



CITY OF YELLOWKNIFE

## GOVERNANCE AND PRIORITIES COMMITTEE REPORT

**Monday, July 24, 2023 at 12:05 p.m.**

Report of a meeting held on Monday, July 24, 2023 at 12:05 p.m. in the City Hall Council Chamber.  
The following Committee members were in attendance:

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

The following members of Administration staff were in attendance:

S. Bassi-Kellett,  
C. Caljouw,  
S. Hove,  
N. Johnson,  
M. Rolland,  
K. Sulzer,  
C. White,  
G. White, and  
S. Jovic.

---

<u>Item</u>	<u>Description</u>
1.	(For Information Only) Mayor Alty read the Opening Statement.
2.	(For Information Only) There were no disclosures of pecuniary interest.
3.	(For Information Only) Committee read a memorandum regarding whether to dispose of two substandard parcels located at the rear of Lot 30, Block 48, Plan 4696 (5226 53 Street).



Committee noted that the City has received a land application from the owner of Lot 30, Block 48, Plan 4696 (5226 53 Street) to purchase Lot 31, Block 47, Plan 3082 and Lot 26, Block 48, Plan 1804, two substandard parcels at the rear of the property. Per section 5 of the Land Administration By-law No. 4596, as amended, adjoining property owners were given the first opportunity to express an interest in leasing or purchasing these lots.

Two adjoining property owners (5224 53 Street and 5302 53 Avenue) were contacted through registered mail and both neighbours presented their interest in only buying a portion of Lot 26, Block 48, Plan 1804. Subsequently formal requests for acquisition of the lands were submitted from both neighbours. Staff proposed new lot layouts (Figure 2). The lot layout is intended to optimize the use of the lands, while considering fair distribution of lands to both applicants.

As indicated in Figure 2, Lot 31, Block 47, Plan 3082 and portion of Lot 26, Block 48, Plan 1804 ("Lot A") is proposed to be disposed of to the owner of 5226 53 Street, portion of Lot 26, Block 48, Plan 1804 ("Lot B") is proposed to be disposed to the owner of 5224 53 Street, and portion of Lot 26, Block 48, Plan 1804 ("Lot C") is proposed to be disposed to the owner of 5302 53 Avenue.

*Figure. 1 – Context Map for Land Disposal*





Figure. 2- Purposed Future Subdivision



Committee noted that Council's policies, resolutions or goals include:  
Growth Readiness Focus: Ensuring land development supports economic readiness and community priorities

Committee noted that applicable legislation, by-laws, studies or plans include:

1. *Cities, Towns and Villages Act*, S.N.W.T. 2003;
2. Land Administration By-law No. 4596, as amended; and
3. Zoning By-law No. 5045.

#### Legislative

The *Cities, Towns and Villages Act*, section 54, and the Land Administration By-law No. 4596, as amended, section 5, state the disposal of land must be authorized by a by-law specific to the subject land. Substandard parcels may be offered directly for sale to the adjacent property owners (i.e. those sharing common property lines) through the process in Section 12 (d) of the Land Administration By-law.

#### Zoning By-law

The subject lands are zoned RC-1, Residential Central One. Consolidation of the lands will not require an amendment to the Zoning By-law.



#### Departmental Consultation

Administration completed consultation with other departments, as well as external organizations. Public Works & Engineering Department has confirmed that there are active storm pipes under Lot 26, Block 48.

#### Financial Considerations

The purchase price of the lands will be based on market value as determined by an appraisal completed by an independent appraiser or on development costs, whichever is higher. This is consistent with the Land Administration By-law, Section 7(a)(ii).

The sale of substandard parcels of public land benefits the City by:

- creating a larger parcel of land which can support further development;
- adding revenue to the City's Land Development Fund; and
- increasing the value of general property assessment, thereby generating additional property tax revenue for the City's General Fund.

Committee noted that the subject lands are substandard sized parcels owned by the City. Lot 31, Block 47, Plan 3082 does not have access to a municipal road. Additionally, land size and configuration for both Lot 26 and Lot 31 do not meet the standard of the zone to be developed independently. Therefore, disposing of these lots to the adjacent property owners represents the best and highest use of the land as it will increase both the development potential and value of the properties.

Committee recommended that By-law No. 5074, a by-law authorizing the City of Yellowknife to dispose of Lot 31, Block 47, Plan 3082 and Lot 26, Block 48, Plan 1804, be presented for adoption.

(For Information Only)

4. Committee read a memorandum regarding Second and Third Reading of By-law No. 5063, a by-law authorizing the City of Yellowknife to dispose of the portion of Lot 3, Block 500, Plan 4224 (adjacent to the Fieldhouse) through a lease agreement for a term of five (5) years, with an option to renew for a further five (5) years.

Committee noted that on October 24, 2022, Council gave First Reading to By-law No. 5063, a by-law authorizing the City of Yellowknife to dispose of the portion of Lot 3, Block 500, Plan 4224 through a lease agreement for a term of five (5) years, with an option to renew for a further five (5) years. Second and Third Reading of By-law No. 5063 is required so Administration may finalize the five (5) year lease agreement with Lahey Consulting. The background of By-law No. 5063 is as follows:

In 2022, the City of Yellowknife (the "City") received a Land Application from Lahey Consulting to lease approximate 3,500 m<sup>2</sup> portion of Lot 3, Block 500, Plan 4224 (the "Subject Land") as outlined on Figure 1, a site located adjacent to the Multiplex. Lahey Consulting applied to lease the Subject Land for five (5) years with the option to renew.





The purpose of the lease request is to support a seasonal business for on-the-land learning programs, which have been operating at the site for a number of seasons.

