

The Corporation of the City of Kenora

By-Law Number 116 - 2025

Being A By-Law to Authorize the Expropriation of the Kenricia Hotel Property - PIN 42163-0002 (LT) and Prescribe the Notice to Owners under the Expropriations Act

1. Purpose

To authorize the expropriation of the property legally described as PIN 42163-0002 (LT); PCL 19833 SEC DKF; PT LT 6 BLK 2 PL 3 BEING THE ELY 65 FT IN PERPENDICULAR WIDTH OF THE SLY 7 FT; PT LT 7 BLK 2 PL 3 BEING THE ELY 65 FT IN PERPENDICULAR WIDTH OF THE NLY 13 FT; KENO ("the Property") for municipal purposes of Community Improvement and Heritage Rehabilitation and Preservation, and to prescribe the method for providing notice to all registered owners and parties with an interest in the Property, as required by the *Expropriations Act*, R.S.O. 1990, c. E.26.

2. Authority

This bylaw is enacted pursuant to sections 5 and 6 of the *Municipal Act, 2001* and in accordance with the *Expropriations Act*.

3. Expropriation Application

The Council of the City of Kenora hereby receives the City of Kenora's Application for Approval to expropriate the Property, including all tenure and title interests in it, as the approval authority pursuant to *Expropriations Act*.

4. Notice of Application for Approval to Expropriate

Upon this Application, the Clerk shall cause a Notice of Application for Approval to Expropriate Land to be:

- Served personally or by registered mail on each registered owner, on any party appearing by the records of the land registry office to have an interest in the Property ("the Owners"), and on any commercial tenants of the property, pursuant to the *Expropriations Act*.
- Served by publication once a week for three (3) consecutive weeks in a newspaper having general circulation in the municipality, for any residential tenants of the Property, pursuant to the *Expropriations Act*.

5. Notice Content

The Notice shall contain:

- The name of the expropriating authority, being the City of Kenora;
- A description sufficient to identify the Property and the interests to be expropriated;
- The purpose for which the land is required;
- A statement that each owner and others with an interest in the Property have the right to request a Hearing of Necessity from the Ontario Land Tribunal within thirty (30) days after receiving service, which is upon personal service, two (2) days following issuance of registered mail or, in the case of residential tenants, thirty (30) days from the first day of newspaper publication, per the *Expropriations Act*; and
- Instructions for requesting a Hearing of Necessity through the City of Kenora as the approval authority for the expropriation.

6. Authority to Proceed with Notice

The Clerk is authorized to take such further steps as required by the *Expropriations Act* to effect service of all required Notices, including publication of notice in the local paper, and to bring the matter back to Council for consideration of a Certificate of Approval of the Application once service is effected, and any Hearing of Necessity has taken place and any report of the Ontario Land Tribunal has been considered by Council, or the timeline for seeking a Hearing of Necessity has expired.

The Mayor or his delegate on Council is hereby authorized to execute all necessary documents for the purposes of issuing the Notice of Application to Expropriate and taking all further steps necessary to complete the expropriation, as required by the *Expropriation Act*.

7. Effective Date

This bylaw shall come into force and take effect on the day it is passed by Council.

By-Law read a First and Second Time this 24th day of July, 2025

By-Law read a Third and Final Time this 24th day of July, 2025

The Corporation of the City of Kenora:-

Andrew Poirier, Mayor

Heather Pihulak, City Clerk

By signing this bylaw on July 24, 2025, Mayor Andrew Poirier will not exercise the power to veto this bylaw.