



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE AGENDA

Monday, June 24, 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.

ANNEX A

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| 4. | A memorandum regarding whether to adopt for information the Reaching Home Canada's Community Plan (2024 – 2028) as recommended by the Community Advisory Board on Homelessness. |
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ADDITIONAL COUNCIL ITEMS

ANNEX B

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| 5. | A memorandum regarding summation of Public Hearing on By-law 5078, a by-law to repeal and replace Land Administration By-law No. 4596, as amended. |
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<u>Item No.</u>	<u>Description</u>
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IN CAMERA

ANNEX C

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| 6. | A memorandum regarding whether to appoint someone to fill a vacant position on the Audit Committee. |
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ANNEX D

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| 7. | A matter still under consideration. |
| 8. | Business arising from In Camera Session. |



CITY OF YELLOWKNIFE

MEMORANDUM TO COUNCIL

COMMITTEE: Governance and Priorities

DATE: June 24, 2024

DEPARTMENT: Community Services

ISSUE: Whether to adopt for information the Reaching Home Canada's Community Plan (2024 – 2028) as recommended by the Community Advisory Board on Homelessness.

RECOMMENDATION:

That Council adopt for information the Reaching Home Canada's Community Plan (2024 – 2028) as recommended by the Community Advisory Board on Homelessness.

BACKGROUND:

In March 2019, the City of Yellowknife became the Community Entity for the Reaching Home Initiative for the community of Yellowknife. The Reaching Home Canada Community Plan is a strategic document required by Reaching Home, the Government of Canada's homelessness strategy, aimed at addressing and preventing homelessness across the country.

In Yellowknife, the Reaching Home Canada Community Plan for 2024-2028 outlines a comprehensive approach to tackle homelessness by coordinating efforts across various sectors, enhancing service delivery, and ensuring that resources are effectively allocated to meet the needs of the homeless population. The plan emphasizes collaboration among local agencies, stakeholders, and community members to create a system that effectively supports individuals experiencing homelessness. To ensure the plan is reflective of the community's needs and priorities, the Community Advisory Board (CAB) was consulted on March 7, 2024. During this consultation, CAB members provided insights and feedback, contributing to the development of a plan that is both responsive and attuned to the specific challenges and opportunities within Yellowknife.

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.

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

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

10 Year Plan to End Homelessness (2017).

CONSIDERATIONS:

Legislative

Compliance with Federal Requirements:

Ensure the plan meets the guidelines and requirements set forth by the Reaching Home initiative to secure ongoing funding and support from the federal government.

Public Consultation

Reflective of Community Needs:

Confirm that the plan accurately reflects the current needs and priorities of the homeless population in Yellowknife as identified through community consultations and data analysis.

Details of the Plan

Please see the Reaching Home Canada Community Plan, attached.

ALTERNATIVES TO RECOMMENDATION:

That Council not adopt the Reaching Home Canada's Community Plan (2024 – 2028).

RATIONALE:

Based on the Reaching Home Directives, not proceeding would breach the current terms set out in the Contribution Agreement for Reaching Home. The CAB is comprised of a wide cross section of the community and those working to address homelessness in Yellowknife. The CAB has worked diligently to ensure that the four-year plan addresses all facets of the community to address homelessness in Yellowknife.

ATTACHMENTS:

1. Reaching Home Canada's Community Plan 2024-2028; (DM#759487) and
2. Community Advisory Board on Homelessness Minutes March 7, 2024 (DM#760076).

Prepared: June 7, 2024; DR

Revised:

Reaching Home:

Yellowknife Homelessness Plan

2024 – 2028

Note:

In addition to the core requirements provided in this template, communities may also wish to include other components that provide insight into the community's housing and homelessness context or contribute to community-level homelessness challenges, such as a map of the community's current homelessness services and/or gaps in homelessness services or infrastructure (e.g. housing stock). Communities have full flexibility in drafting these sections.

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1. Community Engagement

Please identify the steps taken to engage your community stakeholders in developing this plan.¹

In February 2024, Community Advisory Board (CAB) members were notified about the revision of the Community Plan. Engaging with CAB members will include connecting with Indigenous Organizations, Youth and Youth serving organizations, organizations serving seniors, health organizations and other departments in the Territorial Government as well as organizations serving individuals experiencing homelessness, organizations serving person with disabilities and the private sector. Some of the organizations that we have engaged to further develop the Community Plan include: Home Base, Salvation Army, YWCA, Arctic Indigenous Wellness Foundation...

As a result, CAB will meet during a Community Roundtable to discuss the feedback from each sector and the needs for Yellowknife homelessness. During this discussion, there will be conversations centering the vision for ending homelessness in Yellowknife, the 10 Year Plan to End Homelessness, and Reaching Home Directives.

While meeting early in the new year, CAB agreed on recommending 57% of the funding be dedicated to housing services, which involves housing first initiatives. 15% to the funding to support Prevention and Shelter Diversion, 4% of the funding to continue Indigenous Case Management under support services and 18% towards Capital Investments and 7% towards Administration. Through multiyear contracts, we are able to dedicate more focus towards long term planning and action.

2. Investment Plan

In the table below, please outline your planned allocation of Reaching Home funding (including funding from the Territorial Homelessness stream and Community Capacity and Innovation stream) from 2024-28 by investment area. Please note that it is acceptable that your community's funding priorities change over time. This investment plan is to demonstrate that your community has a vision moving forward for the allocation of Reaching Home funding.

