



CITY OF YELLOWKNIFE

Council Agenda

Monday, October 28, 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.



Item No.

Description

OPENING STATEMENT

1. Councillor Warburton 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. There were no awards, ceremonies or presentations for the agenda.

ADOPTION OF MINUTES FROM PREVIOUS MEETING(S)

Previously
Distributed

3. Minutes of Council for the regular meeting of Tuesday, October 15, 2024 are presented for adoption.

4. Councillor Warburton moves,
Councillor _____ seconds,

That Minutes of Council for the regular meeting of Tuesday, October 15, 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

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

CORRESPONDENCE & PETITIONS

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



Item No.

Description

STATUTORY PUBLIC HEARINGS

7. Statutory Public Hearing regarding 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.

DELEGATIONS PERTAINING TO ITEMS ON THE AGENDA

8. Public presentations regarding the 2025 Budget:
1. Ainsley Dempsey, a representative of the Yellowknife Tennis Club, regarding court resurfacing.
 2. Becca Denley, a representative of the NWT Recreation and Parks, regarding bike signage program, installation of three (3) bike counters, traffic calming measures on Range Lake Road and art crosswalks.
 3. Adam Denley regarding transportation.
 4. Aida Nciri regarding climate change and cycling/pedestrian infrastructure.
 5. Craig Scott, a representative of Communities in Motion, regarding winter maintenance, new snow removal methods in Yellowknife, painted bike lines and Frame Lake Trail Extension.
 6. Simon Toogood regarding cycling.
 7. Teresa Horosko, a representative of Folk on the Rocks, regarding a proposal for loan forgiveness toward reinvestment in the Folk on the Rocks site.

MEMBER STATEMENTS

9. There were no statements for the agenda.
10. Are there any Member statements from the floor?

INTRODUCTION AND CONSIDERATION OF COMMITTEE REPORTS

Councillor Warburton will introduce the following reports:

11. Governance and Priorities Committee Report for October 15, 2024.
12. There was no business arising from this meeting.
13. Governance and Priorities Committee Report for October 21, 2024.
14. Councillor Warburton moves,
Councillor _____ seconds,



Item No. **Description**

That Council adopt the following recommendations presented by the Human Resource Compensation Committee (HRCC) for the 2024 City Manager Performance Evaluation Process:

- 1. October 29: Mayor Alty to send Council and the City Manager the year end performance review template;**
- 2. November 15: Deadline for Council members and the City Manager to complete the template and send back to Mayor Alty; and**
- 3. November 25 (GPC): Year End Performance Review (In Camera).**

Unanimous	In Favour	Opposed	Carried / Defeated
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NEW BUSINESS

15. A memorandum regarding Integrity Commissioner Investigation Report dated October 10, 2024.

16. Is there any new business from the floor?

ENACTMENT OF BY-LAWS

17. 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 is presented for Second and Third Reading.

18. Councillor Warburton moves,
 Councillor _____ seconds,

Second Reading of By-law No. 5095.

Unanimous	In Favour	Opposed	Carried / Defeated
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19. Councillor Warburton moves,
 Councillor _____ seconds,

Third Reading of By-law No. 5095.

Unanimous	In Favour	Opposed	Carried / Defeated
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<u>Item No.</u>	<u>Description</u>
20.	<u>DEFERRED BUSINESS AND TABLED ITEMS</u>
21.	There was no deferred business and there were no tabled items for the agenda.
22.	Is there any deferred business or are there any tabled items from the floor?
	<u>OLD BUSINESS</u>
23.	There was no old business for the agenda.
24.	Is there any old business from the floor?
	<u>NOTICES OF MOTION</u>
25.	There were no notices of motion for the agenda.
26.	Are there any notices of motion from the floor?
	<u>DELEGATIONS PERTAINING TO ITEMS NOT ON THE AGENDA</u>
27.	There were no delegations pertaining to items not on the agenda.
	<u>ADMINISTRATIVE ENQUIRIES</u>
28.	There were no administrative enquiries for the agenda.
29.	Are there any administrative enquiries from the floor?
	<u>ADJOURNMENT</u>



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE REPORT

Tuesday, October 15, 2024 at 12:05 p.m.

Report of a meeting held on Tuesday, October 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, (12:09 p.m.)
Councillor T. McLennan,
Councillor S. Payne, and
Councillor R. Warburton.

The following members of Administration staff were in attendance:

S. Van Dine,
C. Caljouw,
D. Gillard,
C. MacLean,
W. Newton,
K. Pandoo,
K. Thistle,
C. White,
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.



(For Information Only)

3. Committee heard a presentation from Jake Papineau, a representative from Urban Systems, regarding the City of Yellowknife Housing Needs Assessment update.

(For Information Only)

4. Committee read a memorandum regarding whether to repeal and replace Development Incentive Program By-law No. 4534, as amended, and whether to amend Financial Administration By-law No. 4206, as amended.

Committee noted that Development Incentives are used to facilitate new development, support redevelopment, and to encourage new residential, commercial and industrial development within the City of Yellowknife. Development Incentive By-law No. 4534, as amended, has produced limited success. Council directed Administration to develop a new by-law with the intent of creating a set of programs, stackable where possible, including abatements, grants and in-kind contributions.

Administration has completed a comprehensive review of all of the current incentive programs offered by the City; offered in other jurisdictions; as well as, the current funds and revenues for development incentives. In May 2024, Administration brought a menu of options to Governance and Priorities Committee for discussion and direction. The draft by-law reflects the direction provided, legislative authority, public consultation, the Housing Accelerator Fund (HAF) and is respectful of current funding.

Council's Strategic Directions, Budget and Community Plan form the basis for broad opportunities related to Downtown, Accessibility, Housing, Climate Change, Commercial, Industrial and Redevelopment initiatives. Development incentives, both monetary and in-kind, are provided by municipalities to encourage investment that might not otherwise happen and can be used to promote specific types of development and improvements in an identified area.

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.

Focus Area 1.3

Liveable Community

Supporting all residents to participate in the social fabric and physical space of our community.

Key Initiative 1.3.1

Providing affordable and diverse recreation and arts opportunities for residents.



Key Initiative 1.3.3	Supporting design standards that are multi-modal including recognizing Yellowknife’s advantages as a winter city.
Strategic Direction #3:	Sustainable Future
Focus Area 3.1	<u>Resilient Future</u> Enhancing Yellowknife as a great place to live, visit, work and play now and into the 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.
Focus Area 3.3	<u>Robust Economy</u> Doing our part to stimulate and amplify economic development opportunities.
Motion #0129-22	That Council direct Administration to: (i) Review all current development and business incentive programs offered by the City of Yellowknife, including the Development Incentive Program By-law No. 4534; and (ii) Bring forward recommendations for a comprehensive incentive program, funded from the Downtown Improvement Reserve, that facilitates development in the downtown.
Motion #0141-22	That Council direct Administration to: (i) utilize the Revitalization Initiative Fund toward the development of City owned lands within the Downtown by contributing to the Land Fund to facilitate: a. selling Lots 8, 9, and 10, Block 31, Plan 65 (5016, 5018 and 5022 50th Street) for less than appraised value, pursuant to a Request for Proposal process; and b. selling Lot 34, Block 30 (50/50 Lot) for less than appraised values, pursuant to the Terms of Reference/Request for Proposal



attached to and forming part of the memorandum to committee dated September 12, 2022.

- (ii) transfer \$2.275 million dollars from the Revitalization Initiative Fund to the Land Administration Fund to cover the land value of the properties listed above;
- (iii) transfer \$141,000 dollars from the Revitalization Initiative Fund to the Downtown Improvement Reserve to support Development Incentives; and
- (iv) to close the Revitalization Initiative Fund.

Motion #0109-24

That Council direct Administration to bring forward a draft Development Incentive By-law to reflect the incentives in Table A.

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

1. *Cities, Towns and Villages Act S.N.W.T. 2003;*
2. *Community Plan By-law No. 5007;*
3. *Zoning By-law No. 5045, as amended;*
4. *Land Administration By-law No. 5078;*
5. *Development Incentive Program By-law No. 4534, as amended;*
6. *City of Yellowknife Vision for Downtown Revitalization;*
7. *Retail Revitalization Strategy;*
8. *City of Yellowknife Economic Development Strategy (2020-2024);*
9. *2010 Smart Growth Development Plan;*
10. *City of Yellowknife Visitor Services Strategy;*
11. *YKDFN/City Joint Economic Development Strategy;*
12. *Accessibility Audit Report & Implementation Strategy (2018);*
13. *Trail Enhancement and Connectivity Strategy Report (2018);*
14. *10 Year Plan to End Homelessness (2017);*
15. *Development & Design Standards (ongoing);*
16. *Corporate and Community Energy Action Plan (2015-2025); and*
17. *Yellowknife Downtown Façade Improvement Guidelines (2017).*

Committee noted that there are many properties vacant or underutilized with limited development interest throughout the city. When these properties sit vacant or underused, there are lost opportunity costs to the city and community. Examples include, tax revenue, development connected to municipal services help pay for the services (sewer and water), lack of housing and potential benefits to the adjacent lands, neighbourhood and community connectivity.

Financial Considerations

There is currently \$730,000 in the Downtown Development Reserve. Funding comes from a combination of: 25% of parking fees are allocated to fund the Development Incentives



Program By-law; and Council passed a resolution in August 2022 for a one-time addition of funding when the Revitalization Fund (\$2,416,000) is closed. The balance transfer from the Revitalization Fund to the Downtown Development Reserve will be ~\$141,000.

