



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE REPORT

Monday, October 7, 2024 at 12:05 p.m.

Report of a meeting held on Monday, October 7, 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 T. McLennan,
Councillor S. Payne, and
Councillor R. Warburton.

The following members of Administration staff were in attendance:

C. White,
C. Caljouw,
D. Gillard,
C. MacLean,
W. Newton,
K. Pandoo,
K. Thistle,
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.	(For Information Only) Committee read a memorandum regarding whether to acquire a fee simple interest in Lot 26, Block 569, Plan 4690 (121 Braden Boulevard).



Committee noted 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 Grace Lake South Residential.

The subject lot was created during Grace Lake South Residential Phase 2. 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, the City exercises its right to repurchase the lot. The City intends to resell this lot and provide opportunities for others to develop. Where property title is not in the City's name, the Land Titles Office requires acquisition by-laws to transfer the land ownership. The above mentioned lot shown in Figure 1 now requires an acquisition by-law.



Figure 1: Lot 26, Block 569, Plan 4690



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

Strategic Direction #1:

Focus Area 1.2

People First

Housing For All

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

Strategic Direction #3:

Focus Area 3.2.

Sustainable Future

Growth Readiness

Ensuring land development supports economic readiness and community priorities.

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

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. 5078.

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.

Zoning By-law

Lot 26, Block 569, Plan 4690 is in the Grace Lake South Residential and is zoned RE-Residential Estate.

Land Administration By-law

As outlined in Sections 2 and 3 of the Land Administration By-law, the City may acquire and dispose of a fee simple interest in any real property.

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 of time. 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 and revert the land by the terms of the Purchase and Option to Purchase Agreements.

Committee noted that 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 residential subdivision for development supports the creation of new housing in the City.

Committee recommends that By-law No. 5093, a by-law authorizing the City of Yellowknife to acquire fee simple Lot 26, Block 569, Plan 4690, be presented for adoption.



(For Information Only)

4. Committee read a memorandum regarding whether to amend the legal description in Greater Land Application By-law No. 4757.

Committee noted that in October 2013, Council gave the First Reading to By-law No. 4757 and directed Administration to submit the Greater Land Application 2013 to the Department of Municipal and Community Affairs, Government of the Northwest Territories (GNWT).

In February 2015, Council gave the Second and Third Reading to By-law No. 4757, authorizing the Municipal Corporation of the City of Yellowknife to acquire fee simple title parcels surveyed and un-surveyed for municipal purposes.

Between 2015 and 2024, City worked to acquire the parcels listed, both surveyed and un-surveyed. In November 2021, the GNTW sent Sale Agreements for City Hall for Lot 14, Block 52, Plan 4805 and Lot 15, Block 52, Plan 4805, wherein the Commissioner agreed to sell the land under City Hall for 1 dollar each. As a condition, the Land was to be surveyed by a Canada Land Surveyor at the expense of the City, and the new survey plan was registered at the Land Titles Office (LTO) for the Northwest Territories Registration District in Yellowknife. It was noted that the City needed to update By-law No. 4757 by adding legal descriptions of each parcel as they now have legal descriptions.

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

Strategic Direction #3:

Sustainable Future

Focus Area 3.2

Growth Readiness

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.

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

1. *Cities, Towns and Villages Act S.N.W.T. 2003*; and
2. Land Administration By-law No. 5078.

Legislative

Sections 53 and 54 of the *Cities, Towns, and Villages Act*, state that a municipality may acquire and dispose of real property only if the acquisition or disposition is expressly authorized or approved by a by-law.



Section 2 of Land Administration By-law No. 5078 stipulates that the City may acquire fee simple or leasehold interest in any real property which is required for municipal purposes.

Committee noted that the Planning and Development Department proposes to add the updated legal descriptions for Lot 14, Block 52, Plan 4805, and Lot 15, Block 52, Plan 4805, to comply with GNWT Land Title legislation and successfully acquire parcels through the updated By-law No. 4757.

Committee recommends that By-law 5094, a by-law to amend By-law No. 4757 by including a legal description for parcels of lands number E4 and E5, as shown on Schedule “A,” forming part of this by-law with the following: “Lot 14, Block 52, Plan 4805, and Lot 15, Block 52, Plan 4805, Yellowknife”, be presented for adoption.

(For Information Only)

5. Committee read a memorandum regarding additional information regarding the proposed amendment to Zoning By-law No. 5045, as amended, as discussed on September 23, 2024.

Committee noted that on September 23, 2024, Administration presented to GPC the draft Zoning By-law amendment to add two new Residential Intensification zones (RI and RI-1) and associated changes to facilitate residential intensification for more housing options. As requested by GPC, additional information is provided for clarification on Floor Area Ratio (FAR).

