



AGENDA

PUBLIC INPUT

1. CALL TO ORDER

2. ADOPTION OF AGENDA

3. DECLARATION OF INTEREST

4. ANNOUNCEMENTS, AWARDS, CEREMONIES & PRESENTATIONS

5. ADMINISTRATIVE ENQUIRIES

6. COMMITTEE REPORTS

- a. Public Works Monthly Report for October – page 2-5
- b. Development and Building Report for Sept. & Oct – page 6-7
- c. Recreation Monthly Report for October– page 8-17
- d. Emergency Services Monthly Report for October– page 18-22
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- f. Tourism Monthly Report for October – page 26-30
- g. Zoning and Building Bylaw Hearing Update – page 31-32
- h. Excused Absence for Cllrs Bouchard and Wall – page 33
- i. Q3 O&M Statements – page 34-36
- j. Q3 Capital Statements – page 37-39
- k. 10 Year Capital Plan– page 40-56
- l. Excused Absence for Cllrs Bouchard, Chambers and Groenewegen– page 57
- m. 2023 O&M and Capital Budget – page 58-105
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- o. Public Works Monthly Report for November – page 107-111
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- q. Emergency Services Monthly Report for November – page 123-127
- r. Municipal Enforcement Monthly Report for November – page 128-131
- s. Un-surveyed Commissioners Land Application – page 132-134
- t. Sidewalk Snow and Ice Control Tender Recommendation – page 135-136

7. NEW BUSINESS

- a. Bank Signing Authority – page 137
- b. Community Enhancement Grant (Hay River Figure Skating Club) – page 138-149
- c. Tourism and Economic Development Monthly Report – page 150-153

8. NOTICE OF MOTIONS

9. BYLAW

- Bylaw 2444-22b – Zoning and Building Bylaw – Second and Third Reading – page 154-308

10. IN CAMERA

- a. **Matters under Consideration** - pursuant to Cities, Towns & Villages Act, S.N.W.T. 2003 c. 22, Section 23. (3), (e)

11. ADJOURNMENT



REPORT TO COMMITTEE

DEPARTMENT: Public Works

DATE: November 7th, 2022

SUBJECT: Public Works Monthly Report for October 2022

RECOMMENDATION:

MOVED BY: CLLR CHAMBERS
SECONDED BY: CLLR WILLOWS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Public Works Monthly Report for October 2022.

BACKGROUND:

Capital Projects 2022:

A list of 2022 Capital Projects along with a brief update of the status of these projects is included in the chart below.

2022 Capital Projects	
Project	Update
New Town Hall	Entered engagement with Stantec for completion of preliminary design and feasibility analysis. Currently working through workspace and business requirements gathering for design options.
Old Town Hall Demolition	Deferred to 2023.
New Lift Station #4	Deficiency list completed and items being actioned.
Fraser Place Development	All underground water, sewer, and storm systems completed. Work remaining includes base and road work as well as watermain pressure testing for spring/summer 2023. Shallow burial of power, phone, and gas lines to be completed spring/summer of 2023. Area is fenced off and delineated for winter.
Caribou Crescent Water Sewer and Drainage	Landscaping and laying of sod completed, minor deficiencies to be addressed.
Beaver Crescent Water, Sewer, and Drainage	Asphalt completed, items remaining include driveway reinstatements, and landscaping of properties. Stockpile of material at ice crossing will be removed in late November and site clean up. Deficient items will be addressed in spring/summer of 2023.
Riverview Drive Upgrade	Asphalt completed, items remaining include driveway reinstatements, and landscaping of properties. Deficient items will be addressed in spring/summer of 2023.



REPORT TO COMMITTEE

DEPARTMENT: Public Works

DATE: November 7th, 2022

SUBJECT: Public Works Monthly Report for October 2022

Waste Diversion Project - Tire Shredding	Tire shredding is completed. Remaining rimmed and oversize tires will be stockpiled away from construction material and addressed in 2023. Options for tire shred are being reviewed and include slope protection of the sewage lagoon and sludge pit as well as road base test section through recycling funding.
Hazardous Waste Removal Project	MACA led project. RFP for work closed July 4, 2022. RFP under MACA review.
Capital Drive Watermain	Asphalt and sidewalks are completed, remaining work include landscaping and decorative lighting installation. EV Charging Stations delineated for winter. Deficient items will be addressed in spring/summer of 2023.
Paradise Road	Completed. Seeding and vegetation of area between the road and riverbank to be addressed next spring. NWTEL expected to have fibre completed this fall for phone/internet service.
Sewer line Re lining	Completed. Areas include the Ravine from Old Hospital to Lift Station #1 as well as 2 highway/rail crossings
Industrial Drive	Watermain, hydrants and service connections completed. Storm piping and catch basins installed. Items remaining include ditch grading and culvert installation, these items will be completed in spring/summer 2022.
Water Treatment Plant Feasibility Study and Preliminary Design	The WTP feasibility study status: the technology review is complete, and the feasibility study is near completion. Next step is preliminary design with geotechnical investigations.
Asphalt Patching Program	1150 square meters of asphalt patching completed for 2022.

Solid Waste Facility Operations:

Landfill daily operations taken over by the Town, adjustments to operating hours with the facility open 6 days a week and closed on statutory holidays. Mon-Friday 10am-6pm and Sundays 12pm -5pm. New Landfill sign installed.

Water License Activities:



REPORT TO COMMITTEE

DEPARTMENT: Public Works

DATE: November 7th, 2022

SUBJECT: Public Works Monthly Report for October 2022

Regular monitoring programs continue as per the requirements of the Town's water license. Testing work was performed as required and Town staff have now taken a portion of this work in-house to reduce costs and increase efficiency.

Water license reporting requirements for 2021 are near completion. Reviewed and accepted documents submitted by the Town includes the annual report, the post fire monitoring report, WTP O&M plan, SWDF O&M plan, SDF O&M Plan, hydrocarbon contaminated soil treatment facility O&M plan, and ground water monitoring plan. Ongoing weekly, monthly, and quarterly sampling continues for 2022 reporting.

Fall Inspection completed September 14th, currently reviewing comments.

Public Works Daily Operations and Completed Work Orders

Water and Sewer:

- Sampling and daily water reporting ongoing
- Daily inspections of Lift Stations, Water Treatment Plant and Reservoir-ongoing
- Water Meter reads completed
- Lift Station #4 staff orientation ongoing
- Vale Island watermain break repair near West Channel Bridge-completed
- Old Town truck fill holding tank failed bacterial test, due to the age of this facility pre 1970 the Town is looking at options for a above ground tank within the structure.
- hydrant maintenance/winterize- noted several hydrants have wrong fittings for Fire Department connections. These fittings to be changed out. -ongoing

Roads & Ditches:

- road sanding and grading-ongoing
- cleanup of fallen trees and debris from high winds-completed
- snow clearing operations-ongoing
- repair and replace damaged signs-ongoing
- clean out culvert ends on Vale Island to support Surveyed Drainage Plan, West Channel remaining. -ongoing

Equipment Maintenance



REPORT TO COMMITTEE

DEPARTMENT: Public Works

DATE: November 7th, 2022

SUBJECT: Public Works Monthly Report for October 2022

- service snow blower and install on loader-completed
- install driveway blade blocker on grader -completed
- install sander on gravel truck-completed
- maintenance and complete inspection of Hearse-ongoing

Building and Ground Maintenance

- cemetery grave filling and landscaping-completed
- funeral/burial set ups-ongoing
- sidewalk snow removal at Fire Hall and Visitor Centre-ongoing
- fire extinguisher inspections-ongoing
- schedule servicing of all HVAC Systems-ongoing

Misc. flood related work

- inspect and clean out storm outlets
- clear areas around flood valves on Riverview, design extension arm for future use
- 2nd pump installed at Lift Station #1 operational-completed
- HVAC Systems at Lift Station #1 up and running-completed

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

- Mackenzie Valley Land and Water Board Town of Hay River License #MV2009L3-0005
- Bylaw 1812 Zoning and Building Bylaw

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:
Earle Dumas
Acting Director of Public Works
November 3rd, 2022

Reviewed by:
Glenn Smith
SAO
November 3, 2022



REPORT TO COMMITTEE

DEPARTMENT: PUBLIC WORKS

DATE: November 7th, 2022

SUBJECT: DEVELOPMENT AND BUILDING PERMIT REPORT

RECOMMENDATION:

MOVED BY: CLLR DUFORD

SECONDED BY: DEPUTY MAYOR DOHEY

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Development and Building Permit Report for the month of September and October 2022.

BACKGROUND:

SUMMARY

- 16 Development Permits and 5 Building Permits have been approved for September and October 2022. In the months of September and October 2021, we had 20 Development Permits and 4 Building Permits signed out.

Background

- The September, October 2022 Development and Building Permit Report is as follows:

DATE	DEV #	CIVIC ADDRESS	DESC. OF WORK
Sept 6/22	B22-022	100 Miron Drive	Build new ICF Basement Foundation
Sept 8/22	D22-078	149 Wildrose Drive	Temporary Power residential construction
Sept 8/22	D22-079, B22-026	48013 Back Road West Channel	Raise and move Mobile Home to different location on Lot.
Sept 16/22	B22-023	39-104 th Street	Replace Deck Railings and Steps
Sept 19/22	D22-080	3 Robin Crescent	Demolish existing Housing House
Sept 19/22	D22-081, B22-024	Lot 1773 McMeekin Park	Park Upgrades and New Town Sign
Sept 23/22	DH22-082	45 Pine Crescent	Spin with Em (Instructional Spin Classes)
Sept 26/22	B22-025	17-61 Woodland Drive	Residential Renovations
Sept 27/22	DH22-083	48-61 Woodland Drive	Moore's Crafts (Crafts and Woodworking)
Sept 28/22	D22-084	Lot 2143, Plan 5427 West Channel	Demolish Old and Build New Garage/Shop
Oct 4/22	D22-085	24 Garden Road	Temporary Utility Hookup



REPORT TO COMMITTEE

DEPARTMENT: PUBLIC WORKS

DATE: November 7th, 2022

SUBJECT: DEVELOPMENT AND BUILDING PERMIT REPORT

Oct 5/22	D22-086	9 Garden Road	Small Single Detached House/Cabin
Oct 5/22	DH22-087	27 Stewart Drive	Anton Miller (Training Services)
Oct 7/22	D22-088	25 Studney Drive	Commercial Entranceway C/W Culvert
Oct 12/22	DH22-089	48-61 Woodland Drive	Vector Contracting (Medical Travel)
Oct 13/22	D22-090	48052 Mackenzie Highway	Demolish Old Storage Building Damaged by Flood
Oct 13/22	D13-091	33-103 rd Street	Residential Renovations including Rear Seps and Landing
Oct 13/22	D22-092, B22-027	5 Riverbend Road	Develop Basement
Oct 29/22	DH22-093	4 Cranberry Crescent	Woodland Flower Arrangements (Online or Phone Orders)

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

CONSIDERATIONS OR FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:
Randy Froese
Development Officer

Reviewed by:
Earl Dumas
Director of Public Works

Date: November 02, 2022,

Date: November 02, 2022



REPORT TO COMMITTEE

DEPARTMENT: RECREATION & COMMUNITY SERVICES DATE: November 7th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

RECOMMENDATION:

MOVED BY: DEPUTY MAYOR DOHEY
SECONDED BY: CLLR GROENEWEGEN

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the report entitled "Recreation and Community Services Monthly Report" for October 2022 as presented.

BACKGROUND:

Recreational Programming

Youth Programming

After School Club

After School Club continued through the month of October and was well attended. Registration was approximately 75% full Mondays through Thursdays, and 100% full for Friday half-day programming. This month, the After School Club partnered with the NWT Centennial Library to for weekly story times and craft sessions as delivered by the Program Librarian. A partnership was also formed with the HRHSSA's Child and Youth Counsellor who facilitated weekly art sessions for registered After School Club participants.

Full-day youth programming was also offered in October during the GNWT's teacher conference in Yellowknife. This program was 100% full, with 20 participants registered each day. Youth were kept busy with a variety of activities including daily swimming times, programming at the Hay River Public Library, a movie afternoon at the Riverview Cineplex and supervised public skating using the Hay River Community Centre's new rental skates and helmets.

Fitness Programming

Instructor led group fitness classes were again offered in the Multipurpose Fitness Room through the month of October.

Vinyasa Yoga and Chair Yoga continued, led by a local contracted yoga instructor. Gentle Flow Yoga was introduced as a morning wellness class option, led by another local contracted yoga instructor.



REPORT TO COMMITTEE

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** November 7th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

Spin classes were transferred to a contracted fitness instructor who successfully completed a Schwinn Spin Instructor certification last month using Mackenzie Recreation Association Training secured by the Department's.

The Recreation Programming Supervisor is also leading fitness classes, with the remainder of the fitness schedule being rounded out by virtual programming.

Fitness class attendance has remained consistent through the month of October with spin class still being the most popular and well attended class. Overall, attendance at fitness programming was lower this month than in October 2021. This can likely be attributed to the lower number of instructor-led classes currently being offered, an issue that the Recreation Programmer Supervisor is actively attempting to remedy by helping 2 local instructors in training complete Canfit Pro fitness instructor certifications.

Community Programming

Free Ballet Sessions

Free ballet sessions were offered at the Hay River Community Centre on October 27th. The initiative was a partnership between the Department of Recreation and the Canadian National Ballet School. The NWT Recreation and Parks association was used to fund the three sessions offered, which were open to all local youth. Sessions were well attended. Several participants and parents of participants expressed interest in the continuation of similar programming at the Community Centre. The Department's Programming Supervisor has scheduled a meeting with a community member who has expressed interested in teaching dance classes.

NWT Tourism AGM & Conference

The Hay River Community Centre hosted to the NWT Tourism AGM & Conference from Oct 25th to 27th. NWT Tourism rented most of the recreation complex for this event, which was very successful. The Department's Programming and Maintenance divisions received very positive feedback from NWT Tourism board members and conference attendees. The event was very successfully and represents an important step in recovery and return to normality after the Covid-19 pandemic.

Similarly, the Department has seen a gradual but significant increase in corporate bookings, community event rentals and sport tourism rentals. Special event rentals are trending toward pre-Covid realities, including the hosting of other conferences like the NWT Association of Communities AGM in June 2023.

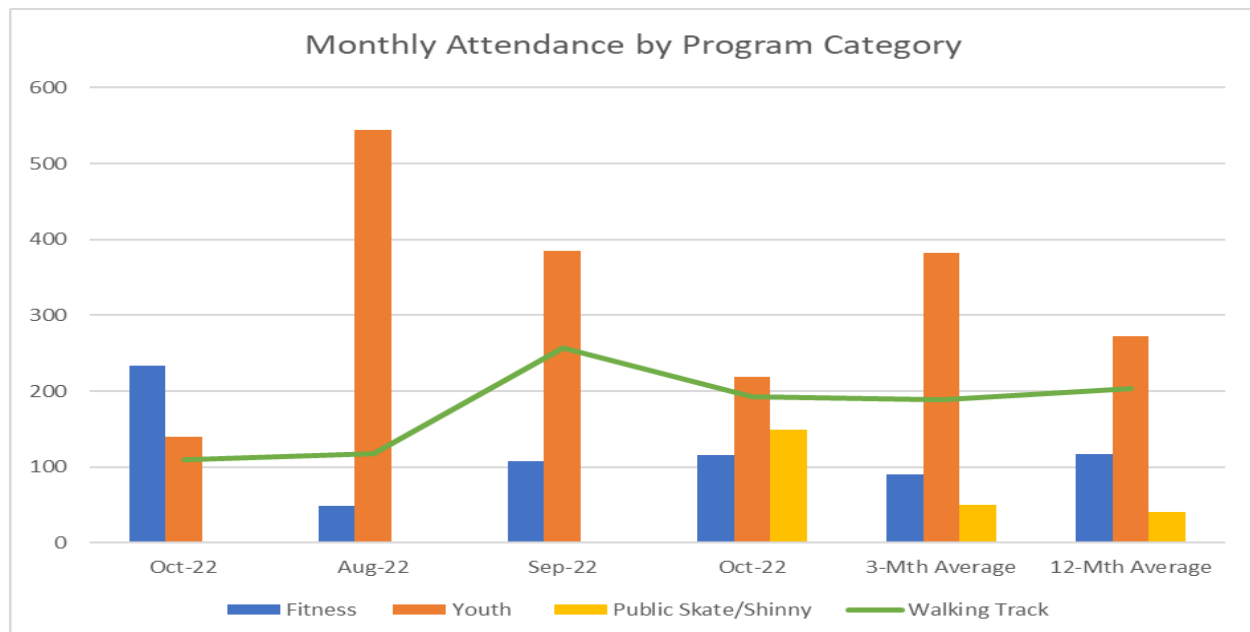


REPORT TO COMMITTEE

DEPARTMENT: RECREATION & COMMUNITY SERVICES DATE: November 7th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

Recreation Programming Statistics

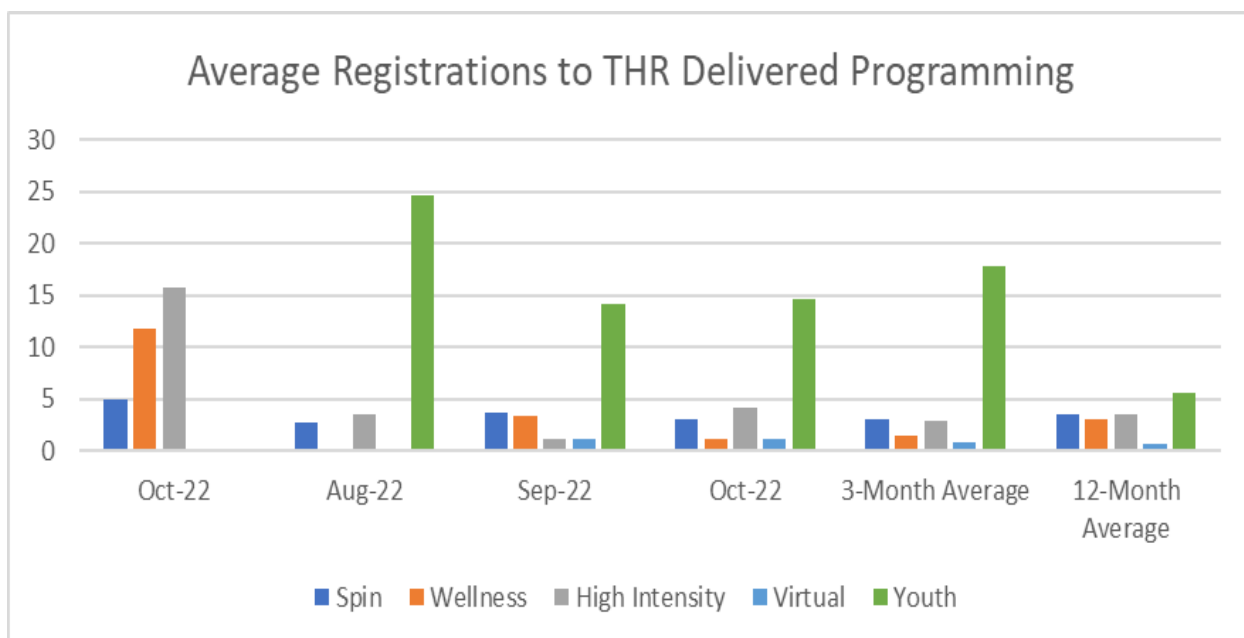




REPORT TO COMMITTEE

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** November 7th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT



Aquatics

General

The new chemical feed system for chlorine and pH control has been working well since being installed in September with minimal adjustments needed by staff. Mechanical systems and water quality have been consistent and the aquatic centre remains open 7 days per week as per the regular schedule and services.

Staffing

The Don Stewart Aquatic Centre now has a full compliment of full-time lifeguards for the first time in several years. Senior Lifeguard 1, Senior Lifeguard 2 and Lifeguard 3 positions are all filled with full-time permanent employees. Casual staff continue to support full-time staff on evenings and weekends. An interview with an Assistant Lifeguard applicant is to take place on November 10th.

The Aquatics Supervisor is further increasing capacity with Junior Lifeguard training courses offered and successfully completed by 4 local youth in October, as well as National Lifeguard



REPORT TO COMMITTEE

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** November 7th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

Certification training currently being offered to 3 casual staff members. The Department expects to have a full staffing roster by mid-November.

Attendance

Early morning lane swims continue to be popular with attendance ranging from 4-8 swimmers. The Marine Training Centre once again rented the facility for the morning of Oct 14th with 12 individuals participating in their training program. There have also been weekly rentals from local daycare groups like Growing Together and class groups from Princess Alexandra School and Ecole Boréale.

There were 1040 swimmers at the aquatic centre in October, which is almost double the 570 swimmers from October 2021. Youth swim numbers increased most significantly, jumping from 101 swimmers in October 2021 to 523 swimmers for the same months this year. These increases can likely be related to spiking in NWT Covid-19 cases in October 2021.

Swimming Lessons

Swimming Lessons were not offered in October due to limited staffing. The Department's Senior Lifeguard 1 and Senior Lifeguard 2 are certified swim instructors, but they require additional deck supervision support to deliver lessons. The Aquatics team are discussing alternative scheduling options that would allow for weekly lessons with current staffing levels.

Courses & Training

Three staff are currently enrolled in a National Lifeguard (NL) course which will be completed on Sunday Nov 6. One other lifeguard as well as the swim team coach will participate in a recert on the 6th.

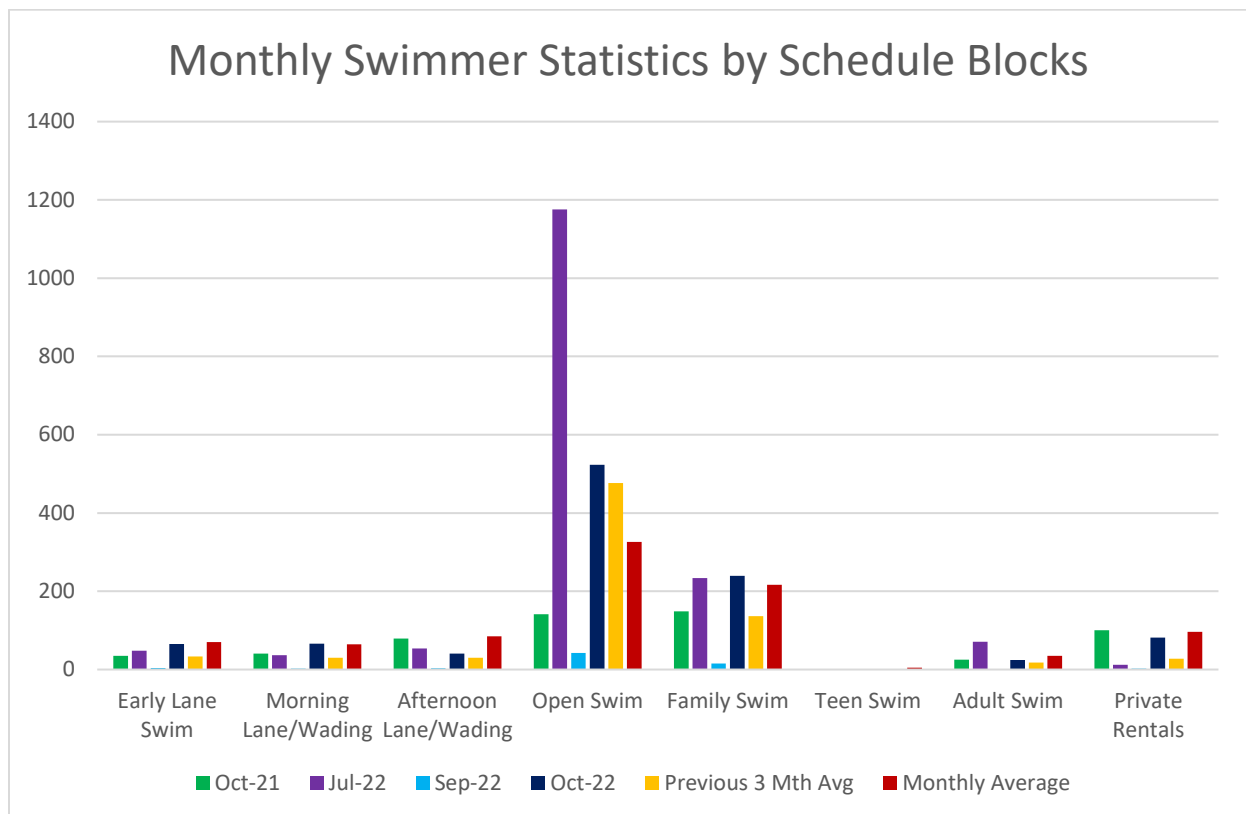
Don Stewart Aquatic Centre Statistics



REPORT TO COMMITTEE

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** November 7th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

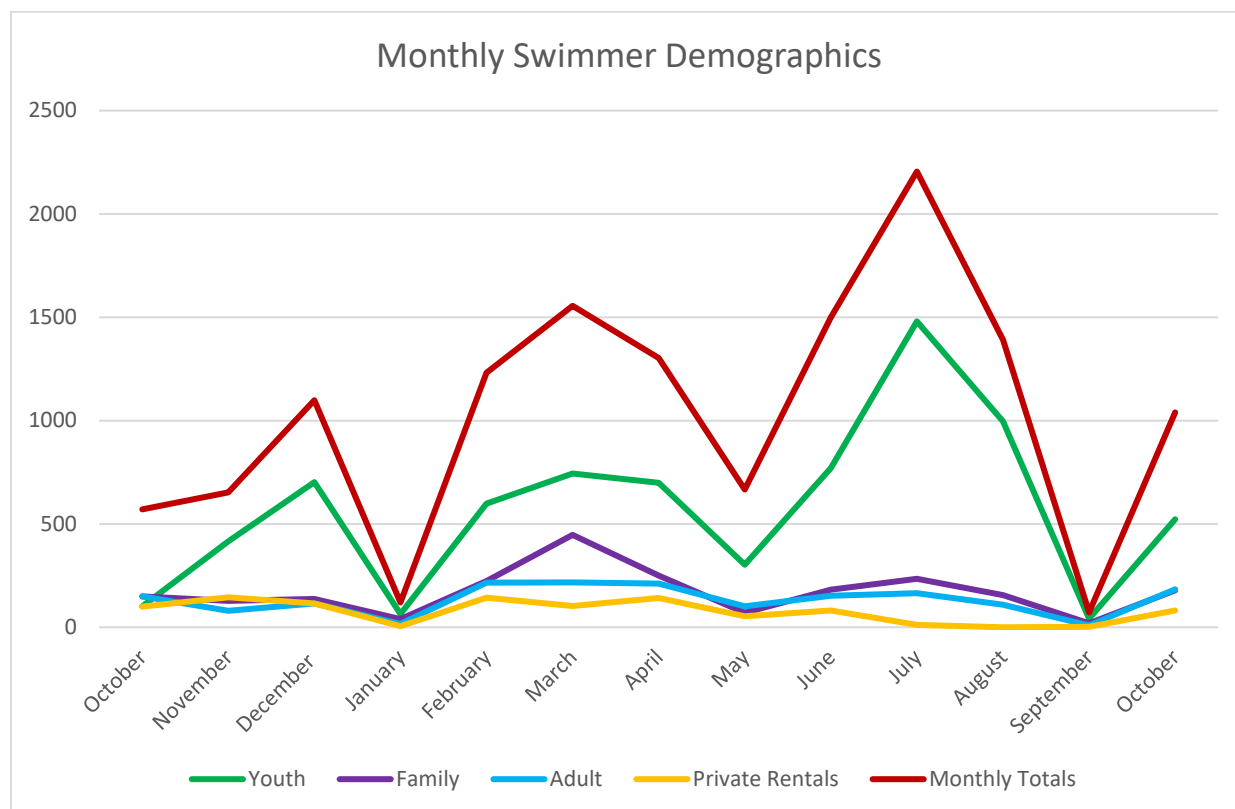




REPORT TO COMMITTEE

DEPARTMENT: RECREATION & COMMUNITY SERVICES DATE: November 7th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT



Facilities and Maintenance

Recreation and Aquatic Centre:

Don Stewart Aquatic Centre:

- Change filter sand in hot tub
- Repair hot tub filter pump
- Order filters for all air handlers
- Turn on small MAU unit to heat pool office area

Aurora Ford Arena and Hay River Curling Club ice preparation:

- Routine daily ice maintenance and weekly measurements
- Working with local contractor to repair curling club stairwell heaters
- Ordered new ice edger



REPORT TO COMMITTEE

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** November 7th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

Other Community Centre Maintenance Items:

- Ongoing building inspections, preventative maintenance, etc.
- Monthly fire extinguisher and safety checks
- Remove parking blocks from front parking lot in preparation for winter
- Snow and ice removal around the building
- Work with service contractor to repair elevator after power bumps
- Regular room rentals and set ups
- Hosted the Tourism AGM, where the maintenance staff set up all the room for various meetings and gatherings, the staff offered support whenever it was required for whatever the customer needed to help things run smoothly. The facility maintainers did a great job accommodating what the client needed. We had lots of positive feedback regarding our facility and work.

Parks and Greenspaces:

- Garbage containers emptied weekly in downtown core and at greenspaces and trails.
- Regular litter pickup and weekly checks of Town sites and assets in the downtown core.
- Pick up soccer nets from TriService Park for winter storage
- Pick up porta potties from parks and greenspaces
- Remove benches and bike racks from Courtoreille Street
- Have power shut off at Keith Broadhead ball diamonds
- Remove docks from Porritt Landing Marina

Department of Recreation Capital and Construction Projects

Bob McMeekin Park:

- Haul, place and compact approximately 300 m³ of common fill (from ice crossing) for sliding hill enhancement.
- Earthworks to construct a new parking area and expand existing parking area. Work to include excavation of organics, install geotextile, haul, place, and compact granular fill.
- Earthworks to prepare subgrade for cast-in-place concrete seating area.
- Install cast-in-place concrete seating as per site plan. Includes forms, rebar, placing and finishing concrete.
- Installation of an open-air performance shelter. Work includes installation of screw piles, assembly, and installation of structure.
- Installation of screw piles for new welcome monument.

Hoffman Way:



REPORT TO COMMITTEE

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** November 7th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

- Ditch grading to ensure positive drainage to existing culverts over length of road.
- Scarify all chip seal and reconfigure the road from a crown slope to a cross-fall slope.
- Sub-cut soft spots and install geotextile and re-establish surfacing material.
- Removal of the guardrail, placement of jersey barriers.
- Final grading and compaction of the road utilizing additional 20mm minus if necessary to achieve final grade.

Recreation Assets Flood Recovery and Remediation:

Ski Club Trails Remediation

- Major tree removal, brushing and cleanup of final 500m at exit of Ric Green Trail.
- Perform a one-time mechanical brushing and mulching of remaining trails on west side of river.
- Repair slope of access path that leads from golf course hole 6 to river crossing for ski club Solitude Trail – see attached for map.

Rotary Trail cleanup and repairs

- Installation of replacement interpretive sign (supplied by THR) at base of hill near DJSS parking lot.
- Install 1 pedestal table and 1 park bench as per manufacturer's instructions– see appendix B for specifications of furnishings.
- Removal of trees that are encroaching on trail and/or affecting lighting.

Irma Miron trail

- Undertake approx. 150m of ditch grading and replace existing culverts.
- Machine and/or hand work to repair shoulders of trail as required.
- Prepare asphalt and crack seal asphalt.
- Removal of trees that are encroaching on trail and/or affecting lighting.
- Removal of deadfall within the view of the public using the trail.

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A



REPORT TO COMMITTEE

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** November 7th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

Prepared by:

Stephane Millette

Director Recreation and Community Services

Date: July 8th, 2022

Reviewed by:

Glenn Smith

Senior Administrative Officer

Date: July 8th, 2022



REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: November 7th, 2022

SUBJECT: EMERGENCY SERVICES MONTHLY REPORT

RECOMMENDATION:

MOVED BY: CLLR GROENEWEGEN
SECONDED BY: CLLR WILLOWS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves the Emergency Services Activity Report for October 2022 as presented.

BACKGROUND:

Summary:

Monthly Stat Summary	
EMS Calls	60
False Alarms	4
Fires	4
Rescue	1

It was fire prevention week In October, and the fire department hosted an open house for fire prevention week. We had activities for the kids and raffled off fire extinguishers and smoke/CO detectors for parents. We had over 70 people in attendance at the event. The fire department also presented a fire safety message at Harry Camsell and Princess Alexandra Schools.

The Director has been working with a consultant to do an in-depth gap analysis on the Town of Hay River's health and safety program. We have been working on finalizing the gap analysis report in October. We will share the report next month with senior management, the Joint occupational health and safety committee, and the town council.

The Director has been working to finalize a scope of work with a consultant group to do a fire department review and cross-jurisdiction comparison with other fire departments with a similar service. The project's goal is to help inform the council, administration, and Director on how to support the department with the changes in service requirements caused by the increase in call volume over the last few years. They will evaluate and compare our scope of work, organizational structure, staffing numbers, staffing roles and responsibilities, budget requirements, and honorarium rates or pay structure. Updates to MOUs and municipal service



REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: November 7th, 2022

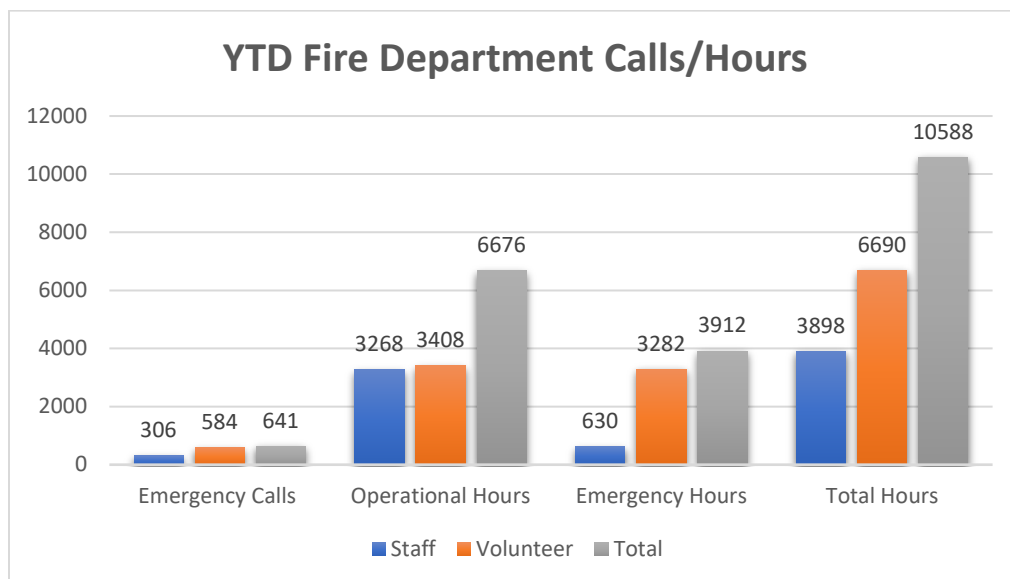
SUBJECT: EMERGENCY SERVICES MONTHLY REPORT

agreements is also included in scope. The consultant will present a final report to the council on the findings. They will also create a fire department 5 and 10-year master plan that will help inform and guide the department's developmental efforts.

The project to replace the damaged river monitoring site out at paradise has been completed. The boom was installed by Aurora manufacturing and is designed to position our sensors over the river during break up to provide live measurement data. The new sensor for our monitoring site will be arriving next month and we will be working to get them deployed at each site and do some testing.

7 members of the department completed the NFPA 1002 pump operations/Apparatus driver course on October 6th to 9th. This highly technical course helped develop the members driving and pumping skills. The 7 members all passed with high grades and are now certified pump operators.

STATISTICS



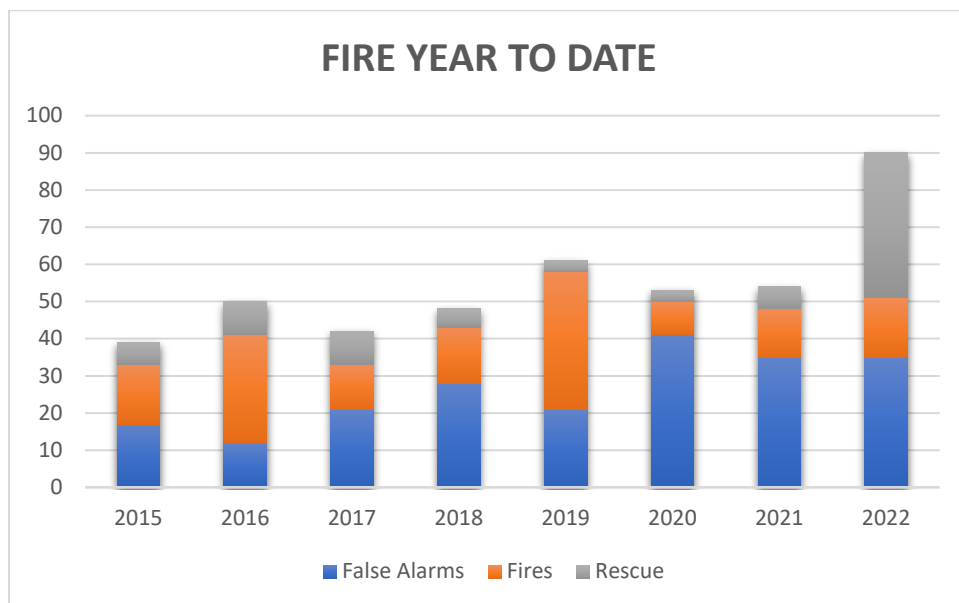
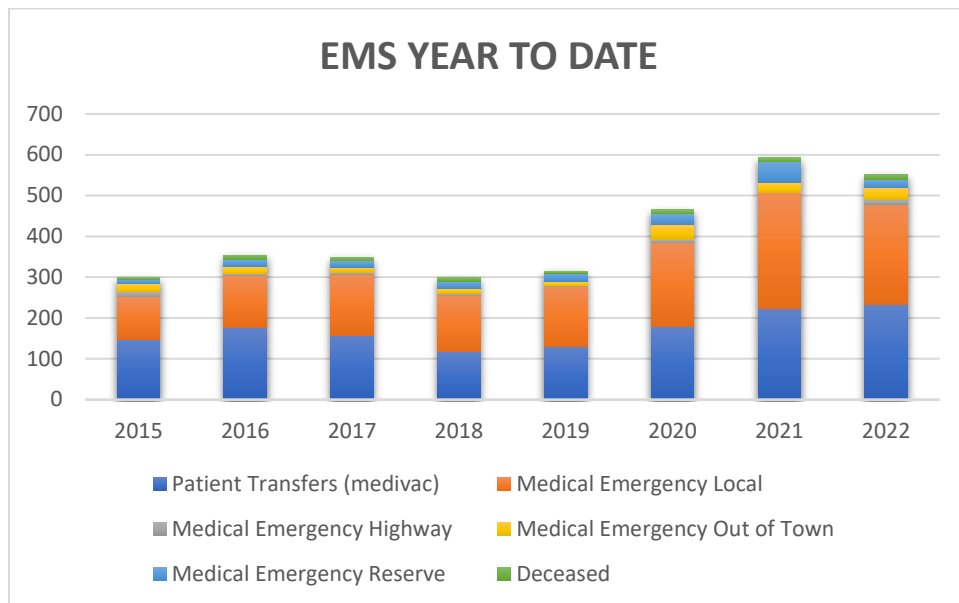


REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: November 7th, 2022

SUBJECT: EMERGENCY SERVICES MONTHLY REPORT





REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: November 7th, 2022

SUBJECT: EMERGENCY SERVICES MONTHLY REPORT



MAINTENANCE

1. All daily/weekly/monthly maintenance activities were completed.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Fire Prevention Bylaw

FINANCIAL IMPLICATIONS:

N/A



REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: November 7th, 2022

SUBJECT: EMERGENCY SERVICES MONTHLY REPORT

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

None

Prepared by:

Travis Wright
Director Protective Services/Fire Chief
Date: November 3rd, 2022

Reviewed By:

Glenn Smith
Senior Administrative Officer
Date: November 3rd, 2022



REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: November 7th, 2022

SUBJECT: MUNICIPAL ENFORCEMENT REPORT

RECOMMENDATION:

MOVED BY: CLLR DUFORD
SECONDED BY: CLLR CHAMBERS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Municipal Enforcement Report for October 2022 as presented.

BACKGROUND:

Monthly Stat Summary	
Animal Control	15
Traffic	18
Unsightly	2
Other	9

Cold Weather is starting to set in and animals and owners are being addressed to ensure that they have suitable food, water, and shelter conditions if pets are being left outside for prolonged periods of time. Animals in unsuitable conditions have been and will be taken to the shelter to protect the animal's safety during cold weather.

With the high amount of construction and rebuilding of roadways around town, and snow-covered roads, illegal parking of vehicles and speeding have been a problem. New signs have been put up and tried to be made more visible for public notification. Drivers have been addressed and signs have been changed to help inform of the new regulations.

Unsightly properties are still being addressed and owners have been encouraged to continue working on cleaning up their properties to help spread the cost of cleanup over time.

Snow season has started and problematic areas are being monitored and addressed to help reduce complaints. Publications have been released to help keep citizens informed of the snow clearing bylaws.

School Safety

The Protective Services Specialist continues to monitor and patrol the school zones during peak times to ensure motorists are compliant with regulations to ensure the safety of school zones



REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: November 7th, 2022

SUBJECT: MUNICIPAL ENFORCEMENT REPORT

during shorter daylight conditions and snow that create more hazards, especially during early morning hours.

Upcoming Goals

The Protective Services Specialist is now enrolled and working on the 1021 Fire Officer Course. This professional development has been prioritized to help assist and support the Protective Services Division and the Fire Department Operations.

Emergency Services

The Protective Services Specialist winterized the Emergency Response Training Center to reduce operating costs and secured the building for the upcoming winter season. EMO Monitor sites underwent maintenance in advance to prepare for the new equipment that has arrived.

COUNCIL POLICY / STRATEGY OR GOAL:	
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Strategy:

Goal:

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:
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All applicable Bylaws and Territorial Legislation

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:



REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: November 7th, 2022

SUBJECT: MUNICIPAL ENFORCEMENT REPORT

OFFENCE	INQUIRY	INVESTIGATED (NO SUBSTANTIATION)	WARNINGS (VERBAL, LETTER OR VISUAL)	FINES / ENFORCEMENT	OTHER ACTION
Animal Control Bylaw					
Animal Abuse/Welfare	19	8	5	3	3
Barking Dogs	26	12	4	5	5
Dog Attack	6	1	3	1	1
Dog Bites	3	0	0	0	3
Loose Cat/Dog	66	12	17	6	30
Sled Dog Complaints	0	0	0	0	0
Miscellaneous	20	3	4	2	10
Business License					
No Business License	35	0	13	5	17
Operating business not as permitted	1	0	0	0	1
Traffic Bylaw					
Vehicle/Trailer Parking	72	7	21	35	9
ATV/Snow Machine	14	5	5	3	1
Fail to Stop (Sign or Light)	3	0	2	0	1
Distracted Driving	2	0	0	2	0
No Seat Belt	1	0	0	0	1
Fail to carry-No Insurance/Registration	4	0	3	1	0
Speeding	44	4	32	1	7
Speeding (School/Construct/Industrial)	1	0	1	0	0
Suspected Impaired Driver	1	1	0	0	0
Miscellaneous	3	0	0	1	2
Unightly Bylaw					
Overgrown Trees	2	0	0	0	2
Long Grass & Weeds	27	1	13	13	0
Garbage	6	1	2	0	3
Miscellaneous	8	1	0	2	5
Taxi Bylaw					
Taxi Not Available	3	1	0	0	2
No Brokerage/ Business Licence	2	0	1	0	1
Fail to carry/No Taxi/Chauffer Permit	7	0	5	2	0
Noise Abatement Bylaw					
Noise Complaint	17	5	7	2	3
Fire Prevention Bylaw					
Burning without permit	0	0	0	0	0
Miscellaneous	4	0	0	0	4
Unsafe/Hazardous Behaviour					
Miscellaneous	10	1	2	2	6
Intoxicated- Unable to care for self	9	0	0	0	9
Public Disturbance	0	0	0	0	0
Snow Removal Bylaw					
Sidewalks not cleared	3	0	3	0	0
Driveway cleared on to street / sidewalk	8	0	8	0	0
Snow being put on private property	1	0	1	0	0
Miscellaneous	1	0	1	0	0
TOTAL	430	56	140	86	112

Prepared by:

Jonathan Wallington
Protective Services Specialist
Date: November 3, 2022

Reviewed By:

Travis Wright
Director, Protective Services
Date: November 3, 2022



REPORT TO COMMITTEE

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT **DATE:** Nov 1, 2022
SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

RECOMMENDATION:

MOVED BY: CLLR CHAMBERS
SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Tourism and Economic Development Report for the month of October.

BACKGROUND:

Tourism & Economic Development Activity:

- The 2022 Northwest Territories Tourism AGM & Conference took place in Hay River on Oct 25-27, 2022. The conference was well attended with a positive response from participants. The Tourism Coordinator and members of Council attended the working sessions and were joined by the SAO and ASAO at the Gala. Pictures of the event were purchased by the Town to support Town marketing of conference/event hosting.
- Up Here Publishing will produce 7,500 copies of a 2023 Hay River Tourism Guide which will be distributed to surrounding Visitor Centre's in the NWT, NU and Alberta, along with numerous extra copies to hand out to local Hotels, The Library, the Community Centre and Town Hall.
- Hay River Tourism has spoken with ITI about funding to partner with all of the communities in the South Slave to obtain an Aurora Light House for each community to highlight the South Slave Aurora Route.
- Work continues on the Wayfinding and Tourism Website projects.
- ASAO attended the Regional Economic Development Plan public engagement session
- Meeting was held with CANNOR to discuss support for Town economic development projects and flood revitalization support
- Meeting was held with ITI Deputy Minister, an Assistant Deputy Minister and Regional Superintendent to discuss community economic development opportunities and current market conditions.
- Heritage Canada - The Canada Day Funding application has been submitted for the July 1st, 2023 festivities.
- Northwest Territories Association of Communities AGM planning is in the works for their conference to be held in Hay River in June 2023.

Upcoming Events/Contests:

- Nov 19, 2022 – Handmade Market @ Hay River Community Centre, Community Hall (Growing Together)



REPORT TO COMMITTEE

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT **DATE:** Nov 1, 2022

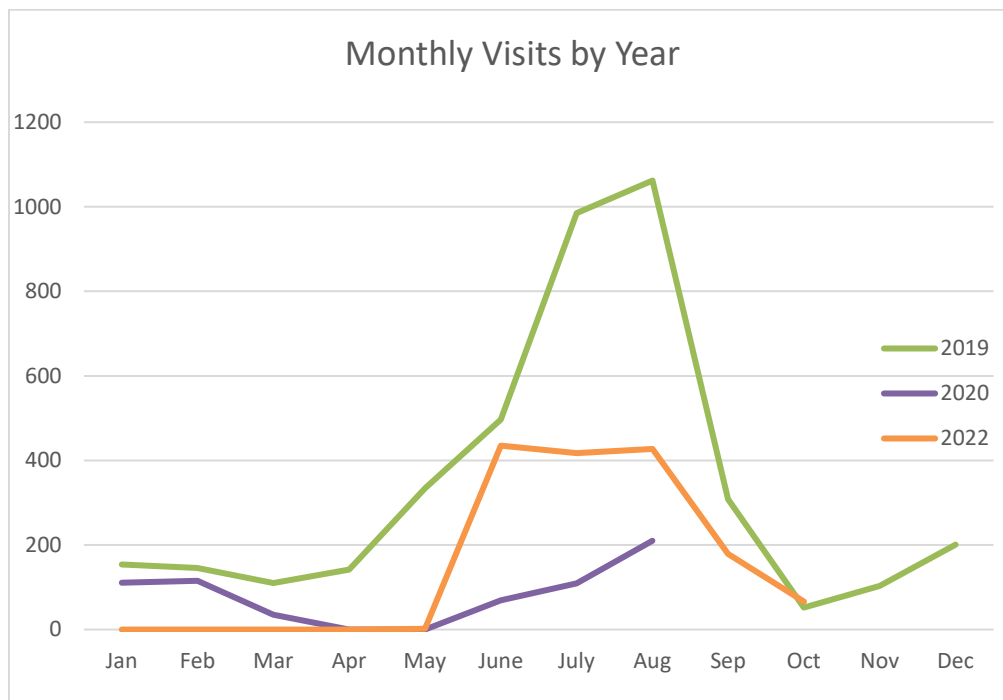
SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

- Nov 25, 2022 – Santa Claus Parade – The Parade will stick to its regular route starting from the Esso service road and ending Downtown in the North Mart Parking lot.
- Nov 25, 2022 – Midnight Madness (Chamber of Commerce)
- Dec 2-4, 2022 – Campground Christmas (Campground Christmas committee)
- Dec 5-9, 2022 – Festival of Trees setup @ Hay River Community Centre, Walking Track + Pool Lobby (School PAC committees)
- Dec 17, 2022 – Skate with Santa @ Aurora Ford Arena (THR)
- Dec 17, 2022 – Twinkle Tour (Town Council)
- Jan 28, 2023 - 7:00pm -2:00am. Murder on the Lake- Murder Mystery Dinner & Dance (Profits will be split between the Lights on Program and the Town of Hay River)

Key Performance Indicators:

Visitor Information Centre Visitation

There is a gap in the data from September 2020 to June of 2022.

