

Municipality of Lakeshore

By-law 99-2021

Being a By-law to Authorize the Execution of a Condominium Amending Agreement pertaining to Beachside Condos

Whereas pursuant to the *Planning Act*, R.S.O. 1990, c.P.13, representatives of Beachside Development Ltd. received Draft Plan Approval (File# 37-CD-19002) for a plan of condominium prepared by Bear Construction and Engineering Inc. and signed on April 14, 2021 on lands legally described as Part of Lots 2 and 3, Concession West of Pike Creek Maidstone; designated as Parts 1-5 on Plan 12R28616; subject to an easement as in CE944982; subject to an easement in gross over Parts 2, 3 and 4 on Plan 12R28616 as in CE948151; Municipality of Lakeshore, being all of the Property Identifier Number 75008-0860(LT) (the "Subject Lands");

And whereas the parties entered into a Condominium Agreement for the Original Development on August 28, 2020, and registered on April 14, 2021, as in instrument number CE1009915 on May 25, 2021 (the "Original Agreement");

And whereas the Council of the Municipality of Lakeshore passed a resolution directing the Clerk read a by-law to amend the Condominium Agreement to recognize the stormwater management scheme as approved by the Essex Region Conservation Authority, as recommended by the Planner at the November 9, 2021 Council meeting;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. The Mayor and Clerk are authorized to execute an agreement that is not intended to replace the Condominium Agreement previously entered into with Beachside Developments Ltd dated August 28, 2020, but be an amendment to it.
2. The Original Agreement shall continue to apply to the Subject Lands except in so far as it is in conflict with this Amending Agreement in which case the provisions of this Amending Agreement shall prevail.
3. This by-law shall come into force and effect upon passage.

Read and passed in open session November 9, 2021.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**