



# Office Consolidation of Zoning Bylaw

Bylaw #2018-19



# SCHEDULE A

## Zoning Bylaw Text

Bylaw #2018-19

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## **1.0 GENERAL ADMINISTRATION**

### **1.1 Purpose**

This bylaw provides for orderly, efficient, economic, and environmentally and socially responsible development in the City of Dawson by

- .1 implementing the goals and objectives of the *Official Community Plan* (OCP)
- .2 establishing land use zones and associated regulations to control the use, location, type, and level of development allowed to occur on a parcel of land within the City of Dawson
- .3 setting out rules and procedures, information requirements, and processes to regulate land use and development within the City of Dawson
- .4 maintaining and enhancing the unique character and history of Dawson City

### **1.2 Enabling Legislation**

This bylaw has been passed in conformance with the *Yukon Municipal Act*.

### **1.3 Basic Provisions**

#### **1.3.1 Application**

This bylaw shall be applicable to all land, including the surface of water, and buildings and structures within the boundaries of the City of Dawson.

#### **1.3.2 Conformity**

Land, including air space and the surface of water, shall not be used and buildings and structures shall not be located in an area or constructed, altered, or used except as specifically permitted in this bylaw.

#### **1.3.3 Severability**

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 of competent jurisdiction, the invalid portion shall be severed from the bylaw and such decision shall not affect the validity of the remaining portions of this bylaw.

#### **1.3.4 Metric Units**

Metric units are used for all measurements in this bylaw. Imperial units are provided for convenience only.

### **1.3.5 Applicable Regulations**

- .1 Where this bylaw sets out two or more regulations that could apply to a situation, the most stringent regulation shall apply.
- .2 Where this bylaw sets out both general and specific regulations that could apply to a situation, the specific regulation shall apply.

## **1.4 Zoning Maps**

The City of Dawson is divided into land use zones and the boundaries of those zones are shown on the zoning maps, attached as Schedule “B” and Schedule “C,” forming part of this bylaw.

## **1.5 Zone Boundaries**

The boundaries on the zoning maps shall be interpreted as follows:

- .1 where a zone boundary is shown as following a highway or road right- of- way or watercourse, the centre line of the right of way or watercourse shall be the zone boundary
- .2 where the zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the zoning boundary shall be determined by referencing topographic and scaling information from the zoning maps
- .3 when any public roadway is closed, the roadway lands have the same zoning as the abutting land. When different zones govern abutting lands, the centre of the roadway is the zone boundary unless the boundary is shown clearly following the edge of the roadway

## **1.6 Compliance with Other Legislation**

- .1 In addition to complying with this bylaw, a person applying for a development permit or change of use is responsible for ascertaining and complying with the requirements of any other applicable municipal, territorial, or federal legislation.
- .2 The issuance of a permit does not relieve the property owner from complying with any easement, covenant, lease, scheme, or development agreement that affects the development.

## **1.7 Uses and Regulations**

Except as otherwise allowed by this bylaw, use and development in each zone shall be in accordance with the uses listed for the zone and all the appropriate requirements of this bylaw.

## **1.8 Non-Conforming Uses or Structures**

Non-conforming uses will be dealt with according to the provisions of the *Yukon Municipal Act*, as amended from time to time.

## **1.9 Lots Less Than Minimum Size**

- .1 Lots created before the approval of this bylaw that are less than the minimum dimensions or more than the maximum dimensions required of the zone they are in shall be considered to be conforming lots for the purposes of this bylaw. *(Bylaw 2019-15 passed on February 24, 2021)*
- .2 A principal or secondary use is permitted on a lot less than the minimum lot size in that zone provided that the development otherwise complies with all the regulations of this bylaw.
  - I. Rear and side yard setbacks may be reduced by the same percentage that the lot is less than the minimum for the zone.

## **1.10 Applications in Process**

An application for a development permit that is received in its complete and final form prior to the effective date of this bylaw shall be decided upon within 90 days of this bylaw coming into effect, and no time extension shall be granted to any development permit issued under this section for which development has not commenced within 12 months.

## **1.11 Copy of Record and Availability**

A development officer shall

- .1 keep and maintain for inspection by the public during normal office hours a copy of this bylaw, as amended
- .2 keep and maintain for inspection by the public during normal office hours a register of all development permit applications, including the decisions and the reasons therefore
- .3 ensure that copies of the bylaw and amendments are obtainable by the public at the prescribed fee.

## 2.0 DEFINITIONS

### 2.1 Interpretation

- .1 Typical uses listed as examples in the definitions are not intended to be exclusive or restrictive. Intent, impact, and definition of the use, among others, will be considered when determining whether or not a use is permitted.
- .2 When a specific use does not conform to the wording of any use definition, or generally conforms to the wording of two or more definitions, a community development officer may use discretion to deem that the use conforms to, and is included in, that use which is considered to be most appropriate in character and purpose.
- .3 If a use is not listed as permitted, it shall be interpreted as not permitted.

### 2.2 General Definitions

#### A

**ABUT** or **ABUTTING** means immediately contiguous to, or physically touching. When used with respect to lots or sites, this definition refers to lots or sites that share a common property line or border.

**ACCESSORY BUILDING** or **STRUCTURE** means a separate building or structure, on the same lot as a primary building or structure, which is ancillary or subordinate to the primary building or structure. Examples of accessory structures include garages, gazebos, garden sheds, greenhouses, and storage sheds.

**ACT** means the *Yukon Municipal Act* as amended from time to time.

**ADDITION** means a new structure, or portion of a structure, added to an existing structure in a manner that creates a shared wall.

**ADJACENT** means land that is contiguous to and accessible from a site, including land that would be contiguous if not for a public road, lane, walkway, utility lot, underground pipeline, power line, drainage ditch, or similar feature. This definition does not include land separated by a stream or river.

**AGRICULTURE** means growing, rearing, harvesting, and selling agricultural crops and/or livestock; this includes processing the primary agricultural products harvested, reared, or produced on the parcel. This definition does not include small-scale growing on a residential property.

**ALCOHOL SALE** means the retail sales of any and all types of alcoholic beverages to the public.

**AMUSEMENT ESTABLISHMENT** means a permanent building or structure that has been erected for the purpose of providing entertainment and amusement activities.

**APARTMENT** means a single building containing three or more dwelling units, each of which has its principal access from an entrance common to the building.

## **B**

**BASEMENT** means the portion of a building that is partially underground and has a ceiling that is less than 1.83 m (6 ft.) above grade.

**BED AND BREAKFAST** means a home occupation comprising of the commercial rental of up to three sleeping units, all within a single detached dwelling.

**BOARD OF VARIANCE** means the City of Dawson Board of Variance established in accordance with the *Yukon Municipal Act*.

**BOARDING HOUSE** means the commercial rental of one or more sleeping units, all within a single detached dwelling. Sleeping units share common living and cooking spaces. Boarding houses are considered single detached dwellings in this bylaw.

**BROADCASTING AND RECORDING** means the production and/or broadcasting of audio or visual programming typically associated with radio, television, and motion picture studios.

**BUILDING** means a roofed structure used, or intended to be used, for supporting or sheltering any use or occupancy.

**BULK FUEL FACILITY** means a premise used for the storage, sales, and distribution of bulk fuel products.

## **C**

**CAMPGROUND** means the provision of space for tents and recreational vehicles primarily occupied by the travelling public for overnight accommodation.

**CANNABIS RETAIL SERVICE** means the retail sale of cannabis and products containing cannabis to the public; this includes storing cannabis onsite to support the operations of those premises.

**CARPORT** means a roofed accessory structure, which is normally attached to the principal building and is not fully enclosed, that is intended to shelter parked vehicles. A carport is considered part of the principal building to which it is attached when calculating requirements.

**CEMETERIES** means those areas of land that are set aside for the burial of human or animal remains, which includes ashes. This definition excludes crematoria, mausoleums, and mortuaries.

**CHILDCARE CENTRE** means an establishment licensed under the *Child Care Act* and intended to provide care, educational services, and supervision for children during a period of less than 24 consecutive hours. Unlike a family day home, childcare centres are not secondary to a residential use.

**CITY** means the City of Dawson.

**COMMERCIAL AND RESIDENTIAL MIXED USE** means a building that has commercial uses located on the ground floor and residential dwelling units located on the upper floors or on the ground floor behind the commercial uses.

**COMMERCIAL SCHOOL** means a school conducted for hire or gain, such as an art or drama school, dance studio, business, safety training or trade school, or any other specialized school; it shall not include a private academic, religious, or philanthropic school.

**COMMERCIAL STORAGE** means a self-contained building or group of buildings containing lockers available for rent for the storage of goods, or a facility used exclusively to store bulk goods of a non-hazardous nature.

**COMMUNITY RECREATION FACILITY** means land or premises used for recreational, social, or multi-purpose use. This facility is primarily intended for local community purposes. Typical uses include community halls, non-profit social clubs, and community centres operated by a residents' association.

**CONTRACTOR SERVICE** means the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, or sewer services, or similar services of a construction nature. These uses may or may not require onsite storage space for materials, construction equipment, or vehicles normally associated with the contractor service.

**CONVENIENCE STORE** means a retail commercial establishment, not exceeding 300 m<sup>2</sup> (3,229.2 ft.<sup>2</sup>) of floor area, that supplies groceries and other daily household necessities.

**CONVERSION** means a change in use of land or buildings, or act an done in relation to land or a building, that results, or is likely to result, in a change in the use of such land or building without involving major structural alterations.

**COUNCIL** means the Council of the City of Dawson.

**CSA** means Canada Standards Association.

**CUL-DE-SAC** means a length of a local street made for vehicular use; the end of the road is permanently closed either by subdivision design or by a natural feature such as inaccessible terrain.

**CULTURAL EVENTS OR DISPLAY** means, but is not limited to, the presentation of cultural activities such as musical performances, theatre, artisan workshops, or dance demonstrations.

**C ZONE** means all commercial zones described in [section 12](#) of this bylaw.

## D

**DECK** means a structure more than 0.6 m above grade without a roof or walls, except for visual partitions and railings, used as an outdoor amenity area.

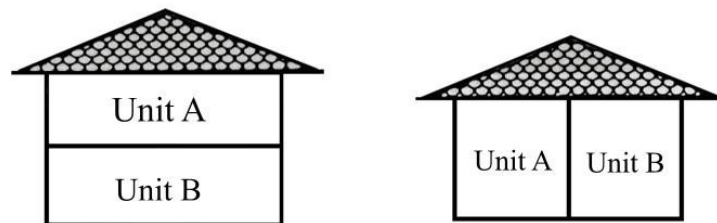
**DEVELOPMENT** means the carrying out of any activity involving a material change to any use on, over, or under the land or buildings on the land that results, or is likely to result, in a change of use or intensity of use.

**DEVELOPMENT APPROVING AUTHORITY** means a community development officer, the Board of Variance, or Council as the context requires.

**DOCK** means any structure, either seasonal or permanent, for the mooring of floatplanes, boats, or other watercraft.

**DUPLEX** means a building that is divided horizontally or vertically into two separate dwelling units that may or may not be registered under the same land title; a duplex is not a secondary suite. Each dwelling unit has its own independent entrance, as shown in figure 2-1.

**FIGURE 2-1: ILLUSTRATION OF DUPLEX**



**DWELLING UNIT** means a self-contained building or portion of a building, whether occupied or not, that is used or intended to be used as a residence. Dwelling units usually contain cooking, eating, living, sleeping, and sanitary facilities. All dwelling units require City approval through the development permit process.

## E

**EATING AND DRINKING ESTABLISHMENT** means the use of land and premises for preparing and offering of food and beverages for sale to the public. Food and beverages for sale may be consumed within the premises or taken off-site. Eating and drinking establishments may or may not include those licensed under the Yukon *Liquor Act*.

**EMERGENCY AND PROTECTIVE SERVICES** means a public facility used by firefighters, police, emergency responders, and others as a base of operations.

**ENCLOSED PARKING** means an area provided for off-street parking that is screened from view by the surrounding streets and buildings. Enclosed parking spaces are either within a structure or behind a screen of landscaping, perforated masonry, metal, or other material.

**EQUIPMENT SALES, RENTALS, AND SERVICE** means the use of premises used for sale, repair, or rental of equipment or machinery.

**EXHIBITION AND CONVENTION FACILITIES** means a development that provides permanent facilities for meetings, seminars and conventions, product and trade fairs, circuses, and other exhibitions. *(Bylaw 2021-15 passed on August 3, 2022)*

**EXTERIOR STORAGE** means an area where goods, materials, or equipment are stored outside. Exterior storage does not include the storage of goods and materials in accessory buildings.

## F

**FAMILY DAY HOME** means an establishment licensed under the Yukon *Child Care Act* that is intended to provide care, educational services, and supervision for children during a period of less than 24 consecutive hours. Unlike childcare centres, family day homes are located in dwelling units and are secondary to a residential use.

**FENCE** means an artificially constructed barrier erected to enclose or screen a property or use.

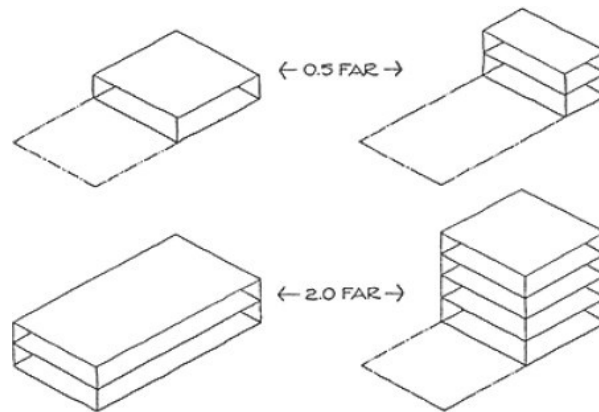
**FLEA MARKET** means the sale of new or used goods by multiple vendors renting tables and/or space. Vendors may vary from day to day, but the general layout of space to be rented remains the same.

**FLEET SERVICE** means a fleet of vehicles used for the delivery of people, goods, or services in a place where such vehicles are not available for sale or long-term lease.

**FLOOR AREA** means the sum of the horizontal floor areas for each storey of the building or structure. This sum must be measured to the exterior walls and contained within the exterior and basement walls.

**FLOOR AREA RATIO** or **FAR** means the floor area of all buildings and structures on a parcel divided by the parcel area, as shown in figure 2-2.

**FIGURE 2-2: ILLUSTRATION OF FLOOR AREA RATIO (FAR)**



**FRONTAGE** means the minimum straight-line distance between the intersection of the midpoint (front lot line and side lot line) of the side lot lines.

**FUNERAL SERVICES** means the use of premises for the preparation of the dead for burial or cremation, or the holding of funeral ceremonies.

## G

**GARAGE** means an enclosed accessory building or structure, or a part of the principal building, designed and used primarily for the storage of motor vehicles of the occupants of the premises.

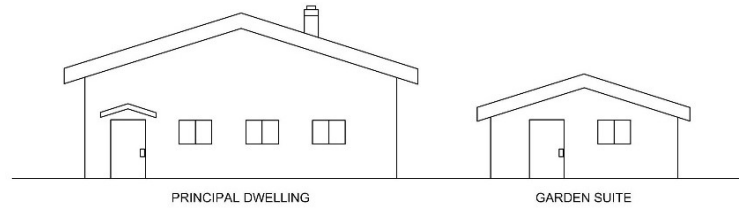
**GARDEN** means the use of land for cultivating or growing plants.

**GARDEN CENTRE** means the use of land and premises for retail sale of plants, lawn and garden equipment, furnishings, nursery materials, and associated supplies.

**GARDEN SUITE** means a self-contained secondary dwelling unit that is within an accessory building, located on a lot where the principal use is either a single detached dwelling unit or a duplex and where both dwelling units are registered under the same land title, as shown in figure 2-3. A garden suite can be up to 100% of the floor area of the accessory building.

*(Bylaw 2021-15 passed on August 3, 2022)*

**FIGURE 2-3: ILLUSTRATION OF GARDEN SUITE**



**GRADE** means the average elevation of all finished or unfinished ground. Grade is measured from the exterior perimeter of the building or structure, as shown in Figure 2-4: Illustration of Height and Grade.

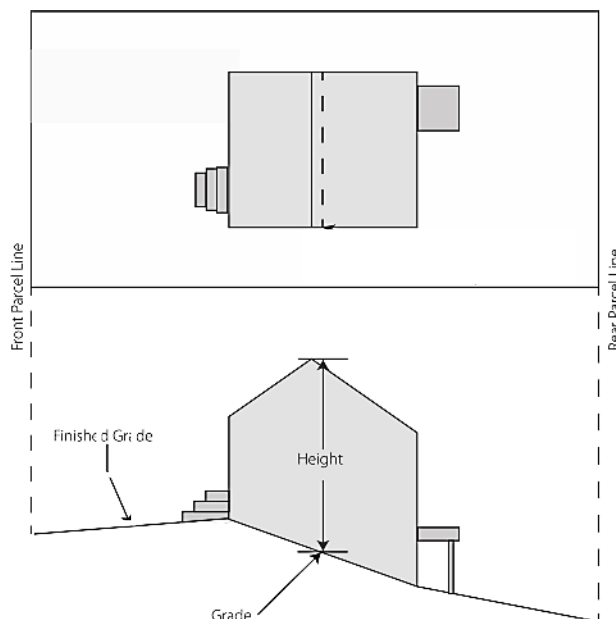
**GREENHOUSE** means a building used to grow plants. Greenhouses utilize transparent covering to heat the air and provide a more hospitable environment for growth.

## H

**HEAVY EQUIPMENT STORAGE** means the storage of heavy vehicles, machinery, or equipment typically used in building, roadway, pipeline, and mining construction.

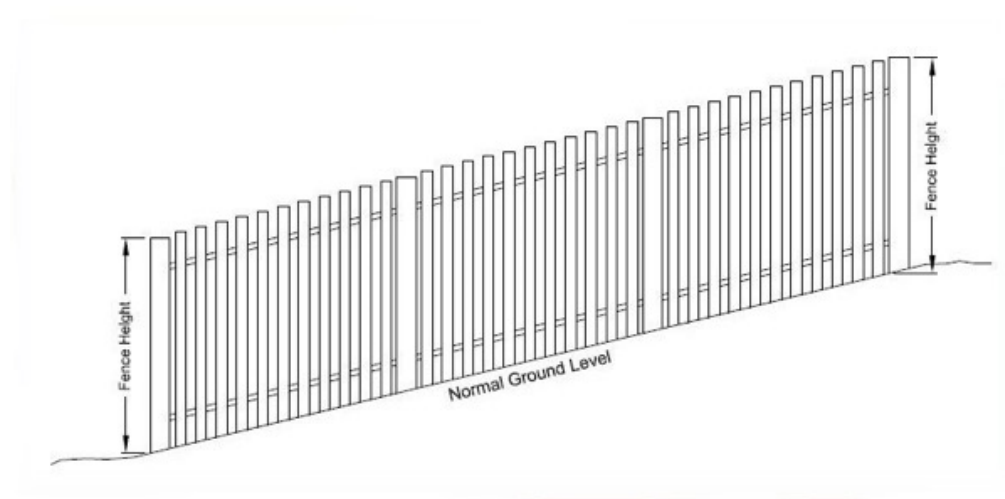
**HEIGHT, BUILDING** means the maximum vertical distance between grade and the highest point of the building or structure, as shown on figure 2-4. Solar panels, chimney stacks, elevator housings, flagpoles, guardrails, roof stairway entrances, skylights, steeples, or ventilating equipment shall not be considered for the purpose of determining height.

**FIGURE 2-4: ILLUSTRATION OF HEIGHT AND GRADE**



**HEIGHT, FENCE** means the maximum vertical distance between the natural ground level and the top of the fence at any given point, as shown in figure 2-5.

**FIGURE 2-5: ILLUSTRATION OF FENCE HEIGHT**



**HELIPORT** means development used for the take-off and landing, sale, charter, or rental of helicopters together with maintenance services, and the sale of parts and accessories. *(Bylaw 2021-15 passed on August 3, 2022)*

**HISTORIC STRUCTURE** means, for the purposes of this bylaw, a structure that is listed in the Municipal Inventory of Historic Sites and constructed prior to the adoption of Zoning Bylaw #203. This includes structures that are designated as a Municipal Historic Site or listed in the Yukon Register of Historic Places, the Canadian Register of Historic Places, or the Yukon Historic Sites Inventory within the Historic Townsite and constructed prior to the adoption of Zoning Bylaw #203. *(Bylaw 2021-15 passed on August 3, 2022)*

**HISTORIC TOWNSITE** means the area as shown in Schedule “C” of this bylaw.

**HOME INDUSTRY** means a small-scale industrial use operated as a secondary use to a single detached dwelling.

**HOME OCCUPATION** means a small business that is based out of a dwelling unit. See also *bed and breakfast* and *family day home*.

**HOTEL** means one or more buildings containing three or more dwelling or sleeping units, each of which has its principal access from an entrance common to the building. Hotels provide commercial rental of dwelling or sleeping units primarily for use overnight or for short periods of time. In addition to the dwelling or sleeping units, hotels may contain accessory uses such as an eating and drinking establishment, retail sales, indoor recreation, and meeting rooms.

**HOUSEHOLD REPAIR SERVICE** means the provision of repair services to goods, equipment,

and appliances normally found within the home. Typical uses include appliance repair shops, radio and television repair shops, furniture refinishing, and upholstery shops.

