

**THE CORPORATION OF THE CITY OF KENORA**

**BY-LAW NUMBER 73-2004**

A BYLAW TO STOP UP AND CLOSE THOSE PARTS OF THE STREETS AND LANES AS SHOWN ON PLANS M.63 AND M.44 , IN THE CITY OF KENORA, IN THE DISTRICT OF KENORA, DESIGNATED AS PARTS 1, 2, 3, 4, 7, 8, 9, 10, AND 11, ON PLAN 23R-10931 AND PARTS 13 AND 15 ON PLAN 23R-10957 AND TO SELL THOSE LOTS, PART LOTS, STREETS AND LANES AS SHOWN ON PLANS M.63 AND M.44 , IN THE CITY OF KENORA, IN THE DISTRICT OF KENORA

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**WHEREAS** the Council of the Corporation of the City of Kenora, deems it necessary and expedient to stop up and close those parts of the Streets namely Part of Eighth Street South (formerly Coronado Avenue, By-Law 460, GR 785), all of Eleventh Avenue South (formerly Queen Street, By-Law No. 460, GR 785), part of Twelfth Avenue South (formerly Empress Street, By-Law No. 460, GR 785) and one lane as shown on Plan M.44, being part of Parcel 43433, and further designated Parts 1, 2 , 3 and 4 on Plan 23R-10931, Town of Kenora, now the City of Kenora, in the District of Kenora;

**AND WHEREAS** the Council of the Corporation of the City of Kenora, deems it necessary and expedient to stop up and close those parts of the Streets, namely part of Twelfth Avenue South (formerly Beck Avenue, By-Law No. 460, GR785), part of Sixth Street South (formerly Gertie Street, By-Law No.460, GR 785), Part of Kyle Street and two lanes as shown on Plan M.63, being part of Parcel 43433, and further designated as Parts 7, 8, 9, 10 and 11 on Plan 23R-10931, Town of Kenora, now City of Kenora, in the District of Kenora;

**AND WHEREAS** the Council of the Corporation of the City of Kenora, deems it necessary and expedient to stop up and close those parts of Sixth Street South (formerly Gertie Street, By-Law No. 460, GR 785) and part of a lane as shown on Plan M.63, designated as Parts 13 and 15 on Plan 23R-10957, Town of Kenora, now City of Kenora, in the District of Kenora;

**AND WHEREAS** additional land described as Parts 13, 14, 15 and 16 on Plan 23R-10957 has been negotiated to be added to the land that was approved for sale in By-law 26-2004, and accordingly, the description in By-Law 26-2004 is no longer accurate;

**AND WHEREAS** the Corporation of the City of Kenora has identified the following lands:

**Parcel 43433, being**

FIRSTLY: those parts of the Streets, namely part of Twelfth Avenue South (formerly Beck Avenue, By-Law No. 460, GR785), part of Sixth Street South (formerly Gertie Street, By-Law No.460, GR 785), Part of Kyle Street and two lanes as shown on Plan M.63, and further designated as Parts 7, 8, 9, 10 and 11 on Plan 23R-10931,

SECONDLY: the remainder of Lots 166 and 167, designated as Part 12 on Plan 23R-10931, part of Lots 168 - 175, designated as Part 13 on Plan 23R-10931, Lots 224 - 232, Part of Lots 321, 322 and all of Lot 323, designated as Part 14 on Plan 23R-10931, Lots 327 - 334 as shown on Plan M.63

THIRDLY: those parts the Streets namely Part of Eighth Street South (formerly Coronado Avenue, By-Law 460, GR 785), all of Eleventh Avenue South (formerly Queen Street (By-Law No. 460, GR 785), part of Twelfth Avenue South (formerly Empress Street, By-Law No. 460, GR 785) and one lane as shown on Plan M.44, and further designated Parts 1, 2, 3 and 4 on Plan 23R-10931 and Lots 49 - 60, both inclusive, Lots 61 - 71 and part of Lot 72, designated as Part 5 on Plan 23R-10931, Parts of Lots 74 and 75, Lots 76 - 84, both inclusive, designated as Part 6 on Plan 23R-10931

FOURTHLY: Lot 233, Plan M.63

FIFTHLY: those portions of Lots 166 and 167, Plan M.63

SIXTHLY: part of the west half of Farm Location K.13, designated as Part 1 on Plan 23R-8958.

