



CITY OF YELLOWKNIFE

## GOVERNANCE AND PRIORITIES COMMITTEE AGENDA

**Monday, April 15, 2024 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.

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<b><u>Item</u></b>	<b><u>Description</u></b>
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 conflict of interest and the general nature thereof.
ANNEX A	
4.	A memorandum regarding whether to approve the Development Permit application PL-2023-0070 to allow a 24-unit Multi-Unit Dwelling on Lot 33 & 34, Block 307, Plan 4809 (110 Hagel Drive).
5.	A discussion regarding Noise By-law.
6.	A discussion regarding mill rate for vacant land.
7.	A discussion regarding mill rates for high density parking.

### **IN CAMERA**

#### ANNEX B

- |    |                                                                                                             |
|----|-------------------------------------------------------------------------------------------------------------|
| 8. | A memorandum regarding whether to appoint members to serve on the Community Advisory Board on Homelessness. |
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<u>Item No.</u>	<u>Description</u>
9.	Business arising from In Camera Session.



## CITY OF YELLOWKNIFE

### MEMORANDUM TO COMMITTEE

**COMMITTEE:** Governance and Priorities

**DATE:** April 15, 2024

**DEPARTMENT:** Planning and Development

**ISSUE:** Whether to approve the Development Permit application PL-2023-0070 to allow a 24-unit Multi-Unit Dwelling on Lot 33 & 34, Block 307, Plan 4809 (110 Hagel Drive).

#### RECOMMENDATION:

That a Development Permit application PL-2023-0070 for a 24-unit Multi-Unit Dwelling proposed on properties legally described Lot 33 & 34, Block 307, Plan 4809 (110 Hagel Drive) be approved, with conditions.

#### BACKGROUND:

In April 2023, the developer purchased two adjoining lots on Hagel Drive through the City. Subsequently, the developer submitted a Development Permit application (PL-2023-0070) proposing a 24-unit Multi-Unit Dwelling on the subject lots.

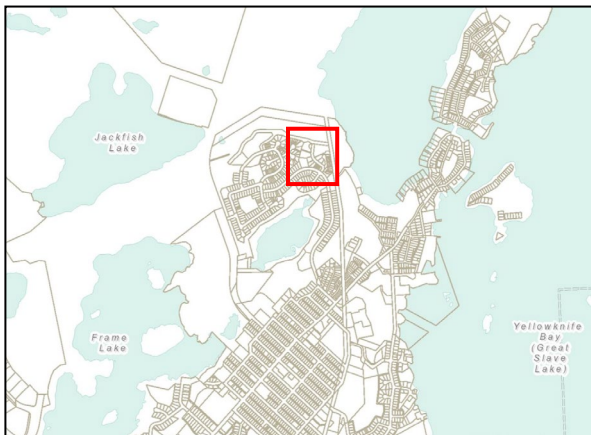


Figure 1: Area Map



Figure 2: Subject Lots Location Map

Although the proposed development meets all the requirements set out in the current Zoning By-law No. 5045 as well as policies in the Community Plan By-law No. 5007, the developer is also required to meet a particular density requirement established in the Niven Lake Development Scheme (NLDS). This applies not only to the proposed development, but also to all new developments in the area, until the NLDS is repealed through public process.

Since 2007 the City of Yellowknife has been implementing the NLDS, which includes density tied to the Zoning By-law No. 4404, as amended. Following the update of the Community Plan By-Law and Zoning By-law in recent years, the City has continued to use the NLDS based on the following transition terms of the *Community Planning and Development Act*, section 80(2).

Under previous legislation an Area Development Plan was called a Development Scheme, which is addressed in the new *Act*, section 80(2)(c), where it states:

*“a development scheme adopted in accordance with the former Act remains in force and is deemed to be an area development plan adopted in accordance with this Act, to the extent that it is not expressly inconsistent with this Act, until it is repealed or another is made in its stead.”*

Therefore, the NLDS shall continue, and this subsection of the *Act* has been appropriately applied. The subject lots was zoned R-3 Residential – Medium Density under the Zoning By-law No. 4404, as amended. In R-3 zone, the allowable density was set to one unit per 125m<sup>2</sup> of land, which equates a total of 16 units on the subject lots. In addition, Council motion (#0103-16) that allowed slight density increase, up to twenty (20) units, was adopted at the Council meeting held on May 2, 2016, when the City promoted the sale of the unsold lots in Niven Phase V.

After initial review of the application for a 24-unit building, the City required the developer to retain a qualified professional planner to justify the proposed higher density outlining conformity with the Community Plan policies and regulations in the Zoning By-law No. 5045, as amended. The Planning Justification Report by Dillon Consulting Limited is Attachment No. 2.

The Development Officer applies section 3.2 of the Zoning By-law No. 5045 and refers the application for Development Permit to Council for decision, where an application relates to transitional development schemes and/or density (outside the provisions of s.4.8.2 of the Zoning By-law No. 5045). This is to ensure steps taken are consistent and the effect of the changes is appropriately considered reflecting the current planning vision, goals and objectives, and policies.

COUNCIL STRATEGIC DIRECTION/RESOLUTION/POLICY:

Strategic Direction #1: People First

Focus Area 1.2	<u>Housing for All</u> Doing our part to create the context for diverse housing and accommodation options.
Key Initiative 1.2.1	Setting the context and foundation for a fulsome continuum of housing options, from social to market to workforce accommodation.



### Strategic Direction #3: Sustainable Future

#### Focus Area 3.2

#### Growth Readiness

Ensuring land development supports economic readiness and community priorities.

#### May 9, 2016 Council meeting:

Motion #0103-16      That Council increase the densities of Lot 94, Block 308 and Lot 11, Block 307 from 14 to 20 units, and Lot 12, Block 307 from 48 to 49 units.

#### APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

1. *Cities, Towns and Villages Act S.N.W.T. 2003;*
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, as amended;
5. Zoning By-law No. 4404, as amended;
6. Niven Lake Development Scheme By-law No. 4586;
7. Memorandum to Municipal Services Committee (May 2, 2016);
8. Niven Lake Phase V Traffic Impact Study, prepared by Creative Transportation Solutions (September, 2012);
9. Niven Phase V General Subdivision Grading Plan, prepared by Stantec (April, 2022);
10. Planning Justification Report and Addendum, January 2024; and
11. Purchase Agreement (Lot 33 & 34, Block 307, Plan 4809).

#### CONSIDERATIONS:

##### Legislative

The *Community Planning and Development Act* (“the Act”) specifies that a zoning by-law must identify either Council or a development officer or both as the development authority responsible for making decisions on applications for each type of development permit and other powers and duties of a development authority under the *Act*.

Section 3.2.1 d) of the Zoning By-law No. 5045 states that Council shall make a decision and recommend any terms and conditions on any other planning, or Development matter referred to it by the Development Officer.

Section 25 of the *Act* states that the development authority shall approve an application for a development permit for a use specified in a zoning bylaw, if the development authority is satisfied that the application meet all the requirements of the bylaw.

##### Community Plan By-law No. 5007

With respect to land use, the subject lots are designated ‘Niven Residential’ in the Community Plan. It is a primarily a residential area that is located adjacent to the downtown core and provides easy access to services by alternative transportation modes. It will continue to be a mix of low, medium and high density residential uses with some mixed use activities such as places of worship.

Planning and Development Objective	Policy
4. To support a mix of residential types and densities.	4-a. A variety of residential single unit and multiple unit dwelling types will be permitted.

The proposed development is a compatible land use/ development type in Niven Residential area, particularly in neighbouring properties zoned R-2 where multi-unit dwelling is a common form of development.

Municipal services are already provided in the area, thus no new service extension is required for accommodating the proposed development. This helps achieve the Planning Objective in section 5.3 of the Community Plan.

#### Zoning By-law, No. 5045, as amended

The subject lots are zoned R 2 – Medium Density Residential in Zoning By-law No. 5045. Multi-Unit Dwelling is a permitted use in the zone. The intent of the zone is to provide an area for medium to higher density residential development that encourages a mix of dwelling types and compatible uses. While the previous Zoning By-law No. 4404, as amended, limited the maximum density in the same zone, there is no density limit set out in the current Zoning By-law. This is to align with the planning objective and policy of the Community Plan. The proposed 24-unit multi-dwelling is consistent with the intent of the zone as well as meets all the applicable requirements established in the By-law.

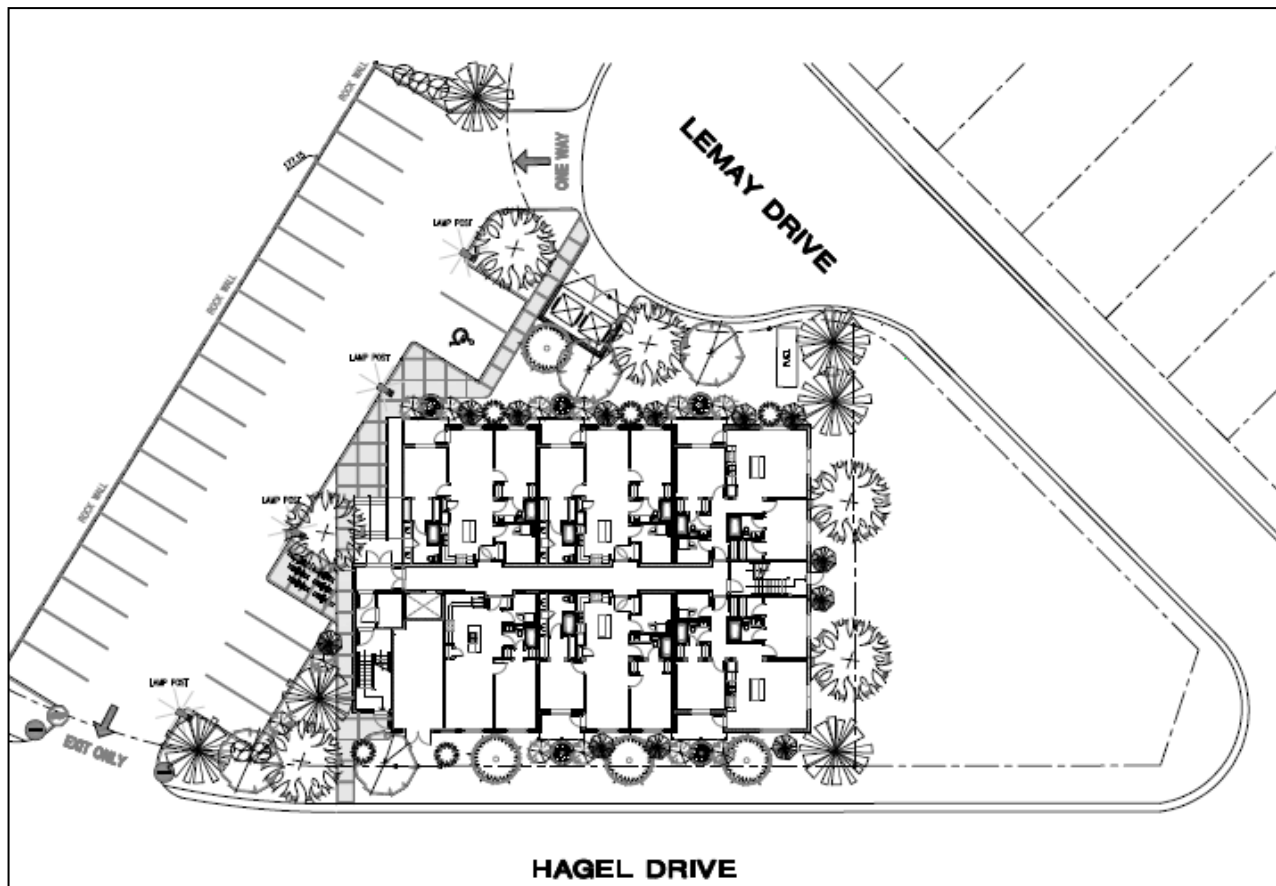


Figure 3: Proposed Site Plan

One of the objectives of development permit process is to ensure to mitigate negative consequences associate with new developments. With respect to vehicular access and on-site traffic, impact due to the density increase is anticipated minimal. However, in consideration of the concerns raised by neighbouring residents, mitigation of potential traffic issues is critical. The City requires the developer

