



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE AGENDA

Monday, November 21, 2022 at 12:05 p.m.

Chair: Mayor R. Alty,
Councillor S. Arden-Smith
Councillor G. Cochrane,
Councillor R. Fequet,
Councillor B. Hendriksen,
Councillor C. McGurk,
Councillor T. McLennan,
Councillor S. Payne, and
Councillor R. Warburton.

<u>Item</u>	<u>Description</u>
1.	Opening Statement: The City of Yellowknife acknowledges that we are located in Chief Drygeese territory. From time immemorial, it has been the traditional land of the Yellowknives Dene First Nation. We respect the histories, languages, and cultures of all other Indigenous Peoples including the North Slave Métis, and all First Nations, Métis, and Inuit whose presence continues to enrich our vibrant community.
2.	Approval of the agenda.
3.	Disclosure of pecuniary interest and the general nature thereof.
ANNEX A	
4.	A memorandum regarding whether to dispose of remaining lots in Engle Business District Phase 2.
ANNEX B	
5.	A memorandum regarding whether to authorize the Mayor to travel to Ottawa, ON from February 7 – 10, 2023 to participate on the Federation of Canadian Municipalities (FCM) 2023 Sustainable Communities Conference (SCC) panel entitled Forging Renewed Relations for Reconciliation & Sustainability.
<u>IN CAMERA</u>	
ANNEX C	
6.	A legal matter.
7.	Business arising from In Camera Session.



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Governance and Priorities

DATE: November 21, 2022

DEPARTMENT: Planning and Development

ISSUE: Whether to dispose of the remaining lots in Engle Business District Phase 2 Subdivision.

RECOMMENDATION:

That By-law No. XXXX, a by-law to dispose of Lots 12 to 16, 18 to 23, and 37 to 41 Block 908, Plan 4727 and a portion of Lot 84, Block 907, Plan 4727, be presented for adoption.

BACKGROUND:

Phase 1 of the Engle Business District subdivision started construction in 2007. The City had sold all lots in Phase 1 by the summer of 2016.

On April 24, 2017, Council approved By-law No. 4931, a by-law to adopt the Engle Business District Phase 2 Area Development Plan and Phase 2 Construction Extent was completed in November 2017 (**Figure 1**). On February 26, 2018, Council approved By-law No. 4948, a by-law to amend the original Area Development Plan by-law to reflect the as-built conditions of the subdivision. Subsequently, Council approved By-law No. 4965, a by-law to authorize disposal of 40 lots in Phase 2, 2017 Construction Extent on May 22, 2018. To date, 25 lots have been sold.

The City has received interest from prospective purchasers seeking to acquire approximately 30 percent of land in the remaining areas of Phase 2. The remaining lots currently for sale are not suitable for the proposed purchasers.

When the City completed the Area Development Plan and engineering drawings for the entire Phase 2 subdivision in 2017, all lots in the subdivision were surveyed and titled as per the Area Development Plan. These lots are ready for transfer to future purchasers except for a portion of Lot 84, Block 907. The remaining areas of Phase 2 still require the construction of roads and related infrastructure, including site services.

Should the proposed disposal by-law be adopted, staff intend to proceed with a construction plan to build the required infrastructure and services. Typically, a subdivision construction project would take up to two years to complete, excluding paving.



Figure 1: Engle Business District Phase 2 Context Map

COUNCIL POLICY / RESOLUTION OR GOAL:

- Council Goal No. 1 Growing and diversifying our economy
 Council Goal No. 4 Driving strategic land development and growth opportunities

Council Motion #0234-16	That Administration be directed to proceed with Phase 2 of the Engle Business District development, including: a) road and lot layout engineering design with development cost estimates; and b) preparation of an Area Development Plan and amendments to the Zoning By-law, to allow for the Engle Business District Phase 2 development.
Council Motion #0271-16	That Council approve the following price incentives for Engle Business District Phase 2 lands: <ul style="list-style-type: none"> - Up to five years to pay the balance of the purchase price; - The timeline to obtain an approved development permit be extended from one year to two years (from the possession date); and - Up to four years to complete construction (from the possession date).
Council Motion #0080-17	Third Reading of By-law No. 4931, the Engle Business District Phase 2 Area Development Plan.
Council Motion #0063-18	Third Reading of By-law No. 4948, a by-law to amend the Engle Business District Phase 2 Area Development Plan By-law No. 4931, by replacing Schedule "1-A".
Council Motion #0138-18	<ol style="list-style-type: none"> 1. That Administration proceeds with the marketing plan for the Engle Business District Phase 2 subdivision lands, pursuant to the Land Administration By-law No. 4596, as amended. 2. That Council direct Administration to prepare a fire hydrant expansion plan, and that the fire hydrant expansion plan include an implementation and funding strategy.