## I

**INDOOR CANNABIS FACILITY** means a facility used for cultivating, producing, and packaging cannabis for the purposes of commercial sale. *(Bylaw 2019-08 passed on September 9, 2019)*

**INDOOR GROWING FACILITY** means a facility used for cultivating plants and/or food for the purposes of commercial sale, not including cannabis. *(Bylaw 2019-08 passed on September 9, 2019)*

**INDUSTRIAL ZONES** are any zones described in [section 13](#) of this bylaw.

**INSTITUTIONAL SERVICES** means the use of land and premises for public or non-profit purposes. Typical uses include schools, hospitals, recreation facilities, community centres, visitor and tourist information centres, and government buildings.

## J

**JUNKYARD** means any building or land used for the wrecking, salvaging, dismantling or disassembly of vehicles, vehicle parts, vehicle frames, or vehicle bodies.

## L

**LANDSCAPING** means to change, modify, or enhance the visual appearance of a site in order to beautify or screen the appearance of a lot. This may be done by reshaping the earth; planting lawns, shrubs, or trees; preserving the original natural vegetation; and adding walks, fencing, patios, and other ornamental features.

**LANE** means a public right of way, equal to or less than 3.05 m (10 ft.) wide, that provides a second access to a parcel at the side or rear.

**LIVESTOCK** means an animal that is traditionally used or raised on a farm. This definition does not include generally domesticated animals such as dogs or cats.

**LOADING SPACE** means an onsite parking space directly accessible from a street or lane that is reserved for parking, and is used for the purpose of loading or unloading goods and materials. Loading spaces shall be occupied for less than one hour at a time.

**LODGING FACILITY** means multiple buildings containing one or more dwelling or sleeping units, each of which has its principal access from an exterior entrance not common to the building. Lodging facilities provide commercial rental of dwelling or sleeping units primarily for overnight use, seasonal use, or for short periods of time. In addition to the sleeping or dwelling units, lodging facilities may contain accessory uses such as common eating or cooking facilities, living spaces, or recreation areas.

**LODGING FACILITY, NON-PERMANENT** means a lodging facility that has buildings or structures which may be dismantled and removed from the site from time to time. Typical

uses include seasonal camps.

**LODGING FACILITY, PERMANENT** means a lodging facility that has buildings or structures that are permanent in nature. Typical uses include visitor cabin rentals or workers camps.

## M

**MANUFACTURING** means the use of facilities for the construction, creation, or assembling of semi-finished or finished goods, products, or equipment.

**MIXED USE DEVELOPMENT** means one or more buildings on a lot containing different permitted uses, either within one building or within different buildings, and any amenities associated with such uses.

**MOBILE HOME** means a factory-built single or multiple section single detached dwelling unit that is designed to be transportable on its own chassis and that conforms to the CSA Z240 Manufactured Home Series of Standards.

**MOBILE HOME PARK** means the use of land and facilities for placement of two or more mobile homes.

**MODULAR HOME** means a factory-built single- or multiple-section single detached dwelling unit that is constructed to the National Building Code of Canada CAN/CSAA277 standard and is 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 single building containing three or more dwelling or sleeping units, each of which has its principal access from an exterior entrance not common to the building. Motels provide commercial rental of dwelling or sleeping units primarily for use overnight or for short periods of time. In addition to the dwelling or sleeping units, motels may contain accessory uses such as an eating and drinking establishment, retail sales, indoor recreation, and meeting rooms.

**MULTI-UNIT RESIDENTIAL** means any physical arrangement of three or more permanent dwelling units.

## N

**NATURAL RESOURCE DEVELOPMENT** means the onsite removal, exploration, extraction, and primary processing of raw materials that are found on or under the site or that are accessible from the site. Typical uses include clay pits, gravel pits, placer mining, sandpits, and topsoil stripping.

**NATURAL SCIENCE EXHIBITS AND INTERPRETATIVE SIGNAGE** means the collection, preservation, interpretation, and display of scientific, cultural, heritage, or natural objects.

## O

**OFFICE** means the use of premises for professional, management, administrative, consulting, and/or financial services in an office setting.

**OFFICE SUPPORT SERVICE** means the provision of a service that includes one or more of the following features:

- a) the use of minor mechanical equipment for binding, duplicating, photographic processing, or printing
- b) office maintenance or custodial services
- c) office security and the renting, repair, sale, or servicing of office equipment, furniture, and machines

Typical uses include film processing establishments, janitorial firms, office equipment sale and repair establishments, and printing establishments.

**OFFICIAL COMMUNITY PLAN (OCP)** means the *Official Community Plan* as has been adopted and amended by Council pursuant to the Act.

**OPEN SPACE** means land not occupied by buildings.

## P

**PARCEL** means any lot, block, or other area in which land is held, or into which land is subdivided. This definition does not include a highway, street, or lane.

**PARCEL, AREA** means the total horizontal area within the parcel lines of a parcel.

**PARCEL, CORNER** means the parcel at the intersection or junction of two or more streets; for the purpose of this definition, *street* does not mean *lane*.

**PARCEL COVERAGE** means the percentage of parcel area that may be built upon for uses including primary or accessory buildings or structures. Parcel coverage does not include steps, eaves, cornices and similar projections, courtyards, terraces or patios, driveways, aisles and uncovered decks, and uncovered parking stalls. Cantilevered portions of buildings above the first storey will not be included in parcel coverage calculations.

**PARCEL WIDTH (FRONTAGE)** means the horizontal distance between the side parcel lines, which is measured at right angles to the rear parcel line, as illustrated in figure 2-7. The horizontal distance between parcel lines must be measured at a 6 m (19.7 ft.) set back from the front parcel line.

**PARCEL LINE** means the legally defined boundary of any parcel. (See figure 2-6.)

**PARCEL LINE, EXTERIOR SIDE** means a side parcel line that abuts a public roadway (this term excludes lanes) on a corner parcel as illustrated in figure 2-6 or, in the case of an irregular lot, as illustrated in figure 2-7.

**PARCEL LINE, FRONT** means any parcel line common to a parcel and one highway (for the

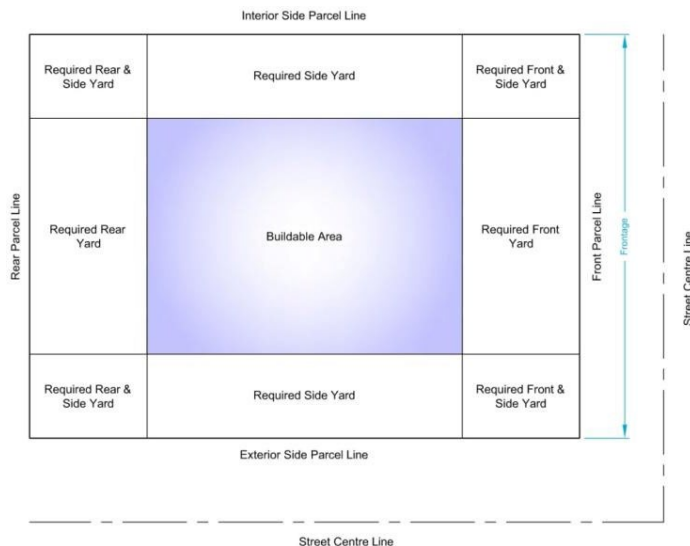
purposes of this bylaw, this term includes streets but excludes lanes), as illustrated in figure 2-6. Where a parcel is contiguous to the intersection of two highways, the front parcel line is the shortest parcel line contiguous to a highway.

**PARCEL LINE, INTERIOR SIDE** means a parcel boundary, other than a front or rear parcel line, that is between two or more parcels or a lane, as illustrated in figure 2-6 or, in the case of an irregular lot, as illustrated in figure 2-7.

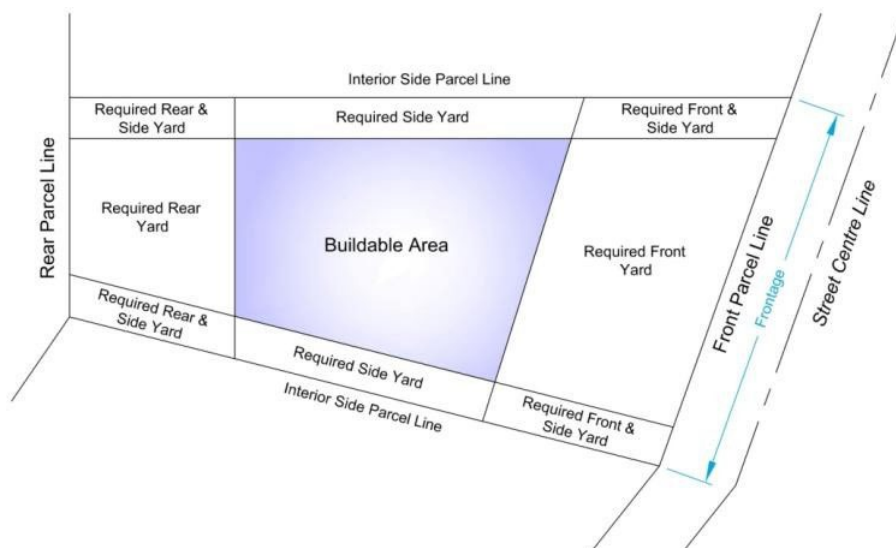
**PARCEL LINE, REAR** means the boundary of a parcel which lies the most opposite to, and is not connected to, the front parcel line, as illustrated in figure 2-6.

**P ZONE** means all public and institutional zones described in section 14 of this bylaw.

**FIGURE 2-6: ILLUSTRATION OF PARCEL LINES**



**FIGURE 2-7: ILLUSTRATION OF IRREGULAR PARCEL**



**PARK** means any public outdoor area or parcel set aside specifically for passive or active recreation. Parks include buffers, environmental protection areas, greenbelts, nature interpretation areas, playgrounds, trails, tot-lots, walkways, and similar uses.

**PARKING LOT** means the use of land and premises for parking of more than one vehicle by customers, employees, and the public at large.

**PATIO** means any solid structure meant for support of people or outdoor materials that is less than 0.6 m in height.

**PERSONAL SERVICES** means the provision of personal services to an individual that are related to the care and appearance of the body, or to the cleaning and repair of personal effects. Typical uses include barbershops, beauty salons, dressmakers, dry cleaning establishments and laundromats, hairdressers, shoe repair shops, and tailors.

**PERSONAL SERVICE ESTABLISHMENT** means a business which is associated with the grooming or health of persons or the maintenance or repair of personal wardrobe articles and accessories, and may include a barber shop, beauty parlor, shoe repair shop, self-service laundry or dry-cleaning establishment. *(Bylaw 2019-15 passed on February 24, 2021)*

**PORCH** means a roofed, open structure projecting from the exterior wall of a building with walls that are open or screened to facilitate use as an outdoor living area.

**PRINCIPAL BUILDING** means a building that contains floor space, the majority of which is used for the permitted principal use on a parcel.

**PRINCIPAL USE** means the main purpose for which the parcel, building, or structure is used.

**PUBLIC UTILITIES** means buildings, facilities, or equipment, —that is either owned or operated by the City or by an external body under agreement with the City to comply with a territorial or federal statute, —which furnishes services and facilities for the use of all Dawson City residents. Typical uses include, but are not limited to, landfills and waste treatment facilities, sewage treatment facilities, pump houses and stations, water treatment plants, and electrical production facilities.

## R

**RECREATIONAL VEHICLE** means a transportable structure intended as overnight or seasonal accommodation for travel, vacation, or recreational use. Typical uses include travel trailers, motorized homes, slide-in campers, chassis-mounted campers, and tent trailers. This definition does not include mobile homes.

**RECREATIONAL FACILITY** means a public or private recreational facility including, but not limited to, arenas, athletic fields, driving ranges, golf courses, outdoor rinks, stadiums, and tennis courts.

**RECYCLING DEPOT** means a facility that buys, sorts, and/or stores bottles, cans, newspapers, and similar household goods for reuse. All storage is contained within an enclosed building or screened area. Such establishments shall not have more than four

vehicles for the pick-up and delivery of goods.

**REGULAR MAINTENANCE AND REPAIR** means routine building repairs, maintenance, including building levelling, or installations that do not alter the size of the building, involve the rearrangement or replacement of structural supporting elements, constitute structural alteration, or change the use or intensity of use of the land, building, or structure. *(Bylaw 2021-15 passed on August 3, 2022)*

**RENEWABLE ENERGY SYSTEM** means a system or device where energy is derived from sources that are not depleted by using them and transformed for use. Renewable energy systems include but are not limited to solar-electric or solar-thermal panel systems.  
*(Bylaw 2019-15 passed on February 24, 2021)*

**RENOVATION** means the repair, restoration, or alteration of a building or a structure and includes, but is not limited to, foundation levelling and strengthening. This definition does not include replacement of a building or structure.

**RESIDENTIAL SECURITY UNIT** means a dwelling unit that is secondary to a principal industrial or commercial use.

**RETAIL STORE** means premises where goods, merchandise, other materials, or personal services are offered for sale at retail to the public.

**R ZONE** means all residential zones described in [section 11](#) of this bylaw.

## S

**SEASONAL** means a period of eight months or less.

**SECONDARY SUITE** means a self-contained dwelling unit that is located within a primary dwelling unit and is less than 40% of the total floor area of the building. A secondary suite has its own cooking, sleeping, and sanitary facilities. Both dwelling units are registered under the same land title. A secondary suite is not a duplex. See also “garden suite.”

**SECONDARY USE** means uses that must be in conjunction with and subordinate to a principal use. Secondary uses require development approval as a separate use unless otherwise exempted from a development permit by this bylaw.

**SERVICE EFFICIENCY LINK** means a connecting link that is constructed between two approved buildings and is designed for the sole purpose of allowing publicly funded institutions to share facilities in order to reduce operational costs.

**SERVICE STATION** means a business intended for the sale of fuel, lubricating oils, automotive fluids, car wash, and convenience store products.

**SETBACK** means the minimum permitted distance between a class of building, structure, or use specified in this bylaw. This definition includes a parcel line or other feature specified in this bylaw.

**SEASONAL** means a period of eight months or less.

**SHORT TERM** means a period of two years or less.

**SIGN, FIXED** means a wall sign, fixed on the surface of a building. *(Bylaw 2021-15 passed on August 3, 2022)*

**SIGN, FREE STANDING** means a self-supporting sign permanently fixed to the ground and visibly separated from a building. *(Bylaw 2021-15 passed on August 3, 2022)*

**SIGN, PAINTED FASCIA** means a wall sign painted directly on the surface of a building, visible to the street. *(Bylaw 2021-15 passed on August 3, 2022)*

**SIGN, PROJECTING** means any self-supporting sign other than a wall sign which is attached to or projects more than 45cm from the face of a structure or building wall with no visible guywires, braces, or secondary supports. *(Bylaw 2021-15 passed on August 3, 2022)*

**SINGLE DETACHED DWELLING** means a free-standing building that contains one primary dwelling unit; this dwelling unit may or may not include a secondary suite. Single detached dwellings are constructed onsite and do not include mobile homes or modular homes. See also boarding house.

**SITE** references any parcel of land.

**SITE DENSITY** is a measure of population density calculated as the number of dwellings per total parcel or site area. If the result of a density calculation results in a fraction, maximum density will be rounded up to the next whole number.

**SLEEPING UNIT** means a portion of a building, whether occupied or not, used or intended to be used in a temporary accommodation such as a hotel or motel. Sleeping units may contain sleeping and sanitary facilities but shall not contain cooking facilities.

**STOREY, FIRST** means the bottom-level storey that has a floor level not more than 2 m above grade.

**STOREY, HALF** means a storey under a sloping roof. The wall plates of a half storey, on at least two opposite walls, are not more than 0.61 m above the finished floor of such a storey.

**STRUCTURAL ALTERATION** means any change to structural supporting elements of a structure including but not limited to foundations, exterior load-bearing walls, door and window openings, roof, and access/egress components (such as decks or porches). For the purposes of this bylaw, full removal of a structure or structural component and replacing it in its entirety constitutes structural alteration. Repairs, maintenance, including building levelling, or installations, that do not alter the size of the building or other structure or involve the rearrangement or replacement of structural supporting elements does not constitute structural alteration. *(Bylaw 2021-15 passed on August 3, 2022)*

**STRUCTURE** means any construction fixed to, supported by, or sunk into land or water. This definition does not include concrete or asphalt paving, or similar surfacing.

## T

**TOWNHOUSE** means a building divided into three or more dwelling units, which are located side by side under one roof, with private entrances to each dwelling from the exterior of the building. Each dwelling shares at least one common wall.

## V

**VARIANCE** means a relaxation of the requirements specified in this bylaw as permitted by the *Yukon Municipal Act*.

**VEGETATIVE BUFFER** means a landscaped or natural area intended to visibly separate and screen one use from another in order to improve land use compatibility and environmental quality by reducing noise, lighting glare, and other nuisances, or to facilitate natural drainage and wildlife movement.

**VEHICLE SALES AND SERVICE** means the premises where motor vehicles may be repaired, equipped, parked, or stored for remuneration, sale, or display. Such premises may include vehicle washing facilities as an ancillary use. This definition excludes service stations.

**VENDOR, COMMERCIAL** means the carrying on of a business providing professional, personal, or other services not including the sale of food, beverages, and refreshments for immediate consumption. This definition includes the sale of arts and craft products by non-profit organizations. Commercial vendors may be dismantled and removed from the site from time to time and must follow the regulations of section 8.10 of this bylaw.

**VENDOR, FOOD** means a booth, stand, or vehicle that sells food, beverages, and/or refreshments for immediate consumption. Food vendors must be temporary in nature and must be able to be dismantled and removed from the site from time to time and must follow the regulations of [section 8.10](#) of this bylaw.

**VETERINARY SERVICE** means the care and treatment of animals. Veterinary services primarily involve outpatient care and minor medical procedures involving hospitalization for fewer than four days. All animals shall be kept within an enclosed building.

## Y

**YARD** means the area of setback required from a parcel line as illustrated in Figure 2-6: Illustration of Parcel Lines or, in the case of an irregular parcel, as illustrated in Figure 2-7: Illustration of Irregular Parcel.

## Z

**ZERO LOT LINE** means the legally defined limit in a parcel that a development may be built up to.

**ZONE** means an area of the City as defined in sections [10](#), [11](#), [12](#), [13](#), [14](#), and [15](#) of this bylaw.

## **3.0 DUTIES AND RESPONSIBILITIES**

### **3.1 Inspection**

- .1 The chief administrative officer, community development and planning officer, or other persons appointed by Council as a development approving authority, shall administer this bylaw.
- .2 Persons appointed under section 3.1 may enter any building or premises at any reasonable time to administer or enforce this bylaw.

### **3.2 Council**

Council shall

- .1 by resolution appoint one or more development officer(s) under this bylaw
- .2 by resolution appoint the members of the Heritage Advisory Committee for terms of office, as specified under the *Heritage Advisory Committee Bylaw*
- .3 by resolution appoint the five members of the City of Dawson Board of Variance for a period of two years each. No members of the Board of Variance may be Council members
- .4 consider and decide upon 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. Council may grant a development permit provided there will be no detrimental impact on adjacent properties or the neighbourhood
- .5 consider and decide upon all development permit applications that include an encroachment upon a public roadway or right of way
- .6 consider and decide upon all applications to amend the *City of Dawson Zoning Bylaw* and “Dawson City Heritage Management Plan”
- .7 consider and decide upon heritage management guidelines and design guidelines for each heritage management area
- .8 consider and decide upon all appeals to Council
- .9 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

- .10 initiate, consider, and decide upon a comprehensive review of this bylaw every five years
- .11 take into account terms and conditions suggested by the development officer and shall approve, approve with conditions, or reject development permits brought to its attention

### **3.3 Development Officers**

A development officer shall

- .1 receive and review development permit applications to determine their completeness, and shall be the sole determinant of completeness in accordance with section 4.0
- .2 refer a development permit application to any City department or any federal, territorial, or other agency or body deemed appropriate by the development officer, to obtain comments on the application
- .3 consider and decide upon a development permit application for a minor alteration, and at their discretion, the development officer may refer the application to other staff or the Heritage Advisory Committee for consideration and recommendations
- .4 refer a development permit application for a major alteration to the Heritage Advisory Committee for consideration and recommendation
- .5 refer an application for a new infill development (i.e., a new building) to the Heritage Advisory Committee for consideration and recommendation
- .6 consider, in consultation with the Heritage Advisory Committee, the provision of external technical advice in the case of a major new building or major alteration. This may be requested from the Yukon Government, Parks Canada, another government agency, and/or a private sector architect or consultant
- .7 refer a development permit application to Council if the development officer does not agree with the recommendations of the Heritage Advisory Committee
- .8 consider and recommend to the Board of Variance an approval or refusal of a variance to the land use regulations governing an application
- .9 consider and decide upon, 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. The development officer may grant a development permit provided such projections do not exceed 10% of the required rear or side yard and do not detrimentally impact adjacent properties or the neighbourhood

- .10 subsequent to review by the development officer and the Heritage Advisory Committee, refer a development permit application in a heritage management area to Council for consideration, 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
- .11 consider and decide upon a development permit application for only the foundation component of a permitted use inside the historic townsite, provided that the application complies with this bylaw and that an acceptable security deposit equal to 25% of the value of the foundation or the appropriate fee listed in the *Fees and Charges Bylaw* is posted
- .12 receive and review all applications for amendments to the *Zoning Bylaw* and/or “Dawson City Heritage Management Plan”, and may consider such applications and recommend Council approve or refuse said application
- .13 issue development permits and, when necessary, impose terms and conditions upon development permits that will bring the project into conformity with the OCP and all applicable bylaws, and will mitigate any undesired effects of the proposed development
- .14 receive submissions for and approve or reject the designs of all fences within the historic townsite
- .15 undertake other duties specified in this bylaw
- .16 where a development permit application is for a temporary, short-term, or seasonal development,
  - I. consider and decide upon a development for a specific period of time not exceeding one year
  - II. impose a condition on such a permit so 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
  - III. require the applicant to post an acceptable security deposit that guarantees the cessation or removal of the development and is the greater of either 25% of the value of the structure or \$2,000

### **3.4 Heritage Advisory Committee**

The Heritage Advisory Committee is established pursuant to section 179(1) of the Act and shall

- .1 make recommendations to the development officer on the heritage aspects of all development permit applications referred to the committee by the development officer

- I. In the event that the committee recommends amendments to the development permit application, the application may be referred back to the applicant for revision and the development officer, in consultation with the applicant, may determine whether the application needs to be resubmitted to the committee for another review or whether it can be considered by the development officer only.
- .2 perform other duties as may be prescribed by this bylaw
- .3 perform other responsibilities as Council may, from time to time, delegate to the committee by resolution

### **3.5 Board of Variance**

- .1 The City of Dawson Board of Variance is hereby established pursuant to authority given in the *Yukon Municipal Act*.
- .2 The Board of Variance will hear and decide upon any applications before it in accordance with the provisions of the *Yukon Municipal Act*.

