

CITY OF DAWSON

ZONING AND HERITAGE MANAGEMENT BYLAW 09-03

As amended by Bylaw 10-12

The City of Dawson

Bylaw 09 - 03

A bylaw whose purpose is to implement development control provisions, provide for the amenity of the area within Council's jurisdiction; and provide for the health, safety and general welfare of the inhabitants of the municipality.

WHEREAS the Town of the City of Dawson has adopted an Official Community Plan pursuant to Part 7 of the Municipal Act, (R.S.Y. 2002); and

WHEREAS Section 288(1) of the Municipal Act requires that a municipality adopt a Zoning Bylaw applicable to the land affected by the Official Community Plan; and

WHEREAS the Town of the City of Dawson passed Zoning and Historical Control Bylaw 97-25 and amendments thereof; and

WHEREAS it is deemed desirable and expedient to repeal Zoning and Historical Control Bylaw 97-25 and amendments thereof and enact a new Zoning Bylaw that is applicable to the Official Community Plan.

NOW THEREFORE the Council of the Town of the City of Dawson, pursuant to Sections 287 to 308 inclusive of the Municipal Act, in open meeting assembled, hereby ENACTS AS FOLLOWS:

PART I - ENACTMENT AND ADMINISTRATION

Section 1 - Application/Citation

This Bylaw shall apply to all lands located within Town of the City of Dawson and shall be cited as the "Zoning and Heritage Management Bylaw".

Section 2 - Development Permit Required

Except as otherwise provided in Section 3 of this bylaw, no person shall commence or cause or allow to be commenced any development or change of existing use or its intensity of use unless a development permit has been issued pursuant to the provisions of this Bylaw.

Section 3 - Development Permit Not Required

No development permit is required for the developments listed below, provided that such development conforms to all other provisions of this bylaw:

- (1) Regular maintenance and repair of any development, provided it does not include structural alterations or does not change the use or intensity of use of the land, building or structure; and in the Heritage Management Areas any repair to a building or structure that meets the Design Guidelines.
- (2) Landscaping where the existing grade and surface drainage pattern is not materially altered, except where landscaping is required as part of a development permit;
- (3) Minor utilities as determined by a Development Officer;
- (4) The use of a building or part thereof as a temporary polling station, returning officer's headquarters, candidate's campaign office and any other official temporary use in connection with a federal, territorial or municipal election, referendum or census;

No development permit is required for the developments listed below which are located outside of the Historic Townsite, provided that such development conforms to all other provisions of this bylaw:

- (5) a fence, wall or gate not exceeding 2 m in height;
- (6) an accessory development not greater than 10 m² not exceeding 2.5 m in height.
- (7) a sign provided that such sign conforms to all other provisions of this bylaw.

Section 4 - Appointment and Duties of Development Officers

- (1) The position of Development Officer is hereby established. One or more Development Officers may be appointed by resolution of Council.
- (2) A Development Officer shall:

- a) receive and review development permit applications as to their completeness and be the sole determinant of completeness in accordance with Section 8;
- b) Refer a development permit application to any City Department, Federal, Territorial, or any other agency or body deemed appropriate by the Development Officer to obtain comments on the application;
- c) Consider and decide upon a development permit application for a minor alteration, referring it to other staff and/or at his discretion to the Heritage Advisory Committee for consideration and recommendation;
- d) Refer a development permit application for a major alteration to the Heritage Advisory Committee for consideration and recommendation;
- e) Refer an application for a new infill development (i.e. a new building) to the Heritage Advisory Committee for consideration and recommendation;
- f) Consider in consultation with the Heritage Advisory Committee the provision of external technical advice in the case of a major new building or very large alteration. This may be requested from the Yukon Government, Parks Canada, another government agency and/or a private sector architect or consultant.
- g) Refer a development permit application to Council if the Officer does not agree with the recommendations of the Heritage Advisory Committee
- h) Consider, and recommend to the Board of Variance an approval or refusal of, a variance to the land use regulations governing an application.
- i) Consider and decide upon, by exercising discretion, subsequent to review by the Heritage Advisory Committee, development permit applications in a Heritage Management Area, when, for heritage conservation purposes, the development projects into a required rear or side yard, provided such projections do not exceed 10% of the required rear or side yard and that there will be no detrimental impact on adjacent properties or the neighbourhood.
- j) Refer a development permit application in a Heritage Management Area to Council for consideration, subsequent to review by the Development Officer and the Heritage Advisory Committee, when, for heritage conservation purposes, the development projects into a required rear or side yard by more than 10% of the required rear or side yard, or exceeds maximum height, density or floor area ratio.
- k) Consider and decide upon an application for a discretionary use in any district.
- l) Consider and decide upon a development permit application for only the foundation component of a permitted use inside the Historic Townsite, provided that it complies with this bylaw and that an acceptable security equal to the greater of 25% of the value of the foundation or \$2000 is posted.
- m) Receive and review all applications for amendments to the Dawson City Zoning and Heritage Management Bylaw and consider and recommend to Council to approve or refuse such an application.
- n) Issue development permits and, where necessary, impose terms and conditions upon development permits which may bring the project into conformity with the Official Community Plan and all applicable bylaws, and mitigate any undesired effects of the proposed development.