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

1. *Cities, Towns and Villages Act* S.N.W.T. 2003, c.22;
2. *Community Planning and Development Act* S.N.W.T. 2011,c.22;
3. Community Plan By-law No. 5007;
4. Zoning By-law No. 5045;
5. Land Administration By-law No. 4596, as amended; and
6. Engle Business District Phase 2 Area Development Plan By-law No. 4931, as amended.

CONSIDERATIONS:

Legislative

Pursuant to Section 54 (2) of the *Cities, Towns and Villages Act*, the disposal of land must be authorized by a by-law specific to the subject lands.

Community Plan

The Community Plan designates the Engle Business District area as “Engle Industrial Business District.” The primary planning and development objectives are to direct to lands within the Engle Industrial Business District all new heavy industrial uses and encourage the relocation of existing heavy industrial uses from target areas; including Old Town, Old Airport Road, and Kam Lake. Businesses have relocated including Superior Propane and Deton Cho Landtran from Old Airport Road, Midnight Petroleum from Con-Negus Point, and Kavanaugh Bros. Ltd. from Kam Lake. A number of additional businesses are in the process of developing and relocating. Aside from heavy industrial uses, it is also intended to accommodate lower-impact industrial or light industries such as automotive repair and contractor services.

Area Development Plan

The subject lands are within the Engle Business District Phase 2 Area Development Plan boundary. The purpose of the Area Development Plan is to provide a location specific land use planning policy and technical guidance for the development of the area, including subdivision lot layout, general land uses, services, road networks, environmental protection, trail connections, open space network, and the phasing of development.

Zoning By-law No. 5045

All lots included in the Engle Business District Phase 2 disposal plan are currently zoned Industrial General. The intent of the zone is to provide an area for medium to heavy industrial uses including bulk fuel storage, truck staging and outdoor storage. Sensitive land uses, such as accessory residential use, would conflict with the industrial nature of the area and are not permitted.

Land Administration By-law No. 4596, as amended

The Land Administration By-law states that disposition of land shall be authorized by a by-law. It also provides regulatory direction for the sale of city-owned lands, establishing the price of lands, and the methods and terms for land disposition by the City. Land sale price is determined by the following factors: a market value appraisal, a detailed list of all anticipated development costs and carrying costs, and the anticipated revenue from each lot sale to support the Land Fund. The method of land disposal must occur via either a ballot draw, a call for development proposals, a public advertisement, or through a bidding process, some exceptions apply. Section 12 of the Land Administration By-law, allows consideration of requests to purchase land from the Federal or Territorial government or to a specific intended purchaser. Administration recommends public advertisement, for appraised value, as the method of disposal, to be consistent with the past disposal for lands in Engle and other industrial subdivisions.

Development Costs and Sale Price

Pursuant to the Land Administration By-law No. 4596, as amended, all development costs and off-site levies will be recovered by the City. As a reference, the 2017 construction of the Engle Business District

Phase 2 subdivision resulted in 60 hectares of saleable land with an average sale price of \$ 254,000.00 per hectare for a total of \$15.3 million; the development cost is about \$164,000.00 per hectare.

For the remainder of Phase 2, a professional appraisal will inform the sale price for parcels of land in advance of the subdivision construction and marketing plan.

Land Development Fund

All aspects of acquiring, developing, and disposing of municipal lands are funded by the Land Development Fund. Development costs range from preparation of conceptual and comprehensive development plans to appraisals, legal survey and mapping work, and engineering and infrastructure installation. Recovery of all expenditures is accounted for in the sale of land in accordance with the Land Administration By-law. The current Land Development Fund balance can support the expected expenses to develop the remainder of Phase 2.

