

The Corporation of the City of Kawartha Lakes

By-Law 2021-____

A By-law to Authorize the Execution of Two Lease Agreements with The City of Kawartha Lakes For a Hangar on Lot 26 at the Municipal Airport, 3187 Highway 35 N., Lindsay, in the City of Kawartha Lakes

For the purpose of authorization to execute two lease agreements associated with a hangar on Lot 26 at the Lindsay Municipal Airport, 3187 Highway 35 N., Lindsay, in the City of Kawartha Lakes. One lease agreement is between The City of Kawartha Lakes and Camber Construction Inc. and 2745502 Ontario Inc. and will be back dated to reflect the time of possession. The second lease agreement will follow the intended termination of the first lease agreement. The second lease agreement will be between the City of Kawartha Lakes and 449974 Ontario Limited.

Recitals

1. Camber Construction Inc. and 2745502 Ontario Inc. are proposing to enter into a vacant land lease agreement with The City of Kawartha Lakes to allow Camber Construction Inc. and 2745502 Ontario Inc. to construct a privately owned and maintained hangar on Lot 26 at the Municipal Airport, 3187 Highway 35 N., Lindsay, in the City of Kawartha Lakes. This By-law is requesting to execute the proposed lease agreement dated the 1st day of August, 2020 between the City of Kawartha Lakes and Camber Construction Inc. and 2745502 Ontario Inc.
2. 449974 Ontario Limited is proposing to enter into a vacant land lease agreement with The City of Kawartha Lakes to become the successor of the termination of the lease agreement between Camber Construction Inc. and 2745502 Ontario Inc. and The City of Kawartha Lakes. This lease agreement is to identify the owner of the privately owned and maintained hangar on Lot 26 at the Municipal Airport, 3187 Highway 35 N., Lindsay, in the City of Kawartha Lakes. This By-law is requesting to execute the proposed lease agreement dated the 1st day of December, 2021 between the City of Kawartha Lakes and Camber Construction Inc. and 2745502 Ontario Inc.
3. Sections 5.03 (2) of By-Law 2016-009, being a by-law regarding delegated authority to execute documents, required that the proposed addendum with a term over 5 years must be approved by council.
4. The lease agreement dated the 1st day of August 2020 has been agreed to and executed by Camber Construction Inc. and 2745502 Ontario Inc.
5. The lease agreement dated the 1st day of December 2021 has been agreed to and executed by 449974 Ontario Limited.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

1.02 Interpretation Rules:

(a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

(b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Authorization

2.01 Authorization: The Mayor and Clerk are hereby authorized and directed to sign the lease agreement dated the 1st day of August 2020 between The City of Kawartha Lakes and Camber Construction Inc. and 2745502 Ontario Inc., appended to this By-Law as Schedule A, and affix the City of Kawartha Lakes' corporate seal. The Mayor and Clerk are hereby authorized and directed to sign the lease agreement dated the 1st day of December 2021 between The City of Kawartha Lakes and 449974 Ontario Limited, appended to this By-Law as Schedule B, and affix the City of Kawartha Lakes' corporate seal.

Section 3.00: Administration and Effective Date

3.01 Administration of the By-law: The Clerk is responsible for the administration of this by-law.

3.02 Effective Date: This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 14th day of December, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk