THE CITY OF EDMONTON

BYLAW 20572

BYLAW TO DESIGNATE THE ST. FRANCIS OF ASSISI FRIARY / ST. ANTHONY'S COLLEGE / ST. FRANCIS OF ASSISI CHURCH AS A MUNICIPAL HISTORIC RESOURCE AMENDMENT No. 2

WHEREAS the *Historical Resources Act*, R.S.A. 2000, c. H-9, as amended, permits the municipal council of a municipality to designate any historic resource within the municipality whose preservation it considers to be in the public interest together with any specified land in or on which it is located, as a Municipal Historic Resource; and

WHEREAS the building located at 6700-129 Avenue and 12903-68 Street known as the St. Francis of Assisi Friary / St. Anthony's College / St. Francis of Assisi Church and the land on which the building is situated were designated by Edmonton City Council on March 21, 2006 as a Municipal Historic Resource by way of Bylaw 14222; and

WHEREAS the building located at 6700-129 Avenue and 12903-68 Street known as St. Francis of Assisi Church and the land on which the building is situated was designated by Edmonton City Council on May 16, 2012 as a Municipal Historic Resource by way of Bylaw 16049 which was Amendment No. 1 to Bylaw 14222; and

WHEREAS a portion of the designated land has no historical significance and it is deemed in the public interest to repeal such land's designation as a Municipal Historic Resource; and

WHEREAS the consolidation of Bylaw 14222 by incorporating all amendments to it as set out in this Bylaw 20572 is desirable;

NOW THEREFORE Edmonton City Council, having complied with the *Historical Resources Act*, enacts:

Edmonton City Council enacts:

1. Bylaw 14222, BYLAW TO DESIGNATE THE ST. FRANCIS OF ASSISI FRIARY / ST. ANTHONY'S COLLEGE AS A MUNICIPAL HISTORIC RESOURCE, is amended by this bylaw.

- 2. Schedule "A", Location Map, is amended by deleting the Location Map and substituting the Location Map attached hereto as Appendix 1.
- 3. The second paragraph of the preamble is deleted and the following is substituted:

WHEREAS it is deemed in the public interest to designate the buildings located at 6770-129 Avenue NW and known as the St. Francis of Assisi Friary / St. Anthony College / St. Francis of Assisi Church and the land on which the buildings are situated as a Municipal Historic Resource; and

4. Section 1 is deleted and the following is substituted:

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

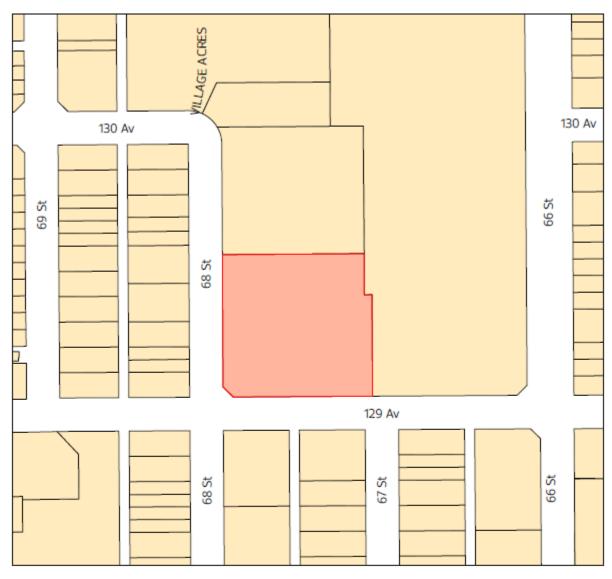
The buildings known as the St. Francis of Assisi Friary / St. Anthony's College (specifically described in Schedule "A") (the "Building"), the building known as the St. Francis of Assisi Church (specifically described in Schedule "D") (the "Church"), and the land on which the buildings are located being legally described as

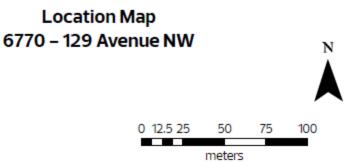
Descriptive Plan 2320485 Block 19 Lot 51

Excepting Thereout All Mines and Minerals

- 5. Schedule "C", Rehabilitation Incentive and Maintenance Agreement, is amended by inserting the Amending Agreement attached hereto as Appendix 2 at the end of Schedule "C".
- 6. The amendments set out in this Bylaw are hereby incorporated into Bylaw 14222.
- 7. The consolidation of Bylaw 14222 created by way of incorporation of its amendments pursuant to section 8 is hereby adopted by Council as the official version of Bylaw 14222.
- 8. The consolidation of Bylaw 14222 comes into effect when this Bylaw comes into effect.