Land Development Fund	\$ millions
Current balance	\$ 11.0
Sum of all City lands inventory currently for sale	\$ 9.5
Committed costs to existing subdivisions (paving, trail development, fire suppression)	(\$ 6.8)

Industrial Land Demand and Supply

Current inventory of City-owned industrial land is limited. The Kam Lake-Enterprise Extension Light Industrial subdivision sold out in 2018 and the smaller-sized Business Industrial lots in the Engle Business District Phase 2 sold out in 2020. The following chart provides a summary of the City's existing industrial land inventory.

Current Inventory of Industrial Lots	Lots Available
Kam Lake (size = 0.3 hectare)	0
Engle Business District Phase 2 (size = 0.5 hectare)	0
Engle Business District Phase 2 (size = 1 hectare & larger)	12

The proposed lots in Engle Business District Phase 2 are approximately 80 hectares of land. At full build-out, the area will provide up to 50 industrial lots. Land trends and inquiries indicate increasing interest in assembly of lots for larger development, to serve uses of truck staging yard, outdoor storage, storage facility, bulk fuel storage, and government facility. Consolidations of two or more contiguous lots to create a site that allows larger facilities and business operation is considered subject to the approval of the Director of Planning and Development before the sale. There is demand for half-a-hectare lots, intended for low-impact industrial uses, mainly located along Deh Cho Boulevard; there are no more lots available of this size in Engle, as shown in the chart above. Future considerations will be given to this growing demand.

ALTERNATIVES TO RECOMMENDATION:

That By-law No. XXXX, a by-law to dispose of Lots 12 to 16, 18 to 23, and 37 to 41 Block 908, Plan 4727 and a portion of Lot 84 Block 907, Plan 4727, not be presented for adoption.

RATIONALE:

The Community Plan policies support the area to be developed for heavy industrial uses, while accommodating a variety of other general industrial and accessory business industrial uses. Demand for industrial lands continues, heavy and light, to support growth in the City of Yellowknife. Therefore, enacting a disposal by-law in advance of subdivision construction enables the City to timely respond to future demands for industrial uses and accommodate appropriate land uses in the area. This will also make the remainder of Phase 2 subdivision construction viable and eventually replenish the inventory of industrial lands available within the City.

ATTACHMENTS:

1. By-law No. XXXX (DM#712521); and
2. Engle Business District Phase 2 Area Development Plan By-law No. 4931, as amended (DM#513316).

Prepared: October 26, 2022; VF/TS

Revised: November 16, 2022; CW



CITY OF YELLOWKNIFE

BY-LAW NO. XXXX

BS XXX

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife authorizing the Municipal Corporation of 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 54 of the *Cities, Towns and Villages Act*, S.N.W.T., 2003, c. 22;

WHEREAS the said parcels of land are not required for municipal purposes by the Municipal Corporation of the City of Yellowknife;

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

APPLICATION

1. That the Municipal Corporation of the City of Yellowknife is hereby authorized to dispose of freehold interest in the following land:

Lots 12 to 16, 18 to 23, 37 to 41 Block 908, Plan 4727 and Lot 84 Block 907, Plan 4727

2. That the Mayor and City Manager 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. 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*.

Read a First time this _____ day of _____, A.D. 2022.

Mayor

City Manager

Read a Second Time this _____ day of _____, A.D. 2022.

Mayor

City Manager

Read a Third Time and Finally Passed this _____ day of _____, A.D., 2022.

Mayor

City Manager

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 Manager



CITY OF YELLOWKNIFE

CONSOLIDATION OF BY-LAW NO. 4931

April 24, 2017

AS AMENDED BY

By-law No. 4948 – February 26, 2018

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

DM#513316

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, authorizing the Municipal Corporation of the City of Yellowknife to adopt City of Yellowknife Engle Business District Phase 2 Area Development Plan By-law No. 4931, and to repeal the Homes North Engle Business District Area Development Plan By-law No. 4920.

PURSUANT TO:

- a) Sections 8 to 11 inclusive of the *Community Planning and Development Act*, S.N.W.T., 2011, c.22; and
- b) Section 129 of the *Cities, Towns and Villages Act*, S.N.W.T., 2003, c.22.

WHEREAS the Municipal Corporation of the City of Yellowknife wishes to adopt the City of Yellowknife Engle Business District Phase 2 Area Development Plan By-law No. 4931;

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

SHORT TITLE

- 1. This By-law may be cited as the Engle Business District Phase 2 Area Development Plan.

APPLICATION

- 2. The City of Yellowknife Engle Business District Phase 2 Area Development Plan, comprised of the attached Schedule No. 1 and Schedule No. 1-A, is hereby adopted.

