



CITY OF YELLOWKNIFE

Council Agenda

Monday, April 22, 2024 at 7:00 p.m.

Welcome to the

REGULAR MEETING OF COUNCIL

Council Chamber, City Hall
4807 - 52nd Street
Yellowknife

All presentations pertaining to items on the Agenda for the meeting shall be heard under the “Delegations Pertaining to Items on the Agenda,” portion of the Order of Business. All presentations pertaining to items not on the Agenda shall be heard under the “Delegations Pertaining to Items Not on the Agenda” portion of the Order of Business.

The following procedures apply to all delegations before Council:

- a. all delegations shall address their remarks directly to the Presiding Officer and shall not pose questions to individual Members or Administration;
- b. each presenter shall be afforded five minutes to make their presentation;
- c. the time allowed to each presenter may be extended beyond five minutes by a resolution of Council;
- d. after a person has spoken, any Member may, through the Presiding Officer, ask that person or the City Administrator relevant questions; and
- e. no debate shall be permitted on any delegation to Council either between Members or with an individual making a presentation.

Please refer to By-law No. 4975, the Council Procedures By-law, for the rules respecting the procedures of Council.

COUNCIL:

Mayor Rebecca Alty

Councillor S. Arden-Smith
Councillor Garrett Cochrane
Councillor Ryan Fequet
Councillor Ben Hendriksen

Councillor Cat McGurk
Councillor Tom McLennan
Councillor Steve Payne
Councillor Rob Warburton

All annexes to this agenda may be viewed on the City’s website www.yellowknife.ca or by contacting the City Clerk’s Office at 920-5602.
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Item No.

Description

OPENING STATEMENT

1. Councillor Arden-Smith will read the 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.

AWARDS, CEREMONIES AND PRESENTATIONS

2. A presentation to Ms. Denise McKee in recognition of her service on the Community Advisory Board on Homelessness.

ADOPTION OF MINUTES FROM PREVIOUS MEETING(S)

Previously
Distributed

3. Minutes of Council for the special meeting of Monday, March 25, 2024 are presented for adoption.

4. Councillor Arden-Smith moves,
Councillor _____ seconds,

That Minutes of Council for the special meeting of Monday, March 25, 2024 be presented for adoption.

Unanimous	In Favour	Opposed	Carried / Defeated
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Previously
Distributed

5. Minutes of Council for the regular meeting of Monday, March 25, 2024 are presented for adoption.

6. Councillor Arden-Smith moves,
Councillor _____ seconds,

That Minutes of Council for the regular meeting of Monday, March 25, 2024 be presented for adoption.

Unanimous	In Favour	Opposed	Carried / Defeated
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Item No.

Description

Previously
Distributed

7.

Minutes of Council for the special meeting of Monday, April 2, 2024 are presented for adoption.

8.

Councillor Arden-Smith moves,
Councillor _____ seconds,

That Minutes of Council for the special meeting of Monday, April 2, 2024 be presented for adoption.

Unanimous	In Favour	Opposed	Carried / Defeated
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Previously
Distributed

9.

Minutes of the special meeting of Monday, April 8, 2024 are presented for adoption.

10.

Councillor Arden-Smith moves,
Councillor _____ seconds,

That Minutes of Council for the regular meeting of Monday, April 8, 2024 be presented for adoption.

Unanimous	In Favour	Opposed	Carried / Defeated
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DISCLOSURE OF CONFLICT OF INTEREST AND THE GENERAL NATURE THEREOF

11.

Does any Member have a conflict of interest in any matter before Council today?

CORRESPONDENCE & PETITIONS

12.

There was no correspondence nor were there any petitions for the agenda.

STATUTORY PUBLIC HEARINGS

13.

There were no Statutory Public Hearings for the agenda.

DELEGATIONS PERTAINING TO ITEMS ON THE AGENDA

14.

There were no delegations pertaining to items on the agenda.