- o) Undertake other duties specified in this Bylaw.
- (3) Where a development permit application is for a temporary development, a Development Officer:
- a) May consider and decide upon a development for a specific period of time, not exceeding one year;
 - b) Shall impose a condition on such a permit that the City is not liable for any costs involved in the cessation or removal of the development at the expiration of the time period stated in the permit; and
 - c) May require the applicant to post acceptable security guaranteeing the cessation or removal of the development to the greater of 25% of the value of the structure or \$2000.

Section 5 - Heritage Advisory Committee

- (1) The Heritage Advisory Committee is established pursuant to section 179(1) of the Municipal Act and shall:
- a) Consider, and make recommendations to the Development Officer on, the heritage aspects of all development permit applications referred to the Committee by the Development Officer.
 - b) In the event that the Committee recommends amendments to the development permit application, refer the application back to the applicant for revision and determine whether the application needs to be resubmitted to it for another review or whether it can be considered by the Development Officer only.
 - b) Perform such other duties as may be prescribed by Bylaw.
 - c) Perform such other responsibilities as Council may delegate to it by resolution from time to time

Section 6 - Council

- (1) The Council shall:
- a) By resolution appoint Development Officer(s) under this bylaw;
 - b) By resolution appoint the members of the Heritage Advisory Committee for terms of office as specified under the Heritage Advisory Committee Bylaw;
 - c) By resolution appoint the five members of the City of Dawson Board of Variance for a period of two years each. All members shall not be council members;
 - d) Consider and decide upon, by exercising discretion, all development permit applications in a Heritage Management Area, when, for heritage conservation purposes, the development projects into a required rear or side yard by more than 10% of the required rear or side yard, or exceeds maximum height, density or floor area ratio provided that there will be no detrimental impact on adjacent properties or the neighbourhood.

- e) Consider and decide upon all development permit applications that include an encroachment upon a public roadway or right-of-way;
- f) Consider and decide upon all applications to amend the City of Dawson Zoning and Heritage Management Bylaw;
- g) Consider and decide upon on an annual basis all fees, cash-in-lieu of parking or loading spaces, and development charges as specified in this bylaw;
- h) Consider and decide upon Heritage Management Guidelines and Design Guidelines for each Heritage Management Area;
- i) Consider and decide upon all appeals to Council;
- j) Consider and decide upon all development permit applications referred to Council in the case of a disagreement between the recommendations of the Heritage Advisory Committee and the opinion of the Development Officer. The decision of Council shall be final; and
- k) Initiate, consider and decide upon a comprehensive review of this bylaw every five years.

Section 7 - Board of Variance

- (1) The City of Dawson Board of Variance is hereby established pursuant to Section 290(5) and 306 to 308 of the Municipal Act.
- (2) The Board shall provide for applications to it and an appeal from it to Council in accordance with the provisions of the Municipal Act. A person may appeal to the Board of Variance who:
 - (a) Requests a variance or exemption from an official community plan or zoning bylaw where there are practical difficulties or unnecessary hardships in the way of carrying out the development in accordance with the plan or bylaw by reason of the exceptional narrowness, shortness, shape, topographic features or any unspecified unusual conditions of a specified property.
- (3) The Board of Variance shall not approve an application for a variance or exemption if:
 - a) The unusual condition for which a variance or an exemption is being sought is the result of the applicant's or the property owner's action;
 - b) The variance or exemption being sought would constitute a special privilege inconsistent with the restrictions on the neighbouring properties in the same district;
 - c) The variance or exemption being sought would be contrary to the purposes and intent of the official community plan or zoning bylaw and would injuriously affect the neighbouring properties;
 - d) The variance or exemption being sought would result in a change to a use that is not consistent with the permitted uses in the area