In April 2024, the Government of Canada announced the City of Yellowknife's successful application to the Housing Accelerator Fund. Specific funding is included to be dedicated to Development Incentives directly resulting in the construction of new dwellings. HAF specifically allocates funds for affordable and missing middle dwelling options through an incentives program. This equals approximately \$200,000 per year for four years. Additional HAF programs and allocations may be available as the City develops and implements the required initiatives.

Administration has included in the draft by-law that incentive options (not funded by HAF) in future years will be available based on funding. Funding will be a consideration for Council during future budget deliberations.

Committee noted that the options recommended incorporate priorities identified through Council's Strategic Directions, which support the Downtown, Accessibility, Climate Change, Housing, Commercial, Industrial, and Redevelopment. Administration supports and recommends all the options presented in By-law No. XXXX. The incentives incorporated into By-law No. YYYY are in our current by-law, and processes exist; funded through HAF; or there is money available in the current Downtown Development Reserve (to be renamed Development Incentive Reserve).

(For Information Only)

5. Committee recessed at 1:34 p.m. and reconvened at 1:45 p.m.
6. Committee continued its discussion regarding a memorandum regarding whether to repeal and replace Development Incentive Program By-law No. 4534, as amended, and whether to amend Financial Administration By-law No. 4206, as amended.

In response to a question from Committee, Administration undertook to provide the Downtown Development Reserve balance.

Committee referred the memorandum regarding whether to repeal and replace Development Incentive Program By-law No. 4534, as amended, and whether to amend Financial Administration By-law No. 4206, as amended, back to Administration. Committee requested a number of changes to the by-law and items for follow up to be brought forward to a future GPC meeting.

(For Information Only)

7. Committee accepted for information a memorandum regarding an update on the City's Corporate and Community Energy Action Plan 2015 – 2025 and the commencement of Climate Action Plan 2026 – 2036 project.



Committee noted on May 8, 2017, City Council adopted the Corporate and Community Energy Action Plan 2015 – 2025 (CCEAP), which is nearing the end of its term. The CCEAP was the second phase in the City’s long-term energy planning, the first being from 2006 to 2014. It is a 10-year energy roadmap supporting greenhouse gas (GHG) emission reduction targets, both corporate and community-wide. The previous update of the CCEAP was presented to Council in October 2020. Administration presented to Council the Ongoing Commitment to Climate Action in September 2021, which provided a summary to Council on actions undertaken by the City regarding climate change.

The four principles of the CCEAP are: (1) developing efficiency in heating systems, (2) diversifying energy profiles, (3) setting cost-effective strategies for GHG emission reduction, and (4) increasing long-term adaptability. In order to achieve these goals, the CCEAP has:

- 1) Established GHG emission reduction actions based on the City’s long-term aspirational targets of 100% renewable energy by 2050 (set out in the 2004 – 2014 Community Energy Plan);
- 2) Set targets for energy initiatives and energy-efficient capital projects both corporate and community-wide;
- 3) Fulfilled the reporting requirements of Milestones 2 (setting emission reduction targets) and 3 (developing a local action plan) of the Partners for Climate Protection Program.

Over the past 9 years, many CCEAP targets have been met through efforts made by the City and community, while some targets were not met. It is important to review and evaluate the successes and challenges of the CCEAP. Careful analysis of the lessons learned from the CCEAP is crucial to inform decision-making for the Climate Action Plan 2026 – 2036 (the Plan). Administration is initiating the Plan development in line with the federal and territorial legislation and strategies, and with consideration of the 2023 – 2026 Council Strategic Directions. The attached Update Report informs Council of a brief description and analysis of each target set in the CCEAP.

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

Strategic Direction #3:

Sustainable Future

Focus Area 3.1

Resilient Future

Enhancing Yellowknife as a great place to live, visit, work and play now and into the future.

Key Initiative 3.1.1

Advancing energy initiatives, including district energy options to energy retrofits.

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

1. *Canadian Net-Zero Emissions Accountability Act S.C. 2021, c. 22;*
2. 2030 Emissions Reduction Plan – Canada’s Next Steps for Clean Air and a Strong Economy;
3. Pan-Canadian Framework on Clean Growth and Climate Change;



4. 2022 to 2026 Federal Sustainable Development Strategy;
5. Government of Northwest Territories 2030 Energy Strategy; and
6. 2030 NWT Climate Change Strategic Framework.

Relevant City plans:

1. Community Plan By-law No. 5007 (2020); and
2. Strategic Waste Management Plan (2018).

Past documents:

1. Ongoing Commitment to Climate Action, Council Administration Round Table, September 29, 2021;
2. 2015 – 2025 Corporate and Community Energy Action Plan, Midway Progress Report, October 19, 2020; and
3. Community Energy Plan 2004 – 2014.

7. In response to a question from Committee, Administration undertook to provide more information regarding GHG emissions for the waste sector (increase by 128 tonnes CO₂e).
8. Councillor Arden-Smith moved,
Councillor Hendriksen seconded,

That, pursuant to Section 118 (11) of Council Procedures By-law No. 4975, as amended, the meeting be extended beyond three (3) hours.

MOTION CARRIED UNANIMOUSLY

(For Information Only)

9. Committee discussed a Councillor leave request.

Councillor Fequet requested a temporary, unpaid, four month Leave of Absence from City Council from January 2025 to end of April 2025. Councillor Fequet stated that last year was challenging for his family, particularly his children, and this request is to allow for him and his wife to focus on their family. Councillor Fequet stated that he has reviewed different municipalities whose policies vary, and noted that some provide for automatic approval for medical and parental leave and noted that some provide for personal leave, approval of which is on a case-by-case basis.

(For Information Only)

10. Councillor Fequet excused himself from the meeting at 3:05 p.m. to allow Committee to debate his request.
11. Committee continued its discussion regarding the leave request and debated the merits of approving such a request. Committee noted that the City currently does not have a policy in this regard, however the Council Procedures By-law states that any Member absent for three (3) consecutive regular meetings of Council, without Council's permission by



resolution passed at a regular meeting of Council, shall be deemed to have resigned. Committee noted that Councillor Fequet's request could impact quorum; Committee Membership; Council business; meetings with constituents; and set a precedent for future requests. Committee further noted that while remote participation can be accommodated from time to time the challenge is that remote participation over six months would prevent participation in other aspect of the work of Council. Committee noted that Councillor Fequet intends to gather public feedback regarding his request prior to the next Council meeting and formal decision regarding this matter.

Committee recommended that Council not grant Councillor Fequet permission to be absent for three (3) consecutive regular meetings of Council.

(Councillor Fequet subsequently withdrew this request at the October 21, 2024 Governance and Priorities Committee meeting.)

8. The meeting adjourned at 3:35 p.m.



CITY OF YELLOWKNIFE

GOVERNANCE AND PRIORITIES COMMITTEE REPORT

Monday, October 21, 2024 at 12:05 p.m.

Report of a meeting held on Monday, October 21, 2024 at 12:05 p.m. in the City Hall Council Chamber.
The following Committee members were in attendance:

Chair: Deputy Mayor G. Cochrane,
Mayor R. Alty, (via teleconference)
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. Van Dine,
D. Gillard,
R. Johnson,
C. MacLean,
W. Newton,
K. Pandoo,
K. Thistle,
C. White,
G. White, and
S. Jovic.

<u>Item</u>	<u>Description</u>
1.	(For Information Only) Deputy Mayor Cochrane read the Opening Statement.
2.	(For Information Only) Committee agreed unanimously to amend the agenda to include a discussion regarding a Councillor leave request.



- (For Information Only)
3. There were no disclosures of conflict of interest.
- (For Information Only)
4. Committee heard a presentation and discussion regarding Budget 2025.
- (For Information Only)
5. Councillor Arden-Smith left the meeting at 1:10 p.m.
- (For Information Only)
6. Committee continued its discussion regarding Budget 2025.
- (For Information Only)
7. Committee accepted for information a memorandum regarding Budget 2025 Public Input.

Committee noted that the City of Yellowknife invited residents to help shape the 2025 Budget by submitting project proposals from July 17, 2024 to August 16, 2024 utilizing an online form. Residents were asked to consider Council's Strategic Directions as well as tax and service implications. The online form allowed residents to submit a complete project proposal, together with cost estimate for their submission.

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

Strategic Direction #1:	People First
Focus Area 1.3	<u>Liveable Community</u> Supporting all residents to participate in the social fabric and physical space of our community.
Key Initiative 1.3.1	Providing affordable and diverse recreation and arts opportunities for residents.
Strategic Direction #2:	Service Excellence
Focus Area 2.1	<u>Asset Management</u> Planning, implementing and maintaining assets to reliably, safely and cost effectively deliver services for current and future community needs.
Focus Area 2.2	<u>Capacity</u> Balancing service levels with human and fiscal resources.
Strategic Direction #3:	Sustainable Future
Key Initiative 3.2.4	Sustaining infrastructure capacity for future growth.

Committee noted that applicable legislation, by-laws, studies or plans include:
Cities, Towns and Villages Act.



8. **Committee read a memorandum regarding whether to adopt the recommendations set forth by the Human Resource Compensation Committee for the 2024 City Manager Performance Evaluation Process.**

Committee noted that on March 11, 2024, Council established the Human Resource Compensation Committee. The HRCC provides recommendations to Council related to the recruitment, hiring, performance evaluation, compensation, performance management and termination of the City Manager.

The HRCC met on October 4, 2024 and discussed the 2024 City Manager Performance Evaluation Process.