<u>Item No.</u>	<u>Description</u>
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MEMBER STATEMENTS

- | | |
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| 15. | There were no statements for the agenda. |
| 16. | Are there any Member statements from the floor? |

INTRODUCTION AND CONSIDERATION OF COMMITTEE REPORTS

Councillor Arden-Smith will introduce the following reports:

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|-----|--|
| 17. | Governance and Priorities Committee Report for March 25, 2024. |
| 18. | Councillor Arden-Smith moves,
Councillor _____ seconds, |

That Council appoint Mary Rose Sundberg, a representative of the Yellowknives Dene First Nation, to serve on the Yellowknife Heritage Committee for a two (2) year term commencing April 23, 2024 and ending April 22, 2026.

Unanimous	In Favour	Opposed	Carried / Defeated
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|-----|--|
| 19. | Governance and Priorities Committee Report for April 8, 2024. |
| 20. | There were no business arising from this meeting. |
| 21. | Governance and Priorities Committee Report for April 15, 2024. |
| 22. | Councillor Arden-Smith moves,
Councillor _____ seconds, |

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.

Unanimous	In Favour	Opposed	Carried / Defeated
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Item No.

Description

23.

Councillor Arden-Smith moves,
Councillor _____ seconds,

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
Johnelle Joseph	One (1) representative from an organization serving Persons with Disabilities
Hawa Dumbuya Sesay	One (1) representative from an organization serving Youth

Unanimous	In Favour	Opposed	Carried / Defeated
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NEW BUSINESS

24.

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

25.

Is there any new business from the floor?

ENACTMENT OF BY-LAWS

26.

By-law No. 5084 - A by-law authorizing the City of Yellowknife to acquire fee simple Lot 77, Block 308, Plan 4204 (2 Findlay Point), is presented for First, Second and Third Reading.

27.

Councillor Arden-Smith moves,
Councillor _____ seconds,

First Reading of By-law No. 5084.

Unanimous	In Favour	Opposed	Carried / Defeated
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28.

Councillor Arden-Smith moves,
Councillor _____ seconds,

Second Reading of By-law No. 5084.

Unanimous	In Favour	Opposed	Carried / Defeated
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Item No.

Description

29.

Councillor Arden-Smith moves,
Councillor _____ seconds,

That By-law No. 5084 be presented for Third Reading.

Unanimous	In Favour	Opposed	Carried / Defeated
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30.

Councillor Arden-Smith moves,
Councillor _____ seconds,

Third Reading of By-law No. 5084.

Unanimous	In Favour	Opposed	Carried / Defeated
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31.

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 (2 Findlay Point), is presented for First, Second and Third Reading.

32.

Councillor Arden-Smith moves,
Councillor _____ seconds,

First Reading of By-law No. 5085.

Unanimous	In Favour	Opposed	Carried / Defeated
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33.

Councillor Arden-Smith moves,
Councillor _____ seconds,

Second Reading of By-law No. 5085.

Unanimous	In Favour	Opposed	Carried / Defeated
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34.

Councillor Arden-Smith moves,
Councillor _____ seconds,

That By-law No. 5085 be presented for Third Reading.

Unanimous	In Favour	Opposed	Carried / Defeated
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Item No.

Description

35. Councillor Arden-Smith moves,
Councillor _____ seconds,

Third Reading of By-law No. 5085.

Unanimous	In Favour	Opposed	Carried / Defeated
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DEFERRED BUSINESS AND TABLED ITEMS

36. There was no deferred business and there were no tabled items for the agenda.
37. Is there any deferred business or are there any tabled items from the floor?

OLD BUSINESS

38. There was no old business for the agenda.
39. Is there any old business from the floor?

NOTICES OF MOTION

40. There were no notices of motion for the agenda.
41. Are there any notices of motion from the floor?

DELEGATIONS PERTAINING TO ITEMS NOT ON THE AGENDA

42. A presentation from the Yellowknife Farmers Market.
43. A presentation from NWT Recreation and Parks Association.

ADMINISTRATIVE ENQUIRIES

44. There were no administrative enquiries for the agenda.
45. Are there any administrative enquiries from the floor?

ADJOURNMENT



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE REPORT

Monday, March 25, 2024 at 12:05 p.m.