- (4) The board may attach conditions to the granting of an appeal as in its opinion will preserve the purposes and intent of the Official Community Plan and Zoning and Heritage Management Bylaw.
- (5) In the case of a variance or exemption, the Board shall not vary density, height or floor area ratio in any district.
- (6) A decision of the Board of Variance may be appealed to the Council by the applicant, or any other person within 14 days after the date of decision.
- (7) A decision of Council under this Division is final and binding and there is no further appeal from it.

Section 8 - Development Permit Applications

- (1) Information requirements:
 - a) Application for a development permit shall be made to a Development Officer in writing on the prescribed form and shall be accompanied by the required fee with the following included:
 - i) A site plan indicating:
 - Proposed use and occupancy of the development;
 - Legal description, setbacks, and yard distances of the proposed and existing development relative from property lines and from each other;
 - Location of off-street loading and parking;
 - All property lines and easements;
 - Lot grading or foundation elevation, including highest and lowest elevations on property, road elevations (include. centreline elevation), floor elevations relative to fill/land and existing and proposed utilities;
 - Roads, water bodies, topography, vegetation, and other physical features of the land to be developed; and
 - North arrow and scale.
 - ii) Floor plans, elevations, and sections at a minimum scale of 1:200 or such other scale as required by a Development Officer; and
 - iii) In the Heritage Management Areas any or all of the following at the discretion of the Development Officer:
 - Date, and style of built form.

- Siting. Annotate drawings and/or photographs to describe the relationship between the proposed development and the context in terms of the following criteria:
 - Predominant setbacks, front, side and rear
 - Orientation
 - Location, dimensions of circulation/access features
 - Statement as to how views to and from the development will be retained
 - Statement as to how significant archaeological features will be retained

- Scale. Annotate drawings, photographs to describe the relationship between the proposed development and the context in terms of the following criteria:
 - Scale of buildings
 - Lot coverage - pattern of arrangement of buildings and size of buildings
 - Floor to floor heights and relationship to the street

- Form. Annotate drawings, photographs to describe the relationship between the proposed development and the context in terms of the following design criteria:
 - Predominant form of neighbours
 - Roof form and skyline, ridge lines, roof slopes, chimneys, skylights
 - Proportions and number of openings
 - Solids-to-voids ratio
 - Relationship to internal and external spaces

- Materials and colours. Drawings or photographs to describe the relationship between the proposed development and the context in terms of the following design criteria:
 - Response to pre-dominant materials, textures, and colour palate - contrasting
 - Quality of new materials

- Detailing. Annotate drawings, photographs to describe the relationship between the proposed development and the context in terms of the following design criteria:

- Relationship of landscape elements to important existing details
- Unobtrusive design of new elements, such as solar panels, skylights, service buildings

iv) In addition, the Development Officer may require the following:

- Geotechnical studies to support the proposed development;
- An approved onsite sewage disposal system in areas not presently serviced by the City's piped sewer system;
- Parking and traffic study;
- Landscaping site plan;
- A surveyor's certificate to verify the location of a development; and
- A certificate from a qualified, registered Professional Engineer or Architect to support the design of buildings and structures and their placement on the land.

b) An application shall not be considered to have been received until all requirements above have been submitted to the satisfaction of a Development Officer.

c) Notwithstanding b) above, a Development Officer may consider an application if, in a Development Officer's opinion, the development is of such a nature as to enable a decision to be made on the application without all of the required information.

(2) Public Notification of Decisions:

a) Within five working days after a decision on a development permit application, a Development Officer shall send a notice by regular mail of the decision to the applicant and post a notice in a place available to public view in the City offices, indicating whether the application was approved or refused, the legal description, and municipal address of the property.

b) Within five working days after the issuance of a development permit for a discretionary use, in addition to a) above, a Development Officer shall send a notice by regular mail to landowners, within 60 m of the boundary of the site, as identified on the City Assessment Roll, advising of the decision and right of appeal, and within 14 days publish a notice once in a newspaper circulating in the City, indicating the legal description, municipal address of the application, nature of the approved development, and right of appeal.

c) Within five working days after granting a variance, a Development Officer shall also send a notice to adjacent landowners, as identified on the City Assessment Roll, advising them of the variance and the right of appeal. Adjacent landowners are owners of land that is contiguous to a site and include land that

would be contiguous if not for a public roadway, river, stream, pipeline, power line or railway.

