

THE CITY OF YELLOWKNIFE

NORTHWEST TERRITORIES



DEVELOPMENT INCENTIVES

BY-LAW NO. 5097

Adopted December 9, 2024

TABLE OF CONTENTS
Development Incentives
By-law No. 5097

1. GENERAL.....	2
1.1. Short Title	2
1.2. Availability	2
1.3. Definitions	2
2. ABATEMENTS.....	6
2.1. Abatement Calculation.....	6
2.2. Development of Vacant Property Abatement	6
2.3. Downtown Mixed-Use Development Abatement	7
2.4. Residential Central Mixed-Use Development Abatement.....	8
2.5. Residential Development Abatement.....	8
2.6. Industrial Relocation Abatement.....	9
3. GRANTS.....	11
3.1. Environmental Impact Study (EIS) Grant	11
3.2. Bicycle Racks and Storage Grant	12
3.3. Shared Vehicle Grant	12
3.4. Commercial Development for Universal Design Grant.....	13
4. HOUSING GRANTS	13
4.1. Secondary Dwelling Grant.....	14
4.2. Affordable Secondary Dwelling Grant.....	14
4.3. Affordable Non-Profit Grant	14
4.4. Universal Dwelling Grant	15
4.5. Missing Middle Price Grant	16
4.6. Missing Middle Conversion Grant.....	16
4.7. Intensification Servicing Grant	16
4.8. Ventilation Systems Grants	17
4.9. Development Permit and Building Permit Fee Grant	17
5. TERMS AND CONDITIONS.....	18
5.1. Commencement.....	18
5.2. Eligibility	19
5.3. By-law Administration.....	20
6. REPEALS AND EFFECT	21
6.1. Severability.....	21
6.2. Repeals	21
6.3. Transition	21
6.4. Effect	21



CITY OF YELLOWKNIFE

BY-LAW NO. 5097

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A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, authorizing the Municipal Corporation of the City of Yellowknife to provide for the provision of development, redevelopment, relocation and housing incentives, and grants.

PURSUANT TO:

- a. Sections 70 and 72 of the *Cities, Towns and Villages Act, S.N.W.T. 2003. C.22*, as amended;
- b. Sections 1-15 and 76-83 of the *Property Assessment and Taxation Act, R.S.N.W.T. 1988, c.P-10*;
- c. City of Yellowknife Tax Administration By-law No. 4207, as amended; and
- d. Due notice to the public, provision for inspection of the by-law and due opportunity for objections thereto to be heard, considered and determined;

WHEREAS the Municipal Corporation of the City of Yellowknife Community Plan contains policy provisions related to development, redevelopment, relocation and housing incentives;

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

WHEREAS the Municipal Corporation of the City of Yellowknife seeks to encourage development and revitalization of residential, commercial and industrial properties for the general benefit of the City;

WHEREAS the Council of the Municipal Corporation of the City of Yellowknife deems it appropriate that the whole of the City of Yellowknife be included in the area of land subject to this by-law;

WHEREAS the Council of the Municipal Corporation of the City of Yellowknife wishes to repeal and replace Development Incentive Program By-law No. 4534, as amended;

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

1. GENERAL

1.1. Short Title

This by-law may be cited as the **“The Development Incentives By-law”**.

1.2. Availability

All abatements and grants are subject to available funding. Submitting an application does not guarantee funding, even if all eligibility criteria are met, as funding is limited. Applications are processed on a first come first served basis subject to funding.

1.3. Definitions

In this By-law:

“Abatement”	means a grant providing relief for the increase in tax assessment related only to the increased assessed value of a property as a result of property improvements based on the certified property assessment.
“Adjacent Property”	means the property, land, or lot adjoining the property in question along a lot line or separated only by an alley, easement, roadway or highway;
“Affordable Rental Housing”	means housing where the total monthly shelter cost (gross monthly rent, inclusive of utilities for heat, hydro, hot water and water) is at or below 30% of the before-tax monthly income of renter households in the City of Yellowknife, as follows: <ol style="list-style-type: none"> 1. studio units: households at or below the 50th percentile income; 2. one-bedroom units: households at or below the 60th percentile income; 3. two-bedroom units: households at or below the 60th percentile income; 4. three-bedroom units: households at or below the 60th percentile income.

