



CITY OF YELLOWKNIFE

BY-LAW NO. 4830

BZ 335

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 amend City of Yellowknife Zoning By-law No. 4404, as amended.

PURSUANT TO:

- a) Sections 12 to 32 inclusive of the *Community Planning and Development Act*, S.N.W.T., 2013, c.9; and
- 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.

WHEREAS the Municipal Corporation of the City of Yellowknife has enacted Zoning By-law No. 4404, as amended;

AND WHEREAS the Municipal Corporation of the City of Yellowknife wishes to amend Zoning By-law No. 4404, as amended;

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

APPLICATION

1. That Zoning By-law No. 4404, as amended, be amended by:
 - A. Amending the definition of "Temporary Activity" under Section 1.6 to exclude "Workers' Accommodation" and read as follows:

"Temporary Activity" means the development characterized by a seasonal or short term nature of which the duration shall not exceed the time period and conditions specified in an approved development permit. This definition does not include "Workers' Accommodation";
 - B. Adding a definition of "Workers' Accommodation" to Section 1.6 as follows:

“Workers’ Accommodation” means a facility constructed to provide housing for workers in the form of complete dwelling units, typically for related businesses for an appropriate project, term or seasonal purpose.

C. Amending Section 10.20 LI – Limited Industrial by:

(1) Adding ‘commercial recreation’, ‘food/beverage service’ and ‘office’ to the list of Permitted Uses under Section 10.20 (2) (a) to read as:

(a) Permitted Uses are:

Accessory decks,
Accessory structures and uses,
Commercial use,
Commercial recreation,
Diamond facility,
Dwelling unit subject to Section 10.20 (5),
Food/beverage service subject to Section 10.20 (5),
Home based business,
Industrial use subject to Section 7.6 (1),
Office, and
Public utility uses and structures,

(2) Deleting the following uses from the list of Conditionally Permitted Uses under Section 10.20 (2) (b):

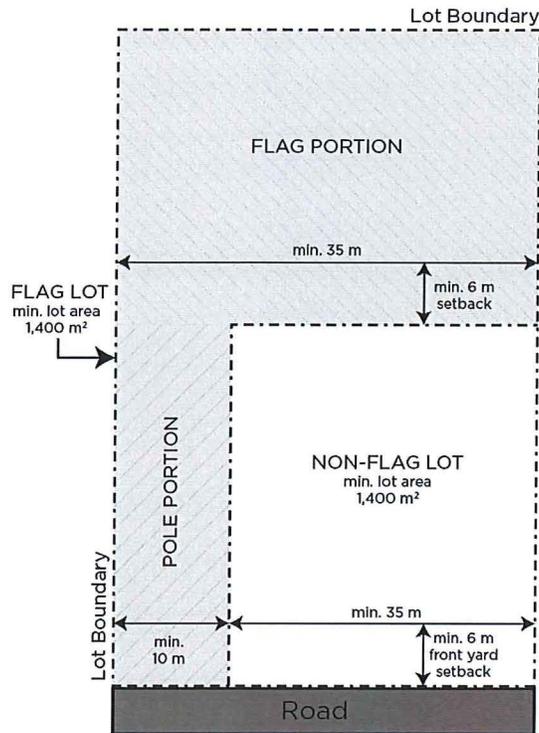
Industrial use subject to Section 7.6 (2), and
Bulk fuel storage.

(3) Amending Section 10.20 (3)(b) Height to read as follows:

(b) Height: Dwelling unit: a maximum of 10 m,
Other uses: a maximum of 15 m;

(4) Amending Section 10.20 (3)(f) Lot Width to read as follows:

(f) Lot Width: a minimum of 35 m, except for flag lot a minimum of 10 m for the Pole Portion and a minimum 35 m for the Flag Portion.



Flag Lot in the Limited Industrial Zone

(5) Amending Section 10.20 (5) by replacing subsections (b) and (c) by the following:

- (b) When reviewing applications for food/beverage service or dwelling unit development for more than two units, special considerations should be given to water supply for firefighting purposes, fire suppression system for the building, and compatibility with surrounding land uses.
- (c) Permitted dwelling unit types include Single Detached Dwelling, Manufactured Dwelling, Duplex Dwelling, Secondary Suite and dwelling unit attached to an approved building. All dwelling units shall comply with the following:
- i) If a dwelling unit is attached to an approved building, it shall have direct and separate access to the outside ground level;
 - ii) All dwelling units shall be serviced with municipal water and sewer;
 - iii) Only one of the permitted dwelling unit type shall be permitted on each site except that a Secondary Suite to an approved Single Detached Dwelling, Manufactured Dwelling or Duplex unit may be permitted;
 - iv) No dwelling unit shall be permitted unless the applicant demonstrates evidence of an established industrial or commercial use operating on site in the form of a structure having a minimum enclosed floor area of 93 m². In the case of a duplex development, an established industrial or commercial use operating on site in the form of a structure having a minimum enclosed floor area of 93 m² is required for each duplex unit.

