

# **CITY OF YELLOWKNIFE**

## **Council Agenda**

**Tuesday, January 24, 2012 at 7:00 p.m.**

Welcome to the

### **REGULAR MEETING OF COUNCIL**

**Council Chamber  
City Hall  
4807 - 52<sup>nd</sup> Street  
Yellowknife**

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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. 4250, the Council Procedures By-law, for the rules respecting the procedures of Council.

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### **COUNCIL:**

Mayor Gordon Van Tighem

Councillor Lydia Bardak  
Councillor Bob Brooks  
Councillor Paul Falvo  
Councillor Mark Heyck

Councillor Amanda Mallon  
Councillor Shelagh Montgomery  
Councillor Cory Vanthuyne  
Councillor David Wind

*The City of Yellowknife is transitioning toward paperless agendas. All annexes to this agenda may be viewed on the City's website [www.yellowknife.ca](http://www.yellowknife.ca) or by contacting the City Clerk's Office at 920-5602.*





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11.		Are there any Member statements from the floor?
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**INTRODUCTION AND CONSIDERATION OF COMMITTEE REPORTS**

Councillor Wind will introduce the following reports:

12.		Municipal Services Committee Report for January 9, 2012.
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13.		Councillor Wind moves, Councillor _____ seconds,
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**That:**

- 1. Council direct Administration to consult with Northland Utilities (Yellowknife) Limited for the purpose of defining a smaller portion of an easement located on a portion of Lot 3, Block 501, Plan 1779 as identified on Schedule A of By-law No. 4662, as well as to ensure removal of the power pole, located in the middle of the property, prior to sale.**
- 2. Council direct Administration to dispose of Lot 3 Block 501 Plan 1779 to Ted’s U-Drive Ltd. in accordance with**
  - a. Council Motion #0130-90 and at current fair market value (to be determined pursuant to the Land Administration By-law) and should it not conclude the sale, to continue to place Lot 3 Block 501 on the open market in accordance with the Land Administration By-law; and**
  - b. City of Yellowknife Land Sale Procedure.**

Unanimous	In Favour	Opposed	Carried / Defeated
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**ENACTMENT OF BY-LAWS**

14.	By-law No. 4661	-	A by-law authorizing the City to dispose of a fee simple interest in Lot 3, Block 501, Plan 1779 (Coronation Drive), is presented for First and Second Reading.
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15.                                      Councillor Bardak moves,  
Councillor \_\_\_\_\_ seconds,

**First Reading of By-law No. 4661.**

Unanimous	In Favour	Opposed	Carried / Defeated
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16.                                      Councillor Bardak moves,  
Councillor \_\_\_\_\_ seconds,

**Second Reading of By-law No. 4661.**

Unanimous	In Favour	Opposed	Carried / Defeated
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17.                                      By-law No. 4662      -      A by-law to enter into an easement agreement with Northland Utilities (Yellowknife) Limited for the purpose of electrical easements located on Lot 3, Block 501, Plan 1779 (along Coronation Drive in Kam Lake), is presented for First and Second Reading.

18.                                      Councillor Bardak moves,  
Councillor \_\_\_\_\_ seconds,

**First Reading of By-law No. 4662.**

Unanimous	In Favour	Opposed	Carried / Defeated
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19.                                      Councillor Bardak moves,  
Councillor \_\_\_\_\_ seconds,

**Second Reading of By-law No. 4662.**

Unanimous	In Favour	Opposed	Carried / Defeated
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20.



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|-----------------|-----------------|--|
| 21.             |                 | By-law No. 4660 - A by-law authorizing the City of Yellowknife to enter into an easement agreement with the owners of Lot 22, Block 312, Plan 4204 for the purpose of establishing two easements for municipal water and sewer infrastructure through the Niven Heights development on Lot 22, Block 312, Plan 4204 (111-121 Moyle Drive), is presented for Third Reading. |

22. Councillor Bardak moves,  
Councillor \_\_\_\_\_ seconds,

**Third Reading of By-law No. 4660.**

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

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

**OLD BUSINESS**

25. There was no old business for the agenda.
26. Is there any old business from the floor?

**NOTICES OF MOTION**

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

**DELEGATIONS PERTAINING TO ITEMS NOT ON THE AGENDA**

29. There were no delegations pertaining to items not on the agenda.

**NEW BUSINESS**

30. A memorandum regarding whether to appoint Gregory Austin Brown as a By-law Officer for the City of Yellowknife.



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<u>Item No.</u>	<u>Page No.</u>	<u>Description</u>
31.		A memorandum regarding whether to award the Communications Infrastructure Upgrade Phase II contract, RFP #11-045 to Tait Communications for \$1,439,926.32 (plus GST).