	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028
Housing Services	\$1,558,632 57%	\$1,558,632 57%	\$685,294 57%	\$685,294 57%
Prevention and Shelter Diversion	\$400,000 15%	\$400,000 15%	\$180,341 15%	\$180,341 15%
Support Services	\$105,930 4%	\$105,930 4%	\$48,091 4%	\$48,091 4%
Capital Investments	\$377,775 14%	\$260,780 10%	\$51,524 4%	\$51,524 4%
Coordination of Resources and Data Collection	\$113,360 4%	\$113,360 5%	\$56,680 5%	\$56,680 5%
Administration	\$180,000 7%	\$296,994.55 10%	\$180,341 15%	\$180,341 15%
Annual Funding	\$2,735,697	\$2,735,697	\$1,202,270	\$1,202,270

3. Community Contributions

In the table below, please outline all funding for homelessness initiatives your community plans to receive from external partners from 2024 to 2028. This includes both financial and in-kind contributions.

Projected Funding towards Homelessness Initiatives				
Funder	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028
Government of Northwest Territories	\$9,500, 000	\$9,500, 000	\$9,500, 000	\$9,500, 000
City of Yellowknife	\$260,000	\$260,000	\$260,000	\$260,000
Reaching Home Funding	\$2,735, 697	\$2,735,697	\$1,202,270	\$1,202,270

Please note that the funding from the City of Yellowknife in 2024 is confirmed. Due to the expenses from the past wildfire season in 2023, along with the priorities established by a newly elected Legislative Assembly for the Government of the Northwest Territories, there may be some adjustments to the GNWT's contributions. All funding beyond 2024 is projected, pending budget considerations and approval by the respective governments.

The estimate for GNWT funding is based on the current GNWT Homelessness Strategy (https://www.eia.gov.nt.ca/sites/eia/files/a_way_home_-_gnwt_draft_homelessness_strategy.pdf)

Please also note that the investments in Transitional Housing, Rapid Rehousing, Shelters and Housing First is coming through different departments for Yellowknife specific projects.

4. Coordinated Access

Please discuss the steps you will take to implement a coordinated access system in your community. If your community has a coordinated access system in place, please describe how it presently functions.

Along with the efforts of the Community Advisory Board (CAB), another aspect of Reaching Home has been implementing a Coordinated Access System in Yellowknife. In 2018, recommendations were provided on establishing Coordinated Access along with a requirement to establish Coordinated Access by March 31st, 2021. There was an emphasis on the necessity for streamlined service coordination, particularly due to the underutilization of certain services.

One key element has been the re-establishment of the Coordinated Access Working Group. This multi-stakeholder group has been actively meeting since January 2024 with the goal of implementing coordinated access in Yellowknife. This group is guided by the recommendations from the CAB commissioned report "Building a Coordinated Access Model," along with the minimum requirements outlined by Infrastructure Canada.

Our next steps are meeting regularly with Infrastructure Canada to review meeting the minimum requirements for Coordinated Access, hosting the Coordinated Access Working Group, managing the upcoming Pit Count in fall 2024, and continuing to onboard service providers on HIFIS. We will continue to work with the CAEH and ensure that we are including as many Indigenous organizations as possible in the decision making process.

5. Community-Wide Outcomes

If you would like your community to measure progress on additional outcomes beyond the federally mandated outcomes, please identify those outcomes.

Please provide your proposed indicators, targets, and methodology for each of the additional identified outcomes.

Reduce overall chronic homelessness in the community

- o Will be measured during the National PiT Count (October - November 2024)

Reduce overall Indigenous Homelessness in Yellowknife

- o Will be measured during the National PiT Count (October - November 2024)

Reduce new inflows into homelessness

- o Work with partners and NGOs on prevention options for shelter diversion. Provide support for youth and coordinate with territorial government to share data on migration to and from Yellowknife
- o Will be measured during the National PiT Count (October - November 2024)

Identify data sharing barriers and advance their resolution with partners

- o This is also a step in the 10 Year Plan to End Homelessness. We have made some progress with the training for HIFIS 4.0.
- o System efficiency for those experiencing homelessness – ensure that people are entered into the system correctly.
- o Assist with administrative burden – being able to pull reports directly from HIFIS

Develop a common set of non-profit reports through an integrated information system to reduce administrative burden on agencies

- o Coordination with territorial government will be required to find a common reporting system
- All NGOs are currently live on HIFIS, which has the capacity to generate up to date reports required for both Reaching Home and other funders that may require similar information.

6. Official Language Minority Communities

*The Government of Canada has a responsibility under the Official Languages Act to ensure that programs and services meet the needs of [Official Language Minority Communities \(OLMCs\)](#). Please describe the steps that you will take to ensure that the services funded under the Reaching Home take the needs of the [OLMCs](#) into consideration where applicable. **Note:** Please use this section discuss French and/or English speaking minority communities. To highlight the actions taken to address other language needs present in your community; we encourage you to include an additional section or annex.*

The Community Entity recognizes its responsibility to make:

1. Project-related documentation and announcements available (for the public and prospective Project participants, if any) in both official languages;
2. actively offer Project-related services in both official languages;
3. encourage members of both official language communities to participate in the Project; and
4. provide its services, where appropriate, in such a manner as to address the needs of both official language communities

The Community Entity is committed to ensuring that we address the needs of those experiencing homelessness in both official languages. To this end, we have included a clause in all of the sub agreements that project-related documentation can be received in both official languages; to actively offer project-related services in both official languages; to encourage members of both official language communities to participate in the project; and to provide its services, where appropriate, in such a manner as to address the needs of both official language communities.