- v) All manufactured dwelling units shall be skirted from the base thereof to the ground with material similar to that of the siding material. Painted plywood shall not be permitted as skirting.

D. Amending Section 10.25 KL – Kam Lake Light Industrial/Commercial Mix by:

- (1) Adding 'commercial recreation' and 'food/beverage service' to the list of Permitted Uses under Section 10.25 (2) (a) to read as follows:

- (a) Permitted Uses are:

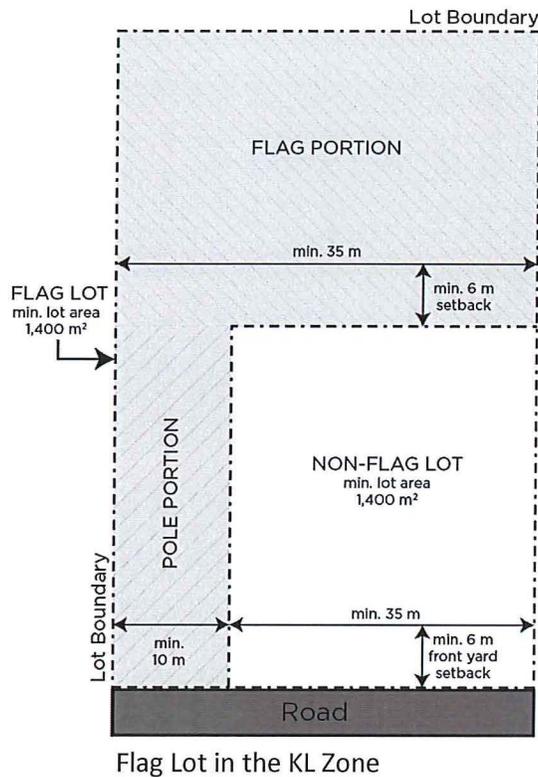
- Accessory decks,
 - Accessory structures and uses,
 - Commercial use,
 - Commercial recreation,
 - Diamond facility,
 - Dwelling unit subject to Section 10.25 (5),
 - Food/beverage service subject to Section 10.25 (5),
 - Home based business,
 - Industrial use subject to Section 7.6 (1),
 - Office, and
 - Public utility uses and structures,

- (2) Amending Section 10.25 (3)(b) Height to read as follows:

- (b) Height: Dwelling unit: a maximum of 10 m,
Other uses: a maximum of 15 m;

- (3) Amending Section 10.25 (3)(f) Lot Width to read as follows:

- (f) Lot Width: a minimum of 35 m, except for flag lot a minimum of 10 m for the Pole Portion and a minimum 35 m for the Flag Portion.



- (4) Amending Section 10.25 (5) by replacing subsections (b) and (c) by the following and deleting subsection (d):
- (b) When reviewing applications for food/beverage service or dwelling unit development for more than two units, special considerations should be given to water supply for firefighting purposes, fire suppression system for the building, and compatibility with surrounding land uses.
- (c) Permitted dwelling unit types include Single Detached Dwelling, Manufactured Dwelling, Duplex Dwelling, Secondary Suite and dwelling unit attached to an approved building. All dwelling units shall comply with the following:
- i) If a dwelling unit is attached to an approved building, it shall have direct and separate access to the outside ground level;
 - ii) All dwelling units shall be serviced with municipal water and sewer;
 - iii) Only one of the permitted dwelling unit type shall be permitted on each site except that a Secondary Suite to an approved Single Detached Dwelling, Manufactured Dwelling or Duplex unit may be permitted;
 - iv) No dwelling unit shall be permitted unless the applicant demonstrates evidence of an established industrial or commercial use operating on site in the form of a structure having a minimum enclosed floor area of 93 m². In the case of a duplex development, an established industrial or commercial use operating on site in

the form of a structure having a minimum enclosed floor area of 93 m² is required for each duplex unit.

- v) All manufactured dwelling units shall be skirted from the base thereof to the ground with material similar to that of the siding material. Painted plywood shall not be permitted as skirting.