9. This Bylaw shall come into effect or	the date on which this Bylaw is passed by Council.
Read a first time	
Read a second time	
Read a third time	
SIGNED AND PASSED	
	THE CITY OF EDMONTON
	MAYOR
	CITY CLERK





	THIS AMENDING AGREEN	MENT MADE ON THE
	of	, 2023
BETWEEN:		
	THE CITY O	E EDMONTON

THE CITY OF EDMONTON
a municipal corporation
(the "City)

-and-

JOHN BOSCO CHILD AND FAMILY SERVICES FOUNDATION

(the "Owner")

WHEREAS:

A. The City and the Owner entered into a Designation Bylaw and associated Rehabilitation Incentive and Maintenance Agreement, dated March 28, 2006, which was amended on May 16, 2012, where the Owner has agreed with the City to rehabilitate and maintain the St. Francis of Assisi Friary / St. Anthony's College / St. Francis of Assisi Church, in accordance with the Agreement and the associated Designating Bylaw (the "Agreement") the Land and Building, (as defined in the Agreement) and legally described as:

Descriptive Plan 2320485 Block 19 Lot 51

Excepting Thereout All Mines and Minerals

B. The City and the Owner wish to amend the Agreement in accordance with the terms and conditions in this Amending Agreement;

NOW THEREFORE, in consideration of the sum of one Canadian dollar (\$1.00) paid to the City by the Owner, such sum being acknowledged to have been received by the City, and the mutual promises and agreements made by the City and the Owner as outlined in this Amending Agreement, the parties hereto agree as follows:

1. The following is deleted in its entirety:

The Owner is the registered owner of land municipally described as: 6770 - 129 Avenue NW Edmonton T6A 3B1

and legally described as: Plan 932 3281, Block 19, Lot 1D Excepting thereout all mines and minerals ("the Land"), and the buildings known as the St. Francis of Assisi Church located thereon (the "Building")."

and replaced with:

"The Owner is the registered owner of land municipally described as: 6770 - 129 Avenue NW Edmonton T5C 1V7 and legally described as: Lot 51, Block 19, Plan 2320485 excepting thereout all mines and minerals ("the Land"), and the buildings known as the St. Francis of Assisi Friary / St. Anthony's College / St. Francis of Assisi Church located thereon (the "Building")."

- 2. Time is of the essence.
- 3. All other terms and conditions of the Agreement remain in full force and effect and are only amended as expressly stated in this Amending Agreement.
- 4. All terms used within this Amending Agreement which are defined in the Agreement have the same definition as is found in the Agreement, except as otherwise expressly stated in this Amending Agreement.
- 5. This Amending Agreement may be executed by electronic signature and in any number of counterparts, and may be delivered originally, by facsimile, or by Portable Document Format ("PDF") and each such original, facsimile copy, or PDF copy, when so executed and delivered shall be deemed to be an original and all of which taken together shall constitute one and the same instrument.
- 6. This Amending Agreement is conditional upon Council passing Bylaw 20752 to designate the St. Francis of Assisi Friary / St. Anthony's College / St. Francis of Assisi Church as a Municipal Historic Resource Amendment No. 2 by October 4, 2023 or such later date as the parties may agree to in writing. If the Amending Bylaw is not passed by October 4, 2023 and the parties have not agreed to extend the time for satisfaction of the condition precedent, this Amending Agreement shall be of no force and effect.

[Signature Page to Follow]

IN WITNESS WHEREOF, the parties have signed this Amending Agreement on the day and year first above written.

APPROVED

As to Form:	The City of Edmonton as represented by the Deputy City Manager, Urban Planning and Economy	
Employee and Legal Services Division		
Legal Services		
Per:	Per:	
Per: Veronika Ferenc-Berry	Per: Kim Petrin, Acting	
As to Content:		
Branch Manager		
Planning and Environment Services		
Per:		
Per: Kent Snyder		
	The Owner	
Witness:	Per:	
Name:	JOHN BOSCO CHILD AND	
	FAMILY SERVICES FOUNDATION	
	Name:	

AFFIDAVIT OF EXECUTION

PROVI	CANADA NCE OF ALBERTA TO WIT)))	I,	
1.	I was personally present	and did see		_ who is known to
	me to be the person name	ed in the within ((or annexed) instrument, duly sign the	e instrument;
	OR			
	I was personally present	and did see		who, on the basis
	of the identification prov	rided to me, I be	elieve to be the person named in the	within (or annexed)
	instrument, duly sign the	instrument;		
2.	The instrument was signed	ed at	, in the Provi	nce of Alberta and I
	am the subscribing witner	ss thereto;		
3.	I believe the person whos	se signature I wit	tnessed is at least eighteen (18) years	of age.
SWOR Edmon this	N BEFORE ME at the Cit ton in the Province of Alb	y of) erta)		
	issioner for Oaths in and for the ssion expires	Province of Alberta	SIGNATURE OF WITNESS	

AFFIDAVIT VERIFYING CORPORATE SIGNING AUTHORITY

CA	NADA)	I,
PROVINCI	E OF ALBERTA)	of the City of Edmonton,
TO	WIT)	in the Province of Alberta
)	MAKE OATH AND SAY:
1.	I am an officer of the named within instrument.	John Bosco Ch	ild and Family Services Foundation in the
2.	I am authorized by the corpor seal.	ration to execut	e this instrument without affixing a corporate
	EFORE ME at the City of n the Province of Alberta)	
		2022	
tnis	day of,	2023.	
)	
A Commission	ner for Oaths in and for the Province	of Alberta	SIGNATURE OF OFFICER
Commission	n expires:		