The Community Entity will support the provision of programs/services in French if and when the need becomes apparent by accessing translation services through La Federation Franco-Tenoise. The Community Entity will continue to monitor the demand for service in the official minority language on an on-going basis to ensure members of the OLMC are not denied service.



CITY OF YELLOWKNIFE

Community Advisory Board on Homelessness

March 7, 2024 at 9:00 a.m.

Video/Teleconference

MINUTES

Minutes of a meeting held on Thursday, March 7, 2024 at 9:00 a.m. The following Committee members joined the meeting via teleconference:

Present: Councillor B. Hendriksen, Chair,
Mayor R. Alty, ex-officio,
T. Brushett,
R. Foote,
N. Round,
Z. Share, and
N. Sowsun.

The following advisory member joined the meeting via teleconference:
R. Ristoff.

The following representative of the Federal Government joined the meeting via teleconference:
A. Marinic.

The following members of Administration joined the meeting via teleconference:
D. Ritchie,
C. Saunders,
S. Tezgel, and
T. McKee.

Call to Order

1. The meeting was called to order at 9:05 a.m.

Opening Statement

2. Councillor B. Hendriksen read the Opening Statement.

Approval of Agenda

3. Committee agreed to amend the agenda to include the discussion on Reaching Home Request for Proposals.



4. R. Foote moved,
T. Brushett seconded,

That the Agenda be approved as amended.

MOTION CARRIED UNANIMOUSLY

Approval of Minutes

5. February 8, 2024.

6. N. Sowsun moved,
Mayor R. Alty seconded,

That the Minutes be approved as amended, to include to Item #15 (Yellowknife Women's Society - Funding for the Street Outreach Van \$230,000).

MOTION CARRIED UNANIMOUSLY

Disclosure of Conflict of Interest

7. There were no disclosures of conflict of interest.

Review and Open Discussion on the draft Reaching Home: Yellowknife Homelessness Plan 2024 - 2028

8. Committee heard a presentation from Dan Ritchie regarding the draft Reaching Home: Yellowknife Homelessness Plan 2024 – 2028.
9. Committee discussed the draft Reaching Home: Yellowknife Homelessness Plan 2024 – 2028.
10. N. Sowsun moved,
N. Round seconded,

That Committee recommends Council approve the Yellowknife Homelessness Plan 2024 – 2028, as amended.

MOTION CARRIED UNANIMOUSLY

Action Item: Administration will send a memorandum to Council to approve the Yellowknife Homelessness Plan 2024 – 2028, as amended.

Presentation on the upcoming Point in Time Count

11. Committee heard a presentation from Dan Ritchie regarding the upcoming Point in Time Count.

Discussion on the Point in Time Planning Committee

12. Committee discussed the creation of the Point in Time Planning Committee.

Update regarding Reaching Home Request for Proposals

13. Dan Ritchie provided an update on the Reaching Home Request for Proposals.



Next Scheduled Meeting

14. The next scheduled meeting dates:

- June 6, 2024 9:00 a.m. - 11:00 p.m.
- September 19, 2024 9:00 a.m. - 11:00 p.m.
- November 21, 2024 9:00 a.m. – 11:00 p.m.

Adjournment

15. N. Round moved,
R. Foote seconded,

That the meeting be adjourned at 9:43 a.m.

MOTION CARRIED UNANIMOUSLY

Prepared: March 7, 2024; CS/tm



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Governance and Priorities / Council

DATE: June 24, 2024

DEPARTMENT: Planning and Development

ISSUE: Summation of Public Hearing on By-law 5078, a by-law to repeal and replace Land Administration By-law No. 4596, as amended.

RECOMMENDATION:

That Council proceeds with Second and Third Reading, with no amendment, of By-law No. 5078, a by-law to repeal and replace Land Administration By-law No. 4596, as amended.

BACKGROUND:

On June 10, 2024, a Statutory Public Hearing was held for By-law No. 5078, a by-law to repeal and replace the current Land Administration By-law No. 4596, as amended. During the hearing, the Yellowknife Chamber of Commerce made one written submission and one oral presentation in opposition to section 3 (5) and (13) of the proposed By-law. Council directed Administration to prepare a summary of the point raised during the hearing; a summation of the public hearing is attached.

COUNCIL STRATEGIC DIRECTION/RESOLUTION/POLICY:

Strategic Direction #1: People First

Focus Area 1.1	<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
Key Initiative 1.2.2	Supporting design standards that are multi-modal, including recognizing Yellowknife's advantages as a winter city

Strategic Direction #3: Sustainable Future

Focus Area 3.2	<u>Growth Readiness</u> Ensuring land development supports economic readiness and community priorities.
Key Initiative 3.2.1	Advocating for the transfer of vacant commissioner's land for growth.
Key Initiative 3.2.2	Completing land development tools and strategies that support growth readiness.
Council Motion #0140-21	That Council directs Administration to proceed with the bulk land transfer acquisition of all available Commissioner's Lands within the municipal boundary.
Council Motion #0013-23	That Council directs Administration to initiate planning applications as required for Community Plan Amendments, Area Development Plans, Zoning By-law Amendments and Subdivision of lands in support of infill and densification development.

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

1. *Cities, Towns and Villages Act, S.N.W.T., 2003, c.22. as amended;*
2. *Northwest Territories Lands Act, S.N.W.T., 2014, c.13. as amended;* and
3. City of Yellowknife Community Plan By-law No. 5007.