Floor Area Ratio (FAR) is the ratio of total floor area of a development over the total site area. A higher ratio means a larger scale development and vice versa. FAR is an effective tool to determine building volume and development scale. Compared to traditional zoning requirements, one advantage of FAR is that it permits flexible building designs that accommodate different lot configurations and topographies to achieve the development goal. The development objective is to facilitate infill housing.

The proposed RI and RI-1 Zone contain a minimum FAR requirement – being 1.0 for RI Zone and 0.6 for RI-1 Zone. The purpose of a minimum FAR requirement is to ensure that a new development of a minimum scale will add to the housing supply. Developments that meet the minimum scale will also use the land and municipal infrastructure in an efficient manner, which is consistent with Community Plan policies. The FAR values are well researched to ensure it is feasible to build while being compatible with the neighborhood and surrounding built areas. Committee was provided with some examples of existing residential developments in Yellowknife and their FAR values for reference.

FAR is supplemented by additional zoning requirements, such as height limit, maximum lot coverage, and setbacks. For example, the height limit for RI-1 Zone is 12 metres, which is the same height limit for all land uses in R1 Zone and most land uses in R2 Zone. The height limit (along with other zoning requirements) ensures that new developments exceeding the minimum FAR remain compatible with the surrounding built areas and will not create an



intrusive development. This is key for a successful new or infill residential intensification development.

Committee noted that Council's policies, 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.

Strategic Direction #3: Sustainable Future

Focus Area 3.2

Growth Readiness

Ensuring land development supports economic readiness and community priorities.

Key Initiatives 3.2.2

Completing land development tools and strategies that support growth readiness.

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

- *Cities, Towns and Villages Act S.N.W.T. 2003;*
- *Community Planning and Development Act S.N.W.T. 2011, c.22;*
- Community Plan By-law No. 5007;
- Zoning By-law No. 5045, as amended;
- Northern Housing Report 2023 – Canadian Mortgage and Housing Corporation (CMHC);
- Economic Development Strategy 2020-2024 – City of Yellowknife;
- Background Report Community Plan Update 2019 – Dillon Consulting;
- Census Profile of Yellowknife 2021 – Statistics Canada; and
- Draft Housing Needs Assessment – in progress – Urban Systems 2024.

(For Information Only)

6. Committee read a memorandum regarding whether to amend Zoning By-law No. 5045, as amended, by adding two new Residential Intensification zones (RI and RI-1) and associated changes to facilitate development of more housing options.

Committee noted that in January 2023, Council directed Administration to initiate planning applications in support of infill and densification development. In 2024, the City received the Housing Accelerator Fund (HAF) from the Government of Canada to support housing development within the city.



Yellowknife is in need of more housing options. Housing is a key consideration that will support the community, new residents and a growing economy. The Planning and Development Department drafted a Zoning By-law amendment that supports residential intensification development, in an effort to bring more housing and to encourage the efficient use of existing infrastructure.

New zones are required to facilitate residential intensification. This amendment will create planning tools in preparation of the upcoming lot creation for infill development and new residential development in the city. No property will be zoned RI or RI-1 within the scope of this amendment. Rezoning will be proposed separately when land becomes available.

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

Strategic Direction #1:

Focus Area 1.2

Key Initiative 1.2.1

People First

Housing for All

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

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

Strategic Direction #3:

Focus Area 3.2

Key Initiatives 3.2.2

Sustainable Future

Growth Readiness

Ensuring land development supports economic readiness and community priorities.

Completing land development tools and strategies that support growth readiness.

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. *Northern Housing Report 2023 – Canadian Mortgage and Housing Corporation (CMHC);*
6. *Economic Development Strategy 2020-2024 – City of Yellowknife;*
7. *Background Report Community Plan Update 2019 – Dillon Consulting;*
8. *Census Profile of Yellowknife 2021 – Statistics Canada; and*
9. *Draft Housing Needs Assessment – in progress – Urban Systems 2024.*

Legislative

The *Cities, Towns and Villages Act* and *Community Planning and Development Act* provides Council with the authority to, amend the Zoning By-law following the procedures established in the regulations.



Section 3.2.1 c) of the Zoning By-law specifies that Council may approve, add any specific provision(s), or deny applications for an amendment to this By-law.

The *Community Planning and Development Act* specifies that a zoning by-law shall divide the municipality into zones with specific requirements and uses as Council considers appropriate. The zoning by-law may also include provisions respecting the development design standards, lot sizes, building height and size, placement of buildings, setbacks, landscaping, parking, yards and open spaces, access, density and other aspects of development.