Report of a meeting held on Monday, March 25, 2024 at 12:05 p.m. in the City Hall Council Chamber.
The following Committee members were in attendance:

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

The following members of Administration staff were in attendance:

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

<u>Item</u>	<u>Description</u>
1.	(For Information Only) Councillor McGurk read the Opening Statement.
2.	(For Information Only) Committee agreed unanimously to amend the agenda to add an in camera matter still under negotiation.



- (For Information Only)
3. There were no disclosures of conflict of interest.
- (For Information Only)
4. Committee accepted for information a memorandum regarding Planning and Development Department Service Level Standards.

Committee noted the Planning and Development Department is modernizing city-building services. New and updated by-laws are in place (City of Yellowknife Zoning By-law was approved March 14, 2022 and the new City of Yellowknife Building By-law was approved May 30, 2022) or are currently being updated (City of Yellowknife Land Administration By-law and Development Incentives By-law) in 2024. Each updated by-law regulates services and processes that are provided to the public.

Exploration of new and innovative tools available to the City of Yellowknife to support growth and development continues to evolve. Administration is at a critical point in planning our service delivery in a standardized way, including internal, public and client processes.

A number of initiatives related to the Asset Management Plan (A.M.P) are underway and the Planning and Development department has aligned departmental service level standards. The focus on public services is in response to Council's October 2023 Motion "That in 2024, service level standards are developed for Planning and Development". The Service Standard Timelines are based on appropriate staffing levels and are counted from the submission of a Complete Application.

Levels of Service are defined in the City A.M.P as "a combination of characteristics that reflects the social, political, environmental, and economic outcomes of the services the municipality aims to deliver to its customers. The characteristics can include safety, quantity, quality, cost, customer satisfaction, capacity, availability, reliability, responsiveness, and environmental acceptability of services." The Planning and Development Service Level Standards are intended to provide the groundwork for new development and to achieve community growth by:

- Reducing the bureaucratic costs and red tape that are delaying construction and pushing development costs higher;
- Promoting residential, institutional and commercial construction near transit/multimodal transportation options, existing municipal services and community nodes;
- Reforming processes which reduce or combine steps and decision timelines;
- Increase land resources and availability; and
- Monitoring to ensure these tools are successful.

Planning and Development has 'soft launched' some of these changes with a positive response from clients and the public. The department website will be updated in early April



with new applications and guidance. In addition we are working on Fast Fact Sheets; one page process diagrams showing the different steps and timelines for general application types as well as “Tips” to ensure clients are submitting complete applications. Resources will be created as new processes or incentives become available.

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

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.

Key Initiative 1.2.1 Setting the context and foundation for a fulsome continuum of housing options, from social to market to workforce accommodation.

Focus Area 1.3 Liveable Community
Supporting all residents to participate in the social fabric and physical space of our community.

Key Initiative 1.3.2 Pursuing diverse community engagement methods.

Key Initiative 1.3.3 Supporting design standards that are multi-modal including recognizing Yellowknife’s advantages as a winter city.

Key Initiative 1.3.6 Working with all partners towards a safe, supportive and compassionate community for all.

Strategic Direction #2: Service Excellence

Focus Area 2.1 Asset Management
Planning, implementing and maintaining assets to reliably, safely and cost effectively deliver services for current and future community needs.

Key Initiative 2.1.1 Advancing the asset management framework, including long term funding strategies.

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

Key Initiative 2.2.2 Aligning organizational service capacity with service levels.



Strategic Direction #3: Sustainable Future

Focus Area 3.2	<u>Growth Readiness</u> Ensuring land development supports economic readiness and community priorities.
Key Initiative 3.2.2	Completing land development tools and strategies that support growth readiness.
Key Initiative 3.2.3	Modernizing development incentive options.
Motion #0129-23	That in 2024, service level standards are developed for Planning and Development.