“Affordable Home Ownership”

Housing where the purchase price (which for new units is inclusive of Government Sales Tax (GST) payable by the purchaser) is at or below an amount where the total monthly shelter cost (mortgage principal and interest – based on a 25-year amortization, 10 per cent down payment and the mortgage rate for a conventional 5-year mortgage as reported by the Bank of Canada in January of the applicable year, and a mortgage insurance premium – plus property taxes calculated on a monthly basis based on the purchase price, and standard condominium fees, if applicable) is affordable, based on paying no more than 30% of before-tax monthly income, to all households in the City of Yellowknife as follows:

1. studio units: households at or below the 30th percentile income;
2. one-bedroom units: households at or below the 40th percentile income;
3. two-bedroom units: households at or below the 50th percentile income;
4. three-bedroom units: households at or below the 60th percentile income.

“Appraised Value”

means the most probable price, determined by a professional real estate appraiser, which a property should bring in a competitive and open market as of a specified date under all conditions requisite to a fair disposal, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimuli.

“Applicant”

means a person that owns land in the City of Yellowknife, which includes a person that has entered into a fully executed and in full force and effect real estate purchase contract in respect of real property and that has applied for an abatement or grant under this by-law related to that property.

“Average Rent (CMHC Statistic)”

This represents rent levels in both new and existing structures. This is a weighted average of all units combined, whether vacant or occupied.

“Assessed Value”	Any reference in this by-law has the same meaning as identified in the <i>Property Assessment and Taxation Act, RSNWT 1988, c.P-10</i> .
“City”	means the Municipal Corporation of the City of Yellowknife.
“City Manager”	means the Senior Administrative Officer of the City of Yellowknife or their designate appointed pursuant to the <i>Cities, Towns and Villages Act, S.N.W.T. 2003, c22</i> as amended from time to time.
“Community Plan”	The City of Yellowknife Community Plan By-law No. 5007 or any other successor by-law.
“Council”	means the Council of the City of Yellowknife;
“Disposal or Dispose”	means the sale or lease of land.
“Fee Simple”	means freehold ownership of real property.
“Improvement”	has the meaning as set out in the Property Assessment and Taxation Act, RSNWT 1988, c.P-10.
“Industrial Relocation”	means relocation of “industrial” uses in targeted redevelopment areas to Engle Business District.
“Industrial Use”	means a land use which is permitted within the Engle Business District’s “IG” – Industrial General zone pursuant to Zoning By-law No. 5045, as amended.
“Land”	means real property or an interest therein, other than an easement or restrictive covenant.
"Lot"	means an area of land, the boundaries of which are filed on a plan registered at the Land Titles Office.
“Mid-size Car”	means a vehicle with interior volumes less than 3.4 cubic metres and a maximum length of 5 metres.
“Missing Middle Housing”	means housing that fits the gap between low-rise, single detached dwellings and mid-rise apartment

buildings. It provides a variety of housing options that add housing stock and meet the growing demand for walkability. May also be used in reference to the lack of available and affordable housing for middle-income households to rent or own.

“Parcel”	means unsurveyed land with specific boundaries and corners, which can be leased;
“Person”	includes any individual, corporation, firm, body corporate, partnership, limited partnership, or other entity capable of entering into a legally binding contract. A person shall not include a government.
“Planning Administrator”	means the City employee holding the Director of Planning & Development position, or their designate, for the City of Yellowknife, as amended from time to time.
“Planning and Development”	means the City of Yellowknife Planning and Development Department.
“Pre-development Activity”	Includes site inspection, design, site plans, geotechnical investigation and other approved processes to bring a complete application for development forward.
“Property”	Means a lot or multiple lots which are contiguous and under the same ownership.
“Residential Intensification”	Means residential development within targeted (identified) areas of the City which are deemed to be for future infill, medium to high intensity development.
“Universal Design”	Any reference to universal design in this by-law has the meaning as identified in the National Building Code 2020.
“Vehicle Share”	Means the contractual action to share a vehicle between residents and/or employees of a property within identified zones. The vehicle to be shared may be a car (compact or midsize), an e-bike or a bicycle.

“Zone”

Any reference to a zone in this by-law has the meaning of the zone names and regulations as identified in Zoning By-law No. 5045, as amended.

2. ABATEMENTS

Tax abatements provide financial incentives to support key planning and development objectives on lands across the city. The incentives are made available to encourage development and redevelopment initiatives

2.1. Abatement Calculation

2.1.1. Abatements only apply to the increase in improvement value and not land value. Abatements provide the applicant the equivalent value of the tax that would be payable for the increase in the assessed value of the Improvements in accordance with two formulas:

- a. **The Five Year Declining Abatement** provides 100% abatement in the first year following completion of the development and reducing in equal increments of 20% over the following four years (100%-80%-60%-40%-20%); and
- b. **The Full Five Year Abatement** provides 100% abatement over the five years following completion of the development.

2.1.2. All Abatements are calculated using finalized assessment values. For each year the abatement applies the most recent finalized assessment value is used. Abatement amounts shall be approved by the Director of Corporate Services and the Planning Administrator.