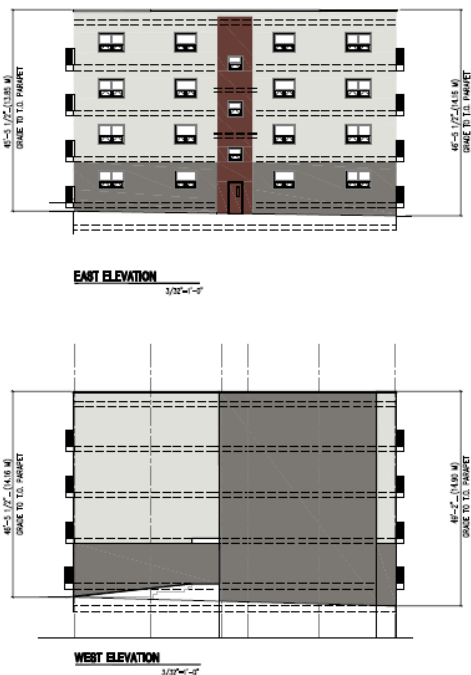


Figure 3: Proposed Site Plan



Figure 4: Elevation Plan

to incorporate several traffic calming measures. For example, the development proposes one-way vehicular access on-site. Entrance to the development will only be through Lemay Drive whereas exit will only be toward Hagel Drive. Both of Lemay Drive and Hagel Drive will remain two-directional roadways. Other mitigation measures such new traffic signs are to be guaranteed through a development agreement. Additional mitigation measures are requested by the City's Public Works and Engineering Department. Details are mentioned in the Departmental Consultation section below.

### Departmental Consultation

#### Public Works and Engineering:

The Department anticipates the intersection of Niven Drive/Hagel Drive/Ballantyne Court will require signage to turn it into a 4-way stop intersection. This is due to both this development and the multi-family development currently underway on Hagel (70 unit). The recommendation is appropriate as the same concern was raised by some residents during the notice of application. Other requirements relate to landscape and drainage will be addressed in Development Agreement.

#### Public Safety:

The Fire Division provided comments. At development permit stage, the Division requires access and parking be appropriate marked and signed and maintained for fire safety. Details relate to National Fire Codes will be assessed and approved at the building permit stage.

### Public Consultation

A notice of application was posted on the site on February 19, 2024. Neighbouring property owners and tenants within 30 metres of the subject lots have been informed of the proposed development by mail in accordance with the *Community Planning and Development Act*. As the result, Nine (9) comments were provided. The comments and responses are included in the Planning Report Attachment No. 1.

### Development Agreement

It is a common practice to impose conditions of approval to development permit when deems necessary, subject to the rules set out in section 4.7 of the Zoning By-law No. 5045. In the case of Development Permit PL-2023-0070, a development agreement includes payment of security bond for the site improvements such as landscaping or new traffic signs. The developer agrees to enter into an agreement with the City in principle. The Agreement will be executed prior to occupancy permit issuance.

### **Conditions of Approval**

Staff recommend to include the following conditions in the Development Permit.

1. The Development must comply with the Approved Plans and the conditions of the original Development Permit and all other applicable regulations and By-laws in effect with the City of Yellowknife; and
2. The developer must enter into a Development Agreement with the City of Yellowknife to guarantee including, but not limited to, landscaping, the site improvements related to traffic, fire safety matters, and servicing. The Agreement shall be signed by both parties before the Occupancy Permit will be granted.

### **ALTERNATIVES TO RECOMMENDATION:**

That a Development Permit application of a 24-unit Multi-Unit Dwelling proposed on properties legally described Lot 33 & 34, Block 307, Plan 4809 (110 Hagel Drive) NOT be approved.

### **RATIONALE:**

The proposed development conforms to the policies established in the Community Plan By-law No. 5007 as well as all the land use regulations set out in the Zoning By-law No. 5045, as amended.

The proposed development is an apartment building consists of one and two bedroom units, which are consistently in high demand in the Yellowknife housing market. Provision of adequate housing choice is an evolving issue in the community and aligns with the one of the Council's strategic directions.

Council is the development authority of the Development Permit application. According to section 25 of the *Community Planning and Development Act*, the development authority shall, subject to any applicable conditions, approve an application for a development permit for a use specified in a zoning bylaw as a permitted use of land or of a building, if the development authority is satisfied that the application meet all the requirements of the bylaw.

**ATTACHMENTS:**

1. Planning Report (DM #760555); and
2. Planning Justification Report and Addendum (DM #753663 & 757094).

Prepared: April 5, 2024; TS

Property Information/Details

Location Description	Lots 33, 34 Block 307 Plan 4809
City of Yellowknife Community Plan No. 5007	Section 2.3.2 Housing Section 3.1.2 General Development Goals Section 3.2.2 Contemporary Land Use Section 4.5 Niven Residential Section 5.1.1 Climate Change Section 5.2.1 Roads and Motorized Vehicle Trails Section 5.3 Municipal Infrastructure Section 6.7 Public Engagement and Notice
City of Yellowknife Zoning By-law No. 5045, as amended	Chapter 3 Roles and Responsibilities Chapter 4 Development Permit Process Section 7.1 Site Planning Considerations Section 7.3 Grade Section 7.4 Vehicular Access and On-Site Traffic Section 7.5 General Landscaping Regulations Section 7.8 Parking Section 8.1.3 Provision of Recreation Space Section 8.2.6 Multi-Unit Dwelling Section 10.2 R2 – Medium Density Residential
Civic Address:	110 Hagel Drive
Access:	Hagel Drive (Lot R23 Plan 3953); and Lemay Drive (Lot ROW Block 307 Plan 4441)
Municipal Services	Piped water and sewage service; garbage pickup

**Recommendation:**

Planning and Development Department recommends approval of Development Permit application PL-2023-0070 for a 'Multi-Unit Dwelling' with the following conditions:

CONDITIONS OF APPROVAL

1. The Developer shall enter into a Development Agreement with the City with respect to on-site improvements, landscaping, traffic improvements, and site servicing requirements; and
2. The development shall comply with the approved stamped drawings for PL-2023-0070 and with all By-laws in effect for the City of Yellowknife.

**Proposal:**

Development Permit application PL-2023-0070 is a proposal for a 24 unit building at 110 Hagel Drive; Lots 33 & 34 Block 307 Plan 4809. While it is planned over two lots, these lots will be consolidated prior to construction to meet the requirements of the Zoning By-law. Vehicular access in and out of the development will be one-way only entering from Lemay Drive and exiting on to Hagel Drive. The development will connect to the City's municipal piped water and sewage service, and will rely on external provisions for other site services.

### **Background:**

#### GENERAL STATEMENT

Lots 33 & 34 Block 307 "subject site" are part of the Niven Lake Phase V development that was initially purchased by Bond Street Properties Ltd. for a 92-unit development. This density goal was set within the sale agreement to address neighbourhood concerns of over-densification; however, the Niven Lake Phase V could have permitted a total of 230 units as per the density regulation of 1 unit/125m<sup>2</sup> established under the zoning bylaw at the time, Zoning By-law No. 4404, tied to the Niven Lake Development Scheme (NLDS). This would have implied a maximum density of 16 units at the subject site; however, in 2016, Council Motion #0103-16 allowed a slight density increase for up to 20 units.

As per section 80 (2) of the *Community Planning and Development Act*, the Niven Lake Development Scheme (NLDS) is still in full effect today. Even though the proposed 24-unit development meets all regulations under Zoning By-law No. 5045 and conforms to policies under the Community Plan, it does not meet the density requirement of the NLDS.

Today, both the Community Plan and Zoning By-law No. 5045 do not offer any prescriptive regulations regarding density. Knowing that the NLDS was adopted more than ten years ago, that the density requirements set within it are outdated, and that there are no additional directions regarding maximum allowable density, Council will be directed to make a decision and recommendations on the matter, as per section 3.2.1 (d) of Zoning Bylaw No. 5045.

#### SUPPORTING STUDIES AND REPORTS

In support of application PL-2023-0070, the following documents/studies were referenced:

- Niven Lake Phase V Traffic Impact Study, prepared by Creative Transportation Solutions in September, 2012
- Niven Phase V General Subdivision Grading Plan, prepared by Stantec in April, 2022
- Planning Justification Report and Addendum, prepared by Dillon Consulting on February 2, 2024, DM# 753663 and DM# 757094

Legal Agreements referenced:

- Executed Purchase Agreement 507726 N.W.T. LTD., April 21, 2023, DM# 728777
- Executed Drainage Easement Agreement, November 14, 2022, DM# 715183



### **Assessment of the Application:**

#### JUSTIFICATION

To satisfy section 8.3 of the executed Purchase Agreement, an approved Development Permit is required within 12 months from the possession date. Furthermore, a Development Permit is required as per section 4 of Zoning By-law No. 5045.

#### LEGISLATION

##### *Community Planning and Development Act*

The *Community Planning and Development Act* establishes the framework for the City to regulate development within its boundaries. As stated in section 16. (1) and 25. (2) of the *Act*, a development authority, being either council or a development officer appointed under section 52, or both, shall, subject to any applicable conditions, approve an application for a development permit for a use specified in a zoning bylaw as a use that may be permitted at the discretion of the development authority, if the development authority is satisfied that the applicant meets all the requirements of the bylaw.

Under section 20. (1), “A zoning bylaw may authorize a development authority to require, as a condition of the approval of an application for a development permit that a person enter into a development agreement with the municipal corporation.”

##### *Community Plan By-law No. 5007*

“The purpose of a community plan is to provide a policy framework to guide the physical development of a municipality, having regard to sustainability, the environment, and the economic, social and cultural development of the community”. (*Community Planning and Development Act*, Section 3 (1)).

This 2019 Community Plan is a comprehensive outline of the goals and objectives for the City with directive policies to accomplish the objectives. All applicable policies of the Community Plan are to be considered and applied at the time of development.

##### *Zoning By-law No. 5045*

The general purpose of a zoning bylaw is to guide the physical development of a municipality by offering regulations to the use and development of land and buildings within the municipal boundary of the City.

The Development Officer is directed to receive and process development permit applications as referred to in sections 3.1.1 (a), (d), (f), and (g) of the By-law, and shall approve, with or without conditions, the application for a development permit for a permitted use, as per section 4.6.2 (a).

Council is directed to make a decision and recommend any terms and conditions on any other planning, or Development matter referred to it by the Development Officer, as per section 3.2.1 (d).

A Development Permit is required as per Section 4.1 of Zoning By-law No. 5045. All development permit applications for uses that are permitted and not requiring a variance are processed as per sections 4.1, 4.4, 4.5, 4.6, 4.7, 4.10, 4.11, 4.12 and 4.13 of Zoning By-law No. 5045.

## PLANNING ANALYSIS

### City of Yellowknife Community Plan By-law No. 5007

The Plan identifies Niven as a: “residential area that is located adjacent to the downtown core and provides easy access to the core of the City by vehicle and alternative transportation modes. Much of the residential development in the area is recent and new residential lots continue to be developed on vacant parcels”.

The City’s development goals support active transportation like walking, cycling, and the use of public transit; as well as land use flexibility and intensification of existing developed areas. These goals can be achieved by prioritizing compact urban growth. The concept of compact urban growth creates many benefits that attract a diverse range of users, such as shorter commute times, more accessible amenities, and reduced environmental impacts of the community. The location of 110 Hagel Drive, being walkable to a transit stop and close to the downtown, is an advantage to future residents who are attracted to these compact and short-distance ways of living. By achieving the objectives and policies listed in sections 5.1.1 and 5.3 of the Community Plan, the proposed development aligns with the general goals set by the City of Yellowknife to maximize the potential of infill development.

