



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

**WHEREAS** section 265 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that a council may pass bylaws for municipal purposes, and

**WHEREAS** section 289 of the Municipal Act provides that a zoning bylaw may prohibit, regulate and control the use and development of land and buildings in a municipality; and

**WHEREAS** section 294 of the Municipal Act provides for amendment of the Zoning Bylaw;

**THEREFORE**, pursuant to the provisions of the *Municipal Act* of the Yukon, the council of the City of Dawson, in open meeting assembled, **ENACT AS FOLLOWS:**

### PART I - INTERPRETATION

#### 1.00 Short Title

This bylaw may be cited as the ***Zoning Bylaw Amendment No. 14 Bylaw***

#### 2.00 Purpose

2.01 The purpose of this bylaw is to provide for:

- (a) A re-zoning of Lot 1213 QUAD 116B/03 FP: Future Planning to C2: Commercial Mixed Use.
- (b) A series of text amendments.



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

### Table of Contents

PART I - INTERPRETATION .....	1
1.00 Short Title .....	1
2.00 Purpose .....	1
3.00 Definitions .....	3
PART II – APPLICATION .....	3
4.00 Amendments .....	3
PART III – FORCE AND EFFECT .....	12
5.00 Severability .....	12
6.00 Enactment .....	12
7.00 Bylaw Readings .....	13
8.00 Appendices .....	8



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

### 3.00 Definitions

#### 3.01 In this Bylaw:

- (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act*, RSY 2002, c. 125, shall apply;
- (b) “city” means the City of Dawson;
- (c) “council” means the Council of the City of Dawson;

## PART II – APPLICATION

### 4.00 Amendments

- 4.01 This bylaw amends Schedule B to re-zone Lot 1213 QUAD 116B/03 from FP: Future Planning to C2: Commercial Mixed Use, as shown in Appendix 1.
- 4.02 Repeal the EXHIBITION AND CONVENTION FACILITIES definition in S.2.2 and replace with the following: “EXHIBITION AND CONVENTION FACILITIES means a development that provides permanent facilities for meetings, seminars and conventions, product and trade fairs, circuses, and other exhibitions”.
- 4.03 Repeal the GARDEN SUITE definition in S.2.2 and replace with the following: “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”.
- 4.04 Insert the following definition to S.2.2: “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”.
- 4.05 Insert the following definition to S.2.2: “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



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

- 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”.
- 4.06 Insert the following definition to S.2.2: “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”.
- 4.07 Insert the following definition to S.2.2: “SIGN, FIXED means a wall sign, fixed on the surface of a building”.
- 4.08 Insert the following definition to S.2.2: “SIGN, FREE STANDING means a self-supporting sign permanently fixed to the ground and visibly separated from a building”.
- 4.09 Insert the following definition to S. 2.2: “SIGN, PAINTED FASCIA means a wall sign painted directly on the surface of a building, visible to the street”.
- 4.10 Insert the following definition to S. 2.2: “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”.
- 4.11 Repeal the STRUCTURAL ALTERATION definition in S.2.2 and replace with the following: “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.”
- 4.12 Insert the following clause to S. 4.1.1.3: “The security deposit is to be released upon development officer confirmation of the completion of the development as per the approved development permit.”



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

- 4.13 Repeal S. 4.2.1 and replace with the following: “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”
- 4.14 Repeal S. 4.2.2.
- 4.15 Repeal S.4.3.2.VI(f) and S.4.3.2.VI(g) and replace with:  
“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.  
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.”
- 4.16 Insert the following to S.4.3.2:  
“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.”
- 4.17 Insert the following clause to S.4.3.2:  
“X. photos of the parcel and buildings.”
- 4.18 Repeal S.4.4.2.1 and replace with: “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.”
- 4.19 Repeal S.4.4.2.2 and replace with: “Appeal applicants shall be limited to the original development permit applicant, landowner, and/or their designated representative.”
- 4.20 Repeal S.4.4.2.3



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

4.21 Insert the following clauses to S. 4.4.2 as follows:

“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.”

4.22 Repeal S.5.1.4, 5.1.5, and S. 5.1.6.

4.23 Insert the following clause to S. 5.1:

5.1.4 “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.”

4.24 Amend S. 6.2 as follows: “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.”



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

- 4.25 Insert the following clause to S. 6.2: “The security deposit is to be released upon development officer confirmation of the completion of the development as per the approved development permit.”
- 4.26 Repeal S. 7.1.2 and replace with:
- 7.1.2 “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.”
- 4.27 Insert the following clauses to S. 7.5:
- 7.5.2 “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.”
- 4.28 Insert the following clauses to S.7.5:
- 7.5.3 “Written notification letters shall be mailed to adjacent land owners, 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.”
- 4.29 Repeal S. 8.8.3 and replace with the following: “only one secondary suite or garden suite is permitted per principal single detached dwelling”.
- 4.30 Repeal S. 9.2.5 and replace with the following: “Except where cash in lieu is provided in accordance with City bylaws, the required off street parking and loading spaces shall be



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

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”.

