

Property Information/Details

Location Description	Lot 22 Block 2 Plan 179
City of Yellowknife Community Plan No. 5007, as amended	Section 4.2 – Old Town
City of Yellowknife Zoning By-law No. 5045, as amended	Section 3 - Roles and Responsibilities Section 4 - Development Permit Process Section 5 – Development Appeal Process Section 7 - General Development Regulations Applicable to all Zones Section 8 – General Development Regulations Applicable to Residential Zones Section 11.3 OT – Old Town Mixed use
Civic Address:	3508 Raccine Rd
Access:	Raccine Rd
Municipal Services:	Trucked water and sewer

Recommendation:

The Development Officer recommends that the Development Permit - Variance Application PLVAR-2026-0152 for the rear yard setback reduction of 6 m to 0 m be approved with the following conditions:

1. The minimum rear yard setback requirement has been decreased from 6 m to 0 m;
2. The developer shall submit an updated Real Property Report (RPR) to confirm the rear setback;
3. The development shall comply with the approved stamped drawings for PLVAR-2026-0152 and with all By-laws in effect for the City of Yellowknife and obtain all the required permits for its operation.

Proposal:

The applicant is requesting a variance to decrease the required rear yard setback from 6.0 m to 0.0 m to permit an existing deck and a proposed mudroom addition in the OT – Old Town Mixed Use Zone.

Background:

The subject lot is located in the OT – Old Town Mixed Use Zone and is surrounded by a mix of low density residential and commercial uses. The lot lies across from pilot's monument parking lot on Raccine Rd.

On August 6, 2026, Development Permit Variance application PLVAR-2026-0152 submitted by Brian Baggs was deemed complete. Requesting approval to reduce the required rear yard setback from 6m to 0m at 3508 Raccine Rd. The reduction is required to formalize the existing deck for an addition of a mudroom.

Assessment of the Proposal:

JUSTIFICATION

The Development Officer shall approve or refuse, pursuant to the *Community Planning and Development Act* and the *Zoning By-law*, all development permit applications and state the terms and conditions as authorized by the *Zoning By-law*. Section 3.1.1 of the *Zoning By-law* authorizes the Development Officer to receive, process, and make decisions on all development permit applications. A development permit is required for any development that is accompanied by a variance, as stated in Section 4.8 of *Zoning By-law No. 5045*, as amended, and authorized under section 23 of the *Community Planning and Development Act*. Section 4.9 of *Zoning By-law No. 5045* sets out the criteria for evaluating variance requests.

LEGISLATION

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

Section 3 of the *Act* states that 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.

Section 12 states that the purpose of a zoning by-law is to regulate and control the use and development of land and buildings in a municipality in a manner that conforms to a community plan, and if applicable, to prohibit the use or development of land or buildings in particular areas of a municipality.

Community Plan By-law No. 5007, as amended

The 2019 Community Plan establishes a policy framework to guide the future growth and development of the City. It sets out high-level goals, objectives, and policies that inform land use decisions and guide the preparation, interpretation, and amendment of the *Zoning By-law*. All applicable Community Plan policies are to be considered and applied at the time of development.

Zoning By-law No. 5045, as amended

The purpose of the *Zoning By-law* is to regulate the use and development of land and buildings within the City of Yellowknife in a balanced and responsible manner pursuant to the *Community Planning and Development Act* and the Community Plan.

Section 3 defines the roles and responsibilities of the Development Officer and Council.

Section 4 outlines the development permit process.

Section 5.1 outlines the appeal process for a development permit.

Section 7 outlines the general development regulations applicable in all zones.

Section 8 outlines the general development regulations applicable to Residential Zones.

Section 11.3 outlines specific requirements for the Old Town Mixed Use Zone.

PLANNING ANALYSIS

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

Section 4.2 Old Town

The subject land is designated Old Town in the Community Plan. The area is recognized as an important part of Yellowknife's history and contributes significantly to the community's unique character and identity. Development in the area is characterized by eclectic building forms, prominent rock outcrops, and an active waterfront along Yellowknife Bay. The area contains a mix of residential and commercial land uses, including unique restaurants and pubs, tourism-based businesses, float plane bases, and historical buildings. Several significant natural areas are also located within Old Town, including Bush Pilots Monument, McAvoy Rock, Willow Flats, and the Latham Island shoreline, which are intended to remain protected natural areas. The area serves as a year-round destination for both residents and visitors and is characterized by its cultural heritage and tourism attractions.

4.2 Old Town Objectives and Policies	
Planning and Development Objectives	Policies:
13. To maintain the existing character of the built form.	13-a. New development will consider existing context of immediate surrounding area.
14. To encourage a mix of residential options including larger homes, duplexes, rowhouses, groups of tiny homes, and mixed residential and commercial spaces.	14-a. A variety of residential development, including multi-unit and mixed residential/commercial development, will continue to be permitted.