2.1.3. Abatement amounts once calculated and approved are applied as a tax credit on the Property's tax account.

2.2. Development of Vacant Property Abatement

2.2.1. The Development of Vacant Property Abatement component of the Program is targeted toward new residential, commercial or mixed-use construction within the Downtown Zone. The property must meet the following minimum requirements to be eligible for consideration for the Development of Vacant Property Abatement:

- a. The property is located within the prescribed zone Downtown (“DT”) as indicated in the Zoning By-law; and
- b. The property is vacant of structures and has been for more than five years.

- 2.2.2. The improvement value shall be included for the tax abatement calculation. There is no reimbursement on any portion of the assessed land value.
- 2.2.3. Upon a successful application the Development of Vacant Property Abatement shall receive the Five Year Declining Abatement.

2.3. Downtown Mixed-Use Development Abatement

- 2.3.1. The Downtown Mixed-Use Development Abatement is targeted toward new residential and commercial development; or adaptive re-use of existing buildings, within the Downtown Zone to incent mixed-use residential and commercial development.
- 2.3.2. The development must meet the following minimum requirements to be eligible for consideration for the Downtown Mixed-Use Development Abatement:
 - a. The property is located within the prescribed zone Downtown (“DT”) as indicated in the Zoning By-law;
 - b. The building must be a minimum of 12 metres high;
 - c. The building must have commercial uses at the street level; and
 - d. The building must have a minimum of four (4) or more dwellings.
- 2.3.3. Where an application for the Mixed Use Development Abatement includes ten (10) or more units, a minimum 10% of units shall be affordable housing in order to qualify. The calculation of the required number of units shall be rounded up to the next whole number.
- 2.3.4. The required affordable housing units shall be made available for purchase by Housing NWT for dedicated rental units or by a non-profit organization approved by the City to sell the units as non-market housing. This requirement may be waived subject to the owner/developer providing a letter from Housing NWT and/or applicable non-profit organizations indicating there is no interest in purchasing or assigning the residential units.
- 2.3.5. The Downtown Mixed-Use Development Abatement is a Full Five-Year Abatement of 100% of the increase in the assessed value of the Improvements over five years.

2.4. Residential Central Mixed-Use Development Abatement

- 2.4.1. The Residential Central Mixed-Use Development Abatement component of the program is targeted toward new residential and commercial construction; or adaptive re-use of existing buildings, within the Residential Central Zone to incent mixed-use residential and commercial development.
- 2.4.2. The Residential Central Mixed-Use Development Abatement is a Declining Five Year Abatement. The Abatement is calculated based on the increase in the assessed value of the Improvements. The declining five-year abatement reduces in equal increments over five-years (100%-80%-60%-40%-20%).
- 2.4.3. Any ground floor commercial improvement combined with development of an eligible residential project shall be included in the tax abatement calculation.
- 2.4.4. The property and building must meet the following minimum requirements to be eligible for consideration for the Residential Central Mixed-Use Development Abatement:
 - a. The property is located within the prescribed zone Residential Central (“RC”) as indicated in the Zoning By-law; and
 - b. The building must have a minimum of four (4) or more dwellings.
- 2.4.5. Where an application for the Mixed Use Development Abatement includes ten (10) or more units, a minimum 10% of units shall be affordable housing in order to qualify. The calculation of the required number of units shall be rounded up to the next whole number.
- 2.4.6. The required affordable housing units shall be made available for purchase by Housing NWT for dedicated rental units or by a non-profit organization approved by the City to sell the units as non-market housing. This requirement may be waived subject to the owner/developer providing a letter from Housing NWT and/or applicable non-profit organizations indicating there is no interest in purchasing or assigning the residential units.

2.5. Residential Development Abatement

- 2.5.1. The Residential Development Abatement aims to provide support for new development, increase the diversity of housing options, and support infill development within municipal piped service areas.
- 2.5.2. The property and building must meet the following minimum requirements to be eligible for consideration for the Residential Development Abatement:

- a. The property is within the prescribed Residential Central Zone (“RC” and “RC-1”) or Residential Intensification Zone (“RI” and “RI-1”) as indicated in the Zoning By-law;
- b. The development is multi-unit, or townhouse;
- c. The building or development does not include a detached dwelling;
- d. The building is a new construction project. New construction includes demolition of existing buildings and redevelopment of a site; and
- e. The buildings or development have a minimum of four (4) or more dwellings.

2.5.3. Property in the Residential Central zone (“RC” and “RC-1”) will receive the Full Five-Year Abatement (100% of the increase in the assessed value of the improvements over five years).

