



## CITY OF YELLOWKNIFE

### GOVERNANCE AND PRIORITIES COMMITTEE REPORT

**Monday, February 12, 2024 at 12:05 p.m.**

Report of a meeting held on Monday, February 12, 2024 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, (via teleconference)  
Councillor S. Payne, and  
Councillor R. Warburton.

The following members of Administration staff were in attendance:

S. Bassi-Kellett,  
C. Caljouw,  
C. Greencorn,  
C. MacLean,  
K. Pandoo,  
K. Thistle,  
C. White,  
G. White, and  
S. Jovic.

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<u>Item</u>	<u>Description</u>
	(For Information Only)
1.	Councillor Warbuton read the Opening Statement at the Special Council meeting.
	(For Information Only)
2.	There were no disclosures of conflict of interest.
3.	<b>Committee read a memorandum regarding whether to select properties to auction for tax arrears, when to hold the auction, and what minimum price to establish for each property.</b>



Committee noted that the *Property Assessment and Taxation Act (PATA)* states that properties on the Tax Arrears List may be offered for sale at a public auction, and that the auction date and minimum sale prices must be set by Council.

Council Motions #0091-00, #0039-02, and #0161-02 established the City's Tax Auction policy, which further stipulates that the City will sell property at public auction when taxes are two years in arrears and if auctioning maximizes the amount of taxes the City is able to collect, and that the City will bid the minimum price on property offered at a tax auction if the property remains unsold after a previous auction.

When property taxes are in arrears, the assessed owners of these properties are notified of the balance of taxes owing on the Interim Tax Notices sent each January, the Final Tax Notices sent each June, and Statements of Account sent throughout the year.

Based on the *PATA* provisions and City policy, properties with tax arrears for the 2022 taxation year are now subject to auction.

The City followed the notification procedures specified in *PATA* to ensure assessed owners of these properties are advised of the arrears status and tax sale provisions by:

- Posting the 2022 tax arrears list at City Hall on March 31, 2023;
- Sending a registered letter notifying the assessed owner(s) of the arrears and tax sale provisions on April 26, 2023;
- Posting the tax arrears list at City Hall, Yellowknife Community Arena, Multiplex, Fieldhouse and Pool on May 31, 2023;
- Publishing the tax arrears list in the *Yellowknifer* on July 21, 2023; and
- Notifying parties with an interest registered against the property on July 28, 2023.

Assessed owners who remained in arrears were offered installment payment plans on April 26, 2023 and reminded of the offer on subsequent notices. If they did not enter into a payment plan, the property was added to the Tax Auction List in Appendix A.

A property can be removed from the Tax Auction List if the City receives payment of the property tax arrears and related expenses or if the assessed owner enters into a payment plan with the City before the public auction.

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

On March 27, 2000, Council adopted the following policy:

Motion #0091-00

That the City sell property at public auction, in accordance with the *Property Assessment and Taxation Act*, when taxes are two years in arrears.

On January 28, 2002, Council adopted the following policy:



Motion #0039-02

That the City bid the minimum price on property offered at a tax auction if the property remained unsold after a previous auction.

On April 8, 2002, Council amended the above policy to state:

Motion #0161-02

That the City sells property at the public auction, in accordance with the *Property Assessment and Taxation Act*, when the taxes are two years in arrears and if auctioning of the property maximizes the amount of taxes the City is able to collect.

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

1. *Property Assessment and Taxation Act*, R.S.N.W.T. 1988, cP-10; and
2. *Cities, Towns, and Villages Act*, S.N.W.T. 2003, c22.

#### Legislative

The *Property Assessment and Taxation Act* prescribes the tax auction process, including notification, conduct of the auction, and transfer of the property. The City has followed the notice requirements and the City's solicitor conducts the auction and property transfers.

Council decides, by resolution, which properties, if any, it wishes to offer for sale at public auction. Council sets, by resolution, the date of the auction and the minimum sale price of each property.

#### Procedural Considerations

It is Council policy to sell property at public auction, in accordance with the *Property Assessment and Taxation Act*, when the taxes are two years in arrears. Taxpayers with arrears less than \$100 have not been included.

Under section 97.3(3) and (4) of the *Property Assessment and Taxation Act*, after entering into an installment payment agreement, the City is authorized to proceed with the sale of the taxable property if the assessed owner fails to comply with the terms of the agreement.

