

**CITY OF YELLOWKNIFE
BY-LAW NO. 4438**

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, authorizing the Municipal Corporation of the City of Yellowknife to repeal a portion of the City of Yellowknife Niven Lake Development Scheme 2004, By-law No. 4339, as amended.

PURSUANT TO:

- a) Section 25 to 29 inclusive of the *Planning Act*, R.S.N.W.T., 1988, c. P-7;
- b) Due notice to the public, provision for inspection of this by-law and due opportunity for objections thereto to be heard, considered and determined; and
- c) The approval of the Minister of Municipal and Community Affairs, certified hereunder.

WHEREAS the Municipal Corporation of the City of Yellowknife has evaluated the Niven Lake Development Scheme 2004, By-law No. 4339, as amended;

AND WHEREAS the Municipal Corporation of the City of Yellowknife wishes to adopt the City of Yellowknife Niven Lake Development Scheme 2007, By-law No. 4438;

NOW THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular session duly assembled, hereby enacts as follows:

SHORT TITLE

1. This By-law may be cited as the Niven Lake Development Scheme 2007.

APPLICATION

2. The City of Yellowknife Niven Lake Development Scheme 2007 comprised of the attached Schedule No. 1 and Schedule No. 1-A, is hereby adopted.

REPEALS

3. The portion of By-law No. 4339 which is coincident with the Niven Lake Development Scheme 2007 is hereby repealed.


EFFECT

4. That this by-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.

READ a First Time this 22ND day of JANUARY, A.D. 2007.




A/MAYOR



CITY ADMINISTRATOR

READ a Second Time this 26TH day of MARCH, A.D. 2007.

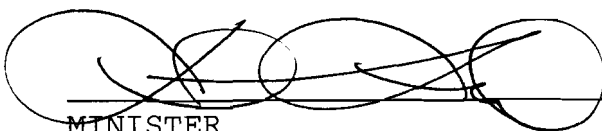


A/MAYOR



CITY ADMINISTRATOR

APPROVED by the Minister of Municipal and Community Affairs of the Northwest Territories this 26TH day of APRIL, A.D. 2007.



MINISTER
MUNICIPAL AND COMMUNITY AFFAIRS

READ a Third Time and Finally Passed this 28th day of
MAY, A.D. 2007.