32. Is there any new business from the floor?

### ADMINISTRATIVE ENQUIRIES

33. There were no administrative enquiries for the agenda.

34. Are there any administrative enquiries from the floor?

### ADJOURNMENT

**MUNICIPAL SERVICES COMMITTEE REPORT**  
**Monday, January 9, 2012 at 12:05 p.m.**

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Report of a meeting held on Monday, January 9, 2012 at 12:05 p.m. in the City Hall Council Chamber. The following Committee members were in attendance:

Chairman: Mayor G. Van Tighem,  
Councillor L. Bardak,  
Councillor P. Falvo,  
Councillor M. Heyck,  
Councillor S. Montgomery,  
Councillor C. Vanthuyne, and  
Councillor D. Wind.

The following members of Administration staff were in attendance:

D. Kefalas,  
C. Bird,  
A. Ferri,  
J. Humble,  
D. Marchiori,  
N. Naidoo,  
G. White, and  
S. Jovic.

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<u>Item</u>	<u>Description</u>
	(For Information Only)
1.	There were no disclosures of pecuniary interest.
2.	<b>Committee read a memorandum regarding whether to adopt By-law No. 4661, a by-law to dispose of fee simple title for Lot 3, Block 501, Plan 1779 (Coronation Drive) to the applicant (Ted's U-Drive Ltd. - Lot 6, Block 501 - #99 Kam Lake Road); and whether to adopt By-law No. 4662, authorizing the City of Yellowknife ("the City") to enter into an easement agreement with Northland Utilities (Yellowknife) Limited on portions of Lot 3, Block 501, Plan 1779 (along Coronation Drive in Kam Lake) for the purpose of electrical easements. Committee noted that on August 24, 2011, the City of Yellowknife ("the City") received an application from the owner of Lot 6, Block 501 (#99 Kam Lake Road) to purchase Lot 3 Block 501 (the "Subject Lot") [Figure 1].</b>



[Figure 1 Subject Lot: Lot 3 Block 501 Plan 1779]

The Subject Lot was originally part of a larger parcel through which the City constructed the north end of the Coronation Drive right-of-way in 1971/1972. However, it is a remnant parcel created due to the subdivision of a larger parcel surveyed in 1985. At the time, the standard for developable lots within this area of the Kam Lake Industrial Subdivision was 200 ft x 400 ft (61 m x 122 m); consequently, the Subject Lot was deemed to be substandard in size. In 1990 Council deemed that this parcel was substandard, due to the fact it is "situated on a road curve and is rocky." It was then made available to the adjacent property owner (Motion to sell February 26, 1990). However, the by-law to dispose of the lot was not adopted and the lot has remained vacant and undeveloped. Pursuant to Section 5(j) of Land Administration By-law 4596, disposition of land in fee simple or leasehold interest shall be authorized by by-law. In order for this disposal of land to occur a by-law is required. The City is preparing to dispose of Lot 3, Block 501, Plan 1779 in fee simple title. As part of the preparation, a plan of easement (By-law 4662) was prepared by Northland Utilities (Yellowknife) Limited. This electrical easement is located within a portion of Lot 3, Block 501, Plan 1779 (Coronation Drive in Kam Lake). A by-law is required for the City to enter into an easement agreement with Northland Utilities

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(Yellowknife) Limited. Council Goal #1 states: "Affordability". Council Goal #2 states: "Enhancing our built environment. Council Goal #3 states: "Building Social Capital (Community Engagement). Council Motion #0130-90 states: 'Disposition of Committed Lands'. Applicable legislation include *Planning Act*; Land Administration By-law No. 4596; General Plan By-law No. 4315, as amended; Zoning By-law No. 4404, as amended; and *Cities, Towns and Villages Act, S.N.W.T. 2003*. Land Application History:

- *February 14<sup>th</sup> 1990*: the owner of Lot 20-2, Block 501 sent a letter to the City expressing interest in purchasing Lot 3 Block 501.
- *February 26, 1990*: The letter was presented to Council and a motion was approved declaring "uncommitted lands be approved, as amended by resolution of Council". Lot 3, Block 501 was considered to be a substandard parcel and disposable by the City.
- *Throughout 1990*: The owner of Lot 20-2 Block 501's interest in purchasing Lot 3, Block 501 ceased and the lot was not purchased (determined by letter in 2004).
- *August 24<sup>th</sup> 2011*: The City received an application from the owner of Lot 6, Block 501, (#99 Kam Lake Road) to purchase Lot 3, Block 501.