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

Strategic Direction #2:	Service Excellence
Focus Area 2.3	<u>Organizational Culture</u>
	Providing a positive and productive workplace environment for effective governance and service excellence.

Council Motion#0009-24 (January 22, 2024)

That Administration be directed to bring forward a memorandum and Terms of Reference to establish a Human Resource and Compensation Committee (HRCC) to provide recommendations to Council related to the recruitment, hiring, performance evaluation, corrective action, and termination of the City Manager.

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

1. Council Procedures By-law No. 4975, as amended;
2. Senior Administrative Officer By-law No. 5035; and
3. *Cities, Towns and Villages Act.*

Legislation

Section 122 of Council Procedures By-law No. 4975, as amended 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.



Committee noted that the purpose of the HRCC is to make recommendations to Council related to:

- a. the recruitment and hiring process in the event of a vacancy or the defined departure of the City Manager;
- b. the annual performance evaluation process for the City Manager;
- c. proposed adjustments to compensation for the City Manager either during the hiring process and/or resulting from a performance evaluation; and
- d. any performance management issues with the City Manager as determined by Council.

Committee recommends that Council adopt the following recommendations presented by the Human Resource Compensation Committee (HRCC) for the 2024 City Manager Performance Evaluation Process:

- 1. October 29: Mayor Alty to send Council and the City Manager the year end performance review template;**
- 2. November 15: Deadline for Council members and the City Manager to complete the template and send back to Mayor Alty; and**
- 3. November 25 (GPC): Year End Performance Review (In Camera).**

MOVE APPROVAL

(For Information Only)

9. Committee recessed at 1:23 p.m. and reconvened at 1:35 p.m.

(For Information Only)

10. Committee discussed a Councillor leave request. Councillor Fequet noted that at the October 15, 2024 Governance and Priorities Committee meeting he had requested a temporary, unpaid, four month Leave of Absence from City Council from January 2025 to end of April 2025. Councillor Fequet further noted that he sought public feedback and has received responses from more than 120 people, noting that there was overwhelming support that this question be asked. Councillor Fequet stated that now that Council has provided their initial thoughts that unpaid leave for this duration of time, in this circumstance, will likely not be approved, he is withdrawing his request. Councillor Fequet stated that he appreciates the clarity this provides and will explore options for his family while ensuring that he upholds his commitment to the residents of Yellowknife.

11. Councillor Fequet advised that he will bring forward a motion for Council's consideration at the Governance and Priorities Committee on November 18, 2024 regarding the development of a Leave for Members of Council Policy.

(For Information Only)

12. Councillor Fequet excused himself from the meeting at 1:37 p.m. to allow Committee to discuss this matter.



- (For Information Only)
13. Committee continued its discussion regarding the leave request and noted that since Councillor Fequet withdraw his request this item is no longer on the table.

- (For Information Only)
14. Councillor Fequet returned to the meeting at 1:38 p.m.

- (For Information Only)
15. Councillor McGurk moved,
Councillor McLennan seconded,

That Committee move in camera at 1:38 p.m. to discuss a legal matter.

MOTION CARRIED UNANIMOUSLY

- (For Information Only)
16. Committee discussed a legal matter.

- (For Information Only)
17. Councillor Warburton moved,
Councillor McLennan seconded,

That Committee return to an open meeting at 2:21 p.m.

MOTION CARRIED UNANIMOUSLY

- (For Information Only)
18. There was no business arising from the in camera session.

19. The meeting adjourned at 2:21 p.m.



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE (For Information Only)

COMMITTEE: Council

DATE: October 28, 2024

DEPARTMENT: Administration

ISSUE: Integrity Commissioner Investigation Report dated October 10, 2024.

BACKGROUND:

Attached for the information of Council is a Report of the Integrity Commissioner dated October 10, 2024. The report sets out the results of an investigation by the City of Yellowknife Integrity Commissioner into a complaint in which it is alleged that Council Member Cat McGurk attempted to use City of Yellowknife funds to obtain reimbursement for a laptop she had borrowed from an individual and misplaced.

In accordance with Council Code of Ethics By-law No. 4976, where the complaint is sustained in whole or in part, the Integrity Commissioner shall report to Council outlining the findings, or recommended corrective action and Council shall consider and respond to the Integrity Commissioner's report within 90 days after the day the report is laid before it.

In responding to the report, Council may vary a recommendation that imposes a penalty, subject to Section 35, subsection (2) of the *Cities, Towns and Villages Act* but shall not refer the recommendation other than back to the Integrity Commissioner.

Upon receipt of recommendations from the Integrity Commissioner, Council may by resolution approved by at least 2/3 of the Members present, in circumstances where the Integrity Commissioner has determined there has been a violation of the Council Code of Ethics By-law, impose one or more of the following penalties:

- (a) Public censure; or
- (b) Removal of the member from a meeting.

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

Cities, Towns and Villages Act; and
Council Code of Ethics By-law No. 4976.

ATTACHMENTS:

Integrity Commissioner Report of Investigation dated October 10, 2024. (DM #780866)

Prepared: October 24, 2024 DMG

CITY OF YELLOWKNIFE INTEGRITY COMMISSIONER

Report to Council

**Under the *Council Code of Ethics By-law*
concerning Council Member Cat McGurk**

October 10, 2024

City of Yellowknife, Northwest Territories

CITY OF YELLOWKNIFE INTEGRITY COMMISSIONER

REPORT

Date: October 10, 2024
Complaints: 23/24-1
Complainant: G.M.
Respondent: Council Member Cat McGurk

INTRODUCTION:

1. This report sets out the results of an investigation into a complaint in which it is alleged that Council Member Cat McGurk (Member McGurk) attempted to use City of Yellowknife funds to obtain reimbursement for a laptop she had borrowed from an individual and misplaced.
2. Member McGurk borrowed a laptop from the complainant's husband, A.B., to assist her in coordinating volunteers during the evacuation of the City of Yellowknife due to the threat of approaching wildfires in August and September 2023.
3. The laptop went missing, and when the complainant and her husband sought the return, replacement or reimbursement for the misplaced item, Member McGurk sought to arrange reimbursement through two companies contracted by the City of Yellowknife in coordinating its emergency response, A.D. and K.B.
4. Member McGurk's position is that it was appropriate to have the City of Yellowknife provide compensation for the missing laptop, regardless of whether she was a Member of Council, since the City was the organization ultimately responsible for the work conducted with the laptop.

ISSUES:

5. The issues addressed in this report are as follows:
 - Did Member McGurk violate the Council Code of Ethics By-law by trying to arrange reimbursement for the misplaced laptop through the A.D. and K.B.?
 - If so, should the City of Yellowknife Council impose a penalty of censure or removal of the member from a meeting?

SUMMARY OF EVIDENCE:

6. The evidence concerning the loan of the laptop is undisputed and can be summarized as follows:
 - In August 2023, the complainant's husband loaned his laptop to Member McGurk.
 - In December 2023, the complainant's husband asked Member McGurk to return the laptop.
 - Member McGurk was unable to locate the laptop and could not return it as requested.
 - The complainant's husband indicated that he required reimbursement for the laptop if it could not be returned.

7. There is also no dispute that Member McGurk made inquiries to secure reimbursement through the City of Yellowknife, and eventually took steps to have A.D. or K.B. include the laptop in its invoices for work performed in the wildfire response. The following key points are uncontested:
 - Member McGurk spoke with the City Manager multiple times to find a way for the City of Yellowknife to cover the cost of reimbursement.
 - The City Manager informed Member McGurk that the City of Yellowknife could not pay individuals directly for expenses incurred during the evacuation.
 - The City Manager informed Member McGurk that the City of Yellowknife could pay for expenses appropriately invoiced through one of the contractor's involved in the wildfire response.
 - Member McGurk eventually contacted A.D. and K.B. and asked them to assist by invoicing the City of Yellowknife for the laptop.
 - Member McGurk then told the complainant's husband that K.B. would be issuing an invoice to the City of Yellowknife to reimburse him.

8. The complainant and her husband did not receive payment from the City of Yellowknife or K.B. and do not find this method of reimbursement to be appropriate. They instead sought reimbursement directly from Member McGurk and commenced civil proceedings in Territorial Court.

9. The points of contention in this matter concern the purposes of the loan, and whether it was appropriate for Member McGurk to seek reimbursement for the laptop, directly or indirectly, from the City of Yellowknife.

Evidence of Complainant:

10. The complainant alleges misappropriation of funds, based on the following grounds, as set out in the complaint:

Cat is trying to use city funds to reimburse a private party by paying [K.B.] for a laptop she borrowed from my household and refuses to return. It is a personal matter and has nothing to do with the city or [K.B.] Neither I nor the other party involved [A.B.] works for [K.B.], unsure why they are involved. This is unacceptable.

11. The complainant's evidence concerning the loan of the laptop, refusal to return the item, and Member McGurk's attempt to reimburse the complainant's husband through A.D. and K.B., can be summarized as follows:

- Member McGurk started recruiting volunteers for wildlife response efforts using the social media platform in August 2023.
- To the best of the complainant's knowledge, the City of Yellowknife did not tell Member McGurk to stay in the city and undertake this work during the territorial state of emergency and evacuation.
- The complainant's husband loaned his personal laptop to Member McGurk during this period.
- In December 2023, the complainant and her husband realized the laptop had not been returned.
- The complainant and her husband asked Member McGurk to return the laptop.

12. The parties then engaged in an exchange of text messages regarding the laptop, which extended from December 2023 to February 2024.

13. The complainant indicates that she received no replies to inquires made to Member McGurk on January 25, 26, 28 and 29, 2024.

