



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE AGENDA

Monday, April 22, 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.

<u>Item</u>	<u>Description</u>
1.	Opening Statement: The City of Yellowknife acknowledges that we are located in Chief Drygeese territory. From time immemorial, it has been the traditional land of the Yellowknives Dene First Nation. We respect the histories, languages, and cultures of all other Indigenous Peoples including the North Slave Métis, and all First Nations, Métis, and Inuit whose presence continues to enrich our vibrant community.
2.	Approval of the agenda.
3.	Disclosure of conflict of interest and the general nature thereof.
4.	A presentation regarding the City's website as it relates to wildfire preparedness.

ADDITIONAL COUNCIL ITEMS

ANNEX A

5. A memorandum regarding whether to acquire and dispose of fee simple interest in Lot 77, Block 308, Plan 4204 (2 Findlay Point).



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Governance and Priorities / Council

DATE: April 22, 2024

DEPARTMENT: Planning and Development

ISSUE: Whether to acquire and dispose of fee simple interest in Lot 77, Block 308, Plan 4204 (2 Findlay Point).

RECOMMENDATION:

That:

1. By-law No. 5084, a by-law authorizing the City of Yellowknife to acquire fee simple Lot 77, Block 308, Plan 4204; and
2. By-law No. 5085, a by-law authorizing the City of Yellowknife to dispose of fee simple interest in Lot 77, Block 308, Plan 4204;

be presented for adoption.

BACKGROUND:

In Yellowknife, the City is responsible for developing and selling City-owned lands. The City also acquires parcels of land and then implements planning processes for future land sales. Processes include establishing an area development plan, corresponding zoning, and designing lot layout. Examples of developed subdivisions include Niven Residential.

The subject lot was created during Niven Lake Phase VII. The City has sold all residential lots in the subdivisions, most of which are developed. However, where the purchasers did not fulfill their purchase agreement obligations and are in default of section eight 'Development Requirements and Options,' the City is exercising its right to repurchase the lot. The City intends to resell the lots and provide opportunities for others to develop. Where property title is not in the City's name, the Land Titles Office requires acquisition and disposal by-laws to transfer the land ownership. The abovementioned lot shown in Figure 1 now requires an acquisition and disposal by-laws.



Figure 1: Lot 77, Block 308, Plan 4204

COUNCIL STRATEGIC DIRECTION/RESOLUTION/POLICY:

Strategic Direction #1: **People First**

Focus Area 1.2

Housing For All

Doing our part to create the context for diverse housing and accommodation options.

Strategic Direction #3: **Sustainable Future**

Focus Area 3.2.

Growth Readiness

Ensuring land development supports economic readiness and community priorities.

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

1. *Cities, Towns and Villages Act S.N.W.T. 2003*;
2. 2020 Community Plan By-law No. 5007;
3. Zoning By-law No. 5045, as amended; and
4. Land Administration By-law No. 4596, as amended.

CONSIDERATIONS:

Legislative

Section 53 of the *Cities, Towns and Villages Act* states that the acquisition of land must be authorized by a by-law specific to the subject land.

Section 54 of the *Cities, Towns and Villages Act* states that the disposal of land must be in accordance with the land administration bylaw, or the disposal is approved by a bylaw.

Zoning By-law

Lot 77, Block 308, Plan 4204 is in the Niven Residential and is zoned R1-Low Density Residential.

Land Administration By-law

As outlined in Sections 4 and 5 of the Land Administration By-law, the City may acquire and dispose of a fee simple interest in any real property.

As per Section 12(f) of the Land Administration By-law, the City's purchase agreement requires the land to be developed within a specified period of time; otherwise, the land may, by agreement, revert to the City.

Purchase Agreement

A Purchase Agreement with the City of Yellowknife is a legal contract. The Purchaser is legally bound to develop the Property within the specified period. Until the development is fully completed, the Property cannot be sold, transferred or leased. Should the Purchaser fail to fulfill their obligation to develop the property, the City retains the right to hold the land by the terms of the Purchase and Option to Purchase Agreements.

