



CITY OF YELLOWKNIFE

MUNICIPAL SERVICES COMMITTEE AGENDA

Monday, May 4, 2015 at 12:30 p.m.

Chairman: Mayor M. Heyck,
Councillor R. Alty,
Councillor A. Bell,
Councillor B. Brooks,
Councillor L. Bussey,
Councillor N. Konge,
Councillor P. Son,
Councillor C. Vanthuyne, and
Councillor D. Wong.

<u>Item</u>	<u>Description</u>
1.	Approval of the agenda.
2.	Disclosure of pecuniary interest and the general nature thereof.
ANNEX A	
3.	A memorandum regarding whether to appoint a Registrar of Enumeration and Returning Officer for the City of Yellowknife.
ANNEX B	
4.	A memorandum regarding whether to acquire a fee simple interest in the Commissioner's land (a portion of Stout Road), and dispose of the fee simple interest to and acquire a portion of Lot 13 Block 14 Plan 3790 from the owner of 4801 Hershman Road, to maintain adequate sightlines at the intersection of Stout Road and Knutsen Lane.
5.	A report from Mayor Heyck regarding weekly activities.
<u>IN CAMERA</u>	
ANNEX C	
6.	A memorandum regarding whether to appoint two (2) members to serve on the City of Yellowknife Combative Sports Commission for a three (3) year term effective May 12, 2015 to May 11, 2018.
ANNEX D	
7.	A legal matter.



<u>Item No.</u>	<u>Description</u>
8.	A personnel matter.
9.	Business arising from In Camera Session.



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Municipal Services

DATE: May 4, 2015

DEPARTMENT: Administration

ISSUE: Whether to appoint a Registrar of Enumeration and Returning Officer and for the City of Yellowknife.

RECOMMENDATION:

That Council appoint Debbie Gillard, City Clerk, as Registrar of Enumeration and Returning Officer for the City of Yellowknife.

BACKGROUND:

Pursuant to the *Local Authorities Elections Act* a local authority must appoint a person to act as the Registrar of Enumeration and Returning Officer for municipal elections and any vote on a question put to the voters. The Municipal General Election has been scheduled for October 19, 2015 and a Registrar of Enumeration and Returning Officer are required.

COUNCIL POLICY / RESOLUTION OR GOAL:

Council Goal #3 Enhancing communications and community engagement.

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

1. *Cities, Towns & Villages Act*; and
2. *Local Authorities Elections Act*.

CONSIDERATIONS:

Legislation

Section 11(7) and 27(1) of the *Local Authorities Elections Act* states that a Returning Officer must be appointed not later than 49 days before election day. If a Returning Officer is not appointed, the Senior Administrative Officer shall perform the duties and exercise the powers of the Returning Officer for the municipal corporation.

Section 23(1) and (4) of the *Local Authorities Elections Act* states that a Registrar of Enumeration shall be appointed not later than 49 days before election day. If a Registrar is not appointed, the Senior Administrative Officer shall perform the duties and exercise the powers of the Registrar.

It is the mandate of the City Clerk's Division to conduct municipal elections and referendums on behalf of the City of Yellowknife.

ALTERNATIVES TO RECOMMENDATION:

1. That Council appoint another person(s) as Returning Officer and/or Registrar of Enumeration for the City of Yellowknife.

RATIONALE:

It is the mandate of the City Clerk's Division to conduct all municipal elections and referendums. Appointing the City Clerk as Registrar of Enumeration and as Returning Officer will enable this Division to fulfill this responsibility.

ATTACHMENTS:

None.

Prepared: April 23, 2015; DMG



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Municipal Services

DATE: May 4, 2015

DEPARTMENT: Planning and Development

ISSUE: Whether to acquire a fee simple interest in the Commissioner’s land (a portion of Stout Road), and dispose of the fee simple interest to and acquire a portion of Lot 13, Block 14, Plan 3790 from the owner of 4801 Hershman Road, to maintain adequate sightlines at the intersection of Stout Road and Knutsen Lane.

RECOMMENDATION:

That:

1. By-law No. XXXX, a by-law to acquire a fee simple interest in the Commissioner’s land (a portion of Stout Road) as identified in Schedule A of By-law No. XXXX, be presented for First Reading, and be held in abeyance until the land survey is completed;
2. By-law No. YYYYY, a by-law to dispose of the Commissioner’s land (a portion of Stout Road) as identified in Schedule A of By-law No. YYYYY, be presented for First Reading, and be held in abeyance until the land survey is completed; and
3. By-law No. ZZZZ, a by-law to acquire a portion of Lot 13, Block 14, Plan 3790, as identified in Schedule A of By-law No. ZZZZ, be presented for First Reading, and be held in abeyance until the land survey is completed.