CONSIDERATIONS:

Cities, Towns and Villages Act

The *Cities, Towns and Villages Act, S.N.W.T., 2003, c.22, sections 53 to 55*, provides municipalities with the authority to adopt a Land Administration By-law. The by-law provides procedures, terms, and conditions for making acquisitions, dispositions, or other activities related to real property owned by the municipal corporation.

Procedural Considerations

Before giving Third Reading to a land administration by-law, Council shall (a) give at least two weeks public notice of the proposed land administration by-law; and (b) hear any person claiming to be affected by the by-law who wishes to be heard.

The Draft Land Administration By-law

The By-law provides a clear and consistent framework for City Administration and clients. The draft By-law uses plain language with updated definitions to improve interpretation and implementation. These changes will provide clarity for clients and accelerate the development, growth, and readiness process.

Engagement

On January 29, 2024, a copy of the draft was provided to the Department of Environment and Climate Change, legal firms, appraisers, the Yellowknife Chamber of Commerce, and media outlets, and it was posted on the City’s website for public consultation. Administration actively sought feedback through follow-up inquiries, demonstrating our commitment to inclusivity and ensuring all voices were heard in the process.

Summary of Statuary Public Hearing Comment

A summation of the point raised during the hearing is attached.

ALTERNATIVES TO RECOMMENDATION:

That Council direct Administration to amend By-law No. 5078, to require a disposal by-law.

RATIONALE:

Land development and disposal is a process inclusive of multiple approvals and opportunities for public consultation. The majority of whole lots developed for disposal begin with at least two of the four processes: Community Plan Amendment, Area Development Plan, Zoning By-law amendment, and/or a plan of subdivision, which are all public processes. Administration is seeking ways to expedite land disposal. It is recommended that the process eliminate the final redundant step that is available to Council and not required by legislation. The proposed change would save a minimum of two months and a maximum of six months overall in the land development process.

ATTACHMENTS:

- 1. Land Administration By-law No. 5078 (DM #748536), and
- 2. Summation of Public Hearing (DM#767605-v4).

Prepared: June 13, 2024, ZT/GL
Revised: June 13, 2024/CW

THE CITY OF YELLOWKNIFE

NORTHWEST TERRITORIES



LAND ADMINISTRATION BY-LAW NO. 5078

Adopted Month, XX, 2024

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CITY OF YELLOWKNIFE

BY-LAW NO. 5078

BG 79

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 repeal and replace City of Yellowknife Land Administration By-law No. 4596.

PURSUANT TO:

- a. Sections 53, 54 and 55 of the Cities, Towns and Villages Act S.N.W.T. 2003. C.22, as amended;
- b. Due notice to the public, provision for inspection of the by-law and due opportunity for objections thereto to be heard, considered and determined;

WHEREAS the Municipal Corporation of the City of Yellowknife deems it desirable to adopt a Land Administration By-law;

WHEREAS the Council of the Municipal Corporation of the City of Yellowknife wishes to repeal and replace Land Administration By-law No. 4596.

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

PART 1 - GENERAL

SHORT TITLE

1. This by-law may be cited as the **"The Land Administration By-law"**.

APPLICATION

2. This By-law shall, except as otherwise expressly authorized by herein, apply to all Acquisitions, Disposals, licences, or other Land dispositions by the City.

DEFINITIONS

“Acquisition or Acquire”	means the purchase, lease or expropriation of land;
“Adjacent Property”	means the property, land, or lot adjoining the property in question along a lot line or separated only by an alley, easement, roadway or highway;
“Appraised Value”	means the most probable price, determined by a professional real estate appraiser, which a property should bring in a competitive and open market as of a specified date under all conditions requisite to a fair disposal, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimuli.
“City”	means the Municipal Corporation of the City of Yellowknife in the Northwest Territories established pursuant to the <i>Cities, Towns and Villages Act</i> , S.N.W.T. 2003, c22;
“City Manager”	means the Senior Administrative Officer of the City of Yellowknife or their designate appointed pursuant to the <i>Cities, Towns and Villages Act</i> , S.N.W.T. 2003, c22 as amended from time to time;
“City Standard”	means the rules, regulations, practices and codes of the City, including but not limited to development and design standards, plans, specifications, general provisions or processes that are documented in writing or have previously been implemented;
“Council”	means the Council of a Municipal Corporation and includes the Mayor and/or Councilor (s);
“Development Cost”	<p>means the City's direct and indirect costs incurred in developing land, which may include, but are not limited to:</p> <ul style="list-style-type: none">(a) land acquisition and disposal costs;(b) environmental studies and/or clean up;

- (c) planning, engineering, legal surveying, appraisal, and project management;
- (d) roadways, lanes, parking areas, curbs, sidewalks, walkways, boulevards, street names, signage, lighting, furniture and all necessary appurtenances to City Standards;
- (e) water, sanitary, drainage, fire suppression or Municipal Infrastructure services;
- (f) utilities (e.g. communication, electrical, etc.);
- (g) parks and recreational improvements;
- (h) salaries and benefits of municipal administrators; and
- (i) financing charges, including interest and legal costs for any loans incurred in developing the Land.

“Disposal or Dispose”

means the sale or lease of land;

“Easement”

means permission to use a portion of someone’s land through an agreement for a specific purpose and can be registered in the Land Titles Office;

“Encroachment”

means when an adjacent property owner builds or extends a portion of a building, structure, or architectural feature on or over or through other or City-owned property;

“Fee Simple”

means freehold ownership of real property.