(3) Validity of Permit:

- a) When a permit has been issued by a Development Officer, the permit shall not be valid unless and until the conditions of the permit, save those of a continuing nature, have been fulfilled and no notice of appeal has been served on Council within a 14 day appeal period.
- b) When a permit has been approved, the permit shall not be valid until the decision is issued in writing.
- c) If the Board of Variance is served with notice of an appeal of its decision to the Yukon Municipal Board, such notice shall suspend the permit.
- d) The final determination of an appeal shall validate, amend or revoke, as the case may be, a development permit suspended under c).

(4) Permit Conditions:

- a) When issuing a permit, a Development Officer may impose such conditions as may be required to ensure compliance with this Bylaw.
- b) When issuing a permit for a discretionary use, a Development Officer may impose as directed by Council such conditions as deemed necessary.
- c) A Development Officer may, as a condition of a permit, require the applicant to make satisfactory arrangements for the payment and supply of water, power, sewer and other services or facilities, or any of them.
- d) A permit may be refused when, in the opinion of a Development Officer, satisfactory arrangements have not been made for the payment and supply of water, power, sewer or other services or facilities, or any of them.
- e) A Development Officer may, as a condition of a permit, require that an applicant enter into a development agreement that may require the applicant to pay an offsite levy or redevelopment levy or both.

(5) Expiry of Permit:

- a) A permit issued in accordance with the notice of decision is valid for a period of twelve (12) months from the date of issue. If at the expiry of this period the development has not been commenced or carried out with reasonable diligence or at any time the development has been discontinued for a period of six (6) months, or has not been actively carried out for a period of six (6) months, this permit shall be null and void.
- b) Upon application, a Development Officer may grant an extension of the effective period of a permit only once, for a period not greater than twelve months.

- c) When a permit expires, a new application is required. Such application shall be dealt with as a first application and there shall be no obligation to approve it on the basis that a previous permit had been issued.

Section 9 - Appeals

Subject to the Act, any person affected by a decision may appeal the decision to the Council by serving written notice of appeal on the Council within 14 days after notice of the decision was given. The 14 day appeal period shall commence from either the newspaper publishing date, public notice in City offices, or the post mark date in the case of a letter notification, whichever is later.

Section 10 - Bylaw Amendments

(1) Text Amendments:

- a) Council may initiate any text amendment to this bylaw. Any such amendment shall be reviewed in accordance with Section (3).
- b) Any person may apply for an amendment to the text of this bylaw by paying the required application fee as specified in the *Fees Bylaw* and submitting a written statement to describe and justify the proposed amendment.

(2) Rezoning Applications:

- a) Council may initiate any amendment to the Zoning maps. Any such amendment shall be reviewed in accordance with Section (3).
- b) An owner of land in the City, or an authorized agent of an owner, may apply to have the zoning designation of the land amended to another zoning designation.
- c) An application for a rezoning shall be made in writing to the Development Officer using the form provided and accompanied by the following:
 - (i) documentation of ownership;
 - (ii) a written statement to describe and justify the proposal;
 - (iii) a map showing the proposed change in the context of adjacent land;
 - (iv) the necessary processing and advertising fees as set out in the *Fees Bylaw*;
 - (v) permission for right-of-entry onto the land by City staff for reasonable inspection; and
 - (vi) any additional information a Development Officer may require in order to prepare, evaluate, and make recommendation concerning the proposed amendment.
- d) A Development Officer may request the applicant to provide an analysis by a qualified professional, of the potential impact on land use, traffic, utilities, and other City services and facilities if the amendment proposes and increase in density or other intensification of use.

- e) An application may not be considered to have been received until all requirements of Section (2) c) have been submitted to the satisfaction of a Development Officer. Notwithstanding these requirements, the application may be considered if, in the opinion of a Development Officer, it is of such a nature as to enable a decision to be made without some of the required information.
- f) If it appears that the proposed amendment is one that is applicable to, and for the benefit of the City at large, or most of the persons affected in the area, then Council may direct that the application fee be returned to the applicant.