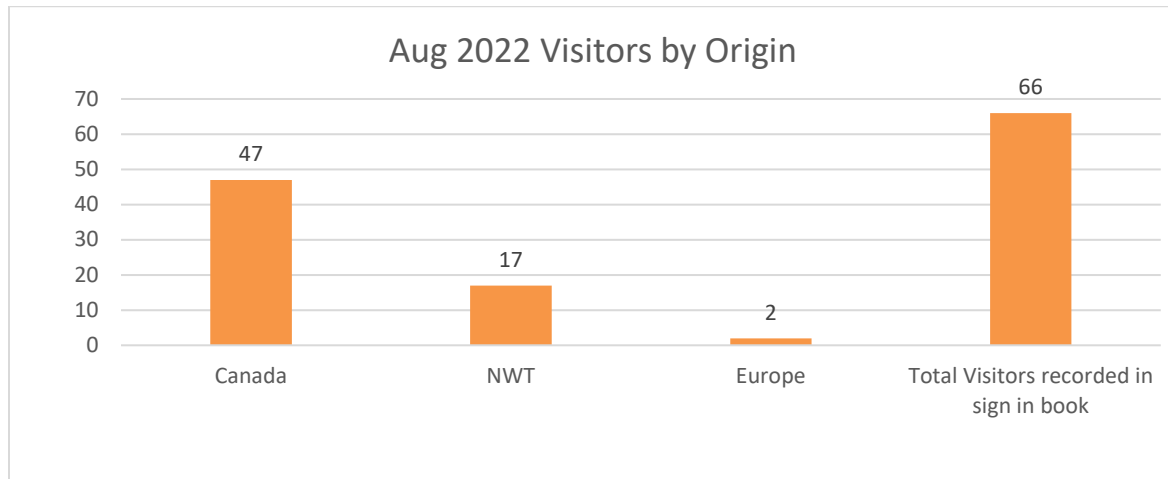




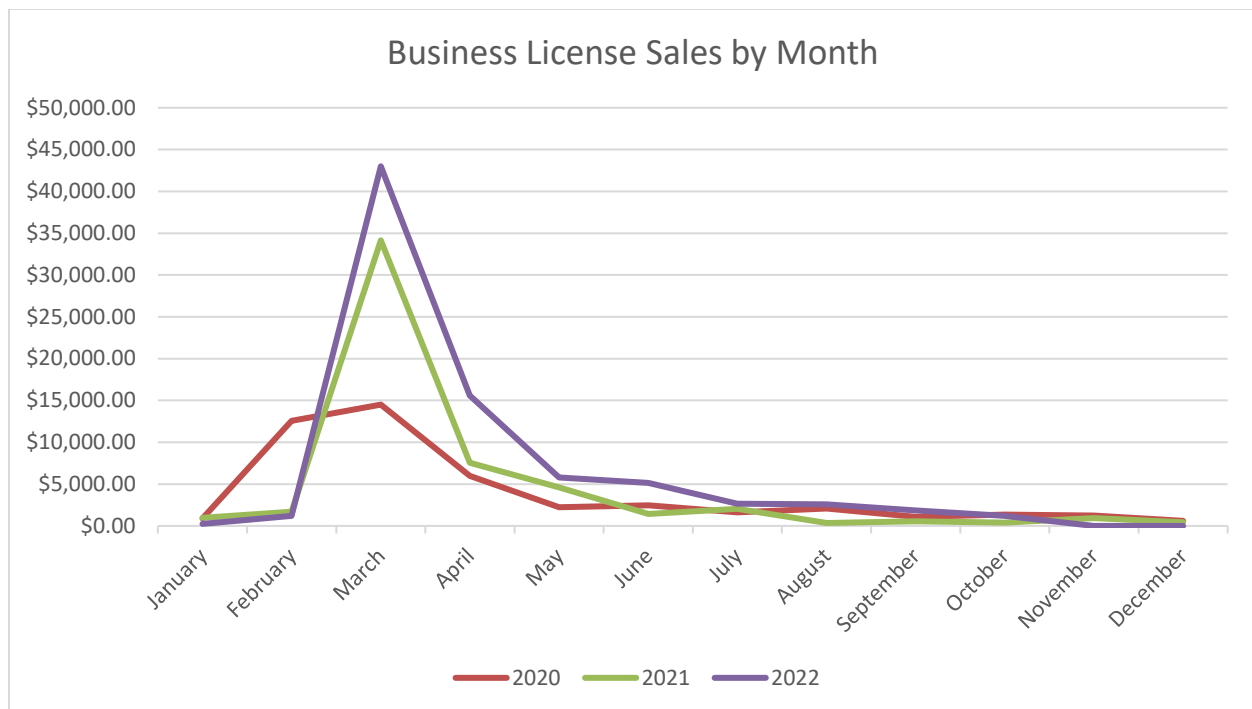
REPORT TO COMMITTEE

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT **DATE:** Nov 1, 2022

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT



Business License Sales

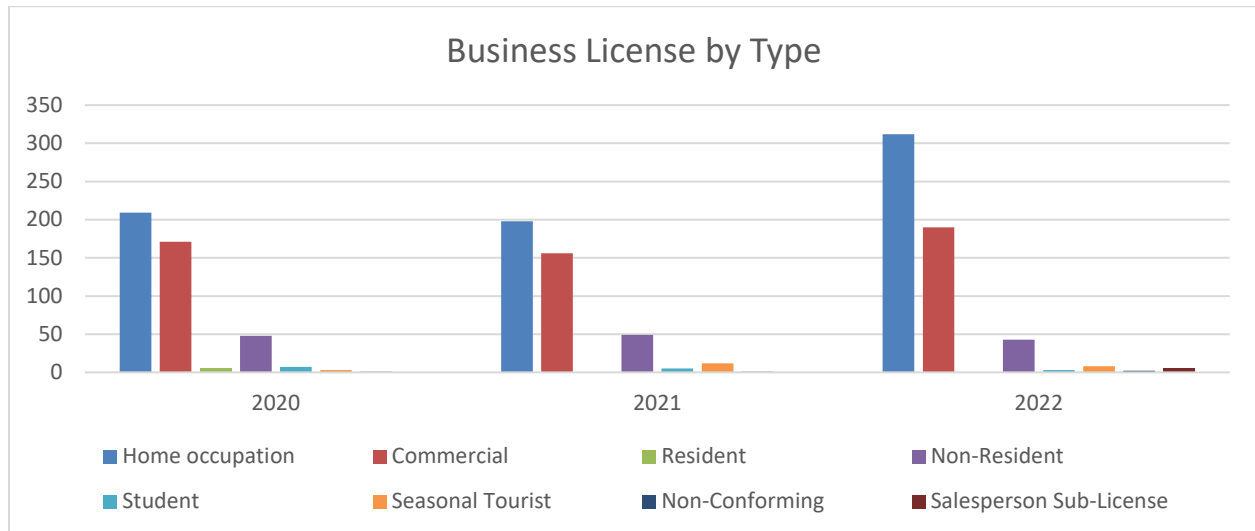




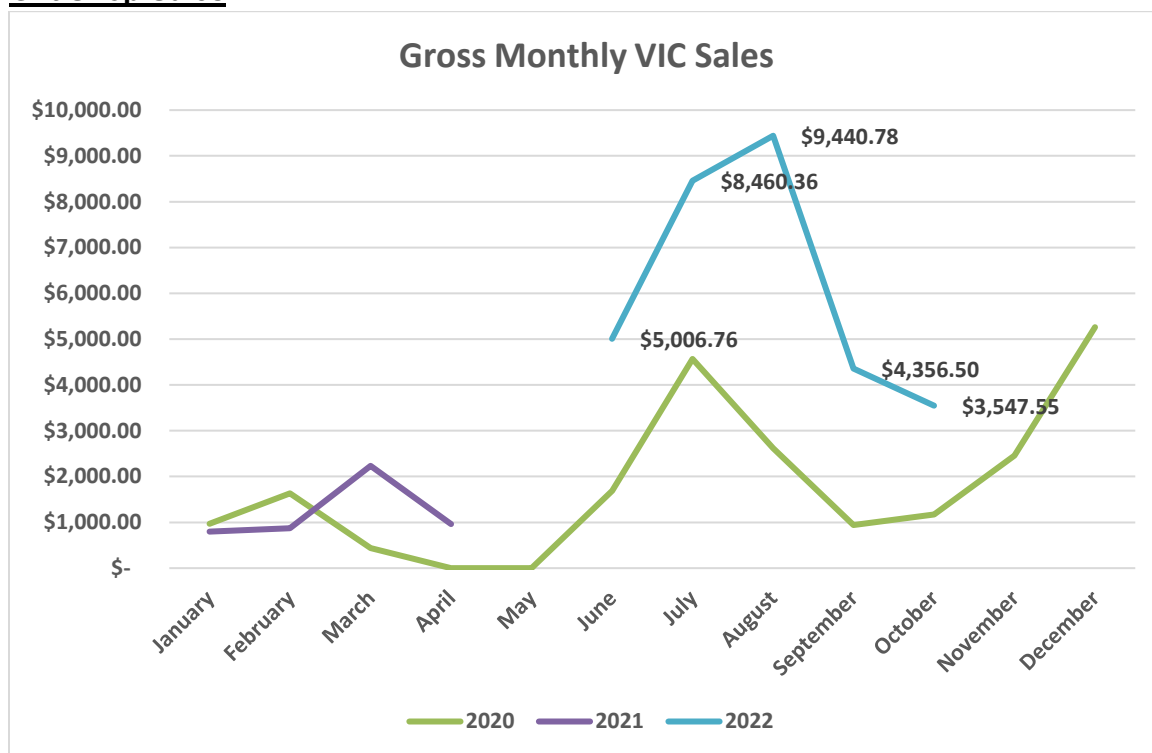
REPORT TO COMMITTEE

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT **DATE:** Nov 1, 2022

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT



Gift Shop Sales





REPORT TO COMMITTEE

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT **DATE:** Nov 1, 2022
SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

0

Prepared by:

Jill Morse
Tourism and Economic Development Coordinator
Date: Nov 1, 2022

Reviewed by:

Patrick Bergen
ASAO Town of Hay River
Date: Nov 2, 2022



REPORT TO COMMITTEE

COMMITTEE: PUBLIC WORKS

DATE: November 07, 2022

SUBJECT: Outcomes of Public Hearing for Bylaw No. 2444-22b Zoning and Building Bylaw

RECOMMENDATION:

**MOVED BY: DEPUTY MAYOR DOHEY
SECONDED BY: CLLR WILLOWS**

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the updates and minutes from the Public Hearing, October 5, 2022, on Bylaw No. 2444-22b – Zoning and Building Bylaw.

BACKGROUND:

The updated Zoning and Building Bylaw, Bylaw 2444-22b was given first reading on September 13th, 22. In compliance with the NWT's Community Planning and Development Act, a Public Hearing was scheduled for October 5, 2022 at 7:00pm to field questions and hear any concerns with the proposed bylaw. The meeting and an opportunity to submit concerns to Town Hall was advertised through Council meetings, the local Hub newspaper, the Town's website, and through the Town's Facebook page.

On September 13, 2022, the Mayor received an e-mail from Scott Clouthier of the Hay River Youth Centre expressing concerns that "youth drop-in centre" was not listed in any Commercial Zones. Through review of the bylaw, Administration verified that this use falls under "Public Use" which is listed under Discretionary Uses in all Commercial Zones. We then reached out to our Planner at Stantec who verified that we are correct in our interpretation.

On October 5, 2022, at 7:00 p.m. the Town held the Public Hearing for Bylaw No. 2444-22b at the Community Hall, Hay River Community Centre. Zoe Morrison, Senior Community Planner from Stantec gave a presentation on the public engagement procedure and all work completed to get to this stage of the process, with all the proposed changes made for the new Zoning and Building By-law.

Only one member of the Public attended the presentation her questions were about the R1A zone, "would the increase of setbacks for river front properties put homes closer to the river - bank?", we explained no, they all still had to make the 25 Foot Rear (River Side Setback). She was good with the answer.

It is recommended by Town Administration that no changes be made to the proposed bylaw coming out of the Public Hearing process.



REPORT TO COMMITTEE

COMMITTEE: PUBLIC WORKS

DATE: November 07, 2022

SUBJECT: Outcomes of Public Hearing for Bylaw No. 2444-22b Zoning and Building Bylaw

ALTERNATIVES TO RECOMMENDATIONS:

- Changes to the proposed bylaw

ATTACHMENTS:

- Letter from Scott Clouthier on Youth Drop-in Centre.
- Correspondence between Mayor, SAO, Development Officer and Town Planner on Youth Centre.
- Public Hearing Minutes October 5, 2022.
- Advertisement from the Hub Newspaper

Prepared by:

Randy Froese
Development Officer
November 02, 2022

Reviewed By:

Glenn Smith
SAO
November 3, 2022



REPORT TO COMMITTEE

DEPARTMENT: ADMINISTRATION

DATE: November 7th, 2022

SUBJECT: EXCUSED ABSENCE

RECOMMENDATION:

MOVED BY: CLLR CHAMBERS
SECONDED BY: CLLR WILLOWS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER excuses Councillor Bouchard and Councillor Wall from the Standing Committee of Council, Monday, November 7th, 2022.

BACKGROUND:

Councillor Bouchard and Councillor Wall have asked to be excused from the Standing Committee of Council, Monday, November 7th, 2022

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:
Stacey Barnes
Council Administrator
Date: November 7th, 2022

Reviewed by:



REPORT TO COMMITTEE

DEPARTMENT: FINANCE & ADMINISTRATION

DATE: November 9, 2022

SUBJECT: 2022 Q3 O&M

RECOMMENDATION:

**MOVED BY: CLLR WILLOWS
SECONDED BY: CLLR DUFORD**

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the September (Q3) 2022 O and M Report with Forecast revisions as recommended by the Finance Committee.

BACKGROUND:

As of September 30, 2022, the Town of Hay River has incurred a surplus of \$3,495,105. Budgeted surplus for the period was \$2,651,129. Administration is forecasting a variance from budget of (\$231,710) by the end of 2022. The forecast numbers are estimates based on available information. More work is needed to finish quantifying actual flood costs to be offset by third party funding.

Revenues:

- Property tax revenue for the year fully recognized as of September 30th.
- Sale of service higher than budget due to increased ambulance billing, recreation grants and donations received. Expected to have offsetting donation expenses by end of year.
- Revenue from Own Source- Temporarily higher but trending towards budget.
- Government Transfers for Operating– Recognized a modest accrual for Disaster Relief Funding up to Q3. Forecast Operational portion of disaster assistance funding.
- Water and sewer revenues – Timing issued anticipated to be corrected for an on-budget year end.
- Land sales and lease revenue – Reduced to reflect deferral of Fraser Place sales.

Expenses:

Overall- Heating and fuel costs are on average 35% higher due to price changes. Additionally, net spending (expenses less any received grant funding) on flood work is \$445,521 in Q3 and accrued to \$147,860 for Q4 forecast.

- General Government – Slightly below budget but forecasting at budget by year end.
- Protective Services - Lower than budget officer fees which will be costed in Q4, lower training costs, partially offset by flood response costs.
- Transportation and Public Works –
 - Lower salaries due to director and carpenter vacancies offset by consulting fees and new landfill attendants.
 - Significantly higher equipment and subcontractor costs rental due to flood response to be covered by disaster.
 - Patching expenses not recorded as at September 30th driving a large portion of under spend which will be accounted for in Q4.

- Forecast \$685K deficit for landfill operations, additional heating and fuel costs, and future flood costs.
- Environmental and Public Health Services and Planning and Development –

-
- Underspent on engineering and purchased maintenance.
 - Expected to be on budget by end of year, with higher accretion costs on the landfill due to usage to offset the underspend.
 - Planning and Development – underspend due to lower planning and consulting costs.
 - Recreation - Trending towards budget.
 - Forecasting \$150k increase primarily driven by flood response.
 - Higher maintenance purchased, wages and heat and fuel costs.
 - Fiscal and Valuation actuals trending towards budget.
 - Water and Sewer – Increases continue due to trucked water costs, water treatment plant contract and anticipated flood expenses.
 - Significantly higher equipment rental due to flood response.
 - Forecast increase of \$270,000 for flood restoration efforts to be covered by disaster assistance.
 - Land Development - Expenses forecasted to be significantly lower due to delay in Fraser Place development and sales and Vale Island Sales (\$1.4M reduction)

COUNCIL POLICY/STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS OR STUDIES:

N/A

FINANCIAL IMPLICATIONS:

Overall, we forecast a year end negative variance of \$290k resulting from the above changes.

ATTACHMENTS:

September (Q3) 2022 O&M Report

Submitted by:

Patrick Bergen
ASAO

Reviewed By:

Glenn Smith
SAO



REPORT TO COUNCIL

DEPARTMENT: Finance & Administration

DATE: November 14, 2022

SUBJECT: September (Q3) Capital Report with Forecast revisions

RECOMMENDATION:

**MOVED BY: CLLR WILLOWS
SECONDED BY: CLLR WALL**

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the September (Q3) 2022 Capital Report with Forecast revisions as recommended by the Finance Committee.

BACKGROUND:

The Capital Spending Report will detail what costs the Town incurred during Q2 2022 (attached). As of September 30, 2022, the Town has spent \$5.90M on capital projects.

The 2022 capital budget was approved at \$19.066M. The cumulative changes below result in a decrease in the Town forecasted capital spend to \$18.902M for 2022. The cumulative amounts carried forward to 2023 is \$6.674M

Summary of recommended changes:

Recreation

- Community Center Display Board – decrease of \$160K to cancel project
- Community Center Security Cameras – decrease of \$50K to carry forward to 2023
- Dog Park – decrease by \$14K to carry forward to 2023
- Bob McMeekin Park Enhancements – decrease by \$70,000 to carry forward to 2023.
- Hay River Golf Greens – decrease of \$100K due to lack of funding. Carry forward to 2023.
- Replace playground fall zones – decrease of \$25K to carry forward to 2023
- Downtown Beautification and Accessibility Project – Decrease by \$245K - \$185K reallocated to flood related projects and a further \$60K carry forward to 2023
- Keith Broadhead Field Replacement – decrease of \$110K due to carry over
- Old Town Connector Trail Repair/Upgrade – increase of \$445K due to increase in scope.

Tourism

- VIC Septic Tank Replacement – decrease of \$30K to carry over to 2023

Public Works

- Aspen Heights – decrease of \$100K to carry forward to 2023
- Fraser Pace – decrease \$720K. Carry over \$800K and add \$80K for additional survey costs
- Sundog – decrease of \$100K to carry forward to 2023
- Beaver Cr Road/Utilities – decrease of \$115K due to carry over (driveway reinstatements represent majority of outstanding work)
- Capital Drive – decrease of \$150K due to carry over



REPORT TO COUNCIL

DEPARTMENT: Finance & Administration

DATE: November 14, 2022

SUBJECT: September (Q3) Capital Report with Forecast revisions

- Industrial Drive – decrease of \$130K due to carry over
- Riverview Road/Utilities – decrease of \$540K due to carry over. (driveway reinstatements represent majority of outstanding work)
- Compactor – increase of \$100K – unbudgeted purchase – part of takeover of landfill management
- Landfill Cold Storage Shed – increase of \$20K – unbudgeted purchase – part of takeover of landfill management.
- Hazardous Waste Removal – decrease of \$50K due to carry over
- Lift Station #4 – increase of approx \$511K due to unbudgeted carryover from prior year.
- New Town Hall (engineering portion) – increase of \$36K due to increase in costs to complete.
- Pumps and Generator Replacement for Lift Station – recurring project – not expected to spend in 2022 – decrease of \$25K
- Sewer Lining – increase of \$120K due to higher-than-expected costs.
- Shoreline Flood Mitigation – decrease of \$1,360K due to carry over
- Tire Recycling – decrease of \$50K due to carry over
- Vale Island West Channel Drainage – decrease of \$50K due to carry over
- Water Treatment Plant Feasibility Study – decrease of \$315K due to carry over
- Airport Road Repair and Upgrade – decrease of \$700K due to carry over
- Downtown Berm Project – decrease of \$420K due to carry over. Note – this project was a Q2 increase of \$420K as part of the flood response.

Protective Services

- Electronic Ambulance Cot – increase of \$50k – unbudgeted carry over from 2021.

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Financial Administration By-Law No. 2252/FIN/11Report

FINANCIAL IMPLICATIONS:

Forecast revisions to projected capital expenditures for 2022. Carry forward amounts to 2023 capital budget.

ALTERNATIVES TO RECOMMENDATIONS:

Not to accept recommendations.

ATTACHMENTS:

Capital Spend Report Q3 2022

Prepared by:



REPORT TO COUNCIL

DEPARTMENT: Finance & Administration

DATE: November 14, 2022

SUBJECT: September (Q3) Capital Report with Forecast revisions

Glenn Smith
SAO
November 9, 2022



REPORT TO COUNCIL

DEPARTMENT: FINANCE & ADMINISTRATION

DATE: November 14, 2022

SUBJECT: TOWN OF HAY RIVER 10-YEAR CAPITAL PLAN

RECOMMENDATION:

MOVED BY: CLLR WILLOWS
SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves the report and presentation on the Ten-Year Capital Plan, as recommended by the finance committee.

BACKGROUND:

The Town of Hay River prepares a ten-year capital document to assist in managing, prioritizing, and funding the Town's general and utility infrastructure needs. This document was reviewed by the Finance Committee on November 9, 2022. The presentation attached summarizes the annual anticipated expenditures, funding summary, and includes a listing of proposed capital projects.

Council approves the Town's capital budget annually. The 2023 capital budget will be presented for Council's approval in December.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Financial Administration Bylaw

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

2023 10-Year Capital Budget Presentation

Prepared by:
Glenn Smith
SAO
November 9, 2022



2023 10 Year Capital Plan

2023 10 Year Capital Plan – Expenditure Summary

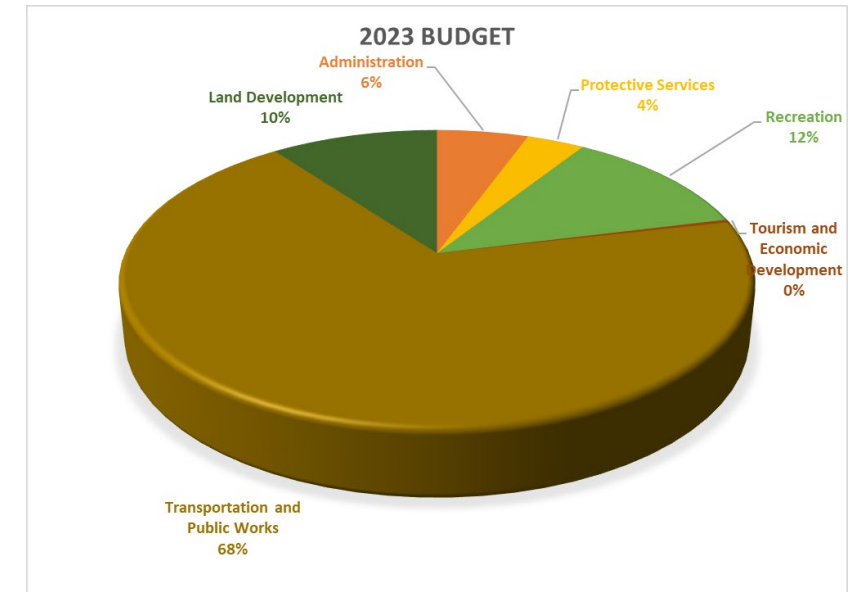
<i>PLANNED SPENDING</i>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>	<u>2032</u>	<u>Total</u>
Administration	819,000	800,000	821,000	842,000	863,000	884,000	906,000	1,328,000	950,000	972,000	9,185,000
Protective Services	517,500	400,000	-	-	700,000	60,000	220,000	-	-	-	1,897,500
Recreation	1,794,000	1,524,000	663,000	357,000	151,000	405,000	814,000	143,000	292,000	91,000	6,234,000
Tourism and Economic Development	47,000	47,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	150,000
Land Development	1,500,000	1,045,000	4,800,000	4,800,000	4,800,000	-	-	-	-	-	16,945,000
Transportation and Public Works - Roads	4,985,050	2,975,000	5,999,000	4,991,000	7,167,090	6,643,060	3,315,000	4,097,000	8,068,000	3,950,000	52,190,200
Transportation and Public Works - Other	5,170,000	8,565,000	17,622,189	13,339,178	1,240,000	5,451,770	305,000	680,000	105,000	5,025,000	57,503,137
	14,832,550	15,356,000	29,912,189	24,336,178	14,928,090	13,450,830	5,567,000	6,255,000	9,422,000	10,045,000	144,104,837

2023 10 Year Capital Plan – Funding Summary

PROPOSED FUNDING	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
CPI	1,602,340	2,653,500	2,529,547	1,962,000	809,000	1,326,515	1,382,000	3,134,000	486,000	3,586,000	19,470,902
Gas Tax	375,000	2,662,500	1,838,500	1,209,000	300,000	300,000	2,515,000	1,020,000	2,730,000	1,000,000	13,950,000
Flood Relief and Mitigation Funding	1,345,000	525,000	3,275,000	-	-	-	-	-	-	-	5,145,000
Insurance and Donations	1,621,000	100,000	-	-	-	-	-	-	-	-	1,721,000
CANOR	802,500	131,000	-	-	-	187,500	-	-	-	-	1,121,000
ICIP	3,713,948	322,500	-	-	-	-	-	-	-	-	4,036,448
Disaster Mitigation and Adaptation Fund	1,760,000	650,000	10,000,000	10,000,000	-	-	-	-	-	-	22,410,000
Pre-Sales for Land Development	800,000	245,000	500,000	300,000	300,000	-	-	-	-	-	2,145,000
Other External	538,500	5,777,500	5,153,134	2,027,678	1,518,318	778,545	111,500	90,000	94,000	-	16,089,174
Total External	12,558,288	13,067,000	23,296,181	15,498,678	2,927,318	2,592,560	4,008,500	4,244,000	3,310,000	4,586,000	86,088,524
Reserves	2,112,763	2,065,000	1,722,008	268,500	2,146,773	5,009,270	1,084,500	940,000	5,130,000	4,975,000	25,453,813
Proposed Debt and/or Funding Shortfall	-	-	4,600,000	8,305,000	9,570,000	5,545,000	150,000	627,000	518,000	-	29,315,000
O&M Funding for Debt Servicing	161,500	224,000	294,000	264,000	284,000	304,000	324,000	444,000	464,000	484,000	3,247,500
Total Internal	2,274,263	2,289,000	6,616,008	8,837,500	12,000,773	10,858,270	1,558,500	2,011,000	6,112,000	5,459,000	58,016,313
Grand Total	14,832,550	15,356,000	29,912,189	24,336,178	14,928,090	13,450,830	5,567,000	6,255,000	9,422,000	10,045,000	144,104,837
Reserve Balances - End of Year	4,455,358	4,590,358	5,068,349	6,999,849	7,053,077	4,243,807	5,359,307	6,619,307	3,689,307	914,307	

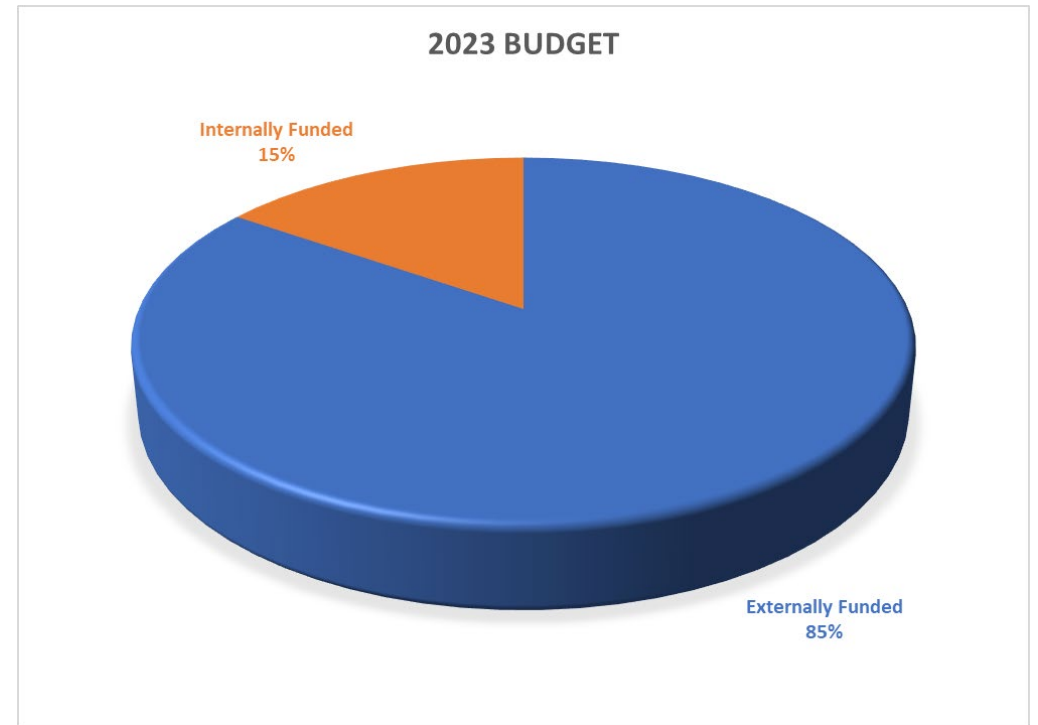
2023 10 Year Capital Plan – Expenditure Summary

Department	2023 Budget	2022 Budget
Administration	819,000	765,000
Protective Services	517,500	400,000
Recreation	1,794,000	1,967,000
Tourism and Economic Development	47,000	77,000
Transportation and Public Works	10,155,050	12,906,952
Land Development	1,500,000	2,950,000
Grand Total	14,832,550	19,065,952



2023 10 Year Capital Plan – Funding Summary

<u>Source</u>	<u>2023 Budget</u>	<u>2022 Budget</u>
Externally Funded	12,558,288	13,237,914
Internally Funded	2,274,263	5,828,038
Grand Total	14,832,550	19,065,952



2023 10 Year Capital Plan -Public Works

Legend		<100,000										
		\$100,001-\$499,999										
		>\$500,000										
<u>Project Name</u>	<u>Description</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>	<u>2032</u>	
Asset Management System Implementation	Multi year project for implementation of corporate asset management system											
Biomass District Heating System	Looking to heat new Town Hall, Fire Hall, Library and Community Center.											
Case Loader Replacement	Heavy equipment required under vehicle replacement program											
Cat Loader Replacement	Heavy equipment required under vehicle replacement program											
Cemetery Expansion - New Site	Expansion of cemetery to match forecasted capacity											
Community Climate Adaptation Study	Community Climate Adaptation Study											
Compactor Purchase	For Landfill											
Delancey Estates Drainage Enhancements	Correction of drainage problems near Choice Farms											
Downtown Berm Capital Project	Specific project related to 2022 flood response											
Fire Hall/Town Hall Demolition	Demolition to occur in 2023											
Hazardous Waste Removal	Removal of hazardous materials (metal, white goods etc.) before closure of landfill. Regional project coordinated by MACA.											

2023 10 Year Capital Plan -Public Works – Cont'd

[illegible]

2023 10 Year Capital Plan -Public Works – Cont'd

Legend	<100,000										
	\$100,001-\$499,999										
	>\$500,000										
<u>Project Name</u>	<u>Description</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>	<u>2032</u>
Shoreline Flood Mitigation	Repairs to Alaska Road berm and extension of berm at entrance to West Channel.										
Storm Backflow Flood Valves	Purchase and installation of backflow devices for storm outlets. Used to prevent floods during highwater events.										
Tire Recycling Program	Disposal / recycling of stockpiled tires at landfill site.										
Vale Island Truck Fill Station Tank Replacement	Vale Island Truck Fill Station Tank Replacement										
Vale Island Truck Potable Water Study	Vale Island Truck Potable Water Study										
Vale Island/West Channel Drainage	Undertake drainage improvements for Vale Island / West Channel										
Water Treatment Plant Feasibility Study and Preliminary Design	Study costs required to assess options for a new water treatment plant and/or upgrading existing plant.										

A vertical photograph capturing the Aurora Borealis (Northern Lights) over a serene landscape. The sky is filled with vibrant, flowing bands of green and purple light, creating a dramatic and ethereal scene. Below the lights, a dark, silhouetted forest of evergreen trees lines the shore of a calm body of water. The water's surface is still, acting as a perfect mirror for the lights above, reflecting the green and purple hues. In the distance, a few small, dark structures are visible among the trees. The overall composition is balanced and visually striking, showcasing the natural beauty of the Arctic region.

Government	Percentage
Current government	95%
Previous government	5%

2023 10 Year Capital Plan -Public Works Roads

Legend	<100,000											
	\$100,001-\$499,999											
	>\$500,000											
<u>Project Name</u>	<u>Description</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>	<u>2032</u>	
553 - Balsam Drive Underground Replacement and Road Resurfacing	Road and Underground, Curb and Gutter. Includes Underground , Road, Curb and Gutter. Will be done over two construction seasons											
553 - Cedar and Fir Crescent Upgrades	Road and Underground, Curb and Gutter. Includes Underground , Road, Curb and Gutter. Will be done over two construction seasons											
553 - Elm Crescent Upgrades	Road and Underground, Curb and Gutter. Includes Underground , Road, Curb and Gutter. Will be done over two construction seasons											
553 - Pine Crescent Upgrades	553 - Preliminary Drainage Plan											
553 - Preliminary Drainage Plan	Specific project related to 2022 flood response											
Airport Road Repair and Upgrade	Includes Underground , Road, Curb and Gutter. Will be done over two construction seasons											
Beaver Cres. Water, Sewer and Drainage Replacement	Underground, Roads and Sidewalks replacement for Capital Drive											
Capital Drive Watermain, Sidewalk and Roadworks	Road and Underground, Curb and Gutter on Eagle											
Eagle Crescent and North End of Riverview Drive Upgrades	Paving Only											
Gagnier Road Resurfacing	Road and Underground											
Gatez Drive Upgrades	Flood Mitigation - New Road											
Hoffman Way - Golf Course												

A vertical photograph capturing the Aurora Borealis (Northern Lights) over a serene landscape. The sky is filled with vibrant, flowing bands of green and purple light, creating a dramatic and ethereal scene. Below the lights, a dark, silhouetted forest of evergreen trees lines the shore of a calm body of water. The water's surface is still, acting as a perfect mirror for the lights above, creating a symmetrical reflection. In the distance, a few small, dimly lit buildings are visible through the trees. The overall composition is peaceful and awe-inspiring, showcasing the natural beauty of the Arctic region.

2023 10 Year Capital Plan – Recreation

Legend		<100,000											
		\$100,001-\$499,999											
		>\$500,000											
<u>Project Name</u>	<u>Description</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>	<u>2032</u>		
Aquatic Centre small MAU retrofit project	new initiatives 2023												
Aquatic Centre Splash Equipment Replacement	new initiatives 2023												
Aquatic Centre Tiles Replacement	new initiatives 2023												
Aquatics Center Roof Replacement	Aquatics Center Roof requires replacement												
	Includes Welcome to Hay River Sign, landscaping upgrades, open air shelter and small outdoor amphitheater.												
Bob McMeekin Park Enhancements	Provide safe fun equipment for children of all ages. Will be around the walking track.												
Children's Activity Centre Equipment	Cameras by all entrances, common areas. Approximately 30 cameras with central monitoring ability												
Community Centre Security Cameras	Fence off area for off leash dog park. Location to be determined.												
Dog park	Don Wright Park Revitalization												
Don Wright Park Revitalization	Park by Rec Center, Benches, Sidewalk improvements.												
Downtown Beautification and Accessibility Project													
Facility and Parks Maintenance Truck Replacement	1/2 ton pickup truck replacement.												
Golf and ski club building retrofits project	new initiatives 2023												
Hay River Golf Course - Golf Green Replacements	Replacing artificial greens - phased approach approx one green per year.												
Ice Resurfacer	Replacement Zamboni for the arena												
Keith Broadhead Field Replacement - Flood	related to 2022 spring flood												

2023 10 Year Capital Plan - Recreation - Cont'd

Legend	<100,000										
	\$100,001-\$499,999										
	>\$500,000										
<u>Project Name</u>	<u>Description</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>	<u>2032</u>
Passenger Van Replacement	Support for Town delivered programs and special events										
Playground Replacement	Lions Park, One Other TBD										
Ray Benoit Rink Replacement (Multi Sport Surface)	Ray Benoit Rink Replacement (Multi Sport Surface)										
Replace Playground Fall Zones	Replace fall zones with improved material to improve safety of playgrounds										
Residential Commuter Trails Project (TriService and Fraser Place)	new initiatives 2023										
Riding Mower Replacements	Replacement mowers for cutting grass for town parks and greenspaces										
Skatepark Upgrades	Add additional equipment, ramps, rails to the skatepark.										
Skating ice surface painting machine	new initiatives 2023										
Small Capital Program - Aquatics	Small capital purchases for pool area.										
Small Capital Program - Facilities and Parks	Small capital purchases for recreation center and Town parks.										
Small Capital Program - Programming	Small capital purchases for Town delivered recreation programs										
TriService Park (accessible parks enhancements)	new initiatives 2023										
Vale Island Multi-Use Recreation Area	Includes indoor/outdoor venue for small gatherings, improve playground and new skating rink and multi-sport surface										
Vale Island Multi-Use Recreation Area - Flood Mitigation	Vale Island Multi-Use Recreation Area - Flood Mitigation										

2023 10 Year Capital Plan– Administration and Tourism

[illegible]

2023 10 Year Capital Plan– Protective Services

Legend		<100,000										
		\$100,001-\$499,999										
		>\$500,000										
Project Name	Description	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	
AED Replacement	Automated External Defibrillator replacement											
Burn tower	For training purposes											
Bylaw Truck Replacement	Vehicle replacement as per replacement policy											
Drone for Flood Monitoring	Drone for Flood Monitoring											
Engine Replacement (Pumper)	Vehicle replacement as per replacement policy											
Heavy Rescue Truck Replacement	Vehicle replacement as per replacement policy											
SCBA Compressor Replacement	Self Contained Breathing Apparatus Compressor replacement											
SCBA Replacement	Self Contained Breathing Apparatus replacement											
Sparky Mascot	Replace existing mascot costume											
Tender Replacement	Vehicle replacement as per replacement policy											
Vehicle extrication tools	Jaws of life and other life saving tools											

2023 Draft 10 Year Capital Plan – Reserves and Taxes

Reserve	2022 Closing Balances Projected	2023 Projected Addition	2023 Projected Spend	2023 Projected Closing Balance
Recreation Infrastructure	413,737	100,000	489,000	24,737
Municipal Infrastructure	563,407	800,000	1,161,263	202,145
Landfill Reserve	2,275,099	750,000	47,500	2,977,599
Utility Infrastructure	1,315,877	350,000	415,000	1,250,877
Grand Total	4,568,120	2,000,000	2,112,763	4,455,358



REPORT TO COMMITTEE

DEPARTMENT: ADMINISTRATION

DATE: November 14th, 2022

SUBJECT: EXCUSED ABSENCE

RECOMMENDATION:

MOVED BY: DEPUTY MAYOR DOHEY
SECONDED BY: CLLR WALL

THAT THE COUNCIL OF THE TOWN OF HAY RIVER excuses Councillor Bouchard, Councillor Groenewegen and Councillor Chambers from the Standing Committee of Council, Monday, November 14th, 2022.

BACKGROUND:

Councillor Bouchard, Councillor Gronewegen and Councillor Chambers have asked to be excused from the Standing Committee of Council, Monday, November 14th, 2022

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:

Stacey Barnes

Council Administrator

Date: November 14th, 2022

Reviewed by:



REPORT TO COMMITTEE

COMMITTEE: FINANCE COMMITTEE

DATE: NOVEMBER 21, 2022

SUBJECT: 2023 O & M and Capital Budgets

RECOMMENDATION:

**MOVED BY: CLLR GROENEWEGEN
SECONDED BY: CLLR WILLOWS**

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves the 2023 Consolidated O&M and Capital budgets as presented and recommended by the Finance Committee.

BACKGROUND:

The Capital and O and M Budgets are following a 3-cycle process for review, development, and eventual approval by Council.

Cycle 1 was completed on November 9, 2022 when the Finance Committee was presented the Capital and O&M Budgets. The Committee requested some refinements to the O&M budget that reduced total expenditures and revenue requirements. Changes have been incorporated into the budget being presented and recommended to the Standing Committee of Council through Cycle 2. If there are any revisions to the budgets coming out of the Standing Committee of Council, these will be incorporated into Cycle 3 as the final budgets to be brought to the next Regular Council Meeting for Council consideration and approval.

The Cycle 2 budgets are outlined in the attached presentation file. Also included in the package are the results of the 2022 public budget survey, 2023 capital project briefs for projects over \$50,000, and 2023 departmental business plans. These are intended to assist Council in their decision making and supplement the 10 Year Capital Plan, Strategic Plan, and other previously approved planning documentation that have guided the development of the O&M and capital budgets.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Cities, Towns and Villages Act S.N.W.T. 2003, c.22 Sec. 94 (1)

FINANCIAL IMPLICATIONS:

The operations and services of the Town will be sustained.

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

- 2023 O & M and Capital Budget Presentation
- 2022 Budget Survey Summary
- 2023 Departmental Business Plans
- 2023 Capital Project Briefs

Prepared by:
Patrick Bergen
Acting Director of Finance & Administration
Date: November 21, 2022

Reviewed by:
Glenn Smith
Senior Administrative Officer
Date: November 21, 2022




2023 Budget Final

Standing Committee of Council Presentation

December 12th, 2022



Agenda

- Budget Process
 - Planning
 - 2023 Final O&M Budget
 - 2023 Final Capital Budget
 - Conclusion
- 



Budget Process

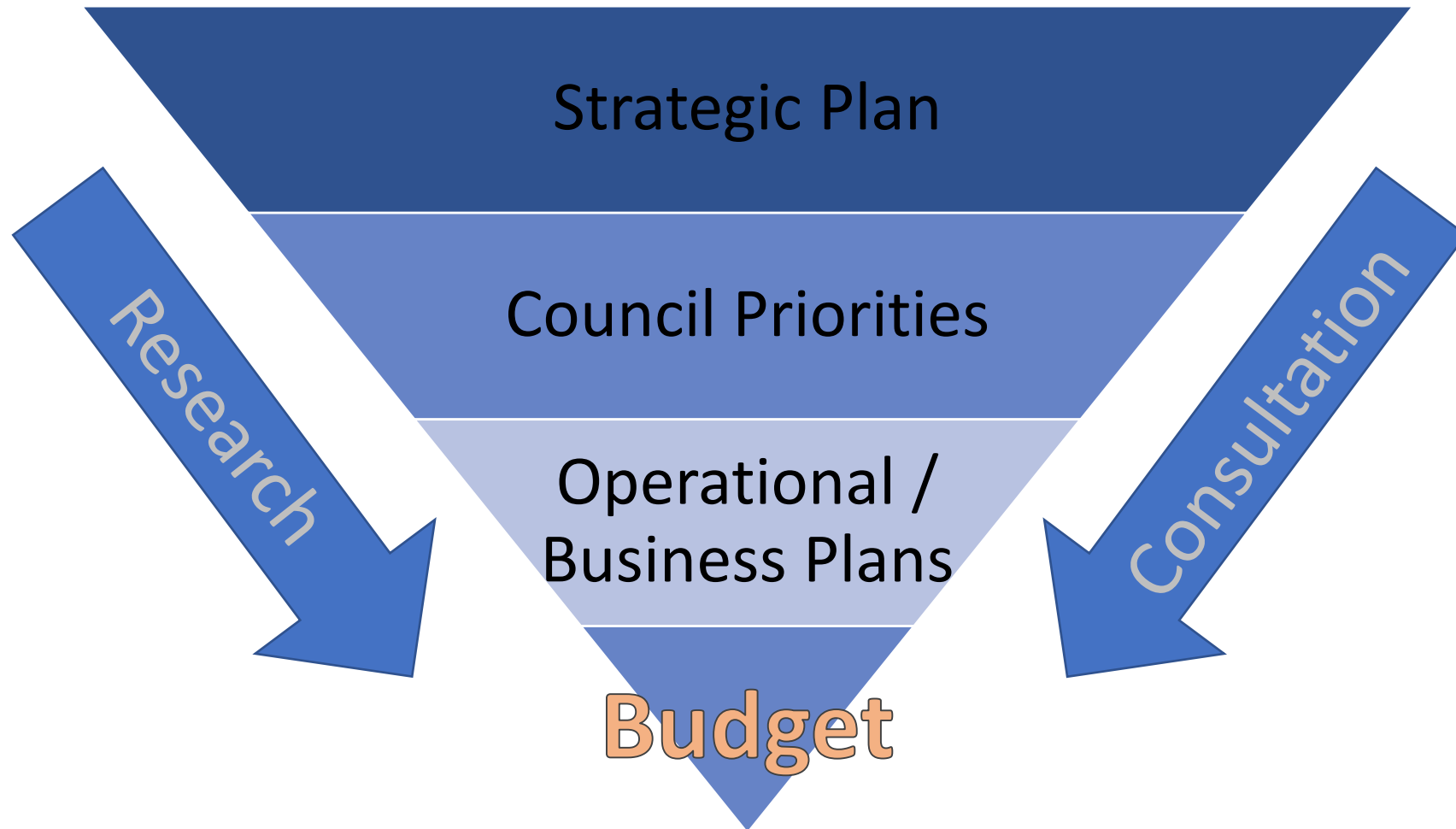
Budget Process

- Cycle 1
 - Draft
 - Consultation with Finance Committee
- Final 
 - Draft
 - Presentation to Standing Committee of Council
- Final Approval
 - Draft
 - Presentation to Council



Planning

Planning - Hierarchy






Planning – Strategic Plan

- Council High Priority Initiatives for 2023
 - Ensure the town's capital plan is kept current and that funding sources are identified.
 - Complete all new and replacement infrastructure projects identified in the budget.
 - Divert waste from the landfill through improved recycling and waste management procedures.
 - Update the land development plan and zoning bylaw.
 - Develop and begin implementation of flood recovery and mitigation plans.
 - Establish a Social Issues Committee that defines a community plan for improving mental health and addressing addictions issues.
 - Develop and implement a Community Housing Plan.
 - Create zoning allowances that permit homeless shelters or transitional housing.
 - Modify zoning bylaws to allow for increased residential density.
 - Employ workforce planning programs in Town departments that encourages increased service levels, professional development, and retention of quality staff.




Planning – Operational Plans

- 10 Year Capital Plan
 - Flood Recovery and Mitigation
 - Community Housing Plan
 - Tourism Marketing and Tourism Development Plans
 - Land Development Plan
 - Agricultural Plan
 - Cost of Service Study
 - Committee Terms of Reference
- 



Planning – 2023 Business Plans

- Departmental / Divisional Plans
 - Goals
 - Initiatives
 - Risk Management
 - Human Resources
 - Budgets
- 



Planning – Research and Consultation

- Research and Consultation in Planning Process
 - Budget Survey
 - Budget Cycles
-
-




Planning – Research and Consultation

- 2023 Budget Survey – Have Your Say
 - Background
 - Online and manual collection
 - 66 respondents
 - Respondent Overall Satisfaction
 - 49% Poor-Very Poor
 - 51% Fair-Good
 - Service Level Satisfaction
 - High: Ambulance & Fire; Trucked Water; Waste Collection
 - Low: Flood Preparedness; Roads and Sidewalks; Snow Removal; Landfill Mgmt.; Ec. Dev.; Land Planning
 - Service Level Changes
 - Increase Fire and Flood Preparedness
 - Decrease Bylaw and Garbage Pickup



Planning – Research and Consultation


- 2023 Budget Survey – Have Your Say
 - Taxes
 - 52% Maintain taxes and fees
 - 21% Increase taxes and fees to increase services
 - Multi-Government Issues
 - Housing
 - Cost of Living
 - Governance and Transparency
 - Evolving Topics
 - 63% Support of Biomass System if doesn't increase taxes
 - 82% Support reduce landfill hours
 - 64% Support flood mitigation but only through third party funding



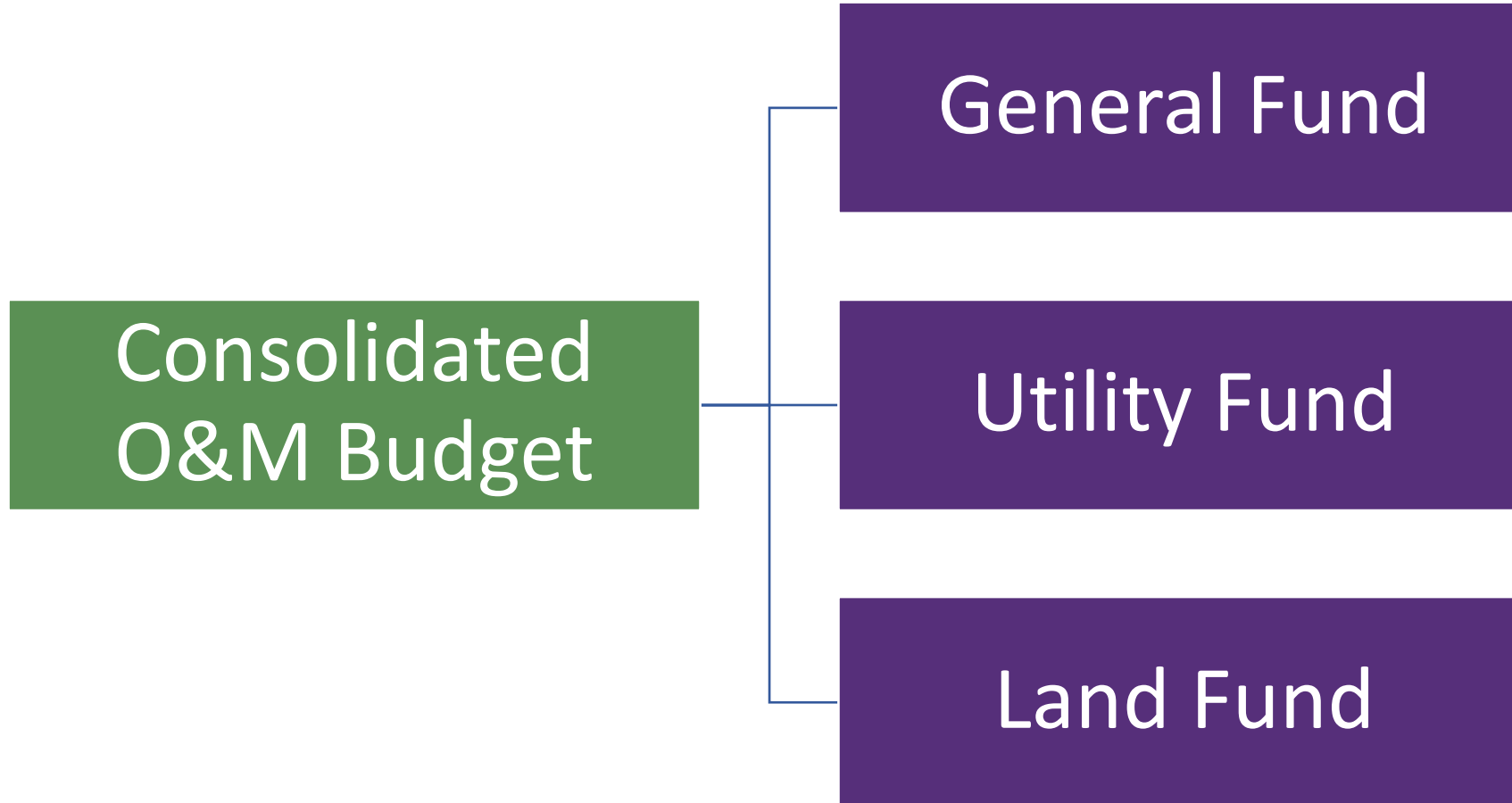
2023 Final O&M Budget



2023 Final O&M Budget - Background

- Ongoing Operations of Town
 - Salaries
 - Contracted Services
 - Maintenance
 - Utilities
 - Supplies
 - Debt Servicing
 - Contribution to Capital / Reserves
- 

2023 Final Capital Budget - Background





2023 Final O&M Budget - Assumptions

No changes to core GNWT / MACA funding.

Mayor and 7 Councillors honorarium budgeted.

5% staff vacancy rate included in budget.

Any net revenue over expense to be allocated to reserves to fund capital. \$2.0M reserve allocation currently included in budget.

O&M expenses contingent on revenues from third parties are fully budgeted.

No major changes to service levels. Landfill services in-house with reduction of operating hours.

Flood response and recovery expenses recoverable. Mitigation through 75% contribution funds.

Inflation at 7% overall. Fuel services at 52.5% over prior year budget.



