

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4097C-20**

The Settlement at St. Davids Subdivision
Roll No # 2627 020 025 11400

A BY-LAW TO AMEND BY-LAW 4097-06 BEING A BY-LAW TO
AUTHORIZE A SUBDIVISION AGREEMENT BETWEEN THE
CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE
AND QUEENSTON GOLF CLUB LIMITED AND THE
SETTLEMENT (GLOCKNER) PROPERTY INC., AND MERIDIAN
CREDIT UNION LIMITED AND 1473944 ONTARIO LIMITED

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN
OF NIAGARA-ON-THE-LAKE as follows:

1. THAT the Amending Agreement dated the 24th day of August 2020
between The Corporation of the Town of Niagara-on-the-Lake and 1784510
Ontario Limited; and
2. THAT the Lord Mayor and Clerk be authorized to affix their hands and
the Corporate Seal; and
3. THAT this by-law shall come into force and take effect immediately
upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 24th DAY OF
AUGUST 2020**

LORD MAYOR, BETTY DISERO

TOWN CLERK, PETER TODD

THIS INDENTURE made in triplicates this 31st day of August 2020.

BETWEEN:

THE CORPORATION OF THE TOWN
OF NIAGARA-ON-THE-LAKE
(Hereinafter called the 'Town')

OF THE FIRST PART,

-and-

1784510 ONTARIO LIMITED
(Hereinafter called the 'Developer')

OF THE SECOND PART,

-and-

QUEENSTON GOLF CLUB LIMITED
(Hereinafter called the 'Original Owner')

OF THE THIRD PART

WHEREAS the Original Owner of the lands signed the original subdivider's agreement (By-law# 4097-06) affecting Blocks 70 and 71.

AND WHEREAS the Developer acquired and is the current Owner of the lands in the Town of Niagara-on-the-Lake described in Schedule 'A' attached hereto;

AND WHEREAS the Developer Desires to amend the subdivider's agreement to remove the escrow provisions on Part of Block 70 & 71, prior to the approval of the turnaround design by the Town and linkage of Paxton lane to the Lane in the adjoining property;

AND WHEREAS the developer and builder is one of the same;

AND WHEREAS in order to implement the developer's request an amendment to the Subdivider's Agreement is required;

AND WHEREAS the Original Owner consents to the amendment of the original subdivider's agreement (By-law# 4097-06) affecting Blocks 70 and 71.

AND WHEREAS this Agreement is an agreement executed under the authority of s. 51(26) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and as such may be registered against title in the Land Titles Office for Niagara North.

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the Town approving the said plan of subdivision and, in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada now paid by the developer to the Town (the receipt thereof is hereby acknowledged), the parties hereto covenant and agree with as follows:

1. The subdivider's agreement authorized by By-law 4097-06 dated October 23, 2006 and registered in the Registry Office for the Registry Division of Niagara North (no. 30) as Instrument No. NR168834 dated February 27, 2008, as amended by By-law 4097B-13 dated May 6, 2013 and registered in the Registry Office for the Registry Division of Niagara North (no. 30) as Instrument No. NR344784 is hereby amended by deleting and clause 15 in "Schedule C."
3. All other conditions of the Subdivision Agreement will continue to apply.

This agreement shall enure to the benefit of and be binding upon the respective successors and assigns of the parties hereto.

Any notice given hereunder shall be sufficiently given and addressed to:

DEVELOPER:

1784510 Ontario Limited
Kekoo Gatta
PO Box 1090
Niagara on the lake, ON L0S 1J0

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals under the hands of their officers duly authorized in that behalf.

**SIGNED, SEALED AND
DELIVERED**
in the presence of:

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-
LAKE**
Per:

Lord Mayor Betty Disero

Town Clerk Peter Todd
We have the authority to bind the
Corporation

1784510 Ontario Limited
Per:

I, Kekoo Gatta, have the authority to
bind the Corporation

**QUEENSTON GOLF CLUB
LIMITED**
Per:

I, Jack Lowrey, have the authority to
bind the Corporation

SCHEDULE A

LEGAL DESCRIPTION

PIN: 46374-0500 (LT)

Block 70, Plan 30M375 Except Parts 1 - 15 Incl. on 30R-14217; Subject to an Easement in Gross over Parts 26 & 27 30R-13036 as in NR168846; Subject to an Easement in Gross over Parts 27 & 28 30R-13036 as in NR168842; TOWN OF NIAGARA-ON-THE-LAKE

PIN: 46374-0506 (LT)

Block 71, PLAN 30M375 Save and Except Parts 1 to 9 30R-14382 Subject to an Easement in Gross over part 30 30R-13036 as in NR168846; TOWN OF NIAGARA-ON-THE-LAKE

Affects Blocks 70 and 71 30M-375

Lot 1 to 8, (inclusive), Lots 33 to 35, (inclusive), Lots 62 to 68, (inclusive), Blocks 69 to 75, (inclusive), Blocks 84, 87, 88 and 89, and the streets namely David Lowrey Court and Part of Paxton Lane and Part of Goring Way, as shown on Plan 30M-375 Niagara-on-the-Lake.

Lots 9 to 16 (inclusive), Lots 28 to 40 (inclusive), Lots 57 to 61 (inclusive), Block 76, 77, 81, 82, 86 and 90, and the streets namely Part of Glockner Lane and Part of Paxton Lane and Part of Goring Way and Part of David Secord Drive, as shown on Plan 30M-375, Niagara-on-the-Lake.

Lots 17 to 27 (inclusive), Lots 41 to 56 (inclusive), Blocks 78, 79, 80, 83, 85 and 91 and the streets namely Old Mill Lane and Part of Paxton Lane and Part of Goring Way and Part of David Secord Drive, as shown on Plan 30M-375, Niagara-on-the-Lake

The Lands more particularly described and identified on Properties Section of the Notice to which this schedule is attached