- 4.31 Insert ‘Child Care Centres’ as a use to Table 9-1 ‘REQUIRED OFF-STREET PARKING SPACES’, requiring 1 parking stall per 8 children.
- 4.32 Insert ‘Painted fascia sign’ to Table 10-1 ‘SIGN REGULATIONS’, with no maximum size requirement, as shown in Appendix 2.
- 4.33 Repeal S. 10.0.4 and replace with the following: “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.”
- 4.34 Repeal S. 10.0.5 and replace with the following: “Prior to erection or installation all fixed, free-standing, or projecting types of signs shall be approved by the development officer.”
- 4.35 Repeal the clause under S.11.1.2 and replace with the following:
- “.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. 5.1.1.1 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.”
- 4.36 Insert the following clauses into Table 11-1, (‘R1 Zone Minimum Parcel Requirements’) under ‘minimum setback of buildings from’, as shown in Appendix 3:
- Buildings
    - For a dwelling to dwelling (3.05m/10ft)
    - For a dwelling to non-dwelling (0.61m/2ft)
    - For a non-dwelling to non-dwelling (0.61m/2ft)
- 4.37 Repeal the clause under S.11.2.2 and replace with the following:
- “.1 On a parcel located in an area zoned R2





# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

- 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.”
- 4.38 Repeal the minimum parcel size requirements in Table 11-3 ('R2 Zone Minimum Parcel Requirements') and replace with 464.5m<sup>2</sup> / 5,000ft<sup>2</sup> in Column 2.
- 4.39 Insert the following clauses into Table 11-3 ('R2 Zone Minimum Parcel Requirements') under 'minimum setback of buildings from', as shown in Appendix 4:
- Buildings
    - For a dwelling to dwelling (3.05m/10ft)
    - For a dwelling to non-dwelling (0.61m/2ft)
    - For a non-dwelling to non-dwelling (0.61m/2ft)
- 4.40 Repeal S.11.2.2 table title and replace with the following: 'TABLE 11-2: R2 ZONE MINIMUM PARCEL REQUIREMENTS'.
- 4.41 Repeal the clause under S.11.3.2 and replace with the following:
- “.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.”
- 4.42 Repeal the clause under S.12.1.2 and replace with the following:
- “.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



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”

4.43 Repeal S.12.2.2.1 and replace with the following:

- “.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.”

4.44 Repeal S.12.2.2.2 and replace with: “The development regulations for the R1 Zone, not including R1 zone parcel line setbacks, shall apply to the development of single family detached dwellings.”

4.45 Insert ‘heliport’ in S. 13.1.1.

4.46 Remove ‘residential security unit’ from S.13.1.1 and add to Secondary Uses in S.13.1.2

4.47 Repeal S.13.1.3.1 and replace with:

- “13.1.3.1 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.”

4.48 Repeal S.13.1.3.2.III and replace with the following: “be constructed and operational after the construction of the principal building, unless the permitted use of the property does not require a principal building”.

4.49 Repeal S. 4.01 and 4.02 of Zoning Amendment Bylaw No. 6 (Bylaw #2019-17), and replace with the following:

“4.01 Section 13.0 is hereby amended by adding a new section 13.1.4 titled ‘Special Modifications’.



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

- 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.”
- 4.50 Insert the following to S.14.1:  
“14.1.2 ‘Secondary Use’  
.1 community recreation facility”
- 4.51 Repeal the clause under S.14.1.2 and replace with the following:  
“.2 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. 5.1.1.1 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.”
- 4.52 Move ‘TABLE 14-1: P1 ZONE MINIMUM PARCEL REQUIREMENTS’ below S.14.1.2.2.
- 4.53 Insert ‘mixed use development’ in S.14.2.1
- 4.54 Insert ‘offices’ in S.14.2.1
- 4.55 Insert the following to S.14.2:  
“14.2.2 ‘Secondary Use’  
.1 ‘eating and drinking establishment”
- 4.56 Repeal the clause under S.14.2.2 (now S 14.2.3 as per the above amendment) and replace with the following:  
.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. 5.1.1.1 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



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”

- 4.57 Repeal S.14.2.3.1 and replace with the following: “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”.”
- 4.58 Repeal the clause under S.15.1.2 and replace with:  
“.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.”
- 4.59 Repeal 17.5.5.II and replace with:  
“500 m (1640.4 ft.) for properties in all other areas”
- 4.60 Repeal S. 17.5.6.
- 4.61 Administrative numbering edit of S. A.1.4, A.2.4, A.3.2

### PART III – FORCE AND EFFECT

#### 5.00 Severability

- 5.01 If any section, subsection, sentence, clause, or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder unless the court makes an order to the contrary.