## 4.0 DEVELOPMENT PERMITS

### 4.1 Development Permit Required

- .1 Unless otherwise stated in this bylaw, no person shall commence, cause, or allow to commence any development, change of existing use, or change of intensity of use unless a development permit has been issued pursuant to the provisions of this bylaw.
- .2 Excavating, filling, and/or building a foundation is considered a development for the purposes of this bylaw.
- .3 Submission of a development permit for any development that has been partially constructed without authority shall result in a 25% increase in the permit fee for that structure.
- .4 Submission of a development permit for any development that has been substantially completed without authority shall result in a 50% increase in the permit fee for that structure.

#### 4.1.1 Demolitions

- .1 Demolition of a structure will only be permitted if the proposed demolition and/or replacement would improve the quality of the built environment.
- .2 All service connections must be removed before demolition begins.
- .3 An acceptable security deposit of \$1.00 per square foot of the lot under consideration shall be posted by the developer upon issuance of a development permit for a demolition in order to ensure that the intended re-development proceeds. The security deposit is to be released upon development officer confirmation of the completion of the development as per the approved development permit. *(Bylaw 2021-15 passed on August 3, 2022)*
- .4 Demolition must be accompanied by an approved redevelopment plan to the satisfaction of the development officer.
- .5 Demolition of a structure listed in the Yukon Government Historic Sites Registry shall occur only in extenuating circumstances, and must be approved by Council in consultation with the Heritage Advisory Committee and Yukon Government Historic Sites.

### 4.2 Development Permit Not Required

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

- .1 regular maintenance and repair of any building or structure, provided it does not:

- I. include structural alterations
  - II. change the use or intensity of use of the land, building, or structure
  - III. include external building envelope alterations within the Historic Townsite. *(Bylaw 2021-15 passed on August 3, 2022)*
- .2 landscaping where the existing grade and surface drainage pattern is not materially altered, except when 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
  - .5 a fence, wall, or gate that does not exceed 2 m (6.6 ft.) in height and is located outside of the historic townsite
  - .6 an accessory development not greater than 10 m<sup>2</sup> (107.6 ft.<sup>2</sup>) and not exceeding 2.5 m (8.2 ft.) in height
  - .7 a sign located outside of the historic townsite, provided that such sign conforms to all other provisions of this bylaw
  - .8 demolition of a building or structure under 10 m<sup>2</sup> (107.6 ft.<sup>2</sup>), unless designated in the Yukon Government Historic Sites Inventory
  - .9 wall tents or similar temporary structures provided the wall tent consists only of a frame and canvas walls. For the purposes of this bylaw, construction of a structure with a floor, walls, or roof requires an approved development permit *(Bylaw 2019-15 passed on February 24, 2021)*
  - .10 roof-mounted renewable energy systems outside of the Historic Townsite *(Bylaw 2019-15 passed on February 24, 2021)*

### **4.3 Development Permit Applications**

- .1 Applications for a development permit shall be made to a development officer in writing.
- .2 Applications should, at the discretion of the development officer, include
  - I. the completed prescribed form
  - II. a letter of intent that provides a detailed description of the proposed development
  - III. the certificate of title, dated no more than 30 days prior to application date
  - IV. a letter of authorization from all property owners registered on the title and the property owner or owners' contact information
  - V. the required fee and/or deposit

- VI. a site plan that includes:
- a) a north arrow and scale
  - b) property lines shown and labelled as per the most recent legal survey
  - c) all easements and rights of way shown and labelled
  - d) the location and labelling of all abutting streets, lanes, highways, road rights of way, sidewalks, water bodies, and vegetation
  - e) the topography and other physical features of the subject land
  - f) the location, size, type, and dimensions of all existing buildings and/or structures on the subject land, as well as the distance of the buildings and/or structures from the property lines and other structures. *(Bylaw 2021-15 passed on August 3, 2022)*
  - g) the location, size, type, and dimensions of all proposed buildings and structures on the subject land, as well as the proposed distance of the buildings and/or structures from the property lines and other structures. *(Bylaw 2021-15 passed on August 3, 2022)*
  - h) the location of retaining walls and fences (existing and proposed)
  - i) the location, dimensions, and number of onsite parking areas
  - j) the location of loading facilities
  - k) the date of the plan
- VII. an elevation plan that includes:
- a) coloured elevations of each face of the building(s)
  - b) illustration and/or annotated description of the appearance of all fences (existing and proposed) on the site
  - c) a description of exterior finishing materials
  - d) illustration and/or annotated description of the appearance of all garbage and/or recycling enclosures
  - e) the building height from grade, and the number of storeys
  - f) the date of plan
- VIII. a floor plan that includes the proposed use and dimensions of each room
- IX. A stormwater management plan that includes:
- a) The location and description of where water flows and pools on the property
  - b) Description of how the water flow and pooling is/will be managed
  - c) Existing and/or proposed infrastructure to manage stormwater and snow such as culverts, drains, snow dams, gutters, etc. *(Bylaw 2021-15 passed on August 3, 2022)*

- X. photos of the parcel and buildings. *(Bylaw 2021-15 passed on August 3, 2022)*
- .3 For applications for activities permitted under the *Placer Mining Act*, the following shall also be submitted to the development officer:
- I. a copy of the notification (Classes 1 and 2)
  - II. for claims overlapping surface rights, proof of permission from all applicable surface rights holders (Classes 1–4)
  - III. for Tr’ondëk Hwëch’in settlement land, a Tr’ondëk Hwëch’in access notice certificate and/or land use permit (Classes 1–4)
  - IV. mining land use approval (Classes 3 and 4)
  - V. an operating plan and map (Classes 2–4)
  - VI. a water license (Class 4)
- .4 For applications for areas located in heritage management areas, the following shall also be submitted at the discretion of the development officer:
- I. the date and style of the built form
  - II. siting information
 

This shall include annotated drawings and/or photographs that describe the following:

    - front, side, and rear setbacks
    - orientation
    - location and dimensions of circulation or access features
    - views and sightlines
  - III. scale information
 

This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of

    - scale of buildings
    - lot coverage (i.e., the pattern of arrangement of buildings and the size of said buildings)
    - Floor-to-floor heights and their relationship to the street
  - IV. form information
 

This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of

    - the predominant form of neighbouring buildings
    - the roof form and skyline as well as ridge lines, roof slopes, chimneys, and

- skylights
    - the proportions and number of openings
    - the solids-to-voids ratio
  - V. a description and/or list of materials and colours
  - VI. detailing
- .5 In addition to the requirements listed under sections 4.3.2 and 4.3.3 of this bylaw, the development officer may also require the following:
- I. geotechnical studies that demonstrate the soundness and suitability of the the proposed development
  - II. an approved onsite sewage disposal system in areas not serviced by the City's piped sewer system
  - III. a parking and traffic study
  - IV. a landscaping plan that includes
    - a) the location of all existing and proposed landscaping, including trees, shrubs, and grasses
    - b) any existing landscaping to be removed
    - c) the number, size, and species of all proposed trees and shrubs
  - V. a surveyor's certificate to verify the location of a development
  - VI. a certificate from a qualified, registered professional engineer or architect to support the design of buildings and structures and their placement on the land
- .6 An application shall not be deemed complete until all requirements above have been submitted to the satisfaction of a development officer. Partially complete applications that are inactive for a period of six months or more may be cancelled at the discretion of the development officer. *(Bylaw 2019-15 passed on February 24, 2021)*
- .7 Notwithstanding section 4.3.4, a development officer may consider an application if, in the development officer's opinion, the development is of such a nature as to enable a decision to be made on the application without the required information.

## 4.4 Decision Making

Decision making and appeals regarding development permits shall be undertaken in accordance with the *Yukon Municipal Act*.

- .1 Upon receipt of a complete development permit application, the development officer shall within 30 days
  - I. grant permission;

- II. refuse permission;
  - III. grant permission with specified conditions; or
  - IV. defer making a decision on the application for a period not exceeding 60 days from the date of the application.
- .2 Within five working days after a decision on a development permit application, a development officer shall send a notice of the decision by regular mail to the applicant.

#### **4.4.1 Permit Conditions**

- .1 When issuing a permit, a development officer may impose any conditions required to ensure compliance with this bylaw.
- .2 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 off-site levy or redevelopment levy or both.
- .3 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/or other services or facilities.
- .4 A permit may be refused when it is determined by the development officer that
  - I. satisfactory arrangements have not been made for the payment and supply of water, power, sewer, and/or other services or facilities
  - II. taxes on the property associated with the permit application have not been paid
- .5 A development officer may suspend or revoke a development permit when
  - I. the applicant fails to comply with the conditions of the issuance of the permit
  - II. any person undertakes, 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
  - IV. the permit was issued in error
  - V. the applicant is unable to prove the extent of a development using a survey conducted by a registered Canada Lands Surveyor (*Bylaw 2019-15 passed on February 24, 2021*)

#### **4.4.2 Development Permit Appeals (*Bylaw 2021-15 passed on August 3, 2022*)**

- .1 An applicant aggrieved by the decision of the development officer under section 4.4 'Decision Making', may appeal to Council within 30 days of the date of the decision.
- .2 Appeal applicants shall be limited to the original development permit applicant, landowner, and/or their designated representative.

- .3 All maps, plans, drawings, and written material that the applicant intends to rely on in support of the appeal must be filed at least 10 days before the day of the hearing.
- .4 Council shall within 60 days of receipt of an appeal under this section, allow, disallow, or allow the appeal with conditions.
- .5 The hearing of the appeal shall be public and Council must hear the appeal applicant or any person representing the appeal applicant.
- .6 The decision of Council shall:
  - I. be based on the facts and merits of the case;
  - II. be in writing and set forth the reasons; and
  - III. be personally delivered or mailed to the appeal applicant within 10 days of the date the decision was made.
- .7 A decision of Council under this section is final and binding and there is no further appeal from it.

#### **4.5 Validity of Permit**

- .1 When a development permit has been approved, the permit shall not be valid until the decision is issued in writing by a development officer.
- .2 When a development permit has been issued by a development officer, the permit shall not be valid until the conditions of the permit, save those of a continuing nature, have been fulfilled.
- .3 The final determination of an appeal shall validate, amend, or revoke, as the case may be, a development permit suspended under section 4.5.3.

#### **4.6 Expiry of Permit**

- .1 A development permit issued in accordance with the notice of decision is valid for a period of 12 months from the date of issue.
- .2 A development officer may grant an extension of the effective period of a permit prior to the expiry of the permit; the effective period shall not exceed 12 months and the development officer may only grant such an extension once.
- .3 When a development permit expires, a new application is required. Such application shall be dealt with as a first application and the development approving authority shall be under no obligation to approve it on the basis that a previous permit had been issued.

#### **4.7 Variance**

- .1 All variance appeals shall be undertaken in accordance with PART 7, DIVISION 5, of the

*Yukon Municipal Act.*

- .2 A person may apply for a variance or exemption from the *Zoning Bylaw* to the Board of Variance if there are practical difficulties or unnecessary hardships in meeting the requirements of the *Zoning Bylaw* because of a property's exceptional narrowness, shortness, shape, topographic features, or any other unusual condition.
- .3 All variances shall be limited to parcel boundaries.
- .4 A variance shall not be approved if
  - I. the unusual condition is the result of the applicant's or the property owner's action
  - II. the adjustment requested would constitute a special privilege inconsistent with the restrictions on the neighbouring properties in the same district
  - III. the variance or exemption would be contrary to the purposes and intent of the OCP or this bylaw
  - IV. the variance or exemption would injuriously affect the neighbouring properties
  - V. the variance or exemption would allow a change to a use that is not similar to a permissible use in the area
- .5 Within 30 days of receipt of an application, the Board of Variance shall approve, refuse, or approve with conditions an application that in the board's opinion meets the four tests as outlined in section 4.7.4, and preserve the purposes and intent of the "Dawson City Heritage Management Plan".
- .6 Within five working days after granting a variance, a development officer shall send a notice to adjacent landowners, who may be identified in the City tax assessment roll, advising them of the variance and the right of appeal.
  - I. For the purposes of this bylaw, adjacent landowners are those who are owners of land that is contiguous to a site, including land that would be contiguous if not for a public roadway, river, stream, pipeline, power line, or railway.
- .7 A decision of the Board of Variance may be appealed in accordance with section 308 of the *Yukon Municipal Act*.
- .8 If the Board of Variance is served with notice of an appeal of its decision, such notice shall suspend the permit.

#### **4.8 Water and Sewer Facilities** (*Bylaw 2019-15 passed on February 24, 2021*)

No building, structure, or land in any zone shall be used for any purpose where such purpose requires water and/or sanitary sewer services unless,

- .1 where municipal water and/or sewer infrastructure exists, the owner or authorized agent provides a service connection to the building or structure at the property boundary; or

- .2 where no municipal services exist, the owner or authorized agent provides a private water supply and sewage disposal system approved in accordance with the authority who has jurisdiction. Proof of the approval must be provided to the development officer.

## 5.0 SUBDIVISION PROCESS

### 5.1 Subdivision

- .1 Council shall not approve any application for the subdivision of any land within any zone or on any site where the parcels do not meet the minimum requirements prescribed for that zone.
  - I. At the sole discretion of Council, parcels with a pre-existing legally non-conforming use or structure may be subdivided so long as the subdivision does not increase the legally non-conforming nature of the use or structure.
- .2 Spot land applications and parcel enlargements can be approved at the sole discretion of Council and will not be approved by Council unless the application conforms to the long-term plan for those lands, as described in the OCP or other applicable approved plans.
- .3 Notwithstanding section 5.1.1, Council may approve an application for the subdivision of any land within the historic townsite into lots that do not meet the minimum site area requirements prescribed for the underlying zoning district as a heritage conservation incentive, provided
  - I. that subdivision is in keeping with the heritage integrity of the community; and
  - II. the development proposed for those lots meets the heritage management policies and guidelines of the OCP and the *Zoning Bylaw*
- .4 On receipt of an application for subdivision approval, public notification must be provided in a method approved by Council for two successive weeks prior to decision.
  - I. Methods of public notification may include the City of Dawson website, local newspapers, the City and Post Office Bulletin Boards, and written notification letters.
  - II. Written notification letters shall be mailed to contiguous properties.

*(Bylaw 2021-15 passed on August 3, 2022)*

### 5.2 Site Access

- .1 All access points and boardwalk cuttings shall be located to the satisfaction of the City.
- .2 No person shall construct a driveway from a site to a public roadway if such driveway, in the opinion of the City, would create an unnecessary traffic hazard, unless there is no other practical method of vehicular access to the site.

## 6.0 MOVING OF STRUCTURES

- .1 No person shall move a building or structure within, into, or out of the City unless a development permit has first been obtained.
- .2 When a structure is being moved off of a lot within the historic townsite, the application must be accompanied by an approved redevelopment plan for the original lot, to the satisfaction of the development officer.
  - I. When a structure is being moved off of a lot within the historic townsite, an acceptable security deposit of \$1.00 per square foot of the lot under consideration shall be posted upon issuance of a development permit for the move to ensure that the intended redevelopment proceeds.
  - II. The security deposit is to be released upon development officer confirmation of the completion of the development as per the approved development permit. *(Bylaw 2021-15 passed on August 3, 2022)*
- .3 Moving of a structure listed in the Yukon Government Historic Sites Registry will occur only in extenuating circumstances and in consultation with both the Heritage Advisory Committee and Yukon Government Historic Sites.
- .4 No person shall move a mobile home from a location within the historic townsite to another location within the historic townsite.
- .5 A development permit is required to move a mobile home from a location within the historic townsite to a location outside the historic townsite; however, the application fee is waived.
- .6 In deciding on the moving of a building or buildings to a parcel within the City, a development officer may
  - I. refer the application to a Yukon building inspector for a recommendation confirm the structure's compliance to the National Building Code
  - II. require such renovations and alterations as may be necessary for the building to conform to the requirements of the zone into which the building is proposed to be moved, and to conform to the territorial building and plumbing codes
  - III. refuse to issue a permit if
    - a) there are any taxes or other charges due to the City with respect to the building or the lot on which it is situated, unless arrangements satisfactory to the City's chief financial officer have been made for payment of such taxes or other charges
    - b) the building fails to conform to the requirements of this bylaw or the *Water and Sewer Bylaw*
    - c) the building is not compatible, in the opinion of the development officer, with the character and appearance of existing buildings in the area in which the building is to be located

- .7 The development officer may require a performance bond to be posted or a certified cheque in the amount of the established cost of the required renovations or alterations pursuant to section 3.3 of this bylaw.
- .8 If the applicant and/or owner of the building fails to complete the required renovations within such time as prescribed by the development officer, the City may
  - I. use the funds posted in section 3.3 to have the required renovations completed; or
  - II. if the cost necessary for section 3.3 is in excess of those funds posted, the balance of the cost may be charged against the property as an extra levy.
- .9 All conditions of a development permit shall be satisfied within 12 months of issuance of the permit.

## 7.0 GENERAL REGULATIONS

This section applies to all zones established under this bylaw.

### 7.1 Accessory Buildings and Structures

Accessory buildings and structures are permitted in all zones provided they comply with the following regulations:

- .1 unless otherwise specified in this bylaw, accessory buildings and structures are not permitted on any parcel unless the principal building to which the building or structure is accessory has already been erected or will be erected simultaneously
- .2 accessory buildings and structures must be set back at least 3.05 m (10 ft.) from:
  - I. any principal building, unless otherwise stated in the appropriate zone's 'Parcel Requirements' table.
  - II. any accessory building, unless otherwise stated in the appropriate zone's 'Parcel Requirements' table. (*Bylaw 2021-15 passed on August 3, 2022*)
- .3 in R zones, accessory buildings and structures may be placed in a required rear or side yard; however,
  - I. they must be set back at least 0.61 m (2 ft.) from any rear or interior side parcel line
  - II. they must be set back at least 3.05 m (10 ft.) from any exterior side parcel line
  - III. where an accessory building or structure is a garage, it must be set back at least 1.52 m (5 ft.) from any interior side parcel lines.
  - IV. gardens and greenhouses may be located in a front yard
- .4 in all R zones, C zones, and P zones the combined area of all accessory buildings, excluding detached secondary suites, must not exceed
  - I. 10% parcel coverage for parcels in the historic townsite
  - II. 20% parcel coverage for parcels outside the historic townsite.
- .5 in all R zones and C zones, an accessory building must not exceed
  - I. 10% parcel coverage for parcels in the historic townsite
  - II. 20% parcel coverage for parcels outside the historic townsite.
- .6 An accessory building must not be used as a dwelling or sleeping unit unless permitted as a garden suite.

### 7.2 Easements and Rights of Way

In addition to the regulations contained in this bylaw, buildings and structures must respect all other property encumbrances, such as easements and rights of way.

## 7.3 Fences and Screening

- .1 In all zones, fences are permitted in required front, rear, or side yards.
- .2 In any R zone, a fence must
  - I. not exceed a height of 1.22 m (4 ft.) in any required front yard
  - II. not exceed a height of 1.83 m (6 ft.) in any area, including any required side or rear yard but excluding the required front yard
- .3 All exterior storage of goods, material, and equipment in any C zone must
  - I. be located to the rear or side of the principal building
  - II. be screened from view from any public roadway other than a lane and from adjacent sites in an R zone by fences, berms, landscape materials, or a combination of these to the satisfaction of the development officer
  - III. not exceed a height of 1.83 m (6 ft.) above grade
- .4 Exterior storage or display of goods, material, and equipment in the M1 zone must
  - I. be screened from view from any public roadway other than a lane and from adjoining sites not in an M1 zone by fences, berms, landscape materials, or a combination of these to the satisfaction of the development officer
  - II. not exceed a height of 2.44 m (8 ft.) above grade.
- .5 Junkyards and automobile wrecking yards shall be completely enclosed by
  - I. a 2.44 m (8 ft.) tall solid wooden fence;
  - II. a 2.44 m (8 ft.) tall chain link fence with continuous hedging; or
  - III. other screening to the satisfaction of the development officer.