As part of the tax auction process, the taxpayer can redeem the property within 30 days of the auction by paying the tax arrears.

The City may bid on and purchase a property that is offered for sale so long as the purchase falls within the circumstances that the City is able to acquire property under the *Cities, Towns and Villages Act*. No municipal council member, officer or employee may purchase, on his or her own behalf, any taxable property offered for sale, unless the Minister of Finance has given prior approval.

Committee noted that the City adheres strictly to *PATA* provisions in respect to all taxation practices, including the tax arrears collection process. This helps minimize tax arrears,



reduces the City's provision for bad debts, and works towards ensuring the tax burden is borne as equitably as possible.

The recommendation follows the same principles as applied in previous years: when taxpayers know the exact conditions under which a tax auction will be held, property taxes are more likely to be paid and/or arrears payment plans to be signed before the tax auction process starts. This is evident in the numbers from the last five years:

<i>Tax Year</i>	<i>2018</i>	<i>2019</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
# of Properties on the Initial Tax Auction List	13	28	37	16	22
# of Properties on the Tax Auction List on the Auction Date	2	5	10	2	1
# of Properties Auctioned and Sold	0	1	7	1	0

There was no tax auction in 2020.

**Committee recommended that, in accordance with the *Property Assessment and Taxation Act*, Council direct Administration to auction the properties listed below at City Hall at 9:00 a.m. (MST) on Friday, June 7, 2024, and to set the minimum price for each property at 50% of the assessed value listed for that property:**

Municipal Address	Legal Description			2022 Total Arrears	2024 Assessed Value	Minimum Auction Price
	Lot	Block	Plan			
4919 51 ST	15	24	65	\$5,841.36	\$381,290	\$190,645
5004 50 AVE	25	24	1850	\$77,466.77	\$3,385,890	\$1,692,945
5018 50 AVE	26	24	1850	\$6,760.23	\$524,110	\$262,055
5016 50 AVE #A	27	24	1850	\$27,295.57	\$1,291,610	\$645,805
5013 51 ST	17	31	65	\$3,157.62	\$240,680	\$120,340
5013 51 ST	18	31	65	\$3,283.19	\$249,900	\$124,950
5120 53 ST	10	41	65	\$5,829.66	\$1,137,840	\$568,920
4904 MATONABEE ST	2	62	140	\$2,319.55	\$477,080	\$238,540
4807 54 AVE	4	89	482	\$2,684.71	\$264,190	\$132,095
49 OTTO DR	7	151	894	\$671.54	\$381,600	\$190,800
519 HALL CRT	208	501	4779	\$1,797.48	\$436,210	\$218,105
132 CURRY DR #B	21	503	1578	\$12,700.01	\$551,280	\$275,640
233 WOOLGAR AVE	17	510	1080	\$2,867.47	\$591,800	\$295,900



18 MELVILLE DR	23	530	1255	\$2,500.01	\$232,900	\$116,450
2 ELLESMERE DR	24	530	1255	\$3,607.79	\$290,250	\$145,125
4 ELLESMERE DR	25	530	1255	\$5,392.20	\$382,630	\$191,315
99 ENTERPRISE DR	40	531	4435	\$5,954.06	\$606,450	\$303,225
106 TALTHEILEI DR	6	537	2094	\$8,565.09	\$749,090	\$374,545
109 JESKE CRES	45	562	2246	\$281.28	\$304,020	\$152,010
308 BELLANCA AVE	UNIT 201		4729	\$941.00	\$143,620	\$71,810
442 NORSEMAN DR	UNIT 135		4729	\$4,374.91	\$151,040	\$75,520
558 CATALINA DR	UNIT 92		4729	\$5,241.58	\$259,400	\$129,700

### MOVE APPROVAL

(For Information Only)

4. Committee read a memorandum regarding whether to amend Fees and Charges By-law No. 4436, as amended, by amending Parts 1, 4, 6, 7, 8, 12 15, and 17 of Schedule B to reflect changes approved in Budget 2024.

Committee noted that fees and charges are collected, managed, and used in the delivery of programs and services across most City departments; in 2024 they are expected to constitute around 19.28% of the City's overall revenues.

Prior to 2007, user fees and charges were embedded in the individual by-laws associated with the programs and services provided by the City. In 2007, all fees and charges were consolidated into a new by-law, Fees and Charges By-law No. 4436, to improve transparency and to simplify the associated administration.