REPEAL

- 3. The Homes North Engle Business District Area Development Plan By-law No. 4920, is hereby repealed.

EFFECT

- 4. 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*.

**CITY OF YELLOWKNIFE
ENGLE BUSINESS DISTRICT PHASE 2 AREA DEVELOPMENT PLAN
BY-LAW NO. 4931**

“SCHEDULE No. 1”

1. Purpose

To establish a development framework including a conceptual lot layout and road and trail connections for Engle Business District Phase 2.

2. Area Development Plan Boundaries

- a. The area intended for the Engle Business District Phase 2 Area Development Plan includes: Lot 4, Block 906, Plan 4130; Lot 5, Block 906, Plan 4130; Lot 56, Block 906, Plan 4216; a part of Lot 44, Block 907, Plan 4226 and part of Lot 1, Block 908, Plan 4133. The conceptual land development area is approximately 230 hectares and is identified in Schedule No. A-1 and hereafter is referred to as the “Development Area”.
- b. The number of lots, parcel boundaries, and municipal (pathway and road) rights-of-way, as demonstrated on the attached Schedule No. A-1, will be determined and established by engineering design and final plans of survey.

3. Phasing

Construction of a 65 hectare portion of the Development Area is expected to commence in the summer of 2017, subject to the adoption of the Engle Business District Phase 2 Area Development Plan. The 2017 construction extent is identified on the attached Schedule No. A-1. Scheduling for further construction phases will be subject to future land development needs.

4. Land Use

The intention of the development area is to allow for industrial and related commercial land uses. All development shall be consistent with Section 3.10 of the 2011 General Plan, policies for the Industrial Designation.

- a. Permitted uses in the Engle Business District Phase 2 Area Development Plan are as prescribed in the BI – Business Industrial, GI – General Industrial, GM – Growth Management, and NP – Nature Preservation zones in Zoning By-law No. 4404, as amended.

- b. It is the City's desire to develop an industrially-zoned, 5-10 lot subdivision primarily intended for dog teams and kennels as part of the Engle Business District Phase 2 development. The subdivision should be somewhat isolated from other land uses in order to avoid conflicts, be located on well-drained ground, be sheltered from prevailing north-east winter winds, and have direct access to the summer and winter trail networks. Supporting caretaker suites are not permitted due to the proximity of existing tank farms and the potential for additional bulk fuel storage under the General Industrial zoning. Stakeholder engagement should inform any future kennel zoning that is considered. Dog teams and kennels are a conditionally permitted use under the GI – General Industrial zone.
- c. The GM zoned lands to the east of Deh Cho Boulevard have been previously used by the Public Works Department as a source for borrow material and stockpiling. These lands may be used for further borrowing and stockpiling or similar works in the future.

5. Trail Connections, Open Space Network and Parking Nodes

The trails proposed for the Development Area are intended to integrate with the greater Yellowknife pathway and trail network and to provide links to open-space areas.

- a. A 4.5 m wide multi-use gravel path was established in the Deh Cho Boulevard right-of-way as part of the Engle Business District Phase 1 development. The path is located on the west side of Deh Cho Boulevard from Fiddler's Road Utility Corridor to the sand pits at Highway 3, and on the east side of Deh Cho Boulevard from Fiddler's Road to Utsingi Drive. Trail crossing signage shall be installed where the path crosses Deh Cho Boulevard and where the path crosses road and driveway accesses.
- b. Fiddler's Road utility corridor currently serves as a right-of-way for the City's sewer force main and as an access road for various vehicles and equipment associated with the sewage lagoon. Fiddler's Road also serves as a popular off-leash dog walking corridor. As the area is developed, Fiddler's Road will be maintained as a gated utility right-of-way and accessible as a trail corridor. The gates will allow for the free passage of pedestrians and snowmobiles. Trail crossing signage shall be installed at the Eagle Drive and Falcon Road crossings. In addition, a 10 metre wide green buffer shall be maintained on both sides of the utility trail corridor.
- c. A trail shall be established around the large pond located directly north of Fiddler's Road. The trail shall consist of a 1.2 metre wide forest path on the available high ground and boardwalk and bridges installed to traverse the wet and boggy areas. A parking node shall be established at the trailhead on Eagle Drive. Signage, a dog poop bag dispenser and garbage container will be part of the trailhead infrastructure.
- d. The GM zoned lands to the east of Deh Cho Boulevard are a popular dog walking and hiking area. The lands also connect to the trails stemming from Finlayson Drive and Parker Park. An

existing informal parking node shall be maintained on the east side of Deh Cho Boulevard near the Fiddler's Road intersection.