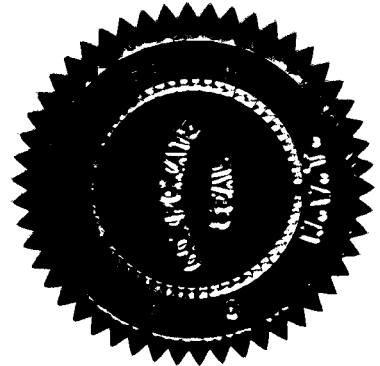
Mark Hayck
A/ MAYOR

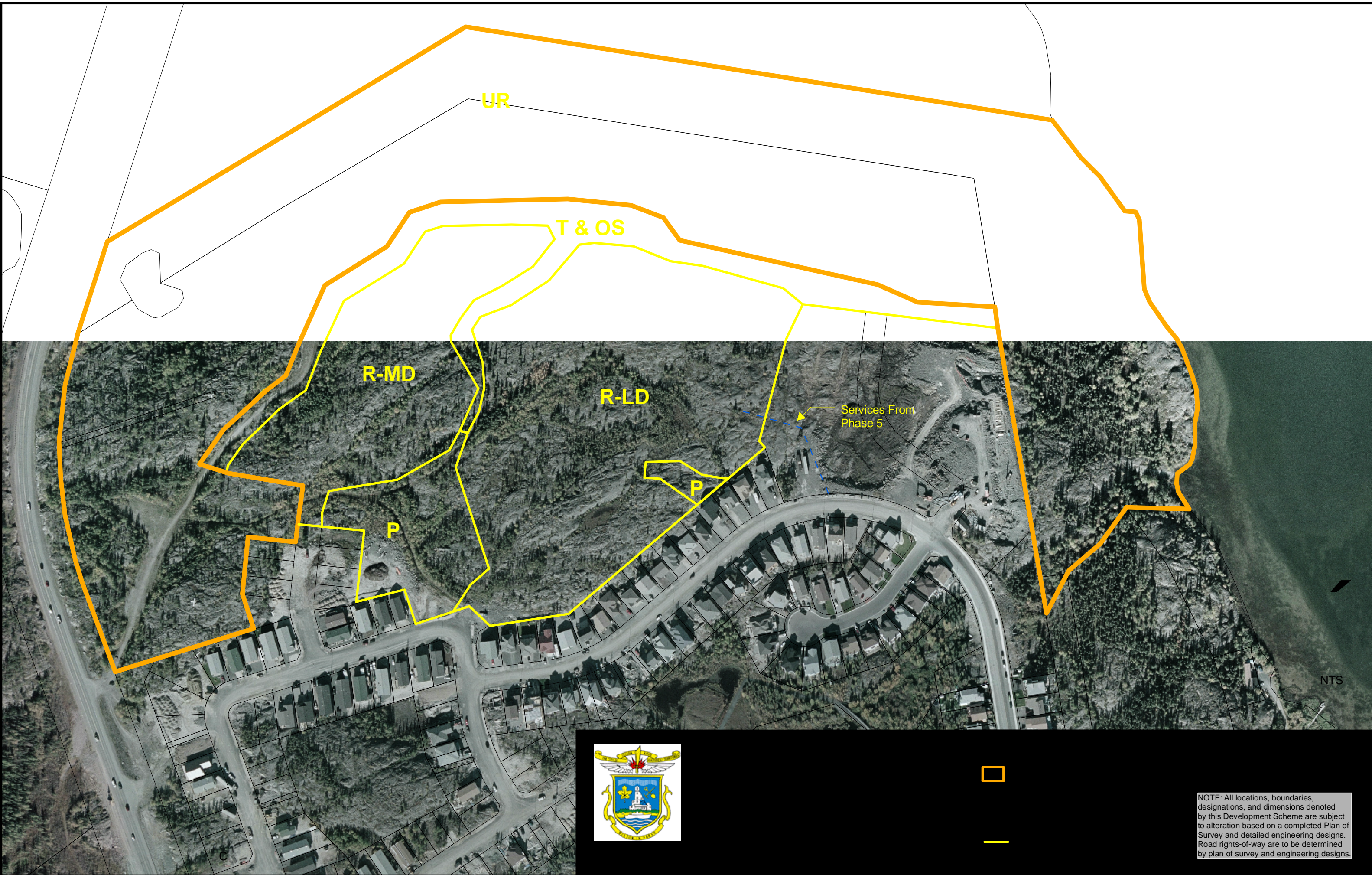
B. Kehue
A/ CITY ADMINISTRATOR

I hereby certify that this by-law has been made in accordance with the requirements of the Cities, Towns and Villages Act and the by-laws of the Municipal Corporation of the City of Yellowknife.

B. Kehue
A/ CITY ADMINISTRATOR

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Services From Phase 5

NTS



NOTE: All locations, boundaries, designations, and dimensions denoted by this Development Scheme are subject to alteration based on a completed Plan of Survey and detailed engineering designs. Road rights-of-way are to be determined by plan of survey and engineering designs.

SCHEDULE 1-A

1. Housing

- 1a) The Niven Lake residential area shall provide for detached, duplex, multi-attached and multi-family dwellings, as defined under the current Zoning By-law, in areas designated R - LD (Residential Low Density) and R - MD (Residential Medium Density).

2. Pathways and Open Space

- 2a) In conjunction with the Integrated Parks, Trails, and Open Space Development Study as approved on June 27, 2005 by motion #0173-05 the trails and open space network will be connected to the larger City wide trail system.
- 2b) The Niven Lake trail system will be connected both to the surrounding residential subdivision and to recreational opportunities outside of the Niven Lake subdivision.
- 2c) The existing trail connecting the Frame Lake trail to Back Bay will be retained in its current location and incorporated into the trail system of this development.
- 2d) Wherever possible, trails external to parkspace or road rights-of-way will be developed within an approximate 20 metre right-of-way wherein no development save that directly related to a trail or a related public service use will be permitted. The 20 meter right-of-way will be established by a plan of survey.

3. Roads and Utilities

- 3a) Within road rights-of-way, streets shall be developed at the minimum width prescribed by the Public Works Department to accommodate two way traffic, parking on one or both sides as required, sidewalks on both sides, and landscaped boulevards.

SCHEDULE 1-A (continued)

- 3b) Cul-de-sacs shall be developed at the minimum width as prescribed by the Public Works Department to accommodate two-way traffic and a centre island to be landscaped with natural flora and hard landscape material local to the City of Yellowknife.
- 3c) Utilities will be underground.
- 3d) Traffic calming measures such as landscaped boulevards, on-street parking, and landscaped cul-de-sac centre islands will be used to promote pedestrian friendly development.

4. Public Transit

- 4a) The Niven Lake Development Scheme 2007 is designed to accommodate public transit.

5. Parks

- 5a) As outlined in the Waterfront Management Plan (2001 - 2008) as approved on February 26, 2001 by motion #0056-01, an urban/nature park is intended to be developed in the Urban Reserve area to preserve the natural attributes of the area, specifically waterfront views and access.
- 5b) Active or passive recreation opportunities will be provided in the Parkspace areas.

6. Highway Buffer

- 6a) A 20 metre buffer strip shall be preserved between the east boundary of the Yellowknife access road right-of-way and any proposed lots. The buffer strip may allow for trail uses, but will otherwise be maintained in a natural, undeveloped state.

SCHEDULE 1-A (continued)

7. Urban Reserve

7a) The area adjacent to the Jackfish ravine will be subject to future study for residential, parks, and recreation purposes.

8. Development Scheme Boundaries

8a) Parcel and right-of-way boundaries represent the intent of the City of Yellowknife and will be established by engineering design and plans of survey. The boundaries indicated by this Development Scheme are subject to change based on their completion. Road rights-of-way will be determined by plan of survey or engineering design.

9. Resource Conservation

9a) Where practical any plan of subdivision should be designed to take advantage of passive solar opportunities for individual lots.

9b) Methods of energy conservation may be considered in zoning and building regulations for the Development Scheme area.

PROPERTY OWNERS WITHIN
NIVEN LAKE DEVELOPMENT SCHEME 2007

City of Yellowknife
P.O. Box 580,
Yellowknife, NT
X1A 2N4