2.5.4. Properties in the Residential Intensification zone will receive Declining Five Year Abatement. The Declining Five Year Abatement reduces in equal increments over five-years (100%-80%-60%-40%-20%).

2.5.5. Council may, at its sole discretion, extend the five-year tax abatement for the Residential Central Zone projects up to an additional five-year period (at full or a declining increment basis) based on the revitalization merits of the project in conformity with the City of Yellowknife Community Plan policies.

2.5.6. Where an application for the Residential Development Abatement includes twenty (20) or more units, a minimum 10% of units shall be affordable housing in order to qualify. The calculation of the required number of units shall be rounded up to the next whole number.

2.5.7. The required affordable housing units shall be made available for purchase by Housing NWT for dedicated rental units or by a non-profit organization approved by the City to sell the units as non-market housing. This requirement may be waived subject to the owner/developer providing a letter from Housing NWT and/or applicable non-profit organizations indicating there is no interest in purchasing or assigning the residential units.

2.6. Industrial Relocation Abatement

2.6.1. The Industrial Relocation Abatement encourages the relocation of uses deemed “Industrial” by a Development Officer, based on definitions set out in the Zoning By-law, from land identified throughout the City to the Engle Business District. The defined target areas are divided into two categories, based on property zoning as indicated in the Zoning By-law:

Sender Land – includes Old Airport Road (“CS” - Commercial Service Zone); Old Town (“OT” - Old Town Mix Zone), and Kam Lake (“KL” - Kam Lake Zone).

Receiver Land – includes the Engle Business District (“IG” – Industrial General Zone).

- 2.6.2. Based on the above categories, abatements may apply to either the Sender Land or the Receiver Land, but not to both.
- 2.6.3. Use of the relocation abatement may be stacked together with other incentives for either the Sender Land or the Receiver Land, but not between both.
- 2.6.4. Industrial Relocation Abatement includes a declining seven year tax abatement in equal increments over seven years (100%-90%-80%-70%-60%-50%-40%). This abatement formula applies to industrial relocation only.
- 2.6.5. Where the Applicant chooses to apply the abatement to the Receiver Lands, the abatement shall include both land and Improvement assessments, and where the Applicant chooses to apply to the Sender Lands, abatement shall apply only to the increase in the assessed value of the improvements and does not transfer to future owners.
- 2.6.6. In addition to the application requirements, applicants shall submit a relocation plan and site plan for the Sender Lands demonstrating the phasing out of the industrial use within the prescribed period. In addressing the discontinuation of industrial related uses, the plan shall indicate removal of existing structures, site restoration, and suitability for redevelopment. Upon removal or discontinuation of the industrial related use, the Applicant shall enter into a contract with the City to prohibit future industrial uses on the land (rezoning, caveat, etc).
- 2.6.7. Assessed improvements must be demolished, or removed from the Sender Lands and transported to the Receiver Lands or outside the city, to be eligible for the abatement. The City may at its own discretion consider relocation of structures to other areas of the city if they are in compliance with Zoning By-law requirements and do not impede redevelopment efforts. The City may consider the allowance of up to 20% of existing structures to remain as long as they can be utilized for non-industrial purposes. Such structures must be deemed to be structurally sound and fit for occupancy, including the provision of heating, lighting, electricity, water, and sewer.
- 2.6.8. All applicants shall acquire a land area within the Receiver Lands which is no less than 75% of the land area size of the Sender Lands.
- 2.6.9. Where, after the removal of structures from the Sender Lands, such Lands are deemed to be environmentally contaminated to an extent which prohibits redevelopment to a permitted use, the Applicant may, through meeting the criteria outlined below, be eligible for only one of the following Environmental Impact Study (EIS) Grants options for the Sender Lands:

- a. Where the applicant applies the Industrial Relocation abatement to the Receiver Lands, the Applicant shall be eligible to make a separate application to receive one grant under the Environmental Impact Study Grant for the Sender Lands; or
- b. Where the applicant applies the Industrial Relocation abatement to the Sender Lands, the Applicant shall be eligible for an additional one year of tax abatement for the Sender Lands.

2.6.10. In addition to the tax abatement described herein, the City may enter into land agreements to exchange ownership of the Applicant's Sender Lands for City owned Receiver Lands, provided the Applicant can provide environmental approvals deeming the Sender Lands remediated to acceptable standards. Such exchanges shall be negotiated on a case by case basis between the City and property owner.