“Habitat for Humanity NWT”

means the registered society under the *Society Act R.S.N.W.T.* of the Northwest Territories;

“Land”

means real property or an interest therein, other than an easement or restrictive covenant;

“Lease”

means leasehold interest of real property that provides exclusive rights of occupation and use of the land through a contract for a stated period of time;

"Licence Agreement"	means an agreement granting occupation or Encroachment to use a portion of City land in a non-exclusive possession and not creating any estate or interest;
"Lot"	means an area of land, the boundaries of which are filed on a plan registered at the Land Titles Office for the Northwest Territories;
"Municipal Infrastructure"	<p>means those facilities or amenities normally put in place on developed or undeveloped lands to allow improvements to be built or installed and which may include all or one of the following but not limited to:</p> <ul style="list-style-type: none">(a) roadways, lanes, parking areas, curbs, sidewalks, walkways, boulevards and all necessary appurtenances;(b) water, sanitary and storm sewer systems, including service connections and all necessary appurtenances;(c) parks and recreational improvements; and(d) land required for, or in connection with, any of the facilities described in the definition of this by-Law or any other facilities deemed desirable by Council.
"Off-Site Levy"	<p>means a surcharge levied by the City against the purchaser of land from the City or against a tenant leasing land from the City. The City uses this levy to pay for all or part of the capital cost of all or any Municipal infrastructure located outside the land being purchased or leased but which is of direct, though not exclusive, benefit to the purchaser or lessee and which may include but is not limited to:</p> <ul style="list-style-type: none">(a) new or expanded facilities for the storage, transmission, or supply of water;(b) new or expanded facilities for the treatment or disposal of sewage;

- (c) new or expanded storm sewer drainage facilities;
- (d) new or expanded roadways and sidewalks;
- (e) new or expanded facilities for the upgraded electrical or cable systems; and
- (f) new or expanded facilities for community or protective services; and required for, or in connection with any of the facilities described in the points above.

“Parcel”	means unsurveyed land with specific boundaries and corners, which can be leased;
“Planning Administrator”	means the City employee holding the Director of Planning & Development position, or their designate, for the City of Yellowknife as amended from time to time;
“Quarry”	means any work or undertaking in which granular materials are removed from the ground or the land by any method and includes all ways, works, stockpiles, machinery, plant, buildings and premises belonging to or used in connection with the site;
“Substandard Sized Lands”	Those lots or parcels that do not meet the minimum requirements defined by the City’s Zoning By-law, as amended or are landlocked and not required for municipal purposes;

PART 2 – LAND ACQUISITION & DISPOSAL

1 REQUEST FOR LAND WITHIN THE MUNICIPAL BOUNDARY

- 1) A request to acquire City land shall be a complete application that may include all or some of the following:
 - a. be made using the form specified by the Planning Administrator, as amended, from time to time;
 - b. include such information as the Planning Administrator may deem necessary or appropriate to consider the request, including but not limited to a sketch delineating the area to be acquired and a detailed development proposal; and
 - c. include the application fee, if any, pursuant to the City’s Fees and Charges By-law, as

amended.

- 2) Any request to acquire Territorial or Commissioner's land shall be completed by the City following the Government of the Northwest Territories Municipal Lands [Policy](#).
- 3) The Government of the Northwest Territories shall not dispose of Territorial or Commissioner's land within the City of Yellowknife Municipal boundaries to the public without the agreement of the City. Public requests to acquire Territorial or Commissioner's land will be transferred through the City of Yellowknife, not directly to a third party.
- 4) Upon receipt of an application to acquire land, the Planning Administrator shall review the request for compliance with this by-law and any other applicable by-law or legislation and may:
 - a. approve a lease without a by-law if the term is less than three years less a day or a month-to-month tenancy;
 - b. refer any disposals, including all waterfront land requests, to Council, or if the Planning Administrator otherwise deems the approval of Council to be desirable; or
 - c. refuse the land application if the proposed use is prohibited and contradicts relevant policies and regulations.

2 ACQUISITION BY THE CITY

- 1) The City shall acquire fee simple or leasehold interest, as applicable, on all Commissioner's or Territorial Land required for municipal purposes.
- 2) The City shall obtain a non-possessory right or easement to use or enter onto real property without a by-law, to permit the passage of people or vehicles and to construct, maintain, operate, generate, transmit and supply utilities, including, but not limited to fire suppression, horizontal infrastructure and other related Municipal infrastructure.
- 3) The City shall acquire land for municipal purposes or for disposal.
- 4) The City shall acquire real property by expropriation pursuant to the provision of the *Expropriation Act* and *Community Planning and Development Act* and through the tax recovery process by the *Property Assessment and Taxation Act*.
- 5) The acquisition of land shall be by by-law in accordance with this by-law and the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c22.

3 DISPOSAL BY THE CITY

- 1) The City may dispose of land where the land is not required for municipal purposes and where the

intended land use conforms to and is not prohibited by the City's Community Plan, Area Development Plan (where applicable); Zoning By-law, and/or any other relevant by-laws, plans and studies.