E. Amending Section 11.6 Kam Lake Residential Overlay to read as follows:

(1) General Purpose

To allow for mixed use development including low density residential in the 'I – Industrial' zone within the Kam Lake area.

(2) Uses

Notwithstanding the uses listed in the underlying zone, the following shall apply to the overlay zone.

(a) Permitted Uses are:

- Accessory decks,
- Accessory structures and uses,
- Commercial use,
- Commercial recreation,
- Diamond facility,
- Dwelling unit subject to Section 11.6 (4),
- Food/beverage service subject to Section 11.6 (4),
- Home based business,
- Industrial use subject to Section 7.6 (1),
- Office,
- Planned development subject to Section 7.1 (9),
- Public utility uses and structures, and
- Temporary activity subject to Section 7.1 (6).

(b) Conditionally Permitted Uses are:

- Animal services,
- Transportation facility,
- Workers' accommodation up to eight units subject to Section 11.6 (4), and
- Similar use.

(3) Regulations

In addition to the regulations of the underlying zone, the following shall apply:

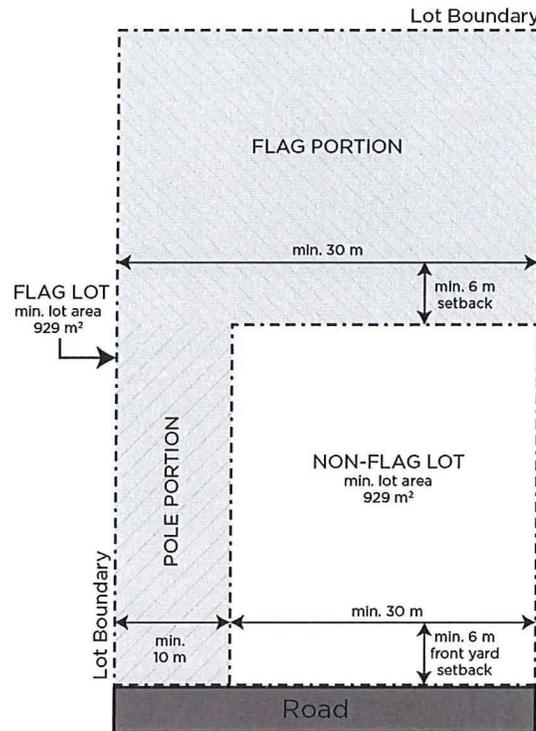
(a) Height:

- Dwelling unit: a maximum of 10 m,
- Other uses: a maximum of 15 m;

(b) Rear Yard:

- Dwelling unit: a minimum of 6 m,
- Other uses: a minimum of 3 m;

- (c) Lot Width: a minimum of 30 m, except for flag lot a minimum of 10 m for the Pole Portion and a minimum 30 m for the Flag Portion.



Flag Lot in the Kam Lake Residential Overlay zone

(4) Special provision

- (a) When reviewing applications for food/beverage service, dwelling unit development for more than two units or workers' accommodation, special considerations should be given to water supply for firefighting purposes, fire suppression system for the building, and compatibility with surrounding land uses.
- (b) Permitted dwelling unit types include Single Detached Dwelling, Manufactured Dwelling, Duplex Dwelling, Secondary Suite, and dwelling unit attached to an approved building. All dwelling units shall comply with the following:
- i) If a dwelling unit is attached to an approved building, it shall have direct and separate access to the outside ground level;
 - ii) All dwelling units shall be serviced with municipal water and sewer;
 - iii) Only one of the permitted dwelling unit type is permitted on each site except that a Secondary Suite to an approved Single Detached Dwelling, Manufactured Dwelling or Duplex unit may be permitted;
 - iv) No dwelling unit shall be permitted unless the applicant demonstrates evidence of an established industrial or commercial use operating on site in the form of a

structure having a minimum enclosed floor area of 93 m². In the case of a duplex development, an established industrial or commercial use operating on site in the form of a structure having a minimum enclosed floor area of 93 m² is required for each duplex unit.

- v) All manufactured dwelling units shall be skirted from the base thereof to the ground with material similar to that of the siding material. Painted plywood shall not be permitted as skirting.

EFFECT

2. 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 23 day of February, A.D. 2015.



 Mayor



 City Administrator

Read a Second Time this 9 day of MARCH, A.D. 2015.



 Mayor



 City Administrator



Read a Third Time and Finally Passed this 9 day of MARCH, A.D., 2015.



Mayor



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.



City Administrator