(3) Review Process:

- a) Upon receipt of a completed application for a text amendment or rezoning, a Development Officer shall initiate or undertake an investigation and analysis of the potential impacts of development under the proposed zone. 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.
- b) The analysis shall, among other factors, consider the following impact criteria:
 - (i) relationship to and compliance with the *Official Community Plan*, and other approved municipal plans and Council policy;
 - (ii) relationship to and compliance with municipal plans in preparation;
 - (iii) compatibility with surrounding development in terms of land use function and scale of development;
 - (iv) traffic impacts;
 - (v) relationship to, or impacts on, services such as water and sewage systems, public transit and other utilities and public facilities such as recreational facilities and schools;
 - (vi) relationship to municipal land, right-of-way, or easement requirements;
 - (vii) effect on the stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area;
 - (viii) necessity and appropriateness of the proposed text amendment or zone in the view of the stated intentions of the applicant; and
- (iv) relationship to any documented concerns and opinions of area residents and land owners regarding the application.
- c) Subsequently, the Development Officer shall:
 - (i) Prepare a report on the proposed amendment; and
 - (ii) Submit a copy of the application, their recommendation and report to the Council.

- d) Before approving a text amendment or rezoning, Council shall comply with the requirements and notification procedures set out in the *Municipal Act*.
- (4) Resubmission Interval:
- a) Where an application for an amendment to this bylaw has been refused by Council, another application for the same or substantially the same amendment shall not be submitted within 12 months of the date of the refusal unless Council otherwise directs.
- (5) Public Notification:
- a) Written notification letters produced by the Town of the City of Dawson describing the area affected by the proposed amendment, stating the date, time and place for the public hearing and the reasons for the amendment and an explanation of it shall be mailed to all properties prior to the public hearing within the following radii of the subject property:
 - (i) within the Historic Townsite, 100m; and
 - (ii) all other areas, 1km.
 - b) For zoning amendments proposed for one property, a zoning amendment notification sign shall be placed on the subject property following First Reading until such time as Council has ruled on the application. The sign shall state the details of the amendment and the date, time and place of the public hearing as well as contact information of the Town of the City of Dawson.
 - c) The applicant shall allow a sign manufacturer contracted by the City to install the sign on the subject property in a conspicuous location. The applicant shall pay the required fee for the sign as specified in the *Fees Bylaw* in addition to the application fee specified in Section (1) b).

Section 11 - Variances

- (1) The regulations of this Bylaw may be varied if:
- a) The proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, safety or value of neighbouring properties;
 - b) The proposed development conforms with the use prescribed for that building or land in the district that applies to it and
 - c) Unusual site configuration, soil conditions, development design, or other factors, which are peculiar to the site and not common in the district, result in unnecessary hardship or practical difficulties for the proposed development to comply with the provisions of this Bylaw.
- (2) All variances shall be limited to the site boundaries.

Section 12 - Public Record

- (1) A Development Officer shall keep and maintain, for inspection by the public during normal office hours:
 - a) A copy of this Bylaw, as amended;
 - b) A register of all development permit applications, including the decisions and the reasons therefore; and
 - c) Shall ensure that copies of the Bylaw and amendments are obtainable by the public at the prescribed fee.

Section 13 - Enforcement and Penalties

- (1) General:
 - a) A Development Officer may enforce the provisions of this bylaw.
 - b) All enforcement activities of a Development Officer as provided pursuant to the *Municipal Act*, this section, or any other section of this bylaw, may be commenced simultaneously.
- (2) Offences:
 - a) Any person who contravenes, causes, or permits a contravention of this bylaw commits an offence.
 - b) Any person who constructs a building or structure or makes an addition or alteration thereto for which a development permit is required but has not been issued; or is in contravention of a condition of a development permit issued under this bylaw, commits an offence.
- (3) Notices:
 - a) Once a Development Officer has found a violation of this bylaw, a Development Officer may notify either the owner of the property, the person in possession of the land or development, the person responsible for the violation, of the contravention of this bylaw, by:
 - (i) delivering either in person, by ordinary mail or fax; a *Notice of Violation*; or
 - (ii) posting the notice in a conspicuous location on the site
 - b) Such *Notice of Violation* shall state:
 - (i) the nature of the violation of this bylaw;
 - (ii) the scope of the corrective measures required to comply with this bylaw; and
 - (iii) the time limit within which such corrective measures must be performed.
- (4) Report to Council:
 - a) Where a Development Officer is satisfied that there is a continued contravention of this bylaw, a Development Officer may report such a contravention to Council

in a timely manner if it appears the contravention will not be corrected in a timely manner.