BACKGROUND:

The owners of 4801 Hershman Road approached the City about a possible property boundary adjustment. They would sell the portion of their lot highlighted in Red to the City and purchase the portion of Stout Road highlighted in Yellow (See Figure 1 – context map). The red portion at the corner of their lot has been used for turning roadway while the yellow portion, although within the current road right-of-way, is not part of the actual roadway (see Figures 2 and 3). Acquiring the triangular parcel at the corner to be part of the road right-of-way will ensure adequate sightlines are maintained.

Figure 1: Context Map



Figure 2: Site Photo - stick at the corner point



Figure 3: Aerial Photo – corner point and actual roadway position



COUNCIL POLICY / RESOLUTION OR GOAL:

- 1(a) Realize Opportunities to Encourage Economic Growth and Diversity;
- 2(d) Promote a Range of Commercial, Residential and Institutional Development and Revitalization opportunities

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

- 1. *Cities, Towns and Villages Act*;
- 2. Land Administration By-law No. 4596, as amended; and
- 3. Zoning By-law No. 4404, as amended.

CONSIDERATIONS:

Legislative


Pursuant to Sections 53 and 54 of the *Cities, Towns and Villages Act* and sections 4 and 5 of the Land Administration By-law No. 4596, as amended, the acquisition and disposal of land must be authorized by by-law specific to the subject land.

Application for Commissioner’s land

The portion of Stout Road has been confirmed by the GNWT Department of Lands to be available for acquisition. Stout Road is legally described as part of Road, Plan 68 which consists of 9 parcels (Figure 4). These parcels will not be included in the land application at this time due to the cost of surveying out all 9 parcels of the road.

Figure 4: Parcels of Road, Plan 68



 Road, Plan 68

Zoning and Land Use

The portion of Stout Road to be acquired and the property at 4801 Hershman Road are both zoned R2 – Residential-low density (see Figures 1 and 3). The proposed lot subdivision (excluding the parcel highlighted in red) and consolidation (including the parcel highlighted in yellow) reflects the actual land use. If the proposed land acquisition and disposal are approved, the R2 zoning will remain and the triangular parcel (highlighted in red) will be officially surveyed as part of the road right-of-way.

Financial Considerations

Pursuant to the City's land Administration By-law No. 4596, as amended, the sale price of the parcels will be the market value as established by a property appraisal. The parcel that the City would acquire is approximately 20 m² and the portion of road the City would be disposing of is approximately 89 m², any difference in price will be paid for by the owner of 4801 Hershman Road. The owner will also be responsible for the survey and the appraisal costs.

Departmental Consultation

Public Works and Engineering Department have been consulted and they are in favor of the proposed land acquisition and disposal.

ALTERNATIVES TO RECOMMENDATION:

By-law Nos. XXXX, YYYY and ZZZZ, by-laws to authorize certain land acquisition and disposal with the owner of 4801 Hershman Road to ensure adequate sightlines at the intersection of Stout Road and Knutsen Lane, not be presented for adoption.

RATIONALE:

The proposed land acquisition and disposal reflect the current land use. They are necessary to facilitate a road splay and line of sight for vehicles entering and exiting Knutsen Lane via Stout Road.

ATTACHMENTS:

1. By-law No. XXXX (DM# 425452), Schedule A (DM#426037);
2. By-law No. YYYY(DM# 425454), Schedule A (DM# 426024); and
3. By-law No. ZZZZ (DM# 425453), Schedule A (DM# 425507).

Prepared: April 27, 2015; KPW/kpw

Revised:



CITY OF YELLOWKNIFE

BY-LAW NO. XXXX

BA XXX

A by-law of the Council of the Municipal Corporation of the City of Yellowknife authorizing the Municipal Corporation of the City of Yellowknife to acquire fee simple title in land for the Municipal Corporation of the City of Yellowknife, in the Northwest Territories,

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

WHEREAS the said parcels of land are available for acquisition by the Municipal Corporation of the City of Yellowknife;

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

APPLICATION

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

All that parcel of land, as shown in a hatched pattern on Schedule "A", attached hereto and forming part of this by-law.

