

CITY OF YELLOWKNIFE
BY-LAW NO. 4644

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;

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 a portion of an unsurveyed, unserviced property known as Lot 5 Block 501, Plan 2092 as identified as Schedule A of By-law No. 4644;

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 a portion of Block 501. 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;

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

THEREFORE BE IT RESOLVED THAT the City of Yellowknife accepts pursuant to acquisition By-law No. 4583 from the GNWT the parcel of land known as a portion of Block 501 and hereby disposes of a portion of Lot 5, Block 501 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

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

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:

A portion of Lot 5, Block 501, as shown outlined on Schedule A and identified as Parcel "C" attached hereto and forming part of this by-law;

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;
 - 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; and

3. THAT the Mayor and City Administrator of the Municipal Corporation of the City of Yellowknife, or lawful deputy of either of them, are hereby authorized in the name and on the behalf of the Municipal Corporation of the City of Yellowknife, to execute all such forms of application, deeds, indentures, and other documents as may be necessary to give effect to this by-law and to affix thereto the corporate seal of the Municipal Corporation of the City of Yellowknife as the act and deed thereof, subscribing their names in attestation of such execution.

EFFECT


3. 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*.

READ a First time this 27 day of JUNE A.D., 2011.


MAYOR


CITY ADMINISTRATOR

READ a Second time this 4 day of JULY A.D., 2011.


MAYOR


CITY ADMINISTRATOR

READ a Third time and Finally Passed this 4 day of
JULY A.D., 2011.


MAYOR


CITY ADMINISTRATOR



I hereby certify that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the by-laws of the Municipal Corporation of the City of Yellowknife.




CITY ADMINISTRATOR



Legend

-  Portion of Blocks 500 & 501
-  Shoreline Lease Area



PROJECT: **By-law No. 4644**

TITLE: **Schedule A**

SCALE: 1:5,000

CREATED BY: R. Spearing

FILE: 10_City_Land_Interest_Blocks_500_and_501_V2.mxd

DATE: June 17, 2010