



CITY OF YELLOWKNIFE

BY-LAW NO. 4972

BG 73

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 amend City of Yellowknife Land Administration By-law No. 4596, as amended;

PURSUANT TO:

- a) Sections 53, 54 and 55 of the *Cities, Towns and Villages Act* S.N.W.T. 2003, c.22, as amended;
- b) Due notice to the public, provision for inspection of this by-law and due opportunity for objections thereto to be heard, considered and determined;

WHEREAS the Municipal Corporation of the City of Yellowknife has enacted Land Administration By-law No. 4596, as amended;

AND WHEREAS the Municipal Corporation of the City of Yellowknife wishes to amend Land Administration By-law No. 4596, as amended;

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 By-law No. 4596, as amended, of the Municipal Corporation of the City of Yellowknife, is hereby amended by:
 - A. deleting the paragraph under "APPLICATION" and replacing therewith:
 1. This By-law will, except as otherwise expressly authorized by herein, apply to all acquisitions, sales, licenses, leases or other dispositions of land by the City.
 2. This By-law shall not apply to easement agreements for the purpose of public utility uses and structures as defined in the Zoning By-law, or for the purpose of site servicing.

B. Under Definitions:

1. Deleting the definition for "Encroachment Agreement".
2. Deleting and replacing the following definition:

"Disposal of Land" means the sale or lease of land, but does not include any activities otherwise exempted by this by-law.

3. Adding the following definitions:

"License Agreement" means an agreement granting a license to use, in a non-exclusive manner, a portion of City Land.

"Senior Administrative Officer" means the Senior Administrative Officer of the City appointed pursuant to the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.22.

C. Deleting and replacing Section 3(a) as follows:

- iii. include the application fee, if any, pursuant to the City's Fees and Charges By-law No. 4436, as amended. Such fee shall be applied to the lease/purchase fee or refunded, pursuant to the City's Fees and Charges By-law No. 4436, as amended.

D. Deleting and replacing Section 8(a) as follows:

Development Costs and Off-Site Levies shall be determined by the Senior Administrative Officer. All Costs and Levies shall be based on current year costs.

E. Delete and replacing 12 (c) as follows:

The provisions of Section 12(a) shall not apply to the disposal of land to be used for the purpose of:

- i. the Federal or the Territorial Government;
- ii. the installation of electrical power, telephone or other communication utilities, if the utility company is a Crown corporation or a government regulated monopoly;
- iii. consolidation with adjoining land, when the land being disposed of does not comply with the minimum lot size requirements of the City's Zoning By-law;
- iv. special and unique activities which serve the public interests of the City; or
- v. disposing of land to a specific intended purchaser or lessee.

F. Deleting the term "Encroachment" and replacing it with "License" throughout Section 14.

G. Delete and replacing 14 (e) as follows:

14: LICENCE AGREEMENTS

- (e) Upon receipt of an application for a License Agreement, the Planning Administrator shall review the request for compliance with this By-law and any other applicable by-law or legislation and shall:
 - i. approve the use of a License Agreement, without a by-law, if the encroachment is of a type referred to in Section 14(a) of this By-law and the creation or continuation of the encroachment is necessary or desirable, in the opinion of the Planning Administrator; or
 - ii. refer the request to Council if the type of encroachment or form of the agreement would require the approval of Council under this By-law, or if the Planning Administrator otherwise deems the approval of Council to be desirable.

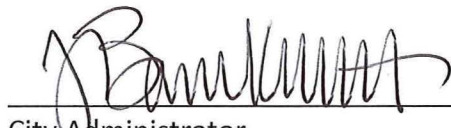
EFFECT

2. 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 28 day of May, A.D. 2018.

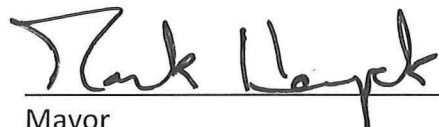


 Mayor

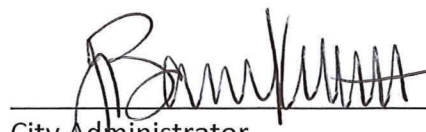


 City Administrator

Read a Second Time this 28 day of May, A.D. 2018.



 Mayor



 City Administrator

Read a Third Time and Finally Passed this 25 day of JUNE, A.D., 2018.

Frank Lloyd
Mayor

[Signature]
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.

[Signature]
City Administrator