2023 Final O&M Budget - Highlights

- Total Revenue
 - \$16,323,343
- Tax Revenue Requirement – 4.51% increase of \$306,525
 - Certified Assessment Role
 - Tax/GIL
- Fees and Charges
 - Water/Sewer 4% increase per bylaw of \$84,000
 - Solid Waste increase of \$110,000 from managing site internally and intended bylaw change
 - Other
- Contribution Funding
 - GNWT / MACA
 - Other



2023 Final O&M Budget - Highlights

- Total Expenses increase of approximately \$900K through inflationary pressures
 - \$16,323,343
- Staffing
 - 2% Salary Increase (\$88,656)
 - Full Year Landfill and Water Treatment
 - 1 FTE Term Conditional
- Fuel
 - 52.5% Cost Increase (\$359,000)
- Flood Recovery and Planning
 - Own Source Labour
- Contribution to Capital
 - 18% increase (\$300,000)
- Other Inflation
 - Approximately \$150,000 increase in contracts and supplies

2022 vs 2023 Net Change by Department

	2022			2023			YOY	
	Revenue Budget	Expense Budget	Net	Revenue Budget	Expense Budget	Net	Net Change	Net % Change
Finance and Administration	9,514,073	1,367,600	8,146,473	9,870,143	1,252,362	8,617,781	471,308	5.79%
Land Fund/Land Development	2,035,000	1,705,000	330,000	1,165,000	840,000	325,000	-5,000	-1.52%
Mayor and Council	0	162,571	-162,571	0	171,099	-171,099	-8,528	5.25%
Office of the SAO	0	1,490,500	-1,490,500	125,000	1,496,735	-1,371,735	118,765	-7.97%
Protective Services	562,300	801,902	-239,602	657,300	949,336	-292,036	-52,434	21.88%
Public Works	55,000	2,845,450	-2,790,450	112,000	2,712,776	-2,600,776	189,674	-6.80%
PW - Utilities	3,221,200	2,805,600	415,600	3,395,000	3,268,085	126,915	-288,685	-69.46%
Recreation	733,400	3,077,750	-2,344,350	903,500	3,412,000	-2,508,500	-164,150	7.00%
Tourism	80,400	245,000	-164,600	95,400	220,950	-125,550	39,050	-23.72%
Transfer to Capital		1,700,000	-1,700,000		2,000,000	-2,000,000	-300,000	17.65%
Total	16,201,373	16,201,373	0	16,323,343	16,323,343	0	0	0%

**The amounts do not include the school tax which is a flowthrough from the GNWT.*

Mayor and Council

Expenses	2022 Budget	2023 Budget	Change	% Change
1110 - MAYORS INDEMNITY AND TRAVEL	\$58,507	\$58,507	\$0	0.00%
1130 - COUNCILLORS INDEMNITY and TRAVEL	\$104,064	\$112,592	\$8,528	8.19%
Total Expenses	\$162,571	\$171,099	\$3,528	2.17%
Net Total	\$(162,571)	\$(166,099)	\$(3,528)	2.17%

Office of the SAO

Revenues	2022 Budget	2023 Budget	Change	% Change
1213 - OFFICE OF THE SAO	\$0	\$125,000	\$125,000	100.00%
Total Revenues	\$0	\$125,000	\$125,000	100.00%
Expenses				
1213 - OFFICE OF THE SAO	\$1,490,500	\$1,496,735	\$12,235	0.82%
Total Expenses	\$1,490,500	\$1,496,735	\$12,235	0.82%
Net Total	\$(1,490,500)	\$(1,377,735)	\$112,765	9.21%

Finance and Administration : Revenues

Revenues	2022 Budget	2023 Budget	Change	% Change
1100 – MUNICIPAL and GRANT LEVIES ON PROPERTY	\$6,791,118	\$7,097,643	\$306,525	4.51%
1202 - LOCAL IMPROVEMENTS	\$20,405	\$17,000	\$(3,405)	-16.69%
4100 - ADMIN TAXABLE COSTS RECOVERED	\$11,300	\$19,000	\$7,700	68.14%
4104 - TAX CERTIFICATES REVENUE	\$3,000	\$3,500	\$500	16.67%
5120 - BUSINESS LICENSE REVENUE	\$65,000	\$85,000	\$20,000	30.77%
5140 - MOTOR LIVERY LICENSE REVENUE	\$250	\$500	\$250	100.00%
5193 - CEMETARY BURIAL FEE REVENUE	\$5,000	\$20,000	\$15,000	300.00%
5440 - FRANCHISE FEE REVENUE	\$340,000	\$340,000	0	0.00%

Finance and Administration : Revenues continued

Revenues	2022 Budget	2023 Budget	Change	% Change
5510 - INTEREST ON INVESTMENTS	\$48,000	\$105,000	\$57,000	118.75%
5520 - LAND SALES INTEREST & PENALTIES	\$20,000	\$30,000	\$10,000	50.00%
5610 - PROPERTY TAX PENALTIES REVENUE	\$175,000	\$200,000	\$25,000	14.29%
5720 - SENIOR/DISABLED MUNICIPAL TAX EXEMPTION	\$(190,000)	\$(232,500)	\$(42,500)	22.37%
5721 - SENIOR/DISABLED SCHOOL TAX EXEMPTION	\$(33,000)	\$(30,000)	\$3,000	-9.09%
6210 - GNWT MACA BLOCK FUNDING	\$2,215,000	\$2,215,000	\$0	0.00%
7599 - TERRITORIAL MISC GRANTS REVENUE	\$43,000	\$0	\$(43,000)	-100.00%
Total Revenues	9,514,073	9,870,143	356,070	3.74%

Finance and Administration : Expenses

Expense	2022 Budget	2023 Budget	Change	% Change
1210 - ADMINISTRATION	\$635,900	\$598,162	\$(30,738)	-4.83%
1220 - Professional Services	\$345,000	\$380,000	\$20,000	5.80%
1240 – TAXATION	\$10,000	\$10,000	\$2,000	20.00%
1250 - EMPLOYEE COSTS	\$36,000	\$10,000	\$(26,000)	-72.22%
1292 - OVERHEAD CHGS TO UTILITY FUND	\$(200,000)	\$(200,000)	\$0	0.00%
1293 - OVERHEAD CHGS TO LAND FUND	\$(40,000)	\$(75,000)	\$(35,000)	87.50%
5160 – CEMETARY	\$1,200	\$1,200	\$0	0.00%
6210 - GNWT MACA BLOCK FUNDING EXPENSES	\$78,000	\$78,000	\$0	0.00%
8110 - BANK/DEBT CHARGES	\$61,500	\$60,000	\$(1,500)	-2.44%
8120 - DEBENTURE INTEREST	\$400,000	\$350,000	\$(50,000)	-12.50
8211 - TO ALLOWANCE FOR BAD DEBTS	\$40,000	\$40,000	\$0	0.00%
Total Expenses	\$1,367,600	\$1,252,362	\$(121,238)	-8.87%
Net Total	\$8,146,473	\$8,617,781	\$148,332	1.82%

Protective Services

Revenues	2022 Budget	2023 Budget	Change	% Change
2200 - BYLAW ENFORCEMENT	\$20,000	\$0	\$(20,000)	-100.00%
2400 - FIRE PROTECTION	\$30,000	\$35,000	\$5,000	16.67%
4246 - FIRE DEPARTMENT REVENUES	\$0	\$35,000	\$35,000	100.00%
4254 - AMBULANCE OPERATING AGREEMENT	\$25,300	\$25,300	\$0	0.00%
4255 - AMBULANCE BILLING REVENUE	\$450,000	\$525,000	\$75,000	16.67%
4256 - AMBULANCE GRANTS	\$37,000	\$37,000	\$0	0.00%
Total Revenues	\$562,300	\$657,300	\$95,000	16.89%
Expenses				
2200 - BYLAW ENFORCEMENT	\$103,450	\$105,370	\$1,920	1.86%
2400 - FIRE PROTECTION	\$575,700	\$717,650	\$141,950	24.66%
2460 - EMERGENCY RESPONSE TRAINING CEN	\$1,000	\$1,000	\$0	0.00%
2462 - ERTC BLDG/LAND MAINTENANCE	\$2,500	\$0	\$(2,500)	-100.00%
2510 - CIVIL EMERGENCY	\$31,200	\$32,200	\$1,000	3.21%
2540 - AMBULANCE	\$26,152	\$33,516	\$7,364	28.16%
2930 - ANIMAL & PEST CONTROL	\$61,900	\$59,600	\$(2,300)	-3.72%
Total Expenses	\$801,902	\$949,336	\$147,434	18.39%
Net Total	\$(239,602)	\$(292,036)	\$(52,434)	17.77%

Public Works

Revenues	2022 Budget	2023 Budget	Change	% Change
3110 - PUBLIC WORKS ADMINISTRATION	\$0	\$70,000	\$70,000	100.00%
5171 - DEVELOPMENT PERMITS NON-TAXABLE REVENUE	\$5,000	\$7,000	\$2,000	40.00%
5172 - BUILDING PERMIT NON-TAXABLE REVENUE	\$50,000	\$35,000	\$(15,000)	-30.00%
Total Revenues	\$55,000	\$112,000	\$57,000	103.64%
Expenses				
3110 - PUBLIC WORKS ADMINISTRATION	\$574,050	\$667,580	\$95,530	16.29%
3131 - VEHICLE OPERATIONS MAINTENANCE	\$125,000	\$170,000	\$45,000	36.00%
3150 - TOWN GARAGE, YARDS	\$233,700	\$251,290	\$17,590	7.53%
3190 - CARPENTER SHOP	\$106,000	\$113,741	\$7,741	7.30%
3231 - SUMMER ROADS	\$864,500	\$644,630	\$(219,870)	-25.43%
3237 - WINTER ROADS	\$311,000	\$345,090	\$34,090	10.96%
3250 - STREET LIGHTING	\$260,000	\$245,000	\$(15,000)	-5.77%
3260 - ROAD SAFETY	\$2,000	\$2,000	\$0	0.00%
6100 - PLANNING & ZONING	\$344,700	\$242,445	\$(102,255)	-29.66%
7510 - TERRITORIAL ROAD CONSTRUCTION GRANT	\$19,500	\$11,000	\$(8,500)	-43.59%
7591 - ANNUAL TOWN CLEAN UP	\$5,000	\$20,000	\$15,000	300.00%
Total Expenses	\$2,845,450	\$2,712,776	\$(132,674)	-4.66%
Net Total	\$(2,790,450)	\$(2,600,776)	\$146,731	-5.26%

Public Works : Utilities

Revenues	2022 Budget	2023 Budget	Change	% Change
4400 - Utility sales	\$2,126,200	\$2,300,000	\$173,800	8.17%
4401 - Utility subsidy	\$1,095,000	\$1,095,000	\$0	0.00%
Total Revenues	\$3,221,200	\$3,395,000	\$173,800	5.40%
Expenses				
4110 - UTILITY ADMINISTRATION	\$156,700	\$263,360	\$106,660	68.07%
4111 - OVERHEAD CHARGES	\$200,000	\$200,000	\$0	0.00%
4120 - PURIFICATION & TREATMENT	\$75,000	\$95,000	\$20,000	26.67%
4140 - TRANSMISSION & DISTRIBUTION	\$1,575,000	\$1,820,000	\$245,000	15.86%
4144 - UTILITY DISTRIBUTION MAINTENANCE	\$346,900	\$338,225	\$(3,675)	-1.06%
4220 - SEWAGE & COLLECTION	\$30,000	\$30,000	0	0.00%
4320 - SANITATION OPERATIONS	\$400,000	\$347,000	\$(50,000)	-12.50%
4330 - LANDFILL EXPENDITURES and Amortization	\$52,000	\$174,500	\$122,500	235.58%
Total Expenses	\$2,835,600	\$3,268,085	\$432,485	15.25%
Net Total	\$415,600	\$58,915	\$(258,685)	-67.09%

Recreation Revenue

Revenues	2022 Budget	2023 Budget	Change	% Change
4730 - SWIMMING POOL LESSONS NON-TAXABLE	\$15,000	\$15,000	0	0.00%
4731 - SWIMMING POOL LESSONS TAXABLE	\$5,000	\$13,000	8,000	160.00%
4733 - SWIMMING POOL TICKETS REVENUE	\$40,000	\$40,000	0	0.00%
4734 - SWIMMING POOL HOURLY RENTAL	\$7,000	\$7,000	0	0.00%
4737 - SWIMMING POOL GRANTS	\$12,000	\$12,000	0	0.00%
4739 - SWIMMING POOL SALES OF MERCHANDISE	\$0	\$1,500	\$1,500	100.00%
4740 - CURLING CLUB RENTAL REVENUE	\$36,000	\$36,000	0	0.00%
4750 - SCHEDULED ICE RENTAL	\$145,000	\$180,000	35,000	25.00%
4754 - ADVERTISING REVENUE	\$45,000	\$35,000	(10,000)	-22.22%
4755 - CONCESSION REVENUE	\$18,000	\$18,000	0	0.00%
4756 - DANCE HALL RENTAL REVENUE	\$18,000	\$50,000	32,000	177.78%
4759 - PROGRAMS REVENUE	\$45,000	\$60,000	15,000	33.33%
4780 - BALLPARK RENTAL REVENUE	\$7,000	\$8,000	1,000	14.29%
4790 - OTHER RECREATION REVENUE	\$226,000	\$230,500	4,500	1.99%
5130 - LOTTERY LICENSE REVENUE	\$15,000	\$22,500	7,500	50.00%
7110 - RECREATION ADMINISTRATION	\$60,000	\$60,000	0	0.00%
7530 - TERRITORIAL RECREATION GRANTS REVENUE	\$39,400	\$115,000	75,600	191.88%
Total Revenues	\$733,400	903,500	168,600	22.99%

Recreation Expenses

Expenses	2022 Budget	2023 Budget	Change	% Change
7110 - RECREATION ADMINISTRATION	\$197,100	\$208,305	\$11,205	5.68%
7130 - SWIMMING POOL OPERATIONS	\$874,150	\$933,730	\$59,580	6.82%
7140 - CURLING CLUB OPERATIONS	\$46,000	\$46,000	\$0	0.00%
7150 - REC CENTRE OPERATION	\$924,100	\$1,064,425	\$140,325	15.19%
7152 - REC CENTRE BLDG MAINTENANCE	\$166,000	\$199,000	\$33,000	19.88%
7180 - SPORTS FIELDS	\$229,000	\$267,500	\$38,500	16.81%
7245 - BEAUTIFICATION COMMITTEE	\$5,000	\$5,000	\$0	0.00%
7250 - LIBRARY	\$179,000	\$179,000	\$0	0.00%
7590 - RECREATION PROGRAMS	\$457,400	\$509,040	\$51,640	11.29%
Total Expenses	\$3,077,750	\$3,412,000	\$334,250	10.86%
Net Total	\$(2,344,350)	\$(2,505,000)	\$(164,150)	7.00%

Tourism

Revenues	2022 Budget	2023 Budget	Change	% Change
6910 - TOURISM	\$80,400	\$95,400	\$15,000	18.66%
Total Revenues	\$80,400	\$95,400	\$15,000	18.66%
Expenses				
6910 - TOURISM	\$245,000	\$220,950	\$(24,050)	-9.82%
Total Expenses	\$245,000	\$220,950	\$(24,050)	-9.82%
Net Total	(164,600)	\$(125,550)	\$39,050	-2.78%

Land Development

	2022 Budget	2023 Budget	Change	% Change
Revenues				
4000 - LAND SALES	\$1,600,000	\$700,000	\$(900,000)	-56.25%
4001 - LEASE FEES	\$435,000	\$465,000	\$30,000	6.90%
Total Revenues	\$2,035,000	\$1,165,000	\$(870,000)	-42.75%
Expenses				
6211 - OVERHEAD CHARGES FROM GENERAL FUND	\$40,000	\$75,000	\$35,000	87.50%
6220 - LAND DEVELOPMENT COSTS	\$1,665,000	\$765,000	\$(900,000)	-54.05%
Total Expenses	\$1,705,000	\$840,000	\$(865,000)	-50.73%
Net Total	\$330,000	\$325,000	\$(5,000)	-46.39%



2023 Final Capital Budget

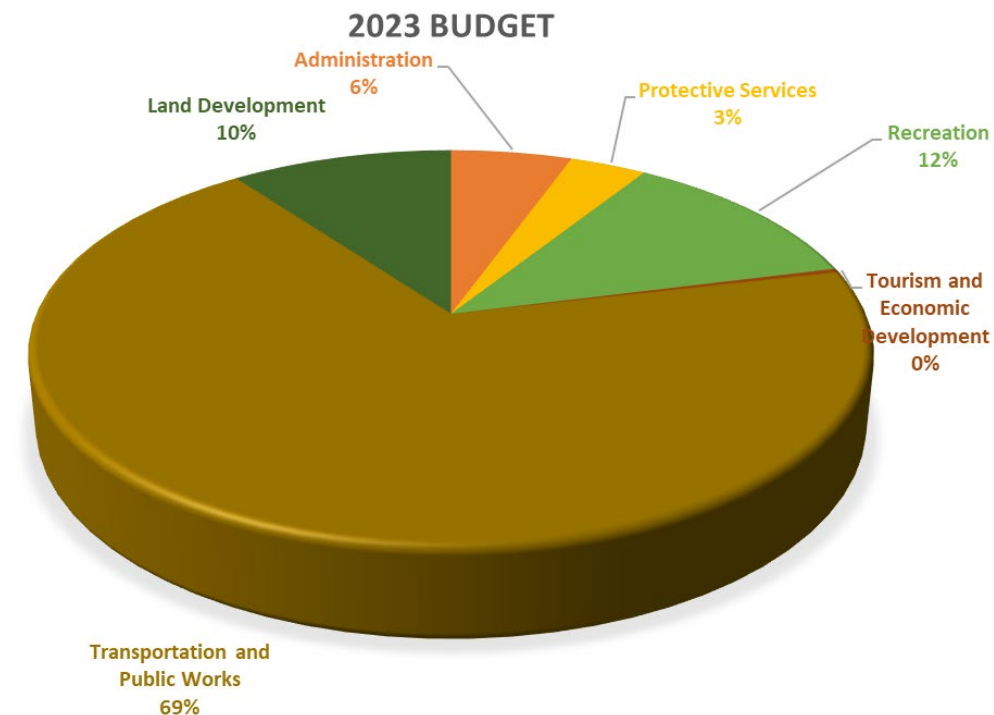


2023 Final Capital Budget - Background

- Purchase of Physical Replacement and Development Assets
 - Equipment
 - Fleet
 - Buildings
 - Land Development
 - Roads
 - Utility Infrastructure
 - Solid Waste
 - Parks
 - Capital Debt Servicing
- Reserves
- 10 Year Capital Plan

2023 Final Capital Budget– Expenditure Summary

Department	2023 Budget	2022 Budget
Administration	819,000	765,000
Protective Services	517,500	400,000
Recreation	1,794,000	1,967,000
Tourism and Economic Development	47,000	77,000
Transportation and Public Works	9,755,050	12,906,952
Land Development	1,500,000	2,950,000
Grand Total	14,432,550	19,065,952

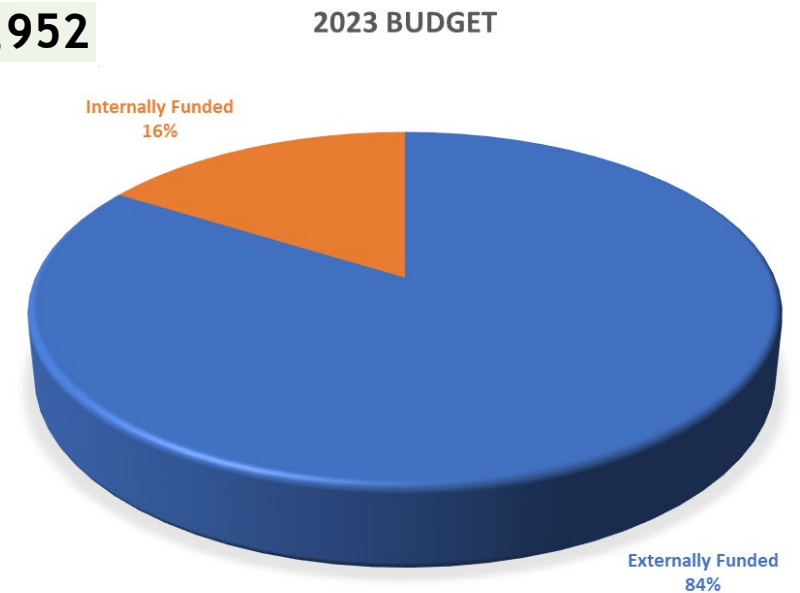


2023 Final Capital Budget– Funding Detail

<i>PROPOSED FUNDING</i>	<u>2023</u>
CPI	1,552,340
Gas Tax	475,000
Flood Relief and Mitigation Funding	1,345,000
Insurance and Donations	1,621,000
CANOR	802,500
ICIP	3,713,948
Disaster Mitigation and Adaptation Fund	1,360,000
Pre-Sales for Land Development	800,000
Other External	438,500
Total External	12,108,288
Reserves	2,162,763
Proposed Debt and/or Funding Shortfall	-
O&M Funding for Debt Servicing	161,500
Total Internal	2,324,263
Grand Total	14,432,550

2023 Final Capital Budget– Funding Summary

<u>Source</u>	<u>2023 Budget</u>	<u>2022 Budget</u>
Externally Funded	12,108,288	13,237,914
Internally Funded	2,324,263	5,828,038
Grand Total	14,432,550	19,065,952



2023 Final Capital Budget -Public Works – Land Development

Legend		<100,000	
		\$100,001-\$499,999	
		>\$500,000	
Project Name	Description	2023	Unidentified Funding
Aspen Heights Subdivision Development	Review and update of design and engineering. Preparation of proposal documents to support third party development		No
Fraser Place Subdivision Development	Design and development of residential area. Estimated 20-30 lots. Costs include new roads, utilities.		No
Sundog Subdivision Development	Residential and commercial land development to meet housing and economic growth demands. Design work planned in 2023		Yes

2023 Final Capital Budget –Public Works - Roads

<u>Project Name</u>	<u>Description</u>	<u>2023</u>	<u>Unidentified Funding</u>
553 - Pine Crescent Upgrades	Includes Underground , Road, Curb and Gutter. Will be done over two construction seasons		No
553 - Preliminary Drainage Plan	553 - Preliminary Drainage Plan		No
Airport Road Repair and Upgrade	Specific project related to 2022 flood response		No
Beaver Cres. Water, Sewer and Drainage Replacement	Includes Underground , Road, Curb and Gutter. Will be done over two construction seasons		No
Capital Drive Watermain, Sidewalk and Roadworks	Underground, Roads and Sidewalks replacement for Capital Drive		No
Industrial Drive Base Upgrade, Paving and Underground	Roads are currently degraded chip seal. Involves paving of the entire road and installing underground services.		No
Paradise Road Repair and Replacement	Specific project related to 2022 flood response		No
Riverview Drive Upgrades	Work to include water/sewer and road surfacing upgrades from Liftstation 1 to intersection with Woodland Drive.		No

2023 Final Capital Budget –Public Works

Project Name	Description	2023	Unidentified Funding
Asset Management System Implementation	Multi year project for implementation of corporate asset management system		No
Biomass District Heating System	Looking to heat new Town Hall, Fire Hall, Library and Community Center.		Yes
Delancey Estates Drainage Enhancements	Correction of drainage problems near Choice Farms		No
Fire Hall/Town Hall Demolition	Demolition to occur in 2023		No
Hazardous Waste Removal	Removal of hazardous materials (metal, white goods etc.) before closure of landfill. Regional project coordinated by MACA.		No
Hearse Replacement	Hearse is nearing end of life.		No
Industrial Area Drainage	Continuation of previous projects to improve the drainage in and around the Industrial area.		No
Infrastructure Planning and Studies	This project will be used to formalize long term infrastructure requirements.		No
Liftstation 1 Flood Mitigation Evaluation	Study to determine options available for flood mitigation of Liftstation 1		No
Liftstation 1 Repair and Replacement	Specific project related to 2022 flood response		No
Miron Storm Outlets Improvements	Improving storm sewer along Miron Drive. Some of these are currently failing and need replacement		No
Miron/ John Mapes/ Riverbend Storm and Sewer Manhole Upgrades	Multiyear project to repair heaving manholes causing damage to sidewalks and road infrastructure		No
Municipal Solid Waste Facility (Phase I and II)	New solid waste management facility. Site is TBD.		Yes
New Town Hall	Construction of new Town Hall building		Yes
New Weigh Scale at Landfill	For Landfill		No
Pumps and Generator Replacements at Lift Stations	Replacement of end of life pumps with energy efficient models		No

2023 Final Capital Budget – Public Works (Con't)

<u>Project Name</u>	<u>Description</u>	<u>2023</u>	
Shoreline Flood Mitigation	Repairs to Alaska Road berm and extension of berm at entrance to West Channel.		No
Storm Backflow Flood Valves	Purchase and installation of backflow devices for storm outlets. Used to prevent floods during highwater events.		No
Tire Recycling Program	Disposal / recycling of stockpiled tires at landfill site.		No
Vale Island Truck Fill Station Tank Replacement	Vale Island Truck Fill Station Tank Replacement		No
Vale Island Truck Potable Water Study	Vale Island Truck Potable Water Study		No
Vale Island/West Channel Drainage	Undertake drainage improvements for Vale Island / West Channel		No
Water Treatment Plant Feasibility Study and Preliminary Design	Study costs required to assess options for a new water treatment plant and/or upgrading existing plant.		No

2023 Final Capital Budget - Recreation

<u>Project Name</u>	<u>Description</u>	<u>2023</u>	<u>Unidentified Funding</u>
Aquatic Centre small MAU retrofit project	new initiatives 2023		No
Bob McMeekin Park Enhancements	Includes Welcome to Hay River Sign, landscaping upgrades, open air shelter and small outdoor amphitheater.		No
Children's Activity Centre Equipment	Provide safe fun equipment for children of all ages. Will be around the walking track.		No
Community Centre Security Cameras	Cameras by all entrances, common areas. Approximately 30 cameras with central monitoring ability		No
Dog park	Fence off area for off leash dog park. Location to be determined.		No
Don Wright Park Revitalization	Don Wright Park Revitalization		No
Downtown Beautification and Accessibility Project	Park by Rec Center, Benches, Sidewalk improvements.		No
Golf and ski club building retrofits project	new initiatives 2023		No

2023 Final Capital Budget – Recreation (Con't)

<u>Project Name</u>	<u>Description</u>	<u>2023</u>	<u>Unidentified Funding</u>
Hay River Golf Course - Golf Green Replacements	Replacing artificial greens - phased approach approx one green per year.		No
Ice Resurfacers	Replacement Zamboni for the arena		No
Keith Broadhead Field Replacement - Flood	related to 2022 spring flood		No
Ray Benoit Rink Replacement (Multi Sport Surface)	Ray Benoit Rink Replacement (Multi Sport Surface)		No
Replace Playground Fall Zones	Replace fall zones with improved material to improve safety of playgrounds		No
Riding Mower Replacements	Replacement mowers for cutting grass for town parks and greenspaces		No
Skatepark Upgrades	Add additional equipment, ramps, rails to the skatepark.		No
Small Capital Program - Aquatics	Small capital purchases for pool area.		No
Small Capital Program - Facilities and Parks	Small capital purchases for recreation center and Town parks.		No
Small Capital Program - Programming	Small capital purchases for Town delivered recreation programs		No
Vale Island Multi-Use Recreation Area	Includes indoor/outdoor venue for small gatherings, improve playground and new skating rink and multi-sport surface		No
Vale Island Multi-Use Recreation Area - Flood Mitigation	Vale Island Multi-Use Recreation Area - Flood Mitigation		No

2023 Final Capital Budget – Administration, Tourism, Economic Dev.

<u>Project Name</u>	<u>Description</u>	<u>2023</u>
Computer Equipment Replacement Program	Annual replacement of IT assets including workstations and network devices	
Debt Service Community Center - CPI and Donation Portion	Annual repayment requirements for debt service for the Community Center Debt. A portion of this is funded annually through CPI and donations.	
Vendor EFT Implementation	Automation of electronic payments to vendors	
Small Capital Program - Tourism and Economic Development	For small capital related to VIC and other tourism initiatives.	
VIC Septic Tank Replacement	VIC Septic Tank Replacement	
Visitor Information Wayfinder Signage Development	Signage around town pointing towards downtown core and visitor attractions.	

2023 Final Capital Budget – Protective Services

<u>Project Name</u>	<u>Description</u>	<u>2023</u>	<u>Unidentified Funding</u>
AED Replacement	Automated External Defibrillator replacement		No
Bylaw Truck Replacement	Vehicle replacement as per replacement policy		No
Drone for Flood Monitoring	Drone for Flood Monitoring		No
Heavy Rescue Truck Replacement	Vehicle replacement as per replacement policy		No
Sparky Mascot	Replace existing mascot costume		No

2023 Final Capital Budget - Reserves

Reserve	2022 Closing Balances Projected	2023 Projected Addition	2023 Projected Spend	2023 Projected Closing Balance
Recreation Infrastructure	413,737	100,000	489,000	24,737
Municipal Infrastructure	563,407	800,000	1,211,263	152,145
Landfill Reserve	2,275,099	750,000	47,500	2,977,599
Utility Infrastructure	1,315,877	350,000	415,000	1,250,877
Grand Total	4,568,120	2,000,000	2,162,763	4,405,358



Conclusion



REPORT TO COMMITTEE

DEPARTMENT: ADMINISTRATION

DATE: November 14th, 2022

SUBJECT: EXCUSED ABSENCE

RECOMMENDATION:

MOVED BY: DEPUTY MAYOR DOHEY
SECONDED BY: CLLR WILLOWS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER excuses Councillor Bouchard from the Standing Committee of Council, Monday, November 21st, 2022.

BACKGROUND:

Councillor Bouchard have asked to be excused from the Standing Committee of Council, Monday, November 21st, 2022

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:
Stacey Barnes
Council Administrator
Date: November 18th, 2022

Reviewed by:



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: November 30th, 2022

SUBJECT: Public Works Monthly Report for November 2022

RECOMMENDATION:

MOVED BY: CLLR GROENEWEGEN
SECONDED BY: CLLR CHAMBERS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Public Works Monthly Report for November 2022.

BACKGROUND:

Capital Projects 2022:

A list of 2022 Capital Projects along with a brief update of the status of these projects is included in the chart below.

2022 Capital Projects	
Project	Update
New Town Hall	Discussions have occurred with Town's engineering partner on preliminary building designs to support funding applications. Administration investigating funding opportunities.
Old Town Hall Demolition	Deferred to 2023.
New Lift Station #4	Deficiency list completed and items being actioned.
Fraser Place Development	Area fenced off and delineated, project is shut down for winter. Spring start-up date pending.
Caribou Crescent Water Sewer and Drainage	Minor deficiencies to be addressed. Spring start-up date pending.
Beaver Crescent Water, Sewer, and Drainage	Deficient items will be addressed in spring/summer of 2023.
Riverview Drive Upgrade	Deficient items will be addressed in spring/summer of 2023.
Waste Diversion Project - Tire Shredding	Tire shredding is completed, remaining rimmed and over size tires will be stockpiled away from construction material and addressed in 2023. Options for tire shred are being reviewed and include slope protection of the sewage lagoon and sludge pit as well as road base test section through recycling funding.



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: November 30th, 2022

SUBJECT: Public Works Monthly Report for November 2022

Hazardous Waste Removal Project	MACA led project. RFP for work closed July 4, 2022. Project to start in spring 2023.
Capital Drive Watermain	Deficient items will be addressed in spring/summer of 2023. Fire suppression line to one property will require additional line installation when weather permits.
Paradise Road	Seeding and vegetation of area between the road and riverbank to be addressed next spring as well as drainage improvements.
Sewer line Re lining	Completed, areas include the Ravine from Old Hospital to Lift Station #1 as well as 2 highway/rail crossings
Industrial Drive	Items remaining include ditch grading and culvert installation, these items will be completed in spring/summer 2023.
Water Treatment Plant Feasibility Study and Preliminary Design	The WTP feasibility study status: the technology review is complete, and the feasibility study is near completion. Next step is preliminary design with geotechnical investigations.

Solid Waste Facility Operations:

Landfill daily operations taken over by the Town, adjustments to operating hours with the facility open 6 days a week and closed on statutory holidays. Mon-Friday 10am-6pm and Sundays 12pm -5pm. New Landfill sign installed. Major haul of cover and cap material placed over construction and domestic areas.

Water License Activities:

Regular monitoring programs continue as per the requirements of the Town's water license. Testing work was performed as required and Town staff have now taken a portion of this work in-house to reduce costs and increase efficiency.

Water license reporting requirements for 2021 are near completion. Reviewed and accepted documents submitted by the Town includes the annual report, the post fire monitoring report, WTP O&M plan, SWDF O&M plan, SDF O&M Plan, hydrocarbon contaminated soil treatment facility



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: November 30th, 2022

SUBJECT: Public Works Monthly Report for November 2022

O&M plan, and ground water monitoring plan. Ongoing weekly, monthly, and quarterly sampling continues for 2022 reporting.

Fall Inspection completed September 14th, currently reviewing comments.

Public Works Daily Operations and Completed Work Orders

Water and Sewer:

- Sampling and daily water reporting - Ongoing
- Daily inspections of Lift Stations, Water Treatment Plant and Reservoir - Ongoing
- Water Meter reads - Completed
- Increase bleeder system at Old Town Truck Fill to avoid freeze up - Completed
- Lift Station #4 staff orientation - Ongoing
- Customer curb stops turned off for winterization and due to incident in Beaver Cres - Completed
- Curbstop repairs on Balsam and Robin Cres - Completed
- Hydrant maintenance/winterize- noted several hydrants have wrong fittings for Fire Department connections. These fittings to be changed out. - Ongoing

Roads & Ditches

- Road sanding and grading - Ongoing
- Cleanup of fallen trees and debris from high winds and curbstop maintenance - Completed
- Snow clearing operations - Ongoing
- Repair and replace damaged signs - Ongoing
- Snow clearing at Fire Training Centre and McMeekin Park - Ongoing

Equipment Maintenance

- Snow blower minor repairs - Completed



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: November 30th, 2022

SUBJECT: Public Works Monthly Report for November 2022

- Case Loader fuel system repairs - Ongoing
- Sanding truck minor repairs - Completed
- Maintenance and repairs on hearse - Ongoing
- Truck #11 plow installation - Completed

Building and Ground Maintenance

- Replace locks on Lift Station #1 and Old Town Truck Fill - Completed
- Funeral/burial set ups x4 - Completed
- Sidewalk snow removal at Fire Hall and Visitor Centre - Ongoing
- Christmas Lights installation - Completed
- Schedule servicing of all HVAC Systems - Ongoing

Misc. flood related work

- Lift Station #1 mitigation work for structure – Ongoing

Development Permits

- 1 Development Permit and 3 Building Permits have been approved for November 2022. In the month of November 2021, we had 8 Development Permits and 2 Building Permits signed out.
- The November 2022 Development and Building Permit Report is as follows:

DATE	DEV #	CIVIC ADDRESS	DESC. OF WORK
Nov 4/22	D22-094	39 Riverview Drive	James A (Jim) Forsey (Enforcement-Security Consulting)
Nov 11/22	B22-029	15 Caribou Crescent	Replace entire roof with new Engineered Truss Roof.
Nov 22/22	B22-030	48006 Mackenzie Highway	Major Flood Repairs
Nov 22/22	B22-031	47031 Mackenzie Highway	Major Flood Repairs



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: November 30th, 2022

SUBJECT: Public Works Monthly Report for November 2022

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

- Mackenzie Valley Land and Water Board Town of Hay River License #MV2009L3-0005
- Bylaw 1812 Zoning and Building Bylaw

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:
Brad Harrison
Director of Public Works
November 30th, 2022

Reviewed by:
Glenn Smith
Senior Administrative Officer
December 1st, 2022



REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES DATE: December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

RECOMMENDATION:

MOVED BY: CLLR CHAMBERS
SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the report entitled "Recreation and Community Services Monthly Report" for November 2022 as presented.

BACKGROUND:

Recreational Programming

Youth Programming

After School Club:

After School Club continued through the month of November and was well attended once again. The program was approximately 80% full for Mondays through Thursdays and 95% full on Fridays. The partnership between the After School Club and the NWT Centennial Library continued this month, with the Program Librarian delivering weekly craft and story sessions.

The partnership between the HRHSSA Child and Youth Counsellor and the After School Club also continued in November. The Child and Youth Counsellor facilitates weekly art sessions for After School Club participants. The After School Club also continues to make use of the Hay River Community Centre's rental skates and helmets every Friday afternoon.

Additional youth programs:

Full-day PD Day Programming was offered for one day in November as well. This program was 100% full and youth participated in a variety of activities including swimming, skating, crafts, and active games.

The Department's Programming team also offered youth programming on the evening of November 25th to coincide with the Chamber's Moonlight Madness event. Eleven youth dropped in to participate in swimming, Christmas crafts and a Christmas movie at the Community Centre. This annual holiday tradition returns post-pandemic, to facilitate residents' participation in Moonlight Madness shopping and events.

Fitness Programming



REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

Instructor led group fitness classes were again offered in the Multipurpose Fitness Room through the month of November. Vinyasa Yoga and Chair Yoga continued, led by a contracted yoga instructor. Spin classes continued, also led by a contracted fitness instructor. The Recreation Programming Supervisor is also leading fitness classes, with the remainder of the fitness schedule being rounded out by virtual programming. Fitness class attendance increased slightly through the month of November, with a large increase in wellness class attendance and a small increase in spin class attendance. Fitness programming attendance was higher this month when compared to November 2021.

Community Programming

Table Tennis Clinic

Table Tennis North approached the Recreation Programming Supervisor about offering a free table tennis clinic at the Hay River Community Centre over the weekend of Nov 25 – 27. Table Tennis North secured funding from NWTRPA to financially support this clinic, which was open to all youth in our community. Unfortunately, the clinic was not well attended with only 3 youth participating in the free clinic.

Public Skating & Shinny

Public skating attendance has increased dramatically this month, in large part due to the number of school classes taking part in public skating during school hours. Noon hour Jr. Shinny attendance has also increased dramatically this month with an average of 8 youth attending Jr. Shinny on Tuesdays, Thursdays, and Fridays.

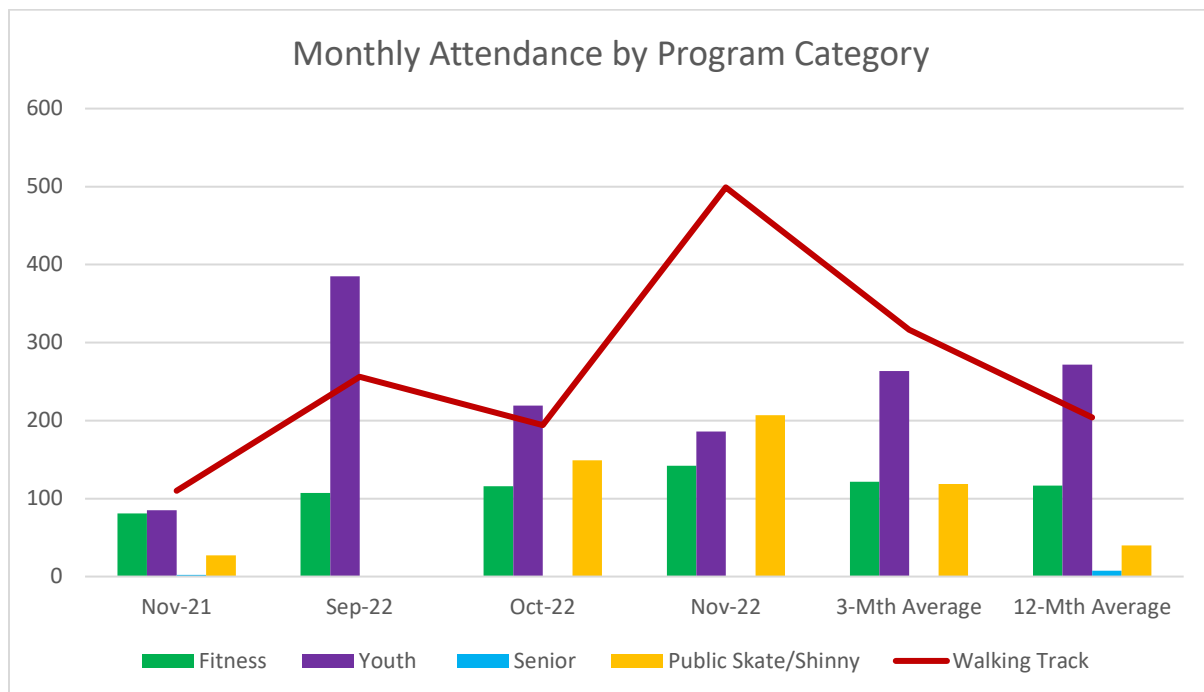
Recreation Programming Statistics



REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES DATE: December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

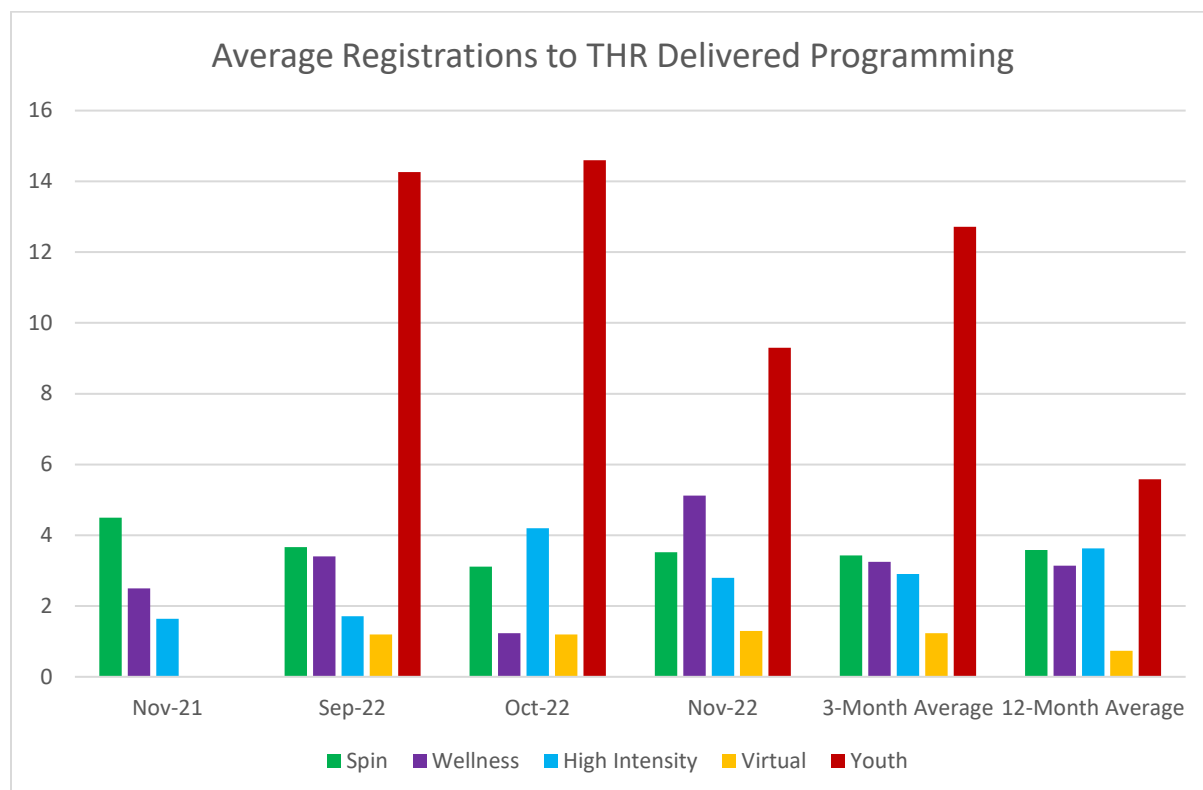




REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT



Aquatics

General

The aquatic centre remained open 7 days per week with a regular weekly schedule and little to no unforeseen service interruptions. The new chemical feed system for chlorine and pH control continues to operate well since installation in September with minimal adjustments needed by staff. Staff are noting more consistent daily water quality and chemical levels as compared to the previous gaseous chlorination system.

Staffing

The Don Stewart Aquatic Centre is near a full staff roster for the first time and several years. All three full-time permanent lifeguard positions are filled and there are sufficient casual staff for coverage of evening and weekend shifts. Two Assistant Lifeguards recently completed their NL course and hiring is underway for 2 more assistant lifeguards to help with shift coverage when staff are sick or have other commitments.



REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

The daily swim schedule is being adjusted to reflect the full compliment of staff. Swim blocks and operating hours are expected to increase slightly given that staff can rotate through breaks, rather than closing the pool to allow for appropriate rest and breaks.

Aquatic staff participated in the Santa Claus Parade on November 25th. Staff decorated a Town truck and rode in the parade dressed as elves.



Attendance

This month's swimmer statistics were approximately double of equivalent 2021 data, except for evening adult swimming blocks where 2021 statistics were higher. Note also that November 2022 swimmer numbers are higher than 3-month averages of the *Monthly Swimmer Statistics* graph below, as well as being higher than all but 2 categories of the 12-month averages.

Birthday party rentals remained consistent at approximately 2 per month. There were 5 school group rentals, and requests from local teachers continued to increase later in the month. There were also 3 sponsored Family Swims this month that were free to the public. These were provided by HRHSSA in honour of Family Violence Prevention Month and National Addictions Awareness Week.

Swimming Lessons



REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

The current set of swimming lessons began on November 7th and will run until December 15th. There are 17 swimmers registered in 5 lesson groups ranging from Preschool 2 to Swimmer 4 levels. The average swimmer to instructor ratio is 3 to 1 for the current lesson set.

Courses & Training

The Aquatics Supervisor sits on the Board of Directors for the Canadian Parks & Recreation Association and attended a board meeting in Ottawa Nov 21-22. This meeting included representatives from each of the 13 provinces and territories, as well as Executive Directors from each provincial/territorial recreation association.

Discussions were held regarding staffing in recreation (specifically lifeguarding and what others are doing to recruit/maintain staff), professional development, infrastructure, anti-racism initiatives, green jobs, and youth employment. Members also participated in a diversity, equity, and inclusion workshop.

There was also an informal breakfast with members of Parliament, including a cabinet minister and some national partners to give them an opportunity to better connect with the Recreation Sector.



Don Stewart Aquatic Centre Statistics

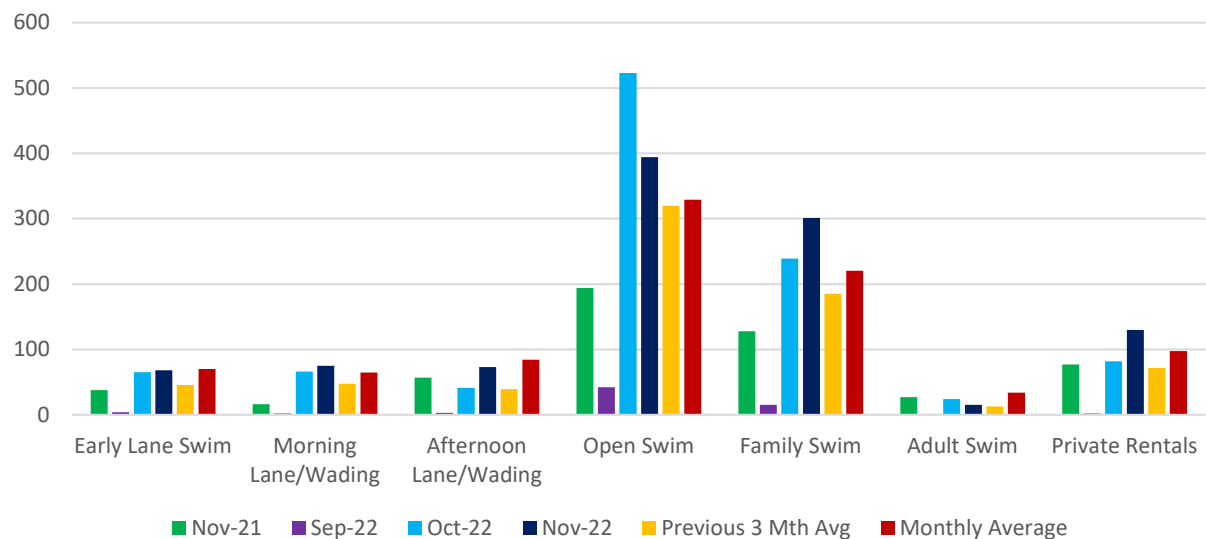


REPORT TO COUNCIL

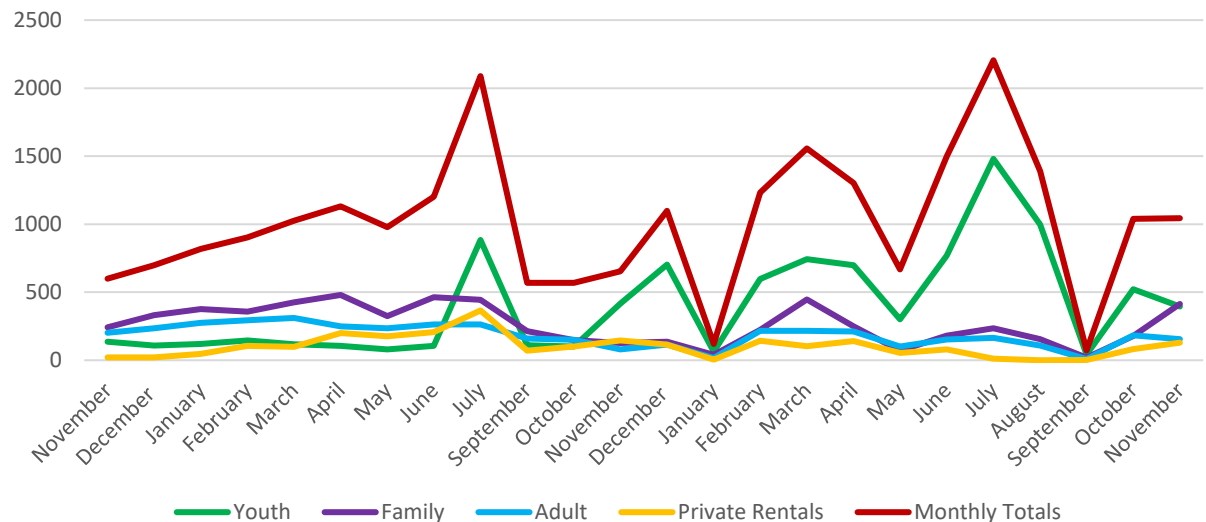
DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

Monthly Swimmer Statistics by Schedule Blocks



Monthly Swimmer Demographics





REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

Facilities and Maintenance

Two members of the Department's Maintenance team and the Director of Recreation participated in a *Recreation Facilities Conference* hosted November 21st to 23rd in Yellowknife by MACA's School of Community Government. See conference agenda below.

Recreation and Aquatic Centre:

Don Stewart Aquatic Centre:

- Change filter sand in hot tub
- Repair hot tub filter pump
- Weekly walkthrough of aquatic centre with Maintenance and Aquatics staff
- Installation of permanent door stops on all aquatic centre doors
- Increase in weekly vacuuming of pool and hot tub
- Repair of pool storage room heater – drive belt replaced

Aurora Ford Arena and Hay River Curling Club:

- Routine daily ice maintenance and weekly measurements
- Working with local contractor to repair curling club stairwell heaters
- Deployment of new ice edger
- Conversion of arena storage room into a referee room
- Improvements to Maintenance staff work area and meeting room
- Repairs to front end of spare ice resurfacer

Other Community Centre Maintenance Items:

- Ongoing building inspections, preventative maintenance, etc.
- Monthly fire extinguisher and safety checks
- THR Public Works support for installation of winter tires on Maintenance trucks
- Snow and ice removal around the building
- Regular room rentals and set ups
- Support hockey tournaments and weekend special event rentals


Parks and Greenspaces:

- Garbage containers emptied weekly in downtown core and at greenspaces and trails.
- Regular litter pickup and weekly checks of Town sites and assets in the downtown core.

REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT




Government of
Northwest Territories

Recreation Facilities Conference

November 21 – 23, 2022
Explorer Hotel and Quality Inn
Yellowknife

Agenda

DAY 1			
6:00pm	Meet and Greet	Get to know other practitioners Food and refreshments served	Explorer Hotel Katimavik D
7:00pm	AARFP Services	Presentation Alberta Assc. of Recreation Facilities Personnel	Explorer Hotel Katimavik D
7:30pm	Developing Policies and Procedures	Developing policies and procedures for your facilities	Explorer Hotel Katimavik D
Day 2			
8:45am	Facility Life Cycle Planning	Maximizing the life of a facility	Quality Inn Garnet Room
10:15am	Break		
10:30am	Installing Synthetic Turf	Installation and maintenance of synthetic turf for outdoor facilities	Quality Inn Garnet Room
12:00 noon	Lunch		
1:15pm	Maintaining a Clean Facility	What goes into an effective custodial program	Quality Inn Garnet Room
2:45pm	Break		
3:00pm	Energy Management	Making buildings energy efficient and grants available	Quality Inn Garnet Room
4:15pm	Day 2 wrap-up		





REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES DATE: December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT



Day 3			
8:45am	Bus Pick-up	Quality Inn	
9:00am	Facility Tour	City of Yellowknife Facilities	YK Multiplex/Fieldhouse
10:00am	Break		
10:15am	Ice Resurfacer PM	Ice resurfacer daily checklist and PM	YK Multiplex
11:30am	Bus Pick-up	Multiplex	
12:00noon	Lunch		
1:15pm	Team Building	How teams develop and start to perform	Quality Inn Garnet Room
1:15pm	Playground Inspections	Completing regular inspections and available training and certification	Quality Inn Silver Room
2:45pm	Break		
3:00pm	Preventative Maintenance Planning	Develop a customized PM program for your facilities	Quality Inn Garnet Room
3:00pm	Pool Operations	Start-up and shutdown of seasonal pools	Quality Inn Silver Room
4:15pm	Day 3 wrap-up		





REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** December 5th, 2022

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

Prepared by:
Stephane Millette
Director Recreation and Community Services
Date: December 1st, 2022

Reviewed by:
Glenn Smith
Senior Administrative Officer
Date: December 1st, 2022



REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: December 5th, 2022

SUBJECT: EMERGENCY SERVICES MONTHLY REPORT

RECOMMENDATION:

MOVED BY: CLLR WILLOWS
SECONDED BY: CLLR WALL

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves the Emergency Services Activity Report for November 2022 as presented.

BACKGROUND:

Summary:

Monthly Stat Summary	
EMS Calls	48
False Alarms	3
Fires	2
Rescue	2

In the month of November, the fire department responded to a fire call that was caused by an explosion at a residence on beaver crescent. The call involved the evacuation of the neighborhood and a suppression of structure fire. The fire department and supporting agencies did an amazing job dealing with a very serious incident. We are happy to report there were no serious injuries caused by the event.

The Director has been planning for the 1001 training program for 2023. A lot of work has been focused on developing the training schedule for the 1001 program for next year. This schedule identifies all practical testing, written exams and maps out 3 quarters of next years fire training nights. It also identifies the pace that chapters need to be completed to be prepared for training nights and written exams. We are also planning on developing new instructors in this year's program with assistance from experienced instructors.

We have been working on logistics for the river monitoring equipment. Meetings are being held with ENR on flow values and sensor data requirements. Getting new brackets manufactured so we can mount the hardware that holds the sensors. We are planning to get the equipment installed and tested as soon as weather permits.

The 64th annual Fire Fighters ball is on December 3rd. This year has been one of the most challenging for the HRFD and recognition of the sacrifice and effort by the members is an important task. This event provides the platform to do that.



REPORT TO COMMITTEE

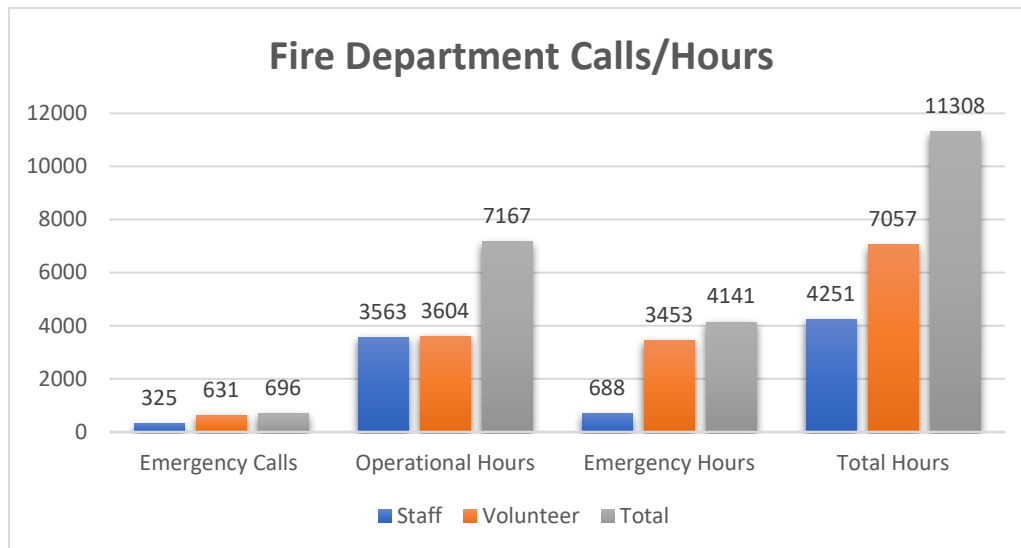
DEPARTMENT: PROTECTIVE SERVICES

DATE: December 5th, 2022

SUBJECT: EMERGENCY SERVICES MONTHLY REPORT

In the month of November, the department trained on cold weather operations, patient extraction, vehicle extrication and prepped for Christmas events like the parade and Santa sleigh ride.