**Part of Parcel 22978, being part of Sixth Street South (formerly Gertie Street, By-Law No. 460, GR 785) as shown on Plan M.63, designated as Part 14 on Plan 23R-10957**

**Part of Parcel 32558, being part of the Lane adjacent to Lot 335, Plan M.63, designated as Part 15 on Plan 23R-10957**

**Part of Parcel 27650**, being part of Lot 335, Plan M.63, designated as Part 16 on Plan 23R-10957

**(Presently) Part of Parcel 2771**, being part of Sixth Street South (formerly Gertie Street, By-Law No. 460, GR 785) as shown on Plan M.63, designated as Part 13 on Plan 23R-10957.

as surplus land and has reached an Agreement with 1286730 ONTARIO LIMITED to sell the said lands;

**NOW THEREFORE** The Corporation of the City of Kenora enacts as follows:

1. **Part of Parcel 43433 being** those parts of the Streets namely Part of Eighth Street South (formerly Coronado Avenue, By-Law 460, GR 785, all of Eleventh Avenue South (formerly Queen Street By-Law No. 460, GR 785), part of Twelfth Avenue South (formerly Empress Street By-Law No. 460, GR 785) and one lane as shown on Plan M.44, and further designated Parts 1, 2, 3 and 4 on Plan 23R-10931, Town of Kenora, now City of Kenora, in the District of Kenora, and

**THOSE** parts of the Streets, namely part of Twelfth Avenue South (formerly Beck Avenue, By-Law No. 460, GR785), part of Sixth Street South (formerly Gertie Street, By-Law No.460, GR 785), Part of Kyle Street and two lanes as shown on Plan M.63, and further designated as Parts 7, 8, 9, 10 and 11 on Plan 23R-10931, Town of Kenora, now City of Kenora, in the District of Kenora. and

**THAT** part of Sixth Street South (formerly Gertie Street, By-Law 460, GR 785), as shown on Plan M.13, designated as Part 13 on Plan 23R-10957 and

**THAT** part of the lane adjacent to Lot 335 on Plan M.63, designated as Part 15 on Plan 23R-10957

**BE AND THE SAME IS HEREBY STOPPED UP AND CLOSED.**

2. **THAT Parcel 43433**, being

FIRSTLY: those parts of the Streets, namely part of Twelfth Avenue South (formerly Beck Avenue, By-Law No. 460, GR785), part of Sixth Street South (formerly Gertie Street, By-Law No.460, GR 785), Part of Kyle Street and two lanes as shown on Plan M.63, and further designated as Parts 7, 8, 9, 10 and 11 on Plan 23R-10931,

SECONDLY: the remainder of Lots 166 and 167, designated as Part 12 on Plan 23R-10931, part of Lots 168 - 175, designated as Part 13 on Plan 23R-10931, Lots 224 - 232, Part of Lots 321, 322 and all of Lot 323, designated as Part 14 on Plan 23R10931, Lots 327 - 334 as shown on Plan M.63

THIRDLY: those parts of the Streets namely Part of Eighth Street South (formerly Coronado Avenue, By-law 460, GR 785), all of Eleventh Avenue South (formerly Queen Street (By-Law No. 460, GR 785), part of Twelfth Avenue South (formerly Empress Street (By-Law No. 460, GR 785) and one lane as shown on Plan M.44, and further designated as Parts 1, 2, 3 and 4 on Plan 23R-10931 and Lots 49 - 60, both inclusive, Lots 61 - 71 and part of Lot 72, designated as Part 5 on Plan 23R-10931, Parts of Lots 74 and 75, Lots 76 - 84, both inclusive, designated as Part 6 on Plan 23R-10931

FOURTHLY: Lot 233, Plan M.63

FIFTHLY: those portions of Lots 166 and 167, Plan M.63

SIXTHLY: part of the west half of Farm Location K.13, designated as Part 1 on Plan 23R-8958.