3. GRANTS

3.1. Environmental Impact Study (EIS) Grant

- 3.1.1. The EIS Grant is to promote the understanding of environmental site assessments specific to the type of contamination and potential remediation costs. The EIS Grant may only be applied to properties within the Downtown Zone (DT).
- 3.1.2. The EIS Grant may provide a single contributing payment of 50% up to \$10,000 for the completion of a Phase II Environmental Site Assessment; and
- 3.1.3. The EIS Grant may also provide a single contributing payment of 50% up to \$10,000 for the completion of a Remedial Work Plan or Risk Assessment following the completion of a Phase II Environmental Site Assessment.
- 3.1.4. Each property may receive a grant under section 3.1.2 and 3.1.3 above, for not more than \$20,000 total.
- 3.1.5. For each property the owner must provide confirmation of total cost and amount of contribution from the owner as part of the application and contract for the grant(s).
- 3.1.6. The applicant shall demonstrate that the degree of site contamination has a significant impact on the costs of redeveloping the site verified by qualified professionals.

- 3.1.7. A Phase II Environmental Site Assessment, Risk Assessment, and Remedial Action Plan shall be completed for the designated property, and all supporting documentation and reports shall be submitted to the City prior to commencement of development on site.
- 3.1.8. Approval from the GNWT Department of Environment and Climate Change certifying the site's remediation to appropriate contamination levels according to Territorial criteria shall be provided prior to commencing development.

3.2. Bicycle Racks and Storage Grant

- 3.2.1. This Grant is available to new, redevelopment and exterior façade development projects in all zones within the City of Yellowknife. The objective is to facilitate developments throughout the community that provide safe storage of bicycles.
- 3.2.2. The use of these racks and storage may be dedicated to residents within a dwelling or, where development is commercial in nature, may be public use.
- 3.2.3. The Bicycle Racks and Storage Grant is a contributing payment to property owners to place bicycle racks or bicycle storage on their property which provides:
 - a. For property redevelopment the grant is up to 50% of the cost to a maximum of \$1,000;
or
 - b. For property with new development (open and valid building permit) the grant is up to 100% of the cost to a maximum of \$5,000.

* Appendix A: Bicycle Racks and Storage minimum standards

3.3. Shared Vehicle Grant

- 3.3.1. The Shared Vehicle Grant for development supports car sharing or bicycle sharing and storing, in place of parking spaces. All shared vehicles must be for use by those who reside in the residences or who work at the business.
- 3.3.2. Qualifying development must be located within the prescribed zones, specifically the Downtown ("DT"), Residential Central ("RC" or "RC-1") or Residential Intensification ("RI" or "RI-1") as indicated in the Zoning By-law. The development must include a minimum of 6 dwelling units where a portion of the development includes residential use.
- 3.3.3. Development which is entirely commercial may qualify for one vehicle.

- 3.3.4. A qualifying car must be mid-size or smaller. If the vehicle has a combustion engine it must include a block heater and all required plug in facility/connection on the development property for the type of vehicle.
- 3.3.5. The Shared Vehicle Grant provides:
- a. \$5,000 per car share, to a max of \$20,000 per development (up to 4 cars).
 - b. \$1,000 per e-bike share to a max of \$5,000 per development (up to 5 e-bikes).
 - c. \$200 per bike share to a max of \$3,000 per development (up to 15 bicycles).

3.4. Commercial Development for Universal Design Grant

- 3.4.1. The Commercial Development for Universal Design Grant is to be combined with facade improvements or as part of a larger enhancement or redevelopment project to existing businesses. It is available to commercial businesses located within the Downtown (DT), Commercial Service (CS) and Old Town Mixed Use (OT) zones.
- 3.4.2. Businesses must be street oriented or designed with an emphasis on the sidewalk or a multi-use path, with direct pedestrian access to the building. The grant will not apply to building access from vehicle parking areas, alley ways or required side yards.
- 3.4.3. The Grant may be utilized for architectural, engineering, design costs, and labour. The Commercial Development for Universal Design Grant may apply to both new and existing buildings.
- 3.4.4. The Commercial Development for Universal Design Grant provides:
- a. 50% of costs to create an universal entrance, to the adopted National Building Code Standards, for the building, up to a maximum of \$15,000; and
 - b. 50% of costs to create a universal street scape (from the sidewalk, including ramps), up to a maximum of \$15,000.

4. HOUSING GRANTS

The City of Yellowknife's vision for housing is to improve access to adequate, suitable and affordable housing. Housing provides a solid foundation on which to secure employment, raise a family and build strong communities. Through the Housing Accelerator Fund, a number of opportunities for incentives and grants are funded until 2027, with possibility of extension based on funding. There will be intakes each year based on a first come first served model, not all applicants will be guaranteed funding. The funding for the following Incentives is limited.