STATISTICS



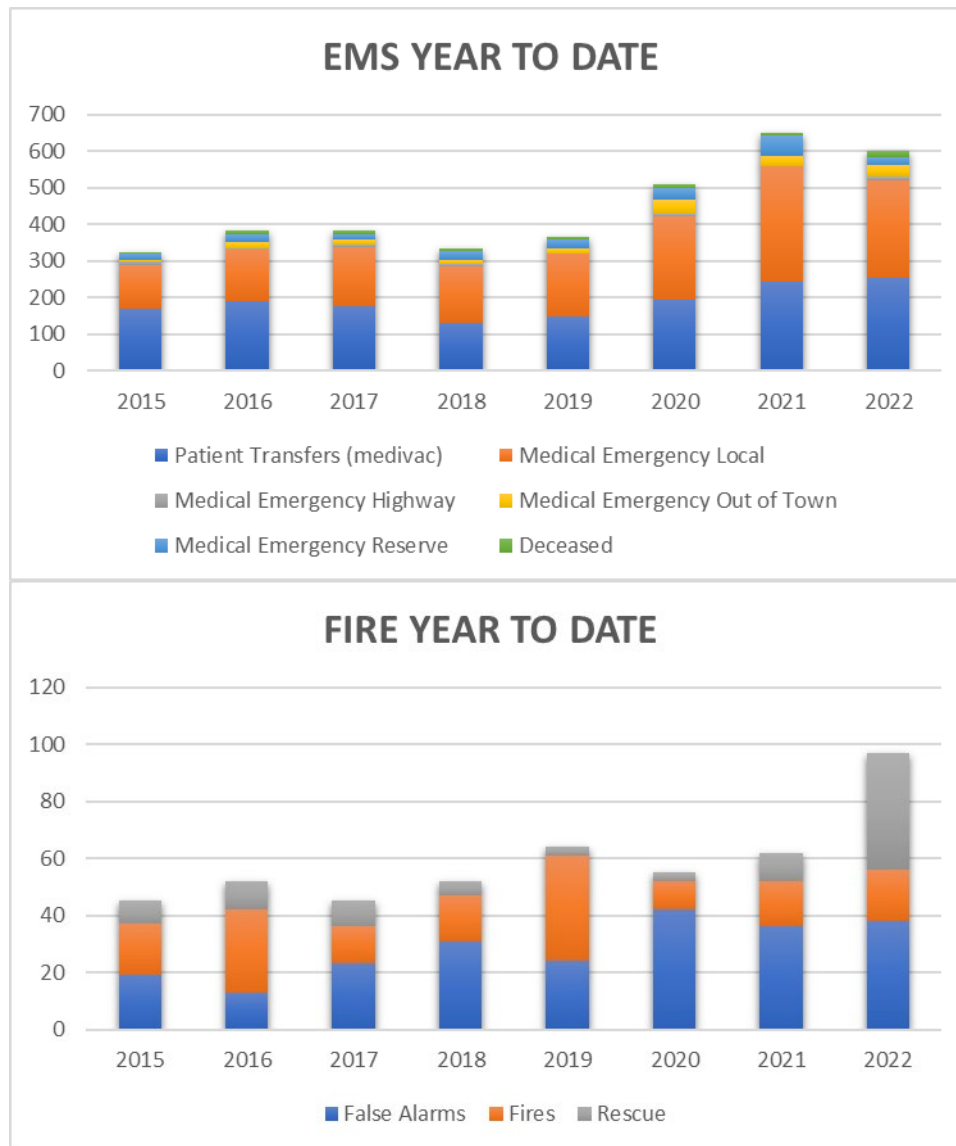


REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: December 5th, 2022

SUBJECT: EMERGENCY SERVICES MONTHLY REPORT





REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: December 5th, 2022

SUBJECT: EMERGENCY SERVICES MONTHLY REPORT



MAINTENANCE

1. All daily/weekly/monthly maintenance activities were completed.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Fire Prevention Bylaw

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:



REPORT TO COMMITTEE

DEPARTMENT: PROTECTIVE SERVICES

DATE: December 5th, 2022

SUBJECT: EMERGENCY SERVICES MONTHLY REPORT

None

Prepared by:

Travis Wright
Director Protective Services/Fire Chief
Date: December 2nd 2022

Reviewed By:

Glenn Smith
Senior Administrative Officer
Date: December 2nd, 2022

REPORT TO COMMITTEE



COMMITTEE: **STANDING COMMITTEE OF COUNCIL** **DATE:** December 5th, 2022

SUBJECT: **MUNICIPAL ENFORCEMENT REPORT**

RECOMMENDATION:

MOVED BY: CLLR BOUCHARD
SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Municipal Enforcement Report for November 2022 as presented.

BACKGROUND:

Monthly Stat Summary	
Animal Control	8
Traffic	16
Snow	7
Other	7

This month has seen a decrease in animal calls. With the cold weather setting in, fewer animals are being seen outdoors. Animal welfare for the ones being left outdoors is being monitored to ensure their safety and care are proper and suitable. Problematic areas are monitored closely, as time is a factor in cold weather.

Downtown patrols have been increased to show a more visible presence to help support local businesses and buildings dealing with problematic individuals harassing other individuals or patrons in the downtown core. This will continue over the winter to assist in giving the downtown businesses and organizations support in dealing with this issue.

Snow clearing around town is being supported by continuing to work on and make sure that vehicles are adhering to parking time limits on roadways and making sure they are moved during snow clearing schedules. There have been a few problematic vehicles in areas such as the school zone and the nature trail on Riverview Drive that have had to be addressed. This issue will continue to be addressed in an effort to keep the streets clear and make them safer for snow removal.

A public message was sent out at the beginning of the month online to help educate citizens about their responsibility to keep the snow from their driveways out of the streets and the sidewalks clear. This is an ongoing issue that people will be reminded, warned about, and enforced upon to keep the streets and sidewalks clean and safe for pedestrians this winter.

School Safety

REPORT TO COMMITTEE



COMMITTEE: **STANDING COMMITTEE OF COUNCIL** **DATE:** December 5th, 2022

SUBJECT: **MUNICIPAL ENFORCEMENT REPORT**

The Protective Services Specialist continues to monitor and patrol the school zones during peak times to ensure motorists are compliant with regulations to ensure the safety of school zones during shorter daylight conditions and snow and ice that create more hazards, especially during early morning hours.

Upcoming Goals

The Protective Services Specialist is continuing work on the 1021 Fire Officer Course. This professional development has been prioritized to help assist and support the Protective Services Division and the Fire Department Operations. 2023 planning with the Protective Services Director will be done next month to identify priorities, initiatives, and special projects in the upcoming year.

Emergency Services

The Protective Services Specialist organized the purchase and set up of the new docking station that is used to bump test and calibrate the gas monitors. This will be a valuable resource that can be used by multiple divisions of the Town of Hay River. The organization and acquisition of custom-manufactured EMO Monitor support equipment have been completed so that the new devices can be installed and tested shortly.

COUNCIL POLICY / STRATEGY OR GOAL:	
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Strategy:

Goal:

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:
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All applicable Bylaws and Territorial Legislation

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

REPORT TO COMMITTEE



COMMITTEE: STANDING COMMITTEE OF COUNCIL DATE: December 5th, 2022

SUBJECT: MUNICIPAL ENFORCEMENT REPORT

OFFENCE	INQUIRY	INVESTIGATED (NO SUBSTANTIATION)	WARNINGS (VERBAL, LETTER OR VISUAL)	FINES / ENFORCEMENT	OTHER ACTION
Animal Control Bylaw					
Animal Abuse/Welfare	21	8	5	4	4
Barking Dogs	28	12	5	5	6
Dog Attack	6	1	3	1	1
Dog Bites	4	0	0	0	4
Loose Cat/Dog	67	13	17	6	30
Sled Dog Complaints	0	0	0	0	0
Miscellaneous	22	3	4	2	12
Business License					
No Business License	36	0	13	5	18
Operating business not as permitted	1	0	0	0	1
Traffic Bylaw					
Vehicle/Trailer Parking	82	7	23	40	12
ATV/Snow Machine	14	5	5	3	1
Fail to Stop (Sign or Light)	3	0	2	0	1
Distracted Driving	2	0	0	2	0
No Seat Belt	1	0	0	0	1
Fail to carry/No valid driver's licence	0	0	0	0	0
Suspended/Prohibited Driver	0	0	0	0	0
Fail to carry-No Insurance/Registration	4	0	3	1	0
Unsecure Load	0	0	0	0	0
Obstructed Windshield/Windows	0	0	0	0	0
Fail to drive to road conditions	0	0	0	0	0
Improper use of plate/ No Plate	1	1	0	0	0
Drive w/o lights during low visibility	0	0	0	0	0
Speeding	50	4	36	3	7
Speeding (School/Construct/Industrial)	1	0	1	0	0
Suspected Impaired Driver	1	1	0	0	0
Miscellaneous	3	0	0	1	2
Unsafe/Hazardous Behaviour					
Miscellaneous	12	2	2	1	7
Intoxicated- Unable to care for self	10	1	0	0	9
Public Disturbance	1	0	0	1	0
Snow Removal Bylaw					
Sidewalks not cleared	9	0	7	0	2
Driveway cleared on to street / sidewalk	8	0	8	0	0
Snow being put on private property	1	0	1	0	0
Miscellaneous	2	0	1	0	1
TOTAL	468	59	151	95	126

REPORT TO COMMITTEE



COMMITTEE: **STANDING COMMITTEE OF COUNCIL** **DATE:** December 5th, 2022

SUBJECT: **MUNICIPAL ENFORCEMENT REPORT**

Prepared by:
Jonathan Wallington
Protective Services Specialist
Date: December 2, 2022

Reviewed By:
Travis Wright
Director, Protective Services
Date: December 2, 2022



REPORT TO COUNCIL

DEPARTMENT: Lands

DATE: December 5th 2022

SUBJECT: Un-surveyed Commissioners Land Lease Application

RECOMMENDATION:

**MOVED BY: CLLR WILLOWS
SECONDED BY: CLLR BOUCHARD**

THAT THE COUNCIL OF THE TOWN OF HAY RIVER request Administration to apply to the Government of the Northwest Territories to acquire Headlease for the Un-surveyed parcel of land (as per attached sketch) located on Paradise Gardens area.

Also, for Administration to prepare an Acquisition Bylaw to submit to Council.

BACKGROUND:

As we are aware, Paradise Valley was particularly hard hit in May 2022 flooding. Mr. Greg Haist have a development permit to build a new home on Lot 1034 Plan 1632 – 426 Paradise Road. The property was under approximately seven (7) feet of water during the recent flood. As such, Mr. Haist believed that to proceed and build a home on the lot will not be ideal.

The Town received an application from Mr. Greg Haist to sublease an approximate six (6) hectares or fifteen (15 acres) parcel of Commissioners land, located along Mackenzie Highway 2, on Paradise Gardens, as per attached sketch.

The purpose of the sublease is to build a house and shed for farm machinery and equipments. Also, to clear and cultivate approximately 3.7 hectares (9 acres) of land area for market garden and other suitable uses.

The subject lot of interest has a surveyed road allowance which would provide road access to the lot.

Dept. of Lands, Fort Smith confirmed that the subject parcel of land can be applied for as per email that states:

“The identified area is currently untenured land; however, the parcel would still need to go through consultation to ensure that it’s available for leasing. The Town can submit an application for the head lease.”

Further details of the proposed use of the land are explained on the attached letter/development proposal from Greg Haist.



REPORT TO COUNCIL

DEPARTMENT: Lands

DATE: December 5th 2022

SUBJECT: Un-surveyed Commissioners Land Lease Application

COUNCIL POLICY / STRATEGY OR GOAL:

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Land Administration Bylaw
Certified Assessment Roll

FINANCIAL IMPLICATIONS:

- Town to pay GNWT for Annual Head Lease fee set by GNWT.
- Sub Tenant to pay annually to the Town the following:
 - 1). Lease Fees = \$6,200 * (estimate)
Commissioner's land *"lease fees shall be ten (10%) of the Assessed value per annum"* as per Land Administration Bylaw; and
 - 2). Property Tax = \$ 0.00 *
Mr. Greg Haist may apply for property tax exemption under Bylaw 1468 Senior Citizen Tax Relief.

* Amounts are based on the estimated Land (only) Assessed Value of 62,000 provided by Department of Assessment, MACA, GNWT, June 29th, 2022.

ALTERNATIVES TO RECOMMENDATIONS:

1. Town apply for title to land and subdivide for agricultural use.

ATTACHMENTS:

- Letter of Interest from Mr. Haist
- Sketch of subject parcel of land
- House plan

Prepared by:
Susan Gallardo
Lands & Taxation

Reviewed by:
Glenn Smith
Senior Administrative Officer



REPORT TO COUNCIL

DEPARTMENT: Lands

DATE: December 5th 2022

SUBJECT: Un-surveyed Commissioners Land Lease Application

Date: 29 June 2022

Date:



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: December 5th, 2022

SUBJECT: Sidewalk Snow and Ice Control Award

RECOMMENDATION:

MOVED BY: CLLR BOUCHARD
SECONDED BY: CLLR WALL

THAT THE COUNCIL OF THE TOWN OF HAY RIVER awards the Sidewalk Snow and Ice Control Tender to JD Contracting for a term ending May 2025 (3 years)

BACKGROUND:

A public tender was issued on October 31st for Town of Hay River sidewalk snow and ice control services. The tender was advertised for 14 through the Town of Hay River Website and our Facebook page.

Snow and ice control services are completed on an as required basis for sidewalks and some paved recreation trail systems that are the responsibility of the Town. Sidewalks that abut private property are the responsibility of the property owner and are not included in the scope of the tender. Only one bid was received by JD Contracting.

2022-2025 Rates

John Deere 3320 Tractor- \$70.00 per hour
Mclean NV5 tractor-\$70.00 per hour
1 Bidder for 2022-2025

Historical 2021-2022 Rates

John Deere 3320 Tractor- \$65.00 per hour
Mclean NV5 Tractor-\$65.00 per hour
1 Bidder for 2021-2022

COUNCIL POLICY / STRATEGY OR GOAL:

To maintain snow and ice-free surface for pedestrians.

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

Hourly Rates provided. Budget for 2023 is \$15,000

ALTERNATIVES TO RECOMMENDATIONS:

N/A



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: December 5th, 2022

SUBJECT: Sidewalk Snow and Ice Control Award

ATTACHMENTS:

N/A

Prepared by:

Brad Harrison

Director of Public Works

Date: December 2, 2022

Reviewed by:

Glenn Smith

Senior Administration Officer

Date: December 2, 2022



REPORT TO COUNCIL

DEPARTMENT: ADMINISTRATION

DATE: December 12, 2022

SUBJECT: BANK SIGNING AUTHORITY

RECOMMENDATION:

THAT THE COUNCIL OF THE TOWN OF HAY RIVER appoints the following Council and Administrative representatives as bank signing authorities: Mayor Kandis Jameson, Deputy Mayor Keith Dohey, Senior Administrative Officer Glenn Smith, Assistant Senior Administrative Officer Patrick Bergen and Director of Finance and Administration Abena Nyarko.

BACKGROUND:

Bank signing authorities are required in order to meet the Town's obligations under the Signing Authorities Bylaw and the *Cities, Towns and Villages Act*.

From Council, the recommended signing authorities are the Mayor and Deputy Mayor. From Administration, the recommended signing authorities are the SAO, ASAO and the Director, Finance and Administration.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Cities, Towns & Villages Act, S.N.W.T. 2003, c.22
Signing Authorities Bylaw No. 2389

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:
Stacey Barnes
Council Administrator
December 7, 2022

Reviewed by:
Glenn Smith
Senior Administrative Officer
December 7, 2022



REPORT TO COUNCIL

COMMITTEE: Administration

DATE: December 12, 2022

SUBJECT: Community Enhancement Grant – Hay River Figure Skating Club

RECOMMENDATION:

THAT THE COUNCIL OF THE TOWN OF HAY RIVER declines the Hay River Figure Skating Club's application for \$2000 in funding through the Community Enhancement Grant

BACKGROUND:

The Community Enhancement Grant (CEG) program was established to provide support to community organizations based in the town of Hay River to implement a community event or enhancement.

The Program's objectives are to:

- Provide funding to local organizations to enhance programs, services, special events or facilities that are not normally funded through each organization's annual budget.
- Enhance the quality of life and well being for Hay River residents.
- Enhance sport, recreation, cultural, family life, tourism or general community development.
- Promote and encourage voluntarism and community spirit - enhance the work of local volunteer organizations.
- To not duplicate existing federal, territorial, private grants and/or other sources of funding.

In 2022 Council removed several recent recurring recipients of grants through the CEG given that the intent of the program is to not provide repetitive core funding. Multi year agreements were instead established for the Hay River Library Committee, the Hay River Museum, and the Northern Arts and Cultural Centre.

A public call for applications to the CEG program was made on September 15, 2022 and advertised through the Town of Hay River's Facebook page and on community bulletin boards.

One application was received from the Hay River Figure Skating Club requesting \$2000 to support costs associated with hosting the 2023 Figure Skating Territorial Championships in Hay River.



REPORT TO COUNCIL

COMMITTEE: Administration

DATE: December 12, 2022

SUBJECT: Community Enhancement Grant – Hay River Figure Skating Club

After review of the application received from the Hay River Figure Skating Club and consideration against the conditions of the Community Enhancement Grant Program Policy C-7, Administration is recommending that the application not be approved given:

1. The Territorial Championship is a Territorial level event sanctioned and sponsored by the NWT Figure Skating Association / Skate AB|NT|NU
2. The event is recurring in nature on a rotational basis.

Administration would be willing to meet with representatives of the Hay River Figure Skating Club to create awareness on other third party funding opportunities that may be a fit for the organization.

ALTERNATIVES TO RECOMMENDATIONS:

- Approve HRFSC's request for \$2000 through the CEG

RELEVANT POLICIES AND BYLAWS:

- Community Enhancement Grant Program Policy C-7

ATTACHMENTS:

- CEG Grant App Figure Skating Club

Prepared by:
Glenn Smith
SAO
December 9, 2022

TOWN OF HAY RIVER

COMMUNITY ENHANCEMENT GRANT PROGRAM POLICY POLICY C-7

Adopted by the Council of the Town of Hay River at the June 25th Regular Meeting of Council – Motion No. 12-354

PURPOSE

To establish Terms of Reference for the Community Enhancement Grant Program Policy.

POLICY

1. The Community Enhancement Grant Program is established to provide support to community organizations to implement a community event or enhancement.
2. The Program's objectives are to:
 - Provide funding to local organizations to enhance programs, services, special events or facilities that are not normally funded through each organization's annual budget.
 - Enhance the quality of life and well being for Hay River residents.
 - Enhance sport, recreation, cultural, family life, tourism or general community development.
 - Promote and encourage voluntarism and community spirit – enhance the work of local volunteer organizations.
 - Will not duplicate existing federal, territorial, private grants and/or other sources of funding.
3. All applicants must be registered non-profit organizations that have been incorporated for a minimum of one (1) year or show that they are working towards achieving incorporated status.
4. Applications to the Community Enhancement Grant Program will be considered on a case by case basis.
5. The Town of Hay River will review all applications to the Community Enhancement Grant Program and recommend allocations to Council for approval. The Council reserves the right to assess the reasonableness of costs and which costs are eligible under the terms of the program.
6. All submissions must be completed in writing and include all required supplementary documentation. The Town of Hay River may request additional information in support of the project application.

TOWN OF HAY RIVER

COMMUNITY ENHANCEMENT GRANT PROGRAM POLICY POLICY C-7

Adopted by the Council of the Town of Hay River at the June 25th Regular Meeting of Council – Motion No. 12-354

7. All grants are at the discretion of Town Council, and may be refused for any reason. The Council of the Town of Hay River may also impose conditions it thinks appropriate with the granting of the funds.

8. All applications for funding are due by September 15th, for consideration for next Budget year.

APPLICATION

Schedule "A" Community Enhancement Grant Program Application Form

Schedule "B" Community Enhancement Grant Program Rating Sheet

TOWN OF HAY RIVER

**COMMUNITY ENHANCEMENT GRANT PROGRAM POLICY
POLICY C-7**

Adopted by the Council of the Town of Hay River at the June 25th Regular Meeting of Council – Motion No. 12-354

Schedule "A"

Community Enhancement Grant Program Application Form

Legal Name of Organization: Hay River Figure Skating Club

Registration # of Non-Profit Organization: 700804

Mailing Address: Box 4389
Hay River NT X0E 1G3

Phone# Daytime: 867-875-8777 Phone# Evening: 867-874-4359

Fax:

Email address: nikki@ladeedah.ca or hrfsc1@gmail.com

Website:

PART "A" – ORGANIZATION INFORMATION

1. What is the Mandate/Purpose of your Organization? Provide vision, mission, goals and objectives.

To encourage the instruction, practise, enjoyment and advancement of its members in all aspects of figure skating in accordance with the rules and policies of the Canadian Figure Skating Association.

TOWN OF HAY RIVER

COMMUNITY ENHANCEMENT GRANT PROGRAM POLICY POLICY C-7

Adopted by the Council of the Town of Hay River at the June 25th Regular Meeting of Council – Motion No. 12-354

2. Has your organization received funding from the Community Enhancement Grant Program for previous projects, events or promotional initiatives?

YES: NO: NO

If you answered YES, include year(s):

PART “B” PROGRAM INFORMATION

Project name: FIGURE SKATING TERRITORIALS

Community Enhancement Grant Request: \$ 2000.00

Project Start Date: FEBRUARY 10TH 2023

Project End Date: FEBRUARY 13, 2023

1. Provide information about the proposed project (include the following details: activities, strategies, timelines, goals, outcomes etc.)

Figure Skating Territorials is an annual event in the NWT and is hosted by a different community each year. This is a sanctioned event that brings many participants, parents, coaches, judges, and spectators to our community from Alberta, Nunavut, and across the NWT. Territorials is an event where skaters from the ages of 3 and up will compete against other skaters across the north, and is the only competition that is held by the NWT each year. While the judges are in the north we also organize a test day for skaters so they can be tested and progress in their practice. Many skating skills at the higher levels can only be tested by certified judges, so this is a great time to test the skaters that need to be tested at the same time as territorials. This is a fun event and one that skaters really look forward to each year.

TOWN OF HAY RIVER

COMMUNITY ENHANCEMENT GRANT PROGRAM POLICY POLICY C-7

Adopted by the Council of the Town of Hay River at the June 25th Regular Meeting of Council – Motion No. 12-354

2. Provide the total number of residents that the project will serve. approx. 60 skaters will attend

3. List the project's outcomes:

- Excell in competition
- Excell in skill
- Test Elements and Skills
- Bring skaters together from across the north
- Build relationships
- Enhance coaching skills
- Tourism from across the NWT, Alberta and Nunavut
- Keeping kids active and promoting sport and wellness
- Increase local business

4. How many volunteers will be involved in the project? minimum 30

5. What impact will this project have on your organization?

This project will give skaters the opportunity to experience competitive skating. There are only a number of competitions each year in Alberta and not everyone has the means to travel that far to compete. This allows skaters around the north to also have their testing done so they can move up and progress in their skating journey. The Hay River Figure Skating Club lost their lotteries funding which is a huge hit to our club. We feel that we already need to do way more fundraising just to remain operational but the communittee can only support all groups to a certain extent. By receiving some additional funding it will eleviate some of the financial burden on our club.

6. What impact will this project have on the community?

This project will bring in tourism (spectators and officials) from around the north as well as alberta, will promote health and wellness, and enourage youth and adult sport in our community. This event will also bring business to our local shops and restaurants.

TOWN OF HAY RIVER

COMMUNITY ENHANCEMENT GRANT PROGRAM POLICY POLICY C-7

Adopted by the Council of the Town of Hay River at the June 25th Regular Meeting of Council – Motion No. 12-354

PART “C” PROJECT BUDGET

Provide a complete budget for your proposed project. (Reminder: Approved projects must be completed within one year of the grant approval date.) Include all sources of revenue and all expenditures. Please place an asterisk beside the expenditure lines items that you are requesting to be funded through this Community Enhancement Grant Program, and indicate if revenue has been confirmed by placing a check mark in the confirmed column if it has been confirmed.

REVENUE: BASED ON NUMBERS FROM 2019, PARTICIPATION HAS BEEN DOWN SINCE COVID AND TRAVEL COSTS HAVE GONE UP

Line Item	Amount	Source	Confirmed
NWTSFA	\$5000.00	NWT FIGURE SKATING ASSOC.	YES
ENTRY FEES	12,770.00	REGISTRANTS	NO
BANQUET	\$2160.00	PARTICIPANTS AND PARENTS	NO
FUNDRAISING	\$1765.00	PARTICIPANTS	NO
	*NOT SOLID CONFIRMED AS WE DONT HAVE PARTICIPANT LIST YET. WILL AIM FOR SIMILAR NUMBERS BUT PARTICIPATION HAS BEEN DOWN.		

Total Revenue: \$21,695.00

EXPENDITURES:

Line Item	Amount	Source	Enhancement Grant
OFFICIALS Travel/Accom/meals	\$13,028.12		
Ice	\$1039.50		
Operations	\$9047.55		

TOTAL EXPENSES: \$23,115.17

TOWN OF HAY RIVER

**COMMUNITY ENHANCEMENT GRANT PROGRAM POLICY
POLICY C-7**

Adopted by the Council of the Town of Hay River at the June 25th Regular Meeting of Council – Motion No. 12-354

PART “D” SET OF ATTACHMENTS FUNDING APPLICATION

Please attach these documents to your application:

1. Current list of organization Board of Directors (use attached template)
2. Most recent organization audited financial statements and management letter
3. Most recent Annual Report or Minutes of the last Annual General Meeting

PLEASE SUBMIT TWO SINGLE-SIDED COPIES OF YOUR APPLICATION

I AM A DULY AUTHORIZED REPRESENTATIVE HAVING LEGAL AND/OR FINANCIAL SIGNING AUTHORITY FOR THE ABOVE-MENTIONED ORGANIZATION.

The information contained in this application and supporting documents is true and accurate and endorsed by the above-mentioned organization. An accounting of spending, showing compliance with conditions of the grant shall be provided (including a project assessment and financial accounting summary) no later than 90 days following the project completion date. Any grant awarded shall be used solely for the purposes stated within this application and according to program parameters. As a condition of accepting financial assistance, access to all financial statements and records having any connection with monies received is hereby granted to the Town of Hay River.



Signature of Duly Authorized Representative

TOWN OF HAY RIVER

COMMUNITY ENHANCEMENT GRANT PROGRAM POLICY POLICY C-7

Adopted by the Council of the Town of Hay River at the June 25th Regular Meeting of Council – Motion No. 12-354

Printed Name

Title

ATTACHMENT #1 Board of Members and Executives

NAME	BOARD POSITION	YEARS ON BOARD	OCCUPATION/SKILLS (THAT MEMBER BRINGS TO BOARD)
Jordan Bassett	President	new	
Nikki Ashton	Vice President	5	
Sonia Campbell	Treasurer	3	
Trish Schaub	Secretary	4	
Jayda Robillard	Test Chair	5	
Nicole Klause	Registration Chair	2	

TOWN OF HAY RIVER

COMMUNITY ENHANCEMENT GRANT PROGRAM POLICY POLICY C-7

Adopted by the Council of the Town of Hay River at the June 25th Regular Meeting of Council – Motion No. 12-354

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Date that Board last met:

Last Annual General Meeting:

Schedule "B"

Community Enhancement Grant Application Rating Sheet

Score	Scoring Criteria
5=1 st year 4=2 nd year 3=3 rd year 2=4 th year 1=5 th year 1=5+years	Funding received previously for same program (should be moving towards sustainability)
5=meets 5 4=meets 4 3=meets 3 2=meets 2 1=meets 1	Meeting Enhancement Criteria
5=100+ 4=50-99 3=25-49 2=10-24 1=9 or less	Amount of Residents Served
5=realistic 0=unrealistic	Overall Budget
5=high 0=none	Organization's Financial Need
5=high 0=none	Impact the project will have on enhancing the organization's future operations (increase membership, improve quality of programs, enhancing building/space through renovations/repairs/construction)

Community Enhancement Grant Criteria:

TOWN OF HAY RIVER

COMMUNITY ENHANCEMENT GRANT PROGRAM POLICY POLICY C-7

Adopted by the Council of the Town of Hay River at the June 25th Regular Meeting of Council – Motion No. 12-354

- Project Based – outside of regular operating budget
- Enhancing sports, recreation, culture, tourism or community development
- Encourages volunteerism
- Not funded by other municipal or provincial sources of funding
- Do not fund direct financial assistance – scholarships, bursaries or subsidies

Program/Project Name:

Total Score:

Requested:

Recommended:



REPORT TO COUNCIL

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT **DATE:** Dec 12, 2022

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

RECOMMENDATION:

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Tourism and Economic Development Report for the month of November.

BACKGROUND:

Tourism & Economic Development Activity:

- Working with the website design contractor to apply for an ITI-GNWT grant that could be used for a variety of marketing initiatives including travel to trade shows, brochures, marketing initiatives or development/modification on websites.
- Provided the 6 month reporting for the ITI GNWT Community Tourism Coordinator grant.
- Updated the accommodation and restaurant listings for the 2023 Hay River Visitors guide.
- Conference rental agreements and details have been finalized with the GNWT Association of Communities AGM.
- Incubator meetings have been set up with the Tourism Coordinator in Fort Smith and other stakeholders to look for partnering opportunities. This is as a result of the 2022 Tourism AGM.
- The Christmas parade went with 16 floats entered.
- The numbers are up from 200-300 fisherman's Wharf visitors per weekend in 2021 to 400-600 visitors per weekend market in the summer of 2022.
- There are currently 34 Vendors registered to sell consignment items at the VIC

Upcoming Events/Contests:

1. Fireworks have been ordered with a budget of \$8000. Fire works are scheduled to take place on Dec 31, 2022 at 8:00pm behind the fire hall on main street.

Key Performance Indicators:

Visitor Information Centre Visitation

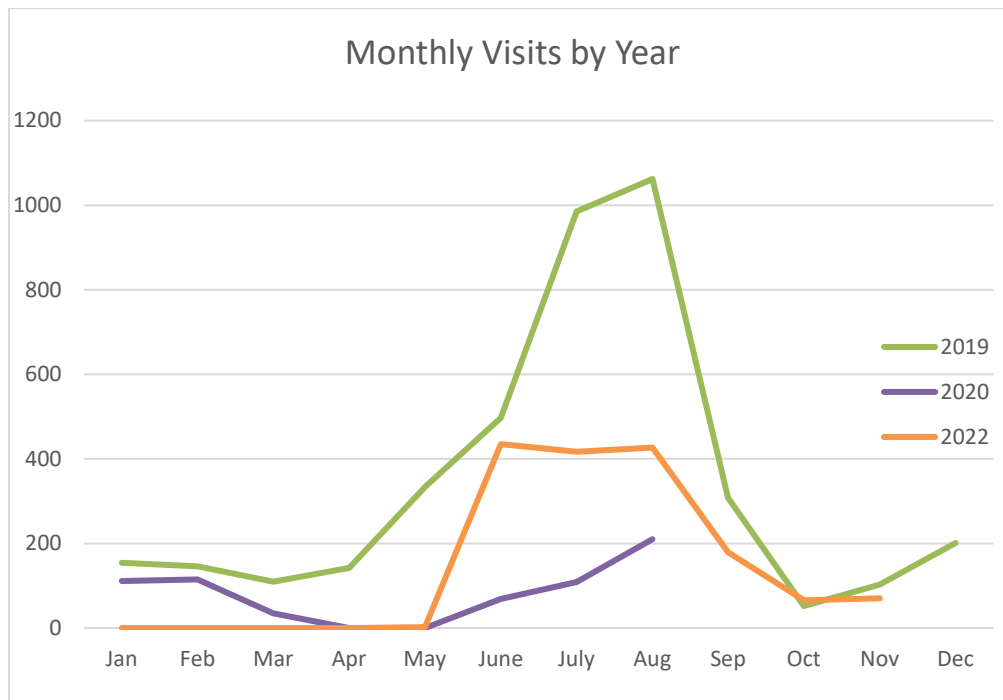
There is a gap in the data from September 2020 to June of 2022.



REPORT TO COUNCIL

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT **DATE:** Dec 12, 2022

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT



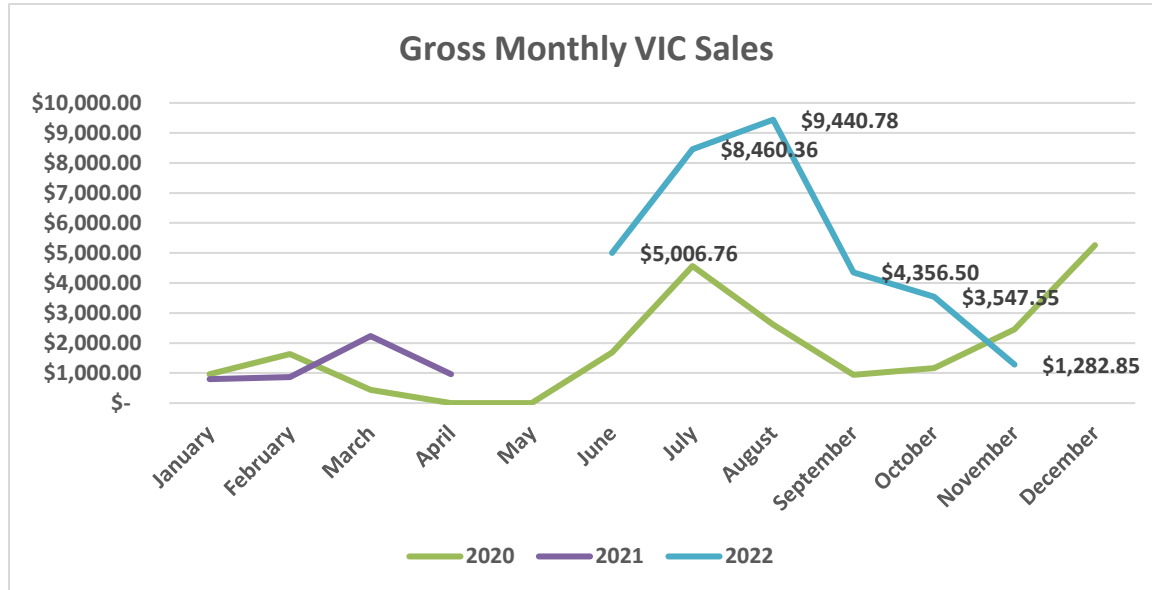


REPORT TO COUNCIL

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT DATE: Dec 12, 2022

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

Gift Shop Sales



COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:



REPORT TO COUNCIL

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT **DATE:** Dec 12, 2022

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

0

Prepared by:

Jill Morse
Tourism and Economic Development Coordinator
Date: Dec 1, 2022

Reviewed by:

Patrick Bergen
ASAO Town of Hay River
Date: Dec 2, 2022

The Town of Hay River

Northwest Territories



Bylaw No. 2444-22b

Zoning and Building Bylaw

TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b

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TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b

A BYLAW of the Municipal Corporation of the Town of Hay River in the Northwest Territories, Authorizing the Municipal Corporation of the Town of Hay River to adopt a Zoning Bylaw for the Town of Hay River.

PURSUANT TO:

- a) Sections 12 to 32 of the *Community Planning and Development Act*, S.N.W.T., 2011, c.22; and
- b) Section 129 of the *Cities, Towns and Villages Act*, S.N.W.T., 2003, c.22.

WHEREAS the Municipal Corporation of the Town of Hay River deems it desirable to adopt a Zoning Bylaw;

NOW, THEREFORE, The Council of the Municipal Corporation of the Town of Hay River hereby enacts as follows:

1. SHORT TITLE

- 1.1. The By-law may be cited as the Zoning and Building Bylaw No. 2444-22b.

2. APPLICATION

- 2.1. The Zoning Bylaw for the Town of Hay River comprised of Schedule "A" attached hereto and forming part of this bylaw, is hereby adopted.

3. REPEALS

- 3.1. Zoning Bylaw No. 1812, as amended, is hereby repealed.

4. EFFECT

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

TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b

READ A FIRST TIME this 13TH day of September 2022

Mayor

READ A SECOND TIME this _____ day of _____, 2022 after a public hearing on October 5th, 2022

Mayor

READ A THIRD AND FINAL TIME this _____ day of _____, 2022

Mayor

CERTIFIED that this bylaw has been made in accordance with the requirements of the Cities, Towns and Villages Act, S.N.W.T., 2003, c.22 and bylaws of the Municipal Corporation of the Town of Hay River this _____ day of _____, 2022.

Senior Administrative Officer

TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b

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TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b

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TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

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TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b

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SCHEDULES

SCHEDULE 1: BYLAW TEXT

SCHEDULE 2: ZONING MAPS

TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b

**TOWN OF HAY RIVER
ZONING AND BUILDING BYLAW
BYLAW NO. 2444-22b
SCHEDULE 1: BYLAW TEXT**

TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b
Schedule 1
General Conditions

1.0 GENERAL CONDITIONS

1.1 TITLE AND COMPONENTS

1. This bylaw shall be known as the Hay River Zoning and Building Bylaw 2444-22b.
2. The components of the Bylaw shall include:
 - a) the Bylaw Text; and
 - b) Schedule 1, the Zoning Maps.
3. Notwithstanding any other provision of this bylaw or any other bylaw passed by Council to the contrary, headings and titles within this bylaw shall be deemed to form a part of the text of this bylaw.
4. In this bylaw, The Community Planning and Development Act SNWT 201 shall be referred to as the "Planning Act".

1.2 PURPOSE OF THE BYLAW

1. The purpose of this bylaw is to facilitate the orderly, economic and convenient development of the Town of Hay River by controlling the development and use of land for the purpose of, among other things:
 - a) dividing the Town into zones;
 - b) prescribing and regulating for each zone the purposes for which buildings and land may be used;
 - c) prohibiting the use of land or buildings for any other purposes;
 - d) regulating the construction and maintenance of buildings and structures;
 - e) establishing the office of the development officer;
 - f) establishing the development appeal board;
 - g) establishing a method of making decisions on applications for development permits including the issuing of development, building, and moving permits; and
 - h) prescribing a procedure to notify owners of land likely to be affected by the issuance of a development permit;
2. The regulations of this bylaw apply throughout the entire municipality of the Town of Hay River (Section 5).
3. The regulations of this bylaw apply to specific types of land use regardless of where they may be located (Section 6).
4. The regulations of this bylaw apply to geographically defined Zones shown on the Zoning Map in Schedule 1.

TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b
Schedule 1
General Conditions

5. The regulations established herein may be relaxed in special extenuating circumstances (Section 3.9).
6. The regulations of this bylaw apply to the provision of parking and loading facilities (Section 8).
7. The regulations of this bylaw apply to the construction and placement of signs (Section 9).

1.3 PREVIOUS LEGISLATION

1. Bylaw No. 1812, The Zoning and Building Bylaw of the Town of Hay River, as amended, is hereby repealed.
2. No provision of any other bylaw with respect to zoning, development control, or development schemes shall hereafter apply to any parts of the Town described in this bylaw, subject to the transitional provisions of this bylaw.
3. Within any zone, any existing use of land, building or structure which is listed as a discretionary use with the zone shall not, as a result of the passage of this bylaw, be non-conforming but shall be a permitted use at that location. The use of land, building or structure at the location shall not be changed except in conformity with this bylaw.

1.4 COMPLIANCE WITH OTHER LEGISLATION

1. A person applying for, or in possession of, a valid Development Permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with:
 - a) the requirements of any other appropriate federal, territorial or municipal legislation;
 - b) the Hay River Airport Zoning Regulations, Plan E 1180;
 - c) the conditions of any caveat, covenant, easement or other instrument affecting a building or land;
 - d) the most recent revision of the National Building Code of Canada, which is herein adopted by reference to be part of this bylaw; and
 - e) the most recent revision of the National Fire Code of Canada, which is herein adopted by reference to be part of this bylaw.

1.5 SEVERABILITY

1. If any Section, subsection, sentence, clause or phrase of this bylaw is, for any reason, held to be invalid by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portion of this bylaw.

1.6 THE ZONING MAPS

1. The Zoning Maps are Schedule 2 of this bylaw. They divide the Town of Hay River into zones and specify the zoning provisions applying to particular lands.

TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b
Schedule 1
General Conditions

2. For the purpose of this bylaw the following Zones are hereby established:

R1A	Large Lot Residential (Class A)	M1	Restricted Industrial
R1B	Lower Density Residential (Class B)	M2	General Industrial
R1C	Medium Density Residential (Class C)	T	Transportation District
R2	Mile 5 Residential	U	Utility District
R3	West Channel Village Residential	I	Institutional
R4	Multi-Unit Residential	P	Parks and Open Space
RM	Mobile Home Park	MG	Market Gardening
RC	Country Residential	UR	Urban Reserve
C1	Core Area Commercial	RR	Rural Resource
C2	Highway/Service Commercial	H	Holding Zone
C3	Mixed Use Commercial	WPFN	West Point First Nation

3. The zone boundaries are delineated on the Zoning Map. Where uncertainty arises as to the precise location of the boundary of any zone, the following rules shall apply:
- a zone boundary shown approximately at a lot, street or lane is at the boundary of the lot, street or lane;
 - a zone boundary shown approximately at the centreline of a street or lane is at the centreline of the street or lane;
 - a zone boundary shown within a lot, unless specifically noted, is fixed by the scale of the zoning map;
 - a zone boundary shown following approximately a shoreline or the centreline of a creek, stream or channel follows the shoreline or centreline and moves with any change in such shoreline;
 - where a zone boundary falls along a lot line, the zoning map shall indicate the lot numbers between which the boundary falls, but the zoning map need not show the lot boundary; and
 - in unsubdivided land, the zone boundary shall be determined by the use of the scale of the zoning map.
4. For greater certainty, as required, the Development Officer shall establish the boundaries of the Floodway Risk Area and the Floodway Fringe Risk Area by scaling measurements from the 1:2000 Flood Risk Maps.
5. For greater certainty, as required, the Development Officer shall scale dimensions from the Airport Zoning Regulations Map.

TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b

Schedule 1

Roles and responsibilities

2.0 ROLES AND RESPONSIBILITIES

2.1 DEVELOPMENT OFFICER

1. According to Section 52 of the Community Development and Planning Act, Council shall appoint a Development Officer.
2. The Development Officer is hereby responsible for the administration and enforcement of this bylaw pursuant to Part 4 of the Community Planning and Development Act and has the authority
3. In the performance of their duties the Development Officer shall:
 - a) receive and process all Development and Building Permit applications pursuant to this bylaw;
 - b) issue all Development and Building Permits pursuant to the procedures outlined in this bylaw;
 - c) carry out all necessary site and structure inspections with regard to the issuance of Development and Building Permits or appoint a qualified agent to carry out such inspections;
 - d) approve and issue permits that satisfy the regulations for a permitted use;
 - e) post a Notice of Decision on all applications;
 - f) act as the Town Building Inspector and perform such duties as required by this bylaw; and
 - g) carry out other such duties as may be prescribed in this bylaw.
4. The Development Officer may relax the development regulations of this bylaw in accordance with Section 3.9.
5. The Development Officer shall keep and maintain for inspection by the following official documents:
 - a) a copy of the bylaw and all amendments thereto,
 - b) a register of all applications for development, including the decisions therein and the reasons therefore,
 - c) a copy of the Aeronautics Act and the Hay River Airport Zoning Regulations; and,
 - d) a copy of the detailed, up to date, 1:2,000 flood risk mapping.

2.2 TOWN COUNCIL

1. The function of the Town Council with respect to this bylaw shall be to:
 - a) appoint a Development Officer;
 - b) make decisions and recommend conditions on Discretionary Uses;
 - c) review and make decisions on applications for rezoning and/or other amendments to this Bylaw; and

TOWN OF HAY RIVER - ZONING AND BUILDING BYLAW

Bylaw No. 2444-22b

Schedule 1

Roles and responsibilities

- d) review and render decisions on development applications presented to it by the Development Officer, keeping in mind the regulations of this bylaw and the General Plan.

2.3 DEVELOPMENT APPEAL BOARD

1. The Development Appeal Board will hear appeals regarding the decisions of a Development Officer or Council.
2. Council shall appoint a Development Appeal Board in accordance with the provisions of Section 30 of the Community Planning and Development Act. The following applies:
 - a) The Board shall consist of at least five members.
 - b) No more than one Council member shall be appointed to the board
 - c) No employee of the Municipality, official or servant of Council shall be appointed a member.
 - d) One member shall be elected to be a Chairperson.
 - e) A Council member who participated in a decision made by Council as a development authority or subdivision authority may not hear an appeal of that matter.
3. Three members present at a meeting shall constitute a quorum. Notwithstanding a vacancy on the Board, the remaining members may exercise and perform duties of the Board, provided a quorum is maintained.
4. The Board may meet as frequently as is necessary but it shall meet within 30 days after an application for appeal has been made to it.

2.4 SECRETARY TO THE DEVELOPMENT APPEAL BOARD

1. The office of the Secretary to the Development Appeal Board is hereby established, which, unless otherwise appointed by resolution of Council, shall be the Senior Administration Officer of the Town of Hay River.
2. The Secretary to the Development Appeal Board shall not be a member of the appeal board nor will the Secretary in any case be the Development Officer.
3. The Secretary, under the direction of the Development Appeal Board, shall be responsible for ensuring that appeal applications are managed according to the Planning and Development Act. This will include administering applications, communicating with the Board, maintaining records, preparing notices, managing hearings, and any other duties deemed necessary by the Development Appeal Board.

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3.0 GENERAL ADMINISTRATIVE CLAUSES

3.1 EFFECTIVE DATE OF BYLAW

1. This bylaw shall come into effect upon third reading thereof.

Application in Process

2. An application for a development or building permit which is received in its complete and final form prior to the effective date of this bylaw shall be processed and any permit issued shall be in accordance with Bylaw No. 1812, as amended, and the regulations thereto, as applicable.
3. An application to amend Bylaw No. 1812, which has been received by the Development Officer in a complete and final form in accordance with the requirements of Bylaw No. 1812, prior to the effective date of this bylaw; may, notwithstanding any additional application or procedural requirements of this bylaw, be considered and adopted without reapplication or reconsideration as an application to zone to the equivalent zone of this bylaw.

3.2 APPROVAL REQUIRED FOR DEVELOPMENT

1. For the purpose of this bylaw, "Development" shall refer to those considerations listed under the definition of "Development".
2. Excluding the developments listed in Section 3.3 below, no development shall be undertaken, occupancy granted, use commenced, structure moved, building erected or demolished, or utility connection approved without the necessary permits having been obtained pursuant to this bylaw.

3.3 DEVELOPMENT PERMIT EXEMPTIONS

1. No development permit is required under this bylaw for the developments listed in this section provided that such developments shall comply with all other regulations of this bylaw which are applicable.
2. The following is considered permitted development for which no permit is required:
 - a) the carrying out of works of maintenance or repair to any building, if such works do not increase any dimensions of the original building or structure;
 - b) the completion and/ or use of a building which is lawfully under construction at the date of approval of this bylaw provided that the building is completed in accordance with the terms of the permit granted by the Development Officer, and subject to the conditions to which that permit was granted;
 - c) the erection, location, or construction of temporary buildings, works, plant or machinery needed in connection with construction operations for which a Development Permit has been issued, for the period of those operations;

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- d) the maintenance and repair of public works, services and utilities carried out by or on behalf of the municipal authority on land which is publicly owned or controlled;
- e) the keeping of animals in a residential lot subject to the provisions of Section 6.13 Animal Regulations; and
- f) the landscaping, or similar work, on any property provided that such work is not within a Sight Triangle as described in Section 5.5.

3.4 SIMILAR USES

1. The Development Officer may determine whether or not a specific use of land or a building that is not provided for in the bylaw with respect to any zone is similar in character and purpose to another use of land or a building that is included in the list of uses presented for that zone. Any such similar use shall be considered a discretionary use and will be approved by Council.

3.5 NON-CONFORMING BUILDINGS, STRUCTURES, AND USES

1. Non-conforming uses of land or of a building may be continued, pursuant to Sections 26, 27, 28 and 29 of the Planning and Development Act.
2. A non-conforming use of buildings or land may be continued but if that use is discontinued for a period of one year or more the future use shall conform to this bylaw.
3. If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the approved Zoning and Building Bylaw.
4. A non-conforming use of part of a building may be extended throughout the building, but the building, whether or not it is a non-conforming building shall not be enlarged, moved, or added to.
5. A non-conforming use is not affected by a change of ownership, tenancy or occupancy of the land or building.

3.6 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. An application for a permit may only be made by a person with a legal or equitable estate or interest in the property sought to be developed or a person duly authorized by him/her in that regard.
2. Where an applicant is other than the owner, the owner's written consent must be submitted with the application.
3. An application for a development permit shall be made by submitting the appropriate forms to the Development Officer, which shall be subject to any minor amendments the Development Officer may make.
4. Every application for a development permit shall:

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- a) provide a detailed statement of the proposed uses for the property and buildings in question;
 - b) include site plans in duplicate at a scale not less than 1:1000 showing any or all of the following, if applicable:
 - i. all legal dimensions of the lot(s)
 - ii. the location and dimensions of all existing buildings, structures, or uses on the lot(s);
 - iii. a site plan showing the location, dimensions, and yard setbacks of all surrounding lots, buildings, and/ or structures;
 - iv. A site grade plan to ensure adequate drainage so that there will be no free flow of water onto adjacent properties (other than through a drain, ditch, or swale) and showing the location of all proposed structures to manage drainage including connections to existing storm mains, ditches, rock sumps, design elevations and or/storm water interceptors.
 - v. plans and elevations of all proposed buildings showing dimensions with specifications and notes of materials used;
 - vi. proposed front, rear, and side yard setbacks;
 - vii. proposed lot coverage, lot areas, and floor areas;
 - viii. proposed servicing scheme and its relationship to the Town of Hay River's existing and/ or proposed servicing plans if relevant;
 - ix. the location and dimensions of any existing or proposed driveways, entrances and exits, parking areas (showing individual stalls), on-site loading areas, pedestrian walks, and landscaping;
 - x. the location of outdoor fuel storage facilities;
 - xi. the location of any easements affecting the site;
 - xii. a landscaping plan;
 - xiii. anticipated scheduling and sequence of development; and
 - xiv. mechanisms by which conformance to the bylaw will be ensured such as normally achieved through a combination of caveats, easements, service agreements and performance bonds.
5. The Development Officer may also require any of the following:
- a) a reclamation plan for aggregate extraction or other major surface disturbance;
 - b) a level one and/ or level two environmental site assessment conducted according to Canadian Standards Association (CSA) guidelines to determine potential contamination and mitigation.

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- c) a level one and/ or level two environmental site assessment conducted according to Canadian Standards Association (CSA) guidelines to determine potential contamination and mitigation; or
- d) an assessment of the agricultural classification of the land.

3.7 DEVELOPMENT PERMIT APPLICATION FEES

1. All applications for a Development Permit will be accompanied by non-refundable fees in accordance with the Fees and Charges Bylaw No. 2431, as amended or replaced from time to time.

3.8 CONDITIONS OF APPROVAL FOR DEVELOPMENT PERMITS

1. The Development Officer may impose, with respect to a Permitted Use, such conditions as are required to ensure complete compliance with this bylaw.
2. Council will review all Discretionary Use applications and may impose conditions that are deemed appropriate to ensure complete compliance with the regulations of this bylaw and the provisions of the Community Plan
3. A condition may impose a time limit on the development or use.
4. The Development Officer may, as a condition of issuing a development permit, require the applicant to make satisfactory arrangements for the supply of water, electric power, sewer service, vehicular and pedestrian access, or any of them, including payment of the costs of installation or constructing any such utility or facility by the applicant.
5. The Development Officer may, as a condition of issuing a development permit, require the applicant to provide evidence of compliance with any other relevant federal, territorial, or municipal legislation.
6. The Development Officer may, as a condition of issuing a development permit require that an applicant enter into an agreement or an interim agreement, which shall be attached to and form part of such development permit, to do all or any of the following:
 - a) to construct, or pay for the construction of, a public roadway required to give access to the development;
 - b) to construct, or pay for the construction of a pedestrian walkway;
 - c) to specify the location and number of vehicular and pedestrian access points to sites from public roadways;
 - d) to install, or pay for the installation of, utilities that are necessary to serve the development;
 - e) to construct or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities; or
 - f) to repair or reinstate, or to pay for the repair or reinstatement, to original condition, any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site.