**Part of Parcel 22978**, being part of Sixth Street South (formerly Gertie Street, By-Law No. 460, GR 785) as shown on Plan M.63, designated as Part 14 on Plan 23R-10957

**Part of Parcel 32558**, being part of the Lane adjacent to Lot 335, Plan M.63, designated as Part 15 on Plan 23R-10957

**Part of Parcel 27650**, being part of Lot 335, Plan M.63, designated as Part 16 on Plan 23R-10957

**(Presently) Part of Parcel 2771**, being part of Sixth Street South (formerly Gertie Street, By-Law No. 460, GR 785) as shown on Plan M.63, designated as Part 13 on Plan 23R-10957.

**BE DECLARED SURPLUS LAND AND SOLD.**

4. **THAT** the Corporation of the City of Kenora is hereby authorized to transfer the following lands to **Minestic Shopping Centres Limited:**

**Part of Parcel 43433**, City of Kenora, District of Kenora, being Eleventh Avenue South (formerly Queen Street By-law No. 460, GR 785), Part of Twelfth Avenue South (formerly Empress Street By-Law No. 460, GR 785), Part of Eighth Street South (formerly Coronado Avenue By-Law 460 GR 785), the lane between Lots 49 - 60 and Lots 61 - 72 (all inclusive), all of Lots 49 - 60 (both inclusive), all of Lots 62 - 71 (both inclusive), all of Lots 76 - 83 (both inclusive) and part of Lots 61, 72, 74, 75 and 84, as shown on Plan M.44 and part of Farm Location K.13, and further designated as **Parts 1, 2, 3, 4, 17 and 18 on Plan 23R-10957.**

5. **THAT** the Corporation of the City of Kenora is hereby authorized to transfer the following lands to **Canadian Tire Real Estate Limited:**

**Part of Parcel 43433**, City of Kenora, District of Kenora, being part of Twelfth Avenue South (formerly Beck Avenue, By-Law No. 460, GR785), part of Kyle Street, part of Sixth Street South (formerly Gertie Street, By-Law 460, GR785), the lane between Lot 167 and part of Lots 166 and 168, the lane between Lots 224 - 236 (both inclusive), part of Lot 321, Lots 322 - 334 (both inclusive), part of the lane adjacent to Lot 335, all of Lots 224 - 233 (both inclusive), all of Lots 327 - 334 (both inclusive), part of Lots 166 to 175 (both inclusive), part of Lots 321, 322, 323 and 335, all on Plan M.63, part of Lots 61 and 84, part of Twelfth Avenue South (formerly Empress Street By-Law No. 460 GR 785), Plan M.44 and part of Farm Location K.13, **designated as Parts 5, 6, 9, 10, 20 and 21 on Plan 23R-10957**

**Part of Parcel 22978**, being part of Sixth Street South (formerly Gertie Street By-Law 460, GR785), as shown on Plan M.63, designated as **Part 14 on Plan 23R-10957**

**Part of Parcel 32558**, being part of the Lane adjacent to Lot 335, Plan M.63, designated as **Part 15 on Plan 23R-10957**

**Part of Parcel 27650**, being part of Lot 335, Plan M.63, designated as **Part 16 on Plan 23R-10957**

**(Presently) Part of Parcel 2771**, being part of Sixth Street South (formerly Gertie Street, By-Law No. 460, GR 785) as shown on Plan M.63, designated as **Part 13 on Plan 23R-10957**

6. **THAT** The Corporation of the City of Kenora shall sell to the above described land for the sum of ONE MILLION THREE HUNDRED THOUSAND DOLLARS \$1,300,000.000 plus G.S.T.
7. **THAT** the sale/transfers of the lands herein described are hereby authorized.
8. **THAT** this By-Law shall come into force and be in effect from and after the final passing thereof.
9. **THAT** By-Law 26-2004 is hereby repealed.

BY-LAW READ A FIRST AND SECOND TIME THIS 7th DAY OF June , 2004

BY-LAW READ A THIRD AND FINAL TIME THIS 7th DAY OF June , 2004.

THE CORPORATION OF THE CITY OF KENORA

PER:

DAVID CANFIELD - MAYOR

PER:

JOANNE McMILLIN - CITY CLERK