The recommendation herein is supported through consultation with the Department of Public Works. Issues pertaining to access, drainage and grading will be addressed through the development permit process. Disposal of the Subject Lot will not incur any expense for the City and will contribute to the City's Land Development Fund. The sale price will be the market value, established by appraisal, cost of which will be incorporated into the final sale price. In the current Land Administration By-law No. 4596, a substandard property may be offered directly to adjacent landowners for disposal. The criteria for determining those type of properties includes, but is not limited to: lot configuration, lack of or barriers providing street access/water/sewer/other services, not meeting the minimum lot and site area requirements pursuant to the City's Zoning By-law, or, physical limitations related to the natural topography of the site. Lot 3, Block 501 does not meet any of the current requirements for substandard parcels and therefore does not fall under the "substandard

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property" category pursuant to the current Land Administration By-law or Zoning By-law. Even though it is currently deemed a standard sized lot, it has been listed in the City's Lands Inventory since 1990 and was to be sold through Council Motion #0130-90 to the previous owner of Lot 6, Block 501. The City therefore holds the right to dispose of Lot 3, Block 501. As an alternate recommendation, Administration has provided for the disposal of Lot 3 Block 501 through other means as identified in the Land Administration By-law. Section 5(c) of the Land Administration By-law No. 4596 refers to the *Cities, Towns and Villages Act*, stating that the Corporation of the City of Yellowknife has the authority to dispose of land owned by the City - the acquisition and disposal of land by purchase, lease or other means to another party by the City shall be authorized by by-law. Section 53 of the *Cities, Towns and Villages Act* states: that a municipality must approve the appropriate by-law authorizing the acquisition and disposal of real land. The proposed use as described in the current application to purchase Lot 3 Block 501 Plan 1779 is for the land to be a commercial and industrial use development. Any new uses on Lot 3 Block 501 must be approved by Development Permit pursuant to Zoning By-law No. 4404, as amended. The Subject Lot is zoned "I"- Industrial. The purpose of the industrial zone is to provide an area for commercial and industrial activities. Construction of buildings, including siting, access, landscaping and other features will be addressed through the development permit process. Section 7 of the 2004 General Plan states that "Kam Lake Infill" be targeted as a desirable option for industrial development. The sale and development of Lot 3, Block 501 utilizes undeveloped land in an already built-up area and is considered by Administration to be Kam Lake infill, consistent with the intent of General Plan By-law No. 4315. It should also be noted that infill and intensification of vacant and underutilized parcels in Kam Lake is consistent with the Draft 2011 General Plan. In order for the City to enter into an agreement with Northland Utilities (Yellowknife) Limited for the purposes of an electrical easement, a by-law is required. The by-law must reference a legal description of property (Lot, Block & Plan). The by-law will authorize Northland Utilities (Yellowknife) Limited to access the land in order to install and maintain any electrical services. The survey is completed but the plan of easement has not yet been registered at Land Titles. Administration will ensure this process is complete prior to the sale of Lot 3, Block 501. The easement agreement between the City and Northland Utilities shall contain a

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clause to ensure removal of the power pole, located in the middle of the property, prior to sale. Next Steps:

- i) Pursuant to Section 7(a) of the Land Administration By-law, the determination of the price of land for fee simple disposition by the City shall be the appraised value.
- ii) Sales: Pursuant to section 9(a) of the Land Administration By-law, all revenues from the disposal of land shall be deposited in the Land Development Fund and utilized for the purchase of strategically identified lands. These funds will be given directly for the assembly and servicing of land development which will be marketed by the City.
- iii) Steps remaining for land sales of parcels in the City's Land Inventory: (1) Applicant is required to submit a deposit and a letter of intent prior to the City obtaining an appraisal of the land, including \$10,000.00 deposit; 2) Applicant must submit a 15% deposit and sign two original copies of a Purchase Agreement; (3) Preparation of the Purchase Agreement and update all the records in the Land Sales; (4) Applicant is required to pay the balance of the purchase price within six months from the date of the Purchase Agreement; (5) Prepare Lands transfer document; (6) Upon completion it is up to the Applicant to withdraw any caveats registered against the property.

The Subject Lot has been in the City's land inventory in excess of twenty years. As a Permitted Use within the "I" - Industrial zone, commercial and industrial uses fit with the overall intent of the "I" zone. A relevant disposal by-law is required for the purpose of this land request. The City has no other interest in the land. Pursuant to the Land Administration By-law, if the land is not required for municipal purposes, and where the intended land use is in accordance with the City's General Plan, a Development Scheme (where applicable), and Zoning By-Law, or any other relevant by-laws, plans and studies, the City may dispose of fee simple in any real property. Lot 3, Block 501 has been in the City's Lands Inventory since 1990 and was to be sold through Council Motion #0130-90 to the previous owner of Lot 6, Block 501.

**MUNICIPAL SERVICES COMMITTEE REPORT**  
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Recommendation		Alternative to Recommendation	
Pros	Cons	Pros	Cons
1) Council Motion to Sell: #0130-90	2) Land is currently deemed "Standard Size" (although has an irregular shape).	1) Disposal as per current Land Administration By-law No. 4596 of a standard sized lot.	1) Land has been in inventory for over twenty years.
3) Straightforward solution to the sale of this lot.		2) Public would be made aware of the availability of Lot 3 Block 501.	2) Stalls the process of disposing of lands. It is not beneficial for the City to hold onto vacant land.
4) The City has no other interest in the land.			3) Little interest has been shown in the purchasing of Lot 3 Block 501 over the years.
5) Applicant intends to develop land with commercial/industrial uses as per Zoning By-law 4404, as amended.			
6) Lot 6 Block 501 is the same applicant who wished to purchase Lot 3, Block 501 in 1990.			
7) Compatible with Lot 6, Block 501: avoids access issues on the corner.			