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7. The Development Officer may require any agreement entered into pursuant to Section 3.8(6) above to be caveated against the title.
8. The Development Officer may stipulate that they will inspect the development at certain stages of construction, in which case the permittee shall not proceed with the next stage until the preceding stage is inspected and approved.
9. No change in plans, use of site, or methods of construction shall be undertaken unless and until such change is approved in writing by the Development Officer.

3.9 RELAXATION OF REGULATIONS

1. The Development Officer may approve a development application that does not fully conform with this bylaw by granting a variance to relax the regulations.
2. A relaxation may be granted as long as the Development Officer is satisfied that the development will not detract from the use, enjoyment or value of neighbouring lands and that denying the variance application would cause the applicant unnecessary hardship unique to this site.
3. A relaxation shall be considered only in cases of unnecessary hardship or practical difficulties unique to the use, character, or situation of land or a building which are not generally common to other land in the same zone.
4. A relaxation may be granted if, in the opinion of Development Officer or Council:
 - a) the site has irregular lot lines or is a size or shape that presents challenges to development;
 - b) the terrain, topography or grade make it difficult to adhere to the regulations of this bylaw;
 - c) the site has natural features such as rock outcrops or vegetation that make development difficult; or
 - d) an error has occurred in the siting of a structure during construction.
5. A relaxation shall not be granted to building height, density regulations and parking requirements unless otherwise stated in this bylaw.
6. To be approved, a relaxation must conform to the general purpose of the zone and the policies of the Community Plan.
7. The Development Officer may relax regulations of development in accordance with the following:

DEGREE OF RELAXATION		
	RESIDENTIAL ZONES	OTHER ZONES
Front Yard	10%	No Relaxation
Side Yard	20%	10%
Rear Yard	10%	10%

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8. Any further relaxation, greater than the allowances identified above, shall only be granted by Council.
9. The Development Officer may permit a development in any zone on a lot which is substandard with respect to width, depth, or area provided that:
 - a) such lot was legally registered and existing at the date of commencement of this bylaw; and,
 - b) that the development is otherwise in accordance with the regulatory requirements of the zone.

3.10 BUILDING PERMIT SUBMISSION REQUIREMENTS

1. An application for a building permit shall be made using the appropriate form for the construction, repair, reconstruction, addition to, or structural alteration of any building, structure or use described in the National Building Code of Canada.
2. All applications for a building permit for buildings, structures or uses described in Part 9 of the National Building Code of Canada, shall be accompanied by drawings that include the following:
 - a) The proposed floor plans of all buildings or structures;
 - b) A site plan detailing all legal dimensions;
 - c) The location and dimensions of all existing buildings, structures or uses on the lot;
 - d) Elevations showing finish materials of all buildings and associated structures; and
 - e) Building sections showing construction assemblies, materials, and dimensions.
3. All applications for a building permit for buildings, structures or uses described in Part 3 of the National Building Code of Canada, shall be accompanied by a complete set of construction documents including drawings and specifications certified by a Professional Engineer or Architect licensed to practice in the Northwest Territories as to conformance with the National Building Code.
4. Every application for a building permit shall be accompanied by a fee related to the building area and type of construction.

3.11 DECISIONS ON APPLICATIONS

1. An application shall, at the option of the applicant, be deemed to be refused if a decision of the Development Officer, with respect to a Permitted Use, or Council, with respect to a Discretionary Use, has not been made within forty days of the receipt of the application.
2. The applicant may request confirmation in writing from the Development Officer or designate that the application has been received.
3. The Development Officer shall within thirty days process such application for a development permit and issue a notice of decision stating that the application has been approved subject to such conditions, if any, as may be required (including any zoning regulation relaxation that has been granted), or that it has been refused for such reasons as may be specified.

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4. All permits shall be issued by the Development Officer, including permits for discretionary uses and permits containing relaxations once they have been approved by Council.
5. The permittee shall keep copies of the approved plans and specifications available for inspection on the lot by the Development Officer.
6. When making a decision about a Discretionary Use, the criteria in the following table will be considered. The table is not meant as an exhaustive list, and other criteria not listed in the table may be considered.

Issue	Consideration
Design and character	Compatibility of the proposed use with existing uses and the character of the surrounding area. Similarity of size and design to neighbouring properties and uses.
Parking and traffic	Provision of off-street parking or increase in traffic volume or change in traffic makeup.
Impact on neighbouring properties	<ul style="list-style-type: none">• Effect on airborne emissions, odors, smoke• Noise and light impacts• Other health and safety impacts• Sun shadow and wind effects• Hours of operation, compared to existing neighbouring uses• Impact on existing and potential developments in surrounding area• Effect on the amenity of the surrounding area, including views, general atmosphere• Social and economic impact on the community• Benefits to the surrounding area including providing services and Amenities
Mitigation of impacts	Provision of landscaping, screening, buffer zones or other methods to mitigate potential impacts.
Capacity of infrastructure	Ability of infrastructure to support the proposed use, including vehicle and active transportation infrastructure, waste collection, water and sewer, electricity and communications infrastructure, parks, schools, school buses, community facilities.
Plans and policies	<ul style="list-style-type: none">• Consistency with intent and policies of Community Plan.• Compatibility with the general intent of the Zoning Bylaw and the purpose statement for the specific zone.• Compatibility with any other Town of Hay River plans or policies.
Public submissions	Input from individual residents, groups, and other orders of government.

3.12 VALIDITY OF PERMIT

1. When an application for a development or building permit has been approved by the Development Officer, the development permit shall not be valid unless and until:
 - a) any conditions of approval, other than those of a continuing nature, have been fulfilled; and

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- b) no notice of appeal from such approval has been served on the Development Appeal Board within the 14-day appeal period pursuant to Section 61(4) in the Planning and Development Act.
- 2. Where an appeal is made to the Development Appeal Board, the Development Permit shall not come into effect until the Board has made a decision to confirm, reverse or vary the decision of the Development Officer, pursuant to Section 69 of the Act.
- 3. When an application for a development permit has been approved by the Development Appeal Board, it shall not be valid unless and until:
 - a) the Board has adopted the minutes of its meeting at which the application was approved; and
 - b) any conditions of approval, other than those of a continuing nature, have been fulfilled.
- 4. If the Development Appeal Board is served with notice of an application for leave to appeal its decision, subject to Section 50 of the Planning and Development Act, such notice shall suspend the development permit.
- 5. The final determination of an appeal shall reinstate, revoke, or amend as the case may be, a development permit suspended under subsection (3), above.

3.13 EXPIRY OF PERMIT

- 1. A development permit shall become void if the development has been discontinued for a period of twelve months or has not been actively carried on for a period of twelve months.
- 2. If development authorized by a development permit is not commenced, and thereafter carried out with reasonable diligence, within twelve months from the date of its issue, such permit ceases to be valid, provided that, if the permit holder is unable to proceed pending a court decision involving the proposed development, time shall not run until such proceedings are finally completed.
- 3. A building permit is valid for the period of time during which the site has a valid development permit.
- 4. If construction authorized by a building permit is not commenced, and thereafter carried out with reasonable diligence, within three months from the date of its issue, such permit ceases to be valid, provided that, if the permit holder is unable to proceed pending a court decision involving the proposed development, time shall not run until such proceedings are finally completed.
- 5. The Development Officer may extend the above periods, at their discretion, upon application for a period of not greater than six months. Such a period of extension may only be granted once and thereafter the permittee shall be required to apply for another development or building permit.
- 6. Where a development permit is issued for a site where any other valid development permit has been issued, it shall invalidate any previous permit if the physical aspects of the developments conflict, or both could not occur simultaneously upon the site in conformity with the regulations of this bylaw.

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7. When a development permit becomes void, a new application for a permit is required before development may proceed. Such application shall be dealt with as if it were a first application and there shall be no obligation to approve such application.

3.14 CONDITIONS OF OCCUPANCY

1. No building shall be occupied or put to the use for which the development and building permit is issued unless and until the final inspection is carried out and a Development Permit - Occupancy for the building or premises has been authorized by the Development Officer.
2. For all buildings, structures or uses described in Part 9 of the National Building Code of Canada, the final inspection shall be carried out, as per the terms of the building permit, by the Development Officer or Building Inspector.
3. All other buildings, structures or uses, as described in the National Building Code of Canada, shall require the final inspection to be carried out by a Professional Engineer registered to practice in the NWT, under the terms of the building permit.

3.15 RESUBMISSION INTERVAL

1. When an application is refused by the Development Officer, and in the case of an appeal, refused by the Development Appeal Board, another application on the same site for the same use or occupancy and by the same or any other applicant shall not be accepted by the Development Officer for at least six months after the date of the previous refusal.

3.16 SUBMISSIONS TO DEVELOPMENT APPEAL BOARD

1. A person whose application for a Development Permit is refused, or who is approved for a Development Permit subject to a condition that they consider to be unreasonable, may appeal the refusal or the condition to the Development Appeal Board pursuant to Section 61 of the Planning and Development Act.
2. The Planning and Development Act sets out the timelines, submission requirements, notice requirements, hearing process and decision-making process for the Development Appeal Board.

3.17 ENFORCEMENT AND PENALTIES

1. Pursuant to Section 77 of the Planning and Development Act, a person who undertakes or allows development without a Development Permit, or fails to comply with conditions of a Development Permit, is guilty of an offence and is liable, on summary conviction, to a fine.
2. Pursuant to Section 78 of the Planning and Development Act, a person who is guilty of an offence and is liable on summary conviction is subject to a fine as following:
 - a) in the case of a corporation, to a fine not exceeding \$100,000 and to a further fine not exceeding \$5,000 each day or part of a day during which the offense continues; and

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- b) in the case of an individual, a fine not exceeding \$5,000 and to a further fine not exceeding \$1,000 each day or part of a day during which the offence continues, or
 - c) to imprisonment for a term not exceeding six months in default of payment of the fine.
- 3. The Planning and Development Act Sections 77 and 78 provide more information about offences and punishment.

3.18 RIGHT TO ENTER

- 1. Pursuant to Section 54 of the Act, a Development Officer may, for the purposes of inspection in relation to compliance with the Planning and Development Act, the regulations, or this Bylaw, may enter any land or building at any reasonable time to carry out the inspection. The Development Officer shall not enter the occupied portion of a dwelling without the consent of the occupier or the authority of a warrant.
- 2. Where a person fails or refuses to comply with an order to permit entry upon the land or building, they shall be guilty of an offence as defined under Section 57 of the Planning and Development Act and be liable to a fine or to imprisonment.

3.19 SUSPENDING OR REVOKING A DEVELOPMENT PERMIT

- 1. If a development is not being carried out or completed as approved then the Development Officer may suspend or revoke the Development Permit. Written notice stating that the development permit has been suspended or revoked will be served in person or sent by registered mail to the owner and/or occupant of the property affected, and to any contractor engaged in the work.
- 2. The notice must comply with Section 57 of the Planning and Development Act and should:
 - a) state the grounds for the suspension or revocation; and
 - b) state the conditions that must be met for a suspended development permit to be reinstated.
- 3. Council, if informed of the contravention of this by-law, or on its own initiative without such information, may authorize that action be taken to enforce this bylaw. Such action may include an application to the court for an injunction or other Order to restrain the contravention.

3.20 BYLAW AMENDMENTS

- 1. Any person applying to amend any part of this bylaw shall apply in writing to the Development Officer, furnishing reasons in support of the application, requesting that the Development Officer submit the application to Council. All applications to amend this bylaw shall require the completion of the appropriate form and be accompanied by shall be accompanied by a fee that shall be charged and collected in accordance with the Fees and Charges Bylaw No. 2431, as amended or replaced from time to time.
- 2. All applications to amend any part of this bylaw, except those initiated by Council or the Development Officer, shall be accompanied by a non-refundable fee which shall be charged and collected in accordance with the Fees and Charges Bylaw No. 2431.

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3. If a person applies to Council, in any manner, for an amendment to this bylaw, Council shall require him to submit his application to the Development Officer in accordance with the provisions of this section before it considers the amendment proposed by such person.
4. Notwithstanding anything contained in this section an application for a proposed amendment to any section of this bylaw which has been rejected by Council within the previous 12 months shall not be accepted.

Zoning Amendments

5. Any person applying to amend the bylaw shall submit a completed application form to the Development Officer containing the following:
 - a) a recent certificate of title indicating ownership and other interests;
 - b) the applicant's name, address and interest in the property;
 - c) the appropriate application fee required; and
 - d) a brief written statement by the applicant in support of his application, and his reasons for applying.
6. Upon receipt of an application for a rezoning amendment, the Development Officer shall initiate or undertake an investigation and analysis of the potential impacts of development under the proposed zone. In this regard, the Development Officer shall seek the opinion of a Professional Community Planner. The analysis shall be based upon the full development potential of the uses and development regulations specified in the proposed zone and not on the merits of any particular development proposal. The analysis shall, among other things, consider the following factors:
 - a) relationship to and compliance with the Community Plan and Council policies;
 - b) relationship to and compliance with authorized plans and schemes in preparation;
 - c) compatibility with surrounding development in terms of land use function and scale of development;
 - d) traffic impacts;
 - e) relationship to, or impacts on, services such as water and sewage systems and other utilities and public facilities such as recreational facilities and schools;
 - f) relationship to municipal land, right-of-way or easement requirements;
 - g) effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area;
 - h) necessity and appropriateness of the proposed zone in view of the stated intentions of the applicant;
 - i) relationship to the documented concerns and opinions of area residents regarding the application; and
 - j) the suitability of the land for the proposed zone.

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Amendment Process

7. In reviewing and processing amendment applications the Development Officer shall:
 - a) examine the proposed amendment;
 - b) prepare a written report on the proposed amendment; and
 - c) advise the applicant in writing that the Development Officer:
 - i. is prepared to recommend the amendment to the council without further investigation, or
 - ii. is not prepared to recommend the amendment, or
 - iii. requires further investigation to make a recommendation, or
 - iv. is prepared to recommend an alternative amendment.
8. Upon receiving the advice of the Development Officer, the applicant shall advise the Development Officer if the applicant:
 - a) wishes the proposed amendment to proceed to Council, in which case he must prepay the advertising costs and any costs incurred by the Town to this point prior to the amendment proceeding to Council; or
 - b) does not wish to proceed to Council with the proposed amendment, in which case the application is considered abandoned.
9. If requested by the applicant, the Development Officer shall submit the proposed amendment to Council, accompanied by the report of the Development Officer, including the comments of the Professional Community Planner.
10. As soon as reasonably convenient, the Development Officer shall submit his recommendation on the proposed amendment to Council, accompanied by the results of his analysis and any other relevant material, if any, and Council shall then consider the proposed amendment.
11. The Development Officer, in his discretion, may present for the consideration of Council any proposed amendments to this bylaw on his own initiative, and the proposed amendment shall be accompanied by the report and recommendation of the Development Officer.
12. Council in its discretion, may initiate any amendment to this bylaw, and prior to the approval of any amendment, Council shall refer the proposal to the Development Officer for his report and recommendation.

Notification of Amendments

13. After giving a proposed bylaw amendment first reading and before giving it second reading, Council shall, in compliance with the Section 129 of the Cities, Towns and Villages Act, direct the Development Officer to prepare at public notice describing the pending amendment.

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14. The public notice shall be shared according to Section 165 of the Cities, Towns and Villages Act. The notice can be shared at least once in a local newspaper normally circulating within the Town, advertised on the radio for three consecutive days, posted in five public locations, or mailed to each of the municipality's residents.
15. The notice shall also be dispatch by ordinary mail to:
 - a) the applicant;
 - b) the owners of the land subject to the proposed rezoning amendment; and
 - c) each assessed owner of land, wholly or partially within a distance of 60 m (200 ft) of the boundaries of the site which is the subject of the amendment.
16. During any cessation of ordinary mail delivery, the notice to those described in subsection 14 (a) and (b) shall be given by such other alternative means as the Development Officer may specify, and the notice to those described in subsection 14 (c) shall be provided in the newspaper only.
17. The official notice described in Section 3.17(14) shall state:
 - a) the purpose for which Council proposes to pass the amendment;
 - b) the place or places, one of which shall be the office of the municipality, where a copy of the proposed bylaw amendment may be inspected by the public during office hours; and
 - c) the time and place at which Council will hold a public hearing on the amendment, which shall not be less than 10 days after the posting or the last publication of the official notice, as the case may be.
18. Where, in the opinion of the Development Officer, any proposed amendment is likely to affect other owners of land, they shall notify owners of land beyond 60 m (200 ft) at such additional distance and direction from the site as, in his opinion, may experience any impact attributable to any development allowed under the proposed zone.
19. 20. Proposed amendments to this bylaw are subject to the requirements and procedures set out in Sections 77 to 80 of the Cities, Towns and Villages Act.

4.0 DEFINITIONS

For the purpose of this bylaw certain terms or words herein shall be interpreted or defined as follows:

ABATTOIR means an establishment where animals are slaughtered and/ or processed within an enclosed building. This definition does not include a feed lot or other intensive forms of livestock holding and feeding.

ABUT OR ABUTTING means immediately contiguous to, or physically touching, and when used with respect to lots or sites, means two that share a common property line or border.

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ACCESSORY BUILDING means any building which is separated from the principal building on the lot on which both are located and the use of which is normally subordinate and incidental to that of the principal building, and without restricting the generality of the foregoing includes a “private garage”.

ACCESSORY USE means a use of a building or lot which is normally subordinate incidental, and exclusively devoted to the principal use of the building or lot.

ACT means the Community Planning and Development Act of the NWT 2011 and as amended.

AMENITY means an aesthetic or other physical characteristic or facility that enhances the desirability of an environment. Amenity may include recreational or cultural facilities, a unified building design, views, landscaping, tree preservation or generally attractive site design.

AMENITY AREA, PRIVATE OUTDOOR means an amenity area which shall be provided subject to regulations of this bylaw but which must be developed for the active or passive recreation and enjoyment of the residents of a specific dwelling and which immediately adjacent to and directly accessible from the dwelling unit it is intended to serve.

APIARY means a place where hives, parts of hives, or bee containers are kept, for the purpose of keeping bees for the cultivation of honey.

AUCTIONEERING ESTABLISHMENT means development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment.

AVIATION BULK FUEL STORAGE means lands, buildings and structures for the storage and distribution of fuels, oils, propane and other petroleum for use in aircraft and associated vehicles.

BASEMENT

- a) means the portion of the building or structure which is wholly or partially below grade, having above grade no more than 6 feet of its clear height which lies below the finished level of the floor directly above.
- b) means storey or stories of a building located below the first storey.

BED AND BREAKFAST means a minor and ancillary/subordinate commercial use of a residence where accommodation is provided for periods of fourteen days or less in three or fewer guest rooms.

BREWERIES AND DISTILLERIES, MAJOR means the brewing or distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume. The public tasting and retail sale of alcoholic product is limited to that which is produced on-site. This also includes Breweries and Distilleries, Minor.

BREWERIES AND DISTILLERIES, MINOR means the brewing or distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume. The public tasting and retail sale of alcoholic product is limited to that which is produced on-site. All processes, functions, and mechanical

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equipment associated with the use must be contained indoors, and are limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public.

BUILDING means any structure, erection, stockpile, sign or fixture, that may be built or placed on land.

BUILDING PERMIT means a certificate or document authorizing construction on a building project to begin.

CANNABIS means any part of a cannabis plant or related substances as regulated by the Cannabis Act of Canada and Cannabis Products Act of the Northwest Territories.

CANNABIS PRODUCTION means to obtain cannabis by any method or process as defined by the Cannabis Act of Canada which includes manufacturing; synthesis; altering its chemical or physical properties by any means; or cultivating, propagating or harvesting it or any living thing from which it may be extracted or otherwise obtained.

CANNABIS SALE means to offer cannabis for sale, expose for sale, or have in possession for sale.

CANOPY means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.

CANOPY SIGN see SIGN, CANOPY.

CARPORT means a roofed structure used for storing or parking of not more than two private vehicles which has less than 40% of its total perimeter open and unobstructed.

CARETAKER UNIT means a single residential unit forming part of a development and used solely to accommodate an employee or a person or household whose official function is to provide surveillance, maintenance and/or security for a development provided for in the land use districts in which caretaker units are listed as a discretionary use.

CHANNEL is defined as a natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water. The top of the banks form the dividing lines between the channel and the flood plain.

CHATTEL means a movable item of personal property.

COLD STORAGE LOCKER means a building in which space in individual lockers is rented or otherwise made available for the storage of frozen food.

COMMON AREA means the part of the mobile home park that is used by all residents, such as streets, playground, walkways, and other areas for public use.

COMMERCIAL SCHOOL means a development for instruction and education which is not maintained at public expense and which may or may not offer courses equivalent to those offered at publicly supported education facilities or private instruction as a home occupation.

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CORNER LOT see LOT, CORNER.

CORRECTIONAL FACILITY means the confinement or safe custody of persons so confined as the result of legal process. Includes detention centres.

COUNCIL means the Council of the Town of Hay River.

CROP, CEREAL means the growing of grain suitable for food.

CROP, FORAGE means the growing of fodder suitable for consumption by farm animals.

DAY CARE FACILITY means a facility where day care is provided not within the private residence of the operator; as licensed by the Government of NWT and regulated under the Child Care Act.

DENSITY means a quantitative measure of the average number of persons, families or dwelling units per unit of area.

DESIGN FLOOD is defined as:

- a) a 100 year flood;
- b) a flood having a return period greater than 100 years;
- c) a recorded flood having water surface elevations equal to or exceeding those of the 100 year flood; or
- d) a flood what would result from a specified input yielding water surface elevations equal to or exceeding those of the 100 year flood.

DESIGN FLOOD LEVEL is defined as the elevation at which the design flood for each site not less than the 1 in 100 year event, as determined by the Flood Damage Reduction Program's Technical Committee. It may also be referred to as the flood protection level.

DEVELOPER means an owner, agent or any person, firm or company required to obtain or having a development permit.

DEVELOPMENT means the carrying out of construction, excavation, demolition, moving or other operations in, on, over or under land, or the making of any change in the use or in the intensity of use of any land, building or premises and for the avoidance of doubt and without restricting the generality of the foregoing includes:

- a) in a building or on a lot used for dwelling purposes, any occupancy of the building or on the lot;
 - i. in a building or on a lot used for dwelling purposes, any increase in the number of families occupying and living in the building or on the lot, and any alterations or additions which provide for an increase in the number of dwelling units within the building or on the lot;

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- ii. in a building or on a lot used for other than dwelling purposes, any alterations or additions which increase the capacity of the building or parcel or which provide for an increase in the intensity of use of the building or lot;
- iii. in a building or on a lot used for dwelling or other purposes, any installation or connection of public utilities;
- iv. the deposit of debris, waste material from building or mining operations or other refuse or unsightly material on any land, including land already being used for that purpose if the surface area or height of any existing deposit is thereby extended;
- v. the removal of topsoil;
- vi. the recommencement of the use to which land or buildings have been previously put if that use has been discontinued for a period of more than six months;
- vii. the use for storage purposes, or for the repair of motor vehicles or other types of machinery, of land that was hitherto not used at all;
- viii. the use of or the more intensive use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks or any other type of portable building whatsoever whether or not the same has been placed on foundations or affirmed to the land in any way; and
- ix. any other change in use whatsoever including the demolition of any existing structures.

DEVELOPMENT APPEAL BOARD means the Development Appeal Board appointed by resolution of Council to fulfil the duties of this bylaw.

DEVELOPMENT OFFICER means any person appointed as such by resolution of Council and responsible for the administration of this bylaw, and shall also include any person acting as such from time to time appointed by Council.

DEVELOPMENT PERMIT means a certificate or document authorizing a specified development and includes, where applicable, a plan or drawing or set of plans or drawings, specifications or other documents. This permit is separate and distinct from a Building Permit.

DISCRETIONARY USE means a use of land or buildings provided for in this bylaw, for which a development permit may be issued by Council with or without conditions.

DRIVE-IN BUSINESS means an establishment which services customers travelling in motor vehicles driven onto the site where such business is carried on, where the customer normally remains in the vehicle for service.

DWELLING means any building used primarily for human habitation.

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DWELLING UNIT means a building or portion thereof designed for or used exclusively as a residence or living quarters (usually containing constructed as including eating, sleeping, cooking, and toilet sanitary facilities) for one household.

EATING AND DRINKING ESTABLISHMENTS means a retail food or drink establishment where prepared foods and beverages, including alcoholic beverages, are offered for sale to the public, for consumption on or off the premises. This includes neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch counters and take-out restaurants. This does not include drive-thru services.

EATING AND DRINKING ESTABLISHMENTS, DRIVE-THRU means an eating or drinking establishment that serves patrons directly to motor vehicles through a service window; and as such require a driveway to accommodate vehicle stacking.

EMERGENCY SHELTER means a facility that provides transitional housing or temporary accommodation for people in need of shelter as its primary use. Supportive uses may also include offering health, education, or food services. Emergency shelters may be used to assist a range of populations including but limited to those experiencing domestic violence or homelessness; they also may include sobering facilities but do not include health care facilities for addictions treatment.

EQUAL DEGREE OF ENCROACHMENT is defined as a standard applied in determining the location of encroachment limits so that the flood plain lands on all sides of a watercourse/waterbody are capable of conveying/storing a proportionate share of the flood water. This is determined by considering the effect of encroachment on the hydraulic efficiency of the flood plain along both sides of a watercourse or along the shoreline of a waterbody for a significant reach. In flood risk areas designated on the Flood Risk Map, the maximum encroachment permissible is defined as that which will cause a 30 cm rise in the elevation of the design flood were the flood plain was not developed. Equal degree of encroachment is necessary to provide an equal opportunity for owners of flood prone land to develop their property.

EXCAVATION means any breaking of ground, except common household gardening and ground care.

EXISTING refers to uses, structures, or other items that were approved and lawfully constructed or under construction at the effective date of this bylaw.

FAMILY DAY HOME means a day care facility where the day care is provided within the private residence of the operator; as licensed by the Government of NWT and regulated under the Child Care Act. These are considered a home occupation.

FARMING means the extensive cultivation of land, which may include including the keeping of animals, including horse, cattle, sheep, hog, and poultry but does not include intensive farms or horticulture 'market gardening'.

FARMS, INTENSIVE means farming that includes the rearing and feeding of livestock for commercial or experimental purposes and market gardening, without restricting the generality of the foregoing includes feedlots, livestock operations, fish farms, fur farms, plant nurseries, and beekeeping.

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FARMS, NON-COMMERCIAL means development for small-scale, non-commercial agricultural pursuits ancillary to country residential uses. This shall be developed so that it will not unduly interfere with the general enjoyment of adjacent property. Animals shall be kept for the use or enjoyment of the householder only.

FARMS, NON-INTENSIVE means farming that development for agricultural pursuits that does not include the rearing and feeding of livestock for commercial or experimental purposes.

FENCE means a vertical barrier constructed for the purposes of limiting visual intrusion, sound abatement and to prevent unauthorized access.

FILL is defined as soil, rock, rubble, industrial waste such as slag, organic material or a combination of these that is transported and placed on the natural surface of a soil or rock or organic terrain. It may or may not be compacted.

FINANCIAL INSTITUTION refers to the premises of a bank, trust company, finance company, mortgage company, or investment company.

FIRST STOREY means the uppermost storey having its floor level not more than 2 m above grade. In case of a split level, both floors above grade will be considered the first storey.

FLOOD is defined as a temporary rise in the water level that results in the inundation of areas not ordinarily covered by water.

FLOOD FREQUENCY is defined as the average frequency, statistically determined, for which it is expected that a specific flood level or discharge may be equaled or exceeded.

FLOOD PLAIN is defined as the relatively flat area or low lands adjoining the channel or a watercourse or waterbody which has been or may be covered by flood water.

FLOOD RISK AREA is defined as the area that would be inundated by the design flood.

FLOOD STAGE ELEVATION is defined as the elevation at which overflow of the natural banks of a watercourse or waterbody begins.

FLOODPROOFING is defined as any combination of structural and non-structural additions, changes or adjustments to structures or land which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents to the level of the freeboard elevation.

FLOODWAY is defined as a waterbody or the channel of a watercourse and those portions of the adjoining flood plains which are reasonably required to carry and discharge or contain the design flood. In the floodway water depths are in excess of 1 m (3.3 ft) and velocities are greater than 1 m/second, or where evidence of significant ice shove has been documented.

FLOODWAY FRINGE is defined as that portion of the flood risk area not lying within a floodway which may hereafter be covered by flood waters up to the design flood level. Development of this land will not

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create an excessive hindrance to the hydraulic efficiency of the watercourse. Water depths in the floodway fringe are generally less than 3 feet and water velocities are 3 feet per second or less.

FLOOR AREA of a building means the total floor areas of every room and passageway contained in a building but not including the floor areas of basements, attics, sheds, open porches and breezeways. Basement and attic floor areas shall be included when they contain habitable rooms.

FORESTRY refers to the management, development, and cultivation of timber for commercial or non-commercial purposes.

FREEBOARD is defined as a factor of safety usually expressed in metres above a design flood level; that is, it is the difference between the freeboard elevation and the design flood level. Freeboard is required to compensate for many unknown factors that could contribute to flood stage elevations greater than those calculated for the design flood level. Such factors include but are not limited to ice jamming, wave action, floodway obstructions, and the hydrological effects of urbanization of the watershed.

FREEBOARD ELEVATION is defined as the elevation of the design flood level plus a freeboard of 3 m (10 ft) to the bottom of floor joists or equivalents, and 0.3 m (1 ft) to the top of the first floor level.

FRONTAGE means the length of a street boundary along the front lot line. On double fronting lots, all sides of a lot adjacent to streets shall be considered frontage.

FUNERAL HOME means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment or cremation.

GARAGE, PRIVATE means a building or part of a building designed or used for storage of motor vehicles and which is erected and used as an accessory to a dwelling.

GARAGE, PUBLIC means a building or part of a building other than a private garage used for the storage, care, repair, servicing or equipping of motor vehicles or where such vehicles are kept for remuneration, hire, sale or display.

GARDEN SUITE means a secondary dwelling unit located on a lot where the principal use is single detached housing.

GAS BAR means development used for the retail sale of gasoline, other petroleum products, and incidental auto accessories.

GOLF COURSE means a public or private area operated for the purpose of playing golf and may include an accessory office, retail pro shop, eating and drinking establishment, banquet facilities, driving range, and golf academy. This does not include miniature golf.

GRADE, BUILDING means ground level established for the purposes of regulating the number of storeys and the height of a building. The building grade shall be the level adjacent to the walls of the building if

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the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building.

GRADE, DRAINAGE means the ground elevations established in a drainage plan for a lot attached to the application for a development permit as approved by the Development Officer or Council for the purpose of controlling the flow of surface water on the lot.

GRADE PLAN means a site drainage plan to ensure lot grading for adequate drainage so that there will be no free flow of water onto adjacent properties (other than through a drain, ditch or swale) and showing the location of all proposed structures to manage drainage including connections to existing storm mains, ditches, rock sumps, design elevations and or/storm water interceptors.

GRADE means,

- a) the average elevation of the finished surface of the ground at ground level, excluding an artificial embankment or excavation at the perimeter of a building, measured on any side of a building;
- b) the elevation of the ground surface in its natural state, before man-made alterations; or
- c) on sloping or irregular sites, the angled plane determined by the Development Officer in relation to the above.

GREENHOUSE, COMMERCIAL a building for the growing of flowers, plants, shrubs, trees, vegetables, fruits, and similar vegetation for commercial purposes.

GREENHOUSE, NON-COMMERCIAL a building for the growing of flowers, plants, shrubs, trees, vegetables, fruits, and similar vegetation for non-commercial purposes.

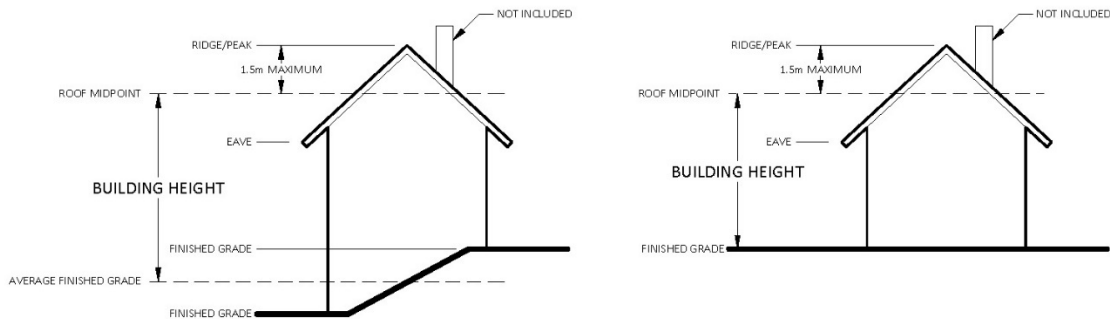
HEIGHT means, when used with reference to a building or structure, the vertical distance between the horizontal plane through the average grade at the front of the building or structure and a horizontal plane through:

- a) the highest point of the roof in the case of a building with a flat roof or a roof having a slope of less than 20 degrees; and
- b) the average level between eaves and ridges in the case of a pitched, gambrel, mansard or hipped roof, or a roof having a slope of more than 20 degrees; provided that in such cases the ridge line of the roof shall not extend more than 1.5 m or 5 ft above the maximum permitted building height of the Zone.

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Roof Slope More that 20 degrees (more than 4:12)



Roof Slope Less that 20 degrees (less than 4:12)

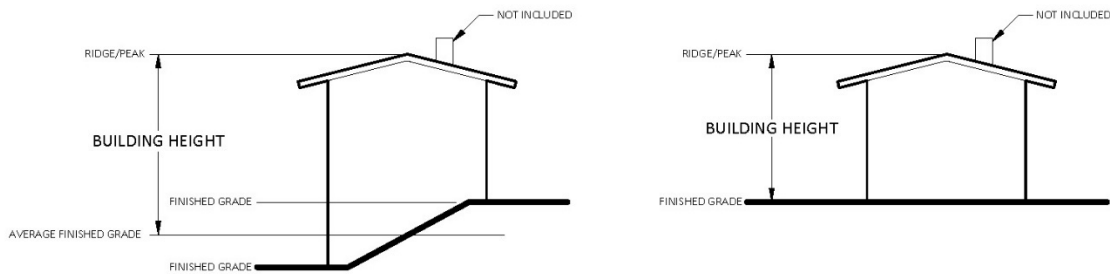


Figure 4.1 - Measuring the height of a roof

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HEALTH SERVICES means those outlined in the NWT Hospital Insurance and Health and Social Services Administration Act of NWT which may include: services for the protection, promotion, and maintenance of physical and mental health (e.g., counselling); services for the prevention, diagnosis, and treatment of illness, disease, and injury (e.g., doctors office, dentist, optometrist, audiology clinic, chiropractic clinic); palliative services (e.g., hospice care); rehabilitative care services (e.g., addictions treatment, physical therapy); insured services (e.g., massage therapy); services in respect to health surveillance (e.g., blood testing lab, imaging clinics).

HIGHWAY includes any common or public road, street, avenue, parkway, driveway, square, bridge, viaduct, trestle or other passageway designed for and intended for use by the general public for the passage of vehicles, but specifically excludes private rights-of-way on private property.

HOME OCCUPATION means an occupation, trade, profession or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building and which does not change the character thereof or have any exterior evidence of such secondary use.

HOSPITAL means a facility that provides one or more health services to in-patients and outpatients.

HOTELS means development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and are not equipped with individual kitchen facilities. Hotels may include accessory eating and drinking establishments, meeting rooms, and personal services shops.

HOUSEHOLD REPAIR SERVICES means repair to goods, equipment and small appliances normally found within the home, including radio, television and appliance repair, furniture refinishing and upholstery shops, but excluding personal services shops.

HOUSING means any residential use consisting of at least one individual dwelling unit.

HOUSING, DUPLEX means a residential building containing two dwelling units of approximately equal floor area each with individual and separate entrances.

HOUSING, MULTIPLE UNIT means a residential building containing three or more dwelling units having shared entrance facilities, in which the dwelling units are arranged in any horizontal or vertical configuration. Multiple housing includes apartments, cottage clusters, and townhouses. Multiple housing can consist of modular type construction.

HOUSING, ROW HOUSING means development consisting of a building containing a row of two three or more dwellings joined in whole or in part at the side only with no dwelling being placed over another in whole or in part. Each dwelling shall be separated from the one adjoining, where they are adjoining, by a vertical party wall which is insulated against sound transmission. Each dwelling shall have separate, individual, and direct access to grade.

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HOUSING, SINGLE DETACHED means development consisting of one detached permanent dwelling, which is separate from any other dwelling or building and for the use of a single household. This definition includes modular or prefabricated housing but does not include mobile homes.

HYDRODYNAMIC PRESSURE is defined as the pressure in a fluid column due to the movement of the fluid.

HYDROSTATIC PRESSURE is defined as the perpendicular pressure to which a submerged plan surface is exposed as a consequence of the weight of a fluid.

INDUSTRY means a use providing for the co-generation, manufacturing, processing, assembling, fabricating, testing, servicing, or repair of materials. May include an ancillary office to administer the industrial use on the lot, and includes wholesaling provided that the merchandise being sold is distributed from the lot, but excludes the processing of livestock.

INDUSTRY, LIGHT refers to an industry use which is wholly enclosed within the building except for parking and loading facilities, and outside storage accessory to the permitted uses, and which in its operation does not ordinarily result in emission from the building of odours, fumes, noise, cinder, vibrations, heat, glare, or electrical interference.

INTERIOR LOT see LOT, INTERIOR.

INTENSIVE LIVESTOCK OPERATION means any confinement livestock facility capable of the confining, rearing, or feeding of a type and quantity of livestock at a given density over a minimum length of time. As defined by the Government of NWT's Guideline for Agricultural Waste Management, intensive livestock facilities are further defined as feedlots or covered facilities of significant investment or permanence, capable of confining a minimum number of livestock at a housing density of not more than 1,000 lbs (455 kg) of live weight per 184 m² (2,000 ft) for growing or finishing for market, dairying, or egg production.

MANURE STORAGE FACILITY means a structure, reservoir, lagoon, catch basin, cistern, gutter, tank, deep pit or bermed area for temporarily containing livestock wastes, until they can be used or properly disposed of.

KENNEL Any premises on which four or more dogs over four months of age are kept. Excludes a veterinary clinic.

LANDSCAPING means to preserve or change the natural features of a site by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, driveways or other structures and materials as used in modern landscaping architecture.

LAND TREATMENT FACILITY means a facility designed and operated for the purpose of restoring and rehabilitating contaminated soil, sediment, snow or other contaminated matter, but excluding medical waste.

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LANE means a public roadway not exceeding 9.5 m in width, which provides a secondary means of access, to an abutting lot.

LIVING SUITE refers to a self-contained dwelling unit located within a single detached dwelling, where both dwelling units are registered under the same land title. Secondary suites are further described in Section 6.10 Living Suites.

LOADING SPACE means an open area used to provide unrestricted access of vehicles to a loading door, platform, or bay.

LOT means an area of land, having fixed boundaries described in either the Certificate of Title, a survey plan registered in the Land Titles Office or a lease document approved by the GNWT and the Town of Hay River and has not been divided into smaller areas by any plan or instrument registered in the Land Titles Office.

LOT AREA means the total area of a lot.

LOT, CORNER means a lot at the intersection or junction of two abutting streets.

LOT COVERAGE means the combined area of all buildings or structures on a lot as a percentage of the total lot area, measured at the level of the lowest storey above grade, including all porches, verandas, decks and balconies whether open or covered but excluding open and enclosed terraces or patios at grade, steps, cornices, eaves and similar projections.

LOT DEPTH means the average horizontal distance between the front and rear lot lines of a lot.

LOT, DOUBLE FRONTING means a corner lot which abuts two public streets, (except alleys or lanes) which are parallel or nearly parallel where abutting the lot.

LOT, FLANKING means a corner lot on which a side boundary is abutting onto a street and where only one front yard setback is required.

LOT, INTERIOR means a lot which is bounded by only one street.

LOT LINES means the legally defined limits of any lot.

LOT WIDTH means the average horizontal distance between the side boundaries or lot lines of a lot.

LOT, THROUGH means a lot other than a corner lot with frontage on more than one street.

MANUFACTURED HOME means a transportable one-storey building providing a single dwelling unit only, constructed in a factory in one or more modules in conformance with CSA Z240 MH Series and is ready for occupancy on completion of installation on a foundation, connection of services, and other set-up in accordance with the manufacturer's installation instructions. Manufactured Homes are sometimes referred to as Mobile Homes or Trailers.

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MANUFACTURED HOME PARK means a lot under single ownership which is managed by an operator and which has been designed for the placement of manufactured homes or manufacture home park lots for non-transient use.

MANUFACTURED HOME PARK LOT means a leasable or rentable portion of land within a manufactured home park that has been reserved for the placement of one manufactured home and its occupants.

MARINA a building, structure, or place containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired, or kept for sale; and where facilities for the sale of marine fuels and lubricants may be provided.

MARKET GARDENING means the cultivation of land for horticultural crops including flowers, plants, shrubs, trees, vegetables, fruits, and similar vegetation but does not include cereal or forage crops, except for the purpose of crop rotation.

MIXED-USE BUILDING means the use of a building for more than one type of land use. Typical mixed-use buildings include a combination of residential and commercial uses.

MIXED-USE DEVELOPMENT means the use of a lot for more than one type of land use. Typical mixed-use development include residential and commercial uses, or commercial and industrial uses on the same lot.

MOBILE HOME is a movable home that originally included its own running gear and was superseded by the modern-day manufactured home in the early 90's.

MODULAR HOME means a factory built single or multiple section single detached dwelling unit constructed to the National Building Code of Canada CAN/CSA-A277 standard, as amended from time to time. Modular homes are designed to be transported to the site and fitted together structurally, mechanically and electrically to form a single structure placed on a permanent foundation.

MOTEL means a group of attached or detached buildings containing individual sleeping or living units, rooms, or cabins designed for or used temporarily by tourists or transients with parking spaces provided conveniently near to each unit and includes also an auto court, tourist court, and a motor lodge. Each unit usually has its own exterior access. An eating or drinking establishment is an accessory use.

MUNICIPALITY means the Town of Hay River.

NATURAL AREA refers to undeveloped or minimally-developed lands intended for the preservation of environmentally-sensitive areas.

NATURAL RESOURCE EXTRACTION refers to the on-site removal, extraction, and primary processing of raw minerals found under or accessible from the site. Typical uses include gravel pits, sandpits, clay pits, oil and gas wells, coal mining, and stripping of topsoil. This does not include the processing of raw materials transported to the site.

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NATURAL RESOURCE MANAGEMENT ACTIVITY refers to the management, cultivation, harvesting, extraction, and primary processing of fish (commercial), wildlife (hunting and trapping), or wild vegetation (e.g., berries, mushrooms).

NON-CONFORMING BUILDING OR STRUCTURE means a building or structure that was lawfully constructed or under construction at the date of the coming into effect of this bylaw and that does not or will not conform to the requirements of this bylaw.

NON-CONFORMING USE means a use that was lawfully made of land or a building or intended to be made of a building lawfully constructed or under construction at the date of the coming into effect of this bylaw and that does not or will not conform to the requirements of this bylaw.

NUISANCE means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

OCCUPANCY means the use or intended use of a building or part thereof for the shelter or support of persons or property.

OCCUPANCY PERMIT means a permit allowing for occupancy.

OFFENSIVE OR OBJECTIONABLE means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise; vibration; smoke; dust or other particulate matter; odour; toxic or non-toxic matter; radiation hazards; fire or explosive hazards; heat; humidity or glare or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which in the opinion of the Development Officer may be or become hazardous or injurious as regards health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land, building or structure.

OFFICE means a building or part thereof, designed, intended, or used for the practice of a profession, the carrying on of a business, the conduct of public administration, or, where not conducted on the site thereof, the administration of an industry, but shall not include a retail commercial use, any industrial use, health service, financial institution, or place of amusement.

OBSTRUCTION is defined as any dam, wall, wharf, embankment, levee, dyke, pile, abutment, projection, excavation, channel, rectification, bridge conduit, culvert, building, wire, fence, rock/gravel, refuse, fill, structure, road, or matter in, along, across, or projecting into any flood risk area which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream/ inland to the damage of life or property.

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OUTDOOR STORAGE refers to the storage of equipment, goods, chattels, raw or processed materials outside of any building, or structure. For the purpose of this by-law the overnight parking of vehicles shall not be deemed to be outside storage.

PARCEL see LOT.

PARK developed or undeveloped open space for recreational use by the public or the preservation of natural areas.

PARKING FACILITY means the area set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area.

PARKING SPACE, OFF-STREET means an off-street area available for the parking of one motor vehicle.

PARKING SPACE, RESIDENTIAL means the space set aside for the parking of one vehicle on a residential lot and includes garages, carports and driveways.

PARKING STALL means a space set aside for the parking of one vehicle.

PARKING STRUCTURE means a structure designed for the parking of motor vehicles in tiers or floors.

PERMITTED USE is a development or use which is permitted in terms of this bylaw.

PERSONAL SERVICE SHOPS means development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes: barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, and dry cleaning establishments and laundromats. This does not include health services.

PLACE OF ENTERTAINMENT a privately owned commercial uses that are entertainment-based in nature. Typical uses include: movie or other theatre, music halls or auditorium, billiard or pool room, bowling alley, indoor or miniature golf, virtual reality or video game establishment, axe-throwing, or shooting range. These uses may or may be combined with food and drink establishments. This does not include recreation facilities such as arenas, swimming pools, or golf courses.

PLAYGROUND means an area of landscaped open space equipped with play or exercise equipment such as slides, swings, or water features.

PRINCIPAL BUILDING means a building which occupies the major portion of a lot, is the chief or main building on a lot, or constitutes, by reason of its use, the primary purpose for which the lot is used.

PRINCIPAL USE means the main purpose for which a lot is used.

PRIVATE CLUB means a development used for the meeting, social or recreational activities of members of non-profit, philanthropic, social service, athletic, business or fraternal organizations, excluding on-site residences.

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PUBLIC UTILITY INFRASTRUCTURE, MAJOR means infrastructure that is likely to have a major impact on the environment or adjacent uses by virtue of their potential emissions, traffic generation, noise generation, attraction of wildlife, or appearance. Typical uses include: sanitary land fill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants, district heating plants, incinerators, and waste recycling plants.

PUBLIC UTILITY INFRASTRUCTURE, MINOR means infrastructure that is likely to have relatively minor impact on the environment or adjacent land uses by virtue of their potential emissions, traffic generation, noise generation, attraction of wildlife, or appearance. Typical uses include subsurface pipelines; overhead powerlines; communication towers; vehicle, equipment and material storage yards for utilities and services; snow dumping sites; depots and transfer facilities; surface reservoirs or stormwater lakes; water towers; water treatment plants; power terminal and distributing substation; and gate stations for natural gas distribution.

PUBLIC UTILITY SERVICE refers to the collection, distribution, treatment, or support of a service that is used by the public at large either locally or elsewhere. These services include but are not limited to those associated with power, water, sanitation, stormwater, waste, or communication.

PROTECTIVE AND EMERGENCY SERVICES means development which is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of emergency equipment and vehicles. Typical uses include police stations, fire stations and ancillary training facilities.

PUBLIC USE means a development which is publicly owned, supported or subsidized involving public assembly or use. Public uses typically may include such uses as: public schools, parks, libraries, arenas, museums, art galleries, hospitals, health services, cemeteries, tennis courts, swimming pools, and other indoor and outdoor recreational facilities.

REACH is defined as the longitudinal segments of a watercourse or shore of a waterbody. A reach may include the segment of the flood risk area where flood heights are influenced by a man-made or natural obstruction. In an urban area, the segment of a watercourse or waterbody between two consecutive cross-sections would typically constitute a reach.

RECREATIONAL VEHICLE means a structure that provides temporary accommodation for short-term or seasonal use. These structures are often used while travelling or vacationing and are generally designed to be towed behind a motor vehicle, or are self-propelled, and includes such things commonly known as: travel trailers, campers, fifth wheels, motorhomes, pop-up or tent campers, travel vans, or other similar structures.

RELIGIOUS ASSEMBLY means development owned by a religious organization used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. This use class does not include Private Education Services, Public Education Services and Commercial Schools, even as accessory uses.

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RETAIL STORE means a development used for the retail sale of a wide variety of consumer goods including such things as groceries and beverages, electronic goods, furniture and appliances, hardware and home improvement supplies, household goods, printed matter, confectionary, pharmaceutical and personal care items, office supplies, stationary etc., but does not include any retail outlet otherwise classified or defined in this bylaw.

RETAIL STORE, CONVENIENCE means development used for the retail sale of those goods required by area residents or employees on a day-to-day basis, from premises which do not exceed 279 m² (3003 sq. ft) in gross floor area. Typical uses include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter.

RIDING STABLE means land and buildings used to house horses and for their exercise and training may include a school, boarding stables, tack shop, or other related uses.

SECOND STOREY means the storey located above the first storey.

SENIOR HOUSING refers to residential development intended for occupation limited to seniors only.

SHOPPING CENTRE means two or more commercial establishments planned, developed and managed as a unit on a lot or lots and served by off street parking, and includes the total area upon which the buildings are located.

SIGN means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.

SIGN, BILLBOARD means a sign supported by one or more uprights, braces, or pylons, which stands independently of a building and may or may not contain advertising copy related to the development within the lot upon which the billboard sign is located.

SIGN, CANOPY means a canopy or awning which projects from a structure or building and displays the building or proprietor's advertising or identification.

SIGN, FASCIA means a sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached, but in no case does its vertical dimensions exceed 1.5 m (5 ft).

SIGN, FREESTANDING means a sign supported by one or more uprights, braces or pylons and which stands independently of buildings.

SIGN, OFF-SITE means a sign that advertises goods, products, services or facilities or directs persons to a different location from where the sign is located. Such a sign is not located on the site of the goods, products, services, or facilities advertised.

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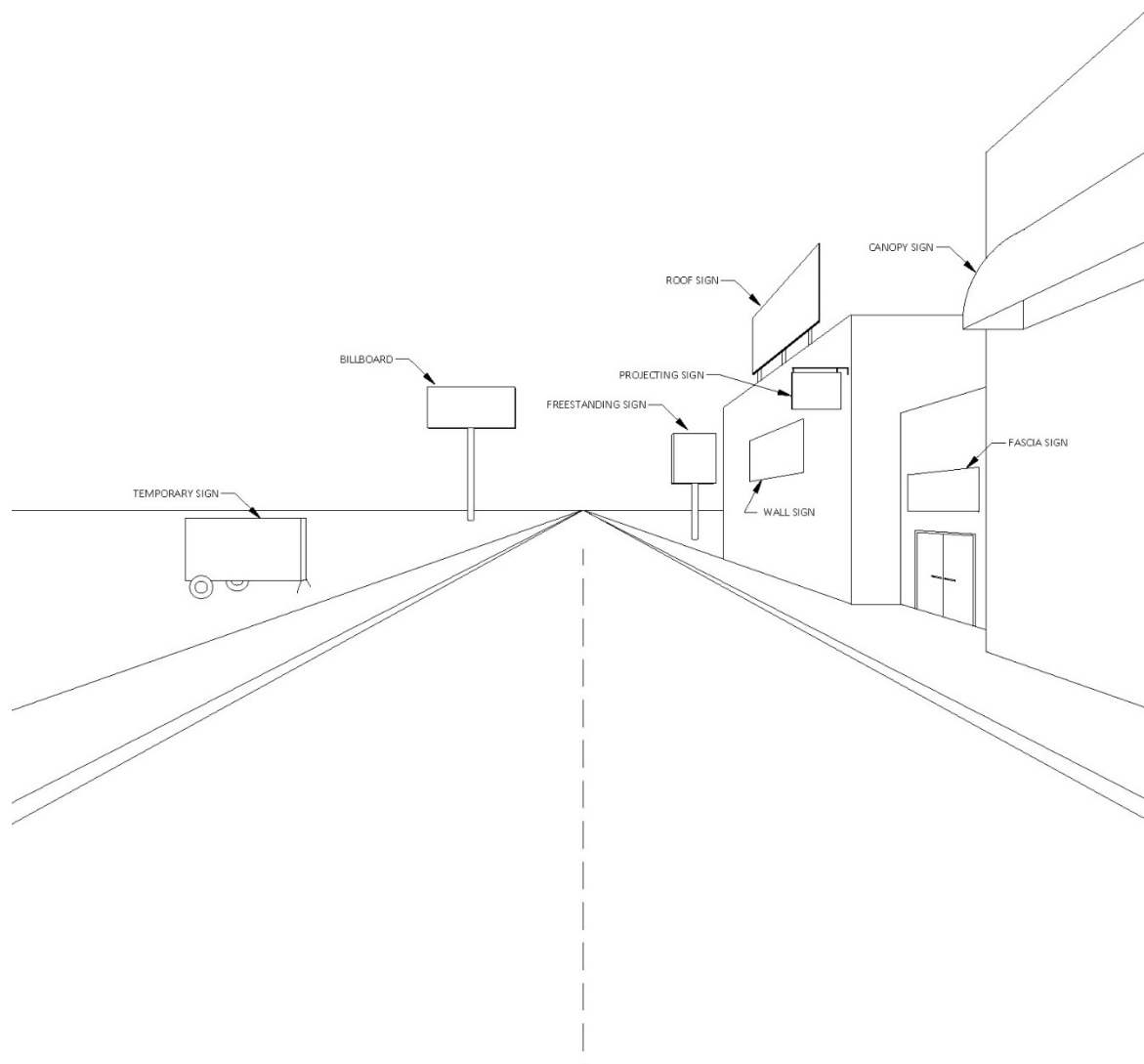


Figure 4.2 - Types of signs

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SIGN, PORTABLE means a sign with a total area on one face of greater 3.0 m² (32.3 sq. ft) mounted on a frame or on a trailer, stand or similar support and which together with the support can be relocated to another location, and may include copy that can be changed manually through the use of detachable characters.