The proposed variance is to formalize an existing deck that is non-compliant for the addition of a mudroom. The proposed development is consistent with the context of the surrounding area and is not anticipated to adversely affect the existing character of the built form. As the structure is pre-existing, the Rear Yard Setback variance will not have a new impact on the objectives for the Old Town Designation.

Section 5.1 Environment and Climate

The Plan also identifies objectives and policies that encourage the efficient use of the existing built footprint, prioritizing development within already developed areas before expanding into new spaces.

5.1 Climate Change Mitigation Objectives and Policies	
Planning and Development Objectives	Policies:
3. To better utilize existing municipal infrastructure.	3-a. The City will prioritize development in the existing built footprint of the City before developing new greenfield areas.

The proposed variance to formalize the existing deck and facilitate the addition of a mudroom supports the objectives of the Environment and Climate section, as it makes use of existing infrastructure and the established building footprint rather than requiring new greenfield development.

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

The proposed Variance has been determined to meet all applicable requirements of the By-law except for the Old Town Mixed Use Zone requirement for minimum Rear Yard Setback during the review of the Development Permit and Variances.

Evaluating the Request for Variance to Rear Yard Setback (Section 4.9):

The applicant is requesting a reduction to the minimum Rear Yard Setback from 6 m to 0 m. It is the development officer's opinion that the proposal does not unduly interfere with the amenities of the neighborhood, nor does it materially interfere with or affect the use, enjoyment, or value of neighboring parcels of land. This variance request is deemed reasonable after examination of the criteria set out in Section 4.9.1 of Zoning By-law No. 5045.

Site Planning Considerations (Section 7.1):

The proposed development must comply with Section 7.1 specifically in regard to incorporating proper Lot surface drainage (Section 7.1.2), remaining accessible by emergency services (Section 7.1.6.) and be designed in such a way as to prevent the discharge or drainage of any contaminant or hazard into a Water Body (Section 7.1.10). No changes to the existing lot grade are proposed.

Drainage and Grading (Section 7.3):

The proposed development must comply with all applicable City regulations. The proposed development is not anticipated to affect the current drainage of the site, which currently flows towards Back Bay of Great Slave Lake. There is no record of previous grading of the site, and the applicant does not propose to change the grade within the scope of this development permit. Should the applicant or property owners choose to grade the site with an average change of more than 0.60 m, a Grading Permit will be required (Section 4.2-l.i of the Zoning By-law)

Vehicular Access, On-site Traffic and Parking (Section 7.4 and Section 7.8):

The requested reduction of the rear yard setback from 6 m to 0 m is not anticipated to negatively impact vehicular access, on-site traffic circulation, or parking on the subject property. Existing access to the site is provided from Raccine Road at the front of the property and will remain unchanged as part of the proposed development. As the variance applies only to the rear yard setback, it will not alter the location of the existing access point, nor will it impede vehicles from entering or exiting the site. The required parking area will continue to be accommodated on-site.

Land Use (Section 11.3)

The proposed use meets the intent of the OT Zone by preserving the existing built form and making use of existing infrastructure. Adjacent properties include residential uses, which are not anticipated to be unduly interfered with by permitting the variance. The deck was constructed prior to the issuance of an approved Development Permit. As a result, a condition of approval will require the applicant to provide a Real Property Report to verify compliance with the approved stamped plans, conditions of approval, and applicable regulations. The proposed development complies with all applicable zoning regulations, except for the minimum Rear Yard Setback requirement set out in Table 11-7 of *Zoning By-law No. 5045*; therefore, a variance is required.

Servicing

The proposed development continues to be serviced by trucked municipal water and sewage services/ and relies on municipal garbage pickup as it stands.

City Departments Consultation

As directed in Section 4.5.1, 4.5.4. and 4.5.5. of *Zoning By-law No. 5045*, a request for comments was circulated to the following City departments on August 17, 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 variance request.	None required.
2.	Lands and Building Services	Building Inspection Services has no issue with varying the rear setback to 0 m. In accordance with NBC 9.10.15.5.(5), combustible projections more than 1 m above grade are not permitted within 1.2 m of a property line or the center line of a public way. The rear lot line backs onto Wiley Road, which is a public way; therefore, the limiting distance is measured to the center line of Wiley Road rather than the property line. The available separation to the road center line exceeds 1.2 m, satisfying Sentence (5).	None required.
3.	Fire Services	No comments were received.	None required.

Public Consultation

Notice of Application for the development permit was circulated to neighboring residents within 30 m of the subject land on August 17, 2026, per Sections 4.5.2 of *Zoning By-law No. 5045* and section 6.7 of *Community Plan By-law No. 5007* as well as section 23 (2)(b) of the *Act*. No comments from the public were received.

A Notice of Decision will be posted to the site, as required by *the Act*. The application will be subject to a 14-day appeal period, commencing on the date of approval. If not appealed within this 14-day period, the development will be considered effective starting on the 15th day.