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Northland Utilities (Yellowknife) Limited has indicated to the City of Yellowknife that electrical easements are required within Lot 2 Block 501, Plan 1779. A by-law is required for the City to enter into this easement agreement with Northland Utilities (Yellowknife) Limited. Until the Legal easement agreement is registered, the land sales will not be finalized.

Committee recommended that:

- 1) By-law No. 4661, a by-law authorizing the City to dispose of a fee simple interest in Lot 3, Block 501, Plan 1779, be presented for adoption.
- 2) By-law No. 4662, a by-law to enter into an easement agreement with Northland Utilities (Yellowknife) Limited for the purpose of electrical easements located on Lot 3, Block 501, Plan 1779 as identified on a portion of Schedule A, be presented for adoption.

Committee recommends that:

1. Council direct Administration to consult with Northland Utilities (Yellowknife) Limited for the purpose of defining a smaller portion of an easement to located on a portion of Lot 3, Block 501, Plan 1779 as identified on Schedule A of By-law No. 4662, as well as to ensure removal of the power pole, located in the middle of the property, prior to sale.
2. Council direct Administration to dispose of Lot 3 Block 501 Plan 1779 to Ted's U-Drive Ltd. in accordance with
  - a. Council Motion #0130-90 and at current fair market value (to be determined pursuant to the Land Administration By-law) and should it not conclude the sale, to continue to place Lot 3 Block 501 on the open market in accordance with the Land Administration By-law; and
  - b. City of Yellowknife Land Sale Procedure.

**MOVE APPROVAL**

(For Information Only)

3. Committee accepted for information minutes of the Smart Growth Implementation Committee of December 7, 2011.

**MUNICIPAL SERVICES COMMITTEE REPORT**  
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- (For Information Only)
4. Committee accepted for information minutes of the Heritage Committee of December 14, 2011.

- (For Information Only)
5. Mayor Van Tighem provided Committee with a report of his weekly activities.

- (For Information Only)
6. Committee read a memorandum regarding whether to appoint Ms. Shirley Johnson as the Latham Island representative for the Yellowknife Harbour Planning Committee. Committee noted that on January 25, 2010 Yellowknife City Council adopted Terms of Reference for the Yellowknife Harbour Planning Committee. The purpose of the Committee is to facilitate the interests of the various governmental bodies to assist the City in the formulation of policies, concepts, and strategies as they relate to a regulatory framework and vision for the Yellowknife Bay extending from the southern edge of the city municipal boundary and the community of Dettah to the Yellowknife River including the Back Bay area. The City invited various agencies and organizations to participate on the Committee and advertised the vacancies for members at large. The representative for Latham Island, Ms. Michelle Swallow, no longer resides on Latham Island, and in accordance with Section 33 of the Terms of Reference, a new representative must be appointed. Ms. Shirley Johnson had previously applied as the only other applicant for this position and continues to be interested in sitting on the Committee. Council Goal #2 states: "Enhancing Our Built Environment." Council Goal #3 states: "Building Social Capital (Community Engagement)." Applicable legislation include *Cities, Towns & Villages Act*; and Council Procedures By-law No. 4250, as amended. In accordance with the Terms of Reference, Council may by resolution appoint persons to fill vacancies on this Committee. Section 33 of the Harbour Planning Committee Terms of Reference states:

"In the event that a member of Committee no longer represents the segment of the community that they were appointed for, their term shall expire and a new Member may be appointed by Council."

Pursuant to Section 33 of the Harbour Plan Terms of Reference the initial Latham Island Representative no longer resides in Latham Island. Pursuant to Section 33 a new member is recommended for appointment.

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Committee recommended that Council appoint Ms. Shirley Johnson to serve on the Yellowknife Harbour Planning Committee as the representative from Latham Island.

Committee noted that this matter will be discussed at that evening's Council meeting.

7. The meeting adjourned at 12:40 p.m.

**CITY OF YELLOWKNIFE  
BY-LAW NO. 4661**

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 a freehold interest 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 parcel of land is 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 a freehold interest in the following parcel of land:

Lot 3  
Block 501  
Plan 1779

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. 2012.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY ADMINISTRATOR

READ a Second time this \_\_\_\_ day of \_\_\_\_\_, A.D. 2012.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY ADMINISTRATOR

READ a Third time and Finally Passed this \_\_\_\_ day of \_\_\_\_\_, A.D. 2012.

\_\_\_\_\_  
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.

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CITY ADMINISTRATOR

Docs # 291278

**CITY OF YELLOWKNIFE  
BY-LAW NO. 4662**

A by-law of the Council of the Municipal Corporation of the City of Yellowknife authorizing the Municipal Corporation of the City of Yellowknife, in the Northwest Territories to enter into an Easement Agreement(s).

