

Property Information/Details

Location Description	Lot 1 Block 539 Plan 2094
City of Yellowknife Community Plan No. 5007, as amended.	Section 4.8 Kam Lake
City of Yellowknife Zoning By-law No. 5045, as amended.	Chapter 3 Roles and Responsibilities Chapter 4 Development Permit Process Section 5.1 Development Appeal Process Section 7.1 Site Planning Considerations Section 7.3 Grade Section 7.4 Vehicular Access and On-Site Traffic Section 7.5 General Landscaping Regulations Section 7.6 Fences Section 7.8 Parking Section 8.2 Specific Use Regulations Applicable to Residential Zones Section 9.2 Specific Use regulations Applicable to Non-Residential Zones Section 12.1 R1 – Kam Lake Zone
Civic Address:	107 Etthen Dr
Existing and New Access:	Etthen Dr
Municipal Services:	Trucked water and sewage services; Municipal garbage pickup

Recommendation:

The Development Officer recommends approval of Development Permit Application PLDEV-2026-0100 for a Change of Use from Contractor Services to Factory-Built Dwelling Sales and Storage, with the following condition(s):

1. A Fence must be constructed along the sides of the property which abut adjacent Lots to define the area of the property used for Factory-Built Dwelling Sales and Storage. The Fence shall comply with all applicable regulations of Section 7.6 of the Zoning By-law No. 5045, as amended.
2. The Fence shall be 2.00m in height, for the purpose providing adequate screening to adjacent Lots as described in the regulations of Section 9.2.4 of the Zoning By-law No. 5045, as amended.
3. The development shall comply with the Approved Stamped Plans for PLDEV-2026-0100 and with all By-laws and policies in effect for the City of Yellowknife.

Proposal:

The applicant has applied for Development Permit for a Change of Use from Contractor Services to Factory-Built Dwelling Sales and Storage. The proposed Factory-Built Dwelling Sales and Storage is a permitted use in the KL – Kam Lake Zone according to Zoning By-law No. 5045, as amended.

Background:

GENERAL STATEMENT

On May 5, 2026, Treacy Eros, the applicant, submitted an application to add a new Accessory Storage Tent Structure and Accessory Office. The Development Officer identified during review that the use of the lot no longer aligns with the Contractor Services Use due to changes with the business. The Applicant added the Change of Use to the application to better align the Use with the functions of their business. An Accessory Residential Dwelling unit was exempted from required under PL-2024-0091 and remains in use on the site.

The proposed Change of Use and Accessory development is located on a corner lot with a vacant lot directly to the rear of the site and an existing commercial use to the north of the property.

Assessment of the Application:

JUSTIFICATION

Factory-Built Dwelling Sales and Storage is a Permitted Use on the KL – Kam Lake Zone. A Development Permit is required if there is a change to the principal use of a Building under Section 4.1.3.b.v. of the Zoning By-law.

The Development Officer is the approving authority for Development Permits within the scope defined by Section 3.1.1 of the Zoning By-law.

LEGISLATION

Community Planning and Development Act, S.N.W.T. 2011, c.22

Section 16. (1) and 25. (1) of the *Act*, a development authority, being a development officer appointed under section 52, shall, subject to any applicable conditions, approve an application for a development permit for a use specified in a zoning bylaw as a permitted use of land or of a building, if the development authority is satisfied that the applicant meets all the requirements of the bylaw.

Community Plan By-law No. 5007, as amended

As per section 3(1) of the *Act*, the purpose of a community plan is to provide a policy framework to guide the physical development of a municipality, having regard to sustainability, the environment, and the economic, social and cultural development of the community.

This 2020 Community Plan is a comprehensive outline of the goals and objectives for the City with directive policies to accomplish the objectives. All applicable policies of the Community Plan are to be considered and applied at the time of development.

Zoning By-law No. 5045, as amended

The general purpose of a zoning by-law is to guide the physical development of a municipality by offering regulations to the use and development of land and buildings within the municipal boundary of the City.

The Development Officer processes the application per section 3.1.1 (Development officer's roles and responsibilities) and applicable sections of Chapter 4 (Development Permit Process) of the By-law.