SIGN, PROJECTING means a sign other than a canopy or awning sign which projects at right angles from a structure or a building face or wall. This does not include a sign attached to the ground.

SIGN, ROOF means any sign erected upon, against or directly above a roof or on top of or above the parapet wall of a building.

SIGN, TEMPORARY means a sign which may or may not be portable in nature and which is located on a lot for a limited or specified period of time.

SIGN, UNDER-CANOPY means a sign which is attached to the bottom face of a canopy.

SIGN, WALL means a sign that is attached to or placed flat against the exterior wall or surface of any structure of any building, no portion of which projects more than 0.1 m from the wall and which does not project above the roof or parapet.

SITE means one or more lots for which an application for a development permit is made, and may include streets, lanes, walkways, and any other land surface upon which development is proposed.

SITE AREA means the total area of a site.

SITE BOUNDARIES means those boundaries which bound the site as determined by the Development Officer.

SITE, CORNER means a site at the intersection or junction of two abutting streets.

SITE COVERAGE means the combined area of all buildings or structures on a site as a percentage of the total site area, measured at the level of the lowest storey above grade, including all porches, verandas, decks and balconies whether open or covered but excluding open and enclosed terraces or patios at grade, steps, cornices, eaves and similar projections.

SITE DEPTH means the average horizontal distance between the front and rear site boundaries or lot lines of a site.

SITE, FLANKING means a corner site on which a side boundary is abutting onto a street and where only one front yard setback is required.

SITE, INTERIOR means a site which is bounded by only one street.

SITE WIDTH means the average horizontal distance between the side boundaries or lot lines of a site.

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STOP WORK NOTICE means an order, in writing, requiring the person or persons responsible for any contravention of this bylaw to stop the development or use of land or building in whole or in part as directed by the order.

STOREY means that portion of the building which is situated between the top of any floor and the top of the floor next above it. If there is no floor above it, the storey is the portion of the building which is situated between the top of any floor and the ceiling above it. If the top of the floor directly above a basement is more than 1.8 m (6 ft) above grade, such basement shall be considered a storey for the purpose of this bylaw.

STOREY, HALF means a storey under a gable, hip, or gambrel roof, the wall plates of which, on at least two opposite walls, are not more than 2 feet above the floor of such storey.

STREET means a thoroughfare 9.5 m wide or more which is used by the general public and which affords the principal means of access to abutting property. Streets shall be designated as either local, for neighbourhood traffic, or collectors for heavier volumes. This does not include private roads in condominium developments or mobile home parks.

STREET, FLANKING means a street abutting the side yard of a lot or site.

STREET, FRONTING means a street abutting the front yard of a lot or site.

STRUCTURE means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Structures include buildings, walls, fences, billboards, and poster panels.

SUPPORTED LIVING FACILITY refers to a facility that is licensed to provide 24-hour personal care or supervision to those who have physical and/ or mental health challenges but do not need nursing support.

TEMPORARY DEVELOPMENT means a development for which a development permit has been issued for a limited time only (See Section 3.7.3).

TEMPORARY SHELTER SERVICES means the provision of communal, transient accommodation sponsored or supervised by a public authority or nonprofit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time.

TOURIST CAMPSITE means a site which provides for the temporary location of tents and trailers used by travellers and tourists for overnight accommodation.

TOURIST LODGE means a building, with or without smaller ancillary buildings or cabins, providing rooms for temporary tourist lodging which does not normally exceed 14 days.

TRAILER, VACATION means any portable accommodation providing temporary living quarters for persons vacationing or travelling.

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USE means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

VEHICLE SALES AND SERVICE means the premises where motor vehicles may be repaired, equipped, parked or stored for remuneration, sale, or display, including vehicle washing facilities as an ancillary use, but excluding gas bars, recreation vehicles or heavy equipment sales/rentals.

VEHICLE, DISMANTLED OR WRECKED means a motorized vehicle that is not legally registered with the Territorial Government and is in a condition of disrepair rendering it immobile and/or it is not considered structurally safe to operate on a public roadway. Subject to Sections 178 and 180 of the Cities, Towns and Villages Act, Council may, by bylaw, provide for the removal and disposal of vehicles that:

- a) are inoperable, wrecked or dismantled;
- b) are not located in a building; and
- c) do not form part of a business lawfully operated on the premises.

VETERINARY CLINIC means development used for the care and treatment of animals where the veterinary services may involve inpatient and outpatient care and medical procedures involving hospitalization. This use includes animal hospitals and shelters, pet clinics and veterinary offices.

WAREHOUSE SALES refers to a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, or articles and may include facilities for a wholesale or retail commercial outlet. This includes the sale of bulky items such as furniture, carpet, major appliances, and home building supplies.

WAREHOUSE, PERSONAL STORAGE refers to a compartmentalized warehouse facility or complex, designed for rental of separate storage areas usually for the storage of personal property.

WATERBODY is defined as a lake, a pond, or a reservoir either naturally or artificially created which periodically or continuously contains water.

WATERCOURSE is defined as an open defined channel, river, drain, or ditch either naturally or artificially created which intermittently or continuously contains moving water.

YARD means a required open space unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded lot, unless otherwise permitted in this bylaw.

YARD, FRONT means that portion of the lot extending across the full width of the lot from the front property boundary of the lot to the exterior wall of the building.

YARD, REAR means that portion of the lot extending across the full width of the lot from the rear property boundary of the lot to the exterior wall of the building.

YARD, SIDE means that portion of the lot extending from the front yard to the rear yard and lying between the side property boundary of the lot and the nearest portion of the exterior wall of the building.

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YARD, SIDE (Flanking) means a side yard abutting a street on a corner lot.

ZERO LOT LINE means a zero side yard along the common property line of two semi-detached units.

ZONE means a defined area or district of the Town as set out in Schedule 1 of this bylaw and shown on the Zoning Map and is used to regulate the use and development of land.

ZONING MAP means the map forming part of this bylaw delineating the boundaries of the zones set out in this bylaw and marked Zoning Bylaw Map.

5.0 GENERAL REGULATIONS

5.1 APPLICABILITY OF GENERAL DEVELOPMENT REGULATIONS

1. The General Development Regulations apply to any development on any site, irrespective of the zone in which it is located. Where these Regulations appear to be in conflict with regulations of a specific zone, the General Development Regulations shall take precedence.

5.2 ARCHITECTURAL CONTROLS

1. The purpose of this section is to provide the Town of Hay River with controls and guidance so that aesthetically attractive and compatible development is provided throughout the municipality.
2. The design, siting, external finish, and architectural appearance of all land, buildings, including any accessory buildings or structures and signs, shall be to the satisfaction of the Development Officer for a permitted use; and of Council for a Discretionary Use. This is done so that there shall be general conformity in such matters with respect to adjacent buildings and that there may be adequate protection afforded to the amenities of adjacent lot.
3. Pursuant to Sections 5.2(1) and (2), the Development Officer or Council shall consider all of the following when reviewing development proposals in all zones:
 - a) the design, character, and appearance of all buildings must be compatible with any other buildings existing in the vicinity unless the building is setting a new standard of design and character for the land use zone or a particular location within it;
 - b) the design of the building must be consistent with the purpose and intent of the land use zone in which it is located;
 - c) the siting of buildings must conform with the prescribed setback requirements;
 - d) the height, coverage, size, and shape of the buildings should be consistent relative to existing adjacent buildings;
 - e) the external finish of the principal and accessory buildings should be reviewed for consistency with respect to colour, finish, and texture;
 - f) the impact of a proposed building on the existing streetscape should be considered to maintain conformity of sight lines, and to reduce any extreme and distracting variations;
 - g) the use of landscaping should be encouraged to enhance the appearance of a development;
 - h) the existing trees and natural features should be preserved in new subdivisions and developments; and
 - i) the building or structure shall comply with any provisions which set out specific guidelines as to the design, character, appearance, or building materials to be used within a zone or area, or any architectural control guidelines adopted by Council.
4. Further to Section 5.2(3), the Development Officer or Council shall consider, but not be limited to, the following criteria when evaluating the design, character, and appearance of development proposals:

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a) Guidelines for Commercial and Industrial Development:

- i. The harsh contrasts of very large buildings mixed with small buildings can be softened by using similar sizes and shapes of massing elements like roof lines, exterior design, and treatment.
- ii. Blank, unfinished walls give a very bland appearance to the streetscape. Particular attention should be given to reduce large vacant spaces between buildings which are left open to the public view.
- iii. Rooftop mechanical equipment should be hidden from view from public streets and from adjacent buildings.
- iv. Utility installations and buildings should be located in such a manner so as to be compatible with adjacent buildings and development. This may be achieved by placing utility installations within buildings wherever possible or developing utility buildings which blend into the surrounding area.
- v. Natural features are an important part of the urban environment and should be given a high priority in developing a site. This may be achieved by, for example, preserving existing trees wherever possible.
- vi. Corner sites at the intersection of major streets should be given special consideration. Sight lines for drivers and more pedestrian space are features which should be incorporated into the design of buildings on corner sites.
- vii. Buildings should provide weather protective overhangs at outdoor pedestrian areas and at building entrances. The overhangs can be achieved through the use of cantilevers, awnings and canopies.
- viii. Long buildings along the street front should include a public route through the building which can be used by pedestrians to access parking areas or simply to avoid having to walk around the building.
- ix. Pedestrian areas in parking lots should be designed for safety and at a pedestrian scale. The combination of landscaping and pedestrian walkway connections from the parking area to the shopping area can act as a windbreak, slow the traffic in the parking area and soften the harsh visual impact of large asphalt areas.
- x. Illumination of commercial and industrial lots should not shine into residential windows.
- xi. On-site parking, loading, and shipping areas are less attractive elements of a streetscape and should be hidden from public roadways by buildings, screening and landscaping.
- xii. Outdoor storage and garbage collection areas are generally unsightly and undesirable elements from public roadways and should be screened or hidden

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behind buildings. Existing storage and garbage collection areas should be screened from roadways by using berms, walls, and landscaping.

- xiii. Signage on the building facade should be integrated with signage in the immediate vicinity and the zone as a whole to avoid the creation of visual cluttering, clashing or detracting from the appearance of the area or street.

b) Guidelines for Residential Development:

- i. Visual privacy of internal living space and areas should be maintained in new and existing developments. The use of berms, landscaping and the orientation of the dwellings and the living space windows can improve the visual privacy between developments.
 - ii. Identical or similar housing styles, models, designs and colours should be discouraged. The same housing colour, design or treatment should not be used for any more than three adjacent dwellings.
 - iii. The intensity of colours should be restricted while encouraging the use of earth tone and pastel colours with natural finishes like wood and brick.
 - iv. Any accessory building built on a lot, such as a detached garage or garden shed, should be similar to the principal building in terms of proportional mass, roof line, and exterior treatment.
 - v. Developments should be encouraged to possess good proportion in the front elevations through the use of such elements as dormers, bay windows, shutters, brickwork, roof lines and variations of window sizes.
5. Further to the above sections, Council may adopt more detailed architectural control guidelines where Council wishes to achieve a higher standard of design and appearance within a specific development, subdivision or neighbourhood.
6. Where Council adopts architectural control guidelines for a specific subdivision or neighbourhood, the following elements shall be contained in the document in order to ensure the aesthetic and functional quality of development:
- a) the compatibility of lot grading and drainage requirements within the lot;
 - b) the placement of the structure/building on the site to ensure proper utilization of the land and compatibility with surrounding structures/ buildings;
 - c) the styling and type of structure/building to ensure compatibility with surrounding structures/buildings; and
 - d) the compatibility of exterior finish and coordination of colour relationships.
7. Where Council adopts architectural control guidelines, the Development Officer shall ensure the controls are adhered to using, but not limited to, the regulations and mechanisms contained in Sections 3 and 5.2 of this bylaw.

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8. The Town of Hay River may require that the developer register a Restrictive Covenant against the lot or subdivision in order to ensure ongoing conformance with the architectural control guidelines.

5.3 LANDSCAPING REQUIREMENTS

1. In residential zones, the maximum width of the driveway entrance at the street is 8 m (26 ft). The remaining area of the front yard will be landscaped. The landscape area must be covered with a landscape material, such as, but not limited to, turf-seeded, turf-sodded, weed barrier fabric, mulch, decorative pavers, washed gravel, shale or similar treatments and/or flower beds.
2. On-site landscape plantings are required for new developments in all commercial zones and for multiple-unit and institutional buildings in any zone.
3. Where lots back onto the Highway, landscaping will be required both in the front and the rear of the property.
4. New landscape plantings shall consist of perennial herbaceous and/or woody plant species known to be hardy in the Hay River area. Where possible, to provide winter interest, evergreen shrubs and trees and/or deciduous shrubs and trees that have interesting bark, fruit, or form shall be used. Existing healthy woody plants (trees, shrubs) can count towards the landscaping requirements.
5. The required landscape planting area in square metres is calculated based on 2.5 m (8.2 sq. ft) multiplied by the total public road frontage of the property in metres. One tree planted per 25 m² (269 sq. ft) landscape planting area or one shrub planted per 15 m² (162 sq. ft) landscape, with numbers rounded. Where the calculation of the total number of trees or shrubs required results in a fractional number, the total number of trees and shrubs required shall be the next highest whole number.
6. In the C2 and C3 zones, the planting area must be at least 2 m (6.6 sq. ft) wide. In C1 zones, there is no minimum width of the planting area.
7. The minimum size of deciduous trees is 60 mm caliper. The minimum height of coniferous trees is 1.75 m (5.74 ft) as measured from ground level. The minimum size of shrubs is #2 pot (7.57 l / 2 gallon) or 1 m (3.3) height balled-and-burlapped as measured from ground level.
8. Adequate means of routine watering of plant materials shall be provided on site. These means may take the form of automatic sprinkler systems, low-emission, drip or trickle irrigation, weeping hoses, gravity feed systems, hose and sprinkler systems, or other means as approved by the Development Officer. Particular attention is to be paid to adequate watering during the establishment phase to optimize survival of newly planted materials.
9. Screening of storage areas is required in all commercial zones and shall be located to the rear or side of the principal building and shall be screened from view from any street and from adjacent sites in a residential zone.
10. The ground of the landscape area must be covered with a landscape material, such as, but not limited to, turf-seeded, turf-sodded, weed barrier fabric, mulch, decorative pavers, washed

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gravel, shale or similar treatments and/or flower beds. A Development Officer may require a combination of different landscape ground cover treatments for the purpose of increasing the diversity and appeal of the landscape area. In no instances shall non-organic material be used as the sole landscape ground cover on a site. In the case where gravel, shale, mulch, or a similar loose material is used for landscaping, suitable containment must be implemented to the satisfaction of the Development Officer, to ensure that the material is maintained on private property and does not migrate on to public streets, sidewalks, etc.

5.4 BUILDING FOR PUBLIC USE

1. All buildings proposed for public use, including apartments, religious assemblies, commercial and industrial buildings, must, conform to the National Building Code of Canada and have the approval of the health authorities of the Northwest Territories and the NWT Fire Marshall.
2. All buildings proposed for public use shall provide accessible facilities conforming to the latest revision of the National Building Code of Canada.

5.5 CORNER LOTS

1. In addition to the specific lot regulations of this bylaw, any development involving a corner site in any zone shall comply with all the restrictions, limitations, and conditions relating to visibility approaching road intersections as may be required by the Development Officer or Council.
2. These conditions shall apply to the area formed within a corner site by the two street property lines and a straight line which intersects each of them 7.5 m (25 ft) from the corner where they meet.
3. The area located within the above noted dimensions shall provide un-obstructed visibility and for the purpose of this bylaw be known as the ~~Site~~ Sight Triangle.
4. In residential zones, a site abutting onto two streets shall have front and side yard requirements in accordance with this bylaw based on the following:
 - a) the longer of the yards abutting a street on a corner lot shall be referred to as the flanking side yard; and
 - b) the shorter of the yards abutting a street on a corner lot shall be referred to as the front yard.

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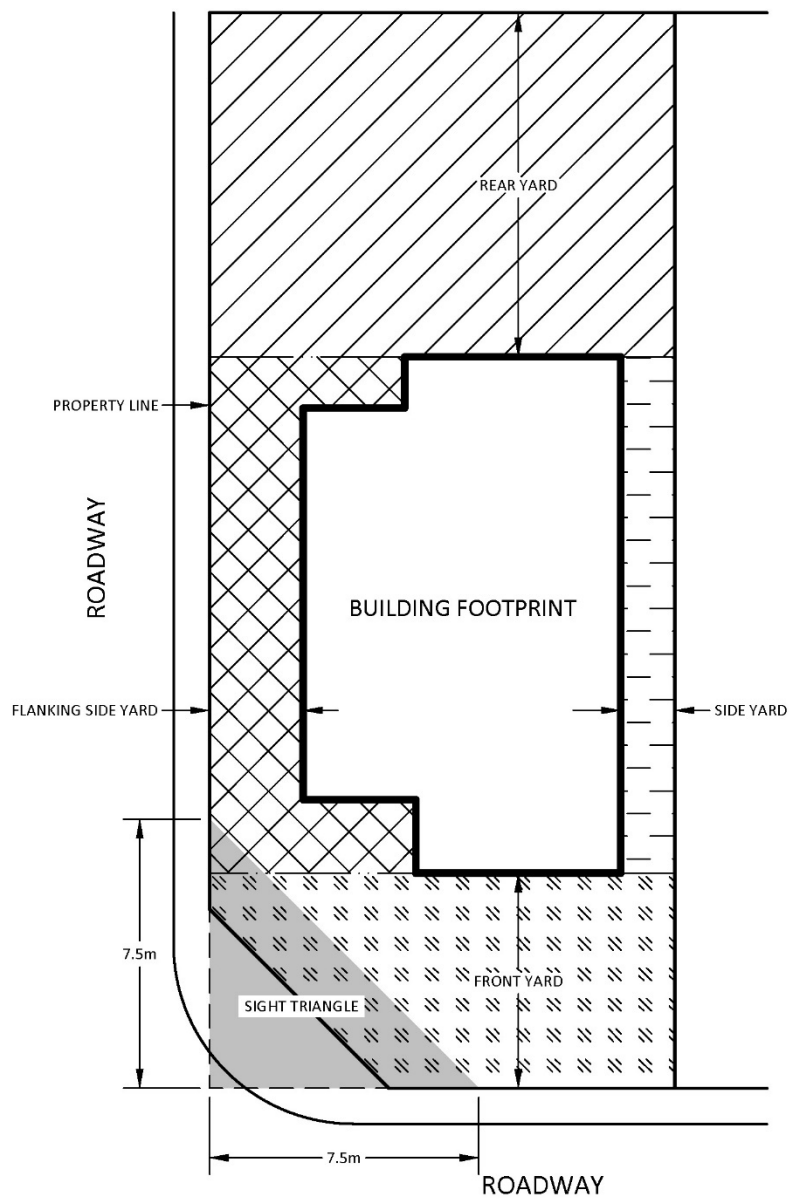


Figure 5.1 - Flanking side yard

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5.6 AIRPORT VICINITY

1. When a proposed development occurs within the vicinity of the Hay River Airport, the development shall conform to the Hay River Airport Zoning Regulations passed pursuant to the Aeronautics Act.

5.7 PROXIMITY TO PIPELINES, POWER LINES, FIRE HYDRANTS AND RIGHTS-OF-WAY

1. Where any distribution pipeline carrying highly pressurized gas or volatile liquid crosses, or is situated in the vicinity of, land which is proposed for development, no habitable building shall be sited closer than 15.5 m (51 ft) to the centre line of the pipeline right-of-way or the pipeline, whichever is closest.
2. The following distances shall be considered the minimum amount of separation required between overhead power transmission lines and buildings, signs, bridges, light standards, antennas or other objects:

OVERHEAD EQUIPMENT OR CONDUCTOR	SEPARATION DISTANCE	
	HORIZONTAL	VERTICAL
0-750 V insulated	300 mm (11.81 in)	300 mm (11.81 in)
Above 750 V insulated	1.0 m (3.28 ft)	3.0 m (9.84 ft)
0-22 kV *	3.0 m (9.84 ft)	5.0 m (16.40 ft)
ABOVE 22 kV *	3.0 m (9.84 ft) Plus 10 mm (0.39 in) / kV in excess of 22 kV	5.0 m (16.40 ft) Plus 10 mm (0.39 in) / kV in excess of 22 kV
* Bare, exposed, or non-rated insulation		

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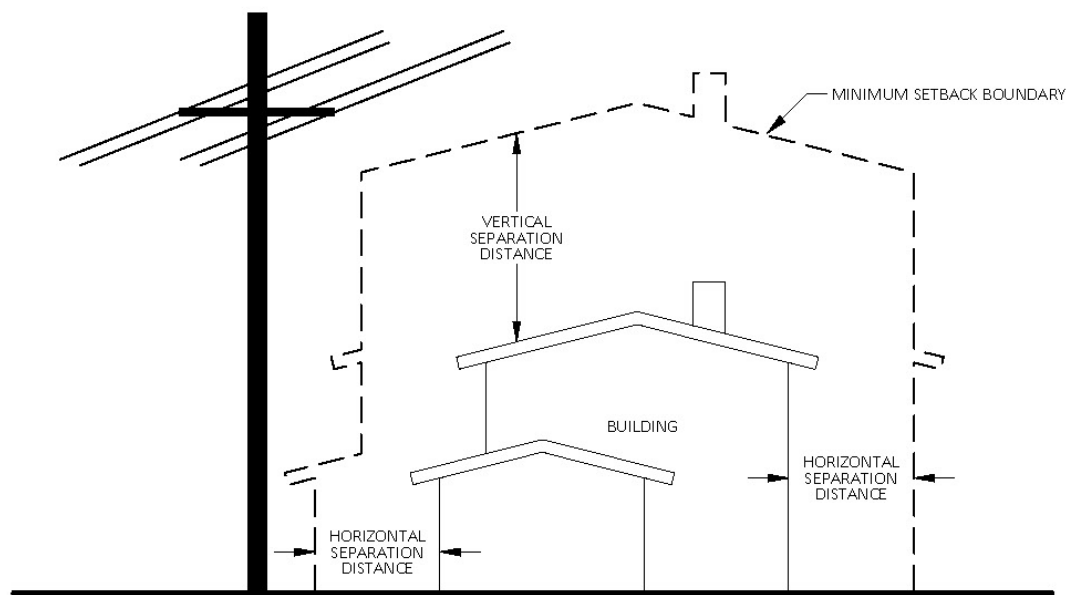


Figure 5.2 - Power line clearances

3. No development shall be allowed over or above an existing underground gas pipe or gas service line unless the Development Officer has been advised in writing by the operator of such public utility that satisfactory arrangements have been made for the relocation of such piping or service line.
4. Development shall not be permitted within the right-of-way of an operating railway or the right-of-way of a designated highway under the Public Highways Act.
5. Additional set-back distances may be required for developments which are in close proximity to railway crossings if, in the opinion of the Development Officer, such development may pose safety concerns with regard to sighting distances.
6. The Development Officer shall ensure that all development immediately adjacent to a public highway shall be in conformance with all the relevant regulations and policies of the Government of the Northwest Territories.
7. Fences, landscaping and other obstructions shall be located a minimum of 1.5 m from any fire hydrant. Property owners are responsible for ensuring that fire hydrants abutting their property are kept clear of debris and are visible at all times.

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5.8 ACCESS AND UTILITIES

1. When a proposed development adjoins a highway, a service roadway of not less than 20 m (66 ft) in width shall be provided adjacent and parallel to the highway.
2. No residential or commercial development shall be allowed unless there is access to an all-weather public roadway for use by emergency vehicles.
3. Development permits shall not be issued where in the opinion of the Development Officer or Council satisfactory arrangements have not been made with the Town as to the supply to the required subdivision of any or all of the following services: water, electricity, sanitary sewer, street access, or other services or facilities, including the payment of costs of installing any such service or facility.
4. Any development which cannot be served by a public sewer and public water system shall have private sewer and water systems that are approved by Council and have such site areas as may be required by Council. In determining such site area Council shall refer the proposed development to local health authorities and shall give due consideration to the recommendations of those authorities in relation to the nature of the site.

5.9 SOILS AND DRAINAGE

1. No development shall be allowed unless the nature of the surface and subsoil of the land is such that good drainage, and the stability of the buildings and structures, can be assured.
2. The Development Officer may specify, as a condition of the development permit, the requirement that work relating to drainage and soil stability be carried out.
3. In all cases, lot grades shall be established with the following minimum requirements:
 - a) the centre of the lot shall be 18" higher than the centre line of the roadway onto which it fronts; and
 - b) a minimum 2% gradient for drainage shall be provided.
4. All lot grading shall be to the satisfaction and/ or discretion of the Development Officer.

5.10 EXCAVATION AND CONSTRUCTION WORK

1. As a condition of approving a permit, the Development Officer shall require that all necessary safety measures will be taken and that the excavations, storage or piling up of materials required during the construction stage shall not continue any longer than reasonably necessary to complete the particular stage of the construction work.
2. The person to whom the permit has been granted shall be fully responsible for any loss or injury incurred by any person or damage to any property caused by excavations, storage, or piling up of material.

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5.11 MOVING BUILDINGS

1. No person shall move a building, structure, or mobile home larger than 14 m² (151 sq. ft) within, into or out of the municipality unless he has first obtained a Development Permit – Moving.
2. The Development Officer may refuse to issue a permit for the moving of a building, structure, or mobile home if:
 - a) there are any taxes or other charges due to the Town with respect to the building or the lot on which it is situated, unless arrangements satisfactory to the Senior Administration Officer have been made for payment of such taxes or other charges; or
 - b) the building would fail to conform to the requirements of the zone into which it is proposed the building be moved.
3. The Development Officer shall require the owner of a building that has been moved to acquire a Development Permit - Utility before power services are connected at the new location.
4. The Development Officer may, as conditions of a permit for the moving of a building, require such renovations and alterations as may be necessary so that the building will conform with the current requirements of the following:
 - a) The zone into which the building is moved;
 - b) The National Building Code of Canada;
 - c) The National Fire Code of Canada;
 - d) The NWT Fire Marshall;
 - e) The Hay River Office of the Hay River Community Health Board; and,
 - f) The Regulations for Construction in Flood Fringe Areas.
5. The Development Officer may require the owner of a building that is to be moved to post a performance bond that shall be held to ensure any renovations or alterations required in subsection 5.11 (4) be completed within a specified time period.
6. No Development Permit - Occupancy shall be granted until all renovations and alterations required in subsection 5.11 (4) have been completed to the satisfaction of the Development Officer.
7. No Development Permit - Occupancy shall be granted until all moved buildings have been inspected by the Town Building Inspector as appointed by the Development Officer.
8. The Development Officer or Council may make conditions as to the time and the manner in which the building may be moved so as to avoid or minimize damage to streets and power or telephone lines, and to ensure the safe and expedient flow of traffic while moving operations are in progress.

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5.12 FENCES IN RESIDENTIAL ZONES

1. A person shall not construct a fence on a site in a residential zone that is higher, measured from the general ground level 30.5 cm (1 ft) back of the property line on whichever side of the fence is lower, than:
 - a) 1.98 m (6.5 ft) for the portion of the fence that does not extend beyond the foremost portion of the principal building on the site. The Development Officer may allow a fence to be erected up to 2.44 m (8.0 ft) in height upon the written consent of the owners of the property adjacent to such a fence where, in his opinion, it would not adversely affect the amenities of the area;
 - b) 1 m (3.3 ft) for the portion of the fence that does extend beyond the foremost portion of the principal building on the site, provided that the Development Officer may allow a fence to be erected to not more than 1.83 m (6.0 ft) in height if, in his opinion, it will not prejudice the amenities of the zone; and
 - c) in the case of corner lots, the foremost portion of the principal building referred to in (a) and (b) of this subsection 1 shall apply to both faces of the building fronting onto each street.
2. There shall be no obstruction to vision, at an intersection, by fences over the height of 1.0 m (3.3 ft) above established grades and streets, and within the area defined as the Sight ~~Site~~ Triangle under Section 5.5 of this bylaw which is formed on a corner site by the two street property lines and a straight line which intersects each of them 7.5 m (24.5 ft) from the corner where they meet.

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1. No person shall keep in any part of a yard in the R1 (A, B, C), R2, R3, R4, RM, and RC zones:
 - a) any commercial vehicle loaded or unloaded of a maximum weight in excess of 4,082 kilograms (9,000 lbs.) other than for temporary loading and unloading;
 - b) the storage of any dismantled or wrecked vehicle for more than seven days without the written permission of the Development Officer;
 - c) the storing of objects or chattels which are unsightly or tend to affect adversely the amenities of the zone; and
 - d) the excavation, storage or piling up of materials required during the construction stage, pursuant to Section 5.10 of this bylaw.

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2. In accordance with the Town of Hay River Garbage Bylaw (as amended), garbage shall be stored in weather-proof containers screened from adjacent sites and public streets to the satisfaction of the Development Officer and shall be in a location easily accessible for pickup.
3. Storage areas for goods or materials normally associated with the enjoyment of residential property is permitted only in the rear and interior side yards of any lot in a residential zone. In the case of a corner lot, such storage is not permitted within the front or exterior side yard setback.
4. Between the period of October 31st and May 1st, recreational vehicles, utility trailers, and boats shall be stored in the rear or side yard or may be stored in a front yard driveway, provided they do not project further than 2 m into a front yard. In the case of a corner lot, recreational vehicles, utility trailers, and boats may be stored in an exterior side yard provided that the area is screened from view with either fencing or landscaping. At all other times of the year, recreational vehicles, utility trailers, and boats may be stored in a front yard driveway.
5. Outside storage areas shall be screened from adjacent sites and streets.

5.14 SUBDIVISION DEVELOPMENT

1. Any development covering an unsubdivided area of 0.5 ha or more in extent and which will result in the erection of a multiple number of commercial, residential or industrial units shall be submitted, notwithstanding the other provisions of this bylaw, to the Council for its approval and Council may establish additional standards and requirements to ensure that the area is developed to the highest standards or use and amenity. The application for a development permit shall be accompanied by an overall plan and shall state whether the development is to be completed in one continuous operation or in defined stages.

5.15 FLOOD RISK REGULATIONS

Purpose

1. The Purpose of the Regulations in this section is to regulate the development of flood hazard areas in Hay River so as to promote the public health, safety and general welfare and to minimize the adverse effects of periodic inundation including but not limited to loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare. Accordingly, the provisions contained herein are so designed to:
 - a) restrict or prohibit uses which are dangerous to health, safety, or property in times of flood or which cause excessive increases in flood-stage elevations or water velocities;
 - b) require that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction; and
 - c) protect individuals from buying lands which are unsuited for intended purposes because of flood risk.

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Warning and Disclaimer of Liability

2. The degree of flood protection intended to be provided by this bylaw is considered reasonable for regulatory purposes and is based on historical records and engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. These Regulations do not imply that areas outside the flood risk area boundaries will always be totally free from flooding or flood damages. Nor shall these regulations create a liability on the part of, or be a cause of, action against the Town of Hay River or any officer or employee thereof for any flood damages that may result from reliance on these regulations.

Non-Conforming Structures

3. Any existing structures that do not meet the required flood proofing standards equal to or above the National Building Code of Canada and/or the Canada Mortgage and Housing Corporation Technical Builders Bulletin or that the first floor is not equal or above the level of freeboard elevation shall be considered non-conforming until such time as the structure may be brought up to meet the standards.

Fill and Dredging

4. The Development Officer or Council may require an evaluation of any fill or dredging activities on flood carrying capacity and the extent of the flood risk area. This material shall be referred to the appropriate federal agency having jurisdiction for review and comment as to acceptability of these proposed actions before a decision is rendered by the Development Officer or Council.

Flood Risk Areas

5. The flood risk areas to which these regulations are applicable have been divided into two areas, a Floodway Area and a Floodway Fringe Area. For greater certainty, the Town of Hay River 1:2000 Flood Risk Maps should be consulted.

Floodway Area

6. No use shall adversely affect the efficiency or unduly restrict the conveyance/storage capacity of the Floodway or of any tributary to the main watercourse or waterbody, drainage ditch or any other drainage facility.
7. The conveyance/storage capacity of the floodway shall not be diminished so as to cause excessive increases in flood stage elevations or in water velocities during a flood event. Consideration of the effects of a proposed use shall be based on a reasonable assumption that there will be an equal degree of encroachment extending for a significant reach either on both sides of the watercourse or along the shoreline of a waterbody.
8. Any fill proposed to be deposited in the floodway must be shown to have some beneficial purpose and the amount thereof not greater than is necessary to achieve the purposes, as demonstrated by a plan submitted by the owner showing the uses to which the filled land will be put and the final dimensions of the proposed fill or other materials. Such fill or other materials

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shall be protected against erosion by rip-rap, compacting, bulkheading, or some other approved method of preventing erosion.

9. The storage or processing of materials that are, in time of flooding buoyant, flammable, explosive, toxic or that could be injurious to human, animal or plant life, is prohibited. Storage of other material or equipment may be allowed if not subject to major damage by floods and if firmly anchored to prevent floatation or readily removable from the area within the time available after flood warning.

Floodway Fringe Area

10. The purpose of the Floodway Fringe Area is to reduce the flood vulnerability of uses and structures located in that portion of the flood risk area so designated by requiring that all further undertakings be flood proofed, and to minimize the threat to public safety, health and welfare that may occur during a flood event of a frequency equal to or higher than that of the design flood event. The Floodway Fringe is generally characterized by water velocities of less than 1 m (3.3 ft) per second and flood stage elevations of less than 1 m (3.3 ft).
11. Only structures that are flood proofed by raising their first floor to the level of freeboard elevation or that are designed and constructed as to be watertight and have sufficient structural integrity to withstand the hydrostatic and hydrodynamic pressures and other factors associated with inundation to the freeboard elevation including but not limited to the impact of water-borne debris floating in water flowing at a rate of 1 m (3.3 ft) per second. The National Building Code of Canada and/or the regulations of the Canada Mortgage and Housing Corporation shall serve as the minimum design and construction requirements for flood proofing.
12. Notwithstanding subsection 11 above, the Council may, upon consulting the Development Officer, authorize the location of uses at an elevation below the level of freeboard elevation if such uses will not be subject to flood damage and which will not cause flood damage to other lands. Such uses shall not be eligible for flood-damage compensation.
13. Any use which presents a hazard to life and property either before, during or after a flood event shall be prohibited from the flood risk area unless adequate safeguards can be developed so as to render the hazard impotent.
14. Upon receiving an application for development within the area identified as the Floodway Fringe, the Development Officer or Council shall, prior to rendering a decision thereof:
 - a) require the applicant to furnish the following information which may be deemed necessary by the Development Officer or Council for determining the suitability of the particular site for the proposed use:
 - i. plans drawn to a scale of 1:2000 showing the nature, location, dimensions, and elevation of the lot, existing or proposed structures, fill, storage of materials, flood proofing measures, and the relationship of the above to the location of the floodway, and the floodway fringe, where applicable, and the design flood elevation,

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- ii. a typical valley cross-section showing the channel/ shoreline of the watercourse/ waterbody, elevation of land areas adjoining the channel/ shoreline, cross-sectional areas to be occupied by the proposed development, and high-water information,
 - iii. plan (surface view) showing contours of the ground with at least a 1 m (3.3 feet) interval; pertinent structure, fill or storage elevations; size, location, and spatial arrangement of all proposed and existing structures on the site; locations and elevations of streets, water supply, sanitary facilities, photographs showing existing land uses and vegetation upstream and downstream, soil types, and other pertinent information,
 - iv. profile showing the slope of the bottom of the watercourse,
 - v. specifications for building construction and materials, flood proofing, filling, grading, storage of materials, water supply and sanitary facilities, and
 - vi. a contingency plan outlining emergency action to be undertaken in the event of a flood and/or of failure of the flood proofing techniques adopted;
- b) one copy of the information described in Section 5.15(14)(a) above may be transmitted to a designated professional engineer or other expert or agency having jurisdiction for technical assistance, where necessary, in evaluating the proposed project in relation to flood-stage elevations and water velocities; the seriousness of flood damage to the use, the adequacy of the plans for flood-damage mitigation and other technical matters;
- c) based upon the technical evaluation carried out pursuant to Section 5.15(14)(b) above, the Development Officer or Council shall determine the specific flood risk at the site and shall evaluate the suitability of the proposed use in relation to the flood risk; and
- d) in reviewing such an application, the Development Officer and Council shall consider all relevant factors specified in other sections of this bylaw; and
 - i. the danger to life and property owing to increased flood stage elevations or velocities caused by encroachments,
 - ii. the danger that materials may be swept on to other lands or downstream to the injury of others,
 - iii. the proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions during a flood,
 - iv. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner,
 - v. the importance of the services provided by the proposed facility to the community,
 - vi. the requirements of the facility for a waterfront location,

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- vii. the availability of alternative locations not subject to flooding for the proposed use,
- viii. the compatibility of the proposed use with existing development and development anticipated in the foreseeable future,
- ix. the relationship of the proposed use to the general plan and flood plain management program for the area, if in existence,
- x. the safety of access to the property in times of flood for ordinary and emergency vehicles,
- xi. the expected flood-stage elevations, velocity, duration, rate of rise and sediment transport of the floodwaters expected at the site, and
- xii. such other factors which are relevant to the purposes of this bylaw.

15. Conditions Attached to Development Permits for Uses in Flood Risk Area:

- a) upon consideration of the factors listed above and the purposes of this By-law, the Development Officer or Council may attach such conditions to the granting of Development Permits for uses in the flood risk areas as it deems necessary to further the purposes of this bylaw. Such conditions may include:
 - i. modification of waste disposal and water supply facilities,
 - ii. limitations on periods of use and operation,
 - iii. imposition of operational controls, sureties, and deed restrictions,
 - iv. purchase of easements or first option, and
 - v. submission of a plan or document certified by a professional engineer/architect that the flood proofing measures are consistent with the freeboard elevation and associated flood factors for the particular area. The flood proofing measures as outlined in the National Building Code of Canada and/ or the Regulations of the Canada Mortgage and Housing Corporation shall apply.

5.16 REQUIREMENTS FOR CONSTRUCTION IN FLOODWAY FRINGE AREAS

Scope of Application

1. This section applies to buildings of all types located within the flood risk area or the floodway within a flood plain which has been designated jointly by the Federal Ministers of the Environment and Indian and Northern Affairs, and the Commissioner of the Northwest Territories.

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2. Flood proofing requires the raising of structures above the Design Flood Level, as described on the Flood Risk Map, and the requirements presented herein are described in detail in the Canadian Mortgage and Housing Corporation's Technical Builders' Bulletin. A certificate stating that the foundations meet the Design Flood Guidelines shall be issued by an Engineer or Surveyor and submitted as a Building Inspection Report before occupancy will be granted.
3. The requirements in this Section allow for the continued occupancy of the dwelling unit during the early stages of a flood.
4. For the purpose of this Section "habitable portions of the building" means rooms or spaces required and intended for residential occupancy, during the early stages of a flood, and includes facilities for heating, air-conditioning, electrical, hot water supplies and plumbing waste connections.
5. For the purpose of this Section "design flood level" means the level at which the design flood, not less than the 1-in-100 year event, reaches within the inundated area. The "design flood level" may also be referred to as "flood protection level".

Surveyor's Certificate

6. Site plans, indicating the elevation of the design flood level, the lot elevations, and the top of foundations, shall be submitted with the application for a development permit. They shall be certified by a professional surveyor or professional engineer licensed to practice in the NWT and submitted as part of the application for a development permit.

Filled Ground

7. The use of stable fill to raise the lowest portion of a building permanently above the design flood level shall be an acceptable alternative to the other requirements in this Section.
8. No buildings constructed on filled ground shall be raised to a height that is, in the opinion of the Development Officer, not in keeping with the character of the area and location relative to surrounding buildings.

Footings and Foundations

9. Foundations shall be designed in conformance with Section 4.2 of the current National Building Code of Canada.
10. In buildings with basements, footings and foundation walls shall be cast-in-place concrete. The interior surfaces of basement or cellar walls and floors shall not have any finishing materials covering the concrete.
11. Footings, foundation walls and floor slabs-on-ground shall be designed to resist all loads and influences that may be expected including hydrostatic pressure, and shall satisfy the requirements of Part 4 of the current National Building Code of Canada. Foundation insulation shall be applied on the exterior and be fastened to prevent detachment during flooding.

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12. The designer shall be a professional engineer or architect skilled in such design and licensed to practice in accordance with the appropriate territorial legislation.
13. The clear height from the top of the basement concrete slab-on-ground to the underside of first storey floor system including the beam shall be not less than 1.93 m (6.33 ft).
14. Basement or cellar walls shall be provided with at least two openable windows located on opposite sides of the building. The top of the windowsills shall not be less than 150 mm (6 in) below grade to allow flood water into the basement to counteract the hydrostatic pressure.
15. The interior surfaces of basement or cellar walls and floors shall not have any finishing materials covering the concrete.
16. Basements shall not contain habitable space nor be used for storage of immovable materials or hazardous materials that are buoyant, flammable, explosive, or toxic.

Backfill

17. Backfill material shall be placed in accordance with Subsection 9.12.3 of the National Building Code of Canada.
18. Backfill material shall be graded at least up to the design flood level at the exterior of the foundation wall.
19. Backfill material shall be graded away from the foundation at a slope not exceeding 1-in-3 for a minimum distance of 4.5 m (15 ft). From this point the slope may be increased to 1-in-4 slope until the original grade level is reached.

Other Support Systems

20. The use of piles or other support systems to raise the lowest portion of a building above the design flood level is an acceptable alternative to other requirements in this section.
21. The system shall be designed to resist all loads and influences that may be expected and shall satisfy the requirements of Part 4 of the current National Building Code of Canada.
22. The designer shall be a professional engineer or architect licensed to practice and skilled in such design.

Floor Construction

23. The area enclosed by the foundation walls shall be covered by a concrete slab not less than 75 mm (3 in) thick exclusive of concrete topping. When concrete topping is provided, it shall be not less than 20 mm (0.78 in).
24. The top of a structural slab-on-ground supporting habitable portions of a building shall be minimum 300 mm (11.8 in) above the design flood level.

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25. Load-bearing floor slabs-on-ground shall be designed as required in subsections 4.14(9) and 4.14(10) of this Section.
26. The underside of floor joists and sill plates supporting habitable portions of a building shall be minimum 300 mm (11.8 in).
27. The underside of wood beams supporting floors shall be minimum 300 mm (11.8 in) above the design flood level.
28. Any wooden substructure must be a minimum of 300 mm (11.8 in) above the design flood level, and floor elevations must be a minimum of 500 mm (19.1 in) above the design flood level.
29. Columns supporting floor loads shall be steel columns as required in Subsection 9.17.3 of the current National Building Code of Canada.
30. Load-bearing walls constructed below the design flood level shall be cast-in-place concrete.

Anchorage

31. Wood and steel frame buildings shall be anchored to the foundation or piles to prevent the unit from floating off the foundation should the design flood level be exceeded.
32. Exterior walls built on floor slab-on-ground shall be anchored as required in Article 9.23.6 of the current National Building Code of Canada.
33. First floor joists shall either have the ends embedded in the concrete foundation or the header joist mechanically fastened to the sill plate anchor bolts, or any system providing equivalent protection.

Basement or Cellar Drainage System

34. A covered sump pit with an automatic submersible pump shall be provided in all basements or cellars.
35. The outflow pipe shall discharge above the design flood level.
36. A separate, electrical circuit shall be provided for the sump pump with the operating switch located above the design flood level.
37. Granular material under the basement or cellar slabs shall be graded so the entire area is drained towards the sump pit.
38. Basements or cellars shall have a floor drain connected to the sump pit.
39. Basement or cellar slabs shall have a positive slope to the floor drain.
40. Floor drains or sump pumps shall not discharge to municipal sanitary sewage systems, but may discharge to municipal storm sewage systems when a backwater valve is installed.

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Measures for Continued Occupancy

41. Casings for vented drilled wells shall extend to a point at least 150 mm (6 in) above the design flood level or be capped.
42. Waste connections for plumbing fixtures shall not be made below the design flood level except as permitted in Section 4.15.
43. Central heating units, such as oil, gas or electric forced air furnaces including all ductwork and service water heaters, shall not be installed below the design flood level.
44. Electrical service panels shall not be located below the design flood level. Electrical circuits servicing areas below the design flood level shall be on separate circuits and be capable of disconnection.
45. Sewage storage tanks shall be designed to resist damage or leakage by floodwater or ground water conditions.

5.17 HEIGHT

1. In determining whether a development conforms to the maximum height permissible in any zone, the following regulations shall apply:
 - a) in any zone other than a residential zone, the following features shall not be considered for the purpose of height determination: chimney stacks, steeples, belfries, domes or spires, monuments, elevator housings, roof stairway entrances, water or other tanks, ventilating equipment, skylights, fire walls, parapet walls, receiving or transmitting structures, masts, flag poles, clearance markers, or other erections which are considered to be similar by the Development Officer; and
 - b) in any residential zone, those features specified in clause (a) shall not be considered for the purpose of height determination, except that receiving or transmitting structures, other than those which may be normally required by adequate local television reception, shall be considered.
2. notwithstanding (a) and (b) above, any developments shall comply with the requirements contained in the Hay River Airport Zoning Regulations governing the height of buildings and structures.

5.18 LIGHTING OF SITES

1. Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties or interfere with the effectiveness of any traffic control devices.

5.19 PROJECTIONS INTO YARDS

1. The following features may project into a required yard as provided for below:

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- a) Bay, oriel or similar windows, porches, eaves, shade projections, unenclosed steps, chimneys or parts of a chimney, belt courses, sills, together with any other built features which, in the opinion of the Development Officer, are of a similar character;
 - b) Balconies, decks, verandas together with any other built features which, in the opinion of the Development Officer, are of a similar character; and
 - c) An open, hard surfaced and uncovered terrace or patio in any yard in a residential zone, if such terrace is completely unenclosed except by a guard rail or parapet wall which do not exceed the maximum height permissible for a fence in the same location, or a temporary covering such as an awning.
2. Features may project into yards as provided for in the illustration below and the table on the following page.

	Maximum Projection Allowed	
If the required yard setback is:	Windows, porches and other features listed in a)	Balconies, decks and verandas and similar features listed in b)
Less than 1.22 m	0.46 m	0.46 m
1.22 m to 3.66 m	0.61 m	0.61 m
More than 3.66 m	0.61 m	1.88 m

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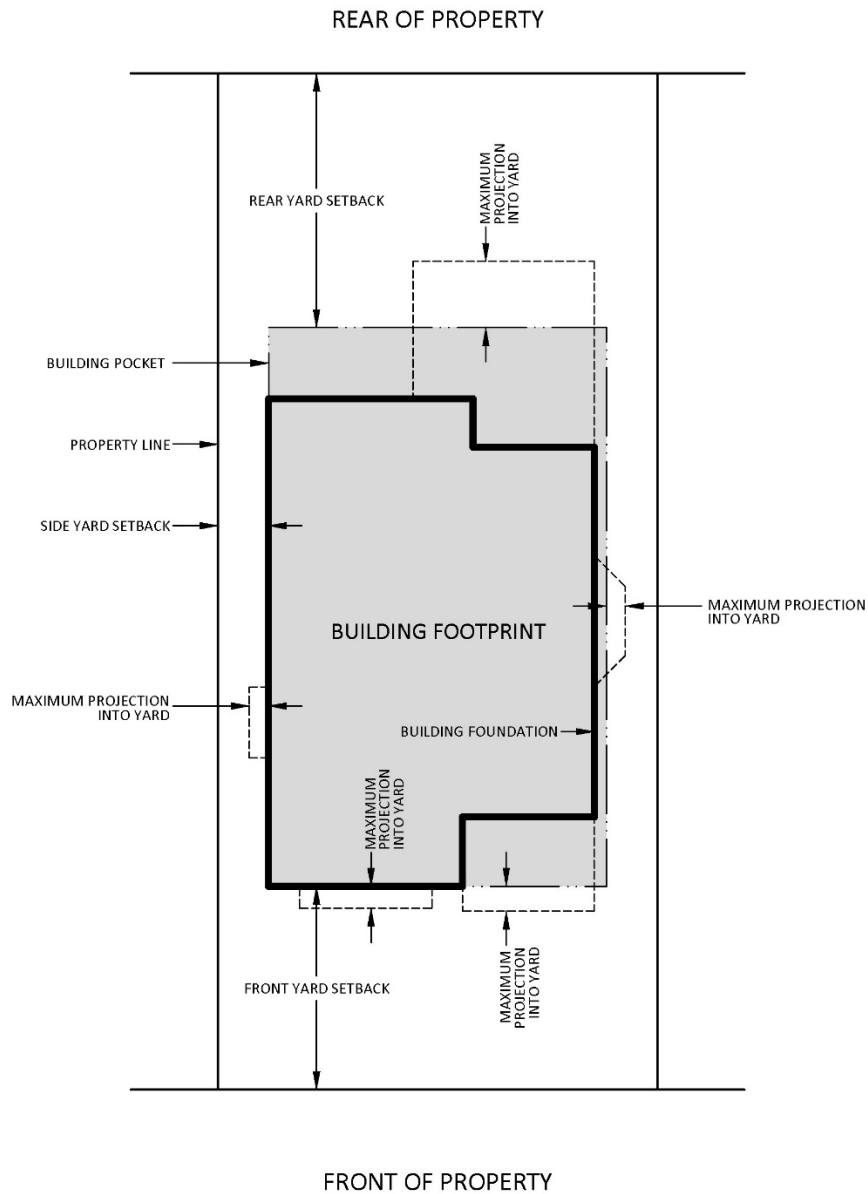


Figure 5.4 - Projections into yards

5.20 ARCHAEOLOGICAL RESOURCES

1. The Culture and Heritage Division of GNWT's Department of Education, Culture and Employment, located at the Prince of Wales Northern Heritage Centre (PWNHC) manages archaeological sites on all lands and waters in the NWT other than those under the administration and control of the federal government. Archaeological sites are protected by law (under *Archaeological Sites Regulations*, pursuant to the *Archaeological Sites Act*), and as such, potential impacts to archaeological sites must be evaluated whenever a development project is proposed.
2. There are often recorded and unknown archaeological sites within community boundaries. Archaeological sites are extremely sensitive to impacts and can be drastically altered through various types of land uses. Any activities that have the potential to disturb the surface or subsurface of the ground can negatively impact an archaeological site.
3. Any proposed land use that has the potential to impact the surface or subsurface of the ground and is within a previously undisturbed area or is within 150 m of a previously recorded archaeological site should be reviewed by PWNHC. PWNHC shall conduct a review and provide recommendations to the Town within 30 days of receiving a notice.
4. A "no development" buffer of at least 30 m will be applied to recorded archaeological site locations, unless alternate recommendations are provided by PWNHC

6.0 SPECIAL LAND USE REGULATIONS

6.1 APPLICABILITY OF SPECIAL LAND USE REGULATIONS

1. The Special Land Use Regulations apply to the uses listed irrespective of the zone in which they are located. Where these regulations appear to be in conflict with the zone regulations in which the use is either a Permitted or a Discretionary Use, the Special Land Use Regulations shall take precedence and shall be applied in addition to the requirements of the zone.

6.2 MULTIPLE UNIT HOUSING DEVELOPMENT

1. For all residential developments excepting single detached and duplex housing, the Development Officer shall not issue a development permit for a multiple unit housing development unless the following conditions have been satisfied:
 - a) provision of recreational areas and open spaces on the property;
 - b) access for fire department vehicles and other emergency vehicles;
 - c) provisions of access to garbage storage; storage to be suitably enclosed;
 - d) provisions of clothes lines or alternate means of handling laundry;
 - e) landscaping according to Section 5.3 and fences according to Section 5.12;
 - f) lighting between buildings;
 - g) orientation of buildings and general appearance of buildings;
 - h) privacy of dwelling units in and adjacent to the development;
 - i) safe pedestrian access to and from the public sidewalk fronting the site; and
 - j) any other matter the Development Officer or Council reasonably consider necessary to the residential environment.