- b) Council may, on finding that any development or use of land or buildings is in contravention of this bylaw:
 - (i) direct the Development Officer to act on the matter in accordance with section (5);
 - (ii) suspend or revoke a development permit with respect to such contravention; and
 - (iii) apply to the Court for an injunction to restrain such contravention.

(5) Orders:

- a) A Development Officer may issue to the owner of the property, the person in possession of the land or buildings, or the person responsible for the contravention, an order to comply with the provisions of this bylaw.
- b) A Development Officer may order any person carrying out any development or doing any thing in contravention of the *Municipal Act*, the *Official Community Plan*, this bylaw, or a development permit to:
 - (i) immediately stop the development or use of the land or building in whole or in part; or
 - (ii) take such other measures as are specified in the Order so that the development or use of the land or building is in accordance with the *Act*, the *Official Community Plan* or this bylaw; and
 - (iii) comply with the provisions of this bylaw within the time frame specified by the Order.
- c) This order shall be delivered by double registered mail or be personally served on the person described in section (3) a).
- d) Where a person fails or refuses to comply with the order, a Development Officer may take such action as is necessary to enforce the order.
- e) The costs and expenses incurred by the City in carrying out an order shall be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on the land.

(6) Suspension or Revocation of Permit:

- a) A Development Officer may suspend or revoke a development permit where:
 - (i) the applicant fails to comply with the conditions of the issuance of the permit; or
 - (ii) any person undertakes or causes or allows any development on a site contrary to the terms or conditions of a permit.

- (iii) the permit was issued on the basis of incorrect information or misrepresentation by the applicant; or
- (iv) the permit was issued in error.

(7) Offence Tickets:

- a) If the corrective measures described in a *Notice of Violation* issued pursuant to section (3) are not completed within the specified time, or if development continues after a permit has been revoked, the person to whom the *Notice of Violation* was issued may be issued an offence ticket by a Development Officer in the amount specified in section (8) b).
- b) The offence ticket shall specify the alleged offence committed by the person to whom the offence ticket is issued and require payment of the penalty by the specified date.
- c) The offence ticket shall be served personally or by double registered mail on the person identified in section (3) a).

(8) Penalties:

- a) Any person who commits an offence under section (2) is, upon summary conviction, liable to a fine as specified in the *Summary Convictions Act*.
- b) Any person who commits an offence under this bylaw is, in addition to any other punishment, liable on summary conviction to:
 - (i) a fine not exceeding ten thousand dollars (\$10,000.00) where proceedings are commenced pursuant to the summary convictions provisions of the *Criminal Code of Canada*; or
 - (ii) a fine not exceeding five hundred dollars (\$500.00) where proceedings are commenced pursuant to section 9(1) of the *Summary Convictions Act of the Yukon*.
- c) Where a person fails or refuses to comply with an Order pursuant to sections (2) and (5), that person is liable on summary conviction to a fine of not more than \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the offence continues.
- d) In addition to the penalties provided for under section (8) b), a person convicted of an offence pursuant to section (2) in respect to the use of land or buildings or development carried out in contravention of this bylaw, may be ordered to remove such development and reclaim the site at that person's own expense.
- e) Should any person owning or occupying real property within the City refuse or neglect to pay any penalties that have been levied pursuant to this bylaw, the Development Officer may inform such person in default that, if these charges are unpaid on the thirty-first day of December on the same year, these shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

Section 14 - Compliance with Other Legislation

- (1) An applicant is responsible for and is not excused from ascertaining and complying with the requirements of any Federal, Territorial or other Municipal legislation; or the condition of any easement, covenant, building scheme, or development agreement affecting the building or land.
- (2) Where the proposed development does not comply with any Federal, Territorial or other Municipal legislation or with the conditions of any easement or development agreement affecting the land or building, a Development Officer may refuse to issue a permit.

Section 15 - Status of Zoning and Historic Control Bylaws

- (1) Bylaw #97-25, "the Zoning and Historic Control Bylaw", and all amendments thereto are hereby rescinded