#### 6.00 Enactment

- 6.01 This bylaw shall come into force on the day of the passing by Council of the third and final reading.



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

### 7.00 Bylaw Readings

Readings	Date of Reading
FIRST	December 8, 2021
PUBLIC HEARING	February 9, 2022
SECOND	July 6, 2022
THIRD and FINAL	August 3, 2022

**Original signed by:**

*William Kendrick, Mayor*  
**Presiding Officer**

*Cory Bellmore, CAO*  
**Chief Administrative Officer**



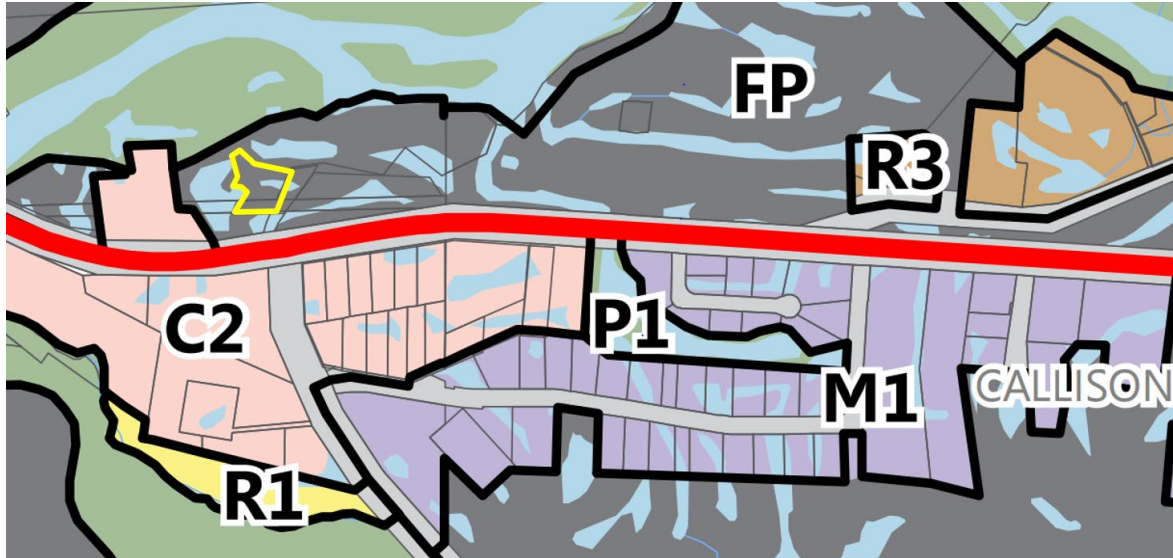
# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

### 8.00 Appendices

#### Appendix 1. Amendment to Schedule B



#### Appendix 2. Amendment to Table 10-1

Signs	Maximum Size	Permitted Type
Painted fascia sign	No maximum size	Fixed



# THE CITY OF DAWSON

## Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

### Appendix 3. Amendment to Table 11-1

**TABLE 11-1 R1 ZONE MINIMUM PARCEL REQUIREMENTS**

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		
• front parcel line	3.05 m	(10 ft.)
• interior side parcel line		
➤ for a dwelling	1.52 m	(5 ft.)
➤ for a non-dwelling accessory building	0.61 m	(2 ft.)
➤ for a duplex with a shared wall on property line	0 m	(0 ft.)
• exterior side parcel line	3.05 m	(10 ft.)
• rear parcel line	1.5 m	(5 ft.)
• buildings		
➤ for a dwelling to dwelling	3.05 m	(10 ft.)
➤ for a dwelling to non-dwelling	0.61 m	(2 ft.)
➤ for a non-dwelling to non-dwelling	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		
• principal building	10.67 m	(35 ft.)
• accessory building	6.10 m	(20 ft.)

### Appendix 4. Amendment to Table 11-3

**TABLE 11-3: R2 ZONE MINIMUM PARCEL REQUIREMENTS**

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	(1,524 ft.)
Minimum parcel width	15.24 m	(50 ft.)
Minimum setback of buildings from		
• front parcel line	3.05 m	(10 ft.)
• interior side parcel line	1.52 m	(5 ft.)
• exterior side parcel line	3.05 m	(10 ft.)
• rear parcel line	1.52 m	(5 ft.)
• buildings		
➤ for a dwelling to dwelling	3.05 m	(10 ft.)
➤ for a dwelling to non-dwelling	0.61 m	(2 ft.)
➤ for a non-dwelling to non-dwelling	0.61m	(2 ft.)
Maximum height for		
• principal building	10.67 m	(35 ft.)
• accessory building	6.10 m	(20 ft.)