6.3 MANUFACTURED HOMES

1. Manufactured Homes shall in all cases:
 - a) be placed on permanent foundations and footings as specified in the National Building Code of Canada;
 - b) comply with all provisions of the regulations concerning manufactured homes;
 - c) meet or exceed the provisions of CSA Z240;
 - d) not be less than 74 m² (797 ft);
 - e) meet all safety and fire regulations as may be specified by the municipality;
 - f) have skirtings to screen the undercarriage; this skirting shall be factory prefabricated or of a quality equivalent thereof so that design and construction will complement the home; and
 - g) be subject to any subsequent regulations the Town may incorporate.

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2. All accessory structures such as patios, porches, decks, additions, and storage facilities shall be factory prefabricated units, or of a quality equivalent thereof so that design and construction will complement the mobile home.
3. In cases of an irregularly shaped lot or a manufactured home that is too long to allow for normal setbacks, the Development Officer may permit setbacks at the front and back respectively, which are less than the required setbacks but in no case less than 3 m (10 ft), provided this does not adversely affect the amenities of the residential area.

6.4 DAY CARE FACILITIES

1. In addition to conforming with the GNWT Child Day Care Act and Child Day Care Standards and Regulations, all Day Cares shall be subject to the following regulations:
 - a) a day care shall not be a principal use of a building within a residential zone; and
 - b) the Development Officer or Council shall, in deciding whether to approve or refuse a day care, consider, among other matters, if the development would be suitable for the location proposed, taking into account, among other matters, potential traffic generation, proximity to park or other open or recreational areas, isolation of the proposed site from other uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents, and consistency in terms of intensity of use with other development in the area.
2. Family Day Homes are permitted as a home occupation in residential zones.

6.5 SUPPORTED LIVING FACILITY

1. A supported living facility shall comply with the following regulations:
 - a) the maximum number of residents shall be established by Council who shall have regard for the nature of the supported living facility and/or the nature of the zone in which it is located;
 - b) the maximum number of residents shall be consistent with the general population density of the zone in which it is located;
 - c) the supported living facility shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the zone in which it is located; and
 - d) all development regulations of the zone in which the supported living facility is located shall apply.
2. All applications to develop a supported living facility shall be accompanied by the report of a professional Community Planner, indicating that a detailed planning analysis of the proposed development has been carried out.

6.6 HOME OCCUPATIONS

1. A home occupation shall not be permitted in a residence if, in the opinion of the Development Officer it would be more appropriately located in a Commercial or Industrial zone.

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2. A resident who intends to operate a home occupation, where permitted under this bylaw, shall make application for the following:
 - a) a development permit that shall be in effect for the period the home occupation is operated; and
 - b) a business license that shall be in effect for the period of one year, requiring annual renewal to continue the home occupation.
3. All home occupations, if given approval, shall comply with the following provisions:
 - a) there shall be no outdoor business activity, storage of materials, or equipment associated with the office;
 - b) the office shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the zone within which it is located;
 - c) the number of employees shall not exceed one at any one time;
 - d) Council may set a limit to the number of customers that may be in attendance at any one time;
 - e) there shall be no exterior display or advertisement, other than a permitted sign measuring 45.7 cm x 60.9 cm (18"x 24");
 - f) there shall be no mechanical or electrical equipment used which creates noise, or visible and audible interference in radio or television reception in adjacent dwellings;
 - g) the office shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling involved; and
 - h) a person deemed by the Development Officer to be providing a service or instruction in arts and crafts, shall not permit more than six students or customers to be in attendance at any one time.
4. In addition to all other provisions and requirements of this section, the following additional requirements shall apply to home occupations in the form of bed and breakfast operations, as defined in Section 4 of this bylaw:
 - a) persons wishing to operate a bed and breakfast operation shall be required to apply for a development permit;
 - b) a bed and breakfast operation shall be limited to residential land use zones and shall be within the principal building or in a garden suite.
 - c) a bed and breakfast operation shall be limited to one meal provided on a daily basis to registered guests only, with such a meal being prepared in one common kitchen and served in one common room; and
 - d) in addition to the off-street parking requirements for the dwelling/dwelling unit itself, as stipulated in Section 8.3(2)(a) of this bylaw, one off street parking space per rented guest room shall be required for a bed and breakfast operation.

6.7 RELIGIOUS ASSEMBLY

1. All sites for religious assembly shall comply with the following special provisions:
 - a) the site shall have a frontage of a least 30 m (100 ft) and an area of at least 929 m² (10,000 sq. ft); and

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- b) where a manse, rectory, parsonage, or other building of residence associated with the religious assembly is to be erected on the site, the combined area of the site shall not be less than 1300 m² (13,993 sq. ft).

6.8 INSTITUTIONAL USES

1. All facilities within the I - Institutional zone shall comply with the following:

- a) no facility shall derive more than 10% of its total revenues from commercial activities, which are not directly related to the operation of the facility; and
- b) all facilities shall have direct access to a collector street.

6.9 CARETAKER UNITS

1. In land use zones where caretaker units are permitted as a discretionary use under this bylaw, an application for a development permit will be considered by the Development Officer and may be approved by Council for a maximum of one caretaker unit per lot. All applications must be accompanied by proof of a valid business license, issued by the Town of Hay River, for the location of the intended caretaker unit. If approval for the caretaker unit is given, the following provisions will be adhered to:
 - a) the application is with regard to an Industrial, Transportation or Highway/ Service Commercial zone;
 - b) where the caretaker unit is attached to the principal building on a site by a roof, wall, an open or enclosed structure, a floor, or a foundation, it is considered to be an integral part of the principal building and must meet all the requirements set out in the National Building Code of Canada and the National Fire Code of Canada;
 - c) where the caretaker unit is an integral part of the principal building, any walls or doors between the caretaker unit and the principal building must have a fire rating as required by the National Fire Code of Canada and be constructed of materials which are set out in the National Building Code of Canada to achieve this rating;
 - d) the maximum area of the living space for a caretaker unit which forms an integral part of the principal building must not be greater than 93 m² (1,001 sq. ft).
2. Caretaker units that are not an integral part of the building will only be considered for the Industrial and Transportation zones. These units must be mobile homes as defined in this bylaw and meet the standards of mobile homes as set out in this bylaw.
3. Applicants will be required to substantiate their need to retain the use of a non-permanent caretaker unit by annually re-applying for continuation of the approval.
4. A change in land/ building use or ownership shall require a new application to establish a caretaker unit to be submitted to Council for consideration.

6.10 LIVING SUITES

1. The following conditions shall apply when developing a living suite:

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- a) living suites shall be allowed only within a single detached dwelling;
 - b) living suites shall not exceed the total floor area of the primary dwelling unit in which it is located;
 - c) living suites must be limited to no more than two bedrooms;
 - d) living suites must be fully self-contained with their own direct access to the outdoors;
 - e) construction of living suites must comply to the requirements of the National Building Code and Territorial fire regulations; and
 - f) living suites must have approved smoke detectors.
2. A development permit shall be obtained prior to development of any living suites.
 3. Development permits for living suites must identify the availability of parking for its occupants in accordance with the regulations outlined in Section 8.0 Parking and Loading Regulations.
 4. In making its decision on a living suite application, the development authority shall not consider the condition of the property or the behaviour of the occupants of the property, as these matters are enforced through the Unsightly Land bylaw and other legislation.
 5. Living suites are not allowed where a garden suite has been permitted.

6.11 GARDEN SUITES

1. Garden suites, when permitted, shall:
 - a) be separate from the principal dwelling;
 - b) be located only a lot where the principal use is a single detached dwelling;
 - c) have unimpeded pedestrian access to a street or land frontage with a minimum width of 1 m;
 - d) have a maximum gross floor area of 60 m² (650 sq. ft), including basement floor area, and have a maximum height of 7 m (23 ft). except in the RC zone where the maximum gross floor area is 75 m² (807 sq. ft) and the maximum height allowed is 8 m (26 ft);
 - e) be located in the rear yard, except in the RC zone, where they may also be located in the front and side yards;
 - f) provide private or shared amenity areas equal to 10% of the net rentable area of the garden suite;
 - g) shall be service with water and sewer services, where these services exist;
 - h) be limited to one garden suite per lot;
 - i) have a minimum setback of 3 m (10 ft) from the principal building; and
 - j) be limited to 60 m² (646 sq. ft) gross floor area when located on the second storey of an accessory building.
2. Garden suites shall be designed, sited, constructed, finished, and sided in a manner that is visually compatible, in the opinion of the Development Officer, with the residential character of the principal residence.

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3. Garden suites are subject to the development regulations applicable to principal uses in each zone (i.e. buildings are not to be regulated as an accessory building/structure).

6.12 ACCESSORY USES AND BUILDINGS

1. A use may be accessory to a permitted or discretionary use, if such use complies with the definition of accessory in this bylaw.
2. Where any building or structure on a site is attached to a principal building on the site by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below grade allowing access between the buildings such as a parking garage or a corridor or passageway connecting the buildings, it is a part of the principal building and is not an accessory building and shall therefore adhere to the development regulations as specified in the land use zones.
3. Accessory uses and buildings are permitted in a zone when accessory to a principal use which is a permitted use in that same zone and for which a development permit has been issued.
4. Accessory uses and buildings are discretionary in a zone when accessory to a principal use which is a discretionary use in that same zone and for which a development permit has been issued.
5. The construction of an Accessory Building 14 m² (151 sq. ft) or greater in size shall require an approved development and building permit.

Accessory Buildings in Non-Residential Zone

6. In any zone other than a residential zone, an accessory building or structure is subject to the development regulations for that zone.

Accessory Buildings in Residential Zone

7. The number of accessory buildings on one lot shall be at the discretion of the Development Officer.
8. An accessory building or structure shall not be used as a dwelling.
9. An accessory building or structure shall not exceed 4.6 m (15 ft) in height. Accessory buildings with a suite on the second floor, can have a maximum height of 7 m (23 ft), except in RC zones, where the maximum height allowed is 8 m (26 ft).
10. Accessory buildings and structures shall be located on an interior lot as follows:
 - a) a minimum of 1 m (3.3 ft) from the dwelling;
 - b) no closer than the front lot line of the principal building, except where the lot fronts onto a river or lake;

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- c) not less than 1 m (3.3 ft) from the side lot line, except where it is a mutual garage erected on the common property line to the satisfaction of the Development Officer, or where the accessory building does not exceed the permitted fence height;
- d) not less than 1 m (3.3 ft) from the rear lot line if the structure exceeds 2 m (6.6 ft) in height (subject to clause E below); and
- e) where the accessory building is a detached garage, to provide a minimum of 5.0 m (16.4 ft) from the garage doors to any property line.

11. Accessory buildings and structures shall be located on a corner site as follows:

- a) on a corner site, in addition to the above provisions and subject to clause (b) below, the distance between an accessory building and any public roadway other than a lane flanking the site, shall be not less than the side yard required for the principal building; and
- b) where an accessory building is a detached garage, and where the vehicle doors of the detached garage face any flanking public roadway other than a lane, the distance between the garage and the flanking public roadway shall not be less than 5.0 m (16.4 ft).

6.13 ANIMAL REGULATIONS

- 1. The keeping of animals on any residential lot shall be in accordance with the following without the need to obtain a development permit:
 - a) on any lot, not more than 4 domestic household pets, not to include more than 2 dogs, which must be confined to the property;
 - b) on any lot less than 0.8 ha (2.0 ac) no animals except as provided for in subsection (a); and
 - c) on lots of 0.8 ha or more, the following shall apply.

ANIMAL UNITS ON RESIDENTIAL LOTS GREATER THAN 0.8 ha (2.0 ac)	
LOT SIZE	NUMBER OF ANIMAL UNITS
0.8-1.2 ha/ 2.0-3.0 ac.	1 Animal Units
1.2-1.6 ha/ 3.0-4.0 ac.	2 Animal Units
1.6-2.0 ha/ 4.0-5.0 ac.	3 Animal Units
2.0-2.4 ha/ 5.0-6.0 ac.	4 Animal Units
2.4-2.8 ha/ 6.0-7.0 ac.	5 Animal Units
2.8-3.2 ha/ 7.0-8.0 ac.	6 Animal Units
3.2-3.6 ha/ 8.0-9.0 ac.	7 Animal Units
3.6-4.0 ha/ 9.0-10.0 ac.	8 Animal Units
4.0-4.4 ha/ 10.0-11.0 ac	9 Animal Units
4.4-4.8 ha/ 11.0-12.0 ac.	10 Animal Units
4.8-5.2 ha/ 12.0-13.0 ac	11 Animal Units
5.2-5.6 ha/ 13.0-14.0 ac	12 Animal Units
5.6-6.0 ha/ 14.0-15.0 ac.	13 Animal Units
6.0-6.4 ha/ 15.0-16.0 ac.	14 Animal Units

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6.4-6.8 ha/ 16.0-17.0 ac	15 Animal Units
for every 0.4 hectare (1.0 acre) thereafter, add one more animal unit.	

2. For the purpose of this section “One animal unit” means:
 - a) 1 horse over one year old; or
 - b) 2 foals up to one year old; or
 - c) 1 cow over one year old; or
 - d) 2 calves up to one year old; or
 - e) 30 chickens; or
 - f) 10 ducks, turkeys, or geese; or
 - g) 5 sheep or goats; or
 - h) 20 rabbits; or
 - i) 3 pigs;
3. other animals or combination of animals shall be calculated to conform to the intent of the above list.
4. The keeping of animals not in accordance with Section 6.13(1) above shall require a development permit at the discretion of Council having due regard to the adjoining land use in order to avoid adverse land use impacts.
5. Pigs shall only be allowed in the MG-Market Gardening zone in accordance with the regulations of Section 6.13(1).
6. Offspring, up to 3 months, dependent on their mother for nursing are exempted from the limits on animal units.
7. The construction of any structure for the accommodation of any livestock, poultry or other animals is permitted, subject to compliance with Section 3.2 of this bylaw.

6.14 INTENSIVE LIVESTOCK OPERATIONS

1. The development of intensive livestock operations shall be permitted subject to the requirements of the Development Officer and Council.
2. The development of an intensive livestock operation shall not proceed unless and until an Environmental Impact Assessment has been conducted and the results submitted to the appropriate Municipal, Territorial, and Federal government agencies. Such assessment shall be conducted at the expense of the applicant.
3. Prior to commencing operation, all requirements, as determined by the Environmental Health Officer, must be met and the operator shall request inspection from the Hay River office of the Mackenzie Regional Health Services in regards to the entire operation.

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4. For the purposes of this section, livestock includes farm animals and poultry listed in the following table, and any other animals reared for commercial purposes.

Animal Unit Equivalents		
Kind of Animal		No. of Animals = 1 Animal Unit
Cattle	Cows or bulls	1
	Feeder cattle	1.5
	Replacement heifers	2
	Calves	4
Hogs	Boars or sows	3
	Gilts	4
	Feeder hogs (54 kg avg.)	6
	Weanling hogs (20 kg)	20
Poultry	Hens, cockerels, lapons	100
	Chicks, broiler chickens	200
	Turkeys, geese, or ducks	50
Sheep	Rams or ewes	7
	Lambs	14
Goats		7
Horses	Colts or ponies	2
	Other than colts or ponies	1
Bison and muskoxen	Cows or bulls	1
	Calves	4
Fallow deer	Fallow deer	8
	Fallow deer fawns	32
Domestic Indigenous	Elk	5
	Elk calved	20
	White tail deer	8
	White tail deer fawns	32
	Mule deer	8
	Mule deer fawns	32
Miscellaneous	Mink	80
	Rabbits	40

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5. Intensive livestock operation shall meet the following minimum distances from residential uses.

Minimum Separation Distances from Residential Uses						
Residential Population	Number of Animal Units					
	10 - 50	50 - 300	300 - 500	500 - 2,000	2,000 - 5,000	>5000
Single Rural Residence	300 m	300 m	400 m	800 m	1200 m	1600 m
<100	400 m	400 m	800 m	1200 m	1600 m	2000 m
100 - 500	400 m	800 m	1200 m	1600 m	2400 m	2400 m
500 - 5,000	800 m	1200 m	1600 m	2400 m	3200 m	3200 m
> 5,000	800 m	1600 m	2400 m	3200 m	4800 m	3200 m

6. The minimum distances stated in Section 6.14(5) shall be measured from the nearest edge of the livestock enclosure and/ or manure storage area.
7. The minimum distances in Section 6.14(5) shall also apply to the spreading of manure in the proximity of residences not occupied by the intensive livestock operation operator. These distances shall not apply if the manure is injected into the soil.
8. The minimum distances in Section 6.14(5) shall not apply if liquid manure storage facilities are present; minimum distances required for liquid manure storage facilities are outlined in the Government of NWT Guideline for Agricultural Waste.
9. At the discretion of the Development Officer and Council, relaxations in the minimum distances may be permitted if the proponent obtains written consent from adjacent affected landowners.
10. No intensive livestock operation shall be located less than 1.6 km (1 mile) from a national, territorial, or municipal park or recreation area.
11. No intensive livestock operation shall be located less than 0.8 km (0.5 mile) from either side of a primary highway.
12. No intensive livestock operation shall be located less than 152 m (499 ft) from a water body or water course unless the water source is entirely surrounded by the lot of land containing the intensive livestock operation.
13. All intensive livestock operations shall be developed in accordance with the following:
- no run-off water can directly enter any waterbody, watercourse, groundwater, irrigation system, or public roadway ditch or highway ditch;
 - there is provision for adequate waste treatment, temporary waste facilities and arrangements for waste disposal on the operator's own land, in accordance with standards set by the local health unit; and
 - the maximum number of animals shall be established, by condition, on the development permit.

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7.0 REGULATIONS BY LAND USE ZONE

7.1 R1A - LARGE LOT RESIDENTIAL (CLASS A)

1. General Purpose

This zone is generally intended to accommodate single detached dwellings in areas where lots larger than those normally provided are proposed. The regulations of this land use zone are such that a minimum size of dwelling is required in a setting which allows for and protects larger homes.

2. Permitted Uses

- a) Day Care Facility
- b) Duplex
- c) Home Occupation
- d) Housing, Single Detached
- e) Parks
- f) Playgrounds
- g) Accessory Buildings and Uses

3. Discretionary Uses

- a) Public Utility Service
- b) Religious Assembly
- c) Supported Living Facility

4. Development Regulations

Development Regulations for R1A – Residential (Class A)		
Lot Dimensions		
Minimum Lot Width	Internal lots	18.5 m (61 ft)
	Corner lots	20 m (66 ft)
	Irregular and pie-shaped lots	As above, measured 6 m (20 ft) back from the front yard property line
Lot Depth Minimum		30 m (99 ft)
Lot Area Minimum		557 m ² (5996 sq. ft)

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Building Dimensions		
Lot Coverage Maximum		40%
Floor Area Minimum for principal building		75 m ² (807 sq ft)
Building Height Maximum		10 m (33 ft) or 2.5 storeys
Yard Setbacks		
Front Yard Minimum	Regular shaped lots	7.5 m (25 ft)
	Corner lots	Shall conform to the provisions of Section 5.5 of this bylaw but may be varied at the discretion of the Development Officer
Rear Yard Minimum	Interior lots	7.5 m (25 ft)
	Corner lots	4.5 m (15 ft)
Side Yard Minimum	Single-storey dwellings	1.5 m (5 ft)
	Two-story dwellings	2 m (6.6 ft)
	Corner lot - flanking side yard	20% of the lot width, to a maximum of 4.5 m (15 ft)
	Lot without a rear lane, except where an attached garage or carport is provided	3 m (10 ft) for one side yard
Garage and Accessory Building Placement		
Minimum distances between garage and dwelling		1 m (3.3 ft)
Minimum distance between garage and front lot line		No closer to the front lot line than the principal dwelling; except waterfront lots, where the garages shall be set back 7.5 m (25 ft)
Minimum distance between garage and side lot line		1 m (3.3 ft)
Minimum distance between garage and rear lot line		1 m (3.3 ft)
Minimum distance between garage doors and any lot line		5 m (16.4 ft)

5. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Day Cares - Section 6.4

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- c) General Regulations - Section 5
- d) Home Occupations - Section 6.6
- e) Parking and Loading Regulations - Section 8
- f) Public Utility Services - Sections 5.7 & 5.8
- g) Special Land Use Regulations - Section 6
- h) Religious Assembly - Section 6.7
- i) Sign Regulations - Section 9
- j) Supported Living Facility - Section 6.5

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7.2 R1B - LOWER DENSITY RESIDENTIAL (CLASS B)

1. General Purpose

This land use zone is intended to establish areas of single detached housing comprised of standard lots and dwellings.

2. Permitted Uses

- a) Day Care Facility
- b) Garden Suite
- c) Home Occupation
- d) Housing, Duplex
- e) Housing, Single Detached
- f) Living Suite
- g) Park
- h) Playground
- i) Accessory Buildings and Uses

3. Discretionary Uses

- a) Religious Assembly
- b) Housing, Row Housing
- c) Public Utility Services
- d) Supported Living Facility

4. Development Regulations

Development Regulations for R1B – Residential (Class B)		
Lot Dimensions		
Lot Width Minimum	Internal lots	15 m (49 ft)
	Corner lots	18 m (59 ft)
	Irregular and pie-shaped lots	As above, measured 6.0 m (20 ft) back from the front yard property line
	Duplex housing (with each unit on a separate lot)	7.5 m (25 ft)
Lot Depth Minimum		30 m (99 ft)
Lot Area Minimum	Duplex housing (with each unit on a separate lot)	250 m ² (2691 sq. ft)

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	All other uses	464 m ² (4995 sq. ft)
Building Dimensions		
Lot Coverage Maximum		50%
Floor Area Minimum for principal building	Single detached unit	70 m ² (753 sq ft)
	Duplex unit (per unit)	60 m ² (645 sq ft)
Building Height Maximum		10 m (33 ft) or 2.5 storeys.
Yard Setbacks		
Front Yard Minimum	Regular shaped lots	7.5 m (25 ft)
	Corner lots	Shall conform to the provisions of Section 5.5 of this bylaw but may be varied at the discretion of the Development Officer
Rear Yard Minimum	Interior lots	7.5 m (25 ft)
	Corner lots	4.5 m (15 ft)
Side Yard Minimum	Single-storey dwellings	1.5 m (5 ft)
	Two-story dwellings	2 m (6.5 ft)
	Corner lot - flanking side yard	20% of the lot width, to a maximum of 4.5 m (15 ft)
	Lot without a rear lane, <i>except where an attached garage or carport is provided</i>	3 m (10 ft) for one side yard
	Duplex housing	As above with 0.0 m (0.0 ft) along the common wall
Garage and Accessory Building Placement		
Minimum distances between garage and dwelling		1 m (3.3 ft)
Minimum distance between garage and front lot line		No closer to the front lot line than the principal dwelling; except waterfront lots, where the garages shall be set back 7.5 m (25 ft)
Minimum distance between garage and side lot line		1 m (3.3 ft)
Minimum distance between garage and rear lot line		1 m (3.3 ft)
Minimum distance between garage doors and any lot line		5 m (16.4 ft)

5. Other Provisions

a) Accessory Uses and Buildings - Section 6.12

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- b) Day Care Facility - Section 6.4
- c) Garden Suite - Section 6.11
- d) General Regulations - Section 5
- e) Home Occupation - Section 6.6
- f) Living Suite - Section 6.10
- g) Parking and Loading Regulations - Section 8
- h) Public Utility Service - Sections 5.7 & 5.8
- i) Religious Assembly - Section 6.7
- j) Sign Regulations - Section 9
- k) Special Land Use Regulations - Section 6
- l) Supported Living Facility - Section 6.5

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7.3 R1C - MEDIUM DENSITY RESIDENTIAL (CLASS C)

1. General Purpose

This land use zone is to apply to residential areas and generally intended for single detached and duplex dwellings at a slightly higher density.

2. Permitted Uses

- a) Day Care Facility
- b) Garden Suite
- c) Home Occupation
- d) Housing, Duplex
- e) Housing, Single Detached
- f) Living Suite
- g) Manufactured Home
- h) Park
- i) Playground
- j) Accessory Buildings and Uses

3. Discretionary Uses

- a) Public Utility Service
- b) Religious Assembly
- c) Supported Living Facilities

4. Development Regulations

Development Regulations for R1C – Residential (Class C)		
Lot Dimensions		
Lot Width Minimum	Internal lots	12 m (40 ft)
	Corner lots	18 m (59 ft)
	Irregular and pie-shaped lots	As above, measured 6 m (20 ft) back from the front yard property line
	Duplex housing (with each unit on a separate lot)	7.5 m (25 ft)
Lot Depth Minimum		24 m (80 ft)
Lot Area Minimum	Duplex housing (with each unit on a separate lot)	250 m ² (2,691 sq. ft)

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	All other uses	297 m ² (3,200 sq. ft)
Building Dimensions		
Lot Coverage Maximum		50%
Floor Area Minimum for principal building	Single detached unit	49 m ² (527 sq. ft)
	Duplex unit (per unit)	60 m ² (645 sq. ft)
Building Height Maximum		10 m (33 ft) or 2.5 storeys
Yard Setbacks		
Front Yard Minimum	Regular shaped lots	6 m (20 ft)
	Corner lots	Shall conform to the provisions of Section 5.5 of this bylaw but may be varied at the discretion of the Development Officer
Rear Yard Minimum	Interior lots	7.5 m (25 ft)
	Corner lots	4.5 m (15 ft)
Side Yard Minimum	Single-storey dwellings	1.5 m (5 ft)
	Two-story dwellings	2 m (6.5 ft)
	Corner lot - flanking side yard	20% of the lot width, to a maximum of 4.5 m (15 ft)
	Lot without a rear lane, except where an attached garage or carport is provided	3 m (10 ft) for one side yard
	Duplex housing	As above with 0.0 m (0.0 ft) along the common wall
Garage and Accessory Building Placement		
Minimum distances between garage and dwelling		1 m (3.3 ft)
Minimum distance between garage and front lot line		No closer to the front lot line than the principal dwelling
Minimum distance between garage and side lot line		1 m (3.3 ft)
Minimum distance between garage and rear lot line		1 m (3.3 ft)
Minimum distance between garage doors and any lot line		5 m (16.4 ft)

5. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Day Care Facilities - Section 6.4

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- c) Garden Suite – Section 6.11
- d) General Regulations - Section 5
- e) Home Occupation - Section 6.6
- f) Living Suite - Section 6.10
- g) Manufactured Home - Section 6.3
- h) Parking and Loading Regulations - Section 8
- i) Public Utility Service - Sections 5.7 & 5.8
- j) Religious Assembly - Section 6.7
- k) Sign Regulations - Section 9
- l) Special Land Use Regulations - Section 6
- m) Supported Living Facilities - Section 6.5

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7.4 R2 - MILE 5 RESIDENTIAL

1. General Purpose

To establish a zone intended for single detached dwellings on large lots, some of which may lack urban services. This zone shall maintain the integrity of the existing Mile 5 area which provides for transition to housing within a more rural atmosphere.

2. Permitted Uses

- a) Day Care Facilities
- b) Garden Suite
- c) Home Occupation
- d) Housing, Duplex
- e) Housing, Single Detached
- f) Living Suite
- g) Manufactured Homes
- h) Accessory Buildings and Uses

3. Discretionary Uses

- a) Religious Assembly
- b) Supported Living Facility
- c) Public Utility Service

4. Development Regulations

Development Regulations for R2 – Mile 5 Residential		
Lot Dimensions		
Lot Width Minimum	Duplex housing (with each unit on a separate lot)	11.5 m (38 ft)
	All other uses	23 m (76 ft)
Lot Depth Minimum	Set by lot width and lot area	
Lot Area Minimum	Duplex housing (with each unit on a separate lot)	720 m ² (7,750 sq. ft)
	All other uses	1,400 m ² (15,070 sq. ft)
Building Dimensions		
Lot Coverage Maximum		40%

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Floor Area Minimum for principal building		65 m ² (700 sq. ft.)
Building Height Maximum		10 m (33 ft) or 2.5 storeys
Yard Setbacks		
Front Yard Minimum	Regular shaped lots	7.5 m (25 ft)
	Corner lots	Shall conform to the provisions of Section 5.5 of this bylaw but may be varied at the discretion of the Development Officer
Rear Yard Minimum	All lots	10.5 m (34.5 ft)
Side Yard Minimum	Duplex housing	Same as other uses in the zone, with 0.0 m (0.0 ft) along the common wall
	All other uses	2 m (6.6 ft)
Garage and Accessory Building Placement		
Minimum distances between garage and dwelling		1 m (3.3 ft)
Minimum distance between garage and front lot line		No closer to the front lot line than the principal dwelling; except waterfront lots, where the garages shall be set back 7.5 m (25 ft)
Minimum distance between garage and side lot line		1 m (3.3 ft)
Minimum distance between garage and rear lot line		1 m (3.3 ft)
Minimum distance between garage doors and any lot line		5 m (16.4 ft)

5. Special Modifications

- a) Mile-5 parcels Lot 1683 Plan 2830 (218 Miron Drive) and Lot 633 Plan 572 (156 Miron Drive) are designated R2x - Five Mile, the special condition being that offices are allowed at these locations.

6. Other Provisions

- a) Accessory Uses and Building - Section 6.12
- b) Day Care Facilities - Section 6.4
- c) Garden Suite – Section 6.11
- d) General Regulations - Section 5
- e) Home Occupation - Section 6.6
- f) Living Suite - Section 6.10
- g) Manufactured Homes - Section 6.3
- h) Religious Assembly - Section 6.7

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- i) Parking and Loading Regulations - Section 8
- j) Public Utility Service - Sections 5.7 & 5.8
- k) Sign Regulations - Section 9
- l) Special Land Use Regulations - Section 6
- m) Supported Living Facility - Section 6.5

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Regulations by Land Use Zone

7.5 R3 - WEST CHANNEL VILLAGE RESIDENTIAL

1. General Purpose

To maintain the integrity of the existing West Channel Village area. This zone shall recognize the lack of urban services, the potential for flooding and the desirable, primarily residential character, but allowing a broader range of accessory uses than in other residential areas.

2. Permitted Uses

- a) Day Care Facility
- b) Garden Suite
- c) Home Occupation
- d) Housing; Single Detached
- e) Living Suite
- f) Manufactured Home
- g) Parks
- h) Playgrounds
- i) Accessory Buildings and Uses

3. Discretionary Uses

- a) Outdoor Storage of Materials for Fishing Only
- b) Public Utility Service
- c) Religious Assembly

4. Development Regulations

Development Regulations for R3 – West Channel Village		
Lot Dimensions		
Lot Width Minimum – All uses		23 m (76 ft)
Lot Depth Minimum	Set by lot width and lot area	
Lot Area Minimum		800 m ² (8,611 sq. ft)
Building Dimensions		
Lot Coverage Maximum		40%
Floor Area Minimum for principal building		60 m ² (645 sq. ft.)

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Building Height Maximum		10 m (33 ft) or 2.5 storeys
Yard Setbacks		
Front Yard Minimum	Regular shaped lots	6 m (20 ft)
	Corner lots	Shall conform to the provisions of Section 5.5 of this bylaw but may be varied at the discretion of the Development Officer
Rear Yard Minimum	Regular shaped lots	7.5 m (25 ft)
	Corner lots	4.5 m (15 ft)
Side Yard Minimum		2 m (6.6 ft)
Garage and Accessory Building Placement		
Minimum distances between garage and dwelling		1 m (3.3 ft)
Minimum distance between garage and front lot line		No closer to the front lot line than the principal dwelling; except waterfront lots, where the garages shall be set back 6 m (20 ft)
Minimum distance between garage and side lot line		1 m (3.3 ft)
Minimum distance between garage and rear lot line		1 m (3.3 ft)
Minimum distance between garage doors and any lot line		5 m (16.4 ft)

5. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Day Care Facility - Section 6.4
- c) Garden Suite - Section 6.11
- d) General Regulations - Section 5
- e) Home Occupation - Section 6.6
- f) Living Suites– Section 6.10
- g) Manufactured Home - Section 6.3
- h) Religious Assembly - Section 6.7
- i) Parking and Loading Regulations - Section 8
- j) Public Utility Service - Sections 5.7 & 5.8
- k) Sign Regulations - Section 9
- l) Special Land Use Regulations - Section 6

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7.6 R4 - MULTIPLE UNIT RESIDENTIAL

1. General Purpose

This zone is intended to provide for multiple family housing types.

2. Permitted Uses

- a) Day Care Facility
- b) Home Occupation
- c) Housing, Duplex
- d) Housing, Multiple Unit
- e) Housing, Row Housing
- f) Playgrounds
- g) Parks
- h) Accessory Buildings and Uses

3. Discretionary Uses

- a) Accessory Buildings and Uses
- b) Public Utility Service
- c) Supported Living Facility

4. Development Regulations

Development Regulations for R4 – Multiple Family Housing		
Lot Dimensions		
Lot Width Minimum	Duplex (with each unit on a separate lot)	7.5 m (25 ft)
	All other uses	11 m (36 ft)
Lot Depth Minimum		34 m (112 ft)
Lot Area Minimum	Duplex (with each unit on a separate lot)	250 m ² (2,691 sq. ft)
	Row housing	800 m ² (8,611 sq. ft)
	All other	375 m ² (4,037 sq. ft)
Density		
Row housing		Density shall not exceed 60 units per hectare (24 units per acre)

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All other multiple family housing		Density shall not exceed 120 units per hectare (48 units per acre)
Building Dimensions		
Lot Coverage Maximum		40%
Floor Area Minimum for each dwelling unit	Multiple Unit Building (per unit)	35 m ² (377 sq. ft)
	Duplex or row House (per unit)	60 m ² (645 sq. ft)
Building Height Maximum		15 m (49 ft)
Yard Setbacks		
Front Yard Minimum	Regular shaped lots	7.5 m (25 ft)
	Corner lots	Shall conform to the provisions of Section 5.5 of this bylaw but may be varied at the discretion of the Development Officer
Rear Yard Minimum	Regular shaped lots	7.5 m (25 ft)
	Corner lots	4.5 m (15 ft)
Side Yard Minimum	Duplex housing	3 m (10 ft), with 0.0 m (0.0 ft) along the common wall
	Buildings less than 10 m (33 ft)	3 m (10 ft)
	Buildings more than 10 m (33 ft)	5 m (16.4 ft)
Garage and Accessory Building Placement		
Minimum distances between garage and dwelling		1 m (3.3 ft)
Minimum distance between garage and front lot line		No closer to the front lot line than the principal dwelling.
Minimum distance between garage and side lot line		1 m (3.3 ft)
Minimum distance between garage and rear lot line		1 m (3.3 ft)
Minimum distance between garage doors and any lot line		5 m (16.4 ft)

5. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Day Care Facility - Section 6.4
- c) General Regulations - Section 5
- d) Home Occupation - Section 6.6
- e) Parking and Loading Regulations - Section 8

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- f) Public Utility Service - Sections 5.7 & 5.8
- g) Sign Regulations - Section 9
- h) Special Land Use Regulations - Section 6
- i) Supported Living Facility - Section 6.5

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7.7 RM - MANUFACTURED HOME PARK

1. General Purpose

The general purpose of this zone is to permit the development of residential mobile home lots available to mobile home owners on a lease or rental basis, with the possibility, at the discretion of the Council, of some uses which are compatible with the permitted uses.

2. Permitted Uses

- a) Day Care Facility
- b) Home Occupations
- c) Manufactured Homes
- d) Park
- e) Playgrounds
- f) Accessory buildings and uses

3. Discretionary Uses

- a) Public Utility Service
- b) Accessory buildings and uses

4. Development Regulations

Development Regulations for RM – Mobile Home Park		
Lot Dimensions		
Site Width Minimum	Single wide mobile homes	11.5 m (38 ft)
	Double wide mobile homes	15 m (49 ft)
Site Depth Minimum		30 m (99 ft)
Site Area Minimum	Single wide mobile home	345 m ² (3,714 sq. ft)
	Double wide mobile home	450 m ² (4,844 sq. ft)
Density		
The maximum density shall not exceed 25 mobile homes per gross hectare (10 per gross acre)		
There shall not be more than one mobile home on any site.		
Floor Area Minimum for principal building		45 m ² (484 sq ft)

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Building Dimensions		
Building Height Maximum		One storey
Yard Setbacks		
Front Yard Minimum		4 m (13.1 ft)
Rear Yard Minimum		3.2 m (10.5 ft)
Side Yard Minimum	Not less than	1 m (3.3 ft)
	To adjacent mobile home	4.5 m (15 ft)
	At least one side yard will be at least	3.2 m (10.5 ft)
Garage and Accessory Building Placement		
Minimum distances between garage and dwelling		1 m (3.3 ft)
Minimum distance between garage and front lot line		No closer to the front lot line than the principal dwelling
Minimum distance between garage and side lot line		1 m (3.3 ft)
Minimum distance between garage and rear lot line		1 m (3.3 ft)

5. Performance Standards and Regulations

(1) DESIGN CRITERIA

- a) The design of the mobile home park shall:
 - i. consider the existing topography, vegetation and drainage and attempt to maintain the natural environment where possible;
 - ii. provide at least 2 legal access points;
 - iii. provide for proper traffic circulation taking into account off-site as well as on-site traffic movement; and
 - iv. provide convenient access to common facilities and services and provide for practical and efficient operation and maintenance of all facilities and common areas.
- b) Outdoor lighting in the park, including street lighting shall be integrated in design and appearance and conform to the existing residential standards.
- c) The owner of the mobile home park, or the person responsible for the maintenance of the mobile home park shall at all times:
 - i. maintain the park and the common buildings, structures and improvements therein in a clear, neat, tidy and attractive condition; and

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- ii. be responsible for the removal of snow from all common areas, internal streets and walkways.
- d) Design and street pattern shall be compatible with existing municipal street and utility system standards and shall:
 - i. be laid out so as to provide proper access to individual lots, common areas and services;
 - ii. be privately owned and maintained by the mobile home park owner and be considered part of the common area;
 - iii. provide convenient circulation by use of properly located minor and collector streets, based on the following:
 - a minor street services 50 m or less lots if one-way, and 100 m or less lots if two-way and is less than 150 m in length, and
 - a collector street serves up to 200 lots and has no length limitation;
 - iv. have a minimum turning radius of 12.2 m (40 ft) if they are designed as cul-de-sacs or dead end streets; and
 - v. be durable and dust free with the following minimum widths:
 - collectors 11 m (36 ft) where there is guest parking
 7.30 m (24 ft) where there is no parking,
 - minor streets 6.10 m (20 ft) with no parking.

(2) PEDESTRIAN ACCESS

- a) Safe, convenient walkways shall be provided for access to individual mobile homes, streets and common areas, such as parks and laundry areas.
- b) All walkways shall have a minimum width of 1.22 m (4 ft) and shall have a durable, dust free all-weather surface.

(3) RECREATION AND LANDSCAPING

- a) Areas for recreation shall be provided at a ratio of 5% of the mobile home park area.
- b) Recreation areas shall be located so as to be convenient to all park residents and free from traffic hazards.
- c) Recreation areas shall not be included in areas designed as buffer strips.
- d) Recreation areas shall be landscaped and properly equipped with facilities.
- e) Adequate fencing or screening shall be provided between recreational and other areas.
- f) All areas of the mobile home park not occupied by mobile homes and their additions, internal roads, walkways, driveways, or any other facility shall be landscaped and kept landscaped.

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- g) Adequate screening in the form of trees or other plantings shall be provided between the mobile home park and adjacent uses where these uses are incompatible with the residential character of the mobile home park.
- h) Adequate screening in the form of trees or shrubs or fencing shall be provided where necessary around laundry areas, service buildings and refuse collecting points and other common areas.

(4) COMMON AREAS

- a) There shall be no outdoor storage of any furniture, domestic equipment or seasonally used equipment.
- b) Adequately covered storage facilities shall be provided, either on individual lots or in common storage facilities.
- c) Common storage facilities shall be located in a permanent building conveniently located to all park residents.
- d) Adequately screened storage components shall be provided, for large trucks, campers, travel trailers, snow-mobiles and boats to the satisfaction of the Development Officer.
- e) Where heating fuel is provided by a local distribution system such as propane, container space shall be provided for, in an inconspicuous location and to the approval of the Fire Chief.
- f) Where laundry and toilet facilities are provided for, they shall conform to the applicable National Building Code standards, and any disposal system for these facilities shall be approved by the Environmental Health Officer according to the Public Health Act of the Northwest Territories.
- g) All services and other common buildings shall be accessible by an internal street, or walkway connected to an internal street.
- h) All service and other common buildings shall be of a permanent type and construction.

(5) ADDITIONAL SITE REQUIREMENTS

- a) Each mobile home site shall be clearly marked on the ground by permanent stakes, markers or other means and shall be clearly defined with a lot number or other address system.
- b) Any permanent addition such as patios, porches, garages or other structural additions:
 - i. are considered to be part of the mobile home and require a building permit prior to construction;
 - ii. may not exceed in area 25% of the mobile home unit, or 30% of the lot area clear of the unit; and
 - iii. shall be constructed so that it will be of a design similar to the finish of the mobile home unit and will harmonize with the exterior of the unit.
- c) Mobile homes shall be separated by a minimum distance of 4.5 m (15 ft) and any porch or addition to the home shall be regarded as part of the mobile home in determining this distance.
- d) Each mobile home shall be set back:
 - i. a minimum of 4.5 m (15 ft) from the mobile home park boundary;
 - ii. a minimum of 3 m (10 ft) from any internal access road, parking area or other common area;

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iii. a minimum of 1 m (3.3 ft) from any other mobile home lot boundary.

- e) Each mobile home site shall be provided with a permanent foundation or stand in the form of a hard compacted gravel or concrete pad at the original ground level.
- f) The park owners shall provide pads of concrete or other material that may be placed on the mobile home stand to provide a sound base for the blocking and levelling of the mobile home.
- g) All mobile home units shall provide skirting around the base of the unit that is of a manufactured or similar type to harmonize with the unit. Construction of this skirting shall permit the circulation of air beneath the unit and be completed within 30 days of placement of the mobile home.
- h) There shall be at least two parking stalls provided for each mobile home lot. At least one of the stalls must be provided on the mobile home lot.

(6) UTILITIES AND SERVICES

- a) All mobile home units shall be connected to the municipal sanitary and storm sewer, water supply and electric power systems.
- b) All utility lines shall be underground and meet the requirements of the municipal regulations regarding such installations.
- c) The park owner shall provide proper garbage containers on each lot and a screened garbage disposal area at a point convenient for collection.
- d) The park owner shall provide fire hydrants where necessary and any other fire protection equipment or facilities as deemed necessary by the Fire Chief.

(7) FAILURE TO COMPLY WITH PERFORMANCE STANDARDS

- a) The granting of permission to develop in this zone is subject to compliance and continued compliance with the performance standards set out herein. The failure to comply with these performance standards shall be considered a contravention of this bylaw. Council may prohibit the continued use of the premises until compliance with standards. Prior to the issue of any license under the Business License Bylaw of the Town of Hay River, the Senior Administrative Officer shall ensure that the performance standards set out in this bylaw have been met, to the satisfaction of the Development Officer, and it shall further be a condition of the issue of such license that it is of effect only for so long as these performance standards are met.

6. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Day Care Facility - Section 6.4
- c) General Regulations - Section 5
- d) Home Occupation - Section 6.6
- e) Parking and Loading Regulations - Section 8
- f) Public Utility Service - Sections 5.7& 5.8
- g) Sign Regulations - Section 9
- h) Special Land Use Regulations - Section 6

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7.8 RC - COUNTRY RESIDENTIAL

1. General Purpose

This zone is generally intended to provide for single family housing in a rural setting, generally without the provision of the full range of urban utility services.

2. Permitted Uses

- a) Day Care Facility
- b) Garden Suite
- c) Home Occupation
- d) Housing, Single Detached
- e) Living Suite
- f) Manufactured Home
- g) Accessory buildings and uses

3. Discretionary Uses

- a) Farming, Non-Intensive
- b) Farming, Non-Commercial
- c) Public Utility Service
- d) Supported Living Facility

4. Development Regulations

Development Regulations for RC – Country Residential		
Lot Dimensions		
Lot Width Minimum– All uses		30 m (99 ft)
Lot Depth Minimum	Set by lot width and lot area	
Lot Area Minimum		1.2 ha (3 ac)
Lot Area Maximum		2 ha (5 ac)
Building Dimensions		
Lot Coverage Maximum		40%
Floor Area Minimum for principal building		65 m ² (700 sq. ft)

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Building Height Maximum	10 m (33 ft) or 2.5 storeys
Yard Setbacks	
Front Yard Minimum	7.5 m (25 ft)
Rear Yard Minimum	7.5 m (25 ft)
Side Yard Minimum	6 m (20 ft)
Garage and Accessory Building Placement	
Minimum distances between garage and dwelling	1 m (3.3 ft)
Minimum distance between garage and front lot line	No closer to the front lot line than the principal dwelling; except waterfront lots, where the garages shall be set back 7.5 m (25 ft)
Minimum distance between garage and side lot line	1 m (3.3 ft)
Minimum distance between garage and rear lot line	1 m (3.3 ft)
Minimum distance between garage doors and any lot line	5 m (16.4 ft)

5. Special Modifications

- a) The lots listed below are zoned RCx and are existing undersized lots. For these lots, the minimum front yard setback is 7.5 m, the minimum side yard setback is 2 m and the minimum rear yard setback is 5 m. New lots that are less than 1.2 ha will not be approved in the RC zone.

Lot 552-1 Group 814 LTO 1225 = 0.43 ha	Lot 549-1 Group 814 LTO 1225 = 0.4 ha
Lot 552-2 Group 814 LTO 1225 = 0.40 ha	Lot 549-2 Group 814 LTO 1225 = 0.4 ha
Lot 552-3 Group 814 LTO 1225 = 0.76 ha	Lot 549-3 Group 814 LTO 1225 = 0.25 ha
Lot 552-4 Group 814 LTO 1224 = 0.93 ha	Lot 549-4 Group 814 LTO 1225 = 0.96 ha
Lot 552-5 Group 814 LTO 1225 = 0.37 ha	Lot 549-5 Group 814 LTO 1225 = 0.60 ha
	Lot 549-6 Group 814 LTO 1225 = 0.87 ha
	Lot 549-7 Group 814 LTO 1225 = 0.38 ha
	Lot 549-8 Group 814 LTO 1225 = 0.13 ha

6. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Day Care Facility - Section 6.4
- c) Garden Suite - Section 6.11
- d) General Regulations - Section 5
- e) Home Occupation - Section 6.6

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- f) Living Suite – Section 6.10
- g) Manufactured Home - Section 6.3
- h) Parking and Loading Regulations - Section 8
- i) Public Utility Service - Sections 5.7 & 5.8
- j) Sign Regulations - Section 9
- k) Special Land Use Regulations - Section 6
- l) Supported Living Facility - Section 6.5

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7.9 C1 - CORE AREA COMMERCIAL

1. General Purpose

To establish a Zone to provide for those commercial uses which are appropriate to the Central Business District of Hay River.

2. Permitted Uses

- a) Eating and Drinking Establishments
- b) Financial Institution
- c) Health services
- d) Hotel
- e) Home occupations
- f) Day Care Facility
- g) Offices
- h) Park
- i) Personal Service Shops
- j) Place of Entertainment
- k) Playground
- l) Retail Store, not including drive-in businesses

3. Discretionary Uses

- a) Accessory Buildings and Uses
- b) Auctioneering Establishment
- c) Funeral Home
- d) Emergency shelter
- e) Housing, Multiple Family, as part of a mixed-use development
- f) Household Repair Services
- g) Motel
- h) Parking Facility
- i) Public Utility Service
- j) Public Use
- k) Private Club
- l) Religious Assembly
- m) Repair Service Shops

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- n) Those uses which, in the opinion of the Development Officer are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of the zone

4. Development Regulations Lot Dimensions

Development Regulations for C1 – Core Area Commercial		
Lot Dimensions		
Lot Width Minimum		7.5 m (25 ft)
Lot Depth Minimum		Set by lot width and lot area
Lot Area Minimum		278 m ² (2,992 sq. ft)
Building Dimensions		
Lot Coverage Maximum	The maximum lot coverage for all buildings shall be 100% of the lot area, provided that adequate provision, in accordance with the regulations of this bylaw, is made for parking and loading, garbage facilities and landscaping where required.	
Building Height Maximum		13 m (43 ft), however, if a sprinkler system is provided then the building height shall be at the discretion of the Development Officer
Yard Setbacks		
Front Yard Minimum	Regular shaped lots	Shall be at the discretion of the development officer, considering development or potential development on adjacent lot
	Corner lots	Shall comply with Section 5.4.
Rear Yard Minimum	A 6 m (20 ft) parking and loading zone shall be provided	
Side Yard Minimum	Adjacent to a residential zone	3 m (10 ft)
	All other areas	2.5 m (8.2 ft)
	Side yard setbacks much comply with Section 5.5	

5. Performance Standards and Regulations

- a) The placement and maintenance of any propane storage tank that:
- i. is a temporary, semi-permanent or permanent fixture; or

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- ii. exceeds 20 lbs. and is connected to a building in any way; is prohibited within Zone C1.
 - b) This provision is not to apply to portable, temporary, freestanding propane storage tanks, such as propane cylinders for barbecues or construction site heating and other similar uses, with a single tank capacity of less than or equal to 200 lbs. and an aggregate capacity of less than 1000 lbs.
6. Other Provisions
- a) Accessory Uses and Buildings - Section 6.12
 - b) Day Care Facility - Section 6.4
 - c) General Regulations - Section 5
 - d) Religious Assembly - Section 6.7
 - e) Parking and Loading Regulations - Section 8
 - f) Public Utility Service - Sections 5.7 & 5.8
 - g) Sign Regulations - Section
 - h) Special Land Use Regulations - Section 6

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7.10 C2 - HIGHWAY/ SERVICE COMMERCIAL

1. General Purpose

To provide a zone for highway and service oriented commercial uses that provide services to residents and the travelling public and are generally vehicle-oriented.

2. Permitted Uses

- a) Caretaker Unit
- b) Drive-in Business
- c) Gas Bar
- d) Hotel
- e) Kennel
- f) Motel
- g) Retail Store, Convenience
- h) Vehicle Sales and Service
- i) Veterinary Clinic
- j) Accessory Buildings and Uses

3. Discretionary Uses

- a) Eating and Drinking Establishments
- b) Emergency shelter
- c) Public Use
- d) Public Utility Service
- e) Retail Stores
- f) Tourist related industry dependent on close proximity to a highway for trade
- g) Warehouse Sales
- h) Wholesale and retail of the following:
 - i. plumbing or heating equipment and supplies;
 - ii. general machinery;
 - iii. manufactured homes and trailers.
- i) Those uses which, in the opinion of the Development Officer are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this zone

4. Development Regulations

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Development Regulations for C2 – Service/Highway Commercial		
Lot Dimensions		
Lot Width Minimum		15 m (50 ft)
Lot Depth Minimum		Set by lot width and lot area
Lot Area Minimum		700 m ² (7,535 sq ft)
Building Dimensions		
Lot Coverage Maximum	The maximum lot coverage shall not exceed 60% of the total lot area Yard Requirements.	
Building Height Maximum		13 m (43 ft)
Yard Setbacks		
Front Yard Minimum	Highway oriented hotels and motels	15 m (49 ft)
	All other highway-oriented uses	10 m (33 ft)
	All non-highway-oriented uses	6 m (20 ft)
	Corner lots	Shall comply with Section 5.4.
Rear Yard Minimum		3 m (10 ft)
Side Yard Minimum	All areas	3 m (10 ft)
	Side yard setbacks must comply with Section 5.5	

5. Performance Standards and Regulations

- Prior to issuance of a building permit a site plan indicating location of buildings, landscaping, parking, accesses and driveways proposed lighting and signs, and any fence or screening shall be approved by the Development Officer. The access from the premises to the highway or major streets shall be allowed only at the points as established by the Development Officer. The building setbacks shall allow for the planned widening of streets and/or provision of service roads where required by Council. The building setbacks shall provide for the front yards as established by these regulations in addition to the setbacks needed for the aforementioned widening.
- Where development fronts on a designated highway pursuant to the Public Highways Act a service roadway of not less than 15 m (50 ft) in width shall be required adjacent and parallel to the highway. Council may require a service road of not less than 15 m (50 ft) in width on all highways within the Town.
- All buildings shall be of good architectural design as required by Council, so as not to interfere with or detract from the standards of the zone and the amenities of the neighbourhood.