Each spring, Administration conducts an annual review of all Fees and Charges, and based on this review brings forward annual amendments for Council's consideration. Administration also reviews the Fees and Charges By-law in the context of budget decisions, and when necessary brings forward amendments in conjunction with the Budget approval.

Exceptionally this year, most fee changes being proposed as part of Budget 2024, if approved, will be effective March 01, 2024.

Committee noted that Council's strategic directions, 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.



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**Strategic Directions #2:      Service Excellence:**

Focus Area 2.2                      Capacity:  
Balancing service levels with human and fiscal resources.

**Strategic Directions #3:      Sustainable Future:**

Resilient Future:  
Enhancing Yellowknife as a great place to live, visit, work and play now and in the future.

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

1.        *Cities, Towns and Villages Act* section 72 (e); and
2.        Fees and Charges By-law No. 4436, as amended.

Committee noted that the Medical Response amendments incorporate the Medical Response fee changes included in Budget 2024.

The new proposed fee increases for the Fire Division:

- (1)      are holistic in both operational cost per unit and application of territorial comparators; and
- (2)      will help offset the high costs of providing the level of service within the City.

Currently there are no Levels of Service being provided by the Fire Division for false alarms outside of the City Limits.

The Parking Meter increases are held to multiples of \$0.25 as a convenience to the public. This equate to increases of 25% for increases for one (1) and two (2) hour meters, and 33.3% for nine (9) hour meters.

The Water and Sewer Rates amendment extends the current fees through 2026.

The Solid Waste Management User Fee amendment incorporates the Solid Waste Management User Fee changes included in Budget 2024.

Committee noted that during Budget 2024 deliberations, Council approved the recommendation:

- To increase all User Fees and Charges for Combative Sports, Cemetery, and Recreation and Parks by three percent (3%).
- To increase Medical Response fees for Northwest Territories and Out of Territories residents by twenty-five percent (25%).
- To increase User Fees of Piped and Trucked water by two point six percent (2.6%) per year from 2024 to 2026.



- To increase the monthly Infrastructure Replacement Levy per equivalent residential unit (ERU) from \$13.50 to \$16.00 in 2024, \$18.50 in 2025 and \$21.00 in 2026.

Committee recommended that By-law No. 5075, a by-law to amend Parts 1, 4, 6, 7, 8, 12, 15, and 17 of Schedule B of Fees and Charges By-law No. 4436, as amended, be presented for adoption.

Committee noted that this matter will be discussed at this evening's Council Meeting.

(For Information Only)

5. Councillor Arden-Smith moved,  
Councillor Fequet seconded,

That Committee move in camera at 12:13 p.m. to discuss a memorandum regarding whether to appoint members to serve on the Heritage Committee.

MOTION CARRIED UNANIMOUSLY

(For Information Only)

6. Committee discussed a memorandum regarding whether to appoint members to serve on the Heritage Committee

(For Information Only)

7. Councillor Cochrane moved,  
Councillor Warburton seconded,

That Committee return to an open meeting at 12:14 p.m.

MOTION CARRIED UNANIMOUSLY

(For Information Only)

8. There was no business arising from the in camera session.
9. **Committee read a memorandum regarding whether to appoint members to serve on the Heritage Committee.**

Committee noted that there are vacancies on the Heritage Committee.

It is the practice of the City of Yellowknife to advertise all vacancies for boards and committees. The City has advertised vacancies on the Heritage Committee in the Capital Update, the City's website and social media.

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

**Strategic Direction #1: People First**



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

1. Council Procedures By-law No. 4975, as amended; and
2. *Cities, Towns and Villages Act*.

#### 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 and Subcommittees must be approved by Council.

It is the practice of the City of Yellowknife to advertise all vacancies that arise on City Boards and Committees.

Committee noted that appointing a full complement of members to the Yellowknife Heritage Committee will ensure that the Committee's projects are not unduly delayed.

**Committee recommends that Council appoint the following members to serve on the Yellowknife Heritage Committee for a two (2) year term effective February 27, 2024 until February 26, 2026.**

Ashley MacLennan Lauren King	Two (2) members from public at large
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#### MOVE APPROVAL

10. The meeting adjourned at 12:14 p.m.