



CITY OF YELLOWKNIFE

## **CONSOLIDATION OF BY-LAW NO. 4644**

**Adopted July 4, 2011**

**AS AMENDED BY**

**By-law No. 4702 – July 16, 2012**

**(This consolidation is prepared for convenience only.  
For accurate reference, please consult the  
City Clerk's Office, City of Yellowknife)**

DM#509630

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife, authorizing the City of Yellowknife to dispose of fee simple title in land for the Municipal Corporation of the City of Yellowknife, in the Northwest Territories.

PURSUANT to Section 53 of the *Cities, Towns and Villages Act*, S.N.W.T., 2003, c. 22;

**Preamble as amended by By-law No. 4702, July 16, 2012**

WHEREAS the Government of the Northwest Territories (“GNWT”) and Homes North Ltd. (“Homes North”) have made a verbal agreement to exchange Lots 2, 17 and 18, Block 29, Plan 65 for Lot 8, Block 501, Plan 4426;

AND WHEREAS the City of Yellowknife made a verbal agreement to facilitate the GNWT’s property exchange using the then adopted Land Administration By-law (By-law No. 3853). A new Land Administration By-law was adopted on October 12, 2010 which amended the section of the by-law that permitted disposing of land to a specified intended purchaser or lessee without the provision of Balot Draw, Public Tender, Call for Development Proposal, Public Advertisement or Engage a Realtor such as is similarly required under the adopted Land Administration By-law, By-law No. 4596;

AND WHEREAS no representation was made to Homes North from the City of Yellowknife or the GNWT regarding the ability of Homes North to rezone Lot 8, Block 501, Plan 4426. The present zoning of the property is ‘PS’ – Public Service zoning. Homes North has acknowledged that any rezoning will proceed, pursuant to Zoning By-law No. 4404, as amended, or any subsequent by-law, with all risks being accepted by Homes North;

**Paragraphs 6, 7 and 8 deleted, By-law amended at Second Reading by Council Motion 0213-11, July 4, 2011**

AND WHEREAS Council supports the development of Block 501, pursuant to all municipal, federal and territorial legislation;

**Preamble as amended by By-law No. 4702, July 16, 2012**

THEREFORE BE IT RESOLVED THAT the City of Yellowknife accepts pursuant to acquisition By-law No. 4702 from the GNWT the parcel of land known as Lot 8, Block 501, Plan 4426 and hereby disposes of Lot 8, Block 501, Plan 4426 directly to Homes North, notwithstanding Section 11 of the present Land Administration By-law No. 4596; and

THAT this land is disposed of without any warranties, representations or agreements as to future rezoning, development agreements or cost of development. Council retains its unfettered ability to determine the best land use and servicing requirements in accordance with existing by-laws and regulations enacted at this time and in the future; and

**Paragraph 12 deleted, By-law amended at Second Reading by Council Motion 0213-11, July 11, 2011**

AND WHEREAS there is limited “PS” - Public Service zoned land available within the municipal boundary which provides for major public institutional services;

AND WHEREAS Council deems that the land identified, which is currently zoned “PS” – Public Service land as identified in disposal By-law No. 4644 is not required for municipal purposes;

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular session duly assembled, hereby enacts as follows:

**APPLICATION**

**Section 1 as amended by By-law No. 4702, July 16, 2012**

1. THAT the Municipal Corporation of the City of Yellowknife is hereby authorized to dispose of fee simple title in that parcel of land, more particularly described as:

Lot 8, Block 501, Plan 4426  
Yellowknife

2. THAT Council Motion #0197-10 be amended by striking the following:

- a. That a professional land appraisal to determine, market value of properties in question is provided to the City;
- b. That the lands be disposed of in accordance with the methods outlined in the Land Administration By-law;

**Section c added, By-law amended at Second Reading by Council Motion #0213-11, July 4, 2011**

- c. That the City’s financial or development interest be incorporated into the negotiations regarding a land transaction for the land and the on-and off-site development costs of the site.

**Paragraph 22 deleted, By-law amended at Second Reading by Council Motion 0213-11, July 4, 2011**

**EFFECT**

9. That this by-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.