14. On January 30, 2024, the complainant texted "Don't make me do this" referring to the possibility of pursuing legal action. The following is the reply she received from Member McGurk:

Hey, I'm sorry I haven't been ignoring you. I have been out of the country and am still not home.

I can't help you. I've already spoken with [A.B.]. I understand my response is disappointing, but I can't change the situation.

This is not a personal issue, it is a city issue. I won't talk outside of that context, and I've made that clear to [A.B.].

I've spoke with the city and am making sure it is taken care of, but timelines are out of my hands.

Unless he would like me to speak with to you about it instead of him, I won't continue this conversation.

I hope you can understand the boundary I'm setting, and I'm sorry I can't be of more help.

15. The complainant did not accept this answer, and replied as follows:

This is indeed a personal issue, as he personally lent it to you and you gave it away for some reason. You don't get to steal people's property without consequences, despite what people have

let you get away with all your life. The police will get involved if you choose to continue ignoring reality. The alternative is you replace the laptop or pay him back. Your shit doesn't work on me.

16. Member McGurk replied as follows:

I did not steal anything.

I've told [A.B.] I'm speaking with the city, and when I have updates I will share them.

The way you are speaking with me is disrespectful. I am going to stop responding now.

17. The complainant indicates she contacted the police and was told to file a civil claim. The complainant and her husband commenced proceedings in Territorial Court on February 14, 2024. Pleadings were served on Member McGurk on the following day, February 15, 2024.

18. Member McGurk's final response to the complainant's husband, which is also dated February 15, 2024, is cited in the summary of the husband's evidence below.

19. The complainant filed the complaint with the Integrity Commissioner on February 21, 2024. The complainant wished to pursue the complaint, regardless of the outcome in Territorial Court.

20. The complainant submits that people need to be aware of what transpired, to ensure Member McGurk is responsible for the consequences of her actions and "does not steal money anymore."

Evidence of Complainant's Husband:

21. The complainant's husband's evidence overlaps with that of the complainant, and includes the following additional information:

- The electrical company for which he worked was involved initially in the City of Yellowknife's wildfire response.
- He does not believe there were any formal arrangements between the City of Yellowknife and the electrical company at the time.
- Neither he nor the electrical company engaged Member McGurk as an employee or contractor in their contributions to the wildfire response.
- The electrical company did not have any reporting relationship with A.B. or K.B., and did not submit invoices for supplies, services or equipment through A.B. or K.B.
- His contribution to the wildfire response was to provide computer work generating and printing maps.
- He believes the City of Yellowknife initially paid the electrical company, but his work in the wildfire response was voluntary.

22. With respect to the loan of the laptop, the complainant's husband provided the following additional detail:

- He was initially using his work laptop because it had a mapping program, which he needed, installed on it.
- He and Member McGurk were both working from the same office during the initial wildfire response.
- Member McGurk was coordinating volunteers from the same office, and every time he got up, he would return to find her using his computer.
- He went home to get his personal laptop for her so that he could have use of the work laptop.
- He made it very clear to Member McGurk that he was letting her use his personal laptop and would need to have it back.

23. In investigating the complainant, I obtained and reviewed a string of texts between the complainant's husband and Member McGurk.

24. On December 22, 2023, the complainant's husbands inquired about the laptop as follows:

member [sic] during the evac [sic] when I let you use my laptop? Don't think that ever made it back to me and I sure need it back.

25. Member McGurk responds as follows:

Oh shit!

Do you have any make and model info? I will track it down tomorrow. I didn't realize you didn't have it. I'm sorry

I will do everything in my power to find it before the city goes on vacay haha

26. The complainant's husband responds as follows:

Pretty sure it was a 15.8" acer, grey. Full keyboard with a thumbpad, sure don't remember all the info on it.

personal laptop with no info... that I lent to you.

27. Member McGurk responds as follows:

Oh! Hey, sorry I didn't mean to you I was barely conscious sick for a few days and didn't catch that.

I haven't found it yet, I have more people to ask.

...

28. The complainant's husband responds as follows:

Why do you have people to ask about the laptop I let you use?

...

29. Member McGurk responds as follows:

I am not sure what to say, [A.B.]. We were in a literal state of emergency. There were a lot of things happening and I don't remember all the details.

I didn't know until you messaged me that it was missing, like I said I thought you had it. That means that I need to find it.

I am really hoping you can be compassionate about that.

I'm trying to understand that you are frustrated. This is just the situation as I understand it.

30. In his reply to Member McGurk, the complainant's husband accuses her of stealing his laptop. The following is an excerpt of relevant parts of the response:

I currently have zero mental capacity to be compassionate for someone who essentially stole my shit.

...

Can't find it? Ask me if there's a laptop at staples I would like, buy it for me, then if you ever find my laptop it's yours.

31. Member McGurk replied as follows:

I'm not beyond this.

I appreciate where you are coming from, and I'm sorry. I know that doesn't mean much.

I didn't steal your laptop. That is reductive. I don't appreciate that. You brought it to be use [sic] for a city operation. I was part of that operation but it was much more complex.

I will find it or find a way to get you a new one. That can be where we leave this but I won't entertain you talking to me like this.

32. The response from the complainant's husband reiterates the allegation of theft. His full response is as follows:

Cat you essentially stole my shit, you don't get to pretend to be offended to get off the hook.

I let YOU personally use my personal belongings. I was very clear and you were very clear that you understood that.

I didn't just throw it into a pile of free shit. I handed it directly to you and we had a conversation about it.

33. Member McGurk replied as follows:

I'm not engaging. I'll let you know what I figure out.

34. The complainant's husband replied as follows:

Weak.

I truly don't understand how you can twist this situation in your head where you are at no fault. I am baffled.

35. Member McGurk finally replied as follows:

Hey [A.B.],

It has been awhile, but I've finally managed to put everything together, everyone appears to be on the same page. I have hunted for the laptop without any success.

So an invoice will be issued to the city from [K.B.] and you will be compensated through them.

I'm not sure of the timeline for that but I wanted to update you on the status. Sorry it took so long it was hard to figure out the right channels.

I'll let you know when I have timeline for that.

36. The complainant's husband expressed his views regarding this approach to reimbursement in the following response:

Cat that is wildly inappropriate. This did not involve the city. It involved two individuals.

Who approved that within the city? I would love to sit down with them.

37. This appears to have been the end of texts between the complainant's husband and Member McGurk.

38. The complainant's husband confirmed that he did not receive reimbursement for the laptop from the Contractor or the City of Yellowknife. When asked what the result of the complaint should be, he deferred to his spouse, the complainant.

Evidence of Member McGurk:

39. Member McGurk was provided with a copy of the complainant and all supporting material received from the complainant, pursuant to the Council Code of Ethics By-law which ensures procedural fairness for respondents to complaints.

40. Member McGurk fully cooperated in the investigation and responded with both evidence and submissions to explain and justify her actions.¹
41. With respect to the purpose for which she borrowed the laptop, her evidence can be summarized as follows:
- Her understanding is that the purpose of the loan was to facilitate her work “on the city/contractor wildfire response” as she had no other need for the laptop.
 - The laptop was used exclusively for the purpose of administering volunteers and workers.
 - When the evacuation order was issued, she wanted to find a way to help protect her community in another way.
 - She was part of a team that provided things like food (administration and kitchen), fuel supply and an array of other services “to the city directly or indirectly.”
42. Member McGurk offered the following evidence to explain why she deemed it appropriate to inquire with the City Manager about reimbursement for the laptop through the City of Yellowknife:
- She understood that when we (the City of Yellowknife) announced a local state of emergency, the City of Yellowknife administration assumed direction of the municipality.
 - She was provided limited direction, other than to support the needs of the fire response effort. This came from an absence of a predetermined structure, so Member McGurk and others were operating in crisis mode.
 - The complainant and the complainant’s husband were both involved and present for the unified fire response effort.
43. Member McGurk maintains that all her actions during the relevant period constituted work for the City of Yellowknife, even though she was not provided any formal direction or remuneration from the City of Yellowknife.
44. When Member McGurk spoke with the City Manager about reimbursement for the missing laptop, she provided the City Manager with the following rationales for her request:
- Member McGurk explained (and according to Member McGurk the City Manager agreed) that she had been functioning as a worker on behalf of the City of Yellowknife; and it was appropriate to relate the cost to city’s wildfire response.
 - Member McGurk operated on the understanding that the fire response efforts were all the responsibility of the City of Yellowknife.
 - Member McGurk further understood that she was working on behalf of all the contractors engaged by the city.
 - Member McGurk believed that she and other “volunteers/workers” were tasked with work that was, to her understanding, “influenced by both the contractors and city administration.”