Community Plan By-law No. 5007

The Community Plan By-law No. 5007 provides high-level policies that set out a vision for the future growth and development of the city and guide the zoning by-law in terms of the use and development of land and buildings. The visions of the Community Plan is to manage land use in an economically, environmentally, and socially sustainable manner, which supports residential intensification development.

Zoning By-law No. 5045, as amended

Zoning By-law No. 5045, as amended, regulates the use and development of land and buildings within the city in a balanced and responsible manner. The proposed amendment conforms to the Community Plan and other applicable regulations.

- New RI and RI-1 Zone

The two proposed new zones, RI and RI-1 Zone, are required to facilitate residential intensification development to provide more housing options. RI-1 Zone is a “lite” version of RI Zone that supports residential intensification of a reduced scale within existing neighbourhoods or where properties have limitations, such as topography challenges.

Permitted uses primarily include multi-unit and townhouse dwellings (RI-1 Zone permits duplexes), with limited compatible uses and discretionary uses. No single detached dwellings will be permitted within the new zones. There are multiple existing zones that allow single detached dwellings or a mix of other uses. Zoning requirements, such as floor area ratio, height, and setbacks, are tailored for each zone and are in place to ensure that future developments are compatible with the surroundings.

New zones are intended to be applied to properties or land that are ideal for new or infill residential intensification. It is not the intent to rezone entire neighbourhoods for re-development. Rezoning will be considered separately when lands become available.

- Associated Changes

Associated changes, such as definitions and zoning requirements, are added/updated in response to the new zones and for the better implementation of the by-law.

Minimum parking requirements for multi-unit residential development within Parking Standard Area 2 is replaced with a maximum parking requirement of one space per dwelling



unit. Reducing parking is consistent with the goal of residential intensification as well as encouraging the use of active transportation and public transit.

Updates to the requirements of recreation space provides a measurable standard for clarity and implementation. It is consistent with the original intent of the requirement, which is to provide a reasonable and pleasing living environment to the residents.

Economic Development

The City of Yellowknife Economic Development Strategy 2020-2024 indicates that the lack of rental and affordable housing makes it difficult for businesses to recruit and retain employees. It is especially challenging for small and medium firms.

The proposed amendment encourages residential intensification that will increase housing options for residents, including future residents seeking employment within the city. A healthy supply of housing options supports and stimulates economic growth.

Asset Management

Residential intensification is a good land use practice that utilizes existing infrastructure, land, and municipal services, which is efficient and cost-effective in terms of asset management.

Departmental Consultation

No negative impacts are identified from internal city departments. Future rezoning will require further consultation with internal departments and detailed analysis on a case-by-case basis.

Public Consultation

Public engagement was conducted through PlaceSpeak, via surveys and discussion forums as well by email and phone conversation directly with the public who contacted the office. Public input has been collected, reviewed, and incorporated in the draft amendment. Comments and Administration's response can be found in the Planning Report.

Committee noted the Planning and Development Department proposes to add two new Residential Intensification zones (RI and RI-1 Zone) and some associated changes to Zoning By-law No. 5045, as amended, to facilitate new or infill residential development to bring more housing options to residents. Housing supports community and economic growth. The new zones are tailored to the Yellowknife context. Residential intensification is a good planning practice for efficient use of infrastructure and services as well as for fiscally-responsible land use management. The City's Community Plan strongly supports such initiative through policies regarding land use designations, climate change, transportation, municipal infrastructure and land development sequencing. This proposed amendment also supports Council's Key Initiative 1.3.1. to set the context and foundation for a fulsome continuum of housing options and Key Initiatives 3.2.2 to complete land development tools and strategies that support growth readiness. Council is the approval authority to adopt the



amendment by-law, as per the *Cities, Towns and Villages Act* and *Community Planning and Development Act*.

The proposed amendment to the Zoning By-law is in compliance with legislation, conforms to the policies of the Community Plan and represents good land use planning.

Committee requested that a reference to “Floor Area Ratio” (FAR) be removed prior to presenting the By-law for First Reading.

Committee recommends that By-law No. 5095, a by-law to amend Zoning By-law No. 5045, as amended, to add two new Residential Intensification zones (RI and RI-1) and associated changes, be presented for adoption.

(For Information Only)

7. Committee read a memorandum regarding whether to amend Fees and Charges By-law No. 4436, as amended, by amending Part 18 of Schedule B.

Committee noted that on September 23, 2024, Council approved By-law No. 5092, a by-law to amend Part 18 of Schedule B of Fees and Charges By-law No. 4436, as amended. The fee for a development appeal was increased from \$25 to \$400.