4.5 Niven Residential Objectives and Policies	
Planning and Development Objectives:	Policies:
4. To support a mix of residential types and densities.	4-a. A variety of residential single unit and multiple unit dwelling types will be permitted.
6. To enhance public outdoor recreation amenities.	6-a. Amenities will be constructed as the area continues to be develop in line with current development standards.

5.1.1 Climate Change Mitigation Objectives and Policies	
Planning and Development Objectives:	Policies:
3. To better utilize existing municipal infrastructure.	3-a: The City will prioritize development in the existing built footprint of the City before developing new greenfield areas.
	3-b: The City will encourage compatible mixed land uses where appropriate to support compact urban development and to reduce travel distances for residents.

	3-c: Higher density development will be encourage near employment centres and major activity nodes.
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5.3 Municipal Infrastructure Objectives and Policies	
Planning and Development Objectives:	Policies:
3. To concentrate commercial and residential development in areas serviced by piped water and sewer services.	3-a: Commercial and residential development will be prioritized in areas with piped water and sewer services.

## Zoning

City of Yellowknife Zoning By-law No. 5045

As demonstrated in the Technical Review Report for development permit application PL-2023-0070, the proposed development meets the applicable regulations for the permitted Use set out in the By-law without any variance requirements. A summary follows:

Site Planning Considerations (Section 7.1):

The proposed development provides future residents of the multi-unit dwelling with direct pedestrian access to the adjacent streets, the walking trail at the end of Hagel Drive, the transit stop along Niven Drive, as well as an abundance of natural area east of the site. The Public Safety Department, including the Yellowknife Fire Division, expressed no concerns with their vehicles and personnel reaching the proposed development; furthermore, the provision of outdoor lights and apt snow clearing methods have been noted as conditions of development. By meeting the general site planning considerations listed in section 7.1 of the By-law, the proposed development demonstrates good land use planning practices.

Grading (Section 7.3):

The lots' proposed finished grade follows the Niven Phase V General Subdivision Grading Plan, with 3% positive drainage proposed to be directed towards both Hagel Drive and Lemay. The development will maintain the natural contour of the land, with the southwest corner being the highest point and gradually sloping down towards the north corners. Curbing along the rock wall proposed at the edge of the parking lot will ensure that surface water does not drain towards the parking lot at 122 Hagel Drive.

Vehicular Access and On-Site Traffic (Section 7.4):

The development proposes one-way vehicular access on-site. Entrance to the development will only be through Lemay Drive, where a "No Exit" sign shall be installed. Exit out of the development will only be through Hagel Drive, where a "No Entry" sign shall be installed. Both of Lemay Drive and Hagel Drive will remain two-directional roadways. Both of the proposed driveways are adequately setback from property lines and will not negatively affect vehicular and pedestrian safety within Niven Phase V neighbourhood.

Furthermore, the Public Works and Engineering Department is recommending traffic calming measures. Due to the developments underway and proposed for this neighbourhood, the Department anticipates that the intersection of Niven Drive/ Hagel Drive/ Ballantyne Court will require signage to turn in into a 4-way stop intersection. The City will commit to this once the development at 122 Hagel Drive is complete.

#### Landscaping (Section 7.5):

A minimum of 100% of the residual area shall be landscaped. This makes up a minimum area of 476m<sup>2</sup>, which matches the development's proposed area of 476m<sup>2</sup> to be landscaped. The development exceeds the landscaping requirement by proposing 20 trees and 39 shrubs to be planted on the ground floor. As recommended by the Public Works and Engineering Department, trees proposed nearest to the driveways shall be replaced with shrubs in order to maximize site visibility. The planted vegetation shall be grown from a northern stock and be capable of healthy growth in Yellowknife. Since the required landscaped area is less than 500m<sup>2</sup>, it was incorporated as part of the site plan drawing. Furthermore, requiring a security to ensure full completion of landscaping shall be covered in the Development Agreement.

#### Parking (Section 7.8):

As per Table 7-3 of the By-law, the on-site parking requirement for such a development is a minimum of 19 Type "B" parking spaces. The development exceeds this requirement by proposing 24 Type "B" parking spaces and one Type "A" accessible parking space near the building's main entrance. The development meets the on-site bicycle parking and loading requirements by accommodating 12 bicycle parking spaces and 1 off-street loading space, as illustrated on the Approved Drawings.

#### Provision of Recreation Space (Section 8.1.3):

The development proposes that all dwelling units have individual balconies. Furthermore, the landscaped area and the development's proximity to a future municipal park satisfy the requirement of outdoor recreation space.

#### Multi-Unit Dwelling (Section 8.2.6):

To satisfy general regulations applicable to all multi-unit dwellings within the city, the proposed development provides direct pedestrian access between the building's entrances and both Hagel Drive and Lemay Drive. Access to the enclosed garbage and compost storage will be through Lemay Drive. With regard to emergency vehicle access, the Public Safety Department, including the Yellowknife Fire Division, expressed no concerns with their vehicles and personnel reaching the proposed development; however, following the recommendation of the Fire Division, the parking area will be appropriately signed for loading and no parking zones as illustrated on the Approved Drawings.

#### Land Use (Section 10.2):

The general purpose of the R2- Medium Density Residential zone is *"to provide an area for medium to higher density residential Development that encourages a mix of Dwelling types and compatible Uses"*.

Regulations relating to lot width, lot coverage, building height, and yard setbacks have been met without any variance requirements. These regulations were reviewed against the drawings submitted by the applicant on January 12, 2024. To satisfy 10.2.2 (c), all mechanical equipment is incorporated within the building's footprint at ground-level, in the space next to the one-bedroom unit.

### **Servicing/Safety/Park&Rec/Community/Reconciliation**

The proposed development lies within the City's water and sewer piped serviceable area, and will be tied to the City's water main, storm main, and sewer main at the applicant's (purchaser) expense, as per the Purchase Agreement. The applicant is also responsible for any arrangements for electric power, gas, telephone, garbage pickup and cable services required to complete the development.

The vacant lot south of the proposed development is municipally owned. Other than becoming a communal amenity for the neighbourhood, the park will act as a traffic calming device for vehicles driving along the Hagel-Lemay intersection due to speed limit regulations.

### **Public Consultation**

#### **LEGISLATIVE AND POLICY REQUIREMENTS**

A Notice of Application was circulated to neighbouring residents and property owners within 30m radius of the subject property on February 20, 2024, per Sections 4.5.1, 4.5.2, 4.5.4, and 4.5.5 of Zoning By-law No. 5045, Section 6.7 of Community Plan By-law No. 5007, and section 14 (2) of the *Community Planning and Development Act*.

As a result of the Notice of Application, the Planning and Development Department received nine comments from concerned neighbours, mostly related to traffic congestion and impact on the neighbourhood, construction noise impact. Other comments received, which are beyond the Development Officer's authority, related to the non-permitted blasting of the site, increased crime, and the completion of the Niven trail network. A table listing all public comments received and how they were considered in the decision process can be found at the end of the Report under **APPENDIX A**.

Following section 3.2.1 (d) of Zoning By-law No. 5045, this application will be referred to Council for their decision and recommendation. A Notice of Decision will be posted at the subject property, in the City's "Capital Update", and will be circulated to the same neighbouring residents and property owners within 30m radius of the subject property. This Planning Report as well as all other submitted application materials will be available to the public for review upon request. The application will be subject to a 14-day appeal period, commencing on the date of the decision. If not appealed within this period, the decision will be considered effective starting on the 15<sup>th</sup> day.

### **City Departments / External Agency Consultation**

As directed in section 4.5.1 of Zoning By-law No. 5045, a request for comments was circulated to City Departments and to an external agency on February 20, 2024. Comments were reviewed and considered, and are summarized in the table below:

No.	City Department	Comments	Consideration
1.	Fire Division	<p>I have reviewed the provided plans, I see no issues with access or traffic. I did not identify the hydrant and the fire department connections for the sprinkler systems.</p> <p>My comments are that; access and parking must be <b>signed</b> as required and maintained for fire safety. The lot should have signs , if required, it is a one way, the fire code states:</p> <p>National Fire Code 2015 2.5.1.5. Maintenance of Fire Department Access.</p> <p>1) Streets, yards and roadways provided for fire department access shall be maintained so as to be ready for use at all times by fire department vehicles.</p> <p>2) Vehicles shall not be parked to <b>obstruct access</b> by fire department vehicles and <b>signs shall be posted prohibiting such parking.</b></p> <p>This covers fire lanes, entrances, fire hydrants, fire department connections, one way, parking signage and the such, as this plan is not detailed with all of the items and signage, I make this comment so that I can enforce signage later if needed.</p> <p><b>Fire Sprinklers Protect Residents and First Responders, it is easier to dry something out, than to unburn it.</b></p> <p>The YKFD recommends fire sprinkler systems in all properties and new construction. Sprinklered</p>	<p>Fire Department connection has been added to drawings.</p> <p>Development shall follow FireSmart practices, as recommended in the 'Climate Change Adaptation Policies' in section 5.1.1 of the Community Plan.</p> <p>Appropriate signage regarding Fire Department access shall be installed on-site at the developer's cost.</p> <p>Applicant shall submit Construction Fire Safety Plans (CFSP) prior to the issuance of a building permit.</p>

		<p>developments support Community Risk Reduction (CRR) as fire sprinklers provide superior protection for responders and residents, benefitting the entire community for decades. Unsprinklered buildings puts responders at risk from fire, collapse, and health hazards. Each new home built without sprinklers makes the community less safe for all. By protecting new housing stock, existing resources can be directed at high-risk populations and existing unsprinklered structures.</p> <p><b>Construction Fire Safety Plans (CFSP)</b> Construction Fire Safety Plans (CFSP) are required to ensure construction sites are safe for the workers and provide required fire department access. Prior to the issuance of a building permit, YKFD requires submission of a Construction Fire Safety Plan for review and approval.</p> <p><b>Rapid Entry System</b> Developers and owners of new and existing buildings are encouraged to participate in YKFD's Rapid Entry System Program. In an emergency, lock boxes provide a rapid entry system that is critical to the response of the fire department. The YKFD can be contacted for approved lock boxes.</p> <p><b>NBC and NFC</b> All structures in the NWT shall be constructed, altered and repaired in accordance with the applicable codes and standards adopted under the</p>	
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		<p>Fire Prevention Act (FPA) and Fire Prevention Regulations (the Regulations) and shall be built to the requirements of the National Building Code (NBC) and meet the National Fire Code (NFC). The YKFD is authorized under the FPA to inspect any property to ensure precautions against fire and the spread of fire. Once a structure is built and occupied, the YKFD may inspect and enforce the requirements of the NFC.</p>	
2.	Public Works and Engineering	<p>PW has the following comments on the proposed development:</p> <ol style="list-style-type: none"> <li>1. Landscaping: There are trees shown at the exit of the property. Ensure the location of the trees does not interfere with roadway sightlines. Shrubs are more appropriate plantings for this area.</li> <li>2. Drainage Easement Caveat: The drainage easement caveat can be discharged provided that the drainage of the properties is directed to the adjacent roadways and not the adjacent properties.</li> <li>3. Traffic – General: PW anticipates the intersection of Niven Drive/Hagel Drive/Ballantyne Court will require signage to turn it into a 4-way stop intersection. This is due to both this development and the multi-family development currently underway on Hagel (70 unit).</li> </ol> <p>Overall, PW is ok with this development.</p>	<p>It will be noted on the approved drawings that the trees proposed at the intersection of Hagel Drive and the parking entrance shall be relocated elsewhere and replaced with shrubs instead.</p> <p>As per the proposed drawings and Planning Justification Report, drainage is being directed towards Hagel Drive and Lemay Drive.</p> <p>Traffic recommendation has been taken into consideration.</p>