Conditions of Approval:

1. The minimum rear yard setback requirement has been decreased from 6 m to 0 m;
2. The developer shall submit an updated Real Property Report (RPR) to confirm the rear setback;
3. The development shall comply with the approved stamped drawings for PLVAR-2026-0152 and with all By-laws in effect for the City of Yellowknife and obtain all the required permits for its operation.

Conclusion:

In summary, Development Permit Application PLVAR-2026-0152 is recommended for approval, subject to the above-noted conditions, as the proposed development remains consistent with *Community Plan By-law No. 5007*, as amended, and complies with all applicable provisions of *Zoning By-law No. 5045*, as amended.



Moriah Harris
Planner I, Planning and Environment

9/21/26

Date

Concurrence by:



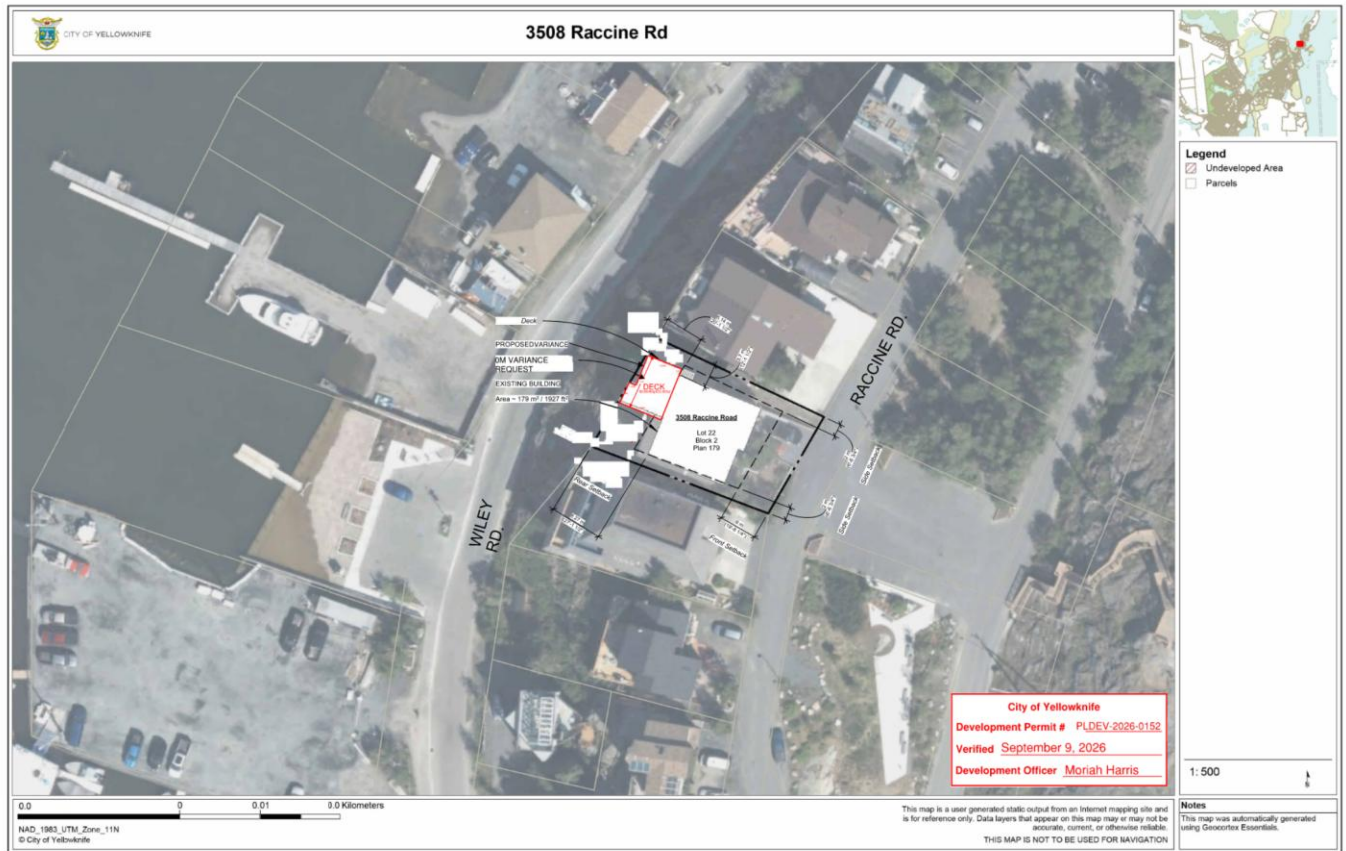
Tatsuyuki Setta, RPP, MCIP, ACIP
Manager, Planning and Environment

Sep 21, 2026

Date

Attachments

Appendix A: Stamped Site Plans



PLDEV-2026-0152_-_3508_RACCINE_RD_PLANNING_REPORT_

Final Audit Report

2026-09-21

Created:	2026-09-21
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