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

WHEREAS Northland Utilities Yellowknife Ltd. is desirous of entering into an Easement Agreement with the City of Yellowknife for Lot 3, Block 501, Plan 1779;

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 enter into an Easement Agreement with Northland Utilities Yellowknife Ltd. for an electrical utility easement across municipal lands more particularly described as:

A portion of Lot 3, Block 501, Plan 1779

as shown 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. 2012.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY ADMINISTRATOR

READ a Second time this \_\_\_ day of \_\_\_\_\_, A.D. 2012.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY ADMINISTRATOR

READ a Third time and Finally Passed this \_\_\_ day of \_\_\_\_\_, A.D. 2012.

\_\_\_\_\_  
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



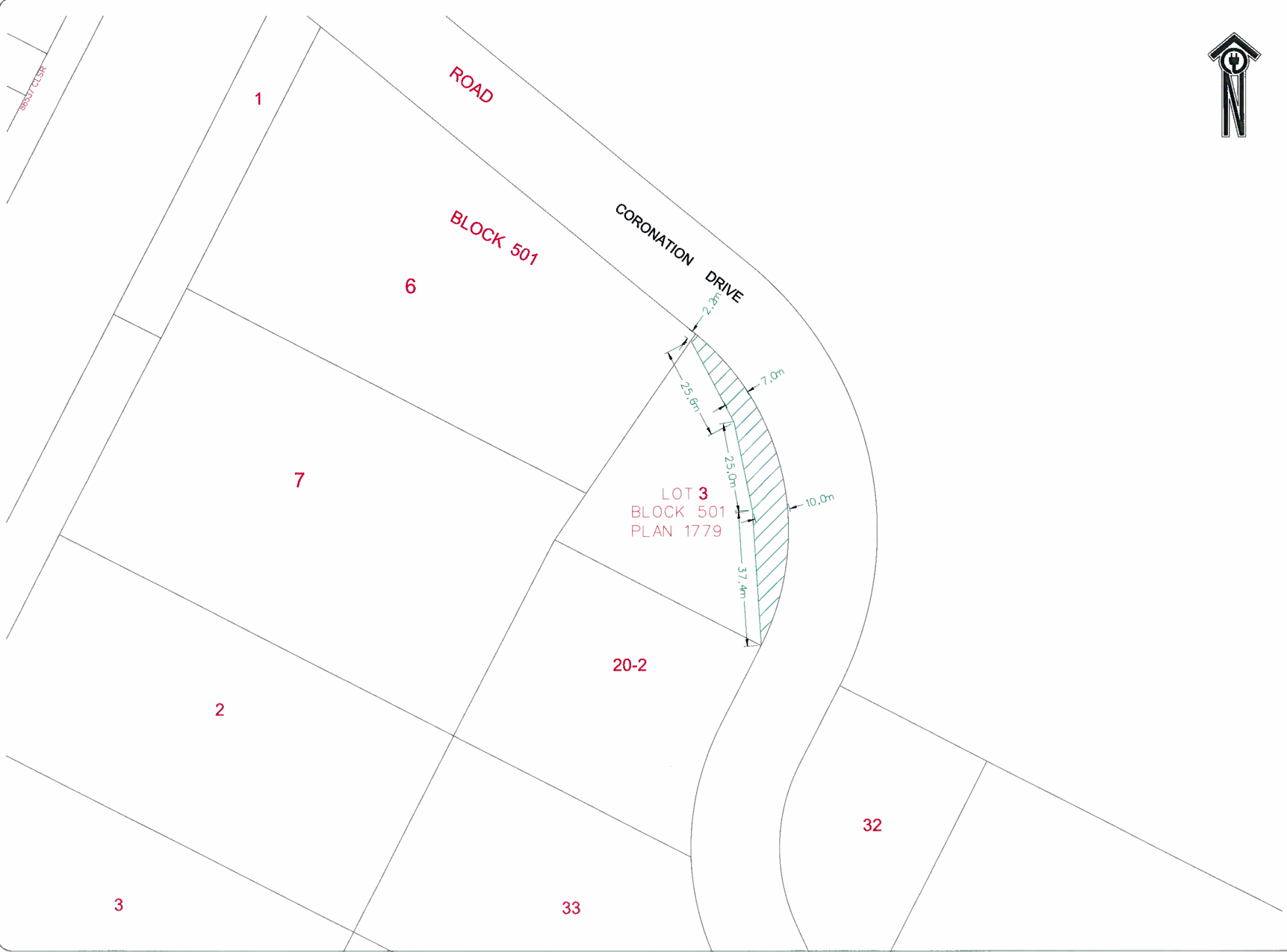
LEGEND / NOTES

Lands dealt by this plan bounded by thus

 EASEMENT

 LOT LINES

By-Law 4662  
Schedule "A"



DESCRIPTION	DATE m-d-y	BY	CHKD
EASEMENT REQUIREMENTS	01-DEC-2011	LME	MAW

PROJECT:  
**FILE FOR EASEMENT**

TITLE & LOCATION:  
**EASEMENT REQUIREMENT  
LOT 3, BLK 501, LTO 1779  
YELLOWKNIFE, NT**

Engineers acceptance is for the Electrical Distribution System and/or Streetlighting only.