The City is the owner of the Subject Land, which is to the rear/south of the Multiplex and Fieldhouse in an area also identified by the City as an off leash dog area. There is an existing Memorandum of Understanding (MOU) between Arctic Indigenous Wellness Foundation (the "AIWF") and the City for adjacent lands. The AIWF portion of the land is presently being used for the purpose of an Urban Healing Camp. The AIWF was notified about the proposed development and responded they are in support of the proposal.

On July 5, 2023, a development permit (PL-2023-0012) for a proposed Temporary Use – Commercial Recreation was approved.

Figure 1: Proposed Lease Land – Portion of Lot 3, Block 500, Plan 4224



Committee noted that Council's policies, resolutions or goals include:

Strategic Direction #1: People First

Focus Area 1.3: Liveable Community

Supporting all residents to participate in the social fabric and physical space of our community.

Strategic Direction #3: Sustainable Future

Focus Area 3.1 Resilient Future



Enhancing Yellowknife as a great place to live, visit, work and play now and into the future.

Focus Area 3.2

Growth Readiness

Ensuring land development supports economic readiness and community priorities.

Focus Area 3.3

Robust Economies

Doing our part to stimulate and amplify economic development opportunities.

Council Motion #0162-22

First Reading of By-law No. 5063.

Committee noted that applicable legislation, by-laws, studies or plans include:

1. *Cities, Towns and Villages Act S.N.W.T. 2003*;
2. Land Administration By-law No. 4596, as amended;
3. Zoning By-law No. 5045;
4. Water and Sewer Services By-law No. 4663, as amended;
5. Fees and Charges By-law No. 4436, as amended; and
6. Tax Administration By-law No. 4207, as amended.

Legislative

Sections 53, 54 and 73 of the *Cities, Towns and Villages Act* state that disposal of land must be authorized by a by-law specific to the subject land. Pursuant to Section 3(b)(i) of the Land Administration By-law No. 4596, as amended, disposal of land in leasehold interest for a time period greater than three (3) years must be authorized by by-law.

Land Administration By-law

The By-law provides regulatory guidance regarding the review of land applications. Upon receipt of an application for land, the Planning Administrator shall review the request for compliance with this By-law.

Zoning By-law

The subject land is zoned PS – Public Service. The purpose of the PS zone is to provide land dedicated for major Institutional services and Recreation Facilities that are public or quasi-public in nature. Commercial recreation services that support the public or quasi-public services may also be considered as Discretionary Uses in this zone.

The memorandum presented to the Governance and Priorities Committee prior to First Reading of By-law No. 5063 indicated that the decision by Council will be required on the Discretionary Use in the PS zone prior to the lease being finalized. However, after reviewing the submitted Development Permit application, proposed development has been categorised as Temporary Use - Commercial Recreation since the site will only be used only for eight (8) months in a year. Temporary Use is a permitted use in the PS zone, hence no additional permit required.



Financial Considerations

Annual rent and other relevant charges will be considered according to the Fees and Charges By-law. The Lessee will be responsible for minor maintenance and all utilities, snow removal and grounds keeping.

Committee noted that the Land Administration By-law requires Council approval of land applications for leasehold interests longer than three years. The use of municipal land by a third party must be authorized. Should the Subject Land need to be reclaimed by the City for future development purposes, the City will exercise that option in accordance with the terms and conditions of the Lease Agreement. At present, the Subject Land is not required for municipal purposes for the foreseeable duration of the lease.

Committee recommended that By-law No. 5074, a by-law authorizing the City of Yellowknife to dispose of Lot 31, Block 47, Plan 3082 and Lot 26, Block 48, Plan 1804, be presented for adoption.

(For Information Only)

5. Committee accepted for information the Minutes of the Heritage Committee meeting of June 13, 2023.

(For Information Only)

6. Committee discussed MED patrols in downtown. Committee noted that MED can hand out littering tickets and enforce other City by-laws but can't enforce the *Liquor Act*. Committee further noted that if Council wants MED to start enforcing bad behavior, like loitering, urination, defecation, spitting, etc. they would need to enact a Public Behaviour by-law.

(For Information Only)

7. Councillor Arden-Smith moved,  
Councillor McLennan seconded,

That Committee move in camera at 12:52 p.m. to discuss a memorandum regarding whether to appoint a member to serve on the Community Advisory Board on Homelessness.

MOTION CARRIED UNANIMOUSLY

(For Information Only)

8. Committee discussed a memorandum regarding whether to appoint a member to serve on the Community Advisory Board on Homelessness.

(For Information Only)

9. Councillor Cochrane moved,  
Councillor McLennan seconded,

MOTION CARRIED UNANIMOUSLY

Page 8





Council Procedures By-law No. 4975, as amended.

Legislation

Section 122 of Council Procedures By-law No. 4975, as amended, states:

Special Committees of Council

122. Where Council deems it necessary to establish a special committee to investigate and consider any matter, Council shall:

- (1) name the committee;
- (2) establish terms of reference;
- (3) appoint members to it;
- (4) establish the term of appointment of members;
- (5) establish requirements for reporting to Council or a standing committee; and
- (6) allocate any necessary budget or other resources to it.

Procedural Considerations

All appointments to Special Committees must be approved by Council.

The composition of the Committee was structured so that various segments of the community are represented.

Committee noted that the Committee members will assist the City in an advisory capacity regarding homelessness issues within the municipal boundaries of the City of Yellowknife. Appointing a full complement of Members will ensure that the work of the committee is completed in a timely fashion.

Committee recommended that Council appoint Tony Brushett, a representative from non-government Health organizations (including hospitals and other public institutions, and organizations focused on mental health and addictions), to serve on the Community Advisory Board on Homelessness (CAB) for a two-year term commencing July 25, 2023, and ending July 24, 2025.

Committee noted that this matter will be dealt with under New Business that evening.

12. The meeting adjourned at 12:58 p.m.