¹ *Council Code of Ethics By-law*, articles 19.6 and 19.8

45. Member McGurk submits that she would have requested the city provide compensation for this item even if she was not a Member of Council, since the City of Yellowknife was the organization ultimately responsible for the work that was conducted.
46. Member McGurk offered the following additional rationales in support of seeking reimbursement for the missing laptop through the City of Yellowknife:
 - The complainant's husband indicated that he would accept reimbursement for the laptop.
 - This seemed a fair request, as many people offered their possessions, tools, equipment, etc. during this period, and had sought compensation.
 - In the first few weeks of the fire response (even before evacuation) the work felt like an amalgamation of efforts by multiple parties. Equipment, tools, personnel and supplies were shuffled around frequently.
47. It eventually became clear to Member McGurk that the City of Yellowknife would not provide direct reimbursement for the missing laptop. Member McGurk's evidence on this point is as follows:
 - The City Manager informed her that the City of Yellowknife could not pay out individuals directly for expenses incurred during evacuation.
 - The City Manager stated that any expense would need to be paid out through an invoice from an involved contractor should they assume responsibility for it.
48. Member McGurk indicates that the City Manager further recommended that she find who had employed the complainant's husband and ask them to issue an invoice.
49. While explaining how she used the laptop to facilitate the wildfire response on behalf of the City of Yellowknife and its contractors, Member McGurk advised:
 - She did not assume her role was in any way an extension of her position as a Member of Council.
 - She believed that she was working on behalf of all the contractors for the city.
 - There was no clear structure of command, so in the first days, she and another volunteer key developed an informal organisational chart.
 - There were no formal work agreements or defined roles (that she were aware of) at the time.
 - She and other volunteers assumed a supporting role to the fire response as a whole, which in her view meant the City of Yellowknife and all its contractors, not one specific company.
50. At my request, Member McGurk provided copies of texts in which she approached two different contractors to request that they invoice the City of Yellowknife for the costs of the missing laptop.
51. On January 30, 2024, Member McGurk approached a company, A.D., based on her understanding that the electrical company for which the complainant worked had been subcontracted by A.D. to provide work for the City of Yellowknife.

52. The following texts were exchanged between Member McGurk and a representative of A.D. between January 30 to February 2, 2024:

Hey [...]! Do you know if [A.B.] was on the contractor list for [A.D.]?

It was his laptop that was lost and I spoke with the city and they need to have an invoice from the contractor if the laptop needs to be replaced.

His girlfriend is saying she is going to file a police report. It has no grounds, but I really don't want to deal with it.

I am not sure why they are being so hostile to me, but I really want to stop it haha.

Het cat [sic]. Are you not able to ask him?

I can't engage with him. He is just aggressive and disrespectful. He isn't interested in working with me to resolve the issue.

Oh that's unfortunate. From what I know he was an employee of [...]. I think originally they were contracted by the city. In the end I don't know if he was subbed by [...] to [A.D.] or not.

53. On February 14, 2024, Member McGurk re-directed her search for reimbursement to K.B. Member McGurk's evidence concerning her connection with K.B. is as follows:

- Member McGurk indicates she had taken on the role of managing volunteers "at the behest" of P.H., who had "recruited her" to the fire response work.
- In the organizational chart prepared by Member McGurk, P.H. is identified as the Project Liaison and also the representative of K.B.
- After asking around and some consideration, she called P.H. and asked him how we could resolve the issue.
- Member McGurk explained what the City Manager had told her, and he agreed that the Contractor would help.
- P.H. told Member McGurk to e-mail a second employee of K.B. who confirmed the plan.

54. The following is a copy of text exchange between Member McGurk, P.H. and K.S. (the second employee of K.B.):

Hello [K.S.] and [P.H.],

I spoke with [P.H.] earlier on the phone about this, so he can probably clear up some details if need be.

Quick Synopsis:

In the first days of the incident, a volunteer/worker brought a laptop into the [K.B.] office for admin purposes. The laptop is now missing/lost. I would like to return the laptop or compensate him somehow.

[P.H.] said it is possible that it is in a box of computers that you have, though I'm not counting on it.

I've spoke to the city and they cannot directly issue reimbursement to the individual, it has to be through a contractor. I'm hoping we can figure out together and you can take that on. Essentially you'd issue an invoice and we'd either provide a new laptop or cash to the volunteer.

So basically:

Could you check for the laptop?

If it's not there, can we discuss what way you'd prefer to issue an invoice?

I will talk with the city to make sure they are on board.

[P.H.] can tell you or I'll explain more in person, but this is sort of time sensitive. Not immediately, but I'd like to get it dealt with.

I'll be a bit flexible tomorrow morning if you'd like me to stop by for any reason.

55. On February 15, 2024, K.S. replied as follows:

Morning Cat

I have no issue doing an invoice to the city just tell me how much it needs to be for. Once I know the amount and who approved the invoice I suggest that we provide a cheque to the person and they can take care of purchasing or replacing the computer.

I looked again this morning and I don't see an [sic] spare laptops kicking around here unless [P.H.] is aware of a hiding spot. I checked our entire office, we have lots of spare parts but no laptop.

Let me know the details on issuing the invoice to the City then I will get it done.

56. On February 22, 2024, K.S. followed up, as follows:

Hi Cat

Are we doing anything about this laptop?

Evidence of the City Manager:

57. The City Manager for the City of Yellowknife, at the time of the wildfire response, provided evidence regarding the discussions she had with Member McGurk regarding reimbursement for the missing laptop.

58. The following is a summary of the City Manager's evidence that is relevant to this investigation:

- During the state of emergency, Members of Council were expected to obey the evacuation order and leave the City of Yellowknife, as had been outlined publicly at a Council Administration Round Table (CART) meeting on June 15, 2023.
- Member McGurk stayed because she was personally committed to assisting with the organization of volunteers who remained to assist with the wildfire response.
- The volunteer work carried out by Member McGurk did not fall under the City of Yellowknife's critical incident command structure at any time.
- Member McGurk came to the City Manager and said she had borrowed a laptop, which had gone missing, to coordinate volunteers.
- The City Manager advised Member McGurk the City of Yellowknife could not pay for the laptop since it was not a legitimate cost for the city.

59. The City Manager denies suggesting that Member McGurk recover reimbursement by having the Contractor include the invoice in one of its invoices. The City Manager's detailed evidence on this point can be summarized as follows:

- During their conversations, the City Manager understood that Member McGurk had been functioning as a worker for a business, separate from the City, and that she had a laptop that belonged to the business.
- She advised Member McGurk that, if the business' laptop was lost in the course of performing work for the business, she should discuss with the business owner the option of making a claim either through insurance or as part of the costs of the wildfire response.
- She advised Member McGurk that contractors' expenses were reimbursed based on invoices and that we had to be very detailed in noting what the expense was in order to be reimbursed under Disaster Financial Assistance funding by federal and territorial governments.
- She did not recommend that Member McGurk address the cost of the missing laptop in this manner once it was confirmed that it was a personal laptop Member McGurk had borrowed from an individual and not a business.
- The City Manager was initially under the impression that the laptop belonged to the business that Member McGurk was working for and that she had been using it to perform work duties related to the wildfire response for that business.
- In that context she suggested that if all efforts to locate it were exhausted, the business could consider submitting a claim under their insurance, and if that was not an option given any lapse in coverage due to the wildfire risk, the business could seek to claim it as part of their overall wildfire response expenses.

60. The City Manager did not specifically recommend that Member McGurk approach the electrical company for which the complaint's husband worked, or the Contractor. To be best of her knowledge, the laptop was not invoiced through either of these companies.

Evidence of P.H.:

61. P.H., the former owner of K.B., provided evidence regarding his role in the City of Yellowknife's wildfire response, his working relationship with Member McGurk, and discussions regarding payment for the missing laptop.
62. The following is a summary of his relevant evidence:
 - During the state of emergency, the Chief of Operations for the City of Yellowknife brought him in to assist with coordinating work on firebreaks and logistics for workers engaged in protecting the city.
 - Neither he nor his company operated under a formal contract with the City of Yellowknife in the initial days of the wildfire response.
 - Contracts came about later as regular contracting procedures came back into place.
 - With respect to Member McGurk, he would not say he "recruited" her. She became involved through an informal open call for volunteers.
 - He managed Member McGurk in her capacity as a volunteer.
 - He understood that Member McGurk was not allowed to be employed in the wildfire response due to her role as a Member of Council.
 - Before contracts were in place, there were informal arrangements of a "grey sort" for volunteers to recover expenses on a case-by-case basis for products, personal effects and vehicle use during the wildfire response.
63. P.H. recalled Member McGurk approaching him to request his support to invoice the costs of the missing laptop through the Contractor. The following is a summary of his relevant evidence on this point:
 - Member McGurk was emotional when she approached him and the matter sounded contentious.
 - He had a strong feeling this was "not an area [he] wanted to go down" with respect to submitting an invoice for the laptop.
 - He therefore took no action and suggested she take it to the City of Yellowknife because he preferred to be extra careful and have an answer in "black and white."
 - He was in the process of selling his ownership in the company, and so he referred the matter to [K.S.] and asked him to see "if he could find a logical way to do it."
64. P.H. confirmed that neither the complainant's husband, nor the electric company for which A.B. worked, were at any time employed or contracted by K.B.

ANALYSIS:

Relevant By-law Provisions:

65. The Council Code of Ethics By-law provisions applicable to this matter are as follows:

4.6. Other than the office of Mayor, being a Member is a part time commitment, which means that Members may have other employment and activities as private citizens. Members expect, and should be expected to lead, private lives. When conducting themselves in private, Members should be sensitive to the nature of their public position.

...

8.1 Members shall seek to serve the public interest by upholding both the letter of the law and the spirit of the laws and policies established by the Federal Parliament, Northwest Territories Legislature, and by Council. The provisions of this by-law are intended to be applied in concert with existing legislation and go beyond the minimum standards of behaviour set out in current Federal and Territorial statutes.

8.2. Members shall respect the City as an institution, its by-laws, policies and procedures and shall encourage public respect for the City, its by-laws, policies and procedures.

...

9.7. A Member must not:

...

- (b) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any City Staff with the intent of interfering in the person's duties; or

...

12.1. No Member shall use the influence of the Member's office for any purpose other than for the exercise of the Member's official duties.