- e. A 10 metre wide green buffer shall be established along both sides of Deh Cho Boulevard.

6. Road Network

- a. The Engle Business District Phase 2 lots will be situated on newly constructed roads as demonstrated on the attached Schedule No. 1-A. All road right-of-ways will be 30 m wide. Eagle Drive and Falcon Road will be extended southward from the Engle Phase 1 lands, and Osprey Road will be extended to the east side of Deh Cho Boulevard. Additional road names will be considered by the Street and Park Naming Committee that are in keeping with the indigenous northern bird theme that was adopted for Phase 1.
- b. Direct access from lands abutting Deh Cho Boulevard shall be minimized.
- c. Detailed road design shall be approved by the Department of Public Works and Engineering.

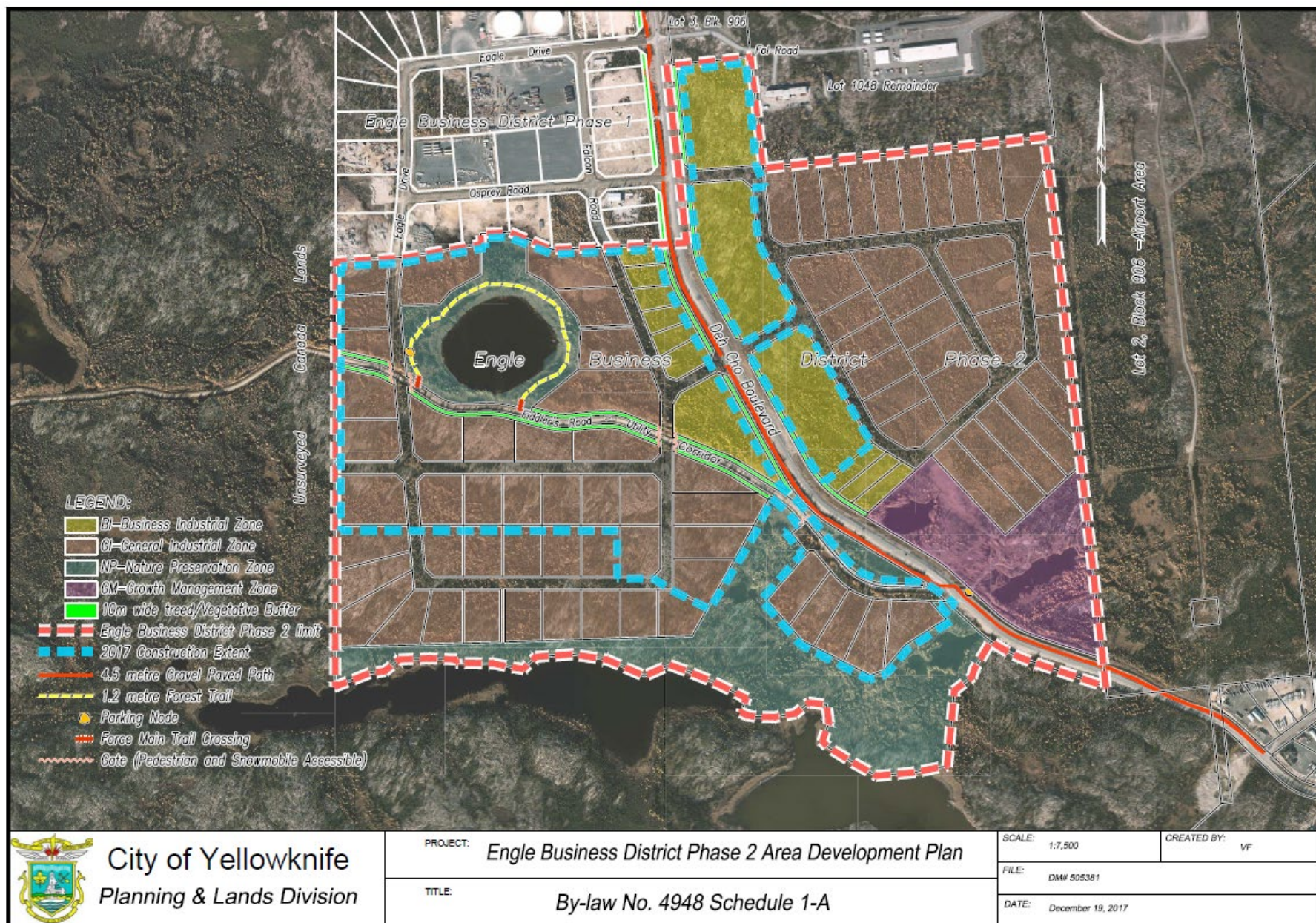
7. Utility Services

- a. Trucked water and sewer services shall be provided within the Development Plan area.
- b. Electrical services and other utilities may be overhead.
- c. Fiddler's Road and the corresponding sewer force main will be maintained as a gated utility corridor.
- d. Where applicable, off-site levies shall be collected in accordance with Land Administration By-law No. 4596, as amended.

8. Drainage and Wetlands

- a. Existing natural drainage patterns and wetlands shall be maintained where possible and increased rear yard setback limits will be applied to any lands which back onto environmentally sensitive areas.
- b. Positive drainage toward the public right-of-way will be ensured. For the large pond, grading of abutting lots will be partially sloped towards the pond in order to ensure re-charge of the waterbody and surrounding wetlands. The final grading plan will be subject to review and approval by the Department of Public Works and Engineering.

Schedule No. "1-A" as amended by By-law No. 4948, February 26, 2018





CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Governance and Priorities

DATE: November 21, 2022

DEPARTMENT: Mayor's Office

ISSUE: Whether to authorize the Mayor to travel to Ottawa, ON from February 7 – 10, 2023 to participate on the Federation of Canadian Municipalities (FCM) 2023 Sustainable Communities Conference (SCC) panel entitled Forging Renewed Relations for Reconciliation & Sustainability.

RECOMMENDATION:

That the Mayor be authorized to travel to Ottawa, ON from February 7 – 10, 2023 to participate on the Federation of Canadian Municipalities (FCM) 2023 Sustainable Communities Conference (SCC) panel entitled Forging Renewed Relations for Reconciliation & Sustainability.

BACKGROUND:

Mayor Rebecca Alty has been invited to participate on a panel entitled Forging Renewed Relations for Reconciliation & Sustainability at the Federation of Canadian Municipalities (FCM) 2023 Sustainable Communities Conference (SCC) taking place in Ottawa, ON from February 7 – 10, 2023. Panelists are offered a \$1,500 honoraria to support the cost of travel and accommodations.

COUNCIL POLICY / RESOLUTION OR GOAL:

Policy 260-T1 A policy to outline the procedures for authorizing members of Council to travel for City related business.

Motion #0373-02 It is the policy of the City of Yellowknife that Members of Council submit a written travel expense claim together with a daily diary of activities while on City sponsored travel upon their return.

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

1. Council Remuneration By-law No. 4982, and
2. Financial Administration By-law No. 4206, as amended.

CONSIDERATIONS:

Travel authorization should be prioritized based on Council priorities and emerging opportunities, and should be approved by Council on a case-by-case basis in advance of each conference.

The cost estimate for attendance at the 2023 Sustainable Communities Conference is as follows:

FCM (Ottawa, ON) February 7 – 10, 2022

Accommodation	\$ 984.39	(x 3 Nights)
Flights	\$ 926.65	(Return Flight)
Meals and Incidentals	<u>\$ 409.50</u>	(\$136.50 per day x 3 day)
Subtotal	\$ 2,320.54	
Honoraria	\$ - 1,500.00	
Total	\$ 820.54	

ALTERNATIVES TO RECOMMENDATION:

That Council not authorize the Mayor to travel to Ottawa, ON from February 7 – 10, 2023 to participate on the Federation of Canadian Municipalities (FCM) 2023 Sustainable Communities Conference (SCC) panel entitled Forging Renewed Relations for Reconciliation & Sustainability.

RATIONALE:

Participating on the Federation of Canadian Municipalities (FCM) 2023 Sustainable Communities Conference (SCC) panel entitled Forging Renewed Relations for Reconciliation & Sustainability will allow Mayor Alty to advance Council's Goals and Objectives for our community.

ATTACHMENTS:

None.

Prepared: November 14, 2022/PM