- 2) The City may, where appropriate, offer the first right of refusal to lease or purchase lands to current leaseholders and/or Adjacent Property owners.
- 3) The Planning Administrator may grant a non-possessory right or easement to use or enter onto land without a by-law to permit the passage of people or vehicles, horizontal infrastructure and other related Municipal infrastructure.
- 4) In the absence of any requirements for municipal purposes, and by all relevant regulations and legislation, the City may issue leases on public lands to:
 - a. adjacent property owners in residential and non-residential zoned areas.
 - b. individuals, groups or businesses where there are no adjacent property owners.
- 5) The disposal of fee simple or leasehold interest in any real property shall be done in accordance with this By-law and the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c22.
- 6) Before the City authorizes the disposal of land to a business, corporation or society, the entity must provide proof of being in good standing by the provisions of the *Societies Act*, *Business Corporations Act*, or other relevant Act, by-law or policy.
- 7) Before the City authorizes land disposal to a business or corporation, they must obtain a City business licence.
- 8) Any individual, business, corporation or society acquiring a leasehold interest in land shall maintain public liability insurance, with a company licensed and registered to do business in the Northwest Territories, for the land and any improvements to it for not less than \$2,000,000.00, or such other amount as reasonably directed by the City from time to time. The individual, business, corporation or society shall provide the City with documentary evidence of such insurance in a form satisfactory to the City, which names the City as an insured party.
- 9) Where the City disposes of land to a tax-exempt institution, another order of government or a non-profit organization, the City may require the purchaser or lessee to enter into an agreement which gives the City the right of first refusal to reacquire the land and any improvements placed thereon should the purchaser or lessee cease to operate or no longer require the property for its intended purpose.
- 10) Land disposals by the City will be subject to the terms and conditions of a purchase or lease agreement as determined by the Planning Administrator.
- 11) Land may be leased where it is not available in fee simple title to the City or where there is benefit

to the City in retaining land for municipal purposes.

- 12) All lease agreements shall incorporate clauses relative to the remediation of potential environmental damage, including the requirements for remediation, at the lessee's expense. The lessee shall be required to deposit security with the City to the noted remediation requirements, pursuant to the Fees and Charges By-law, as amended. The security shall consist of a Bond, Certified Cheque or Irrevocable Letter of Credit issued by a Chartered Bank or Surety Company.
- 13) The disposition of land in fee simple or leasehold interest shall be made in accordance with this By-law or may be specifically authorized or approved by a By-law.
- 14) Acquisition or disposal of land shall include the legal description of the land to be acquired or, in the case of a lease of unsurveyed lands, a description of the parcel and sketch sufficient to identify the property to be leased.

4 ESTABLISHING THE PRICE OF LAND – LEASE RATES

- 1) The annual lease rate for land disposed of by the City shall be charged as defined in the City's Fees and Charges By-law, as amended, and all uses shall be categorized pursuant to the definitions therein.
- 2) For greater certainty, Goods and Services Tax or other taxes payable by a lessee, if any, shall be in addition to the total lease costs determined under this By-law.

5 ESTABLISHING THE PRICE OF LAND – FEE SIMPLE DISPOSAL

- 1) The price of the land must be equivalent to its appraised value or the development costs, whichever is higher.

6 DEVELOPMENT COSTS & OFF-SITE LEVIES

- 1) Development costs & off-site levies will be recovered in accordance to the Financial Administration by-law, as amended.

7 LAND DEVELOPMENT FUND MANAGEMENT AND OPERATION

- 1) All revenues from the disposal of land shall be deposited in the Land Development Fund in accordance with the Financial Administration By-Law, as amended.
- 2) Off-site levy charges shall be allocated as part of the development costs in accordance with the Financial Administration By-law, as amended.

- 3) All revenues from leases, quarries, and off-site levies are to be deposited into the Land Development Fund.

8 COUNCIL DISCRETION TO A DEVELOPMENT CONTRIBUTION

- 1) Notwithstanding Sections 5, 6, 7, & 8 Council may, at its sole discretion, provide residential land disposal by fee simple to the Habitat for Humanity NWT regardless of the value of the land for development.

9 METHODS AND TERMS OF LAND DISPOSITION BY THE CITY

- 1) In disposing of land for fee simple, the Planning Administrator shall initiate one of the following methods:
 - a. ballot draw;
 - b. call for development proposals;
 - c. public advertisement;
 - d. a bidding process;
 - e. an auction; or
 - f. public tender.
- 2) If there are no acceptable offers as a result of a ballot draw, call for proposal, bidding process, auction, or public tender, the Planning Administrator may dispose of the land to a specific intended purchaser in accordance with the terms of this by-law.
- 3) The Planning Administrator may sell or market land approved for disposal either independently or through a qualified real estate agent licensed in the Northwest Territories.
- 4) The provisions of Section 9(1) shall not apply to the disposal of land to be used for the purpose of:
 - a. the Federal or the Territorial Government;
 - b. the installation of electrical power, telephone or other communication utilities if the utility company is a crown corporation or a government-regulated monopoly;
 - c. consolidation with adjoining land, when the land being disposed of is a substandard sized lands;
 - d. special and unique activities which serve the public interests of the City; or
 - e. disposing of land to a specific intended purchaser or lessee.
- 5) Substandard-sized lands that cannot be developed independently and are not required for municipal

purposes may be offered directly for disposal to adjacent property owners. Appropriate zoning and roadway closure by-laws, where required, must be adopted before any commitment is made to dispose of the lands. The criteria for determining those properties that cannot be developed on their own shall include, but are not limited to, the following factors:

- a. lot configuration;
 - b. lack of, or barriers to providing street access, water/sewer services, or other municipal services;
 - c. not meeting the minimum lot and site area requirements pursuant to the City's Zoning By-law, as amended; or
 - d. physical limitations related to the natural topography of the site.
- 6) Anyone who acquires land from the City, excluding substandard-sized lands, shall be required to develop, add a specific amount of value to, or quarry the land within a specified period of time. The specific conditions of which will be determined by the Planning Administrator. The disposition agreement shall entitle the City to reacquire the land if the purchaser fails to develop, add a specific amount of value to, or quarry the land within a specified period of time.
- 7) If the disposition of land is to a private developer who is required to build or install municipal infrastructure to develop the land, then, before the disposal, the City shall:
- a. require the developer to provide a letter from a financial institution confirming that the developer has sufficient financial resources to complete the development of the subject land;
 - b. require the developer to enter into a development agreement with the City for the provision of municipal infrastructure and supply of serviced land within a reasonable period; and
 - c. specify, by agreement with the developer, any requirements for the development of the land pursuant to Section 20 of the *Community Planning and Development Act*, including any restrictions on the use of the land.