12.2 When a Member's private life or employment intersects with City Staff, Members should not expect that their role as a Member will affect or influence the services that they would receive as a private citizen. Members should expect a high quality of advice from City Staff based on political neutrality and objectivity.

...

13.1. Members shall use City property, equipment, services, supplies and Administration's resources (including City Staff) only for the performance of their duties as a Member, subject to the following limited exceptions:

- (a) City property, equipment, service, supplies and Administration's resources (including City Staff) that are available to the general public may be used by a Member for personal use upon the same terms and conditions as

members of the general public, including booking and payment of any applicable fees or charges;

...

21.1. Members must uphold the letter and the spirit and intent of this By-law.

Analysis of the Complaint:

66. The lending of the laptop by the complainant's husband to Member McGurk started with the best of intentions on behalf of all concerned. Things do go missing from time to time and when that occurs, as happened here, the initial good will behind the borrowing arrangement can be lost if the matter cannot be resolved between lender and borrower.
67. Members of Council can find themselves in these situations in the same manner as any other member of the community. While article 4.6 of the Code of Ethics By-law requires Members of Council to be sensitive to the nature of their public position, simply finding oneself in a civil dispute does not place a member in violation of the by-law.
68. The dispute over reimbursement for the missing laptop is essentially a private dispute between Member McGurk and the complainant's husband. It was appropriately addressed by proceedings being commenced in the Territorial Court.
69. There are circumstances that warrant a review of this matter under the by-law, and these relate to Member McGurk's attempting to access City of Yellowknife resources to pay for the laptop while refusing to pay from her own pocket.
70. The City of Yellowknife did not ultimately provide reimbursement, directly or indirectly through K.B. Resources were not expended in the sense of any transfer of money. There was no theft, misappropriation, or laundering, as characterized by the complainant and her husband.
71. Member McGurk took active steps, however, to have the City of Yellowknife pay for the missing laptop by soliciting the City Manager. When the City Manager made it clear that direct reimbursement was not available, Member McGurk sought ways to expense the laptop through a contractor on the City of Yellowknife's contractor list.
72. Member McGurk did not pay the complainant's husband out of her own pocket for the misplaced laptop; but embarked instead on a path that raises questions as to whether she was taking advantage of her position on Council to have the City of Yellowknife pay for the laptop.
73. It is problematic that Member McGurk deemed it appropriate to approach the City Manager when the evidence establishes that; (a) the work she had undertaken was unrelated to her work as a Member of council; (b) there was no contract in place between Member McGurk and the City of Yellowknife; (c) the work she had undertaken was not managed or directed by the City of Yellowknife and did not fall under the City's emergency response during the wildfire evacuation.

74. The first reason this is problematic is that an objective observer, viewing the matter from the outside, would perceive that the member had unique access to the City Manager because of her position on Council. It is possible, but not likely, that a person having no formal or contractual arrangement whatsoever with the City of Yellowknife, would approach the City Manager seeking payment for an item they had borrowed from another person who is not employed or contracted by the City of Yellowknife.
75. Member McGurk's solicitation of the City Manager was at best an innocent inquiry about payment, and at worst an improper use of City Staff to secure financial resources from the City of Yellowknife contrary to article 13.1 of the Council Code of Ethics By-law. Accessing City Staff in a manner not available to other members of the public could also constitute a misuse of office contrary to article 12.1.
76. If Member McGurk had accepted the City Manager's advice that the City of Yellowknife was not responsible for covering the cost of the missing laptop, there would be no need to continue with the analysis. I would accept that Member McGurk requested, received and accepted appropriate direction from the City Manager, with no misuse of resources or the Member's office.
77. Member McGurk's conduct remains problematic because of how she presented the situation in discussions with the City Manager. She rationalized her entitlement to payment on the grounds she had used the laptop to provide useful work for the City; but appears to have either withheld or downplayed the personal nature of the loan.
78. I reach this conclusion because the City Manager's advice to Member McGurk appears to have been clear that there was no basis for the City of Yellowknife to pay the member unless the laptop was provided directly by one of the entities contracted by the City. If Member McGurk had been forthright about her voluntary role in the wildfire response, and the personal loan of the laptop, discussions concerning a contractor invoicing the item should have ended.
79. Member McGurk's argument is essentially that the beneficial nature of the work performed on the laptop changes the nature of the loan and creates an entitlement to reimbursement.
80. The rationalizations Member McGurk provided to the City Manager, and repeated in response to the complaint, are perhaps understandable on personal level; but they do not reflect a recognition that the loan itself was solely a personal arrangement between individuals. No amount of beneficial work or good intentions could change the nature of the loan, which was personal, into a form of commitment which any accountable municipal corporation would require to justify the expense.
81. In persisting that her work on behalf of the city justified reimbursement for the laptop, Member McGurk further appears to have misinterpreted and misapplied the advice of the City Manager. The advice was that the City of Yellowknife could not provide reimbursement unless an authorized contractor issued an invoice for the laptop. This was an important qualification, requiring that the expense be duly authorized; not a cue to find a contractor to "assume responsibility" for the expense after the fact, which was unfortunately Member McGurk's interpretation.

82. Entitlement to compensation does not turn on whether a contractor decides to assume responsibility for an expense. The expense must be incurred under a legitimate financial contract or other authorization.² An individual who has been elected to the office of Member of Council should be able to demonstrate and show an understanding of this concept, especially after discussing it with the City Manager.
83. At the end of her discussions with the City Manager, Member McGurk proceeded to seek out a contractor who would submit an invoice for an item they had never used or purchased under any formal arrangement with the City of Yellowknife. She approached two separate contractors for this purpose, having no employment or contractual connection with either of them.
84. Member McGurk first approached A.D., on the presumption that the electrical company for which the complainant's husband worked was subcontracted by A.D. and A.D. was an approved contractor. Member McGurk's e-mail to A.D. ask, "Do you know if [A.B.] was on the contractor list for [A.D.]?... It was his laptop that was lost."
85. The wording of the e-mail infers that the complainant's husband lost the laptop doing contractor-directed work. There is no evidence this was the case. On the contrary, the complainant's husband had already emphasized the personal nature of the loan with Member McGurk.
86. Member McGurk's communication with A.D. therefore mischaracterizes the personal nature of the loan and projects instead a convenient narrative in which A.D. (not member McGurk) is responsible for loss of the laptop and A.D. (not Member McGurk) is responsible for reimbursement.
87. Member McGurk further implies that the City of Yellowknife required a response, when she states "...I spoke with the city and *they need to have an invoice from the contactor if the laptop needs to be replaced.*" Member McGurk wanted the invoice. The City of Yellowknife did not require an invoice. In my view the communication with A.D. is disingenuous.
88. Once the attempt to secure reimbursement from A.D. failed, which was the appropriate result, Member McGurk turned to K.B. She approached P.H. and "asked him how we could resolve this issue, explained what [the City Manager] had told me, and he agreed that [K.B.] would help."
89. There was no justifiable rationale for Member McGurk to seek reimbursement for the laptop through K.B. Neither she nor the complainant's husband were ever employed by K.B., nor did either of them work for a company contracted by K.B.
90. By this time, Member McGurk should have known from her failed attempt to secure payment through A.D. that she could not just find a contractor willing to assume responsibility for the item. While she may at least have had a pretext for approaching A.D., the conversation ended without A.D. confirming the member's assumption that the company had subcontracted the electrical company for which A.B. worked.

² *Cities, Towns and Villages Act*, SNWT 2003. C. 22, Sch B, s. 98

91. The justifications Member McGurk offered for approaching K.B. do not withstand scrutiny. Member McGurk states that she undertook the role of managing volunteers “at the behest” of P.H, and that he “recruited” her to the wildfire response. This characterization of events was expressly rejected by P.H. who described what happened as an “open call for volunteers” with no formal process.
92. Even if I accepted that Member McGurk’s evidence on this point, which I do not, it is irrelevant since it does not establish an entitlement to reimbursement. Neither P.H. nor K.B. supplied the laptop. They did not incur the expense of the laptop. There was no expense they could legitimately claim from the City of Yellowknife on anyone’s behalf.
93. Member McGurk’s text to P.H. and K.S. demonstrates the same disingenuous language that she used in her correspondence with A.D. Member McGurk again advances the authority of having spoken with the City Manager suggests a solution must be found, when she states, “‘I’ve spoken with the city, and they cannot directly issue reimbursement to the individual, it has to be through a contractor....”
94. Reimbursement did not have to flow through anyone else but Member McGurk. P.H. was justified in having concerns about this request, and K.S. was correct in seeking confirmation of the City’s authorization when he texts, “Once we know the amount *and who approved the invoice* I suggest we provide a cheque...”
95. There was no approval for the invoice. Member McGurk gave every appearance that she had approval or at least that it was imminent in her texts with A.D. and K.B., but there is no indication the City Manager had approved reimbursement through either company.
96. Member McGurk went one step further when she misrepresented to the complainant’s husband that he would be paid by K.B., stating, “So an invoice will be issued to the city through [K.S.] and you will be compensated through them.” This arrangement was not yet in place and had not been approved.
97. In my opinion, this is a case where Member McGurk sought advice on partial information and heard what she wanted to hear from the City Manager. She persisted on approaching A.D. and K.B. for payment, leaning on the authority of having consulted the City Manager, and relied on the oversimplified characterization that implied the City Manager had approved her approach.
98. Member McGurk understood from the City Manager that she could make a claim for expenses incurred on behalf of one of the contractors engaged in the City’s wildfire response. Member McGurk, however, was never employed by or contracted by any contractor involved in the wildfire response.
99. In the absence of contract or other evidence of a true financial obligation, Member McGurk focused her response to the complaint on the value of the volunteer effort to the City of Yellowknife, which is irrelevant to compensation; and promoted strained arguments that the work could only have happened with (unspecified and undocumented) direction emanating from the City of Yellowknife.