Signature: \_\_\_\_\_

PREPARED BY: LME

CHECKED BY: MAW

SCALE: 1:1000

INITIAL DRAWING DATE: DECEMBER 1, 2011 PROJECT NUMBER: K05095

DRAWING NUMBER: 1 OF 1 REVISION NUMBER: 0

**CITY OF YELLOWKNIFE  
BY-LAW NO. 4660**

A by-law of the Council of the Municipal Corporation of the City of Yellowknife authorizing the Municipal Corporation of the City of Yellowknife in the Northwest Territories to enter into an Easement Agreement.

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

WHEREAS the City of Yellowknife is desirous of entering into an Easement Agreement with the owners of Lot 22, Block 312, Plan 4204 on lands identified in "Schedule A" to By-law No. 4660.

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 enter into an Easement Agreement with the owners of Lot 22, Block 312, Plan 4204 for the purpose of municipal easements over those lands more particularly described as:

The area outlined in RED on the Niven Heights Easement Sketch, Schedule "A" of By-law No. 4660.

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 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**

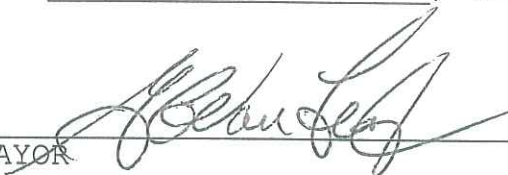
3. This by-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.

READ a First time this 9 day of JANUARY, A.D. 2012.

  
MAYOR

  
CITY ADMINISTRATOR

READ a Second time this 9 day of JANUARY, A.D. 2012.

  
MAYOR

  
CITY ADMINISTRATOR

READ a Third time and Finally Passed this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2012.