10 PUBLIC NOTICE OF THE DISPOSAL OF CITY OWNED LAND

- 1) Before disposing of land to the public by ballot draw or call for development proposals, the City shall provide public notice in at least one of the following ways:
 - a. advertising in two consecutive issues of a local newspaper;
 - b. advertising in two consecutive issues of the City's weekly newsletter; or
 - c. advertising for three weeks on the City's website and social media platforms.

- 2) Each advertisement shall include:
 - a. a map or survey/sketch, drawn to scale, identifying the size and location of the land or lot;
 - b. the legal description, if any;
 - c. the purchase price, if applicable;
 - d. the process by which the disposal of the land will occur as outlined in section 10; and
 - e. the location and time at which applicants for the land may participate in the process.
- 3) After the public notice and the first offering, the Planning Administrator may dispose of the land without further advertisement at the sole discretion of the Planning Administrator.

11 LICENCE AGREEMENTS

- 1) The Planning Administrator may enter into licence agreements, subject to conditions as may be necessary or appropriate, without obtaining a by-law to authorize the particular licence agreement if the encroachment is related to one of the following:
 - a. a sign, canopy, or other architectural features for an existing or proposed development in those areas of the City where there is no setback requirement, provided that:
 - i. the encroachment is 2.5 meters or more above the average ground level where the encroachment occurs;
 - ii. the encroachment is part of or attached to the principal building;
 - iii. the encroachment is not over and above a utility easement; and
 - iv. all provisions of the Zoning By-law, as amended have otherwise been met and adhered to.
 - b. any portion of the roadways closed by By-law No. 2891, as amended;
 - c. an existing or proposed wheelchair ramp or other feature intended to improve access for persons with disabilities to any building provided that, in the opinion of the Planning Administrator, such encroachment will not materially interfere with the use of the City's land by the City or the public; or
 - d. an existing or proposed encroachment, such as a sidewalk patio, which is, in the opinion of the Planning Administrator, similar to the types of encroachments referred to above.
- 2) A licence agreement to be executed without Council approval must terminate:
 - a. upon the permanent removal or destruction of the encroachment; or
 - b. upon such earlier date or event as specified in the licence agreement.

- 3) A licence agreement shall not:
 - a. convey a fee simple interest in;
 - b. grant a fixed-term leasehold interest in; or
 - c. grant an option to purchase or right of first refusal to purchase City-owned land to a property owner.
- 4) A request for a licence agreement shall:
 - a. be made using the form specified by the Planning Administrator, as amended from time to time;
 - b. include such information as the Planning Administrator may deem necessary or appropriate to consider the request, including, but not limited to, a current real property report or site plan showing the location and extent of the existing or proposed encroachment; and
 - c. include a non-refundable application fee, as established (or pursuant to) in the City's Fees and Charges By-law, as amended.
- 5) Upon receipt of an application for a licence agreement, the Planning Administrator shall review the request for compliance with this by-law and any other applicable by-law or legislation and shall:
 - a. approve the use of a licence agreement, without a by-law, if the encroachment is of a type referred to in Section 11(1) of this by-law and the creation or continuation of the encroachment is necessary or desirable, in the opinion of the Planning Administrator; or
 - b. refer the request to Council if the type of encroachment or form of the agreement would require the approval of Council under this by-law or if the Planning Administrator otherwise deems the approval of Council to be desirable.

12 QUARRY LEASE AND ADMINISTRATIVE MANAGEMENT

- 1) The City shall manage and regulate quarries on Commissioner's Land and Municipal Land in accordance with the applicable statutes of the Government of the Northwest Territories, the City's Zoning By-law, as amended and the Development and Design Standards.
- 2) The acquisition and disposal of land for quarry purposes shall be subject to the requirements of this by-law.
- 3) Any agreement executed by the City to sublease, lease or sell land for quarry purposes shall require the purchaser or lessee to develop, operate and restore the land in accordance with the policies and guidelines established by the Government of the Northwest Territories, e.g. the Northern Land

Use Guidelines for Pits and Quarries, in addition to any City By-laws and any other requirements of the City.

- 4) Before executing a lease agreement or transfer for quarry lands, the City shall require the purchaser or lessee to obtain an approved development permit and provide an environmental security deposit with the City to ensure proper development and restoration of the site. The terms and amount of this security shall be in accordance with the Fees and Charges By-law, as amended. In addition to the environmental security deposit, the City may require additional security deposit following the Zoning By-law, as amended, requirements. The security shall consist of a Bond, Certified Cheque or Irrevocable Letter of Credit issued by a Chartered Bank or Surety Company.
- 5) The fees for Commissioner's Land and Municipal Owned Land quarries shall be charged pursuant to the City's Fees and Charges By-law, as amended. Fees collected for a quarry on Commissioner's Land shall be remitted to the Government of the Northwest Territories, and fees collected for a quarry on Municipal Owned land shall be retained by the City and allocated to the appropriate fund.