3.	Lands and Building Services	No concerns identified.	No consideration needed.
4.	Public Safety	<p>From an emergency response perspective, the only Fire Division Access (FDA) information source Public Safety would formally reference would be identified in the National Building Code (NBC Access Route Design (3.2.5.6)).</p> <p>For YK, the preferred route design should contemplate use of turning bulbs/circles vs. hammerhead turning points, main entrance to the site for FDA be off a public street not access off an alley/lane, unobstructed path from emergency vehicle to principle entrance no greater than 45m, FDC location at/near principle entrance location, and ease of access from hydrant location to principle entrance/FDC.</p>	<p>Main FDA access will be off of Hagel Drive with the nearest fire hydrant 85m away, easily accessible to the proposed driveway. A Fire Department connection is also proposed near the proposed driveway, as illustrated on the approved drawings.</p> <p>Unobstructed path from emergency vehicle to both entrances is less than 45m.</p>
5.	Northland Utilities (External Agency)	<p>Overall, I don't have any concerns with the shown design. But I would like to highlight a few potential issues.</p> <ol style="list-style-type: none"> <li>1. Road access from Lemay Drive will cross over the Streetlight feed, and we might run in to depth issues if the grade is lowered.</li> <li>2. Power supply, the main line is located along Hagel, and will need to be tied into to supply power to the building.</li> </ol>	<p>These comments have been shared with the applicant. It is the applicant's responsibility to fulfill the provision of electrical services.</p>

#### CAVEATS/OTHER LEGAL AGREEMENTS

An executed Development Agreement, which shall be registered as a caveat against both lots 33 and 34 and signed by both property owner and the City, is a condition of development permit approval. The Development Agreement will cover matters relating to on-site and traffic improvements as well as

provision of site services. Proof of an application to consolidate Lots 33 & 34 will be required in order for the City to discharge the grant of easement Agreement for Lots 33(D) and 34(D) Block 307 Plan 4814, prior to Building Permit issuance, which will be required prior to any planned construction. A Construction Fire Safety Plan (CFSP) shall be submitted to the Yellowknife Fire Division, per the request of the City's Fire Chief. It is also the applicant's responsibility to apply for and acquire any other permits required from other departments or agencies.

**Conclusion:**

Based on the planning technical review and analysis, it is identified that Development Permit application PL-2023-0070 for a proposed 'Multi-Unit Dwelling' at 110 Hagel Drive, following the development conditions, would not negatively impact the existing area or unreasonably affect neighbouring properties. Furthermore, the proposal conforms to policies and regulations in Community Plan By-law No. 5007, meets Zoning By-law No. 5045 requirements, and represents good land use planning practices.

Prepared by:

\_\_\_\_\_  
Bassel Sleem, MCP, BArch  
Planner, Planning and Environment

\_\_\_\_\_  
Date

Concurrence by:

\_\_\_\_\_  
Tatsuyuki Setta, RPP, MCIP, AICP  
Manager, Planning and Environment

\_\_\_\_\_  
Date

Appendixes:

- **Appendix A:** Public Comments

Attachments:

- Approved Drawings Development Permit PL-2023-0070

## APPENDIX A

As a result of the Notice of application posted on-site on February 19, 2024, and circulated by mail on February 20, 2024, the following comments were received from neighbouring residents and considered by the City of Yellowknife. Text highlighted in black consists of personal information and was consequently redacted.

No.	Public Comments	Consideration
1.	<p>One document missing that I'm specifically interested in reviewing is the City's analysis/approval document. For the previous Hagel development that document provided the true information - whether the City is proposing granting any bylaw variances and specifically what those are, and if the City has attached any timing conditions. By timing conditions what I mean is on the previous Hagel development approval from the City, the development requires that it be move-in ready for September 2024, which has resulted in the under-construction apartment building having that project continuing throughout the winter [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED] I want to see if this new development also has a completion date stipulation or if the new development can linger forever, further making my street a construction zone indefinitely, never having paving realized on the road in a reasonable timeframe. Please send me that City evaluation document so I can properly see what the City has approved.</p> <p>Having read through what you've provided, as I understand it, the developer has requested a variance for site density, which presumably the City has approved where this small appeal window is the only opportunity for the public to present views on that. I look forward to receiving the document from you. (February 23, 2024)</p>	<p>This Planning Report is available for public view and will be shared with interested neighbours.</p> <p>There is no variance for site density. The Development Officer is requesting that Council make the final recommendation. Since this area, Niven Phase V, went through multiple density goals authorized under previous council, they will be the appropriate authority to make the decision regarding the proposed number of dwelling units.</p>
2.	<p>I am writing to you in regards to the development permit proposal located at 110 Hagel Drive. I noticed that there was a posting that an application was received for an additional 24 dwelling unit with a proposed one way</p>	<p>Traffic Impact is addressed in the above section "Vehicular Access and On-Site Traffic".</p>

	<p>parking lot located in-front of the building. My main concern is the traffic that will be associated with this build along side the already approved build that is currently underway in that location. [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED] Back to this proposal, the increased traffic alone from the construction crew in the past few years have increased risk to children and pets in the local area. Once the current build is complete the streets in-front will experience an increase in traffic attempting to turn into Lemay drive. The corner is slightly blind when approaching from old town and I have witnessed numerous occasions when a child was attempting to cross the road and almost struck by a vehicle (construction crew truck). There is a bus route on Niven drive and I have once again witnessed numerous vehicles that do not stop when the stop sign and lights are on. Prior to any approvals I urge the city to reassess traffic risk in this area as there are many families that walk around Niven.</p> <p>(February 28, 2024)</p>	
3.	<p>Trail:</p> <ul style="list-style-type: none"> <li>How will the City provide access to the trail at the end of Hagel Drive? Will it be through the Hagel cul de sac?</li> <li>Where will people park to access the trail?</li> <li>There is currently water running down to the lake, next to the trail. Is this part of the Niven grading plan, or will the City address this water runoff?</li> </ul> <p>Lemay Drive:</p> <ul style="list-style-type: none"> <li>Service trucks exiting Lemay Drive cannot U-turn efficiently and often have to do 3-point turns. This could cause increased traffic congestion if more vehicles are to be introduced to Lemay Drive through the development currently being proposed.</li> <li>Lemay Drive and Hagel Drive have different road widths so it does not fully make sense to treat them</li> </ul>	<p>Trail network is not regulated under the Zoning By-law; however, your comments regarding water runoff will be shared with the Department of Public Works and Engineering.</p> <p>Traffic Impact is addressed in the above section "Vehicular Access and On-Site Traffic".</p> <p>Concerns regarding off-site parking can be addressed through the City of Yellowknife Parking By-law No. 5053.</p>

	<p>both the same in regard to number of vehicles using each.</p> <ul style="list-style-type: none"> <li>▪ Was Lemay Drive designed for the traffic that will result from this development?</li> <li>▪ Stop sign at Lemay Drive is not very efficient during winter as drivers often cannot see vehicles approaching from Hagel Drive because of the snow piled at this corner.</li> </ul> <p>Parking:</p> <ul style="list-style-type: none"> <li>▪ Concern with cars, boats, and other accessory vehicles parking along Hagel Drive and Lemay Drive. As well as parking along the road in general, I am concerned about space for visitor parking.</li> </ul> <p>Construction Impact:</p> <ul style="list-style-type: none"> <li>▪ Concern with how construction material trucks will be delivered to 110 Hagel Drive without excessively disrupting residents of the area.</li> </ul> <p>(February 28, 2024)</p>	<p>Construction noise cannot be avoided; however, there are conditions laid out in the City of Yellowknife Noise By-law No. 3537.</p>
4.	<p>Further to our telephone conversation of Friday, March 1, 2024 I am writing to set out my concerns of the construction as requested by the applicant above. I own a unit in Cavo Condominiums and am concerned about how this construction will effect our property located at [REDACTED]</p> <p>While they were building the apartment building located on the adjacent property in the summer of 2023 the construction company continued to drive through the Cavo Condo parking lot as a drive through with their heavy B-train trucks. One of our board members spoke with the construction manager and asked him to not drive through the parking lot. The manager advised that they did not realize it was private property and continued to drive through, they were spoken to again but continued to drive through. I telephoned the City of Yellowknife office and was advised that they could do nothing about as it was private property. We had put cones at the end of the parking lot to prevent them from driving through but the truck drivers just removed them. I am concerned about the damage of these heavy trucks to our building as it already shifts as well as any accidents that could happen to vehicles on the property. Speaking</p>	<p>Your comments have been noted.</p>

	<p>to both the construction manager and the City was of no help. Therefore I am asking the City to put something in place so that any further construction vehicles cannot drive through at the bottom of Hagel Drive up to the Cavo parking lot. The property at the end of the Cavo Condo building belongs to the City and therefore would ask that as property owners you prevent them driving up that hill. Two things could possible take place: write a letter to the applicant and advise them that they cannot drive there (and I would like to receive a copy of that letter) and/or put a blockade from driving onto that land. I have copied the Cavo Condo Board on this for their information. I am not writing to oppose the construction but to oppose the use of the Condo parking lot. If this matter cannot be resolved before construction then please take this as my notice that I oppose the applicants request for building on the site.</p> <p>(March 1, 2024)</p>	
5.	<p>Our comments on the proposed application are:</p> <ul style="list-style-type: none"><li>- Parking lot should be multi directional, as the large building being constructed at the bottom of the road will also feed traffic onto Hagel Drive.</li><li>- Building height would be better at 3 stories instead of 4 to keep the height in line with the neighbouring buildings.</li></ul> <p>Was there a permit in place for the blasting that took place last summer?</p> <p>(March 1, 2024)</p>	<p>Your comments regarding the parking lot have been noted.</p> <p>The building is proposed to be 14.1m in height, which is within the maximum height of 15m for the R2 zone.</p>
6.	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED] The City allowed illegal excavation of the site at issue, by the same developer, starting in June 2023 and lasting for months. The excavation included about 4 days of illegal blasting that caused damage to my house, [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	<p>Your comments have been noted.</p>



	<p>I spoke to the city several times during the un-permitted excavation and they apologized profusely for the illegal work being done, which was inescapable for weeks on end, with no space in my house safe from the noise, vibrations, and blasts. The City said they told the developer to stop, and he didn't, and that there was nothing they could do about it; the city told me that and it's just not true. The city has bylaws that say it's illegal to do construction work without a permit (and "excavation" is included in the definition of construction), and they just decided to ignore the law and let the developer continue unchecked for months, and will grant him his permit nonetheless. When it comes to the illegal blasting, the city said that it's sorry, and that it's the Territory's responsible for illegal blasting so it's not their fault, and they did nothing about it.</p> <p>I don't think that my house will be livable if he is awarded with another permit. The city has consistently ignored the developer's blatant violations of municipal and territorial law, and are now rewarding him with another permit for another profit-based endeavour on the backs of residents. [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>(March 4, 2024)</p>	
7.	<p>I am writing to address your recent notice regarding the development plans for lots 33 and 34, Block 307, Plan 4809, situated at 110 Hagel Drive. As an owner of the Niven townhomes located at [REDACTED] 100 Lemay Drive, I am</p>	<p>Construction noise cannot be avoided; however, there are conditions laid out in the City of Yellowknife Noise By-law No. 3537.</p>