## 7.4 Height Exceptions

The maximum height regulations of this bylaw do not apply to the following:

- chimneystacks
- elevator housings
- flagpoles
- parapet walls
- roof stairway entrances
- skylights
- steeples
- HVAC equipment
- any other item deemed by the development officer to be of a similar nature to those

noted above

## 7.5 Heritage

- .1 The heritage of Dawson City and its region shall be managed in accordance with Appendix “A” of this bylaw and by the “Dawson City Heritage Management Plan” (March 2008) adopted by Council, or any successor legislation.
- .2 If, through the development permitting process for a structural alteration, it is found that a historic structure is legally non-conforming, as per the Municipal Act, and does not meet the zone’s minimum parcel requirements, the application may be forwarded to the Heritage Advisory Committee at the discretion of the development officer.
  - I. At the sole discretion of the Heritage Advisory Committee, the legally non-conforming, non-compliant minimum parcel requirement(s) of the historic structure may be waived so long as:
    - a. The proposed development does not increase the legally non-conforming nature of the use or structure.
    - b. The historic structure does not encroach on a contiguous property or right of way.
    - c. The waiver does not injuriously affect adjacent properties. *(Bylaw 2021-15 passed on August 3, 2022)*
- .3 Written notification letters shall be mailed to adjacent landowners, who may be identified in the City tax assessment roll, advising them of the proposed waiver and providing an opportunity to submit comments prior to decision *(Bylaw 2021-15 passed on August 3, 2022)*

## 7.6 Location and Siting

No building or structure is permitted in a required front, rear, or side yard unless otherwise specified in this bylaw.

## 7.7 Principal Buildings

No more than one principal building is permitted per parcel unless otherwise specified in this bylaw.

## 7.8 Setback Exceptions

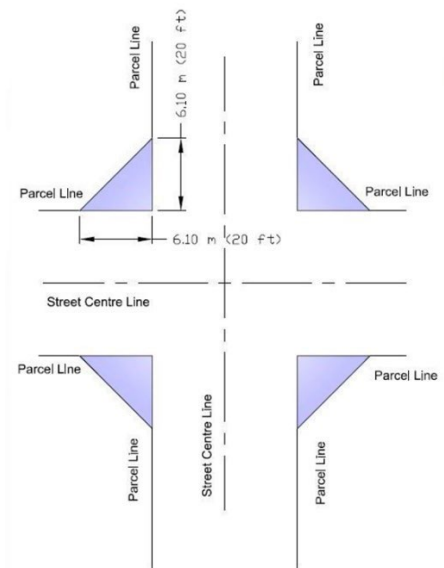
The front, side, and rear yard setback regulations of this bylaw do not apply to the following:

- .1 chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or other similar features, provided that such projections do not exceed 0.61 m (2 ft.)
- .2 steps, eaves, canopies, decorative overhangs, balconies, or porches, provided that they
  - I. do not project more than 1.22 m (4 ft.) into a required front, rear, or exterior side yard
  - II. do not project more than 0.61 m (2 ft.) into a required interior side yard

- .3 steps, ramps, or boardwalks required for safe access to a permitted primary or accessory structure due to parcel grade
- .4 uncovered patios, sundecks, or terraces, provided that they
  - I. meet any fence height requirements of this bylaw
  - II. do not project more than 2.44 m (8 ft.) into a required front yard
- .5 any feature that the development officer approves for heritage conservation purposes, provided that it does not occupy more than 10% of the area required for the rear or side yard
- .6 a service efficiency link in the P2 zone may be allowed by decision of Council when
  - I. the service efficiency link has been approved by the owners of the linked buildings
  - II. the applicant has identified the nature of the reduced operational costs created by the service efficiency link
  - III. the identified reduced operational costs are in the public interest

## 7.9 Visibility at Intersections

No landscaping, screening, building, or structure shall be planted or erected at a height greater than 0.91 m (3 ft.) above the established grade within the shaded space, as illustrated in [figure 7-1](#). This shaded space spans 6.10 m (20 ft.) in either direction from the corner of a parcel.



**FIGURE 7-1 ILLUSTRATION OF SIGHT TRIANGLE**

## **8.0 SPECIFIC USE REGULATIONS**

### **8.1 Bed and Breakfasts**

Where permitted, bed and breakfasts must meet all the requirements of all other relevant municipal bylaws.

### **8.2 Childcare Centres and Family Day Homes**

- .1 Childcare centres and family day homes shall provide documentation demonstrating that they are compliant with all appropriate federal and/or territorial legislation.
- .2 Family day homes shall follow the regulations for home occupations.
- .3 Childcare centres and family day homes are not permitted in multi-unit residential dwelling units.
- .4 Childcare centres are not permitted in duplexes.

### **8.3 Home Industries**

Where permitted, home industries must comply with the following regulations:

- .1 a home industry is an accessory use that must only be conducted within the principal residential building and within up to one accessory building
- .2 the home industry must not occupy more than 74.3 m<sup>2</sup> (800 ft.<sup>2</sup>) of the dwelling unit or 25% of the total floor area of the dwelling unit, whichever is less
- .3 The combined floor area of accessory buildings used for home industry must not exceed 185.8 m<sup>2</sup> (2,000 ft.<sup>2</sup>).
- .4 except in the front yard setback, exterior storage of materials associated with the home industry shall be permitted, provided that storage areas do not exceed 92.9 m<sup>2</sup> (1,000 ft.<sup>2</sup>) and are enclosed by a privacy fence or landscaped screen to ensure that the stored materials are not visible beyond the property line.
- .5 an exterior storage area must be set back at least 4.57 m (15 ft.) from any parcel line.
- .6 a home industry
  - I. must not create a hazardous or dangerous condition for the neighbourhood or the environment
  - II. must not generate traffic congestion or parking problems for the City or the immediate neighbourhood
  - III. must not produce odour, smoke, dust, or fumes beyond the property line
  - IV. must not involve materials or products that produce flammable or explosive

vapours or gasses under normal Dawson City temperature ranges.

- V. must not produce interference with radio, television, telephone, or other electronic or communications devices beyond the parcel line of the parcel on which the home industry is located
- .7 no home industry may be used for the salvage or storage of derelict vehicles and equipment, used buildings, domestic products, and/or similar discarded materials
- .8 retail sales shall not be permitted in a home industry except for
  - I. products incidental to a service being provided
  - II. mail order sales
  - III. telephone sales, online sales, or other types of sales where the customer does not enter the premises to inspect or pick up goods
  - IV. direct distributorships where customers do not enter the premises to inspect, purchase, or pick up goods
  - V. products produced on the site

## **8.4 Home Occupations**

Where permitted, home occupations must comply with the following regulations:

- .1 the home occupation must be considered a secondary use to the principal use of the building or site
- .2 other than a duly authorized sign, no exterior evidence of a home occupation is permitted to be visible on the site on which the home occupation is located
  - I. For the purposes of this section, the presence of a garden and/or greenhouse shall not be deemed to be exterior evidence of a home occupation.
- .3 no exterior storage of materials associated with a home occupation is permitted
- .4 there shall be no manner of use or noise of an offensive or objectionable nature to interfere with the peaceful and quiet enjoyment of neighbouring properties.

## **8.5 Gardens and Greenhouses**

Gardens and greenhouses are permitted as an accessory use in all zones, provided that they comply with all regulations for accessory buildings and structures laid out in this bylaw.

## **8.6 Parks and Natural Space**

Any development of a permitted P1 use must comply with all setbacks for the zoning in which it is being developed.

## 8.7 Public Utilities

- .1 Public utility facilities for the distribution of water, sewage, electrical power, telephone, cable television, and other similar services are permitted in all zones.
  - I. This does not include sewage treatment plants, lagoons, or electrical substations.
- .2 Permanent electrical power is permitted only if it is required to support an approved, permanent use on a parcel.
- .3 Individual parcels for public utility facilities are exempt from minimum parcel area requirements.
- .4 All changes and new installations of a public utility must have a valid development permit.

## 8.8 Secondary and Garden Suites

Where permitted, secondary and garden suites must comply with the following regulations:

- .1 a secondary suite is only permitted within a single detached dwelling
- .2 a garden suite is only permitted within an accessory building on the same parcel as a single detached dwelling
- .3 only one secondary suite or garden suite is permitted per principal single detached dwelling *(Bylaw 2021-15 passed on August 3, 2022)*
- .4 a garden suite is not permitted on the same parcel as a property with a secondary suite
- .5 one additional parking space must be provided on the parcel for the secondary or garden suite, in addition to the parking required for the single detached dwelling
- .6 a secondary or garden suite is not permitted in conjunction with the operation of a bed and breakfast in the principal single detached dwelling
- .7 a secondary or garden suite must have a minimum floor area of 23.8 m<sup>2</sup> (256 ft.<sup>2</sup>)
- .8 at the discretion of the development approving authority, a garden suite may be constructed prior to a single detached dwelling, subject to the following criteria:
  - I. garden suites are to be constructed in accessory buildings only; as such, a development permit that shows details for both the primary and accessory building must be submitted and approved
    - a) the development permit must include a time limit that dictates how long the garden suite can exist without the construction of the primary building (single detached dwelling).

- II. the placement of the garden suite must allow for sufficient space to construct the primary dwelling
- III. the garden suite must meet all other regulations for a primary dwelling as a stand-alone structure

## 8.9 Service Stations

Where permitted, service stations must conform to the following provisions:

- .1 pump island storage tanks and related appurtenances must meet the requirements of all relevant federal and territorial legislation
- .2 all repair equipment shall be kept, and all repair work shall be done, entirely within the building or in the maintenance yard
- .3 all exterior lighting must deflect away from adjacent parcels
- .4 a minimum 1.83 m (6 ft.) fence must be provided on all property lines separating the parcel from any abutting R zone.

## 8.10 Vendors

Vendors include both commercial and food vendors. These uses are intended to be short-term or seasonal in nature and may be dismantled and removed from the site from time to time.

- .1 Vendors shall be responsible for
  - I. complying with all statutes, regulations, and bylaws whether federal, territorial, or municipal
  - II. obtaining all licenses and permits required at the vendor's own expense
  - III. the supply and maintenance of garbage receptacles and disposal of garbage to an approved disposal site
  - IV. maintaining the lands in the vicinity of their operation in a clean, litter-free, and tidy state
  - V. not interfering with the quiet use and enjoyment of the surrounding areas by the public
  - VI. supplying proof of valid public liability insurance when located on lands owned by the City.
- .2 Each vendor shall apply to the City for permission to operate using a temporary development permit. Each application shall
  - I. specify the type and nature of the proposed business

- II. include a sketch showing their desired location
    - a) The required sketch shall have dimensions and show the proposed site in relation to existing developments in the area.
  - III. obtain the signature of the land owner as an indication of permission to occupy the space allocated
- .3 Upon receipt of a temporary development permit to create a vendor stall, the City shall
  - I. review each application
  - II. request any additional information deemed necessary by the City
  - III. approve, approve with conditions, or refuse the application
- .4 Any non-mobile activity involving the construction of a temporary structure shall be required to obtain a temporary development permit.
- .5 Vendors shall be limited to
  - I. a mobile refreshment stand completely contained within a trailer, a motorized vehicle, a bicycle, a push-cart, an approved container, or some other non-mechanized means;
  - II. a temporary commercial operation completely contained within a trailer, a motorized vehicle, a bicycle, a push-cart, an approved container, or some other non-mechanized means.
- .6 Vendors shall not be permitted anywhere other than the site specified in the City's approval.
- .7 Temporary electrical hook-up shall be allowed, subject to the vendor stall meeting all applicable codes and regulations.
- .8 The City may inspect any temporary vendor facility to ensure compliance with this policy. If non-compliance is found, the City has the right to revoke the approval for such use. Ongoing operation of a temporary vendor permit shall not be inferred as a right or entitlement.

## 8.11 **Cannabis Retail Services** *(Bylaw 2019-08 passed on September 9, 2019)*

- .1 There shall be no required setbacks between Cannabis Retail Services.
- .2 A Cannabis Retail Service shall not be located within 100 m of the Robert Service School main entrance.
- .3 A Cannabis Retail Service shall be allowed to sell non-regulated goods. A Cannabis Retail Service must comply with Section 17(1) of the Federal *Cannabis Act* when selling goods that promote cannabis. *(Bylaw 2019-15 passed on February 24, 2021)*

## 9.0 PARKING AND LOADING

### 9.1 Existing Building and Structures

No off-street parking requirements contained in this section shall apply to buildings, structures, or uses existing on the effective date of this bylaw except the following:

- .1 off-street parking shall be provided and maintained in accordance with this section for any addition to such existing buildings or structures, or any change or addition to such use
- .2 off-street parking existing on the effective date of this bylaw shall not be reduced below the applicable off-street parking requirements of this section

### 9.2 Required Number of Parking and Loading Spaces

- .1 The number of off-street parking spaces required for a class of building is calculated according to table 9-1, in which the first column sets out the class of building and the second column sets out the number of required off-street parking spaces that are to be provided for each class of building in the first column.
- .2 The number of off-street loading spaces required for a class of building is calculated according to table 9-2, in which the first column sets out the class of building and the second column sets out the number of required off-street loading spaces that are to be provided for each class of building in the first column.
- .3 When the calculation of the required off-street parking spaces or loading spaces results in a fraction, the calculation shall be rounded up.
- .4 When seating accommodation, including benches, pews, booths, or seating of a similar nature, is the basis for a unit of measurement under this section, each 0.46 m (1.5 ft.) of width of such seating shall be deemed to be one seat.
- .5 Except where cash in lieu is provided in accordance with City bylaws, the required off street parking and loading spaces shall be located on the same parcel as the building they serve or on a separate lot within 152.4 m (500 ft.) of the building and must be registered as an easement. *(Bylaw 2021-15 passed on August 3, 2022)*

**TABLE 9-1 REQUIRED OFF-STREET PARKING SPACES**

Use	Required Parking Spaces
<b>Residential uses</b>	
Single detached and duplex dwelling (4 bedrooms or less)	1 per dwelling unit
Single detached and duplex dwelling (over 4 bedrooms)	2 per dwelling unit and 1 per additional bedroom over 4
Multi-unit residential	1 per dwelling unit
Bed and breakfast	1 per 2 bedrooms available for rent (in addition to the space required for the residential use)
Secondary suite or garden suite	1 per suite
<b>Institutional uses</b>	
Hospital	1 per 99.96 m <sup>2</sup> (1,076 ft. <sup>2</sup> ) of floor area
School	1 per classroom
Place of public assembly, including arena, assembly halls, auditorium, club, lodge and fraternal building, community centre, convention hall, funeral parlour and undertaking establishment, gymnasium, meeting hall, or theatre	1 per 8 seats
Recreational use, including curling rink	1 per 3.5 seats
Museum and public library	1 per 49.98 m <sup>2</sup> (538 ft. <sup>2</sup> ) of floor area
Child Care Centres	1 parking stall per 8 children <i>(Bylaw 2021-15 passed on August 3, 2022)</i>
<b>Commercial uses</b>	
Bank, administrative, or professional office	1 per 99.96 m <sup>2</sup> (1,076 ft. <sup>2</sup> ) of floor area
Medical or dental office or clinic	1 per 99.96 m <sup>2</sup> (1,076 ft. <sup>2</sup> ) of floor area
Retail store, personal service establishment, shopping centre, department store, and supermarket	1.5 per 99.96 m <sup>2</sup> (1,076 ft. <sup>2</sup> ) of floor area
Furniture and appliance sales, automobile and boat sales	1 per 150.04 m <sup>2</sup> (1,615 ft. <sup>2</sup> ) of floor area
Restaurant or eating establishment, lunch counter, diner, beer parlour, cocktail lounge, bar, or other similar establishment for the sale and consumption of food or beverages on the premises	1 per 8 seats
Hotel	1 per every 4 dwelling or sleeping unit with bus stall 1 per every 2 dwelling or sleeping unit without bus stall
Motel	1 per dwelling or sleeping unit
Lodging facility, non-permanent or permanent	1 per dwelling or sleeping unit
Billiard and pool hall	1 per playing table
Bowling alley	2 per alley

Use	Required Parking Spaces
Laundromat	1 per 4 washing machines
Campground	1 per camping site plus 1 space for the operator
<b>Industrial uses</b>	
Contractor or public works yard	1 per 150.04 m <sup>2</sup> (1,615 ft. <sup>2</sup> ) of floor area
Machinery sales and repair	1 per 150.04 m <sup>2</sup> (1,615 ft. <sup>2</sup> ) of floor area
Warehousing or storage	1 per 150.04 m <sup>2</sup> (1,615 ft. <sup>2</sup> ) of floor area
Tire repair	1 per 150.04 m <sup>2</sup> (1,615 ft. <sup>2</sup> ) of floor area plus 1 per service bay
Manufacturing and industrial	1 per 150.04 m <sup>2</sup> (1,615 ft. <sup>2</sup> ) of floor area
Contractor or public works yard	1 per 150.04 m <sup>2</sup> (1,615 ft. <sup>2</sup> ) of floor area
Machinery sales and repair	1 per 150.04 m <sup>2</sup> (1,615 ft. <sup>2</sup> ) of floor area

**TABLE 9-2 REQUIRED OFF-STREET LOADING SPACES**

Class of Building	Required Loading Spaces
Retail store, manufacturing, fabricating, processing, warehousing and wholesaling establishment	
i. Less than 2,000.02 m <sup>2</sup> (21,528 ft. <sup>2</sup> ) in floor area	1
ii. 2,000.02 (21,528 ft. <sup>2</sup> ) to 4,000.03 m <sup>2</sup> (43,056 ft. <sup>2</sup> ) in floor area	2
iii. Greater than 4,000.03 m <sup>2</sup> (43,056 ft. <sup>2</sup> ) in floor area	3

### 9.3 Cash in Lieu of Onsite Parking and Loading

- .1 Where the requirements for parking space cannot be met, the owner and the City may enter into an agreement to provide cash in lieu of onsite parking.
- .2 Council shall establish each year the value of one onsite parking stall and one onsite loading space. In establishing the value, Council shall consider the cost of providing such a parking or loading space, including the cost of replacement land and improvements.

## **9.4 Dimensions and Access to Parking and Loading Spaces**

- .1 Each off-street parking space required by this bylaw shall not be less than 2.74 m (9 ft.) wide or 6.10 m (20 ft.) long, or have a vertical clearance less than 2.29 m (7.5 ft.).
- .2 Loading and unloading spaces shall be of adequate size as determined by the development officer, and will have an access that accommodates the types of vehicles that will be loading and unloading without those vehicles projecting into a public roadway.
  - I. In no case shall the space be less than 27.87 m<sup>2</sup> (300 ft.<sup>2</sup>) or less than 2.74 m (9 ft.) wide or have less than 3.66 m (12 ft.) overhead clearance.
- .3 Where a parcel is adjacent to a rear lane, access to the internal aisle providing access to the parking or loading spaces shall be via the rear lane.
- .4 Where a bus stall is provided it shall be clearly marked "Buses" and that parking stall shall be not less than 3.66 m (12 ft.) wide or 15.24 m (50 ft.) long or have a clearance of less than 3.66 m (12 ft.).

## 10.0 SIGNS

- .1 No signs shall be erected within the City except those provided for in this bylaw.
- .2 Unless exempted under [section](#) 4.2, the erection, display, alteration, replacement, or relocation of a sign requires a development permit.
- .3 Signs shall be of either a fixed, free-standing, or projecting type and shall conform to the requirements listed in the following schedule:

**TABLE 10-1 SIGN REGULATIONS**

Signs	Max. Size		Permitted Type
	(m <sup>2</sup> )	(ft. <sup>2</sup> )	
Home occupation	0.18	(1.9)	Fixed or free standing
Home identification	0.18	(1.9)	Fixed or free standing
Bed and breakfast	0.63	(6.8)	Fixed or free standing
Community activity	0.54	(5.8)	Fixed or free standing
Prohibition	0.54	(5.8)	Fixed or free standing
Directional	0.54	(5.8)	Free standing
Directory	5.76	(62)	Free standing except RS, RT
Public building	2.8	(30.1)	Fixed or free standing
Advertising	14.4	(155)	Fixed or free standing or projecting
Banners	14.4	(155)	
Traffic control	5.76	(62)	Fixed or free standing or projecting
Painted fascia sign	NA	NA	Fixed ( <i>Bylaw 2021-15 passed on August 3, 2022</i> )

- .4 Signage, including lettering must be erected or applied in such a manner as to reflect the Heritage Design Guidelines and the Heritage Management Plan if located in the historic townsite. (*Bylaw 2021-15 passed on August 3, 2022*)
- .5 Prior to erection or installation all fixed, free-standing, or projecting types of signs shall be approved by the development officer. (*Bylaw 2021-15 passed on August 3, 2022*)
- .6 No sign shall be erected that, in the opinion of Council, interferes with traffic or the visibility of a traffic control device.
- .7 No free-standing sign may exceed the maximum permissible height for an accessory structure in the zone in which the sign is located.
- .8 An advertising sign may only be erected on the site where the service advertised is performed, or where the product advertised is made, sold, or serviced.
- .9 Notwithstanding the above, campaign signs do not require development officer approval, provided they are only placed after an election has been called and are taken down within seven days after the election has ended.

- .10 Notwithstanding sections 9.1 through 9.6 above, traffic type signs placed by the City (including warning signs) and real estate “for sale” signs up to 1 m<sup>2</sup> (10.8 ft.<sup>2</sup>) in size do not require development officer approval.
- .11 Notwithstanding sections 9.1 through 9.6 above, temporary signs that advertise contributors to a building project do not require Development Officer approval provided they are placed only after construction has begun and taken down within 60 days following substantial completion of the building.