PLANNING ANALYSIS

City of Yellowknife Community Plan By-law No. 5007, as amended

Section 4.8 Kam Lake

The Plan identifies the Kam Lake land designation as an area that supports the production and sale of goods and services in the City. Currently, its primary land use activities include light industrial and commercial activities. Some parcels have accessory dwelling units that are intended to support the primary industrial or commercial uses. The commercial uses tend to have a quasi-industrial character whereby they may be designed with large outdoor storage areas, impound areas with high fences, heavy equipment on site, or large warehouse components that do not integrate well within residential streetscapes and neighbourhoods. These activities may also generate noise, vibrations, emissions and other nuisances that are not compatible with residential activities.

4.8 Kam Lake Objectives and Policies	
Planning and Development Objectives:	Policies:
1. To accommodate larger scale commercial and light industrial operations such as warehouses, large commercial show rooms, outdoor storage, and agriculture activities that require more land than commercial activities typically found in the City Core or commercial areas.	1-a. The City will ensure that lot sizes, lot access, and municipal services are appropriate for the demands of high intensity commercial and light industrial activities.
2. To provide opportunities for residential uses as accessory to commercial operations (artisanal).	2-a. Residential land uses must be accessory to the primary land use.
3. To accommodate the flow of large motor vehicles that support the commercial and transportation activities in the area.	3-a. Transportation networks will be maintained to accommodate large motor vehicles, including turning radius, height clearance, provisions for loading areas, staging and off-street parking to support the nature of commercial and light industrial activities.

7. To ensure safety of all land users in area.	7-a. Site design shall consider adequate response times and on-site mitigation to the existing level of fire and emergency services.
9. To improve drainage of runoff and surface water.	9-a. Site design must include storm water management and proper drainage in accordance with the Zoning Bylaw requirements.
10. To allow for an area where interior landscaping design is less restrictive, but buffering and visual barriers are key	10-a. Buffering and visual separation between parcels will be required. 10-b. Separation shall be done in a manner that allows for new uses without creating conflicts or safety issues. 10-c. Landscaping will support Fire Smart principles.

The proposed Change of Use and development conforms to the development objectives and policies in Kam Lake Land Use Designation as the Factory-Built Sales and Storage use requires significant area for show homes, office space and the outdoor storage of goods. The existing Accessory Residential Dwelling was previously exempted from requiring a Development Permit as it met all applicable requirements. As the use can involve the movement of large Factory-Built Dwellings to their final location, the development must consider that large vehicles will be accessing the site and loading and unloading these Factory-Built Dwellings, to which Public Works and Engineering has not raised any concerns. No change to the existing site drainage has been proposed and existing natural landscaping and buffering is sufficient to meet the intent of the objectives and policies.

Zoning

City of Yellowknife Zoning By-law No. 5045, as amended

The proposed Factory-Built Dwelling Sales and Storage use has been determined to meet all applicable requirements of the By-law.

KL – Kam Lake Zone (Section 12.1):

Factory-Built Dwelling Sales and Storage is a permitted Use in the KL Zone. The proposed development aligns with the purpose of the KL Zone by providing an area for commercial, Light Industrial and accessory residential land uses. The Factory-Built Sales and Services use is considered to apply to the entire area of the site with the exception of portions of the site that are designated as separate uses such as an Accessory Residential Dwelling. The reason for this is that Storage is listed as a part of the Use and the Factory-Built Dwellings take up a significant amount of space and are stored outside on the lot, with the area being defined as by Fence as shown on the site plan. The Zoning By-law also defines a Fence as a Structure and therefore the area enclosed by a Fence can be used for calculations for any applicable regulations. Accessory Storage Buildings and an Accessory Office that comply with the regulations in Table 12-2 of the KL Zone.

12.1.2 Non-Residential Development Regulations

Section 12.1.2.b requires that all Outdoor Storage areas be screened to roads and adjacent Accessory Residential Dwellings. The Lot currently has a sufficient screening to Etthen Drive, Cameron Road and the property to the rear of the Lot. However, there is no buffer to the lot directly beside the Lot. The applicant has shown on their site plan that they will have a Fence along the property lines that abut other Lots.

Section 12.1.2.c permits that an Accessory Office shall only be permitted if it is related to the use and does not exceed 20% of the Gross Floor Area of the Principal Structure. The Office is to be used to manage the sale and transportation of the Factory-Built Dwellings and is therefore related. The total Area of the site being used for Factory-Built Sales and Services and enclosed by a Fence can be considered the Gross Floor Area. The total area of the site excluding the Accessory Residential Dwelling is 3366.60m². The Gross Floor Area of Office space being proposed is 70.08m² which is approximately 3% of the total Gross Floor Area of the site.

