

**THE CORPORATION OF THE CITY OF KENORA**

**BY-LAW NUMBER 34 – 2005**

**A BY-LAW TO DEEM A LOT ON A REGISTERED PLAN OF SUBDIVISION NOT TO BE A LOT ON A REGISTERED PLAN OF SUBDIVISION PURSUANT TO THE PLANNING ACT.**

.....  
**WHEREAS** pursuant to the provisions of Section 50(4) of the Planning Act, RSO 1990, as amended, the Council of a local municipality may, by by-law, designate any plan of subdivision, or part thereof, not to be a registered plan of subdivision for the purpose of section 50(3) of the said Act ; and

**WHEREAS** the Council of the Corporation of the City of Kenora deems it in the public interest to pass a by-law to designate certain lands not to be a registered plan of subdivision for the purposes of the Planning Act.

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the City of Kenora enacts as follows:

1. THAT all the lands contained within the boundaries of Lots 2,3,4,5,6 and 7, on Registered Plan of Subdivision M.248, in the City of Kenora, formerly the Town of Kenora, in the District of Kenora are hereby deemed not to be lands described in accordance with a registered plan of subdivision for the purposes of Section 50(4) of the Planning Act, RSO 1990;
2. THAT the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction; and further
3. THAT the following Section 118 Land Titles Act restrictive covenant be registered against the titles of Lots 1, 2, 3, 4, 5, 6, 7 on Plan M.248 and Parts 1 and 2 on Plan 23R-10835, in the Register for the District of Kenora that no transfer of the lands shall be made or charge created unless the written consent of The Corporation of the City of Kenora is obtained. The consent of The Corporation of the City of Kenora is not required in instances where all properties affected by the restriction are transferred or charged together to the same party. These covenants shall be binding upon and enure to the benefit of the respective heirs, administrators, successors and assigns of the parties.”
4. THAT By-law Number 28-2005 be and is hereby repealed.

**By-law read a First and Second Time this 21<sup>st</sup> day of March, 2005  
By-law read a Third and Final Time this 21<sup>st</sup> day of March, 2005**

**THE CORPORATION OF THE CITY OF KENORA**

.....**David S. Canfield, MAYOR**

.....**Joanne L. McMillin, CLERK**