4.1. Secondary Dwelling Grant

- 4.1.1. This grant is available to owners of existing single detached dwellings and those constructing new single family dwellings in the City of Yellowknife.
- 4.1.2. A grant up to 50% of building cost to a maximum of \$20,000 is available to develop a secondary dwelling on the property.
- 4.1.3. A secondary dwelling may be located within the primary dwelling or may be located in a secondary structure on the same property.
- 4.1.4. Priority will be given to property serviced by municipal sewer and water systems (piped) and located along existing transit routes.
- 4.1.5. A property on trucked sewer and water services may be considered but is required to demonstrate the site's ability to include new services dedicated to the new dwelling unit, while other conditions may apply.

4.2. Affordable Secondary Dwelling Grant

- 4.2.1. There is an additional \$10,000 available for owners of a secondary dwelling created with the grant in section 4.1, to establish an affordable secondary dwelling on their property.
- 4.2.2. The rent charged for the secondary dwelling must be equal to or less than the previous years reported affordable rental housing rate, reported by CMHC, for a minimum of 10 years. An agreement with the City is required and is to be registered on title at the N.W.T. Land Titles Office.

4.3. Affordable Non-Profit Grant

- 4.3.1. The Affordable Non-Profit Grant is available to non-profit organizations developing affordable housing projects within the City of Yellowknife.
- 4.3.2. The development must include new multi-unit dwellings or townhouse development. Designated special care residences may be considered, provided they meet all regulatory requirements of the Government of the Northwest Territories.
- 4.3.3. The Affordable Non-Profit Grant may provide:

- a. up to \$50,000 towards pre-development activities for the affordable housing project; and
- b. a rebate of all Development Permit costs for the same project.

4.3.4. An agreement is required to be entered into between the organization and the City to guarantee the affordability of units as affordable rental housing or affordable home ownership for no less than 20 years.

4.4. Universal Dwelling Grant

4.4.1. The City remains committed to improving accessibility for people with diverse abilities in key areas of daily living. The Universal Dwelling Grant applies to new dwelling development including secondary dwellings.

4.4.2. The Universal Dwelling Grant is equal to an amount of 50% to a maximum of \$15,000, per dwelling unit, for the development of universal dwellings, meeting National Building Code 2020 standard for anthropometrics, plumbing facilities, signage, entrances and elevators.

4.4.3. Where there are four or more dwellings created within a development a minimum of 2 units must be universal to qualify. Where there are less than four dwellings this grant may be applied for one of the units being developed to a universal standard.

4.4.4. Universal units must include barrier free access to the building and four or more of the following features:

- a. Access to the dwelling with ramps, elevators or lifts;
- b. Automatic or push-button doors at multi-unit dwelling entrances;
- c. Accessible parking dedicated to the units rented or where there are no parking requirements a dedicated drop off location adjacent and functional to the main entrance to the dwelling(s);
- d. Bathrooms with an accessible shower and interior room for people in wheelchairs to turn around;
- e. Counters, cabinets, light switches and other fixtures at an height accessible to wheelchairs;
- f. Kitchen appliance lighting: The exterior and interior of the appliance should have sufficient lighting to enable people to see and safely operate the appliance. The instruction text and controls should contrast in colour to the background area. This may also include stove top only design where the counter height and placement of the stovetop are accessible with open space under the counter for sit cooking;
- g. Smoke and fire alarms with combined audible and visual signals (strobe preferable), which will flash a light and make a loud noise or vibrate in a bedroom;
- h. Appliances with Controls that are easy to operate:

- i. incorporate good colour contrast for instructions and other characters (either dark text on a light-coloured background or light text on a dark-coloured background);
 - ii. are located on non-reflective and non-glare surfaces;
 - iii. do not require too much strength to operate;
 - iv. provide information for people who rely on sight, hearing or touch; and
 - v. have tactile features and colour-contrasting markings to clearly indicate the on-off positions, for safety;
- i. Include accessible laundry washing facilities within the accessible unit;
 - j. Battery/generator operated evacuation device designed to be used on stairs; or
 - k. Specialized equipment to facilitate habitation for a specific individual.

4.5. Missing Middle Price Grant

- 4.5.1. The Missing Middle Price Grant will reduce the purchase price of City land available for disposal. Where land is brought to market by the City of Yellowknife for residential development this grant will ensure diverse housing options are developed to meet the needs of all residents.
- 4.5.2. The Missing Middle Price Grant applies to the RC and RC-1 zones and the RI and RI-1 zones.
- 4.5.3. Under the Missing Middle Price Grant the land price may be granted (to the land fund) the equivalent to 25% of the purchase price, where the purchaser agrees to develop townhouse units or multi-unit dwellings, where a minimum 5 units are constructed.