12.1.3 Accessory Residential Dwelling Regulations

Section 12.1.3.a requires that a minimum Gross Floor Area of 93m² of a commercial use be operating on the site to allow for the development of an Accessory Residential Dwelling. The total Gross Floor Area of the commercial Factory-Built Dwelling Sales and Storage Use is 3,366.60m² which exceeds the required commercial area, meaning the existing Accessory Residential Dwelling remains compliant with the regulations of the Zoning By-law.

Site Planning Considerations (Section 7.1):

The proposed development must comply with Section 7.1 specifically in regards to incorporating proper Lot surface drainage, reviewed by Public Works and Engineering (Section 7.1.2) and remaining accessible by emergency services, reviewed by Fire Services (Section 7.1.6.).

Grading (Section 7.3):

The proposed development complies with all applicable City regulations pertaining to drainage and grading, with no concerns noted by the Public Works and Engineering Department during review. No changes have been proposed to the grading of the Site as a part of this application and must comply with any previously approved grading and drainage plans as well as the City's Development Standards.

Vehicular Access and On-Site Traffic (Section 7.4):

Access to the Lot is taken from Etthen Drive with no changes to access being proposed as a part of this application. The existing access is setback approximately 30m from the nearest intersection which satisfies the requirement for safe and efficient movement of vehicles to the Development Officer.

Landscaping (Section 7.5):

Landscaping regulations for the KL Zone are described in Table 7-2. A minimum of 40% of the Front Yard must be landscaped with the exception of areas utilized for parking. Any natural vegetation or bedrock contained within the Front, Side or Rear Yard Setbacks shall be considered landscaping. A significant portion of the Lot retains natural trees in the required setbacks while also having an appropriate buffer to the road and adjacent properties. In addition, the existing natural features of the Lot provide a sufficient buffer to meet the regulations of Section 7.5.2.a requiring a 2.00m wide buffer to any adjacent roadway.

Fences (Section 7.6):

Section 7.6.2 describes the regulations applicable to Fences in Non-Residential zones. The proposed Fence cannot exceed a maximum height of 2.00m. The proposed Fence complies with all applicable regulations as it is exactly 2.00m, and is required to define the area that will be occupied by the Factory-Built Dwelling Sales and Storage Use.

Parking (Section 7.8):

A minimum number of parking space must be provided off-street for certain uses as outlined in Section 7.8.4 (b) of the Zoning By-law (Section 7.8.1.a.i). Table 7-3 describes the minimum parking space requirements for Uses, but does not provide a minimum parking requirement for the Factory-Built Dwelling Sales and Storage Use. As a result the Development Officer has the discretion to determine the minimum parking requirements with due regard for the amenities of the Zone. Given the size of the site, the proposed use and the Accessory Office where clients are likely to come to the site, it is most appropriate for the minimum parking regulations to be three (3) 'type B' parking spaces per 100m² of Gross Floor Area. For the purposes of this Development only the Gross Floor Area of structures being used for an Office shall be used in the calculation. The Office space is calculated at 70.08m² and as a result has no minimum parking requirements for the commercial uses on the site. Additionally, the existing Accessory Residential Dwelling must have a minimum of one (1) parking space per dwelling unit to a maximum of two (2) parking spaces.

Section 7.8.12 requires a minimum of one off-street loading space, which is not proposed by the applicant as a part of this application. However, given the nature of the Factory-Built Dwelling Sales and Storage Use being proposed, areas of the lot which are not used for storage can be considered a loading space for the storage and movement of goods to and from the lot, so long as the applicant considers the safety and required space necessary for the loading of any goods on the Lot. Additionally, the type of goods coming to and from the Lot are much larger than the minimum area required for a Loading space by the Zoning By-law of 3.00m by 16.00m with a vertical clearance of 4.20m, therefore the applicant will have due regard for the feasibility of loading the Factory-Built Dwellings safely.

There is no minimum bicycle parking spaces are required for the proposed development.

Accessory Buildings and Use (Section 7.13.1)

The proposed Accessory Buildings and Use which are included in the application comply with the regulations of Section 7.13.1 and the Accessory Buildings are not located closer to the Lot Line than the setbacks of the Principal Building for a Corner Lot (Section 7.13.1.g) by maintaining and 6.00m Front Yard Setback and 1.50m Side Yard Setback.