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

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;
5. Building By-law No. 5058;
6. Land Administration By-law No. 4596, as amended;
7. Fees and Charges By-law No. 4436, as amended;
8. Development Incentive Program By-law No. 4534, as amended;
9. Heritage By-law No. 4540;
10. Asset Management Roadmap (2022);
11. Development Strategy and Implementation Plan (2020); and
12. Community Plan and Background Report (2020).

Committee requested that that Administration include the following information in Planning and Development Service Standard Timelines:

- 15 days to determine and respond if an application is complete; and
- response time for Pre-Development meeting.

Committee suggested that Administration clarify that reference to “days” means calendar days.

(For Information Only)

5. Committee heard a presentation regarding New Area Development Plan (Kam Lake).



- (For Information Only)
6. Councillor Arden-Smith moved,
Councillor Hendriksen seconded,

That Committee move in camera at 12:53 p.m. to discuss a memorandum regarding whether to appoint a member to serve on the Heritage Committee and two (2) matters still under negotiation.

MOTION CARRIED UNANIMOUSLY

- (For Information Only)
7. Committee read a memorandum regarding whether to appoint a member to serve on the Heritage Committee
- (For Information Only)
8. Committee discussed a matter still under negotiation.
- (For Information Only)
9. Councillor Arden-Smith left the meeting at 1:05 p.m.
- (For Information Only)
10. Committee discussed a matter still under negotiation.
- (For Information Only)
11. Councillor Payne moved,
Councillor Fequet seconded,

That Committee return to an open meeting at 1:58 p.m.

MOTION CARRIED UNANIMOUSLY

Business arising from the in camera session.

12. **Committee read a memorandum regarding whether to appoint a member to serve on the Heritage Committee**

Committee noted that there is a vacancy on the Heritage Committee.

The Yellowknives Dene First Nation (YKDFN) requested that:

1. Ms. Mary Rose Sundberg be appointed as their primary representative on the Heritage Committee; and
2. Mr. Leroy Betsina and Ms. Angela Lafferty be appointed as their alternate representatives on the Heritage Committee.

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



Strategic Direction #1: People First

Council Motion #0168-17

1. That s.8 of the Terms of Reference for the Heritage Committee be amended as follows:
 8. No member, with the exception of the representative for the Yellowknives Dene First Nation, may appoint an alternate to represent that Member and act on their behalf during absences.

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

1. Council Procedures By-law No. 4975, as amended;
2. Heritage Committee Terms of Reference; and
3. *Cities, Towns and Villages Act*.

Legislation

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

Special Committees of Council

122. Where Council deems it necessary to establish a special committee to investigate and consider any matter, Council shall:
 - (1) name the committee;
 - (2) establish terms of reference;
 - (3) appoint members to it;
 - (4) establish the term of appointment of members;
 - (5) establish requirements for reporting to Council or a standing committee; and
 - (6) allocate any necessary budget or other resources to it.

Procedural Considerations

All appointments to Special Committees and Subcommittees must be approved by Council.

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

Committee recommends that Council appoint Mary Rose Sundberg, a representative of the Yellowknives Dene First Nation, to serve on the Yellowknife Heritage Committee for a two (2) year term commencing April 23, 2024 and ending April 22, 2026.

MOVE APPROVAL

13. The meeting adjourned at 1:58 p.m.



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE REPORT

Monday, April 8, 2024 at 12:05 p.m.

Report of a meeting held on Monday, April 8, 2024 at 12:05 p.m. in the City Hall Council Chamber. The following Committee members were in attendance:

Chair: Mayor R. Alty,
Councillor G. Cochrane,
Councillor R. Fequet,
Councillor B. Hendriksen,
Councillor C. McGurk, (via teleconference)
Councillor T. McLennan, (via teleconference)
Councillor S. Payne, and
Councillor R. Warburton.