## 11.0 RESIDENTIAL ZONES

### 11.1 R1 Zone (Single Detached and Duplex Residential)

The purpose of the R1 zone is to permit single detached and duplex dwellings.

#### 11.1.1 Permitted Uses

The following use(s) are permitted in the R1 zone:

- .1 accessory building or structure
- .2 bed and breakfast
- .3 boarding house
- .4 duplex
- .5 family day home
- .6 garden suite
- .7 home occupation
- .8 modular home
- .9 secondary suite
- .10 single detached dwelling

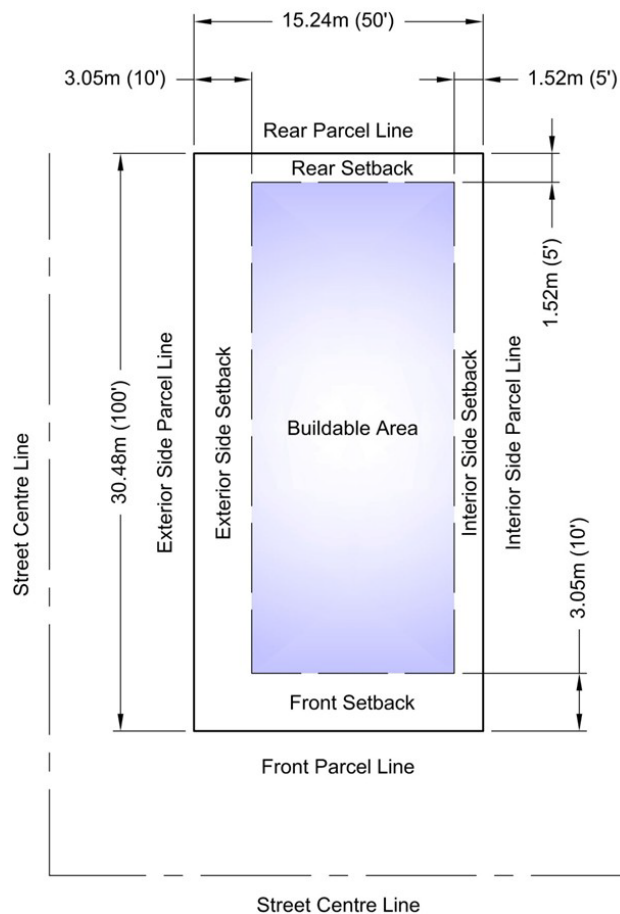
#### 11.1.2 Zone-Specific Regulations

- .1 On a parcel located in an area zoned R1
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in table 11-1, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations. *(Bylaw 2021-15 passed on August 3, 2022)*

**TABLE 11-1 R1 ZONE MINIMUM PARCEL REQUIREMENTS** (*Bylaw 2021-15 passed on August 3, 2022*)

Column 1	Column 2	
Minimum parcel size	232.3 m <sup>2</sup>	(2,500 ft. <sup>2</sup> )
Minimum parcel width	7.6 m	(25 ft.)
Minimum setback of buildings from, as shown in Appendix 3 <ul style="list-style-type: none"> <li>front parcel line</li> <li>interior side parcel line <ul style="list-style-type: none"> <li>➤ for a dwelling</li> <li>➤ for a non-dwelling accessory building</li> <li>➤ for a duplex with a shared wall on property line</li> </ul> </li> <li>exterior side parcel line</li> <li>rear parcel line</li> <li>buildings <ul style="list-style-type: none"> <li>➤ for a dwelling to dwelling</li> <li>➤ for a dwelling to non-dwelling</li> <li>➤ for a non-dwelling to non-dwelling</li> </ul> </li> </ul>	3.05 m	(10 ft.)
	1.52 m	(5 ft.)
	0.61 m	(2 ft.)
	0 m	(0 ft.)
	3.05 m	(10 ft.)
	1.5 m	(5 ft.)
	3.05 m	(10 ft.)
	0.61 m	(2 ft.)
	0.61 m	(2 ft.)
Maximum parcel coverage	50%	
Minimum floor area of primary dwelling unit	23.8 m <sup>2</sup>	(256 ft. <sup>2</sup> )
Maximum height for <ul style="list-style-type: none"> <li>principal building</li> <li>accessory building</li> </ul>	10.67 m	(35 ft.)
	6.10 m	(20 ft.)

**FIGURE 11-2 R1 ZONE MINIMUM PARCEL REQUIREMENTS**



## 11.2 R2 Zone (Multi-Unit Residential)

The purpose of the R2 zone is to permit multi-unit residential development in appropriate locations.

### 11.2.1 Permitted Uses

The following use(s) are permitted in the R2 zone:

- .1 accessory building or structure
- .2 apartment
- .3 home occupation
- .4 multi-unit residential
- .5 parking lot
- .6 townhouse

### 11.2.2 Zone-Specific Regulations

- .1 On a parcel located in an area zoned R2 (*Bylaw 2021-15 passed on August 3, 2022*)
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.

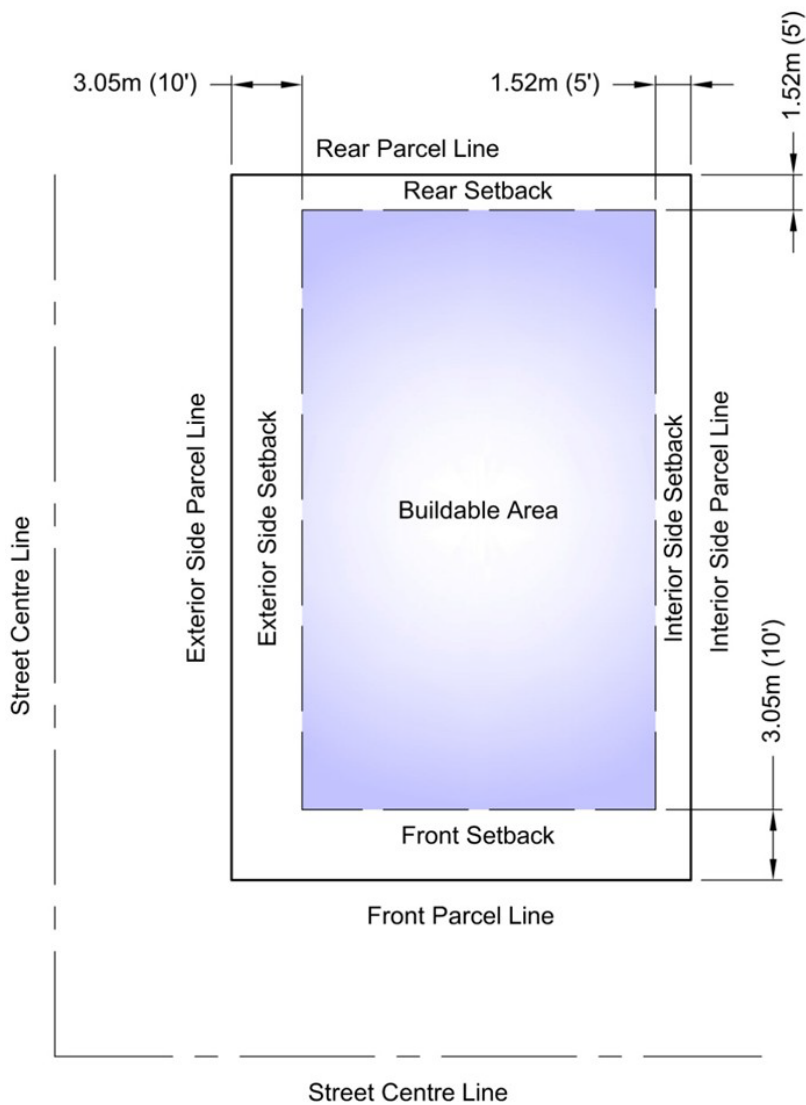
**TABLE 11-2: R2 ZONE MINIMUM PARCEL REQUIREMENTS** (*Bylaw 2021-15 passed on August 3, 2022*)

Column 1	Column 2	
Minimum floor area of primary dwelling unit	23.8 m <sup>2</sup>	(256 ft <sup>2</sup> )
Minimum parcel size	464.5 m <sup>2</sup>	(5,000 ft <sup>2</sup> )
Minimum parcel width	15.24 m	(50 ft.)
<ul style="list-style-type: none"><li>• Minimum setback of buildings from<ul style="list-style-type: none"><li>➤ front parcel line</li><li>➤ interior side parcel line</li><li>➤ exterior side parcel line</li><li>➤ rear parcel line</li></ul></li><li>• Buildings<ul style="list-style-type: none"><li>➤ for a dwelling to dwelling</li><li>➤ for a dwelling to non-dwelling</li><li>➤ for a non-dwelling to non-dwelling</li></ul></li></ul>	3.05 m 1.52 m 3.05 m 1.52 m  3.05 m 0.61 m 0.61 m	(10 ft.) (5 ft.) (10 ft.) (5 ft.)  (10 ft.) (2 ft.) (2 ft.)
Maximum height for principal building	10.67 m	(35 ft.)
accessory building	6.10 m	(20 ft.)

### 11.2.3 Other Zone-Specific Regulations

- .1 Each dwelling unit containing two or more bedrooms must be provided with not less than 37.2 m<sup>2</sup> (400 ft.<sup>2</sup>) of recreational space onsite, either collectively or separately.

**FIGURE 11-4 R2 ZONE MINIMUM PARCEL REQUIREMENTS**



## 11.0 R3 Zone (Country Residential)

The purpose of the R3 zone is to permit low-density single detached housing in a rural setting.

### 11.0.1 Permitted Uses

The following use(s) are permitted in the R3 zone:

- .1 accessory building or structure
- .2 bed and breakfast
- .3 garden suite
- .4 home industry
- .5 home occupation
- .6 modular home
- .7 secondary suite
- .8 single detached dwelling

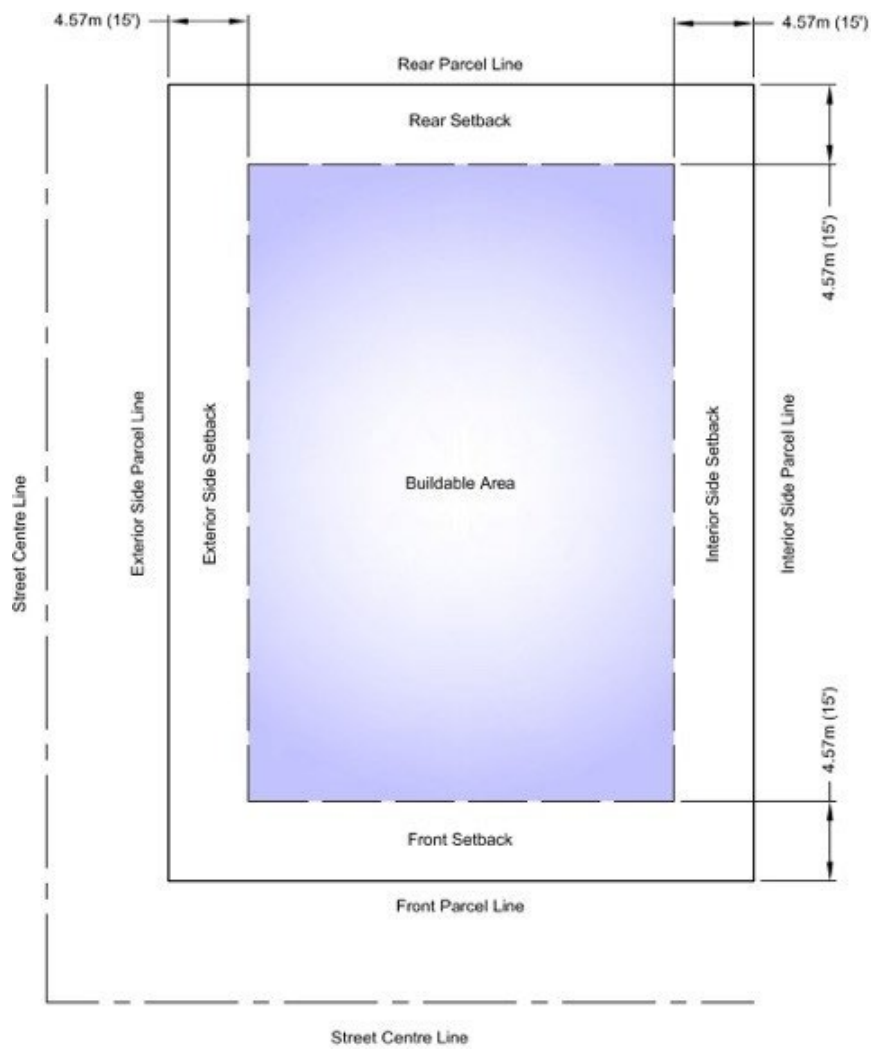
### 11.0.2 Zone-Specific Regulations

- .1 On a parcel located in an area zoned R3,
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations. *(Bylaw 2021-15 passed on August 3, 2022)*

**TABLE 11-3: R3 ZONE MINIMUM PARCEL REQUIREMENTS**

Column 1	Column 2	
Minimum parcel size	0.40 ha	(1 acres)
Maximum parcel size	1.62 ha	(4 acres)
Minimum setback of buildings from		
front parcel line	4.57 m	(15 ft.)
interior side parcel line	4.57 m	(15 ft.)
accessory building	4.57 m	(15 ft.)
exterior side parcel line	4.57 m	(15 ft.)
rear	4.57 m	(15 ft.)
Minimum floor area of primary dwelling unit	83.61 m <sup>2</sup>	(900 ft. <sup>2</sup> )
Maximum height for		
principal building	10.67 m	(35 ft.)
accessory building	6.10 m	(20 ft.)

**FIGURE 11-5 R3 ZONE MINIMUM PARCEL REQUIREMENTS**



## 12.0 COMMERCIAL ZONES

### 12.1 C1 Zone (Core Commercial)

The purpose of the C1 zone is to permit a mixture of commercial and residential uses and to promote a vibrant commercial core.

#### 12.1.1 Permitted Uses

The following use(s) are permitted in the C1 zone:

- .1 accessory building or structures
- .2 alcohol sales
- .3 amusement establishment
- .4 broadcasting and recording
- .5 cannabis retail services
- .6 childcare centre
- .7 commercial and residential mixed use
- .8 commercial school
- .9 community recreation facility (*Bylaw 2019-05 passed March 25, 2020*)
- .10 contractor services
- .11 convenience store
- .12 eating and drinking establishment
- .13 exhibition and convention facility
- .14 flea market
- .15 fleet services
- .16 garden centre
- .17 greenhouse
- .18 home occupation
- .19 hotel
- .20 household repair services
- .21 mixed-use development
- .22 multi-unit residential
- .23 motel

- .24 offices
- .25 office support services
- .26 parking lot
- .27 recreation facilities
- .28 recycling depot
- .29 retail store
- .30 vendor, commercial
- .31 vendor, food
- .32 veterinary service

### 12.1.2 Zone-Specific Regulations

- .1 On a parcel located in an area zoned C1,
- I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations. *(Bylaw 2021-15 passed on August 3, 2022).*

**TABLE 12-1: C1 ZONE MINIMUM PARCEL REQUIREMENTS**

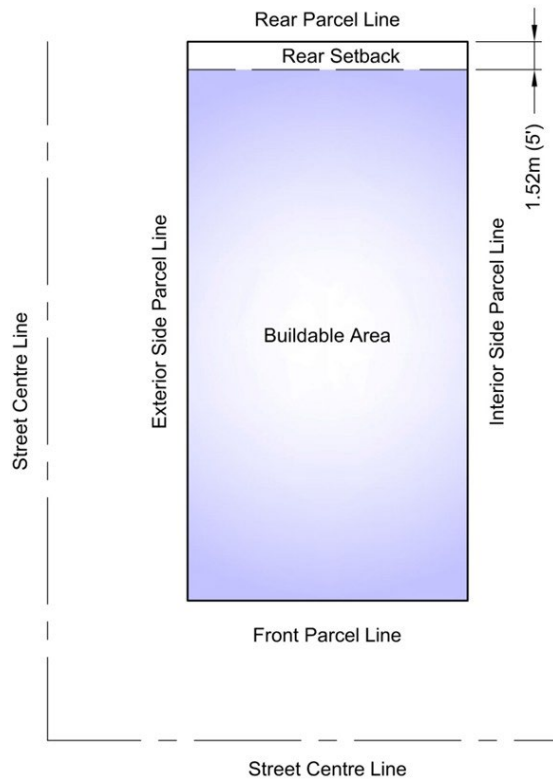
Column 1	Column 2	
Minimum floor area of dwelling unit	23.8 m <sup>2</sup>	(256 ft. <sup>2</sup> )
Minimum parcel size	464.5 m <sup>2</sup>	(5,000 ft. <sup>2</sup> )
Minimum setback of buildings from front parcel line	0 m	(0 ft.)
interior side parcel line	0 m	(0 ft.)
accessory building	0 m	(0 ft.)
exterior side parcel line	0 m	(0 ft.)
rear	1.52 m	(5 ft.)
Maximum floor area ratio (FAR)	3	
Maximum building height <i>(Bylaw 2019-15 passed February 24, 2021)</i>	13.72m	(45 ft.)

### 12.1.3 Other Zone-Specific Regulations

- .1 Off-street parking provisions shall be in accordance with the requirements of [section 9.0](#) of this bylaw except in the following circumstances:
- I. When the requirements for parking space cannot be met, the owner and the City may enter into an agreement to
    - a) provide the required parking space in a communal or public parking lot
    - b) allow the owner to provide cash in lieu to the City in an amount as per the

*Fees and Charges Bylaw*, enabling the City to provide an equivalent number of required off-street parking stalls in the core commercial district as parking, non-accessory use.

**FIGURE 12-2 C1 ZONE MINIMUM PARCEL REQUIREMENTS**



## 12.0 C2 Zone (Commercial Mixed Use)

The purpose of the C2 zone is to permit a wide range of commercial uses that provide service to local industry and/or highway tourism and service needs. Small-scale residential uses in this zone are permitted, though the area remains predominately a service commercial zone. *(Bylaw 2019-15 passed on February 24, 2021)*

### 12.0.1 Permitted Uses

The following use(s) are permitted in the C2 zone:

- .1 accessory building or structure
- .2 auctioneering
- .3 bed and breakfast
- .4 campground
- .5 commercial storage
- .6 contractor services
- .7 convenience store
- .8 eating and drinking establishment
- .9 equipment sales, rentals, and service
- .10 family day home
- .11 flea market
- .12 fleet service
- .13 garden centre
- .14 garden suite
- .15 greenhouse
- .16 home industry
- .17 home occupation
- .18 household repair service
- .19 indoor cannabis facility *(Bylaw 2019-08 passed on September 9, 2019)*
- .20 indoor growing facility *(Bylaw 2019-08 passed on September 9, 2019)*
- .21 lodging facility, permanent
- .22 lodging facility, non-permanent
- .23 manufacturing

- .24 modular home
- .25 motel
- .26 outside storage
- .27 residential security unit
- .28 retail store
- .29 secondary suite
- .30 service station
- .31 single detached dwelling
- .32 vehicle sales, rentals, and service
- .33 vendor, food

## 12.0.2 Zone-Specific Regulations

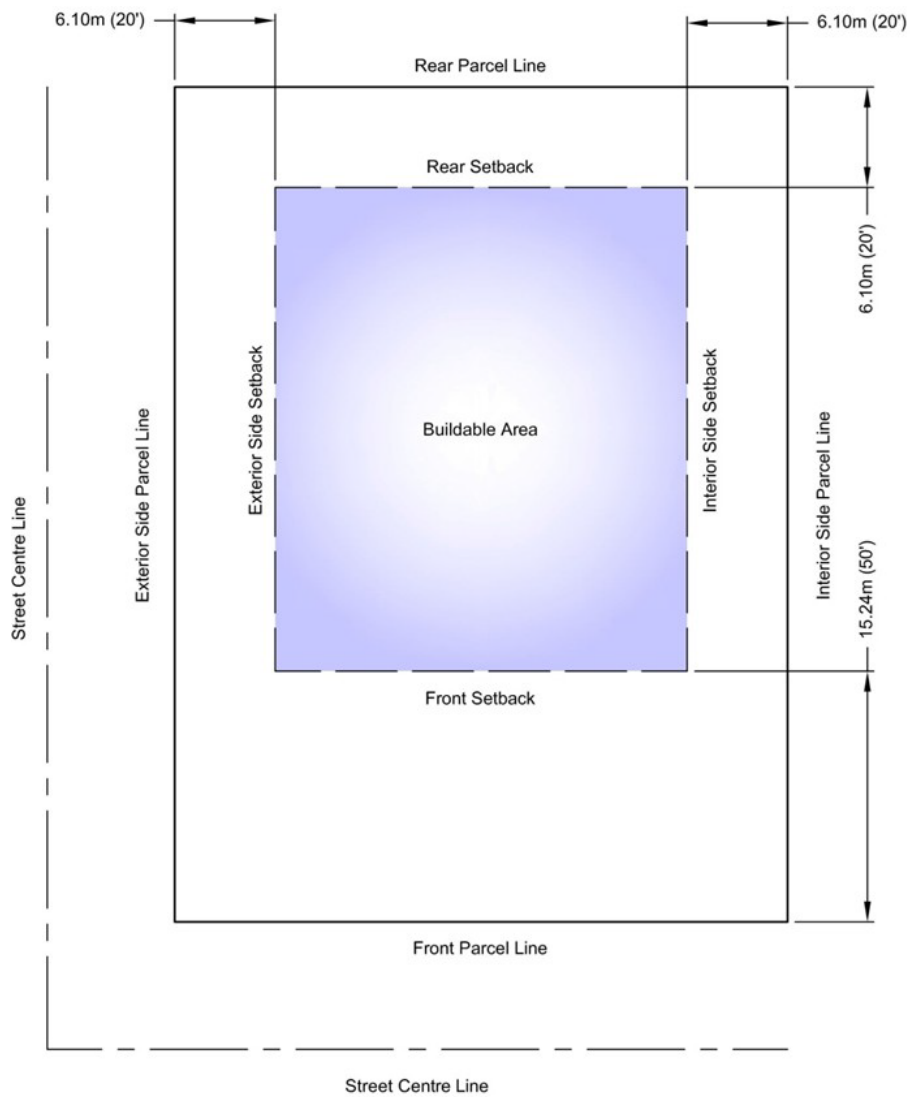
- .1 On a parcel located in an area zoned C2,
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or S.5.1.3 applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations. *(Bylaw 2021-15 passed on August 3, 2022)*

**TABLE 12-3: C2 ZONE MINIMUM PARCEL REQUIREMENTS**

Column 1	Column 2	
Maximum number of dwelling units	1 per parcel	
Minimum parcel size	0.4 ha	(1 acre)
Minimum setback of buildings from		
front parcel line <i>(Bylaw 2019-15 passed February 24, 2021)</i>	6.10 m	(20 ft.)
interior side parcel line	6.10 m	(20 ft.)
accessory building	6.10 m	(20 ft.)
exterior side parcel line	6.10 m	(20 ft.)
rear	6.10 m	(20 ft.)
Maximum parcel coverage	60%	
Maximum building height <i>(Bylaw 2019-15 passed February 24, 2021)</i>	10.67 m	(35 ft.)