Specific Use Regulations Applicable to Residential Zones (Section 8.2)

Section 8.2.4 of the Zoning By-law requires that all Factory-Built Dwellings be skirted from the base of the unit to the ground with a material similar to the siding. Painted Plywood shall not be permitted as skirting.

Specific Use Regulations Applicable to Non-Residential Zones (Section 9.2)

Section 9.2.4 discusses the regulations applicable to Accessory Outdoor Storage of goods. Any outdoor storage shall be screened from the road and adjacent Lots (Section 9.2.4.b) and no goods may be stored in the Front Yard Setback for the Lot (Section 9.2.4.d). As the required screening must be a minimum 2.00m in height, the Development Officer accepts the existing trees along the roadways as adequate screening and the addition of the proposed fence of 2.00m heights, satisfies the requirements for screening of storage of goods. It is important to note that Section 9.2.4.f does not limit the customary display of goods that are intended and permitted to be sold. For the proposed development, this includes the storage and display of Factory-Built Dwellings being sold as a part of the business operations.

Servicing

The proposed development will be serviced by trucked municipal water and sewage services and rely on municipal garbage pickup.

City Departments / External Agency Consultation

As directed in section 4.5.1 of Zoning By-law No. 5045, a request for comments was circulated to the following city departments and external agency on June 18, 2026. Comments were reviewed and considered, and are summarized in the table below:

No.	City Department	Comments	Consideration
1.	Public Works & Engineering	PW&E has no concerns with this development.	None required.
2.	Lands and Building Services	Any proposed structure must meet the requirement of the NBC and Building By-law.	None Required.
3.	Fire Services	No concerns from Fire Services at this time.	None Required.
4.	Protective Services	No comments were provided by the Protective Services Department.	As outlined in Section 4.5.5. of the Zoning By-law, the Development Officer may deal with the application if no comments or

			recommendations have been provided within 15 days of referral. No consideration required.
--	--	--	---

Public Comments

Public Comments were collected through the circulate of a Notice of Application letter for the Development Permit to neighboring residents within 30m of the subject Site on June 18, 2026, per sections 4.5 of Zoning By-law No. 5045, as amended, Section 6.7 of Community Plan By-law No. 5007, as amended, and section 14 (2) of the *Community Planning and Development Act*. A Notice of Application Sign was placed on Site on June 18, 2026, facing Hamilton Drive, with a QR code to the City of Yellowknife's Active Applications Webpage where additional information and documents could be viewed.

No public comments were received for consideration during the notice period.

Outlined in Section 5 of the Zoning By-law and sections 61 – 62 of the *Community Planning and Development Act*, the approval of an application for a Development Permit is subject to a 14- day appeal period, commencing on the date of the approval. Once the Development Permit decision has been issued, a Notice of Decision Sign will be posted at the Site, and Notice of Decision Letters circulated to landowners and lessees within 30m of the subject Site in accordance with Section 4.11. of the Zoning By-law. The City's Active Application webpage will be updated with the Notice of Decision, Stamped Plans and Planning Report. If not appealed within this 14-day period, the development will be considered effective starting on the 15th day.

Conditions of Approval:

1. A Fence must be constructed along the sides of the property which abut adjacent Lots to define the area of the property used for Factory-Built Dwelling Sales and Storage. The Fence shall comply with all applicable regulations of Section 7.6 of the Zoning By-law No. 5045, as amended.
2. The Fence shall be 2.00m in height, for the purpose providing adequate screening to adjacent Lots as described in the regulations of Section 9.2.4 of the Zoning By-law No. 5045, as amended.
3. The development shall comply with the Approved Stamped Plans for PLDEV-2026-0100 and with all By-laws and policies in effect for the City of Yellowknife.

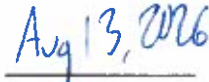
Conclusion:

The Development Officer recommends approval of Development Permit Application PLDEV-2026-0100 for with the above mentioned conditions as the proposed development conforms to Community Plan By-law No. 5007, as amended and complies with all applicable regulations of Zoning By-law No. 5045, as amended.

Reviewed [and Approved] by:



Eli Smith
Planner I, Planning and Environment

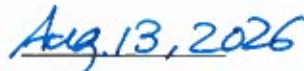


Date

Concurrence by:



Tatsuyuki Setta, RPP, MCIP, AICP
Manager, Planning and Environment



Date

References:

Approved Drawings PLDEV-2026-0100, DM# 834290.