The following members of Administration staff were in attendance:

S. Bassi-Kellett,
C. Caljouw,
J. Collin,
C. Greencorn,
N. Johnson,
K. Pandoo,
S. Sibley,
T. Setta,
G. White, and
S. Jovic.

<u>Item</u>	<u>Description</u>
1.	(For Information Only) Mayor Alty read the Opening Statement.
2.	(For Information Only) Councillor Cochrane declared a conflict of interest with Item No. 4 on the agenda, an update regarding Giant Mine Remediation, due to his employment with Parsons Inc. (Community Relations Officer) and excused himself from the meeting at 12:07 p.m.



(For Information Only)

3. Committee heard a presentation from Natalie Plato, Andrei Torianski and Erica Nyyssonen, representatives of the Giant Mine Remediation Project, regarding the annual project update. They provided an update on where they are in the process; 2023 wildfire and evacuation; what have they done on site already; what are they doing next on site and procurement, job opportunities and training.

(For Information Only)

4. Councillor Cochrane returned to the meeting at 12:39 p.m.

(For Information Only)

5. Committee heard a presentation from Graeme Clinton, Impact Economics, regarding *the Eyes Wide Open Report: Understanding the Effect of a Diminished Resource Economy in the NWT*. Mr. Clinton provided an economic analysis of the effects of closure of the diamond mines and of oil and gas production. Mr. Clinton noted that the NWT economy has included an active mining industry for over 90 years. Mr. Clinton further noted that despite its long history, the future for mining in the NWT is unclear. Mr. Clinton stated that in less than 10 years, all three diamond mines will be closed and the end of NWT's oil industry is almost upon us. Mr. Clinton further stated that there are a few advanced exploration projects around the territory, but none of them are certain to proceed and none represent a like-for-like replacement of the diamond mines. Mr. Clinton noted that there are no viable prospects for full-scale oil and gas industry in the territory at this time. Mr. Clinton further noted that if the territory's resource sector were to disappear the results would include: a smaller economy, fewer jobs, less disposable income, Yellowknife would be most affected, government will have less revenue and there will be fewer people.

(For Information Only)

6. Councillor McLennan left the meeting at 12:55 p.m.

(For Information Only)

7. Committee heard a presentation from Mr. Kenny Ruptash, President of NWT & Nunavut Chamber of Mines, regarding *the Eyes Wide Open Report: Understanding the Effect of a Diminished Resource Economy in the NWT*. Mr. Ruptash noted that they hired Impact Economics, to conduct an economic analysis of the effects of closure of the diamond mines and of oil and gas production. Mr. Ruptash further noted that have shared the Eyes Wide Open Report with Members of the Legislative Assembly. Mr. Ruptash further noted that they look forward to City's support in helping address the situation. Mr. Ruptash stated that along with MLA and Indigenous government everyone will benefit from collaboratively working to improve the situation using the NWT's vast and untapped mineral potential.

(For Information Only)

8. Committee recessed at 1:34 p.m. and reconvened at 1:44 p.m.



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- (For Information Only)
9. Committee continued its discussion regarding *the Eyes Wide Open Report: Understanding the Effect of a Diminished Resource Economy in the NWT*.
 10. In a response to a question from Committee, Administration undertook to provide information regarding current restriction on mineral exploration in municipal boundaries.
- (For Information Only)
11. Committee thanked Sheila Bassi-Kellett, outgoing City Manager, for almost 8 years of leadership as the City Manager.
 12. The meeting adjourned at 2:18 p.m.



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE REPORT

Monday, April 15, 2024 at 12:05 p.m.

Report of a meeting held on Monday, April 15, 2024 at 12:05 p.m. in the City Hall Council Chamber. The following Committee members were in attendance:

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

The following members of Administration staff were in attendance:

J. Collin,
P. Mackenzie,
C. Greencorn,
C. MacLean,
K. Pandoo,
K. Thistle,
T. Setta,
G. White, and
S. Jovic.

<u>Item</u>	<u>Description</u>
1.	(For Information Only) Mayor Alty read the Opening Statement.
2.	(For Information Only) There were no disclosures of conflict of interest.
3.	Committee read 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).