100. The overall impression presented by the evidence is that Member McGurk felt entitled to City of Yellowknife resources to cover a loss she had personally incurred. The sense of entitlement in her presumption is demonstrable in her advice to the complainant's husband that he would be paid by the Contractor, even before the Contractor had agreed. It resonates in her response to the complaint, where she highlights the value of her contributions and hard work in the wildfire response.
101. The sequence of problematic decisions ended without any expenditure of funds by the City of Yellowknife. Member McGurk did not follow-up with the employee of the Contractor to arrange payment, the Contractor did not submit an invoice for the missing laptop, the complainant filed a formal complaint under the Council Code of Ethics By-law, and the City Manager suggested to Member McGurk that she consult the Integrity Commissioner.
102. Simultaneously with filing the complaint, the complainant and her husband sued Member McGurk for the cost of the laptop in Territorial Court. The issue was returned, full circle, to a matter between private parties. Member McGurk sought advice from the Integrity Commissioner only after the complaint was filed, by which time the circumstances giving rise to the complaint could not be undone.
103. The course of action Member McGurk embarked upon cannot be minimized on the basis that City of Yellowknife funds were ultimately not spent and the matter reverted to a private dispute. The conduct she displayed was not only problematic but below the ethical standard one would expect of a Member of Council.
104. While approaching the City Manager to seek payment for the laptop is not in itself a Code of Conduct By-law violation, Member McGurk crossed the line in advancing a narrative that the City Manager supported the submission of an invoice through A.D. or K.B., and in misrepresenting the situation to the complainant's husband.
105. In addition to the flawed and disingenuous rationalizations presented Member McGurk throughout this series of events, it is disappointing that Member McGurk repeatedly relied on the chaotic period during the initial wildfire response to justify expensing her loss to the City.
106. In deflecting personal responsibility, in texts the complainant's husband, Member McGurk pleads "We were in a literal state of emergency. There were a lot of things happening and I don't remember all the details." In her response to the complainant, she continues in the same vein, stating:
- ... many people offered their possessions, tools, equipment, etc. during this period, and had sought compensation. In the first few weeks of the fire response (even before evacuation) the work felt like an amalgamation of efforts by multiple parties. Equipment, tools, personnel and supplies were shuffled around frequently.

107. Based on P.H.'s evidence, compensation may have flowed more freely in the immediate period following the evacuation of the city. Those circumstances do not assist Member McGurk. The evidence going back to the time of the initial loan is that the complainant's husband was clear the arrangement was personal.
108. Furthermore, by the time the complainant and her husband sought return of the laptop, the state of emergency and evacuation of the city were over. The wildfire response was no longer in an acute phase of operations. Normal contracting procedures were back in place.
109. The loan and loss of the laptop may have happened during the critical time, but it is unbecoming for a Member of Council to expect a revival of lower standards to procure reimbursement long after the crisis has ended. Members of Council should instead support and uphold the highest standards of financial accountability.
110. Member McGurk misused her role, contrary to articles 12.1 and 13.1, for all the reasons outlined above. The Member of Council further failed to demonstrate sensitivity to the nature of her public position, contrary to article 4.6, in all her efforts to have the City of Yellowknife compensate the complainant's husband for something she was personally responsible for borrowing and losing.

Corrective Action or Penalty:

111. The Integrity Commission may recommend corrective action in a report to Council where a complaint has been founded.³ Council then has two penalty options which it may impose, censure or removal from a meeting.⁴
112. The Council Code of Ethics By-law also provides that an Integrity Commissioner can recommend no penalty, even after determining a contravention has occurred.⁵ This option is available where "the member took all reasonable measures to prevent it" or where the contravention was "trivial or committed through inadvertence or an error of judgment made in good faith."⁶
113. In this case, Member McGurk made inquiries and sought assistance and support for her cause from the City Manager and the Contractor. She naively interpreted their responses as affirmation of her entitlement based on the merit of her contributions to the wildfire response.
114. The reasoning used by Member McGurk to rationalize invoicing the laptop through the Contractor was irrational, self-serving and persistent. She advanced the idea with not one but two City of Yellowknife contractors, relying on the presumed authority of the City Manager but without contractual authority. To their credit, both contractors exercised proper judgment by not submitting the requested invoice.

³ *Council Code of Ethics By-law*, articles 19.11 and 19.13

⁴ *Council Code of Ethics By-law*, article 20.3; and *Cities, Towns and Villages Act*, s. 35

⁵ *Council Code of Ethics By-law*, article 19.14

⁶ *Council Code of Ethics By-law*, article 19.14

115. Member McGurk did not take reasonable measures to prevent the violation. By the time she approached the Integrity Commission on the recommendation of City Manager, she had already misrepresented to the complainant's husband that he could expect payment from the Contractor.
116. This is not a violation I would characterize as trivial. Members of Council must be scrupulous with respect to any use of City Staff and financial resources. Member McGurk was unscrupulous and presumptive of an entitlement she did not possess; and she made not one but several errors.
117. Removal from a meeting would be appropriate, for example, if there a decision before Council where the violation would give the Member some ill-obtained advantage. There is no decision before Council related to this matter so this is would not be an effective sanction in this case
118. Censure would be an appropriate penalty if Member McGurk is unwilling or unable to accept the conclusions of this report and take responsibility for her actions. The Council Code of Ethics By-law provides the member an opportunity to comment on the findings of this report before it is delivered to Council.⁷
119. In providing Member McGurk a copy of this report before it is delivered to Council, as required by the article 19.8, It is my sincere hope that having the opportunity to read through the report will provide the member an opportunity for reflection and encourage her to acknowledge and accept responsibility for the contravention. Council may then decide whether censure is necessary.

CONCLUSIONS:

120. The complaint against Council Member McGurk under the Council Code of Ethics By-law is founded.
121. Member McGurk misused her role as a Member of Council and failed to demonstrate sensitivity to the nature of her public position, in attempting to have the City of Yellowknife compensate the complainant's husband for the laptop she had personally borrowed to support her work as a volunteer in the wildfire response.
122. The member's conduct violated articles 4.6, 12.1 and 13.1 of the Council Code of Ethics By-law, as indicated above. It was further contrary to the public interest and the spirit and intent of the By-law (article 22.3) which requires conduct "beyond the minimum standards of behaviour set out in current Federal and Territorial statutes."⁸
123. Member McGurk contravened the Council Code of Ethics By-law through a series of poor decisions based on a misguided sense of entitlement to City of Yellowknife resources disconnected from any financial obligation on the part of the City of Yellowknife.

⁷ *Council Code of Ethics By-law*, article 19.18

⁸ *Council Code of Ethics By-law*, article 8.1

124. Such conduct warrants censure as a form of denouncement and deterrence of similar conduct by Member McGurk and others. I therefore recommend that City of Yellowknife Council impose this penalty as provided in the Council Code of Ethics By-law, subject to the member's willingness to accept responsibility for the contravention.⁹

125. The Council Code of Ethics By-law requires this report to be made public and processed for the next meeting of Council, who must then consider and respond to the Commissioner's report within 90 days after the day the report is laid before it.¹⁰

DATED THIS 10th DAY OF OCTOBER 2024, AT THE CITY OF YELLOWKNIFE, NORTHWEST TERRITORIES.

Sheldon Toner, Integrity Commissioner

⁹ *Council Code of Ethics By-law*, articles 19.11 and 20.3

¹⁰ *Council Code of Ethics By-law*, articles 19.15, 20.1 and 22.2



CITY OF YELLOWKNIFE

BY-LAW NO. 5095

BZ 379

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, to amend Zoning By-law No. 5045, as amended.

PURSUANT TO

- a) Sections 12, 14, 15, 18 of the *Community Planning and Development Act S.N.W.T. 2011, c.22*;
- b) Due notice to the public, provision for inspection of this by-law and due opportunity for objections thereto to be heard, considered and determined.

WHEREAS the Council of the Municipal Corporation of the City of Yellowknife has enacted Zoning By-law No. 5045, as amended; and

WHEREAS the Council of the Municipal Corporation of the City of Yellowknife wishes to amend Zoning By-law No. 5045, as amended.