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

EFFECT

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

Read a First time this _____ day of _____, A.D. 2015.

Mayor

City Administrator

Read a Second Time this _____ day of _____, A.D. 2015.

Mayor

City Administrator

Read a Third Time and Finally Passed this _____ day of _____, A.D., 2015.

Mayor

City Administrator

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 Administrator



Land Acquisition



Fritz
Theil
Park

Stout Road

Lot 13
Block 14



CITY OF YELLOWKNIFE
Planning & Development

PROJECT:

TITLE:

Schedule A for By-Law XXXX

SCALE:

1:299

CREATED BY:

GT

FILE:

15 Lot 13 Block 14.mxd

DATE:

April 20, 2015



CITY OF YELLOWKNIFE

BY-LAW NO. YYYY

BS XXX

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

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

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

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

APPLICATION

1. That the Municipal Corporation of the City of Yellowknife is hereby authorized to dispose of fee simple title in all those parcels of land more particularly described as:

All that parcel of land, as shown in a hatched pattern on Schedule "A", attached hereto and forming part of this by-law.

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

EFFECT

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

Read a First time this _____ day of _____, A.D. 2015.

Mayor

City Administrator

Read a Second Time this _____ day of _____, A.D. 2015.

Mayor

City Administrator

Read a Third Time and Finally Passed this _____ day of _____, A.D., 2015.

Mayor

City Administrator

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 Administrator



Land Disposal



Fritz
Theil
Park

Stout Road

Lot 13
Block 14



CITY OF YELLOWKNIFE
Planning & Development

PROJECT:

TITLE:

Schedule A for By-Law YYYY

SCALE:

1:299

CREATED BY:

GT

FILE:

15 Lot 13 Block 14b.mxd

DATE:

April 20, 2015



CITY OF YELLOWKNIFE

BY-LAW NO. ZZZZ

BA XXX

A by-law of the Council of the Municipal Corporation of the City of Yellowknife authorizing the Municipal Corporation of the City of Yellowknife to acquire fee simple title in land for the Municipal Corporation of the City of Yellowknife, in the Northwest Territories,

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

WHEREAS the said parcels of land are available for acquisition by the Municipal Corporation of the City of Yellowknife;

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

APPLICATION

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

All that parcel of land, as shown in a hatched pattern on Schedule "A", attached hereto and forming part of this by-law.

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

EFFECT

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

Read a First time this _____ day of _____, A.D. 2015.

Mayor

City Administrator

Read a Second Time this _____ day of _____, A.D. 2015.

Mayor

City Administrator

Read a Third Time and Finally Passed this _____ day of _____, A.D., 2015.