4.6. Missing Middle Conversion Grant

- 4.6.1. The Missing Middle Conversion Grant provides up to 50% of the costs of conversion, including architectural, engineering, design, and labour costs, to a maximum of \$25,000 per dwelling, where an existing single family dwelling is converted into three or more dwelling units.

4.7. Intensification Servicing Grant

- 4.7.1. Increasing the number of dwellings on a property may at times require upgrading of municipal service connections. The Intensification Servicing Grant may be used to upgrade piped sewer and water services where determined by a qualified engineer to be insufficient to service an additional dwelling unit.

- 4.7.2. The Intensification Servicing Grant is available to existing single detached or duplex dwellings developing a secondary suite whether within the existing dwelling or in a separate structure on the same lot.
- 4.7.3. The Intensification Servicing Grant is up to 50% of the cost to a maximum of \$25,000 for upgrades to lot servicing.
- 4.7.4. The Intensification Servicing Grant may be combined with money available for upgrading through the Service Connection Failure Assistance Fund.

4.8. Ventilation Systems Grants

- 4.8.1. To be eligible for the Ventilation Systems Grants, the property and building must also be approved for a grant identified in 4.8.2.
- 4.8.2. Any new residential units meeting the requirements under the Secondary Suite Dwelling Grant (section 4.1), Universal Dwelling Units Grant (section 4.4), Affordable Secondary Dwelling Grant (section 4.2), Affordable Non-profit Grant (section 4.3) or the Missing Middle Grants (section 4.7) and approved for the Grant.
- 4.8.3. This Ventilation Systems Grant will provide up to 75% of the cost per approved development for one of the following:
 - a. suitable filtration technology for high-efficiency particle removal which can be integrated into a mechanical ventilation system in residential settings, up to a maximum of \$1,000; or
 - b. an individual filtration and/or cooling system installed independently within the main living area of the dwelling unit, up to a maximum of \$2,000; or
 - c. where the mechanical ventilation system is for multiple dwelling units and includes suitable filtration technology for high-efficiency particle removal, up to a maximum of \$10,000.

4.9. Development Permit and Building Permit Fee Grant

- 4.9.1. In order to be eligible for Development Permit and Building Permit Fee Grant:
 - a. The property must be approved for at least one other Abatement or Grant outlined in this by-law;
 - b. The development must include residential development;
 - c. The applicant must be the registered property owner or assigned agent; and

d. The development must be new construction resulting in a new dwelling unit(s).

4.9.2. The Development Permit and Building Permit Fee Grant provides:

- a. reimbursement of 100% of the fees related to residential development portion, for a Development Permit Application; and
- b. reimbursements of up to 100% of the fees related to residential development portion, for a Building Permit, to a maximum of \$10,000.

4.9.3. If at any time the applicant is non-complaint with the applicable permits the Planning Administrator may cancel the application/grant for the Development Permit and Building Permit Fee Grant.

4.9.4. All application and permit fees must be paid up front, and will be reimbursed upon the completion of the Development Permit (where applicable), final inspection following occupancy for a Building Permit, and all requirements under the applicable Grant or Abatement program.

4.9.5. The Development Permit and Building Permit Fee Grant does not apply to any performance or maintenance guarantees (i.e. letters of credit or securities) required to be posted by the applicant/property owner. This Grant does not apply to professional services, studies, service connections or to expenses related to appeals or court proceedings.

5. TERMS AND CONDITIONS

5.1. Commencement

5.1.1. Prior to commencement of a development where an abatement has been applied for, final approval is require by the Planning Administrator and the Director of Corporate Services.

5.1.2. In addition to the requirements outlined in the by-law, all tax abatements shall commence upon construction final completion and notice of tax reassessment.

5.1.3. Abatements shall be provided as a credit to the property tax account following the Notice of Assessment.

5.1.4. No Abatement shall be provided while any matter regarding the property is before the Board of Revision or Assessment Appeal Tribunal as defined in the *Property Assessment and Taxation Act*.

- 5.1.5. In addition to the requirements outlined in the by-law, abatement, grants and permits funded in part or full through this by-law must be for new development or redevelopment. Grants are not to be applied to development commenced prior to the adoption of this by-law.
- 5.1.6. A new application must be submitted under this by-law for consideration and it is not guaranteed that approval will be granted.
- 5.1.7. In addition to requirements in section 3.5, abatements for Industrial Relocation shall not commence until the industrial use(s) on the Sender Lands have been discontinued, the Applicant has complied with the relocation plan, and construction completion and notice of tax reassessment has been provided on the abatement parcel.
- 5.1.8. Abatements and Grants may be applied for together, and combined to support one development, subject to funding availability and the approval of the Planning Administrator.