\_\_\_\_\_  
MAYOR

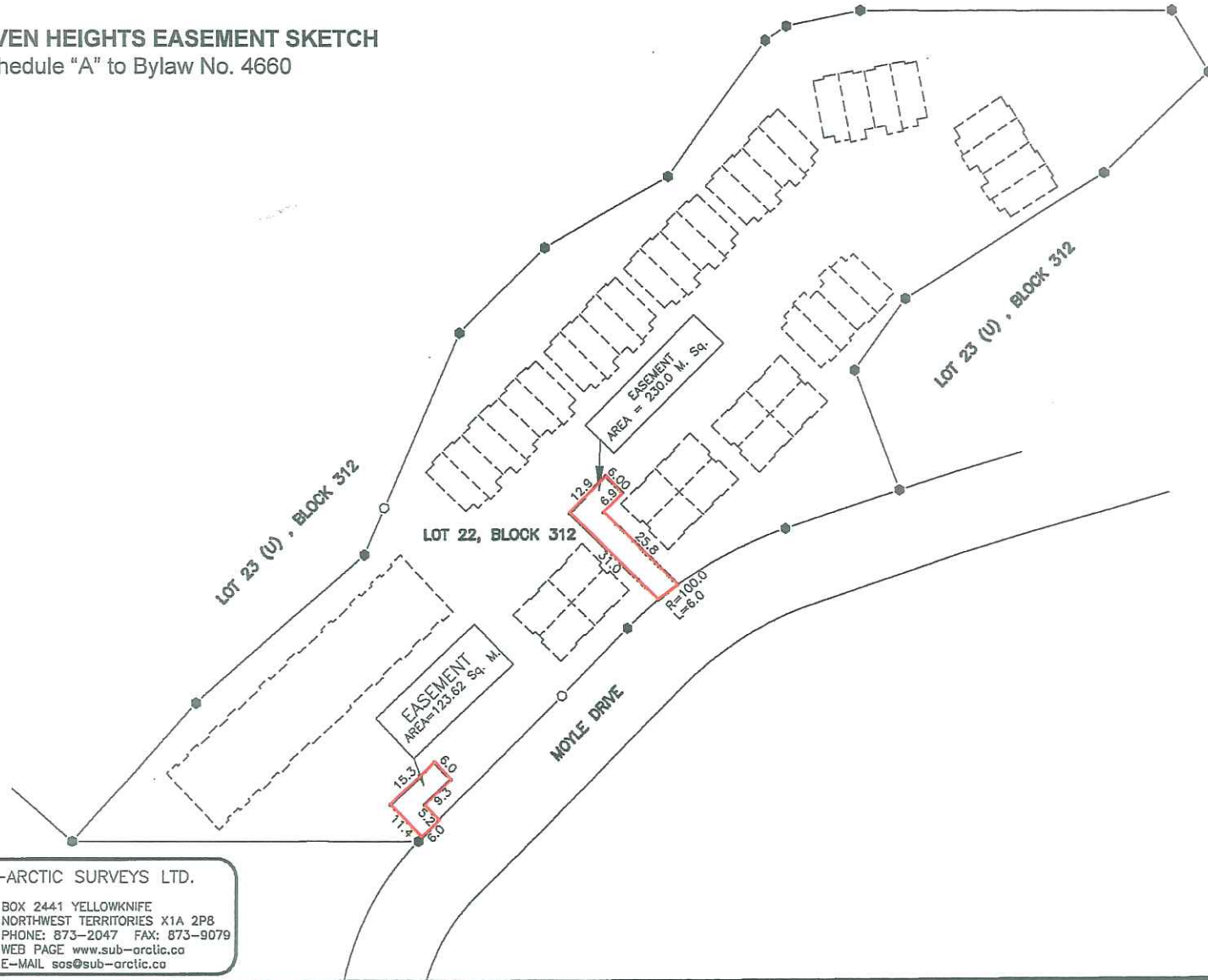
\_\_\_\_\_  
CITY ADMINISTRATOR

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

**NIVEN HEIGHTS EASEMENT SKETCH**

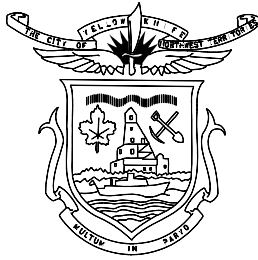
Schedule "A" to Bylaw No. 4660



**SUB-ARCTIC SURVEYS LTD.**  

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DRAWN BY: M.N.
CHECKED BY: B.H.
<b>NIVEN HEIGHT CONDOMINIUM DEVELOPMENT</b>
<b>SKETCH SHOWING PROPOSED EASEMENTS FOR WATER LINE AT LOT 22, BLOCK 312 YELLOWKNIFE - N.T.</b>
FILE NO.:11-144-HV
DATE: December 1, 2011
SCALE: 1:1000



## MEMORANDUM TO COMMITTEE

**COMMITTEE:** Council

**DATE:** January 24, 2012

**DEPARTMENT:** Administration

**ISSUE:** Whether to appoint Gregory Austin Brown as a By-law Officer for the City of Yellowknife.

### RECOMMENDATION:

That:

1. Pursuant to s. 137 of the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.22, Gregory Austin Brown be appointed as a By-law Officer for the City of Yellowknife and assume the rank of Constable; and
2. The term of appointment shall expire upon termination of employment with the City of Yellowknife as a By-law Officer.

### BACKGROUND:

Ms. Heather Noseworthy is no longer employed by the City of Yellowknife as a By-law Officer and Mr. Gregory Brown has been hired to replace her. The *Cities, Towns and Villages Act* states that Council may appoint By-law Officers to enforce any or all of its by-laws.

### COUNCIL POLICY / RESOLUTION OR GOAL:

Council Goal #4 Continuous Improvement

Council Action 4(c) Become a Preferred Employer.

**APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:**

*Cities, Towns and Villages Act.*

**CONSIDERATIONS:**

Legislation

Pursuant to the *Cities, Towns and Villages Act*, By-law Officers must be appointed by Council.

Public Safety

The timely appointment of By-law Officers helps ensure that proper levels of staffing and enforcement are achieved.

**ALTERNATIVES TO RECOMMENDATION:**

No viable alternative has been identified.

**RATIONALE:**

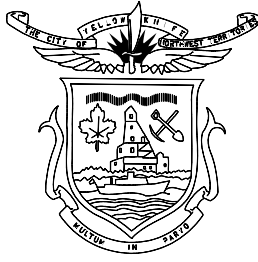
The timely appointment of By-law Officers helps ensure that proper levels of staffing and enforcement are achieved.

**ATTACHMENTS:**

None.

Prepared: December 22, 2011 DMG

Docs #291558



## MEMORANDUM TO COMMITTEE

**COMMITTEE:** Council

**DATE:** January 24, 2012

**DEPARTMENT:** Public Safety / Corporate Services

**ISSUE:** Whether to award the Communications Infrastructure Upgrade Phase II contract, RFP # 11-045 to Tait Communications for \$1,439,926.32 (plus GST).

### RECOMMENDATION:

That Council authorize the Mayor and City Administrator to enter into a contract with Tait Communications for the design, supply, implementation, commissioning and comprehensive support of the City's Communications Infrastructure System.

### BACKGROUND:

Proposals for the above project were received up to 3:00 pm on Friday, September 30, 2011. Two (2) proposals were received; one did not meet all of the requirements specified in the proposal documents.

The proposal received from Tait Communications (based in New Zealand, with offices in Houston & Toronto) was reviewed in detail by City staff and by the consultant retained by the City (Planetworks Consultants) who have been working with the City since the inception of this project. The City requested clarifications and additional information as appropriate, and is confident that the resultant proposal meets the City's requirements.