Mayor

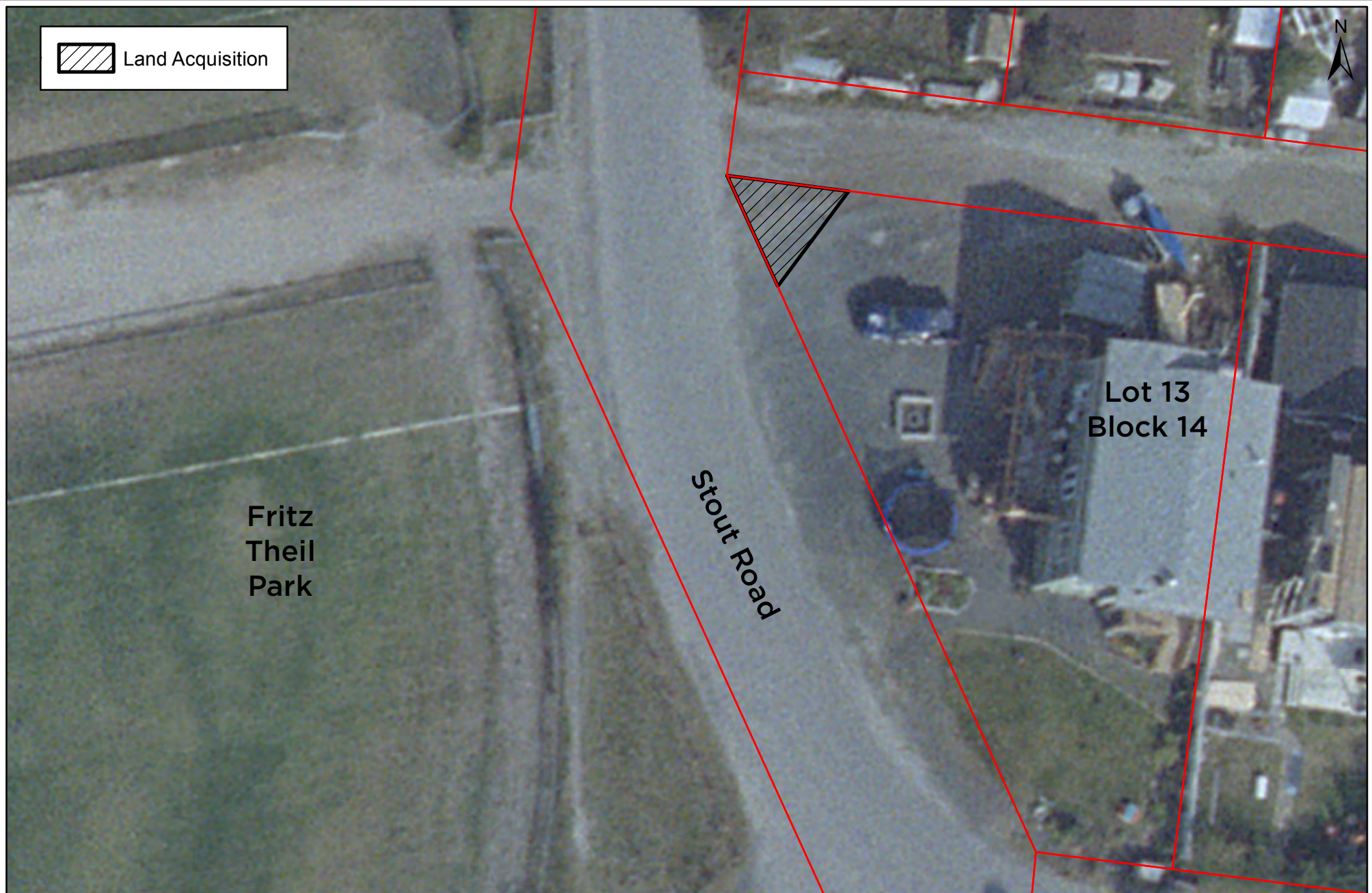
City Administrator

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 Administrator



Land Acquisition



Fritz
Theil
Park

Stout Road

Lot 13
Block 14



CITY OF YELLOWKNIFE
Planning & Development

PROJECT:

TITLE:

Schedule A for By-Law ZZZZ

SCALE:

1:299

CREATED BY:

GT

FILE:

15 Lot 13 Block 14.mxd

DATE:

April 10, 2015



CITY OF YELLOWKNIFE

MEMORANDUM TO COMMITTEE

COMMITTEE: Municipal Services

DATE: May 4, 2015

DEPARTMENT: Administration

ISSUE: Whether to appoint two (2) members to serve on the City of Yellowknife Combative Sports Commission.

RECOMMENDATION:

That Council appoint two (2) members to serve on the City of Yellowknife Combative Sports Commission for a three (3) year term effective May 12, 2015 to May 11, 2018.

BACKGROUND:

The term of office for Mr. Mike Ingraham, Mr. Don Reid, Mr. Craig Dallman and Mr. Tim Mercer expired on April 23, 2015.

COUNCIL POLICY / RESOLUTION OR GOAL:

Council Goal #3 Enhancing Communications and Community Engagement.

APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

1. *Criminal Code*, R.S.C. 1985, c.C-46 (s. 83);
2. *Cities, Towns and Villages Act*, S.N.W.T. 2003, c. 22 (s. 70 and 72); and
3. Combative Sports By-law No. 4721.

CONSIDERATIONS:

Legislative

Section 7 of Combative Sports By-law states that all members of the Commission shall be appointed by resolution of Council.

ALTERNATIVES TO RECOMMENDATION:

That Administration be directed to re-advertise the vacancies on the City of Yellowknife Combative Sports Commission.

RATIONALE:

An event is scheduled for May 16, 2015. The appointment of new members will ensure that the City of Yellowknife Combative Sports Commission has a full complement of members, and will ensure that professional Combative Sports are regulated within the City of Yellowknife.

ATTACHMENTS:

Expression of interest from the candidates.

Prepared: April 28, 2015; SJ/