5.2. Eligibility

- 5.2.1. All applicants must submit a completed application on the prescribed forms. The application must be made prior to initiating the development or redevelopment project (subject to section 5.1.7).
- 5.2.2. All development and construction must obtain required permits from the City of Yellowknife, the Government of the Northwest Territories and any other regulatory authorities required.
- 5.2.3. Applicants must be registered owners of the properties and such owners shall not be in a position of tax arrears for any property in the city. The provision of incentives may be transferred to a new owner of the property subsequent to the approval of the Planning Administrator.
- 5.2.4. Federal or Territorial owned lands, buildings or projects are ineligible for all programs.
- 5.2.5. All Abatements must be shown to increase the appraised value of the property by at least \$500,000 upon construction completion. The appraisal is to be provided to the City. Upon construction completion the applicant shall notify the Planning Administrator and the City will assess the improvements.

- 5.2.6. All improvements and development shall comply with all City of Yellowknife by-laws, as amended, including, but not limited to, Community Plan By-law No. 5007, Zoning By-law No. 5045, Land Administration By-law No. 5078; Building By-law No. 5058 and Water and Sewer Services By-law No. 4663 or their successor by-laws which may be in effect.
- 5.2.7. Any outstanding orders from the City's Fire Division, Lands and Building Services Division, or Planning and Environment Division must be addressed prior to granting approval.
- 5.2.8. Any incentive may be revoked or suspended for outstanding orders or requirements which have not been completed in terms of schedule or for non-compliance.

5.3. By-law Administration

- 5.3.1. The forms, procedures and agreements required for the administration of this by-law shall be as determined from time to time by the Planning Administrator.
- 5.3.2. The Planning Administrator may approve standard forms or agreements for any grant or abatement under this By-law and may authorize Administration to make such minor amendments to any such standard form or agreement as may be necessary to adapt the agreement to the requirements of any particular transaction.
- 5.3.3. All applicants must enter into an agreement with the City of Yellowknife prior to obtaining a Development Permit or Building Permit. Specific incentives may be required to be filed as a caveat on title identifying any grant amount, the approved project design and the eligible improvements that the applicant may seek reimbursement for upon successful project completion. Failure to comply with the terms of the agreement will result in forfeit of all incentives and may require repayment to the City of Yellowknife.
- 5.3.4. Abatement related incentives, including payments, will occur upon completion of all of the following: a certified property assessment; Contribution Agreement and authorization by the Planning Administrator and Director of Corporate Services.
- 5.3.5. Payment of the following grants will be made following a successful application and completion of the Contribution Agreement. Payment may be made prior to construction of the project:
- Universal Commercial Development Grant
 - Secondary Dwelling Grant
 - Affordable Secondary Dwelling Grant
 - Affordable Non-profit Grant

- Universal Dwelling Units Grant
- Missing Middle Grant

5.3.6. Payment of the following grants will be made following a determination by the Planning Administrator that the project has been final completed according to the terms and conditions of the Contribution Agreement:

- Environmental Impact Study (EIS) Grant
- Bicycle Racks and Storage Grants
- Vehicle Share Grant
- Intensification Servicing Grant
- Ventilation Systems Grant
- Development Permit and Building Permit Fee Grant

6. REPEALS AND EFFECT

6.1. Severability

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

6.2. Repeals

The Development Incentive Program By-law No. 4534, as amended, is hereby repealed.

6.3. Transition

An exception to section 5.1.6 may be considered for approved applications submitted under Development Incentive Program By-law No. 4534, as amended, where abatement, grants or permits fees have not yet been provided for by the City and final construction completion and notice of tax reassessment have not yet been completed. An applicant cannot have abatements, grants or permit fees funded or supported under the terms of both by-laws and they cannot be stacked between the two by-law parameters. A property owner/applicant may only obtain incentives under one of these by-laws.

6.4. Effect

That this by-law shall come into force and effect upon receiving Third Reading and otherwise meets the requirements of Section 70 and 72, of the *Cities, Towns and Villages Act*.

Read a First time this 25 day of November, A.D. 2024.

<Original Signed by the Mayor>

Mayor

<Original Signed by the City Manager>

City Manager

Read a Second Time this 25 day of November, A.D. 2024.

<Original Signed by the Mayor>

Mayor

<Original Signed by the City Manager>

City Manager

Read a Third Time and Finally Passed this 9 day of December, A.D. 2024.

<Original Signed by the Mayor>

Mayor

<Original Signed by the City Manager>

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.

<Original Signed by the City Manager>

City Manager

**CITY OF YELLOWKNIFE
BY-LAW NO. 5097
Schedule A**