However, a housekeeping amendment to the Fees and Charges By-law No. 4436, as amended, is required as By-law No. 5092 inadvertently referred to outdated development permit fees which must be corrected for by-law consistency and accuracy.

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

Motion #0170-24	Third Reading of By-law No. 5092, a by-law to amend Part 18 of Schedule B of Fees and Charges By-law No. 4436, as amended.
-----------------	--

Strategic Direction #1: Service Excellence

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

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

Committee noted that Administration is recommending the following housekeeping amendments to Fees and Charges By-law No. 4436, as amended:



PART 18 – Development Permit Fees
 (Zoning By-law No. 5045)

APPLICATION/SERVICE	FEE
<p><u>Where the development involves more than one type of development or application, the fee shall be the sum of all applicable fees.</u></p>	
<p>Where development requiring a permit proceeds without one being obtained, the appropriate application fee(s) shall be doubled. (For this Part, where the development involves more than one type of development, the fee shall be the sum of all applicable fees. Where development proceeds without a permit being first obtained, the appropriate fees shall be doubled. Where a demolition development permit application is separated from an application for construction on the same site, the demolition development permit application fee shall be based on the type of the building/structure to be demolished)</p>	
<p>Single Family Detached Dwelling or Secondary Suite</p>	<p>\$300.00 per application \$175.00 per application</p>
<p>Duplex Dwelling Duplex or Semi-Detached</p>	<p>\$400.00 per application \$300.00 per application</p>
<p>Multi-Family Dwelling or Townhouse Dwelling or Multi-Attached Dwelling</p>	<p>\$500.00 per application + \$150.00 per unit \$250.00 per application + \$30 per unit</p>
<p>Commercial, Industrial Use or other Non-Residential Use (includes non-residential additions, fences and accessory structures)</p>	<p>\$500.00 per application + \$2.00/m² of gross floor area + \$0.10/m² of land area for new site development \$500.00 per application + \$0.55/m² of gross floor area</p>
<p>Home Occupation/Home Based Business</p>	<p>\$100.00 per application \$50.00 per application</p>
<p>Sign</p>	<p>\$100 per application for temporary + \$50 per sign \$300 per application for permanent + \$100 per sign \$75.00 per application</p>
<p>Residential Addition to detached dwelling</p>	<p>\$250.00 per application \$100.00 per application</p>
<p>Residential decks, fences and accessory structures</p>	<p>\$125.00 per application \$75.00 per application</p>
<p>Request for Discretionary Use Request for Conditionally Permitted Use</p>	<p>\$1,500.00 per application \$250.00 per application</p>
<p>Request for Change of Use</p>	<p>\$1,000.00 per application \$100.00 per application</p>
<p>Request for an amendment to an Effective Development Permit</p>	<p>\$200.00 for a Single Detached or Duplex dwelling \$400.00 for Multi Unit Dwelling, Townhouse Dwelling or Commercial, Industrial Use or other Non-Residential Use</p>
<p>Variance Request</p>	<p>—\$400.00 per application (50% of variance request fee refundable if variance denied) \$50.00 for a variance less than or equal to 10% —\$200.00 for variance greater than 10% and less than 25% —\$300.00 for variance greater than 25% (50% of variance request fee refundable if variance denied)</p>
<p>Zoning and/or General Community Plan Amendment</p>	<p>\$3,500.00 for Zoning Amendment \$7,000.00 for Zoning and Community Plan Amendment Greater of \$1,000.00 or \$1.00/m² of area to be amended up to a maximum of \$5,000.00</p>
<p>Request for Certificate of Compliance or File Information Letter Request for Certificate of Compliance, or File Information Request (also includes file</p>	<p>—\$100.00 per letter for a Single Detached or Duplex dwelling \$200.00 per letter for a Multi Unit Dwelling, Townhouse Dwelling or Commercial, Industrial Use or other Non-Residential Use \$50.00 per letter for a Single</p>



Information Retrieval)	family, Duplex or semi-detached dwelling - \$100.00 per letter for a Multi-family, commercial or industrial use
Development Permit Appeal	\$400.00 per application (fee reimbursed if decision of Development Officer is reversed)
<u>License Agreement</u>	<u>\$1,000 one time fee</u>
<u>Municipal Land Test Drilling</u>	<u>\$500</u>
<u>Conversion of Paper Submission (maximum paper size of 11" x 17") to Electronic Form</u> Conversion of Paper Submission to Electronic Form	<u>\$50 + \$2 per page</u> \$10.00

Committee recommends that By-law No. 5096, a by-law to amend Part 18 of Fees and Charges By-law No. 4436, as amended, be presented for adoption.

8. The meeting adjourned at 1:01 p.m.