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- d) All yards abutting the highway or roadway shall be landscaped and the entire lot and all buildings maintained in a neat, tidy manner including the trimming and upkeep of areas and the removal of debris and unsightly objects.
 - e) All storage, freighting or trucking yards shall be enclosed or completely screened by buildings, trees, landscaped features, or fences or a combination thereof.
 - f) All outdoor storage areas shall be enclosed with a suitable fence and the outdoor storage and display of equipment, machinery, building materials, lumber or other materials shall be kept in a clean and orderly condition at all times.
6. On C2 Zoned lots that are on the west side of the Hay River Highway and accessed from Industrial Drive, Industrial Light uses may be permitted as long as adequate landscaping and/or screening are provided at the rear of the lot so that industrial uses and outdoor storage are not visible from the Highway.
7. Other Provisions
- a) Accessory Uses and Buildings - Section 6.12
 - b) Caretaker Unit - Section 6.9
 - c) General Regulations - Section 5
 - d) Parking and Loading Regulations - Section 8
 - e) Public Utility Service - Sections 5.7 & 5.8
 - f) Sign Regulations - Section 9
 - g) Specific Land Use Regulations - Section 6

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7.11 C3 - MIXED USE COMMERCIAL

1. General Purpose

This zone is intended to make provisions for commercial, residential, institutional, educational, and recreational uses in the core area of the New Town.

2. Permitted Uses

- a) Eating and Drinking Establishment
- b) Financial Institution
- c) Health Services
- d) Hotel
- e) Housing, Multiple Unit, as part of a Mixed-Use Development
- f) Mixed-Use Building
- g) Motel
- h) Day Care Facility
- i) Offices
- j) Park
- k) Place of Entertainment
- l) Playground
- m) Personal Service Shops
- n) Retail Store, not including Drive-In Businesses

3. Discretionary Uses

- a) Accessory buildings and uses
- b) Commercial School, not including schools using heavy and industrial equipment
- c) Religious Assembly
- d) Parking Facility
- e) Private Clubs
- f) Public Utility Service
- g) Public Use
- h) Those uses which, in the opinion of the Development Officer are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this zone

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4. Development Regulations

Development Regulations for C3 – Mixed Use Commercial		
Lot Dimensions		
Lot Width Minimum		7.5 m (25 ft)
Lot Depth Minimum		30 m (99 ft)
Lot Area Minimum		325 m² (3498 sq. ft)
Building Dimensions		
Lot Coverage Maximum	Commercial uses	100%
	Mixed uses and residential uses	100%
	All other uses	40%
	In all instances, adequate provision, in accordance with the regulations of this bylaw, shall be made for parking and loading, garbage facilities and landscaping where required.	
Building Height Maximum	All buildings	13 m (43 ft)
	If a sprinkler system is provided then the building height shall be at the discretion of the Development Officer.	
Density		
Residential Buildings	Row housing	60 units per hectare (24 per acre)
	All other multiple family	120 units per hectare (48 per acre)
Mixed Use Buildings	Row housing	50 units per hectare (20 per acre)
	All other multiple family	100 units per hectare (40 per acre)
Yard Setbacks		
Front Yard Minimum	Regular shaped lots	Shall be at the discretion of the development officer, considering development or potential development on adjacent lot
	Corner lots	Shall comply with Section 5.4.
Rear Yard Minimum		6 (20 ft)
	Adjacent to a residential zone	3 m (10 ft)

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Side Yard Minimum	All other areas	2.5 m (8.2 ft)
	Side yard setbacks must comply with Section 5.5	

5. Performance Standards and Regulations

- a) There shall be no outside storage of goods, products, materials, or equipment permitted within this zone which pertains to a commercial business.
- b) The placement and maintenance of any propane storage tank that:
 - i. is a temporary, semi-permanent or permanent fixture; or
 - ii. exceeds 20 lbs. and is connected to a building in any way; is prohibited within Zone C3.
- c) This provision is not to apply to portable, temporary, freestanding propane storage tanks, such as propane cylinders for barbecues or construction site heating and other similar uses, with a single tank capacity of less than or equal to 200 lbs. and an aggregate capacity of less than 1000 lbs.

6. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Day Care Facility - Section 6.4
- c) General Regulations - Section 5
- d) Multiple Family Housing Development - Section 6.2
- e) Parking and Loading Regulations - Section 8
- f) Public Utility Service - Sections 5.7 & 5.8
- g) Religious Assembly - Section 6.7
- h) Sign Regulations - Section 9
- i) Specific Land Use Regulations - Section 4

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Regulations by Land Use Zone

7.12 M1 - RESTRICTED INDUSTRIAL

1. General Purpose

To establish a Zone for industrial uses where there will be minimal nuisance and such that the Zone is compatible with any adjacent non-industrial Zone.

2. Permitted Uses

- a) Cold Storage Lockers
- b) Caretaker Units
- c) Community Garden
- d) Household Repair Services
- e) Industry, Light
- f) Land Treatment Facility
- g) Modular/Manufactured Home and Trailer Construction
- h) Outdoor Storage
- i) Receiving and Distributing Depots
- j) Warehouse Sales
- k) Warehouse, Personal Storage
- l) Workshops
- m) Vehicle Sales and Service
- n) Accessory Buildings and Uses

3. Discretionary Uses

- a) Auctioneering Establishment
- b) Correctional Facilities
- c) Eating and Drinking Establishments
- d) Gas Bar
- e) Public Use, Commercial, Manufacturing and Recreation uses that are unlikely to restrict the use of the zone for industry.
- f) Public Utility Service
- g) Accessory buildings and uses to the above
- h) Those uses which, in the opinion of the Development Officer, are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of the Zone.

4. Development Regulations

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Development Regulations for M1 – Restricted Industrial		
Lot Dimensions		
Lot Width Minimum		30 m (99 ft)
Lot Depth Minimum		At the discretion of the Development Officer
Lot Area Minimum		At the discretion of the Development Officer
Building Dimensions		
Lot Coverage Maximum		60%
Building Height Maximum		10 m (33 ft)
Yard Setbacks		
Front Yard Minimum	Regular lots	6 m (20 ft)
	Corner lots	Shall comply with Section 5.5.
Rear Yard Minimum	Regular lots	5 m (16.4 ft)
	Where the rear boundary abuts a residential zone	7.5 m (25 ft)
Side Yard Minimum	All lots	4.5 m (15 ft)
	Corner lots	Shall comply with Section 5.5.
Notwithstanding the minimum yard requirements above, where it is deemed impractical to conform with these requirements due to obvious physical limitations, all yards shall be at the discretion of the Development Officer who shall have regard for the amenities of the district and adjoining lots.		

5. Performance Standards and Regulations

- a) Where the likelihood of air or water pollution is concerned, it may be required that the proposed development be referred by the municipality to an appropriate Government Agency for study and recommendation, and due regard shall be given to such recommendation in dealing with the application.
- b) Any industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of a material shall conform to the following standards:
 - i. noise - emit no noise of industrial production audible at any point of the boundary of the lot on which the operation takes place;
 - ii. smoke - no process involving the use of solid fuel is permitted, save the use of waste disposal incinerators of a design approved by Council;
 - iii. dust and ash - no process involving the emission of dust fly-ash or other particulate matter is permitted;

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- iv. odour - the emission of any odorous gas or other odorous matter is prohibited;
 - v. toxic gases, etc. - the emission of any toxic gases or other toxic substances is prohibited;
 - vi. glare or heat - no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot concerned;
 - vii. external storage - external storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the Development Officer or Council, as the case may be; and
 - viii. industrial wastes - no wastes shall be discharged into any sewer which does not conform to the standards established by the Town of Hay River.
- c) The onus of proving to the Development Officer's satisfaction that a proposed development does and will comply with these requirements rests with the developer.
- d) In considering the application, the Development Officer or Council shall have regard to the intent of this section, which is to establish use on the basis of:
 - i. appropriate performance standards;
 - ii. the methods, equipment and techniques of the applicant; and
 - iii. the use of neighbouring lands and zones and the compatibility of the proposed use with neighbouring lands and zones.
- e) The granting of permission to develop in this zone is subject to compliance and continued compliance with the performance standards set out herein. The failure to comply with these performance standards shall be considered a contravention of this bylaw. Council may prohibit the continued use of the premises until the performance standards are complied with. Prior to the issue of any license under the Business License bylaw of the Town of Hay River, the Senior Administrative Officer shall ensure that the performance standards set out in this bylaw have been met, to the satisfaction of the Development Officer, and it shall further be a condition of the issue of such license that it is of effect only for so long as these performance standards are in fact met.

6. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) General Regulations - Section 5
- c) Parking and Loading Regulations - Section 8
- d) Public Utility Service - Sections 5.7 & 5.8
- e) Sign Regulations - Section 9
- f) Specific Land Use Regulations - Section 6

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7.13 M2 - GENERAL INDUSTRIAL

1. General Purpose

To establish a Zone for those industrial uses which generally carry out a portion of their activities outdoors and are of such a nature they may not meet the requirements of the M1 Zone.

2. Permitted Uses

- a) Commercial ventures directly related to industrial or manufacturing activities
- b) Industry
- c) Industrial Warehouse and Storage Facilities
- d) Public Utility Infrastructure, Major Impact
- e) Accessory Buildings and Uses

3. Discretionary Uses

- a) Abattoir
- b) Accessory buildings and uses
- c) Automobile Salvage Establishments
- d) Caretaker Unit
- e) Public Use, Commercial, Agricultural or Recreation uses, provided that it is unlikely to restrict the use of the zone for industry.
- f) Public Utility Service
- g) Those uses which, in the opinion of the Development Officer, are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of the zone

4. Development Regulations

Development Regulations for M2 – General Industrial	
Lot Dimensions	
Lot Width Minimum	30 m (99 ft)
Lot Depth Minimum	At the discretion of the Development Officer
Lot Area Minimum	At the discretion of the Development Officer
Building Dimensions	
Lot Coverage Maximum	60%
Building Height Maximum	10 m (33 ft)

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Yard Setbacks		
Front Yard Minimum	Regular lots	10 m (33 ft)
	Corner lots	Shall comply with Section 5.5.
	The front yard setback may be varied at the discretion of the Development Officer who shall have regard for the general intent of the zone and the adjoining properties.	
Rear Yard Minimum	Regular lots	6 m (20 ft)
	The rear yard setback may be varied at the discretion of the Development Officer who shall have regard for the general intent of the zone and the adjoining properties	
Side Yard Minimum	All lots	6 m (20 ft)
	Corner lots	Shall comply with Section 5.5.
	The side yard setback may be varied at the discretion of the Development Officer who shall have regard for the general intent of the zone and the adjoining properties.	

5. Performance Standards and Regulations

- a) Where the likelihood of air or water pollution is concerned, it may be required that the proposed development be referred by the municipality to an appropriate Government Agency for study and recommendation, and due regard shall be given to such recommendation in dealing with the application.
- b) Any industrial operation including production, processing, cleaning, testing, repair, storage or distribution of any material shall conform to the following standards:
 - i. smoke, dust, ash, odour, toxic gases, etc. shall only be released to the atmosphere in such amounts and under such conditions and safeguards as shall have been approved in writing by Council after consultation with the appropriate Government Agency;
 - ii. glare or heat - no industrial operation shall be carried out which would produce glare or heat so as to be offensive beyond the property line of the lot concerned;
 - iii. industrial wastes - no industrial wastes shall be discharged into any sewer which does not conform to the standards established from time to time bylaw of the Town of Hay River;
 - iv. odour - the emission of any odorous gas or other odorous matter is prohibited;
 - v. toxic gases, etc. - the emission of any toxic gases or other toxic substances is prohibited; and
 - vi. external storage - external storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the Development Officer or Council, as the case may be.

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- c) Abattoir Development shall conform to the following:
 - i. No abattoir shall be located within 200 m (660 ft) of any habitable structure;
 - ii. Feed lots shall not be operated in accordance with an abattoir;
 - iii. Any live animals kept on lot shall be for a short duration prior to processing (maximum 4 days); and
 - iv. All livestock storage areas shall be designed so as to minimize any possible odours. In this regard, outdoor staging area shall be designed and sloped for easy cleaning.
- d) The onus of proving to the Development Officer's satisfaction that a proposed development does and will comply with these requirements rests with the developer.
- e) In considering the application, the Development Officer or Council shall have regard to the intent of this section, which is to establish use on the basis of:
 - i. appropriate performance standards;
 - ii. the methods, equipment and techniques of the applicant; and
 - iii. the use of neighbouring lands and zones and the compatibility of the proposed use with neighbouring lands and zones.
- f) The granting of permission to develop in this zone is subject to compliance and continued compliance with the performance standards. The failure to comply with these performance standards shall be considered a contravention of this bylaw. Council may prohibit the continued use of the premises until compliance with performance standards. Prior to the issue of any license under the Business License Bylaw, the Senior Administrative Officer shall ensure that the performance standards set out in this bylaw have been met, to the satisfaction of the Development Officer, and it shall further be a condition of the issue of such license that it is of effect only for so long as these performance standards are in fact met.

6. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Caretaker Units - Section 6.10
- c) General Regulations - Section 5
- d) Parking and Loading Regulations - Section 8
- e) Public Utility Service - Sections 5.7 & 5.8
- f) Sign Regulations - Section 9
- g) Specific Land Use Regulations - Section 6

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7.14 T - TRANSPORTATION DISTRICT

1. General Purpose

To provide a Zone that designates areas for the transportation industry and transportation related uses, particularly because of their location relative to airports, railways, highways, the Hay River, and Great Slave Lake.

2. Permitted Uses

- a) Aerial Survey Services and other similar uses
- b) Aircraft Repair Establishments
- c) Aircraft Sales/ Rentals
- d) Air Freight Terminals
- e) Airplane Hangars
- f) Aviation Schools
- g) Railway Yards and Freight Terminals
- h) Receiving and Distribution Facilities
- i) Servicing and Repair Establishment accessory to above uses
- j) Water Transportation Services
- k) Accessory Buildings and Uses

3. Discretionary Uses

- a) Aircraft and Aircraft Parts Manufacturing
- b) Aviation Research and Testing Labs
- c) Aviation Bulk Fuel Storage
- d) Caretaker Units
- e) Cold Storage Lockers
- f) Household Repair Shops
- g) Industry
- h) Manufactured Home and Trailer Construction
- i) Outdoor Storage
- j) Public Utility Infrastructure, Major Impact
- k) Public Utility Infrastructure, Minor Impact
- l) Residential Facilities for transient workers ancillary to permitted or discretionary uses
- m) Trucking Terminals and related uses
- n) Vehicle Sales and Service

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o) Warehouse Sales

4. Development Regulations

Development Regulations for T – Transportation		
Lot Dimensions		
Lot Width Minimum		30 m (99 ft)
Lot Depth Minimum		At the discretion of the Development Officer
Lot Area Minimum		At the discretion of the Development Officer
Building Dimensions		
Lot Coverage Maximum		60%
Building Height Maximum		Shall not exceed the height allowable under the Hay River Airport Zoning Regulations.
Yard Setbacks		
Front Yard Minimum	Regular lots	6 m (20 ft)
	Corner lots	Shall comply with Section 5.5.
	The front yard setback may be varied at the discretion of the Development Officer who shall have regard for the general intent of the zone and the adjoining properties.	
Rear Yard Minimum		1 m (3.3 ft)
Side Yard Minimum	All lots	6 m (20 ft)
	Corner lots	Shall comply with Section 5.5.

5. Performance Standards and Regulations

- a) No industrial operation shall be carried out that would produce smoke, dust, ash or glare that could interfere with the safe operation of aircraft.
- b) The onus of proving to the Development Officer's or Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.
- c) In considering the application, the Development Officer or Council shall have regard to the intent of this section, which is to establish use on the basis of:
 - i. appropriate performance standards;
 - ii. the methods, equipment and techniques of the applicant; and

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- iii. the use of neighbouring lands and zones and the compatibility of the proposed use with neighbouring lands and zones.
- d) All development related to the waterfront must conform to the requirements of the following Acts:
 - i. Canada Water Act;
 - ii. Canada Shipping Act;
 - iii. Navigable Inland Waters Act; and
 - iv. Northern Inland Waters Act.
- e) Any disposal system for garbage, sewer or industrial wastes shall be approved by the local Environmental Officer as appointed under the Public Ordinance of the Northwest Territories.
- f) The granting of permission to develop in this zone is subject to compliance and continued compliance with the performance standards set out herein. The failure to comply with these performance standards shall be considered a contravention of this bylaw. Council may prohibit the continued use of the premises until the performance standards are complied with. Prior to the issue of any license under the Business License Bylaw of the Town of Hay River, the Senior Administrative Officer shall ensure that the performance standards set out in this bylaw have been met, to the satisfaction of the Development Officer, and it shall further be a condition of the issue of such license that it is of effect only for so long as these performance standards are in fact met.

6. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Caretaker Units - Section 6.0
- c) General Regulations - Section 5
- d) Parking and Loading Regulations - Section 8
- e) Public Utility Services - Sections 5.7 & 5.8
- f) Sign Regulations - Section 9
- g) Specific Land Use Regulations - Section 6

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Regulations by Land Use Zone

7.15 U - UTILITY DISTRICT

1. General Purpose

To provide a zone for public and private utility installations, services, and facilities.

2. Permitted Uses

- a) Public Utility Service
- b) Public Utility Infrastructure, Minor Impact
- c) Protective and Emergency Service
- d) Accessory buildings and Uses

3. Discretionary Uses

- a) Public Utility Infrastructure, Major Impact
- b) Accessory buildings and uses to the above

4. Development Regulations

Development Regulations for U – Utility District		
Lot Dimensions		
Lot Width Minimum	All uses	30 m (99 ft)
	Aviation Bulk Fuel Storage Facilities	12 m (39.4 ft)
Lot Depth Minimum		At the discretion of the Development Officer
Lot Area Minimum		At the discretion of the Development Officer
Building Dimensions		
Lot Coverage Maximum		60%
Yard Setbacks		
Front Yard Minimum	Regular lots	6 m (20 ft)
	Aviation Bulk Fuel Storage Facilities	3 m (10 ft)
	Corner lots	Shall comply with Section 5.5.
Rear Yard Minimum		7.5 m (25 ft)
Side Yard Minimum	All lots	4.5 m (15 ft)

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	Corner lots	Shall comply with Section 5.5.
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5. Performance Standards and Regulations

- a) Except as provided for in Clause (g), developments in this zone shall comply with the industrial performance standards applicable to the M1 zone.
- b) If this zone is located in the interior of an industrial area abutting the M2 Zone and does not abut any residential zone, it shall comply with the performance standards applicable to the M2 Zone.
- c) If, in the opinion of the Development Officer, it is unreasonable for a development to comply with these development regulations because of characteristics fundamental to the provision of infrastructure services, he may recommend that Council relax specific requirements provided the development complies with all other minimum performance standards of the M2 Zone. In such cases, a permitted use shall become discretionary Use.
- d) In all cases, proposed development shall minimize objectionable impacts and incompatibility, to the satisfaction of the Development Officer, through its design, siting, landscaping, screening, and buffering.

6. Special Modifications

The Town Landfill Site is zoned Tx, located Lot 2089 Plan 4372, with the special condition being that the treatment of hydrocarbon contaminated soils by land farming is allowed.

7. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) General Regulations - Section 5
- c) Parking and Loading Regulations - Section 8
- d) Public Utility Service - Sections 5.7 & 5.8
- e) Sign Regulations - Section 9
- f) Specific Land Use Regulations - Section 6

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7.16 I - INSTITUTIONAL

1. General Purpose

To provide a zone for public and privately owned facilities of an institutional or community service nature.

2. Permitted Uses

- a) Day Care Facility
- b) Offices
- c) Park
- d) Playground
- e) Public Use
- f) Religious Assembly
- g) Accessory Buildings and Uses

3. Discretionary Uses

- a) Health Services
- b) Private Clubs
- c) Protective and Emergency Service
- d) Public Utility Service
- e) Senior Housing
- f) Supported Living Facility
- g) Those uses which, in the opinion of the Development Officer, are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of the Zone.

4. Development Regulations

Development Regulations for I – Institutional	
Lot Dimensions	
Lot Width Minimum	30 m (99 ft)
Lot Depth Minimum	At the discretion of the Development Officer
Lot Area Minimum	At the discretion of the Development Officer
Building Dimensions	
Lot Coverage Maximum	60%
Building Height Maximum	10 m (33 ft)

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Yard Setbacks		
Front Yard Minimum	Regular lots	6 m (20 ft)
	Corner lots	Shall comply with Section 5.5.
Rear Yard Minimum		7.5 m (25 ft)
Side Yard Minimum	All lots	4.5 m (15 ft)
	Corner lots	Shall comply with Section 5.5.

5. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) General Regulations - Section 5
- c) Supported Living Facility - Section 6.5
- d) Parking and Loading Regulations - Section 8
- e) Public Utility Service - Sections 5.7 & 5.8
- f) Sign Regulations - Section 9
- g) Specific Land Use Regulations - Section 6

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7.17 P - PARKS AND OPEN SPACE

1. General Purpose

To establish an area of private and public land for active and passive recreational uses and landscaped buffers, and to preserve natural areas and parkland along the river, creeks and ravines and other designated areas for active and passive recreational uses and environment protection.

2. Permitted Uses

- a) Park
- b) Playgrounds
- c) Open Reserve Areas for Environmental Protection
- d) Accessory Buildings and Uses

3. Discretionary Uses

- a) Cemetery
- b) Eating and Drinking Establishment
- c) Golf Course
- d) Public Utility Service
- e) Marina
- f) Museums, Heritage Sites and Interpretive Centres
- g) Place of Entertainment-
- h) Private Club
- i) Public Use Tourist Campsite
- j) Riding Stables
- k) Tourist Lodge
- l) Those uses which, in the opinion of the Development Officer, are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of the Zone

4. Development Regulations

Development Regulations for I – Institutional	
Lot Dimensions	
Lot Width Minimum	At the discretion of the Development Officer
Lot Depth Minimum	At the discretion of the Development Officer

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Lot Area Minimum		At the discretion of the Development Officer
Building Dimensions		
Lot Coverage Maximum		At the discretion of the Development Officer
Building Height Maximum		10 m (33 ft)
Yard Setbacks		
Front Yard Minimum	Regular lots	7.5 m (25 ft)
	Corner lots	Shall comply with Section 5.5.
Rear Yard Minimum		7.5 m (25 ft)
Side Yard Minimum	All lots	4.5 m (15 ft)
	Corner lots	Shall comply with Section 5.5.

5. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) General Regulations - Section 5
- c) Parking and Loading Regulations - Section 8
- d) Public Utility Service - Sections 5.7 & 5.8
- e) Sign Regulations - Section 9
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7.18 MG - MARKET GARDEN

1. General Purpose

This zone is generally intended to accommodate small land holding for the growing of market gardening.

2. Permitted Uses

- a) Animals in accordance with Section 5.12 of this bylaw
- b) Apiaries
- c) Market Garden
- d) Crop, Cereal
- e) Crop, Forage
- f) Fish Farms
- g) Home Occupation
- h) Greenhouse, Commercial
- i) Housing, Single Detached
- j) Manufactured Home
- k) Public Utility Service
- l) Accessory Buildings and Uses

3. Discretionary Uses

- a) Tourist Lodge
- b) Public Utility Service
- c) Any other use which, in the opinion of Council is similar to a use listed in this zone

4. Development Regulations

Development Regulations for MG – Market Garden	
Lot Dimensions	
Lot Width Minimum	At the discretion of the Development Officer
Lot Depth Minimum	At the discretion of the Development Officer
Lot Area Minimum	2 ha (5 ac)
Building Dimensions	
Lot Coverage Maximum	At the discretion of the Development Officer

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Regulations by Land Use Zone

Building Height Maximum		10 m (33 ft)
Yard Setbacks		
Front Yard Minimum	Regular lots	6 m (20 ft)
	Corner lots	Shall comply with Section 5.5.
Rear Yard Minimum		6 m (20 ft)
Side Yard Minimum	All lots	6 m (20 ft)
	Corner lots	Shall comply with Section 5.5.

5. Special Modifications:

Lots 593 and 584, Group 814, Plan 437 Delancey Estates are zoned MGx, the special condition being that a commercial scale poultry operation is allowed.

6. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) General Regulations - Section 5
- c) Home Occupation - Section 6.6
- d) Manufactured Homes – Section 6.3
- e) Parking and Loading Regulations - Section 8
- f) Public Utility Service - Sections 5.7 & 5.8
- g) Sign Regulations - Section 9
- h) Specific Land Use Regulations - Section 6

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Regulations by Land Use Zone

7.19 UR - URBAN RESERVE

1. General Purpose

This zone is intended to reserve those areas of the municipality which are rural in character or land use for urban development other than industrial until such time as a subdivision plan has been approved. Development of these lands shall be consistent with the Community Plan and require the rezoning of any land to a designation appropriate for the proposed development.

2. Permitted Uses

- a) None

3. Discretionary Uses

- a) Recreational, Agricultural and Public Utility Services which are not prejudicial to future development for residential, commercial or similar urban uses

4. Development Regulations

- a) All siting, lot coverage, densities, yard setbacks and height of buildings shall be at the discretion of the Development Officer and Council.
- b) Only such subdivision or transfer of land for the discretionary uses shall be permitted as will not prejudice the future economical subdivision or servicing of the land on a neighbourhood or community basis.
- c) Water supply and sewage disposal shall be provided in accordance with the Public Act.
- d) All uses are to be considered on their individual merit and Council and the Development Officer shall set out the minimum standards to which individual developments must comply.

5. Other Provisions

- a) General Regulations - Section 5
- b) Parking and Loading Regulations - Section 8
- c) Sign Regulations - Section 9
- d) Specific Land Use Regulations - Section 6

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7.20 RR - RURAL RESOURCE

1. General Purpose

To establish a zone for a variety of resource development purposes, of which agriculture shall be a significant use. It is the intent of this zone to prevent premature or scattered subdivision. The Rural Resource zone shall include all lands within the jurisdiction of this bylaw not otherwise designated on the Hay River Zoning Map.

2. Permitted Uses

a) Farming

- i. animal and poultry raising;
- ii. dairy farming;
- iii. field crops;
- iv. grazing; and
- v. other similar uses customarily carried out in agriculture.

b) Home Occupation

c) Housing, Single Detached one per lot

d) Manufactured Home, one per lot

e) Accessory Buildings and Uses

3. Discretionary Uses

a) Additional Dwelling Units or Mobile Homes as per demonstrated need

b) Apiaries

c) Fish Farm

d) Forestry Greenhouse, Commercial

e) Installations for Scientific Research

f) Intensive Livestock Operation

g) Kennel

h) Market Gardening

i) Natural Resource Extraction and Management Activity

j) Parks

k) Public Use

l) Public Utility Infrastructure, Minor Impact

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Regulations by Land Use Zone

- m) Public Utility Infrastructure, Major Impact
- n) Public Utility Services
- o) Storage on leased land as permitted by council
- p) Tourist Campsite where provision is made for the provision of water, waste disposal, transportation, and other services
- q) Tourist Lodge
- r) Trapping
- s) Those uses which, in the opinion of the Development Officer are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this zone

4. Development Regulations

Development Regulations for RR – Rural Resource	
Lot Dimensions	
Lot Area Minimum	20 ha (49.5 ac)
Building Dimensions	
Building Height Maximum	10 m (33 ft) – except for accessory buildings on a farm
Yard Setbacks	
Front Yard Minimum	7.5 m (25 ft)
Rear Yard Minimum	7.5 m (25 ft)
Side Yard Minimum	4.5 m (15.0 ft)

5. Performance Standards and Regulations

- a) The development of any Intensive Livestock Operation must conform with the regulations set forth in Section 6.13 of this bylaw.
- b) The Development Officer or Council may consider the agricultural location guidelines of other jurisdictions in considering a permit for intensive agricultural uses to protect adjacent property from any potential adverse effect.
- c) Water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations.
- d) In considering discretionary uses, Council shall not approve any uses that would be prejudicial to the future economical subdivision and servicing of such lands, as may be required in the future.

6. Special Modification

The land that lies south of the centre line of Territorial Highway No. 2 and north of the ordinary high water mark of the Hay River, between kilometre marker 18.93 and kilometre marker 20.90 of

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Territorial Highway No. 2, containing 121 hectares, more or less, is zoned RRx, the special condition being that a commercial scale port operation is allowed.

7. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Animal Regulations - Section 6.13
- c) General Regulations - Section 5
- d) Home Occupation - Section 6.6
- e) Intensive Livestock Operations - Section 6.14
- f) Manufactured Homes – Section 6.3
- g) Parking and Loading Regulations - Section 8
- h) Public-Utility Service - Sections 5.7 & 5.8
- i) Sign Regulations - Section 9
- j) Specific Land Use Regulations - Section 6

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7.21 H - HOLDING ZONE

1. General Purpose

This zone is intended to reserve an area, designated H - Holding Zone, until such time as formal discussions with First Nations about the land use and land ownership issues have been completed.

2. Permitted Uses

- a) None.

3. Discretionary Uses

- a) None.

4. Development Regulations

- a) There shall be no development of any kind in this zone.

5. Other Provisions

- a) General Regulations - Section 5
- b) Parking and Loading Regulations - Section 8
- c) Sign Regulations - Section 9
- d) Specific Land Use Regulations - Section 6

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7.22 WPFN - WEST POINT FIRST NATION

1. General Purpose

To create a site specific zone to cover all lands presently occupied by the West Point First Nation. This zone shall recognize the First Nation view of land that is communal rather than individualistic.

2. Permitted Uses

- a) None

3. Discretionary Uses

- a) Accessory Buildings and Uses
- b) Day Care Facility
- c) Home Occupations
- d) Housing, Single Family
- e) Manufactured Homes
- f) Public Utility Services
- g) Religious Assembly
- h) Retail Store, Convenience
- i) Storage of materials and equipment used, by residents, for the purpose of fishing
- j) Those uses which, in the opinion of the Development Officer are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of the zone.

4. Development Regulations

The application of development regulations will be at the discretion of the Development Officer. The general intent for the application of development regulation will be on a permit specific basis, and the use identified on the Development Permit Application. The development regulations will be referenced to the standards for similar uses within the Town's existing zones.

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Development Regulations for WPFN – West Point First Nation	
Lot Dimensions	At the discretion of the development officer
Building Dimensions	
Minimum dwelling area	65 m ² (700 sq.ft.)
Building Heights	At the discretion of the development officer
Lot Coverage	At the discretion of the development officer
Yard Setbacks	At the discretion of the development officer
Garages and Accessory Buildings	At the discretion of the development officer

5. Other Provisions

- a) Accessory Uses and Buildings - Section 6.12
- b) Day Care Facility - Section 6.4
- c) General Regulations - Section 5
- d) Home Occupations - Section 6.6
- e) Manufactured Homes - Section 6.3
- f) Public Utility Services - Sections 5.7 & 5.8
- g) Parking and Loading Regulations - Section 8
- h) Religious Assembly - Section 6.7
- i) Sign Regulations - Section 9
- j) Specific Land Use Regulations - Section 6

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Parking and Loading Regulations

8.0 PARKING AND LOADING REGULATIONS

8.1 GENERAL REGULATIONS

1. In all zones parking shall be wholly provided for on the same lot as the building to be served unless otherwise approved by the Development Officer.
2. Parking surfaces shall be of a durable, dust-free, hard surface constructed of concrete, asphalt, or similar pavement.
3. All parking area accesses shall be subject to prior approval of the Development Officer or Council.
4. Parking facilities shall be designed and located so as to minimize any disruption to the continuity of the pedestrian system of sidewalks and on-site pedestrian spaces.
5. All off-street parking facilities shall be so constructed that:
 - a) a standard design landscaped boulevard and/or sidewalk shall separate the off-street parking facility from the street;
 - b) the width and location of curb cuts, necessary to access the parking facility, shall meet the approval of the Development Officer;
 - c) necessary curb cuts are located and flared to the satisfaction of the Development Officer;
 - d) every off-street parking space provided, and the access thereto shall be hard surfaced; and
 - e) grades and drainage shall dispose of surface water. In no case shall grades be established that would permit surface drainage to drain onto streets or cross any sidewalk or site boundary without the approval of the Development Officer.
6. Unless otherwise permitted by the Development Officer, no parking spaces shall be located in a front yard.
7. Lots without rear lanes shall provide vehicular access from the front street, with the parking spaces being constructed adjacent to a side lot line.
8. The Town shall credit the developer for the difference in parking spaces between angle and parallel parking in cases where angle parking decreases the site available for development, due to the increased width of the street.
9. Parking facilities used at night shall have adequate lighting for the entire facility. Such lighting shall be directed away from any adjacent properties.
10. Adequate access to and egress from individual parking spaces is to be provided at all times by means of unobstructed maneuvering aisles and to the satisfaction of the Development Officer.
11. In accordance with Section 18(2) of the Planning Act, subject to the approval of Council, a person may provide the required off-street parking on land other than that to be developed.

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12. Where a required parking area is not located on the same lot where the building or use is located, the owner shall covenant with the Municipality by an agreement, that the lot on which the parking is located shall be used for such purposes as long as it is required under this bylaw.
13. The next higher number shall be taken where the calculation results in a fractional number of parking spaces.
14. A minimum of one parking space for each twenty spaces required under Section 8.3 shall be required for the physically handicapped. These handicapped spaces shall be located close to the building entrance to the satisfaction of the Development Officer. These spaces shall be developed in accordance with Section 8.2, with the exception that the minimum space width shall be 4 m (13.1 ft). A minimum of one handicapped parking space shall be provided with the development of any on-site parking facilities unless the total number of required stalls is less than ten.

8.2 MINIMUM PARKING FACILITY DIMENSIONS

1. The minimum dimensions of maneuvering aisles and parking stalls shall be in accordance with the following regulations.

A - Parking Angle in Degrees

B - Width of Space (in metres/ feet)

C - Depth of Space Perpendicular to Maneuvering Aisle (in metres/ feet)

D - Width of Space Parallel to Maneuvering Aisle (in metres/ feet)

E - Width of Maneuvering Aisle (in metres/ feet)

A	B	C	D	E
0	2.7 m (9 ft)	2.7 m (9 ft)	7 m (23 ft)	3.6 m (11.8 ft)
45	2.6 m (8.5 ft)	5.2 m (17 ft)	3.7 m (12 ft)	3.6 m (11.8 ft)
60	2.6 m (8.5 ft)	5.6 m (18.5 ft)	3 m (10 ft)	5.5 m (18 ft)
90	2.6 m (8.5 ft)	5.5 m (18 ft)	2.6 m (8.5 ft)	7 m (23 ft)

2. Where the side of a parking stall is against any permanent structure greater than 0.2 m (0.66 ft) in height, then that stall shall be a minimum of 2.7 m (9 ft) wide.
3. A parking stall shall have a minimum width of 3 m (10 ft) whenever it is an end space that abuts a physical barrier along an entire side.
4. Where there are structural elements along parts of both sides of a parking stall, then that stall shall have a minimum width of 3 m (10 ft).

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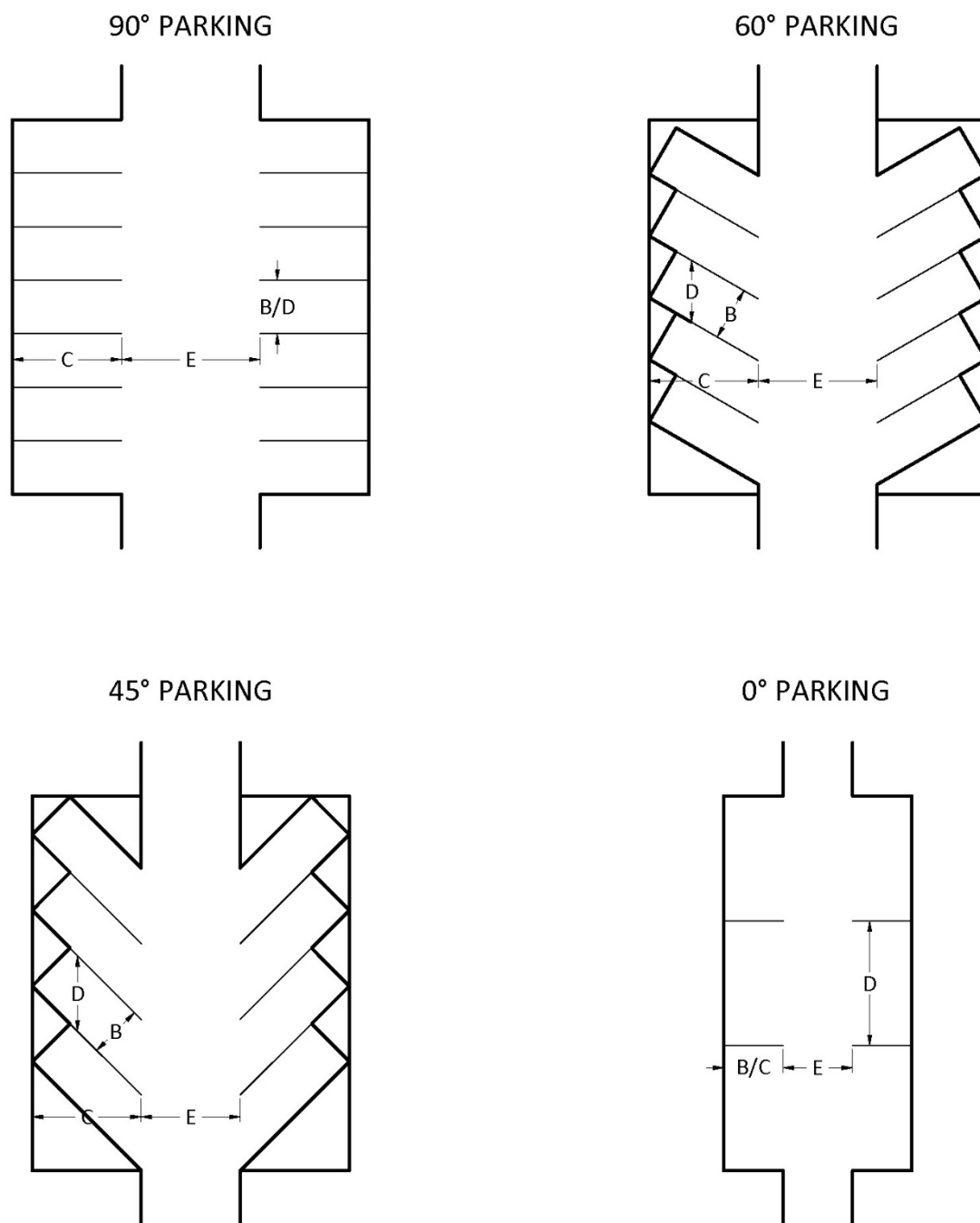


Figure 8.1 - Types of parking stalls

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8.3 OFF-STREET PARKING STALLS REQUIRED

1. Where a building is enlarged, altered or a change in the use occurs in such a manner as to cause a more intensive use of that building, provisions shall be made for the additional parking spaces required under the parking provisions of this bylaw. The calculations shall be based on the number of additional parking spaces required as a result of the enlargement, alteration or change in the use of the building, in addition to parking spaces that may have been removed due to the enlargement or alteration.
2. The minimum number of off-street parking stalls required for each use of building or development shall be as follows:
 - a) Residential Uses

Single detached dwellings or duplexes unless otherwise determined by the Development Officer	2 per dwelling unit
Living suites or garden suites	1 per unit
Multiple family housing, apartment, or row housing.	1 per dwelling unit plus 1 for every four dwelling units to serve as visitor parking; this may be lowered to one per six units at the discretion of the Development Officer
Mobile homes	1 per dwelling unit
Bed and breakfasts	1 per rented guest room
 - b) Commercial

Business, administrative, and professional offices	1 per 50 m ² of gross leaseable area
Retail commercial uses and personal service shops area for retail purposes	1 per 35 m ² of gross leaseable area
Eating and drinking establishments	1 per five seating spaces or 1 per every 5 m ² of seating area, whichever number of parking stalls is greatest
Take-out restaurants	1 per 13 m ² of public area
Cocktail bars and lounges	1 per four seats or every 5 m ² (54 sq. ft) of seating area
Hotels	1 per three guest rooms and 1 for every three employees on maximum shift

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	Motels	1 per sleeping unit and 1 for every three employees on maximum shift
	Gas bars	1 per 47 m ² of floor area used for business purposes
c)	Places of Public Assembly	
	Auditoriums, religious assembly, halls, theatres, gymnasiums, ball parks, sports arenas, other recreational or amusement places, private clubs	1 per ten seating spaces or 1 per 9.3 m ² (100 sq. ft) used by the public, whichever number of parking stalls is greatest
d)	Schools	
	Elementary and junior high schools	1 per classroom plus 5 spaces
	Senior high schools	1 per classroom plus 1 for every 20 students; or 1 space per 10 seating spaces used for assembly in an auditorium, which ever is greatest
	Post-secondary institutions	1 space for each classroom plus 1 space for every 20 students
e)	Industrial	
	All uses in the M1 and M2 zones	1 spaces for every four employees on maximum working shift
f)	Health Services and Similar Uses	
	Health services, hospitals and similar uses	1 per 100 m ² of gross floor area and 1 space per three employees on maximum shift
	Senior citizens lodges and nursing homes	1 space per four units
g)	Day Care Facilities	
	Day care facilities	1 space per 34.0 m ² (366 sq. ft) of gross floor area
3.	Unless otherwise provided for in this section, or in any other section of this bylaw, all parking requirements for employees are included in the regulations outlined herein.	
4.	Where a development on a lot falls within more than one type of use, the required number of spaces shall be the sum of the requirements for each of the uses as specified in subsection 2.	

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5. In the case of a use not specified in subsection 2, the number of stalls provided shall be the same as for a similar use as determined by the Development Officer.

8.4 OFF-STREET LOADING REQUIREMENTS

1. Where a proposed development will from time to time, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site.
2. The person providing any parking or loading space under this section shall design, locate, and construct it so that:
 - a) it is accessible to a vehicle intended to be accommodated in it;
 - b) it can be properly maintained; and
 - c) it is of a size, shape, location, and construction that it is appropriate having regard to the nature and frequency of vehicles using it.
3. Off-street loading spaces shall:
 - a) have overhead clearance of not less than 4.3 m (14.2 ft) above grade;
 - b) have dimensions of not less than 3 m (10 ft) in width and 7.5 m (25 ft) in depth;
 - c) have vehicular access to and exit from a street or lane either directly or by a clearly defined traffic aisle;
 - d) be situated on the premises so that no street or lane is obstructed when the loading space is being used;
 - e) be sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level;
 - f) be so graded and drained as to dispose of all surface water. In no case shall grades be established that would permit drainage to drain onto streets or cross lot boundaries or sidewalks without the approval of the Development Officer;
 - g) be of a durable, dust-free, hard surface constructed of concrete, asphalt, or similar pavement;
 - h) have adequate lighting to the satisfaction of the Development Officer; and
 - i) be screened on each side adjoining or fronting on any property in a residential zone by a wall, fence, earth berm or hedge of not less than 2 m (6.6 ft) in height, to the satisfaction of the Development Officer.
4. The required number of off-street loading spaces shall be:
 - a) one loading space for each loading door provided for all uses within commercial, industrial, and institutional zones, excluding offices, financial and personal services;
 - b) one space required for each building containing 15 or more dwelling units; and
 - c) determined by the Development Officer for any other building or use.

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Sign Regulations

9.0 SIGN REGULATIONS

9.1 GENERAL REGULATIONS

1. All signs shall require a sign permit unless otherwise specified under this bylaw. Applications for Development Permit - Sign shall be in the prescribed form.
2. No sign permit is required for the following signs:
 - a) sign posted or exhibited in a building;
 - b) sign posted or exhibited in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign;
 - c) a statutory or official notice or notice of a function of the Town of Hay River;
 - d) traffic and directional signs authorized by the Town's Engineer;
 - e) the erection of campaign signs for federal, territorial, municipal, or school board elections on private properties for no more than thirty days, or such other time as regulated under territorial or federal legislation provided that:
 - i. such signs are removed within ten days of the election date, and
 - ii. the consent of the property owner or occupant is obtained, and
 - iii. such signs do not obstruct or impair vision or traffic, and
 - iv. such sign are not attached to utility poles, and
 - v. such signs indicate the name and address of the sponsor and the person responsible for removal;
 - f) no sign permit is required for a sign that is posted or exhibited solely for the identification of the land or building on which it is displayed including signs for professional, corporate or trade name plates identifying the occupants, if the sign:
 - i. does not exceed 1 m² (10.76 sq. ft) in size, and
 - ii. is posted only at each entrance from which access from a public roadway to the building is provided;
 - g) no sign permit is required for a sign that is posted or exhibited for sale, lease or rental of land or a building if the sign:
 - i. is not capable of being illuminated, and
 - ii. is 4 m² (43 sq. ft) or less in size, and
 - iii. is posted only on each side of the building or land facing a different public roadway; and

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- h) signs in commercial developments provided they are inside the window or inside the building.
- 3. All signs shall require a sign permit unless otherwise specified under this bylaw.
- 4. The Development Officer may require the removal of any sign which in his opinion is, or has become unsightly, or is in such a state of disrepair as to constitute a hazard.
- 5. Minimum yard requirements shall be observed for any sign located on a lot and, at the discretion of the Development Officer, the sign shall not be further than 30 m (99 ft) from the principal building. No sign shall be of such size or design as to, in the opinion of the Development Officer, obstruct the vision of persons using roads abutting the lot.
- 6. Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Officer.
- 7. Except as otherwise specified in this bylaw, the maximum area of any sign shall be 35 m² (377 sq. ft).
- 8. Where in the opinion of the Development Officer, a proposed sign in a commercial or industrial zone might be objectionable to a resident in an adjacent residential zone, the Development Officer may impose such other regulations as he feels would protect the interests of the residents.
- 9. Flashing, animated or interiorly illuminated signs shall not be permitted in residential zones where in the opinion of the Development Officer they might:
 - a) affect residents in adjacent housing, or residential zones; or
 - b) interfere with or obstruct a motor vehicle driver's vision or interpretation of oncoming traffic signs or traffic signal lights.
- 10. No person shall erect or place a sign so that it would be considered, in the opinion of the Development Officer, to be a traffic hazard, or obstruct the vision of vehicular traffic.
- 11. The area around sign structures shall be kept clean and free of overgrown vegetation, and free from refuse material.
- 12. Signs which are located off-site shall require written permission from the owner of the property, prior to approval of a sign permit application.
- 13. No sign shall be permitted that, in the opinion of the Development Officer, portrays illegal activities or conveys a message which is offensive, discriminatory, libelous or obscene.

9.2 FREESTANDING SIGNS

- 1. Freestanding signs shall be permitted in all land use zones, excepting residential zones, where freestanding signs may be permitted under the following special provisions:
 - a) within a residential zone, one identification freestanding sign may be allowed to identify the name of an apartment, multi-family complex, mobile home park or a subdivision, and which does not:

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- i. exceed 2 m² (21.5 sq. ft) in size, or
 - ii. project within 0.6 m (2 ft) from the property line, or
 - iii. exceed 3.5 m (11.5 ft) in height; and
 - b) freestanding signs identifying the name of the community, neighbourhood or subdivision shall blend in with the architecture or development theme of the surrounding area.
2. Within all land use zones, excepting residential zones, one freestanding sign may be allowed per lot as follows:
- a) where a lot has in excess on 90 m (297 ft) of frontage, one additional freestanding sign may be erected for each additional 90 m (297 ft) or portion thereof, of street frontage abutting the development portion of the said lot; or
 - b) where a lot is considered to be double fronting by the Development Officer, each frontage may have a freestanding sign provided that the signs are no closer than 90 m (297 ft) apart;
 - c) the maximum height of any freestanding sign shall not exceed 9.1 m (30.0 ft) from grade. No part of any sign that is highway oriented and within 200 m (660 ft) of the edge of the pavement shall be more than 9.1 m (30 ft) above the grade of the highway or 15 m (49.2 ft) above the grade of the lot of the sign, whichever is lowest;
 - d) the total sign area of a freestanding sign shall not exceed 0.3 m² (3.2 sq. ft) in area for each metre of street frontage of the developed lot, to a maximum of 17 m² (183 sq. ft) for each sign;
 - e) the freestanding sign shall not project within 0.6 m (2.0 ft) from the property line, or within 2 m (6.6 ft) of overhead utility lines; and
 - f) freestanding signs may rotate at no more than six revolutions per minute.

9.3 BILLBOARD SIGNS

1. Billboard signs may be allowed in C2, UR and PR zones as follows:
- a) the design, character, location, and construction of a billboard sign shall be to the satisfaction of the Development Officer, who shall take into consideration the following:
 - i. compatibility with the general architectural lines and forms of the nearby buildings and the character of the streetscape or area within which it is to be located,
 - ii. the restriction of natural light to the surrounding buildings,
 - iii. wall mounted billboards shall not extend vertically above either the roofline, for flat roofed buildings, or the eave line for all other buildings, and
 - iv. the billboard sign shall be positioned so that it does not severely obstruct the horizon line when it is viewed from vehicular traffic travelling past it in any direction;
 - b) the face of the billboard sign shall not exceed a vertical dimension of 4.8 m (15.8 ft) by a horizontal dimension of 10 m (33 ft);

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- c) a billboard sign shall not be located within a minimum distance of 150 m (495 ft) from any other billboard sign located on the same side of the road;
- d) a billboard sign shall not project within 5 m (16.4 ft) from the property line; and
- e) no part of any billboard sign that is highway oriented and within 200 m (656 ft) of the edge of pavement shall be more than 7.5 m (25 ft) above the grade of the highway or 15.0 m (49.5 ft) above the grade of the site of the sign, whichever is lowest.

9.4 PROJECTING SIGNS

1. Projecting signs shall be permitted in the C1, C3, M1 and M2 zones.
2. The maximum area for a projecting sign shall be 4 m² (43 sq. ft).
3. No part of a projecting sign shall:
 - a) extend more than 2 m (6.6 ft) above the parapet of the building;
 - b) extend more than 2 m (6.6 ft) from the face of the building; and
 - c) be less than 3 m (10 ft) above ground or sidewalk grade.
4. Projecting signs shall be placed at right angles to the building face, except when they are located at the corner of the building, at which time the sign shall be placed at equal angles to the building faces.

9.5 CANOPY SIGNS

1. Canopy signs shall be permitted in all commercial and industrial zones.
2. The canopy sign shall have a clearance of not less than 3 m (10 ft) between the bottom of the canopy and the sidewalk, walkway or ground level.
3. In commercial zones where the front portion of the building extends out to the front property line, the canopy sign shall not project more than 2 m (6.6 ft) over the sidewalk.

9.6 OFF-SITE SIGNS

1. Notwithstanding other sections in this bylaw and at the discretion of the Development Officer, off-site signs may be erected on ground, roof or wall locations in commercial or industrial zones (but in no case shall be allowed in residential zones) subject to the following conditions:
 - a) signs shall not be placed closer together than 90 m (295 ft);
 - b) the maximum size shall not exceed 28 m² (301 sq. ft);
 - c) the sign shall be neat and clean in appearance as shall the area surrounding the sign;
 - d) no part of any sign that is highway oriented and within 200 m (660 ft) of the edge of the pavement shall be more than 7.5 m (25 ft) above the grade of the highway or 15 m (49.5 ft) above the grade of the site of the sign, whichever is lowest; and

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- e) no part of the sign shall be located any closer to the street line than the front line of the nearest buildings.

9.7 ROOF SIGNS

1. Roof signs shall be permitted in the C1, C2, M1 and M2 zones.
2. Roof signs shall be manufactured in such a way that they appear as an architectural feature, and shall be finished in such a manner that the visual appearance from all sides makes them appear to be part of the building itself;
3. No portion of a sign shall overhang the roof on which it is located;
4. No supporting structures shall be visible to the public unless finished in an aesthetically pleasing manner to the discretion of the Development Officer.

9.8 WALL AND FASCIA SIGNS

1. Wall and fascia signs shall be permitted in all land use zones excepting residential zones.
2. One fascia sign only will be permitted to indicate the name and nature of the occupancy for each occupancy within the development. The sign shall not exceed a height of 1.5 m (5 ft) and a horizontal dimension greater than the length of the bay which the proprietor's sign identifies. In no case, however, shall the fascia sign exceed 30% of the building face or bay which the sign identifies.
3. Notwithstanding subsection 2, developments which are considered to be double fronting may apply for a fascia sign permit for the second fronting building face.
4. A wall sign on commercial or industrial buildings shall not exceed an area of more than 4% of the wall to which it is attached.
5. A wall sign shall not extend beyond the limits of the wall to which it is attached.
6. Notwithstanding subsections 2 and 4, fascia and wall signs for a commercial or industrial building containing more than one bay, shall maintain the same character and size of the sign throughout the building face and from bay to bay.
7. Any identification wall signs with non-illuminated letters not exceeding 19 cm (7.5 in.) in height, nor 0.4 m² (4.3 sq. ft) in area, are not restricted and may be permitted in addition to regular signs.
8. TEMPORARY SIGNShe sign is permitted to be exhibited but shall not exceed:
 - a) 60 days from the date the permit is issued; or
 - b) 2 days after the event occurs, whichever is the shorter period.
9. No person shall:

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- a) locate a temporary sign so that it causes a traffic hazard or conflicts with parking, loading or walkway areas;
 - b) in any zone where temporary signs are permitted, locate a temporary sign within 6 m (20 ft) of the curb of a double fronting or corner lot unless otherwise permitted by the Development Officer; and
 - c) locate a sign within roadway rights-of-way or on public property, unless consent is given by the municipality.
10. Inflatable temporary signs shall be securely grounded and a minimum of 10 m (33 ft) away from utility lines and road rights-of way.

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