- .2 The development regulations for the R1 Zone, not including R1 zone parcel line setbacks, shall apply to the development of single family detached dwellings. *(Bylaw 2021-15 passed on August 3, 2022)*

**FIGURE 12-4 C2 ZONE MINIMUM PARCEL REQUIREMENTS**



## 13.0 INDUSTRIAL ZONES

### 13.1 M1 Zone (Industrial)

The purpose of the M1 zone is to permit industrial activities that provide industrial services, light manufacturing, warehousing, and storage. Permitted residential uses in this district are secondary to the principal industrial use.

#### 13.1.1 Permitted Uses

The following use(s) are permitted in the M1 zone:

- .1 accessory building or structure
- .2 broadcasting and recording
- .3 bulk fuel facility
- .4 commercial storage
- .5 contractor services
- .6 exterior storage
- .7 equipment sales, rentals, and service
- .8 fleet services
- .9 funeral services
- .10 garden centre
- .11 greenhouse
- .12 heavy equipment storage
- .13 Heliport *(Added by Bylaw 2021-15 passed on August 3, 2022)*
- .14 junkyard
- .15 manufacturing
- .16 natural resource development
- .17 offices
- .18 office support services
- .19 processing of raw materials
- .20 recycling depot
- .21 renewable energy system *(Added by Bylaw 2021-01 passed March 10, 2021)*
- .22 service station

- .23 vehicle sales, rentals, and service
- .24 vendor, food
- .25 veterinary service

### 13.1.2 Secondary Use

- .1 Single detached dwelling
- .2 Lodging facility, permanent
- .3 Lodging facility, non-permanent
- .4 Residential Secondary Unit *(Added by Bylaw 2021-15 passed on August 3, 2022)*

### 13.1.3 Zone-Specific Regulations

- .1 On a parcel located in an area zoned M1,
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations. *(Bylaw 2021-15 passed on August 3, 2022)*

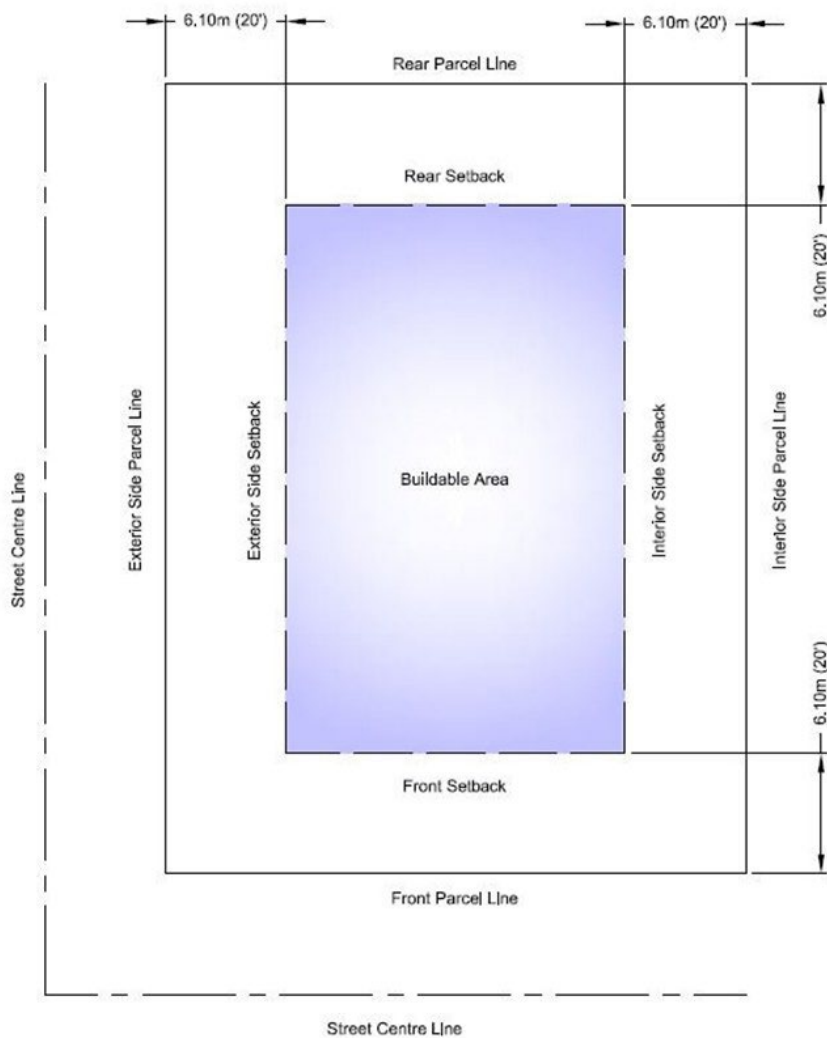
**TABLE 13-1: M1 ZONE MINIMUM PARCEL REQUIREMENTS**

Column 1	Column 2	
Minimum parcel size	0.4 ha	(1 acre)
Minimum setback of buildings from		
front parcel line	6.10 m	(20 ft.)
interior side parcel line	6.10 m	(20 ft.)
accessory building	6.10 m	(20 ft.)
exterior side parcel line	6.10 m	(20 ft.)
rear	6.10 m	(20 ft.)
Minimum setback of building from interior and rear parcel lines when they abut an R zone	15.24 m	(50 ft.)
Maximum building height	10.67 m	(35 ft.)

- .2 Residential security units must
  - I. be used solely by the owner, manager, or caretaker of the premises
  - II. be a maximum size of 111.48 m<sup>2</sup> (1,200 ft.<sup>2</sup>)
  - III. be constructed and operational after the construction of the principal building, unless the permitted use of the property does not require a principal building *(Bylaw 2021-15 passed on August 3, 2022)*

- .3 No more than one residential dwelling unit of any type may be permitted per parcel.
  - I. Single detached dwellings are not permitted on parcels with residential security units.
- .4 Any office, technical, administrative, or indoor display areas or any retail sale operations must be accessory to the uses identified above.
  - I. The floor area devoted to such accessory activities shall not exceed 33% of the total floor area of the building(s) devoted to the principal use.

**FIGURE 13-2 M1 ZONE MINIMUM PARCEL REQUIREMENTS**



#### **13.1.4 Special Modifications:**

4.02 Section 13.1.4 is hereby amended by adding a new section as follows: a) Grant numbers: P 00748, P 00749, P 00750, P 07901, P 07992, P 07993, P 07994, P 08446, P 08861, P 08862, P 08981, P 10413, P 10414, P 10783, P 35904, P 35905 are temporarily zoned Industrial until November 4, 2030, as per Bylaw No. 2019-17. *(Bylaw 2021-15 passed on August 3, 2022)*

## 14.0 PUBLIC AND INSTITUTIONAL ZONES

### 14.1 P1 Zone (Parks and Natural Space)

The purpose of the P1 zone is to provide parks and natural areas for outdoor enjoyment.

#### 14.1.1 Permitted Uses

The following use(s) are permitted in the P1 zone:

- .1 accessory building or structure
- .2 campground
- .3 cultural event or display
- .4 park
- .5 dock
- .6 natural science exhibits and interpretive signage
- .7 outdoor recreation facility
- .8 public washrooms
- .9 trails
- .10 vendor, commercial
- .11 vendor, food

#### 14.1.2 Secondary Use

- .1 community recreation facility (*Bylaw 2021-15 passed on August 3, 2022*)

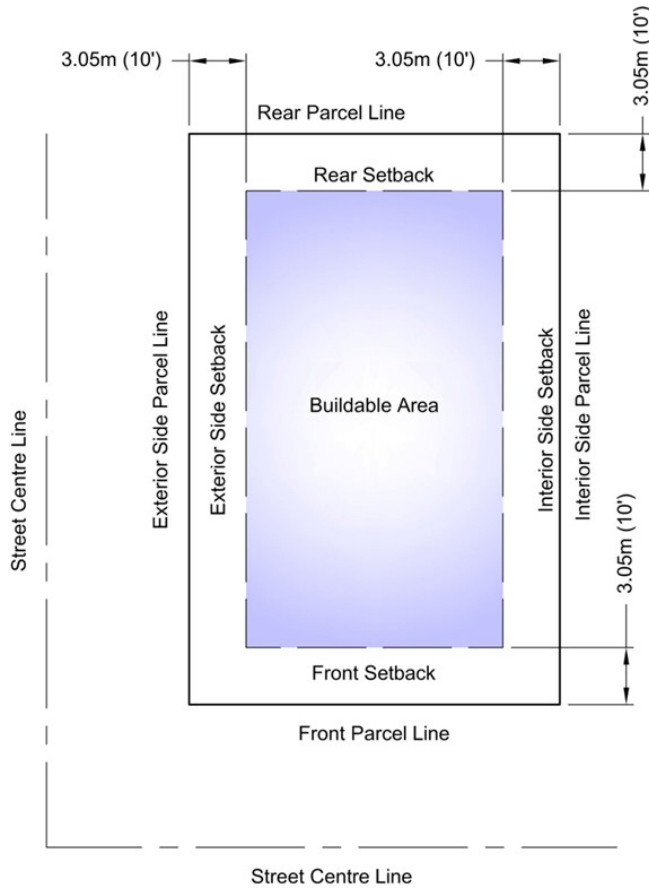
#### 14.1.3 Zone-Specific Regulations

- .1 On a parcel located in an area zoned P1,
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations. (*Bylaw 2021-15 passed on August 3, 2022*)
- .2 Areas with underground or overhead utilities should be landscaped for inclusion as part of the City's overall parks and trails network, if deemed safe to do so by the City and the applicable utility providers.

**TABLE 14-1: P1 ZONE MINIMUM PARCEL REQUIREMENTS**

Column 1	Column 2	
Minimum setback from front parcel line	3.05 m	(10 ft.)
interior side parcel line	3.05 m	(10 ft.)
exterior side parcel line	3.05 m	(10 ft.)
rear parcel line	3.05 m	(10 ft.)

**FIGURE 14-2 P1 ZONE MINIMUM PARCEL REQUIREMENTS**



## 14.2 P2 Zone (Institutional)

The purpose of the P2 zone is to provide community facilities for use by the public, such as recreation and education facilities, government and health services, and libraries and museums.

### 14.2.1 Permitted Uses

The following use(s) are permitted in the P2 zone:

- .1 accessory building or structure

- .2 cemeteries
- .3 childcare centre
- .4 community recreation facility
- .5 cultural events or display
- .6 emergency and protective services
- .7 exhibition and convention facilities
- .8 healthcare facility
- .9 heritage resources
- .10 library
- .11 mixed use development *(Bylaw 2021-15 passed on August 3, 2022)*
- .12 museum
- .13 natural science exhibit and interpretive signage
- .14 offices *(Bylaw 2021-15 passed on August 3, 2022)*
- .15 religious assembly facilities
- .16 service efficiency link
- .17 school
- .18 vendor, commercial
- .19 vendor, food

#### **14.2.2 Secondary Use**

- .1 eating and drinking establishment *(Bylaw 2021-15 passed on August 3, 2022)*

#### **14.2.3 Zone-Specific Regulations**

- .1 On a parcel located in an area zoned P2,
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or S. 5.1.3 applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations. *(Bylaw 2021-15 passed on August 3, 2022)*

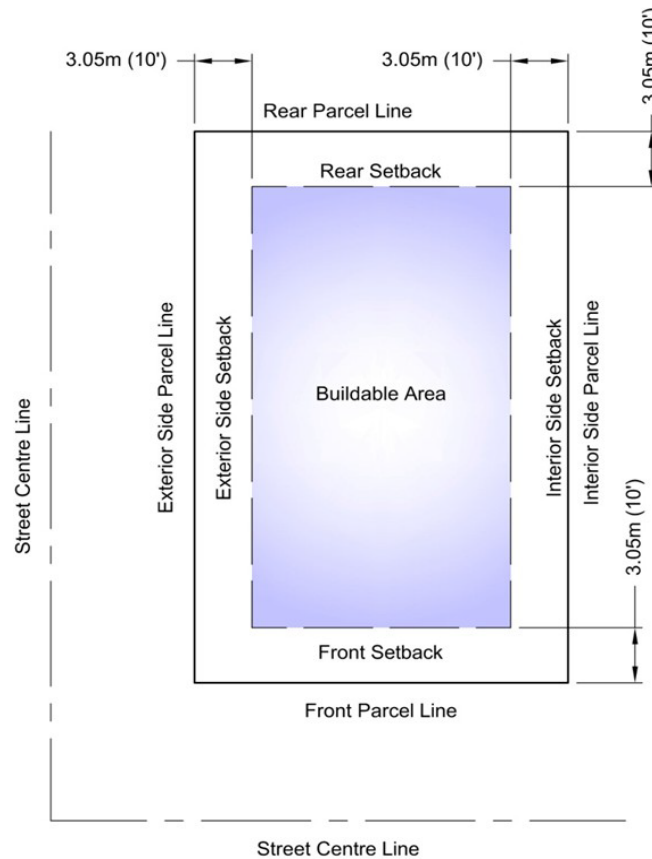
#### **14.0.1 Other Regulations**

- .1 The regulations contained in [Table 12-1](#) of this bylaw shall apply to all P2 parcels that are located within the historic townsite as shown on Schedule “D” *(Bylaw 2021-15 passed on August 3, 2022)*

**TABLE 14-2: P2 ZONE MINIMUM PARCEL REQUIREMENTS**

Column 1	Column 2	
Minimum setback from		
• front parcel line	3.05 m	(10 ft.)
• interior side parcel line	3.05 m	(10 ft.)
• exterior side parcel line	3.05 m	(10 ft.)
• rear parcel line	3.05 m	(10 ft.)
Maximum building height	10.67 m	(35 ft.)

**FIGURE 14-3 P2 ZONE MINIMUM PARCEL REQUIREMENTS**



## 14.0.2 Special Modifications

- .1 Grant numbers: P 00748, P 00749, P 00750, P 07901, P 07992, P 07993, P 07994, P 08446, P 08861, P 08862, P 08981, P 10413, P 10414, P 10783, P 35904, P 35905 are temporarily zoned Industrial until November 4, 2030, as per Bylaw No. 2019-17. *(Section added by Bylaw 2019-17 passed on July 13, 2021)*

## 15.0 OTHER ZONES

### 15.1 A1 Zone (Agriculture)

The purpose of the A1 zone is to permit agriculture within the municipality.

#### 15.1.1 Permitted Uses

The following use(s) are permitted in the A1 zone:

- .1 accessory building or structure
- .2 agriculture
- .3 bed and breakfast
- .4 campground
- .5 cultural events or displays
- .6 dock
- .7 flea market
- .8 garden centre
- .9 garden suite
- .10 greenhouse
- .11 home industry
- .12 home occupation
- .13 livestock
- .14 lodging facility, non-permanent
- .15 secondary suite
- .16 single detached dwelling
- .17

#### 15.1.2 Zone-Specific Regulations

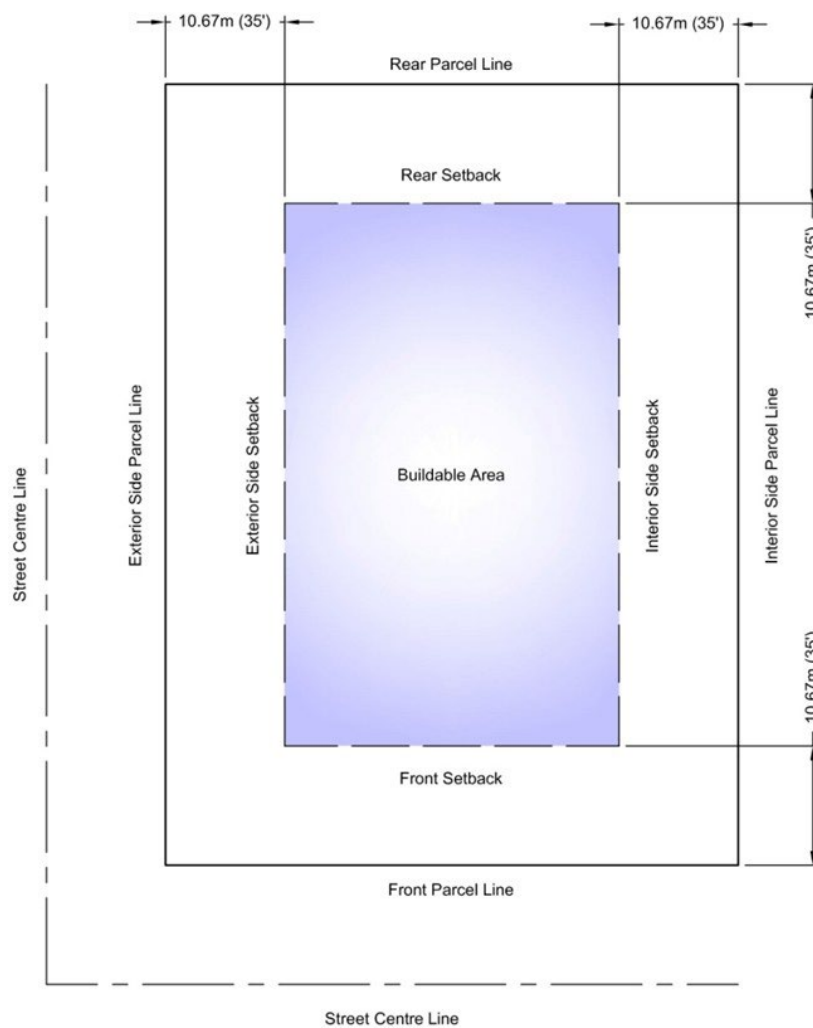
- .1 On a parcel located in an area zoned A1,
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations. (Bylaw 2021-15 passed on August 3, 2022). *(Bylaw 2021-15 passed*

on August 3, 2022)

**TABLE 15-1: A1 ZONE MINIMUM PARCEL REQUIREMENTS**

Column 1	Column 2	
Minimum setback of buildings from		
• front parcel line	10.67 m	(35 ft.)
• interior side parcel line	10.67 m	(35 ft.)
• exterior side parcel line	10.67 m	(35 ft.)
• rear parcel line	10.67 m	(35 ft.)
Maximum building height	10.67 m	(35 ft.)

**FIGURE 15-2 A1 ZONE MINIMUM PARCEL REQUIREMENTS**



## **15.2 FP Zone (Future Planning)**

The purpose of the FP zone is to preserve land as open space until such time as the land is required for development, and to identify potential future growth areas in the community. These areas may be suitable for one or more different land use designations. To determine the suitability of the areas for future development, additional planning must be completed.

### **15.2.1 Permitted Uses**

The following use(s) are permitted in the FP zone:

- .1 agriculture
- .2 cultural event or display
- .3 livestock
- .4 park
- .5 trails
- .6 permitted M1 Zone (Industrial) uses, if approved by an approved development permit prior to third and final reading of this bylaw.

### **15.2.2 Zone-Specific Regulations**

- .1 On a parcel located in an area zoned FP, no permanent buildings, structures, or infrastructure shall be erected, and no permanent use shall be established prior to further planning being completed and re-zoning completed.
- .2 Notwithstanding the above conditions, all permitted M1 Zone (Industrial) uses are subject to regulations listed within Section 13.1 M1 Zone (Industrial) of this bylaw.

## 16.0 ENFORCEMENT

### 16.1 General

- .1 A development officer may enforce the provisions of this bylaw in accordance with the *Yukon Municipal Act*.