The total cost of the contract, including support and warranty for three years, is \$1,439,926.32.

### COUNCIL POLICY / RESOLUTION OR GOAL:

Goal #1 Affordability

Objectives

- 1.4 Emphasize fairness and transparency in financial decisions, program delivery and land assembly.

- Goal #4      Continuous Improvement  
Objectives  
    4.4      Be a leader in innovation.  
Actions  
    4(b)     Lead in innovation and Best Practices.

**APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:**

*City of Yellowknife Radio Replacement Study Final Report.*

**CONSIDERATIONS:**

City of Yellowknife Radio Replacement Study

The City's radio system support voice radio communications for the Public Safety, Public Works, and Community Services departments.

This contract is for the design, supply, implementation, commissioning, and support of two major improvements to the City's communications infrastructure: an upgrade of the existing VHF radio system infrastructure and the implementation of a fault-tolerant microwave backhaul system that can still operate in the event of any emergency (power-outage, loss of a communications tower, etc).

Budget

This initiative is funded from the multi-year Communications Infrastructure capital budget project. It arose out of the Radio Replacement Study, budgeted for 2007. As the study was not completed until 2008, the original funding was carried over to that year. The study incurred a slight cost overrun, which was carried forward and covered by the 2009 funding for the Communications Infrastructure project.

<i>Year</i>	<i>Budget</i>	<i>Carry Forward</i>	<i>Available</i>	<i>Actuals</i>	<i>Balance</i>
2007	\$50,000		\$50,000	\$0	\$50,000
2008	\$0	\$50,000	\$50,000	\$55,339	-\$5,339

Initial work on the Communications Infrastructure project did not proceed as quickly as projected due to the unexpected reliance on outside contractors. Therefore \$1,323,083 was carried forward to 2010 and subsequently \$1,645,059 was carried forward to 2011. Revised plans to complete the most expensive portion of the project – the construction of the redundant backhaul infrastructure – have been further delayed in 2011 due to major vendor strategy changes and uncertainties surrounding product availability. Therefore, it is anticipated that there will be another significant carryover to facilitate project completion in 2012.

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<i>Year</i>	<i>Budget</i>	<i>Carry Forward</i>	<i>Available</i>	<i>Projected<sup>1</sup> Expenses</i>	<i>Balance</i>
2009	\$1,363,000	-\$5,339	\$1,357,661	\$34,578	\$1,323,083
2010	\$492,000	\$1,323,083	\$1,815,083	\$170,024	\$1,645,059
2011	\$481,000	\$1,645,059	\$2,126,059	\$308,730	\$1,817,329
2012	\$150,000	\$1,817,329	\$1,967,329	\$1,967,329	\$0

**ALTERNATIVES TO RECOMMENDATION:**

There are no alternatives to the recommendation provided.

**RATIONALE:**

In 2007, the City initiated a review of its current radio communications system to establish its effectiveness, determine user acceptability, and recognize deficiencies with current capabilities vis-à-vis industry practices and standards.

This study identified several issues, including:

- The existing infrastructure provided limited to poor coverage in certain areas of the city, particularly for portable radios and within building structures;
- The existing radio channel resources were not compliant with key National Fire Prevention Association (NFPA) requirements;
- The dispatch location and operation do not meet key NFPA standards for system reliability and monitoring; and
- Much of the equipment was obsolete (no replacement parts available), and many of the radios were at the end of their operational life and in need of replacement.

The study presented a three-step initiative to rectify these deficiencies and develop a robust and reliable communications system that will protect the City's employees, citizens, and property.

The first phase left the existing system generally intact but remedied critical inadequacies by providing high-tier portables for the Fire Division, re-engineering antenna filtering, upgrading the Fire Division channels and dispatch consoles, and purchasing equipment maintenance agreements.

The second phase took a longer-term approach to establish a solid foundation that better adheres to applicable NFPA standards and will be accomplished by the current contract. This contract will provide expanded channels, overlapping zones of radio coverage, new repeater / voter sites,

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<sup>1</sup> Projected for 2011 and 2012.

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a communications backhaul system, and an upgraded Emergency Operations Centre communications system.

In 2012, mobile data capacity will be added to the infrastructure to support a wide range of potential applications including automatic vehicle location to monitor fleet vehicles and help protect staff working alone or in dangerous situations and to provide information for enhanced service delivery. This new system will also allow for the implementation of the following;

- automated water meter reading to improve reading accuracy, frequency, and processing;
- remote access to centrally stored data to boost the efficiency and effectiveness of staff working in the field; and
- remote monitoring of the City's water and sewer controls (SCADA) to provide more timely feedback and response.

<b>ATTACHMENTS:</b>
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None.

Prepared: December 15, 2011; SW/DLM

Revised: December 19, 2011; dlm  
January 13, 2012; sw

DM #291272