<p>expressing my concerns via this email and urging the City to reconsider and reject the permit application. I have been in this until for almost a year and shortly after I moved in the sounds of construction started from the large 70-unit building which is not yet complete and will be continuing on again this summer.</p> <p>While I understand the high demand for rental properties in Yellowknife, I believe that adding another 24-unit building to an already densely populated area is not the appropriate solution. Presently, the ongoing development behind the proposed site will result in 70 units upon completion. Coupled with the 16 townhomes and the 14 units adjacent to Hagel, the area is becoming overly congested. Moreover, there are additional CAVO units within 500 feet, further exacerbating the issue. This raises questions about the availability of green spaces and safe play areas for children, potentially leading to safety concerns on the streets. It is highly unlikely that these buildings will cater exclusively to adults.</p> <p>Furthermore, I have serious reservations regarding the increased traffic flow resulting from the addition of these 24 units. The anticipated traffic volume with the completion of the 70-unit building is already worrisome, and this new development would only compound the issue. Despite the proximity to downtown Yellowknife, I am skeptical that it will lead to a decrease in traffic; in fact, I anticipate the opposite effect. Considering that our 16 units typically have two vehicles each and some have vehicles parked on the street as well, I can see this being a challenge. As it is now, it can be difficult to get on the very busy Niven Drive from the one access. Also opening the end up the end of Lemay and making it a one way street will encourage increased traffic from others that do not even live in the area. I implore the City to reevaluate this request thoroughly. While I am not opposed to further development, it should not be at the expense of an already overcrowded area.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	<p>The residual 476m<sup>2</sup> of the site will be landscaped with trees and shrubs. Furthermore, the municipally-owned vacant lot south of 110 Hagel Drive will become a neighbourhood green space.</p> <p>Traffic Impact is addressed in the above section "Vehicular Access and On-Site Traffic". While vehicular access into the site is one-way from Lemay Drive on to Hagel Drive, both of these roads will remain two-way.</p>
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	(March 5, 2024)	
8.	<p>1. Has a solar study been conducted to assess the impact of the proposed development on sunlight access to neighboring properties.</p> <p>2. Are there any opportunities for collaboration or consultation between the developers and neighboring property owners to address concerns related to solar access and lighting.</p> <p>3. Will the proposed Multi-Unit Dwelling (24 units) result in any significant shading of my property, particularly during peak sunlight hours or critical times for solar energy generation?</p> <p>4. Are there any measures being proposed to mitigate potential shading impacts, such as setbacks, building height adjustments, or landscaping strategies?</p> <p>5. How will the new development be managed and maintained once it is completed?</p> <p>6. Will there be any green spaces provided as part the development?</p> <p>7. Will there be any changes to zoning regulations or building codes as a result of the development?</p> <p>8. What measures will be taken to mitigate any noise or disturbances during the construction phase of the new development?</p> <p>9. Will there be sufficient parking spaces for residents <b>and</b> visitors, and will this impact on-street parking on Lemay Drive?</p> <p>10. Will Lemay Drive continue to be a 2 way street?</p> <p>11. Will there be sufficient related play areas for children in order to minimize on street playing?</p> <p>12. Will consideration be giving to minimizing or strategically placing street lighting in such a way that the bright lights do not impact the quality of sleep for the surrounding neighbours.</p> <p>(March 5, 2024)</p>	<p>1. A sun shadow impact study was not required as part of this application.</p> <p>2. These discussions can happen between the developers and neighbours.</p> <p>3. The development will not unduly and negatively affect adjacent properties.</p> <p>4. Yes, the proposal meets all zoning regulations for setbacks, height, and massing. These predetermined regulations already account for their mitigation of sun shadow impact.</p> <p>5. Property management is not regulated under the Zoning By-law.</p> <p>6. The residual 476m<sup>2</sup> of the site will be landscaped with trees and shrubs. Furthermore, the municipally-owned vacant lot south of 110 Hagel Drive will ultimately be zoned PR – Parks and Recreation, and will become a neighbourhood green space.</p> <p>7. No</p> <p>8. Construction noise cannot be avoided; however, there are conditions laid out in the City of Yellowknife Noise By-law No. 3537.</p> <p>9. Reference “Parking and Driveway” section above.</p> <p>10. Yes Lemay Drive will continue to be two-way. Reference “Vehicular Access and On-Site Traffic” section above.</p>

		<p>11. The future municipal park will function as a play area for children.</p> <p>12. Proper outdoor lighting will be a condition of development.</p>
9.	<p>I just have a few questions. I understand that the city is in a housing crisis like the rest of Canada. These 24 units that are being built to my understanding are 1 and 2 bedrooms units [REDACTED] [REDACTED] Was there any discussion on how these could be more family friendly units?</p> <p>Will there be a new traffic study conducted, as the one that is being used is over 10 years old and since then there has been a fair amount of development in the Niven area, including Cavo, Niven Heights condos, villas, and townhomes and other multi unit properties. I live directly adjacent to these units that are being built and the amount of traffic that is coming up and down Niven Drive is scary, with the potential of adding approximately 100 vehicles travelling in and out of this area in peak times is a little nerve wrecking. As a mom of two young children I do not feel that Niven is a safe area anymore. Will there be additional safety precautions put in place coming from Hagel/Lemay and Ballentyne onto Niven Drive. The potential for increase of crime is also there, will there be more patrol in the area. I understand with developments that there are requirements for green space and although there are some shown here. This space could have been better utilized as a green space for the community to utilize, that area was used by so many for dog play, children play and walking. I know that the city expanded the trail when using the firebreak but what happened to linking the Niven trail to Old Town?</p> <p>(March 7, 2024)</p>	<p>A traffic impact study was not required as part of this application.</p> <p>Neighbourhood patrol is not regulated under the Zoning By-law; however, outdoor and flood lighting required as a condition of this development will provide for an enhanced sense of safety and security.</p> <p>The Department of Public Works and Engineering is recommending that the Niven/ Hagel/ Ballantyne/ Lemay intersection become a four-way stop.</p> <p>The municipally-owned vacant lot south of 110 Hagel Drive will become a neighbourhood green space.</p>



MILAN MRDJENOVICH

# Planning Justification Report

110 Hagel Drive – Lot 33 and 34, Block 307, Plan 4809 – Yellowknife

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**Milan Mrdjenovich**

*Planning Justification Report - 110 Hagel Drive – Lot 33 and 34, Block 307,  
Plan 4809 – Yellowknife*

December 2023 – 23-7175



## 1.0

# Introduction

Dillon Consulting Limited (Dillon) has been retained by Milan Mrdjenovich (the applicant) to act as Planners for the proposed development at 110 Hagel Drive (Lots 33 and 34, Block 307, Plan 4809), in the City of Yellowknife (City). The applicant is seeking to develop a 4-story multi-unit residential apartment building. As proposed, the development would provide 24 units, consisting of one single-bedroom unit and 23 two-bedroom suites, including transportation access, stormwater management and parking spaces. The building will be located on the south end of the subject site, oriented southwest facing Hagel Drive, with an asphalt parking area on the northern half of the lot.

The subject lands are designated as Niven Residential in the City of Yellowknife Community Plan. The subject site is zoned as Medium Density Residential (R2) in the City of Yellowknife Zoning By-law 5045 (By-law).

The subject site is located within the Niven Lake Development Scheme 2007 (Bylaw No. 4438), which supports a variety of dwelling types, including multi-attached and multi-unit dwellings. A review of the proposed development determined that a Development Permit and a Building Permit is required. The applicant has commenced the Development Permit process (Development Permit Number PL2023-0070) and is waiting Development Permit approval to submit documentation for the Building Permit application.

This Planning Justification Report has been prepared to support the submission of the Development Permit and Building Permit applications to the City.

**Milan Mrdjenovich**

*Planning Justification Report - 110 Hagel Drive – Lot 33 and 34, Block 307,  
Plan 4809 – Yellowknife*

December 2023 – 23-7175





## 2.0

## Subject Site

The municipal address of the subject site is as 110 Hagel Drive, on Lots 33 and 34, Block 307, Plan 4809. The site is irregularly shaped and measures approximately 0.204 ha (0.5 acres). The site has been previously disturbed (blasted) and is currently vacant. Both lots 33 and 34 are municipally owned and the applicant has paid a 15% deposit to the City of Yellowknife to secure future development on both lots. The site is part of Niven phase 5 for the Niven Lake residential area, located northeast of Niven Lake in the City of Yellowknife. The lots are zoned as Medium Density Residential (R2) in the City of Yellowknife Zoning By-law 5045.

Lots 33 and 34 are situated between Lemay Drive and Hagel Drive. The development proposes one way site access from Lemay Drive with an exit only onto Hagel Drive. There is a 38.66 m frontage on Lemay Drive and 62.90 m frontage on Hagel Drive.

The site is bounded in all directions by residential development. Adjacent Land Uses are described below.

**North:** The parcel immediately adjacent to the subject site to the north (Lot 31, Block 307, Plan 4809) is also zoned Medium Density Residential (R2), this parcel is currently under construction to contain a 70-unit apartment building. The parcel connects to the Niven trail network designated as Parks and Recreation (PR). Areas zoned Growth Management (GM) are also located in proximity to the subject site to the north.

**South:** The parcel immediately adjacent to the southern boundary of the subject site (Lot 35, Block 307, Plan 4809) is vacant, and zoned as Medium Density Residential (R2). As noted in the Development Officer's Report for Development Appeal PL-2022-0075, Lot 35 will be redesignated as Parks and Recreation (PR). Further south, Hagel Drive connects to the rest of the Niven subdivision via Niven Drive.

**East:** Lemay Drive (cul-de-sac) bounds the eastern portion of the site and provides one-way access to the subject site. Adjacent parcels include four buildings with condo units zoned Medium Density Residential (R2). The rear yards of these parcels are adjacent to a 150m wide natural buffer to Great Slave Lake zoned Natural Area (NA).

**West:** Hagel Drive bounds the western portion of the subject site and provides a one-way exit from the site. Across Hagel Drive, lots 128 to 139 are zoned Medium Density Residential (R2) with a mix of existing rowhouse units and single-detached dwellings.

## 3.0 Proposed Development

As proposed, the development would consist of a 24-unit apartment building. The building dimensions are 32.75 metres (m) long by 22.00 m wide and 13.90 m in height (with a flat roof and bordered with parapet). The building's façade includes recessed exterior walls and a balcony provided for each unit.

One-way site access is proposed from the Lemay Drive cul-de-sac, exiting onto Hagel Drive. Vehicle and bicycle parking for the development is located north of the building. Waste facilities are located east of the building.

### 3.1 Site Design

The building comprises a "Multi-Unit Dwelling", oriented north south, and proposes a lot coverage of 33.4%. The remainder of the subject site consists of road access, vehicle parking, enclosed waste disposal facilities, and open space. "Multi-Unit Dwelling" is defined as:

*[A] building that is divided horizontally and/or vertically into three or more separate dwelling units with shared entrance facilities. This is commonly the mid-rise and high-rise residential buildings with more than six units.*

Access to the building is through doors on the north and south sides of the building. There is a barrier free ramp connected to the door in the northeast corner. The proposed site would also provide 0.475 hectares (ha) of landscaped outdoor space. The building provides outdoor balcony areas for each unit. The parking area covers 0.0769 ha built at a 3% grading sloping southwest onto Hagel Drive.

#### 3.1.1 Site Area

The total lot area of the site is 2,040 square metres (m<sup>2</sup>) or 0.204 ha. The zoning bylaw does not have a minimum site area. The maximum site area required in the Zoning Bylaw is 9,000 m<sup>2</sup>.

#### 3.1.2 Building and Area and Dimensions

The development will have one principle building with a proposed building area of 0.068 ha and site coverage of 33.4%. The maximum allowed site coverage for a building required in the Zoning Bylaw is 55%. Further building and site dimensions are shown in **Table 1**.













**Table 1: Building Height and Setbacks**

Regulation	Required Min/Max	Proposed
Max. Building Height Maximum	15 m maximum	13.9 m
<b>Minimum Building Setbacks</b>		
Min. Front Yard Setback	1.0 m	1.92 m
Min. Rear Yard Setback	6.0 m	6.0 m
Min. Left Yard Setback	3.0 m	21.1 m
Min. Right Yard Setback	3.0 m	3.0 m

**3.1.3****Open Space/Landscaping**

The applicant has identified 476.00 m<sup>2</sup> (0.0476 ha) of residual open space, which 100% will be landscaped per Section 7.5.3 Table 7-1 Landscaping Regulations, R2 (i). Landscape areas must be compatible with the regulations of the By-law and complement current site conditions as identified within the NWT Horticultural Guide. Table 2 provides guidance on the required and proposed coverage of the landscaped area.