### 16.2 Offences

Any person who does the following commits an offence:

- .1 contravenes, causes, or permits a contravention of this bylaw or a development permit
- .2 neglects or omits anything required under this bylaw or a development permit
- .3 constructs a building or structure or makes an addition or alteration for which a development permit is required but has not been issued
- .4 fails to comply with an order, direction, or notice given under this bylaw
- .5 prevents or obstructs, or attempts to prevent or obstruct, the authorized entry under [section 3.1](#)

### 16.3 Notice of Offence Order

- .1 If a development officer finds that a person is committing an offence under this bylaw, the development officer may require the person responsible for the violation to remedy it through a notice of offence order.
- .2 A development officer may issue a notice of offence order to
  - I. the owner of the property
  - II. the person in possession of the land or buildings
  - III. the person responsible for the offence
- .3 The notice of offence order must be delivered in person, by registered mail, or by posting the notice in a conspicuous location on the site.
- .4 A notice of offence order shall
  - I. describe the nature of the violation;
  - II. describe the actions or measures required to remedy the violation, including the removal or demolition of a structure that has been erected or placed;
  - III. state a time within which the person must comply with the directions or the order; and
  - IV. state that if the person does not comply with the directions within a specified time an offence ticket will be issued and/or the municipality will take action or measure at the expense of the person.
- .5 Where a person fails or refuses to comply with the notice of offence order, a

development officer may take such action as is necessary to enforce the order.

- .6 The costs and expenses incurred by the City in carrying out a notice of offence 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.

## 16.4 Offence Tickets

- .1 If the corrective measures described in a notice of offence order issued pursuant to [section 16.3](#) are not completed within the specified time, the person to whom the order was issued may be issued an offence ticket by a development officer. *(Bylaw 2019-15 Passed February 24, 2021)*
- .2 All offence tickets shall be prepared and served in accordance with part 3 of the *Yukon Summary Convictions Act*.

*(Bylaw 2019-15 passed February 24, 2021)*

- .3 Set fines under this section include the following:

Description of Offence	Penalty
Failure to obtain development permit	\$250.00
Failure to obtain development permit (second or subsequent offence)	\$500.00
Failure to comply with permit conditions	\$250.00
Failure to comply with permit conditions (second or subsequent offence)	\$500.00
Failure to comply with notice of offence order	\$250.00
Failure to comply with notice of offence order (second or subsequent offence)	\$500.00
Failure to grant right of entry	\$250.00
Failure to grant right of entry (second or subsequent offence)	\$500.00

- .4 The costs and expenses incurred by the City in carrying out a notice of offence 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.
- .5 For greater certainty, a person found to be in contravention of this bylaw on an ongoing basis may be fined for each day the contravention continues, as per Section 340 of the *Yukon Municipal Act*. *(Sub-Section added by Bylaw 2019-15 passed February 24, 2021) (Section repealed Bylaw 2019-15 passed February 24, 2021)*

## 16.5 Summary Conviction Penalties

- .1 A person who fails or refuses to comply with an offence ticket is liable to sanctions as described in Section 343 of the *Yukon Municipal Act*.
- .2 In addition to the penalties provided for under section 16.4 of this bylaw, a person convicted of an offence pursuant to section 16.2, may be ordered to remove such development and reclaim the site at that person's own expense.
- .3 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 the charges shall be added to, and shall form part of, the taxes payable in respect of that real property as taxes in arrears if unpaid on December 31 of the same year.

- .4 When a development officer has issued a ticket under section 16.4 that results in a summary conviction, the development officer shall report this information to Council. *(Section amended by Bylaw 2019-15 passed February 24, 2021)*

## 17.0 AMENDMENTS

### 17.1 Text Amendments

- .1 Council may initiate any text amendment to this bylaw. Any such amendment shall be reviewed in accordance with [section 3.0](#).
- .2 Any person may apply for an amendment to the text of this bylaw by paying the required application fee, as specified in the *Fees and Charges Bylaw*, and submitting a written statement that describes and justifies the proposed amendment.

### 17.2 Re-zoning Applications

- .1 Council may initiate any amendment to the zoning maps. Any such amendment shall be reviewed in accordance with [section 3.0](#).
- .2 An owner of a parcel 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.
- .3 An application for a re-zoning 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 and Charges 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 recommendations on the proposed amendment.
  - VII. Development assessment documentation as detailed in Section 4.3 Development Permit Applications (*Section added by Bylaw 2019-15 passed February 24, 2021*)
- .4 A development officer may request the applicant 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 an increase in density or other intensification of use.
- .5 An application may not be considered to have been received until all requirements of section 4.0 have been submitted to the satisfaction of a development officer.
  - I. 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.

- .6 If it appears that the proposed amendment is one that is applicable to most of the persons affected in the area and/or will benefit the City at large, Council may direct that the application fee be returned to the applicant.

### **17.3 Review Process**

- .1 Upon receipt of a completed application for a text amendment or re-zoning, 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 on 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.
- .2 The analysis shall, among other factors, consider the following criteria:
  - I. relationship to, and compliance with, the OCP 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 or public transit), utilities, and public facilities (such as recreational facilities and schools)
  - VI. relationship to municipal land, rights 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 re-zoning according to the stated intentions of the applicant
  - IX. analysis of any documented concerns and opinions of area residents and land owners regarding the application
- .3 Subsequently, the development officer shall
  - I. prepare a report on the proposed amendment; and
  - II. submit a copy of the application and the development officer's recommendation and report to Council.
- .4 Before approving a text amendment or re-zoning, Council shall comply with the requirements and notification procedures set out in the Act.

### **17.4 Resubmission Interval**

- .1 When 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 directs otherwise.

## **17.5 Public Notification**

- .1 Before a second reading of a bylaw proposing amendments to the *Zoning Bylaw* is heard, Council shall hold a public hearing to hear and consider all submissions respecting the proposed amendments.
- .2 The public hearing shall be held no earlier than seven days after the last date of publication of the notice.
- .3 A notice must be circulated, in the method approved by Council, once a week for two successive weeks prior to the public hearing.
  - I. Methods of notice circulation may include the City of Dawson website, local newspapers, the City and Post Office Bulletin Boards, and written notification letters.
- .4 The notice shall
  - I. describe the area affected by the proposed zoning bylaw amendment;
  - II. state the date, time, and place for the public hearing respecting the proposed zoning bylaw amendment; and
  - III. include a statement of the reasons for the amendment.
- .5 Written notification letters shall be mailed to all applicable properties within the following radii of the subject property prior to the public hearing:
  - I. 100 m (328.1 ft.) for properties within the historic townsite
  - II. 500 m (1,640.4 ft.) for properties in all other areas (*Bylaw 2021-15 passed on August 3, 2022*)

# **APPENDIX A**

## **Heritage Management**

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# APPENDIX 1 HERITAGE MANAGEMENT REGULATIONS

## A.1 Downtown Heritage Management Area (DHM)

### A.1.1 Purpose

To apply certain development and redevelopment criteria, as specified in the heritage management guidelines, to those uses specified in the underlying zoning district(s) of the downtown heritage management area in order to maintain the architectural style, streetscapes, and landscape features common during the 1897–1918 gold rush era, as well as the extant valued resources of later periods.

### A.1.2 Application

- .1 This area applies to those lands defined in the OCP and in the maps appended to this bylaw that form part of this bylaw.
- .2 When the provisions of the management area schedule are in conflict with the regulations of any other section of the *Zoning Bylaw* and “Dawson City Heritage Management Plan”, the more restrictive provisions shall take precedence. When there is no conflict, the provisions of the heritage management area shall be applied in conjunction with the regulations of the underlying district(s) and other sections of the *Zoning Bylaw* and “Dawson City Heritage Management Plan”.
- .3 Notwithstanding A.1.2.2, for heritage conservation purposes Council may exercise discretion in approving development permits when the development projects into a rear or side yard required by the underlying zoning district by more than 10% of the required rear or side yard, or exceeds the maximum height, density, or FAR required by the underlying zoning district, provided that there will be no detrimental impact on adjacent properties or the neighbourhood.
- .4 Notwithstanding A.1.2.2, for heritage conservation purposes the development officer may exercise discretion in approving the projection of a development into a rear or side yard required by the underlying zoning district, 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.
- .5 Notwithstanding A.1.2.2, Council may also, at its sole discretion and as a heritage conservation incentive, approve an application for the subdivision of any land into lots that do not meet the minimum site area requirements prescribed for the underlying Zoning District, provided that there will be no detrimental impact on adjacent properties or the neighbourhood, when that subdivision is in keeping with the heritage integrity of the community and the development proposed for those lots meets the heritage management policies and guidelines of the OCP and the *Zoning Bylaw*.

- .6 The development officer shall apply the regulations of this area to a development permit application involving new development or any existing development that, in the opinion of the development officer, is being substantially enlarged or increased in intensity.
- .7 Notwithstanding that a development does not conform to this management area, a development permit that was issued prior to the adoption of this management area shall be deemed to conform to the regulations contained within this area. However, in the case of any subsequent changes—including the extension or enlargement of or addition to the development—the provisions of this area shall only apply to that particular extension, enlargement or addition and to that portion of the site that, in the opinion of the development officer, is related to and affected by the particular extension, enlargement, or addition.
- .8 This area shall also apply to all public highways, roads, streets and lanes where streetscape features, such as boardwalks, railings, street furniture, decorations, banners and utilities, are involved.

### **A.1.3 Uses**

The permitted uses are those specified in the underlying district(s).

### **A.1.4 Regulations**

- .1 Any structure being constructed onsite, assembled onsite, or moved onto the site must be done so in conformity with the regulations of the heritage management area and must have been issued a development permit that is valid at the time work is taking place.
- .2 Applications must include drawings of all elevations.
- .3 Any or all of the following must be provided at the direction of the development officer:
  - I. date and style of built form
  - II. siting
  - III. This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of
  - IV. predominant setbacks, including front, side, and rear
  - V. orientation
  - VI. location, dimensions of circulation, and/or access features
  - VII. statement as to how views to and from the development will be retained
  - VIII. statement as to how significant archaeological features will be retained
  - IX. scale
- .4 This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of:

- I. the scale of the building(s)
  - II. parcel coverage (i.e., the pattern of arrangement of buildings and size of buildings)
  - III. floor to floor heights and relationship to the street
  - IV. form
- .5 This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of:
  - I. the predominant form of neighbours
  - II. roof form and skyline, ridge lines, roof slopes, chimneys, and skylights
  - III. its proportions and number of openings
  - IV. the solids-to-voids ratio
  - V. its relationship to internal and external spaces
  - VI. materials and colours
- .6 This shall include drawings or photographs to describe the relationship between the proposed development and the context in terms of:
  - I. its response to predominant materials, textures, and colour palette -contrasting
  - II. the quality of new materials
  - III. detailing
- .7 This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of
  - I. the relationship of its landscape elements to important existing details
  - II. the unobtrusive design of new elements, such as solar panels, skylights, service buildings
- .8 Heritage Management Guidelines
  - I. Treatment of existing buildings
 

Post-gold rush buildings will not be altered to look like gold rush buildings. Their integrity will be maintained and respected to illustrate and interpret the full history of Dawson City. An appropriate balance between property maintenance and relic character will be maintained. Historic buildings may be moved if there is a compelling reason to do so and if moving would conform to all zoning regulations.

a) Design Guidelines

Gold rush era building (1897–1918)

    - Changes to existing structures will follow latest versions of “Standards and Guidelines for Conservation of Historic Places in Canada” **and** “Design Guidelines for Historic Dawson.”
    - New additions to existing structures will follow the latest version of “Design

Guidelines for Conservation and Infill - Additions to Existing Historic Buildings.”

Post-gold rush era building (1918–present)

- Changes to existing structures will follow latest versions of “Standards and Guidelines for Conservation of Historic Places in Canada” **and** “Design Guidelines for Conservation and Infill - Guidelines for Interventions to Buildings Erected After the Gold Rush Era.”
- New additions to existing structures will follow latest version of “Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings.”

### III. Treatment of new construction

- a) Buildings will replicate (reconstruct) the external design of the building that existed on that particular site during the gold rush era (ca. 1897–1918) when there is sound historic evidence as to the appearance of the former building.
- b) Replication refers only to massing and exterior design of the former building as seen from the street. The footprint and appearance may be altered towards the rear of the site. Adjacent buildings in common ownership that are detached at the front may be connected at the rear to provide larger spaces and better interior circulation than detached buildings allow.
- c) Parks Canada streetscape elevations (1974), historic photographs of Dawson City buildings, and other reference material will be used as guides to indicate the appearance of the former building(s).
- d) Exception will be made when the height and/or massing of the former building is either too large or too small to accommodate the building program proposed or when there is insufficient evidence as to the appearance of the former building to enable a good replication. The owner and the City will work together to select another building that formerly stood in the vicinity, and that was the appropriate scale, as an alternative model for replication. The replication will not duplicate an existing building.
- e) New landscape features will follow the design guidelines and are subject to review in the development permit process.

Downtown transitional character area

In exceptional circumstances, consideration will be given to the construction of buildings that are larger than those that existed in the gold rush period. This will be permitted when the proposed building program is of a scale that is larger than historical precedent.

#### Downtown character area

Corner lots at intersections are particularly important to heritage character. The owners of vacant corner properties will be encouraged to build replications of the buildings that existed on that site during the gold rush.

#### Government reserve character area

Landscape features, historic and new, are particularly valued and will follow heritage design guidelines.

#### f) Design Guidelines

- Reconstructions will follow latest versions of “Standards and Guidelines for Conservation of Historic Places in Canada” **and** “Design Guidelines for Historic Dawson” **and** “Design Guidelines for Conservation and Infill - Guidelines for Reconstructions.”
- Downtown transitional area exceptions for infill will follow the latest version of “Design Guidelines for Architectural Conservation and Infill - Guidelines for the Downtown Transitional Area.”

## **A.2 Residential Heritage Management Area (RHM)**

### **A.2.1 Purpose**

To apply certain development and redevelopment criteria, as specified in the heritage management guidelines, to those uses specified in the underlying district(s) of the residential heritage management area in order to maintain the architectural style, streetscapes, and landscape features common during the 1897–1918 gold rush era, as well as the extant valued resources of later periods and the “Dawson Style” described in the Dawson City Design Guidelines for Architectural Conservation and Infill.

### **A.2.2 Application**

- .1 This area applies to those lands defined in the OCP and in the maps appended to this bylaw that form part of this bylaw.
- .2 When the provisions of the management area schedule are in conflict with the regulations of any other section of the *Zoning Bylaw* and “Dawson City Heritage Management Plan”, the more restrictive provisions shall take precedence. When there is no conflict, the provisions of the heritage management area shall be applied in conjunction with the regulations of the underlying district(s) and other sections of the *Zoning Bylaw* and “Dawson City Heritage Management Plan”.
- .3 Notwithstanding A.2.2.2, for heritage conservation purposes Council may exercise discretion in approving development permits, provided that there will be no detrimental impact on adjacent properties or the neighbourhood, when the development projects into a rear or side yard required by the underlying zoning district by more than 10% of the required rear or side yard, or exceeds the maximum height, density, or FAR required by the underlying zoning district.
- .4 Notwithstanding A.2.2.2, for heritage conservation purposes the development officer may exercise discretion in approving the projection of a development into a rear or side yard required by the underlying zoning district, 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.
- .5 Notwithstanding A.2.2.2, Council may also, at its sole discretion and as a heritage conservation incentive, approve an application for the subdivision of any land into lots that do not meet the minimum site area requirements prescribed for the underlying zoning district, provided that there will be no detrimental impact on adjacent properties or the neighbourhood, when that subdivision is in keeping with the heritage integrity of the community and the development proposed for those lots meets the heritage management policies and guidelines of the OCP and the *Zoning Bylaw*.
- .6 The development officer shall apply the regulations of this management area to a development permit application involving new development, or any existing

development, that, in the opinion of the development officer, is being substantially enlarged or increased in intensity.

- .7 Notwithstanding that a development does not conform to this management area, where a development permit was issued prior to the adoption of this management area, such development shall be deemed to conform to the regulations contained within this area. However, in the case of any subsequent changes—including the extension or enlargement of or addition to the development—the provisions of this area shall only apply to that particular extension, enlargement, or addition and to that portion of the site which, in the opinion of the development officer, is related to and affected by the particular extension, enlargement, or addition.
- .8 This area shall also apply to all public highways, roads, streets, and lanes where streetscape features, such as boardwalks, railings, street furniture, decorations, banners, and utilities are involved.

### **A.2.3 Uses**

The permitted uses are those specified in the underlying district(s).

### **A.2.4 Regulations**

- .1 Any structure being constructed onsite, assembled onsite, or moved onto the site must be done so in conformity with the regulations of the heritage management area and must have been issued a development permit that is valid at the time work is taking place.
- .2 Applications must include drawings of all elevations.
- .3 Any or all of the following must be provided at the discretion of the development officer:
  - i. Date, and style of built form.
  - ii. 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
  - iii. 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

- iv. 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
  - v. 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
  - vi. 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
- .4 Heritage Management Guidelines
- .5 Treatment of existing buildings:
- Post-Gold Rush buildings will not be altered to look like Gold Rush buildings. Their integrity will be maintained and respected to illustrate and interpret the full history of Dawson. An appropriate balance between property maintenance and relic character will be maintained. Historic buildings may be moved if there is a compelling reason to do so and if moving would conform to all zoning regulations.

a) Design Guidelines

**Gold Rush Era Building (1897-1918)**

- Changes to existing structures will follow latest versions of 'Standards and Guidelines for Conservation of Historic Places in Canada' AND 'Design Guidelines for Historic Dawson'.
- New additions to existing structures will follow latest version of 'Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings'.

**Post Gold-Rush Era Building (1918-present)**

- Changes to existing structures will follow latest versions of 'Standards and Guidelines for Conservation of Historic Places in Canada' **AND** 'Design Guidelines for Conservation and Infill - Guidelines for Interventions to Buildings Erected After the Gold Rush Era'.

- New additions to existing structures will follow latest version of 'Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings'.

.6 Treatment of new construction:

**Three optional approaches will be allowed:**

- Buildings may replicate the external design of the building that existed on that particular site during the gold rush era (ca. 1897–1918) when there is sound historic evidence as to the appearance of the former building.
- Buildings may replicate another historic residence in the vicinity. Replication refers only to massing and exterior design of the former building that can be seen from the street. The footprint and the appearance may be altered towards the rear of the site. Adjacent buildings in common ownership that are detached at the front may be connected at the rear to provide larger spaces and better interior circulation than detached buildings allow.
- Parks Canada streetscape elevations (1974), historic photographs of Dawson buildings, and other reference material will be used as the guides to indicate the appearance of the former buildings.

.7 New design in the Dawson Style. This option is recommended.

.8 New landscape features will follow the design guidelines and are subject to review in the development permit process.

**Design Guidelines**

- Reconstruction (optional) will follow latest versions of 'Standards and Guidelines for Conservation of Historic Places in Canada' AND 'Design Guidelines for Historic Dawson'.
- Infill will follow latest version of 'Design Guidelines for Architectural Conservation and Infill - Guidelines for Infill: the Dawson Style'.

## **A.3 Valley, Confluence, and Bowl Heritage Management Area (VCBHM)**

### **A.3.1 Purpose**

To apply certain development and redevelopment criteria, as specified in the heritage management guidelines, in order to maintain the heritage character of those portions of the Klondike Valley cultural landscape that lie within the jurisdiction of the City.

The purpose of the valley, confluence, and bowl heritage management area is to maintain the architectural style, streetscapes, and landscape features common to the Dawson City region—with special emphasis on the 1897–1918 gold rush era.

### **A.3.2 Application**

- .1 This area applies to those lands defined in the OCP and in the maps appended to this bylaw that form part of this bylaw.
- .2 Where the provisions of the Management Area schedule are in conflict with the regulations of any other section of the *Zoning Bylaw* and “Dawson City Heritage Management Plan”, the more restrictive provisions shall take precedence. Where there is no conflict, the provisions of the Heritage Management Area shall be applied in conjunction with the regulations of the Underlying District(s) and other sections of the *Zoning Bylaw* and “Dawson City Heritage Management Plan”.
- .3 Notwithstanding A.3.2.2, for heritage conservation purposes, Council may exercise discretion in approving Development Permits where the development projects into a rear or side yard required by the underlying Zoning District by more than 10% of the required rear or side yard, or exceeds the maximum height, density or floor area ratio required by the underlying Zoning District, provided that there will be no detrimental impact on adjacent properties or the neighbourhood.
- .4 Notwithstanding A.3.2.2, for heritage conservation purposes, the Development Officer may exercise discretion in approving the projection of a development into a rear or side yard required by the underlying Zoning District, 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.
- .5 Notwithstanding A.3.2.2, Council may also, at its sole discretion, as a heritage conservation incentive, approve an application for the subdivision of any land into lots that do not meet the minimum site area requirements prescribed for the underlying Zoning District when that subdivision is in keeping with the heritage integrity of the community and the development proposed for those lots meets the heritage management policies and guidelines of the *Official Community Plan* and the *Zoning Bylaw*, provided that there will be no detrimental impact on adjacent properties or the neighbourhood.

- .6 The Development Officer shall apply the regulations of this Management Area to a Development Permit application involving new development or any existing development that, in the opinion of the Development Officer, is being substantially enlarged or increased in intensity.
- .7 Notwithstanding that a development does not conform to this Management Area, where a Development Permit was issued prior to the adoption of this Management Area, such development shall be deemed to conform to the regulations contained within this Area. However, in the case of any subsequent changes including the extension or enlargement of or addition to the development, the provisions of this Area shall only apply to that particular extension, enlargement or addition and to that portion of the site which, in the opinion of the Development Officer, is related to and affected by the particular extension, enlargement or addition.
- .8 This Area shall also apply to all public highways, roads, streets and lanes where streetscape features are involved, such as boardwalks, railings, street furniture, decorations, banners and utilities.