13 EXECUTION OF AGREEMENTS

- 1) All agreements shall be duly executed and sealed by the Planning Administrator upon the property Owner's payment of the fee, if required, for execution of the agreement, as set by by-law from time to time.

14 STANDARD FORM OF AGREEMENTS

- 1) The Planning Administrator may approve standard forms of agreement for the acquisition or disposal of land and may authorize administration to make such minor amendments to any such standard form agreement as may be necessary to adapt the agreement to the requirements of any particular transaction.

15 AMENDING LAND AGREEMENTS

- 1) Planning Administrator may amend any agreement's terms for the acquisition and disposal of land where the terms of the agreement conform to City policies and directives.

16 BY-LAW ADMINISTRATION

- 1) The forms, procedures and agreements required for the administration of this by-law shall be as determined from time to time by the Planning Administrator.

17 SEVERABILITY

- 1) Each provision of this by-law is independent of all other provisions. If a Court of competent jurisdiction declares any provision invalid for any reason, all other provisions of this by-law shall remain valid and enforceable, and the by-law shall be interpreted as such.

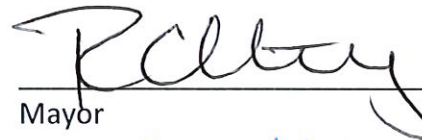
PART 3 – REPEALS AND EFFECT**REPEALS**

3. By-law No. 4596, as amended, is hereby repealed.


EFFECT

4. 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 27 day of MAY, A.D. 2024.



Mayor



City Manager

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

Mayor

City Manager

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

Summation of Statutory Public Hearing June 10, 2024 at 7:00 p.m.

On June 10, 2024, a Statutory Public Hearing was held for By-law No.5078, a by-law to repeal and replace the current Land Administration By-law No. 4596, as amended. During the hearing, one written submission and one oral presentation were presented in opposition to sections 3 (5) and (13) of the proposed By-law by the Yellowknife Chamber of Commerce. Council directed Administration to prepare a summation of the point raised during the hearing:

Concern	Administration Response
The exclusion of the requirement for a land disposal by-law as part of each land disposal process.	
<p>The subject raised by both the written submission and oral presentation concerned the exclusion by the City, of the requirement for a land disposal by-law as part of each land disposal process.</p> <p>It was the opinion of the Chamber of Commerce that eliminating this requirement greatly reduces transparency surrounding land disposal and the opportunity for Council and public stakeholders to share input. This change from the current Land Administration By-law diminishes the ability of democratically elected Council members to bring forward their concerns, which is integral to their decision-making process. Yellowknife residents, stakeholders and councillors are accustomed to the land disposal consultation process, as it sets the bar at the right level and creates the opportunity for public feedback that residents have come to value.</p>	<p>The intent of the change to the land disposal process is to streamline the administrative process and increase efficiency.</p> <p>These are the typical public processes prior to land disposition (minimum one up to all four):</p> <ul style="list-style-type: none">• a Community Plan amendment;• an Area Development Plan;• a Zoning By-law amendment; and/or• a plan of subdivision <p>Approval for the public processes include the Government of the Northwest Territories and/or City Council. Once the planning process is complete, disposal is an administrative process prior to the transfer of land.</p> <p>The draft by-law will save a minimum of two months and up to six months in processing time overall.</p>

Prepared: June 13th, 2024, JT/GL

Revised: June 13, 2024/CW



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Governance and Priorities

DATE: June 24, 2024

DEPARTMENT: Administration

ISSUE: Whether to appoint someone to fill a vacant position on the Audit Committee.

RECOMMENDATION:

That Council appoint a Professional Engineer, pursuant to Audit Committee By-law No. 4127, to serve on the City of Yellowknife (City) Audit Committee for a three-year term commencing July 23, 2024 and ending July 22, 2027.

BACKGROUND:

There is a vacancy on the Audit Committee.

It is the practice of the City to advertise all committee vacancies. The City advertised the vacancy, specifying that it be filled by an engineer in the City's newsletter, the City's website and social media sites.

COUNCIL STRATEGIC DIRECTION/RESOLUTION/POLICY:

Council Goal #1 People First.

Motion #0459-96: "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.

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

1. *Cities, Towns & Villages Act*; and
2. Audit Committee By-law No. 4217, as amended.

CONSIDERATIONS:

Consistency

The Audit Committee has recommended staggered terms for Committee members.

Legislation

Audit Committee By-law No. 4127 requires outside members to reside in Yellowknife and be independent from City Council, management, auditors, legal counsel and major contractors. Section 4.a.ii(3) states that the currently vacant position must be filled by a Professional Engineer.

Procedural Considerations

The Audit Committee helps to enhance the auditor's real and perceived independence by providing an intermediary link between the auditor and Council. The Audit Committee limits the reliance Council must place on the technical expertise of the independent auditor.

ALTERNATIVES TO RECOMMENDATION:

1. That Council appoint a Professional Engineer to the Audit Committee for an alternate term.
2. That the City re-advertise the vacancy on the Audit Committee.

RATIONALE:

The Audit Committee is intended to function with a full complement of six members. Having the term of a new member expire in three years will conform to the staggered term recommendation.

ATTACHMENTS:

Expression of interest from candidates.

Prepared: June 3, 2024; SJ/