**Table 2: Landscaping Requirements**

Requirement	Required	Proposed																																								
Landscaped Area (100%)	0.0476 ha	0.0476 ha																																								
Required Trees	476m <sup>2</sup> /25 = 20 Trees	<table><tr><th colspan="5">TREES 20 PROVIDED</th></tr><tr><th>SYMBOL</th><th>BOTANICAL NAME</th><th>COMMON NAME</th><th>SPREAD (APPROX.)</th><th>NO.</th></tr><tr><th colspan="5">DECIDUOUS TREES</th></tr><tr><td>FC</td><td>PRUNUS PENSYLVANICA</td><td>FIRE CHERRY</td><td>3m w 4.5m t</td><td>4</td></tr><tr><td>PP</td><td>PRUNUS PADUS</td><td>MAYDAY</td><td>7.6m w 9.1m t</td><td>4</td></tr><tr><th colspan="5">CONIFEROUS TREES</th></tr><tr><td>LL</td><td>LARIX LARICANA</td><td>TAMARACK</td><td>6m w 20m t</td><td>6</td></tr><tr><td>LP</td><td>PINUS CONTORTA DOUGLAS ex LOUDON</td><td>LODGEPOLE PINE</td><td>6m w 15.3m t</td><td>6</td></tr></table>	TREES 20 PROVIDED					SYMBOL	BOTANICAL NAME	COMMON NAME	SPREAD (APPROX.)	NO.	DECIDUOUS TREES					 FC	PRUNUS PENSYLVANICA	FIRE CHERRY	3m w 4.5m t	4	 PP	PRUNUS PADUS	MAYDAY	7.6m w 9.1m t	4	CONIFEROUS TREES					 LL	LARIX LARICANA	TAMARACK	6m w 20m t	6	 LP	PINUS CONTORTA DOUGLAS ex LOUDON	LODGEPOLE PINE	6m w 15.3m t	6
TREES 20 PROVIDED																																										
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**Milan Mrdjenovich**

Planning Justification Report - 110 Hagel Drive – Lot 33 and 34, Block 307,  
Plan 4809 – Yellowknife

December 2023 – 23-7175

Requirement	Required	Proposed				
Required Shrubs	476m <sup>2</sup> /25 = 39 Shrubs	<b>SHRUBS</b> 39 PROVIDED				
		SYMBOL	BOTANICAL NAME	COMMON NAME	SPREAD (APPROX.)	NO.
		 nd	PHYSOCARPUS OPULIFOLIUS 'MONLO'	NINEBARK DIABLO	2.4m w 2.4m t	5
		 sb	SHEPHERDIA ARGENTEA	SILVER BUFFALOBERRY	3m w 4m t	5
		 lcs	CARVEX LIVIDA	LEAD-COLOURED SEDGE		5
		 ej	JUNIPERUS COMMUNIS 'EFFUSA'	EFFUSA COMMON JUNIPER	1.5m w 1.0m t	12
		 mp	PINUS MUGO	SWISS MOUNTAIN DWARF MUGO PINE	1.5m w 1.0m t	12

### 3.1.4 Parking

The development proposes 0.0769 ha of parking area, including 24 standard sized parking spaces, one accessible parking space, and 12 bike parking spaces, complying with the parking requirements in Section 7.8 of the By-law. Dimensions and parking spaces are shown in **Table 3**.

**Table 3: Parking Dimensions**

Description	Total Area (ha)
Total paved surface	0.0883 ha
Total Parking Area	0.0769 ha
Walkways and Other Paved Surfaces	0.0114 ha

**Table 4: Parking Requirements**

Description	Spaces Required	Spaces Provided
Standard Parking Stalls (2.75 X 5.60m)	19.2 Multi-Unit Dwelling (10 units or more) – 0.8 per Dwelling Unit and no more than 2 per Dwelling Unit.	24
Accessible Parking Space (4.00 m x 5.60 m)	1 A minimum of 1 Type “A” Parking Space shall be provided for every 20 Parking Spaces; and	1
Bicycle Parking Space	12 Minimums for bicycle parking: Multi-Unit Dwelling – One space per two units;	12

### 3.1.4.1 Drainage

Both Lots 33 and 34 are subject to a City of Yellowknife easement for municipal infrastructure purposes. The purpose of the easement, based on recommendations for the Niven Phase 5 General Grading Plan, is to provide city access to municipal infrastructure to maintain drainage patterns within the site. The development must incorporate proper lot surface drainage so that the removal of surface waters will not adversely affect adjacent properties or the public storm drainage system, to the satisfaction of the Development Officer.

The parking area proposes a 3% grade sloping southwest towards Hagel Drive, which does not exceed the 8% maximum in the By-law. Both Lemay Drive and Hagel Drive have been designed to direct storm water towards a lift station located on Lot 32, northeast of Lots 33 and 34.

## 3.2 Planning Applications

The following applications to the City of Yellowknife will be required:

- Development Permit Application – To obtain municipal approval to develop on Lots 33 and 34, and for entering into an agreement requiring the consolidation of both lots; and
- Building Permit Application – To authorize construction of the proposed multi-unit dwelling on the specified lots.

The applicant has submitted a Development Permit application and has been assigned a Development Permit number (PL2023-0070). Once approved, the applicant will submit the Building Permit application.



## 4.0

## Policy Analysis

A comprehensive review of planning documents must be undertaken to determine the compliance of the development to the Community Planning and Development Act and conformity to all relevant municipal planning documents. Based on a review of the relevant planning documents, the following conclusions have been made:

1. **The development has regard for the development permit application processes introduced under the Community Planning and Development Act, SWNT 2011.** Part II of the act provides guidance to the purpose and processes embedded within Community Plans, Zoning Bylaws, and Development Permit Applications. The development would abide by the design standards put forth by both the City of Yellowknife's Community Plan and Zoning Bylaw and would follow the standards and procedures provide under the act regarding the Development Permit Application process.
2. **The development is in the public interest.** The development will provide housing infrastructure needed to meet the City of Yellowknife's long-term development objectives, providing a multi unit dwelling that is typically more affordable and energy efficient than traditional housing types.
3. **The development conforms with the intent of the Community Plan Bylaw No. 5007.** The development would meet all the requirements relevant to multi-unit dwelling developments within R2 – Medium Density Residential Zoning under the Bylaw.

## 4.1

### Community Planning and Development Act

The Community Planning and Development Act provides guidance on land use processes within the Northwest Territories and must be considered when reviewing development applications. Part II provides guidance on Community Plans, Zoning Bylaws, and the Development Permit Application process.

*Policy 3(1)* states the purpose of a community plan is "... to provide a policy framework to guide the physical development of a municipality, having regard to sustainability, the environment, and the economic, social and cultural development of a community."

Conforming with the Community Plan, the purpose of the Zoning Bylaw as stated in *Policy 12(1)* is the following:

*To regulate and control the use and development of land and buildings in a municipality in a manner that conforms with a community plan, and if applicable, to prohibit the use or development of land or buildings in particular areas of a municipality.*

In respect to the development permit process, *Policy 15(1)* states that all zoning bylaws must indicate the types of development for which permits are required, the types of permits that may be issued, conditions that apply or may be applied to a type of development permit, and conditions that may be imposed with respect to a particular development permit.

These policies are further supported by *Policy 20* on the types of conditions a development authority can require an applicant to fulfill with the issuance of a development permit. *Policy 24* provides stipulations for the denial of a development permit and *Policy 25* describes the approval process for a development permit application.

The development appears to address the policies and regulations set forth by both Yellowknife's Community Plan and Zoning Bylaw. However, the applicant must produce all required materials mentioned under the Community Planning and Development Act to support a Development Permit Application.

#### 4.1.1 Conclusion

Based on the information provided to Dillon for the review, the applications that will be submitted for the subject lands would meet the requirements set forth by the Community Planning and Development Act NWT.

## 4.2 City of Yellowknife Community Plan Bylaw No. 5007

The subject site is located within the Niven Residential land use designation in the City of Yellowknife's Community Plan. The development was reviewed based on the City of Yellowknife's Community Plan Bylaw No. 5007 with the relevant policies identified in Section 4.5 – Niven Residential, and Section 5.4.1 – Subdivision and Land Development Sequencing: Residential.

#### 4.2.1 Niven Residential

The Community Plan identifies the Niven residential area as close to the downtown core that will provide a mix of low, medium, and high-density residential uses. While the Community Plan identifies opportunities for some mixed activities, this section anticipates new development in the area to be primarily residential as the subdivision is already near the downtown area and pre-existing trail networks.

Section 4.5 provides detailed development policies for the Niven subdivision. *Policy 4-a* related to residential development is stated as follows:

*4-a: A variety of residential single unit and multiple unit dwelling types will be permitted.*

The development would support the policies under section 4.5 by providing a multi-unit dwelling for residential use.

#### 4.2.2 Subdivision and Landscape Sequencing – Residential

Section 5.4.1. provides guidance on the sequencing of development for residential areas. As outlined in Table 3: Residential Land Development Sequence, infill development opportunities in the Niven residential area were targeted for 2021 and 2022. The development conforms with the intention of this sequencing table in the Community Plan by focusing on providing a multi-unit dwelling in available infill lots within the Niven residential area, providing efficient use of available land within the suitable zoning boundary.

#### 4.2.3 Conclusion

Based on the information provided to Dillon for the review, the applications would appear to meet the intent of City of Yellowknife Community Plan Bylaw No. 5007 has been established.

### 4.3 Niven Lake Development Scheme 2007 Bylaw No. 4438

Bylaw No. 4438 provides guidance on development opportunities within the Niven Lake residential area. Schedule 1-A, Regulation 1(a) states that the Niven Lake residential area shall provide for a variety of dwelling types, including multi-attached and multi-family dwellings. The language within the bylaw has not been updated to meet the standards of the current Zoning Bylaw or Community Plan and does not provide any recommendations regarding density within the residential area. Based on an initial analysis, the development conforms with the spirit of Bylaw No. 4438.

#### 4.3.1 Conclusion

Based on the information provided to Dillon for review, the applications appear to meet the intent of the Niven Lake Development Scheme 2007 Bylaw No. 4438.

### 4.4 City of Yellowknife Zoning Bylaw No. 5045

The selected site is zoned as R2 – Medium Density Residential, which encourages the provision of medium and higher density development, varied dwelling types, and compatible uses. The development was reviewed on the City of Yellowknife's Zoning Bylaw No. 5045 with the relevant regulations identified in Section 7 – General Development Regulations Applicable to all Zones, Section 8 – General Development Regulations Applicable to Residential Zones, and Section 10.2 – (R2) Medium Density Residential.

#### 4.4.1 Section 7 – General Development Regulations Applicable to all Zones

Section 7.1 provides general regulations for all new developments. These regulations are related to lot surface drainage, paved areas, outdoor lighting, access for emergency and municipal services and response to environmental conditions. The development appears to address all of these regulations



provide in the section, providing appropriate site drainage, and allowing access to the site from emergency and municipal services.

Section 7.3 includes site grading requirements for all developments. In accordance with Section 7.3, the development would follow the Niven Subdivision General Grading Plan and the design standards in the City of Yellowknife's Development Standards.

The regulations provide under Section 7.4 – Vehicular Access and On-Site Traffic gives guidance to the design requirements for on-site traffic. The development would conform with all regulations provided under Section 7.4, providing setbacks from intersection boundaries, and a positive surface drainage area, with a grade of 3% grade sloping southwest towards Hagel Drive.

Furthermore, Section 7.5.1 – General Landscape Regulations, provides guidance for all developments regarding the design and placement of all landscaped areas. Table 7-1: Landscaping Regulations provides specific regulations for R2 zoning. In compliance with these regulations, the development would landscape 100% of its residual area, filling the area with vegetation compliant with the NWT Horticultural Guide surrounded by rock landscaping material. As the landscaped area would be less than 500.00 m<sup>2</sup>, the applicant has also provided landscaping on the site plan, conforming with Regulation 7.5.4.a.