### **A.3.3 Uses**

The permitted uses are those specified in the underlying District(s).

### **A.3.4 Regulations**

- .1 Any structure being constructed on-site, assembled on-site, or moved on to the site must be done so in conformity with the regulations of the Heritage Management Area and must have been issued a Development Permit and which is valid at the time work is taking place.
- .2 All applications must include drawings of all elevations.
- .3 Any or all of the following must be provided at the discretion of the Development Officer:
  - i. Date, and style of built form.
  - ii. 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
  - iii. Scale. Annotate drawings, photographs to describe the relationship between the proposed development and the context in terms of the following criteria:
    - Scale of buildings
    - Parcel coverage - pattern of arrangement of buildings and size of buildings
    - Floor to floor heights and relationship to the street

- iv. 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
  - v. 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
  - vi. 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
- .4 Heritage Management Guidelines
- i. Treatment of existing buildings:
 

Post-Gold Rush buildings will not be altered to look like Gold Rush buildings. Their integrity will be maintained and respected to illustrate and interpret the full history of Dawson. An appropriate balance between property maintenance and relic character will be maintained. Historic buildings may be moved if there is a compelling reason to do so and if moving would conform to all zoning regulations.

a) Design Guidelines:

**Gold Rush Era Building (1897-1918)**

    - Changes to existing structures will follow latest versions of 'Standards and Guidelines for Conservation of Historic Places in Canada' AND 'Design Guidelines for Historic Dawson'.
    - New additions to existing structures will follow latest version of 'Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings'.

**Post Gold-Rush Era Building (1918-present)**

    - Changes to existing structures will follow latest versions of 'Standards and Guidelines for Conservation of Historic Places in Canada' AND 'Design Guidelines for Conservation and Infill - Guidelines for Interventions to Buildings Erected After the Gold Rush Era'.

- New additions to existing structures will follow latest version of 'Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings'.

ii. Treatment of new construction:

New development will represent good new architectural design and planning, and not reflect the gold rush style. The *Dawson Style* is an acceptable alternative. Development permits will be assessed, in part, on the basis of minimizing impact on the landscape rather than displaying historic character.

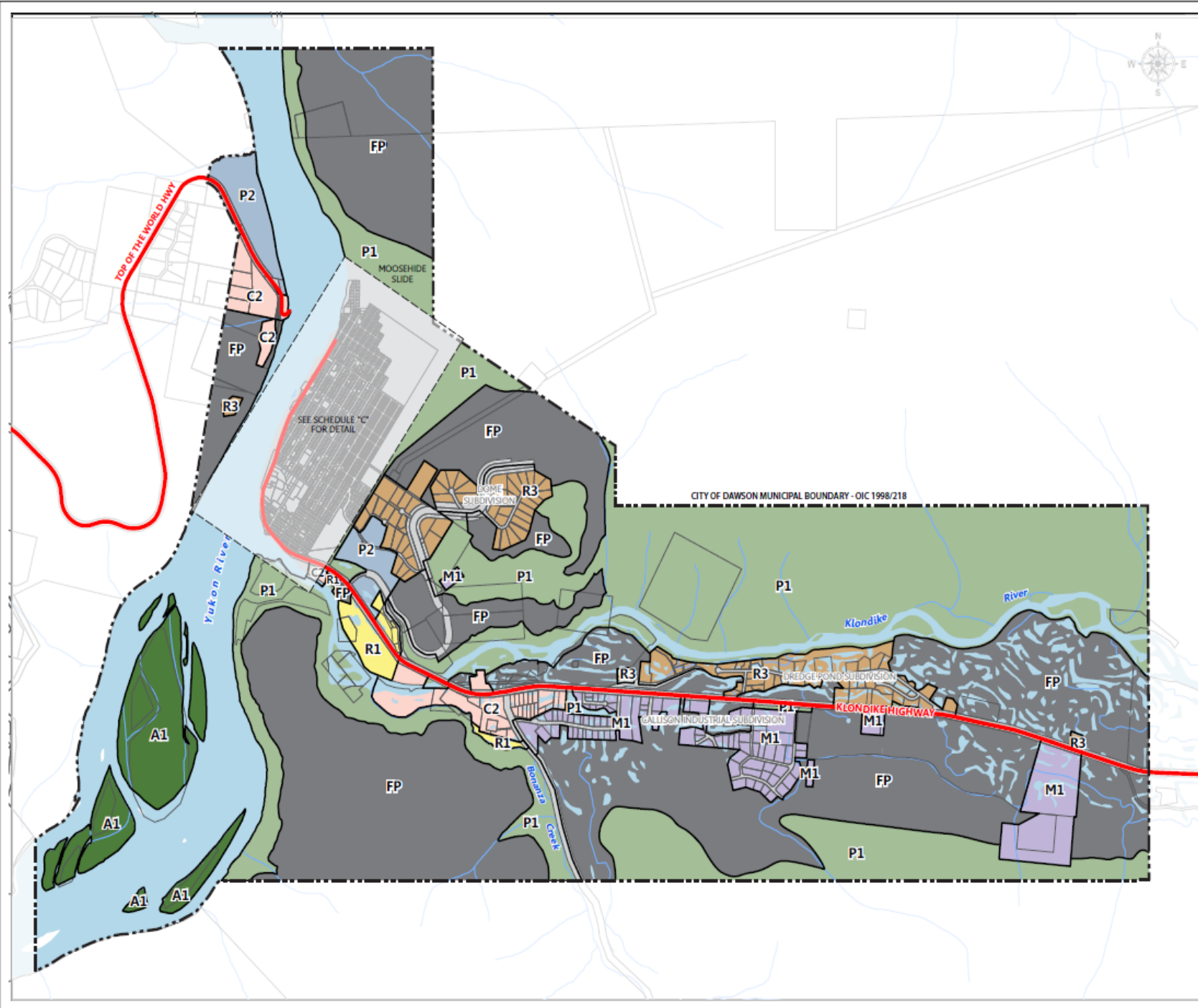
b) Design Guidelines

- ② will give the applicant the option to follow the latest version of "Design Guidelines for Architectural Conservation and Infill - Guidelines for Infill: the Dawson Style."

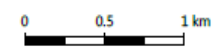
# SCHEDULE B

Zoning Map:  
Historic Townsite

Bylaw #2021-22



**City of Dawson  
Zoning**  
Bylaw No. 2018-19  
Valley, Confluence, and Bowl  
Schedule B



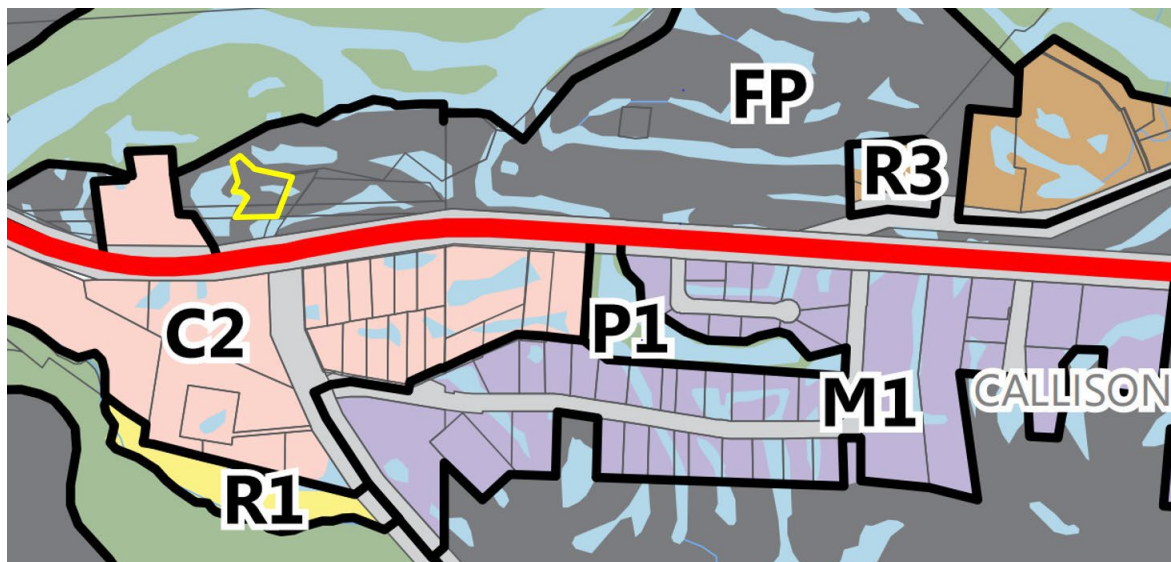
- Zones**
- R1:** Single-detached/duplex residential
  - R2:** Multi-unit residential
  - R3:** Country residential
  - C2:** Commercial Mixed Use
  - M1:** Industrial
  - A1:** Agriculture
  - P1:** Parks and natural space
  - P2:** Institutional
  - FP:** Future Planning

Schedule B, Bylaw No. 2018-19  
As adopted \_\_\_\_\_  
  
**ORIGINAL SIGNED BY:**  
  
\_\_\_\_\_  
WAYNE POTOROKA, MAYOR  
  
\_\_\_\_\_  
CORY BELLMORE, CAO

Bylaw No.	Amendments	Date



**Data sources:**  
ZBL- City of Dawson  
Lot boundaries-Yukon Land Planning  
March 2019



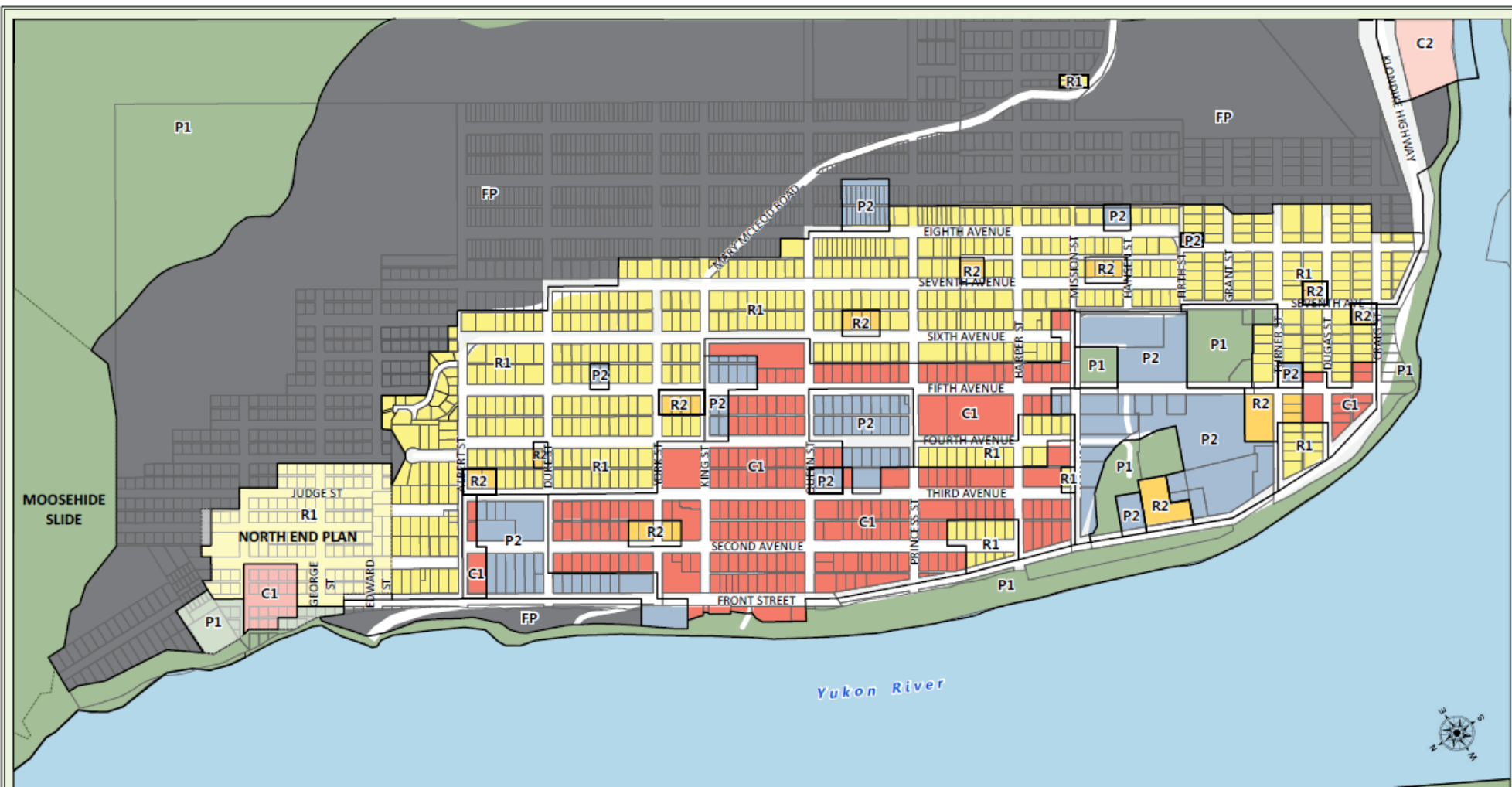
**Re-zones Lot 1213 QUAD 116B/03 from FP: Future Use to C2: Commercial Mixed Use.**

*(Map amended by Bylaw 2021-15 passed on August 3, 2022)*

# SCHEDULE C

Zoning Map:  
Historic Townsite

Bylaw #2021-22



**City of Dawson  
Zoning Bylaw**  
Bylaw No. 2018-19  
Historic Townsite  
Schedule C

**Zones**

- |  |  |
|--|--|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> <b>R1:</b> Single-detached/duplex residential | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> <b>P2:</b> Institutional   |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> <b>R2:</b> Multi-unit residential             | <span style="display: inline-block; width: 15px; height: 15px; background-color: grey; border: 1px solid black;"></span> <b>FP:</b> Future Planning      |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> <b>C1:</b> Core commercial                       | <span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> North End Plan Area            |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> <b>C2:</b> Commercial mixed use                 | <span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> Moosehide Slide Historic Place |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black;"></span> <b>P1:</b> Parks and natural space        |  |

Schedule C, Bylaw No. 2018-19

As adopted \_\_\_\_\_

**ORIGINAL SIGNED BY:**

WAYNE POTOROKA, MAYOR

CORY BELLMORE, CAO

Bylaw No.	Amendments	Date

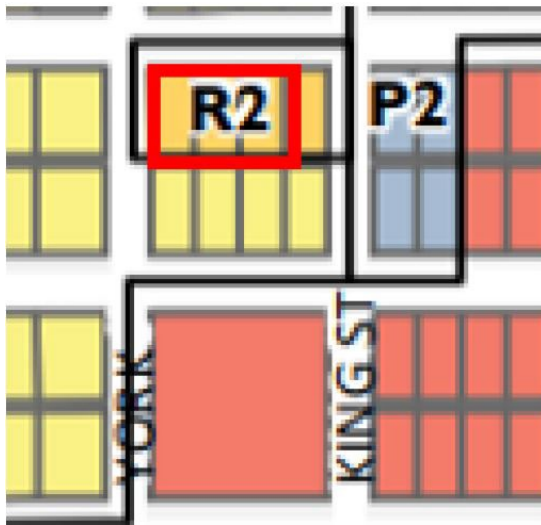


**Data sources:**  
ZBL, City of Dawson  
Lot boundaries-Yukon Land Planning  
March 2019

Figure 1. Location Map



Figure 2. Amended Area



**Amends Lot 5,6,7, Block R, Ladue Estate from R2: Multi-unit residential to R1: Single-detached/duplex residential**

*(Map amended by Bylaw 2022-06 passed on April 13, 2022)*



**Re-zones Lot 3, Block LD, Ladue Estate from R1: Single-detached/duplex residential to R2: Multi-unit residential**

*(Map amended by Bylaw 2022-01 passed on Feb 16, 2022)*

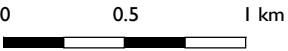
# SCHEDULE D



## Heritage Management Map: Valley, Confluence, and Bowl

Bylaw #2021-22



**City of Dawson**  
**Zoning Bylaw**  
Bylaw No. 2018-19  
Heritage Management Map:  
Valley, Confluence, and Bowl  
Schedule D



- Heritage Management Areas**
-  VCBHM - Valley, Confluence, and Bown Heritage Management Area
  -  Historic Townsite Boundary

Schedule D, Bylaw No. 2018-19

As adopted \_\_\_\_\_

**ORIGINAL SIGNED BY:**

\_\_\_\_\_  
WAYNE POTOROKA, MAYOR

\_\_\_\_\_  
CORY BELLMORE, CAO

Bylaw No.	Amendments	Date

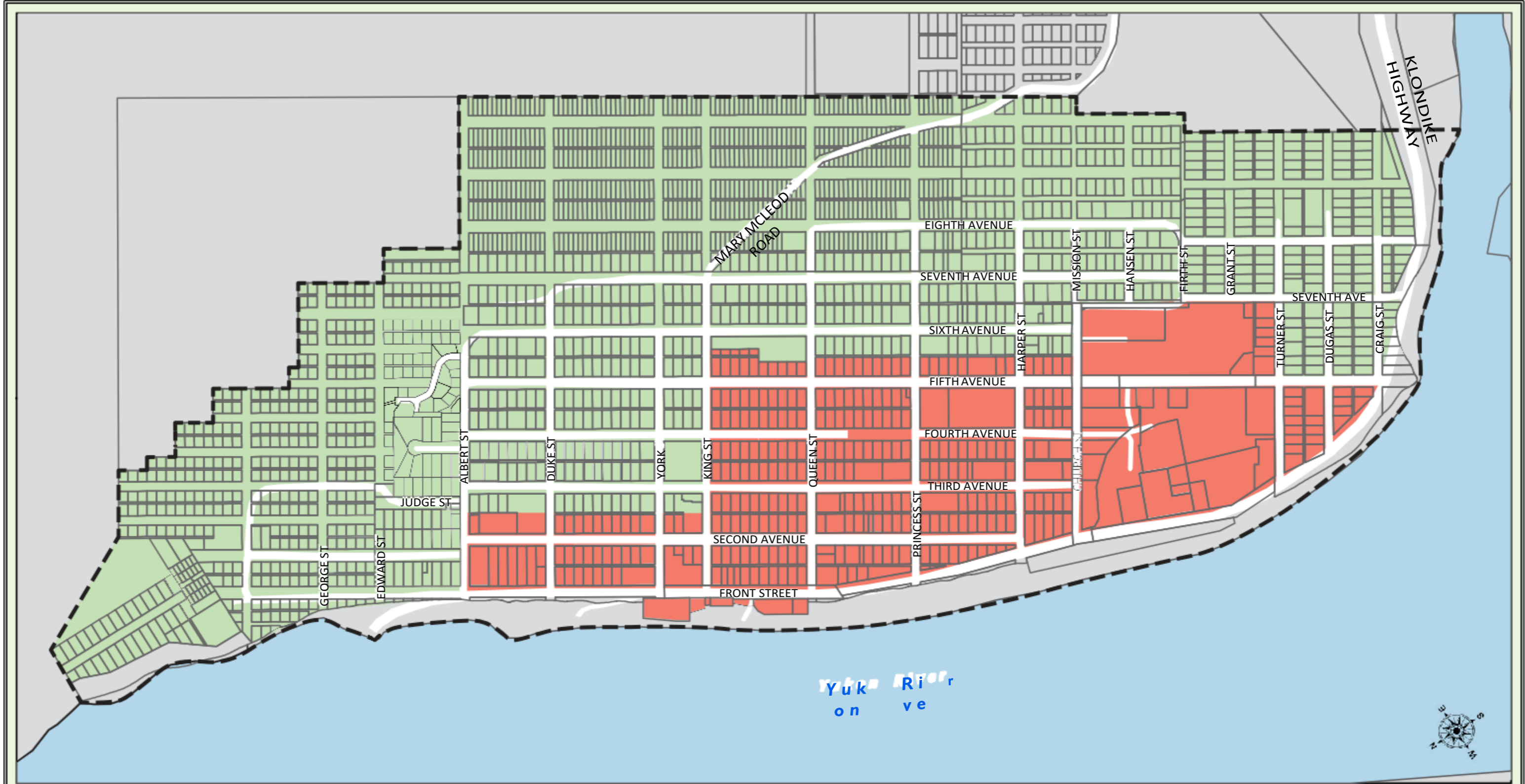


**Data sources:**  
Dawson City Heritage Management Plan  
Lot boundaries-Yukon Land Planning  
March 2019

# SCHEDULE E

## Heritage Management Map: Historic Townsite

Bylaw #2018-19



**City of Dawson Zoning Bylaw**  
Bylaw No. 2018-19  
Heritage Management Map  
Historic Townsite Schedule E

- Heritage Management Areas**
- DHM - Downtown Heritage Management Area
  - RHM - Residential Heritage Management Area
  - Historic Townsite Boundary

Schedule E, Bylaw No.2018-19

As adopted \_\_\_\_\_

**ORIGINAL SIGNED BY:**

WAYNE POTOROKA, MAYOR

CORY BELLMORE, CAO

Bylaw No.	Amendments	Date



**Data sources:**  
Dawson City Heritage Management Plan  
Lot boundaries-Yukon Land Planning  
March 2019