Committee noted that 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 125m²



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.

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

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	<u>Growth Readiness</u> Ensuring land development supports economic readiness and community priorities.
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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.
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Committee noted that applicable legislation, by-laws, studies or plans include:

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).

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.

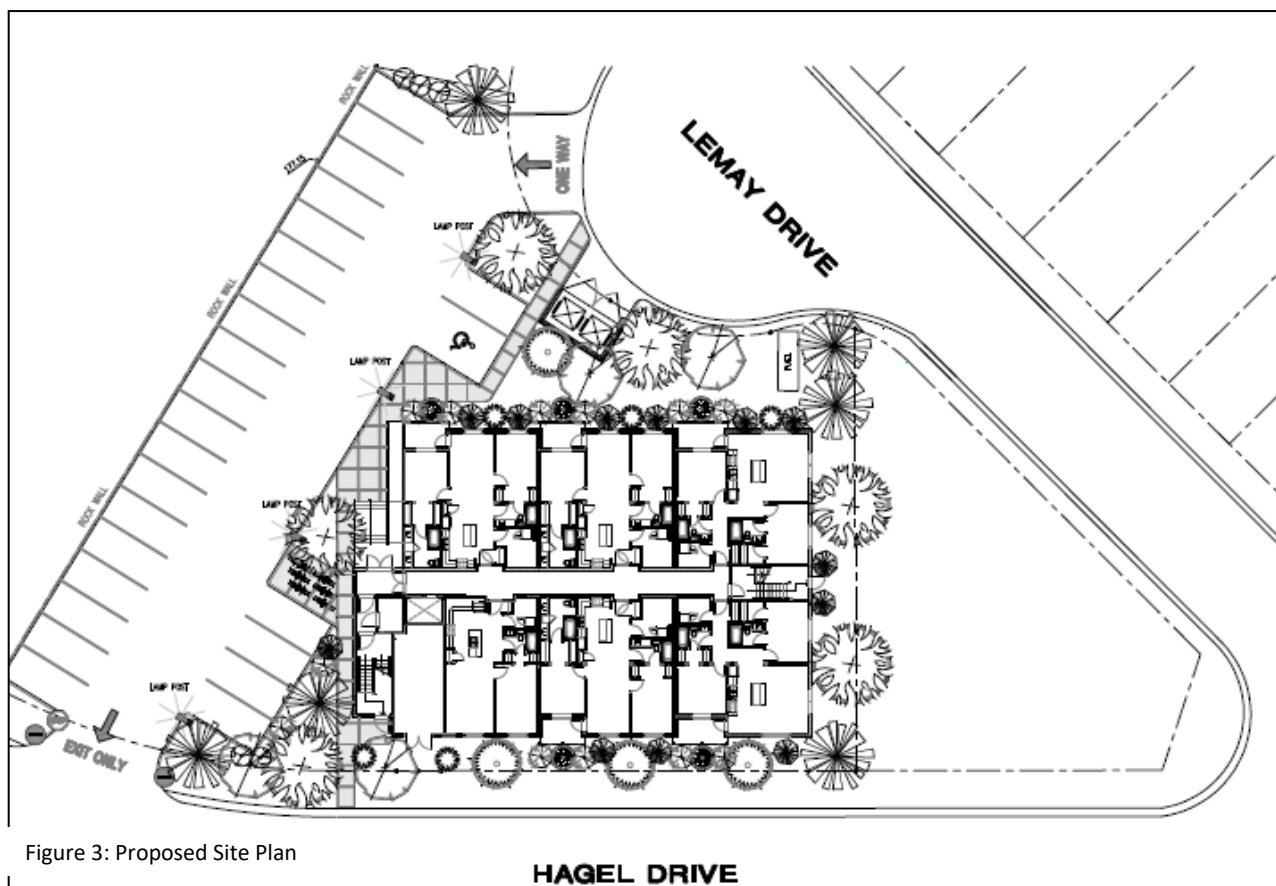


Figure 3: Proposed Site Plan

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 to incorporate several traffic calming measures.