Section 7.8 – Parking provides regulations regarding off-street parking and paved areas. The development conforms with all regulations relevant to multi-unit dwelling developments under Section 7.8. – Parking, including the residential parking requirements for multi-unit dwellings under Table 7-3: Minimum Parking Space Requirements and Bicycle Parking Requirements under Section 7.8.13.

#### 4.4.2

### Section 8 – General Development Regulations Applicable to Residential Zones

Regulations under Section 8.1 provide guidance for development in all residential areas. Under Regulation 8.1.1 – Planned Development, all development must not exceed the maximum lot coverage for principal buildings and building setbacks for a residential zone. The development would comply with the regulations that have been provided under Table 10-4: R2 Medium Density Regulations. The building as proposed does not exceed the 55% lot coverage maximum for a principal residential building. Furthermore, only one principal building (the 24-unit apartment), and one principal land use is proposed on the subject site (Residential), in compliance with Regulation 8.1.2.

Regulation 8.1.3. – Provision of Recreational Space provides guidance to the provision of recreation space in all residential developments. As it will provide more than 15 units, the development would provide balcony space for all available units within the building with an additional 142m<sup>2</sup> of outdoor amenity space, conforming to Regulation 8.1.3(a). Moreover, with the future development of park space

on Lot 35, Block 307, which is within 250m of the development, it would also meet its outdoor recreational space requirements under Regulation 8.1.3(d).

Section 8.2.6. – Multi-Unit Dwelling provides regulations for all multi-unit dwellings. The development would conform to both Regulation 8.2.6(a) and 8.2.6(b) with the provision of pedestrian access to the building, access for emergency vehicles, enclosed garbage and compost facilities, and suitable landscaping for outdoor areas. The development would also provide 4 street maps along the south edge of the parking area, providing flood lighting along its walkways and front entrances.

#### 4.4.3 Section 10.2 – R2 – Medium Density Residential

Section 10.2 provides specific site requirements for all R2 - Medium Density Development zoning. Under Table 10-3: R2 Permitted and Discretionary Uses, this section provides a list of the permitted uses for R2 zoning. As previously described, the development would meet the definition of a "Multi-Unit Dwelling".

Based on a review of the site plan provided, the development meets the required provisions under Table 10-4: R2 Medium Density Regulations of Section 10.2 as follows:

Zone Provision	R2 Zone Provisions – Multi-Unit Developments	Proposed
Maximum Site Area	9,000 m <sup>2</sup>	2,040 m <sup>2</sup>
Maximum Lot Coverage	55%	33.4%
Maximum Principal Dwelling Height	15 m	13.9 m
Minimum Front Yard Setback	1 m	1.92 m
Minimum Side Yard Setback	3 m	3.0 m (right) and 21.1 m (left)
Minimum Rear Yard Setback	6 m	6.0 m

Furthermore, Regulation 10.2.2(a)(ii) states that no site shall be developed where significant portions of the site cannot accommodate future residential Development or Access. Based on the provided site plans, the proposed development does not prevent future residential development and access, thus conforming with the regulation.

#### 4.5 Conclusion

Based on the information the information provided to Dillon for this review, the application appears to meet the intent of the City of Yellowknife Zoning Bylaw No. 5045.

**Milan Mrdjenovich**

*Planning Justification Report - 110 Hagel Drive – Lot 33 and 34, Block 307,  
Plan 4809 – Yellowknife*

December 2023 – 23-7175

## 5.0

## Conclusion

This Planning Justification Report has been prepared in support of the Development Permit and Building Permit applications for Lots 33 and 34, Block 307, Plan 4809 and demonstrates conformity with the Community Planning and Development Act, Community Plan Bylaw No. 5007, and the City of Yellowknife Zoning Bylaw No. 5045.

Notwithstanding the results of this review, Dillon cannot guarantee Development Permit or Building Permit approval will be granted by the City. The submission of additional documents or information may also be required by the City to support the applications.

Subject to the City of Yellowknife's review of the application, and the confirmation that no variances are required, the application will be processed as a Permitted Use by the Development Officer subject to 4.6.2 of the City of Yellowknife Land Use By-law 5045.

### DILLON CONSULTING LIMITED



Amanda-Brea Watson  
MCIP, RPP

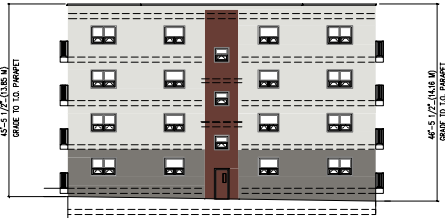
**Milan Mrdjenovich**

*Planning Justification Report - 110 Hagel Drive – Lot 33 and 34, Block 307,  
Plan 4809 – Yellowknife*

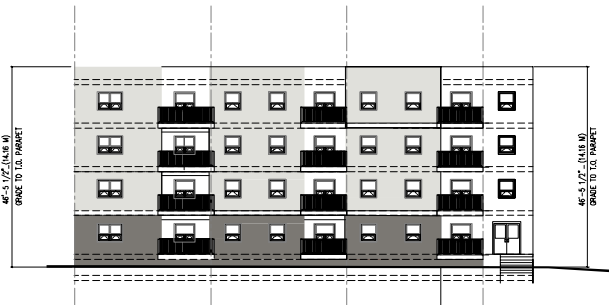
December 2023 – 23-7175

# Appendix A

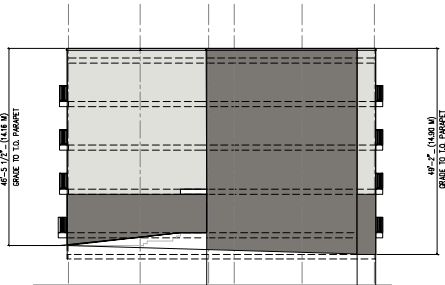
## *Elevations*



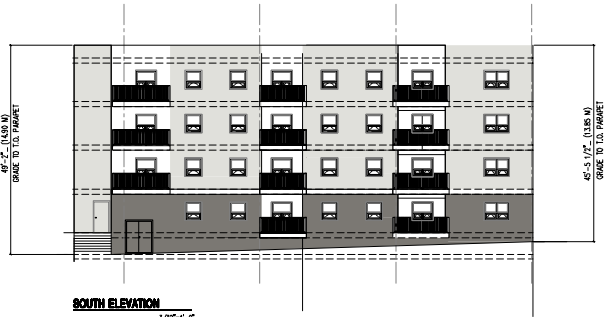
**EAST ELEVATION**  
1/32"=1'-0"



**NORTH ELEVATION**  
1/32"=1'-0"



**WEST ELEVATION**  
1/32"=1'-0"



**SOUTH ELEVATION**  
1/32"=1'-0"

NOTE:

1. The information shown on this drawing was prepared by the Architect based on the information provided by the Client. The Architect does not warrant the accuracy or completeness of the information provided by the Client. The Architect is not responsible for any errors or omissions in the information provided by the Client. The Architect is not responsible for any errors or omissions in the information provided by the Client.

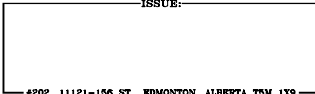
CONSULTANT:



SEAL:



ISSUE:



**WILLIAM  
RUTLEDGE  
ARCHITECT**

**ISSUED FOR DEVELOPMENT PERMIT DECEMBER 18, 2023**

PROJECT:

**24 UNIT APARTMENT  
SUBLOTS C AND D, LOT 11, BLOCK 307  
110 HAGEL DRIVE  
YELLOWKNIFE N.W.T.**

DWG.

**A1-120**

TEL: 1-780-464-3422 e: rutledge.architect@shaw.ca

JOB NO: 23-0850

## Appendix B

### *Landscaping and Lighting Site Plan*

SITE DATA - LANDSCAPING

LEGAL ADDRESS: LOTS 33 & 34, BLOCK 307, PLAN 4809  
MUNICIPAL ADDRESS: 110 HAGEL DRIVE

SITE AREA: 21,953.91ft<sup>2</sup> (2,039.58m<sup>2</sup> or 0.204ha)  
BLDG AREA: 7,332.24ft<sup>2</sup> (681.19m<sup>2</sup> or 0.069ha)  
SITE COVER: 11.1%  
TOTAL PAVED AREA: 8,500.14ft<sup>2</sup> ( 822.25m<sup>2</sup>)  
PAVING AND MARKS: 7,087.22m<sup>2</sup>  
LANDSCAPE: 5,121.61ft<sup>2</sup> (475.81m<sup>2</sup> or 0.048ha)

REQUIRED LANDSCAPING: PER TABLE 7.1 LANDSCAPING REGULATIONS  
FOR RESIDENTIAL WITHIN BYLAW NO. 5445 ENACTED IN 2022, ZONE  
R2 MEDIUM DENSITY RESIDENTIAL MUST LANDSCAPE 100% OF THE  
RESIDUAL AREA AFTER DISCOUNTING THE BUILDING AND CIRCULATION  
FROM THE OVERALL SITE AREA. RETENTION OF EXISTING NATURAL  
VEGETATION AND BEDROCK ARE ACCEPTABLE AND ENCOURAGED.

THE LANDSCAPE AREA IS LESS THAN 500m<sup>2</sup>, PER 7.5.4.(a).

REQUIRED TREES: A MINIMUM OF ONE TREE PER 25m<sup>2</sup> OF LAND-  
SCAPED AREA WHERE "A MIX OF LOCAL EVERGREENS AND DECIDU-  
OUS TREES AND SHRUBS COMPATIBLE WITH LOCAL GROWING CON-  
DITIONS" IS TO BE USED. LOCAL NRC GROWING ZONE IS 0b.

LANDSCAPED AREA: 476m<sup>2</sup> (5,121.61ft<sup>2</sup>)  
476m<sup>2</sup> / 25m<sup>2</sup> = 19.04 TREES (20 REQ'D)  
476m<sup>2</sup> / 12.5m<sup>2</sup> = 38.08 SHRUBS (39 REQ'D)

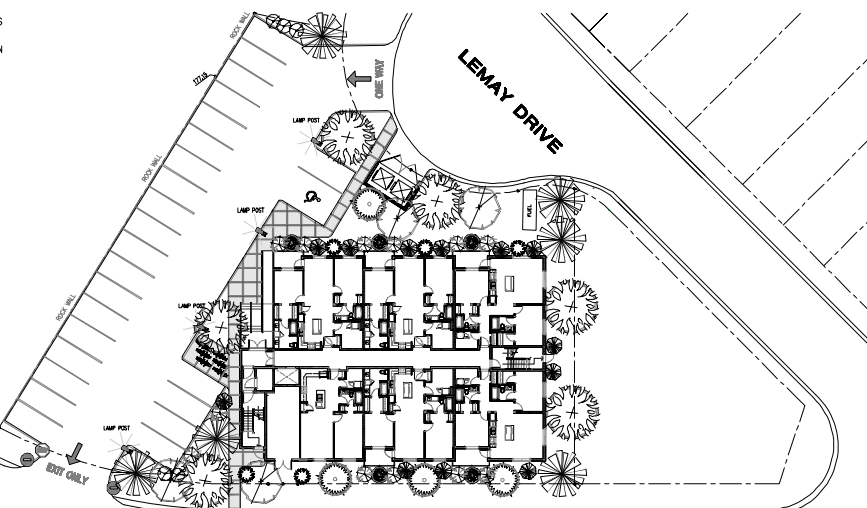
TREES 20 PROVIDED				
SYMBOL	BOTANICAL NAME	COMMON NAME	SPREAD (APPROX.)	NO.
DECIDUOUS TREES				
	PRUNUS PENNSYLVANICA	PINE CHERRY	3m x 4.5m	4
	PRUNUS PADUS	MAYDAY	3m x 4.5m	4
CONIFEROUS TREES				
	LARIX LARicina	TAMARACK	6m x 20m	6
	PRINUS CONTORTA, DEVILIAE & LYDTON	LODGEPOLK PINE	6m x 15.5m	6
SHRUBS 39 PROVIDED				
SYMBOL	BOTANICAL NAME	COMMON NAME	SPREAD (APPROX.)	NO.
	PHYSCOCARPUS OULIFOLIOSUS	HINEBAIRN DABLO	2.4m x 2.4m	5
	SHEPHERDIA ARGENTEA	SILVER BUTTLORBERTY	3m x 6m	5
	CARNEI LYDIA	LEAD-COLOURED SEED	3m x 6m	5
	JANIPOLIS COMMENS	EFFUSA COMMON JUNIPER	1.5m x 1.5m	12
	PRINUS MARG	SWISS MOUNTAIN DWARF MUGDO PINE	1.5m x 1.5m	12

All shrub beds to be covered with 50-100mm of filtered washed rock or mulch over 5.0mm weed barrier fabric (non-weave geotextile fabric).  
All plant material shall meet the horticulture standards of the most current edition of the Trade Specifications for Nursery Stock, published by the Canadian Nursery Trade Association.  
All plants shall be suitable for the specific application and hardy to this region and accept able conditions. The most current edition of the NHT Horticulture Code shall be used as reference.



