection to the replacement of the pool with the deck area, however, to date nothing has been received in writing by the City of Kenora. The amended agreement will affect land owned by the Condominium Corporation.

The document will be amended by addition of the new site plan only; this will be the fourth amendment to the original agreement (171-2005 improvements to adjacent roadways) (116-2008 a generator building and a deck area) (171-2009 communications tower).

BUDGET:

Applicant paid \$800

COMMUNICATION PLAN/Notice By-law Requirements:

N/A – Property and Planning Agenda, Council Agenda, Notice to Chief Building Official and Operations Manager

Recommendation:

That the Council give three readings to a By-Law, being a by law to amend a development agreement with Twin Eleven Investors Ltd., and amending By-Law No. 19-2005, for the purpose of replacing the pool area with a deck, railing and retaining on the subject property known as the Islandview Condominium, 5 Bay Road, conditional upon receiving a letter from the Condominium Corporation indicating they have no objections to the amendment.