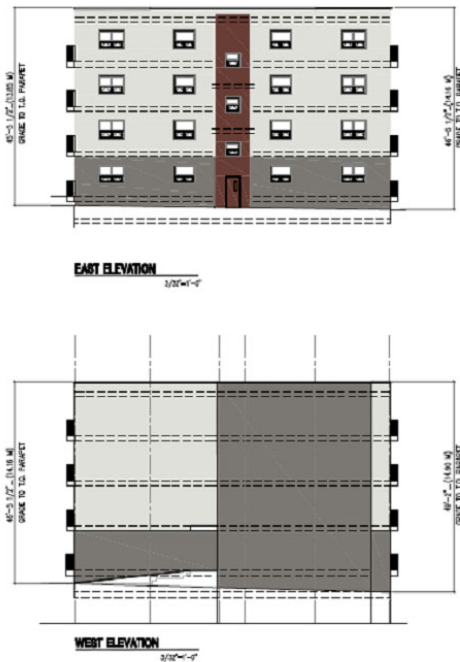


Figure 3: Proposed Site Plan



Figure 4: Elevation Plan

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 as 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 appropriately 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.

Committee noted that 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.



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

MOVE APPROVAL

(For Information Only)

4. Committee discussed the Noise By-law and whether to reduce or eliminate the use of 'Mosquito Devices' or other similar noise devices through the Noise By-law No. 3537. Committee noted that in late 2023, the owners of the Centre Square Mall Parkade installed a 'Mosquito Device' to reduce loitering as well as real and perceived safety concerns resulting from loitering in the entrance-way to the Centre Square Mall Parkade underground parking garage on 51st Avenue across from the downtown liquor store. Due to staff's current workload, Committee was not in favour of an amendment to the Noise By-law to reduce or eliminate the use of 'Mosquito Devices' or other similar noise devices.

(For Information Only)

5. Committee discussed a mill rate for vacant land. Committee noted that there is no Mill Rate Policy nor a different property class to tax vacant land. Administration undertook to bring a Mill Rate Policy for discussion in the near future. Committee members agreed not to pursue this discussion at this time, and may consider it during the Mill Rate Policy discussion.

(For Information Only)

6. Councillor Arden-Smith left the meeting at 1:00 p.m.

(For Information Only)

7. Committee discussed the mill rate for high density parking. Committee noted that the high-density parking property class only applies to one property in the City, Centre Square Mall, and that the property class was established in 1989. Committee members agreed not to pursue this discussion at this time, and may consider it during the Mill Rate Policy discussion.

(For Information Only)

8. Councillor Cochrane moved,
Councillor Payne seconded,

That Committee move in camera at 1:09 p.m. to discuss a memorandum regarding whether to appoint members to serve on the Community Advisory Board on Homelessness.

MOTION CARRIED UNANIMOUSLY

(For Information Only)

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



- (For Information Only)
10. Councillor Fequet moved,
Councillor Hendriksen seconded,

That Committee return to an open meeting at 1:11 p.m.

MOTION CARRIED UNANIMOUSLY

Business Arising from in Camera Session

11. **Committee read a memorandum regarding whether to appoint members to serve on the Community Advisory Board on Homelessness.**

Committee noted that 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.

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

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.



Committee noted that applicable legislation, by-laws, studies or plans include:
Council Procedures By-law No. 4975, as amended.

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.

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

Committee recommends 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
Johnelle Joseph	One (1) representative from an organization serving Persons with Disabilities
Hawa Dumbuya Sesay	One (1) representative from an organization serving Youth

MOVE APPROVAL

12. The meeting adjourned at 1:11 p.m.



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