SITE PLAN - LANDSCAPE AND LIGHTING

1/16"=1'-0"



SITE DATA

LEGAL ADDRESS: LOTS 33 & 34, BLOCK 307, PLAN 4809  
MUNICIPAL ADDRESS: 110 HAGEL DRIVE

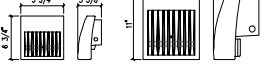
ON SITE PARKING LIGHTING: FOUR LAMP POSTS ARE PROVIDED TO  
PROVIDE ILLUMINATION OF THE ONE-WAY DRIVE THROUGH SURFACE  
LOT. THE LAMP POSTS ARE TO BE OF A STYLE AND HEIGHT THAT  
IS CONSISTENT WITH THE SURROUNDING DEVELOPMENT AREA.  
DOWNCAST LED, FULL CUTOFF FIXTURES TO PROVIDE 100 LUX  
THROUGH THE CIRCULATION AND ONE PARKING AREA.

REMAINING SITE LIGHTING: SCONCES TO BE PROVIDED ALONG THE  
FACE OF THE BUILDING, MOUNTED TO THE SPACE BETWEEN SUITE  
WINDOWS AND OVER ENTRY/EXIT DOORS TO PROVIDE ADEQUATE  
VISION STANDARDS FOR SAFETY.

ALL DOWNCAST LED FIXTURES TO BE DETERMINED BY THE ELEC-  
TRICAL ENGINEERING CONSULTANT IN COMPLIANCE WITH CITY OF  
BEAUMONT BYLAWS AND INTERNATIONAL DARK SKY ASSOCIATION  
GUIDELINES. SEE ENGINEERED SITE LIGHTING PLAN FOR DETAILS.

TYPICAL DOWNCAST  
LOW-PROFILE WALL  
SCONCE - 12w LED

SPECIAL DOWNCAST  
LOW-PROFILE WALL  
SCONCE - 6w LED  
ENTRY/EXIT DOORS



ISSUED FOR DEVELOPMENT PERMIT DECEMBER 18, 2023

PROJECT:

24 UNIT APARTMENT  
SUBLOTS C AND D, LOT 11, BLOCK 307  
110 HAGEL DRIVE  
YELLOWKNIFE N.W.T.

DWG.

A1-002

JOB NO: 23-0850

TEL: 1-780-464-3422 e: rutledge.architect@shaw.ca

NOTE:

The information shown on this plan was prepared by the Architect and is based on the information provided by the client. The Architect is not responsible for the accuracy of the information provided by the client. The Architect is not responsible for the accuracy of the information provided by the client.

CONSULTANT:

SEAL:



ISSUE:

WILLIAM  
RUTLEDGE  
ARCHITECT

#202, 11121-166 ST., EDMONTON, ALBERTA T5M 1X9

## Appendix C

### *Building Location Site Plan*



**JOB NO: 23-0550**



January 30, 2024

City of Yellowknife  
4807 – 52<sup>nd</sup> Street  
Yellowknife, NT  
X1A 2N4

Attention: Tatsuyuki Setta,  
Manager of Planning

***Addendum to Planning Justification Report***

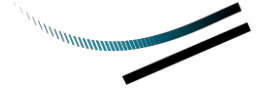
This letter has been prepared following your email of January 25, 2024, and is intended to be an addendum to the Planning Justification Report completed in December 2023 for 110 Hagel Drive.

It would appear there was significant information that Dillon Consulting Limited (Dillon) did not have when completing the report. We now know:

1. The City of Yellowknife (City) reviewed Development permit application PL-2023-0070 which has been deemed incomplete. In the letter dated October 27, 2023, the City outlined the required information. It was further noted that the application will not be processed until all requested information is provided and it was recommended that the applicant hire a qualified planning professional because, regardless of the City's decision, it was likely this would be a complicated (and appealed) application.
2. The City's position is that based on the Transitional Provisions of the *Community Planning and Development Act (Section 80(2))*, Niven Lake Development Scheme (NLDS), implemented in 2007, is still in full and effect.

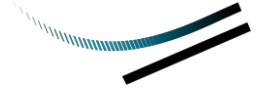
Because the subject lands are deemed to be located in the NLDS, the applicant is requesting a Variance for Site Density, based on the information in **Table 1** on the following pages.

4920 52<sup>nd</sup> Street  
Suite 403  
Yellowknife  
Northwest Territories  
Canada  
X1A 3T1  
Telephone  
867.920.4555  
Fax  
867.873.3328

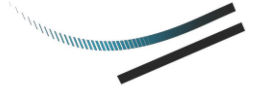


**Table 1: Criteria & Rational for Variance in Site Density**

Criteria	Rational
Variance would not result in a development that would unduly interfere with the amenities of the neighbourhood	<ul style="list-style-type: none"> <li>Neighbourhood amenities, including: parks and recreation areas, public transportation, waste, and water/sewer services will not be negatively impacted by the additional residential units.</li> </ul>
Variance would not result in a development that interfere with or affect the use, enjoyment, or value of neighbouring parcels of land	<ul style="list-style-type: none"> <li>The use and enjoyment of neighbouring parcels will not be interfered with or negatively impacted by the additional residential units.</li> </ul>
Site is a shape that presents challenges to development	<ul style="list-style-type: none"> <li>The subject site is irregularly shaped and measure approximately 0.204 hectares (0.5 acres) in size. It is situated between Lemay Drive and Hagel Drive.</li> <li>There is a 38.66 m frontage on Lemay Drive, which is curved, that appears to have been built as a cul-de-sac and accommodates overland draining from the north and west.</li> </ul>
Development follows the objectives and policies of the Community Plan (Bylaw No. 5007)	<ul style="list-style-type: none"> <li>Development conforms with the intent of the Community Plan.</li> <li>Development is located within the Niven Land Use Designation in the Community Plan which allows for multi-unit residential development</li> </ul>
Development generally follows the Niven Lake Development Scheme 2007 (Bylaw No. 4438)	<ul style="list-style-type: none"> <li>Development provides for multi-family dwellings.</li> <li>Utilities will be underground.</li> <li>Development supports the Niven Lake Development Scheme design to accommodate public transit.</li> </ul>



Criteria	Rational
Development conforms to the Uses prescribed in Zoning By-law (Bylaw No. 5045)	<ul style="list-style-type: none"> <li>• Meet requirements relevant to multi-unit dwelling development within the R2 - Medium Density Residential Zone.</li> <li>• Surface drainage, paved areas, outdoor lighting, access for emergency and municipal services and responses to environmental condition have been addressed pursuant to Section 7.</li> <li>• Site Coverage is compliant with Section 10.2.</li> </ul>
Development does not conform to previous Zoning By-law (Bylaw No. 4404)	<ul style="list-style-type: none"> <li>• Does not meet the requirement of the density from the former Zoning Bylaw (Bylaw No. 4404) which is referenced in NLDS (Bylaw No. 4438).</li> <li>• Current Community Plan (Bylaw No. 5007) and Zoning Bylaw (Bylaw No. 5045) have different regulations including density.</li> <li>• Changes from previous Community Plan and Zoning Bylaw to present created to respond to the planning challenges that the City faces at this time.</li> </ul>
Supports Sound Land Use Planning	<ul style="list-style-type: none"> <li>• Increased residential density provides more housing.</li> <li>• Building in-and-up reduces the City's footprint.</li> <li>• Infill development makes better use of existing City services (e.g., water/sanitary/bus).</li> <li>• Involves consideration and management of land resources to achieve sustainable development goals while minimizing negative impacts on the environment.</li> <li>• Development provides the highest and best use that maximizes the land values while also being socially and environmentally responsible.</li> </ul>



It is our understanding that this letter and the Planning Justification Report completed by Dillon will support Development permit application PL-2023-0070 which the City will process with no rezoning required.

Should you have any questions or require clarification please do not hesitate to contact us at [867-920-4555](tel:867-920-4555) or via email at [awatson@dillon.ca](mailto:awatson@dillon.ca).

Sincerely,

**DILLON CONSULTING LIMITED**

Amanda-Brea Watson, MCIP, RPP  
Project Manager

ABW:kml

Our file: 23-7175



## CITY OF YELLOWKNIFE

### MEMORANDUM TO COMMITTEE

**COMMITTEE:** Governance and Priorities

**DATE:** April 15, 2024

**DEPARTMENT:** Administration

**ISSUE:** Whether to appoint members to serve on the Community Advisory Board on Homelessness.

#### RECOMMENDATION:

That Council appoint the following members to serve on the Community Advisory Board on Homelessness (CAB) commencing April 23, 2024 and ending April 22, 2026:

Name	Representing
	One (1) representative from an organization serving Persons with Disabilities
	One (1) representative from an organization serving Youth

#### BACKGROUND:

There are vacancies on the Community Advisory Board (CAB) on Homelessness for one (1) representative from an organization serving Persons with Disabilities and one (1) representative from an organization serving Youth.

It is the practice of the City of Yellowknife to advertise all vacancies for boards and committees. The City has advertised vacancies on the Community Advisory Board (CAB) on Homelessness in the Capital Update, the City's website and social media sites.

#### COUNCIL STRATEGIC DIRECTION/RESOLUTION/POLICY:

Council Goal #1      People First

Motion #0459-96, as amended by #0460-96, #0462-96 and #0273-09:

"The following policy be adopted with respect to appointments to municipal boards and committees:

- i) The maximum consecutive years that an individual may serve on any one board or committee is six.
- ii) Individuals who have served the maximum six-year period on one municipal board or committee shall be eligible to be appointed to another board or committee.
- iii) No individual shall be precluded from serving concurrent terms on more than one municipal board or committee.
- iv) Notwithstanding that an individual appointee has served less than six years on a particular board or committee, Council may, after the expiration of the first or subsequent terms of that appointee, advertise for applicants to fill a vacancy on that board or committee.
- v) Notwithstanding clause (i.) of this policy, should the City receive no applications to fill a vacancy on any particular board or committee, the six year maximum limitation may, at the discretion of City Council, be waived.
- vi) Should the City receive no applications to fill a vacancy on any particular board or committee, City Council may appoint a member of the public at their discretion.

<b>APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:</b>
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Council Procedures By-law No. 4975, as amended.

<b>CONSIDERATIONS:</b>
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Legislation

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

**Special Committees of Council**

120. 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.

<b>ALTERNATIVES TO RECOMMENDATION:</b>
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That the City re-advertise vacancy for the Community Advisory Board on Homelessness.

**RATIONALE:**

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.

**ATTACHMENTS:**

Expression of interest from candidates.

Prepared: April 8, 2024; SJ