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

APPLICATION

That Zoning By-law No. 5045, as amended, be amended as follows:

1. Amending Table 2-1: Definitions by amending the following definitions:

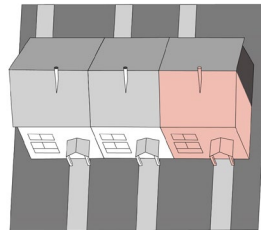
Term	Definition
Dwelling	"Townhouse Dwelling" means a building containing more than two Dwelling Units that share one or more walls with adjacent Dwelling Units. Each Dwelling Unit has its own individual entrance to the exterior. Townhouse Dwelling Units can be arranged in a side-to-side, back-to-back, or stacked configuration:

- i. Conventional townhouses: incorporate side-to-side configurations with three or more units in a row;



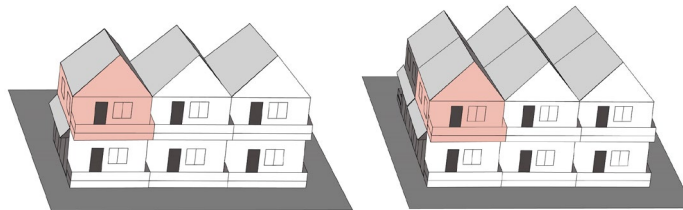
CONVENTIONAL TOWNHOUSE

- ii. Back-to-back townhouses: incorporate both side-to-side and front-to-rear configurations and are distinguished from conventional townhouses by having two frontages;




BACK-TO-BACK TOWNHOUSE

- iii. Stacked townhouses: incorporate up-down as well as side-to-side and/or front-to-rear configurations;



STACKED TOWNHOUSE

<p>Dwelling</p>	<p>“Multi-Unit Dwelling” is a building that is divided horizontally and/or vertically into three or more separate Dwelling Units with shared entrance facilities.</p>  <p style="text-align: center;">TWO DIFFERENT MULTI-UNIT STYLES</p>
<p>Planned Development</p>	<p>“Planned Development” means the grouping on a lot of two or more:</p> <ul style="list-style-type: none"> i. Permitted or discretionary uses; and/or ii. Principal buildings;
<p>Recreation Space</p>	<p>“Recreation Space” means indoor and outdoor recreation space provided as required in the By-law:</p> <ul style="list-style-type: none"> i. “Indoor Recreation Space” includes but is not limited to: balconies, communal indoor lounges, or private gyms; ii. “Outdoor Recreation Space” includes but is not limited to: roof lounges, community gardens, outdoor gathering space, or children’s play area.

2. Adding the following to Table 7-1: Landscaping Regulations for Residential:

Zone (Residential)	Landscaped Area (Minimum)
<p>RI/RI-1</p>	<ul style="list-style-type: none"> i. 100% of the minimum Front Yard shall be landscaped. ii. A minimum 2 m-wide landscape buffer is required when Multi-Unit or Townhouse Dwellings are adjacent to Single Detached Dwellings. iii. Required Landscape areas must be covered with either natural rock outcrop, natural vegetation, seed/sod, mulch beds, paving stones, walkways, Amenity Spaces, raised planters or another Landscaping materials. iv. Any portion of a Lot not occupied by Buildings or parking and vehicular circulation areas that is maintained in its natural

	state will be considered contributing to the Landscaping requirements.
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3. Amending Table 7-3: Minimum Parking Space Requirements as follows:

Use	Parking Standard Area 2 (Residential Central/Residential Intensification)
Residential	Multi-Unit Dwelling - no more than 1 per Dwelling Unit.

4. Amending Section 8.1.1. a) as follows:

- a) Notwithstanding any other regulations of this By-law, where a Planned Development involves the grouping of two or more Principal Buildings on a shared Site, it shall be subject to the following regulations:
 - i. the total Lot coverage of the Planned Development shall not exceed the maximum Lot coverage of the applicable Zone; and
 - ii. building setbacks shall be provided in accordance with the Development Regulation Table in each Zone, pursuant to the greater requirements.

5. Amending Section 8.1.3. a) as follows:

- a) Multi-Unit Dwelling with more than 15 Dwelling Units shall provide a private balcony of at least 5 m² for each Dwelling Unit, or communal indoor Recreation Space in lieu of balconies to the satisfaction of the Development Officer.

6. Amending Section 8.1.3. c) as follows:

- c) For Multi-Unit and Townhouse Dwellings without individual Street Access, a minimum of 5% of Site Area shall be provided as an Outdoor Recreation Space for intended occupants to the satisfaction of the Development Officer.

7. Adding Section 10.5. RI – Residential Intensification as follows:

10.5 RI – Residential Intensification

10.5.1. Purpose

To provide areas for new or infill residential intensification Developments that supply a mix of housing options.

Table 10-13: RI Permitted and Discretionary Uses

Permitted	Discretionary
Accessory Building	Convenience Store
Accessory Use	Similar Use
Daycare Facility (accessory)	

Dwelling <ul style="list-style-type: none"> • In-Home Secondary • Multi-Unit • Townhouse • Special Care Residence 	
Home-Based Business	
Mixed Use	
Planned Development	
Public Utility Uses and Structures	

Table 10-14: RI Residential Intensification Regulations

RI - Regulations	Multi-Unit Dwelling/Other	Townhouse Dwelling
Minimum Lot Width	50 m	37.5 m (7.5 m subdivided)
Minimum Site Area	5,000 m ²	2,000 m ²
Maximum Lot Coverage	65% combined	65% combined
Maximum Height		
Principal Building	18 m	15 m
Accessory Building	Less than the Height of the Principal Building	Less than the Height of the Principal Building
Minimum Front Yard Setback		
Principal Building	1 m	1 m
Accessory Building	Not within the minimum Front Yard Setback	Not within the minimum Front Yard Setback
Minimum Side Yard Setback		
Principal Building – Interior*	3 m	3 m
Principal Building – Corner	3 m	3 m
Accessory Building - Interior	1 m	1 m
Accessory Building - Corner	3.5 m	3.5 m
Minimum Rear Yard Setback		
Principal Building	6 m	6 m
Accessory Building	1 m	1 m
Projection into Yard Setbacks		
Architectural Features	1 m (except front yard)	1 m (except front yard)
Unenclosed Deck and unenclosed steps	40% reduced setback	40% reduced setback
Unenclosed Deck less than 0.6 m in Height Rear Yard	1 m from the Lot boundary	1 m from the Lot boundary
Accessory Structures overhanging eaves	0.6 m (except front yard)	0.6 m (except front yard)
Minimum Distance		

Any Building to an Outdoor Wood Pellet Boiler	3 m	3 m
Between Principal Building and Accessory Building/Structure or between Accessory Buildings/Structures	1 m	1 m

*Note: minimum Side Yard Setback along party wall in Townhouses shall be 0 m.

10.5.2. Development Regulations

a) Site Development

- i. A Site shall not be developed where significant portions of the site cannot accommodate future residential Development and Access.
- ii. Access:
 - 1) All Developments shall maintain pedestrian linkages by connecting to all sidewalks and trails where possible; and,
 - 2) All Developments shall be designed to minimize conflict between pedestrian and vehicle traffic on site.

- b) All mechanical equipment, including roof mechanical units and/or pellet boilers and pellet silo, shall be concealed by Screening in a manner compatible with the architectural character of the Buildings, or concealed by incorporating it within the Building roof or an accessory structure.

10.5.3. Other Regulations

- a) See Section 7 – Development Regulations Applicable to All Zones.
- b) See Section 8 – Development Regulations Applicable to Residential Zones.

10.5.4. RI-1 Regulations

To provide an area that supports infill of residential intensification that is suitable in established neighbourhoods or on land with constraints.

All regulations in the RI Zone applies, except Table 10-13 and Table 10-14.

Table 10-15: RI-1 Permitted and Discretionary Uses

Permitted	Discretionary
Accessory Building	Similar Use
Accessory Use	
Dwelling <ul style="list-style-type: none"> • Detached Secondary • Duplex • In-Home Secondary • Multi-Unit • Townhouse • Special Care Residence 	
Home-Based Business	

Planned Development	
Public Utility Uses and Structures	

Table 10-16: RI-1 Specific Regulations

RI-1 - Regulations	Duplex	Townhouse Dwelling	Multi-Unit/Other
Minimum Lot Width	15 m	19.5 m (6.5m subdivided)	20 m
Maximum Lot Coverage	65% combined	65% combined	65% combined
Maximum Height			
Principal Building	12 m	12 m	12 m
Accessory Building	Less than the Height of the Principal Building	Less than the Height of the Principal Building	Less than the Height of the Principal Building
Detached Secondary Dwelling Unit above a Garage	No more than 3 m higher than the Principal Building to a maximum of 12 m	-	-
Detached Secondary Dwelling Unit	No more than 3 m higher than the Principal Building to a maximum of 12 m	-	-
Minimum Front Yard Setback			
Principal Building	3 m	3 m	3 m
Accessory Building	Not within the minimum Front Yard Setback	Not within the minimum Front Yard Setback	Not within the minimum Front Yard Setback
Minimum Side Yard Setback			
Principal Building – Interior *	3 m	3 m	3 m
Principal Building – Corner	3.5 m	3 m	3 m
Accessory Building – Interior	1 m	1 m	1 m
Accessory Building – Corner	3.5 m	3.5 m	3.5 m
Minimum Rear Yard Setback			
Principal Building	6 m	6 m	6 m
Accessory Building	1 m	1 m	1 m
Projection into Yard Setbacks			
Architectural Features	1.2 m	1.2 m	1.2 m
Unenclosed Deck and unenclosed steps	40% reduced setback	40% reduced setback	40% reduced setback
Unenclosed Deck less than 0.6 m in Height Rear Yard	1 m from the Lot boundary	1 m from the Lot boundary	1 m from the Lot boundary

Accessory Structures overhanging eaves	0.6 m	0.6 m	0.6 m
Minimum Distance			
Any Building to an Outdoor Wood Pellet Boiler	3 m	3 m	3 m
Between Principal Building and Accessory Building/Structure or between Accessory Buildings/Structures	1 m	1 m	1 m

*Note: minimum side yard setback along party wall in townhouses shall be 0 m.

10.5.5. Infill Design Regulation

- a) No blank wall that is visible from the street shall be permitted.
- b) Infill development shall orient towards the public street in the same direction as one adjacent building, where possible.

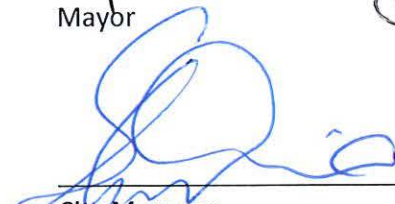
EFFECT

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 15 day of OCTOBER, 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