ALTERNATIVES TO RECOMMENDATION:

1. That By-law No. 5084, a by-law authorizing the City of Yellowknife to acquire fee simple Lot 77, Block 308, Plan 4204, not be presented for adoption; and
2. That By-law No. 5085, a by-law authorizing the City of Yellowknife to dispose of fee simple interest in Lot 77, Block 308, Plan 4204, not be presented for adoption.

RATIONALE:

Acquiring this lot and reselling it to interested parties who will develop it promotes active development in the neighbourhood. An available residential lot in a serviced residential subdivision for development would help alleviate the current housing crisis in Yellowknife.

ATTACHMENTS:

1. Land Acquisition By-law No. 5084 (DM# 762620); and
2. Land Disposal By-law No. 5085 (DM# 762618).

Prepared: April 10, 2024; JT
Revised April 12, 2024, GL



CITY OF YELLOWKNIFE

BY-LAW NO. 5084

BA 332

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, authorizing the Municipal Corporation of the City of Yellowknife to acquire fee simple interest in land for the Municipal Corporation of the City of Yellowknife, in the Northwest Territories.

PURSUANT TO section 53 of the *Cities, Towns and Villages Act*, S.N.W.T., 2003, c.22;

WHEREAS the said parcel of land is available for acquisition by the Municipal Corporation of the City of Yellowknife;

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

APPLICATION

1. That the Municipal Corporation of the City of Yellowknife is hereby authorized to acquire fee simple interest in the following land more particularly described as:

Lot 77, Block 308, Plan 4204.

1. The Mayor and City Administrator of the Municipal Corporation of the City of Yellowknife, or lawful deputy of either of them, are hereby authorized in the name and on the behalf of the Municipal Corporation of the City of Yellowknife, to execute all such forms of application, deeds, indentures, and other documents as may be necessary to give effect to this by-law and to affix thereto the corporate seal of the Municipal Corporation of the City of Yellowknife as the act and deed thereof, subscribing their names in attestation of such execution.

EFFECT

2. That this by-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.

Read a First time this _____ day of _____, A.D. 2024.

Mayor

City Manager

Read a Second Time this _____ day of _____, A.D. 2024.

Mayor

City Manager

The unanimous consent of all members voting in attendance having been obtained

Read a Third Time and Finally Passed this _____ day of _____, A.D., 2024.

Mayor

City Manager

I hereby certify that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the by-laws of the Municipal Corporation of the City of Yellowknife.

City Manager



CITY OF YELLOWKNIFE

BY-LAW NO. 5085

BS 780

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife authorizing the Municipal Corporation of the City of Yellowknife, to dispose of fee simple title in land for the Municipal Corporation of the City of Yellowknife, in the Northwest Territories.

PURSUANT TO section 54 of the *Cities, Towns and Villages Act*, S.N.W.T., 2003, c. 22;

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

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

APPLICATION

1. That the Municipal Corporation of the City of Yellowknife is hereby authorized to dispose of fee simple interest in the following land more particularly described as:

Lot 77, Block 308, Plan 4204.

2. That the Mayor and City Manager of the Municipal Corporation of the City of Yellowknife, or lawful deputy of either of them, are hereby authorized in the name and on the behalf of the Municipal Corporation of the City of Yellowknife, to execute all such forms of application, deeds, indentures, and other documents as may be necessary to give effect to this by-law and to affix thereto the corporate seal of the Municipal Corporation of the City of Yellowknife as the act and deed thereof, subscribing their names in attestation of such execution. In accordance with the Land Administration By-law if the above Lot is not developed as required under the terms and conditions of sale then the Planning Administrator shall reacquire any such Lots pursuant to this By-law.

EFFECT

3. That this by-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.

Read a First time this _____ day of _____, A.D. 2024.

Mayor

City Manager

Read a Second Time this _____ day of _____, A.D. 2024.

Mayor

City Manager

The unanimous consent of all members voting in attendance having been obtained

Read a Third Time and Finally Passed this _____ day of _____, A.D., 2024.

Mayor

City Manager

I hereby certify that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the by-laws of the Municipal Corporation of the City of Yellowknife.

City Manager